

Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Infrastructure Operations Committee will be held on:

Date: Thursday 16 April 2020

Time: 10.00am

Meeting: Audio Visual Meeting

Richard Briggs
Chief Executive

Komiti Hanganga

Infrastructure Operations Committee

OPEN AGENDA

Membership

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

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Becca Brooke
Governance Manager

7 April 2020

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Take Purpose

The Infrastructure Operations Committee is responsible for:

1. The execution of Council's infrastructure and operational plans and strategies across all asset classes.
2. To monitor and approve contracts relating to core infrastructure and provision of services.
3. To monitor and approve deferred capital relating to core infrastructure and provision of services.
4. Guiding and monitoring the provision of core infrastructure and services in particular relating to transport (including but not limited to public transport and cycleways), 3 waters and waste management, to meet the current and future needs of the city and to enhance the wellbeing of its communities.
5. Facilitating community and stakeholder involvement and discussion on core infrastructure provision and services.
6. Guiding discussion and implementation of innovative core infrastructure and service provision solutions.
7. To ensure that all infrastructure networks and service provisions are legally compliant and operate within resource consent limits.

In addition to the common delegations, the Infrastructure Operations Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To provide direction on strategic priorities and resourcing for core infrastructure aligned to city development and oversight of operational projects and services associated with those activities.
2. To develop policy, approve core-infrastructure related operational strategies and plans and monitor their implementation.
3. To receive and consider presentations and reports from stakeholders, government departments, organizations and interest groups on core infrastructure and associated services and wellbeing issues and opportunities.
4. To provide direction regarding Council's involvement in regional alliances, plans, initiatives and forums for joint infrastructure and shared services (for example Regional Transport Committee).
5. To monitor and oversee the delivery of Councils non-financial performance and non-financial key projects against the Long Term Plan, excluding key performance indicator reporting which is the responsibility of Finance Committee.

The Committee is delegated the following powers to act:

- Approval of capital expenditure within the Long Term Plan or Annual Plan that exceeds the Chief Executive's delegation, excluding expenditure which:
 - contravenes the Council's Financial Strategy; or
 - significantly alters any level of service outlined in the applicable Long Term Plan or Annual Plan; or
 - impacts Council policy or practice, in which case the delegation is recommendatory only and the Committee may make a recommendation to the Council for approval.

- Approval of any proposal to stop any road, including hearing and considering any written objections on such matters.
- Approval of purchase or disposal of land for core infrastructure for works and other purposes within this Committee's area of responsibility that exceed the Chief Executives delegation and is in accordance with the Annual Plan or Long Term Plan.

The Committee is delegated the following recommendatory powers:

- Approval of additional borrowing to Finance Committee.
- The Committee may make recommendations to Council and other Committees

Recommendatory Oversight of Policies and Bylaws:

- *Connections and Charging Policy for Three Waters Policy*
- *Earthquake-Prone, Dangerous & Insanitary Buildings Policy*
- *Seismic Performance of Buildings Policy*
- *Speed Limits Bylaw 2015*
- *Streetscape Beautification and Verge Maintenance Policy*
- *Traffic Bylaw 2015*
- *Solid Waste Bylaw 2012*
- *Stormwater Bylaw 2015*
- *Trade Waste and Wastewater Bylaw 2016*
- *Water Supply Bylaw 2013*

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1 Tono aroha *Apologies*

2 Whakatau raarangi take *Confirmation of Agenda*

The Committee to confirm the agenda.

3 Tauaakii whaipanga *Declaration of Interest*

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 AAtea korero *Public Forum*

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Chair.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Council Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6727.

Council Report

Committee: Infrastructure Operations Committee **Date:** 16 April 2020

Author: Rebecca Watson **Authoriser:** Amy Viggers

Position: Governance Advisor **Position:** Governance Team Leader

Report Name: Confirmation of the Infrastructure Operations Committee Open Minutes
27 February 2020

Report Status	<i>Open</i>
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Tuutohu-aa-kaimahi *Staff Recommendation*

That the Committee confirm the Open Minutes of the Infrastructure Operations Committee meeting held on 27 February 2020 as a true and correct record.

Nгаа тааpирihanga *Attachments*

Attachment 1 - Infrastructure Operations Committee Open Minutes - 27 February 2020.

Infrastructure Operations Committee

OPEN MINUTES

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

PRESENT

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

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

Governance Staff	Rebecca Watson, Claire Guthrie, Carmen Fortin – Governance Advisors
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1. Apologies**Resolved:** (Cr O’Leary/Cr Bunting)

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

2. Confirmation of Agenda**Resolved:** (Cr O’Leary/Cr Wilson)

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

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Public Forum

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

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

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

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

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

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

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

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

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

5. **Personal Hire Devices - 6 month trial update**

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

Motion: (Cr Thomson/Cr O'Leary)

That the Infrastructure Operations Committee:

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

Amendment: (Deputy Mayor Taylor/Cr Forsyth)

That the Infrastructure Operations Committee:

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

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

The Amendment was put and declared CARRIED.

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

Resolved: (Deputy Mayor Taylor/Cr Forsyth)

That the Infrastructure Operations Committee:

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

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

The meeting adjourned from 12.38pm to 1.15pm.

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

6. Chairs Report

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

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

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

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

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

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

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

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

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

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

8. Infrastructure Operations Committee Draft Schedule of Reports 2020

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

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

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

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

- a) receives the draft 2020 Schedule of Reports; and
- b) notes that the Schedule of Reports is intended to be a living document that will be

updated as necessary and will be made available to Elected Members and Maangai Maori on Diligent.

9. **General Managers Report**

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

Staff Action: Staff undertook to confirm the reporting period for the Vision Zero update as part of the next General Manager’s report to the Infrastructure Operations Committee.

Staff Action: Staff undertook to provide Committee Members with the reporting period for the Vision Zero updates prior to the next Infrastructure Operations Committee meeting.

Resolved: (Cr O’Leary/Cr Macpherson)

That the Infrastructure Operations Committee receives the report.

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

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

10. **Resolution to Exclude the Public**

Resolved: (Cr O’Leary/Cr Gallagher)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

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

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

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

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

The meeting was declared closed at 4.02pm.

Council Report

Committee:	Infrastructure Operations Committee	Date:	16 April 2020
Author:	Rebecca Watson	Authoriser:	Amy Viggers
Position:	Governance Advisor	Position:	Governance Team Leader
Report Name:	Chair's Report		

Report Status	<i>Open</i>
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Tuutohu-aa-kaimahi *Recommendation*

1. That the Infrastructure Operations Committee:
 - a) receives the report; and
 - b) approves that the Central Business District (CBD) 2 hour Free Parking Trial Update Report be deferred to the Infrastructure Operations Committee meeting of 26 May 2020.

Ngaa taapirihanga *Attachments*

Attachment 1 - Infrastructure Operations Committee Chair's Report - 16 April 2020.



Chair's Report

Item 6

Deferral of Reports:

Following the announcement from Central Government concerning Covid-19 and alert level 4, staff were required to redirect their focus to the continuation and provision of essential services for the city resulting in some reports not being able to be completed on time. Most of the scheduled reports will automatically be deferred to a future Infrastructure Operations Committee meeting. Some reports were subject to time bound Council resolutions and will require a formal resolution to defer them to a subsequent meeting date.

Reports requiring formal deferral are outlined below:

- Central Business District (CBD) 2 hour Free Parking Trial Update Report deferred to 26 May 2020

Recommendation

That the Infrastructure Operations Committee:

- a) receives the report; and
- b) approves to defer the Central Business District (CBD) 2 hour Free Parking Trial Update Report to the Infrastructure Operations Committee meeting of 26 May 2020.

Attachment 1

Council Report

Committee:	Infrastructure Operations Committee	Date:	16 April 2020
Author:	Surya Pandey	Authoriser:	Chris Allen
Position:	Programme Manager City Wide Waters	Position:	General Manager Development
Report Name:	Contract 16296 - Pukete 3 WWTP Upgrade - Approved Contract Sum Increase		

Report Status	<i>Open</i>
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Take Purpose

- To seek approval from the Infrastructure Operations Committee to increase the Approved Contract Sum of Contract 16296 with Downer NZ for the capacity upgrade of the Pukete Wastewater Treatment Plant and the new Chemical Storage Facility at the Waiora Water Treatment Plant. The increase is to allow the existing contract works to be completed whilst allowing for enough contingency to complete the project, not including any impacts as a result of Covid-19.

Tuutohu-aa-kaimahi *Staff Recommendation*

- That the Infrastructure Operations Committee:
 - receives the report; and
 - approves an increase to the Approved Contract Sum of Contract 16296 with Downer NZ, for the capacity upgrades of the Pukete Wastewater Treatment Plant and the new Chemical Storage Facility at the Waiora Water Treatment Plant from \$28,850,000 to \$32,500,000 (excl. GST).

Whakaraapopotanga matua *Executive Summary*

- Physical works are underway constructing the required upgrades at the city's only water and wastewater treatment plants. Both projects are deemed critical for the city to cater for the growing population whilst maintaining high levels of compliance.
- In October 2018 Contract 16296 was awarded to Downer NZ, to deliver a substantial physical works package to upgrade the wastewater treatment plant secondary treatment process, to provide capacity for city growth and achieve consent compliance for treated wastewater discharge to the Waikato River, and deliver improved chemical storage and dosing facilities at both the water and wastewater treatment plants.

5. Since contract award some significant construction risks have been realised, including identification and removal of asbestos-contaminated material, identification of unsuitable ground material and additional imported fill requirements.
6. There has been and continues to be successful negotiations with the contractor to mitigate realised risks whilst ensuring further time delays and costs are effectively managed.
7. Since this report was originally written the impacts of Covid-19 have affected the contract. This will result in contract delays and cost increases, but it is still too early to quantify the impacts. Staff are looking to report the impacts on this contract and other contracts to Council at the earliest possible opportunity.
8. Staff consider the matters in this report have low significance in accordance with Council's Significance and Engagement Policy and that the recommendations comply with the Council's legal requirements.

Kooreo whaimaarama Background

9. The Council has current projects to undertake significant upgrades of our existing water and wastewater treatment plants to meet water supply and wastewater treatment needs for our growing city.
10. These existing projects are currently funded in the 2018-28 10-Year Plan to a combined total value of \$66.666M.
11. The first stage of project physical works implementation, being the installation of a new water supply pipeline from the water treatment plant to the existing Hamilton south reservoir, was successfully completed in 2017.
12. The next stage of delivery is a substantial physical works package to upgrade the wastewater treatment plant secondary treatment process, to provide capacity for city growth and achieve consent compliance for treated wastewater discharge to the Waikato River, and also deliver improved chemical storage and dosing facilities at both water and wastewater treatment plants.
13. The package of work covered within Contract 19692 was procured via a two stage process of shortlisting via a public Request for Expression of Interest prior to an invited Request for Tender. Following evaluation of responses, it was recommended to award the contract to Downer NZ Ltd who submitted a high quality and lowest price tender.
14. The contract works are currently estimated to be 70% complete with the final portion of the Pukete Wastewater Treatment Plant upgrade being completed in 2021.
15. Prior to the physical works commencing, the reported risks associated with asbestos-contaminated soil and unsuitable ground conditions being largely unquantifiable, there is a need to increase the contract sum to ensure the physical works are successfully delivered.

Discussion

Existing Contract Risk Realisation

16. The existing Approved Contract Sum of Contract 16296 is \$28,850,000, comprised of the tender price of \$25,780,217 and a contingency value of \$3,069,783.
17. During construction to date some substantial risks have been realised. A risk identified within the [report](#) to Growth and Infrastructure Committee on 4 September 2018 including the clarifier, unsuitable material and asbestos-contaminated soil on-site has been realised.
18. The high level of compliance at the Pukete Wastewater Treatment Plant was not to be compromised and because of the asbestos-contaminated soil being discovered, the Hamilton City Council project team engaged specialist contractors and consultants to investigate and

manage the movement of the asbestos as per relevant Health and Safety Regulations. The material (if deemed suitable) was originally earmarked to be used as fill on the site, was removed from site and disposed at an approved site in Hampton Downs. The result of this risk being realised was more than \$2,000,000 and significant delays to the project completion date.

19. Some large extents of unexpected soft in-situ material were also identified on site. To construct the foundations of the new clarifier to meet engineered design standards, this soft material needed to be excavated, removed and replaced with suitable material from an external source.
20. The original contract assumed that a large volume of existing cut material would be suitable for re-use and fill. The cut material is unsuitable for re-use and now must be removed from site and replaced with suitable imported sand, cement and rock. An additional \$2,200,000 in variations were approved because of these additional works, as structural integrity of such a critical asset could again, not be compromised. Further delays to the project completion date resulted in these works, however the other portions of the projects could continue to ensure progress ensued.
21. With two years of work remaining on the contract, to address any further risks or issues which may materialise, an increase of the Approved Contract Sum is required to provide appropriate works contingency.
22. Staff recommend a \$3,650,000 increase to the Approved Contract Sum of Contract 16296.
23. With this staff recommendation, a contingency of \$1,000,000 has been included. This is to oppose any future/additional unforeseen ground conditions associated with the upcoming final deep excavation within the physical works as well as to ensure a sound performance validation testing process of built infrastructure to ensure compliance objectives are met.

Options

24. No options are available for Council to consider due to contract works being in excess of 50% complete and the nature of the works (upgrades to the wastewater and water treatment plants) are deemed critical to ensure relevant legislative requirements continue to be met whilst meeting population growth requirements.

Whaiwhakaaro Puutea *Financial Considerations*

25. The proposed additional expenditure associated with the recommended Approved Contract Sum (ACS) increase of Contract 16296 with Downer NZ are summarised below:

Item	Value	Funding
Existing Contract 16296 ACS <i>Currently forecast to spend to this value, including already realised risks.</i>	\$28,850,000	CE15117 – Pukete 3 WWTP Upgrade CE15144 - Waiora 2 WTP Upgrade Existing project funding approval – as per Contract Award Report to Council on 17 Sep 2018.
Increase of Contract 16296 ACS <i>To ensure a successful delivery of contract outcomes whilst increasing contingency to address any further issues throughout remaining Contract term</i>	\$3,650,000	Funded from existing Treatment Plant Capacity Upgrade budgets allocated in 2018-28 10YP: CE15117 – Pukete 3 WWTP Upgrade CE15144 - Waiora 2 WTP Upgrade
Recommended Approved Contract Sum	\$32,500,000	

26. The forecasted expenditure for the Pukete 3 Wastewater Treatment Plant capacity upgrade versus the 2018-28 10-Year Plan budget allocations for the Pukete Wastewater Treatment Plant are summarised below:

Pukete 3 WWTP Upgrade (CE15117)	Previous FY's (000)	2018/19 (000)	2019/20 (000)	2020/21 (000)	2021/22 (000)	2022/23 (000)	2023/24 (000)	Total
Budget	\$3,040	\$15,232	\$8,989	\$0	\$1,110	\$2,270	\$2,324	\$32,965
Forecast Expenditure								
Investigation & Design	\$3,040							\$3,040
Construction of Aeration Basin 5, Clarifier 5, RAS, IPS, Chemical Storage Pukete 3 Contract SP's 1 & 2		\$6,937	\$11,200	\$7,863				\$26,000
Other Costs (MSQA, Design Inputs, Project Management, Consents etc)		\$1,000	\$1,500	\$500				\$3,000
Existing Aeration Basin (4) retrofit Pukete 3 Contract - SP4 (Provisional Item)					\$1,300			\$1,300
Existing Aeration Basin (1-3) retrofit						\$1,100	\$2,200	\$3,300
Total Forecast Expenditure (Pukete3)								\$36,640
Forecast variance against budget (Pukete 3)								-\$3,675

27. There is a \$3,657,000 budget shortfall forecasted for the Pukete 3 Wastewater Treatment Plant capacity upgrade. This will be offset heavily by the savings forecasted in the Waiora 2 Water Treatment Plant capacity upgrade which is summarised in the table below:

Waiora 2 WTP Upgrade (CE15144)	Previous FY's (000)	2018/19 (000)	2019/20 (000)	2020/21 (000)	2021/22 (000)	2022/23 (000)	2023/24 (000)	Total
Budget	\$5,733	\$2,810	\$1,353	\$9,151	\$14,708	\$2,270		\$36,025
Forecast Expenditure								
Investigation and Concept Design	\$756							\$756
Hamilton South Pipe (Complete)	\$4,977							\$4,977
WTP Chemical Storage Pukete 3		\$408	\$3,692					\$4,100
Detailed Design			\$200	\$1,000				\$1,200

WTP Upgrade Construction				\$4,000	\$12,000	\$3,000		\$19,000
Other Costs (MSQA, Project Management, Consents etc)			\$195	\$275	\$350	\$315	\$175	\$1,310
Total Forecast Expenditure (Waiora 2)								\$31,343
Forecast variance against budget (Waiora 2)								\$4,682

28. Consequential operational costs have been included in the 2018-28 10-Year Plan.

Whaiwhakaaro-aa-ture *Legal and Policy Considerations*

29. Staff confirm that the recommendations comply with the Council's legal and policy requirements.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

30. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings).

31. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.

32. The recommendations set out in this report are consistent with that purpose.

Social

33. The increase in the treatment plants capacities not only caters for the growing population in the Hamilton but provides the opportunity for the city to also grow its industrial and commercial (wet industry) sectors.

34. Work is currently underway to understand social procurement opportunities across capital works portfolio, which involves enhanced recognition and valuing of social benefits through particularly our selection of contractors for future works.

Economic

35. A growing city will encourage investment opportunities by creating more employment, business growth and wealth.

Environmental

36. Environmental consideration is integrated throughout the project life cycle, including through design, procurement and construction.

37. In the procurement phase all physical works contracts included a component to incorporate environmental and sustainability considerations into tender evaluation, where contractor initiatives such as materials reuse, energy requirements, electric vehicle utilisation, carbon offsets etc were valued.

38. This project is specifically focussed on enhancing our natural environment and ensuring effects of city development are not at the detriment of our natural and receiving environments.

Cultural

39. Ongoing consultation and engagement with mana whenua including THaWK and Waikato-Tainui is key in maintaining relationships required as part of the Resource Consents held by HCC.

Tuuraru Risks

40. The treatment plant upgrades are required to provide capacity and compliance to service city growth. Any delays to project completion particularly at the wastewater treatment plant will likely result in compliance challenges.
41. As mentioned in paragraph 15 of this the report, there are some earthworks in similar areas where unsuitable material has been located within the project site. The additional contingency within the recommended increase in approved contract sum is envisaged to address this risk if realised.
42. Since this report was originally written the impacts of Covid-19 have affected the contract. This will result in contract delays and cost increases, but it is still too early to quantify the impacts. Staff are looking to report the impacts on this contract and other contracts to Council at the earliest possible opportunity.

Kaupapa here whakahira/anganui *Significance & Engagement Policy*

Significance

43. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matters and recommendations in this report have a low level of significance.

Engagement

44. Community views and preferences are already known to the Council through consultation of the 2018-28 10-Year Plan, and also through project communications and engagement including public information sessions. No further engagement is required in regard to the matters in this report.

Ngaa taapirihanga *Attachments*

There are no attachments for this report.

Council Report

Committee:	Infrastructure Operations Committee	Date:	16 April 2020
Author:	Paul Blewman	Authoriser:	Jen Baird
Position:	City Safe Operations Manager	Position:	General Manager City Growth
Report Name:	Suburban Response Team Trial		

Report Status	<i>Open</i>
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Take Purpose

1. To inform the Infrastructure Operations Committee on the 12-month trial of the Suburban Response Team.
2. To seek a recommendation from the Infrastructure Operations Committee's to the Council for the continuation of the Suburban Response Team as an operational activity.

Tuutohu-aa-kaimahi *Staff Recommendation (Recommendation to Council)*

3. That the Infrastructure Operations Committee:
 - a) receives the report; and
 - b) recommends to the Council that the Suburban Response Team continues and becomes a fully-funded operational activity, with consideration of \$237,000 being funded in the 2020/21 Annual Plan and a further \$2,370,000 being funded in the 2021/31 Long Term Plan.

Whakaraapopotanga matua *Executive Summary*

4. On 21 May 2019, the Council approved a 12-month trial of the Suburban Response Team, after recognising a need to extend compliance of the Safety in Public Places Bylaw into the suburbs.
5. With the success of the Safety Officer programme within the central city, some anti-social and begging behaviours had increased in the suburbs and were affecting the perceptions of safety for many businesses and members of the suburban communities.
6. In the past 8 months, the Suburban Response Team has responded to 1,047 calls for service and carried out 21,797 proactive interactions with businesses.
7. Feedback on the Suburban Response Team activity has shown that the suburban communities appreciate the Suburban Response Team's presence.
8. The Suburban Response Team has been funded for the 12-month trial to the end of June 2020. Further funding is required for the service to continue.
9. Elected Members were briefed on this topic on 11 March 2020.

10. Staff recommend that the Suburban Response Team continues and becomes a fully-funded operational activity (option 3) as detailed in paragraph 31 below.
11. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

Kooreo whaimaarama Background

12. Early in 2019, the Council recognised a need to extend compliance of the Safety in Public Places Bylaw after an increase in anti-social and begging behaviours in the suburbs. The most effective way to do this was to extend the very successful central city Safety Officer programme into the suburbs with the capability to respond to calls for help.
13. At the 21 May 2019 meeting, the Council resolved:

*That the Council approves the inclusion in the 2019/20 Annual Plan budget of an additional \$230,000 operating funding to trial in 2019/20 a **seven-day-a-week mobile unit** (five additional FTE) to patrol and respond to complaints of begging and anti-social behaviour in suburban Hamilton.*
14. An existing Council vehicle was repurposed as a response vehicle.
15. The Suburban Response Team is tasked to:
 - a) provide an immediate response to all calls for service in the suburbs between 8am and 8pm (6pm in winter);
 - b) visit all retail outlets (except closed malls) providing support and advice to reduce nuisance and anti-social behaviours in their area;
 - c) provide a visible deterrent to nuisance and anti-social behaviours throughout the suburbs with their brightly-coloured appearance and active engagement;
 - d) interact with the public at every opportunity;
 - e) provide education opportunities for retail groups and vulnerable members of the community;
 - f) engage with The Peoples Project and the like in outreach activities;
 - g) have a presence at community shopping centre events (Frankton markets, East Hamilton market day).
16. The Suburban Response Team provides a 7-day-a-week response capability to Hamilton city suburbs. There are 5 fulltime Safety Officers on the team. For safety reasons, two Safety Officers work together.
17. Their brightly-coloured appearance and active engagement provides a presence and active deterrent to anti-social/nuisance behaviour.
18. Businesses and members of the public can contact the City Safe Control Centre to ask the Suburban Response Team to respond to their concerns using a new text capability in addition to the 0800 phone number.
19. The Suburban Response Team has attended neighbourhood gatherings to spread the personal safety message.
20. The Suburban Response Team has provided support for businesses wanting to issue trespass notices by helping them fill out the forms, serving the notices and forwarding them to police.
21. The past 8 months have seen the Suburban Response Team respond to 1,047 calls for service and carry out 21,797 proactive interactions with businesses.

22. Sixteen open evenings were held at the Genesis Operations Centre from June to September 2019; 60 business people attended including members from both the Western and Eastern Community Patrols.
23. The Suburban Response Team has provided support for the People's Project Outreach Programme. The Team has also connected many individuals with the People's Project for housing support. This partnership continues to grow and help vulnerable people.
24. The Suburban Response Team is currently working with police to provide crime prevention advice to suburban retail stores. This advice and support is designed to 'target harden' these businesses.
25. As the Suburban Response Team cements its connections to the suburban businesses, the team's focus will move to increasing education and community outreach.
26. Some of the plans include regular availability at the community centres for the public to meet and talk to the team. Presentations will be provided to our at-risk community through aged care facilities and villages. Planning is already underway to take the presentations out to the business groups.
27. Feedback on the Suburban Response Team activity has been sought through a short paper-based survey. Suburban businesses were surveyed prior to the deployment of the Suburban Response Team and in late January 2020. The survey showed that the suburban communities appreciate the Suburban Response Team's presence.

Discussion

28. The Suburban Response Team has been a very successful initiative within the suburban business community. Without the service, businesses would continue to be targeted and intimidated by anti-social behaviour. They may revert to feeling they are on their own as they try and deal with these social issues.
29. If the Suburban Response Team funding is not approved as an operational expense, we are likely to continue to have challenges recruiting and retaining the right people. The staff recruited to carry out this role are highly trained and can take up to 3 months to be completely competent. Extending the trial state means staff remain in a fixed-term environment. As staff leave for permanent positions elsewhere, it is difficult to recruit high-quality staff with only a few months left of the trial.
30. The Suburban Response Team supports the Council's Safety in Public Places Bylaw, the purpose of which is to:
 - a) protect the public from nuisance;
 - b) protect, promote, and maintain public health and safety; and
 - c) minimise the potential for offensive behaviour in public places.

Options

31. Staff have assessed that there are 3 reasonable and viable options for the Committee to consider. The options are:
 1. **Option 1:** The Suburban Response Team trial ends with no further action.
 2. **Option 2:** The Suburban Response Team trial is extended for a further twelve months with consideration of \$237,000 being funded in the 2020/21 Annual Plan.
 3. **Option 3:** The Suburban Response Team continues and becomes a fully-funded operational activity, with consideration of \$237,000 being funded in the 2020/21 Annual Plan and a further \$2,370,000 being funded in the 2021/31 Long Term Plan.

32. Staff recommend **Option 3** because this will allow for the positive impact of the team's activities on the community to continue, for the Council's obligations under its Safety in Public Places Bylaw to be fulfilled, and for the continuity of professional, highly-trained staff to be recruited and retained.

Whaiwhakaaro Puutea *Financial Considerations*

33. The cost to fund this work for the next Annual Plan period is \$237,000.
34. The cost to fund the Suburban Response Team in the 2021/31 Long Term Plan is \$237,000 each year, totalling \$2.37m.
35. The current funding is only until the end of the 12-month trial period (to 30 June 2020).

Operating Expenditure	2020/21 AP	2021/31 LTP	
5 x Safety Officers	\$237,000	\$2,370,000	\$2,607,000
Depreciation	\$	\$	\$
Consequential Opex	\$	\$	\$
Total Opex	\$237,000	\$2,370,000	\$2,607,000

Whaiwhakaaro-aa-ture *Legal and Policy Considerations*

Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

37. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
38. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
39. The recommendations set out in this report are consistent with that purpose.

Social

40. The Suburban Response Team provide a visible and active deterrent to anti-social behaviour allowing people to feel safe visiting their community retail businesses.

Economic

41. The Suburban Response Team adds to helping create an environment where business feel safe to operate.

Tuuraru *Risks*

42. Without the Suburban Response Team, the Council would not be fulfilling its obligations under its Safety in Public Places Bylaw. Businesses would continue to be targeted and intimidated by anti-social behaviour and may revert to feeling they are on their own in trying to deal with these social issues.

43. If funding is extended for another 12 months only, rather than as an ongoing operational expense, we will continue to have recruitment issues. The staff recruited to carry out this role are highly trained and can take up to 3 months to be completely competent. It can also be difficult to retain staff on a fixed-term contract.

Kaupapa here whakahira/anganui *Significance & Engagement Policy*

Significance

44. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

Engagement

45. The views of the suburban business community have been assessed via a short paper-based survey. Businesses were surveyed prior to the deployment of the Suburban Response Team and in late January 2020. The survey showed that the suburban communities appreciate the Suburban Response Team's presence.

Ngaa taapirihanga *Attachments*

Attachment 1 - City Safe Suburban Response Team - Survey responses 2020-03-01

Attachment 2 - City Safe Suburban Response Team - Survey results 2020-03-01.

