

Agenda for a meeting of the Performance & Strategy Committee to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 11 SEPTEMBER 2023** commencing at **9.30am**.

**1. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

**3. DISCLOSURES OF INTEREST**

The register of interests is no longer included on agendas, however members still have a duty to disclose any interests under this item.

**4. CONFIRMATION OF MINUTES**

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**5. ACTIONS REGISTER**

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GJ Ion  
**CHIEF EXECUTIVE**

## TERMS OF REFERENCE AND DELEGATION

<b>Reports to:</b>	The Council
<b>Chairperson:</b>	Cr Janet Gibb
<b>Deputy Chairperson:</b>	Cr Marlene Raumati
<b>Membership:</b>	The Mayor, all Councillors
<b>Meeting frequency:</b>	Six-weekly
<b>Quorum:</b>	Majority of members (including vacancies)

### **Purpose:**

The Performance & Strategy Committee is responsible for:

1. Setting the broad vision and direction for the District's Long Term Plan, determine specific outcomes that need to be met to deliver on Council's vision, develop and monitor strategies to achieve those goals.
2. Monitoring of Council's strategy, and performance (both financial and non-financial) against the Long Term Plan and Annual Plan.
3. Determining financial matters within its delegations and Terms of Reference and making recommendations to Council on financial matters outside its authority.
4. Guiding and monitoring Council's interests in Council Controlled Organisations (CCOs), Council Organisations (COs) and subsidiaries.

***In addition to the common delegations, the Performance & Strategy Committee is delegated the following Terms of Reference and powers:***

### **Terms of Reference - Strategy:**

1. Develop and agree strategy and plans for the purposes of consultation (including those required under schedule 10 of the Local Government Act 2002).
2. Recommend to Council strategy and plans for adoption, that underpin Council's Long Term Plan.
3. Monitor and review adopted strategies and plans.
4. To monitor and provide advice on the development and implementation of growth and development strategies, land use, and spatial plans in line with national policy requirements.

### **Terms of Reference – Performance:**

1. To monitor Council's financial strategy, and performance against that strategy.
2. To monitor Council's non-financial performance framework as set out in the Long Term Plan.
3. To receive quarterly reports on the Chief Executive's Business Plan.
4. To provide clear direction to Council's CCOs and COs on Council's expectations, including feedback on draft statements of intent.
5. To receive six-monthly reports of Council's CCOs and COs, including on board performance.

6. To undertake any reviews of CCOs and agree CCO-proposed changes to their governance arrangements, except where reserved for full Council's approval.
7. To monitor Council's investments and Local Government Funding requirements in accordance with Council policy and applicable legislation.

**The Committee is delegated the following powers to act:**

- Approval of:
  - a. the increase or decrease of the number of members on CCO and CO boards;
  - b. appointments to, and removals from, CCO and CO boards; and
  - c. a mandate on Council's position in respect of remuneration proposals for CCO and CO board members to be presented at Annual General Meetings.
- Approval of letters of expectation for each CCO and CO.
- Approval of statements of intent for each CCO and CO.
- Exercise the Council's powers as a shareholder, or as given under a trust deed, in relation to a CCO or CO, including (but not limited to) modification of constitutions and/or trust deeds, granting shareholder approval of major transactions where required, or exempting CCOs in accordance with the Local Government Act 2002. For clarity, this delegation includes the approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO or CO.
- Monitor work programme of Future Proof, Waikato Plan, Growth Strategy and cross-boundary issues.
- Approval of any process for making decisions where additional operating expenditure or capital expenditure funding, or deferred capital expenditure, is required.
- Approval of all insurance matters which exceed the delegation of the Chief Executive or other staff, including considering legal advice from the Council's legal and other advisers, approving further actions relating to insurance issues, and authorising the taking of formal actions
- Review and make recommendations to Council in relation to Fees & Charges (after consultation with relevant community boards or committees).
- Review and recommend to Council the adoption of the Annual Report.
- Approval of transactions in relation to investments in accordance with Council policy.
- Approval of contractual and other arrangements for supply and services, and revenue generating contracts, which exceed the Chief Executive's delegations, but exclude contracts or arrangements that are reserved for the Council or another committee's approval.
- Approval of rating issues where these exceed the delegated authority of officers or are an appeal against officer decisions. For clarity, this excludes decisions that are required, by law, to be made by the Council.
- Approval to write-off outstanding accounts that exceed officer delegations.

<b>To</b>	<b>Performance &amp; Strategy Committee</b>
<b>Report title</b>	<b>Confirmation of Minutes</b>
Date:	Thursday, 31 August 2023
Report Author:	Elizabeth Saunders, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To confirm the minutes for a meeting of the Performance & Strategy Committee (P&S) held on Monday, 7 August 2023.

## **2. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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**THAT the minutes for a meeting of the Performance & Strategy Committee held on Monday, 7 August 2023 be confirmed as a true and correct record.**

## **3. Attachments**

### **Ngaa taapirihanga**

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Attachment 1 – P&S Minutes – 7 August 2023.

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Minutes of a meeting of the Performance & Strategy Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 7 AUGUST 2023** commencing at **9.30am**.

**Present:**

Cr M Raumati (Chairperson)  
Her Worship the Mayor, Mrs JA Church  
Cr C Beavis  
Cr CA Eyre (Deputy Mayor)  
Cr M Keir  
Cr K Ngataki  
Cr EM Patterson  
Cr LR Thomson  
Cr T Turner  
Cr D Whyte

**Attending:**

Mr T Whittaker (Chief Operating Officer)  
Ms A Diaz (Chief Financial Officer)  
Mr R MacCulloch (General Manager Service Delivery)  
Mr C Bailey (Finance Manager)  
Ms N Hubbard (Corporate Planning Team Leader)  
Mr R Turner (Customer Experience Manager)  
Mrs E Mead (Key Research)  
Ms E Saunders (Democracy Advisor)

The meeting was opened with a karakia.

**APOLOGIES AND LEAVE OF ABSENCE**

**Resolved: (Crs L Thomson/Patterson)**

**That the apologies for:**

- a. non-attendance from Cr Gibb, Cr P Thomson and Cr Reeve be accepted.

**CARRIED**

**P&S2308/01**

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Crs L Thomson/Ngataki)**

**THAT the agenda for a meeting of the Performance & Strategy Committee held on Monday, 7 August 2023 be confirmed:**

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda item 8 which shall be considered with the public excluded; and
- b. all reports be received.

**CARRIED**

**P&S2308/02**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## **CONFIRMATION OF MINUTES**

**Resolved: (Crs Patterson/Ngataki)**

**THAT the minutes for a meeting of the Performance & Strategy Committee held on Tuesday, 20 June 2023 be confirmed as a true and correct record of that meeting with the following amendment:**

- a. *Item 7.1 – The word relocation in point 5.2a be changed to revocation.*

**CARRIED**

**P&S2308/03**

## **REPORTS**

Actions Register  
Agenda Item 5

The report was received [*P&S2308/02 refers*] and taken as read and no further discussion was held.

## **STRATEGY REPORTS**

### Long Term Plan 2024-2034 Work Update

#### Agenda Item 6.1

The report was received [*P&S2308/02 refers*] and taken as read and the Corporate Planning Team Leader answered questions from the committee.

- The Corporate Planner drew attention to some discrepancies in the wording of the table in the report – there are some words missing or in the wrong part of the table which was clarified.
- A brief discussion was held in regards to Infrastructure and whether Council was on track for completion which was clarified by the Corporate Planning Team Leader.
- It was noted that Councillor attendance to workshops is paramount and moving forward there needs to be apologies given to Her Worship the Mayor if any elected members are unable to attend.

## **PERFORMANCE REPORTS**

### Resident Perception Survey – Final Results

#### Agenda Item 7.1

The report was received [*P&S2308/02 refers*] and the Customer Experience Manager along with Mrs E Mead (Key Research) provided a Powerpoint presentation and answered questions of the Committee:

#### Presentation:

- A brief overview of the presentation was outlined with some key highlights being spoken to. The quarterly results were provided.
- It was confirmed that survey participants are selected at random from the electoral roll and the 2018 database is being used.
- The best performing areas for 2023 were outlined as per the presentation in the agenda and it was noted that Waikato District Council has one of the highest measures of Quality of Life across the country.
- The worst performing areas for 2023 outlined as per the presentation in the agenda with the annual rates amounts and understanding of work activities being the two lowest performing areas.
- The overall satisfaction drivers are value for money, rates being distributed evenly across the district and reputation and core service deliverables.
- A brief overview of the reputation profile was provided with the emotional vs factual components outlined. The general comments confirm the need for communications and transparency to better.

Questions/Discussion:

- It was noted that it was good to see the amount of young people engaging with the survey and it was confirmed that the percentages for the worst performing areas are based on the number of people not happy with the service.
- It was asked whether there was reliability of rural delivery services and Cr Eyre wanted to red flag the possibility of rural residents not receiving the survey via post. It was further noted that the urban/rural split of residents in the survey are provided in the footnotes.
- An extensive conversation was had in relation to the levels of service for Waikato District Council and the need to be able to provide this information to Community Boards and Committees. 62% of people don't have an understanding of the work activities happening in our communities. It was noted that there needs to be a balance between staff time to prepare these reports vs providing information to the respective boards.
- It was noted that Capital works in the Long Term Plan (LTP) schedule are released every three years and there is new "projects" webpage up and running on the Council website that will be built on with more information provided as it becomes known.
- There is a real concern that Councillors were not getting accurate data and reporting from the District Alliance roading team as this should be sitting in the Asset Management Plans (AMP) and should be easily retrievable and communicated with the public. It was noted that further discussion for this would be taken offline with the General Manager Service Delivery and the Elected Members.

**ACTION:** The General Manager Service Delivery to have a conversation offline with Elected Members in relation to the levels of service and schedule of works for Roading projects.

- It was noted that this survey is but one tool that we can utilise to inform on the performance of Council and it was further noted that these results are fed directly into the Key Performance Indicators (KPIs) for the Annual Plan.
- There was an extensive discussion around the formatting of the report and the colours for each section and what they mean. Mrs Mead outlined the key for each result and what the red and green arrows show in the report and what they represent. The key on Page 47 of the report was highlighted for future reference.
- It was noted that we need to ensure we are clear on how we are communicating these results as there has always been a concern about these surveys and how much we are investing on the results. A very small percentage of our communities have responded so how can we invest in such a small percentage? It was noted that quite a high number have responded and there was a very small margin of error.
- Clarification was sought on the response to the Tamahere Library service and the perception in the community which was clarified.
- It was noted that it would be good to have different colour codings for each community so the Councillors can see what is happening in their areas. It was further confirmed that the three waters results are from residents that are on the water reticulation network only and not for those residents that are on their own supply.



- It was asked if there was potential to do some more digging into these surveys in one year from now in the first year of the LTP particularly for the really big questions so an understanding of the communities concerns along with budgets can be looked at.
- The survey is very comprehensive with a lot of data and results so is there potential to drop some questions off the survey in the future to allow Council to get more detailed answers.
- It was noted that this survey was completed without the new Capital Projects webpage up and running and if Waters & Roading projects could be an add on to the webpage in the future it could make a difference.

**ACTION:** A working group to be created to look at refining the data in future surveys to gain a better understanding of the results (particularly with costs and budgets) along with formulating some actions from the current survey.

- It was noted that it would be good to have more residents participating in the survey. It was confirmed that a mail out was done to 1000 residents and a brief discussion was held on the resident selection and how this occurs.
- It was noted that Council are about to go through the LTP process so it was a good time to maybe identify some new KPIs and the opportunity is there to channel this through Community Boards & Committees.
- It was noted that it would be good to see the difference between residents that own their properties vs owners that rent their properties. The next survey is going out in September 2023.

### Indicative Financial Performance Summary – 30 June 2023 Year End Agenda Item 7.2

The report was received [*P&S2308/02 refers*] and the Finance Manager answered questions from the committee.

- It was confirmed that the report is based on Indicative numbers only – the final numbers for 30 June year end have not yet been completed.
- A brief discussion was held in regards to the investment of State Highway 1 and it was noted that this is not taxable income.
- Page 124: An extensive discussion was held in relation to income and whether this will be included in the Annual Plan. An overview of the process was provided by the Chief Financial Officer.
- It was noted that debts have gone up \$27M against budgeted debt of \$30M and budgeted capex expenditure was \$81M – it was confirmed that the Finance team have not yet finished carry forwards but the LTP is an opportunity to reset. It was further noted that whilst this is comforting it is still a concern.
- Page 123: The summary graph is quite hard to read and it would be good to see this over two pages in the future.

**ACTION:** The Indicative Financial Performance Summary Graph and Spreadsheet to be spread over two pages in the future to make for easier reading.

- An extensive discussion was had in relation to the vesting of State Highway 1 and when this might be finalised. A further discussion was held around the depreciation value and whether Council will get this once it is vested. It was confirmed that Council have been budgeting on the depreciation for State Highway 1 for some time but the revocation process is taking longer than expected.
- It was noted that whilst the information in this report is very thorough it would be good to include in future reports a simple statement that highlights the differences in the quarterly results. Was Council's performance better this quarter or worse? Can we have something in the reports that highlight this to make it clear.

