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## Infrastructure and Transport Committee

### *Te Komiti Tuaapapa me ngaa Waka*

### OPEN MINUTES

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Minutes of a meeting of the Infrastructure and Transport Committee held in Council Chamber and Audio Visual Link , Municipal Building, Garden Place, Hamilton on Tuesday 30 May 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 Ryan Hamilton  
Cr Moko Tauariki  
Cr Louise Hutt (via Audio-visual link)  
Cr Kesh Naidoo-Rauf  
Cr Andrew Bydder  
Cr Sarah Thomson  
Cr Anna Casey-Cox

**In Attendance:** Eeva-Liisa Wright – General Manager infrastructure Operations  
Chris Allen – General Manager Development  
Robyn Denton – Network and Systems Manager  
Martin Parks – Public Transport & Urban mobility Manager  
Kyll Foley – Environmental Policy Analyst

**Governance Staff:** Amy Viggers – Governance Lead  
Nicholas Hawtin – Governance Advisor  
Chantel Jansen – Governance Advisor

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*Cr Hamilton opened the meeting with a karakia*

#### 1. **Apologies – Tono aroha**

**Resolved:** (Deputy Mayor O’Leary/Cr van Oosten)

That the apologies for absences on Council business from Cr Wilson and Cr Donovan, for absence from Cr Taylor, Cr Pike and Cr Huaki, for early departure from Cr Hamilton, and for lateness from Cr Tauariki are accepted.

#### 2. **Confirmation of Agenda – Whakatau raarangi take**

**Resolved:** (Deputy Mayor O’Leary/Cr van Oosten)

That the agenda is confirmed noting that item C7 (General Managers report – Public Excluded) is taken at 2.00pm to accommodate external presenters.

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

No members of the Council declared a Conflict of Interest.

**4. Public Forum – *Aatea koorero***

**Melissa Smith** (Bike Waikato) spoke to item 9 (CERF Projects) concerning the Killarney roundabout upgrade and raised safety platforms.

**5. Confirmation of the Infrastructure and Transport Committee Open Minutes - 7 March 2023**

**Resolved:** (Deputy Mayor O’Leary/Cr Thomson)

That the Infrastructure and Transport Committee confirm the Open Minutes of the Infrastructure and Transport Committee Meeting held on 7 March 2023 as a true and correct record.

**6. Chair's Report**

The Chair outlined her report and spoke to a change to the recommendation. She responded to questions from Elected Members concerning the submission to the parliamentary Select Committee, Regional Land Transport Plan and Waka Kotahi’s focus on resilience and climate change.

**Resolved:** (Deputy Mayor O’Leary/Mayor Southgate)

That the Infrastructure and Transport Committee:

- a) receives the report; and
- b) requests staff investigate opportunities and costs for safe access of the pedestrian gate at the Metlifecare Forest Lake Gardens to enable walking access to Minogue Park and report back to the next Infrastructure and Transport Committee meeting, noting Metlifecare has offered a financial contribution to the cost of works of \$15,000.00, payable in three instalments.

**7. Trade Waste and Wastewater Bylaw - Deliberations Report**

The Environmental Policy Analyst took the report as read, highlighting feedback on the bylaw process. Staff responded to questions from Elected Members concerning mortuary waste and the consultation process.

**Resolved:** (Deputy Mayor O’Leary/Cr van Oosten)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) recommends that the Council adopts the revised Trade Waste and Wastewater Bylaw (2023), effective from 1 July 2023;
- c) notes that:
  - i. as part of this review, Council determined on 8 June 2021 that a Trade Waste and Wastewater Bylaw is the most appropriate mechanism for addressing issues relating to Trade Waste and Wastewater management in Hamilton;

- ii. the Hamilton Trade Waste and Wastewater Bylaw 2016 has been reviewed and consulted on as per the requirements of the Local Government Act 2002;
- iii. the revised Trade Waste and Wastewater Bylaw 2023 is the most appropriate form of the bylaw, having regard to the issues identified in the review and consultation feedback; and
- iv. the revised Hamilton Trade Waste and Wastewater Bylaw 2023 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

#### **8. Improvements to Wairere Drive / Gordonton Road roundabout**

The Network and Systems Manager outlined the report and highlighted that there was a Briefing with Members that took place prior to the meeting to discuss the options. Staff responded to questions from Elected Members concerning raised safety platforms with a focus on departure ramp design, legal risks to council, further safety options, and engagement with the Community.

