
Growth and Infrastructure Committee

OPEN MINUTES

Minutes of a meeting of the Growth and Infrastructure Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 12 September 2017 at 9.30am.

PRESENT

Chairperson	Cr D Macpherson
Deputy Chairperson	Cr G Taylor
Members	Mayor A King
	Deputy Mayor M Gallagher
	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr L Tooman

In Attendance:	Richard Briggs – Chief Executive
	Lance Vervoort – General Manager Community
	Kelvyn Eglinton – General Manager City Growth
	Chris Allen – General Manager City Infrastructure
	Sean Murray – General Manager Venues, Tourism and Major Events
	Blair Bowcott – Executive Director Special Projects
	Trevor Harris – Property Officer
	Jason Harrison – Transportation Manager
	Maire Porter – City Waters Manager
	Kelvin Powell – City Safe Unit Manager
	Nigel Ward – Communications Team Leader
	Gina Hailwood – Special Projects Manager
	Jaimie Sirl – Acting Team Leader Planning and Assets
	Lisa Topcsov – Partnerships and Funding Manager

External Presenters:	Vanessa Williams (General Manager HCBA) & Sarah King (Acting Chair HCBA)
	Jason Dawson (Chief Executive Hamilton & Waikato Tourism Ltd)
	Matt Stark, Steve McLennan and Brian White (presenting on Garden Place Redesign Proposal)

Governance Advisors:	Lee-Ann Jordan – Governance Manager
	Becca Brooke – Governance Team Leader
	Amy Viggers & Rebecca Watson – Committee Advisors

1. Apologies

Resolved: (Crs Macpherson/Taylor)

That the apologies from Crs Southgate and Pascoe (for lateness) are accepted.

2. Leave of Absence

Leave of Absence for Cr Yeung (24 August 2017 to 23 November 2017 Inclusive).

3. Confirmation of Agenda

Resolved: (Cr Macpherson/Cr Casson)

That the agenda is confirmed noting that some items have been allocated specific timings to accommodate external presenters availability so flexibility to the order of agenda would be required.

4. Declarations of Interest

In relation to Item 16 (*Road Stopping – Part of Hillsborough Tce*), Deputy Mayor Gallagher noted that he lived adjacent to the road listed in the report.

5. Public Forum

Phil Evans – Spoke to Item 18 (*Update on MoU between Animal Education and Control and SPCA*). Mr Evans expressed his concerns regarding cats on his property and information contained in the report.

Christina Campbell – Spoke to Item 15 (*Valley Terrace Stormwater Pipe Remedial Works*) as the affected property owner.

Andrea Graves (Representative of Riverlea Environment Group) – Spoke to Item 12 (*Te Awa Cycle Project*). Ms Graves expressed concerns that the current path would be widened and the detrimental effect that would have on the environment.

The following members of public spoke to item 16 (*Road Stopping – Part of Hillsborough Tce*), expressing their concerns regarding the potential sale of public land:

- Sarah and Luke Mercer
- Brad Chibnall
- Jim Wheeler
- Linda Fraser

The Chairperson advised that Anne Bell asked for comments in relation to Item 16 (Road Stopping – Part of Hillsborough Tce) she had provided by email be read out during public forum however, Elected Members would be supplied with her written points instead.

The Chairperson advised that a summary of the process to be followed concerning the Hillsborough Tce Rd Stopping would be circulated to Elected Members and made available to the public as an appendix to the meetings minutes.

6. Growth and Infrastructure Unconfirmed Minutes - 1 August 2017

In relation to questions from Elected Members, it was confirmed that the letter to Central Government, in relation to Item 7, General Managers Report – Local Alcohol Policy, had been sent. Staff were asked ensure that letters requested by resolution such as this one were circulated to Elected Members for their information.

Resolved: (Crs Macpherson/ Casson)

That the Growth and Infrastructure Committee confirm the Open Minutes of the Committee Meeting held on 1 August 2017 as a true and correct record, noting:

- In relation to Item 6, Chair's Report – Onion and Holmes Roads, it would be recorded that discussion took place around the legality of some of the actions of Boy Racers in the area.

7. Chair's Report

The report was taken as read. Staff provided a verbal update on each of the points raised in the Chair's report. In relation to CBD seating, Elected Members agreed that this issue would be referred to the Central City Safety Plan Taskforce for discussion and direction.

Resolved: (Crs Macpherson/Casson)

That the Growth and Infrastructure committee receives the report.

Cr Henry Dissenting.

8. General Managers' Report

The report was taken as read. Staff provided an update on progress on the Housing Infrastructure Fund application, noting it was with Central Government and outlined the next stages for the growth scenarios as part of the 10 Year Plan Process.

