
Regulatory and Hearings Committee

Komiti Whiriwhiri Kaupapa

OPEN MINUTES

Minutes of a meeting of the Regulatory and Hearings Committee held in the Council Chamber and via Audio Visual Link, Municipal Building, Garden Place, Hamilton on Tuesday 22 August 2023 at 9.30am.

PRESENT

Chairperson Cr Mark Donovan
Heamana

Deputy Chairperson Cr Ewan Wilson
Heamana Tuarua

Members Deputy Mayor Angela O’Leary
Cr Maxine van Oosten
Cr Moko Tauariki (via Audio Visual Link)
Cr Louise Hutt
Cr Anna Casey-Cox
Cr Melaina Huaki
Cr Geoff Taylor
Cr Andrew Bydder

In Attendance: Helen Paki – General Manager Customer and Community
Aimee Haycock - Parks Planner, Community Services
Maria Barrie - Unit Director, Parks & Recreation

Governance Team: Michelle Hawthorne – Governance & Assurance Manager
Amy Viggers – Governance Lead
Nicholas Hawtin and Arnold Andrews – Governance Advisors
Corey Bruntlett - Governance & Elected Member Support Coordinator

1. **Apologies – Tono aroha**
There were no apologies.
2. **Confirmation of Agenda – Whakatau raarangi take**
Resolved: (Cr Donovan/Cr Wilson)
That the agenda is confirmed.
3. **Declarations of Interest – Tauaakii whaipaaanga**
No members of the Committee declared a Conflict of Interest.
4. **Confirmation of the Regulatory and Hearings Open Minutes of 26 April 2023**
Resolved: (Cr Wilson/Cr van Oosten)
That the Regulatory and Hearings Committee confirm the Open Minutes of the Regulatory and Hearings Committee Meeting held on 26 April 2023 as a true and correct record.

5. Ashurst Park Partial Reclassification

[Alyse Sharpe](#) spoke (via Zoom) to their submission in support of the partial reclassification and outlined the history of Pukete Neighbourhood House, learnings from the Western Community Centre, and potential public transport routes.

[Dave Macpherson](#) spoke to their submission in support of the partial reclassification, in particular he highlighted the previous locations of Pukete Neighbourhood House and its purpose. He responded to questions from Elected Members concerning students from Te Rapa School and traffic impact learnings from Western Community Centre.

[Cherry McWhan](#) spoke to their submission in opposition of the partial reclassification. She noted her concerns with the potential effect of green space, safety and traffic. She responded to questions from Elected Members concerning redevelopment of the community centre and concerns regarding green space.

[Tracey Scott](#) spoke to their submission in opposition of the partial reclassification. She noted her concerns regarding potential commercial activity in the purpose-built structure, effect of the development on traffic, and the lack of public transport in the area. She responded to questions from Elected Members concerning alternative sites for Pukete Neighbourhood House, early involvement in the process, commercial activity, and the proposed opening hours for the community house.

[Craig Sittlington](#) spoke to their submission in opposition of the partial reclassification. He noted that he had concerns that there would be a negative impact on children, health of the community and generational use of the current facility. He responded to questions from Elected Members concerning other parks that can be used for the proposed structure.

[Neil Tolan](#) spoke to their submission in support of the partial reclassification. He outlined the potential positive impacts from the reclassification which included wellbeing and growth of the community, venue hires, social interaction and networking and volunteers. He responded to questions from Elected Members concerning effective rules to address concerns raised by other submitters, purpose of community centres, antisocial behaviour, school users of the community centre and activities at the Western Community Centre.

[John Miller \(1\) \(2\) \(3\) \(4\)](#) spoke to their submissions ad in opposition of the partial reclassification. He outlined his concerns in particular the impact on current use of the green space, previous assurances, and his view of the park. He also noted that he had submitted a petition to Council to demonstrate the support he had received. He responded to questions from Elected Members concerning consultation process.

[Phil Evans \(1\) and \(2\)](#) spoke to their submissions in opposition of the partial reclassification. He noted that he was in support of John Miller's submission and raised concerns with the Pukete Neighbourhood House business case and staff reports.

[Dominic Shooter](#) spoke to their submission in opposition of the partial reclassification. He outlines his concerns with the impact of the staff proposal, commercialisation, green space, community centre and suggested other options be considered for the location of the Pukete Neighbourhood House. He responded to questions from elected members concerning the issue of location of the proposed structure and the potential impact on green space.

[Trish Thorne](#) spoke to their submission in opposition of the partial reclassification and noted her concerns with the work community houses undertake and location of the proposed structure.

