

Notice of Meeting:

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

Date: Thursday 21 September 2023
Time: 9.30am
Meeting Room: Council Chamber and Audio Visual Link
Venue: Municipal Building, Garden Place, Hamilton

Lance Vervoort
Chief Executive

Infrastructure and Transport Committee

Komiti Hanganga

OPEN AGENDA

Membership

Chairperson Deputy Mayor Angela O’Leary
Heamana

Deputy Chairperson Cr Maxine van Oosten
Heamana Tuarua

Members	Mayor Paula Southgate	Cr Andrew Bydder
	Cr Ryan Hamilton	Cr Geoff Taylor
	Cr Moko Tauariki	Cr Sarah Thomson
	Cr Ewan Wilson	Cr Emma Pike
	Cr Mark Donovan	Cr Melaina Huaki
	Cr Louise Hutt	Cr Anna Casey-Cox
	Cr Kesh Naidoo-Rauf	

Quorum: A majority of members (including vacancies)

Meeting Frequency: Six weekly

Amy Viggers
Mana Whakahaere
Governance Lead

12 September 2023

Telephone: 07 838 6727
Amy.Viggers@hcc.govt.nz
www.hamilton.govt.nz

Purpose

The Infrastructure and Transport Committee is responsible for:

1. The execution of Council's infrastructure and operational plans and strategies across Infrastructure asset classes.
2. To monitor and approve contracts relating to core infrastructure and provision of services.
3. 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 (water, wastewater, stormwater) and waste management, to meet the current and future needs of the city and to enhance the wellbeing of its communities.
4. Facilitating community and stakeholder involvement and discussion on core infrastructure provision and services.
5. Guiding discussion and implementation of innovative core infrastructure and service provision solutions.
6. To ensure that all infrastructure networks and service provisions are legally compliant and operate within resource consent limits.

In addition to the common delegations on page 10, the infrastructure and Transport Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

7. 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.
8. To develop policy, approve core-infrastructure related operational strategies and plans and monitor their implementation.
9. To receive and consider presentations and reports from stakeholders, government departments, organisations and interest groups on core infrastructure and associated services and wellbeing issues and opportunities.
10. 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).

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:
 - a) contravenes the Council's Financial Strategy; or
 - b) significantly alters any level of service outlined in the applicable Long Term Plan or Annual Plan; or
 - c) 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 and Monitoring Committee.
- The Committee may make recommendations to Council and other Committees.

Recommendatory Oversight of Strategies:

- Access Hamilton
- Waste Management and Minimisation Plan
- Speed Management Plan
- Hamilton Biking Plan 2015-45

Recommendatory Oversight of Policies and Bylaws:

- *Three Waters Connections Policy*
- *Dangerous and Insanitary Buildings Policy*
- *Hamilton Parking Policy*
- *Streetscape Beautification and Verge Maintenance Policy*
- *Gateways Policy*
- *Traffic Bylaw*
- *Waste Management and Minimisation Bylaw*
- *Stormwater Bylaw*
- *Trade Waste and Wastewater Bylaw*
- *Water Supply Bylaw*

ITEM	TABLE OF CONTENTS	PAGE
1	Apologies – <i>Tono aroha</i>	5
2	Confirmation of Agenda – <i>Whakatau raarangi take</i>	5
3	Declarations of Interest – <i>Tauaakii whaipaanga</i>	5
4	Public Forum – <i>Aatea koorero</i>	5
5	Confirmation of the Infrastructure and Transport Committee Open Minutes - 20 July 2023	6
6	Notice of Motion/Revocation - Horsham Downs Road public transport improvement project	17
7	Climate Emergency Response Fund Transport Choices Package - Delivery Update	20
8	SH26 Morrinsville Road – Revocation Update and Fit for Purpose funding agreement proposal	129
9	Hamilton Water Supply Bylaw 2013 Review - Determination and Statement of Proposal Report	139
10	2024 Hamilton Speed Management Plan - deliberation and adoption (<i>Recommendation to the Council</i>)	210
11	Infrastructure and Transport Activity Report	259
12	Resolution to Exclude the Public	284

1 Apologies – *Tono aroha*

2 Confirmation of Agenda – *Whakatau raarangi take*

The Committee to confirm the agenda.

3 Declaration of Interest – *Tauaakii whaipanga*

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 Public Forum – *Aatea koorero*

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

Item 5

Committee: Infrastructure and Transport Committee

Date: 21 September 2023

Author: Nicholas Hawtin

Authoriser: Michelle Hawthorne

Position: Governance Advisor

Position: Governance and Assurance Manager

Report Name: Confirmation of the Infrastructure and Transport Committee Open Minutes - 20 July 2023

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

That the Infrastructure and Transport Committee confirm the Open Minutes of the Infrastructure and Transport Committee Meeting held on 20 July 2023 as a true and correct record.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Confirmation of the Infrastructure and Transport Committee Open Minutes - 20 July 2023

Infrastructure and Transport Committee

Te Komiti Tuaapapa me ngaa Waka

OPEN MINUTES

Minutes of a meeting of the Infrastructure and Transport Committee held in Council Chamber and Audio-Visual Link , Municipal Building, Garden Place, Hamilton on Thursday 20 July 2023 at 9.30am.

PRESENT

Chairperson Deputy Mayor Angela O’Leary
Heamana

Deputy Chairperson Cr Maxine van Oosten
Heamana Tuarua

Members: Mayor Paula Southgate
Cr Moko Tauariki
Cr Mark Donovan
Cr Louise Hutt
Cr Kesh Naidoo-Rauf
Cr Andrew Bydder
Cr Geoff Taylor
Cr Sarah Thomson
Cr Emma Pike
Cr Anna Casey-Cox

In Attendance: Andrew Parsons - General Manager Infrastructure and Assets
Chris Allen – Executive Director, Development
Eeva-Liisa Wright – Executive Director, Infrastructure Operations
Michelle Hawthorne - Governance & Assurance Manager
Martin Parks – Public Transport & Urban mobility Manager
Gordon Naidoo – City Transport Unit Director, Infrastructure Operations
Kelly Stokes – Capital Projects Director
Tania Hermann – Unit Director, Resource Recovery & Sustainability
Lauradanna Radesic – Communication and Engagement Manager
Mathew Leach – Relationship and Engagement Lead

Governance Staff: Amy Viggers – Governance Lead
Nicholas Hawtin and Arnold Andrews – Governance Advisors

Cr Tauariki opened the meeting with a Karakia Tiimatanga.

1. Apologies – *Tono aroha*

Resolved: (Deputy Mayor O’Leary/Cr van Oosten)
That the apologies for absence from Cr Wilson and Cr Huaki are accepted.

Cr Hamilton’s Extended Leave of Absence was approved 6 July 2023.

2. **Confirmation of Agenda – *Whakatau raarangi take*****Resolved:** (Deputy Mayor O’Leary /Cr Casey-Cox)

That the agenda is confirmed noting that Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) will be taken before Item 7 (2024-34 Hamilton City Council Waste Assessment).

3. **Declarations of Interest – *Tauaakii whaipanga***

Cr van Oosten and Naidoo-Rauf declared an interest in Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update). They noted they were not conflicted and would participate in the discussion and vote on the matter.

4. **Public Forum – *Aatea koorero***

Warren Gumbley – spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) concerning Hayes Paddock being closed into a Cul-de-sac. Spoke against the Cul-de-sac noting the negative impacts on the area.

Graeme Eagar-Savage – spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) concerning Plunket Terrace at Hayes paddock being closed into a Cul-de-sac. Noted their disapproval of the consultation process, the lack of sufficient options and the use of public funds.

David Williams – (Forest Lake Gardens Residents Committee) spoke to Item 9 (Infrastructure and Transport Activity Report) request for additional access for the Metlifecare Forest Lake Gardens village onto Minogue Drive. The need for greater accessibility and emergency access and for the Sway beside the facility to have greater maintenance.

Liam Carter – (Ride Your Trike NZ) spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) spoke to the Heaphy Terrace upgrade and the need for greater separated cycleway the whole terrace to raise safety.

Gary Farrow – spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) spoke for the need of upgrades to the Gallagher Drive & Kahikatea Drive cycling upgrades and the need for a raised berms for cycling safety.

Melissa Smith – (Bike Waikato) spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) gave their support for all upgrades noted. Noted the continued need for transport mode choice and closing the gaps across the city.

Stephanie Chernishov – spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) gave their support for all upgrades noted. Noted the dangers of biking within the city and the need for a continued drive for improving biking/walking infrastructure.

Karen Gunderson – Spoke to Item 8 (Climate Emergency Response Fund Transport Choice Package – Delivery Update) spoke against the double cycle lane being implemented into the Bader street shops. Noted the option for the cycle lane to be put on the opposite side of the road and remove the berms, highlighting that the opposite road would prevent a bus stop within the proposed cycle lane.

Nick Willemse – Spoke to Item 9 (Infrastructure and Transport Activity Report) and against the raised crossing and restriction of traffic flow which is increasing congestion and the Peach grove cycleway update.

Written submissions were received from Phil Evans and where circulated to elected members prior to the meeting. A copy is included as Appendix at the end of these minutes.

5. Confirmation of the Infrastructure and Transport Committee Open Minutes - 30 May 2023

Resolved: (Deputy Mayor O'Leary/Cr Hutt)

That the Infrastructure and Transport Committee confirm the Open Minutes of the Infrastructure and Transport Committee Meeting held on 30 May 2023 as a true and correct record.

6. Chair's Report

The Chair introduced her report highlighting parking enforcement, recent weather events and the response from staff. She responded to questions from Elected Members concerning the collaboration and response of Hamilton City Council and neighbouring District Councils during the recent weather events.

Resolved: (Deputy Mayor O'Leary/Cr Hutt)

That the Infrastructure and Transport Committee receives the report.

7. Climate Emergency Response Fund Transport Choices Package - Delivery Update

The Public Transport & Urban mobility Manager took the report as read. Staff responded to questions from Elected Members concerning climate change advisory and the governments criteria for climate funds, local government climate change criteria, Hayes Paddock upgrade discussion, Hayes Paddock upgrade, engagement process, alternative options, drainage issues and impact on emissions. Killarney Road rail safety crossing, Heaphy Terrace questions, Horsham Downs Road information process and engagement options, in lane bus stop, in carpark bus stop and safety views,

Staff Action: *Staff undertook to report to Elected Members regarding the concerns raised by the public in relation to Hayes Paddock area and driver behaviour.*

Motion: (Cr Thomson/Deputy Mayor O'Leary)

That the Infrastructure and Transport Committee approves the macroscope of **Project 15** - Hayes Paddock upgrade: **Option 2** with a two-way exit from Plunkett Terrace onto Jellicoe Drive.

Amendment: (Cr Hutt/Cr van Oosten)

That the Infrastructure and Transport Committee approves the macroscope of **Project 15** - Hayes Paddock upgrade **Option 1**.

The Amendment was put.

Those for the Amendment: Councillors Casey-Cox, Hutt and van Oosten.

Those against the Amendment: Mayor Southgate, Deputy Mayor O'Leary, Councillors Bydder, Pike, Naidoo-Rauf, Taylor, Thomson, Donovan and Tauariki.

The Amendment was declared LOST.

The Motion was then put and declared CARRIED.

Resolved: (Cr Thomson/Deputy Mayor O'Leary)

That the Infrastructure and Transport Committee approves the macroscope of **Project 15** - Hayes Paddock upgrade: **Option 2** with a two-way exit from Plunkett Terrace onto Jellicoe Drive.

Those for the Motion: Mayor Southgate, Deputy Mayor O'Leary,
Councillors Casey-Cox, Pike, Hutt,
Thomson, van Oosten and

Those against the Motion: Councillors Bydder, Naidoo-Rauf,
Donovan, Taylor and Tauariki

Resolved: (Deputy Mayor O'Leary/Cr Hutt)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves the macroscope of the following projects outlined in this report;
 - (i) **Project 3** - Gallagher Drive & Kahikatea Drive cycling upgrades;
 - (ii) **Project 4** - Heaphy Terrace cycling upgrades (between Boundary Road and Brooklyn Road);
 - (iii) **Project 9** - Killarney Road rail level crossing upgrade, subject to KiwiRail approval;
 - (vi) **Project 28** - Claudelands rail level crossing upgrades, subject to KiwiRail approval; and
- c) notes and approves inclusion of **Project 29** in the Climate Emergency Response Fund Transport Choices Programme to the value of \$120,000 for bike parking in schools to be 100% funded by Waka Kotahi;
- d) notes and approves the revised overall funding total for the Climate Emergency Response Fund Transport Choices Programme as \$37.12M; and
- e) notes some reallocation of overall programme funding between projects will be required to address forecast overs and unders and that staff will work with Waka Kotahi to reallocate funding where necessary but keep within the overall CERF budget allocation.

Resolved: (Cr Hutt/Cr Thomson)

That the Infrastructure and Transport Committee approves the macroscope of **Project 21** - Horsham Downs Road public transport improvement.

Those for the Motion: Councillors Casey-Cox, O'Leary, Hutt,
Thomson, van Oosten and Tauariki

Those against the Motion: Councillors Bydder, Pike, Naidoo-Rauf,
Southgate, Taylor and Donovan

The Motion was declared equal.

The Chair exercised her casting vote and the Motion was declared CARRIED.

The meeting was adjourned 11.50am to 12.35pm during the discussion of the above item.

8. 2024-34 Hamilton City Council Waste Assessment

Unit Director, Resource Recovery & Sustainability took the report as read. No questions were taken from the elected members.

Resolved: (Deputy Mayor O'Leary/Mayor Southgate)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) delegates authority to Deputy Mayor O'Leary as Chair of Infrastructure and Transport to approve the final Hamilton Waste Assessment to be submitted to the Medical Officer of Health as required under the Waste Minimisation Act 2008;
- c) notes that staff will provide an update on any feedback received from the Medical Officer of Health to the Waste Management and Minimisation Plan Working Group and circulate the final waste assessment via an Executive Update to Elected Members; and
- d) notes that a statement of proposal and consultation plan for the draft 2024-30 Waste Management and Minimisation Plan will be provided at a future Infrastructure and Transport Committee meeting.

9. Infrastructure and Transport Activity Report

Executive Director, Infrastructure Operations took the report as read. Staff responded to questions from Elected Members concerning the bus level of service improvements, Swale maintenance, raised safety platforms and safety audits, engagement with Peach grove shops, car share improvements, Metlifecare accessibility options and costs.

Resolved: (Deputy Mayor O'Leary/Cr Taylor)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves the final submission to Parliament's Justice Committee on the *Land Transport (Road Safety) Amendment Bill*;
- c) approves the final submission to the Ministry of Transport the *Proposed Amendments to the Land Transport Rule: Vehicle Exhaust Emissions 2007*;
- d) approves the final submission to Waka Kotahi NZ Transport Agency on the *Land Transport Rule: Traffic Control Devices (Bilingual Signs) Amendment 2023 - Draft for Consultation*;
- e) notes the Committee's support for the Metlifecare Forest Lake Gardens village onto Minogue Drive to move *existing pedestrian gate and form footpath over existing grass berm to connect to existing footpath on Minogue Drive*;
- f) delegates authority to the Strategic Growth and District Plan Committee to consider and approve the "key decision-making principles" to inform the Three waters Connections Policy Review included within the following:
 - i. Connections approval process;
 - ii. Wastewater and water supply technical capacity criteria;
 - iii. Draft Three-Waters Connections Policy (for public consultation); and
- g) notes that following approval of f) above that the Infrastructure and Transport Committee will continue the review the process of the Three Waters Connections Policy as per delegation.

The meeting was adjourned 2:15pm to 2:23pm during the discussion of the above item.

10. Resolution to Exclude the Public

Resolved: (Cr van Oosten/Cr Casey-Cox)

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 the Infrastructure and Transport Committee Public Excluded Minutes - 30 May 2023) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Partial Land Sale		

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)
Item C2.	to enable Council to carry out negotiations	Section 7 (2) (i)

The meeting was moved into public excluded session at 2:25pm

The meeting was declared closed at 2:27pm

Appendix 1



Plunket Tce/Jellicoe Dr
intersection layout

Up to 2013

We had real safety issues then

Plunket Tce/Jellicoe Dr
intersection layout

2013 - now

Traffic island
with
pedestrian crossing



Addressed safety
issues

- Calmed speed significantly
- Stopped boy-racers
- Fixed a confusing intersection
- Remedied pedestrian crossing problems

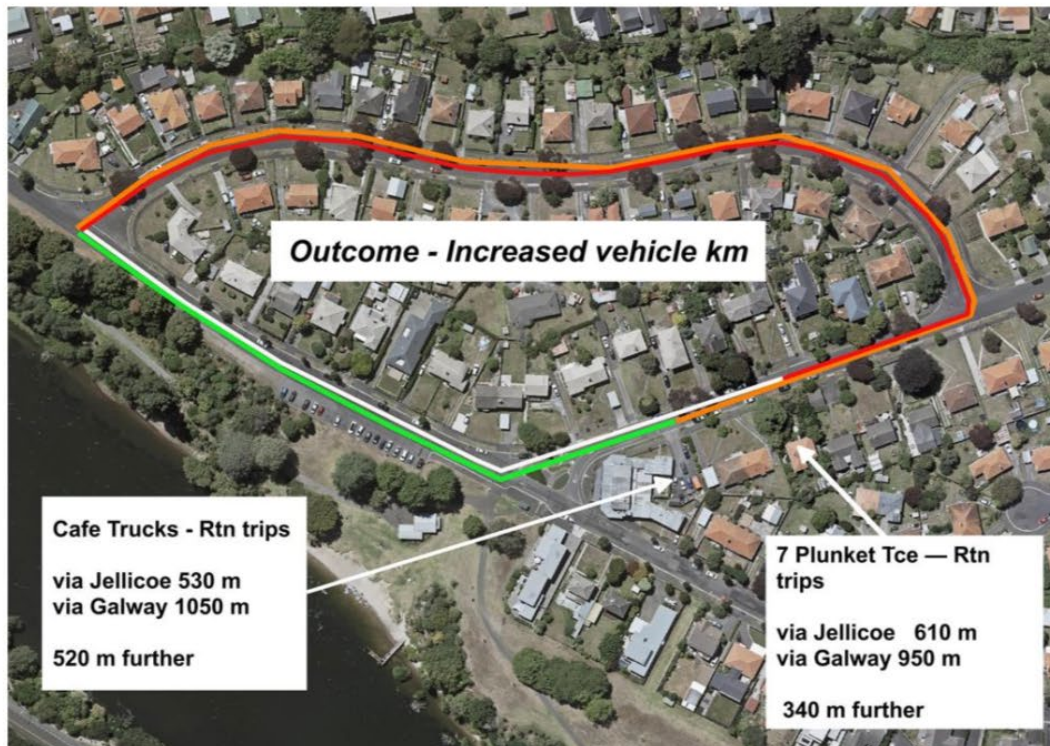
Av. speeds now

- Plunket Tce 35 km/h
- Jellicoe 40 km/h

Raised crossing over
Jellicoe Tce?

Item 5

Attachment 1



From HCC letter to residents 13 July 2023

- The main reasons for supporting the cul-de-sac option were:
- ☐ it enables a larger (and therefore, better) community space
 - ☐ it will be a safer environment for everyone with lower traffic volumes and reduced vehicle speeds
 - ☐ the space will be more friendly towards pedestrians and people on bikes
 - ☐ it will create a quieter neighbourhood for people to live in
 - ☐ it will make the community space safer with drivers not moving around or through the space
 - ☐ Plunket Terrace does not need to be a through road with other accesses available
 - ☐ it will create a nicer and more attractive area
 - ☐ it will be less confusing for drivers with a simpler road layout.

We have a traffic island – it works well and has remedied the dangers in 2013.

Closing Plunket Terrace will not make it safer for pedestrian and cyclists – they use the river track not Plunket Tce.

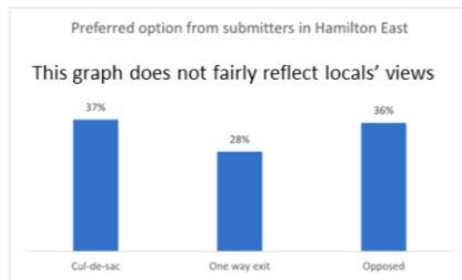
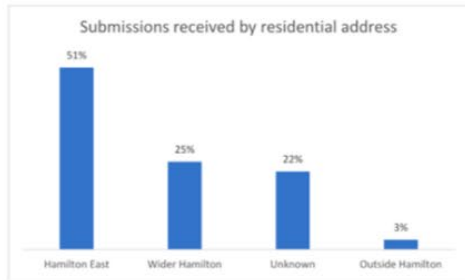
It will make residents, visitors and delivery vehicles drive further.

It will increase traffic flows on Galway Ave.

It will increase parking issues on Jellicoe, especially in summer.

The current layout is not confusing for drivers, cyclists or pedestrians.

Is this a beautification project?



Consultation

Stacked and manipulated to achieve Option1

This was a theatre of consultation.

None of the criticism offered by residents in submissions or at the focus groups is represented in the report to the committee.

The two options directed people to least bad (including me), and significantly skewed responses

Design was a major component of the focus groups indicating predetermination.

Results were not filtered to represent residents views But unfairly weighted to favour non-residents who will not have to live with this.

Public Forum Submission - Infrastructure & Transport Committee Meeting - 20th July 2023

Good morning everyone.

This submission speaks to **Item 8, the CERF Projects Update**.

Firstly I will continue to fully support every one of the 29 projects, and great to see Waka Kotahi adding another \$120,000 for bike parking facilities in schools.

So many great projects front and centre, and all planned for completion by June next year is fantastic. I've provided feedback for some of the projects when that has been requested through social media. Some of the small alteration suggestions I made have been incorporated into the plans, so it is good to see that providing feedback can have a positive effect.

While all these new projects are great, I will continue my call for direct and hard hitting driver education around bike lanes and people on bikes. You talk about bringing everyone along on the journey, but there is almost nothing coming from Council, Waka Kotahi or the Police directed at drivers, and how they should be driving around us, and how they should be using our roads.

I want to ask that staff are given more specific direction regarding the information that is made available to the public on the CERF and all other transport projects' changes that are taking place across the city. Raised safety platforms, in lane bus stop and bike lanes etc.

Easy to read and understand statements and descriptions that can help counter the often hostile driver comments on social media, the dangerous driving out on our roads, as well as countering the conspiracy theory nonsense that is increasingly permeating online discussions about these issues. And please don't always use the climate change angle to promote these changes. Most people don't care. Reducing congestion must be given equal weight. Getting people to change to different modes of transport is a must have requirement, with the three major growth areas over the next 20-30 years. Peacocks, Rotokauri and north of Enderly will see upwards of 60,000 vehicles over that time, and the result will be total gridlock unless active measures are made to make buses fully reliable, and with a fully connected and safe cycleway network.

I really hope those in leadership positions can fully understand that, and not contribute to the misinformation that is spreading fast.

Riding a bike needs to be as safe as it possibly can be. That involves educating and informing drivers about why these are vital in the coming years.

I will be pushing for additional funding for driver education in the LTP, but if Council is serious about bringing the public along on the journey, they need to actually be doing that regularly. The messaging needs to be ramped up significantly now. All those safety improvement projects are vital, and so is driver education.

Please do something about this.

Phil Evans
Bike ACTION Hamilton
Advocating for Safer Cycling in Hamilton

Council Report

Item 6

Committee: Infrastructure and Transport Committee

Date: 21 September 2023

Author: Amy Viggers

Authoriser: Michelle Hawthorne

Position: Governance Lead

Position: Governance and Assurance Manager

Report Name: Notice of Motion/Revocation - Horsham Downs Road public transport improvement project

Report Status

Open

Purpose - Take

1. A Notice of Motion was received by the Chief Executive on 21 August 2023 concerning Horsham Downs Road public transport improvements.
2. The notice of motion relates to revoking the decision made in relation to item 8 (Climate Emergency Response Fund Transport Choices Package - Delivery Update) from the Infrastructure Transport Committee meeting of 20 July 2023 ([Agenda and Minutes](#)).
3. Staff confirm the notice of motion is consistent with the provisions outlined in Council's Standing Orders (sections 24 and 27).

Motion to revoke

Motion: (Cr Donovan/Cr Naidoo-Rauf)

That the Infrastructure and Transport Committee revokes the following resolution concerning Horsham Downs Road public transport improvement that was previously approved at the 20 July 2023 Infrastructure and Transport Committee meeting:

That the Infrastructure and Transport Committee approves the macroscopic of Project 21 - Horsham Downs Road public transport improvement.

Motion for consideration

Motion: (Cr Donovan/Cr Naidoo-Rauf)

That the Infrastructure and Transport Committee:

- a. requests staff report to the Infrastructure and Transport Committee meeting of 9 November 2023 with a proposal for the Horsham Downs Road public transport improvement project following additional consultation and engagement with the community, noting that the new proposal is to not include an in-lane bus stop; and
- b. requests staff report to Infrastructure and Transport Committee of 9 November 2023, with options to ease the congestion at the Horsham Downs Rd-Thomas Rd roundabout while roadworks occur in the area.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Notice of Motion - Horsham Downs Road Public Transports Improvements (signed copy)

Item 6

Motion to revoke a previous resolution:**Motion:** (Cr Donovan/Cr Naidoo-Rauf)

That the Council revokes the following resolution concerning Horsham Downs Road public transport improvement that was previously approved at the 20 July 2023 Infrastructure and Transports Committee meeting:

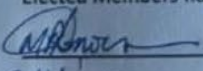
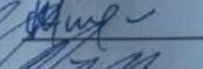
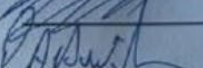
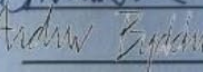
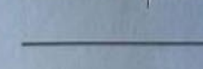
That the Infrastructure and Transport Committee approves the macro-scope of Project 21 - Horsham Downs Road public transport improvement.

New Motion for consideration:**Motion:** (Cr Donovan/Cr Naidoo-Rauf)

That the Council:

- a. requests staff report to the Infrastructure and Transports Committee meeting of 9 November 2023 with a proposal for the Horsham Downs Road public transport improvement project following additional consultation and engagement with the community, noting that the new proposal is to not include an in-lane bus stop; and
- b. requests staff report to Infrastructure and Transports Committee of 9 November 2023, with options to ease the congestion at the Horsham Downs Rd-Thomas Rd roundabout while roadworks occur in the area.

Elected Members names and signatures:

	Mark Donovan
	Kesh Naidoo-Rauf
	Geoff Taylor
	Ewan Wilson
	Andrew Bydder

Council Report

Committee: Infrastructure and Transport Committee
Date: 21 September 2023
Author: Martin Parkes
Authoriser: Eeva-Liisa Wright
Position: Public Transport and Urban Mobility Manager
Position: Executive Director Infrastructure Operations
Report Name: Climate Emergency Response Fund Transport Choices Package - Delivery Update

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

1. To inform the Infrastructure and Transport Committee on the progress of the Climate Emergency Response Fund Transport Choices Programme.
2. To seek the Infrastructure and Transport Committees approval to remove Project 11 (Thackeray Street) from the Climate Emergency Response Fund Transport Choices Programme.
3. To seek the Infrastructure and Transport Committees approval of macroscopes of projects #1 (Bader Street Connection to River Path and Hospital), #2 (Killarney Road – SH1C Greenwood Street to Western Rail Trail), #5 (Brooklyn Road cycle lanes and pedestrian crossings), #8 (Frankton East/Lake Domain to the Western Rail Trail), #17 (Rifle Range Road – SH23 Massey Street to SH1C Avalon Drive), #19 (Riverlea Connections), and #20 (River Road Footpath Western Side – Kirikiriroa Bridge to Comries Road).

Staff Recommendation - *Tuutohu-aa-kaimahi*

4. That the Infrastructure and Transport Committee:
 - a) receives the report;
 - b) notes and approves the removal of Project 11 Thackeray Street from the Climate Emergency Response Fund Transport Choices Programme: and
 - c) subject to the outcome of Safe System Audits, approves the macroscope of the following projects outlined in this report:
 - (i) **Project 1** - Bader Street Connection to River Path and Hospital;
 - (ii) **Project 2** - Killarney Road – SH1C Greenwood Street to Western Rail Trail (with the exclusion of the proposed pedestrian crossing between Ellis Street and Colombo Street);
 - (iii) **Project 5** - Brooklyn Road cycle lanes and pedestrian crossings (with the exclusion of the proposed raised pedestrian crossing in East Street close to its intersection with Brooklyn Road);
 - (iv) **Project 8** - Frankton East/Lake Domain to the Western Rail Trail (with the exclusion of the proposed connection from Upper Kent Street to the Western Rail Trail);
 - (v) **Project 17** - Rifle Range Road – SH23 Massey Street to SH1C Lincoln Street;

- (vi) **Project 19** - Riverlea Connections; and
- (vii) **Project 20** - River Road Footpath Western Side – Kirikiriroa Bridge to Comries Road.

Executive Summary - *Whakaraapopototanga matua*

5. Hamilton City Council has entered into a funding agreement with Waka Kotahi NZ Transport Agency under the Climate Emergency Response Fund Transport Choices (CERF) initiative to deliver a programme of transport network improvements to a total value of \$37.12m across 29 projects by 30 June 2024.
6. Delivery of the approved CERF programme of works is currently on track. Projects are at various stages. Initial engagement with stakeholders and the community on all projects is now complete. Construction of some projects is underway, within several others due to commence before the end of 2023.
7. Following preliminary design and community engagement several projects are seeking macroscopic approval from the Infrastructure and Transport Committee to enable progressing detailed designs and seeking implementation phase approvals from Waka Kotahi.
8. The Committee should note that following key stakeholder engagement it is recommended the Thackeray Street bus stop project (Project 11) does not progress to implementation. Further discussion on this is detailed outlined later in the report.
9. As designs are developed and updated cost estimates for implementation are received, it is noted that cost forecasts for some projects may vary from the original budget estimates. As per the CERF Funding Agreement, staff are working with Waka Kotahi on the reallocation of existing programme funding between projects to address identified forecast overs and unders.
10. Staff consider the matters and decisions in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

11. Transport makes up almost half of New Zealand's carbon emissions, most of which comes from road transport.
12. Funded as part of the Central Governments Climate Emergency Response Fund (CERF), Waka Kotahi NZTA are administering the Transport Choices initiative nationally – targeted at reducing transport emissions.
13. Following an application to the Transport Choices initiative the HCC programme has an agreed total of 29 projects. The 29 projects will deliver:
 - i. strategic cycling/micro mobility networks;
 - ii. walkable neighbourhoods; and
 - iii. public transport infrastructure improvements.
14. The proposed projects support existing Council strategies and plans, including Access Hamilton Strategy, Our Climate Future Strategy and Action Plan, the Biking Network Plan, Waikato Regional Public Transport Plan, and Hamilton's Parking Policy.
15. On 2 February 2023, Council resolved to support entering into CERF Transport Choices funding agreement in principle subject to the Infrastructure and Transport Committee finalising and approving the CERF project schedules.

16. On 7 March 2023, the Infrastructure and Transport Committee resolved to approve the CERF project schedules subject to future macroscope approval from the Infrastructure and Transport Committee for any projects valued over \$1.5m as well as projects #4 (Heaphy Terrace), #5 (Brooklyn Rd), #15 (Hayes Paddock), #21 (Horsham Downs Rd), #26 (Killarney Rd – Queens Ave to Western Rail Trail) and #27 (Anglesea St South).
17. Apart from Project 20 (River Road Footpath Western Side – Kirikiriroa Bridge to Comries Road), the remaining projects that require macroscope approval from this Committee form part of the citywide Biking and Micromobility Programme. By investing in the first 10 years of this programme the expected outcomes are to reduce emissions from transport by 6.7%, encourage 21,600 people to make biking and micro-mobility their main means of transport, and increase biking and micro-mobility mode share from 3.8% to 15% of journey to work and journey to education trips.
18. CERF Transport Choices is about making quick, small, visible changes to our streets and the way people use them, as well as encouraging people to try biking, walking, or public transport as a means of travel.
19. These relatively small-scale improvements will have a positive impact on improving the reliability of our transport system and improve the experience of people who use the networks which, in turn will make walking, cycling, and public transport a more attractive option.
20. Delivery of the programme is utilising a combination of existing internal resources and external resources. Internal programme and project governance structures have been established, including a Programme Steering Group which Waka Kotahi NZTA are a member of.
21. Waka Kotahi have recently provided updated guidance on upcoming key deliverables and deadlines for the programme:

Deadline	Council deliverable	Detail and document type
1 May 2023	Funding Agreement and Schedule 1 or Schedule 2	All funding agreements submitted and approved. (Complete)
Friday 9 June 2023	Project Plan – timeline (draft)	All project plan timelines must be received by this date. (Complete)
30 June 2023	C&E Plan (draft) M&E Plan (draft) Scheme/concept or preliminary design (work in progress)	All first drafts must be received by this date. If your project is going straight to Implementation, then your C&E and M&E plans must be approved by this date. (Complete)
22 September 2023	Detailed design Safe System Audit (Stage 3) as per Waka Kotahi Guidelines Refined scope Updated cost estimate for implementation Final Project Plan Final C&E Plan Final M&E Plan	The final deadline for the submission of these documents, to make sure Waka Kotahi can report to the Minister on the final programme

29 September 2023	Detailed design approval from Waka Kotahi	The final approval of the design packages
20 October 2023	Schedule 2 Implementation approval for all remaining projects	Due to Ministerial reporting requirements, all Schedule 2 Implementation documents must be submitted to Waka Kotahi by this date.
4 March 2024	Construction Started	All projects must start construction by this date.
30 June 2024	Project evaluation and close Safe System Audit (Stage 4 - Post Construction)	The Transport Choices programme finishes on 30 June 2024. All claims must be submitted in TIO by this date.

22. The total Council programme value is \$37.12m - inclusive of \$3.8m local share being funded from existing 2021-31 Long Term Plan budgets. In accordance with the funding agreement signed with Waka Kotahi, all works are to be complete by 30 June 2024.

Discussion – Matapaki

Project Updates

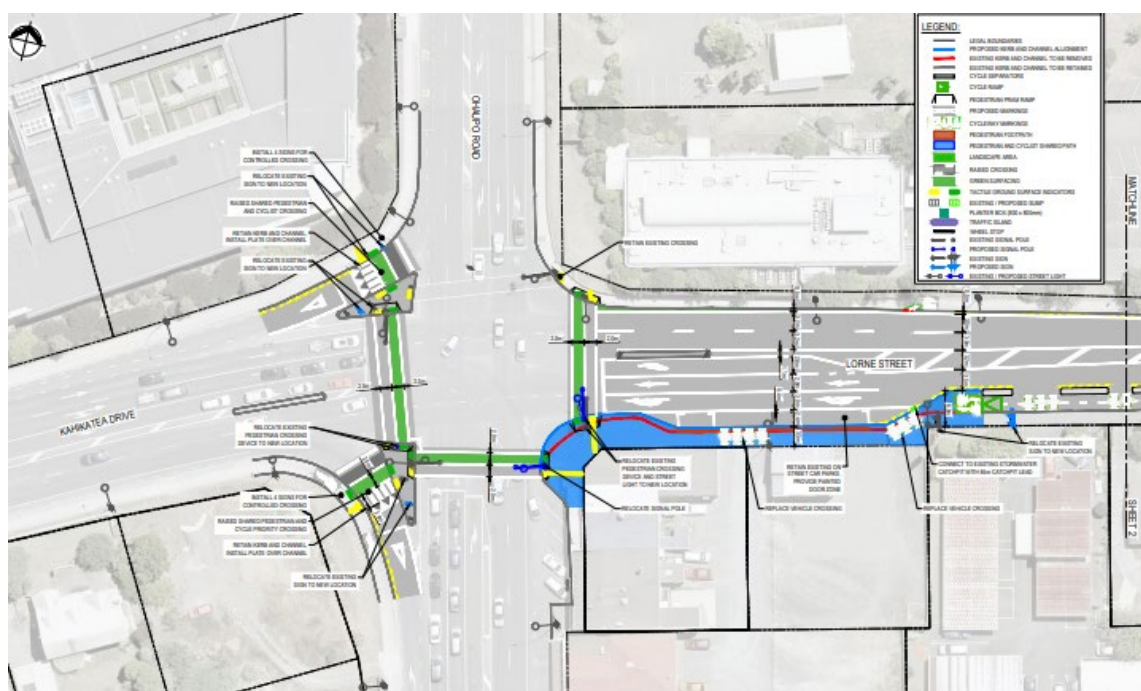
23. An update on each of the projects is included as **Attachment 1**.
24. A summary of projects including indicative construction timing is included as **Attachment 2**.
25. Projects are on-track to be delivered by 30 June 2024 however, as previously reported to this Committee, there remains a risk regarding delivery of planned level crossing upgrade projects 9 (Killarney Road) and 28 (Claudelands) regarding timing of design deliverables and construction in accordance with Waka Kotahi timeframes.
26. The key timeframe risk item is installation of automated gates at the level crossing points, which requires integration with signals. Timeframes for rail signals design and installation are currently under significant pressure nationally. To address this, it is proposed that the scope of the Killarney Road site does not include signal installation within the scope. Following discussions with KiwiRail, they advise that delivery of the Claudelands project is viable within the programme timeframe.
27. The Killarney Road level crossing will be assessed through an independent assessment to provide both HCC, Waka Kotahi and KiwiRail with a *'so far as is reasonably practicable'* assessment, to provide guidance on a safe crossing within the Transport Choices timeframes.
28. As mentioned in paragraph 8 above, the Committee should note that following key stakeholder engagement it is recommended Project 11, the Thackeray Street upgrade of public transport infrastructure and the provision of a mid-block raised pedestrian crossing, does not progress to implementation as part of the CERF Transport Choices programme. The key reason being the location is a primary access to Hamilton Central Fire Station. In discussions with Fire and Emergency NZ (FENZ) they raised significant concerns the proposal or any significant changes to Thackeray Street in the vicinity of their station access would have detrimental impacts to their access/egress from the station. Staff from HCC, FENZ, and Waka Kotahi have been working together on several alternative designs but a consensus on a way forward cannot be reached. Due to the tight timeframes for the delivery of the CERF programme, it felt best to remove this project from the programme.

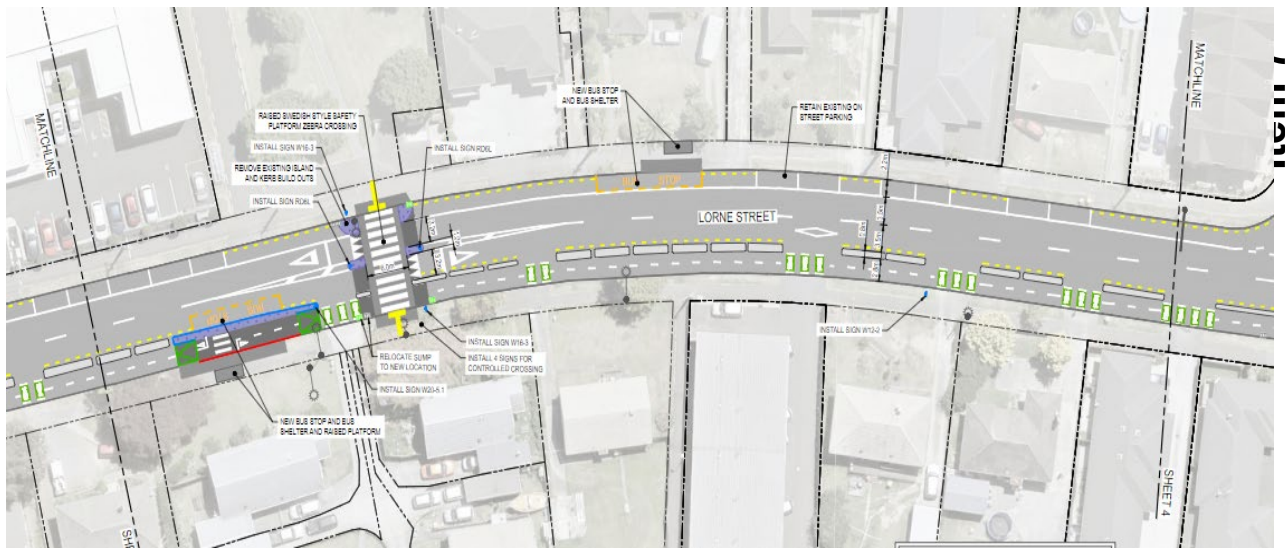
Project Macroscopic Approvals

29. In accordance with previous Committee resolutions, several projects in the programme require macroscopic approval prior to progressing to implementation. 7 projects are recommended for macroscopic approval in this report.

Project 1 – Bader Street Connection to River Path and Hospital

30. The purpose of the project is to improve walking and cycling connections between the Bader area and the Te Awa River Path and the Hospital.
31. Lorne Street and Normandy Avenue are cross city connections in Council's Biking & Micromobility Network Plan that is intended to link high demand destinations. Bader Street is a community link in Council's Biking & Micromobility Network Plan that is intended to connect neighbourhood centres and large destinations. The project forms part of the Bader to Peacockes priority route in Council's Biking and Micromobility Network Plan that modelling shows will have a demand for 6,200 users by 2050.
32. The planned project includes the following improvements:
- I. Normandy Avenue shared path upgrades from Bader Street to Cobham Drive
 - II. On-road separated cycle lanes along Bader Street
 - III. Installation of protected bi-directional cycle facility along the frontage of Bader Street shops, with a new pedestrian crossing
 - IV. Quiet way via Montgomery Crescent and Allenby Street to upgraded shared path
 - V. CPTED review and improvements for off-road routes
 - VI. Upgrade Bader Street/Normandy Ave, and Normandy Avenue/Lorne Street intersections to paired crossings
 - VII. Upgrade Lorne Street/Ohaupo Road intersection to paired crossings connecting to Ohaupo Road shared path on the western side
 - VIII. The installation of protected bi-directional cycle facility along Lorne Street (SH1C)
 - IX. Pedestrian/cycle crossing on Lorne Street, providing access to an existing Hospital path





**Lorne Street
(Western End)**

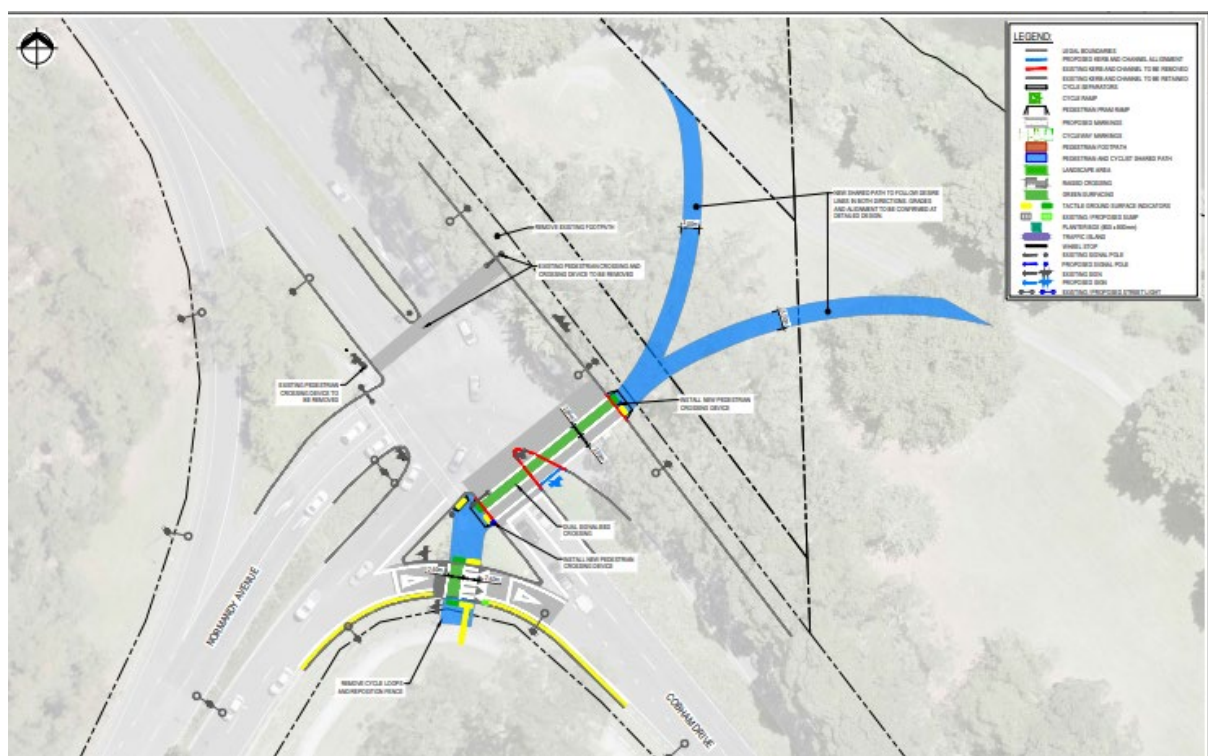


Item 7



Bader Street Shops



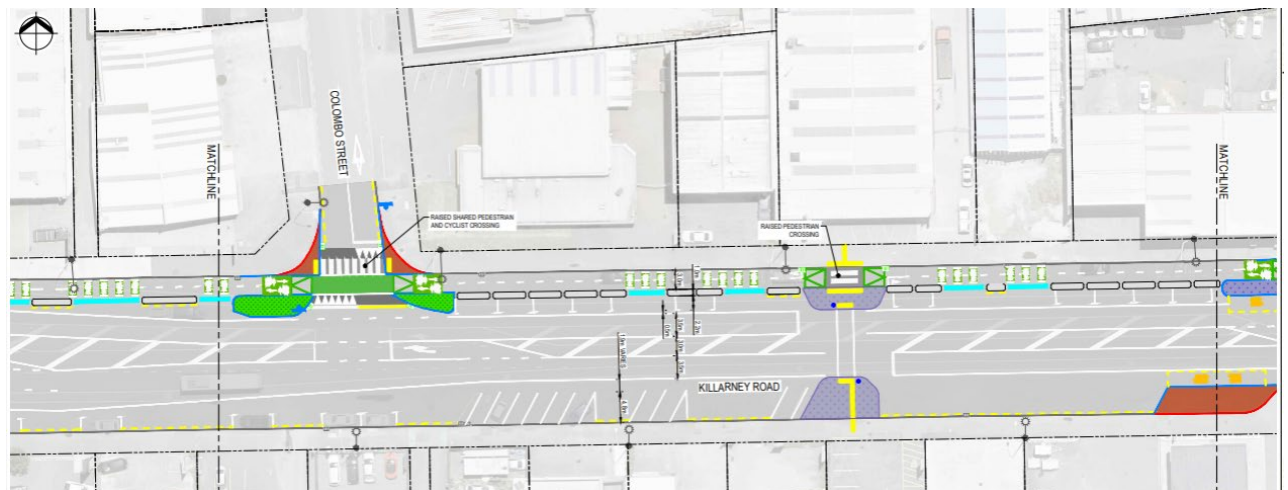
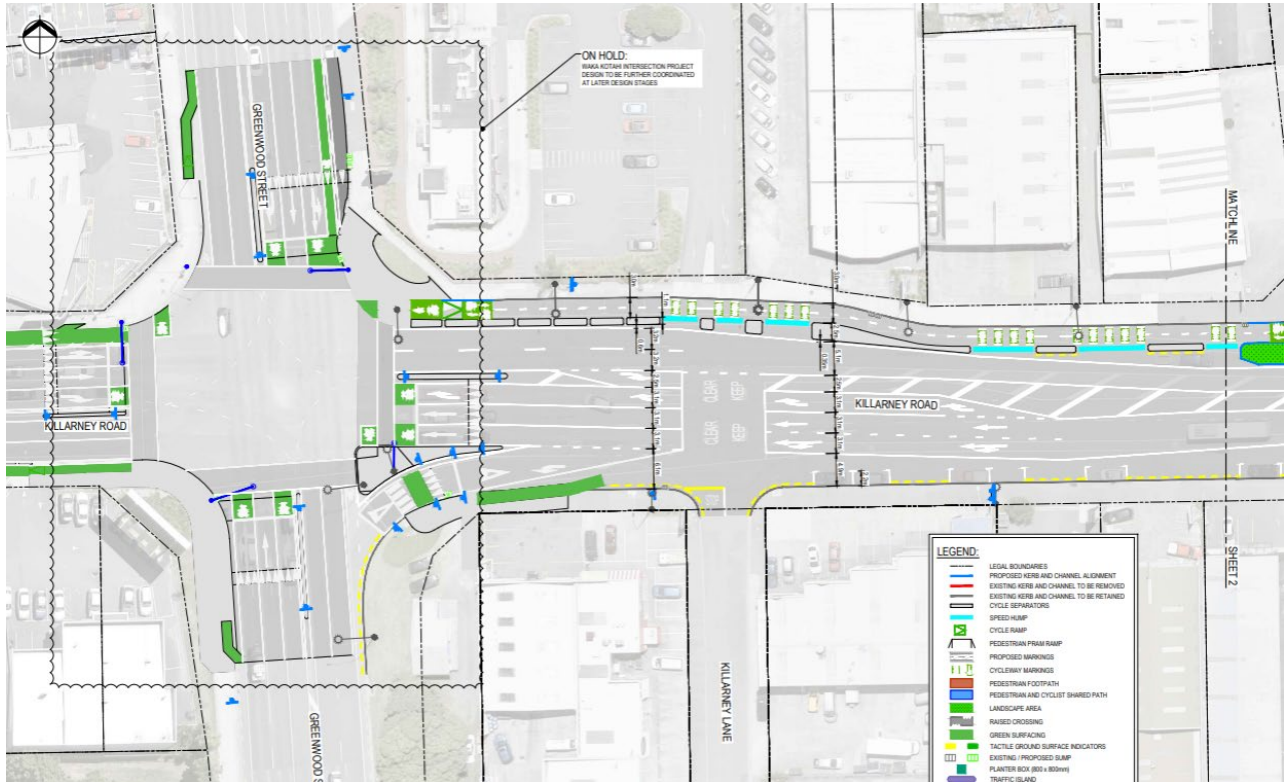


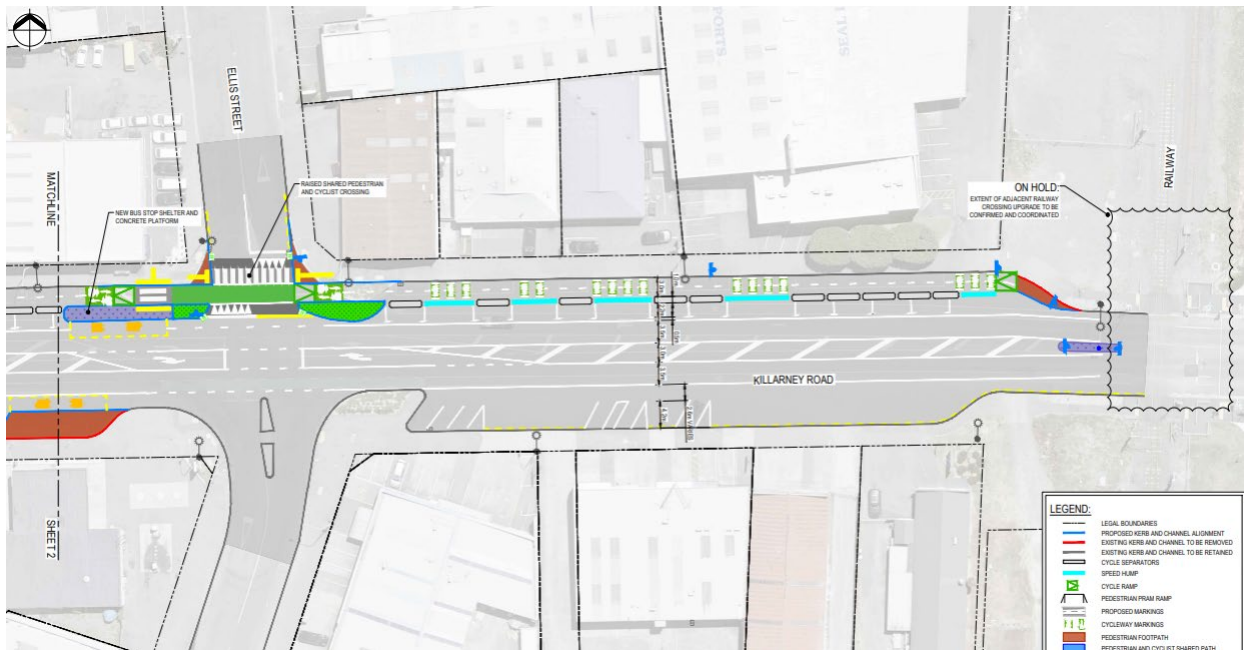
33. Community Engagement was undertaken between 11 July 2023 and 1 August 2023.
34. A summary of the community feedback is in **Attachment 3** to this report.
35. **Attachment 4** to this report is a letter from Te Whatu Ora Health New Zealand – Waikato.
36. **Attachment 5** to this report is a summary of feedback from Te Whare Kokonga - Melville Community Centre.
37. The project and feedback were presented to the Access Hamilton Action Plan Working Group on 28 August 2023. Guidance from the Working Group is supportive of the staff recommendation in this report.
38. Staff recommend the Infrastructure and Transport Committee approves the macroscopic of this project, subject to the outcome of the Safe System Audit. To include:
 - i. 900m of protected cycle lanes
 - ii. One new signalised crossing
 - iii. Three new paired zebra crossings on slip lanes
 - iv. Four bus stop upgrades

Project 2 – Killarney Road – SH1C Greenwood Street to Western Rail Trail

39. The purpose of the project is to provide safe and accessible connections for walking, biking and micromobility from Hamilton West communities to the Western Rail Trail.
40. Killarney Road is a cross city connection in Council's Biking & Micromobility Network Plan that is intended to link high demand destinations. The project forms part of a connection from the Dinsdale community to Lake Domain Road that modelling in Council's Biking and Micromobility Network Plan shows will have a demand for 3,200 users by 2050.
41. Following community feedback, staff are investigating the possibility of a roundabout at the intersection of Ellis Street and Killarney Road. This is unlikely to form part of the overall CERF package, however staff are in discussion with Waka Kotahi as to how this could be funded.

42. The planned project includes the following improvements:
- Bi-directional cycleway separated and protected from traffic;
 - Upgrade existing bus stop; and
 - Raised priority pedestrian/cycle crossings at side road intersections.





43. Community Engagement was undertaken between 25 July 2023 and 15 August 2023.
44. A summary of the community feedback is in **Attachment 6** to this report.
45. A summary from initial business engagement is in **Attachment 7** to this report.
46. The project and feedback were presented to the Access Hamilton Action Plan Working Group on 28 August 2023. Guidance from the Working Group is supportive of the staff recommendation in this report.
47. Staff recommend the Infrastructure and Transport Committee approves the macroscope of this project, subject to the outcome of the Safe System Audit. Staff recommend excluding the pedestrian crossing between Ellis Street and Colombo Street. The project scope includes:
 - i. 1km of a protected bi-directional cycleway;
 - ii. Two new paired zebra crossings; and
 - iii. Two bus stop upgrades.

Project 5 - Brooklyn Road cycle lanes and pedestrian crossings

48. The purpose of the project is to provide several controlled pedestrian crossings at midblock points on Brooklyn Road to connect the local community and visitors to Claudelands Park and community facilities. In addition, a safe cycle connection is to be provided between from Five Crossroads and Claudelands East intersection.
49. Brooklyn Road is a community link in Council's Biking & Micromobility Network Plan that connects to Te Ara o Te Rawhiti Eastern Pathways - a project that will benefit 23 education providers and 20,000 students.
50. The planned project includes the following improvements:
 - i. Priority pedestrian/cycle crossings;
 - ii. On-road separated cycle lanes;
 - iii. Adjust parking arrangements at Five Crossroads end of Brooklyn Road to mitigate conflict with people on bikes as they come off-road to access bike parking; and
 - iv. Adjust/remove shoulder space/on-street parking to allow for cycleway.



51. Community Engagement was undertaken between 28 July 2023 and 18 August 2023.
52. A summary of the community feedback is in **Attachment 8** to this report.
53. The project and feedback were presented to the Access Hamilton Action Plan Working Group on 28 August 2023. Guidance from the Working Group is supportive of the staff recommendation in this report.
54. Staff recommend the Infrastructure and Transport Committee approves the macroscope of this project, subject to the outcome of the Safe System Audit. Staff recommend excluding the proposed raised pedestrian crossing in East Street close to its intersection with Brooklyn Road. The project scope includes:
 - i. 1.8km of protected cycle lanes;
 - ii. 200m of shared path;
 - iii. Three paired zebra crossings (note the exact location and number of crossings to be confirmed subject to safe system audit and updated cost estimates);
 - iv. The allowance of 12-time restricted car parks;
 - v. The allowance of one mobility car park; and
 - vi. The allowance of 6 unrestricted car parks.

Project 8 - Frankton East/Lake Domain to the Western Rail Trail

55. The purpose of this project is to provide improved connections from the Western Rail Trail to east Frankton and Lake Domain communities, and recreational areas by way of upgrading existing facilities and improving safety, including personal safety.
56. The planned project includes the following improvements:
 - i. New pedestrian/cycle crossing facilities on Lake Domain Drive;

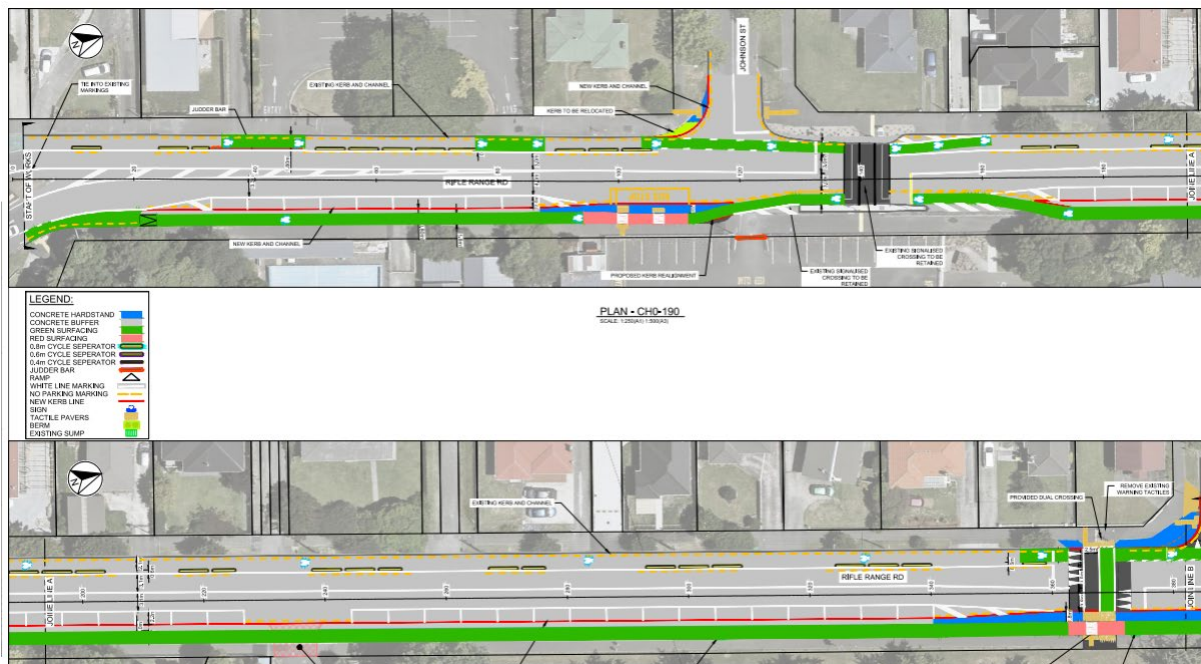
- ii. Upgrade existing shared path connecting to Lake Domain Drive and Lake path from Western Rail Trail; and
- iii. Lighting assessment and improvements along shared paths.

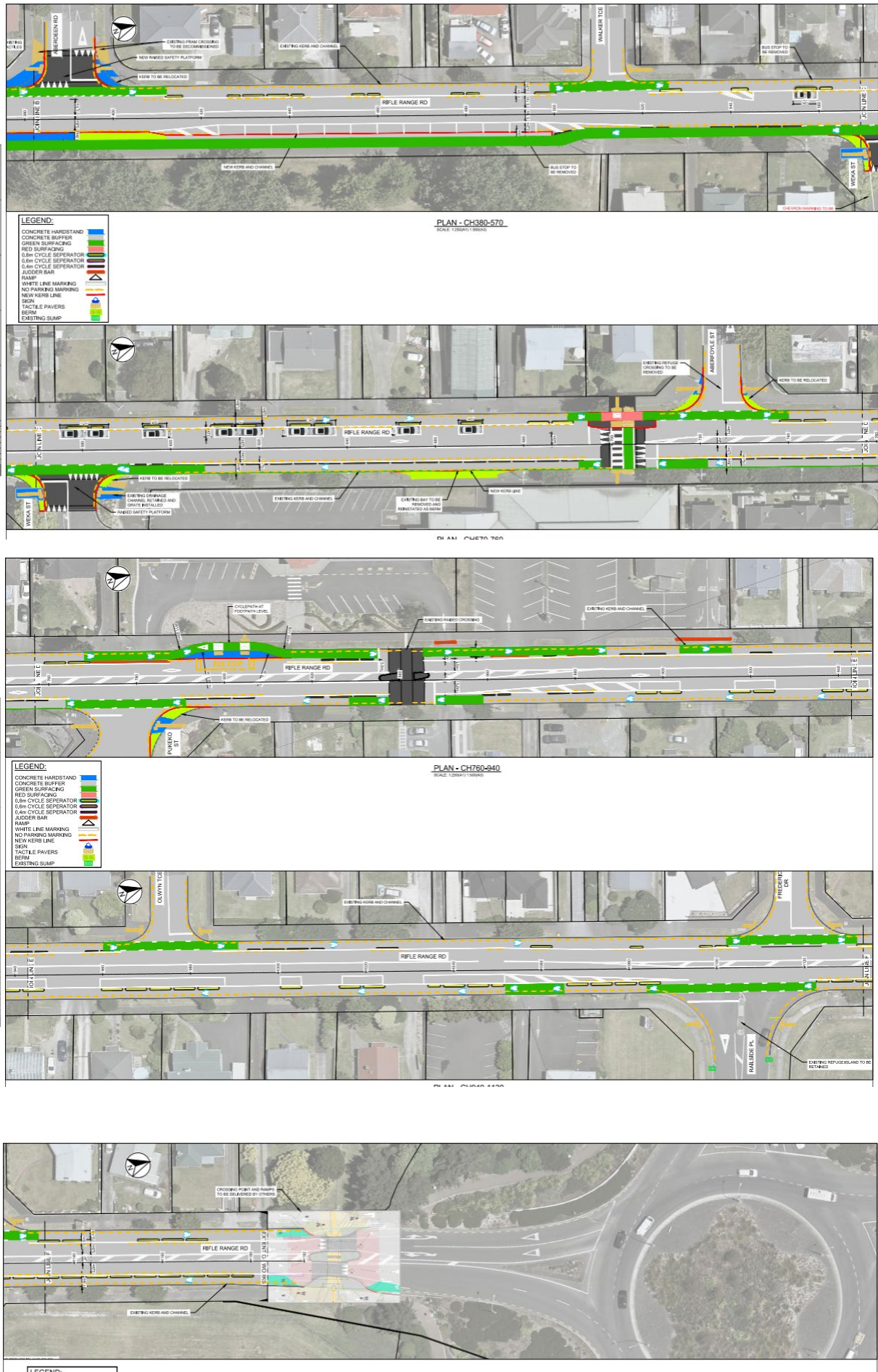


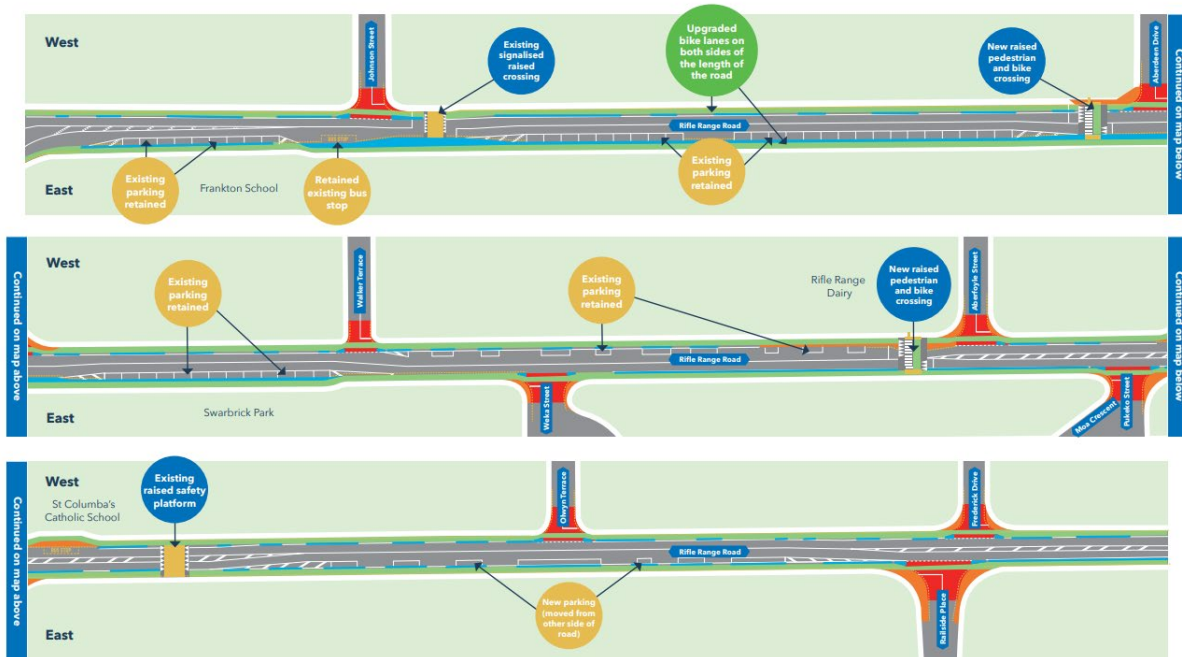
- 57. Community engagement was undertaken between 18 July 2023 and 1 August 2023 for the section of the project in Upper Kent Street.
- 58. A summary of the community feedback is in **Attachment 9** to this report.

Project 17 - Rifle Range Road – SH23 Massey Street to SH1C Lincoln Street

61. The purpose of the project is to provide safe walking and cycling connections along the whole length of Rifle Range Road from its intersection with Massey Street (SH23) and Lincoln Street (SH1C). It will link to the underpasses to Norton Road as well providing great opportunities for increased walking and cycling for school children attending St Columba's and Frankton schools. It should also be noted the project connects to a Waka Kotahi safety project at Norton Road/Lincoln Street (SH1C) roundabout.
62. Rifle Range Road is a cross city connection in Council's Biking & Micromobility Network Plan.
63. The planned project includes the following improvements:
 - I. The installation of uni-directional separated cycle lanes
 - II. Side road treatments to improve pedestrian connections, reduce cycle conflict and slow turning speeds with raised safety platforms and tighten kerb radii
 - III. Dual Pedestrian/cycle crossings on raised safety platforms
 - IV. Upgrade bus stops with bypasses for cyclists.
 - V. Adjust/remove shoulder space/on-street parking to allow for cycleway.
 - VI. Parking retained as much as possible, particularly in high use locations.







Rifle Range Road - Proposed improvements

● Kerb build-out	● Raised safety platform
● Raised crossing	— Footpath
— Protected bike lane	■ Parking
— Bike lane separator	

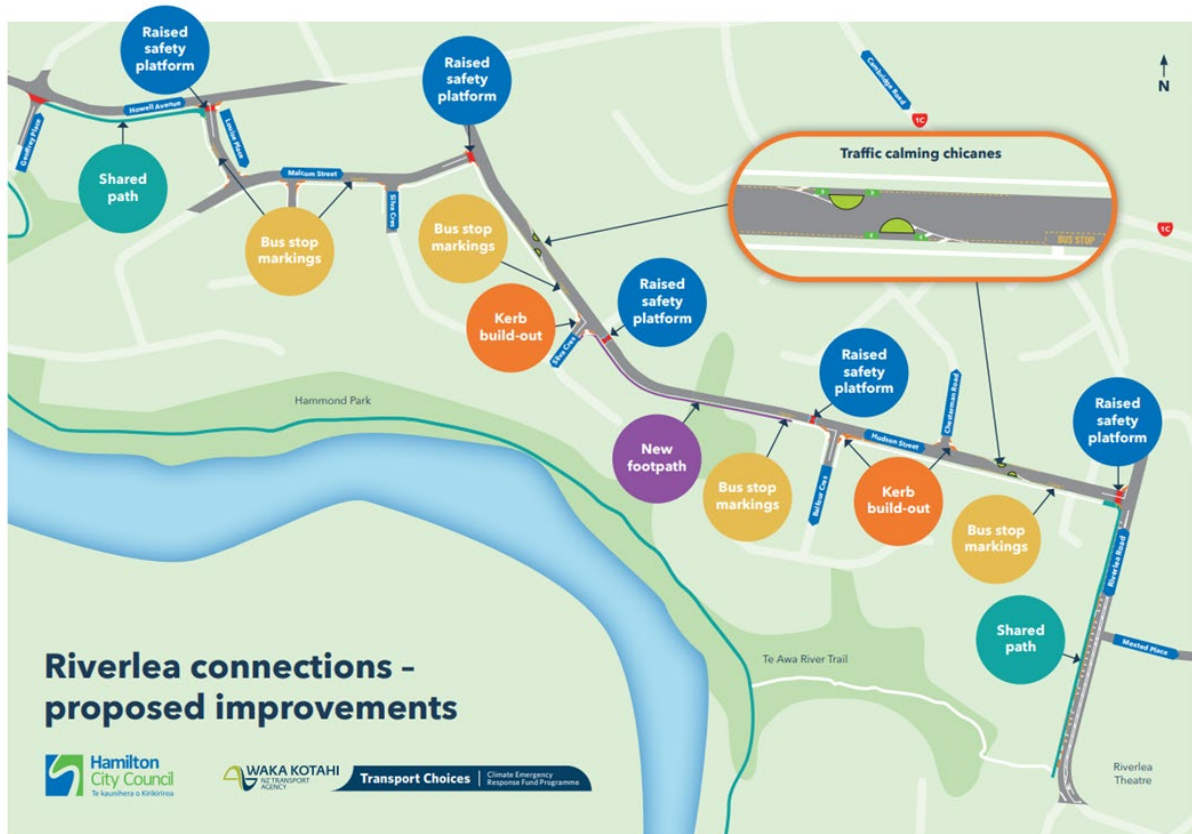
64. Community engagement was undertaken between 18 July 2023 and 8 August 2023.
65. A summary of the community feedback is in **Attachment 11** to this report.
66. The project and feedback were presented to the Access Hamilton Action Plan Working Group on 28 August 2023. Guidance from the Working Group is supportive of the staff recommendation in this report.
67. Staff recommend the Infrastructure and Transport Committee approves the macroscopic of this project, subject to the outcome of the Safety System Audit. The project scope includes:
 - I. 2 km of protected cycle lanes;
 - II. One new paired zebra crossings;
 - III. One new signalised crossing;
 - IV. Two roadside road treatments; and
 - V. Parking retained throughout the route, where possible on one side of the road.