**ACTION:** A further conversation to be had offline with the Chief Financial Officer and the Finance Team to look at details in the report moving forward and the graphics used particularly for Capital Works.

- Page 124: The underspend on capital works in the June 2022 picture is post audit and for June 2023 it is indicative and it won't be confirmed until the Annual Plan is adopted in October 2023.
- Page 128: The movement in council reserves funding was clarified to the elected members and it was noted that the figure on Page 123 is manually adjusted.
- \$60,000 on mileage claims on Page 125: Can this be attributed to covid? It was confirmed that a large portion of that would be increased activity along with the IRD rate that is used to calculate being raised. It was further confirmed that this figure also includes the Councillors mileage.

### Indicative Treasury Risk Management Policy – Compliance Report 30 June 2023

#### Agenda Item 7.3

The report was received [P&S2308/02 refers] and there was no further discussion held.

### 2022/2023 End of Year Non-Financial Performance Results

#### Agenda Item 7.4

The report was received [P&S2308/02 refers] and the Corporate Planning Team Leader answered questions from the committee.

- It was noted that in the report that the two Waters measures still could not be reported on as Council were relying on Watercare to get this reporting and results. It would be circulated to Councillors once received.
- It was noted that there were some discrepancies in the report and the number of KPIs that have been achieved. The Corporate Planning Team Leader outlined the results to the elected members and noted that 35% of KPIs were not achieved.

Questions/Discussion:

- A discussion was held in relation to Dog Registration result of not achieved – do we need to potentially change this KPI as the threshold seems quite high? An outline of the incentives for registering your dog was outlined.
- There was concern raised around building activity and the fact that Council are sitting around the 70% mark for achievement. This is a statutory timeframe that we are not meeting nor have we been meeting for the last year. Are the changes we are making going to help us become compliant?
- It was noted that the hold up with the Building Consenting process sits around the District Plan and the fact that two plans are currently being referred to every time a consent is processed. Council plans for the District Plan rules but they are currently on appeals and this cannot be foreseen.
- It was further noted by the Chief Operating Officer that Building Activity is an area where we are incredibly resource challenged however Council maintains a tight relationship with International Accreditation NZ (IANZ) and we are engaging with them all the time in regards to our workloads and accreditation status.
- Page 143: It was noted with surprise that Council have reached the target for sealed roads. Given that the district have some 600km on unsealed roads is there a reason this isn't reported on? It was noted that the Local Government Act (LGA) requires Council to look at the group of activities and the major factors of that group – this is something that may not need to be reported on.
- Cr Whyte outlined a difference in experiences that was had by a member of his constituency between Hamilton City Council (HCC) and Waikato District Council (WDC) – there is always a response from HCC that they will get onto any issue that is raised however WDC seem to direct customers to who they should be talking too rather than assuming responsibility. This could be something to look at.
- Page 149: It was noted that the target for Injury and Accidents was set in the last LTP.
- Concern was raised in relation to the Governance results; the trust in council and leadership has dropped. Is it possible that the questions can be refined so we can get on top of this? Councillors agreed that they don't want the KPI to drop too much.
- It was noted that the benchmarking for the Governance KPI across all councils is 55-60% and Councillors would like to make sure in the next LTP that the governance results are looked at.

**ACTION:** Further discussions to be held offline with the Corporate Planning Team Leader, the Customer Experience Manager and Elected Members in regards to the Governance results and the current KPI standard.

- It was asked if the legislative results vs non-legislative results could be highlighted in the future.

**ACTION:** Highlight legislative results vs non-legislative results for future reporting.

**Resolved: (Crs Ngataki/Beavis)**

**THAT the Performance & Strategy Committee:**

- a. receives the 2022-23 end of year non-financial performance report, and
- b. approves the 2022-23 end of year non-financial performance results for inclusion in the draft Annual Report subject to audit review.

**CARRIED**

**P&S2308/04**

Chief Executive Business Plan - Update  
Agenda Item 7.5

The report was received [P&S2308/02 refers] and the Chief Operating Officer answered questions from the committee.

- It was confirmed that this would be the last report against the Chief Executive's performance measures for the last year and the new measures for this year have been worked through.
- Page 161: It was asked if Council purchased the property next door to the Bollard Road development. This is more of an Infrastructure related conversation which would be taken offline.

**ACTION:** Bollard Road Development – an offline conversation to be had with Cr Patterson and the General Manager Service Delivery.

- Page 163: The Joint Management Agreement (JMA) between Council and Waikato Tainui there is no mention of Maangai Maaori representatives. It was noted that at the last meeting in April 2023 Her Worship the Mayor was comfortable with where Council were at with Maangai Maaori representation but further conversation to be had before the next JMA meeting scheduled for September to ensure everyone was on the same page.

Council Controlled Organisations Final Statements of Intent  
Agenda Item 7.6

The report was received [P&S2308/02 refers] and one further question was raised.

- A question was raised around Colab and if there is any benchmarking between the Councils for this. It was noted by the Chief Operating Officer that there is nothing from a benchmarking perspective as yet but will have a further conversation with the elected member to delve further.

**EXCLUSION OF THE PUBLIC**

Resolved: (Cr Keir/Cr Ngataki)

**THAT** the public be excluded from the following parts of the proceedings of this meeting.

- a. 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 are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX I Minutes from meeting held on Tuesday, 20 June 2023	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

- b. 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 No.	Section	Interest
Item PEX I. Minutes from meeting held on Tuesday, 20 June 2023		Refer to the previous Public Excluded reason in the agenda for this meeting.

**CARRIED****P&S2308/05**

*Resolutions P&S2308/06 – P&S2308/08 are contained in the public excluded section of these minutes.*

There being no further business the meeting was declared closed at 11.53am.

Minutes approved and confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Cr M Raumati  
**CHAIRPERSON**

Unconfirmed

<b>To</b>	<b>Performance and Strategy Committee</b>
<b>Report title</b>	<b>2024-2034 Long Term Plan work programme update</b>
Date:	11 September 2023
Report Author:	Nicole Hubbard, Corporate Planning Manager
Authorised by:	Tony Whittaker, Chief Operating Officer

## **1. Purpose of the report** **Te Take moo te puurongo**

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The purpose of this report is to provide the Performance and Strategy Committee with an update on progress in the Long-Term Plan (LTP) work programme, as well as information about what's coming up for elected members in the next six weeks.

## **2. Executive summary** **Whakaraapopototanga matua**

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The report provides an update about the work programme for the 2024-2034 LTP under the 11 key building blocks that make up the LTP. The updates include timeframes (where these are known), as well as how elected members can expect to be involved.

## **3. Staff recommendations** **Tuutohu-aa-kaimahi**

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**THAT the Performance and Strategy Committee receives the 2024-2034 Long Term Plan Work Programme Update report.**

## **4. Background** **Koorero whaimaarama**

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Elected members were provided with an overview of the LGA planning and reporting process and the requirements and work programme for the 2024-2034 Long Term Plan at the Performance and Strategy Committee meeting on 27 March 2023, and since then have received an update at each meeting on the building blocks progress.

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## Objectives

The key project management objectives for the 2024-2034 LTP project are:

- to create, and effectively consult on, an LTP Consultation Document;
- to deliver a final 2024-2034 Long Term Plan by 30 June 2024 that meets statutory requirements and receives an unmodified audit opinion; and
- to ensure that the final LTP is a document that has buy-in from, and can be relied on, by staff, elected members and the community.

## Work programme update

The LTP project involves many process and content pieces, many of which overlap or are dependent on each other, before getting to the final LTP document that is adopted at the very end.

Updates about each of the key building blocks for the LTP are in the table below.

<b>Key Building Blocks</b>		<b>Where it's at/what's the plan</b>	<b>Status</b>
<b>1</b>	<b>Community Outcomes and Strategic Direction setting</b>	Community Outcomes and Strategic Priorities were adopted by Council on 7 June 2023. These will be used to provide direction to staff when planning work programmes and will be included in the LTP proper.	<b>Completed</b>
<b>2</b>	<b>Groups of Activities structure</b>	The Groups of Activities (GOA) structure has been endorsed by ELT. Information on how activities fit within the structure was presented to Council through the August 2023 Activity workshops.	<b>On track</b>
<b>3</b>	<b>Significant forecasting assumptions</b>	The significant forecasting assumptions were workshopped with Council on 15 May 2023 to enable staff to use them in their upcoming planning and budgeting, with further light reviews planned for later in 2023 and in early 2024 to retest and confirm them.	<b>On track</b>
<b>4</b>	<b>Significance and engagement policy</b>	This policy determines how to assess the level of significance of decisions that Council makes, and also sets out how and when communities can expect to be engaged with. Work has now begun on this review and a work programme is being prepared. The review needs to be with Council by 18 December for adoption.	<b>Monitor</b>

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Key Building Blocks		Where it's at/what's the plan	Status
5	<b>Budgeting process</b>	<p>The budgeting process will set CAPEX and OPEX for each of the 10 years of the LTP. Budget managers will start inputting budgets in October 2023.</p> <p>There will be many opportunities for elected members to feed into the budgeting process, including the workshops on asset and activity management plans and levels of service that have occurred and will continue, and ultimately workshopping and approving the draft budget for the consultation document.</p>	<b>On track</b>
6	<b>Financial and funding policies</b>	<p>There are various financial and funding policies that will be reviewed through the LTP project. These include a review of Council's fees and charges, the Revenue and Financing Policy and several rates remission policies. A workshop was held with Council on 30 May 2023; further work will continue throughout the LTP process.</p>	<b>On track</b>
7	<b>Financial Strategy</b>	<p>The financial strategy describes the significant factors impacting the council that have influenced the strategy (e.g. changes in population and land use, and expected capital expenditure needed to maintain levels of service). It also sets out limits on rates increases and borrowing.</p> <p>The review of the financial strategy has begun, and elected members had their first opportunity to input into this at a workshop on 15 May 2023, alongside the infrastructure strategy.</p> <p>Based on the current Annual Plan process, it is clear that delivering existing levels of service will cost more than anticipated (due to inflation, increased in asset values etc.). Any increase to levels of service will need to be offset by reductions/savings in other areas if Council is to stay within rates and debt limits.</p>	<b>On track</b>

Key Building Blocks		Where it's at/what's the plan	Status
8	<b>Infrastructure Strategy</b>	<p>The infrastructure strategy is a synthesis of the significant infrastructural issues that are likely to arise over the next 30 years, including their financial and non-financial consequences, and the principal options for managing them.</p> <p>The review of the infrastructure strategy by the community asset team has begun, and elected members had their first opportunity to input into this at a workshop on 15 May 2023, alongside the financial strategy.</p>	<b>On track</b>
9	<b>Development contributions policy</b>	<p>The development contributions policy (DCP) enables the council to set charges for new developments to contribute to the growth-related costs of building infrastructure to support the increased demand.</p> <p>The DCP is not a policy required to be reviewed as part of the LTP process, however it is included here as the review will occur alongside the LTP development. The LTP will set in place the CAPEX for the upcoming 10 years, so the DCP levies have strong interdependencies with the LTP.</p> <p>A workshop was held with the Development Agreements Committee on 12 June 2023, followed by a presentation to Council on 20 June. The workshops sought direction from Council on potential options that could be investigated through the review of the policy. This was followed up with an online poll for councillors. The P&amp;R Committee formally approved the scope of the review on 22 August 2023.</p>	<b>On track</b>
10	<b>Activity and asset planning</b>	<p>Activity management plans describe the activities, services and outcomes Council is delivering, and summarise the strategic and long-term approach to the provision of activities at an agreed level of service.</p>	<b>Monitor</b>

Key Building Blocks	Where it's at/what's the plan	Status
	<p>Asset management plans focus on the physical assets of groups of assets, covering condition, lifespan of components, resources needed to manage the assets, cost of replacing the assets, and levels of service.</p> <p>A workshop was held on 17 July 2023 in relation to the Roding Asset Management Plan, and all other asset and activity management plans were workshopped with Council in early August.</p> <p>This key building block has a monitor status due to the tight timeframes for delivery, and the fact that guidance sought from Council will feed into the next phases of planning; therefore it is critical that elected members are present for LTP workshops going forward to ensure robust input.</p>	
11	<p><b>Consultation and engagement</b></p> <p><b>Early Engagement</b> Consultation on the Community Outcomes was undertaken in May 2023.</p> <p><b>Formal Consultation</b> Formal consultation on the LTP's consultation document will be undertaken in March-April 2024. Alongside this Council will also consult on the Development Contributions Policy and Fees and Charges, with subsequent hearings and deliberations to be during May 2024.</p>	On track

## 4.1 Key project risks

Risk description	Mitigation
4.2 <b>Resourcing</b> - There are currently resourcing pressures on the project team due to a number of vacancies.	4.3 The project steering group is currently managing this risk by approving temporary contractor resource for the LTP project management of up to 32 hours per week until June 2024.
4.4 <b>Financial Strategy</b> - The current financial position is that there will be no substantial rates increases. Due to inflation and costs increasing, maintaining current levels of service is expected to cost more than anticipated.	4.5 Any increase to levels of service will need to be offset by reductions/savings in other areas if Council is to stay within rates and debt limits.
<b>Government elections</b> - There is a risk that during elections there is a potential change in government, which could result in a change in policy direction; for example, the 3 waters reform, transport policies, and planning directives might not proceed or may change.	4.6 Three waters: Activity and Asset Management Plans for Waters Activities are being prepared which will support Council to make decisions about what is included in the 2024-2034 LTP if the current assumption of waters activities transferring to an external entity changes.  Resource Management reforms and transport policy changes: No alternative options are being developed at this stage, staff are keeping a watching brief on these matters and will respond post the election.
<b>LTP Programme</b> - Due to the LTP timeframes for preparing activity management plans being pushed out at the beginning of the process, the project team have tight timeframes to complete the remaining work. As a result of this, it will be difficult for staff to respond to wholesale changes in direction by Council, if not consistent with direction-setting earlier in this process, as there is not time to accommodate large changes.	4.7 Elected members presence at meetings and workshop is necessary to provide clear direction to staff on the next phases, consistent with previous direction.

