
Strategy & Policy Committee

OPEN MINUTES

Minutes of a meeting of the Strategy & Policy Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Tuesday 26 May 2015 at 1.30pm.

PRESENT

Chairperson	Cr A O’Leary
Deputy Chairperson	Cr A King
Members	Her Worship the Mayor J Hardaker Cr G Chesterman Cr M Forsyth Cr M Gallagher Cr K Green Cr D Macpherson Cr G Mallett Cr L Tooman Cr P Yeung

In attendance	Chief Executive, General Manager Performance, General Manager Infrastructure, General Manager City Environments, General Manager Community, Sustainable Transport Planner, Community Development & Leisure Manager, Social Development Policy Adviser, Unit Manager Strategy & Research, Unit Manager City Planning, City Planning Policy Team Leader, Programme Manager – Bylaws, Water Asset Manager, Team Leader Planning and Assets, City Transportation Manager, Democracy Team Leader, Democracy Committee Advisor
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Also in attendance	Harry Wilson – Regional Director (Waikato/Bay of Plenty), New Zealand Transport Authority (NZTA); Peggy Koopman-Boyden – Chair of Older Persons Advisory Panel; Margi Moore – Chair of Public Art Panel.
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Committee Advisors:	Mr B Stringer and Mrs J Pani
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1. Apologies

Resolved: (Crs O'Leary/Tooman)

That the apologies from:

- a) Crs Pascoe and Wilson;
- b) Her Worship the Mayor Hardaker and Cr Gallagher (lateness); and
- c) Crs Green, Mallett and Forsyth (retiring early),

be received and accepted.

2. Confirmation of Agenda

The Chair recommended that Item 6 (The Biking Plan) be heard immediately after Item 4 (Public Forum).

Resolved: (Crs O'Leary/Forsyth)

The Committee to confirm the Agenda, subject to the noted change.

3. Public Forum

Aaron Wong, spokesperson for *Generation Zero*, spoke to Item 6 (The Biking Plan). He considered that the network presented in the Biking Plan was not extensive enough and that developing more sustainable transport options would positively contribute to the development of the city and reduce congestion. In response to questions, Aaron Wong believed all arterial routes should be covered by the Plan though standards could differ depending on location. He noted that priority should be given to cycling to and from schools.

Cr Gallagher joined the Meeting (1:35pm) during Item 3.

4. Declarations of Interest

No members of the Council declared a Conflict of Interest.

Item 6 was taken at this time to accommodate external attendees and Elected Members.

6. Biking Plan

The General Manager Infrastructure spoke to the report and suggested that staff report back to the Committee with a final Plan on 11 August 2015 following a period of further engagement.

Supported by Harry Wilson, Regional Director NZTA, the General Manager provided background context to the Plan and noted it would become an important reference point for the Transport team in years to come. Mr Wilson signalled that the Plan provided a unique opportunity to make Hamilton a place where people would want to cycle. He noted that approximately 70% of the main arterial routes were complete and the onus was now to join up the cycling network.

Her Worship the Mayor Hardaker joined the Meeting (1:45pm) during discussion on Item 6 and took part in voting on that Item.

The General Manager and Mr Wilson, supported by the Sustainable Transport Planner, responded to the following questions:

- **10 Year Plan**
Funding for cycling, outside of separate projects, would come from the discretionary transport fund, which is about \$900,000 per year. Staff were asked to prepare and report to the Committee a recommended 10-year spending plan for cycling.
- **Roading Improvements**
Cycling was already considered as part of current road changes. The Biking Plan would provide more alignment to technical solutions.
- **Number of cyclists**
Investment in the Biking Plan itself was unlikely to change the number of people using cycling as a mode of transfer. The popularity of the regional cycle trails was highlighted.
- **Cycling National Guidelines and Specifications**
These were expected to be released by mid-2016.
- **Cycling and Schools**
Mr Wilson explained central government supported urban cycling network development. In addition to the primary and secondary networks contemplated by the Biking Plan, work had already taken place on the entry and exit to schools and installing reduced speed zones near schools.
- **Safety Record**
It was confirmed that Hamilton had a higher level of biking fatalities and injuries than comparable cities in New Zealand.

Resolved: (Crs Forsyth/Macpherson)

That:

- a) the Report be received;
- b) the draft Biking Plan is approved for a period of public engagement; and
- c) following public engagement, the Biking Plan is reported to the 11 August 2015 Strategy and Policy Committee for adoption.

Council Mallett dissenting

5. Strategy and Policy Committee Open Minutes 8 April 2015

Resolved: (Crs O'Leary/King)

That the Committee confirm and adopt as a true and correct record the Open Minutes of the Strategy and Policy Committee Meeting of 8 April 2015.

