



WAIKATO RAUPATU RIVER TRUST AND WAIKATO DISTRICT COUNCIL CO-GOVERNANCE JOINT COMMITTEE

NOTICE is hereby given that a meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee will be held on **WEDNESDAY 14 OCTOBER 2020 at 9.30am** at Waikato District Council, Committee Rooms 1&2, 15 Galileo Street, Ngaruawahia.

MEMBERS

Waikato Raupatu River Trust

Trustee Rukumoana Schaafhausen (Co-Chair)
Trustee Hinerangi Raumati-Tuu'a
Trustee Patience Te Ao
Trustee Hemi Rau
Trustee Tahi Rangiawha (alternate only)

Waikato District Council

Mayor Allan Sanson (Co-chair)
Cr Aksel Bech
Cr Janet Gibb
Cr Lisa Thomson
Cr Jacqui Church (alternate only)

STAFF

Waikato Raupatu River Trust

Donna Flavell (Chief Executive)
Marae Tukere (General Manager Oranga)
Manaaki Nepia (Manager, Strategy)
Hone Turner (Kaumaatua)

Waikato District Council

Gavin Ion (Chief Executive)
Tony Whittaker (Chief Operating Officer)
Sue O'Gorman (General Manager Customer Support)
Sam Toka (Iwi & Community Partnership Manager)
Jacob Quinn (Communications, Marketing & Engagement Manager)
Nicolas Wells (Strategic Property Manager)

AGENDA

Opening Karakia

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. CONFIRMATION OF MINUTES

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verbal

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To be circulated under separate cover

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verbal

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Closing Karakia

GJ Ion

CHIEF EXECUTIVE

Open Meeting

To	Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee
From	Gavin Ion Chief Executive
Date	14 October 2020
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of the Joint Committee meeting held on Thursday, 16 July 2020.

2. RECOMMENDATION

THAT the minutes of the meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee held on Thursday, 16 July 2020 be confirmed as a true and correct record of that meeting.

3. ATTACHMENTS

Co-Governance Joint Committee Minutes – 16 July 2020

Minutes of a meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee held in the Te Whakakitenga o Waikato Chambers, Hopuhopu on **THURSDAY 16 JULY 2020** commencing at **12.00PM**.

Present:

His Worship the Mayor, Mr AM Sanson (Co-Chair)
Cr JM Gibb [*until 12.33pm and then from 12.40pm*]

Trustee Rukumoana Schaafhausen (Co-Chair) [*until 1.40pm*]
Trustee Hinerangi Raumati-Tuu'a
Trustee Patience Te Ao

Attending:

Mr Brendon Green (Maangai Maaori)

Mr GJ Ion (Chief Executive)
Mr T Whittaker (Chief Operations Officer)
Mrs S O'Gorman (General Manager Customer Support)
Mr C Morgan (General Manager Community Growth)
Mr S Toka (Iwi & Community Partnership Manager)
Mr V Ramduny (Strategic Projects Manager)
Mrs J Dolan (Economic and Community Development Manager)
Mr J Ebenhoh (Planning and Policy Manager)
Mr W Gauntlett (RM Policy Team Leader)
Mr B Stringer (Democracy Manager)
Mr N Pirsoul (Democracy Advisor)

Ms J Colliar (Board Member of Te Aratuaara and Strategic Manager for Infrastructure, Hamilton City Council)
Mr D Turner (Board Member of Te Arataura)
Ms M Tukere (General Manager Oranga)
Mr T Paki (General Manager – Rights and Interests)
Ms M Nepia (Strategy Manager)
Ms R Raupita (Secretariat, Governance and Legal Team)
Ms H Pere (EA to General Manager Oranga)

Trustee Schaafhausen opened the meeting and acknowledged the collective work undertaken by Council and Waikato-Tainui during the Covid-19 lockdown.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Trustee Te Ao/Cr Gibb)

THAT an apology be received from Crs Bech and Thomson and Ms Donna Flavell.

CARRIED

JMA2007/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Trustee Schaaflhausen/Mayor Sanson)

THAT the agenda for a meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee held on Thursday, 16 July 2020 be confirmed and all items therein be considered in open meeting.

CARRIED

JMA2007/02

DISCLOSURES OF INTEREST

Cr Gibb disclosed an interest in item 4.3 – *District Plan Review Update* and noted that this should not give rise to a conflict if discussion remained on the issues covered in the staff report.

REPORTS

COVID-19 Analytics Report – Update

Agenda Item 4.1

The Economic and Community Development Manager summarised the report and process undertaken to collate the survey. The following matters were discussed:

- An increase in number of people seeking welfare support was expected due to adverse economic impact of Covid-19.
- A decline in optimism across key industries in the District was noted.
- Important for the Council and Waikato-Tainui to work collaboratively with other stakeholders (e.g. MBIE, MSD) to deliver to the District's communities.
 - An opportunity to re-set relationships between local government, iwi and central government departments.

ACTION: Council and Waikato-Tainui staff to connect to work out next steps on building capability in the communities. Council staff to be invited to Waikato-Tainui's hui on 19 August 2020 for this purpose; Council staff to connect with the General Manager Oranga prior to that date.

- Ethnicity statistical data was not collected in initial survey and could be considered for the proposed second survey, to identify respondents who were Waikato-Tainui members.
- Survey participants were ratepayers and other customers (e.g. those with dog licences).
- The Caring for Communities Oversight Committee, which had an overview of welfare, social, environmental, and cultural wellbeings. The respective Chief Executives from Waikato-Tainui and Council were involved.

Resolved: (Cr Gibb/Trustee Raumati-Tuu'a)

THAT the report from the General Manager Community Growth be received.

CARRIED

JMA2007/03

Trustee Schaafhausen acknowledged the Council's appointment of Maangai Maaori to Council committees and the powhiri held for Brendon Green and Maxine Moana-Tuwhangai. The expertise and Te Ao Maaori perspective that Brendon and Maxine would bring were welcomed.

Waikato Tainui Iwi Resilience Plan

Agenda Item 4.2

Trustee Schaafhausen referred to Waikato-Tainui's presentation at the morning's hui and the 'deep dive' hui that would be held on 19 August 2020. The following matters were discussed:

- The alignment between the Council and Waikato-Tainui's plans, which provided opportunities for greater collaboration.
- The Resilience Plan was aspirational; but deliverables were expected in the next 9-10 months.

Resolved: (Cr Gibb/Trustee Raumati-Tuu'a)

THAT the report be received;

AND THAT staff from Waikato-Tainui and Waikato District Council work together to identify and confirm specific actions that contribute to the achievement of the Taniwha projects and the Council's 2020/21 Annual Plan objectives.

CARRIED

JMA2007/04

District Plan Review Update

Agenda Item 4.3

The RM Policy Team Leader provided a summary of the background and project for the Proposed District Plan and hearings. He noted that staff would be presenting Stage 2 to Council for formal notification on Monday, 20 July 2020. The following matters were discussed:

- Difficulty encountered by some marae to resource and participate in the PDP process; there was reliance on the iwi team to assist marae.
- Ohinewai (Ambury) development, while high profile, would be considered in the same way as any other development, including an assessment of its environmental impact. Waikato-Tainui's submission on the development was noted.
- Council staff had worked hard to focus on pa sites and other sites of significance for Maaori, noting that further work was to be done by the Council in this area. There had been a significant step change from what Council previously recorded.

Resolved: (Trustee Schaafhausen/Mayor Sanson)

THAT the report from the Chief Executive, Waikato District Council be received.

CARRIED

JMA2007/05

Cr Gibb declared a non-financial conflict of interest in the above item and withdrew from the meeting at 12.33pm during discussion. Cr Gibb returned to the meeting at 12.40pm at the conclusion of the above item, and did not take part in voting.

Major Developments and Consents in District

Agenda Item 4.4

The General Manager Customer Support presented a verbal update to the Committee on the following major consents:

- Great South Road, Ngaruawahia
- Ohinewai (Ambury) – consents were on hold pending Proposed District Plan hearing.
- TaTa Valley (Pokeno) – Farm tourism venture; use of Waikato River for water taxi service from Mercer - currently on hold awaiting further information.
- Singleton subdivision (Whatawhata) adjoining Taitua Arboretum.
- Glesson & Cox – managed landfill in Huntly. Consents lodged with Waikato Regional Council as well.
- Rangitahi Peninsula, Raglan - 140 lots titled and consented.
- Lakeside, Te Kauwhata – 359 consent applications received and being processed. Some lots have been on-sold to Kainga Ora, with which developer was working.
- Open Country Dairy, Horitou.
- Te Kauwhata lands appealed, but consents approved.
- Ports of Auckland – 4 stage subdivision, industrial park zone. Staff were working through some of the titles for Stage I.
- Mercer Mushrooms consented in December 2019.

There was discussion on the following matters:

- Useful for the Committee to receive an update at each meeting.

ACTION: Waikato-Tainui staff to engage with Customer Support team to discuss any consents where further information was required.

- Infrastructure to support the noted developments. The General Manager Service Delivery, supported by the Chief Executive, noted the following points:
 - Staff were currently reviewing Council's 30-year Infrastructure Strategy with Watercare, including consideration of capacity issues and upgrades.
 - Watercare's consent application for Te Kauwhata wastewater plant would involve both Waikato Regional Council and Waikato District Council.
 - Developers were required to provide details on how provision of water and discharge of wastewater would be processed sustainably as part of the consent process. Council's consent team requires good quality information from developer's engineers to make informed decisions; previous examples where poor-quality

information was provided was discussed. The contract with Watercare was expected to improve the quality of information received.

- Growth of wet industries in Waikato and the impact and challenges this brought.
- Difficulties in preventing private plan change which complied with legislation.

ACTION: Waters reform to be included in the Committee's next agenda.

Resolved: (Cr Gibb/Mayor Sanson)

THAT the verbal report from the General Manager Customer Support be received.

CARRIED

JMA2007/06

Update on the Hamilton to Auckland Corridor Initiative
Agenda Item 4.5

The Strategic Projects Manager, Waikato District Council spoke to the report. The following issues were highlighted in response to questions:

- Sub-regional water study
 - Phase 1 complete. The strategic business case was uploaded on Futureproof website.
 - Phase 2 reliant on central government funding, for which a decision would be some time away.
 - Three waters steering group had met; a report would be presented to the Chief Executive Advisory Group at the end of July 2020, to outline options for councils to consider at end of July 2020. This would include external funding options; expectations of private funders would need to be carefully managed.
 - Ms Colliar updated the Committee – the study promoted doing things in a different way with a boundaryless view of servicing in Waikato, to achieve best outcomes for the Waikato river and communities. The push for central government funding would continue.
- Metro Hamilton wastewater project underway; separate funding stream. Project to look at 'business as usual', centralisation, investing in and maintaining infrastructure in a different way, to consider potential new ownership model.
- Hamilton to Auckland rapid speed rail service business case – Council staff would share once completed. Commencement of normal rail service was expected to be operational in November 2020; a date to be confirmed in the next couple of weeks. Completion date for rail stations noted. Council staff's work in this area was acknowledged.
- River communities spatial intent; it was no longer a plan.

- Document would be updated to provide greater emphasis on marae aspirations, supporting 32 marae in river community from Tuakau to Huntly. Focus was on design and to provide for sustainable growth. Waikato Tainui's Strategy Manager had been involved in the work with communities.
- Development of schools e.g. Huntly College; social housing and other community facilities.
- Longer term industrial aspirations, staff were working with Tainui Group Holdings.
- Public transport – bus service from Pokeno to Pukekohe operational before end of 2020 to improve connectivity.
- Hamilton Waikato spatial plan had been endorsed by Futureproof and would be presented to Cabinet for endorsement. Final draft expected in December 2020.
 - Hopuhopu, Taupiri and Ngaruawahia joined as a cluster to help plan development in an integrated manner.
- Department of Internal Affairs pilot project – 4 short-listed projects factored into modelling work. This would provide a better understanding of how other projects in relation to H2A could be funded; further information would be shared once available.

Resolved: (Cr Gibb/Trustee Schaafhausen)

THAT the report from the Chief Executive, Waikato District Council be received.

CARRIED

JMA2007/07

Updates on Strategic Projects

Agenda Item 4.6

The Council's Chief Executive provided an update on the following matters:

- Te Paina – proposed transfer of land with Department of Conservation, though staff were not expecting the matter to be resolved soon. The General Manager Oranga noted it had taken 9 years already and offered Waikato-Tainui's assistance to progress the issue, if that would help.
- Embedding Maangai Maaori roles into the JMA Schedules. A report was to be presented to the Strategy & Finance Committee on 22 July 2020 to recommend this matter be progressed.
- Raglan wastewater consent – interim consent had been applied for to provide time up for a sustainable long-term approach to be designed, working with mana whenua and the community. Several options had been identified. An overview of the work timetable was discussed.

- Te Kauwhata wastewater issue – acknowledged that previous engagement with the community in relation to the plant was not the best, which staff were now looking to rectify.
 - Letter received from Waikato-Tainui in relation to mana whenua concerns; Council would respond to the letter.
 - Response sent to Waikato Regional Council on how Council proposed to address the abatement notice. An MBR plant was recommended for Te Kauwhata from the Mid-Waikato Study, which was consistent with mana whenua aspirations in original discussions. Several options had been considered.
 - The Study would be discussed with Waters Governance Board in the week commencing 20 July 2020, and then would be discussed with mana whenua.
 - Development of an MBR plant would take a couple of years; Watercare had proposed a ‘fast-track’ process. Council had requested that the WRC abatement notice period be shifted to the end of 2022 to enable completion of the plant. Some improvements had been implemented, though not enough to be compliant.
 - Moratorium on growth until a solution was in place given capacity of current Te Kauwhata plant.

The recent work undertaken by the Council to address mana whenua concerns on this matter (including the moratorium and proposed mana whenua fora) was acknowledged.

- The Mid-Waikato Study recommended option, contemplated discharge into Lake Waikere via MBR plant. The issues with a land-based disposal option were discussed.
- Capacity of proposed new plant unknown at this stage; the study contemplated the plant would be operational for 50 years.
- Other options canvassed in the Mid-Waikato Study; MBR plant was the preferred option. Exploration of re-use of wastewater should be explored given the significance of water and to address potential drought issues in the future.

Resolved: (Trustee Raumati-Tuu’a /Cr Gibb)

THAT the report from the Chief Executive, Waikato District Council be received.

CARRIED

JMA2007/08

Trustee Schaafhausen retired from the meeting at 1.40pm during discussion on the above item, and Trustee Te Ao assumed the Co-Chair at that time.

Ms Colliar joined the Committee as an alternate member for the remainder of the meeting.

Representation review – Maaori Wards

Agenda Item 4.7

The Democracy Manager, Waikato District Council, introduced the report and provided an overview of the process to establish Maaori wards.

The Iwi & Community Partnership Manager summarised discussions on mana whenua fora and proposed 4 clusters across the District, which would take time to establish. The Chief Executive would discuss the issue with Councillors on Monday, 20 July 2020.

Mayor Sanson referred to the high-quality candidates appointed as Maangai Maaori; the same standard might not be achieved via Maaori wards. The wider delegations held by Council committees this term meant that appointed Maangai Maaori were decision-makers. Mana whenua fora would enable better engagement at a local level.

The following matters were discussed:

- Effectiveness of mana whenua fora - individual members being able to hold own views; the time and resource required from members; importance of appropriate grouping of mana whenua. It was noted that Council would leave hapuu to advise their preferred approach in relation to clusters.
- Maaori wards – Waikato Tainui would need to discuss this further internally.
 - Difficulty with a public poll overturning a Council decision; explore Waikato councils and Waikato-Tainui jointly advocating a change to legislation. Mayor Sanson noted previous discussions with Minister Mahuta on that matter.
- Maaori representation should be viewed as a multi-tiered approach. Explore other options to ensure representation at every level of Council.
- Whether fora needed to have flexible membership to ensure the right people attended at the right time/for the right issue.
- Mana whenua fora needed to be appropriately resourced and remunerated.

ACTION: Waikato Tainui staff to look into, and provide advice to their Committee members on, Maaori wards and mana whenua fora.

Resolved: (Trustee Raumati-Tuu'a /Cr Gibb)

THAT the report from the Chief Executive, Waikato District Council be received;

AND THAT Waikato Tainui provide feedback on the establishment of:

- a. Maaori wards; and
- b. mana whenua forum/fora,

by the Council.

CARRIED

JMA2007/09

Strategic Work Programme 2018-2021
Agenda Item 4.8

The following matters were discussed:

- Appointment of Maangai Maaori was completed.
- Growth and Strategy – still some work to be done.
- Waters infrastructure – formation of the Waters Governance Board to govern the waters' issues.
- Planning documents – alignment between the Council's Annual Plan/Long Term Plan and Waikato-Tainui's 5-year plan. Needed to review how the objective was described in the Work Programme as current focus was more on the recovery of the Waikato District.
- Capability building - the General Manager Oranga noted the work rests with Waikato-Tainui, which was underway. Reference made to the jointly-funded scholarship.

ACTION: Council and Waikato Tainui staff to review the Work Programme to consider changes required to be future-focussed.

Resolved: (Trustee Te Ao/Mayor Sanson)

THAT the report from the Chief Executive, Waikato District Council be received.

CARRIED

JMA2007/10

General Business

Agenda Item 4.9

No other business was raised.

CLOSING COMMENTS FROM CO-CHAIRS

Mayor Sanson encouraged the Committee to have more regular contact to pre-empt issues.

Trustee Te Ao thanked staff for the mahi undertaken, and congratulated the appointed Maangai Maaori.

An annual regional JMA hui with other regional councils was supported.

Closing Karakia

Mr Turner closed the hui with a karakia.

