

BEFORE THE HEARING COMMISSIONER

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Hamilton City Council – Community Facilities to demolish a Category B Heritage Building (Municipal Pools) and to undertake associated earthworks and site remediation

**STATEMENT OF EVIDENCE OF HELEN PAKI ON BEHALF OF HAMILTON CITY
COUNCIL – COMMUNITY FACILITIES**

Dated 28 October 2019

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INTRODUCTION

1. My full name is Helen Paki. I hold the position of Community Services Unit Manager within the Community Group, for the Hamilton City Council (**Council**). I have responsibility for the Hamilton Pools, including the Municipal Pool as part of this portfolio. I have held this position for five months.
2. I hold the qualifications of Master of Applied Psychology and a Diploma in Law. I have had approximately 12 years' experience in Community Services within local government with the last nine years as Business Manager prior to my current role. The bulk of my experience has involved business management, planning, asset and programme management. I have project managed the Rototuna Town Centre (Area A) Comprehensive Development Plan and have oversight of the current feasibility for community facility development in Area A. This has involved liaison with developers, our legal team, consultants, functions across Council (planning, transportation, city delivery) and community/stakeholder engagement.
3. In my role as Business Manager I have had involvement with the Municipal Pool facility since its closure in 2011, including input into, and review of, reports to Council. I wrote the Request for Proposal for the Waikato Regional Sports Facility Plan. A key part of my role has been to provide input into, and coordinate, Community Group planning, needs assessment, business proposals and budgeting for the Council's 10-Year and Annual Planning cycle in compliance with the Local Government Act 2002.

CODE OF CONDUCT

4. I have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it. I confirm that the opinions expressed in this

statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF EVIDENCE

5. The scope of my evidence addresses:
 - a) The management and operation of aquatic facilities operated by Council, the demand for pools in Hamilton and the accessibility of those pools to residents and visitors to the region; and
 - b) The strategic value of the Municipal Pools site in the context of Council's Central Business District redevelopment and Riverbank related strategies and therefore the necessity for demolition.
6. My involvement to date in this resource consent process has included meeting with current pools and project management staff, reviewing the application and submissions, reviewing previous Council and consultant reports, attending site visits and pre-hearing meetings. I am the 'project sponsor'.
7. I am familiar with the Municipal Pool site and have used the pool when it was operating, and I have walked over the site after closure on more than one occasion. I also regularly walk past the site.
8. In preparing my evidence, I have relied on four reports which help to inform my view on the role and function of the Municipal Pool facility within Council's overall asset strategy;
 - a) Waikato Regional Sports Facility Plan – Sport Waikato 2014;

- b) Aquatic Facilities Review Assessment - Opus 2014;
- c) Waikato Aquatics Facility Plan - Global Leisure Group 2017; and
- d) Rototuna Aquatic Facilities Feasibility – SGL Consulting 2019.

9. I have also considered the following information:

- a) Council reports from 2011 relating to closure and options for the Municipal Pool;
- b) Hamilton City Council Long-term Plan 2018-2028;
- c) Hamilton City Council Aquatics Facility Asset Management Plan;
- d) Hamilton City Council Play Strategy 2019;
- e) Hamilton City Council Operative District Plan 2017;
- f) Sport New Zealand Community Sport Strategy 2013;
- g) Sport New Zealand National Facilities Strategy - Aquatics 2015;
- h) Sport New Zealand Active NZ 2017;
- i) Sport Waikato Moving Waikato 2025;
- j) University of Waikato, National Institute of Demographic and Economic Analysis, NIDEA Low Nov 2016 population figures;
- k) World Health Organisation, Global Action Plan on Physical Activity 2018-30;
- l) Hamilton City Council Ferrybank Development Plan; and
- m) Hamilton City Council River Plan.

THE CONTEXT OF THE MUNICIPAL POOLS AS A COMMUNITY ASSET

Local Government Act 2002

10. Council has obligations under the Local Government Act 2002 (**LGA**) in relation to the provision of community infrastructure. In performing its role, Council is required to have regard to the contribution that core services such as reserves, recreational and community amenities have in accordance with s 11A(e) of the LGA.

