

Time	Topic and Purpose	Presenter(s)	Format	Time allocated
10.15am	<b>Streetscape &amp; Gateways Policy (review) and Tree Policy (new policy)</b> The purpose of the briefing is to ensure that Members are: <ul style="list-style-type: none"> <li>• Provided the opportunity to identify what is important to them in the 'tree policy' development</li> <li>• Aware of the synergistic nature of the two collaborative policy reviews &amp; why they are being done concurrently *</li> <li>• Presented with a high-level summary of early Mana Whenua feedback</li> <li>• Remain well informed and have had an opportunity for input before draft policies seek approval for public consultation. s</li> </ul>	Cait Cresswell Phoebe Flexman	Open Briefing	75 minutes
11.30am	<b>Connections Review – Policy</b> The purpose of this briefing is to share the following: <ul style="list-style-type: none"> <li>• Recap on what has happened to date.</li> <li>• Recap on proposed Policy positions shared previously.</li> <li>• Proposed policy provision for interim infrastructure for unique developments.</li> <li>• Proposed revised Policy Principles to guide decision-making.</li> </ul>	Raewyn Simpson Marie Porter	Open Briefing	60 Minutes
SESSION ENDS				

# DISCUSSION TOPIC SUMMARY

**Topic:** 'Streetscape and Gateways Policy' and 'Tree Policy'

**Related Committee:** 'Infrastructure and Transport' and 'Customer and Community'

**Business Unit/Group:** City Transport/ Infrastructure and Assets, Customer Services/Customer and Community

**Key Staff Contact/s:** Phoebe Flexman and Cait Cresswell

**Direction Discussion/Drop in Session recommended**

**Status:** Closed

## PURPOSE OF TOPIC

Staff have been working on two key documents; the Streetscape & Gateways Policy and the Tree Policy.

The purpose of the briefing is to ensure that Elected Members are:

- well informed about the issues raised through the policy work, and have had an opportunity for input before public consultation
- presented with a high-level summary of early Mana Whenua feedback

Staff are continuing to review the 'combined' Streetscape and Gateways policy and incorporate Member direction and feedback from the two previous workshops.

## WHAT KEY THINGS SHOULD MEMBERS THINK ABOUT/ CONSIDER IN UNDERSTANDING THIS INFORMATION?

- A combined approach is proposed due to the interrelated nature of the issues, and to create efficiencies associated with community engagement and staff time.

## BACKGROUND

- The Streetscape & Gateways Policy will set the guiding principles for making decisions on the beautification, maintenance, landscaping, management and classification of our Gateways and Streetscape in our city.
- The proposed Tree Policy is being developed to provide guidance for the planning, protection, maintenance, planting and retention/removal of trees in our public open spaces.
- Trees are an essential community resource, the benefits of trees for our communities are well researched and expansive. Staff currently do not have a policy that guides decision making about trees, which can lead to damage, removal and failure of trees. The development of a Tree Policy would help to mitigate some risks associated with trees and protect this essential council asset.
- Parts of the 'Streetscape and Gateways Policy' that are specific to 'trees in the road reserve' are proposed to be moved into the 'Tree Policy' for better cohesion, ease of interpretation and administration.

## WHAT IS THE RELATIONSHIP BETWEEN THE 'STREETSCAPES AND GATEWAYS POLICY' AND THE 'TREE POLICY'?

- The Streetscape and Gateways Policy sets the principles and provides a framework for making decisions about our Streetscapes and Gateways in Hamilton. All guidance for trees in the Streetscape is proposed to be captured within the Tree Policy.
- The proposed Tree Policy would provide guidance for decision making about planting, maintaining and retaining/removing Hamilton Kirikiriroa's Public Trees (contained in roads, parks, reserves, cemeteries, Council facilities, and service corridors).

Combining the review and development of these policies would help to reduce costs for staff time, engagement and consultation costs. Each Policy review/development costs approximately \$30,000. Approximately a third of this cost is engagement and consultation costs.

## Mana whenua pre-engagement

- Pre-engagement has occurred with Ngaati Wairere and Waikato Tainui. They were supportive of the review of the Streetscapes and Gateways Policy and proposed development of a Tree Policy. Key themes & overall messages included:
  - Want to be involved with the policy review and development.
  - Support the emphasis on collaboration and partnerships (especially in policy implementation).
  - Need to ensure the cultural stories to our Gateways are not lost or forgotten but kept somewhere.
  - The impacts of intensification, tree canopy cover and the need to be resilient (planting and infrastructure) to the changing climate.
  - Greater emphasis on 'intentional planting & restoration' and taking care of what we have.
  - Raised concerns about some of the current difficulties we have with trees and plantings (e.g. pollution from leaves and damage of wastewater pipes) and how this could be mitigated in the future through better species selection.
    - Have a list of approved species list for planting & trees, with their ecological benefits and appropriate location i.e. Streets vs parks.

## STREETSCAPES AND GATEWAYS POLICY

### Key Summary Points

- Staff have had two workshops with Members and feedback & direction has been incorporated with the draft principles and gateway classifications below.
- Staff want to provide another opportunity for any further feedback and/or direction before staff develop the first draft of the policy and circulate for wider feedback.
- The 'policy' does not provide cost-savings, it sets the principles for staff to follow when making decisions on our Gateways and Streetscapes enabling cost savings through the implementation of the policy (out of scope for policy review).

### Out of scope

- The implementation of the policy:
  - including any operational changes and/or budget requests during the Long-Term Planning process to transition to lower-maintenance planting. (*long-term cost saving opportunities will be discussed in another briefing as part of the LTP process*)

### Incorporating Elected Member feedback and direction:

#### 1. Draft guiding principles

Safe and inclusive for all	<i>Our streetscapes enable safe and healthy living and don't pose any unnecessary risks or create barriers to people using our network.</i>
Integrated	<i>We manage our streetscapes to ensure they support form and function of the street (in alignment with our One Network Framework).</i>
Nature is prioritized	<i>Our streetscapes and gateways are designed and managed to support sustainable practices, improve our biodiversity, and protect our natural features and assets.</i>
TBC- Culture & History	<i>Our streetscapes and gateways honour &amp; celebrate the Maaori culture and history of the area.</i>
Future ready	<i>Our streetscapes and gateways embrace low-carbon infrastructure, are resilient and ready for our changing climate.</i>
Financially sustainable	<i>Our Streetscapes and Gateways design, construction, maintenance, and renewals provide long-term value for money</i>

#### 2. Draft Gateways and classifications

- Emphasis on collaboration (community & mana-whenua), art-based & cultural installations that reflect the history of the area not digital billboards. Primary gateways would provide a high level of amenity

but are low maintenance.