Elected Members raised concerns that the size of the Waikato Plan Governance Group was larger than necessary and asked questions regarding the communication plan for the roll out of new parking technology and free 2 hour parking from October 2017.

Resolved: (Crs Macpherson/Bunting)

That the Growth and Infrastructure Committee receives the report.

Cr Pascoe joined the meeting (10.33am) at the start of the above item. He was present when the matter was voted on.

The Meeting adjourned 11.00am – 11.15am during the discussion of the above item.

9. Hamilton Central Business Association (HCBA) - Year End report to 30 June 2017

Vanessa Williams (General manager of HCBA) and Sarah King (Acting Chair of HCBA) provided a brief introduction to the report. They responded to questions from Elected Members concerning what HCBA was doing to continue the upward trend of businesses moving to Hamilton CBD.

Resolved: (Cr Macpherson/Deputy Mayor Gallagher)

That the Growth and Infrastructure Committee receives the report.

10. Hamilton and Waikato Tourism Limited (HWTL) - Year End report to 30 June 2017

Jason Dawson (Chief Executive HWTL) provided a presentation to the Committee outlining the HWTL highlights. He responded to questions from Elected Members concerning the tourism net gain for Waikato and Hamilton from the increased funding given by Council.

Resolved: (Crs Macpherson/Tooman)

That the Growth and Infrastructure Committee receives the report.

11. Garden Place Redesign Proposal

Matt Stark, Steve McLennan and Brian White provided a presentation to the Committee outlining their proposal for the redesign of Garden Place. They responded to questions from Committee Members concerning the purpose of a redesign and possible funding options. The presenters noted that they had already received offers of pro-bono work from consultants and would work to rally others to help with the project. It was their aim was to reduce cost to the ratepayer. Their design was aimed to be a 'town centre' Hamilton could be proud of as well as being a shared space for different modes of transport modes and multiple other uses.

Resolved: (Crs Macpherson/Casson)

That the Growth and Infrastructure Committee

- a) receives the report, and
- b) requests the Chief Executive to prepare a proposal on the Garden Place Redesign concept by engaging with the presenters, for consideration through the 2018/28 10 Year Plan process.

Crs O'Leary and Tooman Dissenting.

The Meeting adjourned 1.10pm to 1.45pm prior to the above motion being voted on.

Following the adjournment, the Committee resumed with Item 11 (Cycle Action Network Update) and Item 12 (Te Awa Cycle Project) prior to voting on the above matter.

12. Cycling Action Network Update

Claire Sherrington and Rob Davidson representatives from Cycle Action Network (CAN) presented an update on the organisation. They responded to questions from Committee Members concerning areas where essential cycle routes could be added to reduce traffic congestion such as the Hospital to the CBD, and the role that CAN already undertook to educate the public on cycle safety.

Resolved: (Crs Macpherson/Bunting)

That the Growth and Infrastructure Committee:

- a) receives the report; and
- b) refers the matters raised in the presentation to the Access Hamilton Taskforce for consideration.

Cr Mallett Dissenting.

13. Te Awa Cycle Project

City Transportation Manager introduced the report and noted that staff wanted to ensure visibility of the recommended route being proposed. Staff responded to questions from Committee Members concerning clarification of the preferred route and boundaries, amenities and scope of work proposed being within budget, and connection to existing paths.

Resolved: (Crs Macpherson/Henry)

That the Growth and Infrastructure Committee approves the cycleway route through Hamilton as Council's preferred route, subject to staff concluding consultation with key stakeholders, and securing Council's share of any funding required as part of the approved 2018-28 10 Year Plan.

Cr Mallett Dissenting.

Item 18 (Update on MoU between Animal Education and Control and SPCA) and Item 15 (Valley Tce Stormwater Pipe Remedial Works) were taken next to accommodate members of the public in attendance.

14. Update on MoU between Animal Education and Control and SPCA

The General Manager City Growth introduced the Item. Staff responded to questions concerning clarification of the MoU and understanding of specific clauses regarding progression towards increased opening hours. Committee Members discussed the investigation into the various options for the control of cats.

Resolved: (Crs Macpherson/Taylor)

That the Growth and Infrastructure Committee receives the report.

15. Valley Terrace Stormwater Pipe Remedial Works – (Recommendation to Council)

The General Manager City Infrastructure and the City Waters Manager took the report as read and responded to questions from Committee Members concerning Council having future ownership of the pipe and easement access as part of the final agreement with the property owners.