There being no further business the meeting was declared closed at 2.36pm

Minutes approved and confirmed this

day of

2020

AM Sanson

HIS WORSHIP THE MAYOR

Ms R Schaafhausen

CO-CHAIR AND TRUSTEE

Open Meeting

To	Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee
From	Gavin Ion Chief Executive
Date	5 October 2020
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Three Waters Service Delivery Reform/Stimulus Programme

I. EXECUTIVE SUMMARY

In July 2020, the Government announced an initial funding package of \$761 million to provide post COVID-19 stimulus, support a three-year programme of reform of local government water service delivery arrangements, and support the establishment and operation of Taumata Arowai.

From this fund, Waikato District Council (Council) has applied for \$11.34 million in phase I made up of both a direct allocation of \$5.67 million plus a further \$5.67 million share of the \$33.3 million regional allocation.

This paper provides a status update on the process and the projects that make up the funding application.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

The reform programme is designed to support economic recovery, and address persistent systemic issues facing the three waters sector, through a combination of:

- stimulating investment, to assist economic recovery through job creation, and maintain investment in water infrastructure renewals and maintenance; and
- reforming current water service delivery, into larger scale providers, to realise significant economic, public health, environmental, and other benefits over the medium to long term.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION - MEMORANDUM OF UNDERSTANDING

Council entered a Memorandum of Understanding (MoU) with the Crown on 27 August 2020. Signing the MoU commits councils to:

- engage in the first stage of the reform programme – including a willingness to accept the reform objectives and the core design features set out in the MoU;
- the principles of working together with central government and the Steering Committee;
- work with neighbouring councils to consider the creation of multi-regional entities;
- share information and analysis on their three waters assets and service delivery arrangements.

4.2 FUNDING AGREEMENT

The Waikato Mayoral Forum met in August to consider advice and how the funding for phase I of the reform programme could be allocation across the different Councils within our region. The Mayoral Forum unanimously resolved that the national formula used of the direct allocation to Councils should also be used for the regional allocation.

The territorial authority allocation and regional allocation of funding to each Council in the Waikato is as noted in the table below.

Waikato Allocation of Funding		Notional Allocations				
Territorial Authority	MOU Signed	TA Allocation (\$m)	Regional Allocation Total (\$m)	Waikato request for Regional Allocation split (\$m)	Total TA Allocation (including Regional Allocation)	Total (\$m)
		50%		50%	100%	
Thames-Coromandel District Council	Yes	2.40	33.30	2.40	4.80	66.61
Hauraki District Council	Yes	1.53		1.53	3.06	
Waikato District Council	Yes	5.67		5.67	11.34	
Matamata-Piako District Council	Yes	2.47		2.47	4.94	
Hamilton City Council	Yes	8.73		8.73	17.46	
Waipa District Council	Yes	3.41		3.41	6.82	
Otorohanga District Council	Yes	1.25		1.25	2.50	
South Waikato District Council	Yes	1.94		1.94	3.88	
Waitomo District Council	Yes	1.75		1.75	3.50	
Taupo District Council	Yes	4.16		4.16	8.32	

A Funding Agreement must be submitted to the Crown before 30 September 2020 applying for Waikato District Council's full funding allocation available of \$11.34 million.

4.3 DELIVERY PLAN

A Delivery Plan that sets out how the grant funding is to be applied by the Council was submitted to the Crown on 29 September 2020.

Projects included in the Delivery Plan can be operating and/or capital expenditure relating to three waters infrastructure and service delivery, and which:

- supports economic recovery through job creation; and
- maintains, increases, and/or accelerates investment in core water infrastructure renewal and maintenance.

Crown Infrastructure Partners will monitor progress against the Delivery Plan, to ensure spending has been undertaken with public sector financial management requirements.

Council included some contingency projects over and above the \$11.34 million allocation in the funding application if any of the priority works are stalled or come in under budget

The following projects have been included in the Delivery Plan submission:

Project	Opex/ Capex	Funding Sought \$K	Total Cost \$K	Area	Notes
Priority Projects					
Sub-Regional Three Waters Study & Hamilton-Waikato Metropolitan Wastewater Detailed Business Cases	Opex	\$1,175	\$4,400	Three Waters	Joint initiative with Waipa District Council and Hamilton City Council to meet the servicing needs of the wider District. \$1.175 million is WDC share.
Waters Contract Engineer – Two Year Fixed Term role	Opex	\$208	\$293	Three Waters	New role with waters engineering skillset, focus on clearing historical waters issues and assisting with day to day tasks.
Wastewater treatment plant desludging	Opex	\$4,316	\$4,737	Wastewater	Accelerated works for Ngaruawahia and Meremere Increase Huntly desludging above what has been allowed for in the Annual Plan budget.
SCADA server relocation	Capex	\$520	\$520	Water & Wastewater	Relocation of SCADA servers to a secure third party hosting facility.
Wastewater network renewables	Capex	\$3,342	\$3,342	Wastewater	Accelerate renewal of aging wastewater pipelines to improve levels of service to existing customers and allow for growth in Ngaruawahia.
Te Kauwhata wastewater treatment plant process improvements	Capex	\$1,040	\$1,040	Wastewater	Temporary upgrade to install a clarifier and a UV disinfection system to further treat the effluent to increase efficiency of the plant and to prevent contamination of the treated effluent by bird-life in the wetland system improving compliance and cultural outcomes with respect to the discharge to the lake.
Raglan water treatment plant upgrade	Capex	\$312	\$312	Water	Installation of a filtration barrier in the treatment process. This will allow the plant to be able to manage increased turbidity levels in the spring water and provide greater security of supply for the Raglan community.

Project	Opex/ Capex	Funding Sought \$K	Total Cost \$K	Area	Notes
Priority Projects					
Media replacement at township treatment water plants	Opex	\$316	\$316	Water	Replacement of media at Te Kauwhata, Huntly and Ngaruawahia water treatment plants to enable the sand filters to operate more efficiently and ensure continued compliance of the plants with the Drinking Water Standards.
Huntly wastewater treatment plant electricity upgrade	Capex	\$718	\$718	Wastewater	Design of an interim upgrade for the Huntly wastewater treatment plant including an upgrade of the power supply to allow this to occur (the current power supply is at capacity and cannot accommodate any mechanical upgrades on site).
Contingency Projects					
Rain gauges improvements in wastewater treatment plants district wide	Capex	\$83	\$83	Wastewater	Installation and/or upgrade of rain gauges across eight treatment plants, calibration and integration with SCADA. Being able to record data and use for reporting purposes is a consent requirement and are critical when there is a wet-weather event.
Te Kauwhata leak detection	Opex	\$316	\$316	Water	Comprehensive assessment of the entire network (rural and urban) to identify leaks and repairs as appropriate.
Tanker filling stations	Capex	\$468	\$468	Water	Creation of three dedicated tanker filling stations with automatic swipe readers and alarms integrated with the SCADA system for remote readings resulting in billing process efficiencies, a more robust site, reduction in level of service issues due to tanker filling and reduction in water losses.
Lake Waikare ecological enhancements	Opex	\$500	\$500	Wastewater	Extension of works currently underway at Te Onetea Stream that Waikato Regional Council and Waikato District Council are co funding.

Any further tranches of funding will be at the discretion of the Government and may depend on progress against reform objectives.

4.4 TIMEFRAME FOR COMPLETION OF WORKS

Works must be started by March 2021 and completed by March 2022. There are some critical items in the projects above that are included in the draft 2021-31 Long Term Plan. Providing funding is approved, these can be removed prior to approval and adoption of the Long Term Plan or later through an Annual Plan Change.

Contractor availability is a concern with multiple Councils likely to be competing for the same contractors. For this reason, it is recommended to leave some items in the Long Term Plan and only remove where there is 100% certainty that the works will be completed by March 2022 acknowledging that alternative funding will be required.

4.5 OPTIONS

This report is for information only. No decisions are requested or required.

5. CONSIDERATION

5.1 FINANCIAL

The project list is a summary of how the \$11.34 million would be spent to improve our three waters operations.

5.2 LEGAL

The Council and the Waters Governance Board were both consulted and involved in the submission made.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Council has a clear direction regarding three waters. This followed extensive analysis and decision making.

Signing the MoU to take up the stimulus funding is not a binding commitment to continuing with the three waters reform process.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform <input type="checkbox"/>	Consult <input type="checkbox"/>	Involve <input checked="" type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <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>	The Waters Governance Board on behalf of council signed the MoU for council to be involved in the reform programme and stimulus funding.				

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

Planned	In Progress	Complete	
			Internal
			Community Boards/Community Committees
	x		Waikato-Tainui/Local iwi (provide evidence / description of engagement and response)
			Households
			Business
		x	Waters Governance Board

Comment(if any): At this stage, the involvement of the Waters Governance Board is complete.

This report provides an update for Waikato-Tainui about progress.

6. CONCLUSION

This report provides an update on Council's involvement in the Three Waters Reform Programme.

7. ATTACHMENTS

Nil



He Puurongo Kooreroro

(Discussion Paper)

Naa: Ngaa Mana aa Ture
Ki a: Joint Committee : Waikato District Council and Waikato Tainui
Kaupapa: Maaori Wards
Ngaa Tohu: Taiao
Kaituhi: Manaaki Nepia
Te raa: 30 September 2020

1. KO NGAA WHAKATAU:

That JMA Committee Members:

- a) Receives this update and;
- b) notes that Waikato-Tainui (WT) supports the establishment of Maaori wards across all regional and territorial authorities in NZ and further
- c) notes that Waikato-Tainui supports the abolition of the need for a referendum on Maaori wards.

2. NGAA RARANGI KAUPAPA:

Maaori Wards

- 2.1 The purpose of this paper is to provide the Joint Committee with an update on Maaori representation in Local Government and to provide Waikato DC with WT's position on Maaori wards and the current ability to run a referendum on Maaori wards.
- 2.2 Options currently available and under consideration in order of preference for Maaori representation include;
 - a) Legislative Changes
 - b) Maaori Wards
 - c) Appointment of iwi / Maaori reps to Council sub-committees.

Legislative Changes

- 2.3 In 2017, the Local Electoral (Equitable Process for Establishing Māori Wards and Māori Constituencies) Amendment Bill was introduced by MP Marama Davidson. The Bill proposed that the establishment of both Māori and general wards on district and regional councils follow the same legal process but it failed on its first reading.

- 2.4 Waikato-Tainui supports the removal of the poll mechanism to establish a Maori ward if 5% of electors request it. This is also the position support by Local Government New Zealand and the issue continues to be investigated by the Minister for Local Government. There have been no substantial legislative changes to the Local Government Act 2002 in respect of Maori Representation in this term of Parliament.

Referendum Mechanism

- 2.5 The referendum option is a clear contradiction to the legislative changes because if a TLA or regional council resolves to establish a Māori ward or constituency, a poll on the issue must be held; if 5% of the electors of the city, district or region request it. The result of such a poll is binding on the authority or council for at least two elections.
- 2.6 It should be noted there is no equivalent requirement applicable to the establishment of general wards or constituencies. Waikato Tainui considers this mechanism to be unfair and supports the abolition of the need for a referendum on Maaori wards.
- 2.7 While these challenges are obvious and profound in terms of potential outcomes, it is a process that has been undertaken by the Waikato Regional council (WRC) with the establishment of the Maori seats currently occupied by Councillor Mahuta and Councillor Hodge.
- 2.8 The recent examples of New Plymouth and Tauranga Council demonstrate the complexity and challenges of democratically establishing Maaori seats for council to address the significant gap in Maaori representation on local councils.
- 2.9 Increased visibility and engagement create the opportunity to further enhance the referendum mechanism and therefore the initial **5%** becomes more attainable. Currently, only about **10%** of councillors are Māori, so having Māori seats is one way we can work towards more equal representation in local government.
- 2.10 A critical point for consideration in pursuing the referendum avenue is whether or not the referendum will be put to the Maori voting population or the entire general population, the latter being the current arrangement.

Existing Sub-Committees

- 2.11 While participation or representation of iwi / Maaori on relevant sub-committees within TLAs and regional councils may be viewed as 'low hanging fruit', it remains an opportunity to be considered given the lack of other valid options at the current time. The value of such committees is the full rights and powers that are afforded to the respective members, enabling an Iwi voice in the discussions and decision making.
- 2.12 Waikato Tainui acknowledges the commitment of Waikato District Council with the establishment and appointment of Maangai Maaori to existing sub-committees.

Manaaki Nepia

30 September 2020

AUTHOR

Date

A handwritten signature in blue ink, appearing to read 'A Oranga', is positioned above the name 'GM Oranga'.

30 September 2020

GM Oranga

Date

Open Meeting

To	Waikato Tainui - Waikato District Council Joint Management Agreement Co-governance Hui
From	Gavin Ion Chief Executive
Date	5 October 2020
Prepared by	Melissa Russo Corporate Planning Team Leader
Chief Executive Approved	Y
Reference #	WTJMAC2020
Report Title	Maaori Participation in Council Decision Making

I. EXECUTIVE SUMMARY

Council staff have been working on the Long Term Plan 2021-31 throughout 2020. Council must establish under the Local Government Act how we provide opportunities for Maaori to contribute to Council decision making processes.

The purpose of this memo is to provide information to the Waikato Tainui - Waikato District Council Joint Management Agreement Co-governance Hui prior to the Council Workshop on 28 October 2020. Ultimately this is a decision for Council however the views of the WT-WDC JMA co-governance hui are sought and will be provided to the Council at their future workshop.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. DISCUSSION

Relevant Legislation

Council's long term plan is being prepared including giving effect to Section 81 and Schedule 10, Section 8 of the Act which set out steps to foster the development of Maaori to participate in the decision making process.

Section 81 - Contributions to decision-making processes by Maori

(1) A local authority must—

- (a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and
- (b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and
- (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).

(2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to—

- (a) the role of the local authority, as set out in section 11; and
- (b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.

Schedule 10, Section 8 - Development of Maori capacity to contribute to decision-making processes

A long-term plan must set out any steps that the local authority intends to take, having undertaken the consideration required by section 81(1)(b), to foster the development of Maori capacity to contribute to the decision-making processes of the local authority over the period covered by that plan.

What we currently do

Council has, in the past, included a Policy on Maaori Participation in Decision Making in the Long Term Plan 2018-28 (page 157). See a copy of the policy in appendix I of this memo.

More recently, however, greater Maaori representation has been introduced to the Council committee structure through the creation of Maangai Maaori roles. Maxine Moana-Tuwhangai and Brendon Green have been appointed during the current triennium as Council's Maangai Maaori on the three principal committees of Council, with full voting and speaking rights. The Maangai Maaori bring both Te Ao Maaori perspective and vast governance experience and skills to their roles.

In addition to this Council has an Iwi and Community Partnerships Team which has been expanded in 2020 to include three separate roles. This team are currently preparing a proposal to establish Mana Whenua forums within the Waikato District. The forums would seek to deepen the connection between Council and mana whenua by providing regular hui on general matters and further opportunity for Maaori input to key processes. The proposal looks to establish a structure that would enable early and regular engagement between the Council and mana whenua.

Council also regularly facilitates engagement opportunities with iwi/Maaori on issues where there is likely to be a specific interest or a legislative requirement for input, such as District Plan Review, Reserves Management Plan Review, water take and discharge consent processes, and other matters.

These changes and additional steps have been taken to give effect to the council vision of liveable, thriving and connected communities. The various steps identified are aimed at improvement the connection between the council and the Maaori community.

Options moving forward

The following options are included as options for Council to improve Maaori involvement in decision making in line with Schedule 10, Section 8 of the Act.

Option 1

Council currently has a Policy on Maori Participation in Decision Making contained in the Long Term Plan 2018-28. Council could choose to review the policy and suggest amendments.

Option 2

Information on the current structure and initiatives being implemented that facilitate iwi/Maaori engagement could be included in the Long Term Plan 2021-31.

Staff recommendation

Staff recommend option 2 as the best approach in line with the council vision of liveable, thriving and connected communities and to meet the intent of the Local Government Act 2002. Staff do not believe a specific policy is required.

4. ATTACHMENTS

- Policy on Maaori participation in decision making

Policy on Maaori participation in decision making

Introduction

The Local Government Act (LGA) 2002, Section 81 (1), requires councils to:

- a. establish and maintain processes to provide opportunities for Maaori to contribute to the decision-making processes of the local authority; and
- b. consider ways in which it may foster the development of Maaori capacity to contribute to the decision-making processes of the local authority; and
- c. provide relevant information to Maaori for the purposes of paragraphs (a) and (b).

Section 82 (2) of the LGA further requires that a local authority ensures that it has processes in place for consulting with Maaori.

Council has obligations under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement 2009 and the Nga Wai o Maniapoto (Waipa River) Act 2012 to enhanced and meaningful working relationships with Waikato-Tainui and the Maniapoto Maaori Trust Board to ensure the enhancement of the health and wellbeing of these tuupuna awa.

Policy

In order to meet its statutory obligations and in recognition of the principles of Te Tiriti o Waitangi, Waikato District Council will strive to ensure the following in its decision-making activities:

1. Recognise the cultural significance of the Waikato and Waipaa Rivers and their tributaries by ensuring meaningful engagement in decision-making and the co-management of these awa.
2. Maintain and enhance the social, cultural, environmental and economic wellbeing of Maaori by ensuring that the values and aspirations of iwi, hapuu and Marae are understood and take into account.
3. Work actively with iwi / Maaori to develop arrangements and protocols that will ensure that they are included in Council decision-making.
4. Work actively with iwi / Maaori to foster the development of capacity to participate in Council decision-making.

Open Meeting

To	Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee
From	Roger MacCulloch General Manager Service Delivery
Date	14 October 2020
Prepared by	Nicolas Wells Strategic Property Manager
Chief Executive Approved	Y
Reference #	WTJMAC2020
Report Title	Horsham Downs Link Road

I. EXECUTIVE SUMMARY

The Horsham Downs Link Road forms part of the State Highway 1 Waikato Expressway Hamilton Section which is currently under construction.