Risk description	Mitigation
<p><b>District Rating Valuations</b> District valuations due in March 2024 may result in different rates increases depending on how individual property values change.</p>	<ul style="list-style-type: none"> <li>- Communications team are working on early general comms.</li> <li>- A consultation document is being prepared to reference examples of how individual property rates change depending on value changes.</li> </ul> <p>4.8 Ratepayers be provided with summary proposed rates before and after the valuation changes.</p>

## 5. Next steps Ahu whakamua

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At the time of preparing the update, elected members are booked for a meeting on 28 August 2023 on community halls.

Workshops with Elected Members are booked for 11 September 2023 to discuss the activity management plan for organisational support activities. September 25, 26 and 27 are booked for workshops on *Part B: How much we are going to do* of the activity management plans.

A Finance Strategy and 30-Year Infrastructure Strategy workshop is scheduled for 9 October 2023.

Staff will continue to report on the progress of the 2024-2034 LTP at each Performance and Strategy meeting through the lens of the key building blocks.

## 6 Attachments Ngaa taapirihanga

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There are no attachments.

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<b>To</b>	<b>Performance and Strategy Committee</b>
<b>Report title</b>	<b>Te Nehenehenui (previously Ngaati Maniapoto) Joint Management Agreement</b>
Date:	11 October 2023
Report Author:	Vishal Ramduny, Strategic Initiatives and Partnerships Manager, Waikato District Council and Alicia Sunnex, Strategic Initiatives and Partnerships Coordinator
Authorised by:	Gavin Ion, Chief Executive

## 1. Purpose of the report

### Te Take moo te puurongo

For the Performance and Strategy Committee to recommend to Council the approval of the amended Terms of Reference and the draft Joint Management Agreement document for the restructured Te Nehenehenui Trust (previously Ngaati Maniapoto) Joint Management Agreement (JMA) Committee.

## 2. Executive summary

### Whakaraapopototanga matua

On 23 August 2023 the Te Nehenehenui Trust Joint Committee resolved to restructure the Ngāa Wai o Waipāa Co-Governance Forum.

All partner Councils are now required to consider endorsing the recommendations of the Te Nehenehenui Joint Committee which enables the new Committee to assume the responsibility of the Ngāa Wai o Waipāa Co-Governance Forum (its previous name).

This in turn requires the execution of a new joint management agreement between the six member agencies made up of Te Nehenehenui, Waikato Regional Council, Waitomo District Council, Otorohanga District Council, Waikato District Council and Waipāa District Council.

Waikato District Council, as a partner, is required to consider approving the amended terms of reference and the draft Joint Management Agreement for eventual adoption by Te Nehenehenui Joint Management Agreement Committee.

Te Nehenehenui is the post settlement governance entity established through the Maniapoto Treaty settlement process and the Maniapoto Claims Settlement Act 2022.

### **3. Staff recommendations**

#### **Tuutohu-aa-kaimahi**

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**THAT the Performance and Strategy Committee recommends to Council the approval of the following recommendations of the Te Nehenehenui Joint Management Committee:**

- a. That, to discharge its responsibilities more effectively and efficiently, the Te Nehenehenui Joint Management Committee assumes the responsibilities of the Ngaa Wai o Waipaa Co-Governance Forum in addition to its own, and the membership structure of the Forum; in accordance with the law by taking all necessary actions including:
 
  - i. executing a joint management agreement between the six member agencies incorporating the responsibilities of the Committee and the Forum and the membership structure of the Forum.**
  - ii. approving the amended terms of reference for adoption by Te Nehenehenui Joint Management Committee incorporating provisions necessary to achieve the purposes of both the Committee and Forum under the Committee's name.**
  - iii. confirming the continuation of the current Co-Chairs and Deputy Co-Chairs until, and if, the member agencies indicate new appointments in accordance with the Terms of Reference.**
  - iv. the disestablishment of the Forum when all necessary actions to merge the Committee and the Forum are complete.****

**THAT the Performance and Strategy Committee further recommends to Council:**

- a. the approval of the draft Te Nehenehenui Joint Management Agreement.**
- b. authorises Cr Tilly Turner (as Waikato District Council's elected representative on the previous Ngaa Wai o Waipaa Co-Governance Forum and, by default, Council's representative on the Te Nehenehenui Joint Management Agreement Committee) to sign the final agreement (including any subsequent amendments to the draft) on Council's behalf; and**
- c. appoints Cr \_\_\_\_\_ as Waikato District Council's alternate member in the event that Cr Turner cannot attend; and**
- d. that the name of the Ngaa Wai o Waipaa Co-Governance Forum be changed to the Te Nehenehenui Joint Management Agreement Committee in Council's Governance Structure.**

## 4. Report Puurongo

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### Background

Ngaati Maniapoto have since time immemorial, maintained their mana whakahaere including exercising rights and responsibilities in relation to their rohe in accordance with their kawa and tikanga. The Maniapoto rohe includes their whenua, maunga, awa, wai and other taonga (lands, mountains, rivers, waters, flora, and fauna). These natural and traditional resources have their own mauri, which represents the spiritual and physical well-being of Maniapoto. It is critical that Maniapoto can exercise their mana whakahaere within their rohe, particularly over the wai within their rohe, for the benefit of present and future generations.

The Ngaa Wai o Maniapoto (Waipaa River) Act 2012 provides for joint management agreements to be entered into between Maniapoto and the partner councils - Waikato Regional Council, Waitomo District Council, Otorohanga District Council, Waikato District Council and Waipaa District Council. A joint management agreement was entered into between those parties on 3 April 2013.

The Maniapoto Claims Settlement Act 2022 provides for joint management agreements to be entered into between Maniapoto and the councils. The parties have agreed to enter into one combined joint management agreement to provide for the obligations under both the Ngaa Wai o Maniapoto (Waipaa River) Act 2012 and the Maniapoto Claims Settlement Act 2022.

Te Nehenehenui is the post settlement governance entity established through the Maniapoto Treaty settlement process and the Maniapoto Claims Settlement Act 2022.

### **Restructure of Ngaa Wai o Waipaa Co-Governance Forum into the Te Nehenehenui Joint Management Agreement Committee**

On 23 August 2023 the Te Nehenehenui Joint Committee resolved to restructure the Te Nehenehenui Joint Committee and Ngaa Wai o Waipaa Co-Governance Forum.

All partner Councils are now required to consider endorsing the recommendations of the Te Nehenehenui Joint Committee which enables the new Committee to assume the responsibility of the Ngaa Wai o Waipaa Co-Governance Forum in addition to its own, and the membership structure of the Forum.

This in turn requires the execution of a new joint management agreement between the six member agencies made up of Te Nehenehenui, Waikato Regional Council, Waitomo District Council, Otorohanga District Council, Waikato District Council and Waipaa District Council.

Waikato District Council, as a member, is required to endorse the amended terms of reference for adoption by Te Nehenehenui Joint Committee (incorporating provisions necessary to achieve the purposes of both the Committee and Forum under the Committee's name) and the draft Joint Management Agreement.

The Te Nehenehenui Joint Committee has 10 members being:

- a. Five (5) members appointed by Te Nehenehenui (appointees must be trustees of Te Nehenehenui).



- b. One member appointed by Waitomo District Council (appointee must be an elected member of Waitomo District Council).
- c. One member appointed by Otorohanga District Council (appointee must be an elected member of Otorohanga District Council).
- d. One member appointed by Waikato Regional Council (appointee must be an elected member of Waikato Regional Council).
- e. One member appointed by Waikato District Council (appointee must be an elected member of Waikato District Council).
- f. One member appointed by Waipaa District Council (appointee must be an elected member of Waipaa District Council).

The Waikato District Council appointee to the previous Ngaa Wai o Waipaa Co-Governance Forum (now the Te Nehenehenui Joint Committee) is Cr Tilly Turner.

The Committee's full membership is as follows:

<b>Ngaa Tuuranga / Membership</b>	<b>Ngā Mema / Members</b>
Te Nehenehenui	Trustee Wikitōria Tāne Trustee John Kaati Trustee Gabrielle Morgan-Logan
Waitomo District Council	Mayor John Robertson
Otorohanga District Council	Cr Jaimee Tamaki
Waikato Regional Council	Cr Stuart Kneebone
<b>Uupoko me te Uupoko Tuarua / Chair and Deputy Chair</b>	<b>Ngā Mema / Members</b>
Co-Chairs	Trustee Wikitōria Tāne Cr Stuart Kneebone
<i>Deputy Co-Chairs</i>	Trustee Gabrielle Morgan-Logan Cr Jaimee Tamaki
<b>Ngā Hui i te Tau / Alternates</b>	<b>Ngā Mema / Members</b>
Te Nehenehenui	Trustee Shannon Manawaiti
Waitomo District Council	Cr Eady Manawaiti
Otorohanga District Council	Cr Katrina Christison
Waikato Regional Council	Cr Pamela Storey
<b>Additional Appointees, Effective on the adoption of new TOR.</b>	<b>Ngā Mema / Members</b>
Te Nehenehenui – Two additional members (making five in total)	Trustee Shannon Manawaiti (currently Alt) Trustee Kruger Wetere
Waikato District Council – One Member	Cr Tilly Turner
Waipaa District Council - One Member	Mayor Susan O'Regan

## 4.1 Options

### Ngaa koowhiringa

Council could choose not to approve the amended Terms of Reference and the draft Joint Management Agreement but doing this would be counterproductive as it would mean that the Te Nehenehenui Joint Committee cannot approve these documents without the approval of each of its partner councils.

## **4.2 Financial considerations**

### **Whaiwhakaaro puutea**

There are no material financial considerations associated with approving the recommendations of this report.

## **4.3 Legal considerations**

### **Whaiwhakaaro-aa-ture**

The report complies with the Council's legal and policy requirements, and obligations under the Local Government Act and the Ngā Wai o Maniapoto (Waipā River) Act 2012.

## **4.4 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

## **4.5 Maaori and cultural considerations**

### **Whaiwhakaaro Maaori me oona tikanga**

Council has had a Joint Management Agreement with Ngāti Maniapoto since 2012.

## **4.6 Climate response and resilience considerations**

### **Whaiwhakaaro-aa-taiao**

A key area of interest for the Te Nehenehenui Joint Management Agreement Committee is the work that Council is doing on environmental initiatives which may be relevant to the Te Nehenehenui rohe. This will form the basis of Council's updates to the Committee.

## **4.7 Risks**

### **Tuuraru**

If Council does approve the amended Terms of Reference or the draft Joint Management Agreement, there is a risk that this could jeopardise our joint management partnership with Te Nehenehenui. We would also be in contravention of the Ngā Wai o Maniapoto (Waipā River) Act 2012 if we are not a partner.

## **5. Attachments**

### **Ngāa taapirihanga**

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- Attachment 1: Te Nehenehenui Joint Committee Terms of Reference / Ngāa Tikanga Whakahaere
- Attachment 2: Draft Te Nehenehenui Joint Management Agreement document

# Te Nehenehenui Joint Committee

## Terms of Reference / Ngā Tikanga Whakahaere

### 1. Te Herenga / Requirement

This Committee is required by:

- a. section 142 of the Maniapoto Claims Settlement Act 2022; and
- b. a joint management agreement (JMA) between Te Nehenehenui, Waikato Regional Council, Waitomo District Council, Ōtorohanga District Council, Waikato District Council and Waipā District Council (member parties) entered into pursuant to section 17 of the Ngā Wai o Maniapoto (Waipā River) Act 2012 (River Act).

This is **not** a joint committee for the purpose of Schedule 7 of the Local Government Act 2002. Schedule 7 of the Local Government Act 2002 does not apply to the Committee when exercising its powers set out below (refer sections 142-144 of the Maniapoto Claims Settlement Act 2022, the JMA and the River Act).

### 2. Ngā Haepapa / Responsibilities

This Committee is responsible for:

- a. the process of finalising the joint management agreement described in section 135 of the Maniapoto Claims Settlement Act 2022; and
- b. functions of the Committee set out in the JMA including the requirements set out in section 17 to 31 of the River Act.

### 3. Ngā Mana / Powers

This Committee has all the powers necessary to carry out its responsibilities described above to the extent that they comply with the requirements of the Maniapoto Claims Settlement Act 2022, the River Act, the JMA and the law. The Committee cannot bind the member parties. All non-procedural decisions must be recommended to the governing body of each of the member parties for adoption.