Crs Forsyth (2:33pm) and Green (2:35pm) retired from the Meeting at the conclusion of Item 5.

7. Older Persons Plan

Peggy Koopman-Boyden, as Chair of the Older Persons Advisory Panel, spoke to the Plan and its purpose to make Hamilton the most desirable place to live for older people. Mrs Koopman-Boyden thanked Councillor Yeung for his participation on the Older Persons Panel and contribution to the Plan.

Mrs Koopman-Boyden, supported by the Community Development & Leisure Manager and Social Development Policy Adviser, responded to the following questions:

- **Characteristics of Older Persons**

Older people were different from other population groups; for example, in terms of physical energy. The Plan aimed to augment older persons' sense of wellbeing as much as possible.

- **Accommodation**

The Older Persons Advisory Panel decided not to address accommodation in the Plan as it was thought this was best considered at a national level. As a living document, the Plan may capture the issue of accommodation in the future. Mrs Koopman-Boyden confirmed no members of the Panel lived in social housing, though she had interviewed people who were so accommodated.

It was also noted that central government's Social Housing Plan, once released, would provide an opportunity to consider the issue.

- **Plan Management**

Staff would monitor and manage the Plan through a working group with quarterly reports to be presented to the Advisory Panel. It was envisaged that there would also be updates reported back to the Strategy and Policy Committee.

- **Working across organisations**

Mrs Koopman-Boyden noted that both she and the Advisory Panel were well connected with other organisations that focussed on older persons, such as the District Health Board, in order to advance the needs of older persons.

- **Safety**

It was suggested that it would be useful for the Plan to address the safe use of mobility scooters.

Resolved: (Crs Yeung/Chesterman)

Recommendation to Council

That:

- a) the Report be received;
- b) Council approve the Hamilton Older Persons Plan; and
- c) progress on the Plan be reported six-monthly through the Community Forum Subcommittee.

Cr Macpherson dissenting

The Meeting adjourned from 3:00pm to 3:15pm. Her Worship the Mayor Hardaker returned to the Meeting (3:17pm) during the introduction of Item 8.

8. Public Art Plan and Development Guide - Adoption

Margi Moore, as Chair of the Public Art Panel, supported by the Unit Manager Strategy & Research, introduced the Plan and Development Guide, noting these documents were more concise and easier for the public to understand than the current Policy. They responded to the following questions in relation to the Plan and Development Guide:

- **Wintec Wall**
There were no plans to utilise the wall as a public art space again.
- **Collation and promotion of public art**
It was noted Cr Chesterman had supported the promotion of Hamilton's Public Art Catalogue in 2014. That document was widely circulated. A public art trail or mobile app were possible options in the future.
- **Development of new public art**
The Plan advocated a balanced approach to future development, with specific priorities highlighted.
- **Public Art Subcommittee Terms of Reference**
Terms of Reference used by other territorial authorities had been reviewed and it was considered that the Terms to be drafted would make the development process less cumbersome while also ensuring sufficient rigour was in place.

Resolved: (Crs Chesterman/Yeung)

Recommendation to Council

That:

- a) the Report be received;
- b) Council adopt the revised Draft Public Art Plan and Development Guide;
- c) a Terms of Reference for a Public Art Subcommittee be reported back to the 7 July Strategy and Policy Committee; and
- d) the Art in Public Places Policy be deleted.

9. Draft Heritage Plan and Historic Heritage Fund Guidelines

Cr Chesterman, as Chair of the Heritage Advisory Panel, introduced the draft Plan and Guidelines and stated that the documents signalled an important step forward that would contribute to shaping Hamilton City. He thanked members of the Advisory Panel for the expertise they provided.

Cr Chesterman and the Unit Manager City Planning, supported by the City Planning Policy Team Leader, responded to the following questions:

- **Earthquake Strengthening**
Council's 2006 Policy (*Earthquake-Prone, Dangerous And Insanitary Buildings Policy*) remained in place notwithstanding changes recently proposed by the Government in relation to earthquake strengthening of buildings. The proposals envisaged an extended timeframe to complete works to buildings located in Hamilton. Staff would track the progress of the Government's plans.

