

Agenda for a meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **THURSDAY, 30 JUNE 2022** commencing at **9.30am**.

Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute Council's decision or policy until considered.

1.	<u>APOLOGIES AND LEAVE OF ABSENCE</u>	
2.	<u>CONFIRMATION OF STATUS OF AGENDA</u>	
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GJ Ion
CHIEF EXECUTIVE

TERMS OF REFERENCE AND DELEGATION

Chairperson:	His Worship the Mayor
Deputy Chairperson:	Deputy Mayor
Membership:	The Mayor and all Councillors
Meeting frequency:	Six weekly – or as required
Quorum:	Half of the members (including vacancies)

Purpose

1. To provide leadership to, and advocacy on behalf of, the people of the Waikato District.
2. To define and represent the total communities' interests, ensuring ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the communities' financial resources.

Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan.
4. The power to adopt a Long-Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long-term Plan or developed for the purpose of the local governance statement, including the Council's Infrastructure Strategy.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members, and consider any recommendations made in relation to a complaint lodged under the Code.
10. The power to appoint and discharge:
 - a. members (including chairpersons) of Council committees and subordinate decision-making bodies, subject to the Mayor's powers under section 41A Local Government Act 2002; and
 - b. elected member representatives on external organisations.
11. The power to establish a joint committee with another local authority or other public body, and appoint elected members as representatives on such committees or bodies.

12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the Ombudsman's recommendation.
13. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
14. The power to amend or replace the delegations in Council's Delegations Register (except where expressly permitted in the Delegations Register).

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

1. To approve a proposed policy statement or plan under the Resource Management Act 1991.
2. To approve changes to boundaries of the District under the Resource Management Act 1991 or any other legislation.
3. In respect of District Plan decisions:
 - a. To appoint independent commissioners to a panel for hearings of a Proposed District Plan;
 - b. To approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change); and
 - c. To approve a proposed plan or a change to a district plan under Clause 17, Schedule 1 of the Resource Management Act 1991.
4. To adopt governance level strategies, plans and policies which advance Council's vision and strategic goals (e.g. Hamilton to Auckland rail), other than where expressly delegated to a committee.
5. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
6. To approve the Triennial Agreement.
7. To approve resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
8. To approve any changes to the nature and delegations of any Council committees or subordinate-decision making bodies.
9. To approve the Local Governance Statement.
10. To approve any additional funding decisions required for the Watercare Services contract.
11. To receive six-monthly reports from each Community Board on its activities and projects.

To	Waikato District Council
Report title	Confirmation of Minutes
Date:	30 June 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Gavin Ion, Chief Executive

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

To confirm the minutes for the meeting of Council held on Monday,23 May 2022.

2. Staff recommendations **Tuutohu-aa-kaimahi**

THAT the minutes for the meeting of the Waikato District Council held on Monday,23 May 2022 be confirmed as a true and correct record.

3. Attachments **Ngaa taapirihanga**

Attachment 1 – CCL Minutes – 23 May 2022

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **MONDAY, 23 MAY 2022** commencing at **9.30am**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
 Cr AD Bech
 Cr JA Church
 Cr JM Gibb (*from 9.37am – Item 7.4*)
 Cr SL Henderson
 Cr SD Lynch
 Cr RC McGuire (until 11.20am)
 Cr FM McNally
 Cr EM Patterson
 Cr JD Sedgwick
 Cr NMD Smith
 Cr LR Thomson (*via Audio Visual Conference*) (*until 9.41am – after Item 7.4*)
 Cr CT Woolerton

Attending:

Mr GJ Ion (Chief Executive)
 Mr TG Whittaker (Chief Operating Officer)
 Ms A Diaz (Chief Financial Officer)
 Ms L Shirley (Zero Harm Manager)
 Ms M May (Community Connections Manager)
 Mr P Henderson (Roading Development Projects Manager)
 Ms S Baker (Community Venues and Events Team Leader)
 Mrs GJ Kanawa (Democracy Team Leader)
 Mr M Horsfield (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Sedgwick/Henderson)

THAT the apologies from Cr Eyre for non-attendance; Cr Thomson for early departure; and Cr Gibb for lateness be accepted.

CARRIED

WDC2205/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Church/Lynch)

THAT the agenda for a meeting of the Waikato District Council held on Monday, 22 May 2022 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 8, which shall be considered with the public excluded;
- b. receives the replacement report (circulated under separate cover) for item 6.3 – Strategy & Finance Committee Recommendations – 11 May 2022;
- c. all reports be received; and
- d. in accordance with Standing Order 9.4 the order of business be changed with the following agenda items being considered after item for Confirmation of Minutes:
 - i. agenda item 7.4 - Raglan Food Waste Collection Targeted Rate Adoption;
 - ii. agenda item PEX 4.1 Northgate Development Ltd, Development Agreement, Road 2 Construction Cost Claim, Invoice-0040; and
 - iii. agenda item PEX 4.2 Remuneration of Waikato Local Authority Shared Services (WLASS) Board Chair.

CARRIED

WDC2205/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Agenda Item 4

Resolved: (Crs Bech/Sedgwick)

THAT the minutes for the Waikato District Council meeting held on Monday, 11 April 2022 be confirmed as a true and correct record.

CARRIED

WDC2205/03

REPORTS

Raglan Food Waste Collection Targeted Rate Adoption Agenda Item 7.4

The report was received [*WDC2205/02 refers*] and the following discussion was held:

- Appreciate the work from staff regarding enabling the Raglan Community Board to advocate for the continuation of the food waste collection in the Raglan Community.
- More comprehensive and inclusive consultation process utilised this year.
- Noted that this collection would meet the direction of Central Government regarding climate change.
- Interested that people could not opt out and requested more information around this – staff responded to the issues that would occur if there was the ability to opt out.
- Concern over summer season with people coming into baches and use of the food waste process, therefore there needs to be information going out just prior to summer to highlight awareness of the service.

Resolved: (Crs Thomson/Bech)

That the Waikato District Council adopts the proposed targeted rate for the Raglan Food Waste collection service of \$72.90 per annum from 1 July 2022.

CARRIED

WDC2205/04

ACTION: Staff to undertake the necessary action to implement the new targeted rate for the Raglan Food Waste collection service.

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Patterson/Woolerton)

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 4.1 Northgate Development Ltd, Development Agreement, Road 2 Construction Cost Claim, Invoice 0040	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 4.2 Remuneration of Waikato Local Authority Shared Services (WLASS) Board Chair		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 4.1 Northgate Development Ltd, Development Agreement, Road 2 Construction Cost Claim, Invoice 0040	7(2)(g) 7(2)(h)	To protect legally privileged information. To enable commercial activities to be carried out without prejudice or disadvantage.
Item PEX 4.2 Remuneration of Waikato Local Authority Shared Services (WLASS) Board Chair	7(2)(a) 7(2)(i)	To protect information that would otherwise unreasonably prejudice a person's commercial position To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

WDC2205/05

ACTION REGISTER

Agenda Item 5

The report was received [*WDC2205/02 refers*] and no further discussion was held.

COMMITTEE RECOMMENDATIONS

Agenda Item 6

Policy & Regulatory Committee Recommendations – 3 May 2022

Agenda Item 6.1

Adoption of the Reviewed Speed Limits Bylaw 2011 (P&R2205/05)

The report was received [*WDC2205/02 refers*] and no further discussion was held.

Resolved: (Crs Sedgwick/Lynch)

THAT the Waikato District Council adopts the 2022 amendments to the Speed Limits Bylaw 2011, as set out in Attachment A on page 64 of the Policy & Regulatory Committee agenda.

CARRIED**WDC2205/09****Infrastructure Committee Recommendations – 9 May 2022**

Agenda Item 6.2

Gordonton Road, Taupiri – Land Acquisition for Cemetery Purpose (INF2205/04)

The report was received [*WDC2205/02 refers*] and the following discussion was held.:

- Concern had been raised at the Taupiri Community Board that the area of land needed to be extended as there were unmarked graves in areas other than marked on the map for the report.
- It was noted that Waka Kotahi would need to investigate this and resolve it prior to the land being vested back to Council.

ACTION: Staff to advise Waka Kotahi regarding the feedback from the local farmer that there are further unmarked graves outside of the mapped area being vested to Council and should investigate further prior to this occurring.

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council:

- a. approves the acquisition of that part of PT Lot 2 DP 10101 (0.1515 ha subject to survey) at 2196 Gordonton Road, Taupiri for cemetery purposes as shown on the Land Requirement Plan appended to this report at a price established by valuation and in accordance with Council's Strategic Land Acquisition and Disposal Policy 2019 and to be funded by the Strategic Land Purchase budget IPG-19100-CO-0000-0819.
- b. delegates to the Chief Executive the authority to conclude an agreement and execute all relevant documentation to give effect to this resolution.

CARRIED

WDC2205/10

Lake Kainui drainage project 2021- Update April 2022 (INF2205/05)

The report was received [WDC2205/02 refers] and no further discussion was held.

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council approves a portion of the WDC funds, of up to \$210,000 from budget line 1LA10024-C0-1499-0222, to be used for the removal and replacement of private assets.

CARRIED

WDC2205/11

Strategy & Finance Committee Recommendations – 11 May 2022

Agenda Item 6.3

Conservation Funding Report (S&F2205/04)

The report was received [WDC2205/02 refers] and the following discussion was held:

Resolved: (Crs Gibb/Patterson)

THAT the Waikato District Council:

- a. approves funding of \$4,999.00 from the Council Conservation Fund to Greg Townsend to assist with the protection and restoration of the bush and forest, including its native wildlife at 138 Tauhei Road, Ngaruawahia; and
- b. approves funding of \$14,999.00, spread over a three-year period, from the Council Conservation Fund to Pukemokemoke Reserve Trust to assist with the three-year planting programme at Pukemokemoke Reserve.

CARRIED

WDC2205/12

REPORTS

Zero Harm Update

Agenda Item 7.1

The report was received [WDC2205/02 refers] and the following discussion was held:

- Zero Harm engagement conversations, would anticipate an increase in February due to people coming back from holiday but this is not what the statistics show? Correct, the issue was more around safety conversations being recorded in the system, for which the ELT were following up on with people leaders.
- Asbestos – could we move this issue along as quickly as possible?

ACTION: Zero Harm Manager to provide an updated timeline on dealing with asbestos in Council buildings/facilities.

- Watercare –subcontractor of subcontractor event? Yes, the issue was escalated within required timeframe and Worksafe have confirmed they were comfortable with the reporting process undertaken.
- Concerned to see increased aggression towards frontline staff, do Council have any initiatives planned? ELT very conscious of the issue and have received a benchmark report from others in the sector. Training had been provided to customer delivery staff on how to deal with problematic and aggressive customers, with further training scheduled that had to be cancelled due to COVID.
- The staff are clear with what was acceptable behaviour and what was not.
- Customer experience strategy was working on nipping the frustration in the bud and thereby addressing their concerns earlier.

ACTION: Zero Harm Manager to share benchmarking report with Councillors.

- Uncontrolled hazard identified – what do we do with this information? The Zero Harm Manager provided an example of an identified hazard and how it was mitigated.
- The entrance to the building from the Councillor carpark is often utilised as a storage area. Not only is it unprofessional but a mess which was not good for our corporate image and poses trip hazards when people are walking through the area.

ACTION: Staff to remove the items stored at the Councillor carpark entrance to mitigate the identified hazard.

- Councillors requested a brief update on discharge issues at elbow boat ramp.

ACTION: Staff to provide update on discharge issues at elbow boat ramp.

Local Government NZ (LGNZ) Conference 2022

Agenda Item 7.2

The report was received [*WDC2205/02 refers*] and the following discussion was held:

- His Worship the Mayor advised that he had sent Councillors an email regarding the additional recommendation to include Cr Thomson as she would already be at the Te Maruata Hui for Maaori elected members the day before the conference.
- It was noted that the Council policy clearly advises that community board members expenses for conferences need to come from their discretionary funds and therefore the request from the two (2) community board members for assistance with funding was declined.
- It was further noted that both community board members should only attend the YEM Hui (pre-conference one day registration) and not the LGNZ conference itself.

ACTION: Democracy Team Leader to advise the community board members that they would need to seek community board discretionary funding, noting that their registration should only be for the pre-conference hui.

Resolved: (Crs Lynch/Bech)

That the Waikato District Council:

- a. **approves the attendance of Cr Thomson to attend the Te Maruata Hui for Maaori elected members prior to the commencement of the LGNZ conference;**
- b. **confirms the following delegation to attend the LGNZ Conference 2022; would be His Worship the Mayor, Councillor Eyre, Councillor Patterson, Councillor Thomson and the Chief Executive; and**

CARRIED

WDC2205/13

The meeting was adjourned at 10.53am and resumed at 11.14am.

Councillor McGuire left the meeting during the adjournment.

Request for operational grant for the Huntly War Memorial Hall
Agenda Item 7.3

The report was received [WDC2205/02 refers] and no further discussion was held:

- Where was the proposed funding coming from? Reserves created from the targeted rate currently collected.
- Section 5.2 of the report incorrect – for transparency purposes it should state \$26 and note that this would be insufficient as a targeted rate going forward as anything less than the \$45-\$50 mark was insufficient and sets the Hall Committees up to fail.
- Concern raised about the amount being sufficient without compromising on quality.
- Supportive but concerned about setting a precedent, timing of payment and timing of consultation – any idea when this would be or how much? No.
- Consultation process will occur around July this year and cover the issue of the targeted rate.

Resolved: (Crs Lynch/McInally)

That the Waikato District Council approves the payment of a one-off grant of \$38,000 to assist with the Huntly War Memorial Hall Committee 2022/2023 operational costs.

CARRIED

WDC2205/14

Proposed Road Name for Subdivision 0091/20 212 Newell Road, Tamahere
Agenda Item 7.5

The report was received [WDC2205/02 refers] and the following discussion was held:

- Community Committee did not believe the word “landing” was appropriate unless the developer was to enable access to the “landing” area.
- The purpose of the Road Naming Policy was to listen to the community as they were the ones that lived there.

Resolved: (Crs Bech/Smith)

That the Waikato District Council approves Manuwai Lane as submitted by the Tamahere Community Committee for SUB0091/20 212 Newell Road, Tamahere (ROAD I).

CARRIED

WDC2205/15

ACTION: Staff to advise the developer of the approved road name.

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Gibb/Lynch)**THAT** the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1 Confirmation of Minutes Item number PEX 2 Action Register	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 3.1 Policy & Regulatory Committee Recommendations – 3 May 2022		
Item PEX 3.2 Infrastructure Committee Recommendations – 9 May 2022		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 1 Confirmation of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item PEX 2 Action Register		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item PEX 3.1 Policy & Regulatory Committee Recommendations – 3 May 2022		Refer to the Infrastructure Committee agenda for 3 May 2022 for Public Excluded reasons.

Item PEX 3.2 Infrastructure Committee Recommendations – 9 May 2022		Refer to the Infrastructure Committee agenda for 9 May 2022 for Public Excluded reasons.
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CARRIED**WDC2205/21**

Resolutions WDC2205/06 – WDC2205/08 and WDC2205/17 – WDC2205/?? are contained in the public excluded section of these minutes.

Having concluded the public excluded meeting the following resolutions were released into the open section of the minutes.

Northgate Development Ltd, Development Agreement, Road 2 Construction Cost Claim, Invoice-0040
PEX Agenda Item 4.1

It was resolved [Resolution No. WDC2205/06] during the public excluded section of the meeting that the following resolution be released into open meeting but the report remain confidential and unavailable to the public:

“Resolved: (His Worship the Mayor/Cr McGuire)

THAT the Waikato District Council approves:

- a. approves the payment of Invoice Number INV-0040 for [REDACTED], (copy of which is attached to the staff report) in accordance with the terms and conditions of the Development Agreement between Northgate Developments Ltd and Waikato District Council;
- b. approves that the payment be funded from the approved budgets (refer to table in financial section) to the value of [REDACTED] and the amount exceeding the budget of [REDACTED], be funded from the Roading Upgrading Contributions reserve (9309); and
- c. agrees to release the resolution to pay the invoice into open meeting but the report and quantum of payment remain confidential and unavailable to the public.”

Remuneration of Waikato Local Authority Shared Services (WLASS) Board Chair
PEX Agenda Item 4.2

It was resolved [Resolution No. WDC2205/07] during the public excluded section of the meeting that the following resolution be released into open meeting but the report remain confidential and unavailable to the public:

“Resolved: (Crs Sedgwick/Gibb)

THAT the Waikato District Council:

- a. approves the remuneration for the independent Chair of the Waikato Local Authority Shared Service Limited Board be increased to XXXX per annum (plus reasonable costs and GST, if any);*
- b. notes that the Council Representative Directors are delegated authority to agree a fee with the appointed person, up to this amount; and*
- c. subject to the conclusion of negotiations, resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.*

There being no further business the meeting was declared closed at 12.17pm

Minutes approved and confirmed this day 2022.

AM Sanson
CHAIRPERSON

To	Waikato District Council
Report title	Actions Register – June 2022
Date:	29 June 2022
Report Author:	Chief Executive

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

To update the Council on the actions arising from the previous meeting.

2. Staff recommendations **Tuutohu-aa-kaimahi**

That the Waikato District Council receives the report.

3. Attachments **Ngaa taapirihanga**

Attachment 1 – To be circulated under separate cover

To	Waikato District Council
Report title	Policy & Regulatory Committee Recommendations – 14 June 2022
Date:	30 June 2022
Report Author:	Grace Shaw, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Team Leader

1. Executive summary

Whakaraapopototanga matua

The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory meeting held on Tuesday, 14 June 2022, in regard to:

- a. Revocation of Policies
- b. Adoption of the Proposed Livestock Movement Bylaw 2022

2. Staff recommendations

Tuutohu-aa-kaimahi

Revocation of Policies (P&R2206/04)

THAT the Policy and Regulatory Committee recommends to Council that the policies listed below be revoked with immediate effect:

- a. **Control of Business Advertising Signs/Displays in Public Places Policy 1998;**
 - b. **District Minor Improvement Programme Policy 2011; and**
 - c. **Lump Sum Payment Policy (Rates) 2004.**
-

THAT the Policy and Regulatory Committee:

- a. notes that the changes have been made to the Livestock Movement Bylaw 2022 (track changes) (Attachment 1) and Livestock Movement Bylaw (no track changes) (Attachment 2), as directed by the Committee on 4 April 2022;
- b. recommends to Council that Council reaffirms, in accordance with Section 155 of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problem;
- c. recommends to Council that Council determines that, in accordance with section 155 of the Local Government Act 2002
 - i. the proposed bylaw is the most appropriate form of bylaw; and
 - ii. the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990
- d. recommends to Council that the Livestock Movement Bylaw 2022 (Attachment 2) be adopted; and recommends to Council that the policies listed below be revoked with immediate effect:
 - i. 'Stock Underpasses – Financial Assistance Policy 2002' (Attachment 3)
 - ii. 'Livestock Movement Policy 2011' (Attachment 4)
 - iii. 'Stock Underpass Policy 2006 (Attachment 5).

3. Attachments

Ngaa taapirihanga

All attachments referenced in this report can be found in the 14 June 2022 [Policy and Regulatory agenda](#).

To	Waikato District Council
Report title	Strategy & Finance Committee Recommendations – 22 June 2022
Date:	30 June 2022
Report Author:	Grace Shaw, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Team Leader

1. Executive summary

Whakaraapopotanga matua

The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory meeting held on Wednesday, 22 June 2022, in regard to:

- a. Adoption of the Annual Plan 2022-23
- b. A Feedback from the Waikato District Council on the Interim Report on the Future of Local Government Review adoption of the Proposed Livestock Movement Bylaw 2022
- c. Managing Afforestation Incentives

2. Staff recommendations

Tuutohu-aa-kaimahi

Adoption of the Annual Plan 2022-23 (S&F2206/04)

THAT the Strategy and Finance Committee recommends that Council:

- a. **adopts the Annual Plan 2022/23 (attachment 1);**
 - b. **adoption of the amendments to the Fees and Charges 2021-2023 Document (as set out in Attachment 2);**
 - c. **the balance of the discretionary fund for the Onewhero Tuakau Community Board as at 30 June 2022 be split proportionately across the two new - Community Boards Tuakau Community Board and the Rural and Port Waikato Community Board based on rating units; and**
 - d. **the total Community Board Targeted Rate for 2022/23 be re-apportioned to Community Boards based on the new representation arrangements.**
 - e. **delegates the CE to make formatting and/or grammatical amendments to the Annual Plan.**
-

A Feedback from the Waikato District Council on the Interim Report on the Future of Local Government Review adoption of the Proposed Livestock Movement Bylaw 2022 (S&F2206/05)

THAT the Strategy and Finance Committee:

- a. recommends to Council that the feedback to the Future for Local Government Review Panel on the Interim Report on the Future of Local Government Review, be approved.**
- b. delegates the Mayor to make any subsequent amendments to the feedback (letter) prior to him signing it off.**

Managing Afforestation Incentives (S&F2206/06)

THAT the Strategy and Finance Committee recommends that Council notes the approved submission (as attached to this report) to the Ministry of Primary Industries on Managing exotic afforestation incentives was lodged with the Ministry for Primary Industries on 22 April 2022.

3. Attachments

Ngaa taapirihanga

Attachments referenced in this report can be found in the 22 June 2022 Strategy and Finance report [here](#).

To	Waikato District Council
Report title	Zero Harm Update
Date:	30 June 2022
Report Author:	Lynn Shirley, Zero Harm Manager
Authorised by:	Tony Whittaker, Chief Operating Officer

1. Purpose of the report

Te Take moo te puurongo

To provide Council assurance on progress against the activities detailed in the Zero Harm Strategic Improvement Plan and current health and safety performance.