- Support for data based thresholds.
  - Primary: Over 17,500/ day (with a N,S,E,W)
  - *Volume\* is the average daily figure for people in (bus, car, truck) who move across the gateways (Monday -Sunday)- March 2023 Data.*

NUMBER	Name	Volume*	N,S,E,W	Proposed
1	Cambridge Rd	27,100	South	Primary
2	Mangaharakeke Dr	25,000	North	Primary
3	Pardoa Blvd/ Greenhill Rd	18,500	East	Primary
4	Whatawhata Rd	18,100	West	Primary
5	Te Rapa Rd	17,800	North	Primary
6	Ruakura Rd	16,000	East	
7	Ohaupo Rd	11,800	South	Primary
8	Morrinsville Rd	13,100	East	Primary
9	Tuhikaramea Rd	12,900	West	
10	Resolution Dr	12,600	North	
11	Collins Rd	9,100	West	
12	Gordonton Rd	7,800	North	
13	River Rd	7,500	North	
14	Matangi Rd	6,500	South East	
15	Puketaha Rd	6,200	North East	
16	Horsham Downs Rd	5,800	North	
17	Rotokauri Rd	3,400	West	
18	Exelby Rd	2,900	West	

#### What direction/feedback/input do you need from elected members

Staff request feedback from Elected Members on the draft direction of the policy and

- Confirmation of the draft policy principles.
- Confirmation of primary gateways
- Incorporation of Mana whenua and iwi feedback on the draft 'culture & history' principle.

## TREE POLICY

#### Key summary points

- The proposed purpose and scope of the document is:
  1. To provide consistency and clarity in decision making for the planning, protection, maintenance, planting and retention/removal of Hamilton Kirikiriroa's public trees.
  - 2.
- The proposed policy would not include Trees on private land or outside of HCC boundaries (excluding the cemetery, Taitua Arboretum and any other HCC owned land) or Vegetation.
- The development of a Tree Policy would support standard decision making, which helps to reduce the burden on staff, create consistency in decisions made, and retain more trees.

#### Background/Problem definition

- Hamilton City Council manages over 100,000 trees on reserves and berms.
- Trees are an integral part of the landscape of Hamilton Kirikiriroa and provide extensive aesthetic, environmental, ecological, economic and social benefits for the city, including natural hazard mitigation, carbon storage, biodiversity, heat reduction, and provision of habitat. benefits to the city
- Political and public interest in the care of protection of trees has been increasing in the last few years.
- Changes to the makeup of the city will continue to see the net loss of canopy coverage as competition for land increases. Other challenges facing Council regarding the management of trees include:
  - Damage to trees through environmental change (severe weather events, changes to air and soil quality, disease)

- Safety risk or risk of damage to property from tree failure
- Damage to public or private assets/property from Council trees/roots
- Risk of damage or loss of trees through increased pressure for land (including from internal customers)
- Legacy issues such as underfunded maintenance or the planting of high maintenance species
- Public complaints about tree nuisance
- Tree root damage on private property
- The need to balance developments that benefit the community with tree protection.
- Lack of clear guidance for service delivery teams dealing with internal and external customers.

### Key considerations

#### Effects of Intensification

- The Tree Policy is proposed to mitigate the impacts of increasing density in the city. Recent research through the [“Are we building harder, hotter cities? – The vital importance of urban green spaces report” \(Parliamentary Commissioner for the Environment, March 2023\)](#) and Hamilton City Council’s Tree Canopy Study show that urban tree canopy is in rapid decline.
- The loss of canopy cover is predicted to be predominantly private land holdings. This will increase the need for the important functions that public trees will provide for the city.
- Hamilton has an existing tree canopy cover of 15%, this ranges from only 3.5% in Frankton South to 29% in Chedworth.
- In a tree canopy modelling project completed by the City Planning unit, under Plan Change we will see a decrease in canopy cover in almost every modelled neighborhood (*NOTE: PC12 figures are much higher than canopy cover retained through the MDRS*).

Table 2: Hamilton City Council - City Planning – 2022 Case studies for Tree Canopy Projections

Suburb	Existing canopy cover	2045/46 predicted canopy cover with PC12	2051 predicted canopy cover with PC12	2059 predicted canopy cover with PC12	2062 predicted canopy cover with PC12
Hamilton Central	15.25%	6.85%			
Frankton	15.93%	6.04%			
Hamilton East	6.45%				13.72%
Chartwell	10.21%				8.94%
Hamilton Lake	18.57%		6.38%		
Hillcrest	21.57%			4.39%	

### Risks/Benefits for Tree Policy

Table 3: The identified benefits and risks for the development of a Tree Policy.

Benefits	Risks
<ul style="list-style-type: none"> <li>+ Cost of development of Tree Policy is covered through current operating budgets.</li> <li>+ Research and pre-engagement have been completed for policy development. This accounts for approximately half of the staff time costs.</li> <li>+ Policies can be reviewed to reflect and set the expectations around taking a low maintenance &amp; financially sustainable approach.</li> <li>+ Potential to have long term cost savings if Policy is implemented.</li> </ul>	<ul style="list-style-type: none"> <li>– Public perception of ‘new’ policy introduction.</li> </ul>

<ul style="list-style-type: none"> <li>+ New plantings are of an approved species list that is appropriate to our changing climate and the extreme rain/weather events (more flooding, more droughts, and higher temperatures).</li> <li>+ Species selection that reduces maintenance costs.</li> <li>+ Well maintained and protected trees are less likely to fall and damage services, disrupt travel and pose health and safety risks to the community.</li> <li>+ Less cost for replacement of damaged trees and damaged infrastructure services as there will be more emphasis to balance how we plant and manage our trees and footpaths.</li> <li>+ Developers would be given guidance to support ideal species selection, reducing the number of trees council has to replace once the asset is transferred to council.</li> <li>+ Other national and international policy examples include levers to increase the number of trees at the cost of developers and private lands owners, including a two-year establishment period.</li> <li>+ Other national and international policy examples include levers for other fees and charges for the protection of trees.</li> </ul>	
---	--