### 4. Te Korama / Quorum

Four, being two members from Te Nehenehenui and two from any of the council members.

### 5. Te Pōtitanga / Voting

Decisions of the Committee are made by consensus. The members must work together in a positive and constructive manner to effectively discharge the Committee's responsibilities set out above.

### 6. Te Mematanga / Membership

#### 6.1 Ngā Mema / Members

The Committee has 10 members being:

- a. Five members appointed by Te Nehenehenui (appointees must be trustees of Te Nehenehenui).
- b. One member appointed by Waitomo District Council (appointee must be an elected member of Waitomo District Council).
- c. One member appointed by Ōtorohanga District Council (appointee must be an elected member of Ōtorohanga District Council).
- d. One member appointed by Waikato Regional Council (appointee must be an elected member of Waikato Regional Council).
- e. One member appointed by Waikato District Council (appointee must be an elected member of Waikato District Council).
- f. One member appointed by Waipā District Council (appointee must be an elected member of Waipā District Council).

**6.2 Tiatangata me te Tiatangata Tuarua / Chair and Deputy Chair**

The Committee is Co-Chaired. One Co-Chair and Deputy Co-Chair is appointed by Te Nehenehenui from its five Committee members. The other Co-Chair and Deputy Co-Chair is appointed from the remaining Committee members by agreement between them. The five councils must work together constructively to appoint their Co-Chair and Deputy Co-Chair. The Co-Chairs chair together or at alternate meetings, at their discretion. The Deputy Co-Chairs act in place of the respective Co-Chair when either is absent from a meeting.

**6.3 Ngā Kairiwhi / Alternates**

Each of the member parties must appoint at least one alternate member to cover member absences.

**7. Ngā Hui o te Tau / Frequency of meetings**

As required to meet Committee responsibilities.

**8. Standing orders / Whakahau tū**

Committee procedure must accord with Waikato Regional Council *Standing Orders* (as current from time to time)(*Standing Orders*). Where any conflict arises between the *Standing Orders* and the Maniapoto Claims Settlement Act 2022, the River Act, the JMA or these *terms of reference*, the Acts, the JMA and these *terms of reference* prevail in that order of priority.



**JOINT MANAGEMENT  
AGREEMENT**

**TE NEHENEHENUI**

AND

**ŌTOROHANGA DISTRICT COUNCIL**

**WAIKATO DISTRICT COUNCIL**

**WAIKATO REGIONAL COUNCIL**

**WAIPĀ DISTRICT COUNCIL**

**WAITOMO DISTRICT COUNCIL**

*Hanga Paitia tatou kia piri ai ki te piringa pono...*

*Conduct us in a proper way, so that we may be bound together  
by a bond of faith...*

Wahanui, 1883

Deed of Settlement of Historical Claims, 11 Nov 2021, pg. 143

**DATED:**

**PARTIES**

**Te Nehenehenui**

and

**Ōtorohanga District Council**

**Waikato District Council**

**Waikato Regional Council**

**Waipā District Council**

**Waitomo District Council**

(together, the **councils**)

(all together, the **parties**).

## **MANIAPOTO**

Maniapoto have since time immemorial, maintained their mana whakahaere including exercising rights and responsibilities in relation to their rohe in accordance with their kawa and tikanga.

The Maniapoto rohe includes their whenua, maunga, awa, wai and other taonga (lands, mountains, rivers, waters, flora and fauna). These natural and traditional resources have their own mauri, which represents the spiritual and physical well-being of Maniapoto.

It is critical that Maniapoto are able to exercise their mana whakahaere within their rohe, particularly over the wai within their rohe, for the benefit of present and future generations.

## **NGĀ WAI O MANIAPOTO**

In the Maniapoto Claims Settlement Act 2022, the Crown acknowledged the statement by Maniapoto of the significance of Ngā Wai o Maniapoto, including the following statement:

*Ngā Wai o Maniapoto are awa tūpuna and living taonga to Ngāti Maniapoto. The relationship between Ngāti Maniapoto and Ngā Wai o Maniapoto is historic, cultural, physical, and spiritual. Generations of the tribe have long exercised their kaitiakitanga responsibilities and other tikanga in relation to the waterways and the associated beds, banks, fisheries, plants, taniwha, and mauri (life force) of Ngā Wai o Maniapoto;*

[further elements of that statement could be potentially included as well?]



## **PART A: OVERARCHING PROVISIONS**

### **BACKGROUND**

1. Te Nehenehenui is the post settlement governance entity established through the Maniapoto Treaty settlement process and the Maniapoto Claims Settlement Act 2022.
2. Ōtorohanga District Council is a local authority established under the Local Government Act 2002, with functions in the Ōtorohanga district.
3. Waikato District Council is a local authority established under the Local Government Act 2002, with functions in the Waikato district.
4. Waikato Regional Council is a local authority established under the Local Government Act 2002, with functions in the Waikato region.
5. Waipā District Council is a local authority established under the Local Government Act 2002, with functions in the Waipā district.
6. Waitomo District Council is a local authority established under the Local Government Act 2002, with functions in the Waitomo district.
7. The Ngā Wai o Maniapoto (Waipā River) Act 2012 provides for joint management agreements to be entered into between Maniapoto and the councils. A joint management agreement was entered into between those parties on 3 April 2013.
8. The Maniapoto Claims Settlement Act 2022 provides for joint management agreements to be entered into between Maniapoto and the councils.
9. The parties have agreed to enter into one combined joint management agreement to provide for the obligations under both the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022.
10. The parties commit to the implementation of this joint management agreement in the spirit of respect, partnership and good faith.

### **PURPOSE OF AGREEMENT**

11. The purpose of this agreement is to:
  - (a) implement in one document the joint management agreement provisions in the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022; and
  - (b) provide a constructive and effective basis for Te Nehenehenui and the councils to build partnerships and work together.

## MANIAPOTO: VISION, PRINCIPLES AND ASPIRATIONS

12. The vision of Maniapoto as set out in the Maniapoto Claims Settlement Act 2022 is:<sup>1</sup>

*The vision of Maniapoto is for a constructive ongoing relationship between Maniapoto, the Crown, and local authorities in relation to Ngā Wai o Maniapoto in a way that:*

*(a) respects Maniapoto tikanga; and*

*(b) supports the relationship of Maniapoto and their culture and traditions with their ancestral lands, waters, sites, wāhi tapu, and other taonga.*

*Maniapoto seek to develop relationship agreements with the Crown to enhance the oranga (well-being) of their people, including developing relationship agreements that will contribute to the social, economic, and cultural aspirations of the individuals, whānau, and hapū of Maniapoto, including their health, well-being, and success.*

13. The Maniapoto vision as set out in the Maniapoto Claims Settlement Act 2022 is underpinned by the following principles:<sup>2</sup>

**Te Mana o te Wai:** *the quality and integrity of the waters sustaining the physical and spiritual well-being of Maniapoto, and the continuing health and well-being of current and future generations and all living things that depend on water are important to Maniapoto.*

**Ngā Wai o Maniapoto:** *the deeply felt obligation of Maniapoto to restore, maintain, and protect the waters within Ngā Wai Maniapoto. Maniapoto participation in decision-making arrangements will ensure that Ngā Wai o Maniapoto are enhanced and protected.*

**Te mana tuku iho o Waiwaiā:** *Waiwaiā is the spiritual kaitiaki of the Waipā and other rivers within the Maniapoto rohe. Maniapoto has a deeply felt obligation to care for and protect te mana tuku iho o Waiwaiā and to instil knowledge and understanding in Maniapoto and Ngā Wai o Maniapoto communities about the nature and history of Waiwaiā, and for that reason it is important that Maniapoto are consulted on all matters that impact on Maniapoto.*

**Kaitiakitanga:** *kaitiakitanga is integral to the mana of Maniapoto and requires:*

- (a) the restoration of the relationship of Maniapoto with wai; and*
- (b) the restoration and maintenance of the ability of Ngā Wai o Maniapoto to provide for the practice of manaakitanga; and*
- (c) the recognition and respect for the kawa, tikanga, and kaitiakitanga of Maniapoto; and*
- (d) the encouragement and empowerment of active involvement of Maniapoto in the expression of their kaitiaki responsibilities.*

<sup>1</sup> Section 134(2) and 134(3) of the Maniapoto Claims Settlement Act 2022.

<sup>2</sup> Section 134(4) of the Maniapoto Claims Settlement Act 2022.

**Recognition of the mana of Maniapoto:** *respect for the mana of Maniapoto and recognition of the significance of Ngā Wai o Maniapoto and the wider environment to the mana of Maniapoto.*

**Recognition of Maniapoto as kaitiaki and rangatira:** *recognition of the status and role of Maniapoto as rangatira and kaitiaki within resource management and decision making.*

**Te Tiriti o Waitangi/the Treaty of Waitangi:** *recognition and respect for Maniapoto and the Crown as Treaty partners under te Tiriti o Waitangi/the Treaty of Waitangi, and the roles and responsibilities of local authorities to act in accordance with provisions that refer to the principles of te Tiriti o Waitangi/the Treaty of Waitangi.*

14. The Maniapoto aspirations as set out in the Maniapoto Claims Settlement Act 2022 are as follows:<sup>3</sup>

*That resource users and decision makers will collaborate with the people of Maniapoto to ensure that any adverse effects on Maniapoto or the environment arising from resource use are appropriately avoided or mitigated to the extent agreed by Maniapoto, the users, and the decision makers.*

*That Maniapoto and the Crown and Maniapoto and local authorities will develop and strengthen 2-way building of capacity and capability in reviewing, regulating, and managing activities that have an impact on Ngā Wai o Maniapoto so as to promote the vision of Maniapoto:*

*That Maniapoto perspectives and the strategic documents of Maniapoto, such as the environmental plan, and any that may be developed and implemented in the future for the Maniapoto rohe, will be appropriately recognised and incorporated into the functions and decisions of public agencies:*

*That Maniapoto will work with local authorities to co-design and co-govern programmes for:*

- (a) developing appropriate data resources, research services, and Maniapoto data capability; and*
- (b) designing programmes and supporting investment in innovation and research to improve the skills that provide for a process designed by Maniapoto to deliver positive outcomes for Maniapoto; and*
- (c) establishing monitoring and accountability methods for measuring equitable outcomes for Maniapoto and assessing progress towards those outcomes.*

15. In the context of the Waipā River, appropriate weight must also be given to the relevant matters and documents provided for under the Ngā Wai o Maniapoto (Waipā River) Act 2012 including:

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<sup>3</sup> Section 134(5) of the Maniapoto Claims Settlement Act 2022.

- (a) the overarching purpose of the Waipā River Act, being to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaiā;
- (b) Te Ture Whaimana;
- (c) the Waipā River integrated river management plan;
- (d) the Maniapoto objectives for the Waipā River;
- (e) Ko Tā Maniapoto Mahere Taiao (the Maniapoto Iwi environmental management plan); and
- (f) the principles for the development and operation of the joint management agreement as set out in section 20 of that Act.

### **THE COUNCILS: VISION, PRINCIPLES AND ASPIRATIONS**

#### 16. The councils:

- (a) deeply respect and acknowledge the Maniapoto vision, principles and aspirations;
- (b) both individually and collectively, and in a commitment to a robust partnership, aim to collaborate with Maniapoto in a respectful, constructive and mutually advantageous manner;
- (c) are united in the pursuit of positive outcomes for our communities, reflecting the aspirations and strategic directions set out in councils' strategic documents; and
- (d) confirm that this statement serves as our commitment to this agreement and the subsequent collaborative efforts that will arise from it.

#### 17. The councils may, individually or collectively, give notice to Te Nehenehenui that a further statement of council vision, principles and aspirations will be added to this agreement through the process set out in clause 41.

### **RELATIONSHIP PRINCIPLES**

#### 18. The parties commit to the following relationship principles in working together under this agreement:<sup>4</sup>

- (a) of promoting the overarching purpose of the Raunairoa (natural resources redress), which is:
  - (i) to care for and protect Ngā Wai o Maniapoto; and

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<sup>4</sup> Section 138(2) of the Maniapoto Claims Settlement Act 2022.

- (ii) to restore and maintain, for present and future generations, the quality and integrity of the waters that flow into, and form part of, Ngā Wai o Maniapoto;
  - (b) of acting in a manner consistent with the principles of te Tiriti o Waitangi/the Treaty of Waitangi;
  - (c) of recognising the statutory functions, powers, and duties of the local authorities within the area where the Agreement applies;
  - (d) of respecting the mana of Maniapoto; and
  - (e) of jointly committing:
    - (i) to work together in good faith and in a spirit of co-operation;
    - (ii) to recognise and acknowledge that the parties benefit from working together by sharing their respective vision, knowledge, and expertise;
    - (iii) to participate effectively in co-management;
    - (iv) to communicate in an open, honest, and transparent way;
    - (v) to ensure that they work together from an early stage;
    - (vi) to make their best endeavours to ensure that the purpose of the Agreement is achieved and enduring;
    - (vii) to recognise that the relationship between the parties will evolve;
    - (viii) to recognise that the Agreement operates within statutory frameworks and the importance of complying with those statutory frameworks; and
    - (ix) to meeting statutory time frames and minimising costs and delays associated with those time frames.
19. In relation to the Waipā River, the parties also acknowledge and commit to acting consistently with the guiding principles as set out in section 20 of the Ngā Wai o Maniapoto (Waipā River) Act 2012.