2. Executive summary

Whakaraapopototanga matua

- Priority over the next three months will be given to the development of the FY22/23 Zero Harm Strategic Improvement Plan and the completion of activities related to the management of critical risks or legislative compliance.
- All actions identified in the independent gap analysis undertaken on the Raglan Holiday Park's health and safety management system have been assigned and loaded into BWare Safety Manager for tracking to completion.

3. Staff recommendations

Tuutohu-aa-kaimahi

That the Waikato District Council receives the Zero Harm update for May 2022.

4. Background

Koorero whaimaarama

Councils' zero harm culture is supported by a health and safety management system of policies, standards and procedures that are designed to support the elimination or management of risk and enable best practice.

5. Discussion Matapaki

Strategic Improvement Overview

An end of year review of improvement activities detailed in the FY21/22 Zero Harm Strategic Plan will be undertaken by mid-June. The outcome of this review in conjunction with analysis of Council’s health and safety performance will be used to develop the FY22/23 Zero Harm Strategic Improvement Plan.



The FY21/22 plan contains 88 action items. To date 35 are completed, 27 are underway and 26 are overdue.

Overdue actions are related to the following activities:

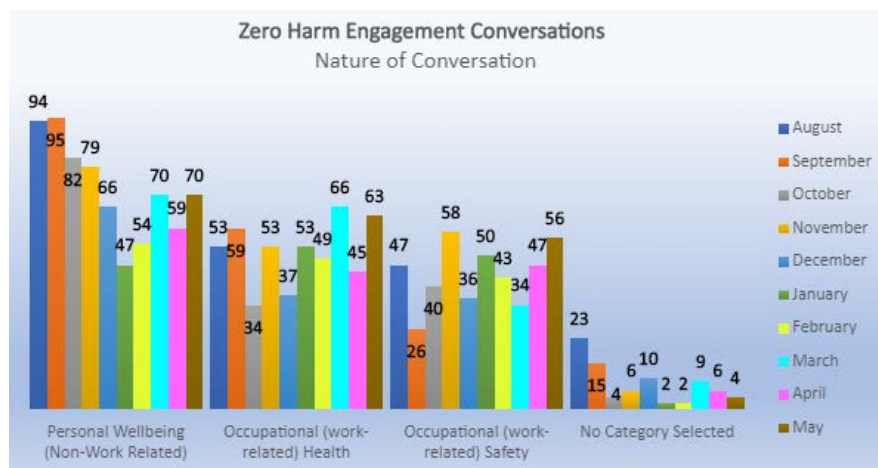
- Contractor H&S Management training
- Critical Risk Bowtie for Working on or Near Roadways
- Critical Risk Bowtie for Mental Wellbeing
- Emergency response procedures

Priority over the next three months will be given to developing the FY22/23 strategic plan and completing activities related to the management of critical risks or legislative compliance.

People and Organisational Safety Culture

Zero Harm Engagement Conversations

People Leaders continue to undertake monthly Zero Harm Engagement Conversations, in the new format created in BWare Safety Manager. The following graph illustrates the three different types of Zero Harm Engagement Conversations being recorded. It is positive to see that 60% of the conversations recorded in May are associated to either work-related health or safety topics. An annual review of engagement conversation data will be undertaken in the next three months to identify any trends or opportunities for improvement.



Safety Action Team (SAT)

The Safety Action Team (SAT) has welcomed another two new representatives from the Community Connections Team. We now have 22 SAT reps. Recent focus has been on ensuring that each workgroup is represented on SAT, and information including meeting outcomes is readily accessible to the organisation.

Health and Wellbeing

We continue to support the Wellbeing Collective's activities and have arranged skin checks for approximately 70 of the 120 staff and elected members who expressed interest in this personal health initiative.

Disciplined Management Systems

Auditing and Governance

Council has received the report from the independent gap analysis (audit) undertaken on the Raglan Holiday Park's health and safety systems and their alignment with Council's Zero Harm Safety Management System (ZHSMS). The report has been shared with the Raglan Holiday Park Board and an action plan has been developed to address the gaps and improvement opportunities identified. All actions have been loaded into BWare Safety Manager for tracking. One of the recommendations identified was to deliver health & safety governance training to the Board. This is currently being arranged.

Performance Reporting and Event Management

Council's zero harm performance across several health and safety metrics for the period July 2021 to May 2022 is shown below. The results for the period July 2020 to June 2021 are included for comparison.

Measures	July 20 to June 21	July 21 to May 22 (<i>annualised</i>)	Trend
Events reported in BWare Safety Manager (<i>Lead</i>)	203	165 (<i>180</i>)	
Total Recordable Injuries (TRIs) e.g., Lost Time Injury, Restricted Work Injury or Medical Treatment Injury (<i>Lag</i>)	4	2 (<i>2</i>)	
WorkSafe NZ Notifiable Events (<i>Lag</i>)	1	1(<i>1</i>)	
First Aid Injury events (<i>Lag</i>)	19	16 (<i>17</i>)	
Serious Near Miss events (<i>Lead</i>)	4	0	
Near Miss events (<i>Lead</i>)	107	82 (<i>89</i>)	Slightly down on FY20/21 this may be attributed to the 'New Hazard' classification
New Hazards (<i>Lead</i>)	17	157 (<i>171</i>)	
Safety Engagement Conversations (<i>Lead</i>) KPI is >150 conversations per month.	2872	1911 (<i>2085</i>)	

Only one personal injury event was recorded in BWare Safety Manager for May. This resulted in minor first aid being required. There were 13 near miss events reported for May.

Analysis of the near miss event reports has been undertaken to identify what hazards these events related to and if any additional risk management opportunities exist. The findings are summarised in the following table.

Associated Risk	Critical	Task undertaken/ description	being risk	Number of Near Miss event reports	Additional risk management controls
<i>Workplace violence</i>		Animal Control duties - dealing with aggressive customers		3	<ul style="list-style-type: none"> - Alternative means of communicating with customer put into place - Person and property alerts put in place. Person later apologised for abusive behaviour.
		Customer Delivery Front Counter duties		2	<ul style="list-style-type: none"> - Customer trespassed from Huntly Library following abusive incident.
<i>Working with Animals</i>		Being rushed by dog		1	<ul style="list-style-type: none"> - Event shared at Team meeting

The attached Zero Harm Dashboard illustrates safety performance for May 2022.

External Training and Competency

Recently delivered or planned health and safety training is summarised in the following table.

Training delivered or planned	Number of workers required to complete training	Number of workers who have completed training to date
H&S Representative Stage 1 (2-day online training)	11	6/11
H&S Representative Stage 2 (2-day online training)	7	2/7
Front Counter Safety Training (1 day training)	18	Being delivered in August
Situational Safety and Tactical Communications Training (2-day training)	11	Being delivered in July
Mental Health First Aid Training (1 day training delivered by St Johns)	14	3/14

Occupational Health Monitoring

Annual hazard-related health monitoring is currently being undertaken by our contracted Occupational Health Provider for several operational teams including Building Quality, Animal Control and Contact Centre staff.

Critical Safety Risk Management

Working with Animals

A risk review was recently completed for the critical risk of Working with Animals. Significant progress continues to be made on implementing or strengthening the controls in this bowtie. The risk control plan is now 69% implemented. This is an 11% increase since the last risk review in December 2021. The bowtie contains 18 “critical controls”. Of these, 12 are fully implemented, 5 are partially implemented and 1 is yet to be implemented. Controls that have been implemented or further strengthened since the last review include:

- Workplace violence and aggression (CERT) training
- Workplace hazard identification and risk assessment training
- Personal Protective Equipment (PPE) checks, certification, and maintenance
- Enhanced first aid kits
- Emergency response procedure testing

Focus for the next six months remains on fully implementing all critical controls

Workplace Violence

We have also scheduled the delivery of six training days in July and August to provide our staff with the knowledge and skills to manage the risk of workplace violence and aggression. This training had previously been cancelled due to Covid-19 lockdowns.

A cross functional working group has also been formed to define risk and tolerance thresholds in relation to violence and aggression, and then develop a worker and customer education campaign.

6. Attachments

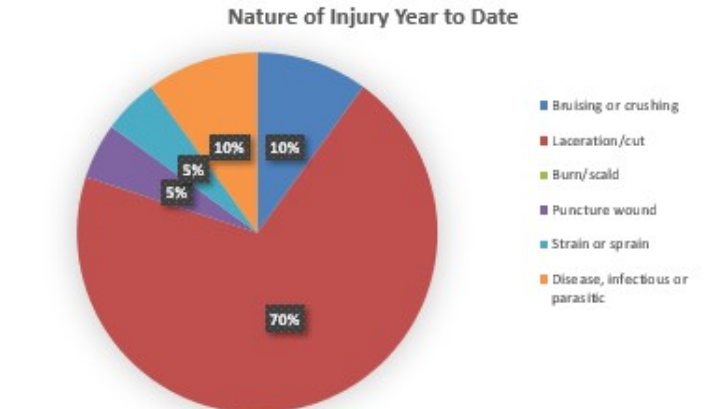
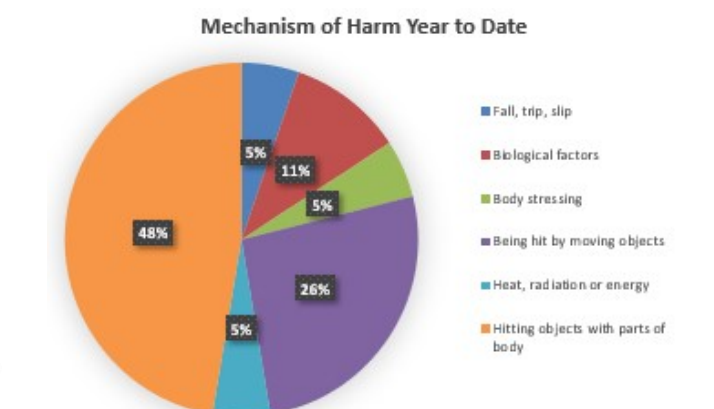
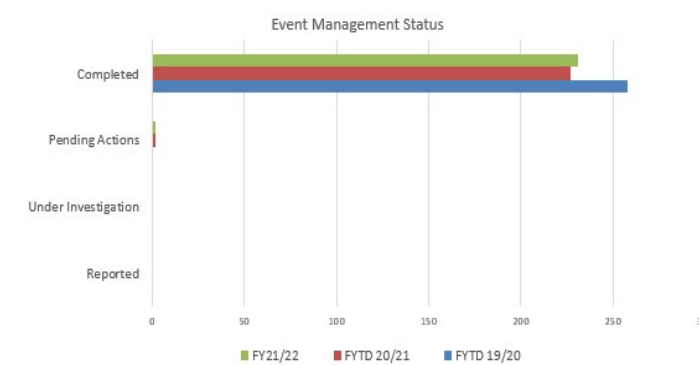
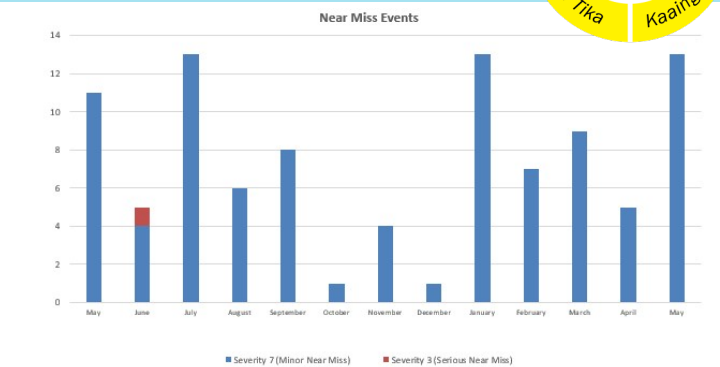
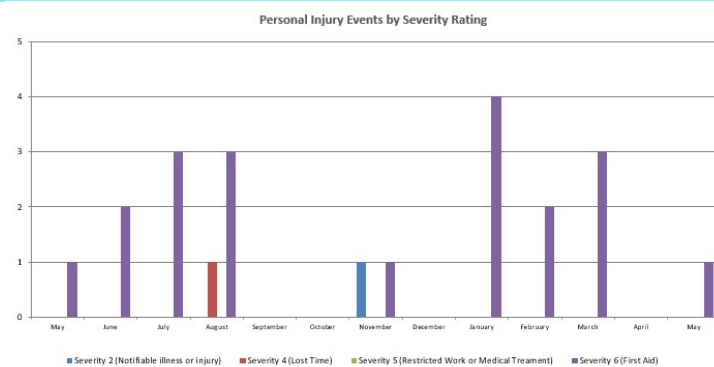
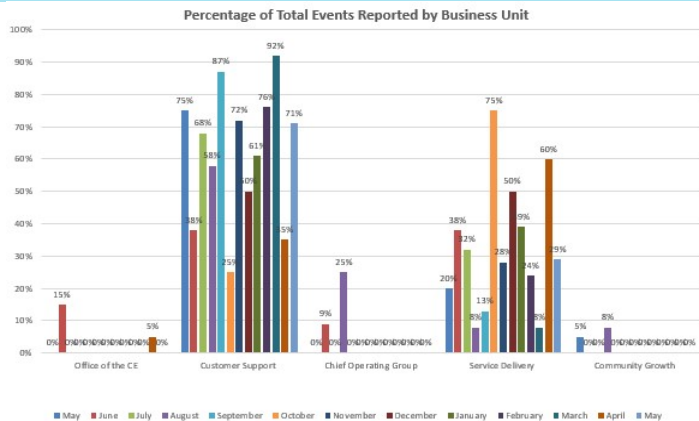
Ngaa taapirihanga

Attachment 1 – Zero Harm Dashboard – May 2022

Zero Harm Performance Dashboard - May 2022



Event Management



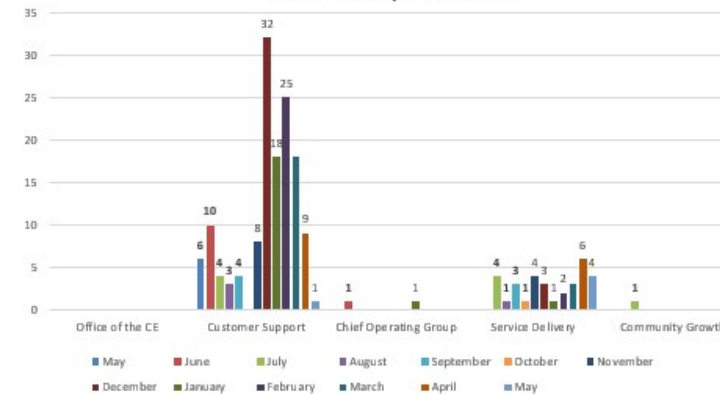
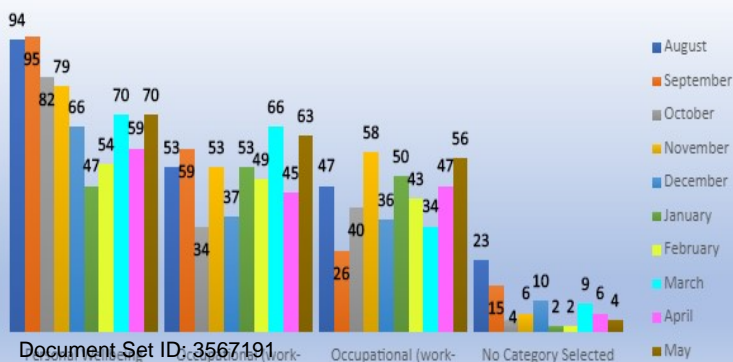
Zero Harm Engagement Conversations (Safety Leadership)

Hazard & Risk Management

Zero Harm Engagement Conversations
Nature of Conversation

Zero Harm Engagement Conversations
Number of Conversations per Group

New Hazards by Business Unit



Zero Harm Performance Dashboard - May 2022



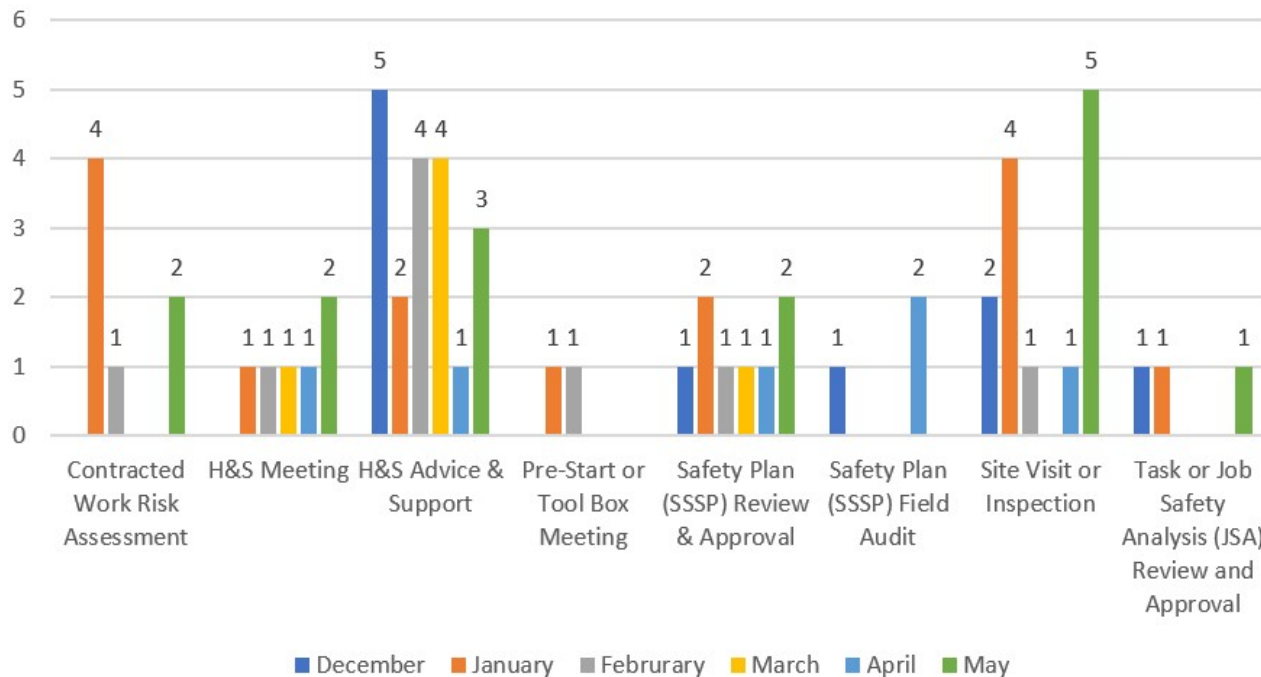
Contractor Safety Management

PCBU	Health and Safety Activity	Comments
Mitchell Construction	Contracted Work Safety Plan (SSSP) Review and Approval	Reviewed SSSP for the Hakanoa Camp ground entrance upgrades.
Downer NZ Ltd	Contractor H&S Meeting	Fortnightly site meeting. No incidents.
Mitchell Construction	Contracted Work Safety Plan (SSSP) Review and Approval	Finalizing SSSP for approval.
Watercare	Contractor Site Visit or Inspection	Preparation for site visits to TK WTP. TK WWTP and Meremere WWTP received & reviewed Watercare's
Watercare	Contractor Site Visit or Inspection	Onsite walk over of Te Kauwhata WTP
Watercare	Contractor Site Visit or Inspection	Onsite visit to Te Kauwhata WWTP
Watercare	Contractor Site Visit or Inspection	Meremere WWTP onsite visit to see new MBR plant
Livingstone Building NZ Ltd	Contractor Site Visit or Inspection	Site Foreman injured his back while moving building materials around site.

Interactions with Other PCBUs

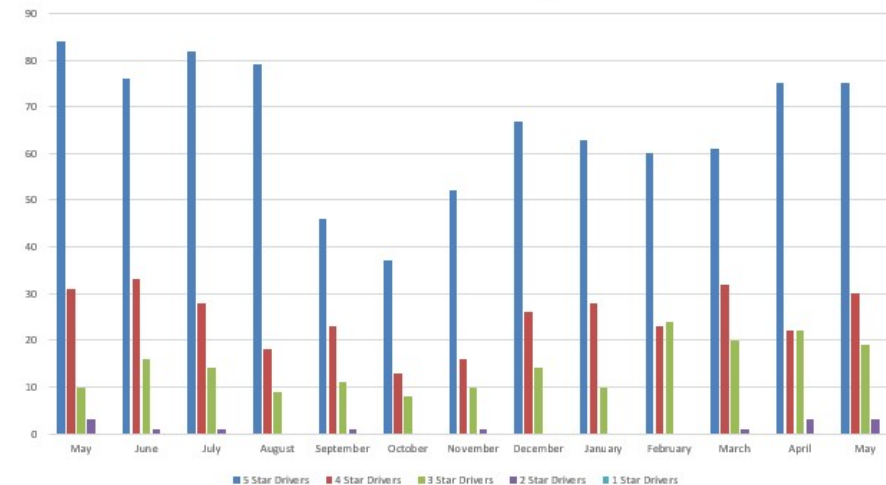
Interaction with other PCBUs		
Issues Raised/ Opportunity for Improvement	Actions (Us and Others)	Other Comments
Lack of Approved Evacuation Scheme for Tamahere Community Hall. Hall Committee requested support to implement approved scheme via ELT representative. Meeting held on site with Committee Chairperson	Scheme application developed and submitted to FENZ for approval. Approval should be completed by 01/07/2022.	Hall Committee to be trained in how to implement and oversee maintenance of the scheme.
Clarification of overlapping PCBU duties at Woodlands Estate	Review of evacuation procedures for Homestead and Function Centre.	Developing a joint contractor management database and facility induction for contractors
Managing risk of vehicle and pedestrian interactions when entering/exiting Brownlee Ave Depot	City Care investigating installation of gate into fence	WDA moving wheel stops to create pedestrian walkway down to City Care office

Contractor Management Activity



Critical Risk Management

E Road Driver Star Rating



To	Waikato District Council
Report title	Hamilton-Waikato Metropolitan Wastewater Detailed Business Cases
Date:	30 June 2022
Report Author:	Vishal Ramduny, Strategic Projects Manager and Keith Martin, Waters Manager
Authorised by:	Tony Whittaker, Chief Operations Officer

1. Purpose of the report

Te Take moo te puurongo

To seek Waikato District Council's:

- i. Approval of the Southern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case and the associated Memorandum of Understanding, and
- ii. Endorsement of the preferred option for the Northern Hamilton-Waikato Metropolitan Detailed Business Case to enable the project team to undertake more detailed assessments.