Demand for Pools in Hamilton

11. Several reports have been undertaken to assess the need and demand for pools in Hamilton. Council is not the only provider of pools and this has been taken into consideration in the analysis.
12. The Council Aquatic Facilities Review undertaken by OPUS in 2014 reported on feedback from user surveys (used to contribute to the Waikato Sport Facility Plan) on four aquatic facilities (17%) in the Waikato region that were not meeting current community needs, with one of these being the Waterworld aquatic facility. This was attributed to a variety of factors such as levels of facility use, water temperature and lack of children's water play areas.
13. During peak hours (3.30pm to 8pm) Waterworld was booked out at close to 80% occupancy of lane space. This can cause some friction between casual swimmers, club swim, and learn to swim lessons, all competing for the same space. The report compared the national guidelines for pool provision against Council pool provision and found there is a deficit in pool provision over the autumn / winter / spring months (April through to November), however, there is adequate pool provision over summer months (December to March) due to the addition of the partner pools.

14. A recent report undertaken in 2019 by SGL Consulting Group – Rototuna Aquatics Feasibility Report (as part of the feasibility for the Rototuna Community Hub), stated that projections suggest that unmet demand for swimming currently exists and will increase over the next few decades based on population growth and changes in the age profile. Meeting demand is dependent on providing the ‘right’ facilities at the ‘right’ location, at the right time and at the ‘right’ cost. This report also states that an indoor facility is preferable to satisfy demand as an outdoor pool will have limited use given the climate for much of the year.

Population and Demographics

15. The Waikato Regional Aquatic Facility Plan states that the Waikato Region has shown a high level of growth over recent years and is expected to continue particularly in Hamilton, Waikato and Waipa with a projected increase by 29% to 572,213 by 2043. While the population is growing, it is also changing. All areas are aging with the 65+ age group increasing from 70,892 (18% of the total population) in 2017 to a projected 173,809 (34% of the total population) by 2043. Over the same period both the 0 to 14 years old and 15 to 39 year old age groups are projected to decline.

Aquatic Trends

16. A review of sporting trends (National Aquatics Facility Strategy; Waikato Regional Aquatic Facilities Plan) that while participation in swimming has declined nationally in the majority of age groups with the only increase in the 50 to 64 year age group, it still continues to be a popular recreational activity.

Hamilton Pools

17. Waterworld is one of the largest indoor/outdoor aquatic centres in New

Zealand, comprising a 50-metre pool, a 25-metre pool, a toddlers' pool, a deep-water dive pool, hydrotherapy pool and an outdoor leisure pool with toddler's splash pad. The facilities also include hydro slides and speed slides, a sauna, spas and steam rooms, BBQs and picnic areas, playground and gym facility.

18. The Hydrotherapy pool located at Waterworld was opened in July 2011. The pool's warmer temperature makes it ideal for customers who are rehabilitating and is also used for 'learn to swim' classes. Waterworld has recently undergone a \$10.7m major refurbishment and Gallagher Aquatic Centre has also been repositioned to accommodate learn to swim lessons.
19. The Gallagher Aquatic Centre in Melville provides an indoor 25-metre pool and a toddler/teaching pool, playground, and BBQ area.
20. In addition to the Waterworld and Gallagher Pools, Council provides a Partner Pool programme. The purpose of the programme is to increase the available pool space and create a greater range of local swimming facilities. All Partner Pools are managed by the individual organisations and supervised by qualified lifeguards supported by an annual financial operational grant from Council. All of the partner pools are outdoor pools and provide additional lane space over summer only.
21. The location and availability of each of the partner pools are outlined below:

University of Waikato

1 December-31 March

Monday-Sunday 12pm to 6pm

Closed 25 and 26 December, and 1st and 2nd January.

Te Rapa Primary School

October-April:

Sundays, 2pm-6pm

School summer holidays:

Monday-Friday, 12pm-6pm

Sundays, 2pm-6pm

Hillcrest Normal School

Throughout school summer holidays.

Saturdays, Sundays and Public Holidays, 1pm-5pm

Fairfield High School

November-April

Mon-Sun, 11am-5pm

Public Holidays 11am-3pm

Hamilton Boys High School

17 November 2018-30 April 2019.

Saturday and Sunday, 12pm-6 pm

7 January-27 January 2019

Daily, 12pm-6pm

Closed 25th December until 7th January

22. All partner pools, being located on educational premises, have access to a nearby bus stop with a regular bus service.

Municipal Pools

23. The Municipal Pool complex was opened in 1912 to provide aquatic recreation services to the Hamilton community. The Hamilton Amateur Swimming Club took over the administration of the Municipal Pool following the completion of Waterworld in 1976. The Club operated under short term agreements until 1984 when a 14-year community body lease was granted by Council.