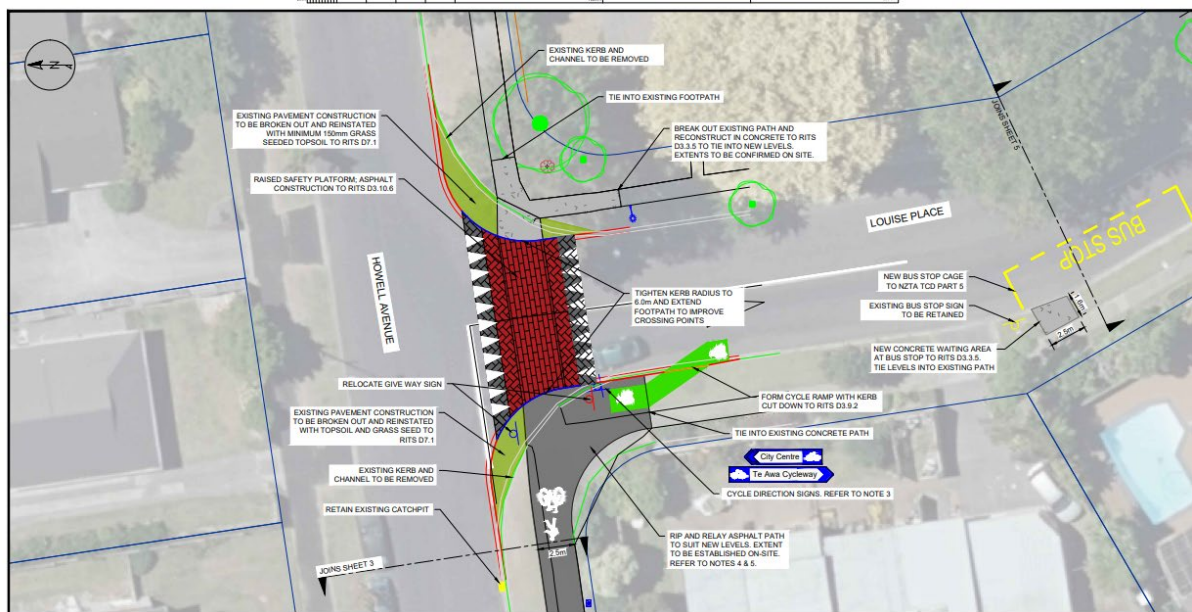
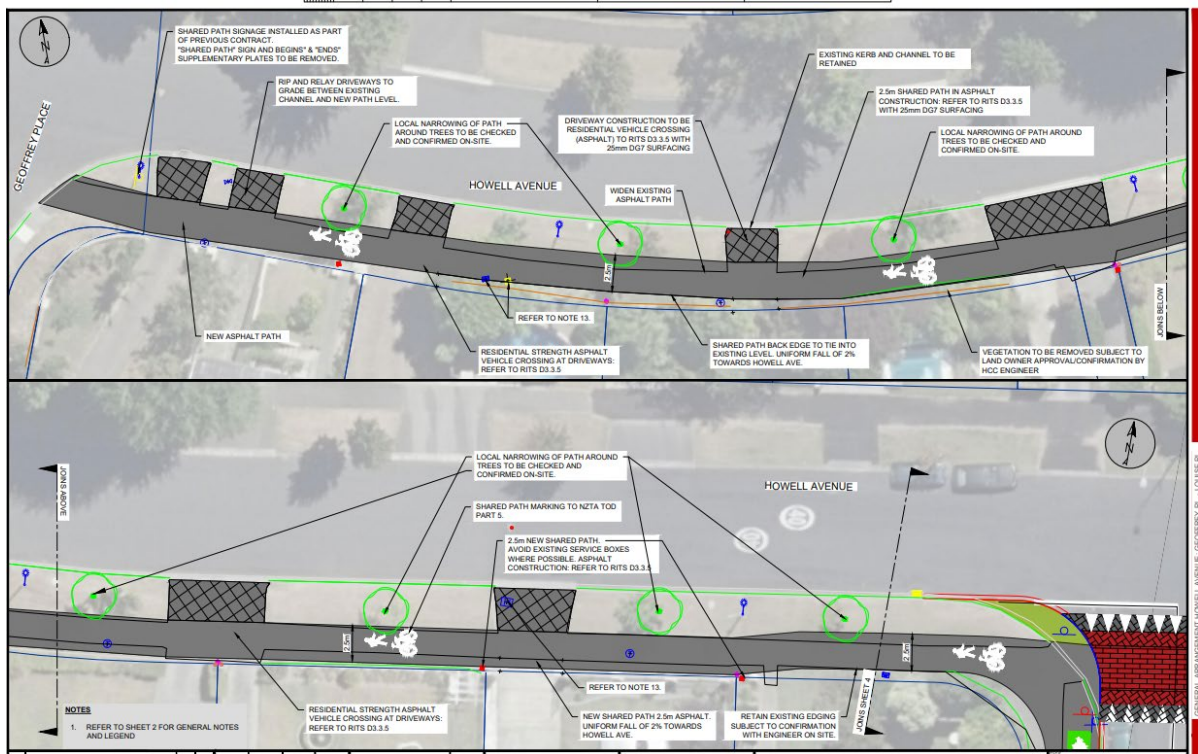
Project 19 - Riverlea Connections

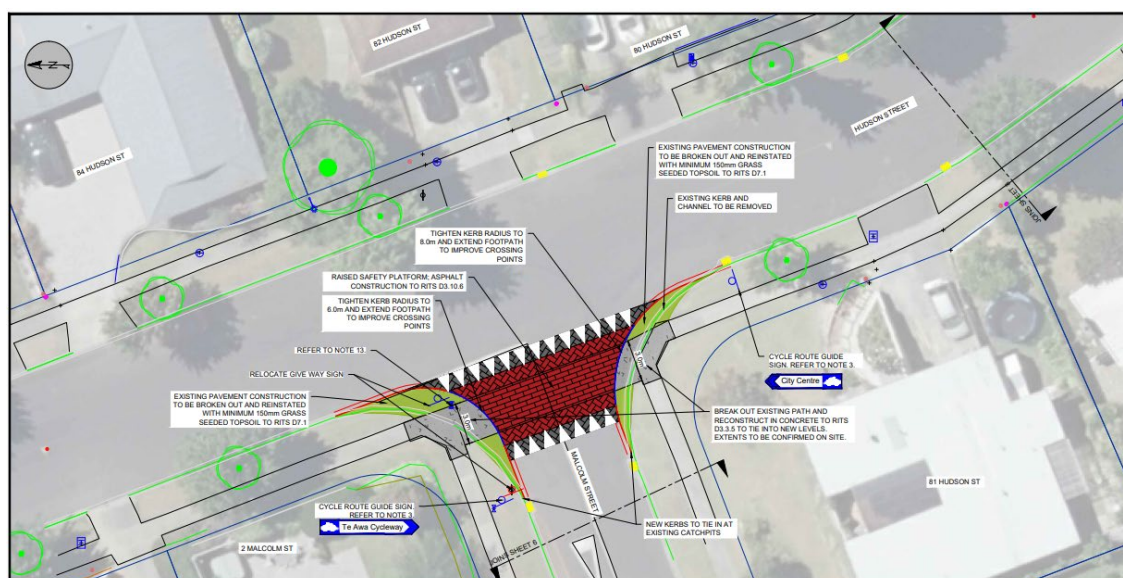
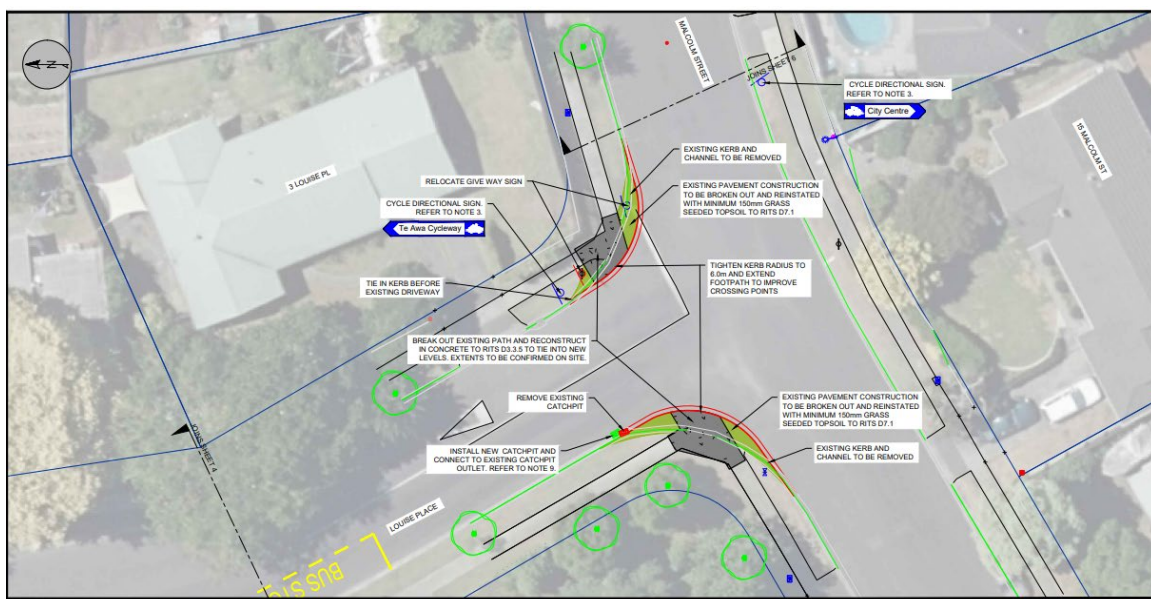
68. The purpose of this project is to provide safe and accessible connections for people on bikes to and from the Riverlea area. The recently completed Hamilton section of the Te Awa Great River Ride has made cycling in this area extremely popular for people of all ages and abilities.

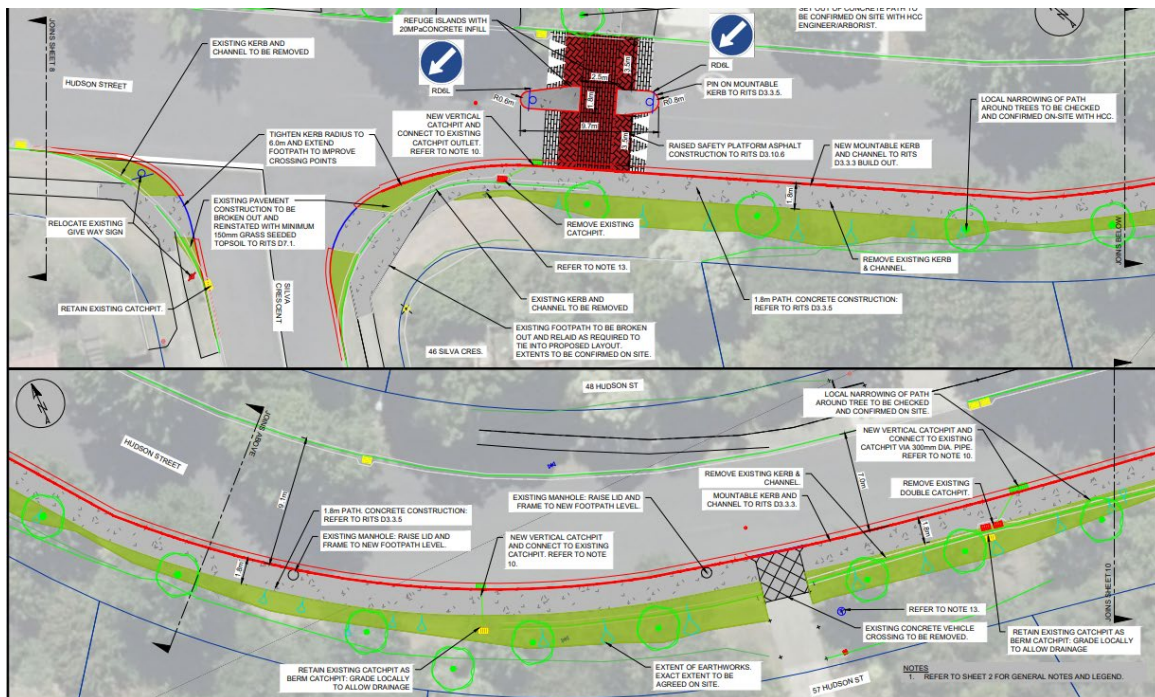
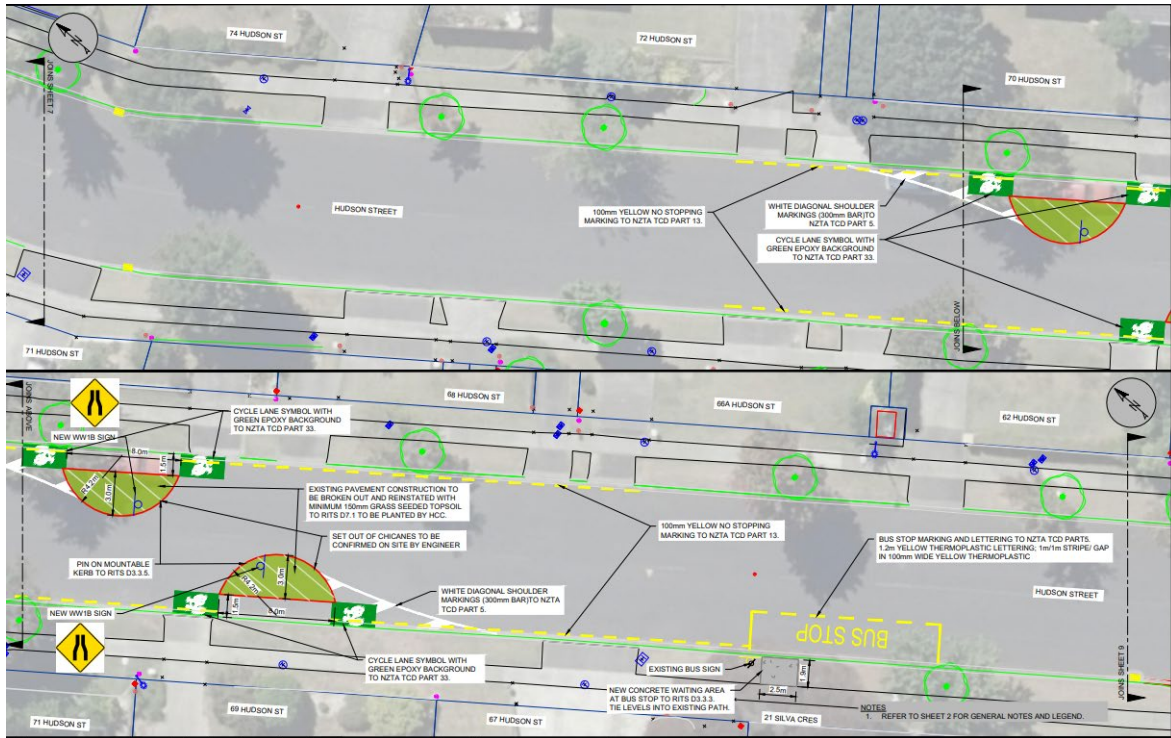
69. The planned project includes the following improvements:

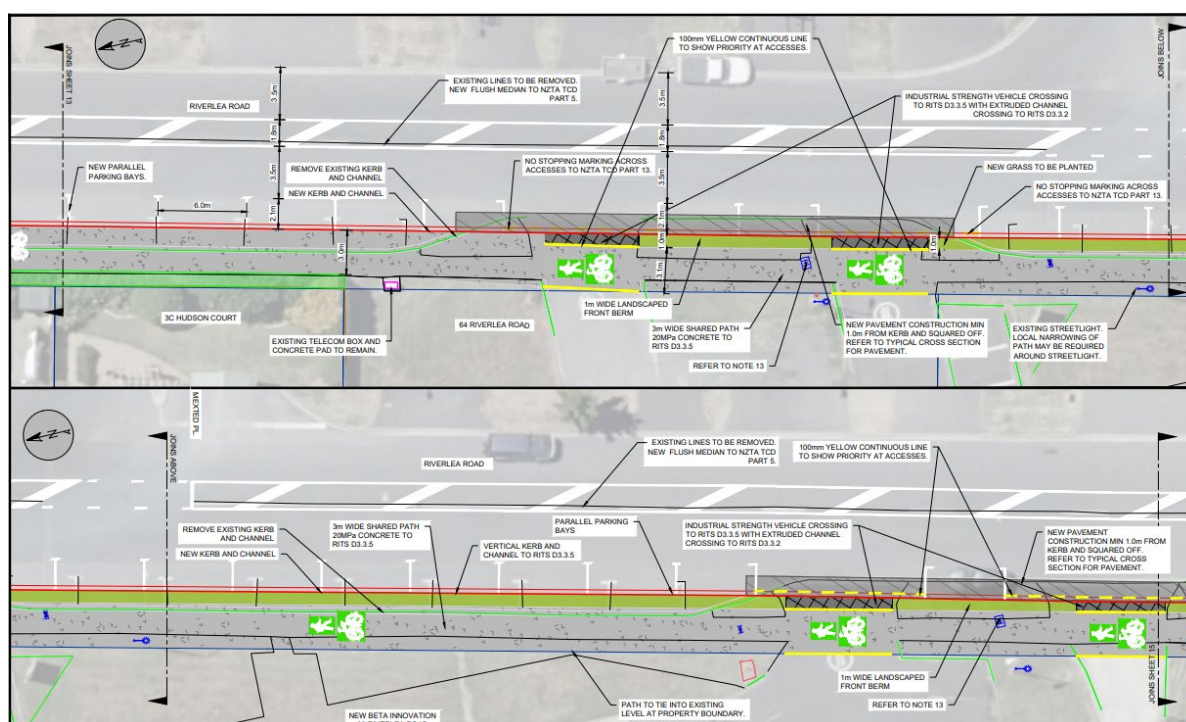
- I. Off-road shared path on Howell Avenue linking to Louise Place;
- II. Off-road shared path on Riverlea Road through the industrial area to protect cyclists from heavy commercial vehicles;
- III. Install traffic calming measures;
- IV. Tighten kerb radii at intersections and install raised safety platforms;
- V. Bus stop improvements; and
- VI. New footpath.











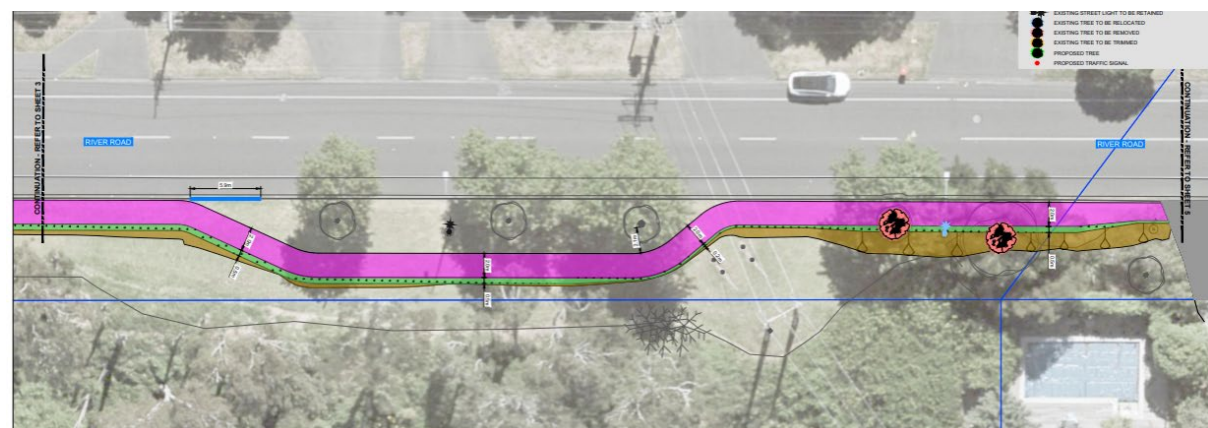
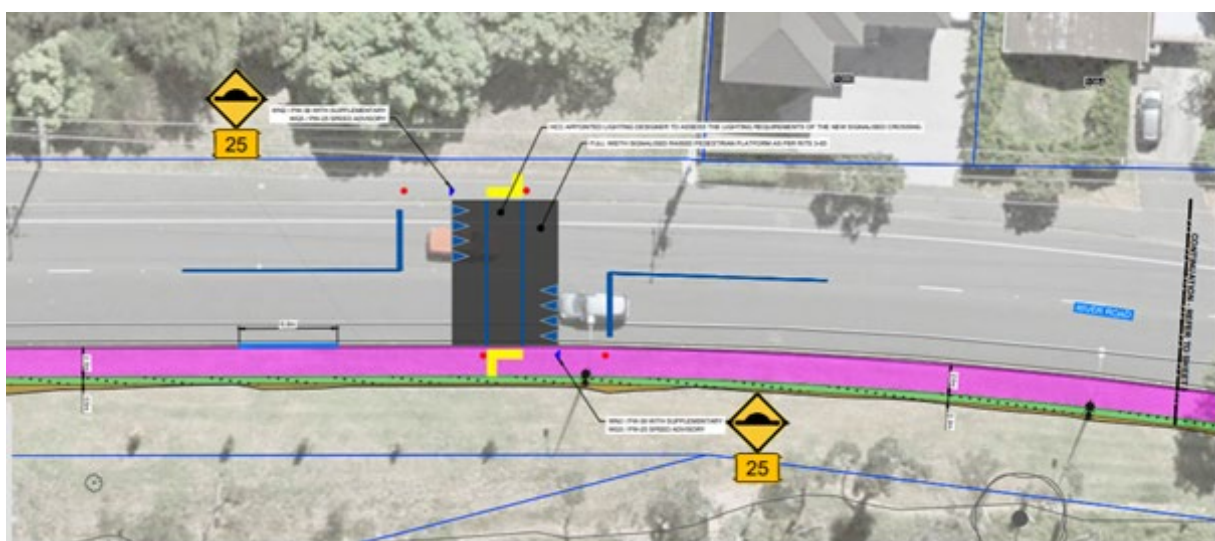
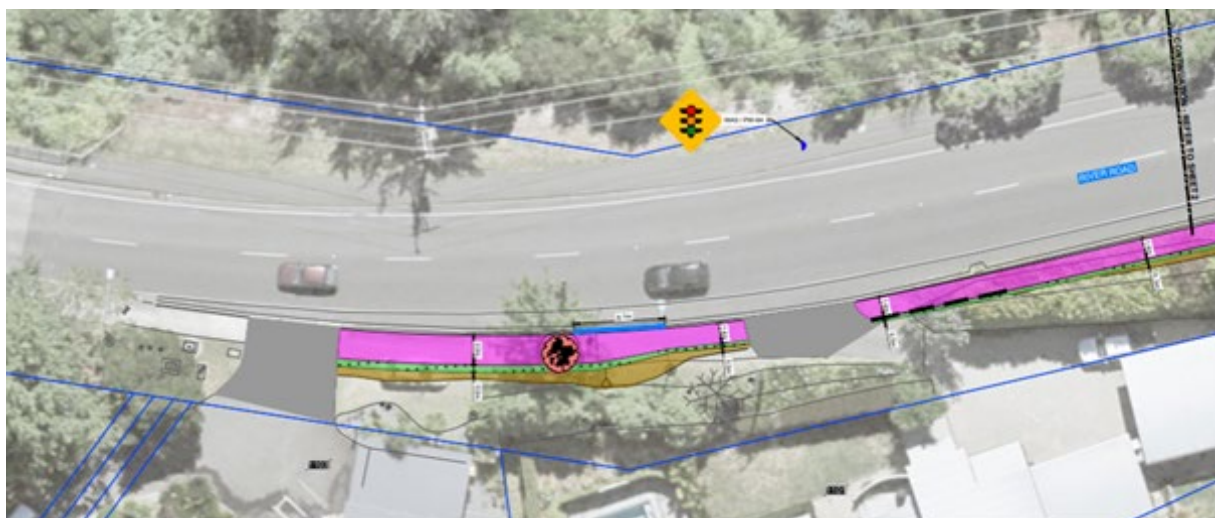
- Infrastructure and Transport Committee Agenda 21 September 2023- OPEN

- II. 900m of Greenways;
- III. Four new bus stop upgrades;
- IV. Five raised safety platforms; and
- V. Two chicanes.

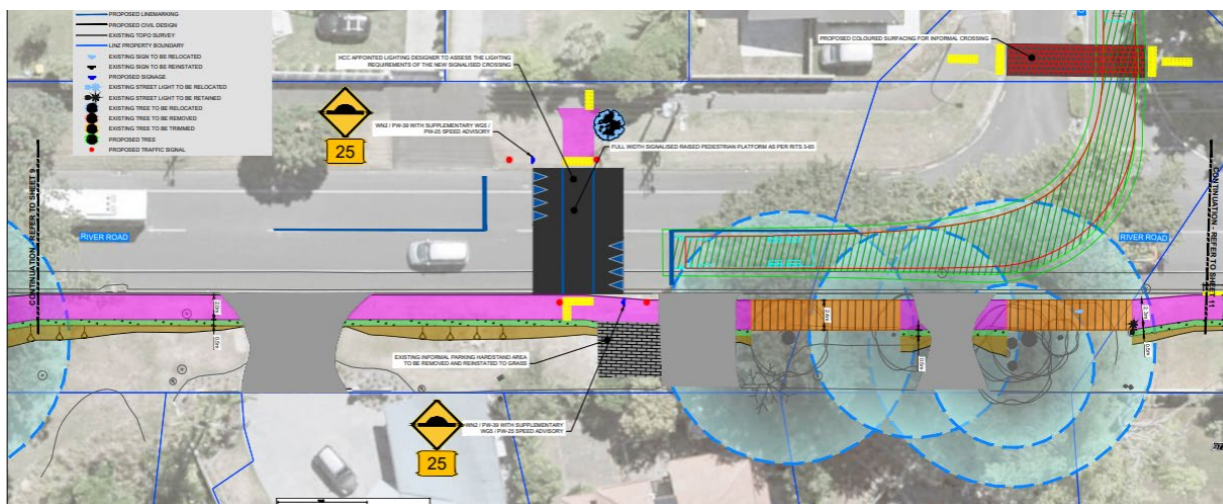
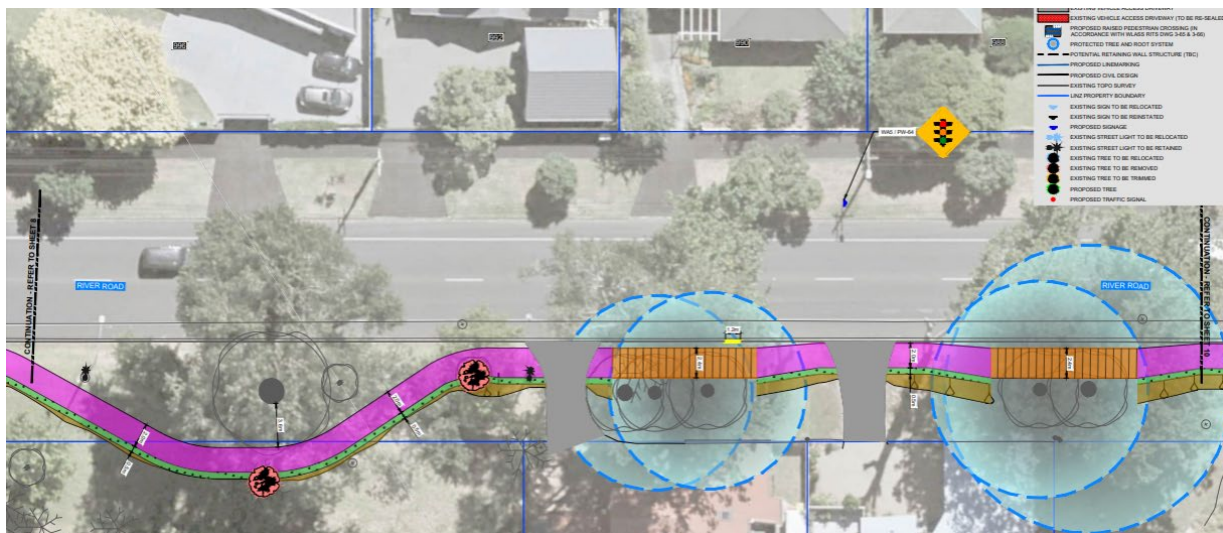
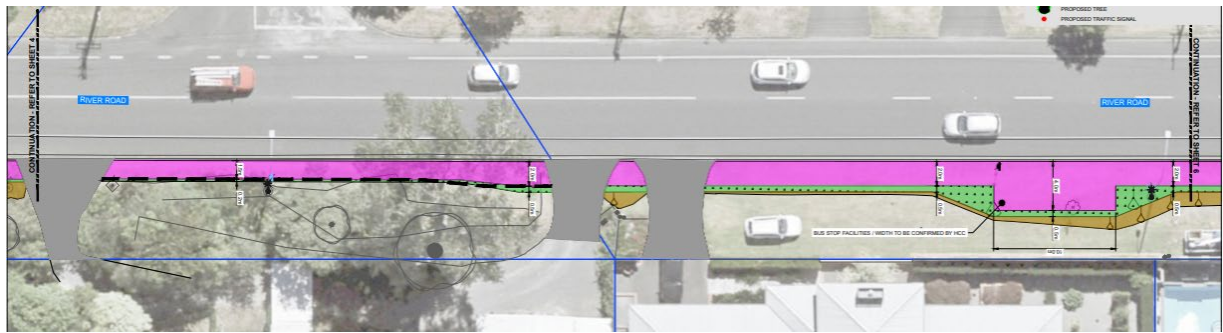
Project 20 - River Road Footpath Western Side – Kirikiriroa Bridge to Comries Road

74. The purpose of this project is to deliver a missing link in Hamilton's pedestrian network. Users currently walk along the grass berm to gain access to their destination. Installation of a new footpath at this location will improve accessibility and uptake of walking in the area. It will link to the Kirikiriroa Bridge which connects northwards to Wairere Drive and the Flagstaff suburb. New pedestrian crossing facilities will help people on the east side of River Road access the new footpath.
75. The planned project includes the following improvements:
- I. New footpath approx. 1.3km in length; and
 - II. Two new raised pedestrian/cycle crossings.





Item 7





76. Community engagement was undertaken between 8 August 2023 and 22 August 2023.
77. A summary of the community feedback is in **Attachment 13** to this report.
78. Staff recommend the Infrastructure and Transport Committee approves the macroscope of this project, subject to the outcome of the Safe System audit. The project scope includes:
 - I. 1.3km of new footpath, constructed from timber board walk and asphalt;
 - II. Two raised signalised crossings;
 - III. Removal of 11 trees;
 - IV. Planting of two trees; and
 - V. Relocation of five trees.

Financial Considerations - *Whaiwhakaaro Puutea*

Project Budget Reallocations (Overs/Unders)

79. As the programme progresses including the refinement of designs and cost estimate updates for implementation, cost forecasts for some projects will vary from the original budget estimates. These over and unders are highlighted in the financial table below.
80. The total cost to complete the programme of capital works remains at \$37.12M. The works will be delivered in the 2023/24 financial year.

Project Budget Allocations

81. The CERF Transport Choices initiative is funding \$33.32M of the programme, with the remaining \$3.8M HCC share being funded from existing 2021-31 Long Term Plan budgets.

Project No.	Project Name	Total Cost	CERF Share	HCC Share	HCC Share %
1	Bader Street/Lorne Street Cycling & Walking Connections	\$3,200,000	\$2,880,000	\$320,000	10%
2	Killarney Road: SH1C Greenwood St to Western Rail Trail (WRT) cycling connections	\$1,650,000	\$1,485,000	\$165,000	10%
3	Gallagher Drive and Kahikatea Drive walking and cycling improvements	\$1,550,000	\$1,395,000	\$155,000	10%
4	Heaphy Terrace: Boundary Rd to Brooklyn Rd cycling improvements	\$930,000	\$837,000	\$93,000	10%
5	Brooklyn Road: Pedestrian crossings and cycle facilities	\$1,280,000	\$1,152,000	\$128,000	10%
6	Claudeland Park Cycling Connection	\$1,030,000	\$927,000	\$103,000	10%
7	Bike & Scooter Parking	\$758,000	\$682,200	\$75,800	10%
8	Frankton East / Lake Domain to WRT cycling connections	\$1,550,000	\$1,395,000	\$155,000	10%
9	Killarney Road: Level crossing safety improvements	\$1,530,000	\$1,377,000	\$153,000	10%
10	Bus shelter replacements	\$1,210,000	\$1,089,000	\$121,000	10%
11	Thackeray Street in-lane bus stops and pedestrian crossing (proposed not to progress to construction)	\$670,000	\$603,000	\$67,000	10%
12	Hukanui Road in-lane bus stops, cycle bypasses and pedestrian crossing	\$1,050,000	\$945,000	\$105,000	10%
13	Bike Parklets – Grey Street, St Andrews Shops, Barton Street	\$620,000	\$558,000	\$62,000	10%
14	Palmerston St/Anzac Parade/Tristram St/Clarence St: walking and cycling improvements	\$800,000	\$720,000	\$80,000	10%
15	Hayes Paddock: community space, walking, cycling, public transport improvements	\$1,000,000	\$1,000,000	-	0%
16	Western Rail Trail to Frankton Station: walking and cycling improvements	\$1,330,000	\$1,197,000	\$133,000	10%
17	Rifle Range (Massey) to Avalon Dr (SH1C): cycling and walking improvements	\$2,860,000	\$2,574,000	\$286,000	10%
18	Hall Street/Mill Street: cycling improvements	\$350,000	\$315,000	\$35,000	10%
19	Riverlea Connections; Alternative cycling link	\$1,810,000	\$1,629,000	\$181,000	10%
20	River Road footpath (west side)	\$1,800,000	\$1,800,000	-	0%

21	Horsham Downs Road: public transport, walking and cycling improvements (in-lane bus stops)	\$1,300,000	\$1,170,000	\$130,000	10%
22	Lake Road/Commerce Street Roundabout: walking and public transport improvements	\$1,200,000	\$960,000	\$240,000	20%
23	Rotokauri Road/Baverstock Road: public transport and walking improvements.	\$1,030,000	\$824,000	\$206,000	20%
24	Hyde Avenue: Public transport and walking improvements	\$530,000	\$424,000	\$106,000	20%
25	Pembroke Street: in-lane bus stops and pedestrian crossings	\$1,050,000	\$840,000	\$210,000	20%
26	Killarney Road - Queens Avenue to WRT: Walking and cycling improvements	\$950,000	\$855,000	\$95,000	10%
27	Anglesea St (south): in-lane bus stop and walking improvements	\$400,000	\$360,000	\$40,000	10%
28	Claudlands East/Brooklyn Road: Level crossings safety improvements	\$3,562,000	\$3,205,800	\$356,200	10%
29	School Bike Parking (Complementary Measures)	\$120,000	\$120,000	-	0%
		\$37,120,000	\$33,319,000	\$3,801,000	

Item 7

82. There are no new financial implications for Hamilton City Council in relation to this report.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

83. Staff confirm that the recommendations in this report comply with the Council's legal and policy requirements.

Climate Change Impact Statement

84. The CERF Transport Choices programme positively responds to the climate change emergency by supporting and encouraging transport modal shift from high emission vehicles to more sustainable modes of public transport, cycling and walking. This is in alignment with the outcomes of Access Hamilton Ara Kootuitui Kirikiriroa and Our Climate Future: Te Pae Tawhiti o Kirikiriroa.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

85. 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').

86. 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.

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

Social

88. The initiatives and programme of work in this report will contribute directly to the social wellbeing of people and communities by providing safe alternatives to vehicle use within Hamilton. It will help improve safety for our most vulnerable road users and enable people without access to a motor vehicle to access essential services.

Economic

89. The initiatives and programme of work in this report will contribute towards greater transport choice by improving safe options for travel by bike, scooter, walking, and public transport, all of which provide affordable alternative transport choice options.
89. Hamilton's population is growing fast and becoming denser. This will result in an increased use of the transport network. As roads get busier this can have an economic impact, with people spending more time in traffic getting around the city and greater inefficiencies in freight transport.
90. Increasing use of active modes and public transport will help towards deferring some costs of congestion in the long term. The CERF programme will help better connect people to economic opportunities by providing more cost-effective travel choices.

Environmental

91. The primary purpose of the CERF programme is to support transport modal shift from private vehicles to walking, cycling and public transport. Encouraging active and public transport will contribute to a reduction in vehicle related emissions.
92. Within projects, assessments are being undertaken to assess materials options with an aim to reduce embodied emissions where practical.

Cultural

93. Council is committed to honouring the principles of Te Tiriti o Waitangi/The Treaty of Waitangi through its relationship with Tūhāte, Waikato-Tainui, mana whenua and maataawaka within Kirikiriroa/Hamilton.
94. The approach for the development and delivery of the CERF projects is to partner and work alongside Iwi and Mana Whenua, and our wider community to reflect and recognise Hamilton Kirikiriroa is culturally diverse, and there will be different priorities, opportunities, and concerns when it comes to the projects in the CERF programme.
95. The CERF team are engaging with Iwi and Mana Whenua to discuss cultural opportunities across the CERF programme of projects. Iwi and Mana Whenua have already indicated interest in Western Rail Trail projects and Hayes Paddock. Additional engagement sessions will further define opportunities.

Risks - *Tuuaru*

96. There is a reputational risk to Council should CERF projects not progress and/or be delivered by 30 June 2024.
97. There is a risk that if project macroscopes are not approved to enable further detailed design of these projects, the projects may not meet the Waka Kotahi deadlines for detailed design completion by 29 September 2023 which could result in implementation funding not being available.

98. As a result of undertaking construction activities and road works to deliver all these projects by 30 June 2024, there is a risk of causing unacceptable disruption to existing transportation networks. We are currently working through detailed construction phasing and methodology planning to minimise construction disruption as much as possible.
99. It is noted that projects are still subject to subsequent implementation funding approvals from Waka Kotahi which are anticipated in late September and early October 2023. Waka Kotahi have advised that the total Transport Choices programme nationally is oversubscribed against the budget. There remains a risk that implementation funding will not be approved for all projects.

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

100. 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

101. Community views and preferences on the programme of some projects are already known to the Council through previous consultation and engagement.
102. Further engagement on projects is planned over the next 2 months to seek feedback on proposed concepts and designs.
103. A programme Communications plan has been prepared, and communications plans will be produced for all projects in the programme. Engagement and consultation will be undertaken.

Attachments - *Ngaa taapirihanga*

- Attachment 1 - Attachment 1 - Project Updates Report - Infrastructure & Transport Committee September 2023
- Attachment 2 - Attachment 2 - CERF Transport Choices Project Timeline Summary - Infrastructure & Transport Committee September 2023
- Attachment 3 - Attachment 3 - Bader Connections Feedback - Infrastructure & Transport Committee September 2023
- Attachment 4 - Attachment 4 - Te Whatu Ora Health New Zealand - Infrastructure & Transport Committee September 2023
- Attachment 5 - Attachment 5 - Te Whare Kokonga - Infrastructure & Transport Committee September 2023
- Attachment 6 - Attachment 6 - Killarney Road Upgrade Feedback - Infrastructure & Transport Committee September 2023
- Attachment 7 - Attachment 7 - Killarney Road Upgrade - Business Feedback Summary - Infrastructure & Transport Committee September 2023
- Attachment 8 - Attachment 8 - Brooklyn Road Upgrade Feedback - Infrastructure & Transport Committee September 2023
- Attachment 9 - Attachment 9 - Upper Kent Street Feedback - Infrastructure & Transport Committee September 2023
- Attachment 10 - Attachment 10 - Upper Kent Street Petition - Infrastructure & Transport Committee September 2023
- Attachment 11 - Attachment 11 - Rifle Range Road Upgrade Feedback - Infrastructure & Transport Committee September 2023

Item 7

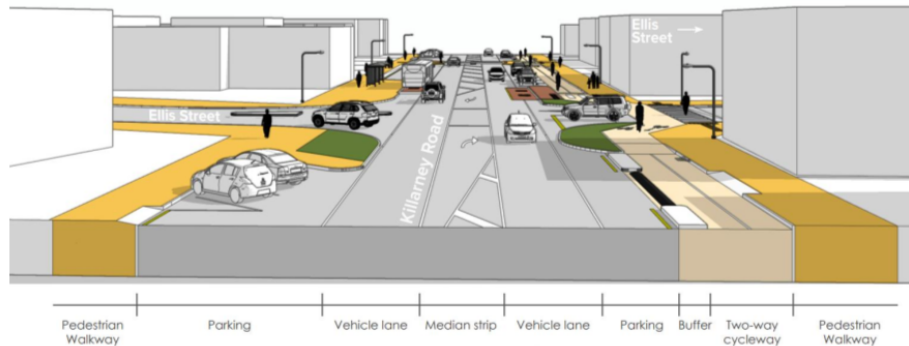
Attachment 12 - Attachment 12 - Riverlea Connections Feedback -Infrastructure & Transport
Committee September 2023

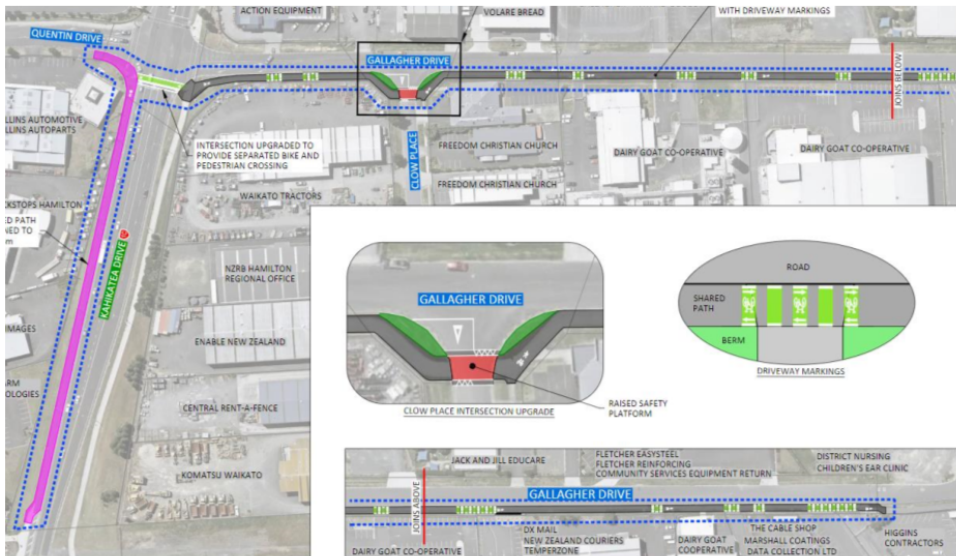
Attachment 13 - Attachment 13 - River Road Upgrade Feedback - Infrastructure & Transport
Committee September 2023

HCC CERF Transport Choices Programme - Project Update – August 2023

Project	1 - Bader Street connection to River Path and Hospital			Project Status	On track	
Objective	We are providing a safe and accessible connection from Bader community to the river path utilising existing pathways in Melville Park, and the hospital via Lorne Street. Improving pedestrian/cycling facilities at the Normandy Avenue/ Cobham Drive and Normandy Avenue/Lorne Street intersections.					
Allocated Budget	Total Budget	\$3,200,000	HCC Contribution	\$320,000	CERF Contribution	\$2,880,000
What will be done	<ul style="list-style-type: none">• Normandy Avenue shared path upgrades from Bader Street to Cobham Drive• On-road cycle lanes along Bader Street with light separation• Quiet-way via Montgomery Crescent and Allenby Street to upgraded shared path• CPTED review and improvements for off-road routes• Upgrade Bader Street / Normandy Avenue, and Normandy Avenue / Lorne Street intersections to paired crossings• Upgrade Lorne Street / Ohaupo Road intersection to paired crossings connecting to Ohaupo Road shared path on the western side• The installation of protected bi-directional facility along Lorne Street (SH1C)• Pedestrian crossing on Lorne Street, providing access to an existing Hospital path					
Indicative Timing	ITC Approval	21 Sep 2023	Construction Start	Jan 2024	Construction Completion	Jun 2024
August 2023 update	<p>Information on this proposal was sent to residents and stakeholders in early July. This included door knocking for businesses and a letter drop to residents, along with two drop-in sessions and a presentation to the AGM for Te Whare Kokonga Melville Community House. The second drop-in session was well patronised with a variety of questions raised and answered. More information in community feedback can be found in Attachment 3.</p> <p>A Safe System Audit has been undertaken on the proposed design, and no serious or significant safety concerns have been raised through this process.</p> <p>Staff are seeking macroscopic approval in September; more information can be found in the main report.</p>					



Project	2 - Killarney Road – SH1C Greenwood Street to Western Rail Trail (WRT)			Project Status	Monitoring - schedule risk	
Objective	We are providing safe and accessible connections for walking, biking and micromobility from Frankton (Hamilton West) community to the Western Rail Trail (WRT).					
Allocated Budget	Total Budget	\$1,650,000	HCC Contribution	\$165,000	Waka Kotahi Contribution	\$ 1,485,000
What will be done	<ul style="list-style-type: none">• Bi-directional cycleway fully protected from traffic• Roundabout at Ellis Steet/Killarney Road (Option 2 – unfunded)					
Indicative Timing	ITC Approval	21 Sep 2023	Construction Start	Dec 2023	Construction Completion	Apr 2024
August 2023 update	<p>Community engagement took place from early to mid-August 2023 (following early engagement with businesses in late March 2023). An information evening was held for Killarney Road businesses and a good discussion was had around the operation of the road. Following the community feedback, staff have removed the signalised crossing and added more parking on Killarney Road. A Waikato Times article about the project was published on the 1 September, outlining the views of one business owner. An independent Safe System Audit will be delivered to staff on the 4 September. A full breakdown of the community feedback is provided in Attachment 6. Staff are seeking macroscope approval in September; more information can be found in the main report.</p>					
Current Design						

Project	3 - Gallagher Drive and Kahikatea Drive			Project Status	On track	
Objective	We are improving connections from Western Rail Trail (WRT) to Gallagher Drive and the Melville community by way of new pedestrian/cycle crossing at Kahikatea Drive (SH1C), improving existing shared path facilities.					
Allocated Budget	Total Budget	\$1,550,000	HCC Contribution	\$155,000	Waka Kotahi Contribution	\$1,395,000
What will be done	<ul style="list-style-type: none">Dual pedestrian and cycle crossing at the existing SH1C/Gallagher Drive signalised intersectionWiden existing footpath to shared path on SH1C between Gallagher Drive and WRTUpgraded shared path on Gallagher Drive, including access controls to passively enforce parking restrictions.CPTED review and improvements for off-road routes					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Oct 2023	Construction Completion	Mar 2024
August 2023 update	The detail design has been completed, along with an independent Safe System Audit. The audit has raised a concerned about an at grade crossing on Kahikatea Drive, which staff are responding to.					
Current Design						

Project	4 - Heaphy Terrace – Boundary Road to Brooklyn Road				Project Status	On track
Objective	We are providing a separated cycle link from Fairfield community and existing cycle lanes to Grey Street cycle facilities, as well as Eastern Pathways School Link. It compliments Claudelands East Intersections project.					
Allocated Budget	Total Budget	\$930,000	HCC Contribution	\$93,000	Waka Kotahi Contribution	\$837,000
What will be done	<ul style="list-style-type: none"> Off-road cycle facility and footpath improvements adjacent to Claudelands Park Address safety concerns at the Claudelands carpark entrance/exits 					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Nov 2023	Construction Completion	Feb 2024
August 2023 update	<p>Designs have been completed, and no treatments are affecting residents.</p> <p>The design now includes the raised paired crossing outside the Hamilton Jamia Mosque, as this crossing provides additional benefits.</p> <p>A Safe System Audit will be delivered to staff on the 8 September.</p>					
Current Design						

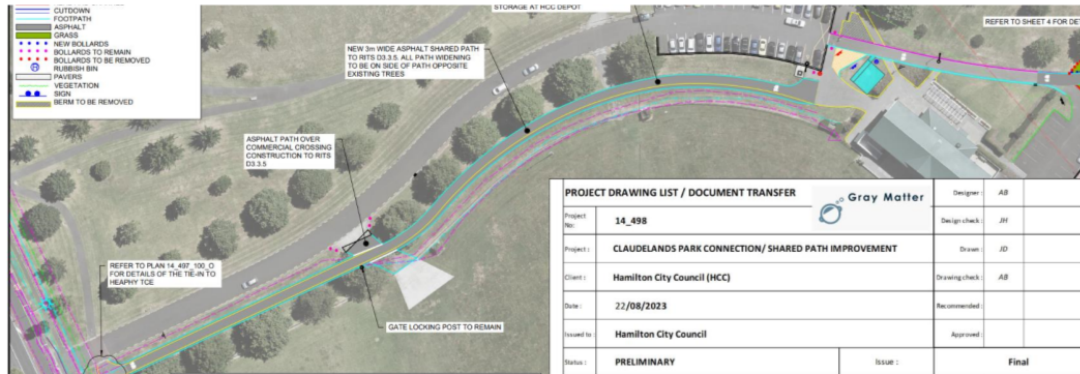
Project	5 - Brooklyn Road Cycle Lane + Pedestrian Crossing			Project Status	On track	
Objective	We are providing raised crossings on Brooklyn Road to connect the local communities and visitors to Claudelands Park and community facilities. In addition, a safe cycle connection from Five Crossroads to Claudelands East Intersection.					
Allocated Budget	Total Budget	\$1,280,000	HCC Contribution	\$128,000	Waka Kotahi Contribution	\$1,152,000
What will be done	<ul style="list-style-type: none">• Priority pedestrian/cycle crossings• On-road separated cycle lanes• Adjust parking arrangements at Five Crossroads to mitigate conflict with people on bikes as they come off-road to access bike parking.• Adjust on-street parking, to allow for cycleway					
Indicative Timing	ITC Approval	21 Sep 2023	Construction Start	Jan 2024	Construction Completion	May 2024
August 2023 update	<p>A follow-up meeting took place in late July 2023 with Coffee Culture to show changes to the proposed design based on the initial meeting that was held in May 2023</p> <p>On 30 August 2023 a meeting was held with Community Living Trust o discuss the improvements. They are fully supportive of the proposed improvements and also identified a number of footpath improvements for the project team to review.</p> <p>Feedback for the project was gathered from 1 August to 18 August, with a drop in session on 5 August held at the Settlement Centre.</p> <p>A full breakdown of the community feedback is provided in Attachment 8.</p> <p>Detail design is progressing, with raised safety platform crossing identified at:</p> <ul style="list-style-type: none">• East Street• Outside 4 Brooklyn Road (near kindergarten)• Outside Coffee Culture, near the Five Cross Roads <p>The independent Safe System Audit will be delivered to staff on the 15 September.</p> <p>Staff are seeking macroscope approval in September; more information can be found in the main report.</p>					

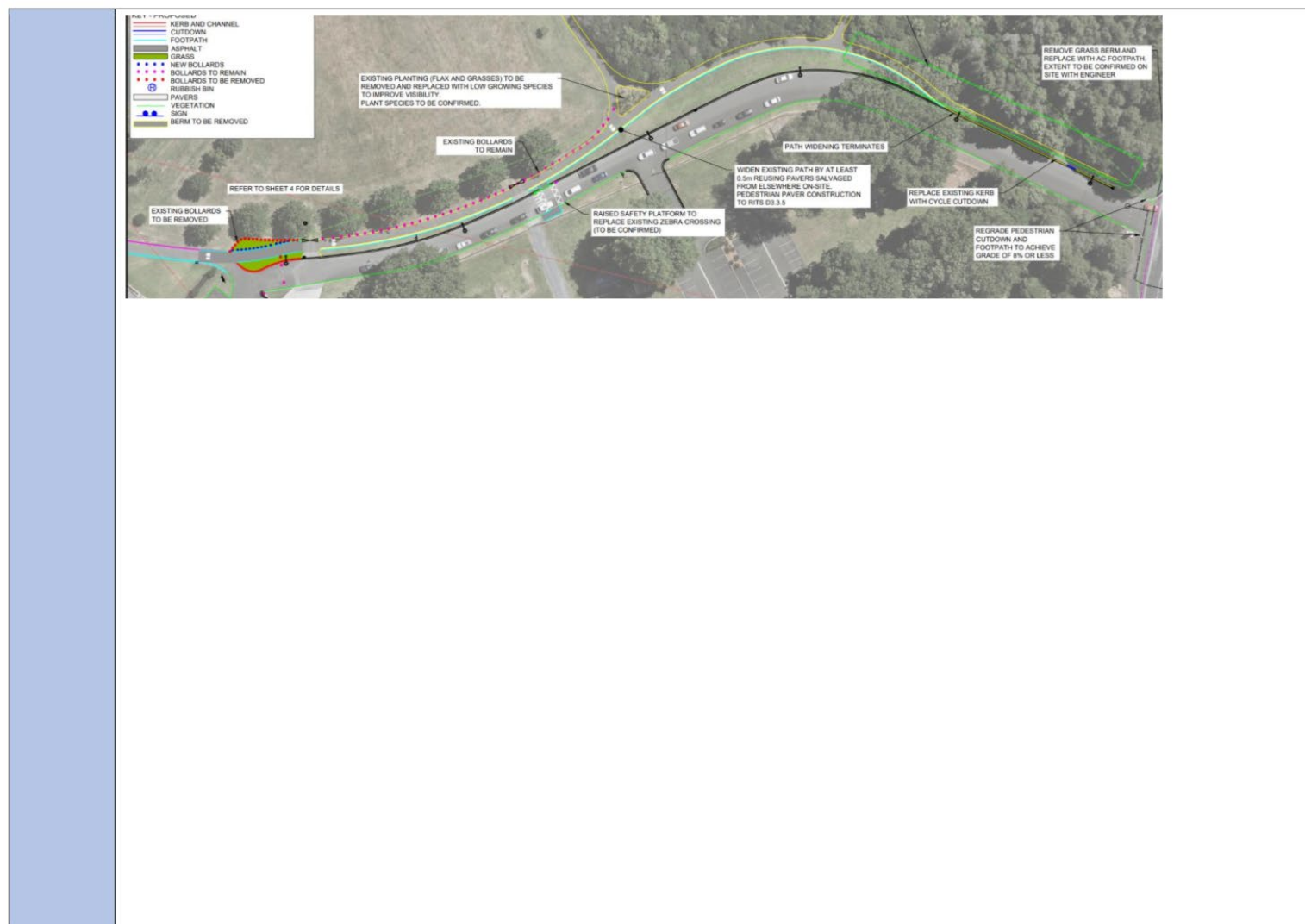
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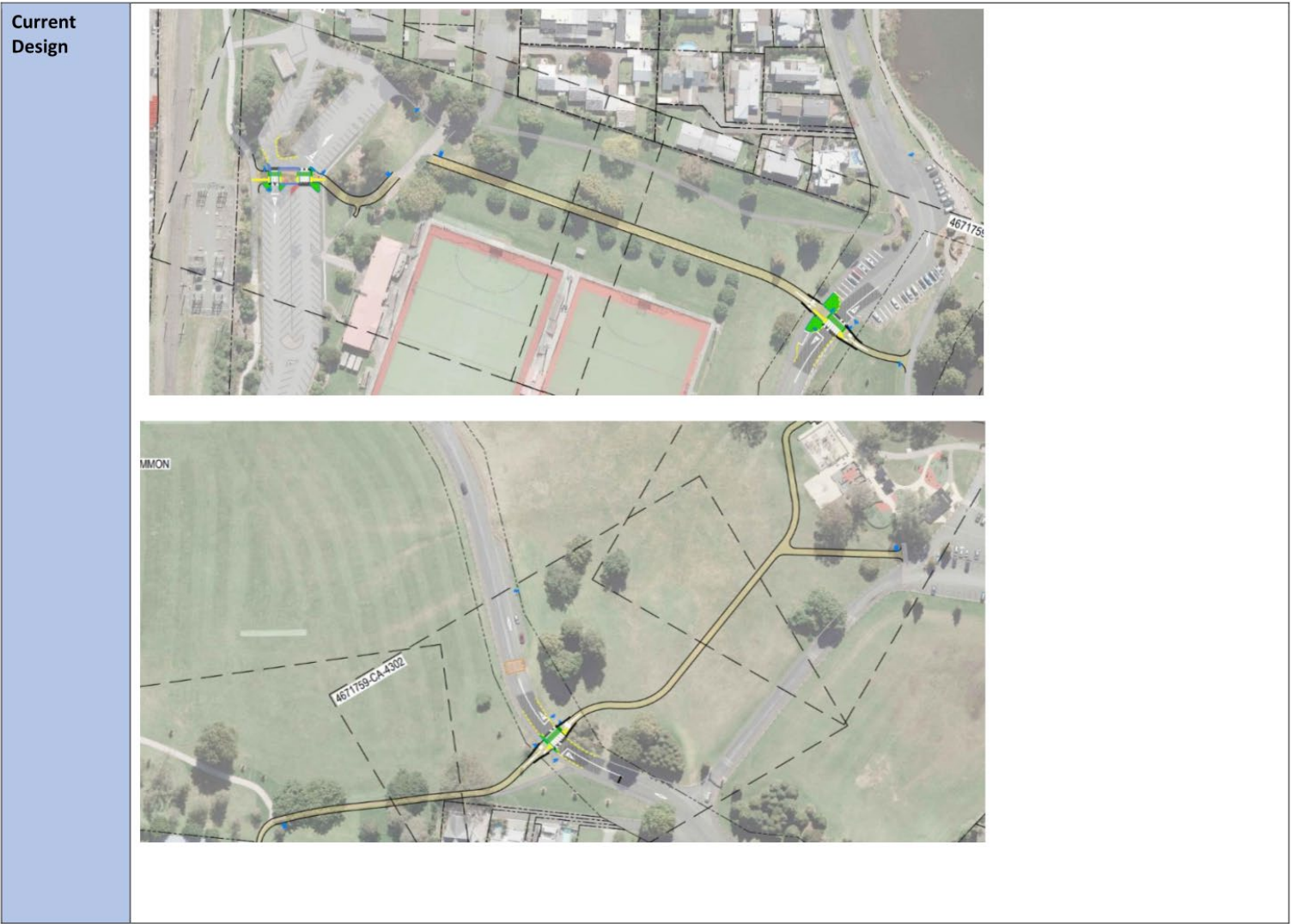
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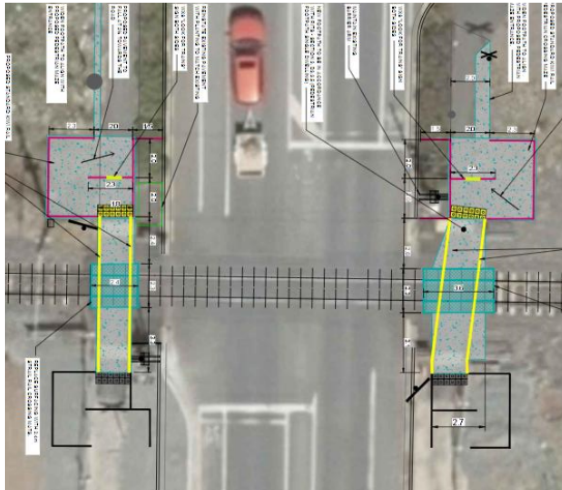
Project	6 - Claudelands Park Connection			Project Status	On track																																	
Objective	By upgrading the existing path through Claudelands Park, users can safely connect to the park, and communities east of Brooklyn Road and Claudelands area, as well as existing and future cycling facilities. It compliments Claudelands East Intersections project and provides a link to Eastern Pathways School Link utilising the Brooklyn Road crossing and quiet streets.																																					
Allocated Budget	Total Budget	\$ 1,030,000	HCC Contribution	\$103,000	Waka Kotahi Contribution	\$927,000																																
What will be done	<ul style="list-style-type: none">Off-road cycle facility and footpath improvementsAddress safety concerns at the Claudelands gate 2 entrance/exitsImprove lighting and CPTED treatments																																					
Indicative Timing	ITC Approval	7 March 2023 (Complete)	Construction Start	Oct 2023	Construction Completion	Feb 2024																																
August 2023 update	Designs have been completed, and no treatments are affecting residents. The path alignment has been slightly altered to ensure tree routes are not impacted. A Safe System Audit will be delivered to staff on the 8 September.																																					
Current Design	<div><table><tr><th colspan="2">PROJECT DRAWING LIST / DOCUMENT TRANSFER</th><th colspan="2">Gray Matter</th></tr><tr><td>Project No:</td><td>14_498</td><td>Designer:</td><td>AB</td></tr><tr><td>Project:</td><td>CLAUDELANDS PARK CONNECTION/ SHARED PATH IMPROVEMENT</td><td>Design check:</td><td>JH</td></tr><tr><td>Client:</td><td>Hamilton City Council (HCC)</td><td>Drawn:</td><td>JD</td></tr><tr><td>Date:</td><td>22/08/2023</td><td>Drawing check:</td><td>AB</td></tr><tr><td>Issued to:</td><td>Hamilton City Council</td><td>Recommended:</td><td></td></tr><tr><td>Status:</td><td>PRELIMINARY</td><td>Approved:</td><td></td></tr><tr><td>Issue:</td><td></td><td>Final:</td><td></td></tr></table></div>						PROJECT DRAWING LIST / DOCUMENT TRANSFER		Gray Matter		Project No:	14_498	Designer:	AB	Project:	CLAUDELANDS PARK CONNECTION/ SHARED PATH IMPROVEMENT	Design check:	JH	Client:	Hamilton City Council (HCC)	Drawn:	JD	Date:	22/08/2023	Drawing check:	AB	Issued to:	Hamilton City Council	Recommended:		Status:	PRELIMINARY	Approved:		Issue:		Final:	
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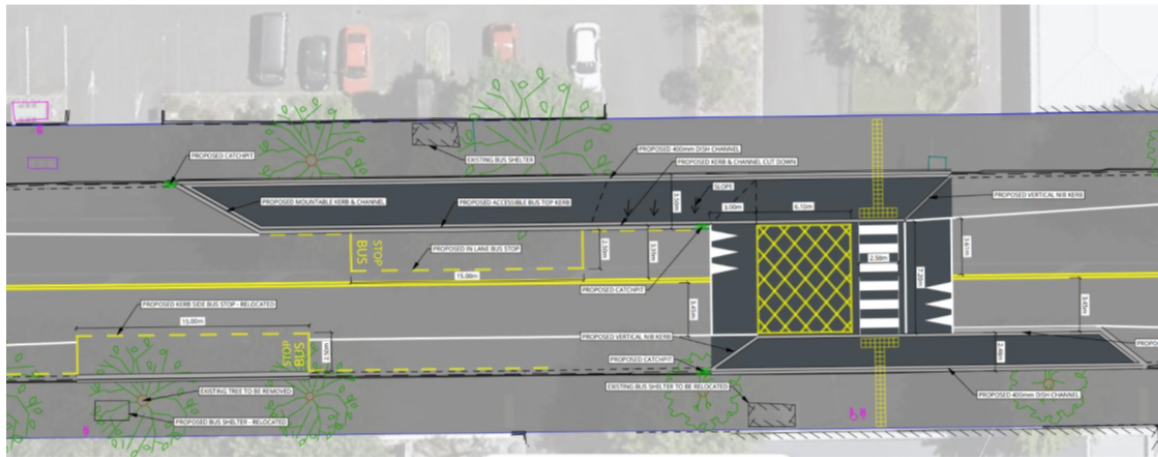
Project	7 - End of Trip Facilities - Bike and Scooter Parking			Project Status	On track	
Objective	A city-wide bike and scooter parking survey was undertaken in 2022. Key outcomes from the survey included: <ul style="list-style-type: none">• Most people want to be able to park outside of parks and playgrounds or outside of local shops – they also need to be conveniently placed near key locations that are secure and visible• Some key locations identified were Lake Domain, Grey Street, Te Awa Shopping Centre, Waikato Hospital and at the University of Waikato• The need for facilities that allow for people to change their mode of transport mid journey, allowing for safe, covered, and well-lit areas to store a bike or scooter for longer periods of time, as well as the ability to charge ‘e’ bikes and scooters.• Of the people that participated in survey, 88% use a car, 63% ride bikes and 44% reported walking to get around Hamilton.					
Allocated Budget	Total Budget	\$670,000	HCC Contribution	\$67,000	Waka Kotahi Contribution	\$603,000
What will be done	This project is assessing the locations, priority and type of facility (short, medium and long term), through to implementation. Preferred locations from the survey were reviewed by staff, based on the following criteria: <ul style="list-style-type: none">• Ease of access – all the site are either on street or within council own facilities• Popularity – cyclists and scooter users will use them regularly• Buildability – ease of construction, access, and minimum parking changes are required• Cost – cost of the installation, to meet budget requirements.					
Indicative Timing	ITC Approval	7 March 2023 (Complete)	Construction Start	Sep 2023	Construction Completion	Apr 2024
August 2023 update	The bike racks and shelters have been ordered and are expect in December 2023.					