2. Executive summary

Whakaraapopototanga matua

The preferred southern metropolitan wastewater servicing option involves a standalone Cambridge Wastewater Treatment Plant (WWTP) and a Southern Sub-Regional Wastewater treatment plant south of Hamilton to meet the immediate needs of the airport area and the medium to long-term needs of the wider southern Hamilton-Waikato sub-region.

The key elements that inform the Southern Hamilton-Waikato Metropolitan Wastewater DBC and the proposed Memorandum of Understanding (MoU) have been approved and endorsed by the Project Governance Group (PGG). The PGG is made up of elected representatives from the partner organisations. Council's governance representatives are Mayor Allan Sanson, Deputy Mayor Aksel Bech and Garth Dibley (member of the Waters Governance Board).

On 29th April 2022, the PGG endorsed the DBC and the proposed MoU. These documents were then presented to the Waters Governance Board's (WGB) for its consideration and feedback.

On 7 June 2022 the WGB resolved to recommend to WDC that the Southern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case and the associated Memorandum of Understanding be approved. The WGB also endorsed the preferred option for the Northern Hamilton-Waikato Metropolitan Detailed Business Case and has recommended that WDC also endorse this option to enable the project team to undertake more detailed assessments.

Consideration, feedback, and approval of the DBC and the MoU has also been sought from the relevant governance committees from the other partner organisations.

As endorsed by the PGG, Hamilton City Council (HCC) will be the lead council for the Southern Sub-Regional WWTP. The key roles of the lead Council include driving delivery and financing the project. HCC has some funding in its 2021-2031 Long Term Plan (LTP) for the land acquisition and planning phases for the Southern Sub-Regional WWTP. Multi-party funding agreements will also be required with WDC, and Waipa District Council (Waipa DC), particularly in relation to servicing the Waikato Regional Airport and environs.

HCC's funding for the Southern Sub-Regional WWTP in the 2021-2031 LTP is based on approximately 40% portion of the estimated land acquisition and planning costs (e.g., consenting, designations). The 40% funding portion was based on the assumed proportion of flow to the Southern Sub-Regional WWTP generated from Hamilton city communities in 2061. The multi-party funding agreement would enable HCC, WDC and Waipa DC to work out the cost-split for the construction of the WWTP.

The proportion of flow to the Southern Sub-Regional WWTP generated from Hamilton communities is likely to be significantly higher than assumed for the 2021-2031 LTP and therefore require a higher proportion of funding from HCC. Based on current flow assumptions, the HCC contribution to the land acquisition and planning phase is likely to be approximately 80%.

A request for additional funding from HCC may be required through annual plan and long-term planning processes from 2023/24 onwards to complete the pre-implementation phase. New funding will be required to finance construction of the plant with timing expected to be beyond 2024/25.

The Northern Hamilton-Waikato Metropolitan Wastewater DBC continues to progress, with the short-list options assessment completed. Option A (servicing Taupiri, Hopuhopu, Ngaaruawaahia, Te Kowhai, Horotiu and the northern portion of Hamilton city from an upgraded Pukete WWTP) has emerged as the preferred option. This is subject to more detailed assessments being undertaken.

Should Option A be approved as the preferred option, a staged transition will be required to provide time to upgrade the Pukete WWTP to meet the higher treatment standards, and to cater for growth (including flows from the Waikato district communities). These elements are being considered, and a recommended preferred option to take forward in the Northern Hamilton-Waikato Wastewater was presented to the PGG on 30 May 2022 and reported to the WGB on 7 June 2022.

Staff consider the decisions in this report have low significance in terms of Council's Significance and Engagement Policy. The recommendations comply with Council's legal requirements.

3. Staff recommendations

Tuutohu-aa-kaimahi

That Waikato District Council:

- a. approves the final Southern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case.**
- b. approves the draft Memorandum of Understanding (MoU) (as amended) in respect of Hamilton Waikato-Waipā Metropolitan Area Wastewater Projects.**
- c. endorses Option A (centralisation of wastewater treatment at the Pukete Wastewater Treatment Plant) as the preferred option for further refinement and completion of the Northern Hamilton-Waikato Metropolitan Wastewater Detailed Business.**
- d. notes that:**
 - i. a supplementary assessment (which will be completed in parallel with the Northern Hamilton-Waikato Metropolitan Wastewater DBC) is being completed to evaluate the impacts of accelerated development of the Southern Sub-Regional WWTP (i.e., more capacity earlier than assumed for the Southern Hamilton-Waikato Wastewater DBC and MoU);**
 - ii. On completion of the Northern Hamilton-Waikato Metropolitan Wastewater DBC the relevant councils will need to integrate the findings of the Northern and Southern DBCs, including further consideration of the wastewater system investment timing and triggers, and development and implementation of the sub-regional wastewater consenting strategy; and**
 - iii. Planning and investigations to support the delivery of the Southern Hamilton-Waikato Metropolitan WWTP have commenced using allocated funding by Hamilton City Council in the 2021-2031 Long Term Plan.**

4. Background

Koorero whaimaarama

This report covers the period of mid-March 2022 to June 2022. Earlier this year the Waters Governance Board noted Option 4A (Five Plant Option) as the preferred servicing option to take forward for refinement, and to inform completion of the Southern Hamilton-Waikato Metropolitan Wastewater DBC.

On 16 April 2021, the PGG confirmed the preferred wastewater servicing option for refinement and completion of the Southern Hamilton-Waikato Metropolitan Wastewater DBC. In addition to confirming the preferred option for the Southern Hamilton-Waikato metropolitan area, the PGG agreed to the development of a MoU to secure commitments to implement the preferred option from the DBC.

The preferred wastewater servicing option confirmed on the 16th of April 2021 PGG meeting comprises:

- i. The adoption of minimum treatment performance standards across all WWTPs, over time
- ii. A new Southern Sub-regional WWTP to service the airport area and environs (including Mātangi/ the Tamahere commercial area) and southern Hamilton.
- iii. Development of the Southern Sub-Regional WWTP will be staged to meet demand. Land discharge is proposed for Stage 1 with a move toward a discharge to water as flows increase i.e., in Stage 2 and beyond.
- iv. Retaining and upgrading the Tauwhare Pā WWTP and land discharge to service local growth with the potential to be reticulated to the Southern Sub-Regional WWTP or HCC network in the future.
- v. A new WWTP at Cambridge to achieve the adopted minimum treatment standards with discharge to the Waikato River.
- vi. Retaining and upgrading the Te Awamutu WWTP to achieve improved treatment standards and cater for growth. Continued discharge via rock channel to the Mangapiko Stream is assumed.
- vii. Improvements to the existing Mātangi WWTP until the wastewater is conveyed to the Southern Sub-Regional WWTP in around 2040.
- viii. Tamahere commercial hub to continue to utilise on-site wastewater treatment and discharge systems until 2040 when Mātangi is diverted to the Southern Sub-Regional WWTP.
- ix. Ohaupo continuing with private on-site wastewater systems.

Following the 16 April 2021 PGG meeting, the project team put together the template for the MoU and a recommended list of items for inclusion. The proposed items were discussed at the PGG workshop on the 18 June 2021. Pre-briefing sessions were also conducted with each partner ahead of the 18 June 2021 workshop.

The feedback from the pre-briefing sessions and the 18 June 2021 PGG workshop was considered and the proposed levels of commitment and approaches for inclusion in the MoU were presented to the PGG on 30 June 2021.

Key items and level of commitment to be included in the MoU			
Item	Agree to agree	Agree principles	Agree commitment
1. Minimum performance / environmental standards			As per the WW DBC, Wastewater Minimum Treatment Standards that were endorsed at PGG meeting on 28 th October 2020.
2. Governance structure	Detailed powers of any joint oversight function to be agreed.		Form of the joint oversight function, parties and scope.
3. Cost allocation, funding and financing		Cost allocation principles for: <ul style="list-style-type: none"> • Land acquisition for the Southern sub-regional plant • Reticulation / conveyance costs • Plant costs (Master-planning, consenting and design costs, initial ground works, plant construction costs) 	
4. Southern sub-regional plant thresholds	Investment based on the cost allocation principles outlined in the MoU with specific amounts to be agreed in the future.		The SS WWTP thresholds and triggers for investment.
5. Lead Councils			Use of a Lead Council delivery structure. Allocation of Lead Councils for each project.
6. Cross-boundary servicing arrangements	Agree to negotiate service agreement details between Councils at the appropriate time.		A service agreement between Councils, based on commercial terms, will be used for servicing of cross-boundary communities.
7. Ownership		Principle that joint ownership of plant is not preferred and that ownership will likely reflect financing and control.	

On 30 June 2021, the PGG endorsed the key elements of the preferred option and levels of commitment to include in the MoU and to complete the Southern Hamilton-Waikato Metropolitan Wastewater DBC document.

Throughout the development of the DBC regular engagements were had with the Waikato Regional Airport Ltd (WRAL), Waipā District Council, Waikato District Council, Waka Kotahi, and mana whenua.

An expected increase in the HCC portion of funding toward the Southern Sub-Regional WWTP then had been assumed for HCC's 2021-31 LTP and the likely need for additional funding to be secured via annual or long-term planning processes.

Updates on the progress on the Northern Hamilton-Waikato Metropolitan Wastewater DBC were also provided to the WGB.

During April 2022, pre-briefing meetings were held with partner organisation representatives in preparation for the 29 April 2022 PGG meeting where the Southern Metro WW DBC and MoU documents were considered for approved.

Building on the work undertaken for the Southern Hamilton-Waikato Metropolitan DBC, two broad shortlisted options were identified for the northern metropolitan area: conveying all wastewater to a centralised wastewater treatment plant (WWTP) at Pukete (Option A) and retaining both the Ngaaruawaahia and Pukete WWTPs (Option B).

Option B has been broken into two conveyancing sub-options Option B1 with Te Kowhai, Horotiu and Taupiri conveyed to Ngaaruawaahia) and Option B2 with Te Kowhai and Horotiu conveyed to Pukete and Taupiri conveyed to Ngaaruawaahia). A do minimum Option C was also developed to provide a baseline against which the benefits of the other options can be compared.

The technical short-list assessments were completed in February and March 2022. Option A (servicing Taupiri, Hopuhopu, Ngaaruawaahia, Te Kowhai, Horotiu and the northern portion of Hamilton city from an upgraded Pukete WWTP) has emerged as the preferred option. This is subject to more detailed assessments being undertaken. The shortlist options were developed using the residential and non-residential growth assumptions and discharge quality assumptions developed and approved as part of the Southern Metropolitan Wastewater DBC and confirmed by the Governance Group on 29 April 2022.

The shortlist options were developed in consultation with key stakeholders. Inputs included:

- Preferences for siting of pump stations and pipeline routes
- Inclusion of adequate system resilience provisions, including back-up generators for pump stations and emergency storage
- Use of twin mains where possible to reduce septicity of sewage and provide resilience.
- Consideration of conveyance projects already committed in Ngaaruawaahia.
- Facilitation of resource recovery including energy, phosphorus, and treated wastewater reuse at Pukete.
- Pukete layout to incorporate site constraints and operational requirements.
- A description of the options is provided in the table in next section.

5. Discussion Matapaki

The Southern Hamilton-Waikato Metropolitan Wastewater DBC is a substantial document that pulls together key elements of the project to meet the requirements of the Treasury Better Business Case model and support the recommended investments.

The DBC has been independently peer reviewed by Stantec using the Treasury Better Business Case Peer Review template. The peer reviewers' comments have been worked through and addressed in the final draft DBC document.

On 29 April 2022, the PGG endorsed:

- i. The Southern Hamilton-Waikato Metropolitan Wastewater DBC.
- ii. Recommending the Southern Hamilton-Waikato Metropolitan Wastewater DBC to the partner organisations for adoption and implementation through their respective Long-Term Plan processes.
- iii. Recommending that the relevant Councils commence implementation actions outlined in the Southern Hamilton-Waikato Metropolitan Wastewater DBC and the MoU.

The Southern Hamilton-Waikato Metropolitan Wastewater DBC is now being presented for the WDC's approval on the recommendation of the WGB.

A summary of the DBC has been produced to support the approval process and can be accessed by clicking on the link at the end of this report. This summary document draws out and aims to communicate the key elements of the DBC. Table 1 of the summary document details the population equivalents assumed over time used to conceptualise the Southern Sub-Regional WWTP. An "unformatted" version of the DBC document (including the for each case but excluding forewords, acknowledgements, and appendices) can also be accessed by clicking on the link at the end of the report. Forewords, acknowledgements, cross referencing, revised graphics, and all appendices will be included in the final formatted document.

The PGG has also requested a supplementary assessment evaluating the impacts of accelerated development of the Southern Subregional WWTP (i.e., more capacity earlier than assumed for the Southern Hamilton-Waikato Metropolitan Wastewater DBC and MoU) which will be completed in parallel with the Northern Hamilton-Waikato Metropolitan Wastewater DBC.

Implementing the recommendations of the Southern DBC will be closely linked to implementation of the Northern DBC. Integration of each of the DBCs will be necessary to deliver and implement a cohesive sub-regional investment plan. This integration will need to include closer examination of investment timing and triggers (e.g., what are the likely triggers for initiating the diversion of Hamilton south (and/or other areas) to the new Southern Subregional WWTP) and finalising and implementing a sub-regional wastewater consenting strategy.

Memorandum of Understanding

The MoU has been developed to give effect to the direction provided by the PGG (30th June 2021 meeting) on the content, structure, approaches, and levels of commitment to be included in the MoU.

Tompkins Wake was engaged to provide an initial version which was then reviewed and further developed by the project team and representatives from each of the partner organisations between October 2021 and March 2022.

Developing the MoU has been an iterative process and has included consideration and responses to:

- i. Feedback from the PGG and technicians.
- ii. Comments from partner organisations including Waikato-Tainui and Mana Whenua.
- iii. Comments from legal advisors from partner organisations.

On 29th April 2022, the PGG endorsed:

- i. The draft MoU in respect of the Hamilton-Waikato-Waipā metropolitan area wastewater projects (the endorsement was subject to minor amendments which have since been incorporated into the draft document).
- ii. Recommending that the partner organisations sign the MoU (subject to resolving confirmation of iwi/mana whenua signatories to the MoU) and establish the governance framework set out in the MoU.

The MoU endorsed by the PGG is included as Attachment 1. The presentation to the 29 April 2022 PGG is included in the link at the end of this report.

Southern Sub-Regional WWTP Project

Several project implementation activities are occurring in parallel with completing the Southern Metropolitan Wastewater DBC document, including:

- i. the drafting of the Southern Subregional WWTP Project Management Plan (which will also include roles and responsibilities). A key area of focus is the overall project governance and delivery structure, given the multiple local authorities with interests in the project, and importance of ensuring that appropriate provision is made for iwi/mana whenua representation and participation in the project.
- ii. Continuing due diligence investigations on potential land to support the Southern Sub-Regional WWTP project.

While HCC is currently funding this work, cost sharing needs to be agreed between councils. A multi-party funding agreement for the Southern Sub-Regional WWTP needs to be developed and negotiated between the parties.

Some concerns have been expressed by Waipā and us regarding how the funds invested are protected. Council will need to borrow to fund its contribution. This ideally requires an asset that is being bought with the funds contributed.

The risk to Council is that the contribution provided is subsequently transferred to the proposed Water Entity B and there is no asset against which council can recoup its fund.

The other concern is that council's contribution is not capped which means if the cost of the project is higher, council will be required to contribute more.

Northern Hamilton-Waikato Metropolitan Wastewater DBC Project

The Northern Hamilton-Waikato Metropolitan Wastewater DBC project is building on the Southern Hamilton-Waikato Metropolitan Wastewater DBC work, including the project vision and objectives, the communities included in the investigations, minimum treatment performance standards and the two short-listed options identified for the northern metropolitan area.

A significant amount of work has been completed to support delivery of the Northern DBC. The Northern DBC development has included ongoing focussed technical and maatauranga Maaori hui and workshops with project partners and “all-in” stakeholder workshops.

The PGG approved key project assumptions for the Northern DBC at its 29 April 2022 meeting including:

- i. Investment objectives, Key Performance Indicators (KPIs) and the multi-criteria assessment (MCA) criteria.
- ii. Population and treatment assumptions and sensitivity test scenarios.





The northern Hamilton-Waikato metropolitan area communities being considered as part of the project are Taupiri, Hopuhopu, Ngaaruawaahia, Horotiu, Te Kowhai and northern Hamilton. Whatawhata and major industrial facilities with their own water services (i.e., Open Country Dairy/AFFCO and Fonterra Te Rapa) are not included in the scope of the project.

5.1 Options

Ngaa koowhiringa

The short-listed options under consideration for the Northern Hamilton-Waikato DBC are:

- **Option A: One WWTP** - All wastewater flow to the Pukete WWTP.
 - **Option B1: Two WWTPs** -Te Kowhai, Horotiu, Hopuhopu, Taupiri and Ngaaruawaahia to an upgraded Ngaaruawaahia WWTP; Pukete continuing to service Hamilton.
 - **Option B2: Two WWTP** - Hopuhopu, Taupiri and Ngaaruawaahia to an upgraded Ngaaruawaahia WWTP; Te Kowhai, Horotiu to Pukete WWTP; Pukete continuing to service Hamilton.
 - **Option C: Do Minimum** - Retain existing plants and servicing.
-

	Option A	Option B1	Option B2	Do minimum
Option name	Pukete	Pukete and Ngaaruwaahia	Pukete and Ngaaruwaahia	Do minimum
Outcome	Best for River	Best for River	Best for River	Consentable minimum
Conveyance	All WDC conveyed to Pukete 	Te Kowhai, Horotiu and Taupiri conveyed to Ngaaruwaahia 	Te Kowhai and Horotiu conveyed to Pukete Taupiri conveyed to Ngaaruwaahia 	Te Kowhai conveyed to Ngaaruwaahia (subject to funding) 
Treatment standard	Total N: 4g/m ³ Total P: < 0.5 g/m ³	Total N: 4g/m ³ Total P: < 0.5 g/m ³ (Pukete), < 0.2 g/m ³ (Nga)	Total N: 4g/m ³ Total P: < 0.5 g/m ³ (Pukete), < 0.2 g/m ³ (Nga)	Total N: 7-8g/m ³ (Pukete), 4g/m ³ (Nga) Total P: < 0.5 g/m ³ (Pukete), < 0.2 g/m ³ (Nga)
Treatment type	MBR	MBR	MBR	Conventional activated sludge (with optimisation) for Pukete, MBR for Ngaaruwaahia
Reuse and recovery	Maximise reuse and energy recovery opportunities (including digester and mini-hydro on outfall)	No/minimal reuse or recovery at Ngaaruwaahia Able to achieve ~90% of Option A	No/minimal reuse or recovery at Ngaaruwaahia Able to achieve ~90% of Option A	No reuse No energy recovery (flaring only)
Footprint	Reduction in total footprint with option to provide remediation of Ngaaruwaahia site. New pump stations at several sites.	Maintain existing footprint (at both Pukete and Ngaaruwaahia)	Maintain existing footprint (at both Pukete and Ngaaruwaahia)	Increased footprint at both sites (Pukete and Ngaaruwaahia)
Discharge points	Two (near Pukete)	Three (two at Pukete, one at Ngaaruwaahia)	Three (two at Pukete, one at Ngaaruwaahia)	Three (two at Pukete, one at Ngaaruwaahia)
Biosolids	Able to be reused subject to market Advanced treatment options	Able to be reused subject to market Advanced treatment options at Pukete only (eg further control of emerging contaminants, thermal drying to allow wider applications)	Able to be reused subject to market Advanced treatment options at Pukete only (eg further control of emerging contaminants, thermal drying to allow wider applications)	Risk biosolids not able to be reused No advanced treatment options Vermicomposting only
Staging	Dual pipelines could be used for some of the routes e.g. Horotiu to Pukete WWTP. Existing Taupiri pump stations and rising mains can be used until reach capacity.	Install 2 reactors at Ngaaruwaahia WWTP to start with and then 3 rd when flows projected to increase beyond capacity. Existing Taupiri pump stations and rising mains can be used until reach capacity.	Install 2 reactors at Ngaaruwaahia initially, then 3 rd when flows projected to increase beyond capacity. Existing Taupiri pump stations and rising mains can be used until reach capacity.	At Pukete, reactors and clarifiers can be staged to respond to growth (need approx. double the reactor capacity compared to MBR). Install 2 reactors at Ngaaruwaahia initially, then 3 rd when flows projected to increase beyond capacity. Existing Taupiri pump stations and rising mains can be used until reach capacity.
Delivery	Single operator	Single operator or multiple operators	Single operator or multiple operators	Multiple operators

The project team has worked through the short-listed options assessment. From a technical assessment perspective, Options A and B2 scored well. Option B1 scored lower than Options A and B2. Option C scored very poorly.

From a maatauranga Maaori perspective there was a consensus that with all other matters being equal, Option A appeared to be better as it would remove an existing discharge point to the river immediately upstream of Taupiri maunga, and potential remove restrictions on Waikato Tainui property at Hopuhopu.

Comparative P50 capital cost estimates for Options A, B1 and B2 are provided below. These are draft and subject to review. Draft P95 cost estimates have also been prepared. The draft P50 capital cost estimate for the Pukete WWTP upgrades out to 2061 is \$771M (in \$2022). The draft P95 capital cost estimate is approx. \$1.3B (in \$2022).