#### Strategic alignment

The development of a Tree Policy aligns with and supports the implementation of:

- Our vision for Hamilton
- He Pou Manawa Ora - Pillars of Wellbeing
- Nature in the City
- Open Spaces Strategy – Papa Ahuareka o Kirikiriroa
- Access Hamilton- Ara Kootuitui Kirikiriroa
- Our Climate Future – Te Pae Tawhiti o Kirikiriroa
- Community and Social Development Strategy

## What direction/feedback/input do you need from elected members

Staff request feedback from Elected Members on preferred approach for the review of the Streetscape and Gateways Policy and the development of the Tree Policy. Staff have assessed that there are three reasonable and viable options for Elected Members to consider.

### Option 1: Progress with the con-current review of the Streetscape and Gateways Policy and development of a Tree Policy

Table 4: The identified benefits and risks for Option 1.

Benefits	Risks
<ul style="list-style-type: none"> <li>+ Greater efficiency and cost savings from joined up communications and engagement.</li> <li>+ Policy implementation occurs sooner which has the potential to maximise benefits of policy (full benefits listed above).</li> </ul>	<ul style="list-style-type: none"> <li>– Implementation will take time to imbed and implement policy direction. Implementation could be staged.</li> </ul>

### Option 2: Delay the Streetscape and Gateways Policy and the development of a Tree Policy

Table 5: The identified benefits and risks for Option 2.

Benefits	Risks
<ul style="list-style-type: none"> <li>+ Policies would still be developed/reviewed at same time so operational savings would be maintained.</li> <li>+ Reduced risk of consultation fatigue as it would occur after LTP consultation period.</li> </ul>	<ul style="list-style-type: none"> <li>– Decision making would not be informed by policies during delay.</li> <li>– The review for the Streetscape and Gateways Policy is overdue.</li> <li>– Policy review/development timelines currently sit within staff workplans, delays may risk staff availability.</li> </ul>

### Option 3: Progress with the Streetscape and Gateways Policy and delay the development of a Tree Policy

Table 6: The identified benefits and risks for Option 3.

Benefits	Risks
<ul style="list-style-type: none"> <li>+ The Streetscape and Gateways Policy would still be reviewed.</li> <li>+ Tree Policy would still be developed at a later date.</li> </ul>	<ul style="list-style-type: none"> <li>– Highest cost option.</li> <li>– Increased costs through separate engagement and consultation.</li> <li>– Increased risk of consultation fatigue due to need for separate engagement and consultation.</li> <li>– Increased costs through 'Streetscape and Gateways Policy' needing further amendment or review when 'Tree Policy' is developed.</li> <li>– Decision making about trees would not be informed by policy during delay.</li> </ul>

### Option 4: Progress with the Streetscape and Gateways Policy and do not proceed with the Tree Policy

Table 6: The identified benefits and risks for Option 4.

Benefits	Risks
<ul style="list-style-type: none"> <li>+ The Streetscape and Gateways Policy would still be reviewed.</li> <li>+ Staff time could be re-prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>– Lack of clear guidance for service delivery teams dealing with internal and external customers</li> <li>– Lack of guidance to reduce safety risk or risk of damage to property from tree failure</li> </ul>

	<ul style="list-style-type: none"><li>– Species selection that is not resilient to environmental change (severe weather events, changes to air and soil quality, disease), therefore increasing number of dead trees</li><li>– Unclear process on how to manage damage to public or private assets/property from Council trees/roots</li><li>– Risk of damage or loss of trees through increased pressure for land (including from internal customers)</li><li>– Potential for increased maintenance costs from the future planting of high maintenance species</li><li>– Unclear process on how to manage public complaints about tree nuisance</li><li>– Unclear process on how to manage tree root damage on private property.</li></ul>
--	---





# **‘Streetscape and Gateways policy’ review and the development of a ‘Tree Policy’**

Elected Member Briefing 14 February 2024

Cait Cresswell and Phoebe Flexman



## Purpose of Briefing/Workshop

Staff have been working on two key documents; the Streetscape & Gateways Policy and the Tree Policy.

The purpose of the briefing is to ensure that Elected Members are:

- well informed about the issues raised through the policy work, and have had an opportunity for input before public consultation
- presented with a high-level summary of early Mana Whenua feedback

Staff are continuing to review the Streetscape and Gateways policy and incorporate Member direction and feedback from the two previous workshops.

# What feedback is needed from Members?

## **Streetscape and Gateway Policy**

Staff seek confirmation from Elected Members on:

- The refined draft principles, and
- Draft primary gateways.

## **Tree Policy:**

Staff seek Elected Member guidance and direction on

- The development of a Tree Policy, if yes then
- The development of guiding principles - what matters to you ?

## Mana whenua and iwi feedback

Pre-engagement has occurred with Ngaati Wairere and Waikato Tainui. They were supportive of the review of the Streetscapes and Gateways Policy and proposed development of a Tree Policy.

### Overall key messages:

- Support the emphasis on collaboration and partnerships (especially in policy implementation).
- Emphasis on intentional planting and restoration.
- Emphasis on native first and including culturally significant species.
- Have a list of approved species list for planting & trees, with their ecological benefits and appropriate location.

### Streetscape and Gateway Policy:

- Will provide a suggestion in few weeks on the draft 'culture and history' principle.
- Gateways: Need to ensure the cultural stories to some of our Gateways are not lost.

### Tree Policy:

- The impacts of intensification on tree canopy.
- Concerns about some of the current difficulties we have with trees and plantings (e.g. pollution from leaves damage of wastewater pipes) and how this could be mitigated in the future through better species selection.