[Jane Lawrence](#) spoke (via Zoom) to their submission in opposition of the partial reclassification and suggested the current building be upgraded to ensure a safe place for children instead of the new build.

The meeting was adjourned 10.57am to 11.10am.

[Philippa Vickery](#) spoke to their submission in opposition of the partial reclassification. She noted her concerns that the development would cause a negative impact on the vision of the city, loss of bird life and damage to the community spirit. She responded to questions from Elected Members concerning the proposed playground, and the existing Pukete Neighbourhood House.

[Vicki Shooter](#) spoke to their submission in opposition of the partial reclassification. She outlined her concerns with the location of the proposed site, noise and air pollution, loss of flora and fauna, green space, and potential safety for the community.

[Maurice Flynn](#) spoke to their submission in support of the partial reclassification. He noted their support of the Pukete Neighbourhood House in particular the universal design, Church Road entrance, bus stops and accessibility of the proposed site. He responded to questions from Elected Members concerning rights of the disability community, limited accessibility, and concerns to accessibility.

[Trish Walsh](#) spoke to their submission in opposition of the partial reclassification. She outlined her concerns with anti-social behaviour in the areas, lack of communication from Council, and suggested other options for the proposed community centre.

[Simon Fendall](#) spoke to their submission in opposition of the partial reclassification in particular the scale of the current and proposed site and proposed playground. He responded to questions from Elected Members concerning communication from Council and engagement campaigns about the subject.

[Christine Barlow](#) spoke to their submission in opposition of the partial reclassification. She noted that her concerns were green space, playground, ecosystem, and life as a resident of the area.

[Colleen Sittlington](#) spoke to their submission in opposition of the partial reclassification. She spoke to the history of Ashurst park, current proposal for community house, vandalism and destruction of property and green space. She responded to questions from Elected Members concerning recreational reserve and community driven work.

[Gordon Speirs](#) spoke to their submission in opposition of the partial reclassification in particular the importance of parks, reserves and recreational area.

[Martin Gallagher](#) spoke to their submission in support of the partial reclassification, in particular the need for a standalone facility, recreational facilities, and current location of the proposed structure. He responded to questions from Elected Members concerning reconciling the idea of removing green space for a community centre to be built.

[Cathy Quinn](#) spoke to their submission in opposition of the partial reclassification. She outlined her concerns with the Pukete Neighbourhood House, playground, traffic, accidents in the area, schools in the area and trees in the park.

[Jennifer Calley \(1\) and \(2\)](#) spoke to their submissions in support of the partial reclassification. She noted that the reason for her support was that the development would address social isolation, accessibility, building relationships, networks and sports facilities. She responded to questions from Elected Members concerning loss of green space, usage of the current facility and advantages to the disabled community from the proposed build.

[Melissa Smith](#) spoke to their submission in support of the partial reclassification. She highlighted parking, advantages of the proposed community centre, and accessibility to the current community centre. She responded to questions from Elected Members concerning communication and timeline of the community engagement process for proposed project.

[Scott Tiffany \(Pukete Neighbourhood House\)](#) spoke to their submission in support of the partial reclassification. He outlined the potential benefits of the new facility which included improved accessibility, universal design, reduction of crime and collective efficacy. He responded to questions from Elected Members concerning relocation of Pukete Neighbourhood House, funding, potential options, hours of operation and commercial activities.

The meeting was adjourned 12.58pm to 1.05pm.

[Robert Edmund Simms](#) spoke to their submission in opposition of the partial reclassification and highlighted potential access to buses and the historical decisions on the current site.

The meeting was adjourned 1.13pm to 2.02pm.

Elected Members requested the following matter be addressed in the deliberations report:

- concern of additional traffic in the area (what modelling has been completed) and any mitigations;
- the access lane status;
- the playground in particular what element of the playground would need to change if the location was updated;
- antisocial behaviour understanding;
- rights of neighbours when there is a change to the reserve in particular rights of the ratepayers judicial review process;
- other options that were considered including the effect on the sports field by alternate location;
- accessibility including the steepness of the hill and the proposed location;
- Green enhancement options;
- engagement with the community;
- evolution/history of the park;
- the proposed development including hours of operation, liquor license and parking;
- Ownership including if and when a centre is built what is the arrangement/difference between long lease or gifting;
- how does the option to build reconciles with other Council policies nature in the city, climate change; and
- Public Transport.

Resolved: (Cr Wilson/Cr Hutt)

That the Regulatory and Hearings Committee:

- a) receives the report;
- b) hears and considers verbal submissions arising from the submission period between 20 June and 21 July 2023; and
- c) notes that a deliberations report will be presented to the Community and Natural Environments Committee on 26 October 2023.

The meeting was declared closed at 2:27pm.