Area	Conveyance Cost (\$ M) to 2061	WWTP name	WWTP Capital Cost (\$ M) to 2061	Total (\$ M)
OPTION A				
Taupiri	\$103M	Pukete	\$771M	\$874M
Ngaaruawaahia/ Hopuhopu				
Horotiu				
Te Kowhai				
Hamilton				
OPTION B1				
Taupiri	\$55M	Ngaaruawaahia	\$77M	\$903M
Ngaaruawaahia/ Hopuhopu				
Horotiu				
Te Kowhai				
Hamilton	-	Pukete	\$771M	
OPTION B2				
Taupiri	\$16M	Ngaaruawaahia	\$66M	\$878M
Ngaaruawaahia/ Hopuhopu				
Horotiu	\$25M	Pukete	\$771M	
Te Kowhai				
Hamilton				

The following items have been included in the comparative capital costs:

- i. Operations and maintenance facilities
- ii. Process items and structures
- iii. Mechanical and electrical installation
- iv. Balance of plant – providing interconnection between unit process systems
- v. Instrumentation and control
- vi. Site civil works (platform preparation, roading, drainage, fencing etc.)
- vii. Allowances for moderate foundation improvements
- viii. Project costs (Preliminary + General, contractor margins, forex risk)
- ix. Consultant fees (Investigation/Design/Engineering)
- x. Risk/contingency allowances – 20-30%
- xi. Client management/overhead costs @8%
- xii. Consenting costs based on current budgets and costs of similar applications in the Waikato Region
- xiii. Procurement costs @ 2%

The following items have been excluded from the comparative capital costs:

- i. Legal fees
- ii. Client insurances
- iii. Escalation after 2nd quarter 2022
- iv. Site decommissioning and restoration
- v. Goods and Services Tax

A conceptual design of the preferred option will need to be prepared to confirm the estimated capital and operating costs. An estimating tolerance has been included to account for general unknowns in the design and for any discrepancies in the design information prepared to date. These estimates are Class 5 estimates as per the AACE Cost estimate Classification System and have an expected range of -30% / +50%.

Comparative operational costs were developed for each option for 2031, 2041, 2051 and the 2061 flows. Over time the total operational costs increase as flows and plant loading increase. Pukete WWTP has significantly lower costs per ML than the new Ngaaruawaahia WWTP due to energy recovery potential and reduced biosolids volumes for disposal. The operational cost estimates are included below:

Area	WWTP Operational Cost 2031 (\$ M)	WWTP Operational Cost 2041 (\$ M)	WWTP Operational Cost 2051 (\$ M)	WWTP Operational Cost 2061 (\$ M)
OPTION A				
Ngaaruawaahia WWTP	-	-	-	-
Pukete WWTP	\$19M	\$22M	\$25M	\$24M
Conveyance	\$0.41M	\$0.49M	\$0.55M	\$0.67M
OPTION B1				
Ngaaruawaahia WWTP	\$1.9M	\$2.9M	\$3.4M	\$3.6M
Pukete WWTP	\$18M	\$21M	\$23M	\$22M
Conveyance	\$0.16M	\$0.22M	\$0.23M	\$0.28M
OPTION B2				
Ngaaruawaahia WWTP	\$1.4M	\$1.9M	\$2.3M	\$2.5M
Pukete WWTP	\$18M	\$21M	\$24M	\$23M
Conveyance	\$0.14M	\$0.19M	\$0.23M	\$0.25M

The components included for WWTP operational costs were:

- i. Electricity (50% recovery assumed for Pukete WWTP)
- ii. Chemicals (CIP, alum, caustic, polyelectrolyte)
- iii. Operators
- iv. General maintenance including membrane replacement
- iv. UV lamp replacement
- v. Biosolids and screenings disposal (landfill disposal assumed)
- vi. Compliance and operational test requirements (monitoring, sampling, testing, data management, reporting and management of same)

The components included for conveyance operational costs were:

- i. Electricity (based on pump size and annual flows)
- ii. Septicity dosing for long lines only
- iii. Maintenance provisions

Renewals expenditure is excluded from the operational costs. From the work completed to date, Option A has emerged as the preferred option. If Option A is approved as the preferred option a staged transition will be required to provide time to upgrade the Pukete WWTP to meet the higher treatment standards, and to cater for growth (including flows from the Waikato district communities).

These elements are being considered, and a recommended approach moving forward will be presented to the PGG on 30 May 2022. Staff will provide a verbal update at the WGB meeting on this.

Recommended preferred option for refinement

The project team has recommended Option A as the preferred option to take forward for refinement as part of the DBC. The recommendation is primarily made on the following rationale:

- Option A and Option B2 score similarly through the MCA process.
 - They both score well on discharge quality and related factors – they have the same effective level of treatment and therefore the same discharge quality and level of expected effect on algal biomass and river ecosystems.
 - Provide opportunities for energy and carbon reduction
 - Can be designed to meet future treatment capacity requirements based on population growth assumptions.
 - Are expected to give effect to Te Ture Whaimana (to the extent that it is possible for a wastewater discharge to the Waikato River to give effect to Te Ture Whaimana).
 - Option A scores better than Option B2 against criteria influenced by the number and size of treatment plants (and therefore number of discharge points):
 - Lower WWTP operational requirements (lower staffing, less overall monitoring, and compliance requirements).
 - Greater flexibility in day-to-day treatment (more levers to pull to meet treatment standards at Pukete than at Ngaaruawaahia).
 - Greater ability for treatment to respond to growth (more capacity to absorb growth without a need for short-term treatment plant upgrades).
 - More opportunity energy recovery, and resource recovery (which are generally more feasible at Pukete and would benefit from greater flows through Pukete).
 - Greater risk associated with conveyance network failure – can be mitigated to some extent by building-in resilience.
 - Opportunity for development and/or restoration at Ngaaruawaahia WWTP site (removal of WWTP, pond, and associated buffer).
 - Opportunity for development of Waikato-Tainui land at Hopuhopu resulting from reduction/removal of the buffer around the Ngaaruawaahia WWTP.
 - Removal of Ngaaruawaahia WWTP may improve relationship with Waikato-Tainui at their Hopuhopu properties (including the Endowed College) and the awa.
 - While Option B2 scores higher against criteria influenced by the conveyance network, it is the opinion of the project consultant team that the identified risks and complexities can be adequately mitigated and managed.
-

- Option A is preferred from a maatauranga Maaori perspective (noting that Option B2 could be a reasonable step towards achieving Option A by continuing to operate the Ngaaruawaahia WWTP until such time as it can be decommissioned)
- There is little difference between the costs associated with Options A and B2 either in the short term or looking out to 2061.

5.2 Financial considerations

Whaiwhakaaro puutea

Implementing the Southern Hamilton-Waikato Metropolitan Wastewater DBC recommendations is likely to have significant financial implications for HCC's 2021-31 LTP. HCC has included a funding provision of \$9.3M (inflated) to secure a site and consents for a new WWTP in years 1 - 3 of the 2021 - 31 LTP.

WDC has not allowed for any costs associated with the Southern WWTP in its LTP but has noted an unbudgeted provisional sum of \$4M towards upfront investment in land acquisition, designation, and consenting processes to signal a commitment to delivering sub-regional solutions. The latest indications are that council's contribution would be in the order of \$2.2M.

Waipa DC has not included or noted any funded or unfunded provision to contribute toward the new Southern Sub-Regional WWTP in its 2021-2031 LTP.

Further funding from HCC will be required to construct the Southern WWTP and realise the servicing benefits that it will provide to Hamilton and the wider metropolitan area. A full breakdown of potential costs for the new Southern Sub-Regional WWTP is presented in the final DBC and summarised in the summary document and MoU.

A significant amount of technical work has been completed to inform the short-listed options assessment for the Northern DBC. This work includes updated cost estimates to upgrade the Pukete WWTP to meet improved treatment standards and accommodate future growth. The cost estimates for the Pukete WWTP upgrades are significantly higher than the previous high-level estimates completed in 2020 to support the current LTP.

Concerns have been expressed earlier in this report about the security of the contribution council makes in the light of local government reform. There is also the concern that the contribution is not capped. Both these issues need to be worked through before the MOU is signed.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff confirm that this project and the matters in this report comply with Council's legal and policy requirements.

5.4 Wellbeing Considerations

Whaiwhakaaro-aa-oranga tonutanga

The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental, and cultural wellbeing of communities in the present and for the future (‘the 4 wellbeings’).

Both the Southern and Northern Hamilton-Waikato Metropolitan Area Wastewater DBCs adopt the Treasury Better Business Case Programme Business Case model. The 4 wellbeings are core considerations in delivering the business case in addition to Te Ture Whaimana o te Awa Waikato – The Vision and Strategy for the Waikato River and relevant Iwi Management Plans.

5.5 Risks

Tuuraru

There are no known risks associated with the decisions sought in this report. However, there are a series of significant risks associated with the successful delivery of the overall project. A project risk register and mitigation strategy has been prepared. The significant risks relate to:

- i. Lack of alignment across partner organisations leading to conflicting aspirations, inconsistent messaging, partner disagreement at key decision points.
- ii. Funding and affordability challenges to implement the Southern Hamilton-Waikato Metropolitan Wastewater DBC recommendations and the investment needed at the Pukete WWTP overtime; and
- iii. Timing constraints arising for Cambridge Wastewater short-term consent conditions.
- iv. Cost and recovery considerations. Also, ensuring certainty of the amount contributed. An uncapped contribution is not acceptable to council.

Risk management plans will be developed as part of completing the DBCs and detailed.

5.6 Climate Change and Sustainability

Āhua o te rangi

Wastewater is recognised as a significant source of greenhouse emissions. Carbon dioxide produced directly from a treatment system is a biogenic source. The new and upgraded wastewater treatment plants will help reduce this with newer technology which will bring an enhanced level of sophistication to the plant.

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

Having considered the Significance and Engagement Policy, staff have assessed that the matters in this report have a low level of significance.

6.2 Engagement Te Whakatuutakitaki

Given the low level of significance determined, the engagement level is low. Iwi and mana whenua have been key project partners. This project is a partnership delivered through collaboration of the project partners: HCC, WDC, Waipa DC, Waikato-Tainui and mana whenua.

7. Attachments Ngaa taapirihanga

Attachment 1 - Memorandum of Understanding for Southern Hamilton-Waikato Metropolitan Wastewater DBC - V2.0b

The following attachments are too large and bulky to be included in this report but they can be accessed by clicking on the link below:

Attachment 2 - Southern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case Summary Document

Attachment 3 - Project Governance Group - 29 April 2022 - Meeting Presentation

Attachment 4 - Southern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case - Final Unformatted Version

https://www.waikatodistrict.govt.nz/docs/default-source/meetings/agendas-2022/attachment---6.1a-hamilton---waikato-wastewater-detailed-business-case.pdf?sfvrsn=6b2b9ec9_1

Attachment1

Southern Hamilton-Waikato Metropolitan Wastewater DBC Memorandum of Understanding - V2.0b for Approval

VERSION CONTROL REGISTER

Version	Author	Date Issued	Released To	Revisions
V2.0b	Project team	4/5/2022	Partners and PGG	Same version as 2.0a but with tracked changes accepted and comments removed
V2.0a	Project team	4/5/2022	Project file	Tracked changed version on clean V1.3b version showing the agreed amendments from PGG and with comments removed
V1.3b	Project team	24/3/2022	Legal review by Tompkins Wake, Brookfields, Waipa DC for further feedback	Same version as 1.2a but with tracked changes accepted and comments retained
V1.3a	Project team	24/3/2022	Legal review by Tompkins Wake, Brookfields, Waipa DC for further feedback	Tracked changed version with comments and associated responses
V1.2b	Project team	24/3/2022	Partners for further feedback	Same version as 1.2a but with tracked changes accepted and comments retained
V1.2a	Project team	24/3/2022	Partners for further feedback	Tracked changed version with all comments and associated responses
V1.1	Project team	26/10/2021		Revised for clarity,
V1.0	Project team	4/10/2021	Control Group Members	Updated to reflect feedback from Tangata whenua
V0.3	Project team	Sept 2021	Taangata Whenua for initial feedback	Updated to reflect MOU direction, provide further clarity and context
V0.2	Tompkins Wake	August 2021	Core project team	Revisions from core project team
V0.1	Tompkins Wake	August 2021	Core project team	

MEMORANDUM OF UNDERSTANDING
IN RESPECT OF HAMILTON-WAIKATO-WAIPA METRO AREA
WASTEWATER PROJECTS

between

HAMILTON CITY COUNCIL

and

WAIKATO DISTRICT COUNCIL

and

WAIPA DISTRICT COUNCIL

and

WAIKATO-TAINUI

and

TAANGATA WHENUA

DRAFT

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MEMORANDUM OF UNDERSTANDING dated

2022

PARTIES

- (1) HAMILTON CITY COUNCIL ("HCC")
- (2) WAIKATO DISTRICT COUNCIL ("Waikato DC")
- (3) WAIPA DISTRICT COUNCIL ("Waipa DC")
- (4) TE WHAKAKITENGA O WAIKATO INC. ("Waikato-Tainui")
- (5) [TAANGATA WHENUA, represented by [].]

BACKGROUND**PURPOSE AND EFFECT****Purpose**

- A. The purpose of this MOU is:
 - (a) to set out the preliminary agreements of each party to deliver the preferred wastewater servicing option for the Hamilton-Waikato-Waipā Metro Area (Metro Area) comprising a series of projects as identified in the Southern Metro and Northern Metro Detailed Business Cases (DBC's); and
 - (b) to confirm at a high level each party's understandings and obligations relating to project delivery, wastewater treatment performance standards, and the ownership, and capital and maintenance funding of the assets created on completion of the Projects.

Effect

- B. The Parties acknowledge and confirm that this MOU is to provide a framework and a structure to allow the planning for the Projects that make up the preferred wastewater servicing option to be continued with more certainty.
- C. The provisions of this MOU are at a high level and preliminary and not exhaustive of all matters that will be needed to facilitate and deliver the Projects.
- D. However, the parties have invested a considerable amount of time and resources to identify the Projects listed in Schedules Two and Three as key elements of the preferred wastewater servicing option for the Metro Area. As such the parties have agreed to:
 - (i) strive to make binding commitments to deliver the Preferred Option, to the extent set out in this MOU; and

- (ii) on other matters, to agree principles on which binding commitments can be made in the future.
- E. The parties will make all reasonable endeavours to reach the agreements needed to advance, validate, and implement the recommendations in the DBCs.
- F. Nothing in the MOU circumvents or removes an obligation on the lead Council delivering the Projects to engage with the relevant Taangata Whenua, community, and other stakeholders as appropriate and necessary to deliver the projects.

GENERAL

- G. The Hamilton – Waikato Southern and Northern Metro Area Wastewater Detailed Business Cases are being jointly delivered through partnership between the Parties.
- H. Treaty of Waitangi/Te Tiriti o Waitangi obligations between the Crown and Iwi, as well as settlement Acts resulting from Treaty breaches, guide the manner in which Taangata Whenua, regional and district councils, and other government agencies exercise their roles and responsibilities. For iwi this covers all aspects of governance, environmental, social, cultural, and economic self-determination.
- I. The Waikato region has seen tremendous growth and development in commercial, industrial, and residential areas, placing pressure on existing wastewater services and creating further demand for wastewater treatment and management services.
- J. The agreements reflected in this MOU represent an era of co-management in respect of the Waikato River and activities within its catchment and joint recognition of the benefits of “boundaryless” planning to restore and protect the health and wellbeing of the Waikato River and meet the current and future needs of the Metro Area.
- K. Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River (Te Ture Whaimana) is the primary direction setting document for the Waikato River and for activities within its catchment affecting the Waikato River. Accordingly, the vision as stated in Te Ture Whaimana has been adopted as the vision for the DBCs:

*Tooku awa koiora me oona pikonga he kura tangihia o te maataamuri
“The river of life, each curve more beautiful than the last”*

*...a future where a healthy Waikato River sustains abundant life and
prosperous communities who, in turn, are all responsible for restoring
and protecting the health and wellbeing of the Waikato River, and all it
embraces, for generations to come.*

- L. The recommendations in the DBCs seek to actively contribute to achieving the vision and objectives set out in Te Ture Whaimana by delivering “best for river” wastewater management solutions, recognising and providing for the unique relationship that taangata whenua have with the awa as well as contributing to the social and cultural wellbeing of the community.

- M. Through the DBC, the parties have identified preferred servicing solutions for wastewater infrastructure and have worked through how these might be planned for, constructed, and funded.

HISTORICAL CONTEXT

- N. The relationship of taangata whenua with the natural environment is intrinsic to their identity, culture, and heritage. Taangata whenua draw and recognise mauri and wairua from natural resources, fisheries, biodiversity, species, habitats and key geographical features of waterways and mountains. While wishing to develop land in a way that sustains their economic capacity and provides opportunities for iwi members, retaining their role as kaitiaki of the environment is a primary aspiration of taangata whenua in the area. Taangata whenua envision a collective approach to sustainable land use which allows the mauri of ancestral land, waters, cultural sites, and taonga to be restored and enhanced.
- O. Prior to the Waikato land wars and resulting raupatu (confiscation) of lands, taangata whenua exercised mana whakahaere without challenge. Mana whakahaere involves the exercise of rights and responsibilities to ensure that the balance and mauri (life force) of the rohe is maintained. It is based on recognising that if the environment is cared for, the environment will continue to sustain the people. In customary terms, mana whakahaere is the exercise of control, access to, and management of resources sustainably within a rohe guided by maatauranga in accordance with tikanga and kawa.
- P. The year 1863 saw the beginning of the New Zealand Land Wars. In 1858 the Kiingitanga movement originated in the Waikato region to unite iwi and halt land sales. The movement continues to this day with the headquarters of the Kiingitanga movement located at Tuurangawaewae Marae in Ngaaruawaahia, on the eastern banks of the Waikato River. It is the official residence of the current Maaori King, Tuuheitia Pootatau Te Wherowhero VII.
- Q. As a result of the New Zealand Settlements Act 1863, huge tracts of Maaori land were confiscated – Waikato- Tainui lost almost all their land and Ngaati Hauaa about one third of theirs. The consequences of this raupatu (confiscation) were devastating to Maaori society and economy across the generations, and negative socio-economic outcomes are still being seen today. The public record, Crown apology and Crown acknowledgements are set out in the relevant Treaty Settlement legislation.
- R. Many of the Metro areas iwi/hapuu groupings have signed deeds of settlement with the Crown, with several others engaged in ongoing settlement processes. These settlements have included a variety of land returns, purchase opportunities and rights of first refusal. The outcomes from the Crown's settlement of grievances from its breaches of Te Tiriti, coupled with ongoing capability and capacity building initiatives at individual, whaanau, marae, hapuu, and iwi level, have and will continue to influence the role and participation of taangata whenua in the successful implementation of projects to support the wellbeing of the Metro Area.

THE WAIKATO RIVER SETTLEMENT 2010

- S. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 gives effect to the deed of settlement in respect of the raupatu claims of Waikato- Tainui over the Waikato River. The overarching purpose of the Act is to restore and protect the health and wellbeing of the Waikato River for future generations. Specifically, the Act established the Waikato River

Authority and Te Ture Whaimana o te Awa o Waikato (the Vision and Strategy for the Waikato River) as the primary direction setting document for activities that impact on the Waikato River. The principles which underpin this legislation, as set out in the Kiingitanga Accord, are:

- (i) te mana o te awa (the spiritual authority, protective power, and prestige of the river);
- (ii) mana whakahaere (authority and rights of control);
- (iii) health and wellbeing;
- (iv) co-management;
- (v) integration;
- (vi) Te Tiriti o Waitangi; and
- (vii) honour and integrity.

- T. Additionally, the Ngaati Tuuwhareetoa, Raukawa, Te Arawa River Iwi Waikato River Act 2010 and the Ngā Wai o Maniapoto (Waipa River) Act 2012 are important pieces of legislation that give effect to Te Ture Whaimana so that it now covers the whole of the Waikato and Waipā river catchments.
- U.
- V. Te Ture Whaimana o Te Awa o Waikato sets out the vision, objectives, and strategies to restore and protect the health and wellbeing of the Waikato River. It is the primary direction-setting document for the Waikato River and its catchments, which includes the Waipā River.

CO-MANAGEMENT ARRANGEMENTS

- W. Taangata whenua hold mana whakahaere in respect of the Waikato River to ensure that the balance and mauri are restored.
- X. Taangata whenua as kaitiaki within their rohe, hold a unique and special responsibility under whakapapa to preserve, protect and manage sustainably the natural and physical resources.
- Y. The co-management agreements (including Joint Management Agreements between different Councils, Iwi and Hapuu) in place between taangata whenua and local councils, along with mechanisms such as this memorandum, seek to ensure that these practices are implemented into programme and project design and delivery.

UNDERSTANDING OF PARTIES:

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this MOU, in addition to the terms defined in the Background:

Assets means, with respect to a Project, the assets that are acquired or constructed as part of that Project;

Councils mean each of Waipa DC, Waikato DC and HCC, and all of them, as the context requires;

DBCs means both the Hamilton-Waikato Metro Southern Area and Northern Area Wastewater Detailed Business Cases;

Household Equivalent Units means the demand for wastewater treatment that would be consumed by one standard household unit [as determined by the parties];

Lead Council means, for each Project, the Council that will deliver the Project;

Metro Area means the Hamilton-Waikato- Waipa Metro Area shown in Schedule One and the communities proposed to be serviced through the solutions identified in the DBCs, namely, the current and planned urban development areas in Taupiri, Hopuhopu, Ngaruawahia, Te Kowhai, Hamilton, Airport Precinct and Environs, Tamahere, Matangi, Tauwhare Pa, Tauwhare, Ohaupo, Te Awamutu, Cambridge;

Minimum Performance Standards means the minimum wastewater treatment performance standards, principles and objectives set out in Schedule Four;

Northern Metro DBC means the Hamilton-Waikato Metro Northern Area Wastewater Detailed Business Case;

Projects means the wastewater projects identified in Schedule Two and Schedule Three, and more particularly defined in the DBC;

PPG means the Programme Partnership Group constituted under clause 4;

Preferred Option means the option identified as such in the relevant DBC, and reflected in this MOU;

Resource Consent means a consent granted under the Resource Management Act 1991 for activities associated with the delivery, operation and discharges from wastewater facilities;

Southern Metro DBC means the Hamilton-Waikato Metro Southern Area Wastewater Detailed Business Case;

Southern WWTP means the Southern Sub-regional wastewater treatment plant to serve the Waikato Regional Airport (the Airport) industrial precinct and environs, Mātangi/ Tamahere Hub, Southern Hamilton, and possibly Ohaupo and Tauwhare Pa in the future as more particularly described in the Southern Metro DBC;

Taangata Whenua¹ means in relation to this MoU, the relevant taangata whenua groups which will depend on The context and location of each Project under consideration; and

Waikato River means the body of water referred to as the Waikato River and its catchments as defined in Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 Section 6 .