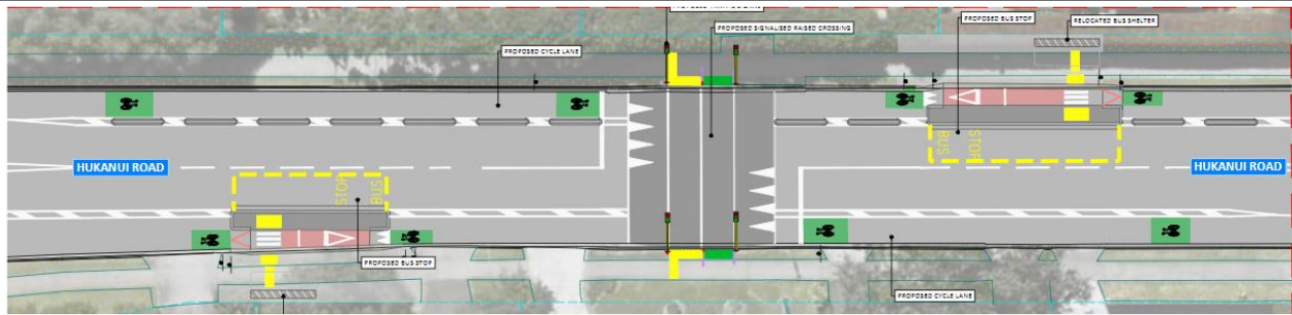
Project	8 - Frankton East / Lake Domain to Western Rail Trail			Project Status	On track	
Objective	Improve connections from WRT to east Frankton and Lake Domain communities, and recreational areas by way of upgrading existing facilities and safety (including personal safety) and forming new connections to the WRT at the end of quiet streets.					
Allocated Budget	Total Budget	\$1,550,000	HCC Contribution	\$155,000	Waka Kotahi Contribution	\$1,395,000
What will be done	<ul style="list-style-type: none">• New pedestrian/cycle crossing facilities on Lake Domain Drive• Upgrade existing shared path connecting to Lake Domain Drive and lake path from WRT• New shared path connections from end of cul-de-sac to WRT• Lighting assessment and improvements along shared paths					
Indicative Timing	ITC Approval	21 September 2023	Construction Start	Oct 2023	Construction Completion	Mar 2024
August 2023 update	<p>Feedback was only sought from residents on Upper Kent Street in late July for a potential connection to the Western Rail Trail. A Waikato Times article was published while the feedback period was still open covering the petition being organised by the residents. Staff are not proposing to continue with the Upper Kent Street connection.</p> <p>The alignment of the path through the hockey car park has been reviewed to impact less car parks. This has taken into account the possible new car park at Innes Common and provide enough space for a new car park, in the future. The independent Safe System Audit will be delivered to staff on the 8 September. Staff are seeking macroscope approval on this project, excluding Upper Kent Street.</p>					



Project	9 - Level Crossing – Killarney Road			Project Status	At Risk – timing of KiwiRail works	
Objective	We are proposing to upgrade the pedestrian level crossing on Killarney Road. Previous assessments confirmed that they require safety upgrades. This location is part of the key connection between West Hamilton and the WRT.					
Allocated Budget	Total Budget	\$1,530,000	HCC Contribution	\$153,000	Waka Kotahi Contribution	\$1,377,000
What will be done	<ul style="list-style-type: none">• Install automatic gates• Upgrade footpath• Install / replace matting to prevent trip hazard• Resurface carriageway on approaches to improve surface and rider comfort for on road cyclists					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Mar 2024	Construction Completion	June 2024
August 2023 update	<p>Concept designs have been sent to KiwiRail – as they will need to deliver track/signals design and construction works. Feedback from KiwiRail on lead times and timing for delivery of works potentially extend beyond the programme completion date of August 2024.</p> <p>A new report was completed to provide context around what is ‘safe and practicable’ within the timeframes to improve the site.</p>					
Current Design						

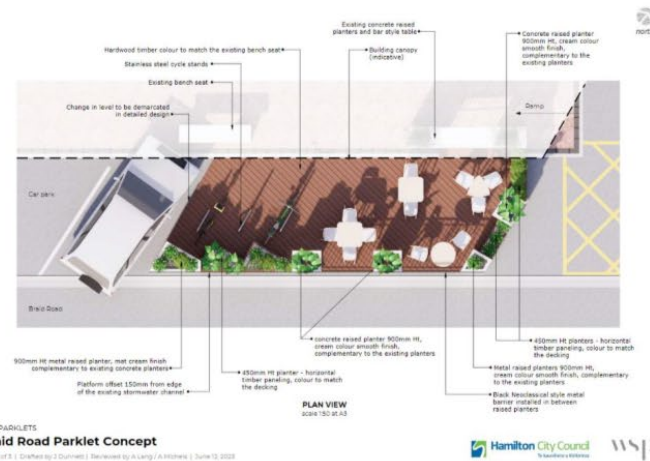
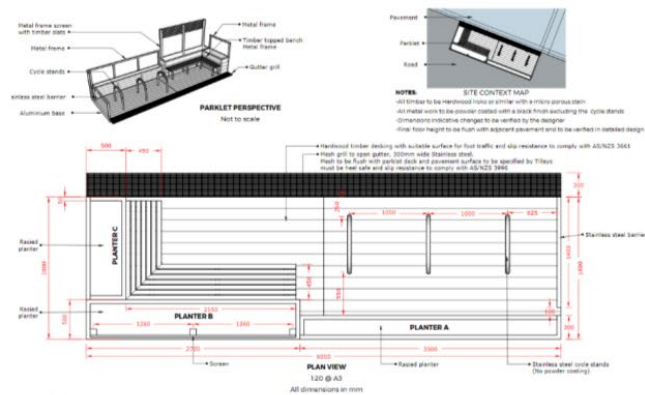
Project	10 – Bus Shelter Replacements			Project Status	On track	
Objective	HCC has a programme to upgrade and install new shelters in high priority sites. However, due to funding limitations there are many locations with old shelters which require replacing to improve user experience and safety. This will support the NLTP bus shelter programme.					
Allocated Budget	Total Budget	\$1,210,000	HCC Contribution	\$121,000	Waka Kotahi Contribution	\$1,089,000
What will be done	The improvements include, but not limited to, the following: <ul style="list-style-type: none">• Replace existing shelters or install new• Accessible kerbs and tactile paving• Upgrade signage• Localised footpath improvements• Select locations with green roof and/or solar panels					
Indicative Timing	ITC Approval	March 2023	Construction Start	Dec 2023	Construction Completion	May 2024
August 2023 update	Final locations have been confirmed and consultation letters have been sent to affected residents. Funding has been secured through Waka Kotahi and the bus shelters order has been placed.					
Current Design	<div></div> <div></div>					

Project	11 - Thackeray Street bus stops			Project Status	At Risk – key stakeholder concerns	
Objective	To improve the level of service for the Comet route, existing bus stops will be upgraded, and a new crossing implemented for accessibility. Overall, this will improve connections to the nearby medical clinics and amenities, as well as connecting to the Tristram Street / Collingwood Street project.					
Allocated Budget	Total Budget	\$840,000	HCC Contribution	\$84,000	Waka Kotahi Contribution	\$756,000
What will be done	Items identified in scope are: <ul style="list-style-type: none">• Upgrade bus stops and shelters on Thackeray Street• Cycle bypasses and improve connections to shared paths on Tristram Street and Anglesea Street intersection.• Localised kerb build outs and footpath upgrades for in-lane bus stops• Raised zebra crossing					
Indicative Timing	ITC Approval	March 2023	Construction Start	Jan 2024	Construction Completion	Apr 2024
August 2023 update	Consultation is ongoing with Fire and Emergency New Zealand and other affected stakeholders.					
Current Design						

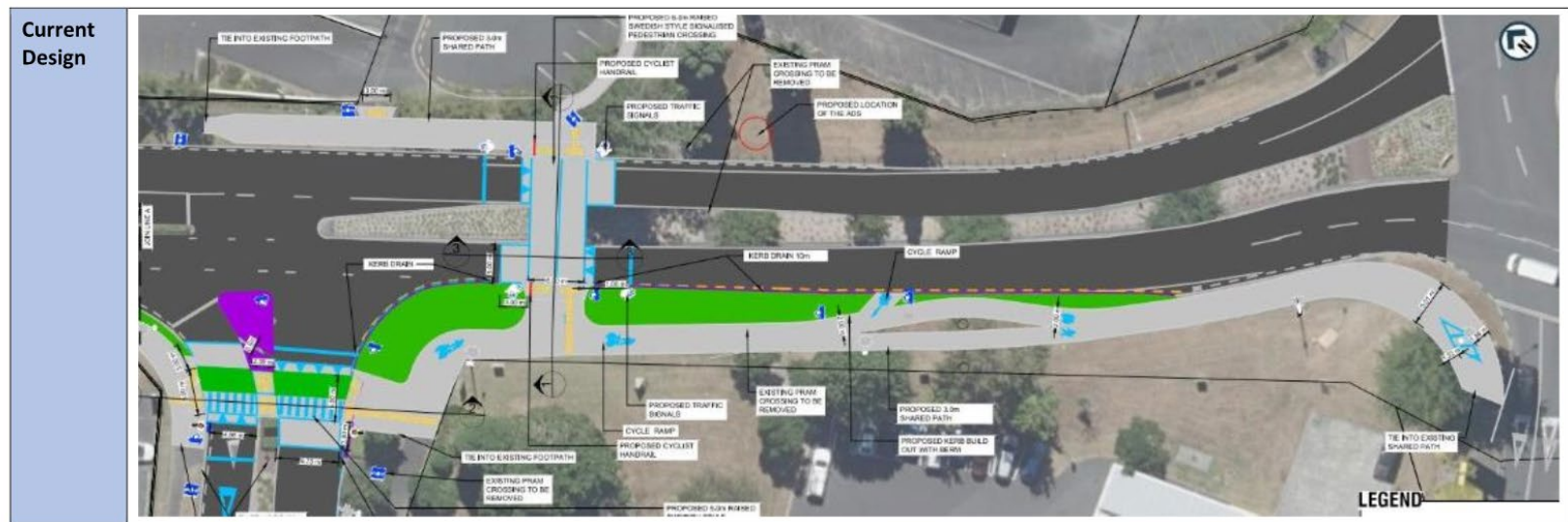
Project	12 - Hukanui Road bus stops			Project Status	On track	
Objective	The Rototuna Rocket is a future proposed high-frequency route that will largely follow the alignment of the existing Route 16 – Rototuna to Hamilton CBD. As part of that route, the bus stops on Hukanui Road (north of Wairere Drive) will be upgraded and relocated. A new crossing will be implemented for accessibility, improving connections to local communities and existing walking and cycling facilities. In addition, this complements the Wairere Drive / Hukanui Road roundabout LCLR Road to Zero project.					
Allocated Budget	Total Budget	\$1,050,000	HCC Contribution	\$105,000	Waka Kotahi Contribution	\$945,000
What will be done	<ul style="list-style-type: none">Relocate and upgrade bus stops on Hukanui RoadNew sheltersLocalised kerb build outs and footpath upgradesNew signalised raised crossing					
Indicative Timing	ITC Approval	March 2023	Construction Start	Jan 2024	Construction Completion	Apr 2024
August 2023 update	Detail design is complete and the Safe System Audit is due back to staff on the 4 September.					
Current Design						

Project	13 - Bike Parklets – Grey Street, St Andrews Shops, and Barton Street			Project Status	On track	
Objective	This project has been identified by HCC, to formalise and permanently install bike parklets at three locations across Hamilton. These are: <ul style="list-style-type: none">Grey Street (shopping precinct)Barton Street (outside Torpedo 7)Braid Road (outside St. Andrews Shops) Grey Street and Barton Street already have temporary bike parking within on-street car park spaces. This improvement will make them permanent, in addition to streetscaping and seating areas. This will be done with a combination of kerb buildouts, bike/scooter racks along with planting and seating.					
Allocated Budget	Total Budget	\$250,000	HCC Contribution	\$25,000	Waka Kotahi Contribution	\$225,000
What will be done	<ul style="list-style-type: none">The manufacture and installation of bike parkingNew kerb buildoutsPlanting and seating					
Indicative Timing	ITC Approval	March 2023	Construction Start	Jan 2024	Construction Completion	Mar 2024
August 2023 update	Detail design are being developed, and have been submitted to Waka Kotahi for approval. Funding within the Biking and Micro Mobility funding package has been reallocated to provide the funding required for this project.					

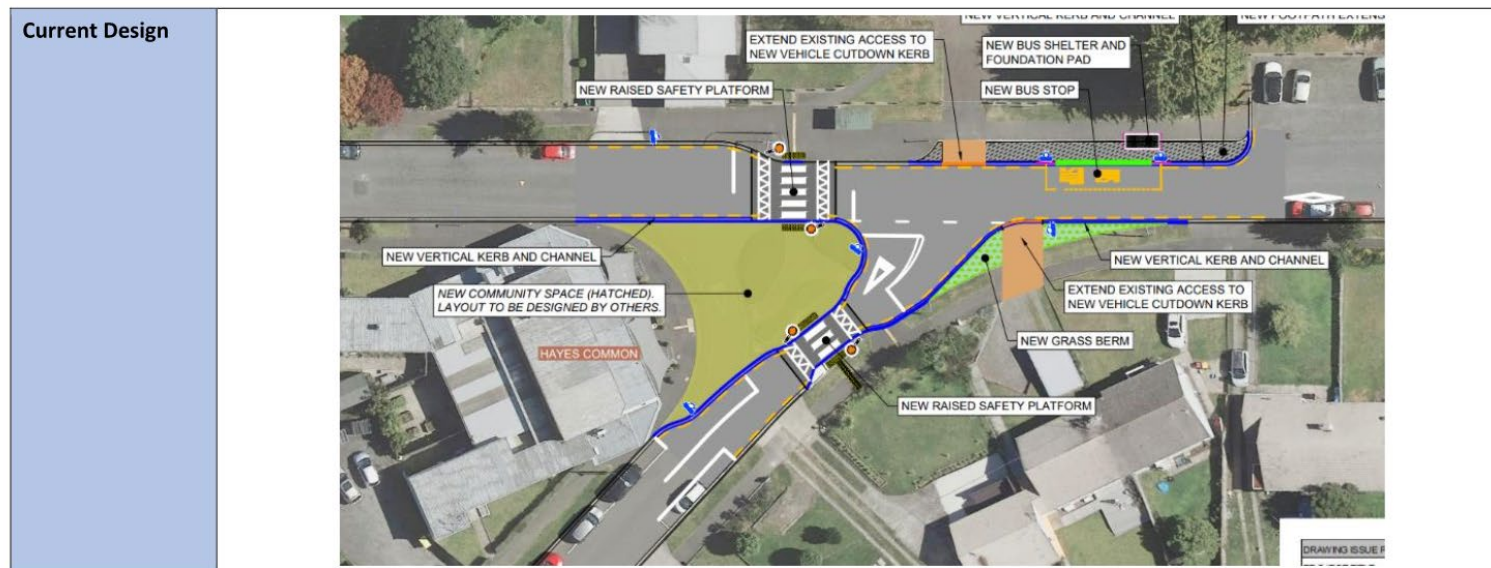
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Project	14 - Tristram Street/Anzac Parade – walking and cycling link from Palmerston to Clarence Street			Project Status	On track	
Objective	There is a lack of safe infrastructure for pedestrians and cyclists to gain access from Palmerston Street and Clarence Street to the central city due to the dual lane Tristram Street/Anzac Parade roundabout and traffic volumes. This project will provide a safe and accessible connection from Palmerston Street to Clarence Street by way of installing a dual signalised crossing on Tristram Street, safety improvements at the Clarence Street intersection, and improving existing connection from Palmerston Street to Tristram Street footpath.					
Allocated Budget	Total Budget	\$ 800,000	HCC Contribution	\$80,000	Waka Kotahi Contribution	\$720,000
What will be done	<ul style="list-style-type: none">• New shared path from Palmerston Street to Clarence Street, tying into recently upgraded shared path as part of Tristram/Anzac roundabout safety project• Reduce kerb radii and raised platform at the Clarence Street / Tristram Street intersection• New signalised pedestrian / cycle crossing on Tristram Street connecting to Clarence Street and Anglesea Street• Lighting assessment and improvements					
Indicative Timing	ITC Approval	March 2023	Construction Start	Dec 2023	Construction Completion	Feb 2024
August 2023 update	Feedback was gathered from the community in late July, with clear support for the proposed changes. Detail designs are being developed and a Safe System Audit is due back on 8 September.					

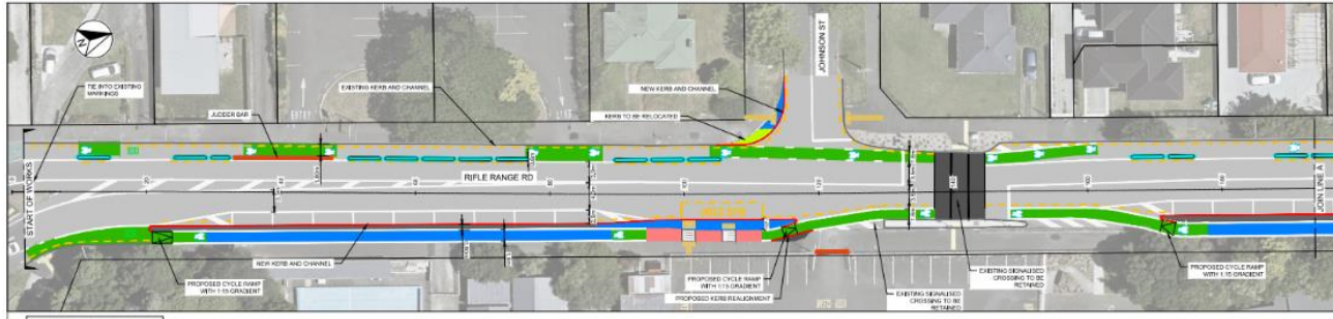



Project	15 - Hayes Paddock – crossing, bus stop improvement, intersection recon. Bike parking, local interactive space			Project Status	On track	
Objective	The Hayes Common, Hayes Paddock and Wellington Street Beach is an area which attracts a lot of visitors to the area either by walking, biking, and other sustainable modes. There are also local residents who access the river path or nearby café. It has been observed on site the Plunket Terrace and Jellicoe Drive intersection causes confusion to drivers, and there is a strong desire line for pedestrians to cross there to access the river, playground, and café. Safety and accessibility issues identified are: <ul style="list-style-type: none">• Drivers use the intersection to complete U-turns, especially when visitors are looking for a carpark.• Obstructive parking near the intersection and driveways• The pedestrian crossing gets obstructed by the buses when they stop• Entry speeds into Plunket Terrace are high and visibility of pedestrians at the crossing is blocked by parked vehicles.					
Allocated Budget	Total Budget	\$1,000,000	HCC Contribution	\$0	Waka Kotahi Contribution	\$1,000,000
What will be done	<ul style="list-style-type: none">• Bus stop relocation and upgrade• Raised pedestrian crossings• Removal of left slip lane and Intersection improvements• Community space outside Hayes Common Café• Tighten kerb radii at Plunket Terrace• Install new road markings• Install wayfinding signage and bike parking					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Feb 2024	Construction Completion	Apr 2024
August 2023 update	Following engagement and reporting to Elect Members the design was reviewed and progressed to detailed design. An interim letter was sent to residents in mid-August. Staff are reviewing the cost of the civil works, before confirming expected community space elements. A Safe System Audit is due back to staff on the 8 September.					



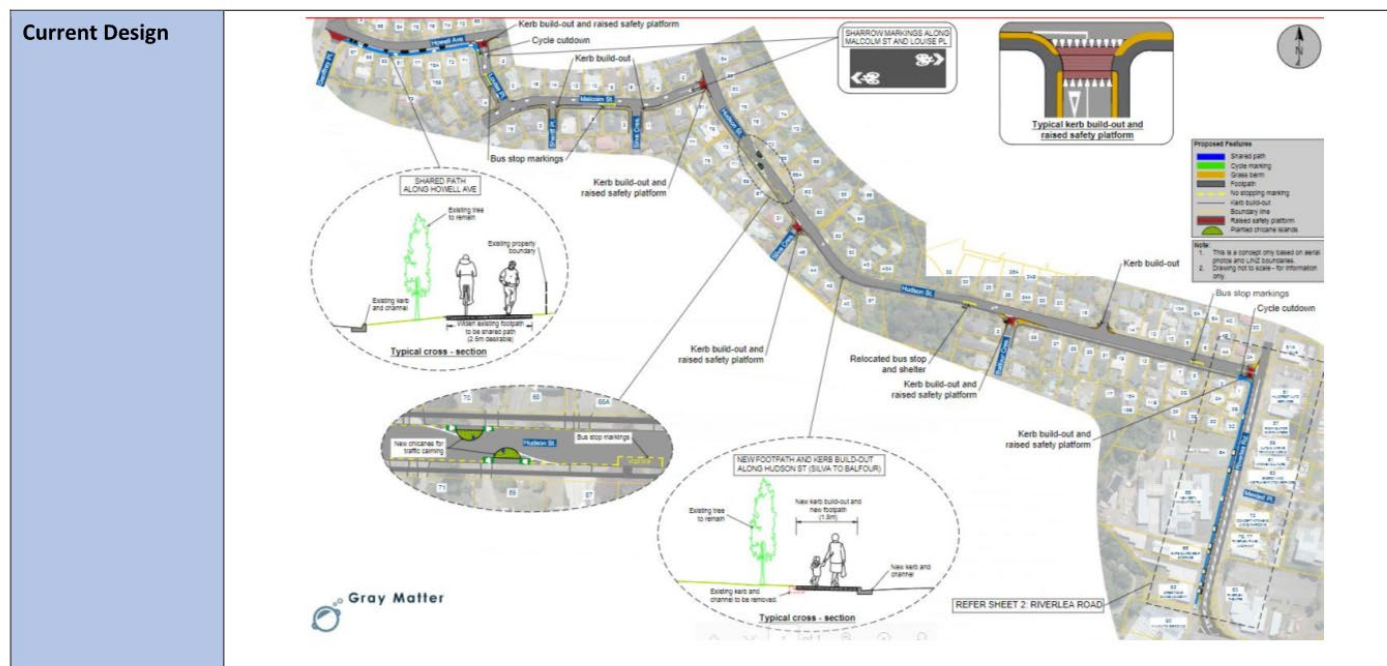
Project	16 - Western Rail Trail (WRT) to Frankton Station			Project Status	On track	
Objective	A strong pedestrian desire line from the WRT through to Frankton Rail Station has been identified. This project will be installing an extension of the WRT to the rail station to provide a safe and accessible connection for both walking and cycling. As well as personal safety improvements for this connection and around the station. This complements the installation of a new covered bike shelter at the rail station to cater for train users, especially those using the Te Huia rail service.					
Allocated Budget	Total Budget	\$1,530,000	HCC Contribution	\$153,000	Waka Kotahi Contribution	\$1,377,000
What will be done	Interventions include: <ul style="list-style-type: none">Construct a new shared path from the WRT to the Frankton Rail Station carpark and railway platformUpgrade existing and install new LED lighting columns adjacent to the new path and car park.Review existing CCTV locations and install where required to improve security at the station for all usersImprove pedestrian wayfinding to the rail station					
Indicative Timing	ITC Approval	30 May 2023	Construction Start	Sep 2023	Construction Completion	Dec 2023
August 2023 update	Agreement between HCC, WRC and Kiwirail staff on location of path and bike parking facility. Contaminated land requirements are being confirmed by staff for the path. The shelter is due for installation in October.					



Project	17 - Rifle Range Road - SH23 (Massey Street) to Avalon Drive (SH1C)			Project Status	On track	
Objective	We are providing safe connections for people on bikes to the intersection with SH23 and Avalon Drive underpass, St Columba's and Frankton schools, as well as linkages for Dinsdale and Frankton communities. It compliments Waka Kotahi's Boost projects at Norton Road/SH1C roundabout and Massey Street (SH23) roundabout (Dinsdale), and NLTP low cost low risk pedestrian crossing project.					
Allocated Budget	Total Budget	\$2,860,000	HCC Contribution	\$286,000	Waka Kotahi Contribution	\$2,574,000
What will be done	The project will provide a safe and accessible link, containing the following improvements: <ul style="list-style-type: none">• The installation of uni-directional on-road cycle lanes along Rifle Range Road with light separation• Side road treatments along the route to improve pedestrian connections, reduce cycle conflict and slow turning speeds with raised safety platforms and tighten kerb radii• Dual Pedestrian/cycle zebra crossings on raised safety platforms• Upgrade bus stops with bypasses for cyclists					
Indicative Timing	ITC Approval	21 Sep 2023	Construction Start	Jan 2024	Construction Completion	August 2024
August 2023 update	<p>Feedback was gathered between late July and mid-August, and a drop in session was held at Frankton School on the 25 July. A full breakdown of feedback is available in Attachment 11.</p> <p>A number of design changes have been made since community feedback was received:</p> <ul style="list-style-type: none">• Reduction in the number of road side treatments, to reduce the cost of the scheme• Changing the raised zebra crossing near Aberdeen Drive to a signalised crossing. <p>Detail design has been progressed and a Safe System Audit has been received by staff, with no serious or significant issues raised. Staff are seeking macroscope approval of this project.</p>					
Current Design	<p>Section of Rifle Range Road Design</p> 					

Project	18 - Hall Street/Mill Street - between Kent Street & Victoria Street			Project Status	On track	
Objective	We are completing <u>pre-implementation work only</u> for a safe and accessible connection on Mill Street and Hall Street. This corridor is a key east-west route in the Strategic network.					
Allocated Budget	Total Budget	\$350,000	HCC Contribution	\$35,000	Waka Kotahi Contribution	\$315,000
What will be done	<ul style="list-style-type: none">• Separated cycleways on Mill Street and Hall Street between Kent Street and Victoria Street• Signalised crossing at Ulster Street and quiet street on Mill Lane to connect to Victoria Street• Tightened kerb radii and improved pedestrian crossing facilities at the Seddon Road intersection• Tightened kerb radii to improve pedestrian crossing facilities at Kent Street, Lake Road, and Victoria Street intersections• New street planting between Ulster Street and Norton Road					
Indicative Timing	ITC Approval	7 March 2023 (Complete)	Construction Start	Nov 2024 (not part of Transport Choices)	Construction Completion	Dec 2023
August 2023 update	The schedule has been signed and submitted to Waka Kotahi. Designs have progressed and are an aspirational plan for a long term cycleway along Mill Street.					
Proposed Design						

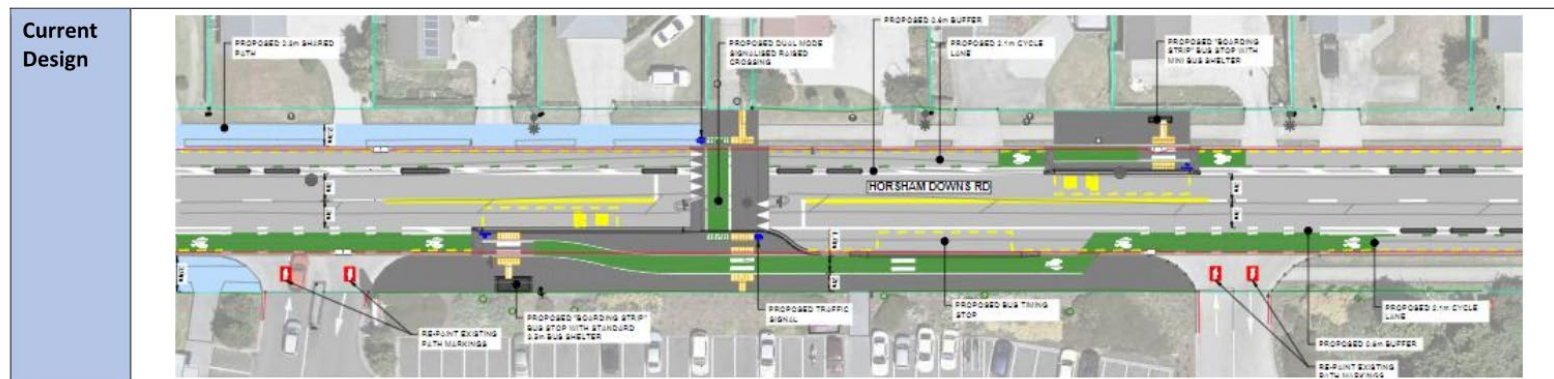
Project	19 – Riverlea Connections			Project Status	On track	
Objective	We are providing safe and accessible connections for people on bikes from/to the Riverlea area with the recently implemented Howell Ave and SH1C walking and cycling facilities via local roads and quiet residential streets, thus making it more favourable for all ages and abilities. It also connects to the wider Hillcrest area and existing cycle network, including the Te Awa River Ride. In addition, it will provide/improve connections to local parks, nearby communities, and local schools.					
Allocated Budget	Total Budget	\$1,810,000	HCC Contribution	\$181,000	Waka Kotahi Contribution	\$1,629,000
What will be done	Interventions include: <ul style="list-style-type: none">• Off-road shared path on Howell Avenue, and Riverlea Road protecting users from heavy vehicles• Install traffic calming measures• Tighten kerb radii at intersections and raised safety platforms• Bus stop improvements					
Indicative Timing	ITC Approval	Sept 2023	Construction Start	Nov 2023	Construction Completion	Feb 2024
August 2023 update	Feedback was gathered from the community in July/August 2023 and a meeting was held with business owners of the Riverlea industrial area on the 14 August. Following this meeting, it was agreed to keep the parking recess and only have the existing footpath widened to a 2.5m shared path. This ensures road changes do not impacts on businesses. A full breakdown of the feedback from residents and stakeholders are provided in Attachment 12 . The detail designs have been completed and a Safe System Audit was received on the 4 September. Staff are seeking macroscope approval for this project.					



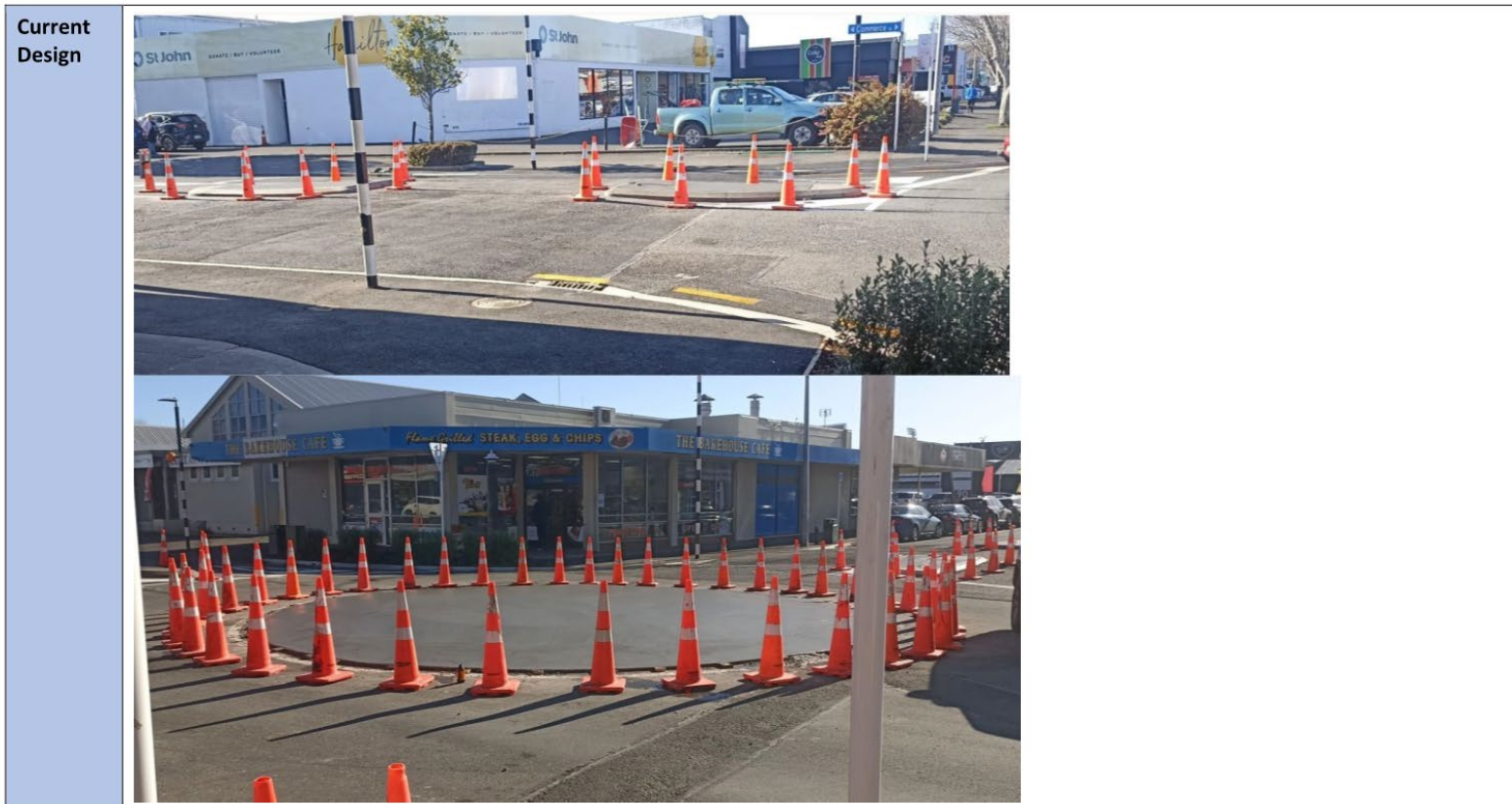
Project	20 - River Road Footpath western side – Kirikiriroa Bridge to Comries Road			Project Status	On track	
Objective	This project will resolve a missing link in Hamilton’s pedestrian network which is required to service the local community. Users currently walk along the grass berm to gain access to their destination. Installation of a new footpath at this location will improve accessibility and uptake of walking and recreational walking by the river, as well as link to the Kirikiriroa Bridge which connects to Wairere Drive and Flagstaff area.					
Allocated Budget	Total Budget	\$1,800,000	HCC Contribution	\$0	Waka Kotahi Contribution	\$1,800,000
What will be done	Interventions include: <ul style="list-style-type: none">• New footpath approx. 1.3km in length• Two raised pedestrian crossings, located outside 1066 and 977 River Road					
Indicative Timing	ITC Approval	21 Sep 2023	Construction Start	Jan 2024	Construction Completion	May 2024
August 2023 update	Community feedback was gathered in August 2023. Staff are meeting residents on site in early September to discuss any specific concerns they have with the project outside their property. Full detail of feedback is provided in Attachment 13 . Detailed design has progressed and a Safe System Audit will be provided to staff by the 11 September. Staff are seeking macroscope approval of this project.					



Project	21 - Horsham Downs Road Bus Stops			Project Status	On track	
Objective	The Rototuna bus service currently travels through and stops in the Rototuna Shopping Centre. This creates several safety issues, as well, reducing the efficiency and reliability of the service. To overcome these issues, new stops on Horsham Downs Road adjacent to the Shopping Centre are proposed. This links to the recent NLTP project for walking and cycling safety improvements at the Horsham Downs Road/Thomas Road roundabout. The proposals are supported by Waikato Regional Council and is aligned with their long-term network planning.					
Allocated Budget	Total Budget	\$1,300,000	HCC Contribution	\$130,000	Waka Kotahi Contribution	\$1,170,000
What will be done	Interventions include: <ul style="list-style-type: none">• Bus stops and shelters on Horsham Downs Road• New signalised crossing on a raised safety platform between bus stops• Bus stop bypasses for people on bikes• Extend shared path to connect to the Horsham Downs Road/Thomas Road roundabout project• Vehicle access treatments to improve safety for pedestrians, cyclists, and other active modes					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Dec 2023	Construction Completion	Mar 2023
August 2023 update	A Safe System Audit has been undertaken, which invited a number of disabled people to take part in the audit to provide the team with a comprehensive report covering all users. Following this audit, detail design is being progressed, and some modification will be made to ensure: <ul style="list-style-type: none">• The bus buildouts allow for a 1.5m clear boarding facility• Vehicles move slowly in and out of the driveways• The cycleway, near the bus stops is delineated by red road marking and a white line					



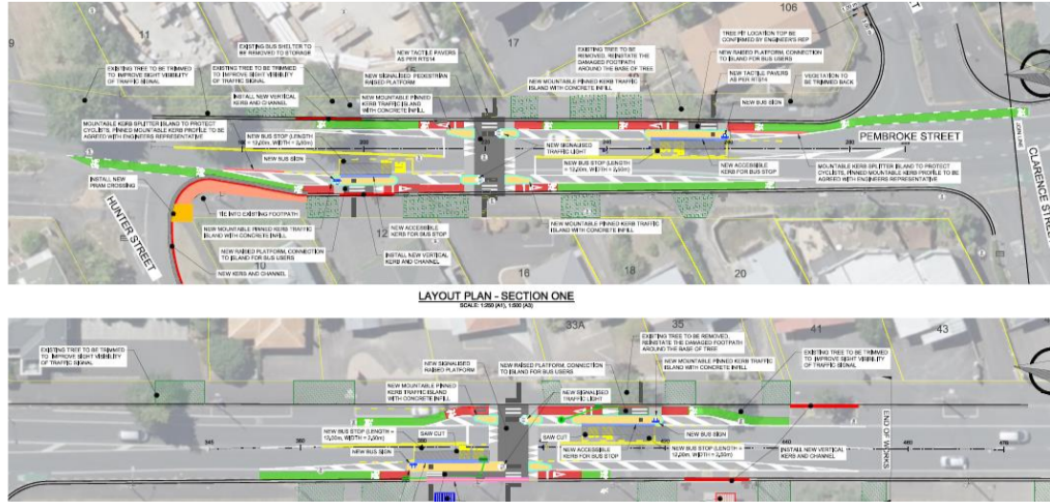
Project	22 - Lake Road/Commerce Street Roundabout			Project Status	Complete	
Objective	Bus service reliability for the Meteor route will be improved by upgrading the Commerce Street/Lake Road from a give way controlled intersection to a mini roundabout. The site is in Frankton Village and will improve safety and accessibility by connecting people to local shops and reducing traffic speeds. This project also supports walking and bus use associated with new residential developments in Frankton Village.					
Allocated Budget	Total Budget	\$1,030,000	HCC Contribution	\$206,000	Waka Kotahi Contribution	\$824,000
What will be done	Interventions include: <ul style="list-style-type: none">• Install new bus stops on Lake Road• New mini roundabout• Four new Raised zebra crossings on all arms of the roundabout• Kerb build out and raised zebra crossing on Rawhiti Street and Lake Road intersection					
Indicative Timing	ITC Approval	7 March 2023 (Complete)	Construction Start	Jul 2023	Construction Completion	Sep 2023
August 2023 update	Construction was completed at the intersection on 29 August 2023.					

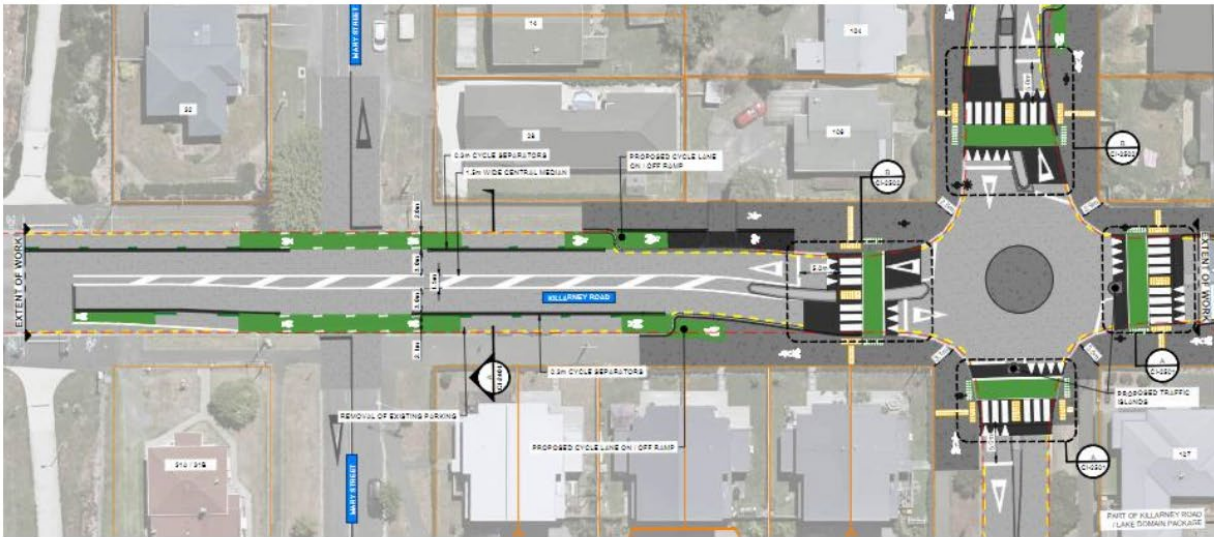


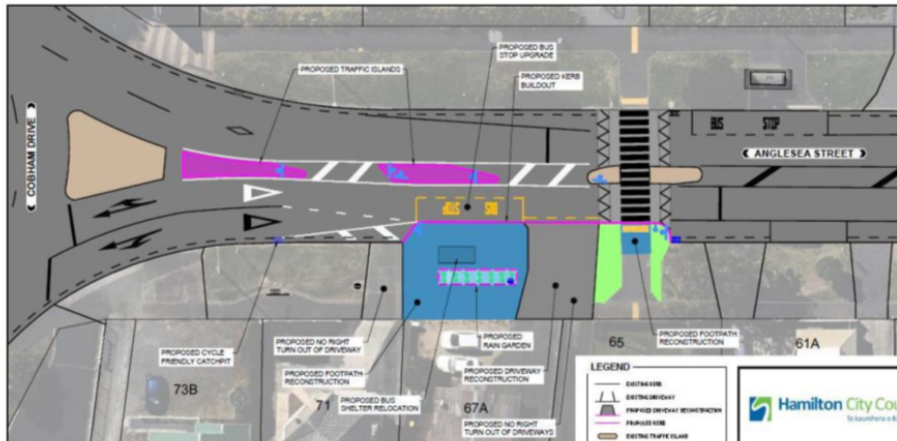
Project	23 - Rotokauri Road / Baverstock Road Bus Stop and Accessibility			Project Status	On track	
Objective	Improving the level of service for the Meteor route by installing new bus stops and upgrading existing ones on Rotokauri Road and Baverstock Road. In addition, improving safety and accessibility with new crossings and intersection improvements.					
Allocated Budget	Total Budget	\$ 1,030,000	HCC Contribution	\$206,000	Waka Kotahi Contribution	\$824,000
What will be done	<ul style="list-style-type: none">Relocate and upgrade existing bus stops on Rotokauri RoadNew bus stops on Baverstock roadRemove left slip lane and reduce kerb radii at Baverstock / Rotokauri intersectionVegetation cut back to improve visibilityInstall new crossings between bus stops and near the intersection on raised safety platformsConstruct new shared path on the west side of Rotokauri Road connecting to Baverstock Road, widening existing footpath to connect to existing shared path on east side of Rotokauri Road.					
Indicative Timing	ITC Approval	March 2023	Construction Start	Dec 2023	Construction Completion	Mar 2024
August 2023 update	Feedback was gathered from the community in July 2023, with support received for the project. Detailed design has progressed and a Safe System Audit is due back to staff on the 8 September.					

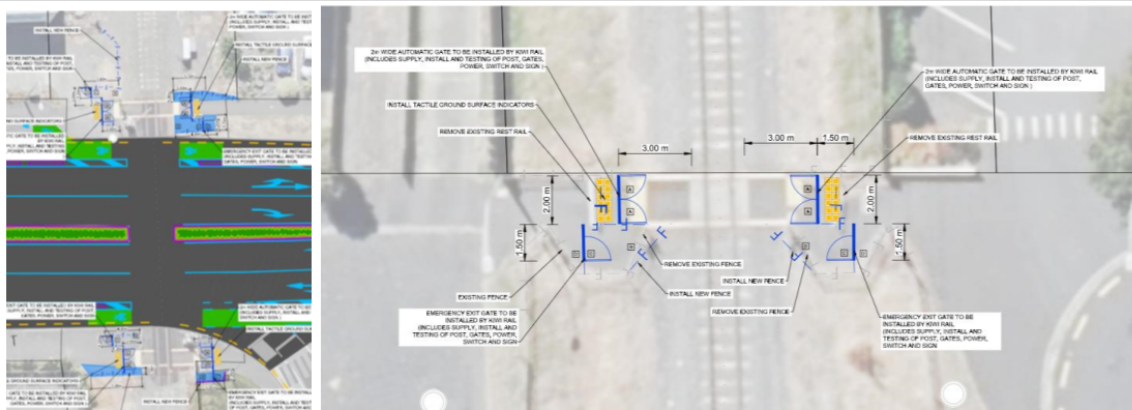


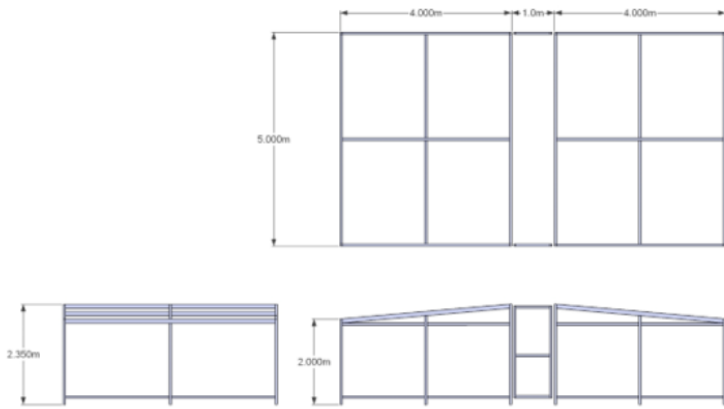
Project	24 - Hyde Avenue Bus Stop and Accessibility			Project Status	On track	
Objective	To improve accessibility and level of service for users for the Meteor Route, the bus stops outside Grandview Shopping Centre will be upgraded, as well as safe crossing points and traffic calming measures. This will link to the 30 km/h speed limit and pedestrian crossing NLTP low cost low risk projects.					
Allocated Budget	Total Budget	\$530,000	HCC Contribution	\$106,000	Waka Kotahi Contribution	\$424,000
What will be done	Interventions include: <ul style="list-style-type: none">• Accessible kerbs for in-lane bus stops• Raised zebra crossing near the bus stops and Rodney Street side road• Kerb build outs to shorten crossing distances and slow turning vehicles					
Indicative Timing	ITC Approval	March 2023	Construction Start	Nov 2023	Construction Completion	Feb 2024
August 2023 update	Detail design has been completed and a safe system audit has been undertaken. No significant issues have been raised.					
Current Design	<div><div><p>LEGEND</p><ul style="list-style-type: none">EXISTING FOOTPATHNEW TACTILE PAVERSYELLOW NO-STOPPING LINESNEW BUILDOUTNEW FOOTPATH/HARDSTANDNEW ISLAND30km/h SPEED AREATREE TO BE REMOVED</div><div></div></div>					

Project	25 - Pembroke Street bus stops			Project Status	On track	
Objective	To improve the level of service for the Comet bus route, existing bus stops will be upgraded and relocated along Pembroke Street. New crossings will also be implemented for accessibility, overall improving connections to the nearby YMCA, supermarket, businesses, and other amenities.					
Allocated Budget	Total Budget	\$1,050,000	HCC Contribution	\$210,000	Waka Kotahi Contribution	\$840,000
What will be done	<ul style="list-style-type: none">Relocate and upgrade bus stops and shelters on Pembroke StreetBus stop bypasses to re-route cyclists off the road to allow them to avoid interactions with busesLocalised kerb build outs and footpath upgradesTwo new Raised signalised crossings, located within proximity of the new bus stops					
Indicative Timing	ITC Approval	7 March 2023 (Complete)	Construction Start	October 2023	Construction Completion	December 2023
August 2023 update	Construction drawings have been provided and construction is due to start on the 10 October 2023. The YMCA site will first be constructed.					
Current Design						

Project	26 - Killarney Road – Queens Avenue to Western Rail Trail (WRT)			Project Status	On track	
Objective	We are providing safe and accessible connections between the WRT and Lake Rotoroa (Innes Common) and Queens Avenue for walking, biking and micro-mobility. This project also links to the Low-Cost Low-Risk ‘Road to Zero’ Lake Domain Road / Killarney Road safer intersection project, and Killarney Road (Greenwood St to WRT) project. In addition, it will provide/improve connections to local parks, nearby communities, and local schools.					
Allocated Budget	Total Budget	\$750,000	HCC Contribution	\$75,000	Waka Kotahi Contribution	\$675,000
What will be done	Interventions include: <ul style="list-style-type: none">• Transitional uni-directional separated cycle path, with pin down concrete islands on Killarney Road• Widened shared paths to navigate through the Queens Avenue roundabout safely• New raised paired zebra crossings for pedestrians and people on bikes					
Indicative Timing	ITC Approval	30 May 2023	Construction Start	Aug 2023	Construction Completion	Oct 2023
August 2023 update	Construction started on the 18 August 2023.					
Current Design						

Project	27 - Anglesea Street (south) Bus Stop Improvement			Project Status	On track	
Objective	The bus stop is located on Anglesea Street (south) adjacent to a two-lane approach to the Anglesea Street and Anzac Parade roundabout, opposite Countdown supermarket. During peak hours the Orbiter bus service is unable to service this stop as drivers find it difficult to merge back into the correct lane to head eastbound on Anzac Parade, resulting in delays. This project will move the bus stop in-lane to enable drivers to stop and proceed with traffic, without delays, improving the reliability and efficiency of this service.					
Allocated Budget	Total Budget	\$400,000	HCC Contribution	\$40,000	Waka Kotahi Contribution	\$360,000
What will be done	<ul style="list-style-type: none">• Extend central island approach to prevent overtaking• Kerb buildout and accessible kerbs• Footpath and adjacent vehicle crossing upgrades• Relocate bus shelter• New low planting to control surface runoff on the footpath					
Indicative Timing	ITC Approval	30 May 2023	Construction Start	Sep 2023	Construction Completion	Nov 2023
August 2023 update	Construction drawings have been completed. Meetings have been held with Countdown to discuss construction methodology to allow access for shoppers. Construction is due to start on the 25 September and run through the school holidays.					
Current Design						

Project	28 - Level Crossings – Claudelands East and Brooklyn Road			Project Status	At Risk – timing of KiwiRail works	
Objective	We are proposing to install a pedestrian/cycle level crossings at Claudelands East intersection, and Brooklyn Road / Claudelands Road (east end). This site has had a Level Crossing Safety Impact Assessments (LCSIA) completed. The assessments confirmed that they require safety upgrades in the form of automatic gates due to expected pedestrian and cyclist volumes, as well as future use of the rail line with the inland port development. These locations are part of the key connection between the City Centre and East Hamilton, including School Link.					
Allocated Budget	Total Budget	\$4,020,000	HCC Contribution	\$402,000	Waka Kotahi Contribution	\$3,618,000
What will be done	<ul style="list-style-type: none">• Install automatic pedestrian gates, to ensure pedestrians and cyclists can safely cross the railway line. Automatic gates mitigate the risk of pedestrians and cyclists crossing the railway line immediately before, during and after the train.• Upgrade footpaths on the approach to the railway crossing• Install / replace matting, within the railway crossing to prevent trip hazard• Resurface carriageway on approaches to improve surface and rider comfort for on road cyclist					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Mar 2024	Construction Completion	Jun 2024
August 2023 update	Designs are being progressed to detail design.					
Current Design						

Project	29 – Complimentary Measures – bike and scooter parking at schools			Project Status	On track	
Objective	Providing safe and secure bike parking for schools near CERF project sites					
Allocated Budget	Total Budget	\$120,000	HCC Contribution	\$0	Waka Kotahi Contribution	\$120,00
What will be done	<ul style="list-style-type: none">• Installation of concrete pad• Covered, lockable bike sheds at schools					
Indicative Timing	ITC Approval	20 Jul 2023	Construction Start	Mar 2024	Construction Completion	Jun 2024
August 2023 update	Designs of bike lockers are being discussed with the school and are likely to be constructed by the same contractor who delivers the bike facility near the school.					
Current Design	<div></div> <p><i>Bike cage dimensions (the same set up as Frankton schools)</i></p>					

HCC CERF Transport Choices Programme - Project Timeline Summary																			
Pr #	Project	Category	Total Budget	HCC Share %	ITC Approval	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
1	Lorne St & Bader Street Connections - Te Awa to Waikato Hospital	SC&MM	\$ 3,200,000	10%	21-Sep														
2	Killarney Road – SH1C Greenwood Street to Western Rail Trail (WRT)	SC&MM	\$ 1,650,000	10%	21-Sep														
3	Gallagher Drive and Kahikatea Drive	SC&MM	\$ 1,550,000	10%	20-Jul														
4	Heaphy Terrace – Boundary Road to Brooklyn Road	SC&MM	\$ 930,000	10%	20-Jul														
5	Brooklyn Road Cycle Upgrade	SC&MM	\$ 1,280,000	10%	21-Sep														
6	Claudlands Park Connection	SC&MM	\$ 1,030,000	10%	07-Mar														
7	End of Trip Facilities - Bike and Scooter Parking	SC&MM	\$ 758,000	10%	07-Mar														
8	Lake Domain to Western Rail Trail	SC&MM	\$ 1,550,000	10%	21-Sep														
9	Level Crossing – Killarney Road	SC&MM	\$ 1,530,000	10%	20-Jul														
10	Bus Shelter Replacements	PT	\$ 1,210,000	10%	07-Mar														
11	Thackeray Street bus stops	PT	\$ 670,000	10%	07-Mar														
12	Hukanui Road Bus Stops	PT	\$ 1,050,000	10%	07-Mar														
13	Bike Parklets – Grey Street, St Andrews Shops, and Barton Street	SC&MM	\$ 620,000	10%	07-Mar														
14	Tristram Street - Anzac Parade to Clarence Street	WN	\$ 800,000	10%	07-Mar														
15	Hayes Paddock	WN	\$ 1,000,000	0%	20-Jul														
16	Western Rail Trail (WRT) to Frankton Station	SC&MM	\$ 1,330,000	10%	30-May														
17	Rifle Range Road - SH23 (Massey Street) to Avalon Drive (SH1C)	SC&MM	\$ 2,860,000	10%	21-Sep														
18	Hall Street/Mill Street - between Kent Street & Victoria Street (Design Only)	SC&MM	\$ 350,000	10%	07-Mar														
19	Riverlea Connections	SC&MM	\$ 1,810,000	10%	21-Sep														
20	River Road Footpath - Western Side from Kirikiriroa Bridge to Comries Road	WN	\$ 1,800,000	0%	21-Sep														
21	Horsham Downs Road	PT	\$ 1,300,000	10%	20-Jul														
22	Lake Road/Commerce Street Roundabout	PT	\$ 1,200,000	20%	07-Mar														
23	Rotokauri Road / Baverstock Road Bus Stop and Accessibility	PT	\$ 1,030,000	20%	07-Mar														
24	Hyde Avenue Bus Stop and Accessibility	PT	\$ 530,000	20%	07-Mar														
25	Pembroke Street Bus Stops	PT	\$ 1,050,000	20%	07-Mar														
26	Killarney Road – Queens Avenue to Western Rail Trail (WRT)	SC&MM	\$ 950,000	10%	30-May														
27	Anglesea Street (South) Bus Stop Improvement	PT	\$ 400,000	10%	30-May														
28	Level Crossings – Claudlands East and Brooklyn Road	SC&MM	\$ 3,562,000	10%	20-Jul														
29	Bike Parking in Schools (Complementary Measures)	SC&MM	\$ 120,000	0%	N/A														
			\$ 37,120,000																

BADER CONNECTIONS FEEDBACK

Engagement Overview

- Approximately 2,000 letters and emails distributed to residents, businesses and key stakeholders (including emergency services)
- Door knocking completed with all businesses within the letter drop zone including Bader Street and Lorne Street
- Meeting held with Te Whatu Ora Health New Zealand
- Two community drop-in sessions held at Te Whare Kokonga Melville Community House
- Attended AGM for the Te Whare Kokonga Melville Community House
- Reminder email send to businesses on Bader Street asking for feedback

Response Overview

- We received 62 direct responses from the community
- 50% support the project, 23% oppose the project and 27% had a mixed/neutral position on the project

Stakeholder Feedback

Te Whatu Ora Health New Zealand have provided a letter in support of the project. The letter can be found in **Attachment 4**. In summary, the proposal aligns with the existing workplace travel and sustainability planning put in place by Te Whatu Ora Health New Zealand – Waikato. The organisation has requested

H-Town Skate Project “completely and fully support this initiative” and believe the changes will “encourage rangatahi and all of wider society to make better decisions, in terms of transport, lifestyle and use of communal spaces”.

Bike Waikato, Go Eco and **CCS Disability Action** are in support of the project.

Waikato Regional Council support the project as the bus stop upgrades and signalised crossing align with an extension of the Comet bus service along Lorne Street – which intended to support Te Whatu Ora Health New Zealand.

Emergency services (**FENZ, Police** and **St John**) do not have any issues with the proposal. FENZ have confirmed they do not wish to use the two-way cycleway to move along Lorne Street.

New Zealand Heavy Haulage Association indicated no position on the project but have requested that the design for Lorne Street enables wide loads to continue to be able to travel along this route. Staff have confirmed this will be actioned and addressed within the detailed design process.

National Road Carriers Association are opposed to the bus stop upgrades on Lorne Street and are concerned about the impact of the kerb buildouts on delivery vehicles using Trigg Place and Montgomery Crescent. Staff have explained the reasons for the bus stop upgrade and advised that the kerb buildouts will accommodate rubbish and recycling trucks. Vehicle tracking will be completed for an 11m truck to turn in and out of the intersections. It is expected any larger vehicles would make this movement infrequently and could mount the kerb buildouts.

Living Streets Kirikiriroa supports the project but have provided a list of suggested changes. Staff have declined the request for on-street customer parking to be removed outside the Lorne/Ohaupo shops to enable a dedicated bike lane (instead of the proposed shared path). Staff have also ruled out the request to widen the existing footpath in Melville heading towards Cobham Bridge as outside the project scope. A suggestion has been made for the two-way cycleway outside the Bader Street shops to be moved to the southern side of the street. This is discussed further below.

Te Whare Kokonga – Melville Community House are not in support of the proposed changes for this project. Their full response can be found in **Attachment 5**.

Their suggestion for Lorne Street is to provide a shared pathway instead of a protected two-way cycleway. This is not appropriate as Lorne Street is identified as a cross-city connector and a key priority route in our Biking and Micro-Mobility Programme. Modelling completed as part of the business cases shows there will be a demand for 6,200 daily users by 2050, and it is not appropriate to ask pedestrians to share this space with people riding a bike.

Their suggestion for Bader Street is to not make any changes outside the shops except for garden beds on the current footpath outside of the shops to provide ram raid protection and make the shops look nice. The request is for the cycleway to go through Melville Park instead. The response to staff from this is discussed further below.

A further request is to provide additional parking for businesses next to Melville Park and for Hamilton City Council to give land from Melville Park to the Bader shops to support loading and deliveries at the back of the shops. The response to this from staff is discussed further below.

Bader Shops Feedback

Direct feedback was received from four businesses within the block of shops on Bader Street. One business provided general support with no specific comments.

The rest of the direct feedback received raised concerns about the two-way cycleway outside of the shops and the loss of parking with the high demand during peak trading hours.

Communication with the four businesses who provided feedback, Te Whare Kokonga – Melville Community House and Living Streets Kirikiriroa (who's representative and his family worked at the Bader shops for more than a decade), all indicate that the above comments are reflective of the views of the rest of the businesses on Bader Street.

Based on the feedback received, staff have adjusted the proposal outside the shops to reduce the proposed loss of parking from four to two. Additional opportunities have been identified and will be explored through detailed design:

- Changes to time restricted parking outside the shops – currently there is a mix of P60 and P30 and staff believe this is too long given the types of businesses that operate here
- Customer parking within the existing parking for Melville Park near the shops (including potential time restrictions), as suggested by Te Whare Kokonga – Melville Community House
- Time restricted parking on the southern side of Bader Street to the east of Willis Street to replace the loss of parking outside the shops
- More high-quality bike parking at each end of the shops

A couple of businesses have mentioned that customers park in the driveway to the east of the shops, blocking delivery vehicles and preventing them from unloading goods. Staff are proposing to install a loading zone to discourage this from happening. Staff will not be pursuing the suggestion

reallocation of land by Te Whare Kokonga – Melville Community House as this is outside the scope of the proposal and inconsistent with the Open Spaces strategy and Nature In The City strategy.

The responses from staff to the concerns about the two-way cycleway are discussed below.

Community Feedback

A key theme from the feedback received from residents is how the changes will make it more comfortable and accessible to ride a bike. People who currently ride in the area are concerned about their safety, with an hospital employee who no longer rides to work stating that “I left home every day wondering if that was the day I was going to die”. The proposal also received feedback from people who don’t currently ride a bike but could see the benefits of the project – “I’m someone who drives everywhere and doesn’t own a bike but would like to if it was safer”.

Below is feedback from two people that provides an insight into what it is currently like riding a bike around Bader:

(1) My family and I cycle along Lorne St to get to the Gardens from our home in Dinsdale. Kahikatea shared path is great, but only gets us as far as SH3 safely. Lorne St has always been the pinch point - we ride on the path but it is also scary since there are so many driveways and not much space. A proper separated cycle path would be great and would enable us to bring our toddler in her bike trailer without worrying about her safety.

(2) I cycle to work every day from Slim Street and I can’t tell you how often I think “this could be so much better”. It seems you’ve been reading my mind and are addressing all the points that I’ve been thinking of. The lighting and widening of the Allenby Street path will make me feel so much more safe. As a female cyclist this section has always made me nervous, particularly when it is getting dark. Changing the Cobham Drive pedestrian crossing to a single crossing is great. I often get cold and wet waiting for those lights and having to wait twice while the cars just roll on through is doubly depressing. The pedestrian crossing to get to the signalled crossing is another welcome change. It is currently extremely stressful to get across that flow of left turning traffic. Many people don’t indicate and they go so fast that I often can’t judge when to cross safely.

A key concern that has been raised by the Bader community is the proposed removal of the median strip outside the Bader shops. This was a key point of discussion at the drop-in sessions that were held at Te Whare Kokonga – Melville Community House. The community see the median strip as an important space as it is used for:

- Waiting to get into an angled park at the Bader shops
- Turning right at the traffic lights onto Normandy Avenue
- Trucks delivering goods to the shops
- Turning right into Willis Street
- A manoeuvring space for eastbound traffic to move around drivers accessing the car parks

Staff agree with the points that have been raised by the community and have reallocated space within the proposed design to enable the median strip to be kept.

Minimal concerns were raised about the proposed changes for Lorne Street. The Herbal Shop & Clinic and Wilson Parking, on the corner of Lorne Street and Ohaupo Road, sought clarification and further information on the proposed changes but raised no objections. An on-site conversation was had with Argent Motor Lodge, who were mainly concerned about visibility for guests when exiting their driveway and requested more parking enforcement on Lorne Street.

Bader Shops Two-Way Cycleway

A key concern raised by a range of people is the two-way cycleway outside the Bader shops. The footpath can be a busy area, particularly during peak trading hours for the businesses. The risk that people are worried about is collisions between people biking/scooter/skateboarding and customers walking between parked cars and the shops. Suggestions have been raised to place the two-way cycleway on the opposite of the street to the shops or to have it go through Melville Park.

The issue has been discussed in-depth by transport staff and multiple meetings have been held with Waka Kotahi staff to discuss the concerns. The unanimous view is that the proposed two-way cycleway on the northern side of Bader Street outside the shops is the best option. The proposed location provides direct access to the shops for people on bikes. In addition, it reduces the distance and number of crossings between the two-way cycleways on Bader Street and Lorne Street – making it more attractive for people on bikes to use.

The risk with the alternatives suggested is that people on bikes will continue to use the existing footpath outside the shops and does nothing to address the existing potential for collisions. As Living Streets Kirikiriroa stated in their feedback, “the Bader shops have a long history of near misses between people moving at different speeds between car parks and the shops, particularly with conflict between pedestrian and bikes/skateboards”. Given the anticipated increase in people riding their bikes through Bader, the existing issue is only likely to get worse if no changes are made.

The proposed design for outside the Bader shops includes a 1.1m wide buffer with planter boxes between the two-way cycleway and the angled parking. This provides a space for people entering/exiting their vehicles to wait before crossing the two-way cycleway. As part of the detailed design, further work will be completed to find a look and feel for the space that emphasises it is a space to stop and shop. The newly created public space design guidelines will assist with this and tentative conversations have been had about use of artwork to reflect the pride that people in Bader have of their neighbourhood.

A bike tour of the Bader area was completed with Living Streets Kirikiriroa to discuss a range of issues that were both inside and outside the scope of the project. This included a discussion about the proposed two-way cycleway in front of the Bader shops. A key insight from Living Streets Kirikiriroa was that the lack of street furniture directly outside the shops potentially encouraged people on bikes, scooters and skateboards to ride close to the shop entrances. Providing more space for people on bikes away from the footpath will help to resolve this concern.

An independent safety audit has been undertaken to confirm if there were issues that have been overlooked by staff and designers. The audit did not find any serious or significant safety risks with the two-way cycleway in front of the Bader shops. The audit has recommended providing a contrasting colour on the two-way cycleway across the service lane vehicle crossing to next to shops to increase road user awareness and installation of a speed bump across the service lane access to warn drivers and slow their movement across the two-way cycleway. Staff are assessing these recommendation and will update the design.

28 July 2023

Te Whatu Ora
Health New Zealand

Matthew Leach
Relationship Manager
Hamilton City Council

Email: Matthew.Leach@hcc.govt.nz

Dear Matthew,

Bader Connection Project (CERF)

Thank you to you and your team for presenting your three-part proposal to enhance and improve micromobility and public transport access around the Waikato Hospital campus. The proposal's goals are in line with and complement the existing Te Whatu Ora Health New Zealand – Waikato's Haerenga Pai Travel and Access and Sustainability plans.

We have published your consultation documents and promotional video on our intranet page and encouraged staff to respond. We have also shared the proposal with our Property and Infrastructure (P&I) team.

We have shared your proposals with our P&I team to better align our plans to upgrade our services and facilities within the hospital to maximise your proposal's goals: improved biking access and safer micromobility pathways to Waikato Hospital.

We also support the addition of bus stops on Lorne Street which will enhance equitable and sustainable access to our hospital. As you are aware, at the same time the Waikato Regional Council is planning to increase the number of direct buses servicing the Waikato Hospital campus.

In terms of specific feedback to the proposal itself we provide the following:

Normandy/Cobham bike crossing

The proposed cycle crossing will greatly improve cyclists' safety. It would be great to see further enhancements of the cycleway across Cobham Bridge. The current sidewalk across the bridge is too narrow for both bikes, pedestrians, and runners to share safely.

Ohaupo Lorne (crossing) and Lorne St (bus stops and cycleways)

As highlighted above we think the Lorne Street crossing is a great initiative and we have already reached out to our P&I colleagues to assist with planning and potential funding for any future changes. We see this as a real advantage, as it will enable the public and staff to access the hospital from another corner of the campus that was not previously accessible by bus.

For some time, we have wanted to improve this accessway and this proposal give us the opportunity to make a positive change. We will keep you updated on how our improvements progress.

Item 7

Attachment 4

Offer to promote alternative to vehicle travels to Campus

I have given Alexandra's contact to our People and Culture team to work on increasing staff awareness of alternative transportations methods to our campus. I understand our Director of Organisational Development, Megan Scott has been in touch.

As part of the improvements proposed, and for any awareness campaign for staff and the public to use alternate vehicles to our campus, we have greatly improved our micromobility parking facilities.

A 2021 survey showed 62% of patients and 70% of our staff travel to Waikato Hospital by car and a large number of those say they find the experience stressful, so we needed to look at other viable, environmentally friendly travel options and micromobility is one of those. As part of this initiative, several upgrades or new initiatives have been completed.

These include the upgrading of the Pembroke St, Hague Road and Parking Office cycle parking and storage areas with CCTV and access control added.

Also, the number of public free-standing cycle stands around the Waiora Waikato Hospital campus has increased, and these are also under or near CCTV camera coverage.

The new Bryant Education Centre cycle storage area also has a charging station for e-bikes, making cycling to and from work a more attractive option.

In addition to these enhancements, planning is underway for another secure micromobility storage unit behind the Elizabeth Rothwell Building.

By providing these facilities people will be able to look upon commuting on micromobility devices as being an easier, more convenient, sustainable travel option.

In summary Waikato Hospital supports this proposal. We are supportive and hope to see further enhancements on Pembroke Street and further along Cobham Drive including Cobham Bridge.

Yours sincerely,



Melinda Ch'ng

Operations Director – Clinical and Operational Support
 Waikato District

[TeWhatuOra.govt.nz](https://www.tewhatuora.govt.nz)

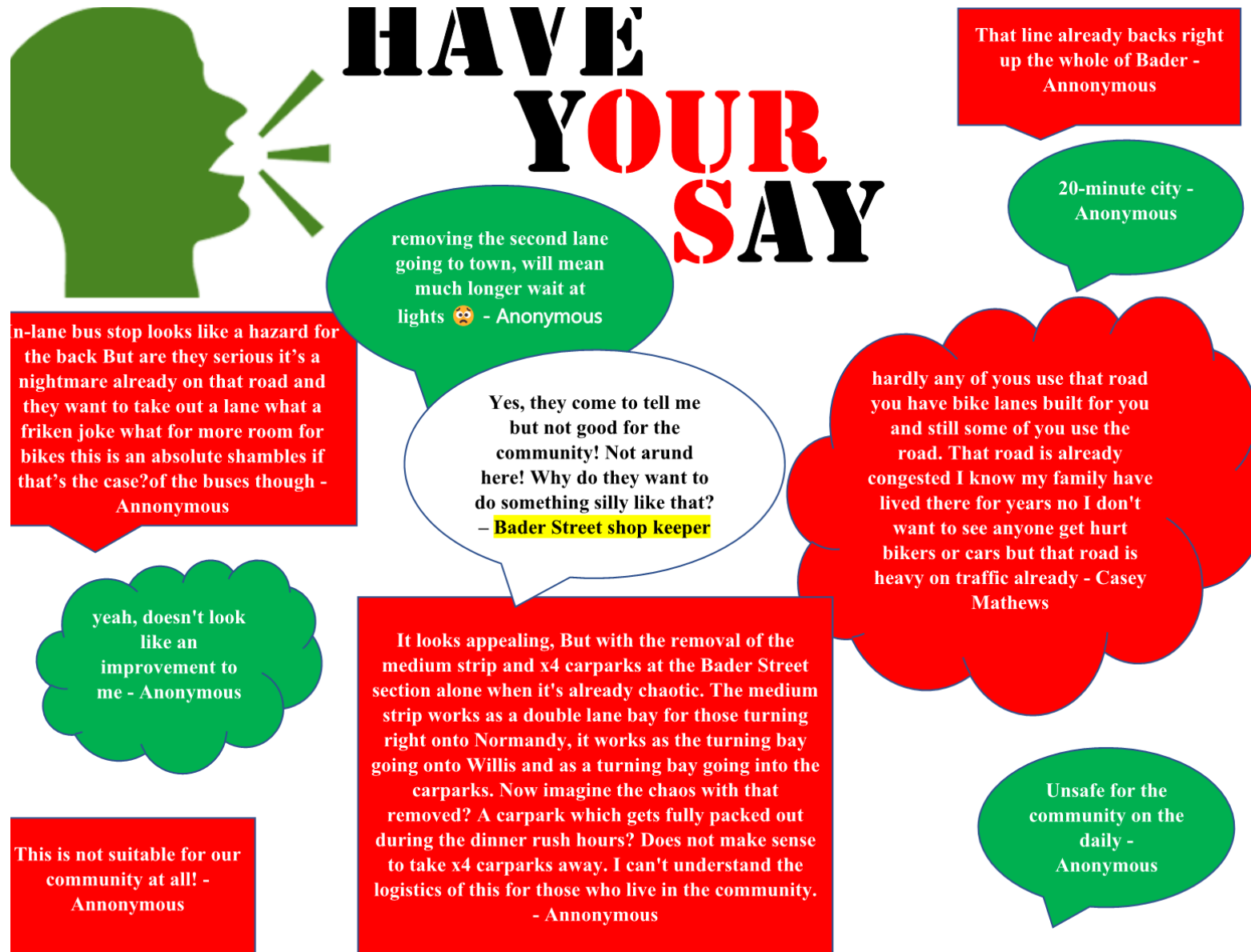
Private Bag 3200, Hamilton 3240
 Waea pūkoro: +64 7 839 8899

Te Kāwanatanga o Aotearoa
 New Zealand Government



Item 7

Attachment 5



Tēnā Koutou katoa!!