Waka Kotahi (New Zealand Transport Agency) intends to transfer the land for the Horsham Downs Link Road to the Waikato District Council pursuant to section 50 Public Works Act 1981 to enable Waikato District Council to build the Horsham Downs Link Road – starting in late 2020.

Part of the land to be transferred is subject to a Right of First Refusal in favour of Waikato-Tainui. The Waikato District Council must consult directly with Waikato-Tainui to clarify Tainui's views on the matter.

The subject land is described in the schedule and shown on Attachments 1 and 2.

The purpose of this report is to bring this matter to Waikato-Tainui's attention and obtain approval to work through the matter with Waikato-Tainui's General Manager - Rights and Interests, with a view to starting construction in late 2020.

2. RECOMMENDATION

THAT the report from the **General Manager Service Delivery** be received;

AND THAT Waikato District Council staff consult directly with Waikato-Tainui's **General Manager – Rights and Interests**, noting the need for urgency to meet construction timetables.

SCHEDULE

- **All of the Horsham Downs Link Road land ('the land')** as delineated on **Land Requirement Plan 3311244-SK-ZA-14001(A) (LRP)** shown as areas **A** being 4.3930 hectares and **B** being 0.4912 hectares totalling approximately 4.8842 hectares (subject to survey) appended as **Attachment 1**
- **An area of 73m² legally described as Section 7 SO 500297 (coloured pink on Attachment 2) held for use in connection in record of title 773526 NZGZ 2017 In 457 was omitted from the Land Requirement Plan (sits outside of the designation). It was acquired for footpath and should form part of the transfer.**

3. BACKGROUND

The Horsham Downs Link Road is an important local road which will join the Horsham Downs community to the Waikato Expressway. When the State Highway project first started in 2016, NZTA agreed to build the Horsham Downs link section of road for WDC. However due to various issues, this is no longer the case and WDC is now in charge of its delivery.

Before construction can begin, NZTA must first transfer the subject site (refer to Land Requirement Plan (LRP) – attachment 1) to WDC. Although the land is designated for road construction (copy of NZTA Notice of Requirement/Alteration to Designation – attachment 3) and can only be used for construction purposes, the transfer triggers the Waikato-Tainui's Rights of First Refusal clause of the Waikato Raupatu Settlement Act 1995.

Waikato-Tainui are being asked to approve the land transfer to allow WDC to begin construction of the road.

4. DISCUSSION

4.1 PUBLIC WORKS ACT

Waka Kotahi intend to transfer the land contained within the LRP to WDC pursuant to section 50 Public Works Act 1981 ("PWA"). WDC will then take responsibility for the management and construction of the Horsham Downs Link Road part of the Project.

A "Public Work" is defined in the PWA, and includes a "local work" – defined as "*a work constructed or intended to be constructed by or under the control of a local authority, or for the time being under the control of a local authority*".

For clarity, the land will transfer from Waka Kotahi to WDC for a local work, but as part of the existing Project.

4.2 CROWN POLICY

Crown policy requires an Acquiring Authority (WDC) to demonstrate entitlement to purchase any land by providing the following:

- *Evidence that the land is designated for another public work; or,*
NZTA Section 172 Alteration to designation J17 Waikato Expressway (Hamilton Section) August 2016 – Resolution Drive and Horsham Downs Link Road ([Attachment 3](#)).
- *That written notification has been given of another public work requirement; and,*
Undertaken as part of the NZTA Section 172 Alteration to designation J17 Waikato Expressway (Hamilton Section) August 2016 – Resolution Drive and Horsham Downs Link Road.
- *Demonstrate that there is an actual need for the land; or,*
Undertaken as part of the NZTA Section 172 Alteration to designation J17 Waikato Expressway (Hamilton Section) August 2016 – Resolution Drive and Horsham Downs Link Road.
- *Demonstrate that the land will be used for this purpose, within a reasonable timeframe.*
Contract funding has been approved within council, design and investigations have been completed, already identified in the 2018-21 NLTP, Construction to commence late 2020.

4.3 WAIKATO-TAINUI RIGHT OF FIRST REFUSAL

It is noted that parts of the land are subject to a Right of First Refusal in favour of Waikato-Tainui – shown shaded in yellow and orange on Attachment 2. WDC must consult directly with Waikato-Tainui, and obtain support for the transfer.

The Crown can then make a fully informed decision when the section 50 PWA transfer application is submitted for approval.

5 ATTACHMENTS

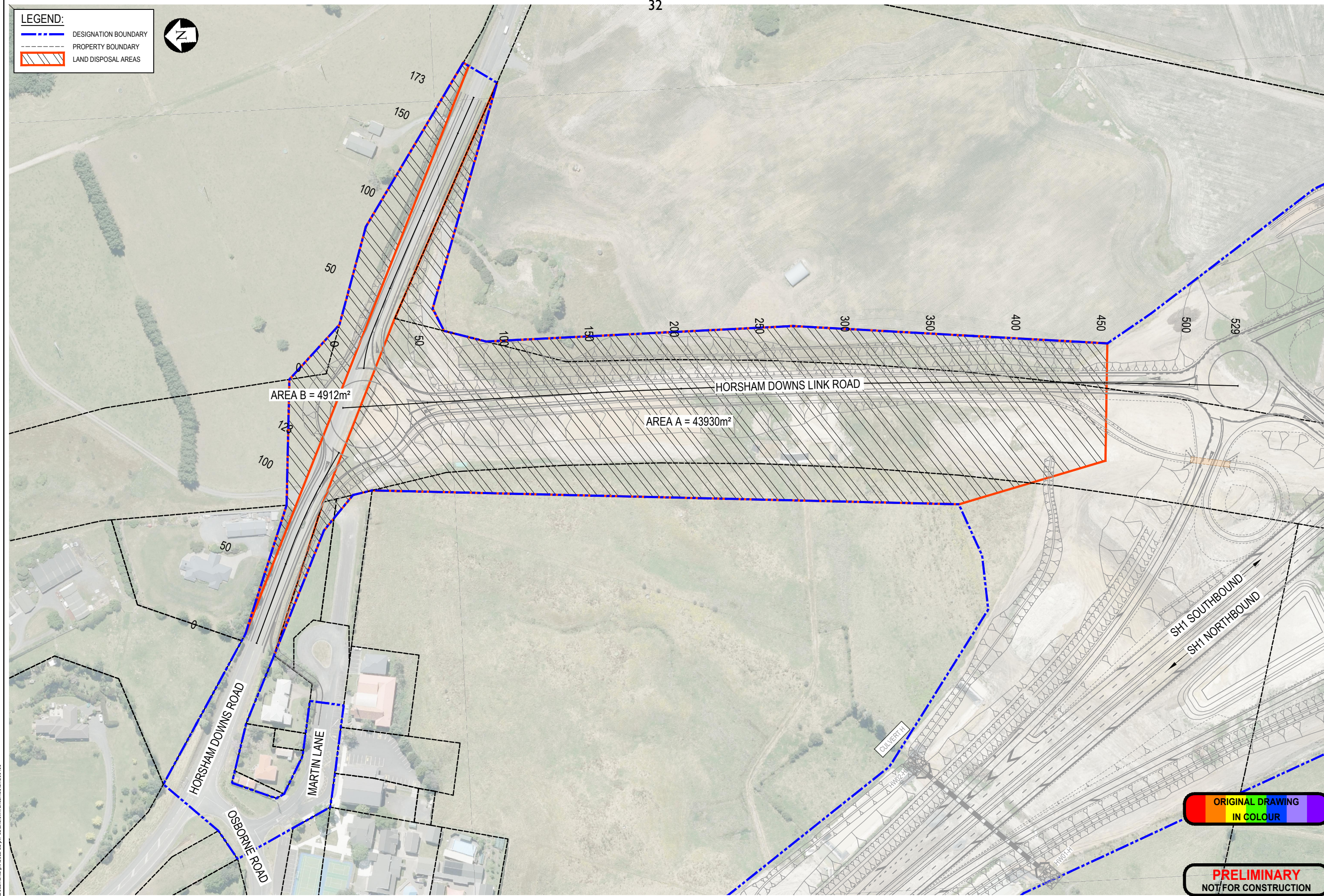
- Attachment 1 Horsham Downs Link Road – Land Requirement Plan
- Attachment 2 Horsham Downs Link Road – Waka Kotahi to WDC – Transfer Areas
- Attachment 3 Horsham Downs Link Road – Alteration to Designation

LEGEND:

- DESIGNATION BOUNDARY
- PROPERTY BOUNDARY
- LAND DISPOSAL AREAS



1:200 (A1) 0 1 2 3 4 5m
 1:400 (A3) 0 1 2 3 4 5m
 1:800 (A3) 0 1 2 3 4 5m
 1:1000 (A1) 0 1 2 3 4 5m
 1:1500 (A3) 0 1 2 3 4 5m
 1:2000 (A3) 0 1 2 3 4 5m



ORIGINAL DRAWING
 IN COLOUR

PRELIMINARY
 NOT FOR CONSTRUCTION

No.	Revision	By	Chk	Appd	Date
A	FOR INFORMATION	AF	CH	DH	13.02.20



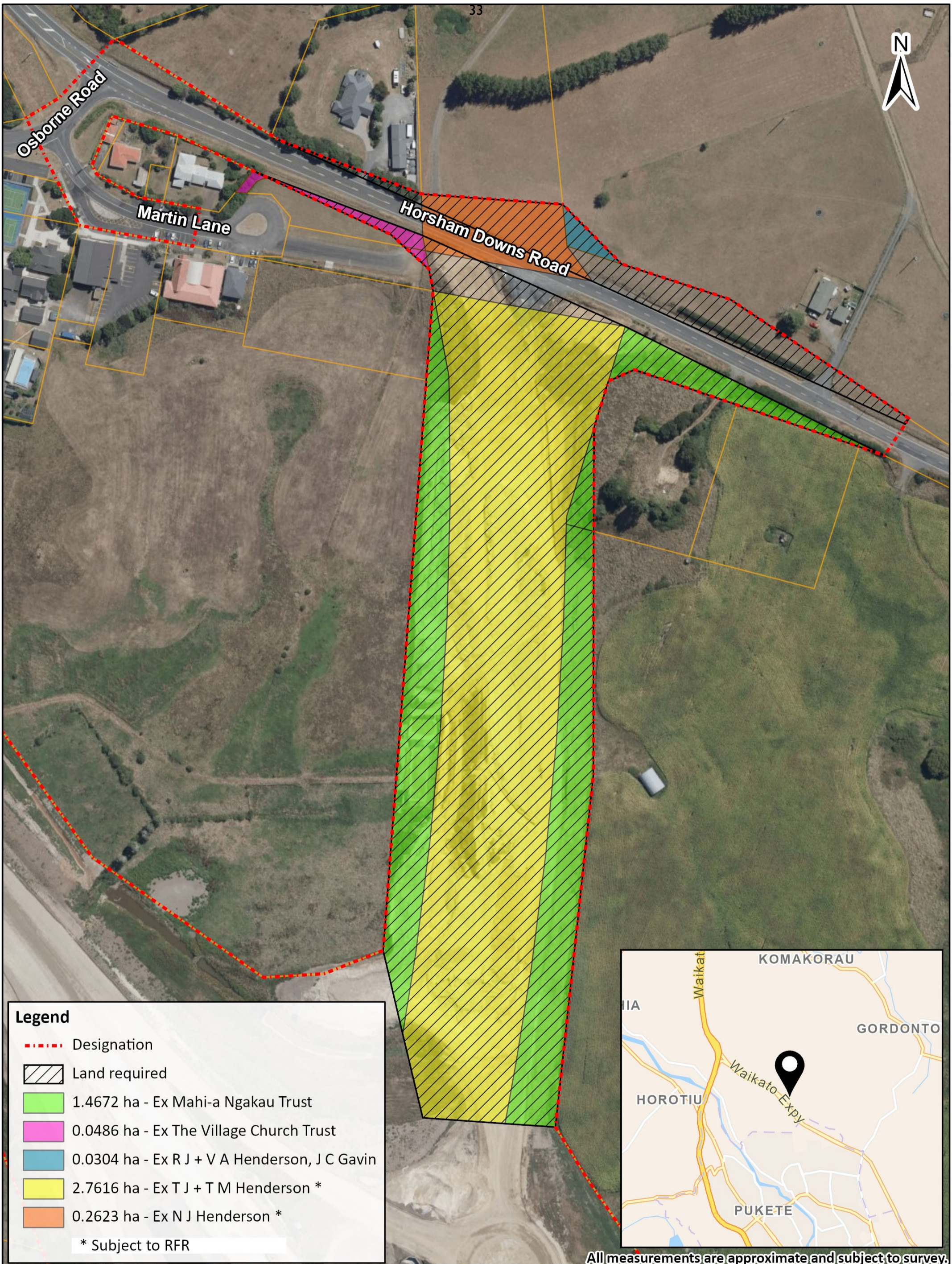
Original Scale (A1)	Design	C. HICK	13.02.20
1:11000	Drawn	A. FRANCOMBE	13.02.20
Reduced Scale (A3)	Dwg Verifier		
1:2000	Dwg Check		

ANZ TRANSPORT AGENCY Hamilton Section
 WAKA KOTAHU
 NZTA 2/09 - 015/602
 SH01/N RS 534 /0 to RS 557/2/20

WAIKATO EXPRESSWAY
 HAMILTON SECTION
 SECTOR 2 - RESOLUTION DRIVE NORTH

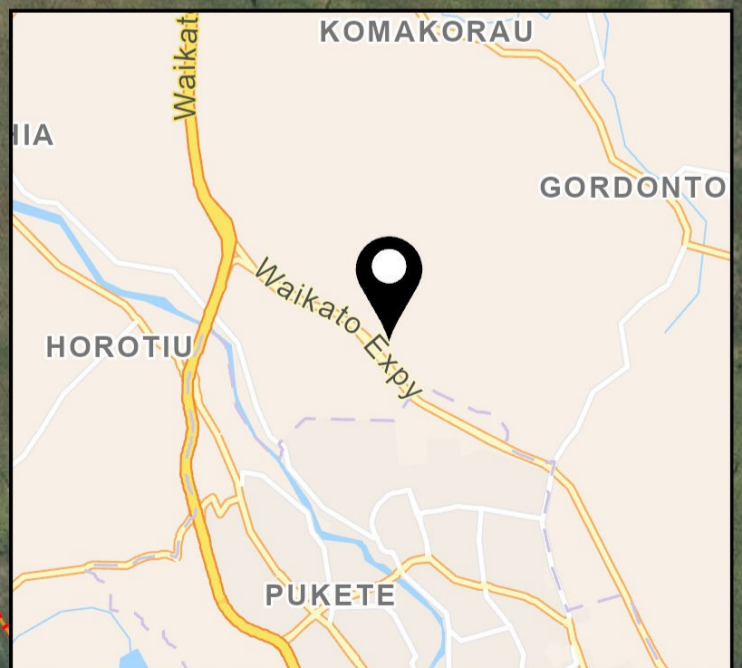
HORSHAM DOWNS LINK ROAD
 LAND DISPOSAL AREAS PLAN

GENERAL		
PROJECT NUMBER	DISCIPLINE CODE	
3311244-SK	ZA-14001	A
DOCUMENT CODE	SECTOR SEQUENTIAL NO	



Legend

	Designation
	Land required
	1.4672 ha - Ex Mahi-a Ngakau Trust
	0.0486 ha - Ex The Village Church Trust
	0.0304 ha - Ex R J + V A Henderson, J C Gavin
	2.7616 ha - Ex T J + T M Henderson *
	0.2623 ha - Ex N J Henderson *
* Subject to RFR	



All measurements are approximate and subject to survey.

7 September 2016

Hamilton City Council
Property Manager
Private Bag 3010
Waikato Mail Centre
Hamilton 3240



Landowner

Dear Sir/Madam

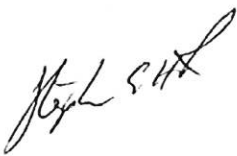
REISSUED DECISION OF NZ TRANSPORT AGENCY TO THE NOTICE OF REQUIREMENT FOR ALTERATION TO DESIGNATION - RESOLUTION DRIVE EXTENSION AND HORSHAM DOWNS LINK ROAD

Earlier this month you would have received a copy of the NZ Transport Agency's reissued decision to confirm their Notice of Requirement for the above Project subject to a range of conditions.

It has now come to our attention that the relevant land requirement plans were omitted from the NZ Transport Agency's decision. The land requirement plans, which formed part of the Notice of Requirement and are referred to in the conditions, are now included as part of Annexure B.

This updated version of the decision is attached to this letter for your information.

Yours faithfully
Steve Rice



Hearing Administrator for
Waikato District Council

Mob: 0211912346. Office: 07 8465267. Fax 078465269

steve@riceres.co.nz (15MB Mail Box)

Courier: 2 Ayshire Drive, Grandview Heights, HAMILTON 3200 (New Zealand)

Mail: PO Box 431, Waikato Mail Centre, HAMILTON 3240 (New Zealand)



15 August 2016

Consents Administration
 Waikato District Council
 Private Bag 544
 NGARUAWAHIA 3742

Attn: Beryl McCauley

Level 1, Deloitte Building
 24 Anzac Parade
 PO Box 973
 Waikato Mail Centre
 Hamilton 3240
 New Zealand
 T 64 7 958 7220
 F 64 7 957 1437
 www.nzta.govt.nz

Dear Beryl

NOTICE OF DECISION OF THE NZ TRANSPORT AGENCY UNDER SECTION 172 OF THE RESOURCE MANAGEMENT ACT 1991 - RESOLUTION DRIVE EXTENSION AND HORSHAM DOWNS LINK ROAD (WAIKATO EXPRESSWAY - HAMILTON SECTION)

Introduction

On 8 August 2016, the NZ Transport Agency (Transport Agency) received the recommendation of the Waikato District Council (WDC) in relation to a Notice of Requirement for the Resolution Drive Extension and Horsham Downs Link Road (the Project). An alteration to Designation J17 of the Waikato District Plan is required to give effect to the Project.