1.2 Interpretation

In this MOU, unless the context otherwise requires:

- (a) a reference to a clause is a reference to a clause of this MOU;

¹ Depending on the location and context of the project, marae, hapuu and iwi groups may prefer the use of the term taangata whenua and/or mana whenua. For the ease of authorship, the term 'taangata whenua' is used throughout this document but this term is inclusive of the term 'mana whenua'.

- (b) a reference to a schedule is a reference to a schedule in this MOU;
- (c) a reference to a resource consent is a reference to consent granted under the Resource Management Act 1991;
- (d) a reference to a notice of requirement or designation is a reference to consent and land use zoning granted under the Resource Management Act 1991;
- (e) district, when used in relation any Council, means that Council's district as defined in the Local Government Act 2002;
- (f) whenever the words includes or including are used in this MOU, they are deemed to be followed by the words "without limitation";
- (g) headings to clauses in this MOU are included for the purpose of reference only and are not to have any effect on construction and interpretation;
- (h) a reference to any legislation, policy, standard or specification includes a modification of that legislation, policy, standard or specification and any legislation, policy, standard or specification enacted in place of that legislation; and
- (i) all sums referred to in this MOU are exclusive of GST.

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2. COLLABORATION

2.1 The Parties agree to conduct their relationship on the basis of:

- (a) Ngaa matapono o te Kiingitanga (the values of the Kiingitanga):
 - (i) Whakaiti – Humility;
 - (ii) Whakapono – Honesty;
 - (iii) Aroha – Compassion;
 - (iv) Rangimaarie – Peace;
 - (v) Manaakitanga – Care;
 - (vi) Kotahitanga – Unity; and
 - (vii) Mahitahi – Collaboration;
- (b) openness, promptness, consistency and fairness in all dealings and communications between the parties, their agents, and their representatives;
- (c) a “best for region” and “best for river” approach to wastewater asset planning;
- (d) non-adversarial dealings between the parties and constructive mutual steps to avoid differences and to identify solutions;
- (e) open, prompt and fair notification and resolution between the parties of any differences or disputes which may arise or be apprehended;
- (f) always acting in good faith and in accordance with the requirements of this MOU;
- (g) performing obligations in a reasonable manner, and with all reasonable diligence and speed;
- (h) an equitable sharing of costs; and
- (i) compliance with all relevant laws, regulatory requirements, approvals and consents.

2.2 Nothing in this MOU is intended to impose fiduciary obligations on the parties.

3. GENUINE AND EQUAL PARTNERSHIPS WITH TAANGATA WHENUA/MANA WHENUA

3.1 Consistent with the guiding principles within the Future Proof Strategy the parties agree to work together to:

- (a) ensure that the values, principles, aspirations, roles and responsibilities and the place of taangata whenua as a Te Tiriti o Waitangi partner are reflected and incorporated into Project governance and implementation;

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- (b) recognise and enable the unique relationship that taangata whenua have with the whenua, awa, moana, maunga, taiao katoa: the land, waterways, ocean, mountains, wider environment and other people in the sub- region. This includes, but is not limited to, the practice of kaitiakitanga;
- (c) recognise and give effect to mana whakahaere as the basis for engaging with taangata whenua; and
- (d) ensure that development does not adversely affect a rohe environmentally, socially or culturally and that the Projects provides for iwi economic development aspirations.

4. PROGRAMME PARTNERSHIP GROUP

4.1 **Establishment.** The Parties will establish, and agree to participate in, a programme partnership group (the **PPG**) which will, subject to this clause, perform an oversight and monitoring function to ensure that the principles and agreements entered into as part of the DBC and MOU are implemented at an individual project level and as an overall programme.

4.2 **Role:** The PPG will provide oversight of Projects that deliver servicing solutions across territorial boundaries to the point that binding obligations can be formed and definitive agreements agreed, including (without limitation):

- (a) finalising the Projects to be included in the programme;
- (b) assisting the parties to agree the commitments and cost sharing for the;
- (c) assisting the relevant parties with service agreements for the use of the Assets;
- (d) the strategy for obtaining relevant consents;
- (e) the impact and outcome of the government's water reform;
- (f) integrated land use planning for the area serviced by the Southern Wastewater Treatment Plant;
- (g) identifying and securing funding from third parties to assist in funding for the Projects (excluding development contribution or developer agreements);
- (h) sequencing, timing and implementation of the Projects;
- (i) risk allocation; and
- (j) any other aspect of the Project as agreed to by the PPG and as set out in the PPG's terms of reference (the **Terms of Reference**).

4.3 **Membership.** The PPG will comprise:

- (a) up to two (2) representatives appointed by Waipa DC;
- (b) up to two (2) representatives appointed by Waikato DC;

- (c) up to two (2) representatives appointed by HCC;
 - (d) up to six (6) representatives of Taangata Whenua, including two (2) representatives appointed by Waikato-Tainui. The remaining four (4) Taangata Whenua Representatives will be appointed by the collective marae, hapuu and Iwi within the Metro Area through processes defined by Taangata Whenua.
- 4.4 The PPG may engage independent advice to provide expertise and experience as may be required from time to time to perform its oversight and monitoring role.
- 4.5 **Governance and Conduct.** The PPG will develop the governance and meeting structures necessary and desirable to oversee the completion of the Programme, including the Terms of Reference in accordance with clause 4.6 below. Members of the PPG will ensure that minutes are kept of all proceedings at meetings of the PPG that will be provided to each of the members of the PPG.
- 4.6 **Decisions.** Until such time as the PPG prepares and agrees its Terms of Reference, a decision of the PPG must be approved by a majority of the members of the PPG. Decisions of the PPG with respect to the Projects will be taken into account by the Councils but will not be legally binding.
- 4.7 **Terms of Reference.** As soon as reasonably practicable following the signing of this MOU, each of the parties must ensure that the PPG prepares and agrees the Terms of Reference to govern their conduct and role in relation to the Projects.
- 4.8 **Costs.** The costs of the PPG will be paid for as set out in this MOU. Council appointed representatives of the PPG will not be compensated for acting as a representative unless agreed by a resolution of the PPG.
5. **DELIVERING THE PROJECTS**
- 5.1 Each of the Councils will deliver the Projects for which it is Lead Council, as shown on Schedule Two and Schedule Three.
- 5.2 Where projects are co-funded, the Parties will need to work together to determine at a high level the requirements of the Projects and their delivery, including:
- (a) the scope and scale of the Projects, and their estimated cost;
 - (b) cost allocation and multi-party funding agreements;
 - (c) key project milestones;
 - (d) the timing for the commencement and completion of the Projects to ensure:
 - (i) a cohesive sub-regional approach to delivery; and
 - (ii) that funds are not allocated and spent too far in advance of expected demand and before other Projects on which a Project is dependent are expected to be completed;

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- (iii) appropriate triggers are identified for the commencement and completion of Projects and when the projects become operational; and
 - (e) risk allocation.
- 5.3 The Southern WWTP is currently expected to be constructed in stages. Potential triggers and staging for the construction of the Southern WWTP are set out in Schedule Five. The actual triggers and staging of the Southern WWTP are subject to the parties agreeing to the relevant funding and funding allocation, and growth and development assumptions.
- 5.4 Clause 5.1 allocates responsibility for delivering a Project amongst the parties. In and of itself, clause 5.1 does not commit any Party to incur any expenditure or commence design or construction of the Project until such time as a Project has been formally funded and documented to the satisfaction of the funders, including the Lead Council and other co-funders.
- 5.5 The Parties to this MOU will use best endeavours to support the Projects delivered as part of the overall programme, including in any application for a Resource Consent for the Projects, if they are planned, designed and delivered in accordance with the principles, objectives and minimum performance standards set out in this MOU and in the DBC.
- 6. **ASSET OWNERSHIP**
- 6.1 Where more than one Council is funding a Project, Asset ownership will need to be agreed, by applying the following assumptions and principles (**Ownership Principles**):
 - (a) a Council that is Lead Council for a Project has generally been selected as a Lead Council because it has the greatest stake in the outcomes of the Project (e.g., its district will gain the greatest benefit and it is the largest financial contributor to development of the plant out to 2061);
 - (b) the Lead Council will be managing the risk of the Project as Lead Council;
 - (c) the Lead Council will fund most of the costs of a Project out to 2061 (recognising that it will not be funding all the costs); and
 - (d) the Lead Council will finance the costs of a Project recognising that funding agreements will be entered into with other parties (including other Councils) who benefit from the project.
 - (e) Where the Assets are located is not determinative of ownership (e.g., it is expected that the Southern WWTP will be in Waipa DC's district but owned by HCC).
- 6.2 If Ownership Principles described in this MOU lead to a determination that the Lead Council is the owner of an Asset, then the Lead Council should be the sole owner of the Assets relating to that Project.

- 6.3 If the Ownership Principles described in this MOU are not agreed with respect to a Project, the parties will need to agree on the ownership for those Assets, prior to entering into definitive documentation with respect to that Project.
- 6.4 Assets (e.g., pipelines, pumpstations) that are not part of the Project will generally be owned by the Council whose district the asset is servicing.
7. **FUNDING**
- 7.1 Projects ultimately (i.e., when fully developed) servicing customers located in a single district will be funded solely by the relevant Council.
- 7.2 Where more than one Council is responsible for funding a Project:
- (a) each Council will fund its own reticulation and conveyance capital costs to connect to the Project;
 - (b) each Council will fund its own reticulation and conveyance operating costs to connect to the Project;
 - (c) Project costs (including land purchase, planning, consenting, design, procurement, construction, commissioning and operations and maintenance) will be allocated between the Councils based indicatively on one of the following three formulations:
 - (i) proportion of household unit equivalents (HUE) serviced and/or intended to be serviced by the WWTP; or
 - (ii) each Council's proportion of the total population in the sub-region; or
 - (iii) a connection fee and/or ongoing service charges for connected communities, which are designed to be proxies for the proportion of beneficiaries in each district.
- 7.3 The final methodology and cost allocations (including assumptions) will be agreed between the relevant Councils prior to land purchase and prior to procurement of physical works contracts. The final methodology and cost allocations will recognise future benefits where a community is not immediately connected to the WWTP.
- 7.4 This is particularly relevant for the Southern WWTP where HCC and Waikato DC communities are expected to be connected in later stages of the Project. The current estimates for funding of the Southern WWTP are set out in Schedule Five.
- 7.5 The same funding principles in clauses 7.1 and 7.2 would be applied for the funding of the Pukete wastewater plant upgrade in connection with the Northern business case.
- 7.6 This MOU is being entered into on the basis that these Projects will be funded, in accordance with the funding principles. However, this clause 7 does not create an obligation to Fund the Projects.
8. **MINIMUM PERFORMANCE STANDARDS**

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8.1 Each of the Minimum Performance Standards outlined in Schedule Four will apply to the Projects when treatment plants obtain Resource Consents, and each party commits to ensuring that all elements of the Projects, including design and construction ensure that the plants achieve, at a minimum, the Minimum Performance Standards.

8.2 If any party applies for a new Resource Consent for any of its wastewater plants that are one of the Projects, it will ensure that the plant is planned, designed, consented and constructed to meet the Minimum Performance Standards outlined in Schedule Four.

8.3 To complete the DBCs, assumptions have been made regarding discharge methods to be employed at each plant. Appropriate discharge methods will need to be considered and evaluated in detail as part of delivering each Project to support resource consenting of any discharge activities.

9. OPERATIONS

9.1 The owner(s) of an Asset is primarily responsible for operating that Asset, and funding the operation of that Asset, but may outsource these obligations as appropriate and subject to complying with law.

9.2 Where a Project is to provide services to ratepayers of a Council, but the Project is not in that Council's district and/or that Council does not own the Asset, that Council will enter into a servicing agreement to cover its proportionate use of wastewater supply, treatment and charges. The form of these servicing agreements is to be developed and agreed.

10. COSTS

10.1 Each party will bear its own costs in relation to the preparation, negotiation, and performance of this MOU.

10.2 HCC, Waipa DC and Waikato DC will equally fund the Programme Director and secretariat roles needed to establish, operate and service the PPG. HCC, Waipa DC and Waikato DC will equally fund and support mana whenua participation in the PPG.

11. CONFIDENTIALITY

11.1 The parties agree that all information and trade secrets associated with this MOU (including without limitation, the terms of this MOU), communicated to one party (a **Recipient Party**) by another party (the **Disclosing Party**) whether before or after the date of this MOU (**Confidential Information**):

- (a) will at all times remain the property of the Disclosing Party;
- (b) is strictly confidential;
- (c) will be kept confidential by a Recipient Party; and
- (d) will be used by a Recipient Party only for the purposes of this MOU.

11.2 Confidential Information does not include:

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- (a) Information in the public domain through no breach of any obligation of confidence by the Recipient Party;
- (b) Information already known to the Recipient Party prior to disclosure by the Disclosing Party; or
- (c) Information made available to the Recipient Party by a third party through no breach of any obligation of confidence by that third party.

11.3 A Recipient Party will:

- (a) use adequate measures to ensure the Disclosing Party's Confidential Information under its control cannot be accessed or used by any unauthorised person, including as a minimum using the same measures as a Recipient Party uses to protect the Recipient Party's own confidential information, but in any event using not less than reasonable security measures; and
- (b) immediately inform the Disclosing Party if a Recipient Party knows or believes an unauthorised person has possession of, access to or use of the Disclosing Party's Confidential Information and take all reasonable steps to prevent or stop the unauthorised use and to prevent or stop that person from having possession of or access to the Disclosing Party's Confidential Information.

11.4 Confidential Information will not be disclosed by a Recipient Party to any third party without the prior written consent of the Disclosing Party other than:

- (a) as contemplated by this MOU;
- (b) as required by law, including under the Local Government Official Information and Meetings Act 1987, in which case a Recipient Party will:
 - (i) as soon as possible give the Disclosing Party notice, when reasonably practicable, of the requirement to disclose (including the nature of the information required and any time frame a Recipient Party has to provide the information) so that the Disclosing Party may decide whether to seek an order preventing disclosure or any other protective remedy;
 - (ii) only disclose the part of the Confidential Information that is legally required;
- (c) to its officers, employees, and professional advisers (**Representatives**), but only on a strictly need to know basis and only for the purpose for which the Confidential information was disclosed to a Recipient Party; or
- (d) if the Confidential Information has become public other than through breach of an obligation by a Recipient Party.

11.5 Confidential Information will be returned (together with any copies) to the Disclosing Party on request, subject to compliance with the Public Records Act 2005.

11.6 A Recipient Party will ensure that all of its Representatives who receive Confidential Information comply with the provisions of this MOU as if they were a Recipient Party.

12. DISPUTE RESOLUTION

12.1 Disputes

This clause 12 applies to any dispute or difference between two or more of the Parties relating to this MOU (a **Dispute**). If a Dispute relates to the interpretation of this MOU, and other party not a direct party to the Dispute may join the Dispute by written notice.

12.2 No proceedings

A Party must not institute or commence any legal proceedings in respect of a Dispute, or submit a Dispute to mediation under clause 12.5 or arbitration under clause 12.6, unless and until:

- (a) that Party has first complied with the requirements of clauses 12.3 and 12.4; or
- (b) the legal proceedings otherwise comprise an application for any urgent equitable or other urgent remedy.

12.3 Parties to designate representatives

- (a) Any Party (referred to in this clause 12, as the **First Party**) claiming that there is a Dispute must give written notice to the other relevant Party or Parties involved in the Dispute (referred to in this clause 12, as the **Second Party** and all parties involved in the dispute the **Dispute Parties**) of such Dispute. Such notice will:
 - (i) describe the nature of the Dispute and the remedy sought; and
 - (ii) designate its representative in negotiations relating to the Dispute a person with authority to settle the Dispute.
- (b) The Second Party will, within 5 Business Days after receipt of the First Party's notice, give written notice to the First Party designating as its representative in negotiations relating to the dispute a person with similar authority.

12.4 Attempt to resolve dispute

The Dispute Parties involved in the Dispute will use their reasonable endeavours to procure that the persons designated under clause 12.3 will, within 15 Business Days after the last designation required by clause 12.3, make whatever investigations each such person deems appropriate and seek to resolve the Dispute by agreement.

12.5 Mediation

- (a) After the expiry of the period specified under clause 12.4, a party which has complied with the provisions of clause 12.4 in relation to the Dispute may, by written notice to the other party(ies) involved in the Dispute, terminate the dispute resolution process

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provided in those provisions and may then require that such Dispute is resolved by way of mediation (**Mediation Notice**).

- (b) The mediator will be such person as the Dispute Parties may agree upon in writing within 3 Business Days of receipt by the Dispute Parties of the Mediation Notice or, failing such agreement being reached within that period, will be the person appointed, at the request of any Party, as mediator by the President for the time being of the Auckland branch of the New Zealand Law Society following such consultation with the Dispute Parties as that President considers appropriate.
- (c) The place of mediation will be Hamilton, New Zealand.
- (d) The Dispute Parties will each bear their own costs in connection with any mediation under this clause 12.5 and will equally share the mediator's cost.

12.6 Arbitration

If the Dispute Parties cannot resolve the dispute by mediation under clause 12.5 within 40 Business Days of its referral, then either party may by written notice to the other refer the dispute to arbitration in accordance with the Arbitration Act 1996 on the following terms:

- (a) a single arbitrator will be appointed;
- (b) if the Dispute Parties fail to agree on an arbitrator, then the President of the Arbitrators and Mediators Institute of New Zealand Inc will appoint the arbitrator;
- (c) the place of arbitration will be Hamilton;
- (d) no person who has participated in an informal dispute resolution of the dispute will act as arbitrator;
- (e) the arbitrator will proceed promptly to deliver an award. The Dispute Parties will cooperate fully in this respect;
- (f) the Dispute Parties agree that the arbitrator's decision will be final and binding;
- (g) the Dispute Parties will bear their own costs in arbitration and (in the absence of an arbitrator's award to the contrary) will pay the costs of the arbitrator in equal shares; and
- (h) either Party will be entitled to appeal to the High Court on any question of law arising out of the award.

13. THREE WATERS REFORM

- 13.1 The parties acknowledge that responsibility for one or more of the Projects may pass to another entity (**Successor Entity**) as part of the government reform of waters infrastructure (**Three Waters Reform**). If this occurs, then any of the Councils may assign or novate its rights and obligations under this MOU to the Successor Entity without the consent of the other parties.

13.2 If, due to the nature or outcomes of the Three Waters Reform, it becomes evident that any of the agreements set out in this MOU:

- (a) are inconsistent with Three Waters Reform;
- (b) will lead to a party incurring costs that it is not likely to recover; or
- (c) will lead to duplication of infrastructure or waste of resources,

then any Party may notify the other parties in writing that it wishes to review this MOU (**Review Notice**).

13.3 Upon receipt of a Review Notice, the parties will discuss whether any changes are necessary to this MOU, or whether the MOU should be terminated.

13.4 If there is no agreement between the parties as to whether any changes are necessary to this MOU, or whether the MOU should be terminated, then any party may terminate this MOU.

14. GENERAL

14.1 Amendments in Writing

The parties may together agree to amend any provision of this MOU. No amendment to this MOU will be effective unless it is in writing and signed by authorised signatories of each of the parties.

14.2 Statutory Powers

This MOU does not override any party's statutory and regulatory rights, powers, duties or functions. The parties acknowledge that Hamilton CC, Waipā CC and Waikato CC ("Councils") are required to carry out their regulatory functions, and the obligations of the Councils under this MoU cannot fetter each Council undertaking such regulatory functions. Any decisions or actions by a Council in undertaking its regulatory functions will not be treated as decisions or actions by that Council as a party to this MoU, and vice versa. To the extent that the lawful exercise of those regulatory functions is inconsistent with this MoU, the exercise of those regulatory functions will take precedence over this MoU.

14.3 Exclusion of Partnership and Agency

Nothing in this MOU shall create, or constitute or be deemed to create a partnership, or agency arrangement, or fiduciary duties between the parties.

14.4 Counterparts

This MOU may be signed in any number of counterparts all of which, when taken together, constitute one and the same instrument. A party may enter into this MOU by executing any counterpart. A counterpart may be an emailed pdf.

14.5 No Third-Party Rights

This MOU does not create any rights or remedies in third persons not party to this MOU.

14.6 No Assignment

Subject to clause 13.1, this MOU, and any rights or obligations under this MOU, must not be assigned or novated by any party without the prior written consent of the other parties.

14.7 No Legal Relations

Except for clause 11 (Confidentiality) and clause 12 (Disputes) nothing in this MoU is intended to create legally binding commitments between the Parties.