When this new “upgrade” to Bader came to my attention on the 7th of July 2023 myself and the community still weren’t fully aware of the exact changes that were wanting to be implemented.

I agreed to having a community meeting that some council members would explain the Bader upgrades, but once again this was not to allow the community to “Have their say” this was more of a “This is what’s going to happen”. Which is not what should be happening to any Community as everyone whom lives within the area should have a right of say. But despite that I want to ensure the Community are to be heard.

As a local myself none of us were aware at any time that this was going to happen. We were told there were survey’s done “BUT WHERE”!? What where survey analysis reports? Cause the community was not included with this survey! Being a community House Manager, you would also think this survey would have been sent to me but NOTHING! This happens often with many developments and changes that happen within the community and supposed to be “for the community”. I want to make a stand with that and say this is not ok! Get people’s feedback before making full decisions in the future as we all are willing to “Have our say” provide enough time for this feedback also to be gathered.

To make it clear I am not against providing safe routes for our cyclist as I know many community members that are cyclists and deal with many on the daily. This is more of a statement that better economical plans could have been put in place while hearing what the community “Have to say”.

Since I was notified, we have had three community connection meetings about these upgrades, organized by the members of council and myself and the last during our AGM 2023. The feedback to the council members should be more then enough to support the disagreement to this upgrade from the community. The comments from the community where via feedback forms, display walls and notes, our Facebook page, word of mouth and during these community meetings.

Please find below a minor breakdown of every one’s feedback to each individual space/upgrade within the Melville/Bader area. I did create a short video and sent through last week but haven’t heard anything so have decided to try again in writing.

Bader Street Shops

- Dangerous for everyone getting out of cars to walk to shop.
- There's already not enough parking spaces and you want to remove four parking spaces for this
- Looks nice
- Do not get rid of the median strip!
 - Used as waiting bay to get in to car parks at shops.
 - Used for cars turning right at the lights
 - Used for shops loading trucks
 - Used to turn right into Willis Street
- Not good
- This area is busy enough why congest it more
- Put an extra parking sign by parks available in Melville skate park entrance.
- Already no space to park, parking in church across the road, along Bader Street where they want to put the new bike lanes.
- Why is going against traffic isn't that dangerous?
- You are taking many houses along Bader Street, street parking away.
- Dangerous to have the bus lane in the main car lane.
- Causing unneeded havoc
- Fully support disability and elderly parks but there are shops along that whole strip not just on one end of the shops. That is causing a long distance for elders to walk.
- The elder/disability parks will not be used accordingly as they will park where closest to the shop they want to go to and due to not enough parking already see people parking there anyway.
- Garden beds outside shop will be good on to enforce less ram raids to happen and to give the community some positive image of change.
- The space behind the parking's is used to help vehicles get back into the traffic flow.

Coban drive bridge

- Why waste money on something that is already has something that works?
- That area where the crossing is gets congested and traffic will sit across the crossing.
- It may work with stop and go lights for crossing but will cause the traffic to back up further down Normandy and Bader Street.

Lorne Street

- Not enough parking for the hospital workers already down there.
- This street gets congested during peak hour also.
- Many houses down Lorne Street are apartments or have shared driveways so don't have enough space in their own driveways for parking

NEW PROPOSAL?

After receiving and talking to many community members and shop keepers etc. I have advised them of my below proposal and they are happy with these so that everyone's feedback is implemented, the safety of the community is also implemented to the life of being a Melville Community Member.

Bader street shops

1. Don't make any changes to Bader Street shops only put garden beds on current footpath outside of the shops this will keep shops safe from any future ram raids as it's a popular thing happening lately. It will also make the shops look nice with some plants. This will allow none of the above comments to be discouraged or not heard.
2. Make the bike lane totally miss the already busy area of Bader shops by going down Montgomery, then Allenby straight through to the alley way of the Melville Skate Park, this will meet up with the new bike path council will be creating anyway to go over to Cobham drive.
3. Put a large sign stating "Extra Parking for Bader Street Shops" in parking by Entrance to Melville Skate Park.
4. Use some of the council land in the Melville Skate Park to the Bader shops goods loading area at the back of shops.

Lorne Street

1. Instead of making lane go on the road, make a larger footpath and make it a walking and biking path. Return the side street parking for Waikato Hospital users, staff and community members that live on that street.

Cobham Drive

1. Just leaving it as it is.
But new upgrade may work also just worried on the congestion that happens in that exact area the of where the crossing is being put.

Hoping that this little blurb will help support the community who live here and continue to live here to support their voices to be heard. To help support cyclists, road users, public, children, elders and our future as a community.

If you have any questions, please feel free to contact me, same with feedback and I would also like to request to be kept updated with the final decisions and when things will be done so I can ensure the Community are well aware this is also a request for any future developments also.

Nga mihi,

Chenae Pakoti

Community House Manager

Hamilton South Community Centre Ass Inc – Te Whare Kokonga – Melville Community House



KILLARNEY ROAD UPGRADE FEEDBACK

Engagement Overview

- Early engagement with Killarney Road businesses over a four-day period in late March 2023
- Approximately 200 letters and emails distributed to residents, businesses and key stakeholders (including emergency services)
- Follow-up in person with all Killarney Road businesses to provide a physical copy of the letter, proposal and summary of business comments from the early engagement process
- Information evening held for Killarney Road businesses to meet the project team and ask questions about the proposed changes
- Meetings with individual businesses on Killarney Road to discuss the proposal in further detail

Response Overview

- We received 44 responses from the community
- 55% support the project, 27% oppose the project and 18% had a mixed/neutral position on the project

Stakeholder Feedback

Bike Waikato, Living Streets Kirikiriroa, Go Eco, Parents of Vision Impaired NZ and Age Concern Hamilton are in support of the project. The feedback from the advocacy groups reflected a need for protected and a separated cycleway on Killarney Road that was next to the footpath. Support was also provided for the raised crossings.

Waikato Regional Council support the project and observed that “the buildout for the westbound bus stop is particularly great as it improves the manoeuvring and flow of the bus at this stop”.

Fire and Emergency New Zealand and **New Zealand Police** provided support for the two-way cycleway, but were not convinced by the raised, signalised crossing that was proposed for Killarney Road between Ellis Street and Colombo Street. Concern was expressed about the potential for traffic queueing, and it was noted that this is a main transit route for emergency responses. The response to this is discussed below as part of the business feedback.

New Zealand Heavy Haulage Association indicated no position on the project but sought further information about the design of the raised crossings.

Business Feedback

Feedback was received from 20 businesses in the area. 17 of the businesses are on Killarney Road, with the remaining three businesses on Ellis Street and Colombo Street.

10 of the business on Killarney Road oppose the project – six of those businesses operate on the same side of Killarney Road as the proposed two-way cycleway. The remaining seven businesses either support the project, not stated a preference, or sought clarification on aspects of the proposal. There are approximately 40 businesses operating on Killarney Road.

Theme	Staff Response
Need for an upgrade at Killarney Road/Ellis Street intersection due to safety concerns with difficulty performing turning movements.	Staff agree that an intersection upgrade would be beneficial. The two-way cycleway is being designed to enable an intersection upgrade to be completed. It is unlikely that Waka Kotahi will fund this as part of the CERF Transport Choices programme, however staff feel this is an intersection upgrade that could be funded through the Low Cost Low Risk – Road to Zero programme.
Signalised crossing on Killarney Road is not close to the pedestrian desire line, reduces on-street parking, impacts traffic flow and makes turning movements more difficult.	Staff would prefer to review the location of any crossing on Killarney Road as part of an intersection upgrade for Ellis Street. The location originally proposed for the crossing outside Hamilton Panelworks is no longer considered the best option, and this enables the re-introduction of on-street parking at this location. Staff are recommending the raised, signalised crossing is removed from the macroscopic for this project.
Reduce the speed limit on Killarney Road from 50km/h to 40km/h.	The Speed Management Plan that was recently consulted on identifies the safe and appropriate speed for Killarney Road as 50km/h. Reducing the speed limit to 40km/h would require staff to review the basis for the proposed speed in the Speed Management Plan and consult on any change – which may not receive support from the wider community.
Increase the amount of traffic calming on Killarney Road.	A potential intersection upgrade for Ellis Street would help to calm traffic as would any raised crossing locations on Killarney Road. Further traffic calming would require additional investigation and need to be considered alongside the speed limit for Killarney Road.
Loss of on-street parking.	<p>The proposed two-way cycleway minimises the loss of on-street parking when compared to a one-way cycleway on each side of the street.</p> <p>27 out of 27 on-street parking spaces will be retained on the south side of Killarney Road. As part of the feedback process, businesses were asked if they wished to introduce time-restricted parking to increase customer turnover, but no feedback was received.</p> <p>On-street parking would be reduced from 26 to 13 on the north side of Killarney Road, subject to confirmation of detailed design to future proof for an intersection upgrade for Ellis Street. An additional space has been removed at the request of a business to improve visibility when exiting their driveway.</p>

	<p>Parking on Fraser Street near the Frankton Railway Station is heavily under-utilised and only a 200m walk along the Western Rail Trail to get to Killarney. Staff consider this an appropriate location for a park and stride for staff from the businesses.</p> <p>Our parking policy adopted in August 2022 places movement as the first priority, with short/medium stay parking as sixth on the priority list and long stay/commuter parking ranked last. Some businesses have confirmed that on-street parking is used by staff to enable customers to use their off-street parking.</p>
A two-way cycleway with concrete separators will reduce access and/or make it more difficult to get in/out of businesses on the north side of Killarney Road.	The width and number of driveways will remain unchanged. Drivers will need to perform turning movements at a safe speed and angle, particularly if they currently drive over the kerb.
The street is not safe for people on bikes to due to the number of driveways and the volume/size/speed of vehicles.	Based on traffic count data from 2022, there are 34 roads in Hamilton that carry more traffic than Killarney Road. A two-way cycleway on the north side of the street effectively halves the number of driveways and side streets that people on bikes will move past. The concrete separators, raised crossings and speed cushions at driveways will encourage safer speeds and turning angles that provide all road users with greater visibility of each other. An independent Safe System Audit is being undertaken to confirm there are no serious or significant safety risks that have been overlooked by staff and designers.
Few people ride a bike on Killarney Road.	This is not surprising when people on bikes are currently asked to ride on a street with no protection for them. Anyone riding on the street currently needs to ride between the door zone of parked vehicles on their left and vehicles (including trucks) moving at 50km/h on their right.
Killarney Road is the wrong street for people on bikes to use.	Killarney Road was identified as a cross-city connector and high priority route in the 242-page business completed for the Biking and Micro-Mobility Programme that was approved by Hamilton City Council and Waka Kotahi NZ Transport Agency. Killarney Road was selected as a priority route as it directly connects two key clusters – the central city and Dinsdale shopping centre – and links to several key destinations such as Hamilton Lake/Innes Common, Frankton Railway Station and Seddon Park. It also joins with our best cycleway in the city, the Western Rail Trail.

The proposed changes will not lead to an increase in people on bikes using Killarney Road.	Modelling as part of the business case for the Biking and Micro-Mobility Programme forecasts a demand for 3,200 people on bikes using Killarney Road on a daily basis by 2050. As per our Access Hamilton strategy, 78% of our community support biking and 55% would ride a bike more often if they felt safer on our streets. 50% of people in Hamilton already own or have access to a bike they could easily use. Perception surveys for New Zealand show that how people drive and the lack of physical separation from drivers are two of the top four barriers to riding a bike. The research referenced in our Access Hamilton strategy shows that protected bike lanes (as we are proposing for Killarney Road) are attractive for people who are “interested but concerned” about biking.
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Community Feedback

Feedback was received from 15 members of the community, with 12 in support of the project.

Theme	Staff Response
Don't delay this project.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee, except for the signalised crossing on Killarney Road.
Extend the cycleway along the full length of Killarney Road.	We are currently constructing the Killarney Road/Queens Avenue roundabout as part of the CERF Transport Choices programme and the section down to Lake Domain will be upgraded as part of the Low Cost Low Risk programme later in 2023. Early investigation work has begun on the eastern residential section of Killarney Road.
A protected and separated cycleway will make it safer for people to ride bikes.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee, except for the signalised crossing on Killarney Road.

BUSINESS FEEDBACK SUMMARY

Feedback Theme	Council Response
Parking and Loading	
There is high demand for on-street parking.	We are interested in whether businesses think time restricted parking at targeted locations would improve the availability of on-street parking for customers.
Illegal parking is taking place on footpaths, despite best efforts of businesses.	
On-street parking is being used by staff from businesses, instead of customers.	We are interested in whether businesses think there are any locations where loading zones should be created.
	We think there is an opportunity for staff from businesses to park on Fraser Street and use the Western Rail Trail to walk and cycle to work.
Cycling	
Drivers illegally use the cycle lanes as traffic lanes.	We are proposing a separated two-way cycleway on the northern side of Killarney Road.
People ride illegally on the footpath.	
Painted cycle lanes are unsafe due to volume, size and speed of vehicles.	Removing the painted cycle lanes on the southern side of the road removes potential conflict points for people on bikes.
Close calls have been observed between vehicles and people on bikes.	A separated cycleway on the northern side of the road protects people on bikes from traffic.
Drivers have to pull out from driveways to be able to see people on bikes.	Putting on-street parking on the outside of the two-way cycleway improves visibility of people on bikes.
Walking	
A few businesses observed they see groups of people using wheelchairs, mobility scooters and walkers in the area.	We are proposing raised pedestrian crossings across Colombo Street and Ellis Street on the northern side of the road.
Footpaths and crossings don't support people and staff from businesses to safely walk in the area.	We are proposing a raised, signalised crossing on Killarney Road.
Driving	
Performing right turn movements on Killarney Road is difficult due to visibility when exiting driveways and the volume of traffic on the road.	The proposed raised, signalised crossing will create gaps for right turning movements.
The intersection with Ellis Street was identified as the biggest area of concern, followed by Killarney Lane.	We agree the Ellis Street intersection can be made safer, and that a roundabout is a potential solution.
A number of businesses stated the Ellis Street intersection was dangerous and had observed many near misses or crashes.	The budget for our project is not large enough to complete a full intersection upgrade. The proposed layout for Ellis Street will enable a future intersection upgrade to occur.
Businesses on the corners of Ellis Street said vehicles were rat running through private property to avoid the intersection.	
A few businesses suggested a roundabout as a potential solution.	

BROOKLYN ROAD UPGRADE FEEDBACK

Engagement Overview

- Approximately 600 letters and emails distributed to residents, businesses and key stakeholders (including emergency services)
- Door knocking for residents and businesses on Brooklyn Road
- Public drop-in session at the Settlement Centre
- Meetings with Coffee Culture, Hamilton Multicultural Society Trust and Community Living Trust
- Reminder email for businesses on Brooklyn Road to provide feedback

Response Overview

- We received 38 direct responses from the community
- 58% support the project, 24% oppose the project and 18% had a mixed/neutral position on the project
- 41 residents attended the public drop-in session at the Settlement Centre

Transport Stakeholder Feedback

Bike Waikato, Waikato Regional Council, Parents of Vision Impaired NZ and CCS Disability Action Waikato are in support of the project. The feedback from the advocacy groups reflected a need for a protected and separated bike lane on Brooklyn Road. Support was expressed for giving priority to people walking and biking to cross the street on Brooklyn Road.

Parents of Vision Impaired NZ and CCS Disability Action Waikato are generally not supportive of shared paths and prefer separate spaces for people walking and biking. Staff explained that the shared path was a compromise to support the needs of Coffee Culture. **CCS Disability Action Waikato** are currently in discussions with the transport education team about shared path etiquette and education to improve safety for the disabled community.

CCS Disability Action Waikato have requested mobility parking near the new accessible playground and an inclusive accessibility audit of the Claudelands Park. Staff have agreed to identify an appropriate location on Brooklyn Road for mobility parking. An inclusive accessibility audit is outside the scope of the project on Brooklyn Road, however the request has been forwarded to appropriate staff for consideration since audits of community destinations and the transport network are part of the Disability Action Plan for Hamilton City Council.

Fire and Emergency New Zealand and New Zealand Police are in support of the project. Brooklyn Road is not a key route for emergency services. **New Zealand Police** suggested that the speed limit should be reduced to complement the proposed traffic calming. Staff advised that the Speed Management Plan identifies 40km/h as the safe and appropriate speed on Brooklyn Road and the surrounding side streets. The business case for Five Cross Roads as part of Eastern Pathways will need to consider the impacts of options for the roundabout on the wider area and how to mitigate any undesirable behaviours. Changes to speed limits can be considered as part of this business case.

Community Stakeholder Feedback

Community Living Trust support the project. The not-for-profit organisation supports disabled people to thrive as part of the community. Staff met with the organisation, who advised the raised crossings will support disabled people that walk and/or catch the bus to use the services they offer. Staff were told of near misses from attempting to cross the street, including instances of verbal abuse from drivers. The meeting was also an opportunity to discuss footpath maintenance concerns and further upcoming transport projects in the area to support safer crossings.

Fountain City Montessori (who are neighbours of **Community Living Trust**) support the project and have requested changes to the clearway and/or removal of on-street parking outside their property on Brooklyn Road. Staff and parents from the early childhood centre have witnessed crashes and near misses when vehicles exit the driveway. The issue is cars parked on the street reduce the visibility for anyone exiting the driveway of traffic moving along Brooklyn Road, particularly with traffic coming around the bend from Five Cross Roads. Staff have agreed to investigate the suggestions further. Depending on any potential changes, targeted consultation with nearby businesses may be required.

Hamilton Multicultural Society Trust are in support of the project. The charitable trust operates from the Settlement Centre on Boundary Road. Their feedback on the project is that:

Improvement of pathways and cycleways around the parks and road is vital, in particular safer crossing of both Brooklyn and Boundary Road. Many of the users of the centre cross these busy roads and there are very few safe places to cross. The addition of separate pedestrian and cycle paths will ensure both cyclists and pedestrians are safe and not impeding each other. These improvements are welcomed by the Settlement Centre including the new path across the park. We are observing more and more people using the park to move back and forth across the Five Cross Roads area to the city. These improvements along with the addition of the new cycle workshop and bike storage facility as part of the Settlement Centre building project, are all great additions to the Claudelands Park area and for Hamilton City.

Waikato Muslim Association support the project and are “happy with your plan and fully support your initiative”. As part of their feedback, the organisation strongly advocated for the raised crossing outside the Jamia Mosque on the corner of Heaphy Terrace and Boundary Road. The **Waikato Muslim Association** stated that “hundreds of pedestrians cross this road daily ... People with crutches and support cross this road regularly. It is extremely important that we build these crossings ...”. The raised crossing is part of the scope for the project on Heaphy Terrace that will deliver an off-road two-way cycleway using Claudelands Park.

Coffee Culture have mixed views on the project. The business supports cycling and their annual event, The Tour de Coffee Culture, is part of their “efforts to encourage people to cycle for a coffee or enjoy a coffee at the end of a bunch ride”. In addition, they are “supportive of both efforts to make roads safer for cyclists, and efforts to encourage more people out of cars and into greener forms of transport including buses, cycling and walking”.

However, **Coffee Culture** has two issues with the current proposal. The first issue is the loss of car parks.

We appreciate that the replacement carparks across the road (outside McDonalds) will go some way to compensate for the total reduction in car parks however we do expect that with the change in location we will experience a decrease in visitors and this will negatively impact our trade. Instead of being able to exit their cars and walk along the footpath to our store, guests will now have to cross the road at the exit of a busy roundabout to get to us, if they have managed to get one of the new carparks. Our older guests have expressed their reluctance to do this and have also commented that

they are unlikely to attempt to parallel park so close to the roundabout. Currently they are able to angle park outside the store. While we appreciate that some ... parks remain, the overall reduction in parks on the same side of the road as the shop will likely lead to a decrease in visitors to our store.

Staff met with Coffee Culture twice prior to asking the community for formal feedback on the proposed changes for Brooklyn Road. Based on the initial meeting, the proposed design on the opposite side of the street to Coffee Culture was changed from a protected bike lane to a shared path for a 100m section of Brooklyn Road between McDonalds and 38 Brooklyn Road. The change enabled 13 on-street parking spaces to be added into the project (replacing what is currently available on the same side of the street as Coffee Culture). Staff believe it would be appropriate for seven of the 13 parking spaces to be time restricted to support Coffee Culture but are prepared to increase the number of time restricted spaces if necessary.

The additional 13 parking spaces are proposed for the opposite side of the street to Coffee Culture as it is impractical to construct a shared path on the other side of the street due to the power poles and lamp poles in this section of Brooklyn Road. The proposed changes also require the five angled car parks directly outside Coffee Culture to be converted to three parallel parking spaces.

The net effect of the proposal is to increase the number of time restricted parking spaces on Brooklyn Road from five to 10, with an additional six parking spaces that could be converted to time restricted parking if needed. There is currently four time restricted parking spaces in place on Boundary Road. In total there would be 14 time restricted parking spaces to support Coffee Culture.

The proposal is not consistent with the prioritisation of road space principle included in our parking policy adopted in August 2022. The hierarchy places movement as the first priority with short/medium stay parking as sixth on the priority list. The prioritisation of road space principle does state that "the priority should not be given to the complete detriment of other uses and users". With a total of 14 time restricted parking spaces on Brooklyn Road and Boundary Road, staff do not consider the proposal to be "to the complete detriment of other uses and users".

The second issue raised by **Coffee Culture** is the change from a footpath to a shared path directly outside their business.

Already we witness near collisions regularly as cyclists (particularly children/students) travel at speed past the entrance as guests enter and exit the store. We understand that the funding mechanisms don't allow for a solution that continues around the corner, or to address how cyclists get around the roundabout but with respect, it seems like a lot of expense to bring cyclists off the road path onto the footpath only to have it stop. Our suggestion is that another solution is considered that incorporates a safe access around the roundabout that doesn't expose the flow of pedestrians in and out of the store to increased risk of collision with cyclists.

A shared path outside Coffee Culture is required to provide a safe option for people on bikes who are approaching Five Cross Roads roundabout. The roundabout is multi-laned and navigating through a multi-lane roundabout on-road is considered an advanced Grade 3 skill. There is no alternative solution to providing an off-road option for people on bikes.

As stated by Coffee Culture, the existing situation is unsafe. The proposal would create a significantly wider 4m shared path outside the business. The width provides more space for people to avoid each other. Staff have agreed to review the ramp between the protected on-road bike lane and the off-shared path to make it less comfortable for people on bikes to transition up the ramp at speed. As part of the detailed design work, staff would like to work with Coffee Culture to improve the public realm outside their business to emphasise the place function of this space and encourage people on bikes to slow down, give way to pedestrians and steer away from the building frontage.

Community Feedback

Theme	Staff Response
Raised crossing outside Coffee Culture is too close to Five Cross Roads roundabout for it be safe.	An independent Safe System Audit is underway, and the crossing will be relocated or removed as required.
Raised crossing on Brooklyn Road that aligns with the shared path through Claudelands Park is too close to Gate 3 and the vehicle movements that occur around here for it be safe.	An independent Safe System Audit is underway, and the crossing will be relocated or removed as required.
Raised crossing on East Street would exacerbate existing flooding issues.	Based on feedback from the community and further discussion with Three Waters staff, the raised crossing on East Street has been removed from the project. All other crossings will be designed with adequate drainage.
Raised crossings increase emissions.	The proposed changes on Brooklyn Road are part of the Biking and Micro-Mobility Programme. The 242-page business case conservatively estimates the emissions reductions for the programme at 6.7%.
More raised crossings on streets surrounding Claudelands Park, particularly with the new accessible playground.	Additional raised crossings are outside the scope of the proposed changes on Brooklyn Road. Raised crossings are already planned near the Jamia Mosque on Heaphy Terrace and Settlement Centre on Boundary Road. A potential inclusive accessibility audit would identify any further locations where raised crossings may be appropriate.
The proposed raised crossings on Brooklyn Road will make it safer for people to cross the street and improve access to the park.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee, including raised crossings.
People drive at excessive speeds on Brooklyn Road.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee, including raised crossings.
Reduce the number of people driving and/or parking on Brooklyn Road.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee.
Don't agree with removal of on-street residential parking on Brooklyn Road.	<p>Most feedback received was a general concern about loss of parking. Feedback was only received from one resident about the loss of parking directly outside their property and staff door knocked residents to make sure they were aware of what was being proposed.</p> <p>On-street residential parking is being retained and/or added in the section of Brooklyn Road between Gillies Avenue and East Street where there is sufficient space. The loss of residential on-street parking is on the park side between East Street and Coffee Culture.</p>

	Our parking policy adopted in August 2022 places movement as the first priority, with long stay/commuter parking ranked last.
Protected bike lanes will make it safer to ride a bike and encourage more people to ride a bike.	Staff are recommending macroscope approval for the project to the Infrastructure and Transport Committee.
A bike lane to the left of on-street parking is unsafe for people on bikes.	People on bikes currently have to ride in the traffic lane or between the door zone of parked vehicles and vehicles moving at 50km/h. The proposed changes minimise interactions for people on bikes with moving vehicles. The proposed widths vary along Brooklyn Road, but the bike lanes would be approximately 2m wide with a further 1m separation from parked vehicles – putting them outside the door zone. Nationally, and internationally, this is the best practice layout when incorporating biking infrastructure with parking.
Don't support people walking and biking on the shared path on the opposite side of the street to Coffee Culture.	The proposal is an improvement on the current environment where there is only a footpath and a traffic lane. The section of shared path will be short and discourage people on bikes from riding at unsafe speeds. Our preference is always to separate people walking and biking where possible, but there is insufficient space with the on-street parking to support Coffee Culture.

UPPER KENT STREET FEEDBACK

Engagement Overview

- Approximately 30 letters were delivered to residents who live or own property on Upper Kent Street
- Door knocking was completed with tenants and homeowners living on Upper Kent Street

Response Overview

- We received 12 direct responses from the community, with 11 opposed to the project
- A petition was received from Ian Johnston on behalf of Upper Kent Street signed by 35 residents that oppose the project

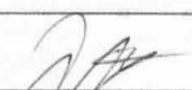


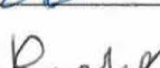
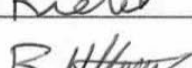

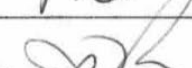
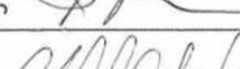

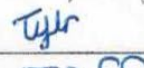

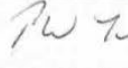
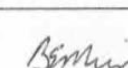
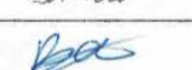

Community Feedback

The key themes from community feedback were that the proposal would:












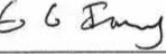


- Lead to increased crime on Upper Kent Street
- Make Upper Kent Street less peaceful and safe
- Remove the cul-de-sac that creates a quiet street – which is why people enjoy living on Upper Kent Street
- Not add any value as there is already easy access to the Western Rail Trail from Islington Street
- Result in strangers being able to see into properties from the Western Rail Trail

Staff do not necessarily agree with all the concerns outlined. However, staff were only prepared to proceed with the proposal if there was clear support from the residents on Upper Kent Street given the opposition to the connection when the Western Rail Trail was originally planned and constructed. As a result, staff have recommended that Upper Kent Street is removed from the macroscopic for Project 8 – Frankton East/Lake Domain to the Western Rail Trail.

We, residents of Upper Kent St are opposed to the linking of Upper Kent St to the Western Rail Trail Cycle Path. Increased pedestrian access and consequent through traffic will lead to increased crime in our quiet street. In 2014 Kiwi Rail installed spikes and barbed wire on the fence at the end of our street to deter climbing. Prior to this there was significant pedestrian through-traffic and constant damage to and theft from cars. This ceased with the addition of the spikes. Intermittently there is a hole cut in the fence and this always results in increased theft and damage until the hole is repaired. We don't want to see CCTV cameras from our homes so we are opposed to the use of CCTV to 'mitigate' the increased crime that through traffic will bring. We would rather crime prevention through sensible environmental design, in this case restricted access to our cul-de-sac, as is the current situation. There is ample easy and nearby access to the cycle path in our neighbourhood that we are able to use already.

NAME	SIGNATURE	PHONE/EMAIL	ADDRESS
Z.V.V		2000294@gmail.com	7 Upper Kent St 122+
Braden Ellis		bradeneellis@gmail.com	4 Upper Kent street
Owen Conley		021484857	12 Upper Kent Street
Riley Ron		021018650	13 Upper Kent street
Brian McCaw		021018650	13 Upper Kent street
Phil Buich		0274495968	9 Upper Kent
Rose Pearson		0226581980	9 Upper Kent St
Royce Buich		0225289265	9 Upper Kent St
Taylor		0242028650	13 Upper Kent St
Jesse		0211618630	13 Upper Kent St
Patricia Tjatsen		8382201	10 Upper Kent St
Barbara Muir		027 303 7963	10a Upper Kent St
Brooklyn Ellis		0211281076	4 Upper Kent street
Ian Johnston		021 063 1554	11 Upper Kent St
Emerson Taylor		022 038 2255	8 Upper Kent St

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NAME	SIGNATURE	PHONE/EMAIL	ADDRESS
Aiden Taylor	Aiden	0220 382255	8 Upper Kent Street
Jake Taylor		0220 382255	8 Upper Kent Street
Sai		0226 990094	5a Upper Kent St
Shobana		022 1990955	5A, Upper Kent St
D. Job		022 343 1225	15a upper kent st
Rachael Elmers		0226825269	7 Upper Kent St
COBY RICHARDSON		0278202237	1B UPPER KENT ST
SHAYDEN TAYLOR		021 02798295	1B UPPER KENT ST
SHONAMAGAN		0211055094	1C UPPER KENT ST
Scott Moyle		021-2266077	8 Upper Kent St
JOANNA ISAAC		0272900009	2 UPPER KENT ST.
JACK IMRAY		0272444733	6B UPPER KENT ST
EMILY IMRAY		027 866 3595	6B UPPER KENT ST
NASTASSIA WAETFORD		022. 1946072	12B UPPER KENT ST
GINA TEMPLE		0204189 1116	5 UPPER KENT ST.

RIFLE RANGE ROAD UPGRADE FEEDBACK

Engagement Overview

- Approximately 750 letters and emails distributed to residents, businesses and key stakeholders (including emergency services)
- Meetings held with Frankton School, St Columba's Catholic Primary School, Aberdeen School and Maeroa Intermediate
- Drop-in session at Frankton School
- Reminder email to businesses and organisations on Rifle Range Road

Response Overview

- We received 49 responses from the community
- 63% support the project, 22% oppose the project and 14% had a mixed/neutral position on the project

Stakeholder Feedback

Frankton School, St Columba's Catholic Primary School, Aberdeen School and Maeroa Intermediate all indicated support for the project during the meetings held with them. Below are written statements provided by two of the four schools following these meetings:

Aberdeen Primary School is excited about the Rifle Range Road changes and we are in total support of the safety upgrades. This is a very busy road and parents are apprehensive about their children biking/scooter to school. Not only will our current students have a safe option to use alternative ways of coming to school but, our students moving on to Maeroa Intermediate will be able to confidently and safely bike/scooter to school. At present Rifle Range Road safety is compromised for students who choose to bike/scooter safely to school. It is paramount that children have a safer way to bike/scooter to school.

The Frankton School Board alongside senior management believe that Rifle Range Road is too busy and dangerous, to encourage biking and scootering among our students, in its current state. We are in favour of any safety improvements that benefit ours and other students in their journeys to and from school. We also advocate for the retaining of ample car parking around our school, to allow this mode of transport to remain safe as well.

Go Eco, Parents of Vision Impaired NZ, Living Streets Kirikiriroa and Waikato Regional Council are in support of the project.

Bike Waikato support the project, particularly as there have been "many issues with drivers blocking and double stacking [illegally] in the bike lane" heading northbound toward the SH1C roundabout.

CCS Disability Action Waikato support the project and requested mobility parking outside Frankton School, St Columba's Catholic School and Swarbrick Park. Staff have agreed to install mobility parking outside Swarbrick Park but will not be pursuing additional mobility parking outside the schools as this has not been requested by them.

Emergency services (**FENZ, Police and St John**) do not have any concerns with the proposal. Police asked if it would be appropriate to review and reduce the speed limit for the whole area as part of the project. Staff advised there is an upcoming consultation on 30km/h speed limits in and around

schools later this year and we'll be guided by the community as to how far those zones should be extended. Our Speed Management Plan indicates that the safe and appropriate speed for the side streets off Rifle Range Road is 40km/h.

National Road Carriers Association are opposed to the kerb buildouts on the corners of side streets along Rifle Range Road. The concern is that trucks that need to complete deliveries will have trouble getting in and out of these streets. Staff have provided vehicle tracking to demonstrate that delivery vehicles will still be able to use these. Larger vehicles (longer than 11m) should be primarily using the state highway network with SH23 and SH1C.

Rifle Range Road Dairy have raised concerns about the loss of parking on the opposite side of the street to their business as this reduces the convenience for customers heading southbound. The business has been struggling with ram raids too. Staff have agreed to install bike parking outside the business to provide a safe parking option for people on bikes. If possible, these will be placed in a way that discourages ram raids. Staff have also agreed to investigate a change in parking layout that would result in a net loss of parking, but provide parking on both sides of the street. An alternative option is to provide time restricted parking on Aberfoyle Street less than 100m from the business.

Community Feedback

Theme	Staff Response
Impact on congestion and flow of traffic.	<p>No traffic lanes are being removed with the proposed changes. We are aware the northbound bike lane is illegally used by drivers during the afternoon, but we cannot endorse this behaviour.</p> <p>The raised crossings and traffic calming on side streets will require drivers to move at a safer speed, however this is appropriate for a street that connects to schools, early childhood centres and green spaces.</p>
Concern about loss of parking, mostly outside the schools and park.	<p>Our parking policy adopted in August 2022 places movement as the first priority, with residential and short stay parking as fourth and sixth on the priority list.</p> <p>Parking surveys identified where the highest demand for parking is on Rifle Range Road. As a result, we have retained on-street parking where possible near the schools and park. We are marking the parking outside Frankton School and Swarbrick Park to ensure the retained parking is used effectively.</p> <p>We have support for the project from the schools and all side streets remain available for people who need on-street parking.</p>
Waste of ratepayer money.	<p>The budgeted local share for the project is \$286,000 with the remaining 90% covered by Waka Kotahi NZ Transport Agency via the Emissions Trading Scheme.</p>

The project is for a minority.	As per our Access Hamilton strategy, 78% of our community support biking and 55% would ride a bike more often if they felt safer on our streets. 50% of people in Hamilton already own or have access to a bike they could easily use. This comment is reinforced by the feedback from the schools that it isn't currently safe for kids to bike to school.
Leave the street as it is/no one rides a bike on Rifle Range Road.	The street currently has painted bike lanes with no protection and are parked in or driven over during peak hour traffic. Perception surveys for New Zealand show that how people drive and the lack of physical separation from drivers are two of the top four barriers to riding a bike. The research referenced in our Access Hamilton strategy shows that protected bike lanes (as we are proposing for Rifle Range Road) are attractive for people who are "interested but concerned" about biking.
The proposed raised crossing on Rifle Range Road next to Aberdeen Drive needs to be moved/signalised due to the volume of people crossing the street.	Staff have updated the design to a raised, signalised crossing to enable greater control over the movement of people crossing Rifle Range Road between Aberdeen School and Swarbrick Park and to reduce the impact on the flow of traffic.
Suggestion for vehicles to be allowed to park in the bike lane outside Frankton School during peak hour traffic in the morning and afternoon.	The highest demand for the protected bike lane will be when kids arrive and leave school. We cannot leave kids on bikes with no space on the street directly outside the school gate. Staff do not believe this suggestion would pass a safe system audit and would increase the risk of death or serious injury to kids on bikes.
Don't delay this project.	Staff are recommending macroscopic approval for the project to the Infrastructure and Transport Committee.
Support creating a safer space for kids to walk, bike and scooter to school.	Staff are recommending macroscopic approval for the project to the Infrastructure and Transport Committee.
The changes will encourage more people to ride a bike.	Staff are recommending macroscopic approval for the project to the Infrastructure and Transport Committee.

Below is feedback from members of the community that provides an insight into what it is like currently like riding a bike around Dinsdale:

Just a message to say that I would love to see the plan go ahead for Rifle Range Road and more cycle friendly developments in the Dinsdale area. We (F29 and M34) live locally and cycle recreationally outside of area due to the poor conditions in our local community. The streets are overrun with vehicles or with little dedicated space to cycle safely. We aim to cycle wherever possible and development will improve the commute for mahi, it might even encourage more local riding opportunities. Thank you for your time to consider the feedback of those who live locally and want to look after our environment and the rangatahi.

I live in Dinsdale and bike to work in Nawton all year around, along with my daughter in the bike trailer to daycare. We currently take a route with a combination of pathway riding, quiet side roads and some short stretches of scary main roads. With protected bike lanes on Rifle Range Road, we could avoid a long detour with lots of hills and take a more direct, faster, safer and flatter route. I refuse to ride on Rifle Range Road with my daughter in the back because when it gets congested in peak times, drivers are less patient/careful and sometimes miss cyclists and cut us off, or sometimes are just downright selfish and perform dangerous manoeuvres. With protected bike lanes I'd feel confident sending her to ride to school on her own when she's old enough, probably along with many other children who attend local schools. With this route protected I'd also be able to more easily access the model trains and Minogue Park playground by bike, saving us a bunch of car trips.

Amazing!! What an asset this will be for the four schools in the area. What you've forgotten is the countless Early Childhood Centre's and the Playcentre that also come off Rifle Range Road too who will all also benefit. We have many mums and kids at Dinsdale Playcentre who walk or cycle and this will be so awesome for them!! As a motorist who doesn't cycle because I have children and deem it far too unsafe for them this is the kind of project I have been wishing for!! Safe, separated cycle lanes, not just painted bike gutters that drivers still park and drive in and think they own. Fantastic!!! As a motorist I also LOVE all the raised safety crossings at the ends of the streets. Excellent way to remind drivers to slow down and check for pedestrians and cyclists. Keep going Hamilton City Council! Join up all those puzzle pieces so people like me can feel safe enough to start cycling and ditch our cars.

RIVERLEA CONNECTIONS FEEDBACK

Engagement Overview

- Letters and emails distributed to approximately 300 residents, businesses and key stakeholders (including emergency services)
- Door knocking attempted with residents on Howell Avenue for shared path
- Meetings held with Riverlea Road businesses

Response Overview

- We received 68 responses from the community
- 69% support the project, 13% oppose the project and 17% had a mixed/neutral position on the project

Stakeholder Feedback

Te Awa River Ride Charitable Trust “wholeheartedly supports the proposed walking and cycling safety improvements ... This route would enhance the safety of cyclists along Te Awa and contribute to the benefits provided by the world-class community and tourism asset that is Te Awa River Ride”. A copy of the letter of support can be found below.

Riverlea Environment Society “support the aim of making the on-road option more attractive for people on bikes, so they’re less likely to bike on the Hammond Park boardwalk”. The organisation have asked for all existing street trees to be retained and staff have confirmed this will be the case.

Bike Waikato, Go Eco, Living Streets Kirikiriroa, Age Concern Hamilton, CCS Disability Action Waikato and Parents of Vision Impaired NZ are in support of the project. The organisations felt that the traffic calming proposed for the neighbourhood would create a friendlier environment for people walking and biking.

Parents of Vision Impaired NZ stated their preference was for separated spaces for walking and biking. Staff explained that the path on Howell Avenue needed to be constructed within the existing kerb line and would only be for a short section of roughly 100m to get people on bikes onto Louise Place. Staff further explained that, since the shared path on Riverlea Road was through the industrial section, this wasn’t the type of environment that would be attractive for pedestrians.

Waikato Regional Council are in support of the project and like that Hamilton City Council are proposing to use a mix of chicanes and raised safety platforms for traffic calming.

Emergency services (**FENZ, Police and St John**) are in support of the project and view the traffic calming as a sensible solution.

Electrify/River Riders are in support of the project and have asked for it to be “approved in fully without delay”.

National Road Carriers are opposed to the kerb buildouts and chicanes as part of the project. The concern with the kerb buildouts is that trucks will have trouble completing deliveries. Staff have completed vehicle tracking to ensure delivery trucks can navigate through the area. Larger vehicles (longer than 11m) should be using the state highway network with Cobham Drive and Cambridge Road. Concerns were also raised about the safety of the chicanes with the narrowing of the road for

drivers. Staff explained chicanes can already be found on residential streets around Hamilton and are a standard traffic calming measure.

Community Feedback

Feedback Theme	Staff Response
Traffic calming measures are needed to reduce excessive speeding in the neighbourhood.	Staff are recommending approval of the macroscope for the project.
Creating a safe and attractive on-road option will encourage people on bikes to avoid the narrow section of Hammond Park boardwalk.	Staff are recommending approval of the macroscope for the project.
New footpath on Hudson Street will create a more walkable neighbourhood .	Staff are recommending approval of the macroscope for the project.
Agree with the proposed shared paths.	Staff are recommending approval of the macroscope for the project.
Don't delay this project.	Staff are recommending approval of the macroscope for the project.
Clarification sought on how people on bikes will navigate through the chicanes .	There will be space between the kerb and the chicane for people on bikes to ride through.
Request for existing street trees to be retained.	No trees will be removed as part of the project.
Concern around shared path narrowing Howell Avenue or reducing on-street parking.	The shared path will be created within the existing kerb using the footpath and grass berm.
Suggestions for more traffic calming and no right turn from Howell Avenue onto Cambridge Road.	Outside the scope of project. Referred to the Network Safety Team and Waka Kotahi for consideration.

Business Feedback

At the request of Riverlea Road businesses, staff met with them to discuss the proposed changes for Riverlea Road. The collective concern of the businesses was that the creation of the shared path and expansion of on-street parking would reduce the width of the road to an extent that heavy vehicles would have difficult travelling along Riverlea Road.

The proposal shared with Riverlea Road businesses was for two 3.5 wide traffic lanes and a 1.8m wide median strip. The total width would have been 8.8m, resulting in a loss of roughly 0.5m of width from what is currently available.

Following the meeting, businesses shared further information with staff including photos and dimensions of the vehicles using Riverlea Road. The largest vehicles were 6m x 50m. Although staff believe the proposal provided adequate width for vehicle heavy vehicles, a decision has been made to build the shared path within the existing kerb and leave the rest of the street as it currently is.

Te Awa River Ride Charitable Trust
360 Tristram Street
Hamilton



21 August 2023

To Whom It May Concern,

Te Awa River Ride Riverlea Rd On-road Connection

I am writing on behalf of the Te Awa River Ride Charitable Trust Board of Trustees to express our support for the implementation of the on-road Te Awa River Ride cycle connection on Riverlea Rd.

The Te Awa River Ride is a 65km multi-purpose concrete path from Ngaruawahia, through Hamilton City and out to Lake Karapiro. It is the result of collaboration between three local authorities, the NZ Transport Agency and our Te Awa River Ride Charitable Trust – a near \$40m world-class community and tourism asset for both the Waikato region and the cities and towns through which it passes.

It is already one of the busiest cycle trails of its kinds in NZ with over 200,000 users per year throughout the length of the path with the sections through Hamilton city being the most popular.

Benefits to communities of cycle trails like Te Awa are proven – a 2021 economic impact study of the NZ Cycle Trails showed a near \$1bn of economic, social and health benefits across NZ. Our trust is confident Te Awa also provides these widespread benefits to our Waikato communities and we are focussed on maintaining outstanding user experiences to help continue to realise these benefits.

Due to the Hammond Park section of Te Awa requiring a very lengthy dismount section for cyclists, a large proportion of users on bikes are choosing to use the existing on-road diversion on Riverlea Rd. This route is currently not fit for purpose for people on bikes, with considerable safety risks due to high volumes of commercial and industrial vehicles and the current requirement for cyclists to mix with these road users.

The proposed upgrades to this link provide the needed safety improvements for cyclists to provide a safe and viable connection along the Te Awa network into Hamilton.

In conclusion, the Te Awa River Ride Charitable Trust wholeheartedly supports the proposed walking and cycling safety improvements to Riverlea Rd and Hudson Street. This route would enhance the safety of cyclists along Te Awa and contribute to the benefits provided by the world-class community and tourism asset that is the Te Awa River Ride.

Thank you for the opportunity to provide feedback to this project. Please feel free to contact me if you require any further information.

Sincerely,

Sarah Ulmer (Trail Manager, Te Awa River Ride)

RIVER ROAD UPGRADE FEEDBACK

Engagement Overview

- Approximately 250 letters and emails distributed to residents, businesses and key stakeholders (including emergency services)
- Meetings with individual property owners as requested

Response Overview

- We received 26 responses from the community
- 42% support the project, 31% oppose the project and 27% had a mixed/neutral position on the project

Stakeholder Feedback

Bike Waikato, Living Streets Kirikiriroa, Go Eco, Parents of Vision Impaired NZ and Waikato Regional Council are in support of the project.

New Zealand Heavy Haulage Association did not state a position on the project. The organisation advised that while this was not a key route, it would like to see 11m clear width between signal poles and height clearance of 6m if possible. Staff have reviewed the Traffic Bylaw 2021 and confirmed that Kirikiriroa Bridge on River Road has a weight restriction, and that River Road is not an approved route for heavy vehicle/over dimensional vehicle through traffic or Higher Productivity Motor Vehicles.

Fire and Emergency New Zealand and **New Zealand Police** do not have issues with the proposed footpath but raised concerns about the disruption from the proposed raised, signalised crossings at both locations. The concern expressed was of the impact on congestion/traffic flow and the closeness of the proposed crossing locations to perceived blind corners/crests.

Staff provided information from the "Pedestrian crossing option report" completed by Tonkin & Taylor (preliminary designer), which states that the location of both crossings have clear sight distances for over 100m in both directions, allowing motorists approaching enough time to stop and react to pedestrians crossing the street. An independent Safe System Audit is being undertaken to confirm no safety concerns have been overlooked by staff, the preliminary designer or the detailed designer. Further discussion on the crossings can be found in the section below on community feedback.

Community Feedback

There was feedback to both support and oppose the proposed footpath on the west side of River Road. A resident who lives on River Road felt that the footpath was "long overdue" to be complete the missing gap between Swarbrick Park and Kirikiriroa Bridge. Residents who were unconvinced or opposed to the footpath as few people walk on the west side of the street, the proposal lacked merit and the funding could be better spent elsewhere.

An alternative suggestion made to upgrade the footpath on the east side of River Road to a shared path. As the project is funded under the walkable neighbourhood category, widening the shared path doesn't align with the intended purpose of the project. In addition, this section of River Road as

identified as a “cross city connector” in our Biking and Micro-Mobility Programme. A shared path is not appropriate for a cross city connector.

There were mixed views on how easy it was to cross River Road. Some residents felt there was no issue and that it was “not dangerous”. A resident in support of the crossings said he had suggested this in the past to Council. Another resident described it as a “struggle” to get across the street and said she “usually end[s] up running across the road” to get to Days Park with her dogs. The operating speed of River Road is 57km/h (85th percentile operating speed), which is higher than the posted speed limit of 50km/h. This will be contributing to why people feel rushed or unsafe when crossing the street.

Some residents were not convinced of the need for a crossing near Kirikiriroa Bridge with the Wairere Drive underpass approximately 250m further north. Staff explained that the proposed crossing aligns with a future plan to build a small pedestrian/bike bridge to the east of the existing bridge. People on bikes currently need to ride in the traffic lane to get across the existing bridge and there is insufficient room to reallocate road space. The proposed crossing would link to the new pedestrian/bike bridge with a short 100m section of shared path.

Residents opposed to the crossings were concerned about the potential impact on congestion/traffic flow. Staff explained that when the crossings are not in use by pedestrians, the delay for drivers from travelling over the raised safety platform would be one or two seconds. When the crossings are in use, the wait time for drivers would be no more than 15 seconds. During peak hour traffic, it could be expected for there to be a queue of potentially up to 10 cars when the crossing is in use.

Staff have analysed data on the raised, signalised crossing on River Road near O’Neill Street that was installed last year. The analysis shows there has been an 11 second increase in travel time during morning peak hour traffic and a three second increase during afternoon peak hour traffic.

Concerns were raised about the safety of the proposed crossing near Glen Lynne Avenue and what the impact would be on vehicles attempting to complete turning movements. Below is an excerpt from the “Pedestrian crossing option report” completed by Tonkin & Taylor that explains why this location is recommended:

Glen Lynne Avenue is a key route from Chartwell to River Road, with around 5,600 vehicles travelling along the River Road end of Glen Lynne Avenue daily. Glen Lynne Avenue traffic has to cross/merge with River Road traffic. There are high daily traffic numbers on both roads and a demand for active transport modes in this area. CAS data ... suggests the area around this intersection is currently the most susceptible to crashes in the study area. Due to the potential for conflict between traffic streams and modes of transport there is a need for traffic calming and safe crossing facilities.

A crossing at this location would not only serve the foot traffic generated from the nearby residential area, but would also serve pedestrians and cyclists travelling down using the Glen Lynne Avenue connection from further afield.

From the crash data ... we see that there is a concentration of crashes around the River Road/Glen Lynne Avenue intersection. All five of the crashes [over the last five years] that occurred either involved vehicles turning right into or out of Glen Lynne Avenue and colliding with another vehicle, or from vehicles slowing to turn right into Glen Lynne Avenue and being rear-ended from north bound traffic.

A raised signalised crossing platform on the northern side of the River Road/Glen Lynne Avenue intersection would help lower the speed of traffic along River Road, and the signalised crossing would halt the stream allowing gaps in traffic flow for those exiting Glen Lynne Avenue to take advantage of. Reducing the speed of incoming traffic to this intersection would also decrease the severity of any

collisions that may occur. A speed reduction of the southbound lane on the approach to the River Road/Glen Lynne intersection would give right turning traffic into Glen Lynne Avenue more time and bigger gaps to safely make the turn. This would also help clear the queue of traffic that builds up wanting to make this right turn into Glen Lynne during peak hour traffic, further reducing the likelihood of rear-end/obstruction crashes from occurring due to backed up right turning traffic along River Road.

A small number of residents thought the removal of trees were inconsistent with a project that is intended to contribute to emissions. Staff acknowledged this was not ideal, but that it was not possible to construct the footpath without removing trees. Only smaller, non-protected trees will be removed, and this has been agreed with arborists from Hamilton City Council. Any remaining budget after construction will be spent on replacing the trees that have been removed. As part of the feedback process, residents suggested locations for trees and the types of trees that should be used. Requests were also made for seating and shelter as there is a lack of it along this section of River Road.

Council Report

Item 8

Committee: Infrastructure and Transport Committee

Date: 21 September 2023

Author: Robyn Denton

Authoriser: Chris Allen

Position: Network and Systems Operations Manager

Position: Executive Director Development

Report Name: SH26 Morrinsville Road – Revocation Update and Fit for Purpose funding agreement proposal

Report Status

Open

Purpose - *Take*

1. To inform the Infrastructure and Transport Committee on progress on negotiating a funding agreement with Waka Kotahi for a SH26 revocation fit for purpose programme of works.
2. To seek the Infrastructure and Transport Committee's approval for the Chief Executive to be delegated authority to complete negotiations with Waka Kotahi NZ Transport Agency on the SH26 Revocation Fit for Purpose Funding Agreement and to sign on behalf of Hamilton City Council.

Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Infrastructure and Transport Committee:
 - a) receives the report;
 - b) notes that work is continuing on the formal revocation process with Waka Kotahi NZ Transport Agency for the section of SH26 (Morrinsville Road) between Cambridge Road and the Waikato Expressway;
 - c) approves the macroscope for safety improvements at the intersection of Silverdale Road, Morrinsville Road and Matangi Road to be a single lane roundabout with raised safety platforms and zebra crossings as included in the in the Fit for Purpose Business Case and agrees not to contribute additional funding to have traffic signals instead of the single lane roundabout; and
 - d) delegates to the Chief Executive approval to complete negotiations with Waka Kotahi NZ Transport Agency and enter into a SH26 Revocation Fit for Purpose Funding Agreement, subject to being satisfied on risk allocation to minimise any local cost implications.

Executive Summary - *Whakaraapopototanga matua*

4. As part of the construction of the Hamilton Section of the Waikato Expressway, a section of SH26 Morrinsville Road was realigned to link through to the Ruakura interchange. As a result, Waka Kotahi NZ Transport Agency (Waka Kotahi) are working through a revocation process to remove the state highway status for the section of the previous SH26 between the Ruakura Road / Morrinsville Road roundabout and Cambridge Road roundabout within the city, and to transfer control to the relevant territorial local authorities.
5. A Fit for Purpose Business Case (the Business Case) has been prepared by Waka Kotahi and this sets out the changes needed to the old section of SH26 to make it suitable for it to be safe and function at an appropriate level as a local road in the Hamilton City transport network. This Business Case was presented to the 27 April 2021 Infrastructure and Operations Committee meeting and endorsed.
6. The Business Case identifies that improvements to the intersection of Morrinsville Road, Silverdale Road and Matangi Road are necessary and proposes installation of a roundabout.
7. The Business Case also identifies an opportunity for Hamilton City to fund the additional costs associated with traffic signals at this intersection but staff are recommending that traffic signals are not necessary and that the roundabout along with associated pedestrian and cycle facilities will be fit for purpose.
8. The Infrastructure and Operations Committee meeting of 31 May 2022 agreed that Hamilton City should manage the delivery of the fit for purpose improvements and a funding agreement has been developed by Waka Kotahi to allow this to proceed. Negotiations are underway to finalise this agreement including ensuring that any risks to Hamilton City are managed.
9. Staff recommend that the Chief Executive be delegated approval to complete these negotiations with Waka Kotahi and to finalise a SH26 Revocation Fit for Purpose Funding Agreement (the Funding Agreement) on behalf of Council.
10. On signing of the Funding Agreement, the project would then need to be included in the 2023/24 Annual noting that it would be largely self-funded by Waka Kotahi.
11. Staff consider the decisions in this report have low significance and that the recommendations comply with the Council's legal requirements.

Background - *Koorero whaimaarama*

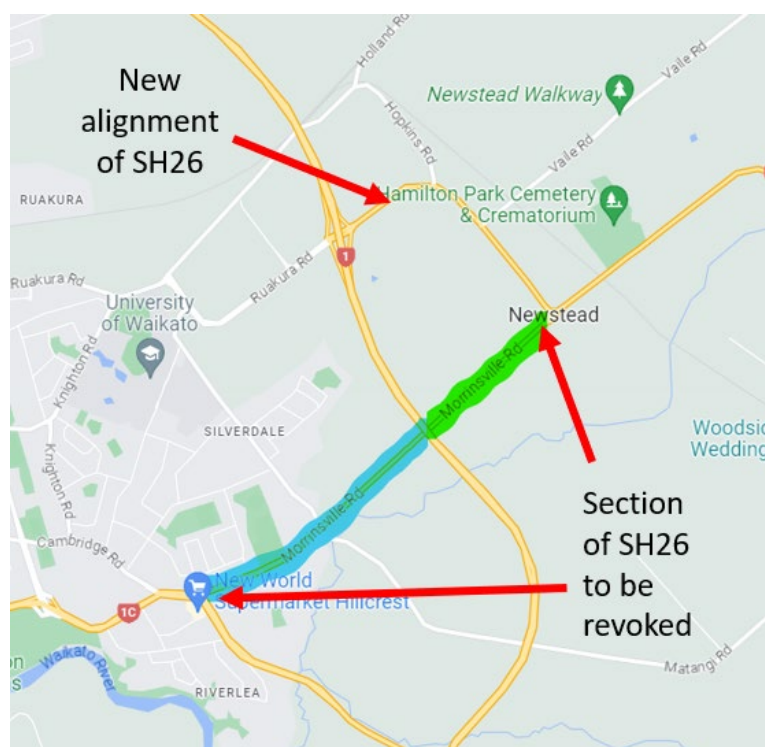
12. The [27 April 2021](#) Infrastructure Operations Committee meeting considered a report outlining the work that was being completed for the section of SH26 from Ruakura Road through to SH1 Cambridge Road that is due to have its State Highway status revoked now that the Waikato Expressway Hamilton Section (WEX) is completed.
13. The 27 April 2021 Infrastructure Operation Committee resolved:

Resolved: (Cr O’Leary/Cr Bunting)

That the Infrastructure Operations Committee:

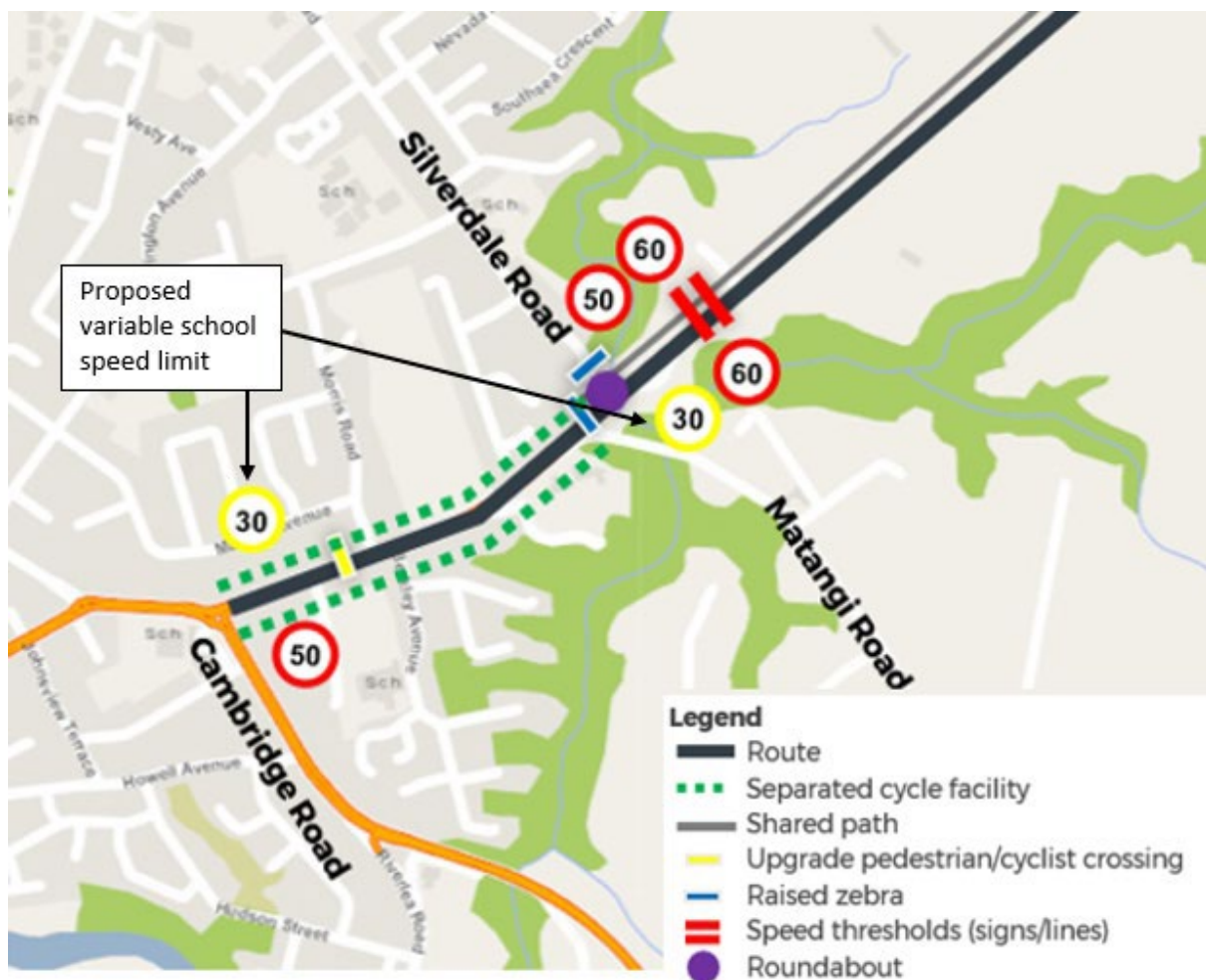
- a) receives the report;
- b) endorses the SH26 Revocation Fit for Purpose Business case prepared by Waka Kotahi NZ Transport Agency for approval by the Waka Kotahi NZ Transport Agency Board;
- c) notes that the improvement works required to make Morrinsville Road Fit for Purpose following the revocation of the State Highway status, will be 100% funded by Waka Kotahi NZ Transport Agency with funding being made available for Hamilton City Council to implement the works from 1 July 2022 onwards;
- d) notes that the specific details of any improvements on the revoked section of SH26 Morrinsville Road within the city will be developed in consultation with Members, the local community and key stakeholders prior to implementation; and
- e) notes that if Hamilton City Council wishes to install traffic signals at the intersection of Morrinsville, Matangi and Silverdale roads, then the extra cost above that allowed for the roundabout will have to be funded 100% by Hamilton City Council.

14. The WEX project realigned SH26 from the Ruakura Road / Morrinsville Road roundabout through to the new Ruakura interchange as shown in the plan below.
15. Upon revocation of this section of SH26 the maintenance and operation will become the responsibility of:
 - i. Hamilton City Council - from the Waikato Expressway to SH1 Cambridge Road and shown with blue highlight below; and
 - ii. Waikato District Council - Waikato Expressway to Ruakura Road, shown in green in plan below.



Section of SH26 Morrinsville Road to be revoked and new alignment of SH26.

16. As part of Waka Kotahi's revocation policy and ahead of returning the control and management of the roads to city and district council's, Waka Kotahi must give consideration to creating a fit for purpose road by providing safe roads that reflect a standard typical of similar roads in the city / districts.
17. A Business Case was prepared in consultation with key stakeholders including staff from the respective councils to determine a series of improvements to the routes that are required in order to ensure that the roads are:
 - i. safer for all road users;
 - ii. provide travel choice; and
 - iii. have whole of life costs which are appropriate to their proposed new status.
18. The following plan summarises the planned works for the section of SH26 Morrinsville Road within the Hamilton City boundary proposed by the Business Case:



SH26 Proposed speed limits and interventions

19. Upgrading of the existing streetlighting to the Hamilton City LED standard and improvements to stormwater treatment was also included in the business case.
20. The Business Case recommended a single lane roundabout be created at the intersection of Morrinsville Road, Silverdale Road and Matangi Road. It was planned to accommodate pedestrians and cyclist through use of raised zebra crossings aligning with pedestrian desire lines. A sketch of the proposed intersection improvements is shown below.



Indicative layout of a roundabout proposed at the intersection of Morrinsville Road, Silverdale Road and Matangi Road

21. The upgrade of the Morrinsville Road, Silverdale Road and Matangi Road intersection provided an option for Hamilton City to consider contributing additional funding for installation of traffic signals on a raised platform instead of the roundabout option identified as fit for purpose in the Business Case.
22. An update on the progress of the revocation and the Business Case was provided at the [31 May 2022](#) Infrastructure Operations Committee meeting. It was also noted that the Business Case had since been approved by the Waka Kotahi NZ Transport Agency Board.
23. The 31 May 2022 Infrastructure and Operations Committee meeting resolved:

Resolved: (Cr Wilson/Cr O'Leary)

That the Infrastructure Operations Committee:

- a) approves Hamilton City Council manage the delivery of the Fit for Purpose Capital Improvement identified in the business case, subject to Waka Kotahi entering into an agreement with Council confirming that Waka Kotahi will meet full costs of the improvements;
- b) requests staff to investigate and confirm the costs for installation of traffic signals at the intersection of Silverdale Road, Morrinsville Road, Matangi Road intersection over and above that for the proposed roundabout and report back to an appropriate committee in early 2023; and
- c) notes the revocation of SH26 State Highway status is currently planned for late 2022 and at that time Hamilton City will be responsible for the operations, maintenance and renewal of this section of Morrinsville Road between Cambridge Road and the city boundary.

24. This report to the Infrastructure and Transport Committee now provides:
 - i. an update on the revocation process,
 - ii. consideration of the costs over and above a roundabout for installation of traffic signals at Silverdale Road, Morrinsville Road and Matangi Road intersection
 - iii. an update on the work that staff have undertaken to negotiate a funding agreement with Waka Kotahi for the delivery of the fit for purpose programme of works.

Discussion - *Matapaki*

Revocation Process Update

25. The revocation process for the Hamilton section of SH26 is a process managed entirely by Waka Kotahi and it is now currently expected to be formalised in 2024. The revocation of SH1B (in entirety) and the section of SH26 are being managed together. There has been a delay to the revocation process as a result the safety issues at the SH1B rail crossing within Waikato District Council and negotiations to determine a suitable long-term solution.
26. As part of the revocation process due diligence will be undertaken to ensure that there is a good understanding of the legal risks associated with managing the road including any designations, limited access requirements, and any agreements in place with adjacent land use development. Transfer of relevant components of these legal instruments through to Hamilton City if appropriate will be negotiated.
27. Gathering all the previous maintenance and renewal records for inclusion into our Road Asset Management and Maintenance (RAMM) system along with capitalisation of the new assets will also be required.
28. Once the revocation is complete, Hamilton City will be responsible for funding the operation, maintenance, renewal and improvement activities for this section of road which will include speed limit setting.

Treatment Options Morrinsville Road, Silverdale Road and Matangi Road Intersection

29. At the time of preparing the Business Case, three options were considered for the Morrinsville Road, Silverdale Road and Matangi Road intersection.
30. The following table sets out the options and provides an assessment of each option to explain the different benefits of each option (using the costs included in the Business Case):

	Dumbbell roundabout	Single lane circulating roundabout	Signals on raised safety platforms.
Indicative cost	\$4.8M	\$3.4M	\$5M
Assessment notes	Expensive option to achieve similar benefits to that of the single lane roundabout	Best economically and best for vehicular traffic, especially off-peak periods, Pedestrian and cyclists could use zebra or signalised crossing (TBC) to cross Morrinsville Road. Zebra crossing would be used to cross Silverdale Road	Better for pedestrians in terms of desire lines (unless roundabout uses raised zebra crossing). Most expensive option due to degree of additional pavement required to raise the intersection, more stormwater infrastructure and traffic signals to install and maintain.
Final recommendation		Recommended option	Option available for HCC if it covered the additional costs

31. The option for Hamilton City to fund the extra costs associated with installation of traffic signals instead of the roundabout were calculated as being \$1.85m in the Business Case. This is made up of additional costs in the pre-implementation stage for design along with additional implementation costs for the construction of the traffic signals option.
32. An assessment of the traffic signals option has been undertaken and staff do not believe that the installation of traffic signals are warranted at this location. The following components of the proposed roundabout are considered to be sufficient to provide good levels of service and safety can be provided to pedestrians and cyclists:
 - i. use of zebra crossings combined with raised safety platforms;
 - ii. a lower speed limit through this section (dropping from 80km/h to 50km/h); and
 - iii. dedicated off road facilities for pedestrians and cyclists.
33. It is therefore recommended that the proposed design of a roundabout is appropriate for the Silverdale Road, Morrinsville Road and Matangi Road and there is not a need for additional funding to be provided by Hamilton City to install traffic signals at this site.

Funding Agreement for Fit for Purpose Programme of Works

34. An initial draft funding agreement for implementation of the fit for purpose programme has been developed by Waka Kotahi based on 'P50' estimate.
35. The P50 estimate is a term used to describe an estimate that has a 50% probability of being exceeded. The use of P50 estimates for funding a programme of works is standard for Waka Kotahi and Councils. A P95 estimate is one that only has a 5% chance of being exceeded and once again it is common practice for this estimate to be noted as a likely upper bound estimate.
36. The current funding being proposed for the completion of the works is based on the P50 estimate is outlined in the table below:

Activity	Cost Estimate \$ (P50)
LED lighting upgrade within the city	464,411
Separated cycle facilities between Cambridge Road and Silverdale Road	1,554,000
Property purchase to accommodate shared cycle path between Silverdale Road and WEX	867,400
Shared cycle path between Silverdale Road and WEX	1,865,771
Roundabout including stormwater treatment and pedestrian facilities at Morrinsville Road, Silverdale Road and Matangi Road intersection	6,400,000
Speed limit changes and threshold treatments	129,000
Total costs to be funded by Waka Kotahi	\$11,280,582

37. A review of the initial draft Funding Agreement was undertaken by staff and some areas of concern were raised including confirmation of scope, roles and responsibilities, the extent of funding and risks associated with the 'P50' including cost escalation.