Pursuant to sections 168 and 181 of the Resource Management Act 1991 (the Act), the Transport Agency gave notice of its requirement to alter Designation J17 for this Project. The Council appointed an independent Commissioner to hear the requirement and to make recommendations as to whether the requirement should be withdrawn, confirmed without modification, or confirmed subject to conditions.

The Commissioner's recommendation is that the requirement should be confirmed, subject to conditions as set out in Appendix 2 of his report.

The Transport Agency's decision in relation to the recommendation

The Transport Agency is the Requiring Authority for all State highway projects, including this Project.

In accordance with section 172 of the Act, the Transport Agency is pleased to substantially accept the Commissioners' recommendation in relation to this alteration. Only a few minor amendments to condition referencing need to be made as set out below. These amendments do not change the substance of these conditions.

Condition 2.2(iv) needs to be amended as follows:

- iv. *Procedures for handling any complaints in accordance with Condition 9.5D-7.*

Condition 2.6 needs to be amended as follows:

- 2.6 *Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the Requiring Authority shall submit a CNVMP in accordance with Condition 2.2(vij).*

Condition 2.9(v) needs to be amended as follows:

- v. *Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 and the vibration criteria tabulated in Table A above cannot practically be achieved for affected houses and other sensitive locations identified in Condition 2.89(iii);*

Conditions 6.7, 6.8 and 6.9 need to be amended as follows to address a now redundant condition reference:

- 6.7 *The Requiring Authority shall provide for their comment a Master Plan for the area of the designation to the parties referred to in Condition 6.6(a), at least 20 working days prior to submitting the LMP to the Territorial Authority's Chief Executive Officer or nominee.*

6.8 *If the Requiring Authority has not received any comments from the parties referred to in Condition 6.6(a) within 20 working days of providing them with their respective plans, the Requiring Authority may consider that the party concerned has no comments.*

6.9 *The Requiring Authority shall include any comments from the parties referred to in Condition 6.6(a) along with an explanation of where and why any comments have not been incorporated into the LMP prior to submitting the LMP to the Territorial Authority's Chief Executive Officer or nominee.*

A complete set of confirmed conditions, incorporating the above amendments is attached to this letter as **Annexure A**.

Figure 1 as referenced in Condition 2.3 needs to be amended as follows to address changes to condition referencing. The following text in the Key on Figure 1 has been amended as follows:

Roads approved for use by construction traffic in accordance with Conditions ~~2.2xviii~~(xix) and 2.3.

Included as **Annexure B** is a complete set of the plans listed in this decision including the amended Figure 1.

Conclusion

This letter satisfies the Transport Agency's obligations under s172 of the Act. We trust the WDC will now notify the Transport Agency's decision in accordance with s173 of the Act.

Yours faithfully



James Bevan
Transport Planning Manager
NZ Transport Agency

cc: Andrew Cumberpatch
Planner
MWH New Zealand Limited
PO Box 89
HAMILTON 3240

Graeme Cooper
Senior Resource Officer
Waikato Regional Council
PO Box 4010
HAMILTON 3247

ANNEXURE A – ALTERATION TO DESIGNATION J17 CONDITIONS

**Notice of Requirement for an Alteration to Designation J17 of the Waikato District Plan
Resolution Drive Extension and Horsham Downs Link Road**

CONDITIONS

1. Description of Works

- 1.1. The works to give effect to the Hamilton Section of the Waikato Expressway (the 'Project') shall be generally in accordance with the following, except as modified by the designation conditions and subject to final detailed design:

Resolution Drive Extension and Horsham Downs Link Road

The notified alteration for the Resolution Drive Extension and Horsham Downs Link Road shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement and supporting plans being:

- Resolution Drive Extension Plan and Longitudinal Section (Sheets 27 (R1B) & 28 (R1B)) Drawing No. 6000_5204;
- Resolution Drive Extension – Land Required for Acquisition (Sheets 130 (R0) & 131 (R1)) Drawing No. 2/4/99/3204;
- Resolution Drive Drainage Drawing No. 6000_5204_024 (Sheets 1R2, 2R2 & 3R3).

The designation of the extension of Resolution Drive from Kay Road to connect with the Interchange provides for four traffic lanes and all ancillary infrastructure. Initially, only two lanes shall be constructed. The additional lanes may be added in the future. Prior to the additional lanes being added to the Resolution Drive Extension, the Requiring Authority shall reassess the appropriateness of the available turning movements at the Resolution Drive/Kay Road East intersection and modify this intersection as required.

2. Construction Management Plans

- 2.1. At least 40 working days prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations and enabling works), the Requiring Authority must prepare a Construction Management Plan (CMP) in accordance with Condition 2.2.

The purpose of the CMP is to ensure that appropriate measures are in place to avoid, remedy or mitigate any potentially adverse effects associated with the construction and commissioning of the Project.

For the purposes of this condition, enabling works includes the following and similar activities: demolition and removal of buildings and structures, fencing, tree felling and removal, relocation of underground and overhead services (excluding transmission lines), and the establishment of site entrances.

Advice Note:

The resource consents for this Project will also include conditions that require the preparation and implementation of a CMP. It is considered appropriate that one CMP be prepared by the Requiring Authority/consent holder which meets the conditions of this designation and the conditions of the resource consents.

- 2.2. The CMP shall include the procedures, methods and measures to be applied to address the following:
- i. Notification to the Territorial Authority and the owners and occupiers of all properties within 200 metres of the designation boundaries of the likely commencement date for the works and expected timeframe of the construction programme. The following community organisations shall also be notified:
 - Horsham Downs Community Church
 - Generations Church
 - Horsham Downs Community Hall
 - Horsham Downs School
 - Te Totara Primary School
 - Hukanui School
 - Rototuna Primary School
 - Waikato Waldorf School
 - Hamilton Christian School
 - Endeavour Primary School
 - Rototuna Junior and Senior High Schools
 - ii. No less than every 6 months, provide updates to directly affected parties of the property acquisition strategy including procedures and timeframes.
 - iii. Provision of a single point of contact to field general enquiries and complaints from the public and the maintenance of a complaints register for inspection by the Territorial Authority.
 - iv. Procedures for handling any complaints in accordance with Condition 9.5.
 - v. Containment within the boundaries of the designation of dust arising due to construction, including effects on potable water supplies and to transmission lines, and the measures to address complaints generated when dust adversely affects another party outside of the designation.
 - vi. The provisions to be made where existing fences are affected by the construction works, so as to enable the continued operation of the activities on properties adjacent to the designation.
 - vii. Construction noise and vibration via a Construction Noise and Vibration Management Plan (CNVMP) as outlined in Conditions 2.6 to 2.11.
 - viii. Provision of access for emergency vehicles.
 - ix. Maintenance of road and property access during construction.
 - x. Movement of construction traffic on local roads within the Waikato District.
 - xi. Hours of operation of trucks and service vehicles.
 - xii. The location, use and reinstatement of local roads to be used as haul roads.
 - xiii. Measures to ensure that any construction vehicles leaving the land on which works are being carried out do not deposit soil or other debris on local roads, and the remedial measures to be taken should this occur.

- xiv. Maintenance of continuous safe and convenient access for pedestrians and cyclists during construction where practicable. Alternative arrangements (e.g. diversions) shall be provided in the instances where direct access is considered to be impractical.
 - xv. The restriction of on road construction related truck traffic in the vicinity of and past Horsham Downs School, Endeavour Primary School, Hamilton Christian School, Te Totara Primary School and Rototuna Junior High School, particularly during normal school drop off and pick up times.
 - xvi. To minimise disruption or delays to bus services.
 - xvii. Methods for how disruption to business and community facilities will be mitigated, including (but not limited to) methods for ensuring safe and efficient way-finding, requirements for additional signage, provision of information for businesses / clients regarding potential disruptions.
 - xviii. Details of the measures to be adopted whenever construction activities vary the normal operating conditions of any road affected by the works. The measures shall be described in a Traffic Management Plan that is prepared, approved, and accepted in accordance with the requirements of the NZ Transport Agency Code of Practice for Temporary Traffic Management (Traffic Control Devices Manual: Part 8).
 - xix. The manner in which the Requiring Authority will comply with Condition 2.3 which imposes limitations on the routing in HCC streets of heavy construction traffic.
 - xx. The safety of the general public, including how construction areas are to be fenced and kept secure from the public where it is necessary and it is practicable to do so.
 - xxi. The management of the construction areas in terms of disposal / storage of rubbish and storage/unloading of construction materials (including equipment).
- 2.3. The Requiring Authority shall ensure all goods vehicles with a gross mass exceeding 3.5 tonnes involved in construction of the Project and using roads within Hamilton City use only the approved roads shown on Figure 1 appended to these conditions, or a subsequent amended version, unless approved otherwise by Hamilton City Council's Chief Executive or nominee.

Within 10 working days of receipt, Hamilton City Council's Chief Executive or nominee shall approve (with or without conditions) or decline, in writing, any written application from the Requiring Authority for approval of any additional road(s) for use by the aforementioned goods vehicles.

Within five working days of receipt of any written application by the Requiring Authority, Hamilton City Council's Chief Executive or nominee shall approve in writing and add to Figure 1 any additional roads that are necessary in order to ensure that the aforementioned goods vehicles can access any of the following existing within Hamilton City in July 2016: material or equipment supply depots or contractors' permanent yards.

If no response is received from Hamilton City Council's Chief Executive or nominee within the specified time periods, the Requiring Authority may consider the additional road(s) approved.

- 2.4. The Requiring Authority shall provide the Waikato District Council with a letter from the Hamilton City Council confirming that it has adequately consulted with the Hamilton City Council in relation to conditions 2.2(x) – (xix) and 2.3 as they may affect their road network, and has included measures in the CMP to satisfactorily address such effects.
- 2.5. The Requiring Authority shall implement the certified CMP during the construction of the Project.

Construction Noise and Vibration Management Plan

- 2.6. Prior to the commencement of any earthworks or construction activity within the designation boundaries (excluding site investigations), the Requiring Authority shall submit a CNVMP in accordance with Condition 2.2(vii).
- 2.7. The CNVMP shall be prepared in accordance with the State Highway Construction and Maintenance Noise and Vibration Guide (NZTA, 2013), and include the procedures, methods and measures for the control of noise associated with all relevant construction works authorised by this designation. Unless otherwise varied by Condition 2.10, the noise from all works shall comply with the noise limits set out in, Table 2 of NZS 6803:1999 Acoustics – Construction Noise (NZS 6803:1999).
- 2.8. The CNVMP shall include specific details relating to methods for the control of ground vibrations, associated with all relevant Project construction works. Unless varied by Condition 2.10, vibration from construction works shall, comply with the Category A criteria in Table A below, and whenever this is not practicable, shall comply with the Category B criteria. The criteria are to be applied to either predicted ground vibrations, or measured in accordance with ISO 4866:2010 and AS 2187-2:2006.

Table A: Construction Vibration Criteria

Receiver	Details	Category A	Category B	Location
Occupied dwellings	Monday to Friday 6:30 am to 8:00 pm	1.0 mm/s ppv	5.0 mm/s ppv	Inside the building
	All hours Saturday and Sunday. Monday to Friday 8:00 pm to 6:30 am	0.3 mm/s ppv	1.0 mm/s ppv	
Other occupied buildings	All hours Monday to Sunday	2.0 mm/s ppv	10.0 mm/s ppv	
All buildings	Transient vibration	5.0 mm/s ppv	BS 5228.2 Table B2 values	Building foundation
	Continuous vibration		50% of BS 5228.2 Table B2 values	
	Transient vibration	20.0 mm/s ppv	30.0 mm/s ppv	On pipe-work

Under-ground services	Continuous vibration	10.0 mm/s ppv	15.0 mm/s ppv	
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- 2.9. The CNVMP shall, as a minimum, address the following aspects with regard to managing the adverse effects of construction noise and vibration:
- i. Noise and/or vibration sources, including machinery, equipment and construction techniques to be used and their scheduled durations and hours of operation including times and days when work causing construction noise and/or vibration would occur;
 - ii. The construction noise and vibration criteria for the Project;
 - iii. Identification of affected houses and other sensitive locations where noise and/or vibration criteria apply. In addition to the requirements of Condition 2.8, houses deemed to be affected by vibration shall include all occupied buildings located within 50 metres of general road construction activities, and 100 metres of piling, where those activities are undertaken on peat;
 - iv. Predicted noise levels set out as minimum compliance distances for key activities and items of plant and identification of any dwellings or other sensitive locations where works will be required within those minimum compliance distances;
 - v. Mitigation options, including alternative strategies where full compliance with the noise criteria from NZS 6803: 1999 and the vibration criteria tabulated in Table A above cannot practicably be achieved for affected houses and other sensitive locations identified in Condition 2.9(iii);
 - vi. Methods and frequency for monitoring and reporting on construction noise and vibration;
 - vii. Contact numbers for key construction staff, staff responsible for noise and/or vibration assessment and Territorial Authority officers;
 - viii. Procedures for maintaining contact with stakeholders, notifying of proposed construction activities and handling complaints about construction noise and/or vibration; and
 - ix. Consideration of the timing of piling and compaction works (or any other works that generate large ground vibrations) to avoid where possible these activities coinciding with other large construction works in the area.
- 2.10. Where a CNVMP predicts that levels from a particular activity will or will likely exceed the limits set out in Condition 2.7 and/or 2.8, or where measurements show that compliance is not being achieved, the Requiring Authority shall prepare and submit for the approval of the Territorial Authority's Chief Executive Officer or nominee an Activity Specific Construction Noise and Vibration Management Plan (ASCNVMP), unless the Territorial Authority dismisses this requirement because the extent of any exceedance or duration by which the limits are exceeded is minor. The ASCNVMP(s) shall be submitted to the Territorial Authority for review and approval at least 7 working days prior to the proposed works commencing. Works subject to the ASCNVMP(s) shall not commence until approval is received from the Territorial Authority.

- 2.11. In addition to the requirements of Condition 2.9 an ASCNVMP(s) must:
- i. Describe the activity (including duration), plant and machinery that is expected not to comply with the noise and/or vibration criteria in Conditions 2.7 and 2.8;
 - ii. Provide predicted levels for all receivers where the levels will not be compliant with the limits in 2.7 and/or 2.8;
 - iii. Describe the mitigation measures proposed to reduce the noise and/or vibration levels as far as practicable, including any options that have been discounted due to cost or any other reason; and
 - iv. Describe alternative mitigation of the impacts that is acceptable to affected parties (e.g. temporary accommodation during the specific activity).

3. Discovery of Archaeological or Culturally Significant Finds

- 3.1. Any earthworks in the areas of historical, cultural and spiritual significance identified at pages 22 to 25, 27 and 28 of the Nga Mana Toopu o Kirikiriroa (NAMTOK) Report of 1999 - included in the Notice of Requirement as Annexure 3 of Appendix J to the PIR/AEE shall be monitored by a suitably qualified archaeologist (acceptable to the Hamilton Section Tangata Whenua Working Group).

Advice Note:

Any archaeological monitoring will be undertaken in accordance with any authority/ies obtained from Heritage New Zealand Pouhere Taonga for the Project.

- 3.2. The Requiring Authority shall give at least 20 working days written notice of the date that the construction contractor intends to commence earthworks or construction activity to:
- (a) The Project archaeologist so as to establish with the contractor a working relationship that will comply with good practice during the earthworks stage of the construction; and
 - (b) The Hamilton Section Tangata Whenua Working Group (TWWG) to enable them to:
 - i. clarify with the contractor the location of the sites referred to in Condition 3.1 and the procedures that will be observed;
 - ii. provide the names of their representatives who are to be contacted for cultural advice and guidance in the event of a discovery of any buried archaeological deposits found during the Project;
 - iii. undertake any appropriate cultural ceremonies on the site; and,
 - iv. arrange for the inspection (should they so desire) of the earthworks in the vicinity of the identified areas referred to in Condition 3.1 above.
- 3.3. Prior to the commencement of construction, the Requiring Authority shall provide the Territorial Authority's Chief Executive Officer, or nominee with evidence that Archaeological Authorities under the Heritage New Zealand Pouhere Taonga Act 2014 have been obtained from Heritage New Zealand Pouhere Taonga as appropriate, to modify, damage or destroy any archaeological sites likely to be affected during the

construction works. Alternatively, the Requiring Authority shall provide evidence that Archaeological Authorities are not necessary.