**PART B: GENERAL PROVISIONS****SCOPE AND STATUS OF AGREEMENT**

20. This agreement:
- (a) constitutes the joint management agreement provided for in the Ngā Wai o Maniapoto (Waipā River) Act 2012;
  - (b) replaces the current joint management agreed on 3 April 2013 pursuant to the Ngā Wai o Maniapoto (Waipā River) Act 2012;
  - (c) constitutes the joint management agreement provided for in the Maniapoto Claims Settlement Act 2022;
  - (d) provides an overarching framework for the relationship between Maniapoto, Te Nehenehenui and the councils (individually and collectively); and
  - (e) provides for a range of mechanisms to enhance the relationship between Maniapoto, Te Nehenehenui and the councils (individually and collectively).
21. The parties acknowledge that they will work together to explore how the scope of this agreement can be extended:
- (a) to other statutory functions of the councils beyond those provided for in the legislation (such as the Reserves Act 1977); and
  - (b) to cover all of the areas of the Maniapoto rohe.

**CO-GOVERNANCE FORUM**

22. A co-governance forum will be established to be the guardian of this agreement.
23. The role of the co-governance forum will be to keep this agreement under review to determine whether the agreement is being implemented to the satisfaction of all the parties and in accordance with the principles set out in clauses 18 and 19.
24. Unless otherwise agreed, the co-governance forum will be made up of equal numbers of representatives appointed by Te Nehenehenui and the councils as follows:
- (a) Te Nehenehenui will appoint five members; and
  - (b) each of the councils will appoint one member.
25. There will be two co-chairs presiding over the meetings:
- (a) one co-chair will be appointed by Te Nehenehenui; and
  - (b) one co-chair will be appointed by the councils.

26. The co-governance forum will meet at least once each year, or more frequently if the co-governance forum considers it necessary.
27. The parties will develop and agree a terms of reference for the co-governance forum, and may agree to amend that document from time-to-time.
28. Staff members will attend the governance forum meetings to provide advice and technical support as required.
29. The parties will each appoint a senior staff member to be the key contact person and to oversee the implementation of this agreement.

### **KO TĀ MANIAPOTO MAHERE TAI AO – MANIAPOTO ENVIRONMENTAL MANAGEMENT PLAN**

30. Maniapoto has prepared an environmental management plan (**MEMP**) in relation to the Maniapoto rohe.
31. The MEMP is:
  - (a) a high-level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships;
  - (b) a tool to support the leadership of Maniapoto at the forefront of kaitiakitanga and rangatiratanga within the Maniapoto rohe; and
  - (c) intended to raise awareness and understanding of Maniapoto values, interests and aspirations in the management of physical and natural resources.<sup>5</sup>
32. The parties acknowledge that the MEMP is a key guiding document for:
  - (a) processes undertaken by councils in the Maniapoto rohe; and
  - (b) applicants and other stakeholders in processes in the Maniapoto rohe.

### **MANIAPOTO ENGAGEMENT STRATEGY**

33. The parties acknowledge that best practice and early engagement and consultation with Maniapoto is to work with the right people on the right issues when exercising its responsibilities of kaitiakitanga. This approach is required in assessing potential environmental effects, including effects on Maniapoto cultural values for natural and physical resources within the Maniapoto rohe.
34. Te Nehenehenui will develop a Te Nehenehenui engagement strategy to guide the councils and others on how to engage with Maniapoto on matters affecting its rohe.

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<sup>5</sup> Part 1.0, 1.1.2, 1.1.5, 1.1.8, Maniapoto Environmental Management Plan.

35. That engagement strategy will be agreed with the councils and added as a schedule to this agreement as part of the process set out in clause 41.
36. The 12-month timeframe for the development of schedules under clause 41 does not apply to the preparation and agreement of that engagement strategy.

### **ANNUAL WORK PROGRAMME**

37. Each year the parties will work together to develop and agree an annual joint work programme for the implementation of this agreement.
38. Each annual work programme will:
  - (a) be developed in a manner that aligns with the timeframes for the preparation and approval of the councils' annual plan process;
  - (b) be submitted to the co-governance forum for approval; and
  - (c) take effect from 1 July each year.
39. The first annual work programme:
  - (a) will be agreed no later than six months after the signing of this agreement;
  - (b) will include provisions addressing the work to be undertaken to develop and agree the further schedules to this agreement in accordance with the process set out in clause 41; and
  - (c) may identify matters for Te Nehenehenui and individual (or collectives of) councils to work on.
40. Each subsequent annual work programme will cover the following matters:
  - (a) any remaining work required to develop and agree the further schedules to this agreement in accordance with the process set out in clause 41;
  - (b) implementation of the matters set out in this agreement and the schedules;
  - (c) collaborative projects between Te Nehenehenui and the councils (collectively or individually) for that year;
  - (d) areas of focus between Te Nehenehenui and the councils (collectively or individually) for that year;
  - (e) if agreed, matters for Te Nehenehenui and individual (or collectives of) councils to work on; and
  - (f) other matters as agreed.



## PROCESS TO DEVELOP FURTHER SCHEDULES

41. In addition to the provisions of this agreement, the parties commit to completing or updating the following schedules of this agreement within 12 months of the signing of this agreement (or such longer period as agreed in writing):
- (a) Schedule Two: Maniapoto engagement strategy;<sup>6</sup>
  - (b) Schedule Three: sites of significance;
  - (c) Schedule Four: transfer of powers;
  - (d) Schedule Five: RMA planning processes;
  - (e) Schedule Six: RMA monitoring and enforcement processes;
  - (f) Schedule Seven: RMA resource consent processes;
  - (g) Schedule Eight: Local Government Act processes;
  - (h) Schedule Nine: other statutory frameworks;
  - (i) Schedule Ten: resourcing and capacity building; and
  - (j) Other schedules as agreed.
42. To avoid doubt, schedules may only be added to this agreement with the written agreement of all relevant parties acting under the appropriate delegated authority.

## INFORMATION SHARING

43. The parties recognise the benefit of mutual information exchange.
44. The councils will make available to Te Nehenehenui all information held by the councils (subject to the Local Government and Official Information and Meetings Act 1987) where that information is requested by Te Nehenehenui for the purposes of assisting it to exercise its mana in respect of the Maniapoto rohe and to enable Te Nehenehenui to exercise its rights fully under this agreement.
45. Te Nehenehenui may make available to the councils information, where appropriate, and when requested by a particular council, to enable the council to fulfil its statutory obligations and obligations under this agreement.

## COMMUNICATION

46. Te Nehenehenui and the councils will establish and maintain effective and efficient communication with each other on a continuing basis by:

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<sup>6</sup> The 12-month period does not apply to this schedule.

- (a) Te Nehenehenui providing, and the councils maintaining, contact details for Te Nehenehenui personnel responsible for engagement under this agreement;
- (b) the councils providing, and Te Nehenehenui maintaining, contact details for council personnel responsible for engagement under this agreement; and
- (c) identifying and educating staff who will be working closely with each other from each respective party and informing them of the obligations under this agreement.

## **REVIEW AND AMENDMENT OF AGREEMENT**

- 47. Te Nehenehenui and the councils may at any time agree in writing to undertake a review of this agreement.
- 48. There will be a review undertaken not later than two years after the signing of this agreement, and biennially after that.
- 49. As a result of the review, or otherwise, Te Nehenehenui and the councils may agree in writing to amend the agreement.

## **DISPUTE RESOLUTION**

- 50. The parties agree and acknowledge that for, this agreement to be effective, the resolution of issues between them must be addressed in a constructive, co-operative and timely manner that is consistent with the principles set out in clauses 18 and 19.
- 51. The dispute resolution process is as follows:
  - (a) if the parties cannot reach agreement or if one party considers that there has been a breach of this agreement, then that party may give notice to the other party or parties that they are in dispute;
  - (b) as soon as practicable upon receipt of the notice, the council concerned will meet with the other council (if appropriate) and Te Nehenehenui representatives in good faith to resolve the dispute;
  - (c) if the dispute has not been resolved within 20 working days after receipt of the notice, the chief executive of Te Nehenehenui and the chief executive of the relevant council(s) will meet to work in good faith to resolve the issue;
  - (d) if the dispute has still not been resolved within 30 working days after a meeting between the chief executives, and as a matter of last resort, the respective mayor/chair (or nominee) or the governance forum will meet to work in good faith to resolve the issue; and
  - (e) at any point in the dispute resolution process, the parties may agree to refer the matter to mediation or another form of alternative dispute resolution.

**TERMINATION AND SUSPENSION**

52. Te Nehenehenui and the councils may, at any time, agree in writing to suspend, in whole or in part, the operation of this agreement.
53. The scope and duration of any suspension must be specified in that written agreement.
54. There is no right to terminate this agreement.

**WAIVER OF RIGHTS UNDER AGREEMENT**

55. Te Nehenehenui may, at any time, notify the councils in writing that:
- (a) it waives any rights provided for in this agreement; or
  - (b) it revokes a notice of such a waiver.
56. The notice given by Te Nehenehenui must specify the nature and duration of the waiver.

**EXERCISE OF POWERS IN CERTAIN CIRCUMSTANCES**

57. A council may exercise or perform a statutory power or function that is affected by the agreement on its own account and not in accordance with the agreement:
- (a) if the statutory time frame for the exercise or performance of that power or function cannot be complied with under this agreement; or
  - (b) in the event of an emergency.
58. However, a council must use its best endeavours to work with Te Nehenehenui and comply with the agreement if practicable in the circumstances.

**EFFECT OF AGREEMENT**

59. This agreement constitutes:
- (a) the joint management agreement referred to in section 17 of the Ngā Wai o Maniapoto (Waipā River) Act 2012; and
  - (b) the joint management agreement referred to in section 135 of the Maniapoto Claims Settlement Act 2022.
60. This agreement supersedes the joint management agreement entered into on 3 April 2013 under the Ngā Wai o Maniapoto (Waipā River) Act 2012.
61. The parties acknowledge and agree that:
- (a) this agreement gives effect to commitments under two different statutes: the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022;
  - (b) if there is an inconsistency between a provision in this agreement and a provision in one or both of those statutes, the provision in the relevant statute prevails; and

- (c) depending on the area concerned, the statutory basis for the agreement with either be the Ngā Wai o Maniapoto (Waipā River) Act 2012 or the Maniapoto Claims Settlement Act 2022, and the provisions of the relevant statute will apply accordingly.

## **DEFINITIONS AND INTERPRETATION**

### **Definitions**

~~62.—In this agreement, unless the context requires otherwise:~~

~~(a) —[to insert].~~

### **Interpretation**

~~63.—In this agreement, unless the context requires otherwise:~~

~~(a) —[to insert].~~

**SIGNED BY THE PARTIES**

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Kruger Wetere

Te Nehenehenui Deputy  
Chairman

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Wikitoria Tane

Te Nehenehenui Trustee/Joint  
Committee Co-chair

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
John Kaati

Te Nehenehenui Trustee

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Gabrielle Morgan-Logan

Te Nehenehenui Trustee

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Shannon Manawaiti

Te Nehenehenui Trustee

**SIGNED** for and on behalf of

**TE NEHENEHENUI** by its authorised signatory

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Samuel Mikaere

Te Nehenehenui Chief  
Executive Officer

**SIGNED** for and on behalf of

**ŌTOROHANGA DISTRICT COUNCIL** by its authorised signatory acting under delegated authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Position

**SIGNED** for and on behalf of

**WAIKATO DISTRICT COUNCIL** by its authorised signatory acting under delegated authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Position

**SIGNED** for and on behalf of

**WAIKATO REGIONAL COUNCIL** by its authorised signatory acting under delegated authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Position