Resolved: (Crs Macpherson/Tooman)

That the Growth and Infrastructure Committee recommends that Council:

- a) approves a total project budget of up to \$591,000 to enable staff to progress with planning, consenting and implementation of physical works to remove and replace the failed Valley Terrace stormwater pipe;
- b) delegates authority to the General Manager City Infrastructure to finalise negotiations with the property owner from 12 Valley Terrace on the extent of any contribution to project works;
- c) approves that ownership of the new proposed piped structure transfers to the Council and that the Council accepts all future maintenance and renewal obligations; and
- d) approves staff to progress with the establishment of appropriate easements in gross on property titles of 10, 12 and 14 Valley Terrace to allow for future access to piped structure for inspection, maintenance and renewal purposes.

16. Dinsdale Roundabout Update

The City Transportation Manager introduced the report and noted that the residents had confirmed through their representative that they were happy with NZTA's proposal on this matter.

Resolved: (Crs Pascoe/Macpherson)

That the Growth and Infrastructure Committee:

- a) receives the report;
- b) notes that no further changes are planned for Dinsdale Roundabout, including the free left turn into Dinsdale Road or Rifle Range Road intersection; and
- c) notes that any future changes will be considered as part of any future SH23 corridor study.

Mayor King Dissenting.

16. Road Stopping – Part of Hillsborough Tce – (Recommendation to Council)

General Manager City Infrastructure introduced the report and outlined the Road Stopping process requirements under the Local Government Act 1974 (*which had previously been circulated to Elected Members and would be made available to the public after the meeting as an appendix to the meetings minutes*). Staff responded to questions from Committee Members concerning the legislative process that would be followed.

Staff were asked to seek legal clarification concerning whose interests the Council were obligated to protect and the process to be followed.

Motion: (Crs Mallett/Taylor)

That the Growth and Infrastructure Committee:

- a) receives the report.
- b) recommends Council approval of the exchange of approximately 175m² of Council fee simple land, legal description Lot 4 DP 486892, for approximately 175m² of land in the ownership of Anthony Endres, at no land cost to either party, subject to:
 - i. each party being responsible for their own legal costs
 - ii. associated land exchange costs, such as survey and valuation, being shared equally
 - iii. a survey plan being approved for the areas to be exchanged
 - iv. the area being received by Mr Endres being amalgamated with the title for his property at 10B Masons Ave
 - v. the area being received by Council being amalgamated with the title for the A J Seeley Gully Reserve.
- c) recommends Council delegates the Chief Executive authority to sign all documentation related to the land exchange.

The Motion was put.

Those for the Motion:

Mayor King, Councillors Mallett, Pascoe, Taylor and Tooman.

Those against the Motion:

Councillors Macpherson, Bunting, Casson, Gallagher and Henry.

The Motion was declared equal.

The Chair elected to move a Procedural Motion (Standing Order 3.11.1, b) that the item of business being discussed, be adjourned to the Council Meeting of 21 September 2017.

Procedural Motion: (Crs Macpherson/Tooman)

That the item of business being discussed in relation to Road Stopping – Hillsborough Tce be adjourned to the Council Meeting of 21 September 2017 for decision.

The Procedural Motion was put.

Those for the Procedural Motion: Mayor King, Councillors Macpherson, Gallagher, Mallett, Pascoe, Taylor and Tooman.

Those against the Procedural Motion: Councillors Bunting, Casson and Henry.

The Procedural Motion was declared carried.

Resolved: (Crs Macpherson/Tooman)

That the item of business being discussed be adjourned to the Council Meeting of 21 September 2017.

Cr O’Leary left the meeting (4.45pm) during the above Item. She was not present when the matter was voted on.

At 4.45pm, during the discussion of the above Item, an extension of time was approved to extend the time of the meeting beyond 6 hours.

Resolved: (Crs Macpherson/Casson)

That the meeting continue beyond 6 hours as per Standing Order 3.2.7.

17. LED Street Lighting Upgrade – (Recommendation to Council)

City Transportation Manager introduced the report. He noted the benefits in carrying out this work included future proofed technology, maintenance and power savings. Staff responded to questions from Committee Members concerning the implementing various stages of the project sooner to take advantage of the subsidy that was available.

Resolved: (Crs Macpherson/Bunting)

That the Growth and Infrastructure Committee:

- a) receives the report;
- b) notes the development of a 5 stage programme to replace all existing luminaires within the road corridors controlled by Hamilton City Council with new Light Emitting Diode (LED) luminaires;

- c) approves the implementation of stage 1 of the overall programme to replace approximately 7,500 luminaires on residential streets with LED fittings, noting this will be undertaken within existing 2017/18 transport budgets;
- d) approves the implementation of stage 2 of the overall programme to replace approximately 5,500 luminaires on arterial roads (excluding state highways) with LED fittings noting that the supply of the luminaires can be partly funded within existing 2017/18 budgets;
- e) approves a \$5,700,000 extension to the Approved Contract Sum of \$135,000,000 for Contract 12080; Transportation Maintenance and Renewals to \$140,700,000 for the supply and installation of stage 1 and 2 luminaires; and
- f) notes that stages 3, 4 and 5 of the programme, being to replace decorative and amenity lights in the road corridor and to install additional infill lighting to improve lighting levels in specified areas, will be considered as part of the 2018-28 10-Year Plan.