	1.0	1	2.0	2	3.0	3	4.0	4	5
Application number		Comment		Comment	Do you think City safe's suburban response team will be a positive addition to Hamilton suburban shopping areas	Comment	Do you think this additional support in the suburbs will help decrease the incidence of Anti-social behaviours	Comment	Are there and other crime prevention initiatives you would like implemented
1	4.0		5.0		4.0		5.0		
2	4.0		4.0		4.0		4.0		Increased support for members of our community with mental health issues, with holistic support to present on going homelessness. Hamilton East could use a safe space to care for people where our local business can not
3	3.0		3.0		3.0		3.0		
4	4.0	Deal with bad behaviour daily. Having a City Safe person walking around cuts this behaviour down massively	3.0	Cook St park down by the river off Grey st are bad areas for people with this sort of behaviour	5.0	Called about bad behaviour a few times to be told City Safe will be there in a couple of hours due to lack of staff	5.0	Yes having a presence in the area is massive to keep down bad behaviour	Just having a City Safe presence is and for keeping down bad behaviour and making people feel safe on the streets as well
5	3.0	My staff was robbed twice in the last year and one off them suffered from broken car window because of steal	3.0	Stealing, begging	5.0	If the team can respond rapidly say arriving in 4 mins that will be very helpful	4.0	This is a good deterrent	
6	4.0	Yes definitely we need this, as heaps of beggars are around and sometimes the misbehave with the peoples	5.0	Beggars are increasing day by day in the area and creating issue for people	5.0	There should be a always reaction for other people who walked sometime	4.0	Behaviours will decrease as they will aware of this thing before any miss happening	Not at the moment
7	5.0		2.0		2.0		4.0		
8	3.0		3.0		3.0		3.0		
9	2.0		2.0		4.0		4.0		To help reduce the unhygienic behaviour where people pick up cigarette butts from the ground hence causing fights with customers
10	5.0	Yes issues with repeat offenders even when been issued with Police trespass notices. Would be nice if city Safe team had more power as far as removal arrest if necessary	5.0	Yes there is - Begging, people being approached when pulling into car parks, sometimes quite intimidating behaviour, motorbikes and skateboards along pavement. Our elderly customers feel unsafe coming to the shopping centre	5.0	Yes if they can have a regular presence and are able to be effective and documented in Q1 (2 to 3 times/wk.	5.0	Yes there needs to be a visible presence on a regular basis for this to be effective	Signs against begging or loitering, quick response from City Safe staff or a dedicated or call out time. A monitoring or camera surveillance system that is manned full time
11	3.0		3.0		2.0		2.0		Increasing the frequency of patrol would be more helpful, rather than having more members

12	4.0	Need more people in uniform when there is so many nuisance and antisocial	4.0	Anti social is a major problem for business	3.0	City Safe only a deterrent. City should have more	4.0		
13	3.0	When I driving or walking I have experienced a bad gestures or bad language from people. I do live our city need more security monitor system	4.0	I had many times thief came in my shop and house. The house was 30 Marama st Frankton too many thief. Totally more then 10 time experienced	5.0	My feeling is not safe or peace to life. The thief tour personal goods (wedding ring, car food money) and they took our security monitor record system. They are not small business?	5.0	Yes 1. Some county got a lot of security monitoring system 2. We need more campaign good thing thinking education of living together school media	
14	3.0	There are a few instances of begging /approaches to shoppers for money but I am unaware of any violence	3.0		4.0		4.0		
15	4.0	We just about every day get people hanging around or door or sitting at our tables asking people for money and food sometimes they come in and do it. Some of them get aggressive	4.0		5.0		5.0		
16	4.0		4.0		5.0		5.0		
17	2.0	Don't know any situation of security in other suburbs. But I think there is a safe environment in Hamilton East	2.0	Sometime some people ask our customers for money and smoke when our customers smoke outside	5.0	They have a positive effect on public society	5.0	Monitoring equipment CCTV, surveillance, camera) can be installed in shopping mall or on the walkway. I think this will be a good way to prevent crimes	
18	4.0		4.0	things are better in Hamilton East that they were however we still have people hanging around the area - scrounging cigarette butts, sitting in doorways and on steps which is intimidating when you walk past	5.0		4.0	It will definitely help having a presence	More cameras in the area
19	5.0	Beggars in the area are extremely intimidating towards customers coming into the shops. The way they beg the customers for money, food and cigarettes frightens away customers from coming into the shops	4.0	The beggars in this area can be incredibly anti-social. They will yell and swear for no apparent reason, they will also fight with each other in that same way. Some beggars will just do things that are just nuisance behaviour such as stare at people. All this antisocial or nuisance behaviour puts people off coming into the shops	5.0	This will put a stop to the antisocial and nuisance behaviour we get in this area. In fact the beggars will be afraid to show their face in our area. This makes this area much more safe and peaceful and brings customers in for our business	5.0	This will decrease the incidence of anti-social and nuisance behaviour so well that the City Council will find one year is not enough for their suburban response	There could be others but we wish to see this put into place successfully first the we can consider other initiative

20	3.0		3.0	The odd homeless person. On Tuesday the 25th of June there were 2 individuals sitting at the bus stop drinking bottles of wine and shouting at oncoming traffic and people. They remained there for most of the evening. Not an issue for us in the office - but putting off for those passing/ getting on or of bus. There have also been instances where some individuals have asked for change/money and when turned down have shouted at/followed the person. Man sleeping outside of office regularly	5.0		4.0		
21	5.0	I feel as though an increased level of patrols by city safe members would help to keep the level of antisocial behaviour in the area. I am aware that this normally just pushes the perpetrators to another area but if they are constantly asked to move on then they might start to try and achieve something else with their days	5.0	Yes it is a concern. There is an above average amount in Hamilton East. This could be due to there being a liquor store, public toilet, park and McDonalds all closely situated. The main issue for me is the heavy drinkers who always seem to hang around in Steele park. It is close to Sacred Heart school and Duck Island ice-cream frequented by children or young adults	3.0	I fell that this would be reasonably affective in tackling this issue as stated before it would be a short term solution as it would not be dealing to the core issue. But a message should be given by the council that public drinking and begging will not be tolerated in the shopping areas as this will have an effect on out of townies or tourist wanting to return	3.0	Yes I do think it will decrease the Anti-social behaviour as if the perpetrators are asked to move on, on a daily basis they will eventually give up. I think a consistent show of City Safe Officers would help. Often the perpetrators are quite intimidating meaning it is less likely that members of the public are going to engage with them. Especially when coupled wit their obvious heavy drinking practices	In our lane, Lovegrove lane, there is a glass blower who seems to supply some shady looking characters with glass tubes. Now I cannot say for sure, but I suspect they are using these tubes for the manufacture or consumption of methamphetamines. These people are often aggressive in nature and at the very least, drive dangerously down the lane, which is shared by vehicles and spoken to the police but they were not very helpful in regards to this matter. Perhaps the presence of another form of patrol would make the 'customers' think twice about how to use the shared driveway
22	4.0	A presence would be greatly appreciated. Deal with a lot of mental health patients and low social economic demographic. We have cameras but a presence would be awesome. We will definitely benefit	3.0	Over the years it is becoming an issue with homelessness in Hamilton. We try manage the behaviour as best we know the patients that present	5.0	Most definitely - a presence would make our customers feel much safer	5.0	Definitely - people will be less inclined to loiter and become problematic	Faster response times to mental health incidents happening with in healthcare settings in the community. Definitely a presence of any kind would be most welcome
23	3.0	For the most part we do occasionally have the odd person - mainly outside on the street that occasionally will be disruptive e.g. Chris drugged causing a bit of street disturbance - making those who walk by uncomfortable	3.0	Not for the most part - see above	5.0	Any extra help received will be of help	5.0		Better response rate when needed - most of tome police wont make it or not available

24	5.0	Yes it does come in waves and is unpredictable	5.0	It is the 'homeless' will approach everyone on the street asking for a few coins. I have had people take refuge in my and other's shops. The behaviour can be aggressive	5.0	Absolutely - nobody wants to be approached by beggars. We already pay our taxes which I am sure the beggars benefit from. We want to be safe and free to walk unhindered	5.0	Yes definitely makes a difference when the City Safe officers are around - the nuisance people scatter quickly	
25	5.0	Anti-social behaviour in Hamilton East is a contributing factor for our elderly customers staying away	5.0	I have customers who have been asked for money and sworn as when refused	5.0		4.0		
26	4.0	We have daily buskers - not sure if they are license who are begging. We have some people who express anti-social behaviour , begging rudeness etc. We do call City Safe when needed		We have daily buskers - not sure if they are license who are begging. We have some people who express anti-social behaviour , begging rudeness etc. We do call City Safe when needed	5.0	Absolutely - they are very effective in their responses to our calls	5.0	Absolutely - they are very effective in their responses to our calls	Our local community is important to us we need to keep them safe. initiatives to help people with disabilities and few anti-social behaviour would be beneficial to them
27	3.0		2.0	Ham East is very nice . Once in a while we see some but mostly great	4.0	I feel the presence is always a food idea. Keeping honest people honest and a visible deterrent to others	4.0	Yes as previously stated Visible presence is good deterrent!	More lights! Better walking and ? to cellar the areas
28	1.0	All seems safe at present	1.0	The area is safe at present we feel safe	2.0		1.0		all seems safe at present. Thanks for your support
29	4.0	Mostly beggars	4.0		4.0		4.0	Yes and will to help the business owners deal with anti-social behaviour peoples	No as I am aware of any other crimes beside theft and people being abused verbally and mentally
30	4.0	Homeless people in Clyde st carpark and along Grey st - A few of them make rude remarks as people walk by. People feel intimidated especially at ATMs - mostly street dwellers are pretty harmless there are only a couple who make remarks	4.0	Yes- domestic rubbish dumping down alleys and in Lovegrove Lane. Speeding in Lovegrove Lane. Also we have one business that attracts intimidating/aggressive clientele who come to buy drug related equipment (glass pipes)	4.0	As long as they're a friendly and regular engaged presence rather than just plodding along in a high vis vest	4.0	If its regular, positive and engages it could make a big difference	Cameras? Better lighting - esp. down lanes and alleyways
31	4.0		4.0		4.0		4.0		
32	5.0	Yes there is a need. People asking for money and food. Stand over tactics have been witnessed. Also people that have been trespassed and ignore and still continue to come	5.0	Absolutely - they have no regards to intimidating people to give them food or money. Usually just 1-2 people but witnessed 8 youths ganging up on a pregnant lady Saturday 22nd	5.0	Totally they need to be visible everyday mon-sun	5.0	We really help so	Yes I would like to see the Community Police Prevention team working with City Safe and if we could have a continued police presence i.e. walking down the street a couple of times a week with City Safe it would send a clear message that begging and intimidation are not acceptable in Hamilton East
33	4.0		3.0		3.0		3.0		

34	5.0	The people that are begging and hanging around it the street are also approaching customers in there cars and on our property. So we need people other than ourselves to stop them	4.0	Yes a above as some are very aggressive in fact they sit around to get heir alcohol across the road and think they can just sit in our carpark and drink. I at times feel unsafe	5.0	Yes to be here ad often as possible as that helps to be a deterrent	5.0	It moves these trouble people away and helps us and our customers to feel safe	Cameras around are a great deterrent and even helps the traffic if they are at lights as there are a number of accidents in this area.
35	5.0	everything is fine only beggars are making trouble to people	4.0		4.0		5.0		no
36	1.0		1.0		1.0	We are want to keep safety	2.0		I recommend install CCTV on street
37	5.0		5.0	This has not been an issue in the past but over the couple of years we have witnessed a steady rise in anti-social behaviour especially with the motels in the suburbs accommodating the socially backward people	5.0	This will definitely be a move in a positive direction	3.0		A quicker response to call outs with current initiative would be a good start
38	5.0	City Council staff need to give some more power to deal with nuisance people like maybe take them to income support departments check if they on some benefit if they are then remove these	4.0	Yes there is needs tuff law to deal with maybe police and City could work together	5.0	Definitely will be if they given more power to deal with them	5.0	Yes it will if they know that they can not get away with it easily	Anti-social behaviours like begging is bad maybe for NZ as a nations it must stop
39	5.0		5.0		5.0		5.0		
40	5.0	Begging, homelessness, aggression from beggars	5.0		2.0	I'm not too sure, seems like people getting moved on just moves the problem			
41	5.0		5.0		5.0		3.0		More local police officers available
42	4.0	Yes outside the 4square Heathy Terrace store - a woman and a male (adult) asking for money	4.0	Yes - it is uninviting for customers	4.0	Must help by having a presence in the area	4.0	Hopefully - cant get worse	
43	3.0		3.0		3.0		3.0		
44	1.0		1.0						
45	2.0	Only a few people wit nuisance attitudes nothing a little respect between us doesn't fix	2.0		5.0	As long as its not in an aggressive manner and the right people are out there I believe it will benefit everybody	3.0	A few people may change but a lot of effort and patience will be needed to change the mindset of those out to look for a quick thrill of getting away with certain acts (vandal and theft)	Truancy is getting a lot worse over the years not something new but we need to relock into this. Glass tagging - this unfortunately is done at night though
46	4.0		5.0		5.0		5.0		
47	3.0	Honestly I hardly have any such experiences in Hamilton. I do have few from Auckland	2.0		5.0		4.0		City safe will be good

		Have seen many stolen cars and personal property -harassment to staff and threats - had the police called a number of times for harassment to staff and customers		This type of behaviour happens frequently		I also think most nuisance behaviour happens after 6pm and more on weekend days			
48	5.0		5.0		5.0		3.0		
49	4.0	shoplifting	5.0		5.0		5.0		no
50	2.0		2.0		3.0		3.0		
51	5.0	Yes there is a need although we enjoy a safe environment with low crime rates, the crimes also happen sometime. We hope there is an effective measure can solve it	4.0	Our restaurant based at fifth avenue. There are crimes happened to individual and retail shops like window brooked, stolen.	5.0	Yes it will help our community to be a safer and more enjoyable place to live.	3.0	I think this additional support will help a lot in crime prevention, but if very difficult to solve the problem from its source	no
52	5.0		4.0		4.0		4.0		bus pickup from complex
53	5.0		5.0		5.0		5.0		
54	5.0		4.0	We often get shoplifters and homeless people sleeping around the shops	4.0	They need to be present more often	5.0		
55	5.0	Have a clue where support is provided when nuisance anti-social behaviour occurs	4.0		5.0	Definitely, as people should feel safe or at least know where to find support when needed	5.0		
56	5.0	Noisy and rowdy behaviour, criminal damage to property, a group of homeless	5.0	A group of homeless everyday 6pm-10pm (M-F) Sat, sun 10am					
57	1.0		1.0		1.0		3.0		none
58	5.0	In some part of Hamilton suburbs there is too many beggars/homeless people hanging around which made us feel unsafe to go near them, sometime they abuse us for nothing	2.0	We are in Five Cross road area and there is a beggars/homeless people hanging around, most of the time they are ok but sometime they abuse people when they didn't give them the money	5.0	Having City Safe response team remove the beggars out from shopping areas is great so people feel safe going out	5.0	Most of the time is the beggars/homeless people that cause anti-social behaviour. If we can get them off the street, I feel it will decrease the incidence a lot	
59	5.0	Because my shop window is broken down by homeless people, people being noisy and screaming	5.0		5.0		5.0		
60	3.0	Remains to be seen but can't be a bad thing to have increased support in other areas	4.0	Anti-social/nuisance behaviour can be fairly common in the 5xcroasd area but can often be found to come in waves depending on contractors frequenting the area	4.0	Hopefully	4.0	Hard to say until the team is in action and the results speak for themselves	

61	5.0	To help community and business safe/secure/and happy	5.0	They are annoying the business, make the business become worst and feel unsecure to run the business	5.0	We definitely need the City Safe team to assist and help us and the community safe and secure	5.0	It is a big help to decrease the incidence of anti-social behaviour	Yes. When we have a shop lifter and homeless people begging money or scam money annoy to the business, can city save come for help or assist them?
62	4.0	Had an issue couple of weeks ago. Person starting to abuse and got aggressive asking for money	4.0	Yes, sometimes racial comments and rude and aggressive behaviour	5.0		5.0	Will help a lot	
63	4.0		3.0		5.0		5.0		I think the safe suburban team is a good idea, so do the rest of my staff
64	5.0	It a beggar in 5 cross road shopping mall. I think City Council should have public camera in shopping mall area	5.0		4.0		5.0	Yes I think additional support in the suburbs will help a lot. And also I think City Council should have public camera in 5 cross road shopping mall to reduce crime in the area	should have public camera to stop crime
65	4.0		5.0		5.0		5.0		The homeless knock on the car doors, come into the shop, scare the customer, is a problem for the whole area. They don't want food just money. They throw food away. Use money for alcohol, smokes, drugs.
66	5.0	Aggressive behaviour makes you feel unsafe on your breaks	5.0	Homeless people who sit outside the shop is a nuisance when we have customers coming in. When they ask for money etc	5.0	It'll just make the community feel safe. It is scary leaving the store when its dark by yourself so would be nice until 8pm every night.	3.0	It won't control it and we feel like it won't reduce it as you cant control people mental issues, but it would make us feel better with more support	Not as this moment we're interested in seeing how this will g.
67	5.0	I used to work in the city and liked seeing the safe team and their presence. Ham East could use this service esp. close to river and parks	4.0	Only sometimes mainly at the park Steel park - people sitting on tables loitering and make you feel uncomfortable, river walks and under bridge	5.0	As long as the Ham suburban team are good representatives , friendly and quick to respond	4.5	I would like to think it would make a positive difference	More lighting of Steel park on any night not just sports nights. Nicer toilets by kids park, larger park area for kids to play on.
68	4.0		4.0	Yes it is more the loitering around that's not a good look for business. The people asking for money is getting worse they ask my staff every day	5.0	Yes this would be great and encourage those loitering around to move on	5.0	Yes it will make them think twice about hanging around and annoying people I think	It is pretty lit up here at night which is great.
69	3.0		4.0		5.0	Yes we need City Safe to make our area safer because too many trespass people who chasing the customer ask for money to scare some customers that is not good for business if this area has all these people	4.0		
70	5.0		5.0		5.0		5.0		no

		Problems have increase since the push to reduce this behaviour in the central city - it seems to have moved to the suburbs to some extent		Yes intermittently		I think their visibility and availability will help reduce problem behaviour and increase shoppers feelings of safety. A faster response time that we've had at times in the past can only be a good thing		Yes I think it will have some positive effect.	
71	3.0				5.0		3.0		
72	4.0		4.0		5.0		3.0		
73	3.0		1.0		3.0		3.0		
74	5.0	Unfortunately the vast majority of non NZ born retailers are not prepared/comfortable dealing with this type of behaviour outside/inside their shops as the are easily intimidate. They rely on others doing it for them	4.0	It was worse but the police made a huge effort a couple of years ago to trespass the offenders - as much of our area is on private land - and that has helped. But it is still an ongoing problem	5.0	All the contact I have had with members over the years has been positive. Excellent relationship with City Safe staff, however not sure the other retailers saw benefit in having them benefit. Relationships are so important so that we are all on the same wave link	4.0	There are always going to be some problems in most areas which wont be stomped but it certainly will help	*more cameras in suburban areas outside shops particularly ATM machines *Education & technique training for retailers in dealing with nuisance behaviour *promotional material e.g. your help may harm in shop window to discourage begging *tightening up of busking permits - many are begging with musical instrument in tow *bylaw which forbids begging, busking underside behaviour within certain distances of ATM machine *working with some people who may be employable with the right support to achieve this *supporting people project and homelessness although very few, if any in our area are homeless *avenue through which retailers, and others, can report information regarding illegal behaviour e.g. selling of drugs from cars parked outside shops *requiring multi-agency initiatives involving Police/WINZ/Housing and Community support groups, landlords, property managers and retailers *coupled with getting all retailers/businesses on the same side e.g. refusing to serve people who have been trespasses, refusing to sell non essential items to people begging/harassing people in street outside their shops
75	5.0		3.0	Used to be a problem - not as much now thanks to City Safe dealing with it	5.0		5.0		Maybe security checking back of shops - we have a big problem of people going through our bin and leaving mess. Tried locks but they just cut these.
76	5.0		4.0		5.0		5.0		
77	4.0		1.0		5.0		5.0		
78	4.0		5.0		5.0		4.0		
79	4.0		5.0		5.0		5.0		
80	5.0		5.0		4.0		5.0		
81	4.0		4.0		5.0		5.0		
82	2.0		2.0		4.0		5.0		
83	5.0		5.0		3.0		3.0		

84	5.0	Yes there is a need for increase support, we have a lot of homeless people sitting around asking for money drinking, swearing etc, and the youth yelling, swearing intimidation the elderly	5.0	As above, Yes I have even had to cleans up human faces outside our business door (not animal) One of the men was urinating up against the fence just by our office window	5.0	Yes great to be able see them walking around calling in to see if we are ok, speaking with elderly and the homeless	5.0	I think so, something badly needed doing. We couldn't always get the police. People especially elderly were feeling very vulnerable	Maybe checking on the liquor outlets to see if young ones are being served. No drinking in the streets. Warn the homeless not to approach people for money
85	5.0		5.0		5.0		5.0		Put some street cameras around our business
86	2.0		2.0		4.0		5.0		
87	2.0		2.0		5.0		5.0		
88	4.0		4.0		5.0		4.0		
89	4.0	Often beggars asking for money, harassing customers the minute they get out of the car. Although this has decrease recently? Moved over area	4.0	As before, Ulrich, Bader, Normandy shops seem to be a circuit for beggars	4.0	City Safe do random patrols of area, but they not often around when beggars are present	4.0	Yes if City Safe are prepared to act on behaviour. Offering assistance to beggars in terms of other agencies	I think crime prevention is also related to the status of the area. Cleaning up our streets of rubbish weeds etc goes hand in hand with behaviours I believe. Specifically targeting rubbish around the large apartments going up in the area while new buildings improve the area the rubbish associated with them does not.
90	2.0	Not much in this area	2.0	Only sometimes otherwise no	4.0	It's needed in crowded public places it will definitely help	4.0		Maybe shoplifting? It happens a lot in this area
91	5.0	Sometimes beggars are following customers to the shop and asking them changes or to buy them foods	5.0	Yes because they are always hang around either carpark or in front of small businesses	5.0	Yes because they will make shoppers feel safer and also shop owners too	4.0	Yes they would be helpful for shoppers	Not really
92	1.0	Not an issue	1.0	Not an issue	1.0	Not required	1.0	Again not an issue	No
93	4.0	Especially after school with children smoking and swearing around the shops, tagging. Cars racing in car parks	4.0		5.0		5.0		
94	5.0	Yes school kids when on school holidays lingering out the back of shops. (Lit our back fence on fire twice). Kids sit out back in the loading bay area and on our pallets	4.0	School kids lingering out back of our building. They sit out the back in our loading dock area and leave rubbish, sit on pallets, have lit fence and pallets on fire (had to call fire brigade). Hang around the front of our shop and get smart when told to move	3.0	Other than the kids we have had no other problems here as far a criminal acts, but it will be good to have people looking after the area.	5.0	Yes any support will be appreciated and if people are watching then crimes will be less likely to be committed.	
95	2.0		2.0		4.0		5.0		
96	2.0		2.0		4.0		4.0		
97	4.0		4.0		4.0		4.0		
98	5.0		5.0		5.0		5.0		
99	5.0		4.0		4.0		5.0		
100	4.0		4.0		5.0		5.0		
101	4.0		4.0		4.0		4.0		
102	5.0		4.0		4.0		5.0		
103	1.0	Flagstaff area seems fine during working hours	1.0		5.0		5.0		Although we haven't experienced any bad behaviour in Flagstaff I think it is a great ideas for suburbs that so.
104	2.0		2.0		5.0		5.0		Flagstaff

105	1.0		1.0		5.0		4.0		I don't think that there is any crime needed to prevent in our suburb. Everything is good according to me.
106	4.0		3.0		4.0		4.0		Security cameras at our shopping centre (Rototuna)
107	4.0	We do experience homeless around the Glenview area, begging for money which causes disruption to local business. CBD is huge especially Friday/Saturday nights	4.0	We do experience homeless around the Glenview area, begging for money which causes disruption to local business. CBD is huge especially Friday/Saturday nights	5.0	Having a strong presence should reduce theft and disorderly behaviour. The staff will require adequate training to deal with various situations	4.0		
108	5.0		5.0	Yes before and after school hours where groups and groups of school kids intimidation and constantly swearing around our area	5.0	Yes it will make people feel safer and ensure customers shop comfortably. There were mothers with children feeling scared leaving our clinic as they have to walk past these students	5.0		Support teams around schools, playgrounds, residential areas and streets
109	5.0	During last year more beggars such as playing guitar, sitting in front of shops and stopped to ask for money or cigarette increase in this area from morning to evening. Besides a few drunks or drug dealers disturb normal life order	4.0		5.0	Hope is to be helpful	3.0	I hope it is a practical measure to reduce the problems	1. Set up clear signs to ban this behaviour 2. It needs to make a legalised regulation to give a fine or penalty related their benefit 3. supported by police
110	4.0		3.0		4.0		4.0		
111	4.0	People simply move from suburb to suburb	3.0	currently in Glenview there is a small increase in antisocial/nuisance behaviour	4.0		3.0	Anything is better than nothing	Cameras promoted at prices that are affordable
112	4.0	It is always good to increase support to deal with nuisance/anti-social behaviours in Hamilton Suburbs - even in the city Hamilton city itself. It gives more confidence to shoppers and residence	4.0	Shouting abusive language, asking for money and begging	5.0		4.0		Increase physical activities for these nuisance attention seekers so that will have no time to create nuisance. Make them involved in community activities
113	3.0		3.0				3.0		
114	1.0		1.0		2.0		2.0		Nothing special
115	5.0		5.0		5.0		5.0		
116	3.0		2.0		5.0	Yes because we no longer have an available community constable	5.0		
117	2.0	I have not met any person who had been nuisance or misbehaving	2.0	Not that I am aware of. I only see on social media and TV news	5.0	Yes it will be great and we feel safe when we are on the roads and city	3.0	Additional support should be having a proactive approach towards any anti-social behaviour. We have to address the root cause of the problem	I think the community should organise and involve people to such events where everyone meet up and share it they have any problems. Charity begins at home so every parent or guardian should be aware what their children are up to.
118	3.0		3.0	At times - comes and goes	5.0		3.0		

119	5.0		3.0		Not really. I was told you don't have enough staff to send whenever we would have a need to	1.0	More staff for this initiative	
120	5.0	It is a must	5.0	Very often and getting more and more issue	5.0	Yes a must	Yes unless police respond regardless big or small issues	Long term trespass offenders will be a police matter. Fast response
121	5.0	Graffiti in the Glenview mall toilets	3.0	Idiots going through skips etc at back of shops	5.0	You are so needed!	Fingers crossed! Any sort of presence would be an improvement	* More surveillance cameras * Community awareness e.g. Neighbourhood watches * Alcohol ban in shopping areas. A patrolling presence in the Glenview Mall. We have security guards outside New World and Social Development - but they are static
122	3.0	Not so much in the shopping centre. Maybe around carpark and other areas	3.0	Security keep our mall safe during day. BP has been broken into as well as kiwi bank. There are tiny houses in the area. Cars getting broken into	4.0	Some without security. Security in a shopping centre is essential	Yes I think it would put people off	
123	5.0		3.0		5.0			
124	4.0		5.0		5.0			CCTV cameras around the shopping area and parking areas
125	5.0		5.0	Beggars keep turning up in Urlich shopping mall, it a very nuisance issue. Thieves are also bothering our business	5.0			I think the drug problem is very serious and this is the source of a lot of crime so the government even council should take strong measures to deal with it. Our laws are too weak for the criminals of theft. Customer harsh punishments to prevent repeated violations by these criminals
126	5.0		5.0	There are beggars around shopping centre area	5.0			
127	2.0		2.0		5.0			
128	4.0		4.0	I notices more at Christmas time. And after my work hours when I come to get food there are often people asking for food	5.0	I think this is a great idea		
129	5.0		5.0		5.0			
130	4.0		4.0		4.0			
131	4.0		5.0		5.0			
132	4.0		5.0		5.0			
133	4.0		4.0		5.0			
134	4.0		4.0		4.0			
135	5.0		4.0		5.0			
136	4.0		5.0		4.0			
137	5.0		5.0		5.0			
138	4.0		5.0		5.0			
139	4.0		5.0		5.0			
140	4.0		5.0		4.0			
141	3.0		2.0	Monday we had our first and last nuisance. This is a lovely safe area we just hope it stays that way	1.0		Armguard - just to call on abusive customers please and thank you	