38. Communication with Waka Kotahi indicates that they are willing to work with Council to address these concerns.
39. In particular there is recognition of cost escalation since the preparation of the Business Case and a pathway for unlocking additional funding up to P95 to complete the agreed scope of works is being proposed for the revised draft Funding Agreement.
40. Further work is being undertaken to confirm that the P50 and P95 estimates are appropriate estimates for the listed scope of works. By definition there is still a risk that the cost of works would exceed the P95 estimate, and staff are proposing to Waka Kotahi as a way of managing this risk, that Council be allowed to make changes to any agreed scope so we can stay within the funding allocated.
41. The desire of Waka Kotahi (and ourselves) is to have the Funding Agreement signed in 2023 so that consultation and detailed design of the Fit for Purpose works can be undertaken in early to mid-2024 and physical works delivered in the 2024/25 summer construction season.
42. To achieve this programme it is desirable for staff to have delegation from Committee to finalise and enter into the Funding Agreement.
43. Upon signing of the Funding Agreement, Waka Kotahi are proposing to commence the final stage in the revocation process for this section of work by seeking consent from the secretary to Transport to gazette the revocation.
44. Staff are recommending that the formal handover occur in early February 2024 to allow for completion of data transfer into RAMM, notifications to service authorities, changes to signage etc to occur.

Options

45. There are two options for the Infrastructure and Transport Committee to consider:
 - i. **Option 1:** Approve the macroscope for safety improvements at the intersection of Silverdale Road, Morrinsville Road and Matangi Road; and
 - ii. **Option 2:** Not approve the macroscope for safety improvements at the intersection of Silverdale Road, Morrinsville Road and Matangi Road.
46. Staff recommendation that the microscope is approved.
47. It is important to note that if staff can't reach an agreement on funding and risk matters raised by Council and therefore do not agree to undertake the work then Council could take the view that the works are still required and should be undertaken by Waka Kotahi themselves prior to handing back this section of State Highway 26 to Council (or by agreement on the timing of the fit for purpose works).
48. It is however considered advantageous to Hamilton City Council to manage the delivery of the work as Council will have the responsibility of being the Road Controlling Authority following the completion of the works.

Financial Considerations - *Whaiwhakaaro Puuteahe*

49. The total costs to complete the fit for purpose programme is anticipated to be funded by Waka Kotahi NZ Transport Agency subject to finalising and approving the Fit for Purpose Funding Agreement.
50. There will be some risk for Council and so a component of local funding would be allowed for.

51. Should the Infrastructure and Transport Committee approve the staff recommendations in this report then staff will include the project in the Capital Portfolio Monitoring Report to the 31 October 2023 Finance and Monitoring Committee, noting that its inclusion will have a neutral to positive impact on the financial strategy given that it will be largely self-funded by Waka Kotahi.
52. Once the revocation is complete, Hamilton City will be responsible for funding depreciation as well as the operation, maintenance, renewal and improvement activities for this section of road which will include speed limit setting.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

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

Climate Change Impact Statement

54. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

55. 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').
56. 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.
57. The recommendations set out in this report are consistent with that purpose.

Social

58. The proposed improvements will strengthen the community networks by providing safe connections and improve equity of opportunity for those who live and attend schools in this area.

Economic

59. The intersection upgrade at Silverdale/Matangi will provide safe access to locations of employment in both Matangi and Hamilton.

Environmental

60. The provision of safe walking and cycling facilities will improve transport choices and facilitate travel that does not rely of vehicles and therefore reduce emissions.
61. Stormwater management will also be improved as part of the project resulting in improved quality of water discharge into the adjacent gully network.

Cultural

62. The workshops for the Business Case process considered both the section of SH26 being revoked along with the full length of SH1B between Cambridge and Taupiri. The following Iwi representatives were involved in the workshops:
 - i. A representative from Ngāti Wairere, Hukanui Marae, Gordonton. Who is a member of the Tangata Whenua Working Group (TWWG) but also is a member of Te Hā o te Whenua a Kirikiriroa. He is a kaumatua on his own Marae, Hukanui; and

- ii. A representative from Ngāti Hauā Iwi, they have 5 Marae, being Waimakariri Marae (between Pukemoremore and Cambridge), Te Iti o Hauā Marae in Tauwhare, Kai-a-te-mata Marae (Tumohe's Marae) and Rukumoana Marae in Morrinsville, and Raungaiti Marae in Waharoa. They cover 4 hapū, Ngāti Waenganui, Ngāti Rangitaupi, Ngāti Werewere and Ngāti Te Oro. He is a kaumatua for his Marae, a member of Te Kāhui Kaumātua o Ngāti Hauā (Elders Council) and Kaikōrero (Speaker). He is also the Ngāti Hauā rep on TWWG. He is also from Ngāti Korokī Kahukura of Maungatautari.
63. Consultation with THaWK and Ngāti Wairere will be undertaken as part of the development of future stages of this project.

Risks - *Tuuraru*

- 64. There is a risk that if negotiations with Waka Kotahi fail to result in an approved funding agreement for the fit for purpose programme this financial year that funding for this work will not be available in the 2024-2034 National Land Transport Programme.
- 65. There is a risk that if delegation is not given to staff at this Committee meeting to enter into an agreement with Waka Kotahi that the works will not be ready to construct in the 2024/25 construction season.
- 66. There is also a risk that Waka Kotahi may wish to proceed with the revocation process even if the fit for purpose programme is not agreed and delivered.

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

Significance

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

Engagement

- 68. Engagement with key stakeholders was undertaken in the development of the Business Case.
- 69. Given the low level of significance determined, the engagement level is low. No engagement is required at this stage.
- 70. Once a funding agreement has been agreed and signed, community views and preferences will be sought via a consultation phase associated with the development of the designs. The results of this consultation will be reported through the Traffic, Speed Limit and Temporary Road Closures Hearing Panel in conjunction with seeking approval for traffic restrictions such as cycle lanes and no stopping changes.

Attachments - *Ngaa taapirihanga*

There are no attachments for this report.

Council Report

Item 9

Committee: Infrastructure and Transport Committee
Date: 21 September 2023
Author: Punya Chandi
Authoriser: Eeva-Liisa Wright
Position: Environmental Policy Analyst
Position: Executive Director
Infrastructure Operations
Report Name: Hamilton Water Supply Bylaw 2013 Review - Determination and Statement of Proposal Report

Report Status

Open

Purpose - *Take*

1. To inform the Infrastructure and Transport Committee of the proposal to review the Hamilton Water Supply Bylaw (the Bylaw) in accordance with the Local Government Act 2022 (LGA).
2. To seek the Infrastructure and Transport Committee's a determination that the Bylaw is the most appropriate mechanism for addressing identified issues relating to water supply management in Hamilton.
3. To seek approval from the Infrastructure and Transport Committee to consult the public on the proposal to amend the Hamilton Water Supply Bylaw through the Local Government Act Special Consultation Procedure and the related Statement of Proposal.

Staff Recommendation - *Tuutohu-aa-kaimahi*

4. That the Infrastructure and Transport Committee:
 - a) receives the report;
 - b) approves **Option 1a for Determination** - Determine that a Water Supply Bylaw is the most appropriate mechanism for addressing issues relating to water supply management in Hamilton; and
 - c) approves **Option 2b for Statement of Proposal and Public Consultation** - approve the Hamilton City Water Supply Bylaw Statement of Proposal (Attachment 1) and proposed draft Bylaw (Attachment 2) for consultation for one month from 3 October 2023 to 6 November 2023 under section 83 of the Local Government Act 2002.

Executive Summary - *Whakaraapopototanga matua*

5. The Water Supply Bylaw was adopted by Council on 26 September 2013. The Bylaw requires review every 10 years in accordance with [Section 159](#) of the Local Government Act 2002 (LGA). The LGA states that reviews not completed within the timeframes will be given a two-year grace period before the bylaw is revoked ([s.160A, LGA](#)).

6. Under [Sections 155\(1\)](#) and [160\(1\)](#) of the Local Government Act 2002 (LGA) the Council is required to *determine whether a bylaw is the most appropriate way of addressing the perceived problem*.
7. Therefore, staff are seeking a determination from the committee that the bylaw remain the most appropriate way of addressing issues relating to water supply management in Hamilton.
8. Staff recommend **Option 1a for Determination** – determine the bylaw is the most appropriate mechanism for addressing issues relating to water supply management in Hamilton, as detailed in paragraph 27 below.
9. If the Infrastructure and Transport Committee determines the bylaw is the most appropriate way to address an or multiple issues then under Section 83(1) of the LGA, staff must prepare and adopt a Statement of Proposal.
10. Therefore, staff also recommend **Option 2a for Statement of Proposal and Public Consultation** approve the Hamilton City Water Supply Bylaw Statement of Proposal (Attachment 1) and proposed draft Bylaw (Attachment 2) for consultation for one month from 3 October 2023 to 6 November 2023.
11. If the committee decides not to proceed with the review of the Bylaw then the bylaw will automatically be revoked on 1 November 2025.
12. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of the matter(s) in this report and confirm that the recommendations comply with Council’s legal requirements.

Background - *Koorero whaimaarama*

13. Hamilton City Council provides critical services through the provision of a water supply. The bylaw provides clear guidelines on protection of the water supply network and gives Council the ability to manage and influence water use and efficiency.
14. The purposes of the current Water Supply bylaw are:
 - i. protecting, promoting, and maintaining public health and safety;
 - ii. promoting the efficient use of water and protecting against waste or misuse of water from the water supply system;
 - iii. for the protection of the water supply and water supply system from pollution and contamination;
 - iv. manage and protect from damage, misuse, or loss of land, structures or infrastructure associated with the water supply system; and
 - v. preventing the unauthorised use of land, structure or infrastructure associated with the water supply system.
15. [Section 145](#) of the LGA empowers the Council to make bylaws for one or more of the following purposes:
 - i. protecting the public from nuisance (s.145(a) LGA);
 - ii. protecting, promoting, and maintaining public health and safety (s.145(b) LGA); and
 - iii. minimising the potential for offensive behaviour in public places (s.145(c) LGA).
16. To this date, the bylaw has been used effectively for the above purposes.
17. The Bylaw requires review every 10 years in accordance with Section 159 of the LGA. The LGA states that reviews not completed within the timeframes will be given a two-year grace period before the bylaw is revoked (s.160A, LGA). The bylaw was last reviewed on 1 November 2013. If the review is not completed by 1 November 2025 the bylaw will be automatically revoked.

Discussion - *Matapaki*

Determination

18. Under [Sections 155\(1\)](#) and [160\(1\)](#) of the Local Government Act 2002 (LGA) the Council is *required to determine whether a bylaw is the most appropriate way of addressing the perceived problem.*
19. Council has had a water supply bylaw to assist in regulation of its water supply since 1999. Continuing to have a bylaw to manage water supply allows Council to continue to apply legally enforceable rules.
20. The Bylaw 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;
 - iii. the Health Act (1956);
 - iv. the National Policy Statement for Freshwater Management 2016 (and its subsequent revisions); and
 - v. maintaining and protecting Council's water supply assets.
21. The bylaw prescribes rules to support the operation and management of Hamilton's municipal water supply.
22. Without effective management of water services, risks may arise including health and safety risks, difficulty in maintaining the water supply network, inability to enforce fees, the potential to cause offence related to statutory obligations, and non-compliance with regulations.
23. The Water Services Entity Act 2022 has transitional provisions that allow Councils to defer a Bylaw review by Council resolution. This decision needs to be made before 1 November 2023. Council currently meets the requirements in the transitional provisions to the Local Government Act 2002 to defer the bylaw review.
24. Although there is an option to defer the Bylaw, there is potential for changes to legislation that may impact these provisions. A review of the Bylaw would mitigate any future risks and uncertainty associated with changes to legislation.

Options

25. Options are set out in the table below.

Option 1a (<i>recommended</i>)	Determine that the Water Supply Bylaw is the most appropriate mechanism for addressing issues relating to water supply management in Hamilton and progress a review of the existing bylaw.
Option 1b	Defer the bylaw as per schedule 1AA Part 6 section 25 of the Local Government Act.
Option 1c	Do not approve the review at this time and revoke the bylaw in November 2025.

26. Staff recommend **Option 1a** – *determine the bylaw is the appropriate mechanism for addressing water supply management issues in Hamilton and progress a review of the existing bylaw.*

27. Council still needs to manage its activities until a transition occurs (current recommendation of 1 July 2025). This option allows Council to mitigate any future risks, respond to legislative uncertainty, ensure legal compliance, and align the Bylaw with other Council bylaws and policies.

Statement of Proposal and consultation

28. Staff have undertaken a legislative review, internal stakeholder review, and early engagement with external stakeholders to determine the effectiveness of the existing Bylaw and to identify any issues that could be managed through a revised Bylaw.
29. External stakeholders included mana whenua, Waikato Tainui, Waipā District Council, Waikato District Council and Waikato Regional Council.
30. The following four issues were identified as part of this assessment:
- i. Issue 1: Outdated and incorrect references to legislation, codes, and standards;
 - ii. Issue 2: Inconsistency with other waters bylaws (Trade Waste Wastewater bylaw and Stormwater bylaw);
 - iii. Issue 3: Limited clarity for the customer for matters relating to connections (no reference to related Council policy);
 - iv. Issue 4: Limited enforcement opportunities to provide for protection of the water supply and system; and
 - v. Issue 5: Limited requirement for customers to comply with fire protection standards.
31. As a result of engagement and analysis of legislation, potential minor amendments have been identified.
32. These minor amendments include:
- i. Update to references to new legislation, regulations, codes, and standards;
 - ii. Alignment with other bylaw and three water policy updates;
 - iii. Reference to Te Ture Whaimana o te Awa o Waikato; and
 - iv. Reference to the Three Waters Connection Policy.
33. Staff have summarised the issues identified within an issues and options summary. This is provided as Attachment 4 to this report.
34. This has assisted staff in assessing the reasonably practicable options (as required under section 77(1)(a) LGA) and informs the recommendations within this report.
35. Council are required to respond to legislation and position Council to best respond to what is expected from central government. Staff have considered the most recent information regarding Affordable Water Reforms, and the potential impacts of reforms on current and future bylaw reviews.
36. Current central government direction has signalled that waters bylaws may be replaced by a more centralised regulatory mechanism. This creates a risk that whatever changes are made to the Bylaw are replaced or repealed post transition.
37. Taking into consideration all currently available information, staff do not consider making substantial changes to the Bylaw in response to the issues to be a reasonably practicable option in the current timeframe.
38. Staff consider any change to the bylaw should be kept in relation to outdated and incorrect references to legislation and alignment with other bylaw and policy updates.

39. A Statement of Proposal (Attachment 1) and the proposed revised Bylaw (Attachment 2) has been prepared which takes into consideration the recommended approach to the Bylaw review. A tracked change copy of the proposed revised Bylaw is also provided (Attachment 3).

Options for statement of proposal and consultation

40. Staff have assessed that there are three reasonable and viable options to consider. The options are set out in the table below:

Option 2a (recommended)	<i>Approve public consultation on the proposed revised Bylaw (Attachment 2)</i>
Option 2b	<i>Approve public consultation on the current Bylaw with no amendments</i>
Option 2c	<i>Do not approve public consultation on the Bylaw, instead allowing the Hamilton City Water Supply Bylaw 2013 to be automatically revoked under the LGA when it expires in November 2025.</i>

Option 2a (recommended)

41. Staff recommends Option 2a, which is to approve public consultation on the draft Bylaw with minor amendments.
42. The amendments to the bylaw that are proposed as part of Option 1 will be limited to ensuring alignment with external legislation and council bylaws and policies.
43. The advantages of Option 2a include:
- i. ensuring all legal references within the bylaw are up to date, thereby reducing the risk of legal challenge; and
 - ii. ensuring alignment with Council bylaws and policy.
44. There are no identified disadvantages associated with Option 2a.

Option 2b

45. Option 2b is to approve public consultation on the current Bylaw with no amendments.
46. The advantages of Option 2b include:
- i. enable staff to retain the current Bylaw without the risk of automatic repeal.
47. The disadvantages of Option 2b include:
- i. potential risk of legal challenge of clauses which reference incorrect legislation; and
 - ii. loss of clarity to the public on matters relating to connections.

Option 2c

48. Option 2c is not to approve public consultation on the Bylaw, instead allowing the Bylaw to be automatically revoked under the LGA when it expires in November 2025.
49. Staff do not consider there to be any clear advantage of allowing the Bylaw to be revoked.

50. The disadvantages of Option 2c include:
- i. limitations in Council's ability to regulate the water supply network. This may have consequential impacts on Council's water infrastructure, and compliance requirements; and
 - ii. Inability to use the Bylaw as a framework for community education and cost recovery.

Next steps

51. Should Council approve **Option 1a for determination** (determining that the bylaw is an appropriate mechanism for addressing issues) **and Option 2a for statement of proposal and consultation** (approval of public consultation on the bylaw), staff will begin the consultation process.
52. Following public consultation from 3 October 2023 to 6 November 2023, submitters may be heard at the next appropriate Regulatory and Hearing committee meeting. A deliberations report and revised draft of the bylaw will be brought back to the Infrastructure and Transport Committee before seeking final approval from Council. The date will be confirmed once the committee meeting schedule is confirmed for early 2024.
53. Should Council select **Option 1c for determination** (not supporting the appropriateness of the bylaw to manage issues), the bylaw will be automatically revoked in July 2025. Elected Members should consider the risks detailed in paragraphs 49-51 if considering this option.

Financial Considerations - *Whaiwhakaaro Puutea*

54. The total cost to complete a review on the Bylaw, including the adoption of a revised Bylaw, and any anticipated consultation is approximately \$10,000 – \$15,000.
55. The review of the Bylaw is a planned operations activity funded in the approved 2021-31 Long-Term Plan.
56. The financial implications of Option 1 (approve public consultation on the proposed revised Bylaw) are considered to be minor due to the recommended changes being limited.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

57. Staff confirm that the review of the bylaw, complies with Council's legal and policy requirements.
58. The legislative requirement to review the bylaw provide a deadline of 1 November 2025 to complete the reviews.
59. Staff confirm that **Option 1a** (determining that the bylaw is an appropriate mechanism for addressing issues) **and Option 2a** (approval of public consultation on the bylaw), complies with Council's legal and policy requirements.
60. Section 155(3) of the Local Government Act requires that bylaws cannot be made which are inconsistent with the New Zealand Bill of Rights Act 1990. Staff can confirm that the revised Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
61. Staff also confirm that the proposed revised bylaw has been subject to a legal review, which has informed the proposed changes.

Climate Change Impact Statement

62. Staff have assessed this option and determined that no adaption assessment is required:
63. The impacts of climate change on water supply systems include those related to lower rainfall and increased temperature. Lower rainfall and higher temperatures can result in increased water usage.

64. Staff have assessed if the Bylaw review will worsen or improve the City's resilience to climate related hazards such as floods, drought, extreme weather events or increased city temperatures. As the proposed amendments are minor in nature, staff consider that there is no risk to climate impacts and that an adaptation assessment was not required. The Bylaw has provisions relating to water efficiency and waste minimisation. Bylaw review does not result in new infrastructure.
65. Staff have assessed this option and determined that it reduces greenhouse emissions.
66. This option was selected because the bylaw seeks to improve efficiency and management of water. This means that emissions that are a result of treating more water are reduced.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

67. 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').
68. 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.
69. The recommendations set out in this report are consistent with that purpose.

Social

70. Reviewing the Water Supply Bylaw is an opportunity to ensure Council best supports the Social Wellbeing of Hamiltonians by ensuring individuals, family, and whaanau have safe, healthy, and equitable access to water supply services.

Economic

71. Review of the bylaw will provide opportunity for the community to provide feedback on fees and other costs that can be taken into consideration.
72. A revised bylaw will continue to minimise the impacts on the water supply network, subsequently minimising reactive upkeep and maintenance costs.
73. It is not considered that the review of the Bylaw will be inconsistent or contrary to economic wellbeing outcomes.

Environmental

74. The review of the Bylaw will ensure the activities associated with the water supply network protect the Waikato River, cater to Hamilton's water supply needs and encourage efficient use of water.
75. In addition, the review will also ensure that water supply infrastructure continues to operate as intended.
76. The review of the Bylaw will also allow for alignment in terms of the updates to Three Waters Management Plans and Connections Policy, Environmental Principles and Biodiversity Strategy.

Cultural

77. The Council is committed to working collaboratively with Waikato-Tainui and Te Haa a Whenua Kirikiriroa and Ngaati Wairere for this Bylaw review and will seek to recognise Ture Whaimana o te Awa o Waikato through the review.
78. An assessment of the Bylaw against Iwi Management Plans prepared by Waikato Tainui, Ngaati Hauaa and Ngaati Tamainupoo has been undertaken by staff with particular focus on objectives, policy and methods related to water take and drinking water safety.

79. Tai Tumu Tai Pari Tai Ao (Waikato Iwi Management Plan) seeks that there is efficient use of water (to the extent water bodies are restored and protected, and there is enough water to provide for social, cultural, spiritual, environmental and economic health and wellbeing of Waikato Tainui and the region) (Waikato Tainui: Policy 19.4.4.1, Policy 19.4.4.2, Principle ix, Policy 19.4.4.3, Method 19.4.1.1 (d))
80. Te Rautaki Taamata Ao Turoa o Hauaa (Ngaati Hauaa Iwi Management Plan) seeks the restoration and protection of the mauri of freshwater and that water is plentiful, sustainability allocated and used efficiently and responsibly. (Ngaati Hauaa: Policy 11)
81. Ngaati Tamainupoo seeks that water allocation does not compromise the first obligation of Te Mana o Te Wai, which is the health and wellbeing of our freshwater bodies (7.3).
82. Staff consider that the revised proposed bylaw is consistent with these Iwi Management Plans. The review of the Bylaw proposes recognition of the river, and continued regulation on matter relating to water sustainability.

Risks - *Tuuraru*

83. In continuing to have the Bylaw, Council will minimise compliance and reputation risk.
84. If the staff recommendation is not approved the bylaw will be revoked on 1 November 2025 as per legislative requirements ([s160A, LGA](#)).
85. Without the bylaw it will be difficult to impose restrictions to enable protection of public health and effectively manage water supply in Hamilton. In continuing to have the bylaw Council will minimise compliance and reputational risk.
86. Unmanaged risk can lead to non-compliance with relevant legislation and may result in enforcement action on Council (including prosecution).

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

Significance

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

Engagement

88. There is a statutory requirement to consult as per legislation outlined below.
89. [Section 156](#) of the LGA provides direction on the level of public engagement required throughout the review process.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Statement of Proposal

Attachment 2 - Proposed Draft Bylaw

Attachment 3 - Tracked Change Copy of Proposed Revised Bylaw

Attachment 4 - Summary of identified issues

Water Supply Bylaw Review

Statement of Proposal

3 October – 6 November 2023



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

Water Supply Bylaw review

As part of the review of the *Hamilton Water Supply Bylaw 2013* (the Bylaw), Hamilton City Council (Council) is seeking feedback on the proposal to continue the Bylaw with minor changes:

- The inclusion of updated legislation, standards, codes and policy.
- The inclusion of a definition of 'Working day'.
- Recognition of Waikato River Legislation through the inclusion of 'Te Ture Whaimana o Te Awa o Waikato', the Vision and Strategy for the Waikato River, in the introduction section

This Statement of Proposal (SOP) is made for the purposes of sections 83, 86 and 160(3)(b)(ii) of the Local Government Act 2002 (LGA), and the Health Act 1956.

What is the Water Supply Bylaw?

Council provides a treated water supply for the city, and supplements water supply for some rural areas outside Hamilton's boundary. The Bylaw provides regulations for the protection of the water supply network, and for managing water use.

The current 2013 Water Supply Bylaw:

- protects, promotes, and maintains public health and safety.
- promotes efficient use of the city's treated drinking water and protects against waste or misuse of water.
- protects the city's water supply system, including pipes and reservoirs, from pollution and contamination.
- prevents the unauthorised use of the city's water supply and system.

Why are we doing this?

The Bylaw was last reviewed in 2013 and requires a review every 10 years as a requirement under the Local Government Act 2002 (LGA). This provides an opportunity for Council to check in with our community on how the Bylaw is working and consider feedback.

Reasons for the proposal

Council has been working through a review process which allows us to identify and assess potential issues with the Bylaw and provide options on how to fix them. Identified issues have included:

- Outdated references to legislations, regulations, codes, and standards
- Inconsistency with recently revised bylaws (Trade Waste and Wastewater Bylaw and Stormwater Bylaw) related to definitions and river protection
- Limited clarity for the customer on matters relating to connections (no reference to related Council Policy)
- Limited enforcement opportunities to provide for protection of the water supply and system.
- Limited requirement for customers to comply with fire protection standards

The review has told us that:

- aside from outdated legal references and minor changes, the Bylaw is fit-for-purpose, for the foreseeable future.
- the majority of the issues that have been identified can either be resolved by the Bylaw as it is, or by using other bylaws, policies, or design standards.

Council is proposing to continue the Bylaw with only minor changes to address outdated legal references and to align with other Council bylaws and policies.

The proposal includes:

1. Updated references to new legislation, regulations, codes, and standards including that related to water services, backflow protection, water metering and fire protection.
2. Addition of a definition for working day provide clarity and consistency with recently revised bylaws.
3. Reference to Te Ture Whaimana o te Awa o Waikato to provide some context for regulation, and provide consistency with recently revised bylaws (Trade Waste and Wastewater Bylaw and Stormwater Bylaw).
4. Reference to Council Policy to assist with clarity on matters relating to connections.

Options

Council is consulting on the intention to continue the current bylaw with proposed changes. In compliance with the Local Government Act 2002, the Council provides two options for reflection.

Option one (preferred): Continue the bylaw with proposed amendments

This option would include changes to ensure the bylaw reflects the most up to date legislation, and provides clarity to the customer.

Option two: Continue the bylaw with no amendments

This option would involve keeping the current bylaw without any amendments. This would mean that opportunities for improvement identified through the review would not occur.

Have your say on the Bylaw

Before making any final decisions, we would like to hear from anyone who frequently uses Hamilton's treated water supply, or any member of the public. The proposed Bylaw can be viewed online at hamilton.govt.nz/haveyoursay, from Council's office reception at 260 Anglesea Street, or from any of the public libraries.

You can share your feedback from **Tuesday 3 October 2023 to Monday 6 November 2023** online at hamilton.govt.nz/haveyoursay, or fill out the feedback form included in this Statement of Proposal.

For any queries, please ring 07 838 6699 or email haveyoursay@hcc.govt.nz

Next steps

Council will collect and analyse all feedback and this will be presented to the Hamilton City Council Regulatory and Hearings Committee meeting in the first half of 2024. At this meeting, anyone who submitted will be welcome to make a verbal submission in person to support their views.

The Council will then consider all the views and make a final decision.

Feedback form

Hamilton City Council Water Supply Bylaw review
(3 October– 6 November 2023)

Hamilton City Council has reviewed the Water Supply Bylaw 2013 and is proposing to continue the Bylaw with only minor changes to remove outdated legal references, and to align the Bylaw with other bylaws and policies. A copy of the Bylaw is attached to this Statement of Proposal.

Feedback forms can be:

- completed online at hamilton.govt.nz/haveyoursay
- posted to: Freepost 172189, Hamilton City Council, Communication and Engagement team, Water Supply Bylaw, Private Bag 3010, Hamilton, 3240
- delivered to the Municipal Building reception or any branch of Hamilton City Libraries
- emailed to: haveyoursay@hcc.govt.nz

Privacy statement:

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation will be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at hamilton.govt.nz for further information.

Your feedback:

1. **Do you agree with Council's proposal to amend the Water Supply Bylaw with only minor changes?**

- ☐ Yes – amend the current Bylaw with only minor changes
- ☐ No – retain the current Bylaw with no changes

Can you please explain why? *(Please print clearly):*

2. Regardless of your answer above, an important part of implementing the Bylaw is ensuring that people understand their obligations, and the obligations of Council, under the Water Supply Bylaw. To help us do this well, please list topics or areas relating to water supply that you would like a better understanding of:

(Please print clearly)

Run out of room? Feel free to attach additional pages.

Would you like to make a verbal submission?

A verbal submission is around 5 - 10 minutes and is a chance for you to strengthen the key points in your written submission at the Council meeting.

- ☐ Yes
- ☐ No

Verbal submissions will likely take place in the first half of 2024. We will contact you to arrange a time.

About you: (Please print your details clearly)

This section tells us a bit more about you. By capturing this information, we will be able to better understand who is, and isn't providing feedback.

Contact details

Name: _____

Phone: _____ Email: _____

If responding on behalf of an organisation:

Organisation: _____

Position held in organisation: _____

Where do you live?

I live in Hamilton, my suburb is: _____

Or:

I live outside Hamilton:

Waipaa ☐

Waikato ☐

Elsewhere in
New Zealand ☐

Overseas ☐

What is your age group? (At your last birthday)

☐ 16 – 19

☐ 20 – 24

☐ 25 – 29

☐ 30 – 34

☐ 35 – 39

☐ 40 – 44

☐ 45 – 49

☐ 50 – 54

☐ 55 – 59

☐ 60 – 64

☐ 65 – 69

☐ 70 – 74

☐ 75 – 79

☐ 80+

Which ethnic group/s do you identify with? (Tick all that apply)

☐ NZ
European

☐ Maaori

☐ Indian

☐ Chinese

☐ Cook
Island

☐ Samoan

☐ British

☐ Filipino

☐ Tongan

☐ Maaori
South
African

☐ Other (please specify if you wish): _____

If Maaori – what iwi/hapuu do you belong to? _____

Please get your feedback to us by 6 November 2023.


FURTHER INFORMATION

Hamilton City Council

Garden Place, Private Bag 3010, Hamilton

 /HamiltonCityCouncil

 @CouncilHamilton

 07 838 6699

hamilton.govt.nz/haveyoursay

HAMILTON CITY COUNCIL BYLAWS

Approved By: Hamilton City Council	Date Adopted : 26 September 2013
Date In Force: 1 November 2013	Bylaw Reviewed: XX XX 2023
Version History: Minor amendments adopted by resolution of Hamilton City Council on XX XX 2023	Next Review Date: To be reviewed by XX XXXXX 2033

HAMILTON CITY WATER SUPPLY BYLAW 2013

TABLE OF CONTENTS

1. INTRODUCTION	2
2. SHORT TITLE, COMMENCEMENT AND APPLICATION	2
3. REVOCATION OF EXISTING BYLAW	2
4. SCOPE.....	2
5. PURPOSE	2
6. COMPLIANCE WITH OTHER ACTS AND CODES	3
7. INTERPRETATIONS	3
8. DEFINITIONS	3
9. PROTECTION OF WATER SUPPLY SYSTEM	7
9.1. WATER SUPPLY SYSTEM.....	7
9.2. SPILLAGE AND ADVERSE EVENTS	8
10. CONDITIONS OF SUPPLY	8
10.1. APPLICATION FOR SUPPLY	8
10.2. APPLICATION LAPSE	9
10.3. SERVICES AND SUPPLY	9
10.4. CHANGE OF USE	10
10.5. POINT OF SUPPLY	10
10.6. ACCESS TO, AND ABOUT THE 'POINT OF SUPPLY'	11
10.7. TYPES OF SUPPLY	11
10.8. METERING	12
10.9. METERS AND FLOW RESTRICTORS	13
10.10. LEVELS OF SERVICE AND CONTINUITY OF SUPPLY	14
10.11. DEMAND MANAGEMENT	15
10.12. LIABILITY	15
10.13. FIRE PROTECTION CONNECTION.....	15
10.14. BACKFLOW PREVENTION	16
10.15. COUNCIL EQUIPMENT AND INSPECTION.....	18
10.16. PLUMBING SYSTEM	18
10.17. PREVENTION OF WATER LOSS AND WASTAGE	18
10.18. PAYMENT	18
10.19. TRANSFER OF RIGHTS AND RESPONSIBILITIES	19
10.20. CHANGE OF OWNERSHIP	19
10.21. DISCONNECTION AT THE CUSTOMER'S REQUEST	19
11. BREACHES	19
12. OFFENCES AND PENALTIES	20
13. SCHEDULES.....	20

HAMILTON CITY COUNCIL
BYLAWS

13.1.	SCHEDULE 1: EXAMPLES SHOWING SINGLE/MANIFOLD CONNECTION	21
13.2.	SCHEDULE 2: TABLE 1: - COMPATIBILITY FEATURES.....	24

HAMILTON CITY COUNCIL BYLAWS

Hamilton City Council, in exercise of its powers and authorities conferred on 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 is required by regional and national authorities to manage freshwater resources, including how much water it takes from the Waikato River.
- 1.2. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have particular regard to Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) where the vision is “for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”.
- 1.3. The amount of water that regional users can take from the Waikato River is nearing the River’s allocation limits. To manage the demand for water use in the region the Waikato Regional Council issues ‘water take’ resource consents. Hamilton City’s resource consent to take and use water requires the City to ensure that the water it has been allocated is efficiently and effectively used. This Water Supply Bylaw provides rules for managing the City’s water demand and aims to ensure that activities do not adversely affect water supply, water quality, our water supply infrastructure and compliance with the city’s water take consent and legislative requirements under the Water Services Act 2021.

(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 City Water Supply Bylaw 2013”.
- 2.2. The bylaw shall apply to the Hamilton City Council District.
- 2.3. The bylaw shall come into force on 1 November 2013..
- 2.4. Any person being supplied with water, or who has made application to be supplied with water, by the Council, is deemed to accept the terms and conditions contained in this Bylaw, and any subsequent amendments.
- 2.5. This Bylaw and its terms and conditions shall come into effect on the date notified by the Council, for Customers receiving a supply at that time, and at the date of receipt of supply for Customers connected after that time.

3. REVOCATION OF EXISTING BYLAW

- 3.1. The Hamilton City Water Supply Bylaw 2008 is revoked from the day the new bylaw comes into force.

4. SCOPE

- 4.1. This bylaw shall apply within the boundaries of the Hamilton City Council pursuant to the Local Government Act 2002 and any land, building, work, or property under the control of the Council.

5. PURPOSE

- 5.1. The purposes of this bylaw are:
 - (a) protecting, promoting, and maintaining public health and safety.
 - (b) promoting the efficient use of water and protecting against waste or misuse of water from the water supply system.
 - (c) for the protection of the water supply and water supply system from pollution and contamination.

HAMILTON CITY COUNCIL BYLAWS

- (d) manage and protect from damage, misuse, or loss of land, structures or infrastructure associated with the water supply system.
- (e) preventing the unauthorised use of land, structure or infrastructure associated with the water supply system.

6. COMPLIANCE WITH OTHER ACTS AND CODES

- 6.1. This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its Customers in its capacity as a Water Supply Authority. The supply and sale of water by the Council is subject to:

6.1.1. Statutory Acts and Regulation

- (a) Building Act 2004
- (b) Fire and Emergency New Zealand Act 2017
- (c) Health Act 1956
- (d) Local Government Act 2002
- (e) Local Government (Rating) Act 2002
- (f) Resource Management Act 1991
- (g) Taumata Arowai—the Water Services Regulator Act 2020
- (h) Water Services Act 2021
- (i) Water Services (Drinking Water Standards for New Zealand) Regulations 2022
- (j) .

6.1.2. Relevant Codes and Standards

- (a) Compliance Document (New Zealand Building Code)
- (b) Drinking Water Quality Assurance Rules 2022
- (c) BS EN ISO 4064-1:2017 Water meters: Test methods and Equipment
- (d) SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice
- (e) CoLAB Regional Infrastructure Technical Specifications (RITS) NZS 4503:2005 Hand Operated fire-fighting Equipment
- (f) Water New Zealand Boundary Backflow Prevention for Drinking Water Supplies 2019 Water New Zealand Good Practice Guide - Water Metering of Customers on Reticulated Supplies 2017
- (g) Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2008
- (h) OIML R49: Water meters intended for the metering of cold potable water and hot water. Part 1: Metrological and technical requirements; Part 2: Test methods and Part 3: Test report format.

7. INTERPRETATIONS

- 7.1. When interpreting this Bylaw use the definitions set out in section 8 unless the context requires otherwise. Where references are made to a repealed enactment read that as a reference to its replacement.
- 7.2. For the purpose of this Bylaw, the word 'shall' refer to practices that are mandatory for compliance with this Bylaw, while the word 'should' refers to practices that are advised or recommended.

8. DEFINITIONS

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

**HAMILTON CITY COUNCIL
BYLAWS**

Approved	Approved in writing by the Council, either by resolution of the Council or by any authorised officer of the Council.
Air gap	A vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.

HAMILTON CITY COUNCIL BYLAWS

Authorised agent	Any person authorised or appointed by Council.
Authorised officer	Any officer of the Council, or other person authorised under section 177 of the Local Government Act 2002, and authorised by the Council to administer and enforce its Bylaws.
Auxiliary supply	Any water supply, other than the Council's system, on or available to a customer system. These auxiliary waters may include water from another provider's public potable water supply or any natural source(s) such as a well, rainwater, spring, river, stream, or used waters (e.g. grey water) or industrial fluids.
Backflow	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.
Backflow device	Backflow device or air gap that is designed to prevent the return of flow into the Council's water supply system. These devices can include non-return valves, reduce pressure zone devices and double check valves.
Boundary	Legal boundary of the premises receiving a supply of water.
Connection	The valve, meter and associated fitting installed and maintained by the Council at a location convenient to the Council including the service pipe, or at the supply pipe or at the point of supply.
Council	Hamilton City Council or any officer authorised to exercise the authority of the Council.
Customer	A person who uses or has obtained the right to use or direct the manner of use, water supplied by the Council.
Development Contribution	As defined in the Local Government Act 2002 and the relevant Hamilton City Council Development Contributions Policy.
Domestic purpose	Water taken and used for the purpose of for human drinking and sanitation needs and for individual household use which includes: <ol style="list-style-type: none"> i. Washing down a vehicle; ii. Garden watering by hand using a handheld device; iii. Garden watering by any portable sprinkler device.
Extraordinary supply	A category of On Demand supply used for extraordinary use including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations.
Extraordinary use	Extraordinary use is subject to water alert and emergency provisions and includes but not limited to: <ol style="list-style-type: none"> i. Domestic - spa or swimming pool in excess of 6m³, and fixed garden irrigations systems; ii. Commercial and Business; iii. Industrial; iv. Agricultural; v. Horticultural; vi. Viticultural; vii. Lifestyle blocks (rural supplies, peri-urban or small rural residential); viii. Fire protection systems other than sprinkler systems installed to comply with NZS 4517; ix. Out of District Supply; x. Temporary supply; xi. Water carriers; xii. Auxiliary supply.

HAMILTON CITY COUNCIL BYLAWS

Fees and charges	The fees and charges for water supply set by the Council.
Fire main supply	A category of supply from pipe work installed for the purpose of fire protection.
Individual Customer Agreement	An agreement between Council and a Customer that outlines both parties' rights and responsibilities for the supply and use of water.
Industrial activity	Any industrial activity and includes: <ul style="list-style-type: none"> a) All types of processing, manufacturing, bulk storage, warehousing, service, and repair activities. b) Laboratories and research facilities. c) Trade and industry facilities, being premises accommodating specialised education and training facilities where groups of people are given trade or industry tuition and training on a formal basis.
Level of service	The measurable performance standards on the basis of which the Council undertakes to supply water to its customers.
NZS	'New Zealand Standard'.
On demand supply	A supply which is available on demand directly from the point of supply, subject to the agreed level of service.
Ordinary supply	A category of 'on demand' supply used solely for domestic purposes.
Owner	The person or entity having legal ownership of the premises receiving a supply of water from the Council.
Occupier	The person or legal entity having a legal right to occupy, use all or part of the premises receiving a supply of water from the Council that includes a tenant, lessee, licensee, manager, foreperson or any other person acting in the general management of any premises.
Permit	A permit or written authority issued by an authorised officer.
Person	An individual, corporation sole or a body of persons whether corporate or otherwise.
Point of supply	The point on the water pipe leading from the water main or supply pipe to the premises, which marks the boundary of responsibility between the customer and the Council.
Potable water	Water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the New Zealand Drinking Water Standards applicable at the time.
Premises	The physical location to which a water supply is provided and includes: <ul style="list-style-type: none"> a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued; or b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease; or c) Land held in public ownership (e.g. reserve) for a particular purpose.

HAMILTON CITY COUNCIL BYLAWS

Allotment means the same as defined in section 10 of the Building Act 2004.

Prescribed charges	Charges applicable at the time of connection and may include: <ul style="list-style-type: none"> a) Payment to the Council for the physical works required to provide the connection; and/or b) A development contribution charge determined in accordance with the Local Government Act 2002; and/or c) A financial contribution charge determined in accordance with the Resource Management Act 1991; and/or d) Bacteriological and chemical testing as per Drinking Water Standards New Zealand to ensure a connection is safe. e) Individual agreement charges. f) Capital contribution charge determined by any Annual Plan process. g) Any other charges which may be lawfully charged by the Council in respect of the supply of water.
Public notice	<p>A notice published in:</p> <ul style="list-style-type: none"> a) One or more daily newspapers circulated in the region or district of the Council; or b) One or more other newspapers that have at least an equivalent circulation in that region or district to the daily newspapers circulating in that region or district. <p>Includes any other public notice that the Council thinks desirable in the circumstances.</p>
Restricted flow supply	A type of water supply connection where water is supplied through a flow control device, and storage is provided by the customer to cater for their demand fluctuations.
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises as determined by Council.
Rural water supply area	An area formally designated by the Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a firefighting capability.
Service pipe	The section of water pipe between a water main and the point of supply.
Service valve	The valve at the customer end of a service pipe used to control and/or isolate the supply.
Special circumstances	<p>The circumstances that may lead Council to install a meter on the supply to an "Ordinary Domestic Use". This includes, but is not limited to:</p> <ul style="list-style-type: none"> a) Known leaks that remain unrepaired; b) Where excessive usage is being investigated; c) Where water is being wasted; d) Where property specific research of water usage is required.
Storage tank	Any tank having a free water surface to which water is supplied across an air gap

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 2

separation/and or backflow protection.

Supply pipe	The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.
Urban water supply area	An area formally designated by the Council as an area serviced by an 'on demand' reticulated water supply system with a firefighting capability.
Water alert level	Classification system used for applying water conservation restrictions.
Water carrier	Any individual drinking-water carrier or company registered with the Ministry of Health as a recognised carrier of drinking water.
Water supply system	All those components of the network between the point of abstraction from the natural environment to the point of supply. This includes but is not limited to: catchments, wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, reservoirs, rising and falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes (including fire mains), boundary assemblies, meters, and tobies.
Water unit	The basis of measurement for a restricted water supply as determined by the Council.
Working Day	Means any day of the week other than: <ul style="list-style-type: none"> (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day, and (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year. (c) Where a public holiday falls on a weekend day and the public holiday is observed on the next available working weekday, the day on which the public holiday is observed.

9. PROTECTION OF WATER SUPPLY SYSTEM

9.1. Water supply system

9.1.1. General

- (a) Any person who owns or occupies premises in the District must ensure that water is used and maintained in a manner that no public health hazard or public health nuisance occurs that could affect the public water supply.

9.1.2. No person to connect to, or interfere with a water supply system

- (a) Except as set out in 9.1.1, 9.1.3 and 9.1.4, no person shall connect to, or interfere with, any part of the water supply system without first obtaining a permit to do so from Council and only in accordance with the terms of that permit.

9.1.3. Access to system

- (a) No person other than the Council and its authorised agent and permit holders shall have access to any part of the water supply system, except to connect to the point of supply, and to operate the service valve.

9.1.4. Fire hydrants

D-1077006

HAMILTON CITY WATER SUPPLY BYLAW 2013 | HAMILTON CITY COUNCIL

9

HAMILTON CITY COUNCIL BYLAWS

- (a) Only the attending Fire Service/s shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training and testing.

9.1.5. Other users

- (a) The right to gain access to, and draw water from the public water supply system for uses other than fire fighting (for example, flow testing or pipe flushing) shall be restricted to:
 - i. The Council or its authorised agents
 - ii. Permit holders
- (b) Permit holders shall only draw water in accordance with the terms and conditions of a written permit issued by the council.

9.1.6. Unauthorised access

- (a) Without prejudice to any other remedies available, the Council may seize and impound any equipment used by an unauthorised person to gain access to, or draw water from the water system, and may assess and recover the value of water drawn and any other associated costs.
- (b) Where the water supply system becomes contaminated due to unauthorised access, Council may recover cost of remediation of contamination.
- (c) Any person causing damage to a Council water supply system during 9.1.6 unauthorised access shall be liable for the cost of repair and any other costs the Council incurs as a result of the incident.

9.1.7. Working around buried services

- (a) No person shall carry out any excavation without first reviewing Council's records of the location of its services.
- (b) No person shall excavate in the vicinity of Council's services unless at least five working days' notice has been given to the authorised officer of the intention to do so and then only in accordance with any terms and conditions imposed by Council.
- (c) Council may in its absolute discretion mark out to within ± 0.5 m on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary to protect the integrity of the water supply system. The Council shall charge for this service.
- (d) The Council may require the independent supervision of works.
- (e) Every person excavating or working around Council's buried water supply services shall 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 water supply system and in a manner that doesn't risk public safety.
- (f) Every person who fails to reinstate excavation work in accordance with Council specifications shall be liable for the costs incurred by the Council in completing such work.
- (g) Any damage which occurs to Council services shall be reported to the Council immediately. The person causing the damage shall be liable for the cost of repair and any other costs that Council incurs as a result of the damage.

Note (this note does not form part of the bylaw) – All excavation and trenching work carried out within the road corridor must be carried out in accordance with the National Code of Practice for Utility Operator's Access to the Transport Corridor.

9.2. Spillage and adverse events

- 9.2.1. In the event of any adverse event, which may compromise potable water or the water supply system, the person responsible for the event shall advise the Council immediately. This requirement shall be in addition to those other notification procedures which are required for other authorities.
- 9.2.2. Where the customer of a premise allows or permits any item or items that may potentially contaminate or leach into the water supply or accumulate on any premises contained within the catchment, the Council may request the owner, occupier, or both, to remove the item or items.
- 9.2.3. If the item(s) are not removed within the period specified, Council or its authorised agents may remove the items and recover the costs of doing so from the owner or occupier, or both.

HAMILTON CITY COUNCIL BYLAWS

10. CONDITIONS OF SUPPLY

10.1. Application for supply

10.1.1. Any person wishing to:

- (a) establish a point of supply,
- (b) seek a change in the level of service,
- (c) change the use of an existing supply,
- (d) make a change to backflow requirements,
- (e) increase use to greater than 15 cubic metres per day, or
- (f) use water for any purpose other than ordinary supply,

shall make a written application to Council.

10.1.2. Every application for a supply of water shall be made in writing to the Council on the prescribed forms and accompanied by the prescribed charges, including any applicable development contributions as per Council's Development Contributions Policy. The Customer shall provide all the details required by the Council.

10.1.3. Where the Customer is not the owner of the premises seeking supply, the Customer must produce written evidence of their authority to act on behalf of the owner of the premises for which the supply is sought.

10.1.4. On receipt of an application for supply the Council shall, after consideration of the matters stated in clauses 10.7 and 10.8, either:

- (a) Approve the application as determined by council.
- (b) Refuse the application and notify the Customer of the decision giving the reasons for refusal.

10.1.5. Notwithstanding the provisions of this bylaw, Council will assess any application made in accordance with clause 10.1.1 against the provisions of the Three Waters Connection Policy and will, in its sole discretion, determine whether to grant a connection approval.

10.1.6. Council may require a Customer to enter into an Individual Customer Agreement and supply and implement a Water Conservation and Demand Management Plan based on the Customer's water demand requirements.

10.1.7. A permit may be issued subject to terms, conditions and restrictions as the authorising officer may specify, including but not limited to the following:

- (a) the property or person to which the permit relates;
- (b) the size of all pipes, fittings and any other equipment up to the point of supply;
- (c) the duration of time for which the permit is valid; and
- (d) such other conditions or restrictions as the Council authorised officer may impose.

10.2. Application lapse

10.2.1. An approved application for supply which has not been actioned within twelve months of the date of application will lapse unless a time extension has been received in writing from the applicant and approved by the Council. Any further fees and charges shall be at the discretion of the Council.

10.3. Services and supply

10.3.1. Council will determine the sizes of all pipes, fittings and any other equipment, up to the point of supply.

10.3.2. Council or authorised agent shall supply and install the service pipe up to the point of supply at the Customer's cost.

10.3.3. No water shall be drawn through a new connection before the Council has deemed the connection to meet the requirements of the Drinking Water Standards for New Zealand and Council has provided

HAMILTON CITY COUNCIL BYLAWS

approval.

10.3.4. No water shall be drawn through a new connection before Council has deemed the connection to be suitable for use.

10.3.5. Council may require the Customer to meet all associated costs of the provision of a new connection including any upgrade to infrastructure needed to provide the service.

10.3.6. All new connection to water supply systems in the rural areas shall be metered and supply restricted unless specifically authorised by written agreement.

10.4. Change of Use

10.4.1. If a Customer seeks change to:

- (a) the level of service; or
- (b) the end use of water supplied to the premises; or
- (c) supply type from an ordinary to an extraordinary type or vice versa; or
- (d) physical location or size,

a new application for supply must be submitted by the Customer to the Council. Any new application for supply under this clause shall be considered as if it is an initial application pursuant to clause 1 of this Bylaw.

10.5. Point of supply

10.5.1. Responsibility for maintenance

- (a) The Council shall own and maintain the service pipe and fittings up to the point of supply. The Customer shall own and maintain the supply pipe and fittings beyond the point of supply.

NOTE (This note does not form part of the bylaw): The Council gives no guarantee regarding the serviceability of the valve located on the service pipe. Where there is no Customer stopcock, or where maintenance is required between the service valve and the Customer stopcock, the Customer may use the service valve to isolate the supply. The Council reserves the right to charge for maintenance for this valve if damaged by such Customer use.

10.5.2. Single ownership

- (a) For individual customers the point of supply shall be located as shown in Schedule 1 or as close as possible to Schedule 1 where fences, walls, or other permanent structures may make it difficult to locate it at the required position. Other positions shall require specific approval from Council.
- (b) For each individual Customer there shall only be one point of supply, unless otherwise approved in writing by the Council.
- (c) For individual Customers, the point of supply shall be located as close as practicable to the location shown in Schedule 1: Example 1.

10.5.3. Multiple ownership

- (a) Where premises, and or land, are held in multiple ownership, the point of supply shall be as follows:
 - i. For Company Share/Block Scheme (Body Corporate) – as for single ownership
 - ii. For Leasehold/Tenancy in Common share (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Customer shall have an individual supply with the point of supply determined by Schedule 1: Example 2 & 3 or as otherwise agreed in writing by Council.
 - iii. For a multiple ownership supply which was in existence prior to the coming into effect of this Bylaw, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

10.5.4. Location

- (a) For each individual Customer there shall be only one point of supply, unless otherwise approved.
- (b) For both ordinary and extraordinary supply customers, the point of supply shall be located outside the boundary of the premises in the position approved by the Council.

HAMILTON CITY COUNCIL BYLAWS

- (c) Existing points of supply may be located either inside or outside the property boundary. The Council may relocate the point of supply when deemed appropriate or on request from the Customer, subject to approval and charges.
- (d) The relocation of the point of supply and pipework and fittings from the new point of supply to the existing customer supply pipe shall be the responsibility of the Council for 6 months from the time of relocation.

10.6. Access to, and about the 'Point of supply'

10.6.1. Rights of access

- (a) Where the point of supply is on private property, the Customer shall allow the Council unrestricted access to, and about the point of supply between 7:30 am and 6:00 pm on any day for:
 - i. meter reading, without notice being given; or
 - ii. checking, testing and maintenance work with advance notice being given where practicable to do so.
- (b) For works outside these hours (such as for night time leak detection) the Council shall give written notice to the Customer 48 hours prior to the entry onto the property.
- (c) Where access is not made available for any of the above times and a return visit is required by the Council, a fee may be charged in accordance with Council approved fees and charges schedule.
- (d) The Council may enter occupied land or buildings without giving prior notice if there is a sudden emergency causing or likely to cause:
 - i. loss of life or injury to a person; or
 - ii. damage to property; or
 - iii. damage to the environment or there is danger to any works or adjoining the property.

10.6.2. Maintenance of access

- (a) The Customer shall maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction which prevents, or hinders access to the point of supply.

10.7. Types of supply

10.7.1. General

The water supplied by Council shall be classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

10.7.2. On demand supply

- (a) All premises lying within the urban water supply area shall be entitled to an ordinary supply of water subject to the following conditions:
 - i. The restriction of its use pursuant to clause 10.11.
 - ii. Payment of the prescribed charges in respect of supply with Council reserving the right in "special circumstances" to install an approved water meter; or install a flow restrictor.
 - iii. Any other conditions imposed by Council.

NOTE: (this note does not form part of the bylaw) for use from a fire protection system to NZS 4517 to be classified as an ordinary use, the Customer should comply with the conditions set under (section relating to fire protection – connection application 10.13)

10.7.3. Restricted Flow Supply

- (a) Restricted flow supply shall only be available to premises within a designated area or under special conditions set by Council, including for the purposes of:

HAMILTON CITY COUNCIL BYLAWS

- i. Rural supply within district.
 - ii. Out of district supply.
 - iii. Water demand management or any breach of the bylaw (including for drought, misuse and non-remedy of water leaks).
- (b) The water supply shall be restricted so as to deliver the number of allocated water units at a steady flow rate through a water meter.
- (c) The Council shall charge for the restricted flow supply by either:
 - i. A targeted rate; or
 - ii. Volume passing through a meter.
- 10.7.4. It is the Customer's responsibility to provide water storage for their needs.
- 10.7.5. No connection shall be made to the supply pipe between the point of supply and the storage tank.
- 10.7.6. All restricted supply storage tanks must incorporate 'air gap' separation.
- 10.7.7. Ordinary Supply
 - (a) Ordinary Supply shall only be used for domestic purposes.
 - (b) With the exclusion of water used for human drinking water and sanitation needs, Ordinary Supply shall be subject to the demand management provisions of subsections 10.11. Ordinary Supply includes:
 - i. Washing down a vehicle;
 - ii. Garden watering by hand using a hand held device;
 - iii. Garden watering by any portable sprinkler device.
- 10.7.8. Extraordinary Supply
 - (a) The Council shall be under no obligation to provide an extraordinary supply of water (see also the provisions of 10.10, 10.11 and 10.13.3)
 - (b) Extraordinary Supply shall require written authorisation by Council.
 - (c) Extraordinary supply connection may be metered under clause 10.8.3 and the Customer may be charged as per Council water supply fees and charges as determined by Council from time to time.
- 10.8. Metering**
 - 10.8.1. All commercial, non-residential and industrial uses and extraordinary supply shall be metered unless Council determines that metering is not required under clause 10.8.3.
 - 10.8.2. Council shall approve the number of meters per property and their location.
 - 10.8.3. Council may:
 - (a) implement metering in any part, or all of the District; or
 - (b) fit a meter and charge accordingly when it considers water use is in breach of this bylaw as per section 11.
 - (c) fit a meter at the Customer's request.
 - 10.8.4. The Customer shall pay for the meter and its installation.
 - 10.8.5. Where, in addition to the Council water supply connections, the owner or occupier of the premises has an auxiliary supply, they shall provide the Council with all particulars of the water source reasonably available to the owner or occupier in order to protect the public supply.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 2

NOTE (this note does not form part of the bylaw): Where the extraordinary supply is used for fire protection only, the supply shall not normally be metered.

10.9. Meters and flow restrictors

10.9.1. Installation

- (a) Where on demand supplies are required to be metered, meters and restrictors for restricted flow supplies, shall be supplied, installed and maintained by the Council, and shall remain the property of the Council. Customers shall pay for the meter and its installation.
- (b) Where the water supply is to have a flow restriction, this shall be applied as per 10.7.3.

10.9.2. Location

- (a) Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and if practicable, immediately on the Council side of the point of supply. If this is not possible then meters and restrictors shall be located as close as practicable to the point of supply.

10.9.3. Accuracy

- (a) Meters shall be tested as and when required by the Council.
- (b) Flow restrictors shall be accurate to within $\pm 10\%$ of their rated capacity (the stipulated accuracy).
- (c) Any Customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested. Where a test has been conducted within six months of the request for testing, Council has discretion as to whether a further test will be carried out. If the test shows non-compliance with the stipulated accuracy, the Customer shall not be charged for the test. If the test shows compliance with the stipulated accuracy, the Customer shall pay a fee in accordance with the council's current fees and charges schedule. A copy of independent certification of the test result shall be made available to the Customer on request.

10.9.4. Adjustment

- (a) If, after being tested, any meter is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall make an adjustment in accordance with the results shown by such tests. This adjustment shall be backdated for a period at the discretion of the Council but not exceeding 12 months, and the Customer shall pay a greater or lesser amount according to such an adjustment.
- (b) Where a meter is under-reading by more than 20% or the meter has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.
- (c) Where a meter is over-reading, the Council shall make appropriate adjustments to the Customer's account based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

10.9.5. Estimating consumption

- (a) Where a Customer disputes the amount of the estimate, they must advise the Council that the estimate is disputed in writing within 15 working days of being advised of the estimate. The Council will then review the estimate and determine whether the estimate is to be varied or whether the estimate is to be confirmed.
- (b) If any meter is broken, unreadable or to be removed, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the Customer) and the amount payable to the Customer shall be the amount of that estimate. Provided that, when by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other

HAMILTON CITY COUNCIL BYLAWS

evidence for the purpose of arriving at a reasonable estimate, and the Customer shall pay according to such an estimate.

- (c) The Customer shall be liable for the cost of water which passes through the meter regardless of whether this is used, or is the result of leakage.
- (d) Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption in accordance with clause 10.9.5 (b).
- (e) Where the Customer concerned is a not-for-profit organisation, and if metering indicated a significant increase in consumption not dating back more than 12 months, which is established as being caused by a previous unknown leak, Council may estimate consumption as provided for above, providing that the Customer repairs the leak with due diligence.
- (f) Where an unauthorised connection has been made to the Councils water supply system, council shall estimate and charge for the water consumption for the period when the connection was made. The Council shall use the uniform charge for water on a pro rata basis to make the estimation.
- (g) Where a meter has been installed without approval, the meter reading shall be used as the basis for the estimation provided it complies with Councils standards for meters and installations. The full consumption registered on the meter shall be payable by the current owner of the property. Estimating and charging for water will be in addition to other legal actions that Council decides to take for breaches of this bylaw or other acts and regulations.

10.9.6. Incorrect accounts

- (a) When a situation occurs, other than as provided for in 10.9.5, where the recorded consumption does not accurately represent the actual consumption in respect of premises, the account shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.
- (b) Where an adjustment is required, in favour of the council or the Customer, this shall not be backdated more than 12 months from the date the error was detected.

10.9.7. Unread Meters

- (a) Where a meter has remained unread for whatever reason, Council may charge for all water registered on the meter or shown since the previous reading.

10.10. Levels of Service and Continuity of Supply

- 10.10.1. Council shall provide water in accordance with Schedule 2.
- 10.10.2. Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, nor the continuous maintenance of any particular pressure, but shall aim to meet the continuity of supply levels of 10.10, subject to the exemptions contained in 10.11.3 and 10.11.4.
- 10.10.3. Where planned works of a permanent or temporary nature, which will affect an existing supply, the Council shall consult with, or inform or give notice to all known Customers likely to be substantially affected.
- 10.10.4. If a Customer has a particular requirement for an uninterrupted or increased level of service (flow, pressure or quality), it will be the responsibility of that Customer to notify Council and provide any necessary storage, back up facilities or equipment necessary for the provision of that level of service. Examples of such requirements may include Customers using water for renal dialysis, for people who are immune compromised, or for certain industrial or agricultural purposes.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 2

10.11. Demand Management

10.11.1. The Customer shall comply with any water restrictions put in place by the Council. Any restrictions on supply shall be advised by public notice. When such restrictions apply the Council shall take all practicable steps to ensure that an adequate supply for human drinking water or sanitation is provided to each point of supply.

10.11.2. Where required by rules in a District Plan, owners must maintain devices that have been installed for the purposes of water demand management and in accordance with an associated integrated catchment management plan.

10.11.3. Water Alert and Emergency restrictions

- (a) Natural hazards (such as floods, droughts or earthquakes), events or accidents which result in disruptions to the supply of water, shall be deemed an emergency and shall be exempted from the levels of service requirements (10.10).
- (b) During a water alert and/or emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers. Such restrictions shall be advised by public notice.
- (c) The Council may, after serving notice and taking all practicable steps to contact a Customer, restrict and or meter the supply to reduce unnecessary and unauthorised water use and loss.

10.11.4. Maintenance and repair

- (a) Council shall make every reasonable attempt to notify the Customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice.
- (b) Where a Customer has assets restricting the maintenance of a Council water supply system, Council shall not be responsible for damage as a result of any scheduled or emergency maintenance shutdown.
- (c) It is the responsibility of the Customer to maintain all supply pipes and water assets within their property in a serviceable and safe condition.
- (d) If Council exercises its right under clause 10.17.3 of this Bylaw to repair private water assets then Council may charge and recover all costs associated with such repair work from the Customer, the Owner or the Occupier.

10.12. Liability

10.12.1. The Council shall make every reasonable attempt to meet the level of service requirements of 10.10, but shall not be liable for any loss, damage or inconvenience which the Customer (or any person using the supply) may sustain as a result of a reduced levels of service in, or interruptions to, the water supply.

10.13. Fire Protection Connection

10.13.1. Connection Application

- (a) Where an unmetered fire main exists then an annual fee will be charged for the provision and maintenance of the connection.
- (b) Any proposed connection for fire protection shall be the subject of a specific application made to the Council for approval. Any such connection shall be subject to the terms and conditions specified by the Council.

10.13.2. Supply

- (a) Council shall provide water supply for fire protection in accordance with Schedule 2.

HAMILTON CITY COUNCIL BYLAWS

- (b) Where a Customer requires a specific flow and pressure for internal fire systems, this shall be provided by the Customer within their own system.

10.13.3. Design

- (a) It shall be the Customer's responsibility to ascertain and monitor whether the on demand supply provided for fire protection purposes is adequate for the intended purpose. Access to the mains for testing purposes, in order to determine the adequateness of the supply, will require the prior written approval of the Council.

10.13.4. Fire protection connection metering

- (a) Where the supply of water to any premises is metered the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter, provided that:
- i. The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
 - ii. A Council approved backflow device has been fitted on the meter bypass.
- (b) Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing of the fire protection system unless the fire protection system is installed in accordance with NZS 4517.
- (c) Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the Council shall require the supply to be metered and have the appropriate backflow prevention device at the Customer's expense.

10.13.5. Fire Hose Reels

- (a) Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection connection. The water supply to fire hose reels shall comply with the requirements of NZS 4503 and have the appropriate backflow prevention device.

10.13.6. Charges

Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, upon request, the Council shall estimate the quantity of water so used, and credit to the Customer's account an amount based on such an estimate.

10.13.7. Ongoing Testing and Monitoring

Customers intending to test fire protection systems in a manner that requires a draw-off of more than 1 cubic metre of water shall obtain the approval of the Council prior to commencement of testing. The quantity of water used for routine flushing and flow testing may be assessed and charged for by the Council.

10.14. **Backflow Prevention**

- 10.14.1. Backflow prevention is for the purpose of protecting the Council's public reticulated water supply.
- 10.14.2. All connections within Hamilton City shall comply with Compliance Document for New Zealand Building Code Clause G12 – Water Supplies- to assess compliance for backflow protection.

10.14.3. Customer Responsibility

- (a) It is the Customer's responsibility under the Water Services Act 2021 and the Building Act 2004 to take all necessary measures on the Customer's side of the point of supply based on the level of risk or type of activity being carried out on the property to prevent water or any other substances from flowing back into the Council water supply system.
- (b) Where a water supply is used by multiple users (e.g. a block of shops) the property owner and/or body corporate is responsible for ensuring the appropriate Backflow prevention device is in place

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 2

and is approved by Council. The Customer shall provide to Council, on request, any information about any activities carried out on their premises which may contribute to the risk of backflow.

- (c) The Customer shall notify the Council in writing if a change of use or a change of activity occurs that changes the risk of backflow. Council may require a reassessment of the risk of backflow at the premises at the Customer's cost.
- (d) Any Customer with a restricted water supply shall ensure that an approved backflow prevention device is in place and maintained at all times. Any Customer shall ensure that every pipe supplying water to a premise not covered by the Building Act 2004, e.g. to a water trough for animals or for horticultural water supplies, shall be fitted with approved backflow prevention devices and comply with the relevant sections of the Water Services Act 2021..
- (e) Ordinary and Extraordinary supply to premises that incorporate systems on the premise that elevate their risk, for example – sewer pump stations, septic tanks, submerged irrigation systems and alternative water supplies shall require a Council approved Backflow prevention device.

10.14.4. Back Flow Risk Assessment

- (a) Any property that is deemed to require backflow prevention is required to have a risk assessment and a risk category assigned by Council. Risk categories shall be aligned to the hazard classification of the Building Act 2004. The Customer shall have containment at the boundary appropriate to their level of risk as determined by a Council approved backflow surveyor. Boundary containment device selection, design and installation must be approved by Council. Boundary containment devices shall be registered with Council. Survey and test results must be provided to Council on request.
- (b) No backflow device shall be bypassed unless the bypass is also fitted with a backflow device appropriate for the same hazard rating and approved by Council.
- (c) All premises containing backflow protection must be resurveyed at a minimum of 5 yearly intervals by a Council approved backflow surveyor to confirm the risk profile has not changed. Backflow resurveying shall be at the Customer's expense.
- (d) Council may install a backflow protection device at the boundary of any premises that the Council considers to be a backflow risk to the Council water supply. The cost of installing and maintaining such a device will be recovered by the Council from the Customer where the device is installed.

10.14.5. Backflow protection device maintenance and testing

- (a) All backflow devices and registered air gaps shall be registered with Council and included in the property's compliance schedule and be maintained, fully functional and tested annually. The provision, installation, maintenance per manufacturer's recommendation and testing of devices by a Council approved Independently Qualified Person will be at the property owners' expense.
- (b) Backflow prevention device shall be installed on the Customer's property and as close as practicable to the boundary ensuring no other connection can be installed upstream.
- (c) Fire protection systems that include appropriate backflow prevention measures are not required to have additional backflow prevention, except in cases where the system is supplied by a non- potable source, storage tank, or fire pump that operates at a pressure in excess of Council's normal operating pressure.
- (d) Private Fire hydrants shall have appropriate devices fitted to prevent backflow.

10.14.6. Unmanaged risk

- (a) Notwithstanding clause 10.14.3 Council (consistent with the Water Services Act 2021) shall fit a backflow prevention device on the Council side of the point of supply where the Customer cannot demonstrate that the risk of backflow is adequately managed. The cost of installing, maintaining and testing such a device may be recovered by the Council from the owner of the property where the device is installed.

HAMILTON CITY COUNCIL BYLAWS

10.15. Council equipment and inspection

10.15.1. Care of water supply system

- (a) The Customer shall not damage any part of the water supply system. The Council reserves the right to recover the cost of such damage from the owner or occupier of the property receiving the supply, or both, including reinstatement and any contamination remediation from the responsible person(s), party or owner.

10.15.2. Inspection

- (a) Subject to the provisions of the Local Government Act 2002, the Customer shall allow the Council, with or without equipment, access to any part of the premises for the purposes of determining compliance with this Bylaw.

10.16. Plumbing system

- (a) The Customer's plumbing system shall be designed, installed and maintained, both in its component parts and its entirety, to ensure it complies with the Building Act 2004 and the New Zealand Building Code and is compatible with the water supply service as listed in Schedule 2.
- (b) Quick-closing valves, pumps, hydraulically driven equipment or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service, shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

10.17. Prevention of water loss and wastage

10.17.1. Customers, Owners and Occupiers shall not:

- (a) Allow water to run to waste from any pipe, tap, or other fitting.
- (b) Allow leaks to continue unchecked or unrepaired, or allow the unattended operation of hoses.
- (c) Allow the condition of the plumbing and connections within any premises to deteriorate to the point where leakage or wastage occurs or contamination of water supply occurs or is likely to occur.

10.17.2. Customer, Owner and Occupier shall be jointly and severally liable for any costs associated with the repair of any Council asset resulting from an unrepaired water leak from a premise.

10.17.3. Where a Customer, Owner or Occupier ignores advice from the Council to repair an on-going leak, the Council may repair the leak and charge all associated costs to the Customer, Owner or Occupier.

10.17.4. The Council provides water for consumptive use, not as an energy source.

10.17.5. The Customer shall not use water or water pressure directly from the supply, for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the Council.

10.17.6. The Customer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.

10.18. Payment

10.18.1. The Customer shall be liable to pay for the supply of water and related services

10.18.2. The Council may recover all unpaid water charges in respect of the supply of water as prescribed in the Local Government (Rating) Act 2002 from the owner of a premises, the occupier of a premises, or both.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 2

10.19. Transfer of rights and responsibilities

- 10.19.1. The Customer shall not transfer to any other party the rights and responsibilities set out in this Bylaw.
- 10.19.2. A supply pipe shall serve only one on site Customer and shall not be extended by a hose or any other pipe beyond that Customer's premises.
- 10.19.3. In particular, and not in limitation of the above, any water which the Customer draws from the Council supply shall not be provided to any other party without prior approval of the Council.
- 10.19.4. Individual Customer agreements shall not be transferred unless approval by a Council Authorised officer has been obtained in writing.

10.20. Change of ownership

- 10.20.1. Upon receipt of notification of a change of ownership of premises the Council will record the new owner as being the Customer at that premises. Where premises are metered the outgoing Customer shall give the Council two (2) working days' notice to arrange a final meter reading.
- 10.20.2. The owner of the premises at the time of the consumption is responsible for any water charges.
- 10.20.3. The Council reserves the right to reassess the conditions of supply when a change of ownership occurs.