# Update: Streetscape and Gateways Policy

## Draft Guiding Principles

Workshop 1- March 2023

<b>Safe and inclusive for all</b>
Our streetscapes enable safe and healthy living and don't pose any unnecessary risks or create barriers to people using our network.
<b>Integrated</b>
We manage our streetscapes to ensure they support form and function of the street (in alignment with our One Network Framework).
<b>Nature is prioritized</b>
Our streetscapes and gateways are designed and managed to support sustainable practices, improve our biodiversity, and protect our natural features and assets.
<b>TBC- Culture &amp; history</b>
Our streetscapes and gateways honour & celebrate the Maaori culture and history of the area.
<b>Future ready</b>
Our streetscapes and gateways embrace low-carbon infrastructure, are resilient and ready for our changing climate.
<b>Financially sustainable</b>
Our Streetscapes and Gateways design, construction, maintenance, and renewals provide long-term value for money

## Draft Primary Gateways

Workshop 2- August 2023

NUMBER	Name	Volume*	N,S,E,W	Proposed
1	Cambridge Rd	27,100	South	Primary
2	Mangaharakeke Dr	25,000	North	Primary
3	Pardoa Blvd/ Greenhill Rd	18,500	East	Primary
4	Whatawhata Rd	18,100	West	Primary
5	Te Rapa Rd	17,800	North	Primary
6	<b>Ruakura Rd</b>	<b>16,000</b>	<b>East</b>	
7	Ohaupo Rd	11,800	South	Primary
8	Morrinsville Rd	13,100	East	Primary

*Volume\* is the average daily figure for people in (bus, car, truck) who move across the gateways (Monday -Sunday)- March 2023 Data.*

Support data based thresholds.  
o Primary: Over 17,500/ day (with a N,S,E,W)

# What direction/feedback is needed from Members?

Staff request direction from Elected Members on preferred approach for the review of the Streetscape and Gateways Policy and the development of the Tree Policy.

Staff have assessed that there are three reasonable and viable options for Elected Members to consider.

**Option 1:** Progress with the con-current review of the Streetscape and Gateways Policy and the development of a Tree Policy

**Option 2:** Delay the con-current review of the Streetscape and Gateways Policy and the development of a Tree Policy

**Option 3:** Progress with the review of the Streetscape and Gateways Policy and delay the development of a Tree Policy

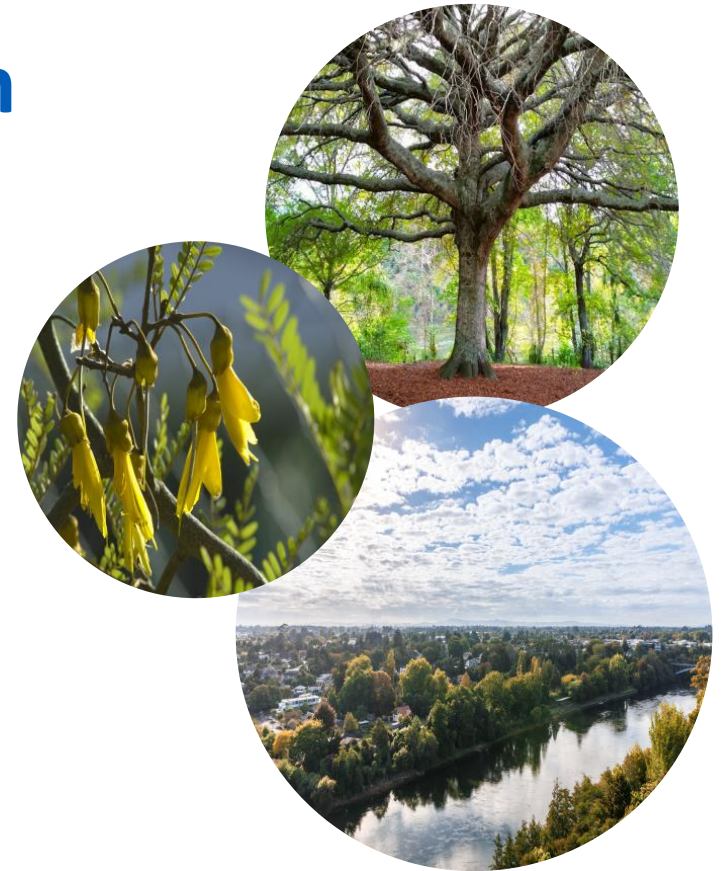
**Option 4:** Progress with the review of the Streetscape and Gateways Policy and do not proceed with the development of a Tree Policy

# What feedback is needed from Members?

## Tree Policy Development

Staff seek guidance and direction on the development of the Tree Policy and its guiding principles.

What matters to you?



# DISCUSSION TOPIC SUMMARY

**Topic:** Connections Review - Policy (14 Feb 2024)

**Related Committee:** I&T Committee

**Business Unit/Group:** Infrastructure and Assets Group

**Key Staff Contact/s:** Rae Simpson, Jackie Colliar

**Direction and Discussion recommended**

**Status:** Open

## PURPOSE

Elected Members have been informed of the reliance on the Three Waters Connection Policy (Policy) and approval process to manage connection applications and infrastructure challenges. A revised approval process and Policy, with technical assessment criteria and rules, will be necessary to manage development until network capacity is available. A review of the approval process and Policy is underway alongside Plan Change 12 to the Hamilton City Operative District Plan.

The purpose of this briefing is to share the following:

- Recap on what has happened to date
- Recap on proposed Policy positions shared previously
- Proposed policy provision for interim infrastructure for unique developments
- Proposed revised Policy Principles to guide decision-making

We are seeking feedback on this topic to inform the Council of the report on proposed policy for special consultation at an Infrastructure and Transport Committee meeting in 2024.

## INFORMATION

### UPDATES AND BRIEFINGS

We have been updating Elected Members through Infrastructure and Transport committee, Strategic Growth & District Plan committee meetings, Elected Member briefings, and Exec updates:

- 8 March 2023 – briefing to discuss infrastructure challenges and our responses.
- 20 April 2023 – Strategic Growth & District Plan Committee, update on current wastewater challenges in the southwest area of the city.
- 3 May 2023 – briefing to discuss how an application should be assessed, the criteria and thresholds used, and some proposed policy settings.
- 14 June and 10 July 2023 – Strategic Growth & District Plan Committee, further update on connections review matters.
- 20 July 2023 – Infrastructure and Transport Committee, update on policy and approval drafting progress, engagement, and proposed Policy review schedule.
- 10 October 2023 – Strategic Growth & District Plan Committee, further update on connections review matters and that we were working on several policy settings (included in exec updates and this briefing).



