
Regulatory and Hearings Committee (Lake Domain Management Plan)

OPEN MINUTES

Minutes of a meeting of the Regulatory and Hearings Committee held in the Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 23 February 2017 at 9.00am.

PRESENT

Chairperson: Cr Angela O’Leary

Deputy Chairperson: Cr Leo Tooman

Membership: Deputy Mayor M Gallagher
Cr S Henry
Cr G Mallett
Cr Rob Pascoe
Cr Paula Southgate
Cr P Yeung
Mrs M Pene (Waikato Tainui representative)

In attendance: Julie Clausen – Strategy Programme Manager
Gina Hailwood – Team Leader City Landscape, Parks and Open Spaces
Jamie Sirl – Senior Planner, Planning
Renee McMillan – Team Leader Planning & Assets
Sally Sheedy – Manager, Parks & Open Spaces

Governance advisors: Becca Brooke – Governance Team Leader
Claire Guthrie – Committee Advisor
Ian Loiterton – Committee Advisor
Amy Viggers – Committee Advisor

1. Apologies (Crs O’Leary/Mallett)

That the apologies for Mayor King, Crs Taylor, Bunting, Macpherson, Southgate and Mrs Pene (for lateness) be received and accepted.

There were no leaves of absence.

2. Confirmation of Agenda

Resolved: (Crs O'Leary/Mallett)

That the agenda is confirmed.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

A public forum was not required.

5. Draft Lake Domain Management Plan - Hearings Report

Resolved: (Crs O'Leary/Henry)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) hears and considers submissions to the Draft Lake Domain Management Plan.

Cr Southgate joined the meeting (9.10am) during the above item. She was present when the matter was voted on.

Mrs Pene joined the meeting (9.15am) during the above item. She was present when the matter was voted on.

The following people spoke to, and responded to questions on their submissions:

Demelza Murphy (Submission 11)

Ms Murphy expressed concerns about the Domain being used as a shortcut to the city by schoolchildren and commuters who made an informal exit up to Ruakiwi Road (point G on Reserve Concept Plan) and asked for a proper exit from the Domain. Concerns were also raised about: lowlight footpath lighting for early mornings and at dusk; pest control; onehunga weeds in playground area; and small pontoons to be provided for fishers to access the lake beyond the weed line.

Adam Daniel (Fish & Game NZ) (Submission 23)

Mr Daniel said the lake was valued by local fishers and Fish & Game were concerned about safe and open access for children to fish after the closure of Turtle Lake in Hamilton Gardens. He spoke to the following points: the draft plan outlined fishing was only available in certain areas which was restrictive, especially for children; whether there was data to support the restriction on back cast fishing as injuries were quite uncommon. He noted that if fish were not safe to eat, then it would be better to be addressed by investigation by the DHB and not as a blanket statement without relevant evidence.

Mr Daniel answered questions from Elected Members about fish as pests and stated they were not such a pest in Lake Rotoroa as very few native fish were present but rather that they provided a resource for recreational fishers. He said removal of the fish would not improve the water quality.

Christine Norris (Spoke on behalf of Penelope Seibicke) (Submission 44)

Ms Norris addressed the following six points: for the walkway from Waikato Hospital to be reinstated to allow residents and hospital staff to easily access Lake Domain; lighting options should be carefully chosen to prevent light pollution; the use of Roundup particularly in the children's playground, should be stopped; the lawns should be mowed less often to prevent the growth of onehunga weed as the higher grass level stopped the weed from flowering; the Verandah Café had problems with poor acoustics and was exposed to prevailing winds; and the planting of more chestnut trees was strongly supported.

Gerri Pomeroy (CCS Disability Action Waikato) (Submission 63)

Ms Pomeroy supported the intent of the draft plan as the Lake Domain was a wonderful natural asset. She explained that as an organisation, CCS Disability Action wanted inclusive practices and it offered advocacy and audits of buildings and recreation areas to assist access and participation. An audit would provide accurate data on usage and problems for people with disabilities.

She pointed out that the lake walkway has cross boards which prevented access for people with limited mobility (wheelchairs, mobility walkers and those affected by strokes) as the sideways slope caused major problems for these users.

She recommended that the picnic tables and toilet doors be modified for easier wheelchair access; flat footpaths be provided in the playground for those with limited mobility; the gate between the playground and lake was changed to close automatically as visually impaired caregivers did not know when this gate was left open by others; and changes be made to walkway signage to state the surface used for the paths so people with limited mobility were able to decide if they would use the path.

Peter Pollard (Waikato Radio Yacht Club) (Submission 64)

Mr Pollard explained that the Radio Yacht Club met twice a week and ran regional and New Zealand championships on the lake. The Club asked that rubbish in the water around the jetty continue to be cleared and noted that there was an ongoing problem with duck excrement on the footpath. This caused a public hazard and the club members were only there twice a week to clean up. He asked if the existing aggregate concrete path could be extended from where it finished to level up to the boardwalk and peninsula decking which was needed to create a smooth transition to the platform as people had fallen on the uneven surface. He requested that the Club use the miniature railway station as a clubroom and the tunnel to store the rescue boat and for a launching chute to be built to launch boats into the lake. Club members would like to discuss the rebuild of the sailing platform and launching deck with Council staff due to its dilapidated state.