142	4.0		4.0		5.0		5.0		
143	1.0		2.0		2.0		1.0		
144	3.0		2.0		5.0	A musi for shopping centre, has my full support as a shop owner	5.0	I think this sought of team is a great idea for shopping centres	
145	5.0		5.0		5.0		2.5		
146	3.0		1.0		4.0		3.0		
147	5.0		5.0		5.0		5.0	More patrolling, more city council safety officers public police station in Flagstaff, Hamilton	
148	4.0		3.0	People driving too fast in the car park and doing stupid things. Beggars intimidating elderly people and approaching them to. These cars which make the elderly feel unsafe 0 men sitting on the post boxes outside intimidate the elderly	5.0	We tend to get a lot of shoplifting in our store. I don't know if you can help wit that, but just your presence may be a deterrent	5.0	We tend to see more road rage car incidents in our carpark which can get out of hand	
149	3.0			Not sure	5.0		5.0		not now
150	5.0		5.0	Swearing, abusive, rubbish just dropped unsupervised kids. Shoplifting	5.0		5.0		Community police patrols in additions to City Safe. What we need is a return of Community Constables and police stations
151	3.0		3.0		5.0		5.0		I would like to see more police patrolling around
152	4.0	We have had issued in the past but it has been relatively quiet in recent months. Having a supportive presence in this area would be great though	3.0	We have a few beggars/homeless, and sometimes school kids that are rude, pushy, harassing and nuisance behaviour	4.0				
153	4.0		4.0		5.0		5.0		
154	4.0		4.0		5.0		5.0		
155	4.0	Kids seen steeling bikes from Westfield Chartwell. Tagging on building	4.0	Kids hanging around Westfield mall. We have seen bikes stolen from Westfield. Our clinic has a problem with kids hanging at behind building	4.0	Yes will be good to know we have support and someone to call			
156	5.0	Yes because they hang around asking for money abd abusing people when they don't give them any. They also try steel items off people in wheelchairs as they cant stop them	5.0	Drinking in the shopping centre which is quite intimidating	5.0	On a personal level it is a good think. It will make us feel that we are safe and not have to be worried	5.0	Yesso we can all get on with our jobs without having to stop to deal with undesirables	Sensor lights out the back of building so employees can feel safe when going to their cars at night when dark. Also have Dinsdale police statin up and running so we don't have to keep waiting for help.
157	2.0		1.0		5.0		5.0		Nope
158	4.0		4.0		4.0		4.0		
159	5.0		3.0		5.0		5.0		

160	4.0	Yes as somebody always urinates a front of our shop and every morning it smells awful and we have to clean it everyday	4.0	Yes graffiti work on wall is an issue with the presence of Safety security - incidences have reduced markedly	5.0	Yes significant reductions on graffiti on wall	5.0	Yes regular surveillance can help so people stay away from doing nasty stuff	Rubbish dumping in the car park areas. People dump lots of unused clothes mattresses etc and make it dirty
161	4.0		4.0	Sometimes we have people drinking, hanging around being loud and drunken. Occasionally issues like a man urinating around our business. Not all the time but definitely some behaviour that makes people uncomfortable	5.0		4.0		
162	4.0	Yes some of the suburb not safe. Most of shopping place like Countdown Pak n save and ? shop	3.0	Some time can see people around house, people throw lot of rubbish as well	5.0	Yes it will be great. It will become more safe. Some people walking when you go for shopping	5.0	Yes it can decrease the anti-social behaviour people will be more safe	No just pub busy is most committed people
163	3.0		3.0		3.0		4.0		No
164	4.0	Homeless sometimes annoying for shops asking money to customers	3.0		3.0		5.0		
165	5.0	We have had major issues in the past and while quiet at the moment they do re-appear	3.0	As above, we do have waves of problems with vagrants	5.0	Yes! It does depend on the frequency and presence of the response team see not over section 4	4.0	It depends on how the response team works it. Sometimes the high vis vests are good to be seen but from past experience, I've seen 'lookouts' keeping an eye out for the teams arrival, warn others and disappear and then come back once the team has gone. It needs to be at infrequent times	Reopen the Community Police station down Whatawhata rd.
166	5.0		5.0		5.0		5.0		
167	4.0		4.0		5.0		5.0		
168	5.0		5.0		5.0		5.0		
169	3.0		3.0		5.0		5.0		
170	5.0		3.0	It has become a lot better, since we could call a security company to remove - trespass beggars. The guitar guy is a distraction to traffic - the constant strumming of his repetitive songs is so annoying, we have to close our door	5.0		5.0		
171	5.0	We have seen an increase in anti-social behaviour towards staff and engagement including swearing and racist comments	5.0	We have seen an increase in anti-social behaviour towards staff and engagement including swearing and racist comments	3.0	Not sure how quick and accessible the service will be. A phone number has been given, but unsure the response time	3.0	Possibly	

172	3.0	Need to be a lot more monitored	3.0	There is not much crime, but a lot of unwanted people hanging around and leaving a lot of rubbish	5.0	We believe so it will make it a lot safer and it would be nice to see Dinsdale taken care of.	3.0	It would help decrease yes and make it a safer place, less rubbish	
173	3.0	Beggars sit and wait near the ATM, in the past there have been customers who felt intimidated. This years there was one who came into the store to stare at the girls working behind the counter, a response team would have helped	3.0	Mainly beggars and some shoplifters	5.0	Any sort of increase support would help the community	5.0		
174	2.0		2.0		3.0		3.0		
175	3.0		2.0		5.0		5.0		
176	2.0		5.0	Shoplifting very frequently	5.0		5.0		
177	5.0	Dinsdale suburb is always attacked by homeless and beggars. Local community is intimidated by them. Businesses are also struggling to move them from this area. So Hamilton City Safe Response team is very helpful and their services are highly appreciated	5.0	Big issue	5.0	We can explain that from our personal experience	5.0		If Hamilton City Safe team gets full power to issue trespass notice to the offenders would help
178	4.0		2.0		5.0		3.0		
179	4.0		4.0		4.0		3.0		
180	3.0		3.0		3.0		3.0		
181	4.0	Permanent on Breekons	3.0		4.0		4.0		
182	4.0		4.0		4.0		5.0	People get angry if you stop them to not give money	
183	4.0		4.0		4.0		4.0		
184	4.0		5.0		4.0		5.0		
185	3.0	Presently the problem of anti-social behaviour is minimal, that may be due to the increase in patrols or the weather	3.0		4.0	An immediate response team would be of value in serious incidents	4.0		
186	5.0	Street begging and semi homeless - (some obviously organised) some steal and abusive	5.0	Street begging and semi homeless - (some obviously organised) some steal and abusive	5.0		5.0		
187	5.0	Anti-social activity increase day by day so a support is strongly needed	5.0	It is a big issue in our area	5.0	Safe suburban response may help to reduce anti-social activities	5.0	It will help to decrease crime because a quick response team always need when incident happen because sometimes police take too much time to reach the place	

188	5.0	We need to make Franklin Village and the city as a whole peaceful place to live in, to do business in and to be able to move/walk around freely without some anti-social behaviour so common in this area	5.0	It is and we need to educate these people to live like decent citizens of this beautiful city	5.0	Extremely, there needs to be the presence of these team members as they can and they make a difference just by their presence		Improve police presence by way of foot patrol
189	3.0		3.0		3.0			
190	3.0		2.0		5.0			
191	1.0		2.0	Some homeless people wondering around all day making some loud noise in the street	5.0			
192	3.0			People loitering outside shops, sit for whole day in front of the shop	2.0	People loitering outside the shop and sit for whole day in front of the shop waiting for food which is given 3-5pm they come at 10am in the morning or earlier		no not at this stage
193	5.0		3.0		3.0			
194	5.0		5.0		5.0			
195	5.0	Stop people begging and intimidating predominately woman in this area	4.0	I have observed some disturbing begging incidents	5.0			
196	5.0		5.0		5.0	Yes some kind of regular visits patrolling would help	Yes especially with youth loitering instead of going to schools! Moving beggars regularly	Speedy response to a situation follow ups without being notified by the shopkeepers. We cant go outside the shop and see what is going on all the time!!
197	5.0		3.0		5.0			
198	5.0	Yes - especially afternoons when the schools break up and also first thing in the morning	5.0	Yes we had an incident on Wed where a drunk/intoxicated man walked in to our shop at 6.50am wanting free food for his family and wouldn't leave. He stole off us and ran off	5.0	Davies Corner needs people patrolling it. The beggars intimidate the old people and the drunks and stoners are a nuisance		
199	5.0		5.0		5.0		Yes it will be of great help to control any incidence to happen	Any kind of steps taken to prevent crime will always be good for society. It will help both customers and business owners to feel safe.
200	4.0	A lot of times police are too busy having another option is helpful	4.0		4.0			Cameras in certain areas Hukanui, Clarkson Rd and Peachgrove rd facing the road.
201	5.0	We have a number of groups of young people loitering at the mall and carparks	5.0	We have people running cons for money, accosting people in their cars and begging in stores	5.0	Even just a presence will help as they will know they are being watched. No accountability currently	Defiantly	
202	2.0		1.0		4.0			

Item 8

Attachment 1

203	5.0	Increasing number of homeless and loitering around drinking (alcohol) and being a general nuisance. Also buskers that need to be moved on (not adhering to council busking permit requirements)	5.0	Increasing number of homeless and loitering around drinking (alcohol) and being a general nuisance. Also buskers that need to be moved on (not adhering to council busking permit requirements)	5.0	Yes as long as they address the situation and move them on	4.0		More of a police presence patrolling in suburban shopping centres
204	5.0	I have indicated a strong need because I really love to see Fairfield become a more inviting and friendly environment where people can shop and browse without being hassled or having to be witness to shop lifting or verbal and physical abuse.	5.0	Many times squables and abuse is shouted out in an area that children are out shopping with their parents. Personally I have zero tolerance for such behaviour. I would love to see more City Safe Team members around.	5.0	Absolutely, the amount of tax I pay to the government is perposterous and if some can't be used to enhance my way of life in my community it would be a tragedy. So if HCC doesn't have enough money ask the IRD for some of mine!!	4.0	Let's hope so! Personally I welcome any effort.	A camera covering the street especially liquor shop Fairfield

	1.0	1	2.0	2	3.0	3	4.0	4	5
Application number	for increased support to deal with nuisance/Antisocial Behaviour in Hamilton	Comment	Is Anti - Social/Nuisance behaviour an issue in your area	Comment	Do you think City safe's suburban response team will be a positive addition to Hamilton suburban shopping areas	Comment	Do you think this additional support in the suburbs will help decrease the incidence of Anti-social behaviours	Comment	Are there and other crime prevention initiatives you would like implemented
1	1.0		1.0		5.0		4.0		
2	4.0	The primary issues for us is noise related, however this is easily dealt with and is not a significant annoyance. I would find it better if there were more support when it comes to dealing with such behaviours from people.	3.0	Occasionally there will be the house party or neighbourhood kids making a row and interrupting street traffic on their bikes/scooters.	4.0	Yes. It will be reassuring with the knowledge of support being available for us. It will also help us stop the homeless loitering outside our shop.	3.0	I think so. It will definitely allieviate the issue. Most likely won't eliminate but it is a start.	Homeless control- it gets pretty bad in town but occasionally we have a couple around here.
3	3.0		2.0		5.0		4.0		
4	1.0	Our shopping area is doing well thanks. St James park "Count Down"	1.0		3.0		3.0		Behind shops is where we find they are doing the most damage and leaving bags and
5	4.0		1.0		5.0		5.0		
6	4.0		2.0		3.0		3.0		
7	5.0		4.0		4.0		4.0		
8	1.0		2.0		5.0		5.0		Maybe CCTV cameras
9	3.0	Yes, some people when asking for money can be quite confronting and inimidatig to people.	0.0	yes, sometimes one fellow in particular	0.0	Yes, so long as we see them regularly.	0.0	yes	most things seem to happen at night so don't know what can be done about that.
10	4.0		4.0	I've been asked for money twice this morning by local "Ben" with his black Lab,while on the way to Clyde Bin Inn and the ANZ. It's a nuisance and off putting.	5.0		5.0		Have designated black circles on the footpath for buskers which has increased lately in Hamilton East.
11	5.0		5.0		5.0		5.0		
12	3.0	There isn't a great need but would be nice to know there is someone to help if a problem arises.	1.0		4.0	Yes, hopefully it will decrease and make business owners more comfortable.	3.0	Hard to say	Something like night time neighbourhood watch to reduce crimes like break in's and car thefts/vandalisation.
13	5.0	We have a lot of issues in Hamilton East with people begging and getting aggressive when they don't get what they want. Also just a lot of unsocial	5.0		5.0		5.0		
14	5.0		5.0		5.0		5.0		N/A

Item 8

Attachment 1

15	5.0	The public need to be educated in the problem of nuisance and anti social behaviour.	5.0	As a business owner I am very concerned. Nearly all my customers they feel unsafe about coming to shop at my area (Bader street)	5.0	Yes, a very good deterrent.	5.0	yes, need more power to deal with this problem.	yes, the public need make aware if tis problem. Business is loosing money because of this problem.
16	4.0		5.0		4.0	During last two years the nuisance and anti social behaviour have increased much in this area. From last july, more City Safe staff come out and stay long that is useful to smooth the problem.However, the real issue is how to actually reduce those issues, for example. More beggers around then last year. Annoy them, especially a family group including a Maori man around 50 yrs,	4.0		Biggest problem is everybody begging and shoplifting. If government can set up big signs to warn shoplifter and beggers maybe good. If wanting to reduce the benefit for shoplifting and beggers that is good.
17	3.0	Lots of new beggers come and they are asking for money from customers. They are smelly and dirty. Even there are so many window washers now in our area.	4.0	In out shopping complex there are 4-5 beggers come in at different times. Once your team have been they come again	5.0	In our shopping area, majority shops selling food, beggers or homeless people are dunk, talk loudly, singing, laughing and mainly in area is near by Hospital so make sure you	5.0	Yes, because when your team arrvied all of beggers leave the place and after one or two hours later they will come back according to be point. It will help.	Not much but we do have a 15 minute parking sign and hospital visitors are parking longer. When we said hat they are abusing to us.
18	5.0		5.0		5.0		5.0		
19	3.0	Lots of new beggers come and they are asking for money from customers. They are smelly and dirty. Even there are so many window washers now in our area.	4.0	In out shopping complex there are 4-5 beggers come in at different times. Once your team have been they come again	5.0	In our shopping area majority shops selling food. Beggers or homeless people are dunk, talk loudly, singing, laughing and mainly in area is near by Hospital so make sure	5.0	Yes, because when your team arrvied all of beggers leave the place and after one or two hours later they will come back according to be point. It will help.	Not much but we do have a 15 minute parking sign and hospital visitors are parking longer. When we said that they are abusing to us. (This is a second form in different hand writing)
20	2.0		5.0		5.0		5.0		
21	5.0		5.0		5.0		5.0		
22	4.0		4.0		4.0		3.0		
23	3.0		4.0		5.0		4.0		
24	5.0		5.0		5.0		5.0		
25	3.0	Some of the suburbs are not safe	2.0	our area is quite good at the moment.	5.0	the team help a lot to make city safe. So it good to be have the team.	5.0		
26	1.0		2.0	Not to bad at all lately	4.0	I think its great to have you around and available to call if needed.	3.0	hopefully- great if people can get support if needed eg: homeless people.	

27	3.0	In particular hours (morning) there is a car which drops off homeless people in the morning. If you can stop them, to bring them here. You can see lots of homeless around 9ish in	4.0	Yes. Its quite common	2.0		5.0		Just try to make this team more authorisative and strong. That will be enough.
28	5.0		5.0		3.0		5.0		
29	5.0		5.0		5.0		5.0		
30	5.0		5.0		5.0		5.0		Liquor ban in Dinsdale shopping centre. Security camera install. Install lights in some dark public places in
31	5.0		5.0		5.0		5.0		
32	5.0		5.0		5.0		5.0		
33	5.0		5.0		5.0		5.0		
34	3.0		4.0		4.0		3.0		
35	5.0		5.0		5.0		5.0		
36	3.0		4.0		5.0		4.0		
37	4.0		4.0	Can be at times	4.0	We don't see them that much. I think if we had a designated person who was here all the time it would help the community-become part of Frankton.	4.0	Yes	Community Policing. Police or community workers more visible in the community say hello and being part of Frankton in a non threatening way.
38	5.0		5.0		5.0	The team respond well when we call them, but they can not stop them permanetly. We suggest-please try to move this ANZ ATM to somewhere else. The big cause and issue is	5.0	When ATM moved from here	NO
39	3.0	perhaps dealing with the deeper systemic issues would be better as a prevention.	2.0		3.0		0.0	May cause other problems. Though, a presence is better than none but they would be best being compassionate	
40	5.0	yes they certainly help remove and disperse large groups that can become a real nuisance.	5.0	yes, we seem to have an ever growing number of vagrants in the area hanging in large groups which is certainly a	5.0	100% they do a great job!	4.0	We live in hope	More of a Police presence might be a start.
41	5.0		4.0		5.0		5.0		

42	5.0	As business owners in Frankton we are usually the target of aggressive/threatening behaviours. We have experienced insults, damage to the building (i.E: windows	5.0	Frankton is known to be one of the most violent towns of Hamilton. It would be great to see actions done to change its reputation.	5.0	The current security guards do nothing to prevent this. Police are always busy an are often too late to arrive. The security guard team definitely need to have a huge revamp.	5.0	More security cameras implemented on the public places to track down and identify people causing offense.	
43	3.0		3.0		5.0		5.0	More patrolling.	
44	1.0		2.0		1.0		1.0		
45	5.0	I think they do a good enough job if any improvement was needed maybe they could work more on the Dinsdale shops.	3.0	It certainly can be as Commerce street is a popular spot for "beggars". City Safe team do a great job at checking up on us.	5.0	Absolutely yes. Public needs officials to go to or contact in ties of conflicts, bad street behaviour and managing the habits of homeless people. They help shop keepers and staff to feel safe and have peace of	5.0	It will show those impacted that they cannot carry on their nuisance activities. They will see there is effort being done and therefore will hopefully stop. People will feel safe.	Not my area of expertise.
46	5.0	Especially in areas such as Dinsdale, along the shops on Whatawhata Road.	5.0	There are a lot of incidents of groups drinking in the library car park and making customers feel uncomfortable. There are also occasional fights in the area. Some customers do not like some families and young children asking for money.	5.0	yes! The staff at Dinsdale library rely on City Safe being a softer, more friendly response to some of our anti social incidents. Often times the police wouldn't be appropriate to call- could possibly escalate	5.0	Yes, so long as there are firm expectations of what is and isn't acceptable and repeat offenders are referred to police after they have ignored warnings.	More audits of local liquor shops to ensure they are not selling to clearly intoxicated individuals. More randomised Police presence. CCTV cameras in these areas- especially ones that have been identified as high-incidence.
47	1.0	They have already trespassed them all.	1.0	If someone does annoy our customers we just tell them to go away ourselves.	1.0	99.9% of the time there are no problems. If there is it is one that we as the public can deal with or too serious and has to go to the police.	1.0	People who act obnoxious will always be like that	More Police after wreckless drivers.
48	4.0	Businesses are getting so much affected in the afternoon because of the people asking for money	5.0	A lot of homeless people coming into the shop during night time when the staff are alone and asking for free food.	5.0	Yes, a must need for the people that are creating nuisance in Dinsdale shopping area.	5.0		
49	5.0	To be more safer and make businesses running without nuisance.	5.0	Begging money/ asking for money. Beggers in front of the door way, blocking customers to be in the shop (bad for business)	3.0	need 2 shifts to start early at 5am-- and 8am--	5.0	To help community safer.	P.S: Can City Safe not enter to the shop after or before moving the nuisance people along (to be safer), also they are always come back after the City Safe has gone to the
50	5.0		5.0		5.0		5.0		
51	4.0	There is a large number of beggars in the area either walking around or sitting down, and also window washer at the lights and	5.0	Five Cross Roads as above. It has been great having the City Safe team. We have even had human waste outside the building.	5.0	100% it has been 100% better just having the number to call and having them turning up from time to time.	5.0	Helps keep them away or moves them on. We have school kids not coming to our centre because of the beggars and anti social	Need more people and I would love to see car window washers shut down.
52	3.0		3.0		5.0		4.0		Bring in "anti-begging" law.

53	2.0		3.0		4.0		4.0		
54	5.0		3.0		5.0		5.0		
55	2.0		3.0		4.0		3.0	petty theft, after hours	
56	5.0	Definitely- the response team has been very helpful in deterring nuisance behaviour at the H.E Clyde street shopping centre. Increased visits and communication with retailers have helped to target the people we don't	4.0	Yes, although it has decreased over the last year due to communication with C.S and police. (Working together more).	5.0	Totally- it's been working well for the last year. Communication is key and City Safe are providing this in a prompt manner.	5.0	The additional support which was added a year ago has proven to decrease nuisance behaviour at the Clyde st shopping centre.	Would be great to have a list of trespassed people with dates of tresoass. Thanks guy's for great communication and I love the easy text number for reporting incidents. Keep up the good work, you've definitely made a difference at Clyde st shopping centre- Cameras in Clyde street
57	4.0		4.0		5.0		5.0	same as previous answer.	Window washers are dangerous, rude and try to intimidate people sitting in their cars (some not all). Would be good to see moe of a Police presence on the street as opposed to handing out driving infringements all day.
58	5.0	People begging for money in our carpark intimidating customers, going through rubbish bins. We have had things stolen from out the back of our shop as well as people sneaking in he back door, food stolen, phones stolen.	5.0	As above- customers constantly approached before they can get out of their cars. People standing over them and asking (sometimes demanding) money. Often putting extra pressure on elderly people because they think they can get away with it.	5.0	I would like to think so. Really depends on the individuals and the authority they are given.	5.0		
59	5.0		5.0		5.0		1.0		
60	5.0	Yes there is definitely a need for it. They city safe guys are great.	4.0	I think random days instead of set days for patrolling is needed though as beggers etc know which days they can hang around, so there are way more on the days where the City Safe people aren't walking around.	5.0	I think they are doing a great job. I prefer the days when they are around.	5.0	Yes, definitely.	Not that I can think of right now.
61	5.0	Need more saftey officers.	5.0		5.0		5.0		None
62	4.0	I think there probably is with liquor outlets and fast food/ take away shops dominating most shopping cantres (Urban). The types of people who can frequent those shops can sometimes cause issues.	2.0	Occasionally with a licensed premises next door we sometimes get a personbehaving in an annoying way and being part of a shopping centre there is the occasional disturbance but nothing much that affects our business.	4.0	Yes, we ave used them once and they did well and did their best to stop what was happening and send the miscreant youths on their way.	4.0	Yes, as long as they have the necessary training to carry out their work and they select the 'right' people for the job. They need the support of the Police also.	Police walk through the shopping centres but ideally community Police officers/ stations. Generally a greater, more approachable Police presence.
63	1.0		2.0		5.0		5.0		We would like office o come and check early morning,
64	5.0	Must do 4 visits in a day if possible	4.0		5.0		5.0		
65	4.0	Yes, especially with the homeless.	4.0	Homeless and begging outside food outlets.	5.0		5.0		

66	5.0	Yes, more beggars, more low social economic people asking for help, unruly school children, aggressive, swearing, disruptive adults and children intimidating others. Father? Teaching	5.0		5.0		5.0	Can try at least	
67	3.0		2.0		5.0	if the council can give more authority to City Safe like police it will be more	5.0		
68	5.0		5.0		3.0	Depends!!! If they get more authority like police they will be useful. Otherwise it is a waste of money right now. Sorry to say that. But it is "Bitter truth" of current	5.0		I have witnessed that City Safe officers being verbally abused by one of the beggars in the shopping centre. There should be 24/7 support system instead of a current timing.
69	4.0		2.0		4.0		5.0		Nothing thank you.
70	5.0	need more Police and City Safe patrol in this area.	5.0		5.0	Yes, pretty much.	5.0	Yes, very helpful.	
71	5.0	We really need City Safe to patrol this place.	5.0		5.0		3.0		
72	5.0	Many people living nearby facig fighting, nuisance and noisy cars. We need more	4.0		5.0		5.0		
73	5.0		4.0	People request for money	5.0		5.0		None
74	3.0		3.0	occurring less but still a problem on occassions.	5.0	The more visable the City Safe are the more the anti social behaviour reduces.	5.0		More parking monitoring in the suburbs.
75	5.0	More City Safe presence in this area will make people feel safe.	5.0		5.0		5.0		
76	5.0		5.0		5.0		5.0		Focus on youths. Currently
77	4.0		4.0		5.0		5.0		

78	4.0	Yes, but they are also smart ad come when officer leave. Perhaps greater community services and support would go hand and hand. Referring beggars etc to services of support that don't seem to exist yet. Homelessness is a state of mind and surely that won't fix everythig but one less struggling person and education and support may stop a growing culture. Cv writing, internext access, workshops with gift shops attached etc.	5.0	Some just want food, say no you risk receiving damage to cars/property/businesses. It is not enough to just chase them off or trespassing time are tough. But MSD doesn't seem concerned with job finding oly handing out.Does that notfuel a scavangers life style. Work hard, get paied, sit around and the government will pay for you. Work shops and free education should be complusary in these communitates.	5.0	My team consists of majority girls aged 14-20 years. Day time we are ok and know the drill. Night time they are some times scared for their safety to return to their cars.	2.0	It does not go hand in hand with soluations and referrals. The effect might not be as great. Where else do they go? What do they do with their free time?	A wrokshop they can go spend time in- use tools/classes to make something- have it sold I it's giftshop or online and let them make a percentage profit, hubs that are monitored and safe zones for learning and internet use. Low cost food canteens, referrals to recruitment companys. Back up negatives with positives.
79	4.0		3.0		4.0		5.0		
80	5.0	Hamilton East shops there is a Maori couple that ask for money and get aggressive and abuive when refused. They are always there and have started to ask	1.0	Rototuna is not to bad, but city CBD and Hamilton East is bad.	5.0	City Safe are great.	5.0		
81	2.0		1.0		5.0		5.0		We need more visits. Still
82	3.0		2.0		4.0		4.0		
83	3.0	Lynden Court has a lot of children walking around during school time.	2.0		4.0		5.0		
84	5.0	Your safety officers are Police Patrolling.	4.0	had issues with beggers before.	5.0	Great help. Anything to deter anti- social behaviour.	5.0	This will serve as extra support and if the anti-social beggers are aware	More police patrolling.
85	5.0	Need more safety officers on patrol	5.0		5.0		5.0		
86	5.0	Need more safety officers on patrol	5.0		5.0		0.0		
87	1.0		1.0		5.0		4.0		
88	3.0	maybe in areas near small shopping centres/ dairies.	2.0	Mostly ok. Have noticed in more Chartwell area by the mall and Lynden Court. However it seems to have	4.0		4.0	Possibly- particurlary school holidays/after school/	Some areas may benefit from CCTV. Rototuna shopping centre petrol stations has been robbed quite a few
89	2.0	Have seen some unwanted behaviour both at Flagstad and Queenwood. Both targeted an older person.	2.0	Rarely but have done in the past.	5.0	Yes definitely as an ex CBD retailer it is such a positive look to see a City Safe team out and about in the	5.0	Precention is better than cure.	I think City safe is adequate.
90	3.0		3.0		3.0		3.0		

91	5.0		5.0		4.0		5.0		Installing security cameras at the parking area in the shopping centre will help
92	5.0	School kids and adult kids roam around all the place. Instead of being in school they are always seen in the car-park or near areas.	3.0		5.0	If possible please park your car in the parking in the busiest times on a daily basis so that they can feel that you are around.	5.0	Only by seeing cars around no crime takes place. This would surely help in decreasing it.	CCTV in the shopping malls and nearby also operated by police so that people know if they would do anything it would be recorded. Age for driving should be increased
93	4.0		3.0		5.0		5.0		
94	5.0	We need a safe environment	5.0		5.0	If security makes us safe it should be appreciated.	5.0		Whatever you can do for City Safety please do it.
95	3.0		4.0	Their is still a small group who visit the Dinsdale shopping centre on a daily which are begging, buking and sitig around drinking alcohol. Some are aggressive when approached.	4.0		5.0		
96	5.0	Need more officers to do patrols.	5.0		5.0		5.0		
97	4.0	I strongly believe there should be more support in Dinsdale shopping centre. We still don't feel safe as shop owners in this area of Hamilton. Today 25/01/2020 a incident happened at our shop where we got shop lifted. A customer came in and walked off with goods	3.0	This isn't always an issue but there are times where people behave aggressively.	5.0	I hope the City Safe team will make a difference to Dinsdale.	4.0	hopefully this team will defuse the incidence f antisocial behaviour	More gaurds/patrol around the Dinsdale area.
98	4.0		5.0		5.0		5.0		
99	5.0		3.0		3.0		3.0		Hamilton Ciy Council should put public cameras in 5 cross
100	4.0		5.0		4.0		3.0		
101	3.0	We need to have around 3 people look after 5x roads area, because they are a big problem now. Ring the Police, they are not come at the right time. However they are going somewhere	3.0	to many beggers here. They create the problem to asking for money from my customers and many of stealing from my shop	5.0	Yes., City council is look after all time. However we ring them but they see city council man and run some where.	5.0	yes, they will help.	