**Resolved:** (Deputy Mayor O’Leary/Cr van Oosten)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves **Option A**, the proposed installation of raised safety platforms on four approaches to the intersection of Gordonton Road and Wairere Drive to improve safety, noting funding for this work will be from the 2023/24 Low Cost Low Risk Road to Zero programme as approved in the 2021-31 Long Term Plan.

**Cr Bydder and Cr Hamilton Dissenting**

#### **9. Climate Emergency Response Fund Transport Choices Package - Delivery Update**

The Public Transport & Urban Mobility Manager and Capital Projects Director outlined the report and the noted that the staff recommendation was seeking approval of three macroscopes. Staff responded to questions from Elected Members concerning the macroscopes designs, parking management, and further education. It was confirmed that the next report to the Committee would include the bus usage data and history in relation to project 27-Anglesea Street South Bus Stop.

**Resolved:** (Cr Casey-Cox /Cr Thomson)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves the macroscope of the following project schedules as outlined in the staff report:
  - i. Project 16 - Western Rail Trail to Frankton Station
  - ii. Project 26 - Killarney Road between the Western Rail Trail and Queens Avenue
  - iii. Project 27 - Anglesea Street South Bus Stop;
- c) delegates the Chief Executive to finalise and execute the civil construction contracts, subject to Waka Kotahi NZ Transport Agency procurement approval and agreement terms of the CERF Transport Choices programmes, noting that staff will continue to seek amendments to improve the Council’s commercial position;
- d) delegates the Chief Executive to execute contract agreements and make the following direct or closed tender contract appointments, to be paid for from CERF Transport Choices and subject to Waka Kotahi NZ Transport Agency procurement process approval:

- i. approves delegation up to 3 Civil Construction Contracts for all investigation, consenting, design, construction, and post construction contract documentation preparation including variations and time extensions associated with the approved CERF Transport Choices programme for a combined Approved Contract Sum not exceeding \$25M + GST following an open tender process
- ii. approves a direct appointment with ARA Shelters Ltd for award of a contract for the supply of bus shelters and bike parking facilities with a maximum Approved Contract Sum of \$1,200,000 + GST
- iii. approves a \$3M direct appointment maximum contract value for the CERF Transport Choices funded contracts for the delivery of specialist services not going to tender, noting this is consistent with the existing provision for monopoly service providers in the Council's Delegation to Positions Policy
- iv. approves an Approved Contract Sum not exceeding \$3.5M + GST for Professional Services Panel member consultants for all investigations, consenting, design, construction, and post construction safety review contract documentation
- v. approves a delegation to the Capital Programme Director to make contract payments up to the Approved Contract Sum relating to resolutions c) and d) above;
- e) notes that the above delegations are subject to infrastructure and Transport Committee macroscope approvals of project schedules as per 7 March 2023 Infrastructure and Transport Committee resolutions; and
- f) notes that the above delegations are subject to commercial, probity, and assurance aspects being resolved to the specification of the General Manager Development.

**Cr Bydder, Cr Hamilton and Cr Naidoo-Rauf Dissenting**

**The meeting was adjourned 11:06am to 11:24am during the discussion of the above item.**

*Cr Hutt retired from the meeting (11:45am) at the conclusion of the above item. She was present when the matter was voted on.*

**10. Draft 2024 Speed Management Plan Review - approval for consultation**

The Network and Systems Operation Manager spoke to the report and highlighted that the recommendation was seeking approval to go out for public consultation. Staff responded to questions from Elected Members concerning the Speed consultation process, construction of speed adequate roads, tracking data surrounding high speed zones, communication with the police regarding high concern spots, Regional Transport Plan processes and speed cameras.

**Staff Action:** *Staff undertook to invite Waka Kotahi to speaker at a future meeting concerning reduction of speed within the city and any impact data that they have.*

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

That the Infrastructure Operations Committee:

- 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.