10.21. Disconnection at the Customer's request

- 10.21.1. The Customer shall give three (3) working days' notice in writing to the Authorised Officer of the requirement for disconnection of the supply. Disconnection shall be at the Customer's cost.

11. BREACHES

- 11.1.1. Every person breaches this Bylaw and commits an offence who:
 - (a) Does, permits, or allows anything to be done, which is contrary to this Bylaw or any part of it; or
 - (b) Fails to do or perform any act, or thing, that he or she is required to do by this Bylaw, within the time and in the manner required by this Bylaw or any part of it; or
 - (c) Commits any other breaches of the terms and conditions of this Bylaw; or
 - (d) Does anything which this Bylaw prohibits; or
 - (e) Fails to comply with any notice given to him or her under this Bylaw or any part of it or any condition that is part of any notice granted by the Council; or
 - (f) Obstructs or hinders any Council officer or other Council appointed person in performing any duty or in exercising any power under this Bylaw;
 - (g) Tamper with their connection or any restrictor, or draws water from a connection or restrictor that has been tampered with;
 - (h) Tamper or interferes with Council equipment or water supply system either directly or indirectly;
 - (i) Accesses and withdraws water from a fire hydrant without prior approval from Council;
 - (j) Accesses the water supply system without Council's approval; and
 - (k) Provides an incorrect application for supply which fundamentally affects the conditions of supply.
- 11.1.2. In the event of a breach of any provision of this bylaw, the Council shall serve notice on the Customer advising the nature of the breach, the steps to be taken, and required timeframe to remedy the breach to the satisfaction of the Council beyond timeframe indicated. If the Customer persists with the breach the Council reserves the right to:

HAMILTON CITY COUNCIL BYLAWS

- (a) Reduce the flow rate of water to the Customer without notice. Reinstatement of full supply shall be re-established only after the Customer completes payment of the appropriate fee and remedy of the breach to the satisfaction of the Council.
- (b) Install a water meter. The Customer will also be charged for the ongoing supply of water as per Council's fees and charges for water supply as determined by Council from time to time. .
- (c) For extra ordinary supply – disconnect the water supply for all purposes other than domestic water use.
- (d) If the breach is such that the Council is required to disconnect the supply for health or safety reasons, disconnection may occur immediately and without further notice to the Customer.

12. OFFENCES AND PENALTIES

- 12.1.1. A person who fails to comply with the requirements of this Bylaw commits a breach of this Bylaw and is liable to a penalty under the Local Government Act 2002.
- 12.1.2. Pursuant to section 242 of the Local Government Act 2002 a person who is convicted of an offence against this bylaw is liable to a fine not exceeding \$20,000.

13. SCHEDULES

- a) The following schedules can be amended through a Council resolution.

Schedule 1: Examples showing Single/Manifold Connection

Schedule 2: Table 1 Compatibility Features

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HAMILTON CITY COUNCIL BYLAWS

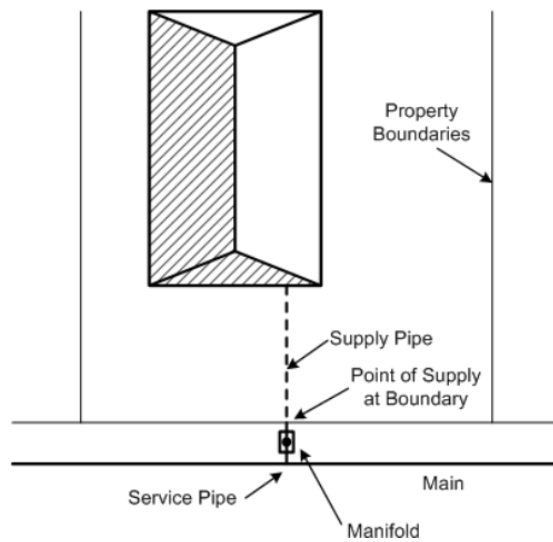
13.1. SCHEDULE 1: Examples showing Single/Manifold Connection

Example 1: Single property with street frontage

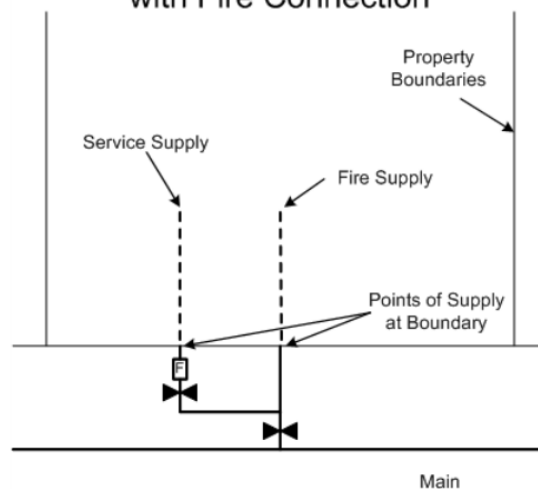
Typical Cases Only. Property/Dwellings indicative only. Not to Scale.

———— HCC Ownership - - - - - Private Ownership  Manifold  Flow Meter  Valve

Single Property, Single Connection



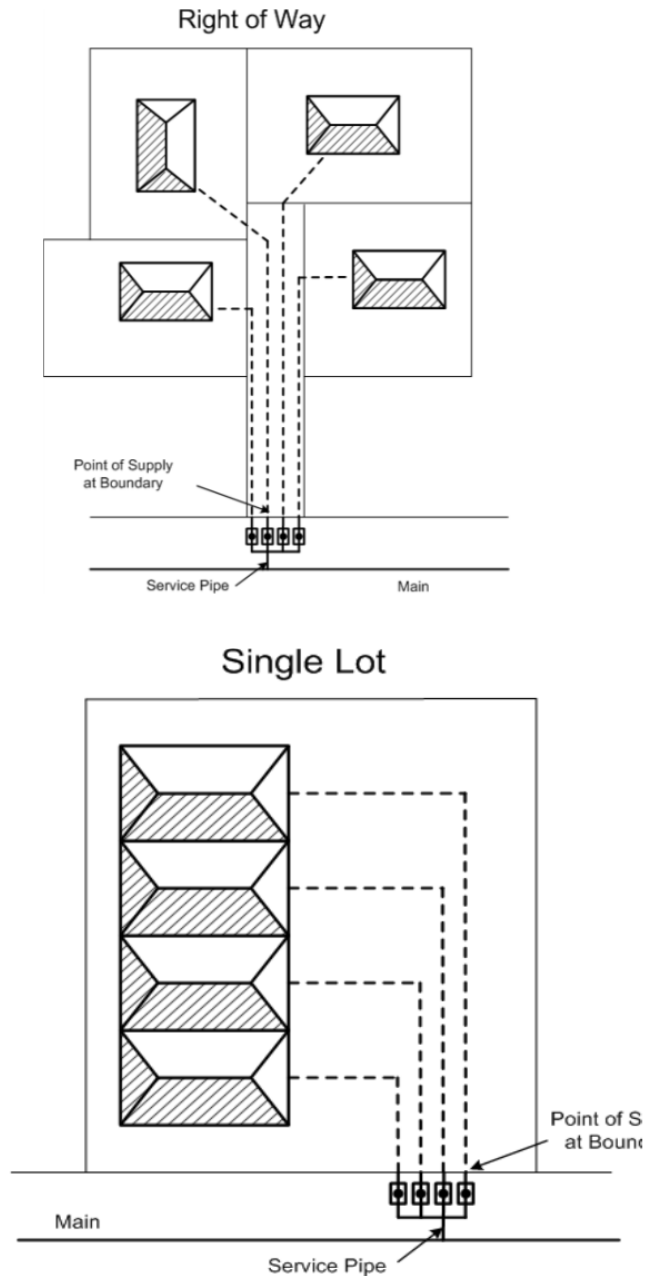
Single Property, Single Connection with Fire Connection



HAMILTON CITY COUNCIL BYLAWS

Example 2: Servicing up to 4 Customers

2 to 4 Customers – Manifold Connection

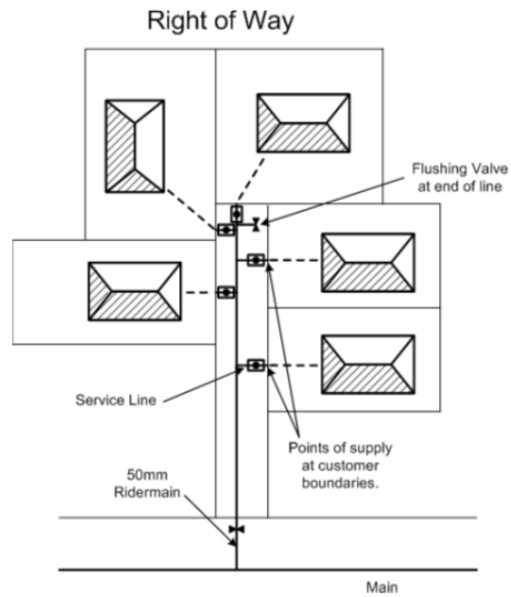


HAMILTON CITY COUNCIL BYLAWS

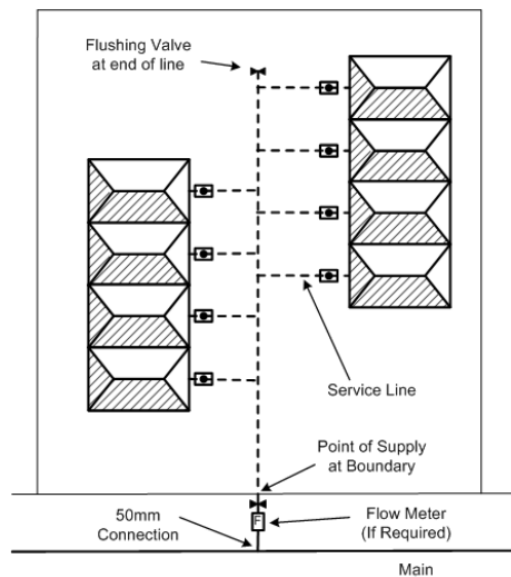
Item 9

Example 3: Serving 5 or more Customers

5+ Customers – Ridermain



Single Lot



Attachment 2

HAMILTON CITY COUNCIL BYLAWS

13.2. SCHEDULE 2: Table 1: - Compatibility Features

Feature	Value
Minimum available flow at point of supply	<ul style="list-style-type: none"> - Ordinary and Extraordinary supply - 25 l/min - Restricted supply – 1.0 m³ per day
Minimum pressure at Point of Supply (Static) <i>Note – Some Isolated properties in elevated areas may have a lower pressure than the minimum during high summer demands</i>	10 metres head (100 kPa)
Normal operating pressure	20-30 metres head (200 - 300 kPa)
Maximum pressure	100 metres head (1,000 kPa)
Free available chlorine	Up to 1.5 g/m ³
Fire Fighting from fire hydrants*	<ul style="list-style-type: none"> - FW2 – For Urban Residential Zones - FW3 – For Commercial and Industrial Zones
Continuity of supply <ul style="list-style-type: none"> - Unplanned duration of one disruption to water supply - Maximum duration of one disruption 	<ul style="list-style-type: none"> - Ordinary and Extraordinary supply – 8 hrs - Restricted supply – 24 hrs - 24 hrs
New customer connections (to existing reticulation)	Within 15 working days of Council Approval and fee payment
* Refer SNZ PAS 4509: New Zealand Fire Service Fire Fighting Water Supplies Code of Practice	

HAMILTON CITY COUNCIL BYLAWS

Approved By: Hamilton City Council	Date Adopted : 26 September 2013
Date In Force: 1 November 2013	Bylaw Reviewed: <u>XX XX 2023</u>
Version History: <u>Minor amendments adopted by resolution of Hamilton City Council on XX XX 2023</u>	Next Review Date: <u>To be reviewed by XX XXXX 2033</u>

HAMILTON CITY WATER SUPPLY BYLAW 2013

TABLE OF CONTENTS

1. INTRODUCTION	2
2. SHORT TITLE, COMMENCEMENT AND APPLICATION	2
3. REVOCATION OF EXISTING BYLAW	2
4. SCOPE.....	2
5. PURPOSE	2
6. COMPLIANCE WITH OTHER ACTS AND CODES.....	3
7. INTERPRETATIONS	3
8. DEFINITIONS.....	3
9. PROTECTION OF WATER SUPPLY SYSTEM	7
9.1. WATER SUPPLY SYSTEM.....	7
9.2. SPILLAGE AND ADVERSE EVENTS	8
10. CONDITIONS OF SUPPLY	8
10.1. APPLICATION FOR SUPPLY	8
10.2. APPLICATION LAPSE	9
10.3. SERVICES AND SUPPLY	9
10.4. CHANGE OF USE	10
10.5. POINT OF SUPPLY	10
10.6. ACCESS TO, AND ABOUT THE 'POINT OF SUPPLY'	11
10.7. TYPES OF SUPPLY	11
10.8. METERING	12
10.9. METERS AND FLOW RESTRICTORS	13
10.10. LEVELS OF SERVICE AND CONTINUITY OF SUPPLY	14
10.11. DEMAND MANAGEMENT	15
10.12. LIABILITY	15
10.13. FIRE PROTECTION CONNECTION.....	15
10.14. BACKFLOW PREVENTION	16
10.15. COUNCIL EQUIPMENT AND INSPECTION.....	18
10.16. PLUMBING SYSTEM	18
10.17. PREVENTION OF WATER LOSS AND WASTAGE	18
10.18. PAYMENT	18
10.19. TRANSFER OF RIGHTS AND RESPONSIBILITIES	19
10.20. CHANGE OF OWNERSHIP	19
10.21. DISCONNECTION AT THE CUSTOMER'S REQUEST	19
11. BREACHES	19
12. OFFENCES AND PENALTIES	20

HAMILTON CITY COUNCIL
BYLAWS

13. SCHEDULES.....20

13.1. SCHEDULE 1: EXAMPLES SHOWING SINGLE/MANIFOLD CONNECTION 21

13.2. SCHEDULE 2: TABLE 1: - COMPATIBILITY FEATURES.....24

HAMILTON CITY COUNCIL BYLAWS

Hamilton City Council, in exercise of its powers and authorities conferred on 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 is required by regional and national authorities to manage freshwater resources, including how much water it takes from the Waikato River.

1.2. In addition, Council has a duty under s17 of the Waikato River Settlement Act 2010, to have particular regard to Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) where the vision is “for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”.–

1.1.1.3. The amount of water that regional users can take from the Waikato River is nearing the River’s allocation limits. To manage the demand for water use in the region the Waikato Regional Council issues ‘water take’ resource consents. Hamilton City’s resource consent to take and use water requires the City to ensure that the water it has been allocated is efficiently and effectively used. This Water Supply Bylaw provides rules for managing the City’s water demand and aims to ensure that activities do not adversely affect water supply, water quality, our water supply infrastructure and compliance with the city’s water take consent.

(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 City Water Supply Bylaw 2013”.
- 2.2. The bylaw shall apply to the Hamilton City Council District.
- 2.3. The bylaw shall come into force on 1 November 2013. ~~(date to be determined)~~.
- 2.4. Any person being supplied with water, or who has made application to be supplied with water, by the Council, is deemed to accept the terms and conditions contained in this Bylaw, and any subsequent amendments.
- 2.5. This Bylaw and its terms and conditions shall come into effect on the date notified by the Council, for Customers receiving a supply at that time, and at the date of receipt of supply for Customers connected after that time.

3. REVOCATION OF EXISTING BYLAW

- 3.1. The Hamilton City Water Supply Bylaw 2008 is revoked from the day the new bylaw comes into force.

4. SCOPE

- 4.1. This bylaw shall apply within the boundaries of the Hamilton City Council pursuant to the Local Government Act 2002 and any land, building, work, or property under the control of the Council.

5. PURPOSE

- 5.1. The purposes of this bylaw are:
 - (a) protecting, promoting, and maintaining public health and safety.
 - (b) promoting the efficient use of water and protecting against waste or misuse of water from the water supply system.
 - (c) for the protection of the water supply and water supply system from pollution and contamination.

HAMILTON CITY COUNCIL BYLAWS

- (d) manage and protect from damage, misuse, or loss of land, structures or infrastructure associated with the water supply system.
- (e) preventing the unauthorised use of land, structure or infrastructure associated with the water supply system.

6. COMPLIANCE WITH OTHER ACTS AND CODES

- 6.1. This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its Customers in its capacity as a Water Supply Authority. The supply and sale of water by the Council is subject to:

6.1.1. Statutory Acts and Regulation

- (a) Building Act 2004
- (b) [Fire and Emergency New Zealand Act 2017](#)~~Fire Services Act 1975~~
- (c) Health Act 1956
- (d) Local Government Act 2002
- (e) Local Government (Rating) Act 2002
- (f) [Resource Management Act 1991](#)
- ~~(f) [Health \(Drinking Water\) Amendment Act 2019](#)~~
- ~~— [Health \(Drinking Water\) Amendment Act 2007](#)~~
- (g) [Taumata Arowai—the Water Services Regulator Act 2020](#)
- (h) [Water Services Act 2021](#)~~2~~
- (i) [Water Services \(Drinking Water Standards for New Zealand\) Regulations 2022](#)
- ~~(g)(i).~~

6.1.2. Relevant Codes and Standards

- (a) Compliance Document (New Zealand Building Code)
- ~~(b) [Drinking Water Standards for New Zealand 2005 \(revised 2008\)](#)~~
- ~~(b) [Drinking Water Quality Assurance Rules 2022](#)~~
- (c) [BS EN ISO 4064-1:2017](#)~~BS EN 14154-3:2005~~ Water meters: Test methods and Equipment
- ~~(d) [SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice](#)~~
- ~~(e)(d) [National Environmental Standards for Sources of Human Drinking Water, 2008](#)~~
- ~~(f) [CoLAB Regional Infrastructure Technical Specifications \(RITS\) Hamilton City Council Development Manual/Infrastructure Technical Specifications](#)~~
- ~~(g)(e) [NZS 4503:2005 Hand Operated fire-fighting Equipment](#)~~
- ~~(h) [Water New Zealand Boundary Backflow Prevention for Drinking Water Supplies 2019 Backflow Prevention for Drinking Water Suppliers Code of Practice 2006, Water New Zealand](#)~~
- ~~(i)(f) [Water New Zealand Good Practice Guide - Water Metering of Customers on Reticulated Supplies 2017 Water Meter Code of Practice 2003, Water New Zealand](#)~~
- ~~(j)(g) [Resource Management \(National Environmental Standards for Sources of Human Drinking Water\) Regulations 2008 2007](#)~~
- ~~(k)(h) [OIML R49: Water meters intended for the metering of cold potable water and hot water. Part 1: Metrological and technical requirements; Part 2: Test methods and Part 3: Test report format.](#)~~

7. INTERPRETATIONS

- 7.1. When interpreting this Bylaw use the definitions set out in section 8 unless the context requires otherwise. Where references are made to a repealed enactment read that as a reference to its replacement.

HAMILTON CITY COUNCIL BYLAWS

- 7.2. For the purpose of this Bylaw, the word 'shall' refer to practices that are mandatory for compliance with this Bylaw, while the word 'should' refers to practices that are advised or recommended.

8. DEFINITIONS

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

Approved	Approved in writing by the Council, either by resolution of the Council or by any authorised officer of the Council.
Air gap	A vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.

HAMILTON CITY COUNCIL BYLAWS

Authorised agent	Any person authorised or appointed by Council.
Authorised officer	Any officer of the Council, or other person authorised under section 177 of the Local Government Act 2002 section 177 , and authorised by the Council to administer and enforce its Bylaws.
Auxiliary supply	Any water supply, other than the Council's system, on or available to a customer system. These auxiliary waters may include water from another provider's public potable water supply or any natural source(s) such as a well, rainwater, spring, river, stream, or used waters (e.g. grey water) or industrial fluids.
Backflow	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.
Backflow device	Backflow device or air gap that is designed to prevent the return of flow into the Council's water supply system. These devices can include non-return valves, reduce pressure zone devices and double check valves.
Boundary	Legal boundary of the premises receiving a supply of water.
Connection	The valve, meter and associated fitting installed and maintained by the Council at a location convenient to the Council including the service pipe, or at the supply pipe or at the point of supply.
Council	Hamilton City Council or any officer authorised to exercise the authority of the Council.
Customer	A person who uses or has obtained the right to use or direct the manner of use, water supplied by the Council.
Development Contribution	As defined in the Local Government Act 2002 and the relevant Hamilton City Council Development Contributions Policy.
Domestic purpose	Water taken and used for the purpose of for human drinking and sanitation needs and for individual household use which includes: <ol style="list-style-type: none"> i. Washing down a vehicle; ii. Garden watering by hand using a handheld device; iii. Garden watering by any portable sprinkler device.
Extraordinary supply	A category of On Demand supply used for extraordinary use including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations.
Extraordinary use	Extraordinary use is subject to water alert and emergency provisions and includes but not limited to: <ol style="list-style-type: none"> i. Domestic - spa or swimming pool in excess of 6m³, and fixed garden irrigations systems; ii. Commercial and Business; iii. Industrial; iv. Agricultural; v. Horticultural; vi. Viticultural; vii. Lifestyle blocks (rural supplies, peri-urban or small rural residential); viii. Fire protection systems other than sprinkler systems installed to comply with NZS 4517; ix. Out of District Supply; x. Temporary supply; xi. Water carriers; xii. Auxiliary supply.

HAMILTON CITY COUNCIL BYLAWS

Fees and charges	The fees and charges for water supply set by the Council.
Fire main supply	A category of supply from pipe work installed for the purpose of fire protection.
Individual Customer Agreement	An agreement between Council and a Customer that outlines both parties' rights and responsibilities for the supply and use of water.
Industrial activity	Any industrial activity and includes: <ul style="list-style-type: none"> a) All types of processing, manufacturing, bulk storage, warehousing, service, and repair activities. b) Laboratories and research facilities. c) Trade and industry facilities, being premises accommodating specialised education and training facilities where groups of people are given trade or industry tuition and training on a formal basis.
Level of service	The measurable performance standards on the basis of which the Council undertakes to supply water to its customers.
NZS	'New Zealand Standard'.
On demand supply	A supply which is available on demand directly from the point of supply, subject to the agreed level of service.
Ordinary supply	A category of 'on demand' supply used solely for domestic purposes.
Owner	The person or entity having legal ownership of the premises receiving a supply of water from the Council.
Occupier	The person or legal entity having a legal right to occupy, use all or part of the premises receiving a supply of water from the Council that includes a tenant, lessee, licensee, manager, foreperson or any other person acting in the general management of any premises.
Permit	A permit or written authority issued by an authorised officer.
Person	An individual, corporation sole or a body of persons whether corporate or otherwise.
Point of supply	The point on the water pipe leading from the water main or supply pipe to the premises, which marks the boundary of responsibility between the customer and the Council.
Potable water	Water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the New Zealand Drinking Water Standards applicable at the time.
Premises	The physical location to which a water supply is provided and includes: <ul style="list-style-type: none"> a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued; or b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease; or c) Land held in public ownership (e.g. reserve) for a particular purpose.

HAMILTON CITY COUNCIL BYLAWS

Allotment means the same as defined in [section 10 of the Building Act 2004](#) ~~the Land Transfer Act 1952~~.

Prescribed charges	Charges applicable at the time of connection and may include: <ol style="list-style-type: none"> Payment to the Council for the physical works required to provide the connection; and/or A development contribution charge determined in accordance with the Local Government Act 2002; and/or A financial contribution charge determined in accordance with the Resource Management Act 1991; and/or Bacteriological and chemical testing as per Drinking Water Standards New Zealand to ensure a connection is safe. Individual agreement charges. Capital contribution charge determined by any Annual Plan process. Any other charges which may be lawfully charged by the Council in respect of the supply of water.
Public notice	<p>A notice published in:</p> <ol style="list-style-type: none"> One or more daily newspapers circulated in the region or district of the Council; or One or more other newspapers that have at least an equivalent circulation in that region or district to the daily newspapers circulating in that region or district. <p>Includes any other public notice that the Council thinks desirable in the circumstances.</p>
Restricted flow supply	A type of water supply connection where water is supplied through a flow control device, and storage is provided by the customer to cater for their demand fluctuations.
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises as determined by Council.
Rural water supply area	An area formally designated by the Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a firefighting capability.
Service pipe	The section of water pipe between a water main and the point of supply.
Service valve	The valve at the customer end of a service pipe used to control and/or isolate the supply.
Special circumstances	<p>The circumstances that may lead Council to install a meter on the supply to an "Ordinary Domestic Use". This includes, but is not limited to:</p> <ol style="list-style-type: none"> Known leaks that remain unrepaired; Where excessive usage is being investigated; Where water is being wasted; Where property specific research of water usage is required.
Storage tank	Any tank having a free water surface to which water is supplied across an air gap

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 3

separation/and or backflow protection.

Supply pipe	The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.
Urban water supply area	An area formally designated by the Council as an area serviced by an 'on demand' reticulated water supply system with a firefighting capability.
Water alert level	Classification system used for applying water conservation restrictions.
Water carrier	Any individual drinking-water carrier or company registered with the Ministry of Health as a recognised carrier of drinking water.
Water supply system	All those components of the network between the point of abstraction from the natural environment to the point of supply. This includes but is not limited to: catchments, wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, reservoirs, rising and falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes (including fire mains), boundary assemblies, meters, and tobies.
Water unit	The basis of measurement for a restricted water supply as determined by the Council.
<u>Working Day</u>	<p><u>Means any day of the week other than:</u></p> <p>(a) <u>A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day, and</u></p> <p>(b) <u>A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.</u></p> <p>(c) <u>Where a public holiday falls on a weekend day and the public holiday is observed on the next available working weekday, the day on which the public holiday is observed.</u></p>

9. PROTECTION OF WATER SUPPLY SYSTEM

9.1. Water supply system

9.1.1. General

- (a) Any person who owns or occupies premises in the District must ensure that water is used and maintained in a manner that no public health hazard or public health nuisance occurs that could affect the public water supply.

9.1.2. No person to connect to, or interfere with a water supply system

- (a) Except as set out in 9.1.1, 9.1.3 and 9.1.4, no person shall connect to, or interfere with, any part of the water supply system without first obtaining a permit to do so from Council and only in accordance with the terms of that permit.

9.1.3. Access to system

- (a) No person other than the Council and its authorised agent and permit holders shall have access to any part of the water supply system, except to connect to the point of supply, and to operate the service valve.

9.1.4. Fire hydrants

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HAMILTON CITY WATER SUPPLY BYLAW 2013 | HAMILTON CITY COUNCIL

9

HAMILTON CITY COUNCIL BYLAWS

- (a) Only the attending Fire Service/s shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training and testing.
- 9.1.5. Other users
 - (a) The right to gain access to, and draw water from the public water supply system for uses other than fire fighting (for example, flow testing or pipe flushing) shall be restricted to:
 - i. The Council or its authorised agents
 - ii. Permit holders
 - (b) Permit holders shall only draw water in accordance with the terms and conditions of a written permit issued by the council.
- 9.1.6. Unauthorised access
 - (a) Without prejudice to any other remedies available, the Council may seize and impound any equipment used by an unauthorised person to gain access to, or draw water from the water system, and may assess and recover the value of water drawn and any other associated costs.
 - (b) Where the water supply system becomes contaminated due to unauthorised access, Council may recover cost of remediation of contamination.
 - (c) Any person causing damage to a Council water supply system during 9.1.6 unauthorised access shall be liable for the cost of repair and any other costs the Council incurs as a result of the incident.
- 9.1.7. Working around buried services
 - (a) No person shall carry out any excavation without first reviewing Council's records of the location of its services.
 - (b) No person shall excavate in the vicinity of Council's services unless at least five working days' notice has been given to the authorised officer of the intention to do so and then only in accordance with any terms and conditions imposed by Council.
 - (c) Council may in its absolute discretion mark out to within ± 0.5 m on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary to protect the integrity of the water supply system. The Council shall charge for this service.
 - (d) The Council may require the independent supervision of works.
 - (e) Every person excavating or working around Council's buried water supply services shall 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 water supply system and in a manner that doesn't risk public safety.
 - (f) Every person who fails to reinstate excavation work in accordance with Council specifications shall be liable for the costs incurred by the Council in completing such work.
 - (g) Any damage which occurs to Council services shall be reported to the Council immediately. The person causing the damage shall be liable for the cost of repair and any other costs that Council incurs as a result of the damage.

Note (this note does not form part of the bylaw) – All excavation and trenching work carried out within the road corridor must be carried out in accordance with the National Code of Practice for Utility Operator's Access to the Transport Corridor.

9.2. Spillage and adverse events

- 9.2.1. In the event of any adverse event, which may compromise potable water or the water supply system, the person responsible for the event shall advise the Council immediately. This requirement shall be in addition to those other notification procedures which are required for other authorities.
- 9.2.2. Where the customer of a premise allows or permits any item or items that may potentially contaminate or leach into the water supply or accumulate on any premises contained within the catchment, the Council may request the owner, occupier, or both, to remove the item or items.
- 9.2.3. If the item(s) are not removed within the period specified, Council or its authorised agents may remove the items and recover the costs of doing so from the owner or occupier, or both.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 3

10. CONDITIONS OF SUPPLY

10.1. Application for supply

10.1.1. Any person wishing to:

- (a) establish a point of supply,
- (b) seek a change in the level of service,
- (c) change the use of an existing supply,
- (d) make a change to backflow requirements,
- (e) increase use to greater than 15 cubic metres per day, or
- (f) use water for any purpose other than ordinary supply,

shall make a written application to Council.

10.1.2. Every application for a supply of water shall be made in writing to the Council on the prescribed forms and accompanied by the prescribed charges, including any applicable development contributions as per Council's Development Contributions Policy. The Customer shall provide all the details required by the Council.

10.1.3. Where the Customer is not the owner of the premises seeking supply, the Customer must produce written evidence of their authority to act on behalf of the owner of the premises for which the supply is sought.

10.1.4. On receipt of an application for supply the Council shall, after consideration of the matters stated in clauses 10.7 and 10.8, either:

- (a) Approve the application as determined by council.
- (b) Refuse the application and notify the Customer of the decision giving the reasons for refusal.

10.1.5. Notwithstanding the provisions of this bylaw, Council will assess any application made in accordance with clause 10.1.1 against the provisions of the Three Waters Connection Policy and will, in its sole discretion, determine whether to grant a connection approval.

~~10.1.5.~~ 10.1.6. Council may require a Customer to enter into an Individual Customer Agreement and supply and implement a Water Conservation and Demand Management Plan based on the Customer's water demand requirements.

~~10.1.6.~~ 10.1.7. A permit may be issued subject to terms, conditions and restrictions as the authorising officer may specify, including but not limited to the following:

- (a) the property or person to which the permit relates;
- (b) the size of all pipes, fittings and any other equipment up to the point of supply;
- (c) the duration of time for which the permit is valid; and
- (d) such other conditions or restrictions as the Council authorised officer may impose.

10.2. Application lapse

10.2.1. An approved application for supply which has not been actioned within twelve months of the date of application will lapse unless a time extension has been received in writing from the applicant and approved by the Council. Any further fees and charges shall be at the discretion of the Council.

10.3. Services and supply

10.3.1. Council will determine the sizes of all pipes, fittings and any other equipment, up to the point of supply.

10.3.2. Council or authorised agent shall supply and install the service pipe up to the point of supply at the Customer's cost.

10.3.3. No water shall be drawn through a new connection before the Council has deemed the connection to meet the requirements of the Drinking-Water Standards for New Zealand and Council has provided

HAMILTON CITY COUNCIL BYLAWS

approval.

10.3.4. No water shall be drawn through a new connection before Council has deemed the connection to be suitable for use.

10.3.5. Council may require the Customer to meet all associated costs of the provision of a new connection including any upgrade to infrastructure needed to provide the service.

10.3.6. All new connection to water supply systems in the rural areas shall be metered and supply restricted unless specifically authorised by written agreement.

10.4. Change of Use

10.4.1. If a Customer seeks change to:

- (a) the level of service; or
- (b) the end use of water supplied to the premises; or
- (c) supply type from an ordinary to an extraordinary type or vice versa; or
- (d) physical location or size.

A new application for supply must be submitted by the Customer to the Council. Any new application for supply under this clause shall be considered as if it is an initial application pursuant to clause ~~10.71~~ of this Bylaw.

10.5. Point of supply

10.5.1. Responsibility for maintenance

- (a) The Council shall own and maintain the service pipe and fittings up to the point of supply. The Customer shall own and maintain the supply pipe and fittings beyond the point of supply.

NOTE (This note does not form part of the bylaw): The Council gives no guarantee regarding the serviceability of the valve located on the service pipe. Where there is no Customer stopcock, or where maintenance is required between the service valve and the Customer stopcock, the Customer may use the service valve to isolate the supply. The Council reserves the right to charge for maintenance for this valve if damaged by such Customer use.

10.5.2. Single ownership

- (a) For individual customers the point of supply shall be located as shown in Schedule 1 or as close as possible to Schedule 1 where fences, walls, or other permanent structures may make it difficult to locate it at the required position. Other positions shall require specific approval from Council.
- (b) For each individual Customer there shall only be one point of supply, unless otherwise approved in writing by the Council.
- (c) For individual Customers, the point of supply shall be located as close as practicable to the location shown in Schedule 1: Example 1.

10.5.3. Multiple ownership

- (a) Where premises, and or land, are held in multiple ownership, the point of supply shall be as follows:
 - i. For Company Share/Block Scheme (Body Corporate) – as for single ownership
 - ii. For Leasehold/Tenancy in Common share (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Customer shall have an individual supply with the point of supply determined by Schedule 1: Example 2 & 3 or as otherwise agreed in writing by Council.
 - iii. For a multiple ownership supply which was in existence prior to the coming into effect of this Bylaw, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

10.5.4. Location

- (a) For each individual Customer there shall be only one point of supply, unless otherwise approved.
- (b) For both ordinary and extraordinary supply customers, the point of supply shall be located outside the boundary of the premises in the position approved by the Council.

HAMILTON CITY COUNCIL BYLAWS

- (c) Existing points of supply may be located either inside or outside the property boundary. The Council may relocate the point of supply when deemed appropriate or on request from the Customer, subject to approval and charges.
- (d) The relocation of the point of supply and pipework and fittings from the new point of supply to the existing customer supply pipe shall be the responsibility of the Council for 6 months from the time of relocation.

10.6. Access to, and about the 'Point of supply'

10.6.1. Rights of access

- (a) Where the point of supply is on private property, the Customer shall allow the Council unrestricted access to, and about the point of supply between 7:30 am and 6:00 pm on any day for:
 - i. meter reading, without notice being given; or
 - ii. checking, testing and maintenance work with advance notice being given where practicable to do so.
- (b) For works outside these hours (such as for night time leak detection) the Council shall give written notice to the Customer 48 hours prior to the entry onto the property.
- (c) Where access is not made available for any of the above times and a return visit is required by the Council, a fee may be charged in accordance with Council approved fees and charges schedule.
- (d) The Council may enter occupied land or buildings without giving prior notice if there is a sudden emergency causing or likely to cause:
 - i. loss of life or injury to a person; or
 - ii. damage to property; or
 - iii. damage to the environment or there is danger to any works or adjoining the property.

10.6.2. Maintenance of access

- (a) The Customer shall maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction which prevents, or hinders access to the point of supply.

10.7. Types of supply

10.7.1. General

The water supplied by Council shall be classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

10.7.2. On demand supply

- (a) All premises lying within the urban water supply area shall be entitled to an ordinary supply of water subject to the following conditions:
 - i. The restriction of its use pursuant to clause 10.11.
 - ii. Payment of the prescribed charges in respect of supply with Council reserving the right in "special circumstances" to install an approved water meter; or install a flow restrictor.
 - iii. Any other conditions imposed by Council.

NOTE: (this note does not form part of the bylaw) for use from a fire protection system to NZS 4517 to be classified as an ordinary use, the Customer should comply with the conditions set under (section relating to fire protection – connection application 10.13)

10.7.3. Restricted Flow Supply

- (a) Restricted flow supply shall only be available to premises within a designated area or under special conditions set by Council, including for the purposes of:

HAMILTON CITY COUNCIL BYLAWS

- i. Rural supply within district.
- ii. Out of district supply.
- iii. Water demand management or any breach of the bylaw (including for drought, misuse and non-remedy of water leaks).
- ~~iv. Properties subject to restriction under section 69ZH (Duty to provide information to territorial authority) of Health Act 1956.~~
- (b) The water supply shall be restricted so as to deliver the number of allocated water units at a steady flow rate through a water meter.
- (c) The Council shall charge for the restricted flow supply by either:
 - i. A targeted rate; or
 - ii. Volume passing through a meter.

10.7.4. It is the Customer's responsibility to provide water storage for their needs.

10.7.5. No connection shall be made to the supply pipe between the point of supply and the storage tank.

10.7.6. All restricted supply storage tanks must incorporate 'air gap' separation.

10.7.7. Ordinary Supply

- (a) Ordinary Supply shall only be used ~~is~~ for domestic purposes.
- (b) With the exclusion of water used for human drinking water and sanitation needs, Ordinary Supply shall be subject to the demand management provisions of subsections 10.11. Ordinary Supply includes:
 - i. Washing down a vehicle;
 - ii. Garden watering by hand using a hand held device;
 - iii. Garden watering by any portable sprinkler device.

10.7.8. Extraordinary Supply

- (a) The Council shall be under no obligation to provide an extraordinary supply of water (see also the provisions of 10.10, 10.11 and 10.13.3)
- (b) Extraordinary Supply shall require written authorisation by Council.
- (c) Extraordinary supply connection may be metered under clause 10.8.3 and the Customer may be charged as per Council water supply fees and charges as determined by Council from time to time.

10.8. Metering

10.8.1. All commercial, non-residential and industrial uses and extraordinary supply shall be metered unless Council determines that metering is not required under clause 10.8.3.

10.8.2. Council shall approve the number of meters per property and their location.

10.8.3. Council may:

- (a) implement metering in any part, or all of the District; or
- (b) fit a meter and charge accordingly when it considers water use is in breach of this bylaw as per section 11.
- (c) fit a meter at the Customer's request.

10.8.4. The Customer shall pay for the meter and its installation.

10.8.5. Where, in addition to the Council water supply connections, the owner or occupier of the premises has an auxiliary supply, they shall provide the Council with all particulars of the water source reasonably available to the owner or occupier in order to protect the public supply.

HAMILTON CITY COUNCIL BYLAWS

NOTE (this note does not form part of the bylaw): Where the extraordinary supply is used for fire protection only, the supply shall not normally be metered.

10.9. Meters and flow restrictors

10.9.1. Installation

- (a) Where on demand supplies are required to be metered, meters and restrictors for restricted flow supplies, shall be supplied, installed and maintained by the Council, and shall remain the property of the Council. Customers shall pay for the meter and its installation.
- (b) Where the water supply is to have a flow restriction, this shall be applied as per 10.7.3.

10.9.2. Location

- (a) Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and if practicable, immediately on the Council side of the point of supply. If this is not possible then meters and restrictors shall be located as close as practicable to the point of supply.

10.9.3. Accuracy

- (a) Meters shall be tested as and when required by the Council.
- (b) Flow restrictors shall be accurate to within $\pm 10\%$ of their rated capacity (the stipulated accuracy).
- (c) Any Customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested. Where a test has been conducted within six months of the request for testing, Council has discretion as to whether a further test will be carried out. If the test shows non-compliance with the stipulated accuracy, the Customer shall not be charged for the test. If the test shows compliance with the stipulated accuracy, the Customer shall pay a fee in accordance with the council's current fees and charges schedule. A copy of independent certification of the test result shall be made available to the Customer on request.

10.9.4. Adjustment

- (a) If, after being tested, any meter is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall make an adjustment in accordance with the results shown by such tests. This adjustment shall be backdated for a period at the discretion of the Council but not exceeding 12 months, and the Customer shall pay a greater or lesser amount according to such an adjustment.
- (b) Where a meter is under-reading by more than 20% or the meter has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.
- (c) Where a meter is over-reading, the Council shall make appropriate adjustments to the Customer's account based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

10.9.5. Estimating consumption

- (a) Where a Customer disputes the amount of the estimate, they must advise the Council that the estimate is disputed in writing within 15 working days of being advised of the estimate. The Council will then review the estimate and determine whether the estimate is to be varied or whether the estimate is to be confirmed.
- (b) If any meter is broken, unreadable or to be removed, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the Customer) and the amount payable to the Customer shall be the amount of that estimate. Provided that, when by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other

HAMILTON CITY COUNCIL BYLAWS

evidence for the purpose of arriving at a reasonable estimate, and the Customer shall pay according to such an estimate.

- (c) The Customer shall be liable for the cost of water which passes through the meter regardless of whether this is used, or is the result of leakage.
- (d) Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption in accordance with clause 10.9.5 (b).
- (e) Where the Customer concerned is a not-for-profit organisation, and if metering indicated a significant increase in consumption not dating back more than 12 months, which is established as being caused by a previous unknown leak, Council may estimate consumption as provided for above, providing that the Customer repairs the leak with due diligence.
- (f) Where an unauthorised connection has been made to the Councils water supply system, council shall estimate and charge for the water consumption for the period when the connection was made. The Council shall use the uniform charge for water on a pro rata basis to make the estimation.
- (g) Where a meter has been installed without approval, the meter reading shall be used as the basis for the estimation provided it complies with Councils standards for meters and installations. The full consumption registered on the meter shall be payable by the current owner of the property. Estimating and charging for water will be in addition to other legal actions that Council decides to take for breaches of this bylaw or other acts and regulations.

10.9.6. Incorrect accounts

- (a) When a situation occurs, other than as provided for in 10.9.5, where the recorded consumption does not accurately represent the actual consumption in respect of premises, the account shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.
- (b) Where an adjustment is required, in favour of the council or the Customer, this shall not be backdated more than 12 months from the date the error was detected.

10.9.7. Unread Meters

- (a) Where a meter has remained unread for whatever reason, Council may charge for all water registered on the meter or shown since the previous reading.

10.10. Levels of Service and Continuity of Supply

- 10.10.1. Council shall provide water in accordance with Schedule 2.
- 10.10.2. Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, nor the continuous maintenance of any particular pressure, but shall aim to meet the continuity of supply levels of 10.10, subject to the exemptions contained in 10.11.3 and 10.11.4.
- 10.10.3. Where planned works of a permanent or temporary nature, which will affect an existing supply, the Council shall consult with, or inform or give notice to all known Customers likely to be substantially affected.
- 10.10.4. If a Customer has a particular requirement for an uninterrupted or increased level of service (flow, pressure or quality), it will be the responsibility of that Customer to notify Council and provide any necessary storage, back up facilities or equipment necessary for the provision of that level of service. Examples of such requirements may include Customers using water for renal dialyses, for people who are immune compromised, or for certain industrial or agricultural purposes.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 3

10.11. Demand Management

10.11.1. The Customer shall comply with any water restrictions put in place by the Council. Any restrictions on supply shall be advised by public notice. When such restrictions apply the Council shall take all practicable steps to ensure that an adequate supply for human drinking water or sanitation is provided to each point of supply.

10.11.2. Where required by rules in a District Plan, owners must maintain devices that have been installed for the purposes of water demand management and in accordance with an associated integrated catchment management plan.

10.11.3. Water Alert and Emergency restrictions

- (a) Natural hazards (such as floods, droughts or earthquakes), events or accidents which result in disruptions to the supply of water, shall be deemed an emergency and shall be exempted from the levels of service requirements (10.10).
- (b) During a water alert and/or emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers. Such restrictions shall be advised by public notice.
- (c) The Council may, after serving notice and taking all practicable steps to contact a Customer, restrict and or meter the supply to reduce unnecessary and unauthorised water use and loss.

10.11.4. Maintenance and repair

- (a) Council shall make every reasonable attempt to notify the Customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice.
- (b) Where a Customer has assets restricting the maintenance of a Council water supply system, Council shall not be responsible for damage as a result of any scheduled or emergency maintenance shutdown.
- (c) It is the responsibility of the Customer to maintain all supply pipes and water assets within their property in a serviceable and safe condition.
- (d) If Council exercises its right under clause 10.17.3 of this Bylaw to repair private water assets then Council may charge and recover all costs associated with such repair work from the Customer, the Owner or the Occupier.

10.12. Liability

10.12.1. The Council shall make every reasonable attempt to meet the level of service requirements of 10.10, but shall not be liable for any loss, damage or inconvenience which the Customer (or any person using the supply) may sustain as a result of a reduced levels of service in, or interruptions to, the water supply.

10.13. Fire Protection Connection

10.13.1. Connection Application

- (a) Where an unmetered fire main exists then an annual fee will be charged for the provision and maintenance of the connection.
- (b) Any proposed connection for fire protection shall be the subject of a specific application made to the Council for approval. Any such connection shall be subject to the terms and conditions specified by the Council.

10.13.2. Supply

- (a) Council shall provide water supply for fire protection in accordance with Schedule 2.

HAMILTON CITY COUNCIL BYLAWS

- (b) Where a Customer requires a specific flow and pressure for internal fire systems, this shall be provided by the Customer within their own system.

10.13.3. Design

- (a) It shall be the Customer's responsibility to ascertain and monitor whether the on demand supply provided for fire protection purposes is adequate for the intended purpose. Access to the mains for testing purposes, in order to determine the adequateness of the supply, will require the prior written approval of the Council.

10.13.4. Fire protection connection metering

- (a) Where the supply of water to any premises is metered the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter, provided that:
 - i. The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
 - ii. A Council approved backflow device has been fitted on the meter bypass.
- (b) Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing of the fire protection system unless the fire protection system is installed in accordance with NZS 4517.
- (c) Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the Council shall require the supply to be metered and have the appropriate backflow prevention device at the Customer's expense.

10.13.5. Fire Hose Reels

- (a) Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection connection. The water supply to fire hose reels shall comply with the requirements of NZS 4503 and have the appropriate backflow prevention device.

10.13.6. Charges

Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, upon request, the Council shall estimate the quantity of water so used, and credit to the Customer's account an amount based on such an estimate.

10.13.7. Ongoing Testing and Monitoring

Customers intending to test fire protection systems in a manner that requires a draw-off of more than 1 cubic metre of water shall obtain the approval of the Council prior to commencement of testing. The quantity of water used for routine flushing and flow testing may be assessed and charged for by the Council.

10.14. **Backflow Prevention**

- 10.14.1. Backflow prevention is for the purpose of protecting the Council's public reticulated water supply.
- 10.14.2. All connections within Hamilton City shall comply with Compliance Document for New Zealand Building Code Clause G12 – Water Supplies- to assess compliance for backflow protection.

10.14.3. Customer Responsibility

- (a) It is the Customer's responsibility under the [Health Act 1956](#) [Water Services Act 2021](#) and the Building Act 2004 to take all necessary measures on the Customer's side of the point of supply based on the level of risk or type of activity being carried out on the property to prevent water or any other substances from flowing back into the Council water supply system.
- (b) Where a water supply is used by multiple users (e.g. a block of shops) the property owner and/or body corporate is responsible for ensuring the appropriate Backflow prevention device is in place

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 3

and is approved by Council. The Customer shall provide to Council, on request, any information about any activities carried out on their premises which may contribute to the risk of backflow.

- (c) The Customer shall notify the Council in writing if a change of use or a change of activity occurs that changes the risk of backflow. Council may require a reassessment of the risk of backflow at the premises at the Customer's cost.
- (d) Any Customer with a restricted water supply shall ensure that an approved backflow prevention device is in place and maintained at all times. Any Customer shall ensure that every pipe supplying water to a premise not covered by the Building Act 2004, e.g. to a water trough for animals or for horticultural water supplies, shall be fitted with approved backflow prevention devices and comply with the relevant sections of the [Water Services Act 2021](#). ~~Health (Drinking Water) Amendment Act 2007.~~
- (e) Ordinary and Extraordinary supply to premises that incorporate systems on the premise that elevate their risk, for example – sewer pump stations, septic tanks, submerged irrigation systems and alternative water supplies shall require a Council approved Backflow prevention device.

10.14.4. Back Flow Risk Assessment

- (a) Any property that is deemed to require backflow prevention is required to have a risk assessment and a risk category assigned by Council. Risk categories shall be aligned to the hazard classification of the Building Act 2004. The Customer shall have containment at the boundary appropriate to their level of risk as determined by a Council approved backflow surveyor. Boundary containment device selection, design and installation must be approved by Council. [Boundary containment devices shall be registered with Council. Survey and test results must be provided to Council on request.](#)
- (b) No backflow device shall be bypassed unless the bypass is also fitted with a backflow device appropriate for the same hazard rating and approved by Council.
- (c) All premises containing backflow protection must be resurveyed at a minimum of 5 yearly intervals by a Council approved backflow surveyor to confirm the risk profile has not changed. Backflow resurveying shall be at the Customer's expense.
- (d) Council may install a backflow protection device at the boundary of any premises that the Council considers to be a backflow risk to the Council water supply. The cost of installing and maintaining such a device will be recovered by the Council from the Customer where the device is installed.

10.14.5. Backflow protection device maintenance and testing

- (a) All backflow devices and registered air gaps shall be [registered with Council and](#) included in the property's compliance schedule and be maintained, fully functional and tested annually. The provision, installation, maintenance per manufacturer's recommendation and testing of devices by a Council approved Independently Qualified Person will be at the property owners' expense.
- (b) Backflow prevention device shall be installed on the Customer's property and as close as practicable to the boundary ensuring no other connection can be installed upstream.
- (c) Fire protection systems that include appropriate backflow prevention measures are not required to have additional backflow prevention, except in cases where the system is supplied by a non-potable source, storage tank, or fire pump that operates at a pressure in excess of Council's normal operating pressure.
- (d) Private Fire hydrants shall have appropriate devices fitted to prevent backflow.

10.14.6. Unmanaged risk

- (a) Notwithstanding clause 10.14.3 Council (consistent with the ~~Health (Drinking Water) Amendment Act 2007~~ [Water Services Act 2021](#)) shall fit a backflow prevention device on the Council side of the point of supply where the Customer cannot demonstrate that the risk of backflow is adequately managed. The cost of installing, maintaining and testing such a device may be recovered by the Council from the owner of the property where the device is installed.

HAMILTON CITY COUNCIL BYLAWS

10.15. Council equipment and inspection

10.15.1. Care of water supply system

- (a) The Customer shall not damage any part of the water supply system. The Council reserves the right to recover the cost of such damage from the owner or occupier of the property receiving the supply, or both, including reinstatement and any contamination remediation from the responsible person(s), party or owner.

10.15.2. Inspection

- (a) Subject to the provisions of the Local Government Act 2002, the Customer shall allow the Council, with or without equipment, access to any part of the premises for the purposes of determining compliance with this Bylaw.

10.16. Plumbing system

- (a) The Customer's plumbing system shall be designed, installed and maintained, both in its component parts and its entirety, to ensure it complies with the Building Act 2004 and the New Zealand Building Code and is compatible with the water supply service as listed in Schedule 2.
- (b) Quick-closing valves, pumps, hydraulically driven equipment or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service, shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

10.17. Prevention of water loss and wastage

10.17.1. Customers, Owners and Occupiers shall not:

- (a) Allow water to run to waste from any pipe, tap, or other fitting.
- (b) Allow leaks to continue unchecked or unrepaired, or allow the unattended operation of hoses.
- (c) Allow the condition of the plumbing and connections within any premises to deteriorate to the point where leakage or wastage occurs or contamination of water supply occurs or is likely to occur.

10.17.2. Customer, Owner and Occupier shall be jointly and severally liable for any costs associated with the repair of any Council asset resulting from an unrepaired water leak from a premise.

10.17.3. Where a Customer, Owner or Occupier ignores advice from the Council to repair an on-going leak, the Council may repair the leak and charge all associated costs to the Customer, Owner or Occupier.

10.17.4. The Council provides water for consumptive use, not as an energy source.

10.17.5. The Customer shall not use water or water pressure directly from the supply, for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the Council.

10.17.6. The Customer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.

10.18. Payment

10.18.1. The Customer shall be liable to pay for the supply of water and related services

10.18.2. The Council may recover all unpaid water charges in respect of the supply of water as prescribed in the Local Government (Rating) Act 2002 from the owner of a premises, the occupier of a premises, or both.

HAMILTON CITY COUNCIL BYLAWS

Item 9

Attachment 3

10.19. Transfer of rights and responsibilities

- 10.19.1. The Customer shall not transfer to any other party the rights and responsibilities set out in this Bylaw.
- 10.19.2. A supply pipe shall serve only one on site Customer and shall not be extended by a hose or any other pipe beyond that Customer's premises.
- 10.19.3. In particular, and not in limitation of the above, any water which the Customer draws from the Council supply shall not be provided to any other party without prior approval of the Council.
- 10.19.4. Individual Customer agreements shall not be transferred unless approval by a Council Authorised officer has been obtained in writing.

10.20. Change of ownership

- 10.20.1. Upon receipt of notification of a change of ownership of premises the Council will record the new owner as being the Customer at that premises. Where premises are metered the outgoing Customer shall give the Council two (2) working day's notice to arrange a final meter reading.
- 10.20.2. The owner of the premises at the time of the consumption is responsible for any water charges.
- 10.20.3. The Council reserves the right to reassess the conditions of supply when a change of ownership occurs.

10.21. Disconnection at the Customer's request

- 10.21.1. The Customer shall give three (3) working day's notice in writing to the Authorised Officer of the requirement for disconnection of the supply. Disconnection shall be at the Customer's cost.

11. BREACHES

- 11.1.1. Every person breaches this Bylaw and commits an offence who:
 - (a) Does, permits, or allows anything to be done, which is contrary to this Bylaw or any part of it; or
 - (b) Fails to do or perform any act, or thing, that he or she is required to do by this Bylaw, within the time and in the manner required by this Bylaw or any part of it; or
 - (c) Commits any other breaches of the terms and conditions of this Bylaw; or
 - (d) Does anything which this Bylaw prohibits; or
 - (e) Fails to comply with any notice given to him or her under this Bylaw or any part of it or any condition that is part of any notice granted by the Council; or
 - (f) Obstructs or hinders any Council officer or other Council appointed person in performing any duty or in exercising any power under this Bylaw;
 - (g) Tampers with their connection or any restrictor, or draws water from a connection or restrictor that has been tampered with;
 - (h) Tampers or interferes with Council equipment or water supply system either directly or indirectly;
 - (i) Accesses and withdraws water from a fire hydrant without prior approval from Council;
 - (j) Accesses the water supply system without Council's approval; and
 - (k) Provides an incorrect application for supply which fundamentally affects the conditions of supply.
- 11.1.2. In the event of a breach of any provision of this bylaw, the Council shall serve notice on the Customer advising the nature of the breach, the steps to be taken, and required timeframe to remedy the breach to the satisfaction of the Council beyond timeframe indicated. If the Customer persists with the breach the Council reserves the right to:

HAMILTON CITY COUNCIL BYLAWS

- (a) Reduce the flow rate of water to the Customer without notice. Reinstatement of full supply shall be re-established only after the Customer completes payment of the appropriate fee and remedy of the breach to the satisfaction of the Council.
- (b) Install a water meter. The Customer will also be charged for the ongoing supply of water as per Council's fees and charges for water supply as determined by Council from time to time. .
- (c) For extra ordinary supply – disconnect the water supply for all purposes other than domestic water use.
- (d) If the breach is such that the Council is required to disconnect the supply for health or safety reasons, disconnection may occur immediately and without further notice to the Customer.

12. OFFENCES AND PENALTIES

- 12.1.1. A person who fails to comply with the requirements of this Bylaw commits a breach of this Bylaw and is liable to a penalty under the Local Government Act 2002.
- 12.1.2. Pursuant to section 242 of the Local Government Act 2002 a person who is convicted of an offence against this bylaw is liable to a fine not exceeding \$20,000.
- ~~12.1.3. A person who fails to comply with the requirements of this Bylaw in relation to a high level water alert and/or emergency is in breach of clause 10.11 of this Bylaw and is liable on conviction under section 66 of the Health Act 1956 to a fine not exceeding \$500.00 and, in the case of a continuing offence, to a further fine not exceeding \$50.00 for every day on which the offence has continued.~~

13. SCHEDULES

- a) The following schedules can be amended through a Council resolution.

Schedule 1: Examples showing Single/Manifold Connection

Schedule 2: Table 1 Compatibility Features

=====

~~This bylaw was made pursuant to a resolution passed by the Hamilton City Council on (date) after completion of special consultative procedure under section 86 of the Local Government Act 2002.~~

Councillor: _____

Councillor: _____

Chief Executive: _____

HAMILTON CITY COUNCIL BYLAWS

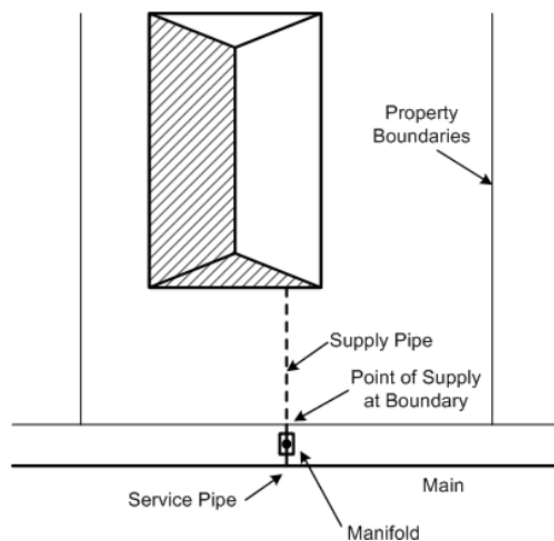
13.1. SCHEDULE 1: Examples showing Single/Manifold Connection

Example 1: Single property with street frontage

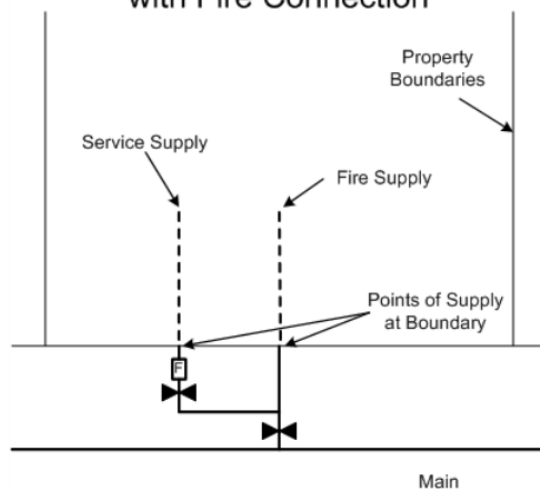
Typical Cases Only. Property/Dwellings indicative only. Not to Scale.

———— HCC Ownership - - - - - Private Ownership  Manifold  Flow Meter  Valve

Single Property, Single Connection



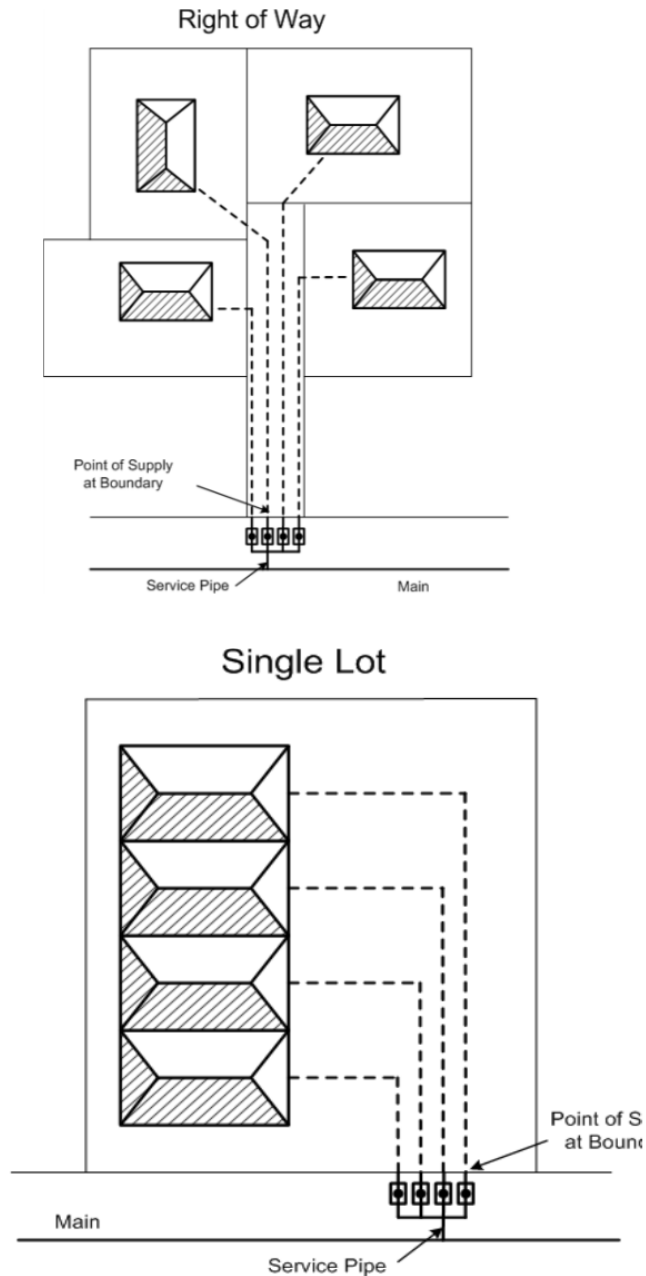
Single Property, Single Connection with Fire Connection



HAMILTON CITY COUNCIL BYLAWS

Example 2: Servicing up to 4 Customers

2 to 4 Customers – Manifold Connection

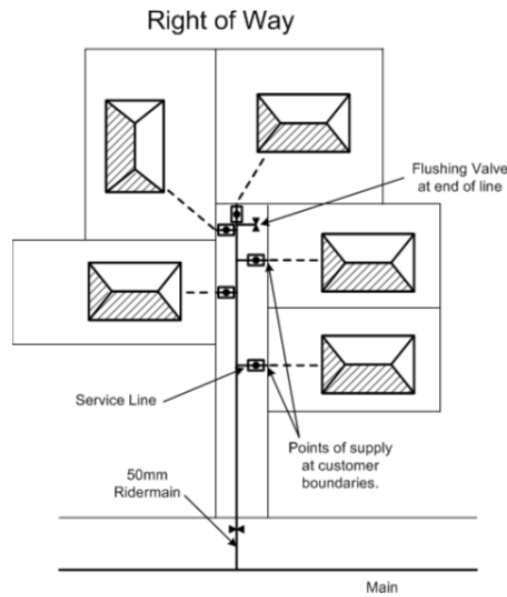


HAMILTON CITY COUNCIL BYLAWS

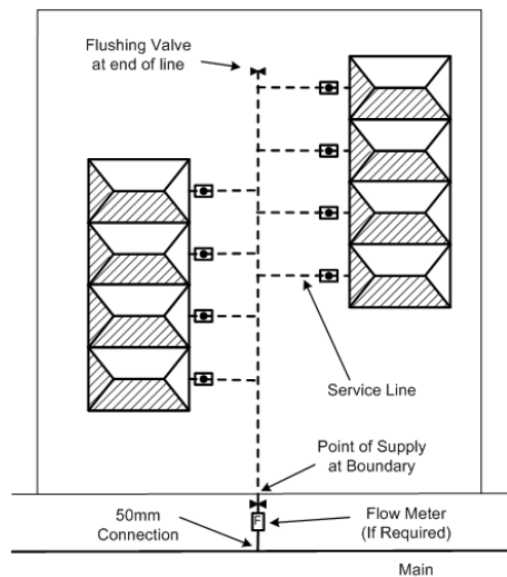
Item 9

Example 3: Serving 5 or more Customers

5+ Customers – Ridermain



Single Lot



Attachment 3

HAMILTON CITY COUNCIL BYLAWS

13.2. SCHEDULE 2: Table 1: - Compatibility Features

Feature	Value
Minimum available flow at point of supply	<ul style="list-style-type: none"> - Ordinary and Extraordinary supply - 25 l/min - Restricted supply – 1.0 m³ per day
Minimum pressure at Point of Supply (Static) <i>Note – Some Isolated properties in elevated areas may have a lower pressure than the minimum during high summer demands</i>	10 metres head (100 kPa)
Normal operating pressure	20-30 metres head (200 - 300 kPa)
Maximum pressure	100 metres head (1,000 kPa)
Free available chlorine	Up to 1.5 g/m ³
Fire Fighting from fire hydrants*	<ul style="list-style-type: none"> - FW2 – For Urban Residential Zones - FW3 – For Commercial and Industrial Zones
Continuity of supply <ul style="list-style-type: none"> - Unplanned duration of one disruption to water supply - Maximum duration of one disruption 	<ul style="list-style-type: none"> - Ordinary and Extraordinary supply – 8 hrs - Restricted supply – 24 hrs - 24 hrs
New customer connections (to existing reticulation)	Within 15 working days of Council Approval and fee payment
* Refer SNZ PAS 4509: New Zealand Fire Service Fire Fighting Water Supplies Code of Practice	

Attachment 4

Water Supply Bylaw Review 2023

Issues & Options Summary

Introduction

This document is a summary of the issues and options identified in the review of the Water Supply Bylaw 2013 (the Bylaw).

Issues were identified through internal and external stakeholder engagement, iwi engagement, legislative and regulation analysis.

Five issues have been identified. These are:

1. Outdated references to legislations, regulations, codes, and standards
2. Inconsistency with recently revised bylaws (Trade Waste and Wastewater Bylaw and Stormwater Bylaw) related to definitions and river protection
3. Limited clarity for the customer on water connections including allocation and approval processes
4. Limited enforcement opportunities to provide for protection of the water supply and system.
5. Limited requirement to comply with fire protection standards

Issues and Options

Issue 1: Outdated references to legislations, standards, and codes	
Issue:	<p>The Bylaw was last reviewed in 2013. Since the last review, there have been updates to legislations, regulations, codes, and standards that the bylaw references. To ensure legal consistency these references need to be updated.</p> <p>This includes Acts, regulations and codes relating to:</p> <ul style="list-style-type: none"> • Fire & emergency • Taumata Arowai • Water Services • Back Flow risk management • Water metering
Options:	<p>Option 1: Continue to use the bylaw as existing and retain references to outdated legislations, standards, and codes.</p> <p>Option 2: Amend the bylaw to update references</p>
Preferred option	Amend the bylaw

	Council staff suggest making relevant amendments to the bylaw to update references to legislations, standards, and codes, address the issue and minimise legal risks. These have been marked in the proposed revised bylaw (attachment 2 to the Infrastructure and Transport Committee report 21 st September 2023)
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Issue 2: Inconsistency with related Council bylaw and clarity	
Issue:	<p>Council recently adopted the Trade Waste and Wastewater Bylaw (amended 2023) which included updates to legal references. It also elevated the recognition of Te Ture Whaimana o te Awa o Waikato and the importance of managing the effects of urban activities on the river.</p> <p>Water is taken from the Waikato River to provide municipal water supply to the City. There is no recognition of Te Ture Whaimana o Te Awa o Waikato in the bylaw. Staff suggest that these should be reflected in the Water Supply Bylaw which will also ensure consistency the Stormwater bylaw and Tradewaste & Wastewater.</p> <p>These amendments could include:</p> <ol style="list-style-type: none"> Adding the definition of a 'working day' which excludes days such as weekends and public holidays. referencing Te Ture Whaimana o Te Awa o Waikato to give context to some enforcement provisions related to water efficiency, water restrictions and water wastage.
Options:	<p>Option 1: Continue to use the bylaw as existing which is not consistent with the Trade Waste and Wastewater bylaw amendments and does not provide clarity to the customer.</p> <p>Option 2: Amend the bylaw</p>
Preferred option	<p>Amend the bylaw</p> <p>Council staff recommend relevant amendments to the bylaw to ensure consistency between three waters bylaws and provide clarity.</p> <p>These have been marked in the proposed revised bylaw (attachment 2 to the Infrastructure and Transport Committee report 21st September 2023)</p>

Issue 3: Clarity for the customer through reference to Council policy	
Issue:	Council has improved clarity for the customer on water allocation to high water users, and is seeking to improve clarity on connection approval processes. This is through Council's Three Waters Connections Policy. Similar to the recently revised Tradewaste & Wastewater bylaw review, it would be helpful to reference the policy in the Water Supply Bylaw.
Options:	<p>Option 1: Continue to use the bylaw existing provisions which does not solve the issue of lack of recognition of the policy within the Bylaw.</p> <p>Option 2: Amend the Bylaw</p>
Preferred option	<p>Amend the Bylaw</p> <p>Council staff recommend amendments to the Bylaw to address the issue and ensure consistency between council bylaws and policy. These have been marked in the draft bylaw (attachment 2 to the Infrastructure and Transport Committee report 21st September 2023)</p>

Issue 4: Enforceability of the bylaw	
Issue 4	Staff noted that the Local Government Act (LGA) doesn't provide sufficient provisions for councils to support compliance officers to issue infringement fines. The existing prosecution process is resource, time, and cost intensive.
Options:	<p>Option 1: continue to use the bylaw existing provisions and either await more provisions through the current legislative reforms. Making any changes to the Bylaw currently could lead to potential legal conflict in the future if further changes to Water legislation are made.</p> <p>There are no other options at this time.</p>
Preferred option	Continue to use existing provisions of the bylaw

Issue 5: Fire Protection	
Issue 5	<p>Obligations to meet firefighting code of practice in the Bylaw are weak. There are no express obligations in the bylaw for customers to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 within their private property.</p> <p>However, there are references to this being a relevant code in the bylaw, and there are references to the customer needing to be responsible for meeting fire protection needs. Council may also write conditions.</p>
Options	<p>Option 1: Continue to use the bylaw existing provisions which points out responsibilities.</p> <p>Option 2: Amend the Bylaw</p>
Preferred option	Continue to use the bylaw existing provisions and continue to rely on customers to meet their fire fighting needs

Prepared by	Punya Chandi Environmental Policy Analyst, three Waters Unit	4 August 2023
Reviewed by	Rae Simpson Senior Planner, Three Waters Unit	28 August 2023

Council Report

Committee: Infrastructure and Transport Committee
Date: 21 September 2023
Author: Robyn Denton
Authoriser: Eeva-Liisa Wright
Position: Network and Systems Operations Manager
Position: Executive Director Infrastructure Operations
Report Name: 2024 Hamilton Speed Management Plan - deliberation and adoption

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

1. To inform the Infrastructure and Transport Committee on the submissions received and heard at the 8 August 2023 Traffic, Speed Limit and Road Closures Hearing Panel meeting following public consultation on the draft 2024 Hamilton Speed Management Plan.
2. To seek a recommendation from the Infrastructure and Transport Committee that the Council approves the proposed 2024 Hamilton Speed Management Plan.