**SIGNED** for and on behalf of

**WAIPĀ DISTRICT COUNCIL** by its  
authorised signatory acting under  
delegated authority

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Position

**SIGNED** for and on behalf of

**WAITOMO DISTRICT COUNCIL** by  
its authorised signatory acting under  
delegated authority

\_\_\_\_\_  
Signature

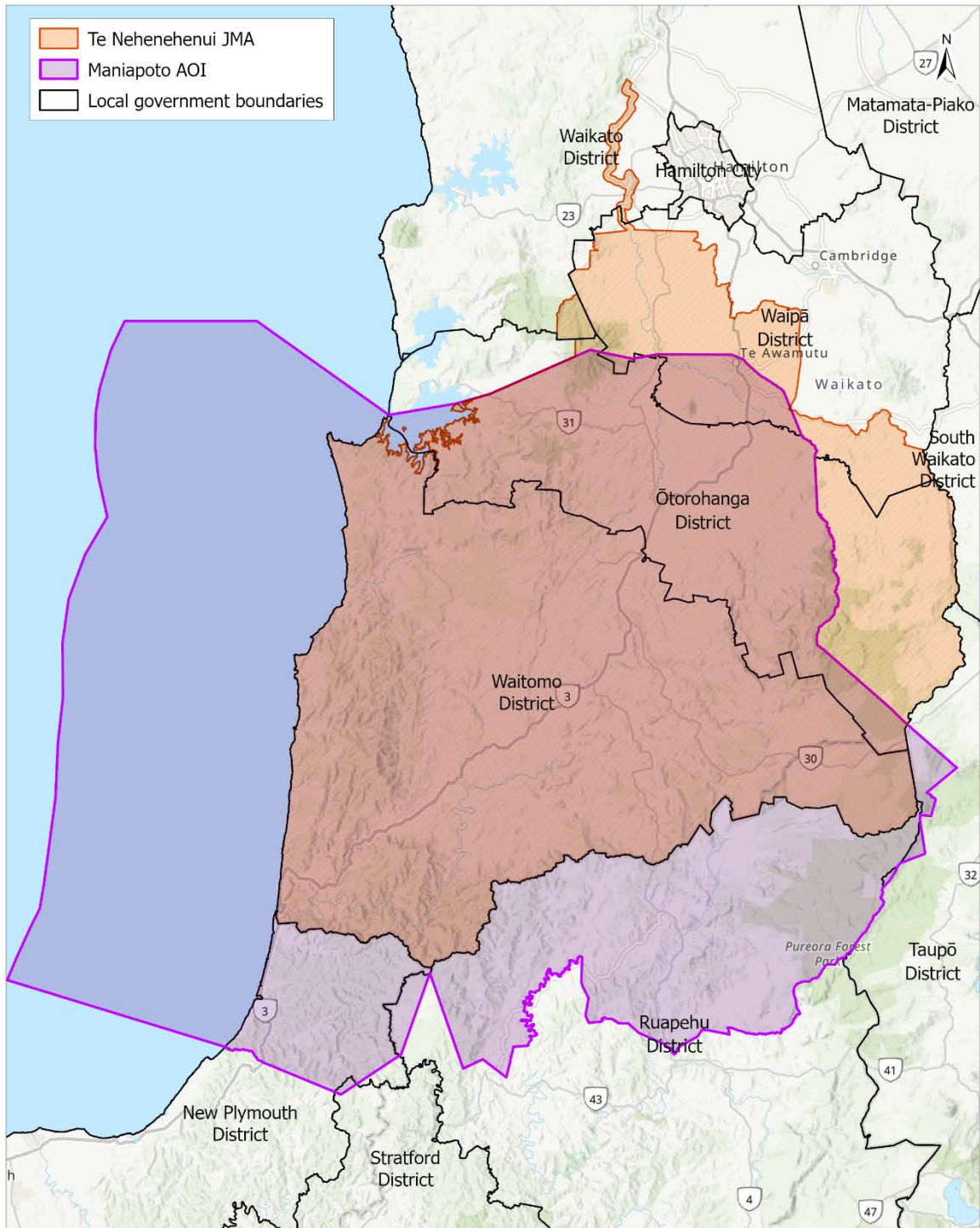
\_\_\_\_\_  
Name

Position



**SCHEDULE ONE**

**MAP**



**Acknowledgements and Disclaimers**  
 The proposed Te Nehenehenui JMA equates to the following 3 areas combined:  
 1) Waipā River (redress Area C) [SO 409144],  
 2) Raumatiroa: Natural resources redress Area M,  
 3) The existing Maniapoto JMA with councils.

Maniapoto AOI as supplied by Te Nehenehenui, and Te Arawhiti - Office of Treaty Settlements Area of Interest dataset for Maniapoto.

**Te Nehenehenui**  
**JMA zone**

0 5 10 15 20 km  
 Scale at A4  
 = 1:710,000

Created by: AJH  
 Date: 25/08/2023  
 File: REQ200435\_



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**SCHEDULE TWO**

**MANIAPOTO ENGAGEMENT STRATEGY**

To be developed and agreed as part of the process referred to in clause 41 of this agreement  
(but the 12-month time limit does not apply to this schedule)

**SCHEDULE THREE**  
**SITES OF SIGNIFICANCE**

To be developed and agreed as part of the process referred to in clause 41 of this agreement

**SCHEDULE FOUR**  
**TRANSFERS OF POWERS**

To be developed and agreed as part of the process referred to in clause 41 of this agreement

**SCHEDULE FIVE****RMA PLANNING PROCESS**

1. This part applies to preparing, reviewing, changing, or varying any planning document as referred to in:
  - (a) section 22 of the Ngā Wai o Maniapoto (Waipā River) Act 2012; and
  - (b) section 140 of the Maniapoto Claims Settlement Act 2022.
2. The parties will review and as necessary update this schedule in accordance with the process set out in clause 41 of this agreement.
3. If, as a result of emerging issues, any one of the councils is prompted to consider the preparation, review, change or variation of an RMA planning document (including requests for private plan changes), key personnel from the council concerned will as soon as reasonably practicable, contact key personnel from Te Nehenehenui for initial discussions on the issues and whether there is a need to participate in the processes by convening a Joint Working Party (**JWP**).
4. Before beginning the process to prepare, review, change, or vary a planning document, a relevant council and Te Nehenehenui must convene a JWP to discuss and recommend to the councils:
  - (a) the process to be adopted for the preparation, review, change, or variation; and
  - (b) the general form and content of any document to be drafted for the purposes of consultation or notification under clause 5 of Schedule 1 of the Resource Management Act 1991.
5. Te Nehenehenui and the relevant council considering the preparation, review, change or variation of an RMA planning document will:
  - (a) meet at an appropriate time to convene the JWP;
  - (b) determine the composition of the JWP;
  - (c) discuss whether to include other parties to this agreement in the JWP; and
  - (d) confirm how the parties to the JWP will work together and how they will resolve disputes.
6. When working together the JWP will adopt the principles as outlined in clause 18 and 19 of this agreement.
7. Te Nehenehenui and the relevant council and must decide jointly on the final recommendation to the council on whether to commence a review of, or to amend, a planning document.

8. Te Nehenehenui and the relevant council must decide jointly on the final recommendation to the council on the content of a planning document to be notified under clause 5 of Schedule 1 of the RMA.
9. Te Nehenehenui and the relevant council must discuss the potential for Te Nehenehenui to participate in making decisions on the provisions and matters raised in submissions on a planning document under clause 10 of Schedule 1 of the RMA.
10. In clause 8, a final recommendation may, if necessary, include a recommendation that reflects different views on the matter.
11. Any recommendation to review or amend a planning document is subject to compliance with:
  - (a) any statutory requirement to review or amend the planning document; and
  - (b) any relevant statutory time frames.
12. The parties will further discuss a mechanism for Te Nehenehenui to participate in processes under Parts 2 and 4 of Schedule 1 of the RMA.
13. If a request is made under Clause 21 of Schedule 1 of the RMA (in relation to a private plan change), and relates to the area covered by this agreement, the council concerned will provide a copy of the request to key personnel from Te Nehenehenui as soon as practicable.
14. Te Nehenehenui will advise the council concerned whether it wishes to participate in the private plan change process, and if that is the case, the council concerned will convene a meeting between the council and Te Nehenehenui to discuss the statutory and internal processes for considering a request.
15. If Te Nehenehenui confirms it wishes to participate in considering a request, a JWP will be convened to develop and agree upon a process for Te Nehenehenui to be involved.
16. Te Nehenehenui and the councils will each bear their own costs of the processes under this schedule.
17. Schedule 7 of the Local Government Act 2002 does not apply to Te Nehenehenui or a council or when, under this agreement, they perform the duties and functions or exercise the powers described in this schedule.
18. If there is an inconsistency between the provisions of the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022 in relation to this schedule, the provision of the relevant statute will prevail in relation to the area covered by that statute.

**SCHEDULE SIX****RMA MONITORING AND ENFORCEMENT**

1. This part applies to RMA monitoring and enforcement as referred to in:
  - (a) section 21 of the Ngā Wai o Maniapoto (Waipā River) Act 2012; and
  - (b) section 139 of the Maniapoto Claims Settlement Act 2022.
2. The parties will review and as necessary update this schedule in accordance with the process set out in clause 41 of this agreement.
3. The parties will:
  - (a) meet at least twice each year to:
    - (i) discuss and agree the priorities for the monitoring and enforcement of the matters set out in section 35(2)(a) to (e) of the RMA;
    - (ii) discuss and agree the methods for, and the extent of, the monitoring of those matters; and
    - (iii) discuss the opportunities for Te Nehenehenui to participate in the monitoring of those matters;
  - (b) meet at least twice each year to discuss appropriate responses to deal with the outcomes of the monitoring of those matters, including:
    - (i) the potential for review of planning documents; and
    - (ii) enforcement under the RMA, including criteria for the commencement of prosecutions, applications for enforcement orders, the service of abatement notices, and the service of infringement notices; and
  - (c) agree appropriate procedures for reporting back to Te Nehenehenui on the enforcement action taken by the councils;
  - (d) discuss and agree the role of the Te Nehenehenui in the 5-yearly review provided for in section 35(2A) of the RMA; and
  - (e) discuss the opportunities for persons nominated by Te Nehenehenui to participate in enforcement action under the RMA.
4. Te Nehenehenui and the councils will each bear their own costs of the processes under this schedule.
5. Schedule 7 of the Local Government Act 2002 does not apply to Te Nehenehenui or a council or when, under this agreement, they perform the duties and functions or exercise the powers described in this schedule.

6. If there is an inconsistency between the provisions of the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022 in relation to this schedule, the provision of the relevant statute will prevail in relation to the area covered by that statute.



**SCHEDULE SEVEN****RMA RESOURCE CONSENT PROCESS**

1. This part applies to the resource consent process as referred to in:
  - (a) section 23 of the Ngā Wai o Maniapoto (Waipā River) Act 2012; and
  - (b) section 141 of the Maniapoto Claims Settlement Act 2022.
2. The parties will review and as necessary update this schedule in accordance with the process set out in clause 41 of this agreement.
3. Each council will provide Te Nehenehenui with a summary of applications for resource consents received by the council.
4. The information provided under clause 3 will be:
  - (a) the same as would be given to affected persons through limited notification under section 95B of the RMA or as the council and Te Nehenehenui agree otherwise; and
  - (b) provided as soon as is reasonably practicable after the application is received and before a determination is made under sections 95A or 95B of the RMA.
5. The councils and Te Nehenehenui must jointly develop and agree criteria to assist council decision making under the following processes or sections of the RMA:
  - (a) best practice for pre-application processes;
  - (b) best practice for the circumstances in which to commission cultural impact and similar assessments;
  - (c) section 87D: (request that an application be determined by the Environment Court rather than the consent authority);
  - (d) section 88(3): (incomplete application for resource consent);
  - (e) section 91: (deferral pending additional consents);
  - (f) section 92: (requests for further information);
  - (g) sections 95 to 95F: (notification of applications for resource consent); and
  - (h) sections 127 and 128: (change, cancellation, or review of consent conditions).
6. The criteria developed and agreed under clause 5:
  - (a) are additional to, and must not derogate from, the criteria that the local authorities must apply under the RMA; and
  - (b) do not impose a requirement on a consent authority to change, cancel, or review consent conditions.

7. Te Nehenehenui and the councils will each bear their own costs of the processes under this schedule.
8. Schedule 7 of the Local Government Act 2002 does not apply to Te Nehenehenui or a council or when, under this agreement, they perform the duties and functions or exercise the powers described in this schedule.
9. If there is an inconsistency between the provisions of the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Maniapoto Claims Settlement Act 2022 in relation to this schedule, the provision of the relevant statute will prevail in relation to the area covered by that statute.

**SCHEDULE EIGHT**  
**LOCAL GOVERNMENT ACT PROCESSES**

To be developed and agreed as part of the process referred to in clause 41 of this agreement

**SCHEDULE NINE**  
**OTHER STATUTORY PROCESSES**

To be developed and agreed as part of the process referred to in clause 41 of this agreement

**SCHEDULE TEN**  
**RESOURCING AND CAPACITY BUILDING**

To be developed and agreed as part of the process referred to in clause 41 of this agreement

<b>To</b>	<b>Performance and Strategy Committee</b>
<b>Report title</b>	<b>Approved Counterparty Review September 2023</b>
Date:	11 September 2023
Report Author:	Colin Bailey, Finance Manager
Authorised by:	Alison Diaz, Chief Financial Officer

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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The purpose of this report is to inform the Performance and Strategy Committee of approved Treasury Risk Management Policy counterparty credit ratings.

## **2. Executive summary**

### **Whakaraapopotanga matua**

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Treasury related transactions (borrowing and/or investing) can only be entered into with organisations specifically allowed for under Council's Treasury Risk Management Policy.

Credit ratings quantify the ability of these organisations to meet their financial obligations.

Counterparty limits are approved on the basis of long-term and short-term credit ratings of A- and above and A2 or above respectively.

Specific financial limits are in place for each Counterparty to appropriately manage credit exposure. Adherence to Counterparty limits is reported quarterly, while credit ratings are reviewed on an ongoing basis with any material credit downgrades dealt with immediately. The Standard & Poors ratings are reported to the Committee every six months and any changes noted.