- **Consultation**

There would be targeted consultation to the key stakeholders detailed in paragraph 22 of the staff report. In addition, informal feedback would be captured from the wider public after the Plan and Guidelines are released. It was intended that the feedback would be included in the staff report to be presented at the Committee meeting on 3 November 2015. Staff were asked to ensure feedback on the Plan and Guidelines was sought from faith and community groups.
- **Preservation of heritage buildings**

Cr Chesterman agreed that it was important to balance the need to preserve such properties and the options available for their future use against the owner's property rights. He was supportive of the public notification for Resource Management Act hearings in relation to public buildings.
- **Heritage Advisory Panel membership**

It was submitted that the external representatives on the Panel, including the mandated representatives of the Property Council, brought commercial acumen to Panel meetings.
- **Plan details**
 - i. The proposed heritage overlay (noted in paragraph (2) on page 9 of the draft Plan attached to the staff report) was a planning control option that could be used to protect the characteristics of a building or several properties.
 - ii. The Plan contemplated Council being able to purchase heritage buildings under threat, subject to obtaining the required resolutions and approvals.
 - iii. The development of a process for the identification and assessment of all Hamilton's heritage (paragraph 1 on page 8 of the draft Plan) was intended to apply to the city as a whole.
 - iv. Trees were included within the plan as a tree may be listed on the basis of its natural heritage. The trees captured by the draft Plan were already listed. If another tree was to be listed, that would need to proceed through the appropriate statutory process.
 - v. The Plan's suggested resource consent fee waivers were intended as another discretionary tool available to Council. Funding guidelines did not deal with ratings of properties.

Resolved: (Crs Chesterman/Gallagher)

That:

- a) the Report be received;
- b) the Committee authorises the draft Heritage Plan and draft Historic Heritage Fund Guidelines be released to enable consultation with key stakeholders and the public as outlined in paragraphs 22 and 23 of the staff report; and
- c) staff report back to the 3 November 2015 Strategy and Policy Committee with a final draft Heritage Plan and Heritage Fund Guidelines for consideration.

Crs King and Mallett dissenting.

Cr Mallet retired from the Meeting (4:17pm) at the conclusion of Item 9.

10. Stormwater Bylaw 2015 Deliberation and Adoption Report

The Committee considered Part One (Deliberations) of the staff report.

Her Worship the Mayor Hardaker left the Meeting (4:20pm) during discussion on Item 10.

The Programme Manager – Bylaws then spoke to Part Two (Decision) of the staff report and provided an overview of the changes recommended by staff to the proposed bylaw. The Programme Manager, supported by the Water Asset Manager, confirmed that Council had not previously prosecuted anyone in relation to matters proposed in the bylaw. It was suggested that the bylaw would have assisted in responding to spills that had occurred. The Waikato Regional Council did not have a stormwater bylaw and was supportive of Council's proposed bylaw. Staff also indicated that there were gaps in the Resource Management Act process that the bylaw was intended to fill.

The General Manager advised the Committee that Council had previously determined a bylaw was required and that the purpose of the Report was for the Committee to consider and query the submissions made and the recommended changes to the bylaw.

During discussion on Item 10:

- **Cr Macpherson left the Meeting (4:24pm);**
- **The Meeting adjourned at 4:24pm while the Committee did not have a quorum present;**
- **Her Worship the Mayor Hardaker returned to the Meeting (4:27pm);**
- **Cr Macpherson returned to the Meeting (4:27pm);**
- **The Meeting reconvened at 4:27pm.**

Resolved: (Crs O'Leary/Chesterman)

Recommendation to Council

That:

- a) the Report be received;
- b) Council determine that the Hamilton Stormwater Bylaw 2015 does not give rise to implications under the New Zealand Bill of Rights 1990;
- c) Council accepts the recommended changes to the Hamilton Stormwater Bylaw 2015 as shown in Attachment 1 of the staff report and that the Stormwater Bylaw 2015 be adopted;
- d) Council adopt the associated Stormwater High Risk Facilities Register; and
- e) the Hamilton Stormwater Bylaw 2015 comes into force on 28 September 2015.

Crs King and Macpherson dissenting

11. Dog Control Policy and Bylaw 2015 Adoption Report

The Committee considered Part One (Deliberations) of the staff report.

The Programme Manager – Bylaws, supported by the City Safe Unit Manager, spoke to the Report and advised that the submissions received were generally supportive of the proposed policy and bylaw.

Cr Tooman, Chair of the Dog Control Policy and Bylaw 2015 Hearings Subcommittee, spoke to his report (Attachment 6 of the staff report). He noted that of the six submitters that indicated a wish to speak to their submission, two appeared at the Subcommittee.

The City Safe Unit Manager, Programme Manager and the Team Leader Planning and Assets responded to the following questions:

- **Hamilton Lake Domain**

The new off-lead area designated for the Hamilton Lake Domain in the Dog Control Off-Lead Exercise and Prohibited Areas Register would be included in the Reserve Management Plan Review to be undertaken later in 2015. Council could fine tune the Register, if required, as a result of the conclusions reached by that review.

- **Monitoring**

Off-lead areas were monitored and reported incidents were recorded.

The Chair introduced Part Two (Decision) of the Report. The Programme Manager highlighted the recommended changes to the Policy and Bylaw as detailed in the Report.