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

3. That the Infrastructure and Transport Committee:
 - a) receives the report;
 - b) recommends that the Council approves **Option One** of the staff report to adopt the 2024 Hamilton Speed Management Plan (**Attachment 1** of the staff report);
 - c) notes that following approval from Council, the draft 2024 Speed Management Plan for Hamilton City will be submitted to Waka Kotahi NZ Transport Agency for certification in accordance with the Land Transport Rule: Setting of Speed Limits 2022; and
 - d) notes that minor changes to the draft 2024 Speed Management Plan will be made prior to publishing.

Executive Summary - *Whakaraapopototanga matua*

4. The 30 May 2023 Infrastructure and Transport Committee meeting considered a report on a review the Hamilton Speed Management Plan in preparation for the 2024-27 Long Term Plan. The committee subsequently approved a draft Consultation Document and draft 2024 Speed Management Plan be used for public consultation.
5. Public consultation occurred between 7 June to 5 July 2023.

6. There were two options proposed in the consultation document:
 - i. **Option One** – Make minor changes to the current plan (preferred); and
 - ii. **Option Two** – Do not refresh the plan, keep current version.
7. During the consultation period 113 submissions were received with 43% of the respondents **FOR** Council's proposal to retain the current plan with minor amendments (**Option One**). A copy of the written responses received can be viewed [here](#).
8. Nine submitters presented to the 8 August 2023 Traffic, Speed Limit and Road Closures Hearing Panel [[Agenda](#)][[Minutes](#)].
9. Members sought specific additional information to be provided in this report to assist with decision making based on the issues raised in the submissions. This information is included in paragraph 43 of this report.
10. It is noted that the Land Transport Rule: Setting of Speed Limits 2022 requires the development of Speed Management Plans and has a certification process for these plans. All speed limits are now recorded in the National Speed Limits Register.
11. The draft 2024 Hamilton Speed Management Plan is a refreshed version of the 2022 document and has been prepared to specifically cover the proposed speed management activities planned for the 2024-27 period.
12. Following approval of the draft 2024 Speed Management Plan by Council, certification by Waka Kotahi NZ Transport Agency (Waka Kotahi) will be sought.
13. Funding for the implementation of the 2024 Speed Management Plan will be considered as part of the development of the 2024-2034 Long Term Plan. Physical works would be funded from within the Low Cost Low Risk programme which receives 51% co-investment from Waka Kotahi.
14. There are risks associated with not recommending Council approve the draft 2024 Speed Management Plan and these are outlined in paragraphs 76 and 77 of this report.
15. The refreshed [Access Hamilton Strategy](#) (approved at the 9 August 2022 Council meeting) reconfirmed Hamilton City Council's commitment to road safety and has 'A Safe transport System' as one of its eight objectives.
16. The Speed Management Plan supports the delivery of the following Access Hamilton objectives:



Safety and harm reduction is the top priority. Our outcome is that no one should be injured or killed while moving around Hamilton.



Providing a range of transport options gives people travel choices, whether private vehicle, taxi, public transport, scootering or active transport such as walking and biking.

17. The relationship between speed and road trauma is well-established internationally and that is why managing speed is one pillar of the Safe System approach to road safety. Under Councils Vision Zero road safety philosophy we can make a big difference in the number of deaths and serious injuries on our roads by implementing a good speed management programme.
18. This report sets out the public consultation process that has been completed and summarises the submissions received – both written (via Have your Say) and verbal (via presentation to the Traffic, Speed Limit and Road Closures Hearing Panel).
19. Staff recommend the approval and adoption of the proposed 2024 Hamilton Speed Management Plan (Attachment 1).
20. Staff consider that the recommendations in this report have a low level of significance and comply with Council's legal and policy requirements, including consultation requirements.

Background - *Koorero whaimaarama*

21. The 30 May 2023 Infrastructure and Transport Committee considered a report on a review of the Hamilton Speed Management Plan.
22. Two options were considered by the Infrastructure and Transport Committee and staff recommended Option One – approve the draft 2024 Speed Management Plan and agree to progress to public consultation.
23. A draft consultation document was prepared and was proposed to form the basis of the public consultation for the draft 2024 Speed Management Plan review.
24. The consultation document set out an options table along with an assessment of the advantages and disadvantages of each option as shown below:

Advantages	Disadvantages
Option one: Make minor changes to the current plan (preferred)	
<ul style="list-style-type: none"> Updates based on recent and proposed changes to legislation would ensure that the plan reflects current best practice and legal requirements, for example Land Transport Rule: Setting of Speed Limits. Data insights and advancements are used to guide the update of maps. The plan reflects recent changes to the long-term vision of speed-limits for the city and the growth it is currently experiencing. Changes to increase clarity in the bylaw will improve ease of interpretation and effective administration. 	<ul style="list-style-type: none"> Nil
Option two: Do not refresh the plan, keep current version	
<ul style="list-style-type: none"> Nil. 	<ul style="list-style-type: none"> Council and the public would need to rely on the plan as it is currently written and interpreted for the public. The maps would not reflect current data insights, will be outdated and not support the growth Hamilton is experiencing. The plan will not reflect recent changes to legislation or accommodate changes that

	<p>are outlined in the Land Transport Rule: Setting of Speed Limits.</p> <ul style="list-style-type: none"> • The plan would not reflect recent changes to the long-term vision of speed-limits for the city. • While the current plan is certified by Waka Kotahi it does not include a programme of work for the full 2024-27 period. This would limit our ability to make speed limit changes and access vital funding until a refresh/update was completed
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25. The 30 May 2023 Infrastructure and Transport Committee meeting resolved:

- a) receives the report;*
- b) approves the draft 2024 Speed Management Plan (Attachment 1 of the staff report) and consultation document (Attachment 2 of the staff report);*
- c) approves public consultation from 7 June to 5 July 2023 on the draft 2024 Hamilton Speed Management Plan; and*
- d) notes that public submissions will be presented to the Traffic, Speed Limit and Road Closure Hearing which is tentatively scheduled for 8 August 2023.*

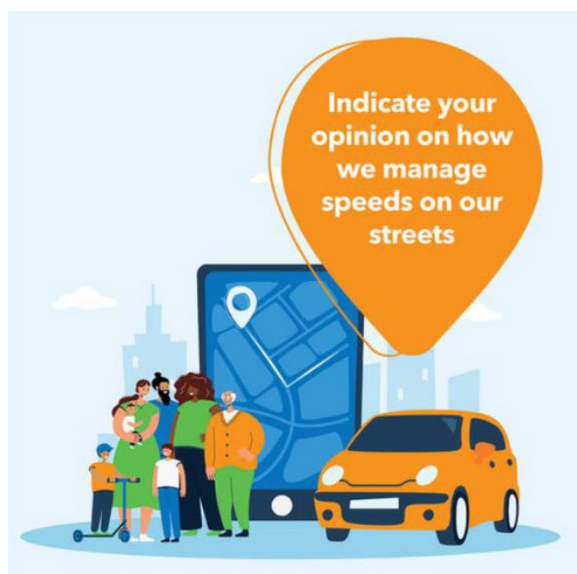
26. This report sets out the public consultation process that has been completed and summarises the submissions received in response to the consultation which took place between 7 June to 5 July 2023. It also provides information on the Hearings process and information sought by the Traffic, Speed Limit and Road Closures Hearing Panel.

Discussion - *Matapaki*

Consultation and Engagement

27. The consultation document and draft 2024 Speed Management Plan formed the basis of the public consultation that was required to be undertaken in accordance with the Principles of Consultation set out in section 82 of the LGA 2002. A copy of the draft 2024 Speed Management Plan is included in this report as **Attachment 1**.
28. Early engagement with Marae had been carried out prior to the 30 May 2023 Infrastructure and Transport Committee meeting to inform them of the proposal within the 2024 draft Speed Management Plan to include speed limit changes outside Marae. Four representatives from 6 marae responded along with one other iwi representative. All were in support of the draft 2024 Speed Management Plan.
29. The Land Transport Rule: Setting of Speed Limits 2022 requires consultation to be completed in accordance with the consultation principles set out in Section 82 of the Local Government Act 2002.
30. The public consultation strategies included for consultation on the draft 2024 Speed management Plan included:

- i. engagement with key stakeholders and advocacy groups;
- ii. have your say feedback forms placed in the Council reception and libraries;
- iii. Our Hamilton story/media release distributed, and advertisement tile displayed on the Share Your Voice Page of the [website](#);
- iv. social media boosted posts on Hamilton City Council Facebook page; and
- v. press adverts placed in local newspapers – Hamilton Press and Waikato Times.
- vi. Article in [NZ Herald](#)



Written Submissions

- 31. During the period of public consultation between 7 June to 5 July 2023, the Council received 113 submissions: 109 survey responses, and four email responses. Included within the 109 survey responses, two of these were hardcopy responses.
- 32. We received 105 responses from individuals and eight from organisations or groups.
- 33. Feedback from eight organisations was received, and seven of these were supportive of the proposed changes to the draft 2024 Speed Management Plan:
 - i. Ride Your Trike NZ;
 - ii. Bike Action Hamilton;
 - iii. Bike Waikato;
 - iv. Disabled Persons Assembly (DPA) NZ Inc;
 - v. National Public Health Service – Te Whatu Ora Waikato;
 - vi. NZ Automobile Association – Waikato District;
 - vii. CTM Tiling Ltd; and
 - viii. Acorn Glass Tint Limited.
- 34. A copy of the responses received can be viewed [here](#).
- 35. 43% of the submitters **agreed** with Council's proposal to make minor changes to the current (2022) plan (**Option One**).
- 36. The primary reasons given for supporting the proposal, to make the minor amendments to the existing plan, were:
 - i. General support for the proposed amendments (20 comments);
 - ii. These changes would be beneficial for pedestrians and micro-mobility users (9 comments); and

- iii. These changes would make our roading network safer and reduce the number of serious accidents (7 comments).
37. The 52% of the respondents who **did not agree** with Council's proposal, noted the following primary reasons for their objection:
- i. This will create further problems for drivers such as anger and frustration (19 comments);
 - ii. These changes are unlikely to make any difference to the number of road accidents (18 comments); and
 - iii. These suggested changes do not seem to be data-driven (17 comments).
38. Six respondents (5%) did not indicate a preference for either Option One or Two.
39. A summary and analysis of submissions, including details of the public engagement process and key themes from the feedback is outlined in **Attachment 2**.

Hearings

40. Eleven submitters had indicated that they wished to provide a verbal presentation to support their written submissions but only nine attended and presented to 8 August 2023 Traffic, Speed Limits and Road Closures Hearing Panel meeting.
41. The majority of the verbal submissions were in support of the proposal to make minor changes to the current plan. There were suggestions made for changes for the Principles and Priorities along with identification of additional locations that could be considered for speed limit changes.
42. The table below details the Members requests for additional information following their consideration of the written and verbal submissions:

Issue or request	Staff response
Challenges with Long Term Plan funding	The current funding for implementation of the Speed Management Plan is included in the Low Cost Low Risk – Road to Zero category and includes implementation of one Safer Speed Area (permanent 40km/h) per year along with one shopping area. The focus for the 2023/24 year is on making improvements to crossing facilities around schools in preparation for the roll out of the 30km/h Safer School Speeds in Term 2 of 2024.
Financial plan for infrastructure changes	<p>Implementation of the speed management plan includes speed limit changes, infrastructure changes and education.</p> <p>Funding for infrastructure is included in the Low Cost Low Risk – Road to Zero Programme. As part of the development of the 2024-34 Long Term Plan the following funding currently proposed:</p> <ul style="list-style-type: none"> • implementation of two Safer Speed Areas each year for traffic calming measures including signage and roadmarking - \$500,000 per Safer Speed Area • implementation of 30km/h speed limits around shops and Marae - \$300,000 over the three years • ongoing work around schools to support lower speed limits and improve safety for people crossing the road - \$1.67M over three years.

<p>How will specific feedback be addressed?</p>	<p>Following the adoption of the Speed Management Plan, all submitters will be provided with a response outlining the outcome of the process and dealing with any specific issues raised.</p> <p>The streets specifically identified in the feedback have been logged in our Customer Management System as requests and will help with the next review of the Speed Management Plan and prioritisation of future speed management work.</p> <p>Where several of the requests for additional infrastructure relate to existing Safer Speed Areas so these will be assessed in the wider programme of works within the Low Cost Low Risk programme development.</p> <p>A couple of submissions identified gaps in the long term map where shopping areas had not been correctly identified for future 30km/h limits. These will be included in the final version of the 2024 Speed Management Plan.</p>
<p>What infrastructure measures we could put in places of high incidents?</p>	<p>There are a variety of infrastructure improvements that can be considered for addressing locations with high safety concerns. The Waka Kotahi NZ Transport Agency have a Standard Safety Intervention Toolkit.</p> <p>The most appropriate treatment needs to be determined based depending on the types and number of crashes that are occurring at that site. The Waka Kotahi NZ Transport Agency High Risk Intersection Guide includes the following figure which helps to guide the value of changes that should be considered based on the Collective and Personal Risk at a site.</p>
<p>How do we consult with emergency services?</p>	<p>Consultation with emergency services is undertaken as part of the development of the Speed Management Plan and then again as part of the specific consultation that we complete for each speed limit change.</p>

Data sources	<p>The benefits expected from implementation of the draft 2024 Speed Management Plan have been based on international, national and regional strategies and reports including:</p> <ul style="list-style-type: none"> • Access Hamilton Strategy • Waikato Regional Road Safety Strategy – Road to Zero for Waikato • Waikato Regional Land Transport Plan 2021-2051 • Waka Kotahi Speed management guide: Road to Zero edition • Waka Kotahi Standard Safety Interventions Toolkit • NZ Road Safety Strategy 2020-2030: Road to Zero • Government Policy Statement on Land Transport 2021 • World Bank eg Road Crash trauma, climate change, pollution and the total costs of speed: Six graphs that tell the story <p>The following data has been used to inform the draft 2024 Speed Management Plan:</p> <ul style="list-style-type: none"> • crash data from the Waka Kotahi Crash Analysis System. This is a record of all crashes attended by NZ Police. • Speed data is obtained from the Waka Kotahi MegaMaps: Road to Zero tool which is based on TomTom data for all Road Controlling Authorities • Requests for speed reductions and traffic calming from Hamilton City residents is taken from our Customer Management system • Ministry of Education data has been used to confirm school locations and age range of children they are catering for. <p>This data along with specific onsite speed and volume surveys have been used to monitor the effectiveness of changes that have been made on the network.</p> <p>Utilising new technology, we will also now be able to provide information on changes to numbers of people walking, biking and scooting through areas where changes have been made.</p>
Communication of changes and what work is being done with public behaviour change?	<p>Yellow corflute signage attached to the speed limit sign is used to alert motorists of speed limit changes at the time of the new limit coming into effect.</p> <p>Trailers with speed monitoring devices and variable message boards are deployed around the city to educate and remind motorists of the speed limits that are in place. These are generally in response to requests from residents who are concerned about vehicles travelling at speeds above the speed limit.</p> <p>Information is also available on the Hamilton City website.</p> <p>A specific campaign is planned for the launch of the Safer School Speeds (30km/h) for term 2 of 2024 which will include a wide variety of media forms being used.</p> <p>Driver and motorbike rider education courses are provided throughout the year</p>



	alongside Biking courses for kids and adults.	
Use of variable speed limits	<p>Variable speed limits are proposed for locations where the underlying speed limit will remain at 50km/h. The speed limit will be lowered to 30km/h at the start and end of the school day via electronic variable speed limit signage.</p> <p>There is also an ability for the schools to also turn on the 30km/h speed limit if there are increased pedestrian activities expected outside these times eg groups of students walking or biking to local pools or sports park.</p> <p>In most cases the variable speed limit signage is already in place and the change in speed limit will be a simple change to implement.</p>	

Options

43. Two options were considered as part of the Consultation Document:
- Option One:** Make minor changes to the current plan (preferred); and
 - Option Two:** Do not refresh the plan, keep current version.
44. Staff recommend **Option One** because it allows for the current 2022 Hamilton Speed Management Plan to be refreshed to incorporate the following:
- Reflection of the refreshed Access Hamilton Strategy and its objectives;
 - Recognition of the Waka Kotahi Speed Management Guide: Road to Zero edition;
 - Incorporation of the One Network Framework approach which has superseded the One Network Road Classification;
 - speed limit changes around Marae;
 - new safer speed areas that have been included following a review of data including crashes and public requests received since the 2022 Speed Management Plan was approved;
 - new roads created and proposed throughout the city since the 2022 Speed Management Plan was approved including Ruakura and Peacocke growth cells; and
 - the requirements of the Land Transport Rule: Setting of Speed Limits 2022.
45. It is noted that the written submissions against refreshing the current plan were higher (52%) than those received in support of making changes (43%). Council as a Road Controlling Authority is required to have a Speed Management Plan under section 3.1 (1) of the Land Transport Rule: Setting of Speed Limits 2022 which states:
- 3.1 Requirement to prepare speed management plans and meet deadlines**
 - The Agency (as RCA), each territorial authority and each regional transport committee must prepare a speed management plan as required by this Section 3 and in accordance with any deadlines set by the Agency under clause 3.6.*
46. The current 2022 Speed Management Plan has been certified by Waka Kotahi as an interim plan on the basis that it was written, and consultation was undertaken prior to several key documents being finalised including the Land Transport Rule: Setting of Speed Limits 2022 and the subsequent Speed Management Guide: Road to Zero edition.
47. Moving forward, consultation on each speed limit change will be undertaken with key stakeholders and those directly affected by the proposed changes. The results of this consultation will be reported to the Traffic, Speed Limits and Road Closures Hearing Panel for a final decision to implement any speed limit change.

Next Steps

48. Following Council approval of the draft 2024 Speed Management Plan it will be submitted to Waka Kotahi for certification. The certification process is set out in the Land Transport Rule: Setting of Speed Limits 2022 and the Speed Management Guide.
49. It is possible that minor amendments may also be recommended by Waka Kotahi as part of the certification process.
50. The certified 2024 Speed Management Plan will then be provided to Waikato Regional Council for use in their development of a Waikato Regional Speed Management Plan for inclusion in the 2024-2034 Regional Land Transport Plan preparation as required by the Land Transport Rule: Setting of Speed Limits 2022.
51. Once certified the 2024 Speed Management Plan will have its format and style reviewed to ensure that it is reflective of the Access Hamilton strategy communications strategy which is currently under development.
52. The progress and pace of implementation of the 2024 Speed Management Plan will be determined by funding availability. Funding levels will be determined through the development of Hamilton City's 2024-34 Long Term Plan and the co-investment from Waka Kotahi confirmed via the 2024-2034 Regional Land Transport Plan and subsequent National Land Transport Programme.
53. It is expected that a streamlined regional approach will be achieved for the development of the 2027 Speed Management Plan. This will include a review of the Principles and Priorities in the Speed Management Plan and will enable consideration of feedback received on these components of the plan as part of this consultation round.

Financial Considerations - *Whaiwhakaaro Puutea*

54. The key costs associated with this project have been consultation materials and staff time managing the consultation process and completing committee reports. The costs incurred to date are within the previously estimates provided in the 8 May 2023 report to Infrastructure and Transport Committee of approximately \$10,000 - \$15,000.
55. This is a planned operating activity funded through the approved 2021-31 Long-Term Plan and is included within existing operating budgets. The total costs are inclusive of staff time, legal review, consultation and advertising.
56. The costs for implementation of the 2024 Speed Management Plan will be included in the development of the 2024-34 Long Term Plan.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

57. Staff confirm that staff recommendations comply with the Council's legal and policy requirements and consultation complies with section 82 of the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2022.

Climate Change Impact Statement

58. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

59. 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').

60. 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.

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

Social

62. Social wellbeing is defined as the capacity of individuals, their families, whaanau, iwi, hapuu and a range of communities to set goals and achieve them.

63. The proposed speed limit changes improve safety for all road users but especially for those who are walking, biking and scooting around the city.

64. The review of the Speed Management Plan is an opportunity to consider how speed can be managed to ensure Hamilton continues to be a great place to play and be active and that its community remains accessible, safe and healthy.

65. The review has ensured that an up-to-date Hamilton Speed Management Plan is available as a tool for community education on the impacts of speed management, pedestrian movement, sustaining networks and further improving safety.

Economic

66. Economic wellbeing is defined as the capacity of the economy to generate employment and wealth necessary for present and future financial security.

67. It is not considered that the review of the plan is inconsistent or contrary to economic wellbeing outcomes.

Environmental

68. Environmental wellbeing is defined as the capacity of the natural environment to support, in a sustainable way, the activities that constitute community life.

69. The review of the Speed Management Plan has ensured that the transport networks speeds continue to be operated as efficiently as possible thereby minimising the adverse effects on the environment.

70. The proposed Speed Management Plan supports the increased use of active travel (walking and biking) within the community and therefore reduce the negative impact on the environment associated with travel by motor vehicle.

Cultural

71. Cultural wellbeing is defined as the capacity of communities to retain, interpret and express their shared beliefs, values, customs, behaviours, and identities.

72. Early engagement was completed with the Marae leaders regarding the draft 2024 Speed Management Plan proposal for introducing 30km/h speed limits around Marae throughout the city. These conversations were very positive and support for working together was agreed as a way forward for implementing any changes in these locations.

73. If the plan is adopted, it is proposed to meet with leaders at each Marae to work with them to understand their specific safety needs at each site including the need for speed limit changes, the extent and type (fixed or variable).

Risks - *Tuururu*

74. There are no known risks associated with the decisions required for this matter.

75. If the Infrastructure Operations Committee choose not to recommend the approval of the 2024 Speed Management Plan to the Council, the following changes and updates to the 2022 Speed Management Plan would be missing:

- i. Reflection of the refreshed Access Hamilton Strategy and its objectives;
 - ii. Recognition of the Waka Kotahi Speed Management Guide: Road to Zero edition; and
 - iii. Incorporation of the One Network Framework approach which has superseded the One Network Road Classification.
76. If the draft 2024 Speed Management Plan is not recommended for approval it will also limit Councils ability to implement speed limit changes moving forward including:
- i. speed limit changes around Marae;
 - ii. new safer speed areas that have been included following a review of data including crashes and public requests received since the 2022 Speed Management Plan was approved; and
 - iii. new roads created and proposed throughout the city since the 2022 Speed Management Plan was approved including Ruakura and Peacocke growth cells.
77. The Land Transport Rule: Setting of Speed Limits 2022 requires Road Controlling Authorities to have a Speed Management Plan in place.

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

Significance

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

Engagement

79. There is a statutory requirement to consult as per legislation outlined below:
- i. Consultative Procedures are required to be followed and these are set out in Section 82 of the Local Government Act 2002; and
 - ii. Consultation requirements are also set out in the Land Transport Rule: Setting of Speed Limits 2022.
80. The public and stakeholders were invited to provide formal feedback through the public consultation from 7 June to 5 July 2023 so that their views could be captured on the proposal to retain the current Hamilton Speed Management Plan with minor amendments.
81. Submitters have been given an opportunity to present their views in a spoken form at the 8 August 2023 Traffic, Speed Limits and Road Closures Hearing Panel meeting.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Draft 2024 Speed Management Plan

Attachment 2 - Summary Analysis of Submissions .

2024 SPEED MANAGEMENT PLAN

Version 3
June 2023 for consultation

HAMILTON CITY COUNCIL

*He aha te mea nui o te ao?
He tangata, he tangata, he tangata
What is the most important thing in the world?
It is the people, it is the people, it is the people*

Safer
ROADS
FOR All



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

CONTENTS

1. Purpose of this document	3
2. What is speed management and why do we need it?	3
2.1. Government Policy Statement (GPS) on land transport	3
2.2. Road to Zero	4
2.3. Hamilton's transport strategy (Access Hamilton)	5
2.4. Speed management	5
2.5. The speed management guide – Road to Zero edition	6
2.6. Is speed an issue for Hamilton?	7
2.7. What has Hamilton done about speed in the past?	10
3. Development of the speed management plan	12
3.1. Stakeholder engagement	12
3.2. Community engagement	12
4. Speed management principles	13
5. Speed management priorities	13
6. Speed management map	14
7. Speed management activities	15
7.1. What role does Hamilton City Council play in speed management?	15
7.2. The speed management toolbox	15
8. Proposed programme of work for the 2024-27 period	18

1. PURPOSE OF THIS DOCUMENT

The purpose of this document is to take the information provided in Waka Kotahi NZ Transport Agency's (Waka Kotahi) Speed Management Guide and create an implementation plan related to safer speeds in Hamilton.

Hamilton has a Vision Zero goal for road safety. We don't believe any loss of life on our city's roads is acceptable. With more and more people using our roads, we need to make sure they're as safe as they can be.

Road safety risk can be reduced by investing in infrastructure improvements to make a road safer at current speeds, or by managing speeds down through a combination of road design, risk targeted enforcement and education on safe behaviour, all reinforced by speed limits appropriate for the roads.

The plan sets out what work needs to be done, by who, where and finally an indication of funding to implement this work, with a focus on in the 2024 – 2034 Long Term Plan with a focus on the work to be delivered in the 2024-27 period.

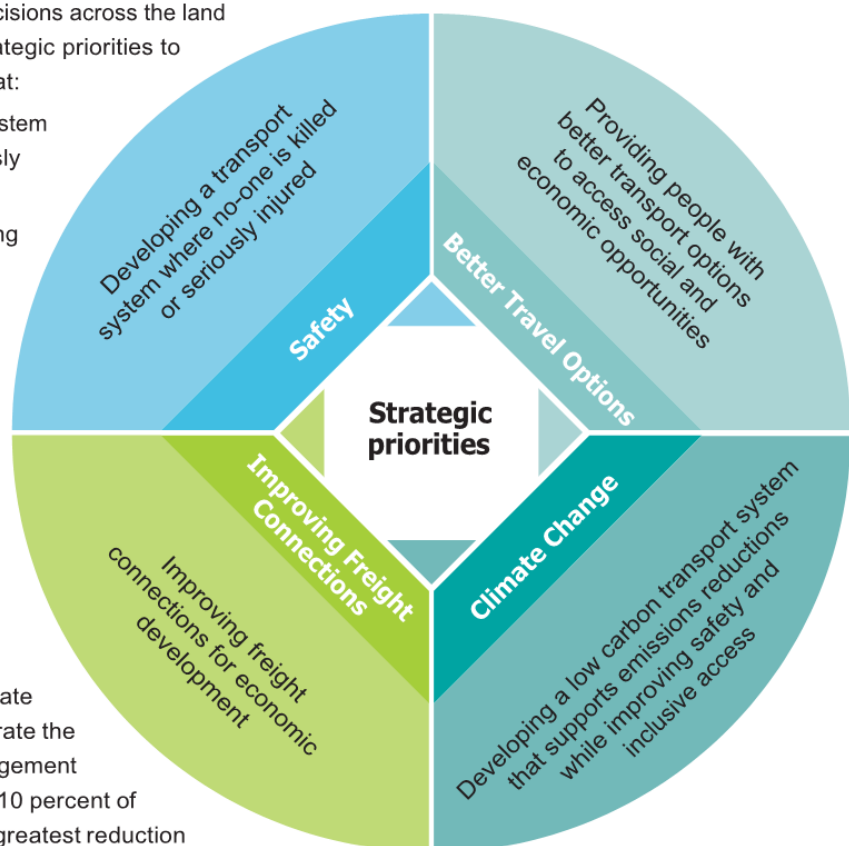
2. WHAT IS SPEED MANAGEMENT AND WHY DO WE NEED IT?

2.1. Government Policy Statement (GPS) on land transport

The GPS is central to investment decisions across the land transport system, and sets four strategic priorities to achieve a land transport system that:

- Safety: Developing a transport system where no one is killed or seriously injured.
- Better transport options: Providing people with better transport options to access social and economic opportunities.
- Improving freight connections: Improving freight connections for economic development.
- Climate change: Developing a low carbon transport system that supports emission reductions, while improving safety and inclusive access.

The GPS supports investment in state highways and local roads to accelerate the implementation of the Speed Management Guide, focusing on treating the top 10 percent of the network, which will result in the greatest reduction in deaths and serious injuries as quickly as possible.



2.2. Road to Zero

Road to Zero is the Government's strategy to guide improvements in road safety from 2020 to 2030. The strategy's vision is for New Zealand to be a country where no one is killed or seriously injured in road crashes. This means that no death or serious injury while travelling on our roads is acceptable.

This strategy articulates our vision, guiding principles for how we design the road network and how we make road safety decisions, as well as setting targets and outcomes for 2030. It sets out the five areas we want to focus on over the next decade, and a framework for how we will hold ourselves accountable.

We all make mistakes, but these mistakes should not cost us our lives. We take a safe system approach, which recognises that crashes are inevitable but deaths and serious injuries are not. By placing safety at the foundation of all transport decisions and turning our attention towards building a safe road system that is designed for people, we can anticipate and adapt to the changes ahead while continuing to strive for our vision.

A step towards achieving this vision is by setting a target of 40% reduction in deaths and serious injuries by 2030. This will be achieved by through actions in five key areas with infrastructure improvements and speed management being one of them.



2.3 Council's transport strategy, Access Hamilton – Ara Kootuitui Kirikiriroa

Access Hamilton's Vision is that "our transport network enables everyone to connect to people and places in safe, accessible, and smart ways".

Access Hamilton is guided by 8 key outcomes areas that together help us to address the challenges and opportunities Hamilton's transport system faces.



A safe transport system



Enjoyable and liveable city



Inclusivity



Climate change



Genuine travel choices



Thriving business and economic growth



Supports quality growth and urban development



Environmental responsibility

One of the key outcomes is "A safe transport system". This outcomes area is guided by 'Vision Zero' and 'Roads to Zero' and acknowledges that safety and reducing harm is a top priority for us, and that no one should be seriously injured or killed while moving around Hamilton. We want to provide a more forgiving road system that considers human mistakes and vulnerability.

Our strategy aspires to a future where people using our streets and public spaces feel safe and are safe. To help us deliver our vision and outcome area speed management plays a key role and helps us to focus our efforts to ensure that "people are driving responsibly at safe and appropriate speeds, in safe vehicles".

As we take a step towards achieving this outcome, one of the key focus areas is 'Investigate and implement Safer Speed Areas within Hamilton', and "Deliver infrastructure improvements to make roads safer". This Speed Management Plan plays a key role both implementing Access Hamilton and help us as we work towards achieving zero deaths and serious injuries on our transport network.

2.4. Speed management

Speed management is about achieving safe and appropriate speeds that reflect road function, design, safety and use.

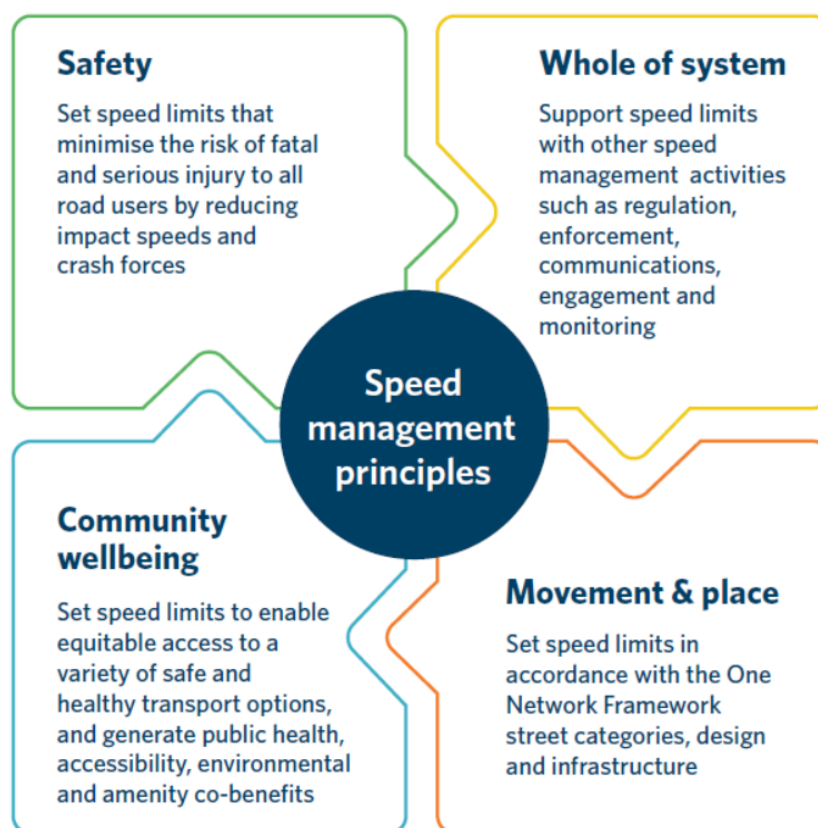
We need people and goods to move reliably and safely around our transport network; and being aligned to the safe system approach, we also need to see a reduction in deaths and serious injuries.

Speed management is more than just speed limits and requires input from policy makers, engineers, educators, and the Police to educate, encourage and influence road users to adopt safe and appropriate speeds.

2.5. The Speed Management Guide – Road to Zero edition (2022)

In conjunction with the release of the Land Transport Rule: Setting of Speed Limits 2022 the Waka Kotahi NZ Transport Agency updated the 2016 Speed Management Guide and published the 2022 Speed Management Guide - Road to Zero edition.

The Speed Management Guide is based upon four principles that are designed to be applied together and complement each other and are set out in the diagram below:



1. The **Speed Management Guide** supports the development of plans to deliver consistent implementation of safe and appropriate speed limits aligned with Road to Zero, Aotearoa New Zealand's road safety strategy and the Speed Limits the Rule.
2. The Speed Management Guide is a principles-based approach to setting speed limits and managing speeds. It draws together, into a single planning framework, the requirements under the Speed Limits Rule and the main elements of:
 - [Te Ara ki te Ora](#), the Road to Zero strategy and action plan
 - [Toitū te Taiao](#), the Waka Kotahi sustainability action plan
 - the [One Network Framework](#), the national categorising framework for New Zealand's streets and roads
3. The Guide draws from this framework and international best practice to highlight four key principles for speed management:
 - set speed limits according to the Safe System
 - set speed limits that provide for community wellbeing

- set speed limits in accordance with the One Network Framework street categories
 - support speed limits with a balanced regulatory approach that encompasses education, engagement and enforcement.
4. The Guide provides safe speed ranges for each One Network Framework street category and guidance on what infrastructure would need to be present to choose the higher end of the safe speed range.
 5. The safe speed limit ranges associated with the One Network Framework street categories and descriptions of the categories from the Guide are summarised in the table below:

Table 2 – One Network Framework urban street categories and safe speed limit ranges

Category	Description	Safe and appropriate speed limit*
Civic spaces	These streets have a higher place classification than other urban street categories, representing a higher level of on-street activity and higher-density adjacent land use generating that activity. These streets have a lower movement classification because they are mainly intended for localised on-street activity with little or no through movement.	10-20km/h
Local streets	These streets provide quiet and safe residential access for people of all ages and abilities and foster community spirit and local pride. They are part of the fabric of Aotearoa New Zealand neighbourhoods, and they facilitate local community access.	30km/h
Activity streets	These streets provide access to shops and services by all modes. They have a significant movement demand as well as place, so competing demands need to be managed within the available road space.	30-40km/h
Main streets	These streets have an important place function and a relatively important movement function. They support businesses, on-street activity and public life and connect with the wider transport network.	30-40km/h
City hubs	These are dense and vibrant places that have a high demand for people movement.	30-40km/h
Urban connectors	These streets provide safe, reliable and efficient movement of people and goods between regions and strategic centres and mitigate the impact on adjacent communities.	40-60km/h
Transit corridors	These streets provide for the fast and efficient long-distance movement of people and goods within the urban realm. They include motorways and urban expressways.	80-100km/h

Safe speed limit ranges from the Speed Management Guide – Road to Zero edition

2.6. Is speed an issue for Hamilton?

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 injuries within Hamilton.

The total number of fatalities in the city from 2018 to 2022 was 23.

Crashes that are attended by the New Zealand Police (NZ Police) have a Traffic Crash Report (TCR) completed and the information from that report is then entered into the national Crash Analysis System (CAS) which is managed by Waka Kotahi.

The analysis of the data for injury crashes, which occurred in Hamilton from 2018 to 2022 (including the state highways), indicates the following:

- There has been 21 fatal and 251 serious crashes.

- These crashes resulted in 23 deaths, 251 serious and 1428 minor injuries.
- A total of 1700 injured road users.

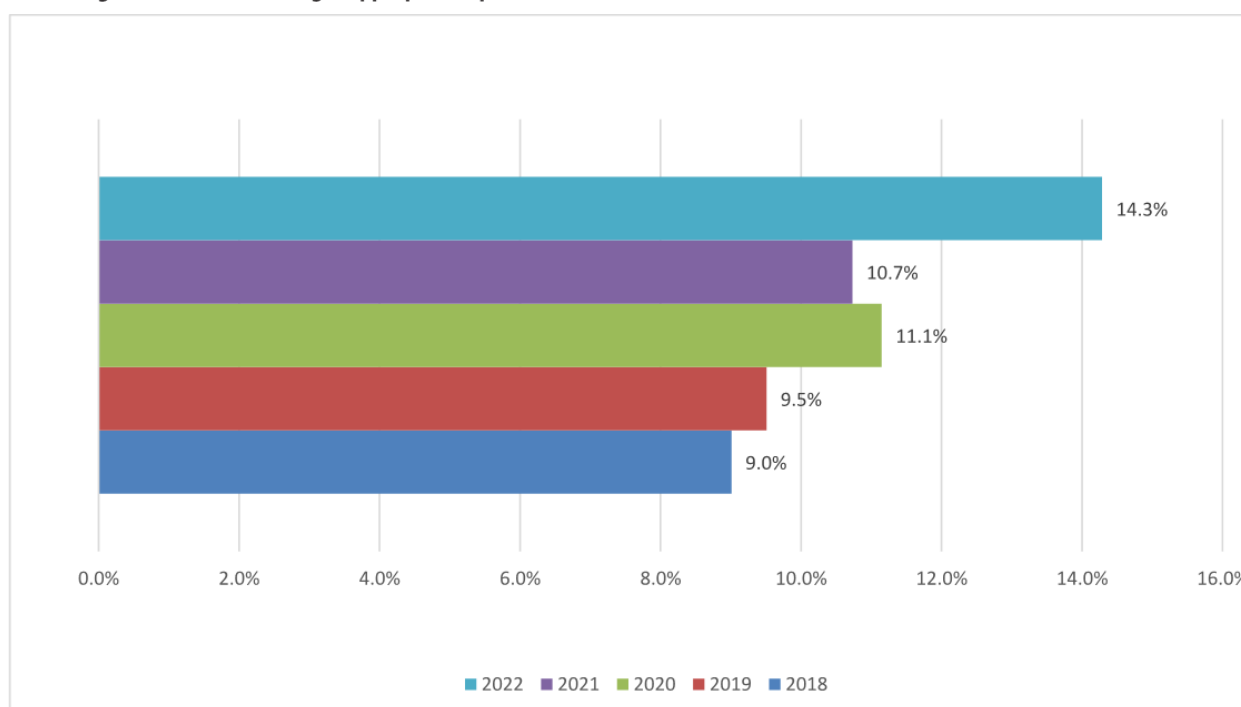
The top four contributing factors to fatal and serious injury crashes were:

- Poor observation (44%).
- Failed to give way/stop (31%).
- Alcohol related (23%).
- Incorrect lanes or position (16%).

The relationship between speed and road trauma is well-established internationally and that's why managing speed is one pillar of the safe system approach.

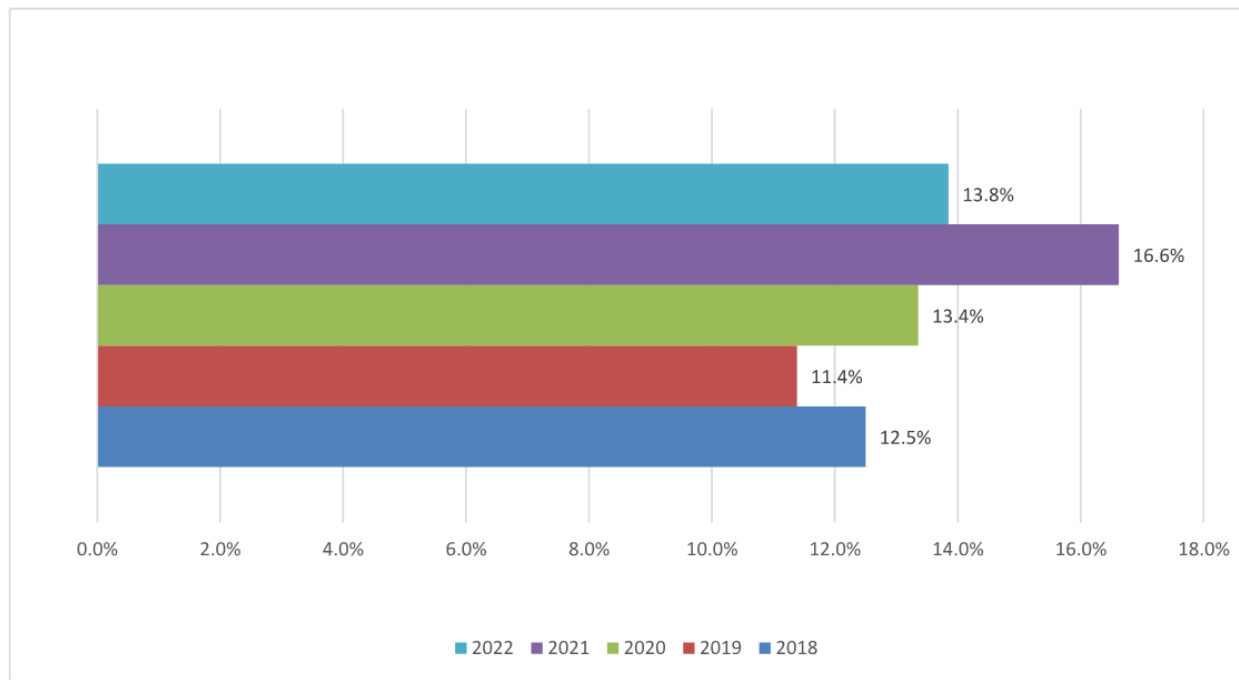
For Hamilton, the percentage of all crashes involving inappropriate speed from 2018 to 2022 has varied from 9% up to 15%.

Percentage of crashes involving inappropriate speed



The percentage of death and serious crashes involving inappropriate speed is higher, varying from almost 11% up to almost 17%.

Percentage of death and serious injury crashes involving inappropriate speed

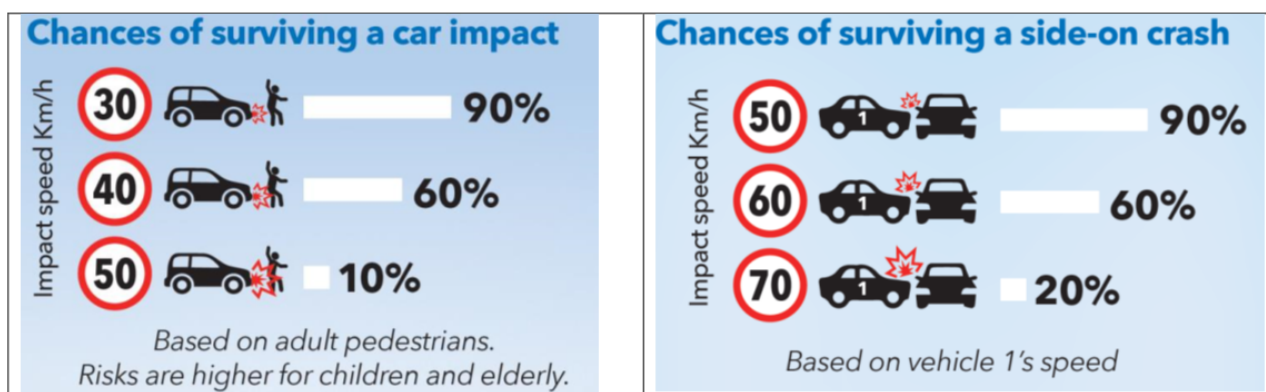


This means that under our Vision Zero road safety philosophy we can make a big difference in the number of deaths and serious injuries on our roads by implementing a good speed management programme. If we can increase the number of drivers driving at safe and appropriate speeds, we can reduce the number of people in our community whose lives are devastated by road trauma.

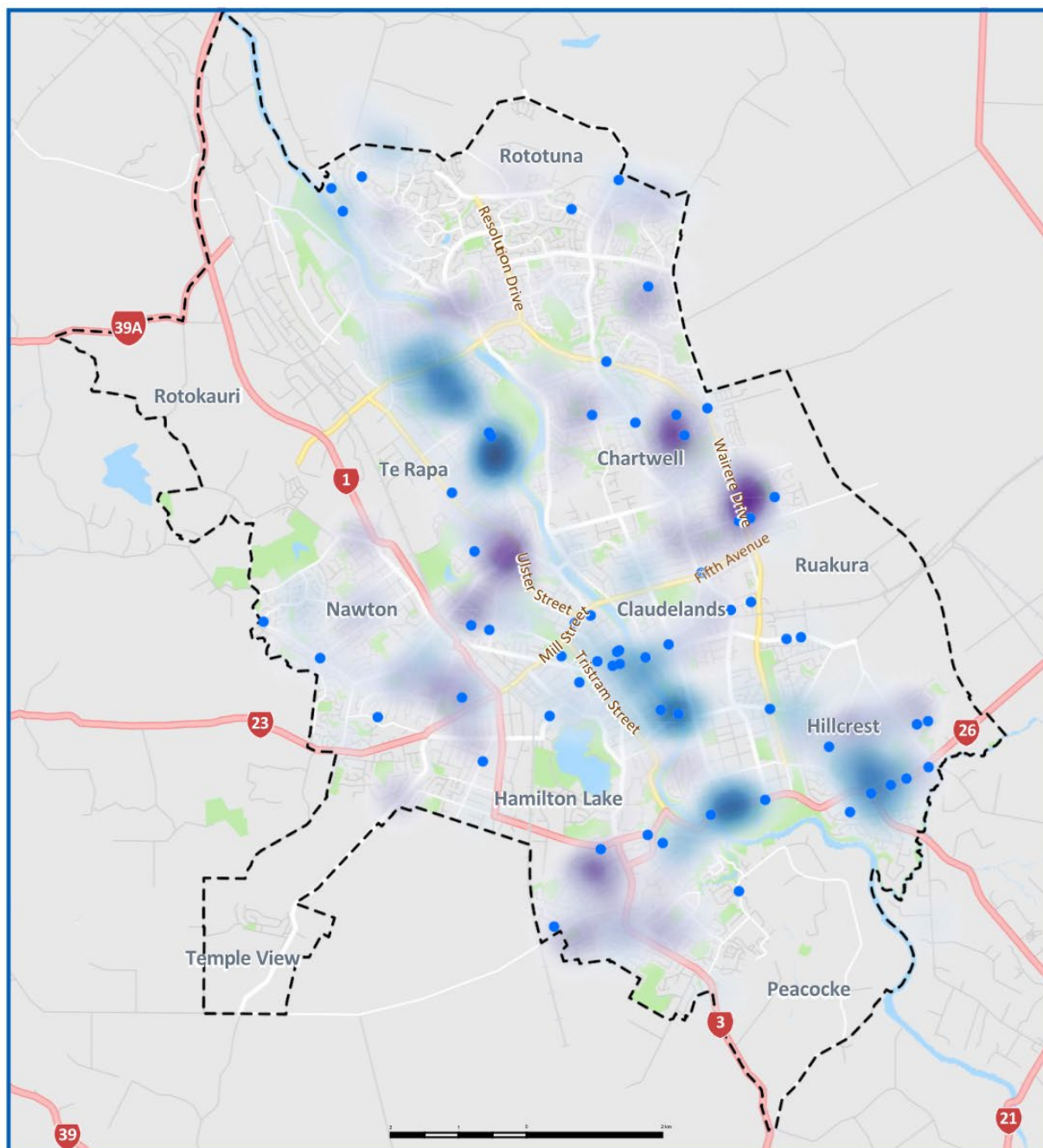
We know that:

- Most of our crashes involving inappropriate speed happen in areas with a 50km/h speed limit (63% 2018-2022).
- 39% of our crashes involving inappropriate speed (2018-2022) occur during the day.
- Just over half of crashes involving inappropriate speed occur at intersections (55% 2018-2022).

We also know that speed determines how serious any injuries will be, whether or not speed causes the crash. Depending on who is involved in a crash, the following graphic's show just how important having safe speeds can be in determining a persons chance of surviving the crash.



Our community has also told us that speed is an issue around the city. Below is a heat map illustrating where they have told us speed is a safety issue, either through our engagement process or customer service complaints and feedback.



2.7. What has Hamilton city done about speed in the past?

Hamilton has in the past been very active in the area of speed management and had developed a speed management policy, which set out the high-level approach to speed management that was used for a number of years to guide Council's decision making.

The initial programme of works focused on the introduction of 40km/h speed limits outside schools via electronic variable signage. Once all these sites were completed, a solution was needed for the school sites that didn't meet the warrant requirements for the electronic signage. A 'Safer Speed Areas' programme on local residential streets was developed and ultimately led to the introduction of over 380 streets with a permanent 40km/h speed limit, throughout the city. Engineering and education around speed limits also played a key part in rolling out the programme.

More recently the focus has moved to not only continue with our Safer Speed Area roll out, but to create a Safer Schools programme. This initially consisted of infrastructure improvements to crossings at the school gate and in early 2024 will see the introduction of 30km/h speed limits for all schools in the city.

We have been working closely with Developers to ensure the new roads being vested in Council are also be designed and built to encourage people to walk and cycle by providing a safe an appropriate speed within residential areas.

Based on our priority to focus on areas where there are higher numbers of people walking and cycling, we have introduced 30km/h as part of a Safer shopping areas programme including locations such as Five Cross Roads and Bader Street shops.

3. DEVELOPMENT OF THE SPEED MANAGEMENT PLAN

3.1. Stakeholder engagement

The original development of Hamilton's 2019 Speed Management Plan involved series of workshops with industry stakeholders and politicians. Represented in this group were councilors from Hamilton City Council and Waikato Regional Council, and staff from Hamilton City Council, Waikato Regional Council, Waikato District Council and Waipa District Council, Waka Kotahi, AA, NZ Police, Road Transport Association and Waikato District Health Board.

Drawing on the principles set forward in the national Speed Management Guide, this working group defined eight principles and four prioritisation tools for the application of speed management across Hamilton.

In completing the refresh of this document in 2022 we undertook further engagement with these representatives and received their ongoing support for our plan.

3.2. Community engagement

A key element of speed management is community input and buy in. Council recognised it was crucial to take the work by the stakeholder group to the community, key advocacy and Maaori representative groups to understand their views in the development of the original 2019 Speed Management plan. The proposed principles and priorities were related to real-life situations and people in the community were asked to share their views. The opportunity was also given to share on maps where they think there are issues with speed on Hamilton's transport network.

While there were a small number of people who spoke against any reduction in speed and would like all roads to be faster, the overwhelming majority were supportive in principle. The key themes identified regarding speed management were:

- Changing the speed limit alone isn't sufficient.
- The infrastructure must reflect the required speed of the road, and this must be maintained.
- Behaviour change and education is essential, and speed is not the only problem – distracted driving and school gate behaviour is a significant road safety issue.
- There is greater enforcement required, including of current speed limits.
- Targeting vulnerable users, particularly children, should be given priority.

Engagement with the community in advance of any proposed speed management change has been maintained and a wraparound approach including supporting infrastructure and education, with a strong focus on protecting children and vulnerable users to encourage more people to walk and bike, has been well received.

Overall, the response to speed management was positive and continues to be positive as we have progressively rollout out changes throughout the city. No changes to the Principles and Prioritisation processes are planned for this plan.

4. SPEED MANAGEMENT PRINCIPLES

The following principles will guide the application of speed management within Hamilton:

- i. The speed environment around schools at school times will be 30km/h.
- ii. Where there are high numbers of people walking, biking and crossing the road the speed environment will be 30km/h.
- iii. Residential local roads will be constructed for a 40km/h environment.
- iv. New roads will be constructed appropriate to their function and to create a safe and appropriate environment.
- v. Existing roads may be upgraded appropriate to their function and to create a safe and appropriate environment.
- vi. A logical, area-based approach will be used for the implementation of speed management.
- vii. Investment will be targeted to achieve the best access and safety outcomes.
- viii. We will work with partnering RCAs to provide a consistent approach in line with the Speed Management Guide.

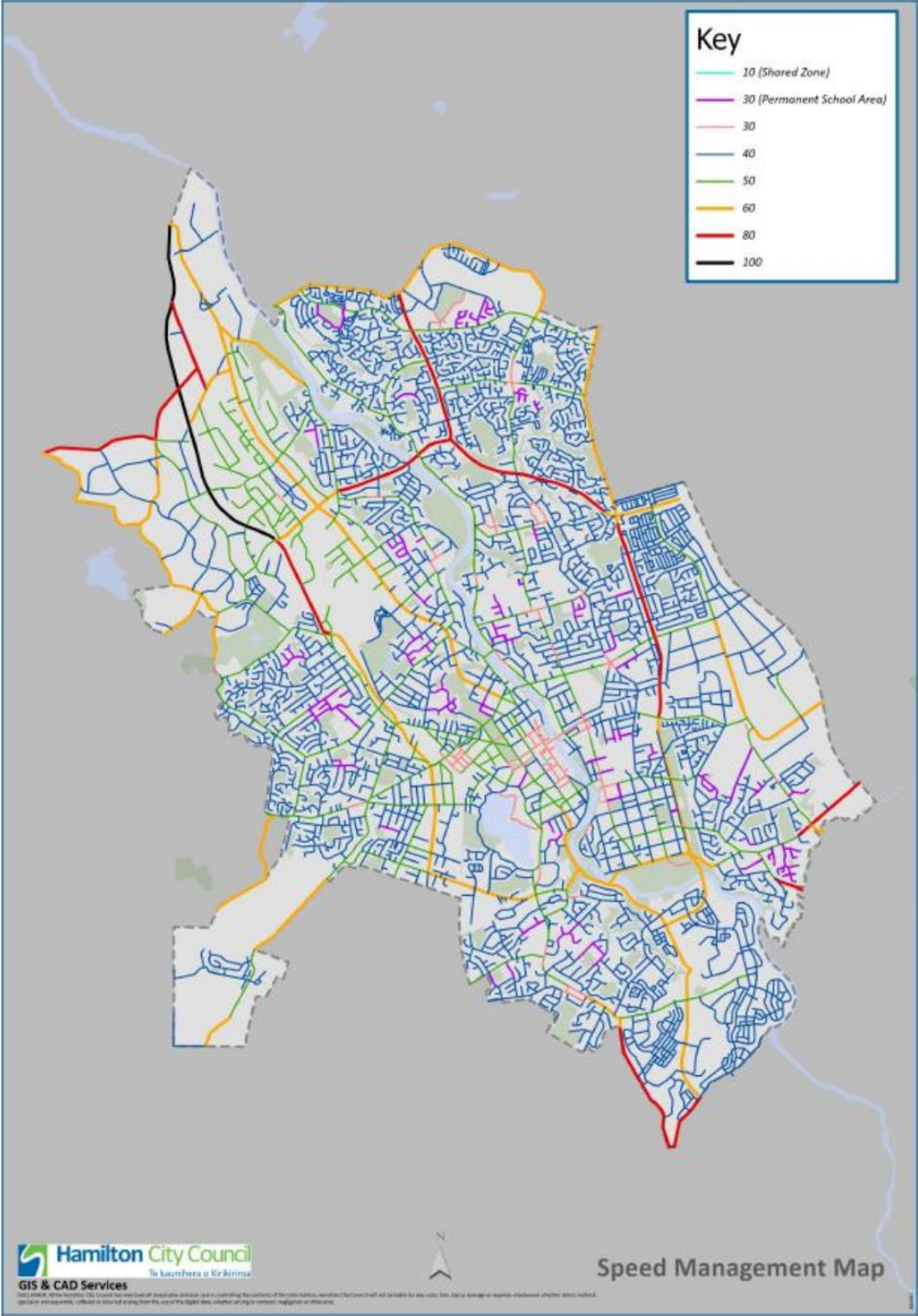
5. SPEED MANAGEMENT PRIORITIES

We need to be able to prioritise our work. The following priorities will guide us in our approach to implementing speed management:

- High benefit routes which deliver maximum benefit in reducing deaths and serious injuries.
- Community demand.
- Supporting changes in neighbouring areas to achieve consistent and logical implementation.
- Activities which generate high numbers of people walking or cycling.

6. SPEED MANAGEMENT MAP

Using these principles, as well as tools provided by Waka Kotahi, we have mapped a speed management vision for Hamilton to achieve in the next 10 years.



Our delivery of this vision for speed management will be governed by the priorities identified above and will be consulted with and communicated to stakeholders and the community.

7.1. What role does Hamilton City Council play in speed management?

Council has the following roles under the safe system approach:



7.2. The speed management toolbox

Speed management is about more than just speed limits. Achieving safe and appropriate speeds for roads also requires engineering and infrastructure, education and communication, and enforcement.

If a change to a speed limit is required or desirable there is a formal process to the National Speed Limits Register which is administered by Waka Kotahi NZ Transport Agency.

Consultation will take place with stakeholders and the community, before asking Council to approve a change any speed limits and subsequent change in the National Speed Limit Register. Where applicable, this consultation will be undertaken in conjunction with consultation on physical infrastructure changes that are also being proposed for the area.

Speed limits aren't the only tool in the speed management toolbox to ensure drivers are driving at safe and appropriate speeds. Roads must also be built appropriately for their use and function. For example, on residential streets raised safety platforms, pedestrian refuge islands, or lanes for people on bikes may be installed. These are all visual signals to drivers to expect to see more people walking and biking, and to drive at a lower speed in these environments. On roads expected to move more vehicles at faster speeds, such as Wairere Drive, off-road walking and biking paths would be expected to be built and include other safety features such as separating oncoming traffic through median barriers or

plantings. Council works with Developers to ensure the new roads being vested in Council have these attributes.



We work with local communities, schools and businesses to ensure proposed infrastructure delivers safety benefits, improves access for all and fits with what the community has told us about their streets. Local communities will always be kept informed on any proposed infrastructure changes in their area.

Council works closely with our road safety partners at Waka Kotahi and NZ Police on campaigns to inform and educate all road users on speed and road safety and support the Police in their enforcement activities.

Our road safety promotions are targeted to risk and include activities like:

- Road risk information campaigns, including the 'Safer Roads for All' campaign.
- Seasonal campaigns targeted to road safety issues, such as driving behaviour in winter or awareness of driving to the conditions and being mindful of all road users regardless of mode choice.
- Annual campaigns focused on intersections, such as roundabout education and a focus on intersection use.
- Promotional activities around speed and speed limit changes. Supporting the national speed campaign.
- School-based campaigns, such as 'Mix It Up at School Pick-Up', which supports active travel.

We will also be working with Waka Kotahi and NZ Police to finalise a plan for installation of safety camera's – detecting both excessive speed and red light running within the city in the 2024-27 period.

More information

You can find out more about the work we are doing and key reference documents via the following useful links:

Current safety improvement projects:

<https://hamilton.govt.nz/strategies-plans-and-projects/projects/city-wide-transport/minor-safety-and-access-improvements/>

Speed Management and Safer speed areas:

<https://hamilton.govt.nz/parking-and-transport/roads/road-safety/speed-management/>

Waka Kotahi NZ Transport Agency Speed Management Guide, including toolbox:

<https://www.nzta.govt.nz/resources/speed-management-guide-road-to-zero-edition/>

8. PROPOSED PROGRAMME OF WORK FOR THE 2024-27 PERIOD

We will be completing a regular refresh of the Hamilton Speed Management Plan moving forward so that this document can be used to inform the funding requirements needed for implementing speed management changes throughout the city. These funding requirements will be fed into the development of Hamilton's Long-Term Plans and the National Land Transport Programme (for co-investment by Waka Kotahi).

We are proposing to undertake the following speed management activities in the upcoming years as we take a phased approach towards achieving the 10 year plan reflected in part 6 of the Speed management map:

- **Safer speed areas (permanent 40km/h speed limits).**

We will continue to rollout out safer speed areas based on the prioritised list provided below. Once we have completed all Safer Speed Areas throughout the city we will then move to move to expansion of 30km/h speed limits associated with schools, shopping areas and marae to achieve the desired state set out in the Speed Management Guide and shown in section 2.5 above.

The prioritised list below will be subject to review and change based on updates to the contributing factors which have been used determine the priority list. The list will be updated annually and approved by Council. The contributing factors considered for each area are;

- speed (utilising TomTom mean speed data from mega maps),
- crashes (fatal crashes are weighted more heavily than non-injury crashes to reflect the relative social cost),
- schools (primary schools are weighted as being top priority followed by intermediates then high schools to reflect the skills and abilities of the people walking and biking in these areas.)
- the number of requests we have received for changes to be made from residents in the area (weighted to reflect the size of the safer speed area).

Safer Speed Areas	
Area	Priority List
Hyde Avenue	1
Bader Street	2
Weka Street	3
Argyle Street	4
Crawshaw Drive	5
Pohutukawa Drive	6
Primrose Street	7
Aurora Terrace	8
Ashurst Avenue	9
Edinburgh Road	10

A map showing the location of these safer speed areas, those already completed and those still to be completed in future years is on page 21 of this document.

- **Safer Shopping areas and around Marae**

We will be progressively implementing 30km/h speed limits in shopping areas and around Marae throughout the next three years. These will be prioritized based on the crash data for the areas, the numbers of people walking and biking and in response to requests for change. Consultation will be undertaken to confirm the final extents of the speed limit changes and the implementation of any supporting infrastructure.

The map on page 22 of this document sets out the locations of shopping areas and marae within Hamilton City that we propose to work through progressively.

- **Speed limits as part of improvement projects**

We have several improvement projects and programmes planned for delivery over the next three years. We plan to implement speed limit changes that reflect the Speed Management Principles as part of the infrastructure changes are completed. Projects and programmes include:

- o Te Ara o Rawhiti - Eastern Pathways
- o Biking and Micro-mobility Programme
- o Minor safety improvements via the Low Cost Low Risk Programme and Road to Zero programme

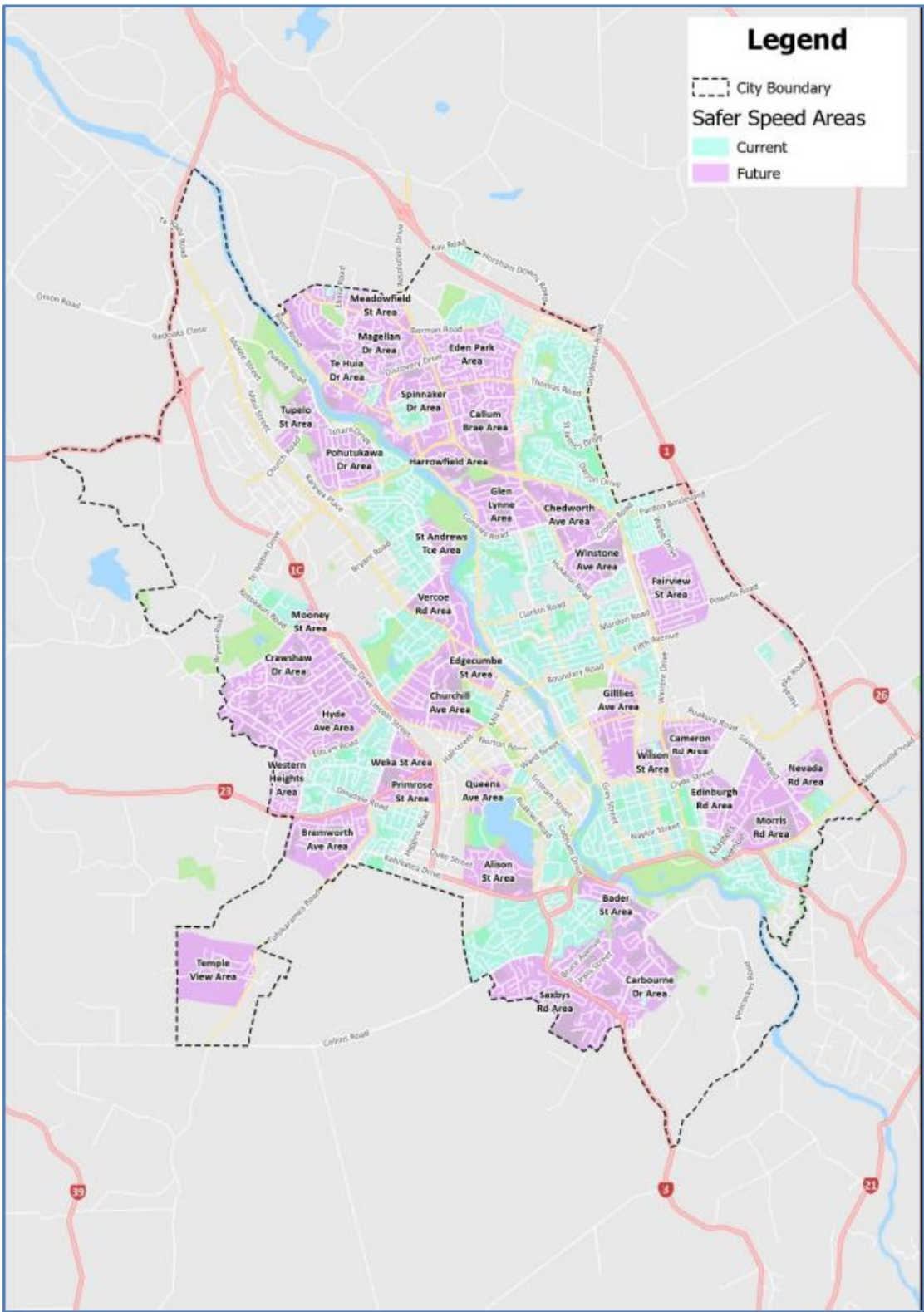
- **New roads** as they are vested in Council will have appropriate speed limits formalized which reflect their classification and the Speed Management Principles

- **Consultation** for any proposed speed limit changes will be undertaken with key stakeholders and those directly affected by the proposed changes.

- **Education and publicity campaigns** including use of speed trailers and advertising to support the rollout of speed limit changes.

- **Safer Schools** – we have planned to have all schools within a 30km/h speed limit in early 2024 and have been working hard to improve the crossing facilities at schools to support this lower limit. We still have some work to undertake in the 2024-27 programme to get all of the desired improvement completed and to start looking at improvements for the walking and biking journeys being undertaken by the school children. The Safer Schools Map shows the extent of speed limits we have in place for our schools via either fixed or variable 30km/h limits.