- 3.4. No later than 20 working days prior to the commencement of any earthworks or construction activities (excluding enabling works as defined by Condition 2.1), the Requiring Authority shall submit an Archaeological Site Management Plan (ASMP) prepared by a suitably qualified archaeologist, to the Territorial Authority's Chief Executive Officer, or nominee for certification in accordance with Conditions 10.1 – 10.10. The ASMP shall be prepared in consultation with the Hamilton Section TWWG and with Heritage New Zealand Pouhere Taonga (whose written responses shall be provided). The purpose of the ASMP is to describe the measures that will be taken to avoid or mitigate adverse effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:
- (a) Measures that will be taken to protect archaeological sites from damage during construction (unless an authority has been obtained from Heritage New Zealand Pouhere Taonga to destroy, damage or modify the site);
 - (b) Details of any archaeological investigations or monitoring required by any authority to destroy, damage or modify archaeological sites, or evidence required under Condition 3.3.
 - (c) An Accidental Discovery Protocol (noting that in the event of any conflicting provisions where any part of the site is operating under an Authority from Heritage New Zealand Pouhere Taonga, the ADP protocols contained within that Authority shall take precedence) so that in the event that any archaeological sites, remains, artefacts, taonga (Maori artefacts) or koiwi are unearthed, dislodged, uncovered or otherwise found or discovered during the earthworks ('Discovery'), the Requiring Authority shall:
 - i. Advise tangata whenua, the Project archaeologist, and the Territorial Authority as appropriate, within one day of the Discovery;
 - ii. Cease works in any part of the Project site affected by the Discovery;
 - iii. Contact the NZ Police, Coroner and Heritage New Zealand Pouhere Taonga as appropriate;
 - iv. Undertake specific preservation measures to address any discovery that includes water-logged or wet archaeological materials;
 - v. Not recommence works in the parts of the Project site affected by the Discovery until all necessary statutory authorisations or consents have been obtained; and
 - vi. Address any other relevant matters in accordance with NZ Transport Agency's Minimum Standard Z/22 – Accidental Discovery Procedures.
 - (d) The roles and responsibilities associated with managing the archaeological aspects of the Project;
 - (e) Provision for training contractors in the archaeological requirements of the Project;

- (f) Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP (excluding revisions relating to matters covered by Condition 3.4 (b)) shall not be implemented by the Requiring Authority until approved in writing by the Territorial Authority's Chief Executive Officer, or nominee. The Territorial Authority shall respond to the request for a revision to the ASMP within 10 working days or such other time period as may be agreed between all parties; and
 - (g) Reporting requirements.
- 3.5. Twenty (20) working days prior to the Requiring Authority providing the ASMP to the Territorial Authority in accordance with this condition, or any revisions in accordance with Condition 3.4(f), a draft version of the plan shall be provided to the Hamilton Section TWWG and to Heritage New Zealand Pouhere Taonga for their review. The Requiring Authority will consider any feedback provided and will provide a written response within the finalised ASMP detailing:
- (a) Whether any feedback has been provided by the Hamilton Section TWWG and Heritage New Zealand Pouhere Taonga;
 - (b) Where feedback has been provided, how it has been incorporated into the ASMP; and
 - (c) Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.
- 3.6. The Requiring Authority shall implement the certified ASMP in giving effect to this Project.

4. Network Utility Infrastructure

- 4.1. With respect to electrical infrastructure, the Requiring Authority (in consultation with Transpower New Zealand Ltd) shall prepare and include in the CMP, the following:
- (a) Methods and measures:
 - i. To ensure that the existing high voltage infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during construction activities;
 - ii. To appropriately manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to the overhead transmission lines;
 - iii. To ensure that no activity is undertaken during construction that would result in ground vibrations and/or ground instability likely to cause material damage to the transmission lines, including support structures; and
 - iv. To ensure that changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations for any high voltage transmission line support structure.
 - (a) Sufficient detail to confirm that all works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

- 4.2. All activities undertaken on the site, including the construction of new buildings/structures, earthworks (filling and excavations) and/or the operation of mobile plant must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).
- 4.3. The Requiring Authority must ensure that access to high voltage transmission lines for maintenance work (at all reasonable times) and for emergency works (at all times) is not adversely affected by the activities authorised by the designation.
- 4.4. The Requiring Authority must ensure that all trees and vegetation planted comply with the Electricity (Hazards from Trees) Regulations 2003.
- 4.5. During final design of the Project the Requiring Authority shall:
 - (a) liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - (b) make all reasonable changes requested by such network utility operators to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of, all network utility infrastructure within the designated area is not adversely affected.
- 4.6. Subject to Section 54 of the Government Roading Powers Act 1989, where during design or construction such infrastructure is found to be affected, subject only to reasonable planned interruption, the Requiring Authority shall:
 - (a) Either protect the utility from any activity which may interfere with the proper functioning of the services, relocate it to the same or similar standard (including property rights) as the operator currently has; or
 - (b) Repair or replace, at the Requiring Authority's expense, any infrastructure damaged during construction to the reasonable satisfaction of the affected network utility operator.

5. Traffic Noise Design Limits

5.1. Ambient Noise Survey

Prior to commencement of any construction activity (excluding site investigations and enabling works), the Requiring Authority shall carry out a comprehensive ambient noise survey at selected locations identified by the Requiring Authority within the affected land and in consultation with the Territorial Authority's Chief Executive Officer, or nominee. The purpose of the survey shall be to determine the current ambient sound levels for each selected location on which compliance with Condition 5.7 shall be assessed. The results of the ambient noise survey shall be forwarded to the Territorial Authority within one month of completion.

- 5.2. Prior to the commencement of construction, the Requiring Authority must prepare a Traffic Noise Mitigation Plan (TNMP). The purpose of the TNMP is to state measures to remedy or mitigate adverse traffic noise effects associated with the operation of the expressway.

- 5.3. The TNMP will:
- (a) Determine the ambient noise level in proximity to the Project either through measurement (as defined in Conditions 5.1 and 5.8) and/or noise modelling. This approach is to be certified by the Territorial Authority's Chief Executive Officer, or nominee; and
 - (b) Identify any residential building, hospital or educational facility (as defined by Condition 5.8(iii)) predicted to experience increased noise levels above the previously established ambient noise level as a result of the operation of the Project.
- 5.4. The TNMP is to be prepared by a suitably qualified and experienced acoustic consultant and shall describe the noise mitigation measures to be employed to ensure compliance with Condition 5.7.
- 5.5. At least 40 working days prior to undertaking construction works associated with the Project, the Requiring Authority shall submit the TNMP to the Territorial Authority for the confirmation of the Territorial Authority's Chief Executive Officer, or nominee, in accordance with Conditions 10.1-10.10.
- 5.6. The noise mitigation measures that are identified in the approved TNMP shall be fully implemented and maintained thereafter. These measures shall be implemented prior to the opening for general traffic of any part, or parts of the Project. Notwithstanding, low noise road surfaces shall be implemented no later than 12 months after the opening of the Project.
- 5.7. The Average Noise Design Levels set out in Transit New Zealand Guidelines for Management of Road Traffic Noise – State Highway Improvements, effective at 1 December 1999, are not to be exceeded.
- 5.8. Noise Measurements
- i. Noise levels shall be measured in accordance with NZS 6801:1999 "Acoustics Measurement of Environmental Sound".
 - ii. The ambient noise levels and average noise design levels shall be assessed one metre from the most exposed façade of any "residential building, hospital or educational facility" which will potentially experience increased noise levels as a result of the operation of the Project.
 - iii. In respect of the area covered by the Resolution Drive Extension and Horsham Downs Link Road the term "residential building, hospital or educational facility" means any residential building, hospital or educational facility existing at the date of notification of this NOR (6 April 2016).
- 5.9. As part of the TNMP, the Requiring Authority shall prepare and submit to the satisfaction of the Territorial Authority's Chief Executive Officer, or nominee, plans showing the location of all residential buildings, hospitals or educational facilities (as defined by Condition 5.8(iii)) that are predicted to receive increased noise above the previously established ambient noise level as a result of the operation of the Project.
- 5.10. The Requiring Authority shall consult with the owners and/occupants of any "residential buildings, hospitals or educational facilities", which are:

- (a) Identified within the Resolution Drive Extension and Horsham Downs Link Road Upgrade: Assessment of Noise Effects, Opus 2016, as exceeding the Noise Guidelines Average Noise Design Level; and
 - (b) Identified through preparation of the TNMP to likely exceed the Noise Guidelines Average Noise Design Level as a result of the Project with respect to the options for mitigation measures required to ensure compliance with Condition 5.7.
- 5.11. The Requiring Authority shall provide details of noise mitigation options to the parties referred to in Condition 5.10 at least 20 working days prior to submitting the TNMP to the Territorial Authority Chief Executive or nominee.
- 5.12. If the Requiring Authority has not received any comments from the parties referred to in Condition 5.10 within 20 working days of providing them with the details of noise mitigation options, the Requiring Authority may consider that the party concerned has no comments.
- 5.13. Further, the Requiring Authority shall include any comments from the parties referred to in Condition 5.10 along with an explanation of where and why any comments have not been incorporated into the TNMP prior to submitting the TNMP to the Territorial Authority's Chief Executive or nominee.
- 5.14. (a) Within three months of the structural noise mitigation being installed and the opening of the expressway, the Requiring Authority shall undertake:
- i. noise monitoring at representative locations chosen in agreement with the Territorial Authority for the purpose of Project-model calibration; and
 - ii. site inspection of all the noise mitigation measures to confirm they have been implemented as intended.
- (b) Noise monitoring shall be in accordance with NZS 6801:1999 "Acoustics Measurement of Environmental Sound" and the results of the monitoring and the inspection of the noise mitigation measures shall be forwarded to the Territorial Authority within one month of their completion.
- (c) The measurements and assessments shall be consistent with the methodology used for Condition 5.3(a) in terms of measurement locations and assessment points.
- (c) If the traffic noise design levels in Condition 5.7 are not met, the Requiring Authority shall carry out further practicable mitigation measures as soon as reasonably practicable, to achieve those design noise levels.

6. Landscaping and Visual Mitigation

- 6.1. Prior to the commencement of construction, the Requiring Authority shall prepare a Landscape Management Plan (LMP) which identifies the specific measures to be implemented and maintained to mitigate those works authorised by this designation which generate more than minor adverse visual and landscape effects.

The purpose of the LMP is to:

- (a) Relate to the future development of the area, connectivity/access to existing built environment, future development and links to central Hamilton;

- (b) Make a positive contribution to the surrounding area and communities;
- (c) Create a more natural look that integrates stormwater design and ecological planting; and
- (d) Provide a robust and integrated design that is attractive, coherent, durable and innovative.

6.2. The LMP shall:

- (a) Implement the principles and outcomes of the Opus International Consultants Waikato Expressway Hamilton Section Urban and Landscape Design Framework, September 2013;
- (b) Be prepared in accordance with the Landscape Mitigation Plan contained in Figures 7 and 8 of the Landscape and Visual Assessment, dated 2016;
- (c) Be prepared in accordance with the NZ Transport Agency's P39 Standard Specification for Highway Landscape Treatments, 2013;
- (d) Be prepared in accordance with 'Bridging the Gap' the NZ Transport Agency's Urban Design Guidelines, 2013 with particular regard to Section 4.11 – Crime Prevention;
- (e) Be prepared in accordance with Appendix A10 Environmental and Landscape Design being an Appendix to Schedule 5 of the Project Alliance Agreement under NZ Transport Agency Contract NZTA 2/09 – 015/602, SH1 Waikato Expressway: Hamilton Section; and
- (f) In relation to the Resolution Drive Extension, be prepared in general accordance with the Hamilton City Gateways Policy (2015), and in consultation with Hamilton City Council.

6.3. The LMP shall be prepared by a suitably qualified landscape architect to clearly reflect the requirements in Condition 6.2, and shall include the following:

- (a) The integration of cut and fill batters with existing topographical features;
- (b) where practicable, gentle grades and well-rounded profiles for batters, and shaping tops of cut batters for topsoiling and grassing;
- (c) earth bunding, screening and enhancement planting to soften or naturalise significant adverse visual changes, including where practicable screening of the link roads where the outlook from existing nearby dwellings will undergo adverse significant change, in consultation with the affected property owners;
- (d) selection of plant species to ensure that once established, the type of planting is such that it does not require specific ongoing maintenance;
- (e) avoidance where practicable of hard landscape works (e.g. acoustic barriers) where these cannot be integrated into the landscape;
- (f) a description of the methods that will be used to ensure that planting does not interfere with the operation of electricity transmission lines;

- (g) measures to be undertaken for topsoil and subsoil management to rehabilitate the soil profile so as to provide a viable growing medium:
 - for the areas to be planted; and
 - for the areas to be returned to productive pasture, and
 - for use over the berms; and
 - central median (non-paved areas only).
 - (h) identification of existing mature or rare vegetation (listing species concerned) to be removed and that are to be retained, including the protection measures and any arboricultural assessments to be adopted during the construction stage;
 - (i) a schedule of the species to be planted including botanical name, average plant size at time of planting, planting density and average mature height of each;
 - (j) maintenance and establishment requirements over a three year period following planting and reinstatement of road verges;
 - (k) measures to minimise clearing work to preserve soil, indigenous vegetation and significant exotic trees including any rare specimen trees;
 - (l) measures to ensure the appropriate disposal and clearance of invasive/noxious weeds;
 - (m) integration with the design of measures to mitigate noise and ecological effects and possible effects of motor vehicle headlight glare on adjacent dwellings so that the combined measures can be implemented in a co-ordinated manner; and
 - (n) measures required to meet the agreements reached between the Requiring Authority and tangata whenua on issues of landscape mitigation recorded in Nga Mana Toopu o Kirikiriroa (NAMTOK) Report 1999.
- 6.4. At least 40 working days prior to undertaking construction works associated with this Project, the Requiring Authority shall submit the draft LMP to the Territorial Authority for certification by the Territorial Authority's Chief Executive Officer, or nominee in accordance with Conditions 10.1-10.10.
- 6.5. 12 months after the commencement of construction, the Requiring Authority shall submit the final LMP to the Territorial Authority for certification by the Territorial Authority's Chief Executive Officer, or nominee in accordance with Conditions 10.1-10.10.
- 6.6. The Requiring Authority shall consult with affected landowners (defined as owners of those properties located within 200m of the alteration boundary) in relation to planting and screening measures.
- 6.7. The Requiring Authority shall provide for their comment a Master Plan for the area of the designation to the parties referred to in Condition 6.6, at least 20 working days prior to submitting the LMP to the Territorial Authority' Chief Executive Officer or nominee.
- 6.8. If the Requiring Authority has not received any comments from the parties referred to in Condition 6.6 within 20 working days of providing them with their respective plans, the Requiring Authority may consider that the party concerned has no comments.
- 6.9. The Requiring Authority shall include any comments from the parties referred to in Condition 6.6 along with an explanation of where and why any comments have not been

incorporated into the LMP prior to submitting the LMP to the Territorial Authority's Chief Executive Officer or nominee.

- 6.10. An appropriately qualified and experienced ecologist shall provide written comments within the LMP on the appropriateness and effectiveness of the proposed revegetation as habitat for indigenous fauna, or for the enhancement of aquatic habitat.
- 6.11. The certified LMP shall be implemented:
 - (a) Wherever practicable prior to construction works commencing; or
 - (b) As soon as areas become available for planting due to the progress of the works; and/or
 - (c) Within twelve months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than twenty four months after the issue of the certificate.
- 6.12. An inspection shall be undertaken by the Requiring Authority at 2 and 5 years after the implementation of the LMP in accordance with Condition 6.11, to confirm that the planting has been completed and plants have become established. A report on the outcomes of the inspection shall be forwarded to the Territorial Authority within one month of completion. Provision shall be made for remedial works to be undertaken if such inspections identify that any significant plants or areas of planting have not become established.
- 6.13. The Requiring Authority must implement the certified LMP in giving effect to this Project.

7. Construction Works Design

- 7.1. The detailed engineering design of construction works shall be undertaken in consultation with the Waikato Regional Council, and the relevant Territorial Authorities where proposed works are involved with, or impact upon, their existing drainage works.
- 7.2. An independent Road Safety Audit team (or teams as appropriate) appointed by the Requiring Authority shall undertake a detailed design and a post construction road safety audit in accordance with the latest version of the NZ Transport Agency Road Safety Audit Procedures for Projects. Both audits shall cover the following extents of road and associated road user infrastructure:
 - (a) Resolution Drive from the southern boundary of the designation, approximately 40 m south of its intersection with Kay Road East, through to the Resolution Drive interchange;
 - (b) The intersection of Resolution Drive with Kay Road East;
 - (c) Horsham Downs Link Road from the Resolution Drive interchange through to its intersection with Horsham Downs Road;
 - (d) The intersection of Horsham Downs Link Road with Horsham Downs Road; and

- (e) The shared cycle/pedestrian paths along, through, and connecting with Resolution Drive, the Resolution Drive interchange, Horsham Downs Link Road, Horsham Downs Road, Osborne Road, and Martin Lane.

The road safety audits shall also consider how the Resolution Drive Extension and Horsham Downs Link Road tie into, and impact on, the adjacent road network, including the Resolution Drive Interchange.

In addition, the safety audits shall consider the potential implications of the Landscape Management Plan (LMP) on visibility to and from the roads and paths that are subject to the audits.

- 7.3. In addition to the safety audits to be carried out in conjunction with the initial construction of the works, the Requiring Authority shall appoint an independent Road Safety Audit team (or teams as appropriate) to undertake a detailed design and a post-construction road safety audit (on the same basis as specified above) if at any time in the future the Requiring Authority proposes to amend the cross-sectional configuration of Resolution Drive to incorporate more than one through lane for either (or both) direction(s) of travel.
- 7.4. The design of the Project shall take into account any relevant Integrated Catchment Management Plan(s) existing at the time the detailed design for stormwater is undertaken.
- 7.5. Roads being formed in the designation shall be designed, constructed and maintained to ensure that vibration generated during their operation complies with the Class C vibration limits as set out in Annex B of the Norwegian Standard NS8176E:2005 Vibration and Shock: Measurement of vibration in buildings from land based transport and guidance to evaluation of its effects on human beings. These vibration limits apply to traffic-induced vibrations measured and assessed in accordance with NS8176E:2005 in any habitable room of any occupied dwelling existing as at the date of notification (6 April 2016).
- 7.6. No later than 20 working days prior to the commencement of any stage of construction activity within the designation boundaries (excluding site investigations, enabling works and earthworks), the Requiring Authority shall present for consideration by the Chief Executive or nominee for Hamilton City Council and Waikato District Council the detailed design and specifications for all roads and infrastructure expected to be maintained or managed by the respective Council. The Chief Executive or nominee for Hamilton City Council and Waikato District Council shall provide any feedback to the Requiring Authority within 10 working days or such other time period as may be agreed between all parties.

Within 10 working days of receiving feedback from each Council, or such other time period as may be agreed between the parties, the Requiring Authority shall report the following to each Council's Chief Executive:

- (a) Details on how the design has addressed any matters raised in any feedback provided by that Council;
- (b) Details on how the design has incorporated any recommendations from the safety audit process set out in Condition 7.2; and
- (c) Where any matters raised in feedback provided by that Council have not been addressed in the detailed design, the reasons why.