Resolved: (Crs O'Leary/Tooman)

Recommendation to Council

That:

- a) the Report be received;
- b) the draft Hamilton Dog Control Policy and Register be amended with the following changes:
 - (i) Remove Hammond Park from the Dog Control Off-Lead Exercise and Prohibited Areas Register; and
 - (ii) Update the Policy with the tracked changed wording so it is easier to read.
- c) the Hamilton Dog Control Policy and Bylaw 2015 be adopted and come into force 1 July 2015;
- d) the amended Dog Control Off-Lead Exercise and Prohibited Areas Register be adopted; and
- e) the Hamilton City Dog Control Bylaw 2009 be revoked on 1 July 2015.

12. District Plan - Management of Bulk Storage of Materials

The Chair clarified that this item had been brought to the Committee for consideration by a resolution of the Finance Committee and that a substantive report on the recent tyre storage issue in Frankton was in the Council Agenda for its meeting on 28 May 2015.

The General Manager City Environments and City Planning Unit Manager spoke to the Report and responded to the following questions:

- **Monitoring of tyre storage**

It was noted that there was various legislation that applied. The threshold of tyres stored before they become a hazard depended on the context and location. Staff operated under a responsive monitoring process should an incident be reported. It was suggested that should Council request a more detailed monitoring plan to apply to tyre storage an amendment to the District Plan would likely be required.

- **Tyre storage removal incidents**

Staff referred to two incidents that had occurred in the past ten years. The rules in the District Plan in this regard had substantially remained unchanged for the last 20 years.

- **Management of tyre storage**

The following points were clarified by the General Manager and Unit Manager in response to questions:

- i. Tyres were not expressly classified as hazardous substances under the Hazardous Substance and New Organisms Act 1996 (HSNO). Staff were not aware of any proposed review of that position, nor had there been any contact from local Members of Parliament as to their role on the issue.
- ii. Hastings District, Whangarei District and South Waikato District Councils had each endeavoured to treat storage of tyres separately from other materials. Hastings District Council set specific standards, including volume of stored tyres, which required a consent to be obtained once a threshold was reached. A similar approach was adopted at Whangarei District and South Waikato District Councils. It was suggested it would be beneficial for Council to investigate how other authorities were managing tyre storage.
- iii. Bulk storage of tyres was regarded as a light industrial activity as tyres were an inert object with no toxicity under normal conditions. The two principal concerns with such storage were the potential fire risk and impact on the local amenity. If tyres were stored inside a building, it was necessary to comply with certain fire management provisions under the Building Act. Staff were not aware of the New Zealand Fire Service advocating legislative changes to deal with the fire risk of tyres stored outside.
- iv. No products, including tyres, had been specified as priority products under the Waste Minimisation Act 2008.
- v. There were at least 18 building consents in Hamilton to cover tyre-related activities, including a re-treading plant.

It was agreed that detailed questions provided by Elected Members in relation to tyre storage would be dealt with at the 28 May Council meeting.

As part of the Committee recommendations to be reported to Council, the Democracy Manager confirmed that the Committee could resolve to refer questions or matters that arose from the Report to the next Council meeting.

In response to further questions, the Chief Executive advised that there would not be any additional costs incurred by Council in relation to the removal of tyres stored in Frankton and Council had met its contractual obligations in that regard.

Resolved: (Crs O'Leary/Macpherson)

That the Report be received.

13. Consideration and Retrospective Approval of Three HCC Submissions to External Organisations

Resolved: (Crs Tooman/Yeung)

That:

- a) the Report be received;
- b) the three HCC submissions outlined in Section 2 be considered and retrospectively approved;
- c) the relevant organisations be advised of any changes made to the three HCC submissions at the 26 May 2015 Strategy and Policy Committee meeting;
- d) subsequent to the Strategy and Policy Committee's approval, the three finalised submissions be uploaded to HCC's website; and
- e) local Members of Parliament be advised of the three HCC submissions adopted at the 26 May 2015 Strategy and Policy Committee meeting.

Cr Chesterman left the Meeting (5:23pm) during Item 13 and did not take part in voting for that Item or Item 14.

14. Regional Operations Roundup Report

Cr Tooman, as a Council representative on the Waikato Regional Transport Committee, noted that New Zealand Transport Authority's Street Management Plan was due to be completed in July. The General Manager Infrastructure confirmed a Council Briefing was planned for July to discuss the emerging national guidance from NZTA.

Resolved: (Crs Tooman/Macpherson)

That the Report be received.

Deferral of Agenda Items

Resolved: (Crs O'Leary/Macpherson)

That Items 15 (Strategic Round Up Report) and 16 (Action List) be deferred to the next Committee Meeting.

The Meeting Closed at 5:40pm.