

Minutes of a meeting of the
City Development Committee – OPEN

Time and date: 9.30am, Tuesday, 1 April 2008.

Venue: No. 1 Committee Room, 1st Floor, Council Building, Garden Place, Hamilton.

Committee Members: Councillors G M Saunders (Chairperson)
G D Chesterman
J R Gower
R E Hennebry
P M Mahood
A R O'Leary
M J Westphal

In Attendance: Councillors Di Maio and Bell
Chief Executive, Deputy Chief Executive, General Manager Environmental Services, General Manager Strategic, General Manager Works & Services, Team Leader District Plan, Planner, Property Manager, Property Portfolio Manager and Democratic Support Services Manager.

Committee Advisor: Ms F M Yates

SECTION A: DECISIONS MADE UNDER DELEGATED AUTHORITY FOR NOTING BY THE COUNCIL

1. Confirming the Agenda

The Committee to confirm the agenda.

Resolved: (Crs Gower/Mahood)
That the agenda be confirmed.

2. 13/16/26. Chairperson's Report

The Committee to receive the above report.

Joint Hamilton Sub-Regional Growth Strategy Committee

Motion: (Crs Saunders/Mahood)
That the Joint Hamilton Sub-Regional Growth Strategy Committee report to the City Development Committee quarterly.

The Motion was declared carried on the voices as the Committee's decision for noting by the Council.

Chairperson's Report

Resolved: (Crs Saunders/Mahood)
That the report as circulated be received.

3. 13/16/26. Council Resolution Monitoring Report

The Committee to receive the above report.

Resolved: (Crs Westphal/O'Leary)
That the report as circulated be received.

SECTION B: RECOMMENDATIONS OF THE COMMITTEE FOR ADOPTION BY THE COUNCIL

4. 13/1. Petitions

The Committee to consider a report and recommendations from the Deputy Chief Executive.

Motion: (Crs Chesterman/Hennebry)
That:

- a) the report as circulated be received, and
- b) the draft Petition Policy be approved.

Amendment: (Crs Gower/Westphal)
That the point 2) of the policy be amended to read:

'Petitions of less than 100 signatures may be accepted with approval from both the Mayor and appropriate Committee Chairperson.'

The Amendment was declared lost 5-2 on a show of hands.

Further Amendment: (Crs Mahood/O'Leary)
That:

- a) the report as circulated be received, and
- b) the draft Petition Policy be approved with the following amendment:

'Petitions of less than 100 signatures may be accepted with approval from both the Mayor and the appropriate Committee or Subcommittee Chairperson.'

The Further Amendment was declared carried unanimously on a show of hands.

The Further Amendment as the Motion was then put and declared carried on the voices as the Committee's recommendation for adoption by the Council.

Further Motion: (Crs Westphal/Gower)
That the policy objective be amended to read:

'To enable residents of Hamilton to initiate a petition on matters of community interest and to standardise the format for administrative consistency.'

The Further Motion was declared carried on the voices as the Committee's recommendation for adoption by the Council.

5. 45/6/R18 & 40/5/8. Hamilton City Holiday Park

The Committee to consider a report and recommendations from the Deputy Chief Executive.

Motion: (Crs Chesterman/Mahood)
That:

- a) the report as circulated be received, and
- b) the lease be updated and extended for a further 5 years beyond the current lease expiry date of 31 August 2017 to a final expiry date of 31 August 2022, provided there is a commitment from the lessees to additional capital upgrade works indicated in paragraph 3.9 of the report before the Committee and an appropriate service level agreement is incorporated into the new lease.

The Motion was declared carried on the voices as the Committee's recommendation for adoption by the Council.

Further Motion: (Crs Mahood/Chesterman)
That Council consider the need for land to be set aside for a holiday park in the District Plan Review.

The Motion was declared carried on the voices as the Committee's recommendation for adoption by the Council.

6. 124/8/12. Variation No. 9 to the Hamilton City Proposed District Plan

The Committee to hear submissions and consider a report and recommendations from the General Manager Strategic.

The Team Leader District Plan introduced the item outlining the contents of the report before the Committee advising that full copies of submissions and further submissions to be considered were attached in the report before the Committee (Attachment 4) and that only one submitter, Mr Harold Place, had indicated that he wished his submission to be heard.

The Chairperson then invited Mr Place to address the Committee. In addition to his previous written submission, Mr Place advised that he would like to see Hamilton's Central Business District brought back to life again. Suggested that Council provide free parking to attract people to the city, perhaps built around a new mega store. On completion of his submission, Mr Place responded to questions from Councillors.

In presenting the recommendations for consideration, the Chairperson advised that she wished to deal with the matter in parts.

Recommended: (Crs Gower/Hennebry)
That:

- a) the report as circulated be received, and

- b) pursuant to Clause 10 of the First Schedule to the Resource Management Act (1991), Council resolves to accept or reject the submissions relating to Variation No. 9: Amendments to Financial Contributions, Traffic Management and Miscellaneous Provisions, in accordance with the following:

Recommended: (Crs Mahood/Gower)
That:

- a) Variation No. 9: Amendments to Financial Contributions, Traffic Management and Miscellaneous Provisions as attached in the report before the Committee be confirmed subject to Recommendations b)-f) for the following reasons:

Reasons

1. The amendments proposed in Variation No. 9 are necessary to ensure that the accuracy, relevance and integrity of the Proposed District Plan are not compromised or eroded over time.
2. The operation of the Proposed District Plan brings to light minor errors or inconsistencies which require correction to ensure that the Plan continues to operate as effectively and efficiently as possible.
3. Ensuring that the Proposed District Plan is kept as up to date and as accurate as practicable promotes the purpose and principles of the Resource Management Act 1991 on an ongoing basis.

