
Infrastructure Operations Committee

OPEN MINUTES

Minutes of a meeting of the Infrastructure Operations Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 27 February 2020 at 9.34am.

PRESENT

Chairperson	Cr A O’Leary
Deputy Chairperson	Cr M Gallagher
Members	Mayor P Southgate
	Deputy Mayor G Taylor
	Cr M Bunting
	Cr M Forsyth
	Cr D Macpherson
	Cr K Naidoo-Rauf
	Cr R Pascoe
	Cr S Thomson
	Cr M van Oosten
	Cr E Wilson
	Maangai N Hill

In Attendance	Eeva-Liisa Wright – General Manager Infrastructure Operations
	Chris Allen – General Manager Development
	Kelvin Powell – City Safe Unit Manager
	Tania Hermann – Group Business Manager
	Robyn Denton – Operations and Use Team Leader
	Becca Brooke – Governance Manager
	Lauradanna Radisch – Communications Team Leader
	Maire Porter – City Waters Manager
	Trent Fowles – Compliance Manager
	Scott Copeland – Contract Manager Rubbish and Recycling
	Jared Hatwell – Project Manager

Governance Staff	Rebecca Watson, Claire Guthrie, Carmen Fortin – Governance Advisors
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1. Apologies

Resolved: (Cr O’Leary/Cr Bunting)

That the apologies for absence from Cr Hamilton and for partial absence from Mayor Southgate be accepted.

2. Confirmation of Agenda

Resolved: (Cr O’Leary/Cr Wilson)

The Committee confirms the agenda, noting that Item 7 (*Personal Hire Devices – 6 month trial update*) will be heard after the public forum to accommodate the availability of presenters.

3. Declarations of Interest

No members of the Committee declared a Conflict of Interest.

4. Public Forum

Maurice Flynn and Joy Ho (representing Disabled Persons Assembly Waikato) spoke to Item 7 (Personal Hire Devices – 6 month trial update). They noted that whilst e-scooters were a great mode of transport, they had a particular risk to disabled people by being left haphazardly, and thereby blocking the ability of users of mobility devices to use footpaths. They suggested that e-scooters should be prohibited from the footpaths, and used on roads and in cycle paths instead.

Judy McDonald spoke to Item 7 (Personal Hire Devices – 6 month trial update), noting that she did not think e-scooters belonged on footpaths, but that their use there was an opportunity to ease some of the congestion on roads by providing an alternative mode of transport. She suggested a speed restriction, or separated cycle ways to create a safer method of use for e-scooters.

Lauren Mentjox and Hamish Ellis (representing Lime) spoke to Item 7 (Personal Hire Devices – 6 month trial update), they spoke to the benefits of e-scooters and outlined some of the initiatives to encourage and educate users concerning safety and usage of e-scooters in the city.

Jo Wrigley (representing Go Eco) spoke to Item 7 (Personal Hire Devices – 6 month trial update), outlining some of the benefits of using e-scooters, noting usage within the city limits to get to and from work and meetings within the city area. She suggested some of the initiatives that could be implemented to increase the safe usage of devices such as bells or other systems that enable scooters to make a noise.

Kelli Pike spoke to Item 7 (Personal Hire Devices – 6 month trial update), noting some of the positive outcomes of the alternative modes of transport available. She suggested that there was a need for separated cycleways in the city to create a safer environment

Hannah Huggan and Timi Bacabus (representing Student Environment Leaders) spoke to Item 7 (Personal Hire Devices – 6 month trial update), noting that alternative modes of transport were required, however there was a danger with users speeding on footpaths. They suggested there was a need for separated infrastructure, like separated cycleways to make a safer environment. They noted the positive environmental impact of e-scooters and bicycles.

Louise Hutt spoke to Item 7 (Personal Hire Devices – 6 month trial update), acknowledging prior speakers and noted her commute this morning on scooter was pleasant. She suggested that e-scooters did not belong on footpaths, and equally did not belong on the roads, highlighting the need for separated cycleways and upgrades to current infrastructure such as pathways and signage to remind people to stay left.

Mayor Southgate retired from the meeting (10.02am) during the public forum.

The meeting adjourned from 10:44am to 10:50am.