- 7.7. If the Requiring Authority has not received any feedback from the parties referred to in Condition 7.6 within 10 working days, or such other time period as may be agreed between all parties, the Requiring Authority may consider that the party concerned has no feedback.

8. Lighting

- 8.1. Any lighting used to illuminate carriageways shall be designed and located so that lighting levels comply with the Australia New Zealand Roadway Lighting Standard 1158, (series) - Lighting for Roads and Public Spaces: 2005 and the Transport Agency Infrastructure Design Standard M30: 2014 Specification and Guidelines for Road Lighting Design.
- 8.2. Any lighting employed to illuminate carriageways shall be sited and designed to ensure that not more than 10 lux (vertical) of light is spilled during night time hours onto any residential building as specified below. This shall be measured at the windows of any habitable room of any such building. This condition does not apply to the headlights of motor vehicles. In respect of the Resolution Drive Extension and Horsham Downs Link Road this condition shall apply to any residential building existing at the date the Notice of Requirement was publicly notified (6 April 2016).

Advice Note:

Habitable room means any room in the dwelling apart from those used solely for the purposes of an entrance, passageway, kitchen, toilet, bathroom, laundry, garage or storeroom.

9. Miscellaneous Matters

9.1. Community Liaison

A clearly identified liaison person, or their replacement when necessary, shall be appointed by the Requiring Authority following the inclusion of the designation in the District Plan and until the completion of the expressway project. This liaison person shall be the main and readily accessible point of contact for the Project.

The liaison person's name and contact details shall be advised to all owners and occupiers of all properties within 200 metres of the designation boundaries, and be publicly notified by the Requiring Authority within one month of all parts of the designation being treated as operative in the relevant district plans. The following parties shall also be advised directly of the liaison person's name and contact details:

- Horsham Downs Community Church
- Generations Church
- Horsham Downs Community Hall
- Horsham Downs School
- Te Totara Primary School
- Hukanui School
- Rototuna Primary School
- Waikato Waldorf School
- Hamilton Christian School
- Endeavour Primary School
- Rototuna Junior and Senior High Schools

9.2. Pedestrian and Cyclist Facilities

The Requiring Authority shall provide shared cycle/pedestrian paths in general accordance with Resolution Drive Extension Plan and Longitudinal Section (Sheets 27 (R1B) & 28 (R1B)) Drawing No. 6000_5204 and the Cycling Aspects of Austroads Guides 2014 except as modified by the conditions below.

- (a) The paths shall be 3.0 m wide unless specified otherwise in these conditions. The path north of the Resolution Drive Interchange shall be surfaced with an impervious material, such as concrete, that provides a surface suitable for use by cyclists and pedestrians. The paths south of the Resolution Drive Interchange shall be constructed of concrete (with the exception of any materials required for foundations and/or bedding material for the concrete) and shall have a finished surface suitable for use by cyclists and pedestrians.
- (b) A path shall be located along the western side of Resolution Drive, continuing from the southern end of the designation (approximately 40 m south of the Kay Road East intersection) up to the Resolution Drive Interchange.
- (c) A path shall be located along the western side of the Horsham Downs link road up to its intersection with Horsham Downs Road. From there, the path shall taper to a minimum clear width of 2.5 m and continue along the southern side of Horsham Downs Road, before turning into Osborne Road where it should widen to 3.0 m and then into Martin Lane. Where boundary, physical, or infrastructure constraints make it impractical for the path alongside Horsham Downs Road to be more than 2.0 m wide, the Requiring Authority shall provide the Territorial Authority with a copy of the detailed design and an explanation as to why it is impractical for the width to be greater than 2.0 m, and obtain approval from the Territorial Authority for the path to be less than 2.5 m, but no less than 2.0 m wide. In any case, the narrower path will only be regarded as acceptable along the minimum practicable length. The detailed design shall be prepared such that unless otherwise impracticable no street furniture is placed within the path over these narrower sections.
- (d) Safe access from the shared path should be provided to Horsham Downs Road immediately west of the Horsham Downs Road roundabout. In addition, through the detailed design process the Requiring Authority should endeavour to identify a means by which cyclists travelling east on Horsham Downs Road West and west on Horsham Downs Road East can access the shared path. The Requiring Authority shall provide the Territorial Authority with a brief report describing the options considered and the reason for selecting a particular option, or rejecting all options. The preferred solution (if any) shall be included in the package of works to be considered through road safety audit of the Project.
- (e) The shared path on the western side of Resolution Drive shall also be connected to the eastern ends of Kay Road West and Reynolds Road by shared paths.
- (f) A shared path shall be provided on the eastern side of Resolution Drive Extension to connect from the southern end of the designation to the eastern boundary of the designation immediately west of the Kay Road East/North City Road intersection.
- (g) When designing the shared paths, the Requiring Authority shall take into consideration and apply where practicable crime prevention through environmental design principles in accordance with the National Guidelines for Crime Prevention through Environmental Design in New Zealand (2005).

Advice Note:

Condition 9A.2 of the designation for Alteration U (the Resolution Drive Interchange) requires the provision of a 3.0 m wide shared use pedestrian and cycle path that crosses the Expressway and extends from the northern side to the southern side of the designation.

9.3. Access

Provided roads have been built that connect Kay Road to Borman Road in the vicinity of Tennille Street and Hare Puke Drive, and that an appropriate treatment for turning vehicles will be provided at the termination of Kay Road, direct motor vehicle access shall not be provided between Kay Road West, and Resolution Drive Extension. Direct motor vehicle access shall not be provided between Reynolds Road and Resolution Drive Extension.

9.4. Tangata Whenua

The Requiring Authority shall:

- (a) Prepare (in collaboration with the TWWG for the Hamilton Section) a Waikato-Tainui Mitigation Plan (WTMP) and submit a copy of this plan to the Territorial Authority. The purpose of the WTMP is to specify and record a range of reasonable and tangible initiatives to address the matters included in the Position Statement (Appendix C of the application dated 30 September 2013, and Appendix E of the NOR AEE dated November 2013), that relate to the activities authorised by this designation.;
- (b) Prior to construction commencing, submit a copy of the finalised WTMP to the Territorial Authority for its information; and
- (c) Implement the WTMP as part of the construction of the Project.

Advice Note:

The Hamilton Section specific TWWG was established in late 2011. The TWWG comprises members from Ngaati Hauaa, Ngaati Koroki Kahukura, Ngaati Mahanga, Ngaati Wairere and Waikato-Tainui. The existing TWWG will fulfil the role specified in these conditions.

9.5. Complaints

If any complaints are received by the Requiring Authority regarding the activities authorised by this Notice of Requirement, the Requiring Authority shall notify the Territorial Authority of those complaints as soon as practicable and no longer than one working day after the complaint has been received. When/if complaints are received; the Requiring Authority shall record the following details in a Complaints Log:

- (a) Time and type of complaint, including details of the incident, e.g. duration, any effects noted;
- (b) Name, address and contact phone number of the complainant (if provided);
- (c) Location from which the complaint arose;
- (d) The weather conditions and wind direction at the time of any dust complaint;

- (e) The likely cause of the complaint;
- (f) The response made by the Requiring Authority including any corrective action undertaken by the Requiring Authority in response to the complaint; and
- (g) Future actions proposed as a result of the complaint.

The Complaints Log shall be available to the Territorial Authority at all reasonable times.

9.6. Signage

The Requiring Authority shall jointly consult the Hamilton City Council and Waikato District Council about the direction, service and general guide signs (as described in Traffic Control Devices Manual: Part 2) to be erected in relation to the designation.

10. Management Plans General

- 10.1. All works shall be carried out in accordance with the applicable Management Plan(s) and other plans required by these conditions.
- 10.2. The following Management Plans must be submitted to the Territorial Authority's Chief Executive Officer, or nominee for certification that they are consistent with the conditions of the designation:
 - Construction Management Plan;
 - Construction Noise and Vibration Management Plan;
 - Archaeological Site Management Plan;
 - Traffic Noise Management Plan; and
 - Landscape Management Plan.
- 10.3. Within twenty (20) working days of receipt of any Management Plan for certification as required under Condition 10.2, the Territorial Authority shall notify the Requiring Authority as to whether the Management Plan is certified or whether inconsistencies with the relevant designation condition(s) have been identified and what matters are required to be addressed.
- 10.4. Construction Works shall not commence until the Requiring Authority has received the Territorial Authority Chief Executive Officer's, or nominee's written certification for the relevant Management Plans.
- 10.5. Any changes proposed to a certified Management Plan shall be confirmed in writing by the Requiring Authority and certified in writing by the Territorial Authority's Chief Executive Officer, or nominee within ten (10) working days of receipt of written confirmation, prior to implementation of those changes. Any changes to Management Plans shall remain consistent with the overall intent of the relevant Management Plan.
- 10.6. In the event of any dispute, disagreement or inaction arising in respect of the certification of Management Plans or certification of changes to Management Plans, that matter shall be referred in the first instance to the NZ Transport Agency Highway Manager and the Territorial Authority's Chief Executive Officer to determine a process for resolution.
 - (a) If agreement cannot be reached, then the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out

the details of the matter to be referred for determination and the reasons the parties do not agree.

- (b) The independent appropriately qualified expert shall be appointed within ten (10) working days of the Requiring Authority or the Territorial Authority giving notice of their intention to seek independent determination. The appointed expert shall, as soon as possible, issue their decision on the matter. In making the decision, they shall be entitled to seek further information and hear from the parties as they see fit.
- 10.7. At all times during construction, the Requiring Authority shall ensure that copies of the latest certified versions of the Management Plans identified in Condition 10.2 are kept on site and all key personnel are made aware of each plan's contents.
- 10.8. A copy of the latest certified version of each Management Plan identified in Condition 10.2 shall be available on the Transport Agency's website at all times.
- 10.9. The Management Plans are not required to include all details for every stage of work at the time the plan is submitted for certification by the Territorial Authority's Chief Executive Officer, or nominee. If further details are to be provided for later stages of work, the Management Plan shall specify which stages require further certification at a later date. Management Plans for later stages of work shall be submitted to the Territorial Authority's Chief Executive Officer, or nominee, for certification prior to construction commencing in the relevant stage, and Conditions 10.3 and 10.4 apply accordingly.
- 10.10. Where conditions require consultation with third parties in the development of Management Plans, these plans shall demonstrate how the views of that party (or parties) have been incorporated, and, where they have not, the reasons why.

11. Term of Designation

In accordance with Section 184(1)(c) of the Resource Management Act 1991, unless given effect to, the designation shall lapse on 31 July 2022.

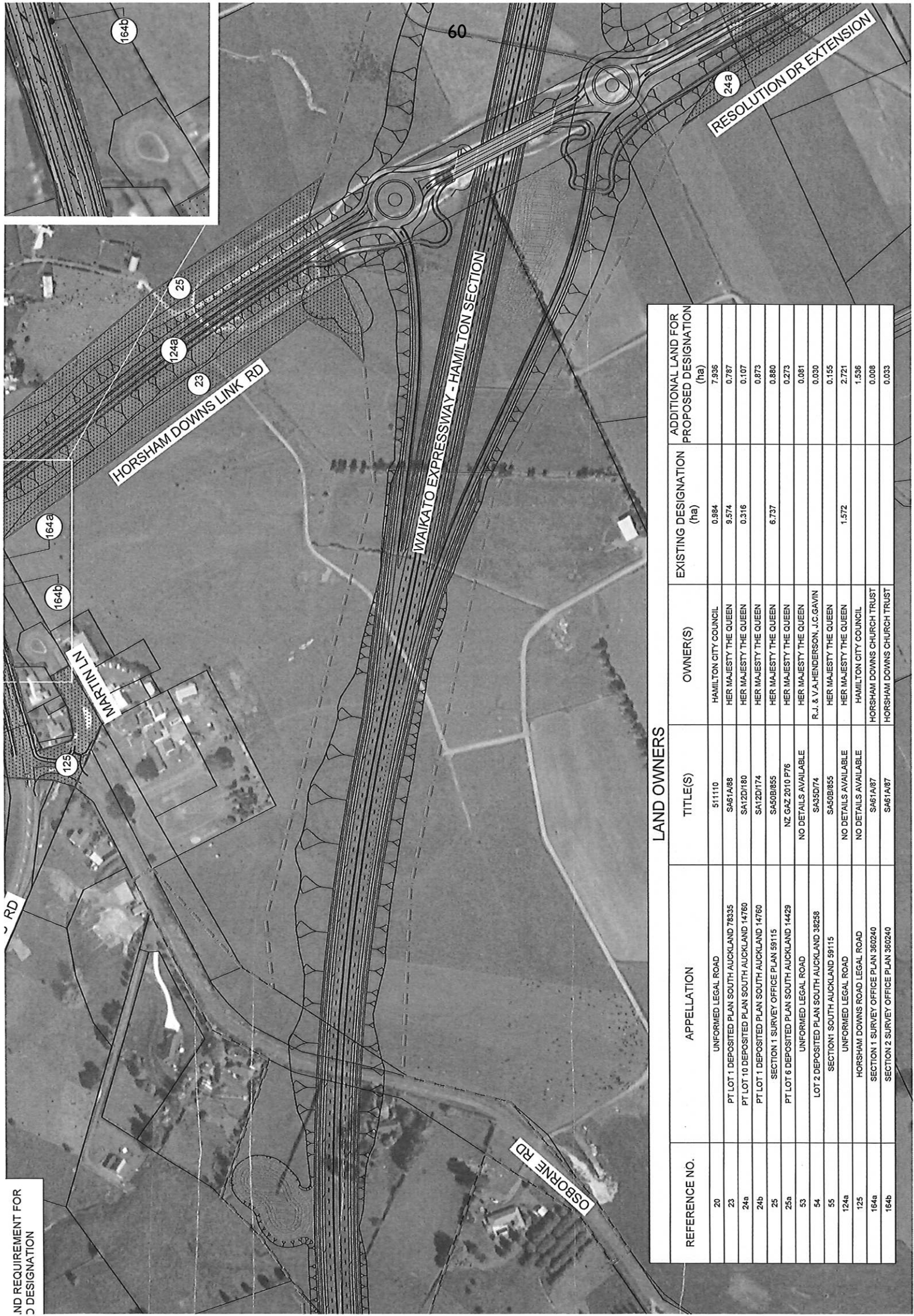
Advice Notes

1. *The Requiring Authority is recommended to convey to the Crown the Waikato District Council's view that, as far as practicable, any land disposal avoids the creation of additional separate certificates of title comprising less than the minimum size for new lots provided for in the relevant district plan.*
2. *All necessary consents must be obtained from the Waikato Regional Council prior to the construction of the new local roads.*
3. *Extraction of material for construction of the expressway and local roads from sites not currently authorised as extractive sites may require the Requiring Authority to obtain additional consents from the relevant Territorial Authority.*
4. *An authority may need to be obtained from Heritage New Zealand Pouhere Taonga to destroy, damage or modify an archaeological site(s) in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.*

5. *The Requiring Authority acknowledges that the Waikato District and Hamilton City Councils are presently developing cycleway and walkway strategies and may ultimately wish to include provision for cycleway/walkway linkages within or adjacent to the western outer edge of this designation. If, by the time that the Requiring Authority commences detailed design, the relevant Territorial Authority/ies has/have designated or secured another resource management authorisation for a cycleway/walkway adjacent to or within this designation, the requiring authority will liaise with the Territorial Authority(s) and use all reasonable endeavours to develop its Landscape Management Plan in a manner which is sympathetic to the Territorial Authority(s) cycleway/walkway proposal.*
6. *Pursuant to Section 36 of the Resource Management Act 1991, the actual and reasonable costs incurred by the Territorial Authorities in monitoring the conditions of this designation shall be paid by the Requiring Authority.*
7. *In these conditions, the term 'local roads' refers to all roads that are not state highways or private roads.*