102	5.0	Yes, people are feeling intimidated and not wanting to walk along footpath. People not wanting to shop here. So losing business.	5.0	Yes- people asking for money and are very intimidating and sometimes abusive. They also consume alcohol and get very drunk.	5.0	Yes. Make suburbs safer especially for elderly. Nice to know we can ring and support is available.	5.0	Yes and people will feel a lot safer. We need more city safe people please.	
103	5.0		5.0		5.0		0.0		
104	2.0		3.0		3.0		3.0		
105	5.0		4.0		5.0		5.0		
106	5.0		5.0		5.0		5.0		
107	5.0	Anti social behaviour is prevalent, they are attracted by the ATM. They also target the elderly and immigrants for money.	5.0	Large numbers accumulate as above. Alcohol and addiction relatively noticeable. Turn area into "Camp ground" after hours.	5.0	Police response not high unless threatening behaviour exhibited. Need for patrols to action trespass notices as efforts to do so by individual businesses difficult. False	5.0	Provided enough resources are available	More cameras around "hot spots" and blind areas. Linked to City Safe camera room.
108	5.0		5.0		5.0	yes, we do need City Safe response team. However, we need City Safe to deal with the police in an effective way so that the trespassed people will not come back to the area. We are really disappointed that all of them who have been trespassed in dec 2019 are back in this block and they	1.0	Only if you implement actions done by you. (trespass notices)	I am sure if Hamilton City Council can liaise with the police department and ask them to enforce City Safe actions (trespass, phone calls). Otherwisw alone city Safe has very limited power to control anti-social behaviour.
109	5.0	Absolutely and we believe more so than in the CBC. The suburban centres such as Five cross roads, Dinsdale, Nawton etc are the centre of the local community they are attached to.	5.0	Predominantly the (apparent) organised groups who regularly congregate in te mornings before dispersing. Regular (almost daily) having someone on street along shop frontage begging and/or intimidating people.	5.0	Very positive and we believe most welcomed by shop owners/tenants/customers. We regulary have elderly customers in particular come into the shop to inform us they have been approached for money and are scared to leave the	3.0		Proactive trespassing. Increase collaboration with landlords/property managers to put in place/encourage their tenants to seek assistance/ report anti-social behaviours. Periodic public forums to raise/promote measures of City Safe inclusive of police. Working with agencies and
110	4.0		5.0	Beggars come inside the shop and askig for food from die in customers.	5.0	But they need to stop anti-social and argumented behaviours by talking to beggers etc	3.0		
111	3.0	I feel that business owners find it difficult to build and grow, because the behaviour is not controlled ie. There is nothing to really	3.0	Yes- people dumping waste, sleeping outside businesses, taking furnitru to rest in other areas.	0.0	not sure- but it's a start. If the council is prepared to put a long term project in place in time it could help the community and	3.0	hope so	Yes- dealing with mental health support froup and addiction support groups.

112	5.0		4.0		3.0		5.0		to many homeless people in Hamilton suburbs need to be
113	3.0	Nuisance and anti social behaviour activities still in motion. Begging still active. Urinating in public place. Beggars still active and asking for money and food from passing through	4.0	As above	3.0	They are useful but most of the time when they are not in Disndale shopping centre, anti-social activities on high level.	5.0	Need very frequent visit from City Safe staff.	Specially for Dinsdale shopping centre we need: security cameras. More bright lights, back side of the mall and security cameras.
114	5.0	It is necessary to have to response team available if the need arises.	5.0	The presence of the response team, being seen in the area given youth confidence that something if necessary will be dealt with immediately. Thank you.	5.0	As above	5.0	yes- being present and acting promptly to any anti-social behaviour	at Five Cross roads cnr Fifth Ave, begging outside shopping area and by ATM machine.
115	5.0		5.0	There are two shops in Nawton which recently had windows smashed by teenagers.	5.0	Those people usually do the nuisance behaviours at night.	5.0	Yes, if there is an additional team for night time as well	no
116	3.0		3.0	Lots of homeless and poor people in Frankton	4.0	Yes	5.0	Yes	
117	5.0		3.0		5.0		5.0		My wife work for Michael Hill at Chartwell shopping centre. A Diamond ring was taken by a
118	1.0		2.0		5.0	It's very glad to see City Safe around but they need more staff and authority.	5.0		
119	5.0		4.0		5.0	I think we need to see more City Safe officer. They lack of staff members and	5.0		
120	3.0	Pretty good how it is right now.	3.0	Depends on time of year (School holidays).	4.0	Definetly helps deter people with ill intentions in the area and makes staff and customers feel safe.	5.0		
121	2.0	Flagstaff shopping centre is pretty safe area. Not much happening.	3.0	Not much	2.0	If City Safe have more power will be very helpful.	3.0	Yes	
122	1.0	Seems to be well supported already	1.0	The odd begger but nothing else.	5.0		5.0		no
123	4.0	Yes, this kind of behaviour is becoming more and more common and needs to be stopped.	3.0	Yes, but more late afternoon/ evening not really during the day.	3.0	Yes, because shop that are having issues will feel safer in their day to day work and they will also benefit so they know customers feel safe while shopping.	4.0	Yes, if the right amount of security help is provided	More security at the bigger shopping centres e.g The base, Supermarkets.
124	2.0	The area has a low % of individuals that are considered "Anti Social"	2.0	Minimal	3.0		3.0	The behaviour displayed will most likely change to after hours.	

125	5.0		2.0		4.0	Hopefully I can see City Safe officer patrolling our area. I know they are lack of staff and only got one car. They need more staff and power to make us feel safer.	5.0		No
126	5.0		5.0		5.0	Yes, I do. But if City Safe can authorise more power to deal with beggers will be more postive additional	5.0		no
127	4.0	Most of the time I see in New World Glenview some of the other thing happening like theft and apart from that there should be more	2.0	Sometimes people are very aggressive they feel like the can do unfriendly, violent activities that make them happy but at the end they are the sufferers.	4.0		4.0	We should have a get together with the people and should have a club or can engage in your activities to the people	
128	3.0		2.0		4.0		4.0		I think our law should be strict enough and punish hard to offenders no matter how old
129	5.0		4.0		5.0		5.0		
130	5.0		4.0		5.0		5.0		
131	2.0		1.0		4.0		5.0		
132	3.0		3.0		3.0		3.0		
133	2.0	There are some who can be a nuisance with bed behaviour but it is not strongly needed.	3.0	It is an issue but it isn't a big issue in our area.	5.0	I believe that it would be a positive addition to ensure safety as well as helping us with dealing with those who behave badly around	5.0	Yes, I definitely believe that it would decrease the incidence of anti-social behaviour.	
134	3.0		2.0		4.0		5.0	They are doing well.	Yes, it cold be good if anyone of safety officer would visit
135	4.0	If there is some issues in some other area then yes I will say.	3.0	not that much now.	5.0	Yes it will be.	4.0	yes it will	It's just some beggers outside our takeaway. Ask our customers to help them or buy
136	2.0		1.0		5.0		5.0		
137	5.0	There has been a definite increase this last year.	5.0	most defintly. It is effecting not only our business but more importantly it is frightening out customers away. Customers are telling us that they DO NOT like shopping here anymore.	5.0	Yes absolutley- but they need to be some more jursdiction in handling these people.	5.0	time will tell though- but council needs to be more strict and impose real penalties against this behaviour.	More CCTV, addition of signs clearly displayed showing that none of his behaviour will be tolerated and he penalties strictly imposed.
138	1.0		1.0		5.0	Team City Safe all way excellent	5.0		no

Item 8

Attachment 1

		Absolutely a strong need for the amount of beggers we have sitting on the street at the Dinsdale shops. It is impacting on the businesses and the customers are getting harassed and do not want to come near because of this. There is a huge discussion about thos on the Dinsdale residents facebook group.		As above. I have personally witnessed people getting approached at the money machine by the beggers asking for money. I've seen the beggers go into Countdown across the road and go purchase a box of beer for their group. This is affecting my business where my regular cliets aren't coming in fear of the beggers on the street. This in turn is affecting my turnover and needs o change otherwise I can't continue.		The amount of beggers do diminish when City Safe is about but as soon as City Safe goes away, the beggers come back. This is a problem that needs to be addressed. Some of them have been trespassed but we don't know who is who so we can call the Police to have them removed. We have the beggers fighting over "thier patches" on the street with some getting very vocal and to the point		The big problem is that we have thse beggers here and as soon as City Safe turns up in their visible car and high fluro vest, the beggers disappear and then come back again after City Safe is gone.	Would like to see cameras put up around he Dinsdale shops for monitoring situations. Give the City Safe people more power to be able to enforce their requests.
139	5.0		5.0		5.0		5.0		
140	5.0		3.0		5.0		5.0		
141	4.0		5.0		5.0		4.0		no
142	5.0	Thieves but can not expect help from Police.	5.0	Thieves	5.0	Experienced and saw thieves in shopping area, anti-social behaviours have been frequent noticed and reported from shopping mall site manager (Nawton	5.0	Any preventive measures welcomed.	Survlenace cameras would greatly help.
143	5.0	We need to collaberate with both City Safe and the Police to ensure our streets and shopping centres are Homeless free zones by 2021	5.0	There are always homeless people outside Bader street shopping complex asking and harassing our customers for change and money. They also argue with our customers and get aggressive towards them. When they are notified of City Safe arrival- they leave and return once City Safe depart area.	5.0	Most definitely a positive addition and if we can get more City Safe response teams to do a full sweep of th problematic areas on a routine/ regula hourly basis, the shopping areas should be a lot more cleaner that benefit both customers and staff as well as businesses.	5.0	By implemtening homeless free zones that both shop keepers and customers are free to trade with freedom and not being harassed for extra change/money.	I would like to see shopping complexes throughout the residential areas and the CBD completely homeless free by implementing homeless free zones in these much needed areas. If they are caught in these red zones, they will be immediately detained by the Police ad fined or imprisoned. Please note: Harry and Delwyn
144	5.0		4.0	Always someone hanging around. Squatting outside shops.	5.0	Great service takes the weight off our sholders knowing someone is keeping an eye on this	5.0		Unichem pharmacy- Urlich shops
145	5.0		1.0		5.0		5.0		
146	3.0		3.0		3.0		4.0		Don't think so
147	5.0	Yes a need for increased support to deal with offensive trouble occurred	4.0	No not really.	5.0		5.0	Yes, definitely help to clear the incidents of anti social behaviour.	
148	4.0		4.0		5.0		5.0		
149	3.0	After 3pm and 4pm need more support	4.0		4.0		4.0		

150	5.0	Yes, its getting increased day to day. Boys we get 5 to 6 every day from morning till night. City Safe guys come and they hide somewhere and when they go back, they return and start begging.	5.0	Yes, if people refuse, they abuse them and even passing through our shop outside. They stealing our fruit and eating it. We have requested to authorities but they don't listen.	5.0	Yes, but we need them more frequently otherwise the number of these guys will increase big time. We don't want and even they intoxicated all the time and start abusing	5.0	Yes 100% because we can't do anything. Can not take law in our hands so we need these guys or cops to stop theft. Even after 6 O'clock, Especially ladies won't feel safe	Yes, more patrolling, regular consistant and give more power to City Safe guys to resolve the problem instantly instead of wating for cops or something. We need them!
151	5.0		5.0		5.0		5.0		More cameras installed.
152	5.0		4.0		5.0		4.0		
153	5.0	Yes, because they intimidate the elderly and the vulnerable (wheel chair bound) people. It also stops people coming to shop because they are over being harassed for money.	5.0	They come from other areas of Hamilton because they have been moved on from there. They congrogate into a group, then they go differnet areas around Dinsdale. We have beggers, homeless and window cleaners coming here and buskers (that can't sing) which there are lots of us that have had enough.	5.0	As the police have enough to deal with, and they can't be available all the time somethings I think City Safe are a better option, they also respond immediately as the police don't. They also listen to complaints.	5.0	They have already proved they can decrease the incidences. They are an assesst to Hamilton. Our business's are suffering as people ave had enough and just go else to shop.	Liquor ban in the suburbs, as they hang around drinking in public. I have been told numerous times that people are feeling very intimidated and have been abused verbally. Fines for urinating.
154	5.0	Many misbehaviour people and shoplifting.	5.0	Please ban beggers in shopping areas and around the country- should be put as unlawful.	5.0		5.0		How can you stop shoplifting? Please help a small business people that face with this
155	1.0	No, there is no need for increased support to deal as there are regular visits to the area already done.	1.0	Not yet, we haven't seen any so far.	5.0	yes it is a postivie addition.	5.0	yes, definitely it will decrease the incidences of anti-social behaviours.	
156	3.0		3.0		5.0		4.0		
157	5.0		5.0		5.0		5.0		
158	4.0		3.0		5.0		5.0		
159	5.0	The public need to feel safe and not threatened by their behaviour.	5.0	Yes. Sometimes public get harassed and on the odd occasion abused with insults and threats. Manily because they don't handout money or food.	5.0	yes, because no matter where you go there will be someone waiting to harass or make you feel sorry for them	5.0	Maybe, if the additional support is consistent then maybe it will help decrease anti social behaviour.	Maybe seeing NON profit organisations offering to give them volunteer work now and again to make them want to be apart of society.
160	4.0		4.0	begger and graffiti	5.0		5.0	Drug issues- all kinds of	
161	5.0		5.0		5.0		5.0		
162	4.0		4.0		4.0		4.0		
163	4.0		4.0		4.0		5.0		
164	5.0		5.0		5.0		5.0		
165	5.0		5.0		5.0		5.0		

		Its about prevention prior to reaction. Recently we had young people in our area with escalating behaviour. Early and consistant intervention and guidance from the City Safe team would have helpe this		It can be		Yes. Being able to work with other community partners ie" libraries, ministry of social development, community centres - a rounded approach would be beneficial for our		As said before, early prevention and relationship building will help. Bridges to hgap and provide 3 party assistance when needed.	increase in Suburban response team.
166	5.0		4.0		5.0		5.0		
167	5.0		5.0		5.0		3.0		
168	4.0		4.0		4.0		4.0		
169	5.0		5.0		5.0		5.0		
		I'm not entirely familiar with the wider Hamilton suburbs		I haven't experienced any nuisance behaviour within the small Lake oad strip that we are located on		Visible deterrents to bad behaviour can onlybe positive			
170	2.0		1.0		4.0		5.0		
171	1.0		1.0		5.0		5.0		
		Yes, you never know when and where a crime is going to happen so by increasing support you have a preventive action to deal	2.0	Earlier there was a big issue that a lot of theft of cars getting broken into in the area but now there is short decline in these crimes which is highly visible.	5.0	yes, at least local businesses are happy that someone is coming and asking for their feedback and support against crimes	4.0	Yes, it is a positive sign for community and local businesses	Yes, definitely. The reason why we need more activity in the above mentioned area that there is a sudden increase in thefts, car breaking etc.
		yes as the people creating problems can be intimidating and non-responsive to polite requests to stop or move	5.0	when it happens it is significant. It has been better in the last 12 months at 5X roads.	5.0		5.0	It has already	The occasional police walk by would also help.
173	3.0								
		From my experience, there was no issues related to nuisance, anti social behaviour encountered at my business. However, I heard about some issues where the interference of response team were very useful. So I believe it will be good to extend to other	5.0	recently yes				The presence of the response tem in Hamilton street will help to decrease the potential of occuring such incidence	
174	3.0				5.0		5.0		
175	2.0		1.0		5.0		5.0		
176	4.0		5.0		4.0		5.0		
177	5.0		5.0		5.0		5.0	It's really nesscessory to have more city safe officers to help us decrease the incidence of	

178	4.0	Especially when there are people loitering and behaving suspect.	4.0	at the shops here we have the odd person asking for money and we have those intimidating window washers that are now washing car windows in car parks now too.	5.0	Absolutely.	4.0	I'm hoping so	Not that I can think of, but hoping your service will help in this aspect too.
179	5.0		5.0		5.0	Yes, it will be if they can have more staff members and authority will be more	5.0	Yes of course. This area is much safer then before. Please continue doing	
180	3.0		1.0		5.0		5.0		
181	5.0		5.0		5.0	City Safe need more power then it will be more helpful	5.0		

Item 8

Attachment 1

Is there a need for increased support to deal with nuisance/Antisocial Behaviour in Hamilton suburbs	2019	2020	Is Anti -Social/Nuisance behaviour an issue in your area	2019	2020	Do you think City safe's suburban response team will be a positive addition to Hamilton suburban shopping areas	2019	2020	Do you think this additional support in the suburbs will help decrease the incidence of Anti-social behaviours	2019	2020
5 = Strong need			5 = is a significant issue			5 = yes, it will be great			5 = yes, a big difference		
agree/strongly agree	148/204	121/181	agree/strongly agree	125/204	111/181	agree/strongly agree	175/204	160/181	agree/strongly agree	163/204	152/181
agree/strongly agree	72%	67%	agree/strongly agree	61%	61%	agree/strongly agree	86%	83%	agree/strongly agree	80%	84%
those scored 3-5	182/204	155/181	those scored 3-5	168/204	140/181	those scored 3-5	192/204	175/181	those scored 3-5	191/204	172/181
those scored 3-5	89%	86%	those scored 3-5	82%	77%	those scored 3-5	94%	97%	those scored 3-5	94%	95%

Council Report

Item 9

Committee: Infrastructure Operations Committee
Date: 16 April 2020

Author: Raewyn Simpson
Authoriser: Eeva-Liisa Wright

Position: Environmental Planner - City Waters
Position: General Manager Infrastructure Operations

Report Name: Hamilton Stormwater Bylaw Review - Determination and Consultation

Report Status	<i>Open</i>
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Take Purpose

1. To seek a recommendation from the Infrastructure Operations Committee to the Council, , as required under the Local Government Act 2002, that a bylaw is the most appropriate way of addressing issues relating to stormwater management in Hamilton.
2. To seek a recommendation from the Infrastructure Operations Committee to the Council that the consultation process outlined in the report including the preparation of a Statement of Proposal in compliance with the Local Government Act 2002 is approved.

Tuutohu-aa-kaimahi *Staff Recommendation* (Recommendation to Council)

3. That the Infrastructure Operations Committee:
 - a) receives the report;
 - b) recommends that the Council approves Option 1 as outlined in this staff report and determine that a Stormwater Bylaw is the most appropriate mechanism for addressing issues relating to stormwater management in Hamilton;
 - c) approves the preparation of a Statement of Proposal for a reviewed Bylaw subject to (b) above being approved by the Council; and
 - d) notes that due to the Central Government Covid-19, Alert Level 4 restrictions in place, a public consultation process will be undertaken for a period of one month between July 2020 and December 2020.

Whakaraapopotanga matua *Executive Summary*

5. The Council has a responsibility under legislation and through resource consent conditions to ensure that the stormwater network is managed in a way that promotes the protection of public health, the natural environment and stormwater assets from, damage, misuse, or loss.
6. Issues that can arise without effective management of stormwater drainage include degradation of water quality and the environment, risk of degraded network condition,

increased risk of flooding and damage to property, and increased risk to the health and safety of the community and workers.

7. In accordance with section 158 of the Local Government Act (2002), a review of the Stormwater Bylaw (2015) is required to be undertaken by 28 May 2020. If the review is not completed within two years of 28 May 2020, then the bylaw will be deemed revoked under the Local Government Act 2002.
8. Staff recommend **Option 1** - Resolve that a Bylaw is the most appropriate mechanism to manage stormwater issues in Hamilton and that work is started to undertake a review of the Bylaw.
9. On the 27 March 2020 the Central Government announced that as a result of Covid-19, Alert Level 4 restrictions were put in place placing New Zealand in lockdown. This has resulted in a delay to the public consultation process as dates were not able to be confirmed.
10. At the time of writing this report the public consultation process is planned to be undertaken for a period of one month between July and December 2020.
11. Staff consider the decision relates to the setting of a bylaw and therefore is significant and requires engagement with the community. Staff also consider that the recommendations comply with the Council's legal requirements.

Kooreo whaimaarama Background

12. Under legislation the Council is empowered to make Bylaws for managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with stormwater drainage.
13. Section 145 of the LGA, empowers Council to make a Bylaw for one or more of the following purposes:
 - protecting the public from nuisance (s145(a), the LGA) or;
 - protecting, promoting, and maintaining public health and safety (s145(b), the LGA) or;
 - Minimising the potential for offensive behaviour in public places (s145(c), the LGA)
14. Council manages over 700km of Stormwater network that carries stormwater from public and private sites and discharges to the natural environment.
15. The Stormwater Bylaw (2015) (**Attachment 1**) was developed in response to a need to protect loss of land, structures or infrastructure related to stormwater drainage, and ensure that our waterways, remain clear and unobstructed, and that entry of contaminants into the stormwater system is minimised.
16. Issues that can arise without effective management of stormwater drainage include degradation of water quality and risk to the environment, risk to network condition, risk of flooding and damage to property, and health and safety of the public and workers.
17. Section 158 of the LGA states that a local authority must review a Bylaw no later than 5 years after the date on which the Bylaw was made. On this basis a review of the Stormwater Bylaw (2015) must be initiated by 28 May 2020. If the review is not completed within two years of 28 May 2020, then the bylaw will be deemed revoked under the Local Government Act 2002.
18. Section 160 of the LGA states that the Council must review a Bylaw by making the following determinations under section 155 of the LGA:
 - determine if a Bylaw is the most appropriate way of addressing the perceived problems and;
 - determine the most appropriate form for the Bylaw and;

- consider if the Bylaw gives rise to any implications under the Bill of Rights Act (1990) (BORA) as a Bylaw cannot be made inconsistent to the BORA under the LGA.
19. A Bylaw allows Council to establish legally enforceable rules to manage the community’s concerns in relation to stormwater drainage.
 20. If the Council determines that a Bylaw is required, it then needs to determine if the existing provisions in the Bylaw are considered consistent and a reasonable response to managing stormwater drainage issues, or if further review is required to identify additional provisions or refinements needed for the protection of asset condition, waterways and public health.

Discussion

21. The Stormwater Bylaw (2015) has assisted Council to meet its role and obligations in relation to:
 - i. the objectives of Te Ture Whaimana o te Awa of Waikato (The Vision and Strategy for the Waikato River) under the Waikato River Settlement Act (2010)
 - ii. section 130 of the LGA – stormwater drainage management
 - iii. section 15 and 31 of the Resource Management Act and more specifically compliance with the CSDC
 - iv. the Hazardous Substances and New Organisms Act (1996)
 - v. the Health Act (1956)
 - vi. protecting Council’s assets.
22. The Council has the option to revoke the Bylaw completely. Revoking the Bylaw is likely to result in Council failing to meet its obligations outlined in paragraph 17 regarding stormwater drainage.
23. Additionally, revoking the bylaw will also mean that Council will not be able to use the Bylaw as a framework for education.
24. Staff consider that a Bylaw is the right mechanism to manage Council’s commitments to asset management, wellbeing, consent compliance and meeting its legislative obligations.
25. Undertaking with a review of the Bylaw will allow further consideration of Councils Sustainability Principles, increased recognition of Te Ture Whaimana o Te Awa o Waikato and the Waikato River Settlement Act 2010, iwi joint management agreement partnership obligations, alignment with iwi management plans as well as the protection of Councils assets.
26. A review of the Bylaw may also provide opportunity to consider Council’s Urban Growth Strategy, Sub regional three waters management, and Council’s River Plan.

Options

27. Staff have assessed that there are two options for the Infrastructure Operations Committee to consider. This assessment reflects the issues to be managed and level of significance and wellbeing. The options are:

Option 1	Resolve that a Stormwater Bylaw is the most appropriate mechanism for addressing issues relating to stormwater management in Hamilton and progress a review of the existing Bylaw.
Option 2	Revoke the Bylaw.

28. Staff recommend **Option 1** because a Stormwater Bylaw is considered the best practicable option to control and manage stormwater drainage in Hamilton.

Whaiwhakaaro Puutea *Financial Considerations*

29. The total cost to complete the review on the Bylaw including adopting a Bylaw or revocation and any anticipated consultation will be approximately \$60,000 - \$65,000. This has been budgeted within the 2018-28 Long Term Plan.

Whaiwhakaaro-aa-ture *Legal and Policy Considerations*

30. Staff have consulted with Council's legal advisor and have confirmed that undertaking a review of the Bylaw complies with Council's legal and policy requirements.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

31. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
32. To respond to the requirement to promote wellbeing in activity management staff developed a 'Wellbeing Outcomes' Guide. This guide is based on what the community has said is important and reflects Council's aspirations for community wellbeing. The guide lists several outcomes relevant to Council stormwater activity management and will be used in the context of the Stormwater Bylaw review. These are listed in this report below.
33. The recommendations set out in this report are consistent with the purpose of Local government promotion of the 4 wellbeings.

Social

34. The review of the Stormwater Bylaw (2015) is an opportunity to consider how stormwater can be managed to ensure Hamilton continues to be a great place to play and be active and that its community remains safe and healthy.
35. The Bylaw is intended to provide guidance for staff and regulations for the community on best practice stormwater management to create a safe and healthy environment within the city.