5. Personal Hire Devices - 6 month trial update

The Chair introduced the item, clarifying that the purpose of the report was to update Committee Members on the personal hire devices trial in general, and not the current Council provider. Staff responded to questions from Committee Members concerning the utilisation of the fees and charges, reporting methods, device parking, education of users, other potential providers, and dedicated cycle lanes in the future.

Motion: (Cr Thomson/Cr O’Leary)

That the Infrastructure Operations Committee:

- a) approves **Option Two** the extension of the trial of the personal hire devices activity under the Public Places Bylaw for a further 12 months until March 2021;
- b) requests staff report back to the Infrastructure Operations Committee with the outcome of the extended trial prior to March 2021;
- c) approves that no more than 1,000 personal hire devices be permitted for operation in Hamilton City, noting that there is a desire for a variety of devices within that allocation;
- d) recommends that the Council approves the following fees and charges:
 - (i) \$300 annual permit fee;
 - (ii) \$85.00 per permitted device annual charge (for enforcement and management);
 - (iii) \$10,000 education programme fund per operator, with an understanding that there will be future ongoing funding shared among all operators for Council and user education;
- e) notes that public liability insurance of \$2,000,000 will be required by each Personal Hire Device operator;
- f) notes that the current permit for Lime (*including the exclusivity clause*) will be extended until a decision has been made on operators for the extended 12 month trial; and
- g) notes that staff will administer the personal hire device permit process and review permits and renew the code of practice on an annual basis;
- h) that staff report back to this committee in 6 months with an update on education initiatives carried out, policy development and safety guidelines.

Amendment: (Deputy Mayor Taylor/Cr Forsyth)

That the Infrastructure Operations Committee:

- a) approves **Option Two** the extension of the trial of the personal hire devices activity under the Public Places Bylaw for a further 12 months until March 2021;
- b) requests staff report back to the Infrastructure Operations Committee with the outcome of the extended trial prior to March 2021;
- c) approves that no more than 1,000 personal hire devices to operate in the city, noting that there is a desire for a variety of devices within that allocation;
- d) recommends that the Council approves the following fees and charges:
 - (i) \$300 annual permit fee;
 - (ii) \$85.00 per permitted device annual charge (for enforcement and management);

- (iii) \$10,000 education programme fund per operator, with an understanding that there will be future ongoing funding shared among all operators for Council and user education;
- e) notes that public liability insurance of \$2,000,000 will be required by each Personal Hire Device operator;
- f) notes that the current permit (*with exclusivity clause*) for e-scooters will be extended to Lime for continuation of a further 6 month trial period;
- g) notes that staff will administer the personal hire device permit process and review permits and renew the code of practice on an annual basis; and
- h) that staff report back to this committee in 6 months with an update on education initiatives carried out, policy development and safety guidelines.

The Amendment was put and declared CARRIED.

The Amendment as the Substantive Motion was then put and declared CARRIED.

Resolved: (Deputy Mayor Taylor/Cr Forsyth)

That the Infrastructure Operations Committee:

- a) approves **Option Two** the extension of the trial of the personal hire devices activity under the Public Places Bylaw for a further 12 months until March 2021;
- b) requests staff report back to the Infrastructure Operations Committee with the outcome of the extended trial prior to March 2021;
- c) approves that no more than 1,000 personal hire devices to operate in the city, noting that there is a desire for a variety of devices within that allocation;
- d) recommends that the Council approves the following fees and charges:
 - (i) \$300 annual permit fee;
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 - (iii) \$10,000 education programme fund per operator, with an understanding that there will be future ongoing funding shared among all operators for Council and user education;
- e) notes that public liability insurance of \$2,000,000 will be required by each Personal Hire Device operator;
- f) notes that the current permit (*with exclusivity clause*) for e-scooters will be extended to Lime for continuation of a further 6 month trial period;
- g) notes that staff will administer the personal hire device permit process and review permits and renew the code of practice on an annual basis; and
- h) that staff report back to this committee in 6 months with an update on education initiatives carried out, policy development and safety guidelines.

Cr Bunting left the meeting (11.53) during the discussion of the above item. He was not present when the matter was voted on.

The meeting adjourned from 12.38pm to 1.15pm.

Cr Bunting re-joined the meeting during the above adjournment.

6. Chairs Report

The Chair spoke to her report, noting that work on the Hamilton Bike Plan will be undertaken via informal meetings with all interested Committee Members.