- 3 Exec updates (outlined below) to bring you up to date on latest policy developments

**Executive Update 1 (November)** – we asked for your views on the proposed changes to the approval process, specifically which developments would require a network capacity assessment. We proposed assessments if the applicant was proposing:

- To connect or upsize a pipe or infrastructure (except already approved this through a subdivision approval process)
- To subdivide a section where an additional or upsized connection is required.
- A house extension, or changes to a house that result in creating more than 5 bedrooms.
- An additional dwelling with a floor area more than 60m<sup>2</sup> (most granny flats are less than this).
- An additional dwelling associated with commercial or industrial activities.
- To increase water services demand from a new commercial or industrial activity or increase the floor area by more than 100m<sup>2</sup>.
- To increase hard surfaces on a site beyond what District Plan rules or consent will allow to manage impacts of stormwater.

Taking into account feedback, staff considered the triggers proposed reflected a likely increase in demand on water and wastewater services, provided for reasonable social needs, aligned with existing policy, rules and legislation as much as possible for efficiency and customer experience, and considered staff burden – (i.e.) assessments of small developments with minor demand.

**Executive Update 2 (November)** –As part of a revised approval process, Council will allocate network capacity to new developments through a Network Capacity Certificate. Staff need to establish certificate lapse periods that are fair and consider the complexity of the proposed development. We proposed the following:

- For developments that can **meet permitted activity rules**, the developer will have **1 year** to build their development in accordance with an approved capacity certificate with an ability to **extend another 1 year**.
- For developments that **require a landuse consent or subdivision consent**, the developer will have **1 year** to secure an approved consent post approval of a Network Capacity Certificate (and an ability to **extend up to 1 year**). Once a landuse or subdivision consent is obtained, then the developer will have **5 years** to give effect to an approved consent and Network Capacity Certificate. If an extension of a capacity certificate is required, then that will be at the discretion of HCC, subject to the extent of any progress to give effect to the land use or subdivision consent.

The network capacity allocated will be deemed to have been given effect to when the developer puts in a request for a physical connection, or for a subdivision, when there is subdivision works clearance approval.

Staff consider that this provides for development timeliness, avoids network capacity banking, aligns with existing regulatory legislation, business practices and models, is evidence based, and promotes efficient use of infrastructure and a thriving city.

**Executive Update 3 (December)** – we shared with you our proposal on how capacity will be managed for developments located in greenfield growth areas. Two key issues to be managed are the capacity of strategic network to service the full extent of the greenfield area, and building ‘local networks’

capable of and/or future proofed to service the **full extent** of the catchment. Staff proposed the following:

- Strategic network infrastructure needs to be determined, and capacity allocated at the time of unlocking the area of development.
- Strategic network allocation within the greenfield development area will be managed on a first-in-first-served basis.
- While strategic network allocation is available, connections will only consider the capacity of the local network.
- Sizing local networks (within greenfield area) to new proposed RITS standards
- HCC to fund upsizing of local networks where appropriate, so these are sized for expected long term densities in the growth cell.
- Strategic network allocation will likely last for many years but will reach an exhaustion point. Connections will then consider the impact on both the strategic network and the local network (i.e. the same approach for areas outside of the Stage 1 area).

Staff consider that this approach will ensure the right infrastructure is put in at the right time, meet ongoing levels of service, and avoid compliance issues.

## PREVIOUS AGREEMENTS

From a previous briefing we were able to confirm the following preferred approaches supported by Elected members:

### Technical Assessment Criteria

That the following technical criteria and thresholds (to be included in Policy) seemed fair and reasonable, i.e. Avoid creating dry weather wastewater overflows; Wastewater pipe full utilization of 75%; No exceedance with wastewater overflow containment design; Water supply flow target levels of service; Water supply pressure target levels of service; Water supply headloss target levels of service.

Tolerance for wastewater overflows due to inadequate capacity will be low given that it is a prohibited activity, and that tolerance for reduced water supply level of service will be low given that there is a need to consider impacts on supply for firefighting.

### State of the Network

That decisions on connections outside the Stage 1 area should be made based on how the network capacity and performance is at the time of the application. Council planned upgrades that release capacity in the future should not be considered or used in the decision to approve or decline an application, however, the developer may be granted 'conditional' network capacity. The condition should state that there can be no connection until a planned upgrade is executed, or an upgrade contract awarded.

### Capacity Allocation

That capacity allocation should be done on a first come first served approach.

### Different approach for Stage 1 central city area

That a different approach to support development in Stage 1 seems appropriate i.e. as it lower the barriers for development where we want to see it happen. Members requested further assessment of options for Stage 1 area. Staff propose to discuss the outcome of this optioneering in a separate

briefing.

## NEW PROPOSED POSITIONS

Since the last briefing and exec updates, staff have developed the following:

- Proposed policy approach for interim infrastructure for unique developments
- Proposed revised Policy Principles to guide decision-making

### Interim infrastructure for unique developments

A matter was raised where there may be development proposals located in a constrained area that could significantly benefit the City and community well-being. Due to the cost and timing of upgrades in network constrained areas, interim (wastewater) solutions are likely to be proposed by developers to enable the development to proceed.

In general, Council does not support private on-site wastewater solutions as an acceptable permanent solution. Reasons include that they:

- - carry significant risk of operational issues and failure that Council could be held responsible for. There are several situations where private infrastructure has failed in the past, and HCC has been compelled to service the developments through our networks.
- would result in ad-hoc development occurring across the city which does not deliver strategic integrated growth or infrastructure planning, and
- would set a precedent for developments.

However, policy options were considered for where it may be appropriate to provide for development in a network constrained area, provided effects are mitigated. Discussions were held with key staff to discuss:

- What would constitute a development that could be considered unique, and therefore justify a Private Development Agreement (PDA) for interim wastewater infrastructure.
- What would the conditions of such a PDA be.
- Should the Three Waters Connection Policy scope include policy on unique developments, affordable homes and interim wastewater infrastructure.