ANNEXURE B – PLANS LISTED IN THE CONDITIONS

AND REQUIREMENT FOR
DESIGNATION



LAND OWNERS

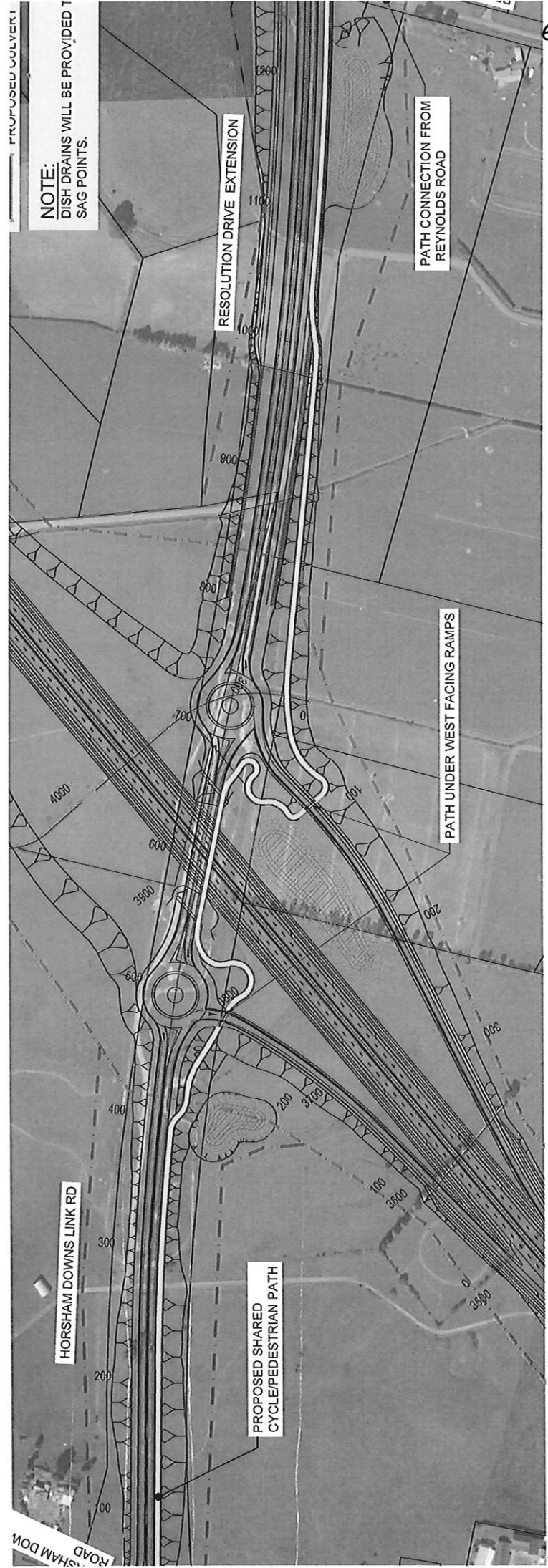
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20	UNFORMED LEGAL ROAD	511110	HAMILTON CITY COUNCIL	0.984	7.936
23	PT LOT 1 DEPOSITED PLAN SOUTH AUCKLAND 76335	SA61A/88	HER MAJESTY THE QUEEN	9.574	0.787
24a	PT LOT 10 DEPOSITED PLAN SOUTH AUCKLAND 14760	SA12D/180	HER MAJESTY THE QUEEN	0.316	0.107
24b	PT LOT 1 DEPOSITED PLAN SOUTH AUCKLAND 14760	SA12D/174	HER MAJESTY THE QUEEN	0.873	0.873
25	SECTION 1 SURVEY OFFICE PLAN 59115	SA60B/855	HER MAJESTY THE QUEEN	6.737	0.880
25a	PT LOT 6 DEPOSITED PLAN SOUTH AUCKLAND 14429	NZ GAZ 2010 P76	HER MAJESTY THE QUEEN	0.273	0.273
53	UNFORMED LEGAL ROAD	NO DETAILS AVAILABLE	HER MAJESTY THE QUEEN	0.081	0.081
54	LOT 2 DEPOSITED PLAN SOUTH AUCKLAND 38238	SA35D/74	R.J. & V.A. HENDERSON, J.C. GAVIN	0.030	0.030
55	SECTION 1 SOUTH AUCKLAND 59115	SA60B/855	HER MAJESTY THE QUEEN	1.572	0.155
124a	UNFORMED LEGAL ROAD	NO DETAILS AVAILABLE	HER MAJESTY THE QUEEN	1.572	2.721
125	HORSHAM DOWNS ROAD LEGAL ROAD	NO DETAILS AVAILABLE	HAMILTON CITY COUNCIL	1.536	1.536
164a	SECTION 1 SURVEY OFFICE PLAN 360240	SA61A/87	HORSHAM DOWNS CHURCH TRUST	0.008	0.008
164b	SECTION 2 SURVEY OFFICE PLAN 360240	SA61A/87	HORSHAM DOWNS CHURCH TRUST	0.033	0.033



DESIGNATION BOUNDARY
 AND REQUIREMENT FOR
 TO DESIGNATION

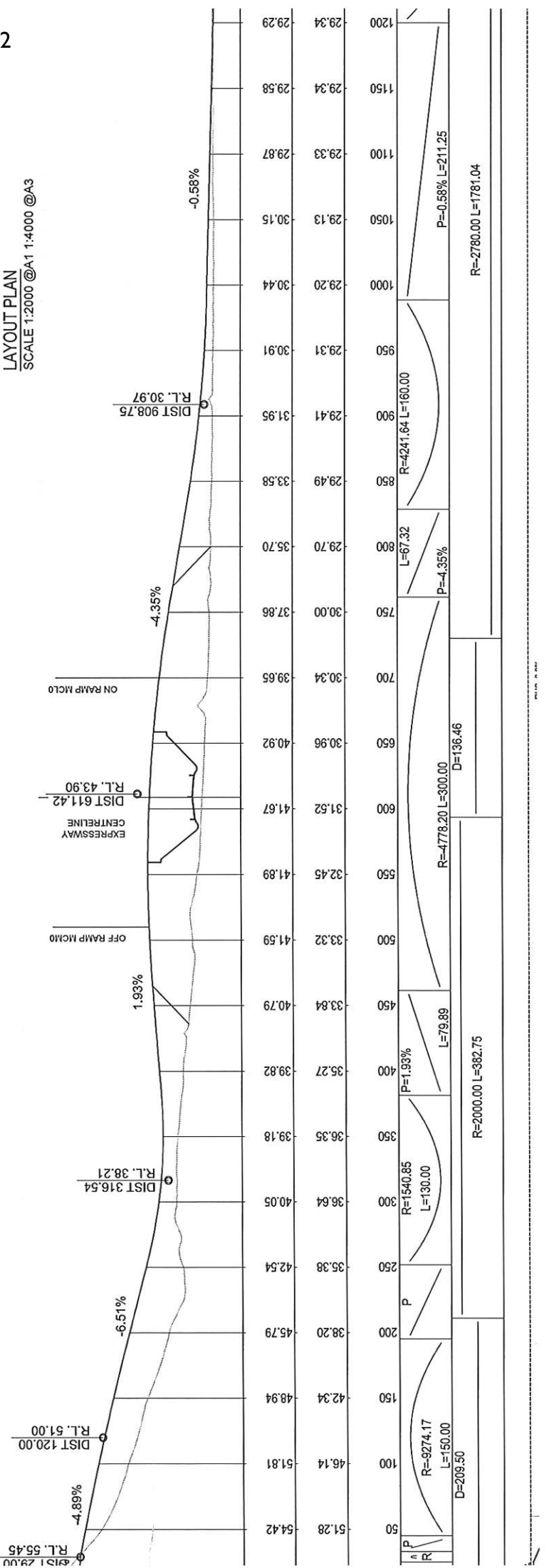
LAND OWNERS

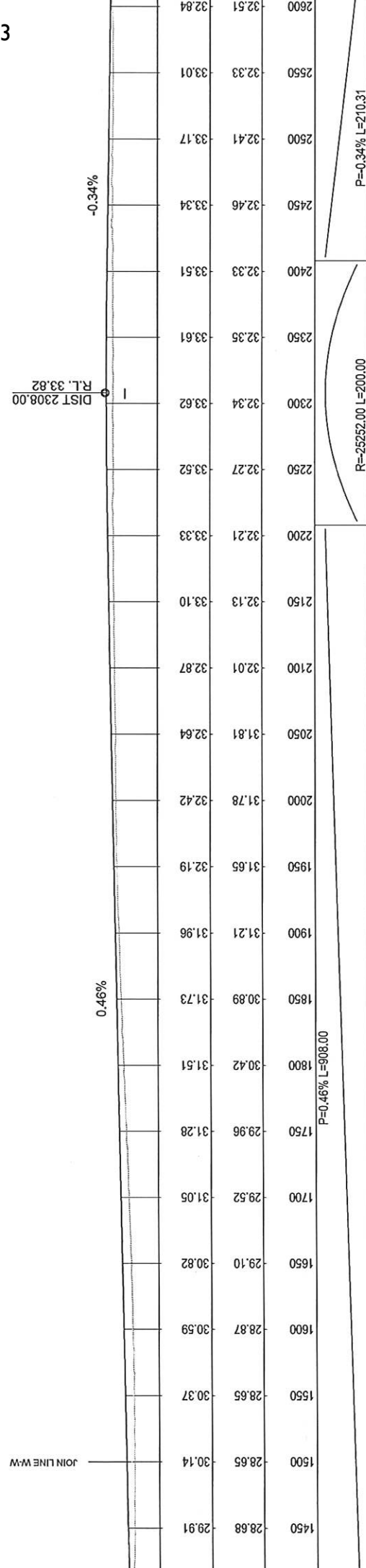
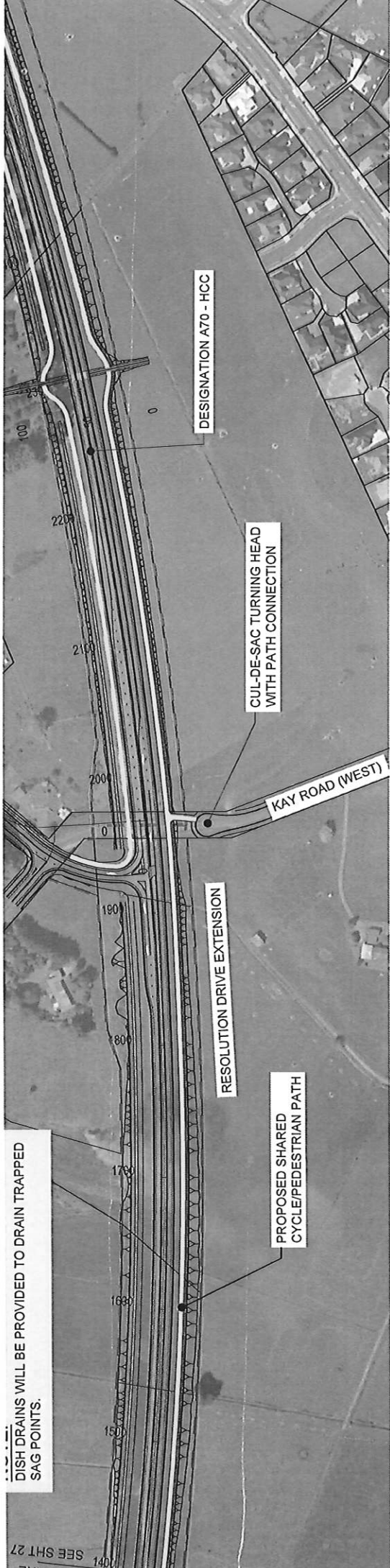
NO.	APPELLATION	TITLE(S)	OWNER(S)	EXISTING DESIGNATION (ha)	ADDITIONAL LAND FOR PROPOSED DESIGNATION (ha)
	UNFORMED LEGAL ROAD	511110	HAMILTON CITY COUNCIL	0.984	7.936
	PT LOT 10 DEPOSITED PLAN SOUTH AUCKLAND 14760	SA12D/180	HER MAJESTY THE QUEEN	0.316	0.107
	PT LOT 1 DEPOSITED PLAN SOUTH AUCKLAND 14760	SA12D/174	HER MAJESTY THE QUEEN	6.737	0.873
	SECTION 1 SURVEY OFFICE PLAN 59115	SA509/855	HER MAJESTY THE QUEEN	6.737	0.880
	PT LOT 6 DEPOSITED PLAN SOUTH AUCKLAND 14429	NZ GAZ 2010 P76	HER MAJESTY THE QUEEN	6.737	0.273
	ALLOTMENT 537 KIRIKIRIROA PARISH	SA34A/811	PETER GRAHAM JOHNSON & CHRISTINE KAREN JOHNSON & GERARD JOHN RENNIE		0.088
	LEGAL ROAD	NO DETAILS AVAILABLE	HAMILTON CITY COUNCIL		0.071



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LAYOUT PLAN
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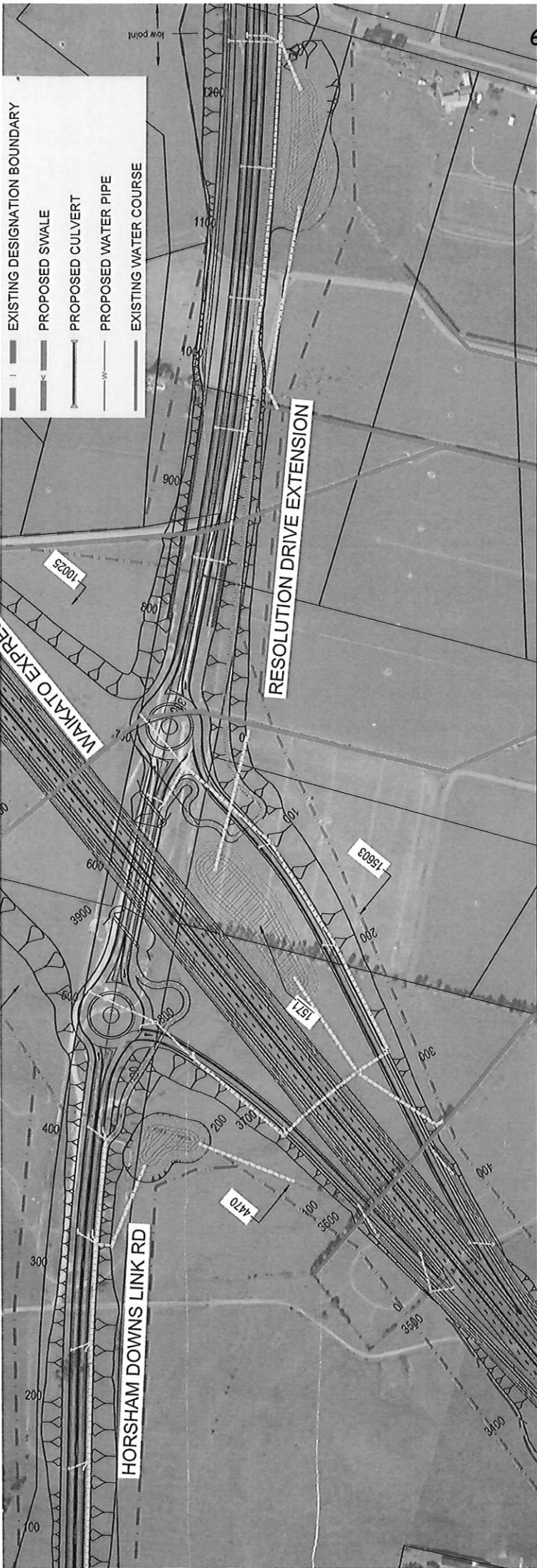




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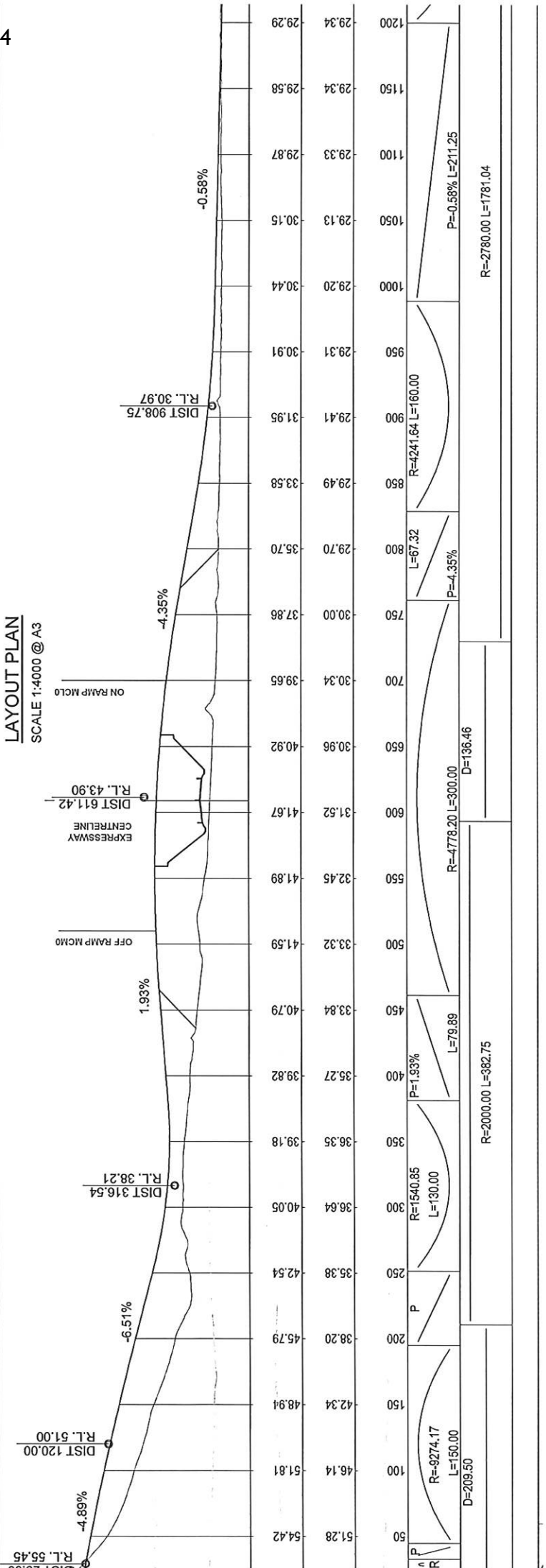
ON CONTROL STRING MC90 RESOLUTION DRIVE