Resolved: (Cr Gallagher/Cr Thomson)
That the Infrastructure Operations Committee:

- a) receives the report; and
- b) notes that the Chair is convening a group of interested Elected Members and relevant staff to discuss and provide suggested updates to the Hamilton Biking Plan to the Infrastructure Operations Committee.

Deputy Mayor Taylor left the meeting (1.46pm) during the discussion of the above item. He was not present when the matter was voted on.

Cr Naidoo-Rauf left the meeting (1.57pm) during the discussion of the above item. She was not present when the matter was voted on.

7. HCC's Draft Submission to the Health Select Committee on Taumata Arowai - The Water Services Regulator Bill

The report was taken as read. Staff responded to questions from Committee Members concerning Te Ture Whaimana o te Awa o Waikato principles and the requirement of cultural considerations needing to be addressed in reports.

Resolved: (Cr Wilson/Cr Forsyth)
That the Infrastructure Operations Committee:

- a) receives the report;
- b) approves Hamilton City Council's **Draft 2** submission (**Attachment 1**) to the Health Select Committee on Taumata Arowai – The Water Services Regulator Bill; and
- c) notes that the approved submission will be sent to the Health Select Committee following the Infrastructure Operations Committee approval, to meet the 4 March 2020 submission closing date.

Cr Naidoo-Rauf re-joined the meeting (2.05pm) during the discussion of the above item. She was present when the matter was voted on.

8. Infrastructure Operations Committee Draft Schedule of Reports 2020

The report was taken as read. Committee Members provided feedback on the Infrastructure Operations Committee draft schedule of reports.

Staff Action: Staff undertook to provide Committee Members with a timeline for the review of the Bike Plan.

Staff Action: Staff undertook to update the schedule of reports to include dates for 'Rail' to be reported to the committee and the additional reports concerning Rubbish and three water.

Resolved: (Cr Wilson/Cr Forsyth)

That the Infrastructure Operations Committee:

- a) receives the draft 2020 Schedule of Reports; and

- b) notes that the Schedule of Reports is intended to be a living document that will be updated as necessary and will be made available to Elected Members and Maangai Maaori on Diligent.

9. General Managers Report

The General Manager of Infrastructure Operations took the report as read. Staff responded to questions from Committee Members regarding safety concerns and data collection. The Chair and Cr Macpherson provided an update to Committee Members on the latest Waikato Regional Transport Committee meeting that took place on 10 February 2020.

Resolved: (Cr O'Leary/Cr Macpherson)

That the Infrastructure Operations Committee receives the report.

Deputy Mayor Taylor re-joined the meeting (2.41pm) during discussion of the above item. He was present when the matter was voted on.

Cr Wilson retired from the meeting (2.44pm) during discussion of the above item. He was not present when the matter was voted on.

10. Resolution to Exclude the Public

Resolved: (Cr O'Leary/Cr Gallagher)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Supply of Automation and Control Equipment and Services for the Water, Wastewater and Landfill Activities) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987)	Section 48(1)(a)
C2. Low River Contingency Contract Award		
C3. Update on the Recycling Commodity Market		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7

of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C2.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C3.	to protect information which is subject to an obligation of confidence where disclosure would likely damage the public interest	Section 7 (2) (c) (ii) Section 7 (2) (h)
	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (i)
	to enable Council to carry out negotiations	

The meeting moved into a Public Excluded session at 2.50pm.

The meeting was declared closed at 4.02pm.

Minute Note 3/06/2022:

On 3/06/2022 the following resolutions were determined to be released to the public via these minutes and the quarterly update.

Supply of Automation and Control Equipment and Services for the Water, Wastewater and Landfill Activities

Resolved:

That the Infrastructure Operations Committee:

- a) approves the direct appointment of NHP Electrical Engineering Products for the supply of specialised automation and control equipment, software and services required for the ongoing operation of the water, wastewater and landfill activities noting the following:*
 - i. that the approved contract term is three years with two one-year rights of renewal (3+1+1);*
 - ii. that the approved contract sum is \$1,250,000;*
- b) requests the Chief Executive to be delegated to finalise and execute a contract with NHP Electrical Engineering Products.*
- c) notes that the decision and information in relation to this matter be released to the public at the appropriate time, to be determined by the Chief Executive.*