### What would constitute a development that could be considered unique and justify a PDA agreement

The result of initial internal consultation resulted in following suggestions of development characteristics where interim solutions and associated PDAs may be appropriate:

- Developments that are in prioritised growth areas (e.g. Stage 1)
- Developments that are **At Scale** and strongly support the attraction and growth of existing and new employers, support 'high skill' employment and density of employment per hectare or are innovative or are associated with food security.
- Developments that strongly support or are integral to economic growth or are integrated as part of a larger system and contribute to GDP.
- Developments that support Affordable homes, provide yield and developments that provide significant Hotel accommodation or have provision for Inner city living (Council

- priority) and connectivity or integration with surrounding uses and public transport, and access to essential services.
- Council owned facilities providing municipal functions to support the 4 wellbeings
- Special use developments with a Campus-style development or precinct with significant on-site amenities or Industrial development site design and additional dedicated land for light industrial activities and logistics.
- Developments that have strong elements of sustainability (Greenstar), Maatauranga design, cultural recognition, or support arts and culture initiatives and Te Waka and the Te Whare Ohaoa (Maaori Economic Development Plan), and the environment (He Pou Manawa Taurikura, He Pou Manawa Taiao).
- Recognition of Special Agreements associated with acceleration funding

While, the above characteristics may be appropriate to help define exceptions to the proposed capacity assessment process, Staff are very apprehensive about criteria being too broad. There is potential for developments to be considered 'unique' and therefore eligible to consider interim servicing solutions. Therefore, Staff consider it critical to clearly define and strictly limit the criteria used to distinguish developments, apart from others, where interim solutions may be considered acceptable. A development enabled by an interim solution must be the exception rather than the rule.

Staff have considered requests to prioritise developments that deliver affordable housing through the proposed connections approval process. The Three Waters Connection Policy is a child of three waters bylaws made under the Local Government Act 2002. Therefore the scope of the policy cannot stray from network infrastructure and its services, and meeting three waters compliance matters. Accordingly, the connections approval process should not address matters relating to decisions on landuse or Affordable Homes. A different policy (or practice note/guidance), and or district plan provision will be necessary to consider these matters.

Staff recommend amendment to the Three Water Connection Policy to refer to other Policy and include limited policy provision such as:

*Where a Network Capacity Assessment show there is no capacity for a proposal, the Council will not preclude a Private Development Agreement, subject to the criteria being met. This criterion includes but is not limited to assessment of alternative locations and determination that the development cannot be in areas of unconstrained network. The applicant must seek further advice from Hamilton City Council on criteria that must be met for interim servicing solutions and a Private Development Agreement to be considered.*

Staff are still developing a proposed process for approving an interim solution, including decision making.

#### Interim infrastructure solution – proposed policy approach and conditions of a PDA

If there is certainty of delivery of the strategic network upgrades (i.e. Council has prioritized funding of upgrades in the and several other critical factors are satisfied, the Council is considering if interim solutions can support a development ahead of the strategic network upgrades. This might include on-lot storage and pump stations with emergency storage and off-peak release into an appropriate catchment as a private temporary mitigation, to be removed following network improvement.

Current thinking is that for an interim solution to be acceptable, the developer would need to demonstrate:

- a. That the proposed development cannot otherwise be located in an area of unconstrained network.
- b. That the interim solution meets the appropriate design levels of service and design standards.
- c. That they have the resources, infrastructure, capability, and capacity to take full financial, operational and maintenance responsibility of such a solution until the necessary upgrades are in place.
- d. That they will fully fund the cost of any local network upgrades needed to service the development.
- e. That they will contribute to the cost of the strategic network upgrades necessary to permanently service the development and decommission the temporary infrastructure.
- f. that a strategic network upgrade is imminent, and that the interim solution will not be permanent.

Staff recommend amendment to the Three Waters Connection Policy to capture the above requirements.

### **Proposed revised Policy Principles to guide decision-making**

Policy Principles were developed (with Waikato Tainui and Mana whenua) in the last review of the Policy (2020). Because the Policy is expanding to more fully address network capacity issues, staff are recommending that principles are reviewed and likewise expanded. New Principles are in [Blue](#). Staff consider that two principles can be removed as they are addressed in other Principles.

Staff recommend the following revised set of Principles:

- Restoring and protecting the health and wellbeing of the Waikato River is of utmost importance.
- The intrinsic value and mana of the water resource is recognized and further degradation of water quality in the Waikato River shall be avoided.
- Waikato-Tainui are Kaitiaki of the Waikato River
- Our communities' health and wellbeing are protected, with access to safe, reliable, responsive, and affordable water and wastewater services systems
- ~~• The availability of safe water for drinking and sanitation sustains life.}~~
- ~~• As a custodian of potable water, Council has an obligation to minimise water take from the Waikato River, ensure water is safe to drink, managed effectively and used efficiently and sustainably.}~~
- Hamilton is part of a wider sub regional community. Council is committed to supporting sub-regional prosperity.
- [Trade-offs between strategic growth direction, the district plan, levels of service, and meeting legislative obligations will be recognised and minimised.](#)
- Administrative costs and policy burden will be avoided or reduced.

### **Three Waters Allocation**

- The use of water is integrated with land use, stormwater and wastewater management and considers the effect of the use and development of land on the Waikato River.
- Availability of water for commercial and industrial purposes enables economic growth and social wellbeing.

### Three Waters Capacity

- Capacity constraints within the network will be communicated and readily available.
- Network capacity being used as a commodity will be avoided.
- The strategic direction and investment for the central city area will be recognized.

## OTHER UPDATES

### APPROVAL PROCESS UPDATE

Staff have previously outlined a future state approval process. Network capacity assessments are carried out as a first step to getting consent to build or subdivide.

Key features of the process are that:

- The customer will have an opportunity to view city network constraints on a web viewer to determine if they want to proceed with an application.
- Customer enters development information into a single portal (smart form) (if the application is not already in the system).
- Staff review the development information.
- If the GIS tool shows the location of interest to be at capacity, the customer will be informed that until upgrades are carried out, development cannot proceed unless capacity is made available, or the development does not propose a demand where capacity is exceeded.
- If the GIS tool shows that capacity is available or is marginal, a Network Capacity Assessment based on the information provided will be carried out. Staff may require modelling if capacity is marginal and/or where the proposed development is of a reasonable large scale (e.g. greater than 10 dwellings).
- Staff will approve or decline the application. Approval may be conditional. A Network Capacity Certificate (NCC) will demonstrate allocated capacity. Other assessments related to the development may be initiated.
- The customer can proceed with obtaining other consents with a NCC.