Environmental

36. The review of the Stormwater Bylaw (2105) will provide environmental benefits by ensuring there are legally enforceable rules to assist in the management of stormwater drainage in the city and support the;
- restoration and protection the health and wellbeing of the Waikato River
 - protection and enhancement of our natural taonga, green spaces and biodiversity
 - response to the challenges of climate change.

Cultural

37. The Council is committed to working collaboratively with Waikato-Tainui and Te Haa a Whenua Kirikiriroa for this Bylaw review and will seek to recognise Ture Whaimana o te Awa o Waikato and align with Tai Tumu Tai Pao Tai Ao and Te Rautaki Taamata Ao Turoa o Hauaa (Iwi Management Plans of Waikato Tainui and Ngati Hauaa respectively).

Tuuraru *Risks*

38. The risk of not progressing with a review of the Bylaw means that it will be more difficult to meet the Waikato Regional Council requirements for Hamilton City Council to avoid, remedy and mitigate adverse effects of stormwater discharges.

39. If the review of the Bylaw doesn't proceed there is a lost opportunity to determine if the Bylaw can be strengthened to align with emerging national and regional direction on freshwater management.
40. In continuing to have a Stormwater Bylaw, Council will also minimise compliance and reputation risk.

Kaupapa here whakahira/anganui *Significance & Engagement Policy*

Significance

41. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of recommendation(s) in this report.

Engagement

42. There is a statutory requirement to consult as per legislation outlined below.
43. On the 27 March 2020 the Central Government announced that as a result of Covid-19, Alert Level 4 restrictions were put in place placing New Zealand in lockdown. This has resulted in a delay to the public consultation process as dates were not able to be confirmed at the time of writing this report.
44. Staff will invite stakeholders to provide formal feedback through a public consultation process so that their views can be captured, on the options presented for consideration by the Council, in conjunction with the wider community's views.
45. Section 156 of the LGA sets out that the Council is required the use the Special Consultative Procedure if:
 - the Bylaw concerns a matter identified under the Council's Significance and Engagement Policy as being of significant interest to the public; or
 - there will be a significant impact on the public due to the changes to or revocation of the Bylaw.
46. Given the potential impact on the public, should the Council determine to revise the existing Bylaw in-line with legal advice and stakeholder views, or to revoke the existing Bylaw, the Council will comply with s156 by ensuring:
 - a Statement of Proposal is made available to the public including options for consideration.
 - a public consultation process will be undertaken for a period of one month between July and December 2020.
 - Submitters will have an opportunity to present their views in a spoken form at the Regulatory and Hearings Committee at the earliest opportunity following completion of consultation process, but no later than April 2021.
47. A Communications and Engagement Plan will be developed which will take into account LGA requirements.

Ngaa taapirihanga *Attachments*

Attachment 1 - Hamilton Stormwater Bylaw (2015).

**Hamilton City Council
BYLAWS**



Approved By: Hamilton City Council	Date Adopted : 28 May 2015
Date In Force: 28 September 2015 Clause 7.1(e) - 12 months from <i>enforcement date</i> Clause 7.1(f) – 6 months from <i>enforcement date</i>	Review Date: To be reviewed by 28 May 2020

HAMILTON STORMWATER BYLAW 2015

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Hamilton City Council BYLAWS



Hamilton City Council, in exercise of its powers and authorities given to it under the Local Government Act 2002 and the Health Act 1956 and any subsequent amendments to the Acts and all other relevant powers, makes the following bylaw.

1. INTRODUCTION

- 1.1. Hamilton City Council has the ability to make bylaws for regulating and protecting land drainage. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have regard to the Vision and Strategy for the Waikato River which lists water degradation as a fundamental issue to be resolved. Hamilton City Council's Comprehensive Stormwater Discharge resource consent and Stormwater Management Plan aims to manage stormwater discharge for quality and quantity and to avoid, remedy and mitigate any adverse effects on the environment. The management of stormwater ultimately aims to assist in achieving the Vision and Strategy for the Waikato River by helping to protect aquatic habitats, minimising scour, erosion and flooding and improving bathing water quality.

(Note: the above introduction does not form part of this bylaw and is intended to be read as an introductory note)

2. SHORT TITLE, COMMENCEMENT AND APPLICATION

- 2.1. The bylaw shall be known as the "Hamilton Stormwater Bylaw 2015".
- 2.2. The bylaw shall apply to the Hamilton City Council District.
- 2.3. The bylaw shall come into force on 28 September 2015.

3. SCOPE

- 3.1. This bylaw shall apply to the district of Hamilton City pursuant to the Local Government Act 2002 and any land, building, work, or property or catchment under the control of the Council, although situated beyond Council's district. This bylaw applies to both public and private stormwater systems and watercourses.

4. PURPOSE

- 4.1. The purposes of this bylaw are to enable Council to:
 - (a) Manage the land, structure or infrastructure associated with stormwater drainage within its control.
 - (b) Protect and regulate against damage, misuse, or loss of the land, structures, or infrastructure related to stormwater drainage.
 - (c) Prevent the unauthorised use of the land, structures or infrastructure related to stormwater drainage.
 - (d) Ensure waterways, that form part of Hamilton City Council's stormwater systems, remain clear and unobstructed.
 - (e) Manage the entry of contaminants into the stormwater system.
 - (f) Protect, promote, and maintain public health and safety.

Hamilton City Council BYLAWS



5. COMPLIANCE WITH OTHER ACTS AND CODES

- 5.1. This Bylaw has been developed in accordance with all relevant legislation and guidance.
- 5.2. Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw.

6. DEFINITIONS

- 6.1. In this bylaw except where inconsistent with the context:

Approval	Means approved in writing by the Council, either by resolution of the Council or by any Authorised Officer of the Council.
Authorised Officer	Means an employee or contractor of the Council warranted under the Local Government Act 2002, authorised to carry out general or specific duties in relation to stormwater including enforcement arising from any of the provisions of this act and this bylaw.
Council	Means Hamilton City Council or an employee or contractor of the Council appointed to carry out duties relating to Stormwater management.
Ecological device	Means a device such as fish ramps and constructed fish protection structures designed to preserve aquatic habitat.
High Risk Facility	Means a facility carrying out or intended to carry out any of the activities listed in the High Risk Facilities Register, and includes the land and buildings of the site. Council may, by resolution, specify any activity to be included in or removed from the High Risk Facilities Register.
Open Drain	Means any system that collects and transports stormwater or groundwater through a series of open channels or ditches, but may include culverts and pipes in areas of vehicle or road crossings.
Overland Flow Path	Means the route along which stormwater flows. A subset of overland flow path is called "secondary flow path". These routes carry water which cannot flow through the primary stormwater system (usually piped) because the water flow has exceeded the capacity of that network.
Pollution Control Plan	Means a plan that includes appropriate policies, procedures and review timetable that is held onsite that guides appropriate management of any material either held on site or intended or likely to be onsite that may cause entry of prohibited materials into the stormwater system or any other breach of this bylaw.
Prohibited materials	Means anything that is not stormwater, including but not limited to substances that; <ol style="list-style-type: none"> (a) Pose a danger to life (b) Pose a danger to public health (c) Cause flooding of any building floor or sub-floor, or public roadway (d) Cause damage to property (e) Cause a negative effect on the efficient operation of a stormwater system (f) Cause damage to any part of a stormwater system

Hamilton City Council BYLAWS



- (g) Cause erosion or subsidence of land
- (h) Cause long or short term adverse effects on the environment
- (i) Cause adverse loss of riparian vegetation
- (j) Cause wastewater overflow to land or water
- (k) And means anything that causes a breach of any stormwater discharge consent condition binding Council

Stormwater Surface water runoff that:

- (a) Enters or may enter the stormwater system as a result of a rain event and;
- (b) Contains any substance where the type and concentration of the substance is consistent with the contributing catchments land use(s) and that of the receiving environment.

Stormwater System Includes any land, structure or infrastructure associated with stormwater drainage, including:

- (a) **Private Stormwater System** - Means all privately owned components of a stormwater system that are located on private property, up to the point of discharge into the public stormwater system or a watercourse.
- (b) **Public Stormwater System** - Means all components of the stormwater system owned by the Council, including drains, kerb and channel, catch pits, pipes, manholes and lateral connections that carry away stormwater, whether or not any part of the system passes through private property.
- (c) **Watercourse** - Means a natural channel that conveys water whether or not it passes through private property. This includes channels where, due to seasonal variations, water does not flow.

Wastewater System Includes all pipes, fittings, manholes, pumps, pump stations; and any land, buildings, treatment works which are under the control of the Council for the purpose of providing a wastewater service.

7. STORMWATER SYSTEMS

7.1. Protection of Stormwater System

- (a) A person must not, without the prior approval of Council, discharge or allow to be discharged anything other than stormwater to the stormwater system.
- (b) A person must take all practicable steps to store, handle, transport and use materials in a way that prevents prohibited materials entering the stormwater system.
- (c) Any person undertaking earthworks must ensure that controls are in place to prevent sediments entering the stormwater system.
- (d) Any person who knows of the entry or imminent entry of prohibited materials to the stormwater system must immediately:
 - i. Take all practicable steps to stop the imminent entry or further entry of any prohibited materials to the stormwater system; and
 - ii. Inform an authorised officer /Council as soon as reasonably practicable.

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- (e) Any owner or occupier or manager of a high risk facility must install and maintain appropriate private stormwater interception system to eliminate as far as practicable and otherwise minimise the risk of prohibited materials entering the public stormwater system.
- (f) Any owner or occupier of a high risk facility must develop, maintain and keep available for inspection a pollution control plan which eliminates as far as is practicable and otherwise minimises the risk of breach of this bylaw. Council may require the pollution control plan to be submitted for approval.
- (g) The owner, occupier and all persons on the site of a high risk facility must comply with the requirements of the pollution control plan.

Note 1 (This note does not form part of the bylaw) –for further information on sediment control refer to Council’s “A Guide to Sediment Control on Building Sites”.

Note 2: (This note does not form part of the bylaw) - where prohibited materials are not managed to the satisfaction of Council, Council may require the owner/occupier to divert the prohibited material to wastewater and apply for a tradewaste consent in accordance with the current Hamilton Tradewaste Bylaw.

7.2. Damage to Stormwater System

- (a) No person shall cause or allow to be caused any damage to, or destroy any:
 - i. Dam
 - ii. Weir
 - iii. Stormwater detention device
 - iv. Swale
 - v. Overland flow path identified in a consent notice, other documents of Council or illustrated in integrated catchment management plans.
 - vi. Stopbank
 - vii. Headworks
 - viii. Building; or, treatment device
 - ix. Drainage reserve land
 - x. Ecological device
 - xi. Erosion and scour control structures
 - xii. Stormwater inlet and outlet structures
 - xiii. Stormwater pipes
 - xiv. Any other installation connected with the stormwater system and under control of the Council
- (b) No person shall modify, interfere with or remove items listed in Clause 7.2 (a) without the prior approval of Council.
- (c) Every person excavating or working around the public stormwater system must take due care to ensure that the excavation or work is carried out in a manner that does not damage and/or compromise the integrity of the stormwater system.
- (d) Any person who knows of damage to a stormwater system must report it to Council or an Authorised Officer immediately.

7.3. Obstructions and Capacity of the stormwater system

- (a) A person must not, without the prior approval of Council:
 - i. Do anything that directly or indirectly obstructs, alters or impedes the natural flow of the stormwater system.
 - ii. Obstruct or hinder any part of any public or private stormwater system in a manner that is likely to cause nuisance.
 - iii. Erect any structure or stop bank, grow any vegetation, deposit any waste or carry out any activity that is likely to cause nuisance to the public stormwater system during a storm event.
 - iv. Obstruct or alter any overland flow paths identified in a consent notice, or other documents of council with any material or structures such as earth bunds, buildings, fences, retaining walls and rock gardens.
 - v. Pump or divert water into any watercourse or public stormwater system.
 - vi. Cause water to flow into a watercourse or public stormwater system from outside the catchment area where, in the opinion of the Authorised Officer, the water will overload the capacity or will otherwise interfere with the proper functioning of the watercourse or public stormwater system.
- (b) A person must not, without the prior approval of Council,:
 - i. Stop, modify, divert or deepen any open drain or,
 - ii. Divert any open drain or otherwise cause stormwater to flow into the wastewater system.

7.4. Private Stormwater System

- (a) Council may require an owner/ occupier to fix or upgrade private stormwater systems, at the owners cost, to meet original design specifications.
- (b) No owner or occupier may, without Council's written approval, remove a private stormwater system or do anything which reduces its effectiveness.
- (c) No person shall allow stormwater to enter the wastewater system without prior approval from Council.
- (d) Owners and occupiers are responsible for ensuring the maintenance of any watercourse on their premises, including the removal of any obstruction that impedes or is likely to impede the free flow of water.

8. ACCESS

- 8.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house):
 - (a) for routine inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.

Hamilton City Council BYLAWS



- (b) of a high risk facility for routine inspection and monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.
- 8.2. In accordance with section 172 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land for the purpose of detecting a breach of this bylaw if the Authorised Officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The Authorised Officer must give reasonable notice unless the giving of notice would defeat the purpose of entry.
- 8.3. In accordance with section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where there is danger to any works or adjoining property, an Authorised Officer may enter occupied land or buildings. Notice is not required.
- 9. FEES & CHARGES**
- 9.1. In accordance with Sections 150 of the Local Government Act 2002, Council may charge a fee for any inspection or re-inspection or remedial work carried out under this Bylaw. Inspection and re-inspection fees will be set by Council through the Annual Plan process.
- 10. BREACHES**
- 10.1. It is a breach of this bylaw to:
- (a) Fail to comply with any requirement of this bylaw;
 - (b) Fail to comply with any defect notice issued by an Authorised Officer pursuant to this bylaw;
 - (c) Obstruct an Authorised Officer in the performance of their function under this bylaw.
- 10.2. The Authorised Officer may report breaches or imminent breaches to Waikato Regional Council and the Environment Protection Authority for further enforcement.
- 10.3. A person is not in breach of this Bylaw if that person proves that the act or omission complained of was:
- (a) Necessary:
 - i. To save or protect life or health or prevent injury; or
 - ii. To comply with Council's obligations under the Health Act 1956 and any subsequent amendments
 - iii. To prevent serious damage to property; or
 - (b) To avoid actual or likely damage to the environment; and
 - i. The conduct of the defendant was reasonable in the circumstances; and
 - ii. The effects of the act or omission were adequately remedied or mitigated by the defendant after the offence occurred.
- 11. REMEDIAL WORK COSTS OF REMEDIATING DAMAGE ARISING FROM BREACH OF BYLAW**
- 11.1. In accordance with section 186 of the Local Government Act 2002, if an Authorised Officer serves a notice on the owner or occupier requiring works to be carried out or materials to

Hamilton City Council BYLAWS



be provided in connection with the premises, Council or an Authorised Officer may carry out the work or provide the materials where the owner or occupier fails to comply with the notice, either:

- (a) within the time specified in the notice, or
- (b) within 24 hours if notice certifies that the work is urgent, or
- (c) if the owner or occupier fails to proceed with the work with all reasonable speed.

11.2. In accordance with section 187 of the Local Government Act 2002, if an Authorised Officer serves a notice on any person under this bylaw, and the person fails to take the steps within the time specified, then Council or any Authorised Officer is authorised to take the steps set out in the notice. Council may recover the cost of doing the work, together with reasonable administrative and supervision charges.

11.3. In accordance with section 176 of the Local Government Act 2002, a person who has been convicted of any offence against this Bylaw is liable to pay to Council the costs of remedying any damage caused in the course of committing the offence. The costs must be assessed by a District Court Judge and are recoverable summarily as if they were a fine.

11.4. Costs recoverable under this clause are in addition to any other penalty for which the person who committed the offence is liable.

Costs recoverable under this clause are in addition to any other penalty under other legislation for which the person who committed the offence is liable.

12. OFFENCES AND PENALTIES

12.1. A person who breaches this bylaw and is convicted of an offence is liable to a penalty not exceeding \$20,000 pursuant to Section 242 under the Local Government Act 2002.

The COMMON SEAL of the HAMILTON CITY COUNCIL
was hereunto affixed in the presence of:

Councillor: _____

Councillor: _____

Chief Executive: _____

Council Report

Committee:	Infrastructure Operations Committee	Date:	16 April 2020
Author:	Robyn Denton	Authoriser:	Eeva-Liisa Wright
Position:	Network Operations and Use Leader, City Transportation Unit	Position:	General Manager Infrastructure Operations
Report Name:	HCC's Draft Submission to the Waka Kotahi NZ Transport Agency Accessible Streets Regulatory Package		

Report Status	<i>Open</i>
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Take Purpose

- To inform the Infrastructure Operations Committee on the Accessible Streets Regulatory Package and to seek approval of the Council's **Draft 1** submission in response to Waka Kotahi NZ Transport Agency's request for feedback.

Tuutohu-aa-kaimahi Staff Recommendation

- That the Infrastructure Operations Committee:
 - receives the report;
 - approves the Hamilton City Council's **Draft 1** Submission (Attachment 1 of the staff report) to the Waka Kotahi NZ Transport Agency on the Accessible Streets Regulatory Package; and
 - notes that the approved submission will be sent to the Waka Kotahi NZ Transport Agency following the Infrastructure Operations Committee approval, to meet the 22 April 2020 submission closing date.

Whakaraapopotanga matua Executive Summary

- The Associate Minister of Transport is proposing a collection of rule changes known as the [Accessible Streets Regulatory Package](#) (Accessible Streets).
- Everyone who uses the transport network will be affected by these proposed changes along with the Road Controlling Authorities (RCA's) who will have to implement many of the changes.
- Accessible Streets includes a new Land Transport Rule: Paths and Road Margins 2020 (the Paths Rule) and amendment to the following existing Rules:
 - Land Transport Rule: Road User (the Road User Rule);
 - Land Transport Rule: Traffic Control Devices (the Traffic Control Devices Rule); and
 - Land Transport Rule: Setting of Speed Limits (the Setting of Speed Limits Rule).

6. These rule changes are designed to improve safety for footpath users, encourage active modes of transport, and support the creation of more liveable and vibrant towns and cities.
7. Accessible Streets will create a National framework clarifying the types of vehicles and devices that are allowed on footpaths, shared paths, cycle paths and cycle lanes, and how they can use these spaces efficiently. This will include a 15km/h speed limit on the footpath and a requirement for all other footpath users to give way to pedestrians (those walking and in powered wheel chairs).
8. The rules also clarify how RCAs may regulate pedestrians, devices and spaces like the footpath; and propose changes to the priority given to a range of road users to remove barriers to walking, device use and cycling.
9. Waka Kotahi NZ Transport Agency (The Agency) is completing public consultation on the proposed rule changes, which opened to the public on Monday 9 March and closes at 5pm on Wednesday, 22 April 2020.
10. Staff have developed a Hamilton City Council (HCC) draft submission based on a series of questions that the Transport Agency has posed in their submission online feedback survey.
11. HCC's **Draft 1** submission was circulated to Elected Members and Maangai Maaori for feedback on 3 April 2020.
12. Feedback will be incorporated into **Draft 2**, which will be circulated to Committee members prior to the Infrastructure Operations Committee meeting on 16 April 2020.
13. Staff consider the decision in this report has low significance and that the recommendations comply with the Council's legal requirements.

Land Transport Rules

14. Land Transport Rules (Rules) are a form of delegated legislation similar to Legislative Instruments. Rules are known as 'Other Instruments'. Most Rules are signed into law by the Minister of Transport (or his/her delegate who is a Minister of the Crown) under the Land Transport Act 1998 (the Act).
15. Most Land Transport Rules are drafted by the NZ Transport Agency, under an arrangement with the Secretary for Transport. Rules help in achieving the government's land transport goals.
16. Rules are drafted in plain language so that they can be easily understood and widely complied with. Each Rule must be economically viable, technically accurate and legally correct.
17. The public consultation draft of a Land Transport Rule is known as a 'yellow' draft. An optional 'red' draft of the Rule may be sent to interested groups and individuals for comment before the release of a public consultation draft.
18. Draft Rules must undergo an appropriate level of consultation, which includes the publication of a notice of proposed Rule-making, allowing interested people a reasonable amount of time to make submissions, and consult with relevant groups and individuals both within and outside the land transport system.
19. If significant changes are made to the draft Rule following consultation, a 'green' draft may be released for the information of, and comment by, key interested groups and others.
20. The Transport Agency's website has further information on [how the rule making process works](#).

The Accessible Streets Regulatory Package (Accessible Streets)

21. The Accessible Streets includes public consultation of (yellow) drafts for the following:
 - Draft Land Transport Rule: Paths and Road Margins 2020 (proposed new rule).
 - Draft Land Transport Rule: Road User Rule Amendment 2020.
 - Draft Land Transport Rule: Traffic Control Devices Amendment 2020.
 - Draft Land Transport Rule: Setting of Speed Limits Amendment 2020.
22. The proposed rule changes are designed to:
 - i. make our footpaths, shared paths, cycle lanes and cycle paths safer and more accessible for multiple users;
 - ii. accommodate the increasing use of micro-mobility devices like e-scooter or e-skateboards on our streets and footpaths;
 - iii. encourage active modes of transport and support the creation of more liveable and vibrant towns and cities;
 - iv. make social and economic opportunities more accessible to interested parties;
 - v. make public transport (buses) and active transport such as walking or cycling more appealing, safer and more efficient.
23. The Agency has taken the following into account other pieces of work when writing the proposed rules:
 - Recommendations from Improving Road Safety in New Zealand.
 - 2014 Cycling Safety Panel's report 'Safer Journeys for People who Cycle'.
 - The report from the Transport and Industrial Relations Select Committee on the petition by Joanne Clendon in May 2016 [2014/59] on children cycling on the footpath.
24. The proposed rules create a national framework that clarifies how and where vehicles and devices can be used. The goal, in creating this framework, is to ensure that everyone can access a range of transport options and feel safe when they are travelling down the street.
25. The proposed changes also seek to clarify the powers of RCA's (like Hamilton City Council) in regulating users, devices and spaces like the footpath. This way, authorities can easily make changes to suit their local conditions and communities if needed.
26. The new and amended rules also give effect to the 2018/19-2027/28 Government Policy Statement on Land Transport (GPS 2018). This outlines a significant shift in land transport investment to prioritise:
 - i. accessible and affordable transport;
 - ii. safety;
 - iii. liveable cities;
 - iv. regional economic development;
 - v. protecting the environment;
 - vi. delivering the best possible value for money.

27. For clarity, the following is a description of the key terms used in Accessible Streets:
- **A shared path** is designed to be used by pedestrians, people using mobility devices, cyclists and people using devices. A sign or a marking on the path can be used to prioritise a particular user, (like a pedestrian or cyclist) or to exclude particular users.
 - **A cycle path** is a part of the road that is physically separated from motor traffic. They are usually located next to the roadway, within the road reserve. They are intended for people on bikes but pedestrians and people using mobility devices may use them when a footpath is not available.
 - **A cycle lane** is a lane within the roadway (often painted white bike symbol or ‘greening’) designed for the passage of cycles, meaning users are in a separate lane from other traffic. They can be located next to parking, next to the kerb, and between two traffic lanes (for example, between a bus lane and a general traffic lane).

28. The proposed new and amended rules will enable the implementation of nine proposals. An overview of each of the proposals is set out below.

Proposal 1: Change and re-name the types of devices that are used on footpaths, shared paths, cycle paths and cycle lanes

29. Accessible Streets proposes to change current vehicle and device definitions and create new categories to better regulate:

- New and emerging devices.
- Where and how they’re used.

30. The proposed vehicle and device categories and their definitions are set out below:

Proposed Vehicle and Device Categories	Overview of Definition
Pedestrians and powered wheelchair users	Users of powered wheelchairs will be treated as pedestrians because powered wheelchairs are crucial to the movement of the people using them.
Mobility devices	Powered wheelchairs will no longer be considered a mobility device and will be re-categorised as pedestrians. There will be no other changes to devices in this category.
Transport devices	The proposed change will replace wheeled recreational devices with two new categories: <ul style="list-style-type: none"> • Unpowered transport devices, which will include devices such as push-scooters and skateboards. • Powered transport devices, which will include devices such as e-scooters and YikeBikes.
Bicycles and e-bikes	Bicycles and e-bikes will continue to be a separate category of vehicle. Small-wheeled bicycles and e-bikes that are propelled by cranks will be classified as cycles. (A crank is a bicycle part that connects its pedals to a chain which helps the wheels to move forward and backward.)

Proposal 2: Establish a national framework for the use of footpaths

31. Accessible Streets proposes to change who's allowed on footpaths and introduce conditions that users need to follow when using the footpath. For the safety of others sharing the footpath, people riding on the footpath under the new Rule must:
- Behave in a courteous and considerate manner.
 - Travel in a way that is not dangerous for other people using the footpath.
 - Give right of way to pedestrians.
 - Travel no faster than 15km/h.
 - Ride a device no wider than 750mm, unless it's a wheelchair, so multiple people can still use the footpath.

Proposal 3: Establish a national framework for the use of shared paths and cycle paths

32. Accessible Streets proposes to clarify who's allowed on shared paths and cycle paths and introduce the conditions they need to follow.
33. The proposed changes will clarify that:
- If a path is located beside a roadway, the speed limit on the path will match the roadway. If a path is not located beside a roadway, the speed limit will be 50km/h.
 - All users must give way to pedestrians on shared paths.
 - Road Controlling Authorities can declare that a path is a shared path or cycle path by resolution.

Proposal 4: Enable transport devices to use cycle lanes and cycle paths

34. Accessible Streets proposes to allow transport devices, such as skateboards and e-scooters, to use cycle lanes and cycle paths.
35. The proposed change will allow transport devices, including e-scooters and skateboards, to be used in cycle lanes and all cycle paths. Pedestrians and mobility devices can still use cycle lanes and cycle paths if a footpath is not available.
36. The change is intended to encourage faster transport devices, like e-scooters or skateboards, to move off the footpath and onto parts of the road when they're less likely to come into conflict with pedestrians or fast-moving motor vehicles. They can still use the footpath if they keep to the speed limit. They can use shared paths, most cycle paths and the road as they do currently.

Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night

37. Accessible Streets will introduce lighting and reflector requirements for powered transport devices at night.
38. The proposed change would only permit transport devices on roads and paths at night if they are fitted with:
- A headlamp (white).
 - A rear facing position light (red)
 - A reflector (or if the user is wearing reflective material).

Proposal 6: Remove barriers to walking, device use and cycling through rule changes

39. Accessible Streets proposes to change the priority of road users, by:
- Allowing cycles and transport devices to:

- Ride straight ahead from a left turn lane.
- Pass slow-moving vehicles on the left.
- Clarifying that turning traffic must give way to all people using separated lanes, including buses, if those people are travelling straight through at an intersection.
- Giving greater priority to people on footpaths and shared paths when they're crossing side roads where appropriate minimum markings (two white lines) have been made.

Proposal 7: Mandate a minimum overtaking gap for motor vehicles overtaking cycles, transport devices, horses, pedestrians, and people using mobility devices on the road

40. Accessible Streets proposes to mandate a minimum overtaking gap (on the road) for motor vehicles overtaking cycles, transport devices, horses, mobility devices and pedestrians of:
- 1 metre, when the posted speed limit is 60km/h or less.
 - 1.5 metres, when the posted speed limit is over 60km/h.