24. Over the years, with the introduction of Waterworld and Gallagher pools, patronage at the Municipal Pools steadily declined, but there was a regular number of users and schools still using the facility by 2011. Council increased their operational grant to the Club in 2011 but the cost to operate became unmanageable and the Club handed the pool back to Council in that same year.
25. At that time a number of structural issues were identified (earthquake prone; leaks; water circulation) and this, along with the high cost of operation per user compared to other facilities, resulted in Council making a decision to close the Municipal Pools in December 2011. Council approved provision of \$50,000 to investigate options. Users were encouraged to access the other Hamilton Pools including partner pools.
26. Council staff worked with a number of partners including Sport Waikato and Swim Waikato during the investigation period and commissioned OPUS Consulting to analyse and cost options for redevelopment of the site. Sink or Swim also undertook investigation of options during this time and these were presented to Council for consideration.
27. Findings from the Waikato Regional Sport Facility Plan and the Aquatic Facility Plan identified several facility gaps and possible partnership approaches for Council. Recommendations included closing the Municipal Pools with a view that investment in a new indoor facility would provide greater benefit, especially over autumn and winter months.
28. Following significant investigation and consideration of options, Council resolved to permanently close the Municipal Pools in June 2015 and this decision was consulted on as part of the 2015-2025 10-Year Plan. In its decision making, Council was of the clear view that while the demand for swimming facilities would continue to increase, the answer to meeting that demand was not the refurbishment of the Municipal Pools. The costs were simply prohibitive and did not represent good value to Hamilton ratepayers.

29. Instead, \$1 million was budgeted in the 2018-28 10-Year Plan for the demolition of the Municipal Pools and approved in the 10 Year Plan deliberations. No decision has been made on any future projects to be developed on this site, other than it will be returned to open space in the immediate short-term. This decision does not preclude any future development on this site.
30. Several submissions were received requesting Council re-build the Municipal Pools through the LTP consultation including a submission from Sink or Swim proposing the redevelopment of an outdoor pool on the site. This submission was not supported by Council.
31. Reasons to continue with the proposed demolition include the current site being a health and safety risk for anyone who enters the site due to ongoing deterioration. Deterioration has occurred over time as Council has had to make the hard decision on where to allocate limited funding. It has focused on the maintenance and development of indoor pools (Gallagher and hydrotherapy pool at Waterworld), to increase all-year round provision.
32. I agree with Sink or Swim's statement in their submission to the 2018-28 10-Year Plan, and the supporting evidence shows, that there is unmet demand for pool provision in Hamilton and the wider Waikato. This has also been acknowledged by Council previously over a number of years. However, Council has a responsibility to provide facilities and assets in an efficient and cost-effective way, ensuring that the right facilities are built at the right time in the right location. While there are benefits to a centrally located outdoor pool, based on the evidence provided in the consultant's reports, it is my evidence that there is greater benefit to investing in indoor facilities that provide increased capacity during the autumn/winter months, when capacity is currently deficient.

33. While I acknowledge that there is currently an unmet demand for pool space in Hamilton City over the autumn and winter months, since the Municipal Pool closed in 2011, additional pool space has been developed in Hamilton as follows:
- a) The hydrotherapy pool has been opened at Waterworld offering a rehabilitative service and learn to swim classes;
 - b) An additional Partner Pool, located in Hamilton East (Hamilton Boys High School) has been available for public use support by a Council grant;
 - c) Waterworld has recently undergone a \$10.7m significant refurbishment to improve filter systems, flooring and ceiling and increase water depths ensuring the long-term sustainability of this major facility;
 - d) A renewal and upgrade of the children's play 'splash pad' at Waterworld will be undertaken in 2019;
 - e) Fastlane Fitness (private ownership) opened in Victoria Street providing a gymnasium and a 25 metre pool for lane swimming;
 - f) Feasibility and expressions of interest are being progressed for a potential commercial operator of a gymnasium/pool facility in Rototuna, as part of the village centre development.
34. This programme of work and investment demonstrates that Council continues to develop its community resources, but that the Municipal Pools are not a feature of the overall strategy to meet demand into the

future.