In alignment with DP12, Council is targeting end of 2024 to have the process up and running. The process change will require a communication campaign.

### APPROVAL TOOL (GIS LAYER AND WEBVIEWER) UPDATE

Staff outlined a proposed tool (GIS layer) that will assist staff to determine capacity constraints in the City Area. The tool would serve as an accounting tool and have a 'viewer' function accessible to the public. The viewer function is intended to provide network capacity information to assist members of the public when making development decisions. . Elected Member consensus was that the proposed GIS tool seemed appropriate. A contract has been awarded to a supplier and Council is targeting late 2024 to have the GIS tool up and running.

### ENGAGEMENT UPDATE

Staff are initiating early stakeholder engagement activities. Meetings have been held with:

- Internal staff
- Mana Whenua and Waikato Tainui
- Development community representatives
- Sub-regional partners and Waikato Regional Council

### WHAT KEY THINGS SHOULD MEMBERS THINK ABOUT/ CONSIDER IN UNDERSTANDING THIS INFORMATION?

- Members should think about the proposed policy positions and revised Principles and if they would support those positions which will then be used to form policy clauses.

### KEY SUMMARY POINTS

- Proposed positions seek to manage infrastructure challenges and funding shortfall. They respond to questions (both received and anticipated) from the development community.
- We are seeking feedback on policy positions of provision for interim infrastructure solutions in constrained network areas, and revised Policy Principles that will guide decision making.
- We are also seeking any feedback on policy positions shared through three Exec updates in November and December (who is assessed, allocation periods, and greenfield management).
- Recommended Policy positions on who gets assessed seeks to be linked to demand on the network, align with legislation, provide for family needs up to a 5-bedroom capacity (or equivalent) and reduce staff burden when assessing effects.
- Staff are recommending lapse periods both aligned with legislation, and evidence based but that seek to limit network capacity banking.
- Staff are recommending that policy for management of greenfields ensures that infrastructure will address capacity into the future.
- Further assessment of impacts of proposed policy provisions for assessments inside and outside the central city area are in progress. Staff propose a separate briefing on this.
- What we have agreed to date, and your feedback will inform reports to the Infrastructure and Transport and Strategic Growth and District Plan committees.

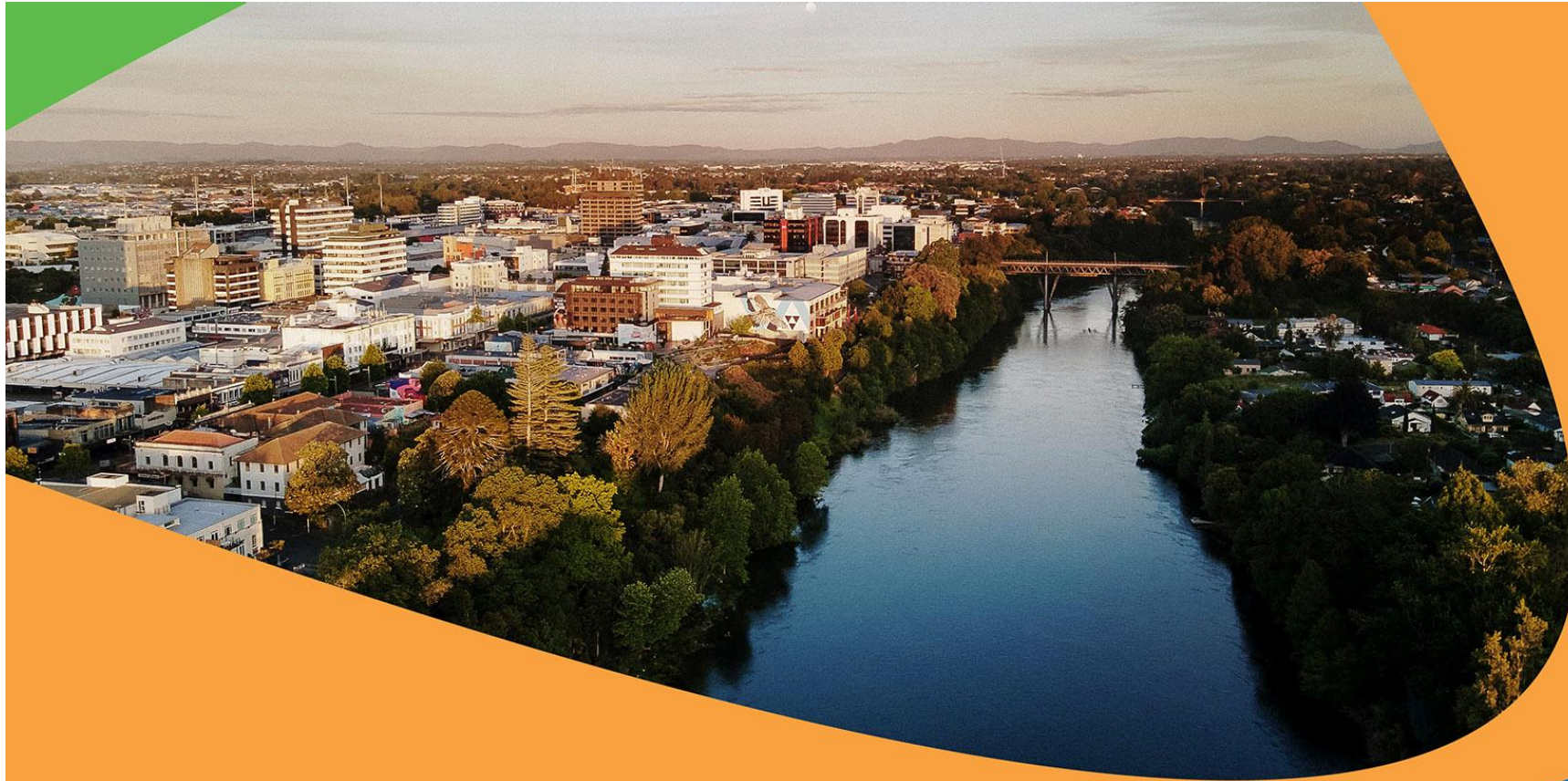
### NEXT STEPS

- Staff continue to work on further policy options and revised approval process
- Staff continue to carry out engagement with stakeholders.
- Staff will seek another Elected Member briefing opportunity prior to reporting to the Infrastructure and Transport committee on the Three Waters Connection Policy in mid 2024.

