
Hearings Subcommittee

OPEN MINUTES

Minutes of a meeting of the Hearings Subcommittee held in Committee Room 1, Municipal Building, Garden Place, Hamilton on Tuesday 27 October 2015 at 1.00pm.

PRESENT

Chairperson Cr R Pascoe
Members Cr K Green
 Cr P Yeung

In Attendance: Chris Allen – General Manager City Infrastructure
 Debra Stan-Barton – Acting General Manager City Spaces
 Robyn Denton – Network Operations Team Leader
 Jason Wright – Senior Planner
 Nigel Ward – Communications Advisor

 David Ivory – Progressive Enterprises Ltd.
 Jane Douglas – Zomac Consulting
 Alistair Black – Grey Matter Ltd.
 Alana Wells – representing the submission from Poaka Avenue residents
 Ron Wells – representing the submission from Ron and Ann Wells

Committee Advisor Ian Loiterton - Committee Advisor

1. Apologies

There were no apologies.

2. Confirmation of Agenda

The Chair noted that the Poaka Avenue matter was adjourned from 23 September 2015, at which it was resolved that:

- a) the item be adjourned to a Meeting of the Hearings Subcommittee at 1.00pm Tuesday 10 November 2015; and
- b) Councillor Pascoe continue to act as the Chair of the Subcommittee for the 10 November 2015 meeting.

The Chair noted that the nominated date to reconvene the meeting on the 10 November 2015 was changed to the 27 October 2015 due to the availability of Elected Members, and thanked all present for being able to attend.

Resolved: (Cr Pascoe/Green)

The Committee to confirm the agenda.

3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

4. Hearings Subcommittee Meeting - Open Minutes – 23 September 2015

Resolved: (Cr Green/Yeung)

That the Subcommittee confirm and adopt as a true and correct record the Open Minutes of the Hearings Subcommittee Meeting held on 23 September 2015.

4. Parking Restriction Changes - Poaka Avenue

The Chair introduced the item, and noted the following key points:

- **Proceedings**

The matter was first heard at a meeting on 2 July 2015, which was adjourned until 23 September 2015, which in turn was adjourned to this meeting.

- **Public submissions**

Submissions from residents were received and heard as part of meetings of the Subcommittee on 2 July 2015 and 23 September 2015. This included the acceptance of two late submissions from residents at the 23 September 2015 meeting.

- **Additional correspondence**

The Subcommittee acknowledged receipt of additional letters from:

- Poaka Avenue residents, dated 19 October 2015; and
- An undated letter from Mr and Mrs Wells that was received on 21 October 2015.

- **Hearings process**

The purpose of this meeting was to give the applicant (Progressive Enterprises Ltd) and staff a right of response to issues raised by residents at the meeting of the Subcommittee on the 23 September 2015 – a process that was communicated to residents at that time.

This included an opportunity for the Applicant to be heard.

- **Staff report**

Following the hearing of the Applicant, staff would be given an opportunity to talk to their report which included:

- Consideration of the late submissions from residents that were accepted / heard at the meeting on 23 September 2015;
- Consideration of the response from Progressive Enterprises Ltd to residents' issues as submitted / heard at the meeting on the 23 September; and
- Reference to residents' latest objections as appropriate.

- **Deliberations**

The Subcommittee would then deliberate the matter and make a decision, noting that the Subcommittee reserved the right to carry deliberations over until a future date, as required.

Members of the public were invited to remain until the Subcommittee returned to advise its decision.

The Spokesperson for Progressive Enterprises Ltd, Jane Douglas of Zomac Consulting, highlighted the following key points:

- **Process**

The process had been quite drawn-out, and urged that Council consider integrating its Resource Consent and Local Government Act processes.

- **Resource consent**

Having been granted a Resource Consent subject to Local Government Act parking restrictions, the Applicant had a legal right to use the proposed crossover as an entry and exit for service vehicles, though this was restricted to right exit only for heavy vehicles.

- **Resident concerns**

The applicant had listened to the concerns of residents, and had proposed the addition of two recessed parking bays as a condition of their Resource Consent to minimise the impact on parking within Poaka Avenue.

The Network Operations Team Leader took the report as read, and highlighted the following points:

- **Scope of assessment**

An assessment of residents' concerns was provided on page 15-16 of the Agenda, with an assessment of issues outside the Subcommittee's terms of reference provided on pages 16-17.

- **Vehicle turning circles**

Planning for the exit of heavy trucks from the proposed crossover was based on the largest vehicle type to ensure the proposed parking restrictions were adequate.

- **Correction**

Attention was drawn to an error in the original report as presented at previous meetings, namely that the house numbering was shown incorrectly; this had been rectified in the latest report.

- **Bus route**

Staff had spoken to Waikato Regional Council (WRC) as the operator of the bus network within Hamilton. WRC provided feedback that they did not have any concerns in terms of buses being able to travel the route along Poaka Avenue, while noting that the width of the road, in their opinion, helped reduce vehicle speed along the street.

- **Traffic exit from Poaka Avenue**

Staff confirmed that New Zealand Traffic Authority had no concerns regarding the exit of traffic from Poaka Avenue onto Whatawhata Road.

- **Applicant's response**

Staff stated that the offer of two recessed parking bays by Progressive Enterprises Ltd to help offset the proposed parking restrictions was a reasonable compromise.

- **Monitoring of potential issues**

A monitoring process would be in place as part of the resource consent process; and that Hamilton City Council would monitor any traffic issues.

Staff then responded to questions including:

- **Recessed parking bays**

One of the recessed parking bays proposed by Progressive Enterprises Ltd was only long enough for one regular sized passenger vehicle, whereas the second would be able to cater for two vehicles. If the single sized parking bay was lengthened to accommodate two vehicles, it would impact on existing services and a tree.

- **Bus width compared to B-train trucks**

Legislation stipulated vehicle size limits, with B-train trucks being the same width of buses that travelled along Poaka Avenue, though it was noted that different side mirror configurations were a possibility.

- **Whatawhata Road exit safety**

Works were scheduled to create pedestrian safety islands at the intersection.

- **Review Condition** (page 41, paragraph 28 of the Agenda):

The Resource Consent that had been awarded to the applicant included a clause for the review and, if necessary and appropriate, the remedy or mitigation of any adverse traffic effects. Staff confirmed this clause would be triggered if any complaints or issues were received; the Subcommittee could stipulate a similar clause.

The meeting was adjourned (1.26pm – 1.46pm) while Subcommittee members retired to deliberate the matter.

Resolved: (Cr Pascoe/Green)

That:

- a) the report be received;
- b) Council approves the changes to No Stopping Restrictions as set out in the table below, subject to resource consent 010/2014/7944/001 being amended to include a condition to provide 2 recessed bays generally in accordance with paragraph 40 of this report:

Proposed Changes to No Stopping Restrictions	
Location	Proposed change
Poaka Ave	<i>Installation of</i> <ul style="list-style-type: none">- 18.0 metres of No Stopping Restriction on the western side outside #12, #14, #16 and #18 Poaka Ave,- 23.0 metres of No Stopping Restriction on the eastern side outside #9, #11 and #11A Poaka Ave. <i>Subject to implementation of Resource Consent 7944/001.</i>

; and

- c) Council undertakes a review involving the residents who have submitted on this and the Resource Consent Holder, after six months following the completion of the modifications to the existing supermarket site to assess all traffic effects on the roading network. Staff are then to report back to this Subcommittee on completion of the review.

The Meeting was declared closed at 1.47pm.