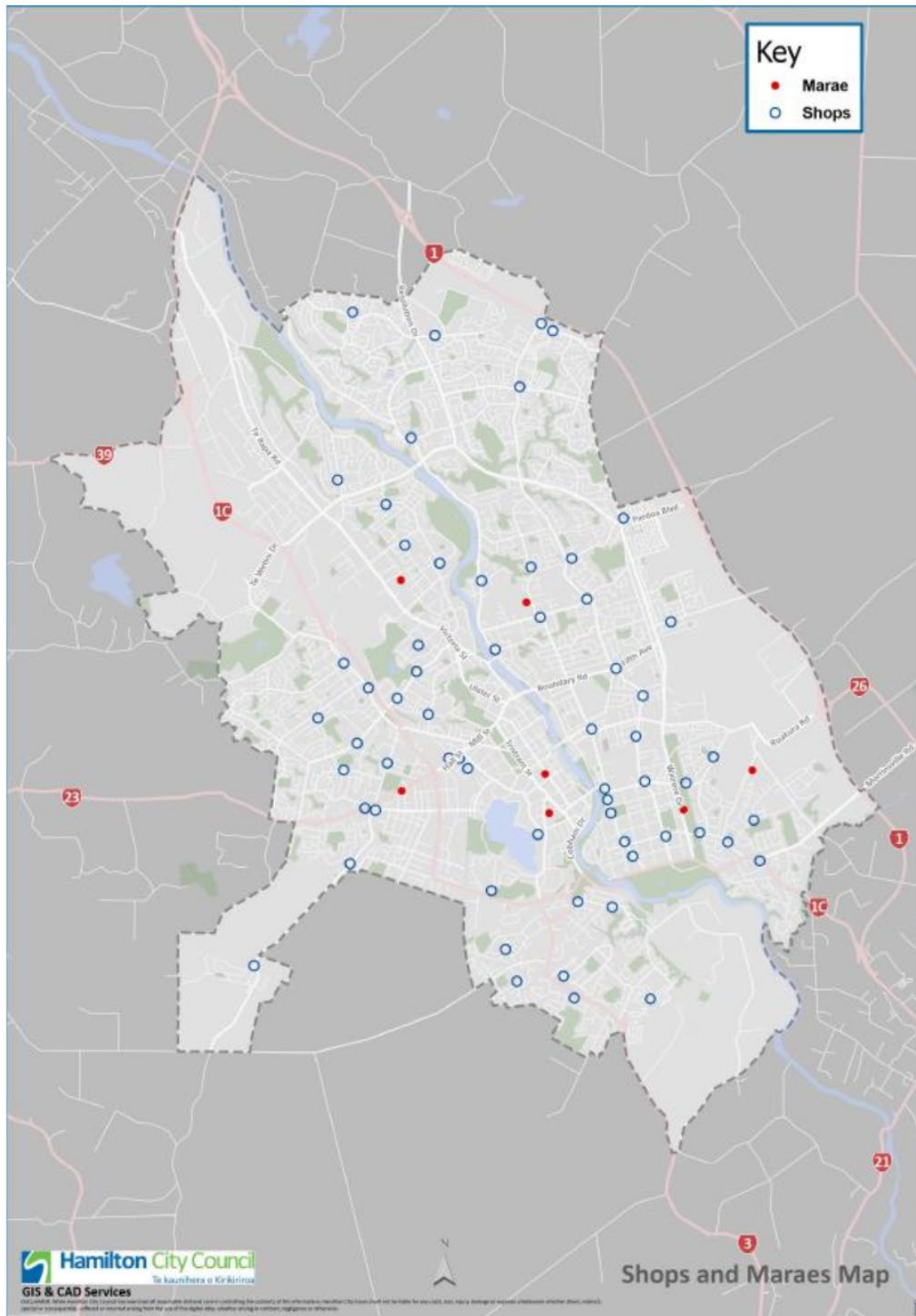
Safer speed area map



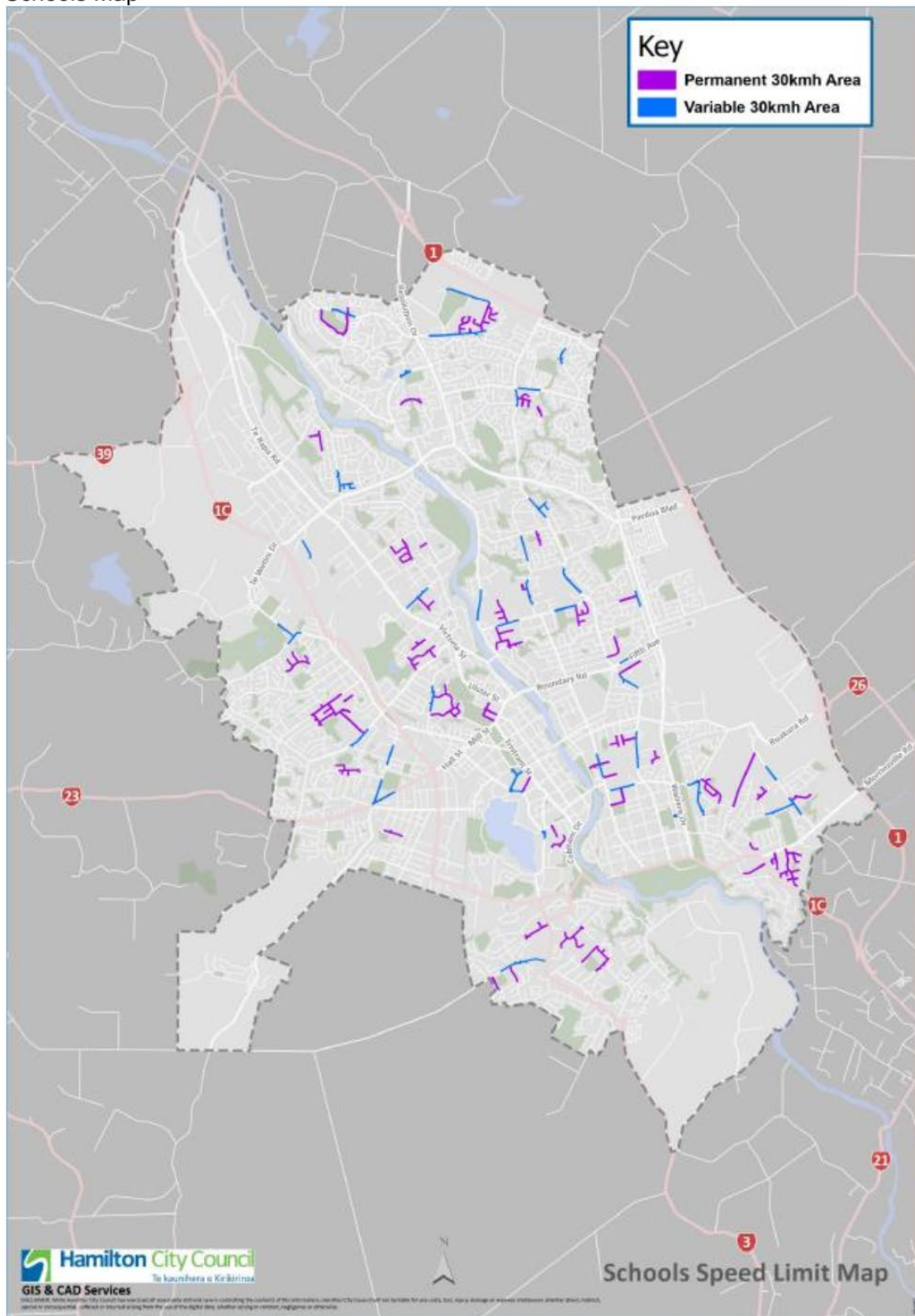
Item 10

Attachment 1

Safer Shopping areas and marae map



Safer Schools Map



Item 10

Attachment 1



SPEED MANAGEMENT PLAN REVIEW 2023: INSIGHTS REPORT

Report prepared by:
Tegan Andrews, Senior Research and Insights Advisor
Hamish Utteridge, Communication and Engagement Advisor
July 2023

Report reviewed by:
Lauradanna Radesic, Team Leader, Communication and Engagement, Transport and Infrastructure
Dan Silverton, Communication and Engagement Manager, Community and Corporate
July 2023

SUMMARY OVERVIEW

This community consultation was to understand the community's perceptions of Council's proposed changes to the 2022 Hamilton Speed Management Plan.

Council are proposing minor changes to the 2022 Hamilton Speed Management Plan. These changes are in order to plan for the 2024-34 Long Term Plan and comply with recent legislative changes, which includes a new national certification process. Council regularly reviews and refreshes their Hamilton Speed Management Plan to reflect current information, community views and ensures it is compliant with any new requirements when they come into place. While the Speed Management Plan was reviewed in 2022, it was considered to be an interim plan to cover the period before Council adopts 2024-34 Long Term Plan.

The proposed changes will form a more robust refresh of the 2022 Speed Management Plan. These changes will reflect:

- an updated list of sites proposed for speed limit changes, mainly between 2024-27.
- changes made to the transport network since the last review reflecting both new roads and new speed limits.
- information needed for co-investment funding from Waka Kotahi (National Land Transport Programme).
- alignment with the Waikato Regional Council (2024-27 Regional Land Transport Plan), currently in development.
- requirements of the Speed Limits Rule 2022.
- the finalised guidance in Waka Kotahi's Speed Management Guide – Road to Zero.
- Council's transport strategy, Access Hamilton – Ara Kootuitui Kirikiriroa.

More specifically the changes to the plan include:

1. An updated priority list of sites to look at becoming safer speed areas (permanent 40km/h).

Area	Priority
Hyde Avenue	1
Bader Street	2
Weka Street	3
Argyle Street	4
Crawshaw Drive	5
Pohutukawa Drive	6
Primrose Street	7
Aurora Terrace	8
Ashurst Avenue	9
Edinburgh Road	10

2. Progressively implementing 30km/h speed limits around schools, shopping areas and Marae over the next three years.
3. Incorporating speed limit reviews as a part of other safety improvement projects to align with the plan's principles.
4. Alignment with current best practice, the city's long-term philosophies, plans, policies and strategies, including:
 - Council's commitment to Vision Zero
 - [Access Hamilton](#) - Ara Kootuitui Kirikiriroa
 - [Our Climate Future](#) - Te Pae Tawhiti o Kirikiriroa
 - Waka Kotahi's [Hamilton-Waikato Metro Area mode-shift plan](#).

D-4828330

Council sought feedback on the proposed changes to the plan between 7 June and 5 July 2023 using the online Have Your Say platform and hardcopy forms available at libraries and the municipal building.

We asked about two areas of the plan, whether people supported the proposal to amend the current plan with minor revisions, and whether they supported the draft priority list for safer speed areas. We also asked questions around current transport behaviour and demographics.

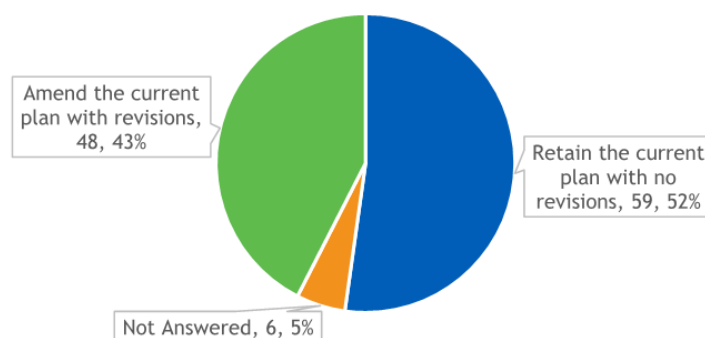
Council received a total of 113 responses: 109 survey responses, and four email responses. Included within the 109 survey responses, two of these were hardcopy responses. We received 104 responses from individuals and eight from organisations or groups. All responses have been summarised into themes as shown below.

SUBMISSIONS INSIGHTS

FEEDBACK

Of the 113 respondents, 48 respondents agreed with the Council's proposal to amend the current Speed Management Plan to align it with recent legislative requirements, current best practice, and the long-term vision for Hamilton City (43% of respondents). 59 respondents (or 52%) disagreed with amending the plan, choosing to retain the current plan with no revisions and six respondents (5%) did not answer this question.

Respondent's views on the Speed Management Plan



Of the 48 respondents that agreed with Council's proposal to amend the current Speed Management Plan, 35 made comments. From the comments, the top three themes were:

- General support for the proposed amendments (20 comments)
 - "Reviewing the plan with the most up to date information will provide better insight and have us planning for better for future changes."
 - "I think roads need to be safer for everyone. I am over the moon to hear that the speeds will be reduced, and the council is doing an amazing job reviewing these often."
- These changes would be beneficial for pedestrians and micro-mobility users (9 comments)
 - "Yes. Lower speeds reduce harm and make people feel safer. Would like Mansel Ave to be included. There have been many crashes at the intersection of Mansel and Masters. Anything that can be done to reduce speed makes those on bike or walking feel safer."

D-4828330

- *"For all road users' safety. Slower speed might give the impression of safer roads which might encourage more people to use alternative transport options like cycling"*
- These changes would make our roading network safer and reduce the number of serious accidents (7 comments).
 - *"Safe and appropriate speeds is a vital ingredient to creating a vibrant and connected Hamilton, the transport system is about people and people moving about Hamilton safely has to be of the utmost importance. If Council is moving to align with the new Land Transport Rule: Setting of Speed limits, then this will benefit Hamilton and all who live in Hamilton. Safety, Liveability and Wellbeing will be the result of this move. I note the data you have included in the documentation advising of the number of crashes that have speed as a causal factor - you seem to have not enough attention in my opinion to the fact that speed will determine the outcome of all crashes, regardless of the cause of the crash, it will determine if you walk away or if you have to be carried away, if you live or if you die."*
 - *"I fully support speed reductions across the city. I mostly ride a bike around the city, but also drive, and have no issue with reduced raised safety platforms or reduced speeds. If everyone just slows down on our roads, as a cyclist I won't feel as threatened when I ride. Hamilton is currently seriously dangerous for cyclists and if drivers refuse to slow down when asked, they need to have their speed reduced by road layout, design, and reduced speed limits."*

Of the 59 respondents who disagreed with the amendment, opting to retain the current Speed Management Plan with no amendments, 48 provided a comment. From these comments, three top themes were identified:

- This will create further problems for drivers such as anger and frustration (19 comments).
 - *"Slower speed limits do not prevent bad drivers causing accidents. Will create more frustration on the roads."*
 - *"As a truck it is hard enough to keep our vehicles moving around town due to other vehicles on the road and our log books only allow as a set time to work within. Each time the speed is reduced it adds more time to our day and reduced the actual amount of work we can do in a day"*
- These changes are unlikely to make any difference to the number of road accidents (18 comments).
 - *"speed is not the main issue of driving incidents, attitude is. With the school zone area, there are only certain time that needs to be in the safer speed which is already in place, not to mention in school rush hours there are no way to speed over the limit as the street is pack. Accident happen is those time is rare so there is no point to waste ratepayers money on that. Residential area is even more pointless as it makes no difference whether the speed limit is 30 or 50, there are no officer to implement it therefore people would just drive no matter the speed limit. I can't see changing it to 30 would make a difference to peoples driving attitude as even responsible drivers would just drive to the condition not 30, because driving 30 in residential area is quite slow and doesn't make sense."*
 - *"The roads are safe as long as drivers drive to the conditions and follow current laws. You will never have a zero result with those that do not obey the current law (eg speeding, reckless driving, under the influence etc). The focus should be reducing (zero tolerance) for these individuals on the road, not changing road layouts or reducing speed limits further. No matter how much the speed is reduced these people will still cause the majority of the issues. The lower speed will also*

D-4828330

increase emissions as vehicles are more inefficient while travelling at lower speeds or stopped due to congestion. A prime example is the Thomas Road roundabout at peak hours."

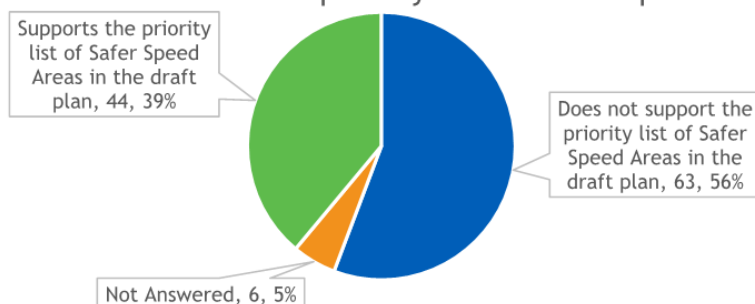
- These suggested changes do not seem to be data-driven (17 comments).
 - *"Stop changing speed limits. Its not achieving your goals. Look at the reasons why people are dying in crashes. It's the people. Not the limits. If people continue to make bad decisions they will continue to crash. Change ie educate the people and enforce the current rules. All the rules not just speeding and alcohol. Every day i see people driving through red lights. Red light cameras with speed cameras built in have been proven to work. Why are so many people driving on restricted licences and not fully licensed? Make it happen get drivers educated and understand what causes crashes and how to avoid them. Teach them to drive any car on any road safely. You can never have the perfect environment with perfect engineering but you can teach people how to cope with any of these changing environments and then how to drive safely. How can you possibly think that having 3 different speed limits within 200m can make it safer. If you have an unlicensed driver speeding in a 60 area changing that area to 30 or 40kmh will not change how they drive."*
 - *"It's all well and good lowering the speed limits but has anyone gathered any information about firstly how this has made the roads safer and secondly how many drivers are abiding by the new limits instead of just doing 50 like they used to"*

Priority list for Safer Speed Areas

When asked about whether people supported the priority list of safer speed areas, 63 (56%) disagreed, and 43 (39%) agreed with the priority list of sites to look at becoming safer speed areas (permanent 40km/h). This priority list is as follows:

Area	Priority
Hyde Avenue	1
Bader Street	2
Weka Street	3
Argyle Street	4
Crawshaw Drive	5
Pohutukawa Drive	6
Primrose Street	7
Aurora Terrace	8
Ashurst Avenue	9
Edinburgh Road	10

Respondent's views on the priority list for safer speed areas



D-4828330

Of those who did support safer speed areas, 12 people made general supportive comments towards the priority list of safer speed areas.

There were three comments on specific locations on the priority list of safer speed areas (Ashurst Avenue, Bader Street and Edinburgh Road).

- *"I am excited to see Ashurst Avenue on the list of proposed lower speed limit areas. I often bike down Ashurst Avenue to avoid Pukete Road because it has less traffic, however due to the lack of cycling infrastructure I have often had drivers harass or threaten me for taking the lane. Therefore, I hope the reduced speed (and the recently installed raised safety table!) will help make this road friendlier for people walking and cycling."*
- *"Yes, support. I think Edinburgh Rd should have a higher priority given the huge school run numbers that use this general area in the afternoons."*
- *"Support Bader St area being highest priority. Happy to have raise traffic tables on Montgomery Cres. Some days Slim St / Montgomery Cres are used like a racing loop."*

There were also two suggestions of locations to add to the list of priority areas, these were Masters Ave / Mansel Avenue, and Hillsborough Terrace, as well as a call for additional traffic calming measures to be placed on Rimu Street. Two respondents also commented about reducing speeds throughout more areas without a specific location being identified.

Of those who supported Council's proposal to amend the Speed Management Plan, five disagreed with the priority list. Four of these five people made comments, however, none of the comments referenced locations on the list, but instead commented on speed changes generally and issues with speed bumps or raised platforms.

Most respondents that did not support the priority list, didn't support the Speed Management Plan. The most common theme in the comments from those who did not support the priority list for safer speed areas made general comments regarding their disapproval of lowering speeds (25 comments).

Mode of Transport

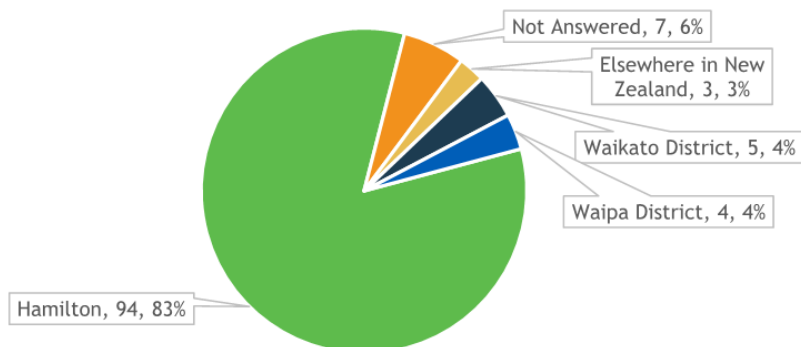
When asked about travel habits, the results showed that respondents who used active modes of transport (such as walking or cycling) more often were more likely to support the proposed changes to amend the Speed Management Plan. Rates of driving were higher in those who disagreed with the Speed Management Plan.

DEMOGRAPHIC COMPARISON OF RESPONSES FROM INDIVIDUALS

Location

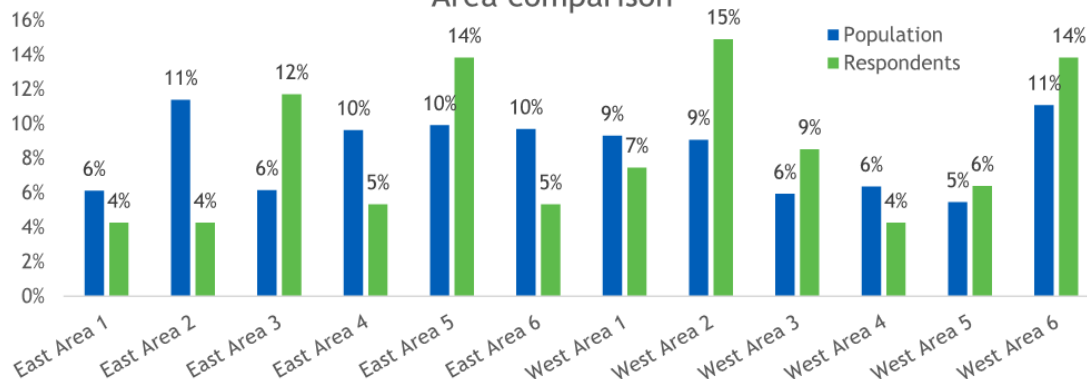
Majority of the respondents were from Hamilton (83%).

Location of Respondents



We had low representation from East Area 2 (Callum Brae, Huntington, Rototuna, Rototuna North) and East Area 6 (Hillcrest, Ruakura, Riverlea, Silverdale) residents and high representation from East Area 3 (Chartwell, Chedworth, Harrowfield, Queenwood) and West Area 2 (Crawshaw, Grandview Heights, Nawton, Rotokauri, Western Heights).

Area comparison

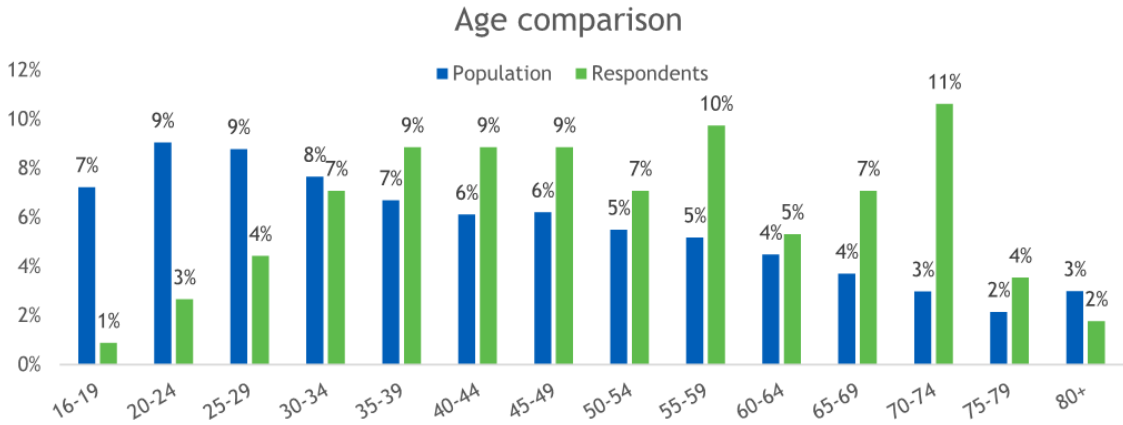


Community Profile Area	List of suburbs
East Area 1	Flagstaff
East Area 2	Callum Brae, Huntington, Rototuna, Rototuna North
East Area 3	Chartwell, Chedworth, Harrowfield, Queenwood
East Area 4	Enderley, Fairfield, Fairview Downs
East Area 5	Claudlands, Hamilton East, Peachgrove
East Area 6	Hillcrest, Ruakura, Riverlea, Silverdale
West Area 1	Avalon, Beerescourt, Forest Lake, Northgate, Pukete, St Andrews, Te Rapa
West Area 2	Crawshaw, Grandview Heights, Nawton, Rotokauri, Western Heights
West Area 3	Aberdeen, Dinsdale, Temple view
West Area 4	Frankton, Maeroa, Swarbrick
West Area 5	Hamilton Central, Hamilton Lake, Hospital, Whitiara
West Area 6	Bader, Deanwell, Fitzroy, Glenview, Melville, Peacocke

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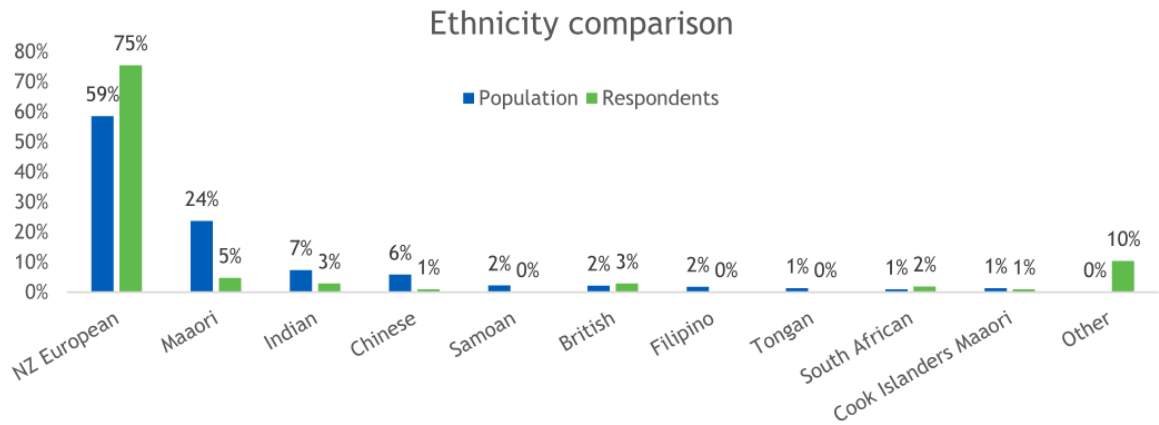
Age

We had a low representation from people under the age of 30. We had a high representation from people between 40-75 years.



Ethnicity

We had a high representation from NZ European people and low representation from Maaori people.



*Hamilton city profile statistics are from the 2018 Census published by Stats NZ.

FEEDBACK FROM GROUPS AND ORGANISATIONS

A summary of what organisations or groups said is shown in the table below:

Organisation	Summary
Ride Your Trike NZ	Believe the speed should be 30km/h but 40km/h is a step in the right direction. Would like to see speed lowered in central city and busy areas not just residential streets.
Bike ACTION Hamilton	Supportive of speed reductions and traffic calming measures such as raised safety platforms. Believes these measures will improve safety when cycling around the city. Believes Hamilton is currently dangerous for cyclists and that if drivers refuse to slow down when asked, they need to be slowed through road layout, design, and reduced speed limits.
Bike Waikato	<p>Supportive of the Speed Management Plan. Pleased to see further commitment to Road to Zero, which aims to create a safe and forgiving transport system for all road users and a link to Access Hamilton which aims to provide a safe, inclusive, and accessible transport system.</p> <p>Supportive of the following principles:</p> <ul style="list-style-type: none"> • Speed environments around schools (at school times) to be 30km/h • New roads will be constructed appropriate to their function and to create a safe and appropriate environment, • A logical, area-based approach will be used for the implementation of speed management. • Investment will be targeted to achieve the best access and safety outcomes. <p>Bike Waikato would like to see a new principle added: “The speed environment on key cycling routes as outlined by the strategic network plan in the biking and micro mobility programme business case will be 30km/h.”</p> <p>Plans for where cycling infrastructure – and therefore, future cycling demand – will be located, should be used to inform speed limits instead of relying on high numbers of people walking and biking when it is known that demand for cycling is suppressed (approximately three-quarters of Hamiltonians express a desire to ride a bike for everyday purposes but do not feel safe to do so) and that speed is a key contribution to that suppression.</p> <p>This should apply to roads with on-street bicycle infrastructure. More consideration will be needed for the appropriate speed where there is off-street bicycle infrastructure, giving consideration to the degree of separation, the number of crossings, and noise pollution.</p> <p>Bike Waikato believes that new residential local roads should be constructed for a 30km/h environment, which should replace the principle of ‘residential local roads will be constructed for a 40km/h environment’ as according to the One Network framework. The One Network framework states that local streets should have a speed environment of 30km/h. Safety is a key reason for this: at 30km/h, the likelihood of surviving impact with a car is 90%, however, at only a slightly increased speed of 40km/h, the likelihood is reduced to 60%. In other words, with an increase of speed of 33%, the likelihood of death increases by 400% (i.e., from a 10% chance of death at 30km/h to a 40% chance of death at 40km/h). The physics also tells us that there is a 77% increase in energy involved in the collision.</p> <p>Bike Waikato believes these changes, better align with the principles of Access Hamilton: a safe transport system, climate change, enjoyable and liveable city,</p>

D-4828330

	<p>environmental responsibility, genuine travel choices, inclusivity, thriving business and economic growth, and supports quality growth and urban development. These changes should speak to safety, inclusivity, and accessibility – and not the ability for citizens to travel as fast or as conveniently as possible. Therefore, believe that in following the Access Hamilton strategy, Council should construct new local roads for a 30km/h environment.</p>
Disabled Persons Assembly (DPA) NZ Inc	<p>Disabled Persons Assembly NZ (DPA) supports the proposed Speed Management Plan. In terms of speed management principles, DPA welcomes the commitment to reduce road speeds around schools at school times to 30km/h in line with national guidelines. Believes that applying the same speed restrictions in areas where there are high numbers of people walking, biking, and crossing makes sense too, as there will be many disabled people in these categories. DPA also agrees with the speed management priorities outlined in the plan. They welcome the proposals made in terms of the speed management toolbox, especially those pertaining to the building of raised platforms, pedestrian refuge islands, and lanes for people on bikes as it is important that cyclists are reasonably separated from pedestrians and motorists to ensure the safety of all three road user groups. DPA is supportive of the plans to continue running road safety promotions to promote good driver/road user behaviour. DPA recommend that campaigns and the promotional materials around them be made accessible to all disabled people (including children) in formats including New Zealand Sign Language, Braille, Easy Read, Plain English and audio. Road safety campaigns that are conducted by Council, in collaboration with Waka Kotahi and the New Zealand Police, should be inclusive of everyone, including disabled people and other equity groups (i.e. Maaori, Pasifika, ethnic communities, rangatahi/youth). They also recommend that disabled people and disability organisations are consulted by Council during the implementation and ongoing operationalising of this plan, to ensure that disabled persons' voices are heard by Council during this process and fed into decision-making.</p>
National Public Health Service – Te Whatu Ora Waikato	<p>Te Whatu Ora Waikato agree with Council's proposal to amend the current 2022 Speed Management Plan. They also agree with the proposed plan to progressively implement changes over a period of time, understanding that Council funding for projects such as this one is complex and other priorities in the city have been considered alongside this plan. They support Council's draft priority list for Safer Speed Areas, and the rationale provided to reduce the speed limits of roads deemed as high risk. Te Whatu Ora Waikato believe that Council's proposal to reduced speed limits near marae to 30km/h in the city is a positive move towards Tiriti-based partnerships between Council and local hapuu in the city. They support Council's proposal to implement speed limit changes that reflect the speed management principles in infrastructure projects (including new roads) across the city.</p> <p>Lastly, Te Whatu Ora Waikato support Council's approach to reducing speed limits (permanent or variable) to 30km/h around all schools in the city. Where speed limits are reduced and cycling and walking facilities are improved around Hamilton city schools, it is likely that there will be:</p> <ul style="list-style-type: none"> a) less risk of car/child cyclist collisions occurring, and b) more incentive for children and their whaanau to use active transport modes to and from school.

NZ Automobile Association's Waikato District Council	NZAA supports what Hamilton City Council is seeking to achieve and supports the draft Speed Management Plan, including the eight principles, but would like some amendments to the plan. NZAA would like a new principle could be developed to ensure the protection of the speed and function of existing highly important strategic arterials in the city such as Wairere Drive. As per their previous submission to Council on the Wairere Drive/Karewa Place speed proposal, they oppose lowering of speeds to 60 km/hr on strategically important arterial routes where no current road safety risk exists. They also recommend that a further new principle could be developed to ensure the public are sufficiently informed about new speed limits so people can modify their driving behaviour. They would like Principle 8 expanded (or a new principle developed) to include reference to the Waikato Regional Council and the relationship of the Hamilton City Council's SMP to the Waikato Regional Speed Management Plan. NZAA support the four priorities guiding the Speed Management Plan but believes the focus should be on outcomes not outputs. Furthermore, they emphasise the importance of accompanying infrastructure alongside speed changes. On the priorities list of safer speed areas, the NZAA supports the likes of Hyde Avenue becoming a safer speed area but disagrees with Bader Street. They believe Memorial Drive should also be included and prioritised due to the high number of people walking and cycling in the area. They support the plan to have roads around schools at 30km/h but would like those on arterial to be variable rather than permanent. They also believe that signage around lower speed zones need to increase, and would like more education (for drivers) around new speed limits and slower speed zones (both in specific areas and through media channels). They would also like Council to engage in full public consultation where speed changes are planned for important or strategic routes and the feedback from the public taken into account.
Ctm tiling ltd	Believes that lower speed limits, like straight roads, can be distracting for drivers. They state that lower speeds may result in more aggression on the road because people become impatient, and believe that more driver education is needed rather than lower speed limits.
Acorn Glass Tint Limited	Report that on Naylor Street, Hamilton East, vehicles constantly drive well in excess of the 50km/h speed limit, often 60km/h, as it is used as a thoroughfare from Hamilton East to Hillcrest and beyond (avoiding Cobham Drive). They believe that it would be ideal to have some speed bumps installed intermittently along Naylor Street (much like Nixon Street). On the safer speed area list, Argyle Street is notoriously busy around school drop off and pick up times. Being one of the larger schools in Hamilton, the boys arriving and leaving Hamilton Boys High School on bikes during this time is often manic. They state that there has been numerous close calls and near misses. They believe that speeds need to be reduced and monitored with consequences, otherwise nothing will change and a life may be lost, or at the very least injury. They would like council to respond to this feedback.

FEEDBACK FROM SOCIAL MEDIA

In addition to analysing the survey and email responses to the consultation, we also analysed comments made on Hamilton City Council Facebook posts relating to the Speed Management Plan. These comments were analysed through ChatGPT using the prompt 'what are the key themes from these comments?'

The Facebook post (boosted as an advertisement) on Facebook received 56 comments, and 109 replies to comments (including those from Hamilton City Council in response to questions). ChatGPT analysis of comments for the post showed the most common themes in these comments were:

- Concerns about speed limits, speed bumps, and their impact on traffic flow.
- Criticism of road conditions and maintenance.
- Criticism of council decisions and infrastructure planning.

Note that the names of those commenting and any 'tagged' names of Facebook users, as well as any Hamilton City Council comments/replies, were removed from analysis before comments were analysed, and both comments and their replies were collated before analysis.

ENGAGEMENT TACTICS

GOAL

Understand the community's views on the management of speed in our city to be able to be considered by the project team and Elected Members.

OBJECTIVES

- To raise awareness in the Hamilton community about Council's overall approach to how we manage speed on our roads by the end of July 2023.
- Identify a clear, meaningful and relatable connection (for the community) between this project and Access Hamilton.

ENGAGEMENT OUTCOME

- Receive at least 50 submissions from members or groups of the community.
- Clearly manage the community's expectations up front on the level of influence available within this engagement.
- Gather and provide feedback from our community to meet the Waikato Regional Council's requirements.

ENGAGEMENT RESULTS

SUBMISSION FORM (ONLINE & PAPER COPY)

Council received 107 responses online and two hardcopy survey responses.

SOCIAL MEDIA

META RESULTS:

Total post impressions: 48,289

Post reach: 17,043

Total post engagements: 2,480

Comments: 156

Link Clicks: 745

Shares: 8



WEBSITE

Page views: 192

Unique page views: 183

Average time on page: 4 minutes 20 seconds

EMAILS/ LETTERS

Council received four emails.

D-4828330

WHAT'S NEXT

The analysis of this feedback will be presented to the Traffic, Speed Limit and Road Closures Hearings Panel on Tuesday 8 August 2023. At this meeting, submitters who want to speak to their written submission will be able to do so. Council will then consider all the views and make a decision.

D-4828330

Council Report

Item 11

Committee: Infrastructure and Transport Committee

Date: 21 September 2023

Author: Eeva-Liisa Wright

Authoriser: Eeva-Liisa Wright

Position: Executive Director
Infrastructure Operations

Position: Executive Director
Infrastructure Operations

Report Name: Infrastructure and Transport Activity Report

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

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

Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Infrastructure and Transport Committee:
 - a) receives the report;
 - b) approves the final submission to the Ministry of Transport to the *Proposed Changes to the Parking Requirements in the Land Transport (Road User) Rule 2004*;
 - c) delegates authority to the Executive Director Infrastructure Operations to authorise the associated agreement for Hamilton City Council's part of the *Climate Emergency Response Funding (CERF) – Vehicle Kilometres Travelled (VKT) Programme* funding agreement between Waikato Regional Council (the primary Funding Recipient) and Waka Kotahi NZ Transport Agency;
 - d) approves the reallocation of \$400,000 from unspent Collingwood/Tristram Street intersection local share funding, to a project to relocate the existing retaining wall at the corner of Anzac Parade and Memorial Avenue to reclaim more footpath space, noting that Council intends to work with the developer of the corner site to implement the works; and
 - e) notes that approval to direct appoint McGuire Drainage & Contracting Ltd to undertake emergency work to repair erosion on the bank of the Waikato River that is undermining the stability of the western bulk water main pipes, and associated delegated authority as outlined in the staff report below, was approved under the provisions within schedule 2, clause 1c of Council's Delegations to Position Policy on 08 September 2023.

Executive Summary - *Whakaraapopototanga matua*

3. This report provides updates to Infrastructure and Transport Committee Members on activities, actions, projects contained within the plans, strategies for which this Committee and the relevant General Manager have responsibility over and for which significant progress has been made.
4. The following updates are included in this report:
 - i. Regional Transport Committee (RTC) Update;
 - ii. Future Proof Public Transport Sub Committee Update;
 - iii. CERF VKT Reduction Programme Update;
 - iv. Hamilton City Council Submission Updates;
 - v. Access Hamilton Action Plan Working Group Update;
 - vi. Waste Management and Minimisation Plan (WMMP) Working Group Update;
 - vii. Anzac Parade/Memorial Drive Footpath Opportunity;
 - viii. Project Watershed;
 - ix. Council Policy and Bylaw Review Updates; and
 - x. Western Bulk Main Erosion Works.
5. Staff consider the recommendations in this report to have a low level of significance and that the recommendations comply with Council's legal requirements.

Discussion - *Matapaki*

Regional Transport Committee (RTC) Update

6. The objective of the Regional Transport Committee (RTC) is:
 - i) *'To undertake the functions as prescribed in the Land Transport Management Act 2003 (LTMA), and to provide a regional forum for the consideration of regionally significant transport matters.'*
7. Deputy Mayor O'Leary is the Hamilton City Council (HCC) nominated representative with Councillor van Oosten being the nominated alternative representative.
8. There was no RTC meeting over the past period. The third meeting is on 18 September 2023.

Future Proof Public Transport Sub Committee Update

9. The Waikato Regional Council Future Proof Public Transport Subcommittee replaces the Regional Connections Committee from the previous triennium. The Future Proof Public Transport Subcommittee is a subcommittee of the Future Proof Implementation Committee.
10. The Hamilton City Council nominated representatives of the Future Proof - Public Transport Subcommittee are Deputy Mayor O'Leary and Councillor van Oosten with Councillor Thomson being the nominated alternative representative.
11. The Subcommittee held a meeting on Friday 25 August 2023 which covered the following areas of interest - [Agenda/Minutes](#)
 - a) Strategy
 - i. Metro Spatial Plan Public Transport Programme Update
 - ii. Climate Emergency Response Fund: VKT Reduction Programme
 - iii. Long Term Plan Investment Alignment

- b) Operations
 - i. Te Huia Passenger Rail Service
 - ii. Network Planning Update
 - iii. Service Performance and Operational Update
 - iv. Public Transport Infrastructure Updates.
- 12. At the time of writing this report, the Minutes of the 25 August 2023 Waikato Regional Council Future Proof Public Transport Subcommittee had not yet been received by Council.

Climate Emergency Relief Fund (CERF) Vehicles Kilometers Traveled (VKT) Funding Application Update

- 13. In the 2022 budget, Cabinet approved funding allocated under the Climate Emergency Response Fund (CERF Initiative Programme) for nine Vote Transport initiatives to support the delivery of the Government's first Emissions Reduction Plan (ERP).
- 14. One initiative under the CERF Initiative Programme is the Vehicle Kilometres Travelled (VKT) Reduction Initiative, which includes the development of a National VKT reduction plan by 30 June 2023 and VKT reduction programmes for Tier 1 and Tier 2 urban environments by 31 December 2023 and 31 December 2024 respectively.
- 15. At the 7 March 2023 Infrastructure and Transport Committee the following was resolved –
 - a) *requests staff work with the Access Hamilton Action Plan Working Group work to develop the components of the Tier 1 Expression of Interest (EOI) application for Climate Emergency Response Funding - VKT reduction programme*
 - b) *delegates to the Chair and Deputy Chair of the Infrastructure and Transport Committee (Deputy Mayor O'Leary and Councillor van Oosten) the approval of the Hamilton City Council components of the Tier 1 EOI application for Climate Emergency Response Funding - VKT reduction programme due by 30 March 2023.*
 - c) *notes that the draft Climate Emergency Response Funding- VKT reduction EOI application and proposals will be provided to Members for feedback via Executive Updates and the final application and updates will be reported to future Infrastructure and Transport Committees.*
- 16. The Expression of Interest (EOI) submission was based on work already identified through existing work programmes, namely the Metro Spatial Plan and North Waikato/South Auckland area. It also sought funding to increase resource to deliver the VKT programme and assist in getting a combined communications and engagement approach across the partner Councils.
- 17. There is also an acknowledgement that Waikato District have a unique additional requirement to develop a plan for the interface of North Waikato with the growing development areas at Drury and south Auckland generally. Funding was requested to assist in developing a plan for this area.

18. The combined Tier 1 EOI Applications tasks that were put forward for funding are shown below:

Item	Group	VKT funding requested
VKT Programme management and coordination	Resourcing	\$200,000
Communications and engagement	Comms engagement	\$350,000
Data gathering	Resourcing	\$60,000
System Optimisation Plan MSP area: staging and timing of PT, active and micro-mobility in MSP area (includes a ring fenced \$100k for bus depot planning).	Acceleration of MSP	\$600,000
Iwi led - rural access programme: will be led by Iwi and will focus on communities around key Marae - will be looking at how these communities can lead their own community transport options to ensure they can continue to access the city and other locations easily as we transition to alternative modes. This will assist with RPTP aim of identifying communities 'in greatest need'.	Acceleration of MSP	\$150,000
North Waikato and River Communities continue to optimize networks on the H2A corridor: Consider early identification of possible future work to optimise networks and look at VKT reduction gap/need. Potentially focus on early wins around Drury also looking at VKT reduction benefits of Te Huia service expansions to River Communities (current business case underway) and planning additional connectivity to these new services to align with business case review.	PT planning	\$200,000
Total		\$1,560,000

19. Waka Kotahi and Waikato Regional Council (the primary Funding Recipient) are in the process of agreeing the final terms of the Funding Agreement for the Hamilton Tier 1 urban region. Hamilton City Council will be an associated recipient. The parties now expect that the Funding Agreement will be finalised in September 2023.
20. In the interim, it has been agreed that Waka Kotahi will make Establishment Funds of up to \$200,000 available to help support delivery of the Programme.
21. Staff are seeking delegated authority to the Executive Director Infrastructure Operations to authorise the associated agreement for Hamilton City Council's part of the *Climate Emergency Response Funding (CERF) – Vehicle Kilometres Travelled (VKT) Programme* funding agreement between Waikato Regional Council (the primary Funding Recipient) and Waka Kotahi NZ Transport Agency.

Hamilton City Council Submission Updates

Proposed Changes to the Parking Requirements in the Land Transport (Road User) Rule 2004

Introduction

22. The Ministry of Transport is currently consulting on **Proposed Changes to the Parking Requirements in the Land Transport (Road User) Rule 2004** - [refer here](#)
23. The Proposed Changes to the Parking Requirements in the Land Transport (Road User) Rule 2004 focus on:
 - i. Amending the requirement not to stop or park on a motorway, to clarify that a driver must not “stand” on a motorway (i.e., have their vehicle idling);
 - ii. Adding a requirement that vehicles must not stop, stand or park on a clearway or no stopping area, to align with the offence for parking in a clearway;
 - iii. Clarifying the requirement that only electric vehicles (EVs) can park in a parking space reserved for EVs, and only to charge the EV; and
 - iv. Amending the Rule specifying the amount of time a person can park their trailer on a roadway, reducing the amount of time from 7 days to 5 days.

Council Submission

24. Council’s **Draft 1** submission was supportive of the Proposed Changes to the Parking Requirements in the Land Transport (Road User) Rule 2004. However, it outlined a number of specific concerns around parking of EVs. Specifically, the submission noted that we are unclear on how enforcement officers will know if an EV has completed its charging and is just sitting in the space plugged in, which would be an offence under the proposal. The submission also recommended that Road Controlling Authorities be provided with the ability to prioritise (and therefore promote) EV specific parking by allowing for ‘EV only’ parking signs for EVs to park where no chargers have been provided.
25. Draft 1 was circulated to Elected Members for feedback on 11 July 2023, with comments due at noon on 18 July. **Note:** no feedback was received.
26. The Chair of Council’s Infrastructure and Transport Committee is delegated authority to approve the final submission as per the Terms of Reference and Delegations for Council, and Committees of Council. This was sent to Parliament’s Justice Committee on 19 July 2023 – refer [here](#).

Access Hamilton Action Plan Working Group Update

27. The third meeting of the Access Hamilton Ara Kootuitui Kirikiriroa Working Group was held in two sessions on 21 August and 28 August 2023.
28. The Elected Member representatives for this working group are: Cr Louise Hutt (Lead), Mayor Paula Southgate (ex officio), Deputy Mayor Angela O’Leary, Cr Mark Donovan, Cr Moko Tauariki, Cr Maxine van Oosten. All Elected Members are invited to attend the working group meetings.
29. The following items were discussed:
 - i. Worley Place improvements – following a resolution from the previous triennium, options for improving Worley Place were discussed. Further work is being completed by staff to ensure alignment with the Central City Transformation Plan (CCTP) and the draft 2024-2034 Long Term Plan (LTP);

- ii. Parking activity and technology improvements – an overview of the parking activity including procurement of new parking kiosk technology. Discussion on the future direction for parking following the implementation of the Hamilton Parking Policy including revenue opportunities and demand responsive pricing parameters. Further information is being gathered by staff on mobility parking, and the relationship between private development and on-street parking;
- iii. Future partnership opportunities – staff presented an overview of the current street furniture (bus shelter) contract which is due to expire in September 2024. Further information is being gathered by staff on principles for assessing future requests into an extension to an existing policy;
- iv. Access Hamilton Strategy - Action Plan – an update was given on the development of the Access Hamilton Action Plan, with the draft estimated to be completed for the December 2023 working group to review. The Action Plan will be informed by the Hamilton City Transport 2030 calculator, health-focused performance indicators, and a new Access Hamilton strategic engagement approach. Working group members provided feedback on the strategic engagement approach for Access Hamilton and intended outcomes for socialising the strategy within the organisation, key stakeholders and the public;
- v. Climate Emergency Response Fund (CERF) - Travel Choices – summary of feedback from five projects - Bader Connections, Killarney Road, Brooklyn Road, Rifle Range Road, and Riverlea Connections - was presented. Information on each project was discussed; and
- vi. Transport Education - School Travel Planning – an update on the progress of the two-year pilot was presented. Working group members provided feedback and were encouraged by the work to date and acknowledged the value of this work to our school communities through key infrastructure projects such as Eastern Pathways.

Waste Management and Minimisation Plan Working Group Update

- 30. The Waste Management and Minimisation Working Group was approved at the 7 March 2023 Infrastructure and Transport Committee
- 31. Elected Member representatives for this working group are Deputy Mayor Angela O’Leary (Lead), Mayor Paula Southgate (ex officio), Cr Sarah Thompson, Cr Andrew Bydder, Cr Melaina Huaki, Cr Anna Casey-Cox. The first meeting of the Waste Management and Minimisation Working Group was held on 9 May 2023. All Elected Members are invited to attend working group meetings.
- 32. The last meeting of the Waste Management and Minimisation Work Group was held on 9 August 2023. The following topics were discussed:
 - i. Proposed WMMP actions; and
 - ii. Overview of targeted feedback approach and community consultation for the WMMP.

Anzac Parade/Memorial Drive Footpath Opportunity

- 34. An opportunity has arisen for Council to work in partnership with a developer who is developing the property on the corner block on Anzac Parade and Memorial Drive and Puutikitiki Street.

35. The development known as East Bank is substantial and presents an opportunity for Council to fund relocating its retaining wall between the road boundary at the corner of Anzac Parade and Memorial Drive to reclaim the full legal footpath berm, which is currently compromised by an existing retaining wall which protrudes into the footpath. This would increase the current footpath width from about 1.5m at the narrowest point to 4.0m.
36. This is a onetime only opportunity as most of the works will be undertaken from the development site minimising disruption. To achieve footpath widening after the development has been completed would be extremely difficult if not impractical and would cost a lot more than the current opportunity.
37. This is an important intersection from both a transport perspective and a visual perspective as you cross the bridge from the central city into Hamilton East. It is an opportunity to enhance walking and biking outcomes in the future.
38. The developers have been working through all of the consent requirements and as part of this have been working very closely with Ngati Wairere. Photographs of the existing wall and a render of the development is shown below.





39. It is recommended that \$400,000 (plus GST) is reallocated from the Collingwood/Tristram project which has been completed and hasn't needed all of the allocated local share funding, to a new project to secure the improved footpath width.

Project Watershed Update

40. Project Watershed is a joint plan of work between Hamilton City Council and Waikato Regional Council (WRC) to ensure a holistic approach to river management.
41. The Project Watershed Service Level Agreement (SLA) was signed in 2016 and under this agreement Hamilton City Council provides services on behalf of WRC with a focus on river management, soil conservation, and flood protection.

42. The Project Watershed SLA requires Hamilton City Council staff to provide quarterly and annual reports to WRC detailing progress with the agreed Project Watershed works programme.
43. A copy of the 2022-23 Project Watershed Quarter 4 report to be submitted to WRC can be found in **attachment 1**.
44. At the Infrastructure and Transport Committee meeting, 7 March 2023, it was resolved for staff to initiate discussions with WRC on the development of a new SLA that would come into effect from 1 July 2024.
45. Discussions are continuing between operational staff at Hamilton City Council and WRC. In parallel, staff are also discussing 10 year plan funding allocations from WRC for project watershed to determine if a higher level of funding is available.
46. Staff will continue to report back to this committee on progress with this action.

Council Policy/Bylaw Review Update

Gateways Policy and Streetscapes and Verge Maintenance Policy review

47. The 'Hamilton Gateways Policy' and 'Streetscape Beautification and Verge Maintenance Policy' were last reviewed in 2015 and are currently due to be reviewed in 2022/23.
48. These policies are currently in review by staff, including working with Elected Members, community, internal stakeholders and partners including iwi and mana whenua.
49. A second workshop with Elected Members was held on 2 August 2023. At this workshop staff were provided further guidance and direction on the location and criteria of gateways, and on retaining provision in the current 'approval required' policy for private planting on berms.
50. Staff will incorporate all EM guidance into a first draft of a new, combined Hamilton Streetscape and Gateways Policy which will be circulated to Working Group members for feedback. Engagement with key stakeholders and iwi groups will follow, and feedback reflected into a second draft for preliminary approval at a third Working Group briefing in January/February. The final policy will be presented for approval to a mid-2024 I&T Committee.

Three Waters Connection Policy review

51. The 'Three Waters Connection Policy' 2020 manages requests for connection to Councils three waters networks. Due to impending rules that would enable intensification, and because the policy was due for a three yearly review, staff commenced the policy review process.
52. In the last Infrastructure and Transport Committee meeting (20 July 2023), a planned programme of Elected Member briefings and papers seeking approvals of key policy matters was outlined. The planned programme sought to align activities needed to support the Three Waters Connection Policy Review and Plan Change 12 hearing processes and timeframes.
53. District Plan Change 12 hearings have now been delayed and an extension given until 20 December 2024 for an operative Plan Change. This means that staff have an opportunity to revise its schedule for policy consultation.
54. Staff have now altered the approach and propose the following:
 - i. present the proposed revised Policy to Elected Members for feedback in October 2023 Elected Members Briefing;
 - ii. Seek approval from the Infrastructure & Transport Committee to consult on the proposed revised Policy and Statement of Proposal from the 9 November 2023; and
 - iii. Deliberations, and Policy adoption to be finalised in the first quarter of 2024.

55. To date, engagement has been held with Elected Members (8 March 2023, 3 May 2023), Mana Whenua (1 June 2023), targeted development community groups (June), and development community (October 2022, June 2023).
56. Staff have been advancing draft policy settings on matters relating to how various areas of the city shall be assessed, and management of capacity, and will continue to work with Elected Members, the development community, internal stakeholders, and partners including iwi and mana whenua on the policy and improvements to the connection approval process.

Western Bulk Main Erosion Works

57. At the beginning of September 2023, staff identified that significant acceleration of erosion of the Waikato riverbank around the Western Bulk Water Main drinking water pipes, located at the entrance to the Mangakootukutuku Stream from the Waikato River), had put a water valve chamber and the twin western bulk water main pipes at risk.
58. The twin western bulk main pipes are deemed critical water infrastructure and they form part of the city's strategic water ring main which supplies water to fill reservoirs and service the wider network on the western side of the city. Failure of the western bulk main would result in significant interruptions to supply and/or reduction in pressure for up to 30,000 residential and commercial properties.
59. Emergency erosion work was previously undertaken immediately adjacent to the area of riverbank, in 2020 to mitigate risk to the twin bulk main pipes, which was referred to as Stage 1. This work involved strengthening the riverbank using rocks and building a structure to deflect river flow and currents away from the riverbank where our critical infrastructure is located.
60. During this work, further erosion protection works were identified on the riverbank adjacent to the stage 1 area that would be required in the future. Staff have been monitoring this and have been working with engineers from Beca on a design to fix these issues. This area is known as Stage 2.
61. Design was started and funding to complete this work was allocated in the 2023/24 Three Waters Minor Renewals and Capital Works Programme, with an estimated value of work of \$1,100,000 (excl. GST).
62. However, fluctuations in the river level and high river flows in early 2023 have substantially increased the rate of erosion to the riverbank. Monitoring of the site completed in July and August has confirmed that erosion is occurring more rapidly than what was anticipated and in early September, the extent of erosion resulted in the need for urgent remedial works to respond to a risk to the stability of critical water supply infrastructure utilising emergency works provisions in the Resource Management Act (section 330).
63. Staff identified McGuire Drainage & Contracting Ltd, who are a current Council contractor, as being a suitable contractor with availability to undertake this type of specialised erosion remediation work. They have extensive experience with this type of work and were able to source the required materials needed to undertake the remedial works urgently. Staff have assessed the contractors unit rates for this engagement are comparable to other recently completed erosion remediation works.
64. The estimated cost of the remedial works is up to \$1,100,000 (excl. GST), with much of this cost associated with the supply of rock material that will be used to stabilise the bank. Funding to complete this work was allocated in the 2023/24 Three Waters Minor Renewals and Capital Works Programme, with an allocated budget for the work of \$1,100,000 (excl. GST).

65. The estimated value of works exceeded the Chief Executive's delegated authority limit for contracts that have not been openly tendered. To enable remedial works to progress urgently, staff requested delegated approval to directly appoint McGuire Drainage & Contracting Ltd under schedule 2 clause 1c of Councils [Delegations to Position Policy](#).
66. This policy provides the Chief Executive, Mayor (or Deputy Mayor), Chair of the Finance Committee and Chair of the Infrastructure and Transport Committee joint delegated authority to approve, by majority, contracts that have not been openly tendered exceeding the Chief Executive's limit of \$250,000 and up to a value of \$3,000,000 for a term not exceeding five years.
67. Staff have taken advice from Councils Procurement Manager and internal legal advisor to ensure that the appropriate delegations and protocols are being followed due to this being an emergency situation.
68. The delegated authority provided under this policy was to approve:
 - i. The direct appointment of McGuire Drainage & Contracting Ltd to undertake work to repair erosion on the bank of the Waikato River that is undermining the stability of the western bulk water main pipes in the vicinity of the confluence of the Mangakōtukutuku Stream;
 - ii. That the Chief Executive is delegated to negotiate and award a contract with McGuire Drainage & Contracting Ltd subject to an Approved Contract Sum not exceeding \$1,100,000 (excl. GST);
 - iii. That the Unit Director Three Waters is delegated to approve any progress payments that may be required under the contract with McGuire Drainage & Contracting Ltd up to the Approved Contract Sum value;
 - iv. That as per the provisions within schedule 2, clause 1c of Council's Delegations to Position Policy, that the use of this delegated authority outlined in section 4.1 will be reported to the 21 September 2023 Infrastructure and Transport Committee.

Legal and Policy Considerations - Whaiwhakaaro-aa-ture

69. Staff confirm that the staff recommendation complies with Council's legal and policy requirements.
70. Staff have also considered the key considerations under the Climate Change Policy and have determined that an adaptation assessment and emissions assessment is not required for the matter(s) in this report.

Wellbeing Considerations - Whaiwhakaaro-aa-oranga tonutanga

71. 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').
72. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
73. The recommendations set out in this report are consistent with that purpose.
74. There are no known social, economic, environmental, or cultural considerations associated with this matter.

Risks - Tuuraru

75. There are no known risks associated with the decisions required for this matter.

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

76. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendations in this report have a low level of significance and no engagement is required.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Project Watershed Quarter 4 Report 2022/23 - River and Catchment Services

Project Watershed Report

Quarter 4

April - June 2023



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

Contents

Part 1 - Purpose of the report	3
Part 2 - Background	3
Part 3 - 2021/22 Year Work Programme Update	4
3.1 Health and Safety	4
3.2 Stream Maintenance	4
3.3 Project Watershed Management	4
3.4 Stream Bank Stabilisation	4
3.5 Community Tree Planting	5
3.6 Maintenance of works and gullies	10
3.7 Erosion Control Works	11
Part 4 - Financial Update	12

Issue	Reason for Issue	Author	Reviewer	Date
1	As per Purpose of report	M. Chevriot M. Seebeck	F. Sutton Maria Barrie	24 July 2023
2				

PART 1 - PURPOSE OF THE REPORT

The purpose of this report is to:

- a) Provide Waikato Regional Council and relevant WRC Committee(s) with highlights of the 2022/23 works programme carried out under the Project Watershed service level agreement.
- b) Report on the HCC's project watershed financial year to date operating performance.

PART 2 - BACKGROUND

Project Watershed (PW) is a joint plan of work between Hamilton City Council (HCC) and Waikato Regional Council (WRC) to ensure a holistic approach to river management.

Hamilton City Council provides services on behalf of WRC with a focus on:

- i. River Management - ensure the river catchment is free flowing and stable;
- ii. Soil Conservation - ensuring soil types are stabilised sustainably; and
- iii. Flood Protection - works that protect land and assets from natural flood events.

HCC is responsible for the collection, transfer, and treatment of stormwater, which is generated through the urbanisation of land within the city boundaries.

PW is the result of WRC and HCC acknowledging that HCC already undertakes a programme of works within the Hamilton City Boundary which are largely aligned with Project Watershed outcomes, and by working in partnership, significant portions of each organisation's work programme outcomes can be achieved more efficiently and holistically.

PW covers works within the following rivers and streams within the city boundary:

- i. Kirikiriroa Stream and gully areas;
- ii. Te Awa o Katipaiki Stream and gully areas;
- iii. Waitawhiriwhiri Stream and gully areas;
- iv. Mangaonua Stream and gully areas;
- v. Mangakotukutuku Stream and gully areas;
- vi. Ohete Drainage District; and
- vii. Komakorau Drainage District.

PART 3 - 2021/22 YEAR WORK PROGRAMME UPDATE

3.1 Health and Safety

There were no Health and Safety issues reported for this quarter.

3.2 Stream Maintenance

The table below outlines the routine inspection work carried out during 2022/23 Q4 reporting period.

APRIL, MAY, JUNE 2023	No. Streams Inspected	No. Blockage sites cleared	No. minor Blockages not cleared	No of areas of vegetation cleared	Erosion identified	Erosion Repaired, sites
Kirikiri		5				1
Mangakotukutuku	8	9				
Mangaonua	27		21		12	
Waitawhiriwhiri	15	1	18		6	
Te Awa O Kata Paki						

Total spend Q4 \$172,612

Financial Year Annual actual spend is \$287,966 (153% of Financial Year budget). Extreme weather over this quarter resulted in multiple stream blockages requiring removal. Overspend was funded from the HCC stormwater operational budget.

3.3 Project Watershed Management

PW management costs are made up of:

- scheduled monthly meetings with WRC;
- routine planning and scheduling of PW works; and
- reporting on completed works.

The budget is phased over the financial year at \$6,500.00 per quarter.

3.4 Stream Bank Stabilisation

Stream bank stabilisation work is included in the stream maintenance activities (3.2)

3.5 Community Tree Planting

Regular community events linked to Project Watershed 1 April – 30 June 2023:

Regular groups 2023	Column1	Column2	Column3	Column4	Column5
	Volunteer number	Time volunteering	Frequency of working bee	Location	Notes
Learning Links Hector Drive	12	0.5	Weekly	Mangaiti	Educational group with JFN team
Friends of Mangaonua	6	3	Weekly working bee	Mangaonua	
Friends of Mangaonua	7	2	Fortnightly working bee	Mangaonua	
Anglican Action	7	3	Weekly working bee	Mangaonua	
AJ Seeley gully group	8	3	Weekly working bee	AJ Seeley	
Mangaiti	15	3	Weekly working bee	Mangaiti	
Riverlea Environment Society Inc	10	2	Fortnightly working bee	Hammond Park	
Donny Park	10	3	Monthly	Donny Park	
Jubilee Care Group	10	3	Monthly Working Bee	Jubilee park	
Rototuna Primary Enviro Group	15	1	Monthly	Mangaiti	
Insoll Ave school enviorgroups	15	1.5	Monthly	Mangaiti/ Porrit	
Friends of Waiwhakareke	10	3	Monthly	Whaiwhakareke	
Mangakotukutuku Gully Group	25	2	Monthly	Mangakotukutuku	
Hamilton Boys High School	15	1	Weekly	AJ Seeley	

Additional activities linked to PW between 1 April – 30 June 2023:

Group	Volunteer number	Time volunteering	Hours total	No of plants planted	Date	Location	Category
Hamilton east Playcentre	15	1	15		Mar-23	A J Seeley Gully Reserve	Education
Hamilton east Playcentre	15	1	15		Mar-23	A J Seeley Gully Reserve	Education
St Pauls first XV	29	1	29		Mar-23	Donny Park	weeding/releasing/ rubbish
Glenview Primary	24	1	24		Mar-23	Mangakotukutuku	weeding/releasing
Insoll School enviro group	17	1.5	25.5	140	May-23	Mangaiti/ porrit	Planting
AJ Seeley Gully Group	15	2	30	160	May-23	A J Seeley Gully Reserve	Planting
Mangakotukutuku Group	31	2	62	220	May-23	Mangakotukutuku	Planting
AJ Seeley Gully Group	5	2	10	180	May-23	A J Seeley Gully Reserve	Planting
AJ Seeley Gully Group	4	2	8	100	May-23	A J Seeley Gully Reserve	Planting
Rototuna Primary School	280	2	560	700	May-23	Mangaiti	Planting
Hammond Park volunteers (RESI)	7	2	14	120	May-23	Hammond Park	Planting
Tzu Chi Foundation	7	2	14	200	May-23	Donny Park	Planting
Melville Kindergarten	6	1.5	9	4	May-23	Mangakotukutuku	Planting/ education
Hillcrest Normal School	25	1.5	37.5		Jun-23	Hammond Park	Education
Insoll School enviro group	25	1	25	135	Jun-23	Mangaiti / porrit	Planting
Glenview Primary	140	2	280	495	Jun-23	Mangakotukutuku	Planting
AJ Seeley Gully Group	5	2	10	100	Jun-23	A J Seeley Gully Reserve	Planting
AJ Seeley Gully Group	6	2	12	200	Jun-23	A J Seeley Gully Reserve	Planting
AJ Seeley Gully Group	7	2	14	60	Jun-23	A J Seeley Gully Reserve	Planting
Hillcrest Normal School	50	2.5	125	400	Jun-23	Humaire Park	Planting
St Pauls first XV	30	1.5	45	318	Jun-23	Swarbrick Landing	Planting

Mangakotukutuku Gully group

25 people turned out in April with a real mix of ages including children. A lot more work is getting done than originally anticipated due to the high turnout. Next month the group will begin planting. Kai was donated from Kaivolution food rescue – the volunteers enjoyed a sausage sizzle at the end of the session.



Waikato Family Adventure

A family group of around 20 visited Mangakotukutuku Gully and participated in weeding.

Southwell School

As a part of an inquiry into the bush through the lens of Kaitiaki, being guardians of this bush an HCC Community Advisor met with a class to discuss this. They learnt about conservation, preserving their remanent bush, about predators, native bats, native regeneration then the class walked through their remanent bush to visualise and see everything they had learned.

Insoll school planting

The school enviro group had their first planting this month where they planted a mixture of karamu, swamp coprosma and manuka in Mangaiti/ Porrit (140 plants in total). The kids very much enjoyed getting into the mud and planting.



Mangakotukutuku Volunteer Group Planting

220 plants were planted in May on the groups second visit, this was the groups very first planting with a record turn out of over 30. Kaivolution have been providing food for this group, a BBQ was put on at the end of each working bee. This is a monthly planting group.



AJ Seeley Community Plantings



440 plants were planted this June in AJ Seeley gully with volunteers.

Rototuna Primary School

280 year 5 and 6 students over 2 days planted 700 native plants in the Mangaiti gully that borders the school.



Melville Kindergarten

Visited the Mangakotukutuku gully to learn about the gully system, native bats, predators, native trees and even planted a few plants themselves. The children are now visiting the gully weekly as part of a bush kindy programme. We have provided them with some native seeds that they will grow at the kindy and eventually plant back into the gully.



3.6 Maintenance of works and gullies

The Natural Area Rangers are now covering all the “Natural Areas” across Hamilton and are focusing on restoration of these areas. The plan is to increase native cover by pest plant removal and planned planting. Project Watershed makes up a large part of these areas and these works benefit both HCC and WRC.

Plant pest control. Activity has been limited due to weather but removal continues in the following systems. Focus is now moving from containment to removal in some areas. Spraying and cut and paste method is used.

- Te Awa O katipaki
- Waikato River
- Kirikiriroa
- Waitawhiriwhiri
- Manakotukutuku
- Mangaonua

Planting . This activity has started for this season plantings:

- Chartwell Park - 2820 Natives plants
- Porrit – 1748 Natives plants
- Te huia - 971 Natives plants
- River path infill – 430 Native plants
- Sandford 1598 – Native plants
- Tauhara -Glen Lynne – 491 Native plants
- Te Hikuwai slip (on hold)
- Braithwaite Park – 2753 native plants

Path and park maintenance. There has been number of slips due to the weather and priority has been given to safety around these areas for the public.

Community Groups. Planting and transport of plants and laying out of plants has been undertaken.

Mowing; On going mowing of the access areas near streams.

Total spend for Quarter 4 is \$42,750.00, Total Annual spend \$171,000.00.

Financial Year Budget: \$171,000.

3.7 Erosion Control Works

Waitawhiriwhiri Stream erosion remediation - Edgecumbe Park (Cost \$116,224- PW funded)

Rock toe protection was installed along a section of the true right bank downstream of the Ulster Street culvert outlet stilling basin, to repair bank erosion caused by storm damage.



Total PW spend for Quarter 4 \$116,224.00

Annual actual spend was \$211,413.00 (98% of Financial Year budget \$215,000.00).

PART 4 - FINANCIAL UPDATE

End of financial year spend is over budget. This was due to extreme weather events resulting in major blockages to the streams. End of Financial year total invoice to WRC balanced at annual budget of \$668,700.00. The end of financial year variance of \$81,679 was funded from the HCC stormwater operational budget.

For specific operational expenditure summary please refer to the table below.

Stream Bank Stabilisation budget is split:

- **\$55,000.00 Three Waters:** This spend is incorporated in the PW Stream Maintenance budget (see section 3.4).
- **\$35,000.00 Parks and Recreation:** This spend is used for planting to provide stream bank stabilisation.

Projects	Owner	QTR 4 Actuals (\$)	Annual Actuals (\$)	Annual Budget	Variance	Percent age Spend
Project Watershed Stream Maintenance	Waters	172,612	287,966	133,700	-154,216	215%
Project Watershed Management	Waters	6,500	26,000	26,000	0	100%
Stream Bank Stabilisation	Waters/Parks	21,000	21,000	90,000	69,000	23%
Community Tree Planting	Parks	33,000	33,000	33,000	0	100%
Maintenance of works and gully's	Parks	42,750	171,000	171,000	0	100%
Erosion Control works (LOS)	Waters/Parks	116,224	211,413	215,000	3,587	98%
TOTAL		392,086	750,379	668,700	-81,679	112%

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 the Infrastructure and Transport Committee Public Excluded Minutes - 20 July 2023) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Partial Land Sale - Update)	
C3. Bulk Wastewater Storage Feasibility Assessment		
C4. Strategic Transport Project Completions		
C5. Parking Kiosk		
C6. Delegation to CE to Award Contract - Wastewater Pump Station Emergency Storage Upgrades		

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)
Item C2.	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C3.	to avoid prejudice to measures preventing or mitigating loss to the public	Section 7 (2) (e)
	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C4.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)
Item C5.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
		Section 7 (2) (i)

Item C6.	to enable Council to carry out negotiations	
	to enable Council to carry out commercial	Section 7 (2) (h)
	activities without disadvantage	Section 7 (2) (i)
	to enable Council to carry out negotiations	