Recommended: (Crs Hennebry/Gower)
That:

- b) the proposed deletion from the Significant Tree Register of T30.1 as contained in Variation No. 9 be confirmed and that there be no change made to the variation.

Submission Schedule
Submission 002.01 J. Hughes
Accept in full (in support)

Reasons

1. The tree no longer meets the criteria for inclusion in the Significant Tree Register of the Proposed District Plan as specified in the Royal New Zealand Institute of Horticulture assessment method and criteria.
2. The landowner supports the deletion of the tree in the Significant Tree Register.

Recommended: (Crs Mahood/O'Leary)
That:

- c) the proposed removal of the Environmental Protection Overlay notation at 1-4/6 Teddy Street as contained in Variation No. 9 be confirmed and that there be no change made to the variation.

Submission Schedule
Submission 004.01 D. Emms
Accept in full (in support)

Reasons

1. The removal of the Environmental Protection Overlay notation at 1-4/6 Teddy Street corrects an anomaly and achieves certainty for the landowner.

Recommended: (Crs Westphal/Mahood)
That:

- d) the proposed re-zoning of Frankton Plantation (Lot 1 DP 336335) from Recreation Environment to Commercial Service zoning as contained in Variation No. 9 be confirmed and that there be no change made to the variation.

Submission Schedule
Submission 007.01 Kepler Weir Holdings Ltd
Accept in full (in support)

Reasons

1. The Commercial Service zoning corrects an error and achieves certainty for the landowner.
2. The landowner supports a Commercial Service zoning for Lot 1 DP 336335.

Recommended: (Crs Gower/O'Leary)
That:

- e) submission point 011.01 from Transit New Zealand in respect of achieving on-going co-operation between Hamilton City Council and Transit is accepted and that there be no change made to the variation.

Submission Schedule
Submission 011.01 Transit NZ C/- B. Tobias
Accept in full (in support)

Reasons

1. Co-operation between Transit and Hamilton City Council has continued to occur on an on-going basis, particularly with regard to Structure Plans.

Recommended: (Crs Mahood/Gower)
That:

- f) the following submissions be deemed outside the scope of the variation and that no change be made to the variation. Council should also investigate the appropriate means by which the relief sought can be addressed.

Submission Schedule			
Submission	003.01	H. Place	Reject in full
Further Submission	100.01	H. Place	Reject in full
Further Submission	100.02	H. Place	Reject in full
Further Submission	100.03	H. Place	Reject in full
Further Submission	100.04	H. Place	Reject in full
Further Submission	100.05	H. Place	Reject in full
Further Submission	100.06	H. Place	Reject in full
Further Submission	100.07	H. Place	Reject in full
Further Submission	100.08	H. Place	Reject in full
Further Submission	100.09	H. Place	Reject in full
Submission	005.01	WEL Networks	Reject in full
Submission	006.01	D. Gower	Reject in full
Submission	008.02	Cycle Action Waikato	Reject in full
Submission	008.03	Cycle Action Waikato	Reject in full
Further Submission	101.05	Transit NZ	Reject in full
Further Submission	101.06	Transit NZ	Reject in full

Reasons

1. That pursuant to the First Schedule of the Resource Management Act 1991, these submissions fall outside the scope of Variation No. 9.
2. There are no provisions in Variation No. 9 relating to height of buildings in the CBD or Opoia Road.
3. There are no provisions in Variation No. 9 relating to Policy 4.3 Network Utilities and the Electricity Act 1992 and Electricity Regulations 1997.
4. There are no provisions within Variation No. 9 relate to Pembroke Lane or the status of Pembroke Lane in the roading hierarchy.
5. There are no provisions within Variation No. 9 relating to Policy 4.4 and Rule 6.1 so that they promote permeability within or between subdivisions for pedestrians and cyclists or relating to connections from collector roads and it has been flagged that Variation 15 Subdivision Connectivity addresses these matters.

7. 111/18/5. CityScope – Independent Review on Implementation

The Committee to consider a report and recommendations from the General Manager Strategic and General Manager Environmental Services.

Mr Peter Reaburn of Cato Bolam Consultants addressed the Committee concerning the review he has undertaken with regards to Cityscope and Vista. He then responded to questions from Councillors.

Recommended: (Crs Gower/Mahood)

That:

- a) the report as circulated be received, and

- b) it be noted that a report on the District Plan Strategy will go to the May City Development Committee meeting to address the district planning recommendations in Appendix 1 of the report before the Committee.

The meeting was declared closed at 12.05pm.

The above minutes of a meeting of the City Development Committee before the Council.

Motion: (Crs Saunders/O'Leary)
That with the exception of Item 4, the decisions in Section A be noted and the recommendations in Section B be adopted.

The Motion was declared carried on the voices.

Item 4: 13/1. Petitions

Motion: (Crs Saunders/Gower)
That:

- a) the report as circulated be received, and
- b) the draft Petition policy be approved with the following amendments:
 - i. Where a petition of 100 signatures is not practical, approval to receive is at the discretion of the Committee Chairperson and the Sub-Committee Chairperson.
 - ii. The policy objective be amended to read:

To enable residents of Hamilton to initiate a petition on matters of community interest and to standardize the format for administrative consistency and fairness.

The Motion was declared carried on the voices.