Declan Wyndham-Smith (Hockey Club) (Submission 68)

Mr Wyndham-Smith thanked Council for putting another hockey playing field into the management plan and for meeting the Club's request for extra land for another playing turf. This would allow the club to host national tournaments. On behalf of the Hockey Club he requested changes to the entrance through Mary Street and a new exit onto Lake Domain Road be approved as there were significant problems with traffic management with the increased numbers using the sportsground.

RESTORE Group – Tim Cox, David Menkes, David Hamilton (Submission 180)

The RESTORE members spoke to their PowerPoint presentation and highlighted three major issues in water quality in the lake: nutrients and algae; pathogenic bacteria (E.coli); and toxic heavy metals (arsenic). They explained that pathogenic bacteria was the biggest problem for water quality and that E.coli counts had been very high during in 2016. RESTORE supported further research to clearly identify the sources of the bacteria as this could be from a variety of sources, including leaky

sewage pipes going into stormwater and draining into the lake, duck and bird excrement and from bacteria released from lake sediment.

It was explained that the heavy metal contamination was a legacy problem from herbicide use and arsenic was present in the lake sediment; but without focussed research the extent of the contamination was unclear. Arsenic was considered a risk for humans because exposure to it created chronic illness. RESTORE recommended removal of catfish from the lake as they stir up the sediment.

RESTORE strongly supported the use of wetlands which addressed all three problems with the water quality. The wetlands could be situated where the main stormwater drains entered the lake. Speakers described how wetlands were a sustainable option to catch nutrients and E.coli and would be expected to help improve water quality. Wetlands were also the preferred habitat for waterbirds (ducks) and this would remove the birds (and their excrement) from the lake edges. The bird excrement was viewed as the most likely source of E.coli and other pathogenic bacteria in the water.

The meeting adjourned from 11.15am – 11.30am.

Fred Phillips (Rotary) (Submissions 182 and 195)

Mr Phillips spoke to his PowerPoint presentation and outlined the development of a range of water gardens in Lake Domain. These would be run on water piped up from the river, through different features, into a large koru shaped fountain in the lake. This would be a substantial project and would be progressively introduced over time. Funding would be generated by external groups and Council was asked for initial funding to undertake scope, consultation and design.

Mr Phillips also supported the provision of exercise stations.

Waikato Environment Centre (WEC), Anna Casey-Cox (Submission 185)

Dr Casey-Cox spoke to WEC PowerPoint presentation. The following initiatives were presented as options to restore lake quality: the development of a wetland area; investment in measures which reduced nutrients entering lake; options to control pest fish and reintroduce native species; duck and other bird populations managed to prevent over-crowding; duck feeding (with appropriate food) re-directed away from the lake; the need for uninterrupted water quality monitoring to be undertaken; and a full range of recycling bins to be provided (requested by residents).

David Menkes (Submission 188)

Dr Menkes spoke to his PowerPoint presentation which was focused on wild fowl presence at the lake and tabled a handout for Elected Members on "Consequences of feeding waterfowl in public parks". He suggested that an artificial pond and a wetland would provide an appropriate habitat for waterfowl and allowed duck feeding away from the main body of the lake although it was best not to feed waterfowl.

He explained that the source of the E.coli bacteria found in the lake was not confirmed but believed evidence would be easily obtained. E-coli was a marker and if present then other pathogens would also be present and most likely would be caused by faecal contamination.

He stated that good water quality was achievable with support from HCC, scientists and the community. It would be necessary to remove nutrients and weeds by reducing what entered the lake through stormwater drainage and through faecal contamination. The use of wetlands to manage these contaminants was an option and needed research to provide best evidence for future actions.

In response to questions from Elected Members he explained that the chemical 'alum' could be used to remove phosphorus from the water as this was an effective process to reduce algae growth but the product contained aluminium and the effects of use would need to be investigated.

Felicity Beadle and Karen O’Meeghan (Submission 190 – represented views of 110 lake area residents)

Ms Beadle and Ms O’Meeghan spoke as lake domain residents and asked that the management plan had more focus and priorities with explicit timeframes and plans. The residents wanted the lake and the water quality to be the focus of Council action as this was the focal point of the park, not further infrastructure and facilities. Ms Beadle and Ms O’Meeghan described how their children would get rashes from water contact and that this was not acceptable. Photographs were circulated which showed people swimming in the lake fifty years ago and it was submitted that a swimmable and usable lake was achievable and should be the Council’s goal.

In response to questions from Elected Members they stated they supported the reintroduction of native fish species, a wetlands area, and reiterated that the lake was a resource for everyone in the city and should be a priority for Council.