Proposal 8: Clarify how road controlling authorities can restrict parking on berms

41. Accessible Streets proposes to clarify what's needed for Road Controlling Authorities to restrict parking on berms and remove the need for signs.
42. Road Controlling Authorities will be able to restrict parking on a berm or an area of berms by:
- Passing a resolution.
 - Registering the restriction with the NZ Transport Agency.
43. This means that if a Road Controlling Authority believes that berm parking on a collection of streets is a safety issue, they'll have the power to restrict berm parking in those spaces without using a sign.

Proposal 9: Give buses priority when exiting bus stops

44. Accessible Streets proposes to require that road users must give way when an urban bus on a scheduled public transport service:
- Is leaving a signed bus stop.
 - Has indicated for three seconds.
45. The proposed change will apply on roads with a posted speed limit of 60km/h or less.
46. This will signal that public transport has priority in urban areas, as buses usually carry more people than cars.

Hamilton City Council Submission

47. The Accessible Streets consultation pack includes a Submission Form with a series of questions posed for the various components and options included in the nine proposals.
48. A draft submission (**Draft 1** – Attachment 1) was prepared by staff and was circulated to Elected Members and Maangai Maaori on 3 April 2020, with feedback due at noon on 9 April 2020.
49. Feedback will be incorporated into **Draft 2**, which will be circulated to Committee members prior to the Infrastructure Operations Committee meeting on 16 April 2020.
50. The submission is generally supportive of the proposed changes and includes specific feedback on the questions posed in the submission form. A degree of caution is noted to ensure that by improving the safety for transport devices and people on bikes, the safety of pedestrians is being compromised.

51. The proposed changes will assist in the delivery of the Access Hamilton Strategy outcome areas:
- **Choice:** everyone has travel options for moving around the city.
 - **Safe:** everyone experiences a safe and enjoyable journey.
 - **Smart:** our transport network is adaptable and resilient to change.
 - **Growth:** we are forward thinking with our city planning and create attractive neighbourhoods which keep our city moving
52. A key point noted in the submission was that Accessible Streets proposes to treat shared paths and cycle paths in a similar way, with footpaths and cycle lanes being considered separately. This was not considered the best way for protecting the needs for pedestrians and instead it is suggested that:
- Footpath and shared paths should be considered together (as there is generally only one or other of these facilities provided and therefore pedestrians will be a primary user and a lower speed of 15km/h would be generally desirable).
 - Cycle paths and cycle lanes together (as these will generally be provided in addition to a footpath or shared path and users of these facilities generally have more in common i.e. users wanting to move faster than 15km/h).
53. Concern was expressed regarding the relatively low level of investment that was proposed in the 'summary table of costs and benefits' table for the public information campaign to support the proposed changes. It was also noted that there should not be an expectation that Local Authorities should have to use their Road Safety or Travel Demand Management funding to augment the national education programme.

It is noted that there is an expectation that the Transport Agency will create a central register for use by RCA's when declaring a path to be a shared or cycle path, but there are no costs included in the 'Summary Table of Costs and Benefits' table for this work to occur. Based on the experience of the establishment of the National Speed Limit Register, this will require a significant budget to complete and is not considered a priority at this stage. RCA's should be able to maintain this information in their current bylaw regime e.g. the Hamilton City Traffic Bylaw.

Whaiwhakaaro Puutea *Financial Considerations*

55. The costs associated with the preparation of this submission is a regular operating activity funded through the 2018-28 Long-Term Plan.

Whaiwhakaaro-aa-ture *Legal and Policy Considerations*

56. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

57. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
58. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
59. The recommendations set out in this report are consistent with that purpose.
60. There are no known social, economic, environmental or cultural considerations associated with this matter.

Tuuraru Risks

61. There are no known risks associated with the decisions required for this matter.
62. There is a risk that if HCC do not submit on the proposed rule changes included in Accessible Streets that it will be assumed that HCC is in full agreement with all proposals.

Kaupapa here whakahira/anganui *Significance & Engagement Policy***Significance**

63. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed the matters and recommendations in this report have a low level of significance.

Engagement

64. Given the low level of significance determined, the engagement level is low, and no further engagement is required.

Nгаа таапирihanga *Attachments*

Attachment 1 - Draft 1 Hamilton City Council Submission on the Accessible Streets Regulatory Package 2020.

DRAFT 1

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 Hamilton 3240
 New Zealand

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Submission by

Hamilton City Council

ACCESSIBLE STREETS REGULATORY PACKAGE 2020

16 April 2020

1.0 INTRODUCTION AND OVERALL COMMENTS

- 1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission to the Waka Kotahi NZ Transport Agency's Accessible Streets Regulatory Package 2020 (the Regulatory Package).
- 1.2 HCC notes that the Regulatory Package provides legislative mechanisms to support investment in and prioritisation of:
 - Safety for everyone using the road, paths and public transport, and
 - Access to economic and social opportunities in the land transport system.
- 1.3 In general, HCC is supportive of the proposed changes outlined in the Regulatory Package and believe that these will achieve the desired outcomes of Waka Kotahi NZ Transport Agency (the Transport Agency).
- 1.4 HCC notes that there are some areas of the Regulatory Package that will require additional work and funding. In general, these are not considered to be significant, except for the creation of the national registers. Therefore, a staged approach for these registers should be considered.
- 1.5 This proposal aligns with government targets to encourage more people to WALK AND CYCLE. There is a need to ensure that the promotion of cycling is not at the expense of those walking, and especially those more vulnerable members of the community would may feel pushed indoors creating a new raft of self-isolation.

2.0 GENERAL POINTS

- 2.1 The Regulatory Impact Assessment (Table 1) has a summary of costs and benefits which are expected because of the implementation of the Regulatory Package. While it is noted that this is in draft form and final analysis will be completed following public engagement and consultation on the draft Regulatory Package, we do wish to note the following:
 - a) Table 1 indicates a relatively low level of investment in communications. While the costs of the 'Cell Phone Use' ban is noted as a comparison, it is felt that that campaign, along with the campaign for the Give Way Rule, were less complex than what is being proposed in this package. Furthermore, the implications of the public not getting the message and making errors following the change in regulation of these two previous changes were of a lesser consequence that what is proposed in this Accessible Streets Regulatory Package. With the Give Way Rule change, any resulting crashes would have generally involved vehicles at low speeds and have resulted in minor or non-minor injuries. This Regulatory Package has potential for increasing crashes between vehicles and devices, as well as people on bikes and pedestrians – where the risk of injury is a lot higher.

- b) Given the number of changes required, we would be expecting to see a higher level of investment by Government at a national level and there should not be an expectation that local authorities should have to use their Road Safety or Travel Demand Management funding to augment the national education programme.
- c) Road Controlling Authorities will need to designate existing shared paths where high speeds are designed and introduce road/path markings and signs. It is not felt that this is a complete assessment of the work that will be required for Road Controlling Authorities to implement the proposed regulatory changes associated with the Accessible Streets package e.g. a review of all existing shared and cycle paths to enable the completion of register being maintained by the Transport Agency.
- d) It is also noted that there is an expectation that the Transport Agency will create a central register for use by Road Controlling Authorities when declaring a path to be a shared path or cycle path, but there are no costs included in Table 1 for this work to occur. Based on the experience of the establishment of the National Speed Limit Register, this will require a significant budget to complete.
- 2.2 The driving licencing training and testing regime will also be required to be updated to reflect the increased requirements for drivers to be searched for and giving way to people walking and riding on bikes and devices.
- 2.3 The current Road Policing resources are stretched, dealing with all of the current regulations that are in place for activities within the transport network. Introduction of speed limits, and limitations on who can move on which path will require having someone available to enforce this. Local authorities are not equipped to complete this and there needs to be consideration given to what additional resources should be given to the NZ Police to complete this work. It may be that this can be focused in the key large metro areas and is probably not an issue for a large part of New Zealand.
- 2.4 It is noted that Accessible Streets proposes to treat shared paths and cycle paths in a similar way, with footpaths and cycle lanes being considered separately. This is not considered the best way for protecting the needs for pedestrians and instead it is suggested that:
- Footpath and shared paths should be considered together (as there is generally only one or other of these facilities provided and therefore pedestrians will be a primary user and a lower speed of 15km/h would be generally desirable).
 - Cycle paths and cycle lanes be considered together (as these will generally be provided in addition to a footpath or shared path and users of these facilities generally have more in common i.e. users wanting to move faster than 15km/h).

3.0 Answers to the Specific Questions Asked in the Consultation Document

3.1 PROPOSAL 1A: PEDESTRIANS AND POWERED WHEELCHAIR USERS

3.2 1. We are proposing to include people using powered wheelchairs in the pedestrian category.

How much do you agree or disagree with this proposal?

HCC strongly agrees.

3.3 What was the reason for your rating? Do you have any other comments?

3.3.1 Powered wheelchairs are crucial to those who use them in order for them to get around – they are in effect ‘their legs’. It is therefore considered appropriate that for the purposes of the regulatory changes proposed as part of the Accessible Streets Package, that people using powered wheelchairs are included in the pedestrian category.

3.3.2 We note that with an aging population and increasing number of people being able to live in their homes rather than have to move to villages/assisted living homes, that there are likely to be an

increasing number of powered wheelchair users in our streets. Being able to ensure that they have good access within our transport system will be essential to their ability to fully participate in society.

- 3.3.3 We would request however, that the speed limit proposed for other users of footpaths, shared paths, cycle paths and cycle lanes should also apply to 'Pedestrians' in its new scope – to ensure that power wheelchairs are also bound by any appropriate limits e.g. the 15km/h limit proposed on footpaths.

3.4 PROPOSAL 1B: CHANGING WHEELED RECREATIONAL DEVICES

- 3.4.1 *2. Our proposed change will replace the wheeled recreational device category with two new groups of devices:*

- *Unpowered transport devices (for example push-scooters, skateboards) and*
- *Powered transport devices (for example e-scooters, YikeBikes).*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

- 3.4.2 *What was the reason for your rating? Do you have any other comments?*

- 3.4.3 We believe that this will be a lot easier to understand and therefore administer. It is also more likely to be reflective of the speeds that these devices are able to travel at, and therefore if necessary, to manage the permissions in regard to where they are allowed to operate.

- 3.5 *3. We're proposing that the new category of powered transport devices will consist of low-powered devices that have been declared by the Transport Agency not to be a motor vehicle.*

What steps (if any), do you think the Transport Agency should take before declaring a vehicle not to be a motor vehicle?

- 3.5.1 As set out in the overview document, it would be expected that the Transport Agency would at least undertake a safety investigation before deciding which to declare a device as a motor vehicle or not.

- 3.5.2 It is also expected that, following the adoption of the changes proposed in this Accessible Streets Regulatory Package, that there will be some monitoring and evaluation to ensure that the expected and desired outcomes have been achieved. The results of this monitoring and evaluation may also be of assistance in the process used to determining if a vehicle is a motor vehicle or a transportation device.

- 3.6 *4. If the Transport Agency declares a vehicle to not be a motor vehicle, do you think it should be able to impose conditions?*

Yes.

- 3.7 *5. If yes, should the Transport Agency be able to apply conditions regardless of the power output of the device?*

Yes.

- 3.7.1 *What was the reason for your answer? Do you have any other comments?*

- 3.7.2 Conditions should be able to be imposed if that would result in ensuring the safety of the device user and the other users who are also going to be occupying that space.

- 3.8 *6. We propose to clarify that:*

a) Low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-skateboards and other emerging devices) are not allowed on the footpath.

b) These vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards and cannot be registered.

c) If the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

How much do you agree or disagree with this proposal?

HCC disagrees.

3.9 *What was the reason for your rating? Do you have any other comments?*

3.9.1 Conditions should be able to be imposed if they will result in ensuring the safety of the device user and the other users who are also going to be occupying that space.

3.10 *6. We propose to clarify that:*

a) Low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-skateboards and other emerging devices) are not allowed on the footpath.

b) These vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards and cannot be registered.

c) if the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

How much do you agree or disagree with this proposal?

HCC disagrees.

3.10.1 *What was the reason for your rating? Do you have any other comments?*

3.10.2 Our disagreement is on the basis that we assume that during the period where low powered vehicles have 'not been declared not to be a motor vehicle' and are not allowed on the footpath (clarification a)) or road (clarification b)), that they will in fact be able to operate on shared paths, cycle paths and cycle lanes by default.

3.10.3 It therefore raises the question about the ability to require these low powered vehicles (which are at this stage not motor vehicles nor powered transport devices) to comply with the requirements that relate to powered transport devices when they are operating in shared paths, cycle paths or cycle lanes.

3.10.4 If it is the Transport Agency's intention that these vehicles are not allowed into the transport corridor at all until they have been declared as either a motor vehicle or powered device then we would be happy to support the proposal - but we do not believe that the current working of the clarification is in fact clear.

4.0 *PROPOSAL 1C: CLARIFYING CYCLES AND E-BIKES*

4.1 *7. Child cycles that are not propelled by cranks, such as balance bikes, will be defined as transport devices.*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

4.2 *What was the reason for your rating? Do you have any other comments?*

4.2.1 We support the greater clarification that is provided by the proposed definitions and note that these devices will specifically be classified as '**unpowered**' transport devices.

4.2.2 It is noted that the unpowered devices are proposed to continue to have full access to footpaths but with additional requirements being put in place regarding to behaviour while using the footpath. This will mean that there is in effect no change to the users current rights, but there is better protection for 'Pedestrians'.

5.0 PROPOSAL 1D: MOBILITY DEVICES

5.1 *8. We're proposing that users of mobility devices will have the same level of access as pedestrians, but they will have to give way to pedestrians and powered wheelchair users.*

How much do you agree or disagree with this proposal?

HCC disagrees.

5.2 *What was the reason for your rating? Do you have any other comments?*

5.2.1 Think that this is one where it is a case by case basis with guidance rather than hard and fast rule.

5.2.2 HCC note (and support) that for the purposes of these regulatory change the term pedestrian is proposed to be inclusive of those in powered wheelchairs – and these devices are no longer included in the 'mobility device' category.

5.2.3 While it is noted that mobility devices are intended for people 'who require mobility assistance due to a physical or neurological impairment', there are a lot of users who are just choosing to these devices as a simple and cost-effective way to move around.

5.2.4 There are also large numbers of pedestrians are fit and healthy and potentially better able to 'give way' in many situations than the powered wheelchair or mobility device user.

5.2.5 Giving Way will only be for those situations where there is insufficient room to pass without one party moving off the path (which could be footpath, but equally could be shared path or cycle path). It should be the party that is most 'able' to move off the path that does so – and that will vary in each case.

5.3 *9. Do you think there will be any safety or access-related problems with mobility devices operating in different spaces?*

Yes.

5.4 *Please explain.*

5.4.1 There are a wide range of mobility devices available on the market – and they vary not only in cost, but also their stability, dimensions (including wheel base and clearance), visibility by the user and speed.

5.4.2 Their range is generally also a lot longer than that of a powered wheelchair. (Checking with CCs Disability.)

5.4.3 There is also a lot of variance in regard to the reason why the device is being used (not also because of mobility issues) and the skills of those using them.

5.4.4 Those in powered wheelchairs are given training. (Checking with CCs Disability.)

5.5 *10. We intend to review the mobility device category at a later date. What factors do you think we need to consider?*

5.5.1 Size, stability and speed of the device and the training needs/licencing of users.

6.0 ALTERNATIVE PROPOSAL

6.1 *11. We have outlined an option to not change vehicle definitions. This means we would make changes at a later date instead. Do you prefer this option to our proposal to change vehicle definitions now (see proposals 1A, 1B, 1C, 1D for more details)? Why/why not?*

- 6.1.1 Prefer to make changes now.
- 6.1.2 The proposals are generally supported (except 1D) and there is a need to address the current issues quickly. The current requirements are putting safety of many users at risk and are confusing and in some cases not logical and therefore not complied with.
- 6.1.3 There are good safety benefits able to be made via implementing these changes.

7.0 PROPOSAL 2: ESTABLISH A NATIONAL FRAMEWORK FOR THE USE OF FOOTPATHS

7.1 12. Our proposed changes will allow mobility devices, transport devices, and cycles on the footpath—provided users meet speed, width and behavioural requirements.

How much do you agree or disagree with this proposal?

HCC agrees.

7.2 What was the reason for your rating? Do you have any other comments?

- 7.2.1 This approach will be easier to communicate to the public and assist those with young children learning to ride.
- 7.2.2 There is a concern that there will be an increase in the number of transport devices and cyclists on footpaths and that it will be impossible to enforce the proposed speed, width and behavioural requirements.
- 7.2.3 Footpaths are already busy places and the aim should be to provide alternate safe places for transport devices and cyclists.
- 7.2.4 While overseas indicates that there is not an expectation of a high number of cyclists 'moving to the footpath' it is hard to judge that on overseas experience only.
- 7.2.5 Road to Zero principles are that 'we design for human vulnerability' and 'we make safety a critical decision-making priority'. In this instance the person without any form of protection from a vehicle (ie someone walking) is always going to be the most injured in a collision with a 'vehicle', so we should be designing a system that provides separation for the most vulnerable.
- 7.2.6 There is potential for an increase in number of cyclist injuries from crashes with vehicles exiting driveways. Potential number of crashes between cyclists and transport devices with pedestrians (including powered wheelchairs) and mobility devices.

7.3 13. Do you think there should be any other requirements, in addition to speed, width and behaviour?

No – we need to be realistic about what it is reasonable to expect the NZ Police to be able to enforce. We need to keep this clear and simple for everyone.

7.4 14. We have outlined two alternative options to address cycling on the footpath. These are:

- a) Allow cyclists up to 16 years of age to use the footpath.*
- b) Continue the status quo, where most cyclists are not allowed to use the footpath.*
- c) Neither option.*

What option do you prefer instead of allowing cyclists on the footpath?

c) Neither option.

7.5 15. Would you support an age limit for cycling on the footpath? What age would you prefer?

- 7.5.1 No, we would not support an age limit – it is too hard to enforce. The key issue is about behaviour – no matter what the age of the cyclist.

If yes, what age would you prefer?

N/A (refer above).

- 7.6 *16. We propose to allow road controlling authorities to restrict cycle or device use on certain footpaths or areas of footpaths to suit local communities and conditions.*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

- 7.7 *What was the reason for your rating? Do you have any other comments, including on the proposed process?*

- 7.7.1 There are locations where there are very high pedestrian numbers where it would be useful to be able to restrict cycle or device use. We don't think that there would be a large number of these, but the ability to do so if necessary will be useful.

- 7.8 *17. We envisage that local authorities will make decisions to regulate the use of paths by resolution, rather than by making a bylaw. Do you agree this be specified in the Land Transport Rule: Path and Road Margins 2020 to provide certainty?*

Yes.

- 7.9 *What are the reasons for your answer? Do you have any other comments?*

- 7.9.1 The bylaw process can be very time consuming when you have to go through all the various stages.

- 7.9.2 Hamilton City has schedules attached to its Traffic Bylaw which enables these decisions to be made by resolution currently, but it would be good to have this clarified in the Rule as being the approved approach to enable consistency nationally.

8.0 **ALTERNATIVE PROPOSAL**

- 8.1 *18. We're proposing that road controlling authorities consider and follow certain criteria in addition to their usual resolution processes if they want to restrict devices from using the footpath. These criteria are:*

- Consider relevant guidance developed by the Transport Agency.
- Consider any alternative routes or facilities that will no longer be available to the user due to a restriction.
- Consider any other matter relevant to public safety.

The Road Controlling Authority will need to:

- Consult with any party affected by the proposed restriction.
- Give those parties reasonable time to respond.
- Take their submissions into account.

How much do you agree or disagree with this proposal?

HCC strongly disagrees.

- 8.2 *What was the reason for your rating? Do you have any other comments about how will this affect you or whether you think the proposed changes are practical?*

- 8.2.1 This is only proposing a minor 'tweak' to the way things currently operate. Despite what is implied by this proposal, these are the standard types of steps that Road Controlling Authorities undertake every day in their decision-making. So, not real change.

- 8.3 *19. We have also outlined an option to maintain current footpath rules. Would you prefer this option instead of the proposed framework with speed and width requirements? Why/why not?*

No – the current rules are not making sense with the increasing number of devices being used on the transport network and the lack of clarity/logic about where they should be operated.

9.0 PROPOSAL 2A: USERS ON THE FOOTPATH WILL OPERATE VEHICLES IN A COURTEOUS AND CONSIDERATE MANNER, TRAVEL IN A WAY THAT ISN'T DANGEROUS AND GIVE RIGHT OF WAY TO PEDESTRIANS

9.1 20. We propose that pedestrians should always have right of way on the footpath.

How much do you agree or disagree with this proposal?

HCC disagrees.

9.2 What was the reason for your rating? Do you have any other comments?

- 9.2.1 Think that this is one where it is a case by case basis with guidance rather than hard and fast rule.
- 9.2.2 HCC note (and support) that for the purposes of these regulatory change the term pedestrian is proposed to be inclusive of those in powered wheelchairs – and are no longer included in the 'mobility device' category.
- 9.2.3 Give Way is for those situations where there is insufficient room to pass without one party moving off the path (which could be footpath, but equally could be shared path or cycle path).
- 9.2.4 While it is noted that mobility devices are intended for people 'who require mobility assistance due to a physical or neurological impairment', there are a lot of users who are just choosing to use these devices as a simple and cost-effective way to move around.
- 9.2.5 There are large numbers of pedestrians are fit and healthy and potentially better able to 'give way' in many situations than the powered wheelchair or mobility device user.

9.3 21. This proposal will require footpath users to operate vehicles in a courteous and considerate manner; travel in a way that isn't dangerous; and give way to pedestrians.

How much do you agree or disagree with this proposal?

HCC strongly agrees.

9.4 What was the reason for your rating? Are there any other requirements we should consider?

- 9.4.1 We agree that having a standard set of rules is desirable (if perhaps not highly enforceable) to ensure the safety of all users.
- 9.4.2 Additional requirements that could be considered:
- Generally, keep left when possible.
 - Not exceed the speed limit that has been set on that path.

10.0 PROPOSAL 2B: DEFAULT 15KM/H SPEED LIMIT FOR VEHICLES USING THE FOOTPATH

10.1 22. We are proposing to set a default speed limit of 15km/h for footpaths.

How much do you agree or disagree with this proposal?

HCC strongly agrees.

10.2 What is the reason for your rating? Do you think the proposed speed limit should be higher or lower?

- 10.2.1 We have had LIME e-scooters operating in Hamilton City for 7 months. They have a 15km/h speed limit when operating in the central CBD but are unlimited when operating elsewhere. As a pedestrian, being passed by a transport device (whether powered or unpowered) 15km/h still feels reasonably fast and likely to take a pedestrian by surprise.

10.2.2 Given that a lot of the footpath network is located hard up against or very close to the property boundary, this lower speed reduces the likelihood of serious injury to the user in case of a crash occurring with a vehicle pulling out of a driveway.

10.3 23. Under the proposed changes, road controlling authorities will be able to lower the default speed limit for a footpath or area of footpaths.

How much do you agree or disagree with this proposal?

HCC strongly disagrees.

10.4 What is the reason for your rating? Do you have any other comments?

10.4.1 The speed limit is only one component of safe use of the footpath space. The speed limit is a maximum and, in the circumstances, that this is too high, the other requirements should be sufficient to ensure the safety of all users.

10.4.2 Having changing speed limits on and along different parts of the transport network has great potential to get very confusing, require a lot of signage and/or roadmarking expense and still really be impossible to enforce.

10.4.3 The best way to ensure compliance is to keep it simple!

10.5 24. Are there other ways that you can think of to improve footpath safety? Please explain.

10.5.1 Good education campaigns – raise the awareness of the risks for pedestrians if hit by other transport devices.

10.5.2 Increased emphasis and effort into separating the modes where practical.

11.0 PROPOSAL 2C: 750MM WIDTH RESTRICTION FOR VEHICLES THAT OPERATE ON THE FOOTPATH

11.1 25. We are proposing that the width of devices used on the footpath should not exceed 750mm (with the exception of wheelchairs). Do you think this is:

About right.

11.2 What is the reason for your rating? Do you have any other comments?

11.2.1 A quick review of the mobility scooter information on the website indicates that most of these devices are less than 750mm wide. The biggest risk that most mobility scooters face is lack of stability – so there should not be a requirement for them to get any narrower.

11.2.2 It was noted that 750mm is considered approximately ½ the width of a narrow footpath. It would be interesting to understand how much of New Zealand's footpath network is less than 1.5m in width. Hamilton City has 46% (491km) of its 1,000km footpath network that is 1.5m or narrower.

11.2.3 Information from Trikes NZ indicates that their Trikes average 760mm wide. In Hamilton we have several mobility impaired users who utilise these devices as their standard form of mobility – basically as an equivalent to a wheelchair.

11.3 26. Do you use a mobility device?

No.

11.4 If yes, what is the width of your device? Would the proposed width restriction impact you?

N/A.

11.5 27. Should a maximum width limit apply to mobility devices?

Yes.

11.6 What is the reason for your response?

- 11.6.1 A quick review of the mobility scooter information on the website indicates that most of these devices are less than 750mm wide.
- 11.6.2 It was noted that 750mm is considered approximately half the width of a narrow footpath. It would be interesting to understand how much of New Zealand's footpath network is less than 1.5m in width. In Hamilton City 46% (491km) of its 1,000km footpath network is 1.5m or narrower.
- 11.6.3 If these devices are allowed to get too big there will not be room for them to pass each other – or to pass pedestrians (and powered wheelchairs) who are also using the footpath. If using a cycle path or cycle lane, it is also possible that a wider device will make it unsafe to pass by other quicker moving users e.g. cyclists.
- 11.7** *28. We propose that people who already own a device wider than 750mm could apply for an exemption. We're also considering three alternative approaches to mitigate the impact on existing device owners.*
- 11.8** *Which is your preferred option?*
- b) The Transport Agency could declare certain wider devices to be mobility devices under Section 168A of the Land Transport Act and exclude them from width requirements.
- 11.9** *Do you have any comments on these alternatives?*
- 11.9.1 Quick research would indicate that trikes are possibly the only mobility device currently wider than 750mm. Hamilton City has trike users who have physical disabilities and who use the trikes as their primary means of transport.
- 11.9.2 Option A will lead to bulk purchases occurring before the date of the rule changes.
- 11.9.3 Option C will be hard to enforce and will not deal with the problem of footpath or cycle path or cycle lane width being insufficient for passing.
- 12.0** *PROPOSAL 3: ESTABLISH A NATIONAL FRAMEWORK FOR THE USE OF SHARED PATHS AND CYCLE PATHS*
- 12.1** *29. We are proposing that a person using a shared path or cycle path must travel:*
- a) In a careful and considerate manner.
- b) At a speed that is not dangerous to other people on the path.
- c) In a way that doesn't interfere with other people using the path.
- How much do you agree or disagree with these proposed behavioural requirements?*
- HCC strongly agrees.
- 12.2** *What is the reason for your rating? Should there be other requirements or rules to use a shared path or cycle path?*
- 12.2.1 We agree that having a standard set of rules is desirable (if perhaps not highly enforceable) to ensure the safety of all users.
- 12.2.2 Additional requirements that could be considered:
- Generally, keep left when possible.
 - Not exceed the speed limit that has been set on that path.
- 12.3** *30. We propose that all users will need to give way to pedestrians when using a shared path.*
- How much do you agree or disagree with this proposal?*
- HCC disagrees.
- 12.4** *What is the reason for your rating? Do you have any other comments?*

- 12.4.1 We think that this is one where it is a 'case by case' basis, with guidance rather than a 'hard and fast' rule.
- 12.4.2 HCC note (and support) that for the purposes of these regulatory changes, that the term 'Pedestrian' is proposed to be inclusive of those in powered wheelchairs – and are no longer included in the 'mobility device' category.
- 12.4.3 Give Way is for those situations where there is insufficient room to pass without one party moving off the path (which could be footpath, but equally could be shared path or cycle path).
- 12.4.4 While it is noted that mobility devices are intended for people 'who require mobility assistance due to a physical or neurological impairment', there are a lot of users who are just choosing to these devices as a simple and cost-effective way to move around.
- 12.4.5 There are large numbers of pedestrians that are fit and healthy and potentially better able to 'give way' in many situations than the powered wheelchair or mobility device user.
- 12.5 31. We propose that, if a shared path or cycle path is adjacent to a roadway, the speed limit will be the same as the roadway – which is currently the case. If a shared path or cycle path is not located beside or adjacent to a roadway, then our proposed change clarifies that the path has a default speed limit of 50km/h.**

How much do you agree or disagree with the proposed speed limits for shared paths and cycle paths?