**Cr Hamilton Dissenting**

**11. General Managers Report**

The General Manager infrastructure Operations spoke to the report in particular the transport centre project. Staff responded to questions from Elected Members concerning Project Watershed, park and ride, and the status of the transport centre project with a focus on project timeframes, inflation and safety.

**Staff Action:** *Staff undertook to seek an updated from Waikato Regional Council concerning Project Watershed and Councils request for greater oversight.*

**Staff Action:** *Staff undertook to organise a Briefing with Elected Members concerning the transport centre project at the appropriate time.*

**Resolved:** (Deputy Mayor O’Leary /Cr van Oosten)

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves the Draft 2 (**Attachment 1** of the staff report) submission to Parliament’s Transport and Infrastructure Committee on the *Land Transport Management (Regulation of Public Transport) Amendment Bill*;
- c) approves the Draft 2 (**Attachment 2** of the staff report) submission to Ministry of Transport on the *Charging our Future - Draft Long Term Electric Vehicle Charging Strategy for New Zealand*; and
- d) approves the Climate Emergency Response Funding (CERF) – Vehicle Kilometres Travelled (VKT) Programme Draft 2 (**Attachment 2** of the staff report) application to Waka Kotahi NZ Transport Agency.

*Cr Tauariki joined the meeting (12:45pm) at the conclusion of the above item. He was not present when the matter was voted on.*

**12 Resolution to Exclude the Public**

**Resolved:** (Deputy Mayor O’Leary /Cr van Oosten)

**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 - 7 March 2023	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987 )	Section 48(1)(a)
C2. Refuse Transfer Station & Hamilton Organic Centre - Proposed Gates Fees 2022/23		
C3. Three Waters Connection Request - Hillcrest Area		
C4. Contract 0805-2021 - Disposal of Sewage Sludge - Variation		
C5. Pukete WWTP Capacity Upgrade Bioreactor Retrofits Contract Award		
C6. Contract Award - Whatukooruru Drive - Hall Rd to State Highway 3 enabling works		
C7. General Managers Report - Public Excluded		

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 commercial activities without disadvantage to enable Council to carry out negotiations to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (h) Section 7 (2) (i) Section 7 (2) (j)
Item C3.	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)
Item C5.	to enable Council to carry out commercial activities without disadvantage to enable Council to carry out negotiations	Section 7 (2) (h) Section 7 (2) (i)
Item C6.	to maintain the effective conduct of public affairs through protecting persons from	Section 7 (2) (f) (ii) Section 7 (2) (h)

Item C7.	improper pressure or harassment	Section 7 (2) (i)
	to enable Council to carry out commercial activities without disadvantage	
	to enable Council to carry out negotiations	
	to avoid the unreasonably, likely prejudice	Section 7 (2) (b) (ii)
	to the commercial position of a person who supplied or is the subject of the information	Section 7 (2) (g)
	to maintain legal professional privilege	

**The meeting was moved into public excluded session at 12:45pm**

**The meeting was declared closed at 3:08pm**

### Minute Notes 8/08/2023:

On 8/08/2023 the following resolutions were determined to be released to the public via these minutes and the quarterly update.

#### C3. Three Waters Connection Request - Hillcrest Area

##### Resolved:

That the Infrastructure and Transport Committee:

- a) receives the report;
- b) approves **Option 1** of the staff report to approve the application from St John's College to increase their existing water usage by up to 30m<sup>3</sup>/day from 17.9m<sup>3</sup>/day to 47.9m<sup>3</sup>/day, subject to:
  - i. St John's College completing a network capacity modelling assessment that demonstrates sufficient local capacity is available to service the requested increased water use without compromising the supply and provision of fire protection to surrounding water users;
  - ii. Council staff negotiating and finalising an appropriate high water use agreement with St John's College that outlines matters such as but not limited to: flow restriction, night drawdown, alert level restrictions, a short term of supply (such as 3 years), staged implementation of water efficiency measures, monitoring and reporting of use, agreement terms and conditions;
- c) delegates authority to the Unit Director Three Waters to finalise and execute the appropriate high water use agreement; and
- d) notes that the decision and information in relation to this matter be released at the appropriate time, to be determined by the Chief Executive.