EXECUTION

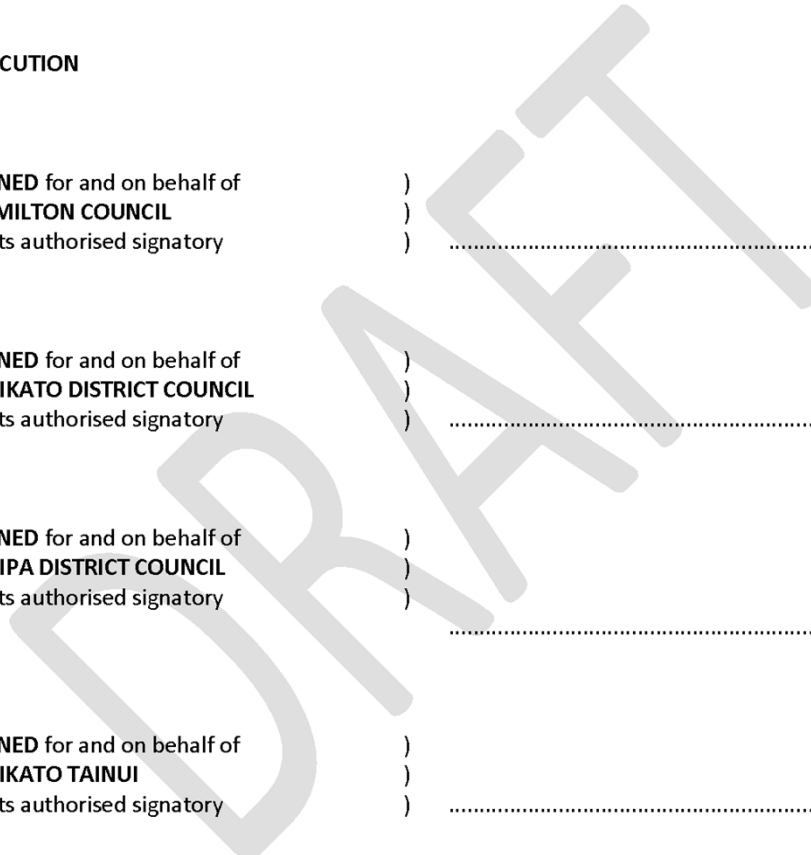
SIGNED for and on behalf of)
HAMILTON COUNCIL)
by its authorised signatory)

SIGNED for and on behalf of)
WAIKATO DISTRICT COUNCIL)
by its authorised signatory)

SIGNED for and on behalf of)
WAIKATO DISTRICT COUNCIL)
by its authorised signatory)

SIGNED for and on behalf of)
WAIKATO TAINUI)
by its authorised signatory)

SIGNED for and on behalf of)
MANA WHENUA)
by its authorised signatory)



SCHEDULE ONE

HAMILTON – WAIPA – WAIKATO METRO AREA

DRAFT

SCHEDULE TWO

SOUTHERN METRO AREA PROJECTS

PROJECT	LEAD COUNCIL
New Southern Hamilton Sub-Regional Wastewater Treatment Plant and discharge	Hamilton City Council
New Cambridge Wastewater Treatment Plant and Discharge	Waipa District Council
Te Awamutu Wastewater Treatment Plant and Discharge	Waipa District Council
Matangi Wastewater Treatment Plant and Discharge	Waikato District Council
Tauwhare Pa Wastewater Treatment Plant Upgrade and Discharge	Waikato District Council

DRAFT

SCHEDULE THREE

NORTHERN METRO AREA PROJECTS (TBC)

PROJECT	LEAD COUNCIL
Pukete Wastewater Treatment Plant and discharge	Hamilton City Council
Ngaruawahia Wastewater Treatment Plant and discharge	Waikato District Council

DRAFT

SCHEDULE FOUR

MINIMUM PERFORMANCE STANDARDS

PARAMETER	MINIMUM PERFORMANCE STANDARDS FOR DISCHARGES TO WATER
Total Nitrogen	Less than 4.0 milligrams per litre (as annual means).
Total Phosphorus	Less than 1.0 milligrams per litre (as annual means).
Escherichia coli (E.Coli)	Less than 14 cfu per 100 millilitres (as a 95 th percentile).
	Noting that the future consents for any water based discharges will likely include specific daily limits on nutrient mass loadings (in units of kg/d rather than concentration limits in mg/l) for both summer and winter flow conditions.

PARAMETER	MINIMUM PERFORMANCE STANDARDS FOR DISCHARGES TO GROUND
Total Nitrogen	Less than 20 milligrams per litre (as annual means).
Total Phosphorus	No specific limit.
Escherichia coli (E.Coli)	Less than 500 cfu per 100 millilitres (as a median).
	Noting that actual parameters will depend on nitrogen and phosphorus loads able to be sustainably discharged to land irrigation systems, and appropriate microbial parameter limits will be dependant on the method and location of discharge to ground.

The minimum treated wastewater quality standards adopted are very high and based on current best practice and delivering “best for river” outcomes which include having a river that is swimmable and safe to gather food from.

In order to give effect to Te Ture Whaimana, alongside these quantitative minimum performance standards, the mauri of the water and land will be protected from adverse effects resulting from any parts of the Projects.

The treated wastewater quality standards would be introduced by 2031 or when the existing discharge resource consent for each wastewater treatment plant expires. Noting that achieving these targets may need to be staged within resource consents to provide sufficient time to upgrade and transition existing plants (i.e., Pukete WWTP) to meet these minimum standards.

For the purpose of completing the DBCs, assumptions have been made regarding discharge methods to be employed at each plant. Appropriate discharge methods will need to be considered and evaluated in detail as part of each Project to support resource consenting of any discharge activities.

For solids stream:

Solids management complexity, extent of solids destruction and energy potential realisation will increase in steps with population equivalent served.

Atmospheric emissions:

- (a) Proposed provisions for atmospheric emissions are reasonably general but all would require best practice to be implemented.
- (b) In all process plant development, life cycle emissions will be given due consideration. It is anticipated that the councils will adopt and apply the zero carbon bill aspirations and optimization of life cycle emissions generally. These will be drivers for initiatives, particularly in the larger plants, and for processes that drive the plants towards energy neutrality and emissions minimisation.

DRAFT

SCHEDULE FIVE
SOUTHERN WWTP STAGES

Year	Assumed Date	Stage	Stage Description	Assumed Areas Served	Total Stage Built Capacity	Capital Cost Estimate (2020 indexed)	Starting Demand
1 - 3	2022-2024	Stage 1	Pre-Implementation: Land acquisition, designation, consenting, master planning	Land and designation assumed to serve all stages		\$20 million	
3-5	2024-2026	Stage 1	WWTP: SBR with discharge to land including procurement and Council overheads and land discharge extension	Airport precinct (no allowance for wet industry)	1,000 m ³ /day (5000 PE)	\$9.9 million	400 m ³ /day (2,000 PE)
19 - 21	2040-2042	Stage 2	WWTP & Discharge: MBR with discharge to Waikato River. Includes conveyance from Matangi to plant, outfall pipeline and structure to river, operator building, sludge dewatering facility.	Airport precinct growth (excluding wet industry) and Matangi/ Tamahere Commercial areas	1,900 m ³ /day (9500 PE)	\$39.6 m assumes all Stage 1 plant can be reused	1,200 m ³ /day (6,000 PE)
29-31	2050-2052	Stage 2	WWTP Upgrade: Additional reactors and membrane equipment	Airport precinct growth, wet industry and Matangi/ Tamahere Commercial areas	3,600 m ³ /day (18,000 PE)	\$16.5 million	3,600 m ³ /day (18,000 PE)
39-41	2060-2062	Stage 3	WWTP: MBR with Energy Recovery (Primary Sedimentation and Digestion) with discharge to Waikato River. Includes conveyance from Southern Hamilton, major increase in treatment capacity.	Airport precinct (with wet industry), Matangi/ Tamahere Commercial, Southern Hamilton	15,600 m ³ /day (78,000 PE)	\$150.15 million (assumes 60% Stage 2 plant can be reused)	15,600 m ³ /day

*The dates included in this table (and used for the Southern Metro DBC) reflect the agreed growth assumptions used for the project. The actual timing and staging of the Southern WWTP will depend on demand for wastewater servicing in the area. Stage 1 is assumed to be required as soon as possible in order to provide a servicing solution for the Airport Precinct that aligns with the objectives of the DBCs. Timing of future stages and the areas serviced will depend on demand.

Version 2.0 – Distributed to Partners

To	Waikato District Council
Report title	Adoption of the High Pedestrian Traffic Areas
Date:	30 June 2022
Report Author:	Bessie Clarke, Corporate Planner
Authorised by:	Sue O’Gorman, General Manager Customer Support

1. Purpose of the report

Te Take moo te puurongo

For Council to adopt the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata, in relation to Earthquake Prone Buildings.

2. Executive summary

Whakaraapopototanga matua

Waikato District Council (Council) agreed to consult on the proposed high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata, in relation to Earthquake Prone Buildings, between 13 April and 13 May 2022.

18 submissions were received, and 1 submitter spoke at the Council hearing on 30 May 2022.

The Policy and Regulatory Committee (Committee) considered public feedback and deliberated on the proposed areas on 30 May 2022. Following deliberations, changes were requested to the proposed area in Huntly.

The requested changes are listed and have been made to the proposed area (Attachment 1) for Council’s consideration and adoption.

The consequence of this decision is that any buildings containing unreinforced masonry (URM), or as being determined to be earthquake prone in the identified high pedestrian traffic areas, are required to be upgraded within 12.5 years. URM buildings in other areas within the medium seismic risk zone have 25 years to be upgraded.

3. Staff recommendations Tuutohu-aa-kaimahi

That the Waikato District Council:

- a. notes the changes that have been made to the proposed high pedestrian areas (Attachment 1), as directed to staff by the Policy and Regulatory Committee on 30 May 2022.
- b. In accordance with the Section 133AF of the Building Amendment Act, adopts the amended identified high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata (Attachment 1).

4. Background Koorero whaimaarama

Council agreed to consult on the proposed high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata between 13 April and 13 May 2022.

Ngaruawahia, Huntly and Te Kauwhata are all located in the medium seismic risk area. In all three towns roads, footpaths or other thoroughfare located near buildings containing URM, at risk of collapsing in the event of an earthquake, were identified.

A [hearing](#) was held on 30 May 2022, with 1 submitter speaking at the hearing.

The Committee considered public feedback and directed staff of the required changes at [deliberations](#) on 30 May 2022.

5. Discussion and analysis Taataritanga me ngaa tohutohu

The following decisions and changes to the proposed high pedestrian traffic areas in Ngaruawahia, Huntly and Te Kauwhata have been made after direction from the Committee and in response to feedback provided by submitters:

Ngaruawahia

1. The identified high pedestrian traffic areas in Ngaruawahia will remain unchanged.

Huntly

1. The identified high pedestrian traffic areas in Huntly have one change proposed which is the extension of the north-end of the high pedestrian traffic area on Main Street to include two confirmed buildings containing URM.

Te Kauwhata

1. The identified high pedestrian traffic areas in Te Kauwhata will remain unchanged.
-

5.1 Options

Ngaa koowhiringa

Staff have assessed that there are two reasonable and viable options for the Council to consider. This assessment reflects the level of significance and Council's legislative requirements. The options are set out below:

1. Council to adopt the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata.
2. Further consultation on the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata

Staff recommend Option 1 in order for Council to meet the legislative review deadline of 1 July 2022.

5.2 Financial considerations

Whaiwhakaaro puutea

Whilst there are no financial impacts for Council, as a result of the recommendations of this report, it is noted that there will be significant remediation costs for owners of earthquake prone buildings in the district.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff confirm that Option 1 complies with the Council's legal and policy requirements. In identifying the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata, Council is required to undertake consultation under section 83 of the Local Government Act 2002.

To meet the requirements of the Building (Earthquake-Prone) Amendments Act 2016, Council must make a decision on high pedestrian traffic areas before 1 July 2022.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

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

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

No Maaori or cultural impacts are identified

5.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

5.7 Risks

Tuuraru

There is a future risk to the CBDs of Huntly, Ngaruawahia and Te Kauwhata in 12.5 years' time associated with the decisions in this report. This is due to the high remediation costs for building owners of earthquake prone buildings. These costs add significant economic pressures to businesses and could prevent some from being able to remain open or act as a deterrent to new businesses.

6. Significance and engagement assessment

Aromatawai paahekoheko

6.1 Significance

Te Hiranga

The decisions and matters of this specific report are assessed as of low significance in accordance with the Council's [Significance and Engagement Policy](#). However, this report is part of a broader project or process that is, or may be in future, assessed as of moderate significance.

The following criteria are particularly relevant in determining the level of significance for this matter: (delete those not applicable, and provide further information for those that are applicable).

There is a legal requirement to engage with the community.

6.2 Engagement

Te Whakatuutakitaki

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<p>Consultation on the proposed High Pedestrian Traffic Areas was undertaken from 13 April to 13 May.</p> <p>Council contacted building owners located within the identified areas to advise them of the opportunity to provide feedback on the proposed areas.</p> <p>To ensure there was general public awareness of the proposal, a public notice was published in local newspapers. Two posts were published on Council's Facebook page. A media release was also sent out.</p>				

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

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

7. Next steps Ahu whakamua

Following the decision, all submitters will be contacted by email or letter to advise on Council's decision on the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata. To ensure the general public is informed, public notices will be placed in local newspapers, information will be published on Council's website, a Facebook post will be published on Council's Facebook page and information will be included in Council's e-newsletter. A media release will also be issued.

Council's website will be updated with maps of the high pedestrian traffic areas for Ngaruawahia, Huntly and Te Kauwhata.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

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

The report fits with Council's role and Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments Ngaa taapirihanga

Attachment 1 – Map of High Pedestrian Areas for Ngaruawahia, Huntly and Te Kauwhata

Attachment I: Maps of High Pedestrian Traffic Areas for Ngaruawahia, Huntly and Te Kauwhata

Ngaruawahia



Huntly



Te Kauwhata



To	Waikato District Council
Report title	Subdivision 0098/21 Avant Developments Ltd, 536 Hakarimata Road, Ngaruawahia - Proposed Road Names
Date:	20 June 2022
Report Author:	Ross Bayer, Roding Team Leader
Authorised by:	Roger MacCulloch, General Manager Service Delivery

1. Purpose of the report

Te Take moo te puurongo

To seek approval from the Waikato District Council on the Road Naming application for Subdivision 0098/21 at 536 Hakarimata Road, Ngaruawahia.

2. Executive summary

Whakaraapopotanga matua

This report requests that the Waikato District Council approve the following road names for Subdivision 0098/21 at 536 Hakarimata Road, Ngaruawahia, in accordance with the Road Naming Policy:

Road 1	Road 2
Kaikomako Drive or Street	River Gardens Lane

The report submitted to the 3 May 2022 meeting of the Ngaruawahia Community Board seeking their approval to name roads within the Subdivision at 536 Hakarimata Road, Ngaruawahia, is attached to provide background information (Attachment 1).

The Board did not support all the names provided by the developer and asked for names from the Ngaruawahia preapproved road names list to be incorporated.

The Roding Team Leader and Councillor Patterson have been in discussions with the developer, and it has been agreed to incorporate one name from the approved road name list for Road 1, and one name of the developer's choice for Road 2.

The Ngaruawahia Community Board resolution is in line with the recommendation to the Committee as per below:

NCB2203/04

THAT the Ngaruawahia Community Board:

- *notes the Subdivision 0098/21 Avant Developments Ltd, 536 Hakarimata Road, Ngaruawahia – Proposed Road Name List; and*
- *the report be reconsidered after further discussion with the report writer.*

The road name above has been checked for duplication in Google, Intramaps mapping and the Waikato District Council RAMM list.

3. Staff recommendations

Tuutohu-aa-kaimahi

That the Waikato District Council approves the following road names as submitted by the developer for Subdivision 0098/21, 536 Hakarimata Road, Ngaruawahia, and negotiated on behalf of the Ngaruawahia Community Board by Councillor Patterson, in accordance with the Road Naming Policy:

Road 1	Road 2
Kaikomako Drive or Street	River Gardens Lane

4. Attachments

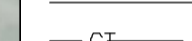



Ngaa taapirihanga

Attachment 1 – Report to Ngaruawahia Community Board - Subdivision 0098/21 at 536 Hakarimata Road, Ngaruawahia - Proposed Road Name List

NOTES

- LEGAL DESCRIPTION
 LOT 2 DP 476923 RT 660225 AREA 26.7560ha
 LOT 22 DP 401822 RT 405810 AREA 9.7198ha
 TOTAL AREA 36.4858ha
- CONTOURS SHOWN ARE EXISTING GROUND LEVELS
- CONTOURS ARE AT 1.0m INTERVALS. CONTOURS SHOWN ON THIS PLAN HAVE BEEN PROVIDED BY JUTA SURVEYING. ANY CRITICAL HEIGHTS SHOULD BE CHECKED ON SITE PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- BOUNDARY BEARINGS AND DISTANCES AND AREAS SHOWN ARE SUBJECT TO A FULL LEGAL SURVEY AND APPROVAL BY LAND INFORMATION NZ.
- ALL EASEMENTS, COVENANTS AND OTHER LEGAL INSTRUMENTS ASSOCIATED WITH THIS SITE MAY NOT BE SHOWN ON THIS PLAN. AN INVESTIGATION OF THE MOST CURRENT LEGAL RECORDS SHOULD BE UNDERTAKEN PRIOR TO DESIGN AND CONSTRUCTION COMMENCING.
- SERVICES POSITIONS AND ALIGNMENT HAVE BEEN OBTAINED FROM THIRD PARTY RECORDS AND SHOULD BE VERIFIED ON SITE PRIOR TO CONSTRUCTION COMMENCING. HARRISON GRIERSON DOES NOT IN ANY WAY GUARANTEE THE ACCURACY OF ANY UNDERGROUND SERVICE SHOWN ON THIS PLAN.
- THIS PLAN MAY NOT PROVIDE ENOUGH INFORMATION FOR HEIGHT TO BOUNDARY CALCULATIONS. WHERE ANY PROPOSED BUILDING OR PART THEREOF IS REQUIRED TO MEET COUNCIL'S HEIGHT IN RELATION TO BOUNDARY CONTROLS, HARRISON GRIERSON SHOULD BE CONSULTED.
- THIS PLAN IS ISSUED FOR A SPECIFIC PROJECT AND MAY NOT BE ALTERED OR USED FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF HARRISON GRIERSON.
- THIS PLAN HAS BEEN PREPARED FOR RESOURCE CONSENT PURPOSES ONLY. NO DETAILED DESIGN SHOULD BE UNDERTAKEN UTILISING THIS DATA.
- THESE NOTES ARE AN INTEGRAL PART OF THIS PLAN.

LEGEND

-  EXISTING BOUNDARY
-  PROPOSED BOUNDARY
-  PROPOSED EASEMENT
-  PROPOSED WALKWAY


HAMILTON OFFICE
 LEVEL 2, 678 VICTORIA STREET
 HAMILTON 3204
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 W www.harrisongrierson.com

REV	DESCRIPTION	BY	DATE
4	STAGE CHANGES	AXZ	13.05.21
3	BOUNDARY CHANGES	AWD	17.02.21
2	MINOR CHANGES	AWD	03.02.21
1	INITIAL ISSUE	AWD	30.11.20

CLIENT: AVANT DEVELOPMENTS LIMITED

TITLE: 536 HAKARIMATA ROAD OVERVIEW SCHEME PLAN SHEET 1 OF 8

DESIGNED:	DATE:	SIGNED:	PLOT BY:
			PLP

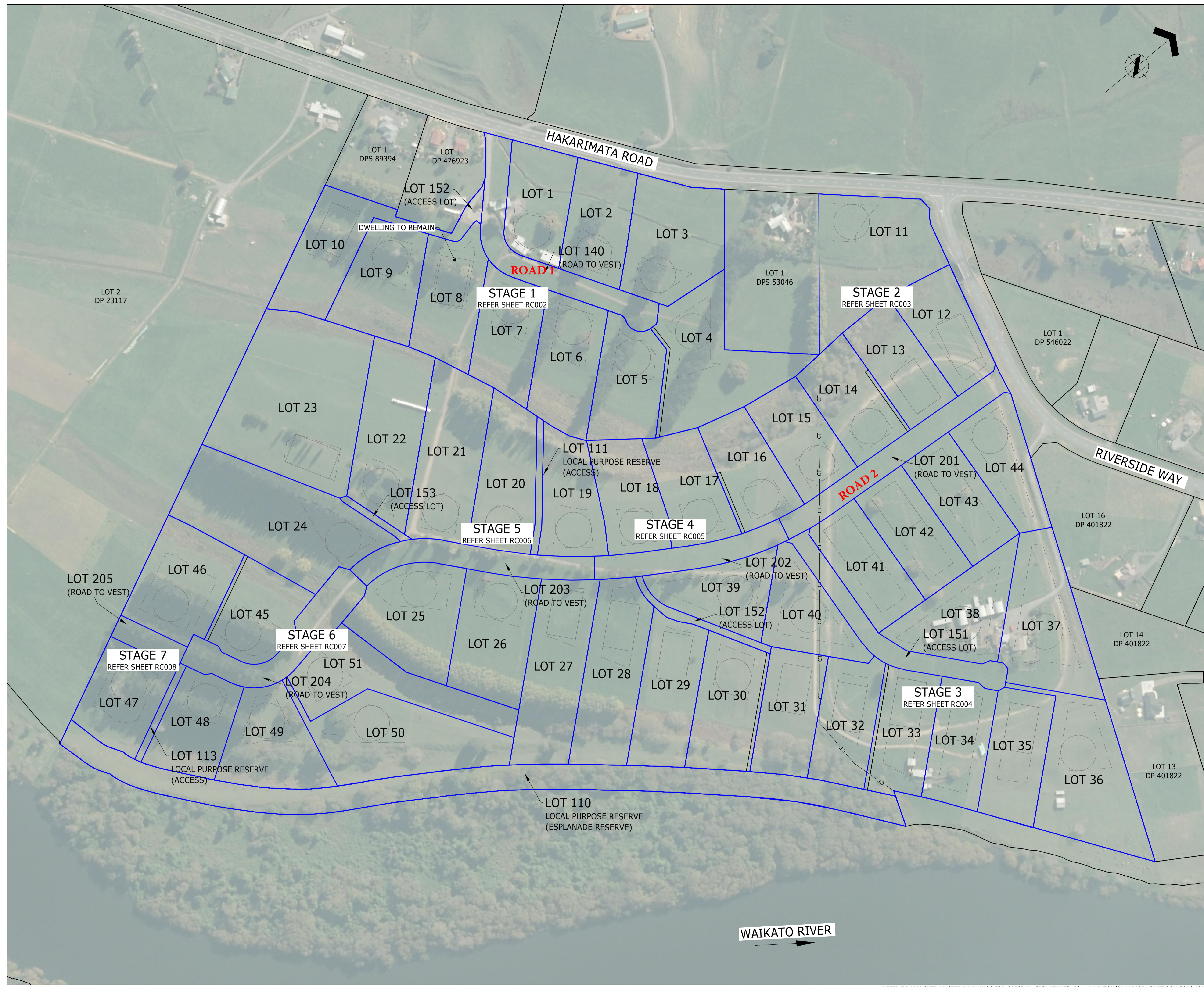
DRAWN:	DATE:	SIGNED:	PLOT DATE:
	17.11.20	AWD	14.05.21

CHECKED:	DATE:	SIGNED:	SURVEY BY:

APPROVED:	DATE:	SIGNED:	SURVEY DATE:

PROJECT No:	SCALES:	REV
A2000930.00	A1 1:1500 A3 1:3000	A1

DRAWING No:	REV
A2000930-RC001	4



To	Waikato District Council
Report title	Rates Resolution 2022/2023 financial year
Date:	30 June 2022
Report Author:	Colin Bailey, Finance Manager
Authorised by:	Gavin Ion, Chief Executive

1. Purpose of the report

Te Take moo te puurongo

To seek approval for rates and due dates for payment of rates, and authority for the addition of penalties to unpaid rates for the 2022/2023 financial year. All rates are inclusive of GST.