Roger Gordon (Hamilton Yacht Club) (Submission 193)

Mr Gordon presented some historical background to the Club and how it had developed over the years. He explained that it was a very popular club with over forty boats sailing each day in weekends. He said the club required more storage for boats so they could be used during the week for school students.

He noted that the draft management plan did not mention other users and plans for other uses such as dog clubs and foresaw future problems with conflicting needs from other boat users which were not compatible with sailing such as kayaking and waka ama. He said the current booking system was not well used and led to multiple users on the same days. The club supported expansion of the area as three groups using a sixty metre frontage was not practical and he suggested zones for different activities to reduce competition for space.

He agreed with submissions that water quality was an issue and pointed out that Yacht Club members spent more time on or under the water than any other users and rashes were caused from water contact.

He presented concerns on the health and safety issues caused by air turbulence when the wind blew through the trees on the western side of the lake and asked if the trees could be pruned to minimise this danger.

The meeting adjourned from 1.20pm – 2.00pm.

6. Draft Lake Domain Management Plan - Deliberations and Decision-making Report

The Senior Planner, Planning and Team Leader, Planning & Assets responded to issues raised during the verbal submissions as follows:

- a footpath to Ruakiwi Road was noted in the plan and its placement would be reviewed in relation to the submissions received.
- lighting was addressed on p.22 of the draft plan. There was a current project to renew existing lighting. Boardwalk lighting was not supported as this area was not approved for night time use for health and safety reasons.
- an accessibility audit had been planned and suggestions from the audit would be implemented where possible. The style of boards in the boardwalk could be changed.
- staff would work with CCS Disability on signage improvements and there was an action plan in draft management plan.
- access from the hospital was a key action noted on p.22 of the draft plan.
- herbicides and onehunga weed – the current weed control process was in accordance with HCC policy and an ad hoc weed control approach for the Lake Domain would not be supported.
- Radio Yacht Club – the railway building was currently leased by another user, p.17 of the draft plan outlines the HCC policy on trailer mounted boats. Staff would implement more frequent cleaning to remove duck excrement.
- Waikato Hockey request for a new road entry was not in the draft plan. The Killarney/Queen's Road intersection was under review and should address concerns. Staff would not support exit to another road.
- Fish & Game – staff were not aware of issues with back-casting and would be happy to delete reference to this in the plan. The eating of fish was discouraged as this was a recommendation from previous report and was a precautionary measure.
- fountain Proposal – this development was not in the draft plan and would not be in keeping with the vision for the Lake Domain. The water reservoir is protected by the Historic Places Trust and it was situated on land outside the Lake Reserve.
- exercise stations were noted on p.22 in the draft plan.
- Yacht Club – trees and wind quality were in the draft plan on p.18. P.341 of the draft plan noted a clear objective to support an increase in the number of water users.
- water quality – proposed actions were included on p.22 of the draft plan with a 3 stage approach; current status was established, set targets to be achieved, processes set up for improved water quality.
- wetlands – a small wetlands had been provided for as detailed on p. 16 of the draft plan.
- duck feeding – there were no plans to have bird feeding area elsewhere in the Domain; staff could make recommendations to clarify the current policy to discourage feeding of ducks and encourage more appropriate food.
- native species – there were limited success with introducing mussels in the past; p.28 of agenda stated native species would be encouraged if crucial to lake water quality.

Staff responded to questions from Elected Members concerning:

- The need to collect more evidence about the water quality because of the problem with E.coli counts being very high at times. Warning signs were put up when the count reached a certain threshold and were up most of 2016 due to high levels. The draft plan outlined actions for a more comprehensive monitoring programme;
- it was confirmed that an organisation called Be. Accessible had carried out an accessibility audit;
- signage would be updated as funding allowed. Signage would include ecological, educational as well as directional information;
- increasing numbers of water users meant more storage, frontage, launching and mooring

- was needed and the water sports hub on the plan would be reviewed;
- the proposed development for a wetlands area was on p.23 of the agenda and the current area would be expanded, planted and stabilised;
 - the bus parking area would be improved;
 - a complete redesign of the toilets would be considered as part of the 10 Year Plan; and
 - issues such as types of recycling bins and drinking fountains were not included in draft plan as these were operational issues and were covered by policy or strategic direction.

Resolved: (Crs O'Leary/Tooman)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) recommends to the Community and Services Committee that the final Hamilton Lake Domain Management Plan, incorporating the proposed changes in Attachment 2, is adopted.
- c) That the words "including native vegetation and wetlands" be included in bullet point 4 on p.362, Ecological Value.
- d) That the policy reference to "no eating fish caught from Lake Rotoroa" be removed and replaced with an advice note.

Cr Mallett Dissenting

The following item was voted on separately due to a declaration of a conflict of interest by Cr Gallagher.

Resolved: (Crs O'Leary/Tooman)

- e) That Council work with the DHB to consider issues with regard to eating fish from Lake Rotoroa and to improve access to the lake from the hospital.

Cr Gallagher did not take part in the discussion or vote on the above item (e)

The meeting was declared closed at 4.25pm.