Recommendation to Council

Resolved: (Crs Macpherson/Bunting)

That the Growth and Infrastructure Committee recommends Council approves an additional local share funding of \$194,000 in 2017/18 to complete the supply of the stage 2 luminaires to be managed through risks and opportunities and to prioritise the 2018/19 installation costs of \$279,000 in the 2018-28 10-Year Plan;

Resolved: (Crs Pascoe/Bunting)

That staff bring a report with further opportunities to advance stages 3,4, and 5 to take advantage of NZTA financial assistance, to the 24 October 2017 Growth and Infrastructure Committee Meeting.

Cr O'Leary re-joined the meeting (5.05pm) during the above item. She was present when the matter was voted on.

Cr Mallett retired from the meeting (5.30pm) during the above Item. He was not present when the matter was voted on.

18. Land Exchange - Whyte Street – (Recommendation to Council)

The Property Officer introduced the report, noting that Council would benefit from the land exchange as it would improve configuration of the reserve and improve access for maintenance purposes. Staff responded to questions from Committee Members concerning the allocation of costs between Council and other party.

Resolved: (Cr Macpherson/Mayor King)

That the Growth and Infrastructure Committee:

- a) receives the report,
- b) recommends Council approval of the exchange of approximately 175m² of Council fee simple land, legal description Lot 4 DP 486892, for approximately 175m² of land in the ownership of Anthony Endres, at no land cost to either party, subject to:
 - i. each party being responsible for their own legal costs

- ii. associated land exchange costs, such as survey and valuation, being shared equally
 - iii. a survey plan being approved for the areas to be exchanged
 - iv. the area being received by Mr Endres being amalgamated with the title for his property at 10B Masons Ave
 - v. the area being received by Council being amalgamated with the title for the A J Seeley Gully Reserve.
- c) Recommends Council delegates the Chief Executive authority to sign all documentation related to the land exchange.

19. Proposed Waste Management and Minimisation Plan for consultation

The Compliance Manager introduced the report, noting that the proposed Waste Management and Minimisation Plan would not determine the level of service from Council by way of curb side refuse and recycling collections. Staff responded to questions from Committee Members concerning the waste levy covering all costs associated to the Waste Management and Minimisation Plan.

Resolved: (Crs Bunting/O'Leary)

That the Growth and Infrastructure Committee:

- a) approves the proposed Waste Management and Minimisation Plan for the purpose of consultation with the community;
- b) approves the draft Statement of Proposal – proposed Waste Management and Minimisation Plan;
- c) approves the 2017 Waste Assessment for notification alongside the Statement of Proposal and the proposed Waste Management and Minimisation Plan; and
- d) approves the commencement of public consultation in regard to the Statement of Proposal – proposed Waste Management and Minimisation Plan from 9 October 2017 to 19 November 2017.

20. Development Contributions Remissions Quarter 4 2017

The report was taken as read.

Staff were asked outline in the next report on this matter to the committee, the reasons why individual names were not able to be identified in the report.

Resolved: (Crs O'Leary/Casson)

That the Growth and Infrastructure Committee receives the report.

Mayor King retired from the meeting (5.50pm) during the above item. He was not present when the matter was voted on.

The meeting was declared closed at 5.53pm.

Appendix One

Road Stopping under Local Government Act 1974

- Road Stopping under section 342 in the manner described in Schedule 10
- Council to prepare a Plan together with explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put
- Lodge Plan with the office of the Chief Surveyor
- Chief Surveyor must give notice of approval and Plan number
- Council to open the plan for public inspection at the Council Office
- Council shall at least twice, at intervals of not less than 7 days, give public notice of the proposals and of the place where the Plan may be inspected
- Notice shall be called upon persons objecting to proposal to lodge objections in writing to office on or before date to be specified in notice, being not earlier than 40 days after the first publication (of notice)
- Council shall also forthwith after first publication of notice serve a notice in the same form of on the occupiers of all land adjoining the road proposed to be stopped (to the owner and/or occupier)
- A notice of proposed stoppage shall during the period of first publication of notice and expiration of the last day for lodging objections, be kept fixed in conspicuous place at the end of each road proposed to be stopped
- If no objections are received the Council may be public declare road stopped
- If objections are received Council must send the objections together with the plans and full description to Environment Court, **unless it decided to allow the objections**
- Environment Court may confirm, modify, or reverse decision of Council
- If Environment Court reverses decision of Council no proceedings shall be entertained by the environment Court for stopping the road for 2 years thereafter