2. Executive summary

Whakaraapopototanga matua

Council is required to set rates in accordance with the Local Government (Rating) Act 2002. Council also needs to set the due dates for payment of rates and authorise the addition of penalties to unpaid rates.

3. Staff recommendations

Tuutohu-aa-kaimahi

- a. THAT the Waikato District Council resolves that the rates set out in the tables below be set under the Local Government (Rating) Act 2002 (“the Act”) for the financial year commencing on 1 July 2022 and ending on 30 June 2023:**
-

Source	Category	Funding	Basis of Rating	AP 2022/23 \$
General Rate		Work program as highlighted in the long term plan including Animal Control, Community and Safety, Corporate and Council Leadership, Environmental Health, Community Liason, Libraries, Parks and Reserves, Resource Management, Roading, Solid Waste management, Stormwater, Wasterwater and Water Supply	Uniform rate in the dollar of capital value	0.0021416
Uniform annual general charge (UAGC)	All rateable land in the district	People related activities including but not limited to libraries, parks and reserves, public cemeteries, public swimming pools, public toilets, community centres, community liaison, grants and donations, safer communities, animal control, civil defence and safety, building control, environmental health, resource management planning, environmental consents planning, area offices and democracy/ local government.	Fixed amount per rating unit	432.25
Targeted community facilities rates (apply to all rating units within each ward)	Huntly Community Facilities (urban catchment) Ngaruawahia Community Facilities Raglan Community Facilities	Covers the cost of maintenance and operation of community facilities.	Fixed amount per rating unit	42.00
				25.00
				25.00
Huntly pool rural	Based on location of rating unit in catchment area	Covers the cost of maintenance and operation of community facilities.	Fixed amount per rating unit	16.00
Tamahere Recreation Reserve	Based on location of rating unit within the Tamahere Ward	Covers the cost of loan interest and additional operational costs for the above average level of service of the Tamahere Recreation Reserve	Fixed amount per separately used or inhabited part of a rating unit	38.00

Source	Category	Funding	Basis of Rating	AP 2022/23 \$
Targeted hall or community centre rates (apply to all rating units within each hall catchment area)	Te Kohanga	Covers the cost of maintenance and operation of halls, other facilities and community centres	Uniform rate in the dollar of land value	0.000026
	Aka Aka			55.00
	Eureka			35.00
	Glen Murray			50.00
	Gordonton			26.00
	Horsham Downs			35.00
	Karioitahi			55.00
	Mangatangi			34.50
	Mangatawhiri			58.50
	Maramarua			24.00
	Matangi			30.00
	Meremere			24.00
	Naike			40.89
	Ohinewai			24.00
	Opuatia			32.00
	Orini			26.00
	Otaua			55.00
	Pokeno			23.00
	Port Waikato			125.00
	Pukekawa			40.00
	Puketaha			38.00
	Ruawaro			29.00
	Tamahere			70.00
	Taupiri			24.00
	Tauwhare			30.00
	Te Akau/Waingaro			32.00
	Te Hoe			30.00
	Te Kowhai			50.00
	Te Mata			24.00
	Tuakau			46.13
Whangarata		46.00		
Waikaretu		50.00		
Whitikahu		53.00		

Source	Category	Funding	Basis of Rating	AP 2022/23 \$
Tuakau refuse and recycling collection	Rating units within serviced areas	Covers the cost of refuse, recycling and food waste collection where the service is provided.	Fixed amount per wheelie bin.	215.62
Glen Murray refuse and recycling collection	Rating units within serviced areas		Fixed amount per separately used or inhabited part of a rating unit	63.04
Raglan recycling collection	Residential rating units within serviced areas.		Fixed amount per separately used or inhabited part of a rating unit	151.01
Raglan food waste collection	Residential rating units within serviced areas.		Fixed amount per separately used or inhabited part of a rating unit	72.90
Te Mata/Te Uku recycling collection points	Residential rating units within serviced areas.		Fixed amount per separately used or inhabited part of a rating unit	60.03
District wide refuse and recycling collection	Residential rating units within serviced areas. (Eureka, Glen Afton/Pukemiro, Gordonton and surrounds, Horotiu, Horsham Downs, Huntly and surrounds, Meremere, Ngaruawahia and surrounds, Port Waikato and surrounds, Pukekawa, Rangiriri and surrounds, Rotokauri, Tamahere and surrounds, Taupiri and surrounds, Te Kauwhata and surrounds, Te Kowhai, Whatawhata)		Fixed amount per separately used or inhabited part of a rating unit	215.62

Source	Category	Funding	Basis of Rating	AP 2022/23 \$
Water Supply - Available	Available (not connected but within 100 metres of the public water supply - to which it is capable of effectively being connected)	District wide water activities as per the annual plan	Fixed amount per rating unit	344.35
Water Supply - Non-Metered	Non-Metered rating units in serviced areas	District wide water activities as per the annual plan	Fixed amount per separately used or inhabited part of a rating unit	344.35
			Fixed amount per separately used or inhabited part of a rating unit for water consumed (non-metered)	393.31
Water Supply - Metered	Metered rating units in serviced areas	District wide water activities as per the annual plan	Fixed amount per separately used or inhabited part of a rating unit	344.35
			Charge Per cubic metre of water consumed (as measured by meter).	2.18
Wastewater	Residential - connected	Wastewater activities	Fixed amount per separately used or inhabited part of a rating unit	1,260.09
	Residential - available (not connected but within 30 metres of a public wastewater drain - to which it is capable of effectively being connected)		Fixed amount per rating unit	630.05
	Non residential/commercial - Non rateable (Organisations classified by the Act as fully non-rateable or organisations that are non-profitable as determined by the Council) - connected		Fixed amount per separately used or inhabited part of a rating unit for the first two pans.	1,260.09
	Non residential/commercial - Non rateable (Organisations classified by the Act as fully non-rateable or organisations that are non-profitable as determined by the Council) - connected		Additional fixed amount per pan for the third and any subsequent pans.	126.01
Wastewater	Non residential/commercial - Assistance for the elderly (Organisations supportive of the elderly as determined by the Council) - Connected	Wastewater activities	Fixed amount per separately used or inhabited part of a rating unit for the first two pans.	1,260.09
	Non residential/commercial - Assistance for the elderly (Organisations supportive of the elderly as determined by the Council) - Connected		Additional fixed amount per pan for the third and any subsequent pans.	252.02
	Commercial - Connected		Fixed amount per separately used or inhabited part of a rating unit for the first two pans.	1,260.09
	Commercial - Connected		Additional fixed amount per pan for the third and any subsequent pans.	630.05

Source	Category	Funding	Basis of Rating	AP 2022/23 \$
Urban Stormwater	Rating units within the stormwater catchment areas for which the service is available (Horotiu, Huntly, Matangi, Meremere, Ngaruawahia, Pokeno, Port Waikato, Raglan, Taupiri, Te Kauwhata and Tuakau).	District wide stormwater activity as per the annual plan	Fixed amount per rating unit	214.87
Tamahere rural stormwater	Rating units within the Tamahere stormwater catchment area.	Tamahere rural stormwater activities	Fixed amount per rating unit	29.11
Tamahere land drainage	Rating units within the Tamahere land drainage catchment area.	Land drainage activities.	Amount per hectare of land area	6.59
Community Boards	Huntly ward	Direct costs of operating all the community boards within the district	Fixed amount per rating unit	23.12
	Ngaruawahia ward			23.12
	Onewhero-Tuakau ward			23.12
	Raglan ward			23.12
	Taupiri ward			23.12
Pokeno Capital Wastewater Scheme	Connected properties in scheme area	Covers the capital cost and interest charges of the work.	Loan Instalments - Fixed amount per connection.	1,601.18
Whaanga Coast Capital Wastewater Scheme	Connected properties in scheme area	Covers the capital cost and interest charges of the work.	Loan Instalments - Fixed amount per connection.	1,629.13

b. THAT the Waikato District Council resolves that rates for the 2022/2023 year (excluding water by meter rates) shall be due in three equal instalments as follows:

First Instalment	20 September 2022
Second Instalment	20 January 2023
Third Instalment	22 May 2023

- c. **THAT the Waikato District Council resolves that water by meter rates shall be invoiced separately and payable in two instalments each year. For the 2022/2023 financial year, the meter reading dates and the payment due dates of instalments for each area are:**

Area	Reading Date I	Payment Due Date I	Reading Date 2	Payment Due Date 2
Ngaruawahia	July 2022	02 September 2022	January 2023	03 March 2023
Taupiri	July 2022	02 September 2022	January 2023	03 March 2023
Horotiu	July 2022	02 September 2022	January 2023	03 March 2023
Huntly	August 2022	07 October 2022	February 2023	06 April 2023
North Waikato	September 2022	04 November 2022	March 2023	05 May 2023
Pokeno	September 2022	04 November 2022	March 2023	05 May 2023
Port Waikato	October 2022	02 December 2022	April 2023	02 June 2023
Onewhero	October 2022	02 December 2022	April 2023	02 June 2023
Tuakau	October 2022	02 December 2022	April 2023	02 June 2023
Southern Districts	November 2022	06 January 2023	May 2023	07 July 2023
Western Districts	November 2022	06 January 2023	May 2023	07 July 2023
Raglan	December 2022	03 February 2023	June 2023	04 August 2023
Te Akau	December 2022	03 February 2023	June 2023	04 August 2023

- d. **THAT the Waikato District Council authorises the following penalty regime on unpaid rates (including water by meter rates):**

- i) **A penalty of 10% on so much of any rates instalment that has been assessed after 1 July 2022 and which is unpaid after the due date for payment, to be applied on the penalty dates as follows:**

First instalment 21 September 2022

Second instalment 21 January 2023

Third instalment 23 May 2023

- ii) **A penalty of 10% on so much of any water by meter instalment that has been assessed after 1 July 2022 and which is unpaid after the due date for payment. The penalty dates for the water instalments are as follows:**

Area	Penalty date 1	Penalty date 2
Ngaruawahia	05 September 2022	06 March 2023
Taupiri	05 September 2022	06 March 2023
Horotiu	05 September 2022	06 March 2023
Huntly	10 October 2022	11 April 2023
North Waikato	07 November 2022	08 May 2023
Pokeno	07 November 2022	08 May 2023
Port Waikato	05 December 2022	06 June 2023
Onewhero	05 December 2022	06 June 2023
Tuakau	05 December 2022	06 June 2023
Southern Districts	09 January 2023	10 July 2023
Western Districts	09 January 2023	10 July 2023
Raglan	07 February 2023	07 August 2023
Te Akau	07 February 2023	07 August 2023

- iii) **A penalty of 10% on so much of any rates assessed before 30 June 2022 which remain unpaid on 1 July 2022. The penalty date is 1 July 2022.**
- iv) **A further penalty of 10% on any rates to which a penalty has been added on 1 July 2022 if the rates remain unpaid. The penalty date is 1 January 2023.**
- e. **THAT the Waikato District Council sends a copy of the resolution to the Secretary of Local Government within 20 working days of these decisions.**

4. Discussion and analysis

Taataritanga me ngaa tohutohu

4.1 Options

Ngaa koowhiringa

No options are available for Council to consider.

4.2 Financial considerations

Whaiwhakaaro puutea

Adoption of the Rates Resolution provides the ability to assess and collect rates, and authorisation of the addition of penalties allows penalties to be added to amounts of rates that remain unpaid.

4.3 Legal considerations

Whaiwhakaaro-aa-ture

Section 23 of the Local Government (Rating) Act 2002 requires a rates resolution to be adopted.

Section 24 requires that Council set the due dates for payment by resolution.

Sections 57 and 58 authorise the addition of penalties and the type of penalties that may be added to rates that are not paid by the due date.

4.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with the Council's policies, plans and prior decisions, in particular the 2021-2031 Long Term Plan.

4.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

The matters in this report have been considered during the Long Term Plan 2021/2031 consultation process. The Rates for 2022/2023 are unchanged from those included in the consultation process and subsequently adopted in the Long Term Plan 2021/2031.

4.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

4.7 Risks

Tuuraru

The matters in this report have no risks.

5. Significance and engagement assessment Aromatawai paahekoheko

5.1 Significance Te Hiranga

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

5.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform ✓	Consult <input type="checkbox"/>	Involve <input 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 decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy .				

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

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

6. Next steps

Ahu whakamua

After approval the necessary actions will be taken to apply the rates, dues dates and penalties for the 2022/2023 financial year.

7. Confirmation of statutory compliance

Te Whakatuuturutanga aa-ture

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

The report fits with Council's role and Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

8. Attachments

Ngaa taapirihanga

There are no attachments for this report.

To	Waikato District Council
Report title	Community Aspirations Fund Assessment Panel Terms of Reference
Date:	30 June 2022
Report Author:	Deron Sharma, Three Waters Reform Project Manager
Authorised by:	Roger McCulloch, General Manager Service Delivery

1. Purpose of the report

Te Take moo te puurongo

To seek approval from the Council on the Terms of Reference for the Community Aspirations Fund Assessment Panel (Panel).

2. Executive summary

Whakaraapopotanga matua

Following from the Council Workshop held on 20 June 2022, this report requests that Council adopt the Terms of Reference which outlines a partnership with Council's iwi partners in relation to the Department of Internal Affairs' Better-off Funding package.

While Council and the Department of Internal Affairs recognise the funding as "Better-off Funding," on 23 May 2022, the Panel moved to change their name from "Better-off Funding Assessment Panel" to "Community Aspirations Fund Assessment Panel," which has been reflected in the Terms of Reference. This was done to reflect the objectives of the Panel for a community-focussed approach.

Staff recommend that Waikato District Council accept the Terms of Reference to enable the Panel to:

- engage our communities;
- develop a project longlist;
- evaluate the longlist to a shortlist; and
- ultimately recommend the shortlisted projects to Council.

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

The Panel has maintained consistent engagement with internal staff, treaty partners, Waikato-Tainui, and the Department of Internal Affairs through the Relationship Manager at Crown Infrastructure Partners.

Upon approval of this report, the planned engagement includes the execution of a joint Waikato District Council and Waikato-Tainui communications plan. This will be delivered through social media campaigns and Community Boards, with objective of engaging the wider community as well as our iwi and hapuu.

3. Staff recommendations

Tuutohu-aa-kaimahi

That the Waikato District Council approves the Terms of Reference for the Community Aspirations Fund Assessment Panel.

4. Background

Koorero whaimaarama

The Better-off Funding package from Department of Internal Affairs is an investment by the Crown into the future for local government and community wellbeing.

Territorial authorities will be required to demonstrate that the use of this funding supports the three waters service delivery reform objectives and other local wellbeing outcomes whilst aligning with the priorities of central and local government, through meeting all or some of the following criteria:

- supporting communities to transition to a sustainable and low-emissions economy, including building resilience to climate change and natural hazards;
- delivery of infrastructure and/or services that:
 1. enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available,
 2. support local place-making and improvements in community well-being.

Council recognises that the criteria for the funding package requires local authorities to engage with iwi/Māori in determining how it will use its funding allocation.

The Department of Internal Affairs' minimum expectations of Council regarding iwi/Māori engagement for the first tranche of funding are:

- Identify Māori impacted by the kaupapa (purpose) of the work, with a focus on hapū, iwi, post-settlement government entities, other mana whenua;
 - Evidence of genuine engagement, extending beyond standing committees; and
 - Identify issues/concerns arising from the engagement, and steps taken to accommodate and support these interests.
-

At the Infrastructure Committee meeting on 22 May 2022, Council agreed to the establishment of an assessment Panel to consider applications for Better-off Funding and make recommendations to Council on how the first \$7.88 million grant should be allocated.

At this meeting, Council agreed that Council staff and our treaty partners should be equally represented on the Panel and that the Panel should operate under a Terms of Reference that needed to be approved by Council (**Attachment 1**).

To better reflect the purpose (kaupapa) of the Better-off funding, on 23 May 2022, the Panel moved to change their name from “Better-off Funding Assessment Panel” to “Community Aspirations Fund Assessment Panel,” which has been reflected in the Terms of Reference.

The Terms of Reference has been developed to assist the Panel in carrying out its designated functions.

The purpose of the terms of reference is to:

- consider funding applications and projects in accordance with the Department of Internal Affairs requirements, iwi aspirations and Council’s values.
- provide a wellbeing assessment setting out the expected benefits and wellbeing outcomes for each project or initiative that outlines how the programme will deliver on the broader “wellbeing mandates” under the framework of the Local Government Act 2002.
- provide an update report to the Waikato-Tainui Joint Management Agreement Committee and any other relevant committee considered necessary by the Panel

The Terms of Reference also sets the entitlements for remuneration of iwi panel members.

The Panel is composed of equal parts treaty partners and Council staff (**Table 1**).

Table 1: Composition of Community Aspirations Fund Assessment Panel

Representative/s	Name	Representative of
Chairperson Iwi Representative	Carolyn Hopa	East Ward Representative
Deputy Chairperson Iwi Representative	Donald Turner	South Ward Representative
Iwi Representative	Haydn Solomon	West Ward Representative
Iwi Representative	Crystal Cherrington	North Ward Representative
Council Representative General Manager, Service Delivery	Roger MacCulloch	Waikato District Council

Council Representative Procurement Manager	Everard Whangapirita	Waikato District Council
Council Representative General Manager, Community Growth	Clive Morgan	Waikato District Council
Council Representative Chief Financial Officer	Alison Diaz	Waikato District Council

The Panel has worked at pace within strict timeframes to develop an application process, evaluation process, and engagement plan for the fund, congruent with the requirements of Department of Internal Affairs and Waikato District Council’s vision of “Liveable, thriving and connected communities - He noohanga aahuru, he iwi whai ora, he hapori tuuhono tahi.”

5. Discussion and analysis

Taataritanga me ngaa tohutohu

A Mātauranga Māori approach will be taken by the Panel, in alignment with Waikato District Council’s vision of “Liveable, thriving and connected communities,” as a vehicle to bring the funding application into our communities (**Attachment 2, Section 3**). This will mechanistically encompass the Social, Economic, Environmental, and Cultural wellbeing mandates required in the Local Government Act (2002).

By establishing a Mātauranga Māori approach, we establish the requirement to Inform, Consult, Collaborate and Partner to enable a successful transition for future funding within Tranche Two while building on an established relationship with Waikato-Tainui and their representatives in Tranche One.

This approach also enables our project submitters within the community to decide how they want to present their projects to the Panel, thereby enhancing accessibility to the fund.

5.1 Options

Ngaa koowhiringa

Staff have assessed that there is a reasonable and viable option for the Council to consider. This assessment reflects the level of significance (see paragraph 6.1).

The option is that Council approves the TOR to enable the panel to shortlist and recommend.

Staff recommend this option because it enables Waikato District Council to:

- Demonstrate genuine engagement with treaty partners as required by the Department of Internal Affairs criteria
-

- Enable a pathway to collaboration with treaty partners, which will set the precedence for Tranche Two of the funding
- Strengthen relationships with the community.

5.2 Financial considerations

Whaiwhakaaro puutea

There is an opportunity for Council to secure \$7.88 million of funding from the Department of Internal Affairs that can be utilised for community led projects and/or accelerate, enhance, or scale-up planned projects that meet the criteria.

Through ongoing collaboration with treaty partners, Council can also be positioned to successfully obtain Tranche Two of the fund. Tranche Two of the funding, available to Council from 1 July 2024, presents an opportunity to secure \$23.65 million. However, this will be subject to the Three Waters Reform Programme progressing. Therefore, Council staff seek to maximise utilisation of Tranche One funding.

Project resourcing requirements that are beyond business as usual will be attributed to costs incurred to project and claimed through the funding package. This includes remuneration of iwi panel members, project management and reporting, and community communications.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff confirm that recommended option complies with the Council's legal and policy requirements.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

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

Furthermore, the report and recommendations are congruent with Council's community outcomes and goals of:

- Supporting our communities by fortifying accessibility to this fund
- Building our economy by investing in jobs and opportunities within our district
- Working together with our communities by enabling face-to-face discussions between panel members and project submitters and providing support to project submitters that need help in developing their proposals

The report and recommendations are consistent with the commitment Council has made to Waikato-Tainui under the Waikato River Settlement - Joint Management Agreement (JMA).