## WHAT DIRECTION/FEEDBACK/INPUT NEEDED FROM ELECTED MEMBERS

- Staff need direction on the proposed policy positions.
- Staff need direction on proposed revised principles
- Staff would like to know if there is anything further that Members would like covered in next staff reports for committees Strategic Development & District Plan and I&A in 2024.
- Are there any known views of the community that staff should understand.
- Do Members have preference/views around how community engagement is managed?





# Elected Member briefing

Connections Policy – 14 February 2024

# Purpose

- To provide an update on connection review.
- To revisit what we have discussed to date.
- To introduce new proposed policy approach.
- To introduce a revised set of policy principles.
- To get your feedback on policy approach and principles.
- To outline next steps.

# Connections review

- The policy manages decision making for requests to connect to our three waters network and requests for more services.
- To manage existing and future infrastructure challenges we have to make changes to our approval processes and policy.
- Approval process and tools to assess capacity still under development.
- Aiming to have the policy adopted by end of year.

## Recap – what we have agreed on to date

- We carry out capacity assessments very early in an approval process.
- Technical assessments use overflows, pipe utilization, water pressure and flow thresholds.
- We have low tolerance for wastewater overflows and reduced water supply level of service.
- We recognise planned network investment in the central city area, have a lower bar for assessment (ie) only consider the 'local network'.
- For other areas, decisions are made on the 'current state' network capacity and consider larger 'strategic' network issues.
- For Stage 1 area, conditional approval may be granted if infrastructure upgrades are imminent (eg) funded and in the ground within two years (otherwise declined). For outside Stage 1 area, an upgrade contract would have to be 'awarded'.
- We operate on a 'first come first served' basis for network allocation.

## Recent proposed policy approaches

- **Exec update 1 – Policy approach for who requires a network capacity assessment. Predominantly based this on network demand.**
- **Exec update 2 – Policy approach for how long capacity is held for. Predominantly based on existing legislation, but where this did not apply, put some pressure on getting a development built.**
- **Exec update 3 - Policy approach for managing capacity in greenfield areas. Based on making sure we have services sized for the full extent of expected densities.**

# New Proposed Positions

- **Interim Infrastructure Solutions**
- **Revised Principles for Decision making**

8 February 2024

Presentation title

6

## Interim infrastructure for unique developments

**We have been considering if a constrained area would prevent a ‘unique’ development that the city would otherwise support.**

**Consideration first given to what constituted a unique development.**

**Then whether Council should allow a PDA if the development was unique and what those considerations would be.**

**In principle Council does not generally support private on-site interim infrastructure solutions.**

**On-lot storage and pump stations with emergency storage and off-peak release into appropriate catchment (removed following network improvement).**

**Integral to economic  
growth**

**In prioritised growth  
areas**

**‘At Scale’**

**Hotel accommodation,  
at scale**

**Food security**

**Affordable homes?**

**Promote sustainability**

**Support employment**

**Innovative**

**Council-owned facilities  
providing municipal  
functions**

**Campus-style  
development or  
precinct with significant  
on-site amenities**

**Recognition of Special  
Agreements**



# Affordable homes and Unique Developments – Policy Scope

- The Policy is a child of Bylaws made under the LGA
- The LGA has limitations on what a bylaw can cover
- ‘affordable homes’ and unique developments do not fit within the scope of the Three Waters Connections Policy
- New Policy or inclusionary zoning or similar must be investigated.

## Future proposed policy approach when development in network constrained area



## Developer would need to demonstrate:

1. **Scale** and **uniqueness**
2. Development **cannot** be located in an unconstrained area.
3. Solution meets the **appropriate design levels of service** and design standards.
4. Infrastructure, capability, and capacity to take **full** financial, operational and maintenance responsibility until necessary upgrades are in place.
5. **Contribute to cost of network** upgrades necessary to permanently service the development (and decommission temporary infrastructure).
6. Upgrade is **imminent** (within two years).
7. **Temporary** solution.

## Proposed revised principles

- Restoring and protecting the health and wellbeing of the Waikato River is of utmost importance.
- The intrinsic value and mana of the water resource is recognised and further degradation of water quality in the Waikato River shall be avoided.
- Waikato-Tainui are Kaitiaki of the Waikato River.
- Our communities' health and wellbeing is protected, with access to safe, reliable, responsive, and affordable water and wastewater services systems.
- Hamilton is part of a wider sub regional community. Council is committed to supporting sub-regional prosperity.
- Trade-offs between strategic growth direction, the district plan, levels of service, and meeting legislative obligations will be recognised and minimised.
- Administrative cost and policy burden will be avoided or reduced.

# Proposed principles - continued

## Three Waters Allocation

- The use of water is integrated with land use, stormwater and wastewater management and considers the effect of the use and development of land on the Waikato River.
- Availability of water for commercial and industrial purposes enables economic growth and social wellbeing.

## Three Waters Capacity

- Capacity constraints within the network will be communicated and readily available.
- Network capacity being used as a commodity will be avoided.
- The strategic direction and investment for central city area will be recognised.

- Do you think we have got the policy approaches and principles right?
- What developments do you think are unique to the city and should have prioritized funding through a private development agreement?
- Are you comfortable with interim solutions?
- Is there anything further that members would like covered in next staff reports for committees (Strategic Development & District Plan and Infrastructure & Transport) in 2024.
- Are there any known views of the community that staff should understand?
- Do elected members have preference/views around how community engagement is managed?



## Next steps

Work with your  
feedback

Keep drafting  
up/confirming  
policy settings

Seek a further  
briefing

Continue to  
engage with key  
stakeholders

Public consultation  
likely mid year