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The current credit ratings are shown in the table below:

	Long Term		Short Term		Within Policy?
	S&P	Policy	S&P	Policy	
ANZ Bank	AA-	A-	A-1+	A2	✓
ASB Bank	AA-	A-	A-1+	A2	✓
Bank of New Zealand	AA-	A-	A-1+	A2	✓
HSBC	AA-	A-	A-1+	A2	✓
Westpac	AA-	A-	A-1+	A2	✓

### 3. Staff recommendations Tuutohu-aa-kaimahi

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**THAT the Performance and Strategy Committee receives the Approved Counterparty report.**

### 4. Attachments Ngaa taapirihanga

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Nil

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<b>To</b>	<b>Performance and Strategy Committee</b>
<b>Report title</b>	<b>General rate position for the year ended 30 June 2023</b>
Date:	11 September 2023
Report Author:	Colin Bailey – Finance Manager
Authorised by:	Alison Diaz - Chief Financial Officer

## **1. Purpose of the report**

### **Te Take moo te puurongo**

---

To inform the general rate position for the financial year ending 30 June 2023, and seek support for surplus funds to be set aside into the General Accounting Reserve Fund (GARF) and the Gearing for Growth and Greatness (G4GG) Reserve Fund to contribute towards expected and possible costs associated with staff remuneration, claims against Council relating to water ingress (leaky building) and other structural defects and legislative changes.

## **2. Executive summary**

### **Whakaraapopotanga matua**

---

Staff considered a number of budget adjustment requests during the year to address changes that occurred since the Annual Plan was adopted, along with amendments required as a result of tender processes and other ad-hoc funding requests that have arisen during the year.

The comparison between this revised budget and actual expenditure and income for the 2022/2023 financial year shows a general rate surplus after carry forward projects have been considered of \$3,852,532.

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### 3. Staff recommendations Tuutohu-aa-kaimahi

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**THAT the Performance & Strategy Committee recommends to Council that the 2022/2023 General Rate Surplus of \$3,852,532 is transferred as follows:**

- a. **\$2,452,532 to the General Accounting Reserve Fund to contribute towards expected and possible costs associated with claims against Council relating to water ingress (leaky building) and other structural defects, legislative changes and other ad-hoc funding requests that have arisen during the year.**
- b. **\$1,400,000 to the Gearing for Growth and Greatness Reserve Fund to fund the expected Annual Plan shortfall resulting from the 2023/2024 Remuneration Review.**

### 4. Background Koorero whaimaarama

---

Council has considered a number of budget adjustment requests during the year to address changes that occurred since the Annual Plan was adopted. These budget adjustments include carry forwards from the prior financial year (moving remaining budget for projects not completed as at 30 June 2022 into 2022/2023), along with amendments required as a result of tender processes and other ad-hoc funding requests that have arisen during the year.

The comparison between this revised budget and actual expenditure and income determines whether the final general rate position is a surplus or a deficit.

### 5. Discussion and analysis Taataritanga me ngaa tohutohu

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The difference between the revised budget and actual general rate funding used during the 2022/2023 year has resulted in a surplus (after carry forward projects have been considered) of \$3,852,532.

The total general rate available (A) is the general rate income for 2022/2023 combined with the general rate funding carried forward from 2021/2022. Deducted from this amount (general rate available) is the general rate spent in 2022/2023 (B).

The general rate required to be carried forward is then deducted which gives the net general rate surplus for the year.

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<b>General Rate Breakdown</b>	<b>2019/2020 Total \$</b>	<b>2020/2021 Total \$</b>	<b>2021/2022 Total \$</b>	<b>2022/2023 Total \$</b>
General rate income for the year	62,220,207	65,814,766	73,949,049	78,965,648
Carried forward General Rate from the prior year	1,205,502	3,131,024	2,257,752	6,921,932
<b>Total Available (A)</b>	<b>63,425,709</b>	<b>68,945,790</b>	<b>76,206,801</b>	<b>85,887,580</b>
<b>Total General Rate spent (B)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Surplus General Rate (A-B)	4,113,134	2,292,854	7,821,287	6,856,117
General Rate to be carried forward to the next year	-3,131,024	-2,257,752	-6,921,932	-3,003,585
<b>Total General Rate surplus/(deficit)</b>	<b>982,110</b>	<b>35,102</b>	<b>899,355</b>	<b>3,852,532</b>
<b>Surplus committed to the 2022/23 Annual Plan</b>			-200,000	
<b>Amount to transfer to GARF</b>	<b>982,110</b>	<b>35,102</b>	<b>699,355</b>	<b>3,852,532</b>

### **Expected calls on the general rate surplus to be carried forward:**

The general rate surplus of \$3,852,532 to be carried forward to the 2023/2024 financial year is available to fund the following:

#### **To the Gearing for Growth and Greatness Reserve fund:**

- A transfer to G4GG to fund the expected Annual Plan shortfall resulting from the 2023/2024 Remuneration Review, estimated to be \$1.4 million.

#### **To the General Accounting Reserve fund:**

- The costs of a claim against Council in the High Court filed by Lord Cowell Holdings Limited that is essentially a leaky building claim involving defects as a result of water ingress, however there are other aspects of the claim that relate to structural defects. The claim is as yet unquantified.
  - Exposure to potential claims concerning both weathertight and non-weathertight defects as recently advised by Riskpool, the amounts of which are unquantified at this stage.
-

- The costs associated with District Plan Variation 3, the final costs of which have not been finalised.
- Horsham Downs Hall material damage claim excess of \$10,000 (June 2022 water damage).

It should be noted the general rate surplus is also used to fund other above-budget costs (e.g., audits fees for Long Term Plan 2024/2034) and also to hold funding that may no longer be needed (e.g., unspent discretionary funding carried forward for a number of years).

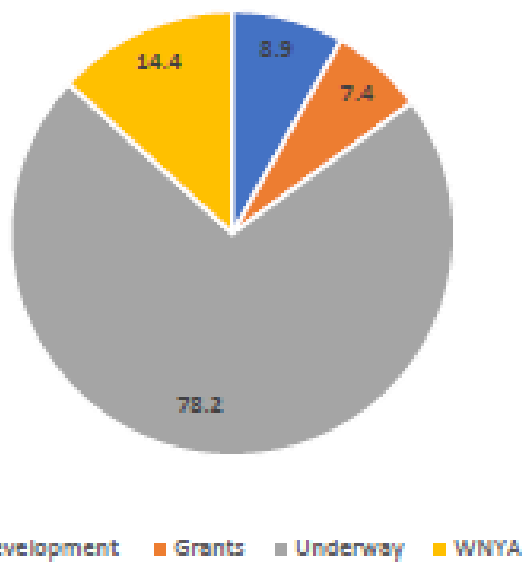
### Carry forward of Project budgets into 2023/2024

Carry forward budgets arise when budgets are not fully expended by the end of the financial year, but those budget amounts are required in the following year to complete the projects or activities to which they relate.

The carry forward process for capital and one-off operational projects is transparent, in that only budget legitimately associated with the same project is carried forward. Any remaining budget savings contribute to the general rate surplus.

Total capital and operational project budget carry forwards of \$122 million (last year \$175 million, including \$53 million expected vested assets) as summarised by type below.

Capex split by status (\$m)



\*WNYA = work not yet awarded

## **5.1 Options**

### **Ngaa koowhiringa**

Staff have assessed that there are two reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (see paragraph 6.1). The options are:

**Option 1:** Approve the transfer of the 2022/2023 general rate surplus as recommended.

**Option 2:** Not approve the transfer of the 2022/2023 general rate surplus as recommended.

Staff recommend Option 1 in order to fund the expected calls for funding as outlined in this report.

## **5.2 Financial considerations**

### **Whaiwhakaaro puutea**

The recommended transfers of surplus general rate income for 2022/2023 to 2023/2024 has been calculated as outlined in the report after careful assessment and moderation by staff. The carried forward surplus is fully allocated to expected calls for funding not included in Annual Plan 2023/2024.

## **5.3 Legal considerations**

### **Whaiwhakaaro-aa-ture**

The report and recommendations are consistent with the Council's legal obligations.

## **5.4 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

## **5.5 Maaori and cultural considerations**

### **Whaiwhakaaro Maaori me oona tikanga**

Residents, ratepayers, Iwi partners and other key stakeholders are consulted with in order to set work programmes and levels of service for the LTP and associated Annual Plans.

## **5.6 Climate response and resilience considerations**

### **Whaiwhakaaro-aa-taiao**

The decisions sought by, and matters covered in, this report are consistent with Council's Climate Response and Resilience Policy and Climate Action Plan.

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## 5.7 Risks

### Tuuraru

The general rate transfers recommended in the report are required to meet known calls for funding, albeit the final amounts are not yet known. Without this funding there is likely to be a general rate shortfall in 2023/2024 that could result in workplans, and activities being restricted.

## 6. Significance and engagement assessment

### Aromatawai paahekoheko

The decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy.

The Significance & Engagement policy is not triggered for the proposed transfer of the surplus to Council reserves.

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Businesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

## 7. Next steps

### Ahu whakamua

Staff will process the necessary accounting entries to give effect to the carry forward budgets ad surplus.

## 8. Attachments

### Ngaa taapirihanga

No attachments.

<b>To</b>	<b>Performance &amp; Strategy Committee</b>
<b>Report title</b>	<b>Chief Executive’s Business Plan</b>
Date:	11 August 2023
Report Authoriser:	Gavin Ion, Chief Executive
Report Author:	Tony Whittaker, Chief Operating Officer

## **1. Purpose of the report**

### **Te Take moo te puurongo**

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To update/inform the Committee for the first time on progress covering 2023/2024 business plan items.

## **2. Executive summary**

### **Whakaraapopototanga matua**

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The Chief Executive’s Business Plan is a summary of progress on priority issues agreed by Councillors. Some of the items are still to be scoped and hence no progress made at this time.

## **3. Staff recommendations**

### **Tuutohu-aa-kaimahi**

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**THAT the Performance & Strategy Committee receives the update on the Chief Executive’s Plan.**

## **4. Background**

### **Koorero whaimaarama**

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The Plan is a summary of progress on specific issues. It enables staff and Councillors to focus on the big issues and ensures that attention is given to those things of strategic importance.

The Plan is in line with the Chief Executive’s Performance Agreement which was updated and confirmed by Council in advance of this financial year.

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## **5. Discussion and analysis**

### **Taataritanga me ngaa tohutohu**

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The report contains the strategic issues that Council is focussed on. The Chief Executive's Business Plan is aligned to the Chief Executive's Performance Agreement. The underpinning criteria is the council vision of 'liveable, thriving and connected communities.'

The list of KPIs was updated in line with the Chief Executive's Performance Agreement which have been signed off by the Chief Executive's Performance Review Committee for 2023/2024. This is the first report for this year.

#### **5.1 Options**

##### **Ngaa koowhiringa**

This report is for information only and as an update on progress. No decision is being sought from the Committee other than to receive the report.

#### **5.2 Financial considerations**

##### **Whaiwhakaaro puutea**

This report covers the strategic goals set for the Chief Executive for the year. There will be financial implications as the various projects and initiatives are worked through. There are no immediate concerns at the time of this report.

#### **5.3 Legal considerations**

##### **Whaiwhakaaro-aa-ture**

There are potential legal issues that arise through the implementation of this work plan and these will be discussed with council if and when these come to light.

#### **5.4 Strategy and policy considerations**

##### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with and give effect to Council's vision of *'Liveable, thriving and connected communities – He noohanga aahuru, he iwi whai ora, he hapori tuuhono tahi.'*

#### **5.5 Maaori and cultural considerations**

##### **Whaiwhakaaro Maaori me oona tikanga**

Iwi and Tangata Whenua have been or will be consulted on at least some of the key projects or initiatives referred to in the report. Iwi are involved as a strategic partner of Council through our Joint Management Agreements and projects such as Raglan, Huntly and Te Kauwhata Wastewater Treatment plant upgrades and consent processes.

The Mana Whenua Forum will be a key engagement mechanism once formally established.

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## 5.6 Climate response and resilience considerations Whaiwhakaaro-aa-taiao

The matters in this report will impact on climate action but it is unclear what this will be until further progress on individual projects is made. A specific measure however is included in the Chief Executive performance measures in regard to emission reduction.

## 5.7 Risks Tuuraru

As this report seeks to provide a general update only, it is anticipated that the risk level is low.

## 6. Significance and engagement assessment Aromatawai paahekoheko

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### 6.1 Significance Te Hiranga

The matters covered in this report may be assessed as of high significance, in accordance with the Council's Significant and Engagement Policy.

### 6.2 Engagement Te Whakatuutakitaki

Engagement on the contents of this report has been low and internal. However specific items encompass engagement with key external stakeholders.

The following areas are priorities in the communications and engagement approach:

- Keeping councillors informed of progress;
- Ensuring the development of strategic partnerships and relationships.

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	Staff have worked collaboratively with our iwi/hapuu to maximise engagement on a range of activities and actions. Similarly, there has been consistent communication with a range of strategic partners and organisations.				