Long-term Plan 2018-28 and 2018-48 Infrastructure Strategy

35. There is currently no funding in the 2018-28 10-Year Plan for new pool development. Council has allowed for expressions of interest for a commercial pool provider to operate a pool on the land that is currently in Council ownership in the Rototuna village as part of the development of the community facilities. A sports park is currently in development in this area (due for completion in late 2019) and funding has been allocated for a new library and town square development by 2022. Council is currently coordinating with the University of Waikato on an indoor recreation centre complex on the campus, the designs of which include covering its 50m swimming pool and heating it. Council has committed \$4m in its 2018-2028 10-Year Plan towards this project.
36. Staff are currently preparing Asset Management Plans (**AMP**) in preparation for the 2021-31 10-Year Plan. The Aquatics AMP will include detailed planning and proposals for future development to be considered within the 2021-31 10-Year Plan. The refurbishment of the Municipal Pools is not a feature of that strategy.
37. We continue to review opportunities to maximise our pool space through improved programming and provide annual grants to Partner Pools to extend the availability of pools over the summer months. The Municipal Pools simply do not represent an effective and efficient option in terms of meeting ongoing demand for swimming facilities within the City. Preliminary costings for refurbishment and or replacement demonstrate poor value to the Hamilton Ratepayer. Council has more effective options to pursue in order to enhance swimming related community assets.
38. Meanwhile, the effect of not demolishing the Municipal Pools is that it will continue to deteriorate in its current state and the land will remain

unusable for any purpose. The site is a health and safety hazard in its current state with potentially unstable structures. It is not appropriate to retain the facility in its current state in such a high-profile position within the city.

COUNCIL'S STRATEGIC INTENT FOR THE SITE

Council's Community Outcomes

39. The Council's Community Outcomes are vital in guiding the plans, strategies, services and projects we deliver to the city and its residents. The Community Outcomes are fundamental to our operations and our decision-making. They are:

- a) A great river city: Our city embraces its natural environment and has green spaces, features and community facilities that make it a great place to live, work, play and visit.
- b) A city that embraces growth: Our city has infrastructure that meets our current demands, supports growth and helps build a strong economy.

40. To achieve these outcomes Council has looked closely at the community assets and open spaces in the CBD and in the Ferrrybank areas, as these locations are seen as vital to achieving the vision of a great river city.

Council's strategic direction for the site

41. As discussed earlier in my evidence, following a period of closure in which Council and community groups undertook a number of investigations and review of options for the site, Council resolved to permanently close the Municipal Pools on 4 June 2015 and this decision was consulted on as part of the 2015-25 10-Year Plan.

42. \$1 million was budgeted in the 2018-28 10-Year Plan for the demolition of the Municipal Pools and approved in the 10 Year Plan deliberations. This demolition will then enable Council to repurpose the site for the community in a manner which is more consistent with Council's aspirations for this site which is a high value community asset.
43. Council is very conscious of the community benefits arising from the redevelopment of the existing public space and assets within the city, particularly those assets in and around the Waikato River, such as within the central city and the adjacent Ferrybank area. These areas have strategic importance to Council, given they offer significant amenity to the community.
44. The removal of the pools facility will remove a derelict and unsafe structure from a very public and historic area of Hamilton City and will open up views of the Waikato River and the lower Ferrybank Reserve from Victoria Street. In its current form, the facility is unable to be utilised in any form by anyone and is a health and safety hazard.
45. The final reserve concept as contained in the Report to inform resource consent 2018¹ (see **Attachment 4** to Mr Dawson's evidence), will significantly improve the amenity of the Ferrybank Reserve and enable members of the public to safely use and enjoy the space. The design of the end use concept will enable the site to be developed in a manner that ensures it will blend in with the adjacent reserve, avoid the need for any barriers from falling on the Victoria Street boundary, and leave the future use of the site open for discussion at some stage in the future.
46. Importantly, it will not preclude any future use options for the site including, for example, a destination playground as noted in the Ferrybank Development Plan or alternative land use options should they find favour

¹ Resource Consent Application and Assessment of Environmental Effects dated November 2018, Appendix G.

with Council and the community.

47. Current strategic planning is contained within the 'Ferrybank Development Plan' which is a non-statutory document that creates a masterplan for the future development of the Ferrybank reserve. The pools site is identified as Site 15 within the City Terraces realm of the development plan and shows a destination playground located at the pools site.

48. Other alternative uses may be considered in the future for the pools site, however such uses will need to be the subject of future funding and consenting considerations. What is important to Council is that the demolition is enabled in a manner which does not also place constraints on the future use of this highly valuable site.

Helen Paki

Dated 28 October 2019