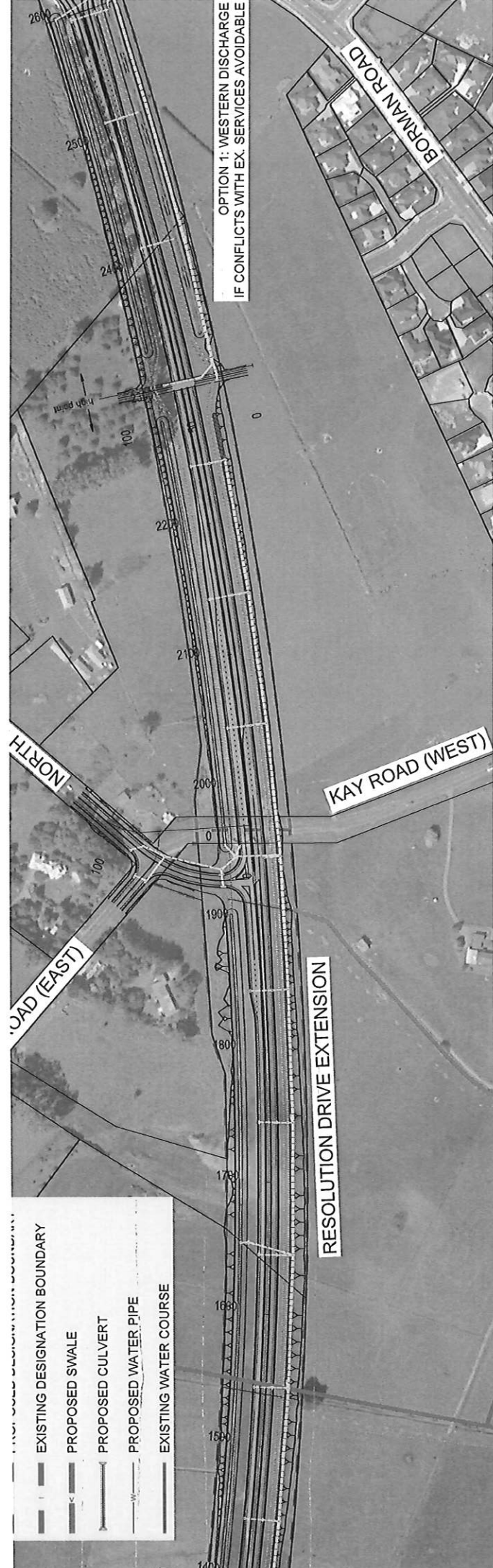
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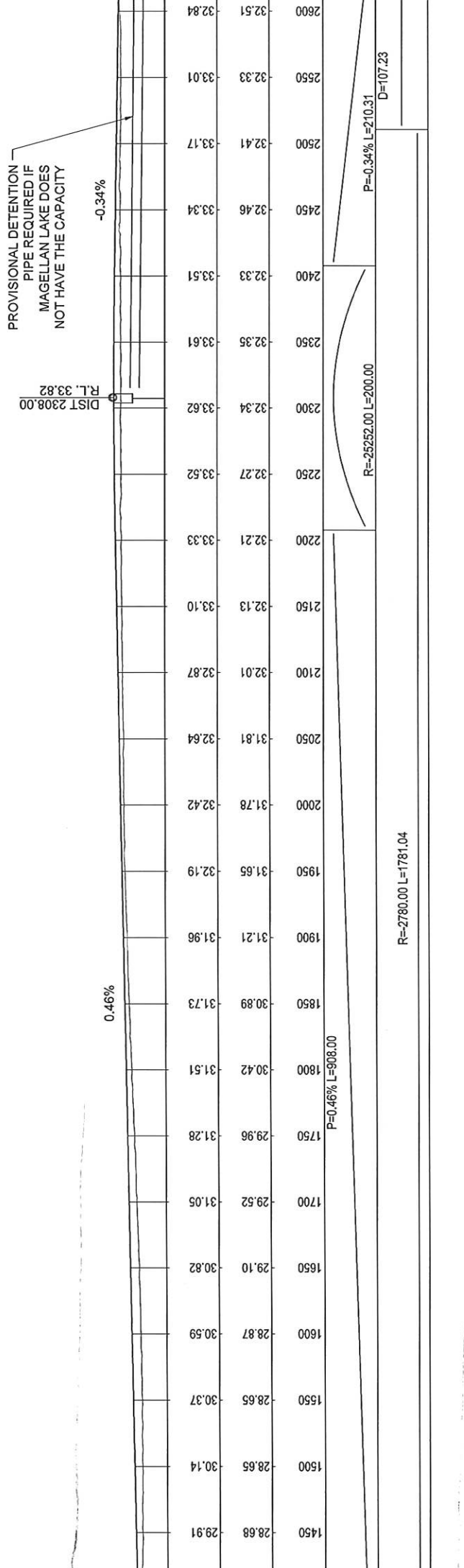
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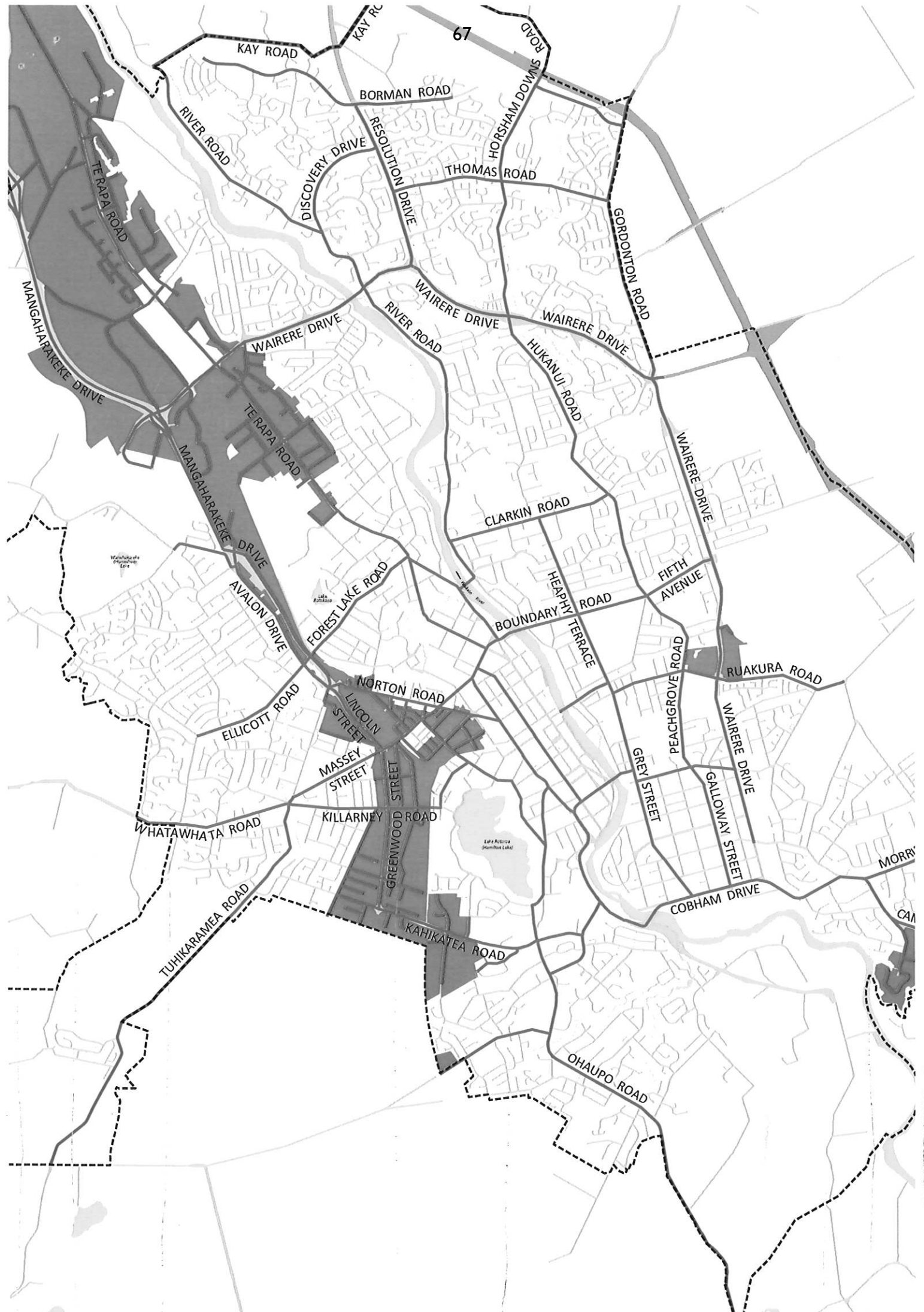
LAYOUT PLAN
SCALE 1:4000 @ A3





LAYOUT PLAN
 SCALE 1:4000 @ A3





Open Meeting

To	Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee
From	Gavin Ion Chief Executive
Date	6 October 2020
Chief Executive Approved	Y
Reference #	WTJMAC2020 / EPM0403
Report Title	Updates on Strategic Projects

1. EXECUTIVE SUMMARY

The purpose of this report is to provide the Joint Committee with an update on strategic Council projects.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. DISCUSSION

Overview

Waikato District Council (WDC) and Waikato-Tainui entered into a Joint Management Agreement (JMA) on 23 March 2010.

The JMA affirms commitment between Waikato-Tainui and Waikato District Council to co-manage the Waikato River, to restore and protect the health and wellbeing of the river and also to provide an enhanced relationship between the parties on areas of common interest.

4. ATTACHMENTS

- I. Update on Strategic Projects

Update on the Strategic Projects for Waikato District Council- Waikato Tainui Joint Management Agreement meeting on Wednesday 14 October

1. Overview

Several projects under the Future Proof partnership and the Hamilton to Auckland Corridor Initiative are being progressed. Progress on these is reported below.

2. Update on key initiatives/projects

2.1. Waters

2.1.1. Waikato-Hamilton Wastewater Detailed Business Case

The overarching project objective is to deliver two detailed business cases (DBC) for strategic wastewater treatment facilities for the northern and southern Hamilton-Waikato metropolitan area that:

- delivers “best for river” outcomes,
- meets the requirements of the New Zealand Treasury Better Business Case Model,
- are supported by the Project Governance Group,
- are delivered on time for project partners and key stakeholders, and
- can be implemented.

An indicative target of May 2021 is proposed for completion of southern metropolitan area DBC with the northern metropolitan area DBC being completed later in the year (subject to funding). A preferred wastewater servicing option for the southern metropolitan area is expected by December this year (2020).

Overall, the southern DBC is progressing well. However, the scope is significant, and timeframes within the programme are tight to meet delivery.

Several key milestones have been achieved to initiate the project, including:

- Governance and Control groups have been established, with representatives from Hamilton City Council, Waikato District Council, Waipa District Council, Waikato Regional Council, Waikato-Tainui, and mana whenua.
- An independent Project Director has been appointed (Peter Winder).
- A Project Manager has been appointed (Jackie Colliar, Hamilton City Council).
- Terms of Reference for the project has been approved by the Governance group.
- A Project Management Plan, including project programme and milestones, has been approved by the Control Group.
- A communications approach and approvals framework has been approved and will form the basis for preparing a Communications and Engagement Plan.

- A specialist team of consultants, led by Price Waterhouse Coopers with technical support from GHD and BECA, has been engaged to deliver the southern metro DBC.
- Fonterra Hautapu will be considered as a separate parallel workstream, funded by Fonterra.
- Growth assumptions have been considered by the Control Group and are undergoing further work (see below).
- Treatment performance standards have been approved by the Control Group (see below).
- The strategic, economic, commercial and financial case long-list options are being worked through.
- A workshop to identify the short-list of wastewater servicing options for the metropolitan area (September 2020)
- Southern wastewater treatment option – Treatment plant site selection.

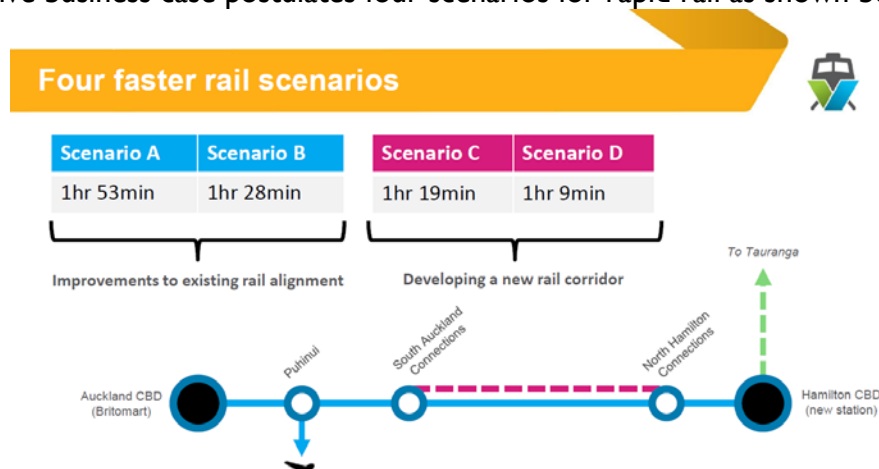
The project is being delivered in parallel and separate to the Future Proof structure overseeing the Waikato Sub-Regional Three Waters Study. While the projects are separate, they are intrinsically linked.

Waikato District Council's cost share contribution for the sub-regional three waters study (phase 2) and for the northern and southern Hamilton metropolitan area DBCs amounts to \$1.175 million out of a total cost of \$4.4 million. Council has applied for this funding from government's water reform stimulus package by submitting a delivery plan. Hamilton City Council and Waipa District Council have also applied for their respective cost-share contributions from the water reform stimulus package. We await the outcome of this.

2.2. Stronger Corridor Connections

2.2.1. A rapid intercity rail service indicative business case

The indicative business case for a rapid intercity rail service between Hamilton and Auckland was released by the Minister for Transport on 25 August 2020. The indicative business case postulates four scenarios for rapid rail as shown below:



The next step is to commence with a detailed business case in 2021.

2.2.2. Te Huia - Start-up passenger rail service between Hamilton and Auckland

The first train consist (of four carriages) was received at the Franklin station on 5 August 2020. The second consist will be received by the end of October. Test runs have commenced.

The Huntly station platform is expected to be completed at the end of September – was it completed by the end of September? and the adjacent park and ride facility at the end of November.

The Rotokauri station is expected to be completed by the end of November.

No decision has been made as yet on a new date for the commencement of the service, but it is expected to be early next year.

2.2.3. Waikato expressway and southern motorway

The last of the Waikato Expressway sections (the Hamilton section) is expected to open end 2021.

2.3. **Papakura-Pokeno Sub-Region**

Northern Waikato – Southern Auckland Transport Connections Business Case

This project is considering the key transport issues facing this sub-region considering existing and future growth and the associated transport investments required. The project is led by Waka Kotahi New Zealand Transport Agency.

A draft strategic business case has been prepared and expected to be finalised by the end of November. This will then be followed by the financial, commercial and management business cases commencing next year.

2.4. **River Communities**

2.4.1. River Communities Spatial Intent

The river communities spatial intent is being incorporated into the Hamilton to Auckland Corridor Statement of Shared Spatial Intent. At the time of writing this report the map had not yet been finalised but will be shared with the JMA Committee at its next meeting.

2.4.2. Improved public transport: introducing peak and more frequent off-peak bus services between towns

A bus service between Pokeno (through Tuakau) and Pukekohe train station will be operational by end 2020. Waikato Regional Council is in the process of procuring the service.

2.5. Hamilton-Waikato Metropolitan Spatial Plan

The draft Hamilton-Waikato Metropolitan Spatial Plan was endorsed by Cabinet in August and then approved by the Future Proof Implementation Committee on 10 September 2020. The spatial plan will now inform the review of the Future Proof Development Strategy early 2021.

2.6. New Tools and Options for Implementation

The infrastructure funding and financing implementation pilot project is underway. Four shortlisted projects have been identified for further study. These are:

- Enhanced Hamilton-Auckland rail
- Sub-regional solid waste facility
- Waikato River catchment river restoration
- Southern metro wastewater treatment.

A workshop with elected representatives and staff was held on 17 September 2020. Inputs made at this workshop are being considered as part of the draft report being put together by PwC.

3. Maaori Wards

The Council will be considering whether to establish Maaori wards at its meeting on 2 November 2020.

The topic of Maaori Wards has been suggested and presented to various iwi groups, trusts, hapuu and marae within the district. Waikato Tainui, (*The iwi Authority*) Ngaa Marae Toopu, (*kaumaatua – senior citizens forum*) Ngaa Muka Development Trust (*A cluster of 6 marae*) Waahi Whaanui Trust, along with marae groups such as Waahi Paa, Matahuru, Okarea, Horahora, Te Kohanga are just a few marae, that have been made aware. Other marae leaders have been informed and we are waiting for a response to visit them and inform them of what is involved with Maaori wards.

4. Mercer Domain - Te Paina

The Waikato District Council exercises powers of control and management over three parcels of land that comprise the Mercer Domain. The Council does not own the Mercer Domain land but administers it on behalf of the Department of Conservation.

On 10 December 2018 the Council passed a number of resolutions relating to the Mercer Domain. The Council's intention is to relinquish its powers of control and management (exercised on behalf of the Crown), and at the same time to recommend to the Department of Conservation that the Mercer Domain land be handed back to the relevant iwi.

When the Council was considering these matters in December 2018 the significance of Ngati Tamaoho's claim to an interest in the Mercer Domain was not clearly

understood. Since then Council staff have been working closely with Ngati Tamaoho to ensure that their interests are both understood and reflected in Council's position.

A review by Council staff acknowledges that the 10 December 2018 resolutions do not sufficiently recognise Ngati Tamaoho interests. While Ngati Naho have been clearly recognised as Mana Whakahaere, specific consultation with Ngati Tamaoho about the future of Mercer Domain is also necessary.

Council staff and Ngati Tamaoho have established a good working relationship and agreement on a course of action for Mercer Domain. Accordingly, staff will report to the Council recommending that the following resolution is required to amend Council's earlier position:

That Council acknowledges the provisions of the Ngati Tamaoho Claims Settlement Act 2018 were not recognised when resolutions pertaining to Mercer Domain were passed on 10 December 2019. Council therefore rescinds Resolutions WDC1812/40, 41 and 42, to enable staff to examine with Ngati Tamaoho, without restraint, the intentions expressed in the resolutions.

Council staff continue to work with all relevant parties with an interest in the Mercer Domain to achieve the desired outcome – transfer of land to the relevant iwi.

5. Economic and Community Development

5.1 Council and Waikato-Tainui staff to connect to work out next steps on building capability in the communities.

Due to COVID, the hui 19 August 2020 was cancelled, and a week later Julie Dolan and Vishal Ramduny attended Zoom meetings with Waikato-Tainui to discuss their Resilience plan.

5.2 Council staff to be invited to Waikato-Tainui's hui on 19 August 2020 for this purpose.

Since then Julie has met with Waikato-Tainui's General Manager, Marae Tukere and arranged for the Economic and Community Development team to meet with her in relation to social procurement, social housing, and economic development around Hopuhopu.

5.3 Council staff to connect with the General Manager Oranga prior to that date.

Relations have been continuing to firm up other links and opportunities.