HCC strongly disagrees.

- 12.6 What is the reason for your rating? Do you have any other comments, including on the proposal to allow road controlling authorities to change limits?**

- 12.6.1 The safety standards of a shared path or cycle path are not directly related to the speed limit of the adjacent roadway.
- 12.6.2 For consistency and clarity, our preference would be to have a standard speed limit for each of these facilities based on the users who are likely to be using that path – in the same way that there is a standard speed limit proposed for footpaths.
- 12.6.3 For example, Wairere Drive within Hamilton City has a speed limit of 80km/h. There is a shared path alongside this road and under this proposal, the shared path would default to 80km/h – which is not safe for any of the users on the path. When you then combine this with the proposed ability for the users on shared paths to have priority over turning traffic, then there is a real safety issue that could result. While this can be dealt with via a 'speed limit change', it is creating extra work.
- 12.6.4 We would rather have a default standard speed limit with the ability to change the speed limit as was proposed for footpaths, but these should be by exception where there is clearly a change in the environment e.g. through an underpass where visibility and space to more out of the way is limited.
- 12.6.5 HCC would prefer to split this proposal into two:
- Have a standard limit in place for shared paths (suggest 15km/h) to reflect that these are generally in place 'instead of' a footpath and not 'in addition to' a footpath, and therefore would have a large percentage of pedestrians expecting to travel on them.
 - Have a standard limit in place of cycle paths (suggest no higher than the immediately adjacent roadway, but a maximum of 50km/h) on the basis that these are generally 'in addition to footpaths' and therefore would generally not be used by pedestrians.

- 12.7 32. We are proposing that road controlling authorities should be able to declare a path a shared path or a cycle path by making a resolution.**

How much do you agree or disagree with this proposal?

HCC strongly agrees.

12.8 *What is the reason for your rating? What factors should be considered when road controlling authorities make this decision?*

12.8.1 HCC has the ability via the Hamilton Traffic Bylaw 2015 to declare a path a cycle path and include it in its cycle path register. A review of the Bylaw will be needed to reflect the new terminology, but we would want to be able to continue with this practice moving forward.

12.8.2 It is noted that in the draft Land Transport Rule 'Paths and Road Margins 2020' that there is a proposal that a register is established by the Transport Agency. While it is understood that in the longer-term this would be useful, it is felt that in the short-term, most councils should be able to hold such a register within their own records and have available for any public or NZ Police enquiries. Wording to allow a Road Controlling Authority to utilise a national register provided by the Transport Agency as an alternative means of compliance would be a useful addition and the Rule should utilise wording from the current Rule. Having a recommended format for these would be helpful to assist in the long-term creation of a national database.

12.9 *33. Do you think that the Transport Agency should be able to investigate and direct road controlling authorities to comply with the required criteria?*

How much do you agree or disagree with this proposal?

Yes.

12.10 *What is the reason for your response? Do you have any other comments?*

12.10.1 While this provision is supported, it is on the basis that this should only be in extreme situations where there has been a safety risk identified. There would be an expectation that the Transport Agency would work with the Road Controlling Authority in the first instance.

13.0 *PROPOSAL 4: ENABLE TRANSPORT DEVICES TO USE CYCLE LANES AND CYCLE PATHS*

13.1 *34. We are proposing that devices other than cycles should be allowed to use cycle lanes and/or cycle paths?*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

13.2 *What is the reason for your rating? Should there be any other requirements?*

13.2.1 In many cases the speeds of other devices will be more in keeping with that of cycles than those using the footpath.

13.2.2 Safer than using the road – which is generally the other alternative to using the footpath.

13.3 *35. We are proposing that road controlling authorities should be able to exclude transport devices from cycle lanes and/or cycle paths?*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

13.4 *What is the reason for your rating? Should there be any other requirements?*

13.4.1 There may be attributes to these facilities that are not suitable for transport devices to use them safely.

14.0 *PROPOSAL 5: INTRODUCE LIGHTING AND REFLECTOR REQUIREMENTS FOR POWERED TRANSPORT DEVICES AT NIGHT*

- 14.1 *36. We are proposing that powered transport devices must be fitted with a headlamp, rear facing position light, and be fitted with a reflector (unless the user is wearing reflective material) if they are used at night.*

How much do you agree or disagree with this proposal?

HCC strongly agrees.

- 14.2 *What was your reason for your rating? Do you have any other comments about the proposal?*

14.2.1 Otherwise it is impossible for the motorist to be able to see them and therefore avoid hitting them.

14.2.2 It is particularly important if they are going to be operating on the road and not in a separated facility. But, with the proposal 6C giving priority to users of this space over turning traffic, then there is a need to have the lighting and reflector requirements when moving on any part of the network.

14.2.3 Also needed for the safety of the other users within that space – even footpaths.

- 14.3 *37. Do you think these requirements are practical? For example, if you own a powered transport device, will you be able to purchase and attach a reflector or lights to your device or yourself?*

14.3.1 Yes. There are lots of great products around for cyclists that could also be utilised by these users, including back pack covers.

14.3.2 A lot of these types of resources are also made available free of charge via the Community Road Safety and Travel Demand Management Fund managed by the Road Safety Coordinators and Sustainable Transport Coordinators employed by local authorities.

- 14.4 *38. Do you think unpowered transport device users should be required to meet the same lighting and reflector requirements as powered transport device users at night time?*

14.4.1 Yes – if at all possible, otherwise it is impossible for the motorist to be able to see them and therefore avoid hitting them.

14.4.2 It is particularly important if they are going to be operating on the road and not in a separated facility. But, with the proposal 6C giving priority to users of this space over turning traffic, then there is a need to have the lighting and reflector requirements when moving on any part of the network.

14.4.3 Also needed for the safety of the other users within that space – even footpaths.

14.4.4 Appreciate that it will be dependent on the type of device being used, but suggest that:

- it is a requirement to have wear reflective material (which can be seen from all angles e.g. may require users to have a back-pack cover) and,
- use of lighting front and rear is strongly recommended for use if at all possible.

- 15.0 *PROPOSAL 6: REMOVE BARRIERS TO WALKING, TRANSPORT DEVICE USE AND CYCLING THROUGH RULE CHANGES*

- 15.1 *PROPOSAL 6A: ALLOW CYCLES AND TRANSPORT DEVICES TO TRAVEL STRAIGHT AHEAD FROM A LEFT TURN LANE*

- 15.2 *39. We propose that cyclists and users of transport devices (like skateboards and scooters) should be able to ride straight ahead from a left turn lane at an intersection, when it is safe to do so.*

How much do you agree or disagree with this proposal?

HCC doesn't know.

15.3 What was your reason for your rating? Do you have any other comments about the proposal?

- 15.3.1 We are primarily concerned about the safety around trucks. It is possible to find a position that a truck will be able to easily see the cyclist or transport device user – as the trucks have a large forward blind spot. Trucks and buses both have a large swept path when turning left and there is potential to clip them.
- 15.3.2 Phasing of lights could have considered to prevent a left turn phase ahead of the through-traffic phase, but at other intersections it is hard to be confident that we can manage safety in these situations.
- 15.3.3 We would prefer to have the intersection changed so cyclists are only dealing with one lane or are able to use a shared off-road path.
- 15.3.4 ‘When it is safe to do so’ – is hard to enforce and is different in every user’s mind.
- 15.3.5 HCC would be keen to understand what studies have been completed to support this change and to make an informed decision that is based on good safety analysis.

16.0 PROPOSAL 6B: ALLOW CYCLES AND TRANSPORT DEVICES TO CAREFULLY PASS SLOW-MOVING VEHICLES ON THE LEFT, UNLESS A MOTOR VEHICLE IS INDICATING A LEFT TURN

16.1 40. We propose that cyclists and users of transport devices (like skateboards and scooters) should be allowed to ‘undertake’ slow-moving traffic.

How much do you agree or disagree with this proposal?

HCC agrees.

16.2 What was your reason for your rating? Do you have any other comments about the proposal?

- 16.2.1 It happens now in many cases, but it is somewhat limited. If adopted there would be a need to include it in education package to support the changes and also include in driver licensing training and testing.

17.0 PROPOSAL 6C: GIVE CYCLES, TRANSPORT DEVICES AND BUSES PRIORITY OVER TURNING TRAFFIC WHEN THEY’RE TRAVELLING THROUGH AN INTERSECTION IN A SEPARATED LANE

17.1 41. We propose that turning traffic should give way to buses, cyclists, and users of transport devices travelling straight through an intersection from a separated lane.

How much do you agree or disagree with this proposal?

HCC strongly agrees.

17.2 What was your reason for your rating? Do you have any other comments about the proposal?

- 17.2.1 We support the proposal for giving priority as this reflects a greater priority for users of ‘alternative’ modes and supports a greater use of these modes instead of using the car.
- 17.2.2 A good education package is required to support the changes. The change to the Give Way rule in 2015 was of similar significance in terms of change – except that if people got it wrong it would generally result in a ‘bent car’ and there was already a lot of confusion over who gave way to whom, so most people were just happy to understand. This will be a more significant change because everyone does understand the rules and if people get it wrong, it is likely to result in serious injuries for those not in the vehicles.

17.3 42. Our proposed change will introduce a list of traffic control devices used to separate lanes from the roadway to help you understand what a separated lane is and if the user has right of way at an intersection. Is such a list necessary?

No.

17.4 What was your reason for your response? Do you have any other comments about the proposal?

- 17.4.1 Suggest that this rule be amended to have turning vehicles give way to all other users – including people on bikes in cycle lanes (which is not included in the proposal currently) and not dependent on separation or installation of ‘necessary traffic control devices’.
- 17.5 43. Should the definition of a separated lane include the distance between the lane and the road?**
- No.
- 17.6 What was your reason for your response? Do you have any other comments about the proposal?**
- 17.6.1 If you give a measurement, then there will always be cases that don’t quite meet the requirement but are sensible to include.
- 17.6.2 We suggest instead that there is guidance on the attributes of a lane e.g. users of the path are easily visible by approaching motorists wanting to turn into the side road.
- 18.0 PROPOSAL 6D: GIVE PRIORITY TO FOOTPATH, SHARED PATH AND CYCLE PATH USERS OVER TURNING TRAFFIC WHERE THE NECESSARY TRAFFIC CONTROL DEVICES ARE INSTALLED**
- 18.1 44. We propose that turning traffic should give way to path users crossing a side road with the proposed minimum markings of two parallel white lines.**
- How much do you agree or disagree with this proposal?**
- HCC disagrees.
- 18.2 What was your reason for your rating? Do you have any other comments about the proposal?**
- 18.2.1 Support the proposal for giving priority as this reflects a greater priority for users of ‘alternative’ modes and supports a greater use of these modes instead of using the car.
- 18.2.2 We don’t support this being dependent on ‘traffic control devices’ being installed e.g. two white lines. It puts the onus on the vehicle driver to see and stop in time – if they get it wrong, they will not be the one with the physical injuries – it will be the other users.
- 18.3 Additional questions for road controlling authorities**
- 18.4 45. Do you think that the proposed minimum markings of two parallel white lines are appropriate? Please explain.**
- 18.4.1 No, too subtle, something else for a driver to try and find in a situation where the workload is already high, something else to maintain.
- 18.4.2 Puts the onus on the vehicle driver to see and stop in time – if they get it wrong, they will not be the one with the physical injuries – it will be the other users.
- 18.4.3 We suggest that this Rule be amended to have turning vehicles give way **to all other users** – including people on bikes in cycle lanes (which is not included in the proposal currently) and not dependent on ‘necessary traffic control devices’.
- 18.5 46. We are proposing future guidance for additional treatments. Is there any guidance that you would like to see or recommend? Please explain.**
- 18.5.1 Happy to have additional guidance – but these treatments should not be necessary to change the priority given. Priority should be irrespective of traffic control devices but can be supported/reinforced by traffic control devices.
- 18.5.2 Consideration of more raised safety platform treatments at sideroads – especially where there are shared paths, cycle paths and/or cycle lanes as these will create the need for vehicles speeds to be slower and therefore result in less trauma for any situations where there is a crash.

19.0 PROPOSAL 7: MANDATE A MINIMUM OVERTAKING GAP FOR MOTOR VEHICLES PASSING CYCLES, TRANSPORT DEVICES, HORSES, PEDESTRIANS AND PEOPLE USING MOBILITY DEVICES ON THE ROAD

- 19.1 47. We are proposing a mandatory minimum overtaking gap for motor vehicles of 1 metre (when the speed limit is 60km/h or less), and 1.5 metres (when the speed limit is over 60km/h) when passing pedestrians, cyclists, horse riders, and users of other devices.**

How much do you agree or disagree with this proposal?

HCC strongly agrees.

19.2 What was your reason for your rating? Do you have any other comments about the proposal?

19.2.1 This is a simple and low-cost measure that will result in increased safety and comfort for the users of cycles, transport devices, horses, pedestrians and people using mobility devices on the road.

19.2.2 Providing space for cyclists and horses has been promoted via various methods e.g. Road Codes (Car and Heavy vehicles) and Community Road Safety Promotions for many years – so this is just formalising it.

19.2.3 We would support a standardised 1.5m for all situations.

20.0 PROPOSAL 8: CLARIFY HOW ROAD CONTROLLING AUTHORITIES CAN RESTRICT PARKING ON BERMS

- 20.1 48. We are proposing that road controlling authorities should be able to restrict berm parking without the use of signs and instead rely on an online register.**

How much do you agree or disagree with this proposal?

HCC strongly disagrees.

20.2 What was your reason for your rating? Do you have any other comments about the proposal?

20.2.1 We believe that this will take a lot of time, money and effort and that the initial focus for the Transport Agency should be the establishment of the Speed Limits Register. In the meantime, greater use of the provisions of the Road User Rule and bylaws should be encouraged.

20.2.2 In the future, a register could be developed, and the Paths and Road Margins 2020 Rule could be worded to accommodate this future development – in the same way the Speed Limits 2017 Rule does.

20.2.3 HCC currently bans parking on berms via the Hamilton City Traffic Bylaw 2015. The key reasons for this are protection of underground services and ensuring that footpaths remain clear. With increasing use of footpaths by a wider variety of devices, there is the need to also utilise the berm for ‘giving way’.

20.2.4 Vehicles parked on berms can also create visibility issues for those exiting driveways or side roads, and obscure approaching traffic (on footpaths, shared paths, cycle paths, cycle lanes and the road).

20.2.5 When a national register is developed, the ability to be able to define the ‘area of berms’ to which the restriction applies would need to be able to align with the approach used for speed limits and the ‘urban speed zone’ with a default speed limit. The register would then only detail the locations where the parking on the berms is permitted within that ‘area of berms’ i.e. it would be expected that under this proposal Hamilton City could be declared an ‘area of berms’ where parking is not permitted on any berms except those specifically listed.

20.2.6 This is not considered an urgent need, but it is recognised that in the longer term that there would be benefits for ‘intelligent vehicles’ being able to access the register and inform the driver via in-car displays.

21.0 **49. Would it be helpful if information on berm parking restrictions was available in other places, like at a local library, i-SITE, or a local council?**

21.1 These locations would be able to provide the website access required and answer the question directly. If bylaws are used in the meantime, these are also publicly available on the local council websites. There should not be a requirement for a hard copy to be maintained.

22.0 **PROPOSAL 9: GIVE BUSES PRIORITY WHEN EXITING BUS STOPS**

22.1 **50. We propose that road users should give way to indicating buses leaving a signed bus stop on a road with a speed limit of 60km/h or less.**

How much do you agree or disagree with this proposal?

HCC strongly agrees.

22.2 **What was your reason for your rating? Do you have any other comments about the proposal?**

22.2.1 This rule is a very simple way of improving efficiency for the bus operations and is a good way to promote buses as a more sustainable mode of transport.

22.3 **51. Should traffic give way to buses in other situations? For example, when a bus is exiting a bus lane and merging back into traffic lanes?**

Yes.

22.4 **In what situations should traffic give way to buses? What was your reason for your response? Do you have any other comments?**

22.4.1 We support the proposal given in the example - when a bus is exiting a bus lane and merging back into traffic lanes as currently in order to get the maximum benefit from the bus lane there can be a need for expensive infrastructure solutions. This would address the issue of the bus being able to get back into the normal flow of traffic.

22.4.2 This rule is a very simple way of improving efficiency for the bus operations and is a good way to promote buses as a more sustainable mode of transport.

22.4.3 This often happens now but is reliant on the courtesy of other drivers.

22.4.4 It does require the bus driver to be very clear with the signalling of their intentions in advance of the merge to enable this to happen easily and safely ('merge like a zip!').

22.4.5 Other examples that we could like to have included for consideration include:

- Bus exiting from a side road or transport centre/ public transport interchange.
- Bus jump lane at traffic signals where bus is able to process straight through from a left turn lane e.g. Anzac Parade in Hamilton.
- Bus jump and merge proposal where bus proceeds down one lane and is then able to cut across into another lane 'mid-block' e.g. Victoria Street to get onto the Fairfield Bridge.

4.0 **SPECIFIC COMMENTS ON THE DRAFT RULES**

4.1 **Land Transport Rule - Paths and Road Margins 2020**

- *Section 2.4 Agency must establish and maintain register of shared path and cycle paths.*
- *Section 4.9 Setting speed limits on paths.*
- *Section 6.3 Agency must establish and maintain register of berms parking restrictions.*

4.1.1 HCC is generally supportive of having a national register but believe that the focus should currently be on the establishment of a National Speed Limit Register for roadways to ensure that the 'Tackling Unsafe Speeds' Action Plan can be delivered in a timely manner.

- 4.1.2 HCC would recommend that the Rule include the provision for a national register in the future (as the Speed Limits Rule 2017 currently does) but enable Road Controlling Authorities to maintain their own registers in the interim. Guidance could be provided by the Transport Agency regarding the format of the registers so that in the future this is an easier exercise for all parties.
- 4.1.3 The establishment of the national registers should not require another consultation process to be completed when the sites have previously been consulted upon and included in RCA bylaw schedules/registers.
- *Section 4.5 Default Speed limit on shared paths and cycle paths.*
 - *Section 4.6 Variations from default speed limit on shared paths and cycle paths.*
- 4.1.4 HCC would prefer to split this proposal into two:
- a) Have a standard limit in place for shared paths (suggest 15km/h) to reflect that these are generally in place 'instead of' a footpath and not 'in addition to' a footpath, and therefore would have a large percentage of pedestrians expecting to travel on them.
 - b) Have a standard limit in place of cycle paths (suggest no higher than the immediately adjacent roadway, but a maximum of 50km/h) on the basis that these are generally 'in addition to footpaths' and therefore would generally not be used by pedestrians.
- 4.1.5 HCC would also request that guidance is included as to what specific speed limits are able to be set under Clause 4.6(1) and consider that it would be desirable to be able to set 15km/h for these locations to match footpaths if the above suggestion is not adopted.

5.0 FURTHER INFORMATION AND OPPORTUNITY TO DISCUSS SUBMISSION POINTS

- 5.1 Should Waka Kotahi NZ Transport Agency require clarification of the above submission points, or additional information, please contact Robyn Denton (Network Operations and Use Team Leader, City Transportation) on 07 838 6910 or 021 971 127, email robyn.denton@hcc.govt.nz in the first instance.
- 5.2 Hamilton City Council would welcome the opportunity to meet with representatives from Waka Kotahi NZ Transport Agency to discuss the content of our submission in more detail.

Yours faithfully

Richard Briggs
CHIEF EXECUTIVE

Council Report

Committee:	Infrastructure Operations Committee	Date:	16 April 2020
Author:	Jason Harrison	Authoriser:	Eeva-Liisa Wright
Position:	City Transportation Unit Manager	Position:	General Manager Infrastructure Operations
Report Name:	Extension of Transportation Corridor Maintenance and Renewal Contract (12080)		

Report Status	<i>Open</i>
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Take Purpose

- To seek approval of the final 3 year extension and increased contract sum of the Hamilton Transportation Corridor Maintenance and Renewal Contract (12080).

Tuutohu-aa-kaimahi *Staff Recommendation*

- That the Infrastructure Operations Committee:
 - receives the report; and
 - approves the final 3 year extension of the Hamilton Transportation Corridor Maintenance and Renewal Contract 12080 with Downer New Zealand Ltd from 1 July 2020 to 30 June 2023;
 - approves a \$100,000,000 increase in the Approved Contract Sum for Contract 12080 from \$161,459,000 to \$261,459,000 to correspond with the 3-year extension to 30 June 2023; and
 - notes staff will commence work to investigate and identify a preferred procurement model for its Transportation Corridor Maintenance and Renewal activities, following the conclusion of Contract 12080 on 30 June 2023.

Whakaraapopototanga matua *Executive Summary*

- The current Hamilton Transportation Corridor Maintenance and Renewal Contract (12080) commenced 1 October 2013 and was set up using a procurement model termed a Collaborative Working Agreement which is alliance based.
- Under the contract, Downer New Zealand and Hamilton City Council staff work together as part of the Infrastructure Alliance (IA) to manage, renew and maintain the transport assets.
- The contract was approved for an initial 3 years and 9-month period and included 2 further renewal periods of 3 years each. Council has sole discretion whether to renew the contract.

6. Council approved the renewal of the first 3-year extension to 30 June 2020 at the 28 March 2017 Growth and Infrastructure Committee meeting.
7. The second and final 3-year renewal period commences on 1 July 2020 and will end on 30 June 2023.
8. Council monitors the performance of the Infrastructure Alliance using a series of mechanisms. This includes the engagement of an independent auditor to provide due diligence and probity services, quarterly reviews of Levels of Service against the long-term plan, and monthly reviews of financial expenditure.
9. The Infrastructure Alliance has performed well to deliver on all aspects of the contract and the 3-year extension is recommended.
10. As a matter of process to date Council has allocated \$161,459,000 as the Approved Contract Sum for the Transportation Corridor Maintenance and Renewal Contract (Contract 12080).
11. The Approved Contract Sum figure is constructed from Transportation renewal, operations, and maintenance budgets approved through the 2018-28 10 Year plan process. The figure also includes a funding allowance for work variations that made be delivered through this contract.
12. Based on the budgets allocated in the 2018-28 10 Year Plan for Year 3 (2020/21), Year 4 (2021/22) and Year 5 (2022/23), and an assessment of work variations that could be delivered through this contract, staff are recommending the Approved Contract Sum be increased by \$100,000,000 to an overall total of \$261,459,000.
13. One key aspect of this contract is that it is set up to manage within the budgets assigned to it. This means that while Council process requires it to set an Approved Contract Sum for the 3-year period ahead, it can be adjusted if different funding decisions are made in the future.
14. Staff consider the decisions in this report are of low significance and that the recommendations comply with the Council's legal requirements.

Kooreo whaimaarama *Background*

15. The current Hamilton Transportation Corridor Maintenance and Renewal Contract (12080) was awarded to Downer New Zealand Ltd commencing 1 October 2013.
16. This contract was set up using a procurement model termed a Collaborative Working Agreement (CWA). It is an unincorporated joint venture between Council and Downer New Zealand Limited known as the Infrastructure Alliance (IA).
17. The CWA is a move away from the traditional contract model of master/servant to a collaborative style of working. Council has staff assigned to work in the alliance style contract in collaboration with Downer staff. Council retains a key role in determining the objectives, goals and culture of the CWA, and determines the budget that will be available for expenditure each year.
18. The contract works on a cost-plus basis within the budget assigned by Council. This model provides Council with flexibility that previously didn't exist to allow adjustments to the scope and priority of the agreed work programme to fit within available budgets. This flexibility allows Council to respond to changing needs without incurring contract penalties. A fuller description of the contract is provided in Attachment 1.
19. The contract was awarded for an initial period of 3-years and 9 months ending 30 June 2017, with a right of renewal for a further two 3 year periods at the discretion of Council.

20. At the Finance and Monitoring Committee (24 September 2013) the Approved Contract Sum for Contract 12080 was set at \$67,000,000 for the initial 3 years and 9 months contract period only. It was noted that an increase to the Approved Contract Sum would be sought at the time any extension was granted.
21. The first 3-year extension to 30 June 2020 was approved by Council through the Growth and Infrastructure Committee (28 March 2017). This approval included a \$68,000,000 increase in the Approved Contract Sum of \$67,000,000 to \$135,000,000.
22. At two subsequent Growth and Infrastructure Committee meetings the Approved Contract Sum was increased.
23. The 12 September 2017 Growth and Infrastructure Committee meeting approved an additional \$5,700,000 extension to the approved contract sum of \$135,000,000 to \$140,700,000 for the supply and installation of stage 1 and 2 LED luminaires, refer to link below (item 17):
<https://www.hamilton.govt.nz/AgendasAndMinutes/20170912 - Growth and Infrastructure Confirmed Minutes - 12 September 2017.PDF>
24. The 18 June 2019 Growth and Infrastructure Committee approved an additional \$20,759,000 extension to the Approved Contract Sum of \$140,700,000 to \$161,459,000 to account for variations in the scope of work that had been pre-approved and funded by Council. The variations included the increase funding for maintenance and renewal activities, LED Lighting (stages 3, 4 & 5), Discretionary Transport improvements, Thomas Road / Gordonton Road intersection improvements, and the Arthur Porter Drive pavement rehabilitation, refer to link below (Item 14):
<https://www.hamilton.govt.nz/AgendasAndMinutes/Growth and Infrastructure Open Confirmed Minutes - 18 June 2019.pdf>
25. At the Elected Member briefing (11 March 2020) staff presented information about the current Infrastructure Alliance model.

Discussion

26. In considering whether to extend the contract it is useful to contemplate the risks identified at the time of contract award and to consider how they have been managed. The risks identified in September 2013 are attached (Attachment 2) and are updated below.

Local Supply Chain

27. Currently supply chain partners and subcontractors make up 40% of the total expenditure of the Infrastructure Alliance. This comprises of four key supply chain partners and three key subcontractors all of which have a local presence in the market place.
28. In addition to these supply chain partners and subcontractors there are contracting opportunities outside the collaborative working arrangement. Council regularly puts out work packages to the open market to provide opportunities for other suppliers to test the market. Examples of this include our annual minor works contract, bus shelter renewal programme, and capital works such as the Ring Road – Cambridge Road to Cobham Drive.

Opportunities for New Suppliers

29. The IA has a procurement policy that sets out how they procure new suppliers when the opportunity arises. The key criteria for a new supplier are that they are able to meet the required safety standards. Over the past two years the IA has worked with six new local civil contractors to complete works.