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State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
✓	✓	<input type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	✓	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Communities
<input type="checkbox"/>	✓	<input type="checkbox"/>	Affected Businesses
<input type="checkbox"/>	✓	<input type="checkbox"/>	Other (Please Specify)

## 7. Next steps Ahu whakamua

Regular updates will be provided on progress with delivery of the business plan.

## 8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages ( <i>Section 5.1</i> ).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy ( <i>Section 6.1</i> ).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance ( <i>Section 6.2</i> ).	Confirmed

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The report considers impact on Maaori ( <i>Section 5.5</i> )	Confirmed
The report and recommendations are consistent with Council's plans and policies ( <i>Section 5.4</i> ).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities ( <i>Section 5.3</i> ).	Confirmed

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## 9. Attachments

### Ngaa taapirihanga

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Attachment 1 – Chief Executive's KPI worksheet

## Chief Executive's KPIs – 2023/2024

**Overarching Council Vision: "Liveable, Thriving and Connected Communities"**

**Staff & Wellbeing Vision: "Work Safe, Home Safe"**

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
<p>1. Consistent delivery of Core Services. (Council will focus on reliable and essential services that keep our community safe and resilient)</p>	1.1	<p>The 2023/2024 Annual Plan is delivered within the agreed budget, financial strategy, legislative compliance, and in accordance with variations approved by Council. Provide regular updates to the Performance &amp; Strategy Committee on progress, with recommended remedial actions for any actual/potential impacts on agreed delivery.</p>	<p>The 2023/24 Annual Plan has been adopted by Council. Reporting against the Annual Plan will commence at the next Performance &amp; Strategy Committee meeting. No key issues of note to report at this point.</p>
	1.2	<p>Capital Works are delivered within the agreed budget and in accordance with variations approved by Council. Provide regular updates on progress, with recommendations for remedial actions to be undertaken where there are any barriers to the delivery of the projects, with a focus on the following key areas of work:</p>	<p>Delivery is progressing as expected. Approximately 80% of projects are through the planning phase with many in construction or about to commence. The September infrastructure committee will receive a detailed and visual representation of the programme delivery in addition to the financial performance vs budget.</p>
		<p>a) Three Waters (projects managed and delivered via Watercare).</p>	<p>Watercare have provided an update on what they consider is an achievable capital works programme. This will be considered by the Waters Governance Board in September. Year to date spend is \$4.6m against a forecast for the year of \$48m.  A large majority of consents and designs have been completed and project list rationalised. There are a small number of roading projects which will not be completed this year, but this will be presented for Councillor consideration at the September Infrastructure Committee.</p>

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
		b) Roading (projects predominantly delivered through the Waikato District Alliance)	
		c) Sustainable communities (including community aspirational projects, blueprints, economic development incorporating social & community related projects).	<p>Results of a recent Blueprint prioritisation check in with Community Boards and Committees will be presented to Councillors for review and adoption.</p> <p>Economic and Community Led development updates will continue to be provided to the Sustainability and Wellbeing Committee.</p> <p>Draft Bylaw and Waste Assessment is underway. This information will help to inform the Section 17a Review for Solid Waste.</p> <p>A new Waste Services Manager has been appointed. The plan will be a priority for the Manager when she starts.</p>
	1.3	The 2024-2034 LTP document is complete by 30 June 2024.	LTP Project progressing as expected. Key workshops with Councillors on Asset and Activity Management Plans current focus. Updates provided to each Performance & Strategy meeting.
2. Council Responsiveness (Council will improve its responsiveness and communication to	2.1	a) Complete the review of the Service Request system by 31 December 2023 (all service requests logged in property and rating).	Work progressing to plan for the Ways of Working change to ensure all Service Requests are accurately tracked within TechOne Property & Rating. On target for 31-Dec-23.

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
communities and customers).			
		b) Complete priority improvements (partner two way and automated email or text to customer) by 31 March 2024.	Automated email updates to customers & Alert Notifications to staff are on schedule. Phased implementation from Sept-23 to Mar-24. Integration in place with Watercare. Antenno, enabling mobile phone entry of service requests, to be implemented in Sept. Amourguard & Citycare integration work delayed due to constraints their end.
		c) System fully operational (including training) by 30 June 2024.	Project on schedule to have system fully operational by 30-June-24. Community Reporting under review due to data quality issues.
	2.2	a) Review and update the strategic communications plan. The revised plan to be approved by council by 31 March 2024.  b) Implement the agreed plan and report on progress quarterly.	The review of the Communication Strategy has commenced and due to be complete by 31 October. This will include stakeholder engagement.  An action plan is being prepared as part of the Strategy, including resourcing, processes, and systems.
3. Building Community Resilience & Connectivity  We will prioritise	3.1	a) Amend and update priority existing community response plans by 30 June 2024.	The Te Kauwhata community response plan (used as pilot) has been completed. Raglan is nearing completion, and several other groups are advancing through initial phases. The Port Waikato group is still forming prior to commencing response planning.

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
<p>the wellbeing of our district by building and supporting strong and resilient communities.</p> <p>Our district is easy to explore, and communities are connected and well informed).</p>		<p>b) Develop priority marae, community and business continuity plans following relevant community engagement by 30 June 2024.</p>	<p>Mangatangi Marae is well advanced as a 'pilot'. 10 other marae have self identified and are interested in advancing their planning. Waahi Whanui Trust, who represent (9 Marae) have also expressed interest in commencing. We have engaged with several agencies and Waikato Tainui to support the programme including funding to support marae ambitions. A detailed report will be available for the September Sustainability &amp; Wellbeing committee.</p>
	3.2	<p>Achieve an emission reduction target of 16% relative to 2023 emissions for the year ended 30 June 2024.</p>	<p>This target includes replacement of Huntly aquatic gas boiler which has not yet happened (14% reduction impact) due to EECA funding (\$158k) delays outside of our control. 3.9% achieved last financial year to 30 June.</p>
	3.3	<p>Develop a community connectivity plan by 31 March 2024, and commence implementing agreed actions.</p>	<p>Still to be scoped.</p>
<p>4. Building relationships</p> <p>(We are focused on building our cultural competence and responsiveness by improving our relationships. We will uphold Te Tiriti o Waitangi and weave Te Reo Maaori into our work).</p>	4.1	<p>a) Provide evidence of outcomes achieved through initiatives, collaboration, and engagement with mana whenua (including mana whenua forums) on a half yearly basis to the Performance &amp; Strategy Committee</p>	<p>We continue to work to build enduring relationships with mana whenua. Our efforts have been restricted as we work through the recruitment of our Executive Manager Maaori Partnerships.</p>
		<p>b) Demonstrate progress on delivering at least three of the strategic initiatives of the Waikato-Tainui JMA workplan.</p>	<p>The workplan has been developed and presented to the JMA Committee for support at the September meeting.</p>

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
	4.2	<p>a) Central Government – Provide quarterly evidence of the key outcomes achieved by the Chief Executive through building relationships with central government that are related to Council's future strategies and delivery aspirations.</p> <p>b) Focus should be on the crown agencies and associated Ministers identified by a Central Government Advocacy Action Plan to be adopted by Council by 31 December.</p>	<p>Efforts to have Council included in Entity A (Auckland and Northland) for 3 waters have been unsuccessful. We sought to influence this process at many levels within government given our unique circumstances.</p> <p>We continue to work with Department of Internal Affairs, MBIE, Kainga Ora, Ministry of Housing &amp; Urban Development and Waka Kotahi.</p> <p>A meeting is being held with Ironduke in September to help us co-ordinate our efforts.</p>
	4.3	<p>a) Design and implement a Developers Forum focused on building relationships and improvements in customer service by 30 June 2024.</p>	<p>This will form part of the Growth and Analytics work programme managed by the Infrastructure Development Managers. Timelines still to be confirmed.</p>
	4.4	<p>a) Develop and implement a Rural Economic Advisory Panel (REAP) incorporating key representatives from the rural sector.</p> <p>b) Establish the forum and commence meetings by 31 December 2023.</p>	<p>Terms of Reference complete. Initial meeting with REAP representatives held late August. Work Programme development next priority. Initial resourcing via Economic Development team. Next meeting 11 September.</p>

Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
<p>5. Sustainable Growth (We plan for growth in a sustainable and responsible way, ensuring we embrace our local heritage and sense of community)</p>	5.1	<p>a) Develop a sustainable growth funding strategy by 31 March 2024.</p> <p>b) Implement the approved plan and demonstrate agreed targeted benefits by 30 June 2024.</p>	<p>Sustainable growth funding strategy – project not started. Next step to confirm scope with Chief Executive and Mayor.</p> <p>Funding plan to be developed based on strategy development.</p>
		<p>a) Demonstrate progress in making the Proposed District Plan operable:</p> <p>(i) Make the uncontested parts of the Proposed District Plan operative by 31 December 2023.</p> <p>(ii) Prepare an action plan to advance the appeals by 31 December 2023.</p> <p>(iii) Report regularly on progress with outstanding appeals.</p>	<p>Appeals subcommittee progressing through appeals.</p> <p>(i) An update will be provided to Council in November.</p> <p>(ii) In process as a response to the Environment Court.</p> <p>(iii) This is currently provided through the PDP appeals sub committee.</p> <p>Summary of progress as of 1 August: Of the 66 Appeals lodged: 6 appeals have been struck out/withdrawn/partially withdrawn 7 appeals fully or partially resolved 2 consent orders drafted.</p>



Key project/priority	Key deliverables/KPIs		Update & Delivery Comments
6. Staff and Culture (including leadership, engagement and retention)	6.1	a) Outline what initiatives have been undertaken to strengthen the internal culture and leadership of the organisation, and provide staff survey results to indicate whether these have been successful or not.	<p>2023 staff survey completed in July – the engagement score was 65% (lower than last year but on par with other Council's who undertook the survey) with 77% of staff participating.</p> <p>Five key focus themes identified from the survey by the Executive Team.</p> <p>Further deep dive survey completed on focus themes in August with over 950 individual feedback comments – theming of these is underway.</p> <p>Mental health awareness week including guest speaker planned for 18-24 September with entire organisation involvement (including Council).</p>
		b) Provide evidence on recruitment strategies being used to attract new talent, and retention strategies in place, including an assessment of effectiveness (retention rate, staff turnover, open jobs).	<p>In market for a new Talent Acquisition role as part of recruitment strategy to upskill people leaders/focus on Employee value Proposition.</p> <p>While roles in some cases are taking longer to fill we are attracting strong applicants.</p> <p>Internal promotions and succession planning is in place and evident e.g., GM Customer Support which will have flow on internal appointments.</p> <p>Current open vacancies: <b>34</b> (various stages of the process)</p> <p>13 new hires last month and 9 resignations.</p> <p>Labour turnover (LTO) <b>18.59%</b></p>
	6.2	<ul style="list-style-type: none"> <li>Develop and implement a diversity strategy, starting with a Te Tiriti strategy which will uphold the principles of Te Tiriti o Waitangi.</li> </ul>	<p>Appointment of Executive Manager Maori Partnerships was unsuccessful, now back to market.</p> <p>Te Tiriti training and Te Reo learning has great support and uptake. Recent successful completion of first level 2 cohort.</p> <p>Key support partner "Diversity Works" in place and supporting learning through Takitaki and strategy development support.</p> <p>New Capability and Wellbeing Advisor has started and uplifts capacity in the Capability team to deliver on strategy.</p>
7. Zero Harm (Work Safe, Home Safe)	7.1	<ul style="list-style-type: none"> <li>Complete the Strategic Plan work for 2023/2024 by 30 June 2024.</li> </ul>	<p>Working with Dangerous Animals Risk Review complete. Development of Mental Wellbeing Bowtie progressing. Action plan developed from ISO45001 audit recommendations</p>

**Footnote:**

1. The Chief Executive has agreed to deliver KPIs, subject to any changes due to Council's change of direction on any of the KPIs, in which case such changes would be considered. Delivery will also be subject to factors within the control of the Chief Executive.
2. Each deliverable including subcategories (e.g. (a), (b) etc.) will be assessed and scored.

DRAFT

<b>To</b>	<b>Performance &amp; Strategy Committee</b>
<b>Report title</b>	<b>Exclusion of the Public</b>
Date:	Friday, 1 September 2023
Report Author:	Elizabeth Saunders, Senior Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

## 1. **Staff recommendations** **Tuutohu-aa-kaimahi**

**THAT the public be excluded from the following parts of the proceedings of this meeting.**

**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 are as follows:**

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1.1 Minutes from the meeting held on Monday, 7 August 2023	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.1 Remission of Wastewater Availability Targeted Rates		
Item PEX 2.2 Rating and Abandoned Land Sales		

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 No.	Section	Interest
<b>Item PEX 1</b> <b>Minutes from the meeting held on Monday, 7 August 2023</b>		<b>Refer to the previous Public Excluded reason in the agenda for this meeting.</b>
<b>Item PEX 2.1</b> <b>Remission of Wastewater Availability Targeted Rates</b>	<b>7(2)(a)</b>	<b>To protect a persons privacy</b>
<b>Item PEX 1.2</b> <b>Rating and Abandoned Land Sales</b>	<b>7(2)(a)</b>	<b>To protect a persons privacy</b>

## 2. Attachments Ngaa taapirihanga

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There are no attachments for this report.

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