Achieving Value for Money

30. The following mechanisms are in place to monitor the performance of this arrangement:
- Engagement of an independent auditor to provide due diligence and probity services, specifically with regards to the annual financial, commercial performance, and operations of the IA, and the establishment and performance against annual Target Cost Estimates;
 - Quarterly review of IA performance against set Key Result Areas; and
 - Monthly review of financial expenditure against pre-agreed budgets.
31. Council has engaged Collaborative Management Services (CMS) as our independent auditor. CMS has provided these services since the start of this contract with a full set of annual reports prepared. In the latest report FY 2018-2019 the auditor has advised that they have reviewed the financial records and there is nothing to suggest the IA has not applied its organisational processes and systems effectively in compiling financial records, reports and performance statements in the period 1 July 2018 to 30 June 2019. These comments are consistent with previous statements from past financial years.
32. Another key function that CMS provide is an independent confirmation that the methodology employed in the development of the annual Target Cost Estimate for the contract is sound, fair, equitable and realistic but also commercially 'tensioned' and challenging.
33. Financial expenditure against pre-agreed budgets is monitored monthly. This information is reported as part of Council's Transportation Activity to the Finance Committee.

Maintaining Agreed Levels of Service

34. Achieving the levels of service as set out in the 10 Year Plan and the Transportation Activity Management Plan form the key measures against which the Infrastructure Alliance report their performance.
35. There are four levels of service performance measures that are reported against the approved 10 Year Plan:
- i) Customer service requests are responded to promptly;
 - ii) How smooth our roads are to travel on (the average quality of ride on sealed roads);
 - iii) The condition of our footpaths; and
 - iv) The maintenance of our roads (measured by the percentage of the road network sealed each year).
36. These service performance measures that are reported on a quarterly basis to the Finance Committee through the 'Service Performance Measures' report. The latest report was presented to the Finance Committee (11 February 2020), refer to link below (Item 9, pp.98-99):
[https://www.hamilton.govt.nz/AgendasAndMinutes/Finance Committee Open Agenda - 11 February 2020.pdf](https://www.hamilton.govt.nz/AgendasAndMinutes/Finance%20Committee%20Open%20Agenda%20-%2011%20February%202020.pdf)

Maintaining Asset Sustainability

37. 'Asset sustainability' monitors three of the four level of service measures noted above (32ii, iii and iv).
38. Performance against how smooth our roads are to travel on (32 ii) and the condition of our footpaths (32 iii) is currently tracking in line with the set targets.

39. Performance against the third measure regarding the maintenance of our roads (36 iv - measured as a percentage of road network sealed each year) has been below target for the past two years. This year's resurfacing programme will achieve approximately 3.6%. This lower volume of resurfacing reflects the tension of having a constrained budget to manage a growing network. The use of asset data information the IA has collected and validated to identify the minimum quantity of resurfacing to undertake, in effect ensuring value for money principles are applied.

Retaining and Growing Councils Intellectual property

40. Council has experience minimal staff turnover over the term of the contract to date. A benefit of the collaborative working agreement model is that we can access a wide range of technical and managerial expertise.
41. The IA has a strong focus on learning and development. Council staff have benefitted from this focus with opportunities to participate in Leadership programmes. Gaining contracting experience, and growing their competency across a board cross-section of contracting and technical practices (including asset management, and data capture methods).

National and Regional Collaboration

42. Previously the IA have taken a leading role in supporting the establishment of the Road Asset Technical Accord, and hence Road Efficiency Group, and they continue to be actively involved.
43. In the future there could be opportunities for the management of the state highway network within the city boundaries to be incorporated into this form of contract. We work closely with Waka Kotahi NZ Transport Agency (the Agency) and take a one network approach with our network. There may also be opportunities for collaboration with Waikato District Council at some point in time in the future.

Changes to Funding availability

44. The Infrastructure Alliance has worked to agreed budgets. While funding has not increased to meet the needs of a growing network the Infrastructure Alliance have optimised the expenditure of the available budget to achieve essential levels of service and maintain asset sustainability.
45. The collaborative working arrangement is well placed to accommodate changes to funding as opposed to changing expenditure outcomes on traditional contracts which is complex by comparison.

Options

46. There are 2 options available to the Council:
- **Option 1:** To extend the current Collaborative Working Agreement as outlined in the report by a further 3 years to 30 June 2023; or
 - **Option 2:** Revert to a traditional contract model or other forms of contract.
47. Staff recommend **Option 1** and will continue exploring further benefits over the next 3-year extension.
48. Staff do not believe that Option 2 will deliver the same outcomes for Council that Option 1 achieves. If Council wanted to pursue Option 2, a minimum 2-year extension of the current contract would be required to prepare for and to implement any new contract.
49. In addition to the 2 options identified above, staff will commence work to investigate and identify its preferred procurement model for its Transportation Corridor Maintenance and Renewal activities, following the conclusion of Contract 12080 on 30 June 2023).

50. It is important that this preferred procurement model investigation is completed now, so Council can signal to the industry of the upcoming contract and how it will be procured well in advance of the completion of the current contract.

Whaiwhakaaro Puutea *Financial Considerations*

51. As a matter of process to date Council has allocated \$161,459,000 as the Approved Contract Sum for the Transportation Corridor Maintenance and Renewal Contract (Contract 12080).
52. The Approved Contract Sum figure is constructed from Transportation renewal, operations, and maintenance budgets approved through the 2018-28 10 Year plan process. An allowance is also made for work variations that made be delivered through this contract.
53. In setting the new Approved Contract Sum for Contract 12080, staff have considered what budgets are currently allocated in the 2018-28 10 Year Plan for Year 3 (2020/21), Year 4 (2021/22) and Year 5 (2022/23), as well as making an assessment on the value of variations that could possibly be delivered through this contract.
54. Staff are recommending the Approved Contract Sum be increased by \$100,000,000 for the next 3 years (i.e. 1 July 2020 to 30 June 2023) to an overall Approved Contract Sum total of \$261,459,000.
55. The table below summarises how the requested Approved Contract Sum increase of \$100,000,000 was assessed:
56. Table 1.0 – Summary of requested increase to Approved Contract Sum for Contract 12080

	2020/21	2021/22	2022/23	3 Year Totals
Transportation O&M, and renewals <small>(Source:2018-28 10YP)</small>	\$ 26,641,800	\$ 28,453,200	\$ 28,757,900	\$ 83,852,900
Provisional Allowance <small>(for variations)</small>	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 15,000,000
	\$ 31,641,800	\$ 33,453,200	\$ 33,757,900	\$ 98,852,900

57. The actual value of work delivered through this contract will vary depending on what funding Council allocates through the Annual Plan and Long Term Plan processes, along with subsidy approvals by Waka Kotahi NZ Transport Agency (the Agency).
58. The contract model allows for working within the available budget each year.

Whaiwhakaaro-aa-ture *Legal and Policy Considerations*

59. Staff confirm that the staff recommendations comply with the Council's legal and policy requirements.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

60. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 Wellbeings').

61. The subject matter of this report has been evaluated in terms of the 4 Wellbeings during the process of developing this report as outlined below.
62. The recommendations set out in this report are consistent with that purpose.

Social

63. Our IA plays a key role in supporting this wellbeing particularly in the areas of “making our city safe and easy to move around and provided spaces where people can have fun”. Examples of this include:
- A focus on ensuring our transport network is maintained and managed in a safe, efficient and sustainable way (i.e. maintenance and renewal of existing road assets, including provisions for asset growth from development);
 - Delivering transport safety and access improvement projects (e.g. Gordonton Road/ Thomas Road Intersection; Claudelands Bridge Shared Zone Cycle Improvements);
 - Collaborating with other parts of HCC (Hamilton Zoo, City Parks and Amenities) to help deliver their projects.

Economic

64. Our IA has a focus on “enabling individuals and businesses to prosper” through maintaining and managing our existing transport network in an efficient and sustainable way. Examples of this include:
- Alignment of the IA’s goals with the Infrastructure Operations ‘Critical Few’, namely “Quality Data as an Enabler”. The IA’s measure is the development and monitoring of an asset management improvement plan in order to ensure that data managed, collected and produced by the IA accurately. Enabling data based decision making, across the spectrum of asset management related activities undertaken by the IA.

Environmental

65. Our IA has a focus on identifying and implemented sustainable work practices and responding to the challenges of climate change. Examples of this include:
- conversion of our street lighting network to energy efficient LED lightings;
 - introducing electric vehicles:
 - i. Electric Rubbish Compactor truck, used in the Central City at night, which has had the added benefit reducing noise for residents;
 - ii. Electric Motorcycles, used for litter bin emptying/collection. These vehicles generate zero emissions and are an excellent replacement for the previous petrol-powered motorcycles;
 - Recycling Pavement Material for our footpath renewal programme;
 - Trialling maintenance and construction methodologies and/or use of various materials to better inform best practice for our maintenance and renewal activities;
 - Attachment 3.0 provides a snap shot of the various innovations that IA has implemented over the last 2-and-a-half-year period of the contract (July 2017 – Dec 2019).

Cultural

66. The Council is committed to working collaboratively with Waikato-Tainui and Mana Whenua, working in partnership to achieve the best environmental outcomes for the Awa and people of Hamilton. We will continue to work towards alignment with Tai Tumu Tai Pao Tai Ao and Te Rautaki Taamata Ao Turoa o Hauaa (Iwi Management Plans of Waikato Tainui and Ngati Hauaa) respectively.

Tuuraru Risks

67. The risks associated with the contract are based on the original risk profile identified and formed the basis for the discussion in the report.
68. Should the 3 year extension not be approved, a minimum 2-year extension of the current contract would be required to prepare for and to implement any new contract. This may also impact on the delivery of our maintenance and renewal work programmes.

Kaupapa here whakahira/anganui *Significance & Engagement Policy***Significance**

69. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.

Engagement

70. Given the low level of significance determined, the engagement level is low. No engagement is required.

Ngaa taapirihanga *Attachments*

Attachment 1 - Infrastructure Alliance Contract Description

Attachment 2 - Contract 12080-September 2013 Risks CWA

Attachment 3 - Infrastructure Alliance Innovations July 2017 - January 2020.

Contract Description:**Contract 12080 Transportation Corridor Maintenance and Renewals****Overview**

Contract 12080 Transportation Corridor Maintenance and Renewals is termed a Collaborative Working Arrangement (CWA). This is an unincorporated joint venture between the Council and a contracting organisation to deliver the agreed services in an integrated cooperative manner.

What is a Collaborative Working Arrangement (CWA)?

A CWA is an alternative procurement and project delivery methodology to the traditional "master and servant" model. In essence it resembles a 'pure alliance' and its essential features include:

- Integration of client and contractor personnel into a single integrated team
- Co-location of the integrated team in one office
- Open, honest, frank and transparent transactions
- Building a culture which supports the strategic aims and objectives of all stakeholders
- Use of exemplary teamwork to deliver outstanding outcomes
- A no blame, no claim culture - with all parties pulling on one end of the rope!

It is designed to create and build a unity of purpose between all Principals and other stakeholders by aligning commercial drivers and incentives in such a way as to facilitate outstanding outcomes and a "win-win" result.

In this form of contracting many risks are jointly managed by the CWA Principals and the integrated Project Executive Group (PEG). Some risks, by their nature, may be retained by one party or another if the costs of including them in the Target Cost Estimate ("TCE") are prohibitive, or the CWA cannot add value to the risk management, mitigation or avoidance. The building of a unity of purpose is reinforced by the selection and formation of an integrated Project Executive Group (PEG) selected (ideally) from the Principals' organisations. The selection of the PEG will be made on a "best for project" basis and criteria used will include suitability as well as eligibility so as to ensure the team is well balanced.

The TCE is constructed from a robust process, which seeks to estimate in clear terms the actual costs of delivering the required scope of services. In addition to the actual costs, the TCE will include appropriate cost provisions for:

- site establishment costs (Preliminary & General costs)
- overheads recovery at the head office and/or corporate level and "normalised" profit margins for the stakeholders.

A final component of the TCE is the provision for the Quantitative Risk Assessment ("QRA"), which has been constructed and challenged using best practice Risk Management processes.

A "Gainshare/Painshare" mechanism (or mechanisms) is derived to incentivise the parties to deliver an extraordinary project outcome, which might be measured in

terms of costs, time, customer service, safety etc. Importantly the apportionment of gainshare/painshare will be pre-agreed between the parties.

Collaborative Working Arrangement Principles

While it is important that a project-specific CWA culture is “built from the ground up” it is expected as a minimum that the CWA would be founded on the following core principles:

- (a) Primary focus on business outcomes whereby all parties either win or all parties lose.
- (b) Collective responsibility for performance with an equitable sharing of risk and reward.
- (c) A peer relationship where all participants have an equal say.
- (d) Decisions must be “best-for-project” and “best for network”
- (e) Clear responsibilities within a no-blame culture.
- (f) Full access to the resources, skills and expertise of all parties.
- (g) Fully open-book transactions, actual costs plus applicable and pre-agreed mark-ups for profit and corporate overheads recovery.
- (h) Innovative thinking with a commitment to achieve outstanding outcomes.
- (i) Open and honest communication - no hidden agendas.
- (j) Visible/unconditional support from all levels of each participant organisation.

Key Risks and Mitigation- Contract 12080
-identified at time of award, 24 September 2013

Risk	Mitigation	Rating
<p>Excessive Impact on the local supply chain</p>	<p>Downer (New Zealand) Ltd operates on the basis of retaining internal resources for core services and using independent local contractors to supplement this approach – especially in times of peak workloads. They have indicated that they support Council’s desire to retain a healthy local supply chain and will make every endeavour to include a high proportion of local businesses in their overall arrangement. The final mix of local suppliers selected would also be made in accordance with achieving the best value for money for Council.</p> <p>Council staff will participate in these decisions throughout the term of the agreement. The actual amount of work undertaken by the local supply chain will be monitored and reported back as part of the annual report each year.</p> <p>It is also noted that other council transport contracting opportunities exist outside the CWA.</p>	<p>Low</p>
<p>Excessive barriers for new supplier access to the market</p>	<p>Local contractors will be able to compete for work from the CWA as and when opportunities arise. Initial negotiations have been held to select the best for project subcontractors or suppliers.</p> <p>Where additional works are arranged through the CWA a tendering process in accordance with the CWA Procurement Policy will be followed.</p> <p>The CWA will be reviewed on a three yearly basis and these milestones offer an opportunity to review the market access provisions.</p> <p>It is also noted that other council transport contracting opportunities exist outside the CWA.</p>	<p>Low</p>
<p>Achieving Value for Money</p>	<p>Current practices (traditional contracts) use contractor prices at the tender box as the mechanism for ensuring financial contestability. These prices include unknown margins for risks (such as wet weather, substandard work being repeated, unused plant, supply chain delays, labour downtime, subcontract margins, off site overheads and profit).</p> <p>The CWA model utilises the actual costs of the work carried out combined with agreed overheads and profit to determine the Target Cost Estimate. The cost is independently validated and uses current supply chain costs with regular audits thus introducing real commercial ‘tension’ into the input costs.</p> <p>The annual resetting of the Target Cost Estimate (TCE) to reflect the actual input costs and productivity improvements achieved during the previous year drives the progressive need for the CWA to be</p>	<p>Low</p>

	<p>innovative and come in under the TCE in order to be eligible for gain share at the end of the year.</p>	
<p>Maintaining Agreed Levels of Service</p>	<p>Achievement of the Levels of Services as agreed by Council in the 10 Year Plan and as set out in the Activity Management Plan for the Transportation Activity will form key measures against which the performance of the CWA reports.</p> <p>One of the key roles of the Principals Group is to establish the key objectives and outcomes for the CWA and this will include the determination of the Key Success Areas and Key Performance Indicators for the project and this will be based on the agreed Levels of Service.</p> <p>The CWA Manager and Project Executive Group will be charged with implementing the contract so as to meet all agreed levels of service. Reporting against all activities and outcomes, including Levels of Service, will be provided in the monthly and annual reports.</p> <p>This risk is medium until the first full year of operation is undertaken and network performance is better known.</p>	<p>Med.</p>
<p>Maintaining asset sustainability</p>	<p>The transport asset is in a state of continual deterioration as a natural result of wear and tear and environmental effects.</p> <p>This CWA contract model enables coordinated and proactive interventions in road works. These are based on a mix of long term and intermediate term decision making depending on the optimised assessment of asset need and budget availability.</p> <p>The close interaction between asset owner staff and proponent resources will provide more streamlined decision making for long term asset sustainability.</p> <p>This risk is medium until the first full year of operation is undertaken and network performance is better known.</p>	<p>Med.</p>
<p>Retaining and growing Councils Intellectual Property</p>	<p>All personnel in the CWA will continue to be employed by their respective host organizations.</p> <p>The interaction between HCC staff and the contractor will enhance the knowledge of the HCC staff along with improved data capture methods, integrated work programming, integrated training of staff and closer involvement in day to day decisions.</p> <p>'No poaching' clauses will be included in the CWA.</p>	<p>Low</p>
<p>Ability to leverage value for money through national and regional</p>	<p>The CWA provides a flexible format for growing scope from other Road Controlling Authorities (NZTA or neighbouring Councils).</p> <p>The CWA would be open to participating in any collaboration initiatives that produces value for money for ratepayers.</p>	<p>Low</p>

<p>Collaboration opportunities</p>	<p>Council has been developing a draft charter with NZTA regarding all roads within the metropolitan area of the city being operated on the basis of 'one network' in the future.</p>	
<p>Changes to funding availability</p>	<p>NZTA funding has been approved for the National Land Transport Programme (NLTP) for the 2012/13 to 2014/15 three year planning period. This covers the first three years of this contract. Future changes to funding from NZTA has already been signalled through the Financial Assistance Rate (FAR) review for the next three year planning period (from 2015/16).</p> <p>Any reduction in NZTA funding would reduce the ability of Council to meet its Levels of Service expectations however the CWA is well placed to accommodate changes to funding as this would occur by direct instruction by the Principals Group conversely changing expenditure outcomes on traditional contracts is complex by comparison.</p>	<p>High</p>

Attachment – Infrastructure Alliance (IA) Innovations

July 2017 – January 2020

- **Halo Helmets** – enabled our Streetscape team to be more visible to road users, by using helmets with built-in LED lights
- **Drain Inspection Camera** – We can now inspect catchpits and catchpit leads to check for blockages. This ensures our network is operating efficiently during heavy rainfall
- **Street Vacuums** – This enables us to quickly and easily pick up litter in the CBD, keeping the city looking clean and tidy
- **Waste Oil** – We are working with Road Science to introduce waste oil to our oil products, providing a secondary use for this product
- **EV Compactor** – Used in the CBD at night, this reduces noise for residents, and has greater capacity than the previous Compactor
- **Sonetic Headsets** – Sonetic headsets let our footpath crews talk to one another on site, while also protecting them from loud machinery noise
- **Recycling of Pavement Material** - We have been recycling pavement material for on our footpath renewal programme.
- **Low-Voltage Traffic Lights** – This innovation means that our traffic lights are electrically safe even when hit by vehicles. This is a NZ first solution!
- **Electric Motorcycles** – Used for litter bin emptying/collection. These have a near silent operation, zero emissions and are an excellent replacement for the petrol powered Hondas currently in use.
- **Argonaut Road Runner Video Viewer + GPS Video** – We are utilising new technology and processing methodology whilst keeping our people safer and being more efficient during our road inspections. This is being used for building pavement marking inventories.
- **Heavy Object Lifter/Remover** – To assist with the installation of electronic signs which are large, heavy and awkward to handle. Will reduce the cost of installation due to removing the need for a hiab truck and traffic management. Also makes it a safer operation for the installers as no heavy lifting required.



- **Site Surveillance Camera** - The Infrastructure Alliance is always on the lookout for new ways to engage with residents and stakeholders. Engaging with the community via video content is engaging, and videos on HCC's Facebook page always get good hit rates. As well as this video content is a good internal communication tool, within the IA, HCC.

Council Report

Item 12

Committee: Infrastructure Operations Committee
Date: 16 April 2020

Author: Eeva-Liisa Wright
Authoriser: Eeva-Liisa Wright

Position: General Manager
Infrastructure Operations
Position: General Manager
Infrastructure Operations

Report Name: General Managers Report

Report Status	<i>Open</i>
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Take Purpose

1. To inform the Infrastructure Operations Committee on topical issues, areas of concern and items which need to be brought to the Committee Member's attention, but which do not necessitate a separate report.

Tuutohu-aa-kaimahi *Staff Recommendation*

2. That the Infrastructure Operations Committee receives the report.

Discussion

3. This report provides updates to Committee Members on activities, actions or projects contained within the plans or strategies for which this Committee and the relevant General Manager have responsibility over and for which significant progress has been made.

Vision Zero Update (GM Infrastructure Operations)

4. Hamilton City Council has adopted Vision Zero as the philosophy for road safety in the city, an aspiration to achieve zero road deaths and serious injury within Hamilton city.
5. There have been no road deaths that have occurred within Hamilton City in the nine months since July 2019 (9 months). The total number of fatalities in the city for the 2019 calendar year was two.
6. The following table provides information on the types of users that were seriously injured in the first three quarters of this financial year (July 2019 to March 2020 inclusive). The data is based on NZ Police reports which are prepared when they attend the crash and it is noted that some crash data can be a little slow in getting entered into the system, so the figures below are subject to change, but are a general reflection of safety performance for the period.

Road User Type	Number Seriously Injured 2019/20			
	July to September	October to December	January to March	TOTAL
Cyclist	1	2	3	6
Driver	7	6	4	19
Passenger	1	7	3	5
Pedestrian	3	2	3	8
Wheeled pedestrian (wheelchairs, mobility scooters)			1	1
Total	12	12	15	39

Waikato Regional Council - Regional Transport Committee

7. The Regional Transport Committee (RTC) was due to next meet on 30 March 2020 but because of the COVID-19 Alert Level 4 Lockdown the meeting was cancelled. A road safety workshop for the RTC members proposed for 23 March 2020 was also cancelled.
8. At the time of writing this report it was unknown when the next RTC will be held.

Waikato Regional Council - Regional Connections Committee

9. The last Waikato Regional Council's (WRC) Regional Connections Committee Meeting was held on 21 Meeting February 2020.
10. A link to the agenda and unconfirmed minutes is provided below:
 Agenda: <https://www.waikatoregion.govt.nz/assets/Regional-Connections-Committee-Agenda-Package-21-February-2020-v2.pdf>
 Minutes: <https://www.waikatoregion.govt.nz/assets/Minutes-Regional-Connections-Committee-21-February-2020-v2.pdf>
11. Key resolutions from this meeting were:
 - a) *That staff work together with Waka Kotahi - NZ Transport Agency to develop a draft Mode Shift Plan that aligns with the same area as the Metro Spatial Plan with an update to be provided at the 20 March 2020 Regional Connections Committee workshop.*
 - b) *That the committee supports the early implementation of routes and infrastructure that support Mode Shift, including option 1 beginning from the start of the financial year with the timing of option 2 subject to further investigation by Hamilton City Council and Waikato Regional Council staff including emissions impacts. Staff to report back to each individual council within the next meeting cycle and report back at the next Regional Connections Committee meeting.*
12. A Regional Connections Committee workshop was held Friday, 20 March 2020. This workshop was conducted as a Zoom conference in response to COVID-19. The Hamilton City Council representatives in attendance at this workshop via Zoom were Councillor's O'Leary (Deputy Chair), Macpherson, Thomson and Wilson.
13. The following key points were presented and discussed at this workshop:
 - a) **Impact on fare revenue** - from the situation that was developing with Covid-19, including the stopping of cash handling transactions. The discussion focussed on the potential impact the reduction of fare revenue would have on WRC budgeted fare revenue. WRC staff were asked to consider different solutions that wouldn't require cash handling (NB:

Following this meeting the country has moved to alert level 4 in response to the Covid-19 pandemic).

- a) Mode Shift - Hamilton Bus Service improvements - specifically an increased frequency of the existing Comet route (to 10 minutes from 15 minutes) and a new East-West link.

- i) Increasing the frequency of the Comet route (to 10 minutes):

Increasing frequency will require infrastructure improvements, which will involve Waka Kotahi NZ Transport Agency (The Agency) as an adjoining road controlling authority. The current projects identified are:

- i. bus stops in both directions on State Highway 3 adjacent to Glenview Shopping Centre (The Agency);
- ii. facility to allow bus right turn movements from Garden Heights onto SH3 (or completion of Dixon Road roundabout) (The Agency);
- iii. completion of Rotokauri PT Hub to increase platform capacity (currently underway);
- iv. bus priority measure from Hospital/Pembroke Street Southbound (The Agency /HCC);
- v. new bus stops on Lorne Street (The Agency).

- ii) East-West link alignment options

Following this workshop staff were asked to come back with preferred alignment options for the east west link including:

For all alignment options the immediate infrastructure requirements are:

- On street bus stops on Bryce Street near to the Transport Centre, in both directions (this will be considered as part of the Transport Centre Rejuvenation works that is currently being developed, i.e. Business Case phase);
- Completion of the Rotokauri PT Hub (currently underway).

Once the preferred East-West alignment is identified the longer-term public transport infrastructure requirements to address through the 10 Year plan include:

- Bus priority measures:
- Through connections at the University to enable extension into Silverdale (involves input from Waikato University)

- iii) At the time of writing this report a follow up workshop has yet to occur.

Hamilton To Auckland Start-up Passenger Rail Service (GM Development)

14. At the Passenger Rail Governance Group (Governance Group) meeting on 6 March 2020 a report was presented with possible start dates for the service. A key decision at this meeting was the selection of 3 August 2020 as the commencement date for the service. At this time the Governance Group was advised that Covid-19 issues in China meant that the elevators for the Rotokauri Transport Hub Overbridge could not be delivered to meet the 3 August 2020 commencement date. It was proposed however to open with a combination of the Overhead structure (with stairs but no elevators) as well as a level crossing from Tasman Road to the central rail platform.

15. Due to the Government decision to move to Covid-19 alert Level 4, works on all capital projects related to the Start-up Rail Service have stopped until at least 23 April 2020 and the August 2020 start date can no longer be met. An emergency meeting of the Governance Group was held on 25 March 2020 to discuss impacts of Covid-19 on the project. The Governance Group decided that they would like to commence the service as soon as possible. KiwiRail identified at this meeting that a critical path item for them was the commencement of recruitment for operational staff as they needed to be adequately trained and inducted. Recruitment for them in the Covid-19 environment is challenging.
16. It was agreed that staff would report back to the next Governance Group meeting scheduled for 6 April 2020 on the developing programme implications, and how work can continue as the Government changes the alert levels in response to management of the emergency. At the time of writing this report the meeting had not taken place and a verbal update will be provided.
17. Within the programme of works, Hamilton City Council is directly responsible for the new Rotokauri Transport Hub and upgrades to Frankton Rail Station. Until the move to Covid-19 alert Level 4 good progress had been made on the Transport Hub. The shift of the main trunk rail line to allow the platform to be constructed, which was a critical path item with high risk, has now been successfully completed. The critical path activity for this project is now the fabrication and installation of the pedestrian overbridge.
18. As part of the response to alert Level 4 the project was not deemed to be essential and all works on the various contracts have stopped. The Transport Hub contract site has been made safe and traffic management is being monitored and maintained to ensure the safety of the public. Staff are currently working through all of its contracts to understand cost and programme implication of the shutdown. It is still too early to estimate these, but the impacts are likely to be moderate and significant if Level 4 (and Level 3) is maintained for an extended period.

Whaiwhakaaro-aa-oranga tonutanga *Wellbeing Considerations*

19. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
20. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below. The recommendations set out in this report are consistent with that purpose.
21. There are no known social, economic, environmental or cultural considerations associated with this matter due to this report being for information only.

Kaupapa here whakahira/anganui *Significance & Engagement Policy*

22. This report is for information purposes only.

Ngaa taapirihanga *Attachments*

There are no attachments for this report.

Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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

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

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of Infrastructure Operations Public Excluded Minutes 27 February 2020) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987)))	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
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