Council's vision, community outcomes and goals will be supported throughout the development of the longlist. The Panel will be engaging to seek project nominations from community groups, iwi/hapuu, general public, Council staff, as well as the Waikato District Blueprint.

The longlist, with the aforementioned nominations, will be evaluated against an evaluation criteria to develop a shortlist. This shortlist will be presented to Council in the form of a 'Panel Recommendation,' enabling Council to provide final approval.

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

The Department of Internal Affairs' minimum expectations of Council regarding iwi/Māori engagement for the first tranche of funding involve identifying Māori impacted by the funding, conduct genuine engagement, identify issues arising from the engagement, and take steps to accommodate these.

Through the formation of the Panel and the subsequent mahi (work) that has been achieved at pace, Council has exceeded the minimum expectations.

The formation of the Panel has given Council the opportunity to:

- work together with iwi/Māori
- determine issues together
- develop solutions together
- involve iwi/Māori in the decision-making process

With reference to the Department of Internal Affairs' matrix for building partnership (**Figure 1**), it evident that Waikato District Council is not only engaging but partnering and working in collaboration with treaty partners and iwi.

		1 Current State			2 Future State
		Inform	Consult	Collaborate	Partner
Principles of Effective Engagement	Engage early	▶ Advise iwi/Māori of what is happening			
	Be inclusive	▶ Provide information to iwi/Māori	▶ Keep iwi/Māori informed ▶ Seek feedback from iwi/Māori	▶ Work together with iwi/Māori	▶ Pre-existing relationship with iwi/Māori
	Think broadly		▶ Listen to iwi/Māori ▶ Acknowledge iwi/Māori concerns & aspirations	▶ Determine issues/problems together	▶ Determine issues/problems together
Principles of Partnership	Plan and co-design together			▶ Develop solutions together	▶ Develop the solution together
	Share decision-making			▶ Involve iwi/Māori in the decision-making process	▶ Co-design the process
	Relationship built on trust and respect				
		Weak			Strong

Figure 1: Department of Internal Affairs partnership matrix

The Panel has given equal consideration to the needs of our wider community as well as the needs of mana whenua.

Through the joint reporting structure to the Waikato River Settlement-Joint Management Agreement Committee, the Panel gives effect to the principles of ‘Co-Management’ and ‘Integration’ outlined in the Agreement.

5.6 Climate response and resilience considerations
Whaiwhakaaro-aa-taiao

The decisions sought by, and matters covered in, this report are congruent with the Council’s [Climate Response and Resilience Policy](#) and [Climate Action Plan](#).

5.7 Risks
Tuuraru

Staff and the Panel have considered risk to Council based on Council’s Strategic Risk Register (**Table 3**).

Table 2: Summary of Risks

Risk	Mitigation/Minimisation Strategy
<p>Community Expectations: Council experiences significant public scrutiny due to being unable to meet key community expectations from all communities.</p>	<p>Council has endeavoured to enable all communities to access the funding.</p> <p>Council's joint communications strategy with Waikato-Tainui will maximise reach to ensure that Council's wider communities as well as mana whenua are targeted.</p>
<p>Reputation: There are potential inequities within the process towards Maaori applicants.</p>	<p>Council has endeavoured to meet the expectations set out by the Department of Internal Affairs to secure Council's access the funding.</p> <p>Consideration is aligned with JMA and Council's strategic vision. Council's staff are ensuring fairness and equity are delivered through the longlist evaluation process.</p> <p>A probity officer, independent to the Panel and the project, has also been appointed from Council to maintain fairness.</p>
<p>Project Delivery: Council is unable to deliver key projects due to a lack of capacity and or project capability.</p>	<p>To ensure successful delivery and reporting requirements are fulfilled without exhausting current resourcing capacity, Council will include project management in the programme of works when claiming the funding from Department of Internal Affairs.</p>
<p>Affordability: Council is unable to deliver the programme of works due to affordability and/or funding.</p>	<p>Council and the Panel have developed a process that ensures the projects are evaluated against funding availability and criteria to ensure they are accepted by the Department of Internal Affairs and can be delivered within the funding parameters, including timeframes.</p>
<p>Climate Resilience: Council experiences significant public scrutiny and or financial impact caused by Council being unable to effectively support Communities to adapt to climate impacts.</p>	<p>Resilience to natural hazards and climate change comprises a proportion of the Panel's assessment criteria, in accordance with the Department of Internal Affairs criteria to fortify Council's readiness for climate change.</p>

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

The decisions and matters of this report are assessed as of high significance, in accordance with the Council's [Significance and Engagement Policy](#).

AND

The following criteria were particularly relevant in determining the level of significance for this matter:

- There is a requirement from the Department of Internal Affairs to engage with treaty partners.
- The proposal or decision will affect a large portion of the community regarding Council's methodology in delivering the engagement and application process.
- The likely impact on present and future interests of the community, recognising Maaori Tikanga (culture values) and their relationship to land and water.
- The community interest is likely to be high due to the community-driven nature of the Better-off Fund.

6.2 Engagement Te Whakatuutakitaki

Engagement on the contents of this report has been minimal, subject to the adoption of the Terms of Reference by Council.

If accepted, Staff and Panel have devised a joint communications and engagement plan between Waikato District Council and Waikato-Tainui to achieve maximum engagement and collaboration with Maaori partners as well as the wider community.

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

- Collaboration with Waikato-Tainui Communications Team and developing an agreed, joint approach
 - Consultation and engagement opportunities with Māori community groups and stakeholders
 - Consultation and engagement opportunities with the wider community, community groups and stakeholders
 - Education to the general public of the Better-off Funding approach and intended outcomes
 - Changes or updates as necessary from the Department of Internal Affairs
 - Media enquiries and liaison in a joint approach with Waikato-Tainui Communications Team
-

Highest level of engagement	Inform <input type="checkbox"/>	Consult <input type="checkbox"/>	Involve <input type="checkbox"/>	Collaborate <input checked="" type="checkbox"/>	Empower <input type="checkbox"/>
<p><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></p>	<p>We have worked collaboratively with our iwi/hapuu to maximise engagement with the community, which has also strengthened the relationship between Council and its treaty partners in the process.</p> <p>We have maintained consistent engagement with the Department of Internal Affairs through John Mackie, Council's Relationship Manager at Crown Infrastructure Partners, wherein it has been indicated that Waikato District Council is one of the leading territorial authorities in the engagement space.</p> <p>We have given effect to the Joint Management Agreement and invited Waikato-Tainui to be engaged in this process.</p> <p>Through this process, we are gearing Council for the future for local government, a co-designing partnership between Council and treaty partners, and securing Tranche Two of the Better-off Fund, if available.</p>				

Stakeholders have been or will be engaged with:

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

7. Next steps Ahu whakamua

If the recommendations are approved, the next steps will be:

- to finalise the remuneration of iwi/hapu Panel members
- execute the joint communications and engagement plan for wider community as well as Maaori community
- execute engagement with community groups, community boards, and marae
- distribute application form and supporting background information for applicants
- build a longlist of projects
- evaluate the projects against the funding criteria to shortlist
- report shortlist to the Joint Management Agreement Committee
- make recommendation to Council at next meeting

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

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

The report fits with Council's role and Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	High
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments Ngaa taapirihanga

Attachment 1 – Terms of Reference – Community Aspirations Fund Assessment Panel
Attachment 2 – Community Aspirations Application Form

3 Waters - Community Aspirations Fund (Wai Toru - Ko te Tahua Puutea Wawata aa Hapori)

(Assessment Panel)

Reports to:	JMA Committee and Waikato District Council
Chairperson:	Carolyn Hopa
Deputy Chairperson:	Donald Turner
Membership:	<p>4 Waikato District Council (WDC) staff members</p> <ul style="list-style-type: none"> • Roger McCulloch • Alison Diaz • Clive Morgan • Everard Whangapirita <p>4 Iwi representatives</p> <ul style="list-style-type: none"> ▪ East – Carolyn Hopa ▪ West – Haydn Solomon ▪ North – Crystal Cherrington ▪ South – Donald Turner
Meeting frequency:	As and when required, at least weekly
Quorum:	5 Panel members.

Whakatakinga | Introduction

The 3 Waters – Community Aspirations Fund (“3W-CA”) is an investment by the Crown into the future for local government and community wellbeing; and in recognition of the significance to the local government sector (and the communities they serve) of the transfer of responsibility for quality water service delivery.

The use of this fund supports WDC to transition to their new role post-reform through meeting some or all of the following criteria, as laid out in the Heads of Agreement by Supporting communities to transition to a sustainable and low emissions economy, including by building resilience to climate change and natural hazards. This fund also supports the delivery of infrastructure and /or services that enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available. Delivery of infrastructure and/or services that support local place-making and improvements in community well-being.

The funding criteria set by the Department of Internal Affairs (DIA) for 3 Waters – Community Aspirations Funding provides flexibility for an Assessment Panel within WDC to

identify a potentially wide range of funding proposals.

Where Council and Iwi have existing strategic plans and documentation that meet the funding criteria, these may inform project selection, including proposals to accelerate, scale up or enhance current and planned initiatives.

Furthermore, to assist in identifying and prioritising applications the Assessment Panel may choose to assign different weighting to these prioritisation factors based on the needs of the community and the aspirations of Whaanau, Hapuu and Iwi.

Ngaa wai e toru – Ko te Tahua Puutea Wawata aa-Hapori he haumitanga naa te Karauna moo te aapoopoo maa ngaa kaawanatanga aa-kaainga me te oranga o te hapori, ka mutu koia hei taapae i te hiranga ki te raangai kaawanatanga aa-kaainga (me te hapori ka tuaritira e raatou) o te tuku i te takohanga ki te taha tiaki wai.

Ko te whakamahinga o teenei tahua puutea hei tautoko i te Kaunihera aa Takiwaa o Waikato i too raatou whakahoutanga kia tutuki i eeteahi, i te katoa raanei o ngaa paearu e whai ake nei, ka mutu, kua whakaraupapahia o roto i te Whakaaetanga aa ngaa Upoko maa te taunaki i ngaa hapori kia whakawhiti atu ki te ohanga toittuu me te ohanga tukuwaro-iti hoki, kia mataara anoo hoki ki te aa-huarangi hurihuri me ngaa moorearea nui.

Ka taunakihia anootia teenei tahua puutea i te whakaherenga tuuaahanga me ngaa ratonga e whakaae ana i te whakatuunga whare me te whakatupu, ka mutu, e aro tahi ana ki ngaa waahi kua roa nei e tuu tahanga ana me ngaa waahi hoki kaaore anoo kia whakamahia.

Ko ngaa whakahaerenga tuuaahanga me ngaa ratonga e haapai ana me te whakapiki i te oranga o te hapori.

Ko ngaa paearu o te tahua puutea kua whakaritea e te Tari Taiwhenua moo ngaa wai e toru- Te Tahua Puutea Wawata aa-Hapori e whakaae ana ki teeteahi kaahui whiriwhiri o roto i te Kaunihera aa Takiwaa o Waikato ki te whakataungia he ara tonoo aa-puutea.

Ko ngaa rautaki me ngaa tuhinga a te Kaunihera me te Iwi e haangai ana ki nga paearu tahua puutea, maa eenei pea e whakatau i ngaa kaupapa ka tohua, tae raa anoo ki te whakaterenga, ki te whakanui me te whakakaha raanei i ngaa kaupapa.

Ka mutu, hei aawhina i te kaahui whiriwhiri ki te tohu me te whakarite i ngaa tonoo ka tirohia, kei aa raatou hoki te tikanga meenaa ka aronui atu ki te momo o te kaupapa ka tohua kia haangai atu ki ngaa hiahia o te hapori me ngaa wawata o ngaa whaanau, ngaa hapuu me ngaa iwi.

Te Aronga me te tuutohu mahi | Purpose and Terms of Reference:

1. The DIA has released the opportunity for WDC to apply for 3 Waters – Community Aspirations Funding in partnership with Iwi, Council and the DIA.
2. To consider funding applications and projects in accordance with the DIA guidelines, Iwi aspirations and Council’s mission statement.
3. To provide a wellbeing assessment setting out the expected benefits and wellbeing outcomes for each project or initiative that outlines how the programme will deliver on the broader “wellbeing mandates” under the framework of the Local Government Act 2002 (LGA), and the specific wellbeing criteria for the Community Aspirations funding package.

4. The Chairperson will provide an update report to the Waikato Tainui Joint Management Agreement Committee and any other relevant committee considered necessary be the Chairperson.
 5. The terms of reference are for the period of Tranche 1 funding and related to the assessment, evaluation and approval of projects for Tranche 1 Community Aspirations funding.
1. **Kua whakaaetia e te Tari Taiwhenua kia tonu atu a WDC i Ngaa Wai e Toru – Te Tahua Puutea Wawata aa-Hapori, he mea mahi tahi hoki me te Iwi, te Kaunihera me Te Tari Taiwhenua.**
 2. **Kia whai whakaaro atu ki ngaa tonu puutea me ngaa kaupapa e haangai ana ki ngaa aratohu a DIA, ki ngaa wawata a te Iwi me te korero tauaakii o te Kaunihera.**
 3. **Kia waihangahia he aromatawai oranga e whakarite ana i ngaa hua oranga me ngaa putangaa oranga moo ia kaupapa, ka mutu ko te tirohanga whaanui o te kaupapa e haangai ana ki te “mana oranga” ki raro i te taahuuhuu o te Ture Kaawanatanga aa-Kaainga me ngaa paearu oranga o te Tahua Puutea Wawata aa-Hapori.**
 4. **Maa te Tiamana e whakarite he riipoata maa Waikato-Tainui me te komiti JMA me eeteahi atu raanei.**
 5. **Ko te tuutohu mahi moo te waahanga tuatahi o te tahua e haangai ana ki te aromatawai, ki te arotake me te whakaaetanga o ngaa kaupapa ki raro i te waahanga tuatahi o te Tahua Puutea Wawata aa-Hapori.**

**Kua tukuna te mana whakahaere ki te komiti moo ngaa mea e whai ake nei |
The Committee is delegated the following powers to act:**

- a) Evaluating projects and initiatives against the criteria determined by the DIA to enable funding proposal to be submitted for approval of applications for the 3 Waters Community Aspirations Fund.
- b) Uphold and exercise the protocols of partnership within the Waikato Tainui Joint Management Agreement and Co-governance arrangements when considering applications.
- c) Identify a Long List of projects and Initiatives
- d) Keep Council informed and report regularly on activity
- e) Determine and agree the weighting and values being applied to the criteria as part of the assessment scoring to enable the priority factors as defined by the needs of the community, WDC and the aspirations of the Whaanau, Hapuu and Iwi.
- f) Convert Long List into a Short List for approval by Council
- g) Present shortlist and recommendations to Council
- h) apply a wellbeing assessment setting out the expected benefits and wellbeing outcomes for each programme that outline how the programme will deliver on the broader

“wellbeing mandates” under the framework of the Local Government Act 2002 (LGA), and the specific wellbeing criteria set by the Panel for this fund.

- a) Te arotake i ngaa kaupapa ki taa ngaa paearu a Te Tari Taiwhenua kia whakaaetia ki ngaa tono puutea ka tonoa moo te Tahua Puutea Wawata aa-Hapori.
- b) Kia haapaitia ake, kia whakatiinana anoo i ngaa tikanga o te mahi tahi o Waikato-Tainui me te JMA i a taatou e whakaaetia ana i ngaa tono.
- c) Tautohua he raarangi tono kaupapa roa.
- d) Whakamoohio atu ki te kaunihera me te whakarite riipoata moo ngaa mahi.
- e) Whakataungia me te whaakaae ki te momo o te aronga paearu kia tika te aromatawaitia o ngaa whakaarotau me ngaa hiahia o te hapori, o WDC me ngaa wawata o te whaanau, hapuu me te iwi.
- f) Whakawhaaitihia te raarangi tono kaupapa kia whakaaetia e te Kaunihera.
- g) Tukuna atu ngaa tono kaupapa kua whakawhaaiti me eeteahi atu whakaaro ki te Kaunihera
- h) Whakauru atu he aromatawai oranga e whakarite ana i ngaa hua oranga me ngaa putangaa oranga moo ia kaupapa, ka mutu ko te tirohanga whaanui o te kaupapa e haangai ana ki te “mana oranga” ki raro i te taahuuhuu o te Ture Kaawanatanga aa-Kaainga me ngaa paearu oranga o te Tahua Puutea Wawata aa-Hapori.

Eeteahi atu | Other :

- External appointees to the committee will be entitled to remuneration for attendance at meetings in accordance with the terms agreed between the Council and DIA.
- Alternates may be used where committee members cannot fulfil functions at any time.
- Ka utua ngaa maangai o waho ka tohua ki te komiti moo aa raatou taaenga atu ki ngaa hui.
- Ka taaea te whakamahi i te maangai tuarua i ngaa waa ka kore e tae atu te maangai matua.



COMMUNITY ASPIRATIONS FUNDING – Application Form

Document development control	
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Prepared for:	Community Aspiration Funding Assessment Panel
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1.0 Introduction

Nгаа wai e toru – Ko te Tahua Puutea Wawata aa-Hapori he haumitanga naa te Karauna moo te aapoopoo maa ngaa kaawanatanga aa-kaainga me te oranga o te hapori, ka mutu koia hei taapae i te hiranga ki te raangai kaawanatanga aa-kaainga (me te hapori ka tuaritia e raatou) o te tuku i te takohanga ki te taha tiaki wai.

Ko te whakamahinga o teenei tahua puutea hei tautoko i te Kaunihera aa Takiwaa o Waikato i too raatou whakahoutanga kia tutuki i eeteahi, i te katoa raanei o ngaa paearu e whai ake nei, ka mutu, kua whakaraupapahia o roto i te Whakaaetanga aa ngaa Upoko maa te taunaki i ngaa hapori kia whakawhiti atu ki te ohanga toituu me te ohanga tukuwaro-iti hoki, kia mataara anoo hoki ki te aahuarangi hurihuri me ngaa moorearea nui.

Ka taunakihia anootia teenei tahua puutea i te whakaherenga tuuaahanga me ngaa ratonga e whakaae ana i te whakatuunga whare me te whakatupu, ka mutu, e aro tahi ana ki ngaa waahi kua roa nei e tuu tahanga ana me ngaa waahi hoki kaaore anoo kia whakamahia.

Ko ngaa whakahaerenga tuuaahanga me ngaa ratonga e haapai ana me te whakapiki i te oranga o te hapori.

Ko ngaa paearu o te tahua puutea kua whakaritea e te Tari Taiwhenua moo ngaa wai e toru-Te Tahua Puutea Wawata aa-Hapori e whakaae ana ki teeteahi kaahui whiriwhiri o roto i te Kaunihera aa Takiwaa o Waikato ki te whakataungia he ara tonono aa-puutea.

Ko ngaa rautaki me ngaa tuhinga a te Kaunihera me te Iwi e haangai ana ki nga paearu tahua puutea, maa eenei pea e whakatau i ngaa kaupapa ka tohua, tae raa anoo ki te whakaterenga, ki te whakanui me te whakakaha raanei i ngaa kaupapa.

Ka mutu, hei aawhina i te kaahui whiriwhiri ki te tohu me te whakarite i ngaa tonono ka tirohia, kei aa raatou hoki te tikanga meenaa ka aronui atu ki te momo o te kaupapa ka tohua kia haangai atu ki ngaa hiahia o te hapori me ngaa wawata o ngaa whaanau, ngaa hapuu me ngaa iwi.

The Community Aspirations Fund (CAF) is an investment by the Crown into the future for local government and community well-being; and in recognition of the significance to the local government sector (and the communities they serve).

The use of this fund supports Waikato District Council (WDC) to transition to their new role, post-reform, through meeting some or all of the criteria, as laid out in the Heads of Agreement.

Supporting communities to transition to a sustainable and low emissions economy, including by resilience to climate change and natural hazards.

This fund also supports the delivery of infrastructure and/or services that enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available.

The funding criteria set by the Department of Internal Affairs (DIA) for Community Aspirations Funding provides flexibility for an Assessment Panel with WDC to identify a potentially wide range of funding proposals.

Where Council and Iwi have existing strategic plans and documentation that meet the funding criteria, these may inform project selection, including proposals to accelerate, scale up or enhance current and planned initiatives.

Furthermore, to assist in identifying and prioritising applications, the Assessment Panel have chosen to assign different selection methodology to these prioritisation factors based on the needs of the community and the aspirations of Whaanau, Hapuu and Iwi.

1.1 Using this document

This document has been developed for the purpose of the CAF available under the Three Waters Reform programme.

Please complete this form for each project separately. The projects proposed in this document will be presented to the CAF assessment panel no later than **25 July 2022**.

1.2 Funding overview

The Government has developed a package of \$2.5 billion to support New Zealand local councils through transition to the new water services delivery system, and to position Councils for the future.

Additionally, the funding is designed to ensure that the financial impacts of reform are managed and importantly, all councils and communities will transition to the new system for delivering three waters services in a better position than they are now.

The Community Aspirations component of the support package is to support the three waters service delivery reform objectives and other local wellbeing outcomes in a manner consistent with the priorities of central and local government. It is an investment by the Crown into the future for local government and community wellbeing. Territorial authorities are required to demonstrate that the use of this funding supports and aligns with the priorities set by the DIA.

WDC has been allocated a total of \$31,531,126. Under the first tranche of funding, WDC has been allocated \$7.88 million to spend on projects that meet the criteria. The second tranche of this fund, valued at \$23.65 million, is planned to be released on 1 July 2024.

1.3 Project Parameters

Cumulatively, the projects must not commit WDC beyond the volume of funding available under Tranche 1, which is valued at \$7.88 million.

The expenditure program can include capital or operational expenditure, but the funding only covers projects up to 30 June 2027.

1.4 Criteria

The DIA have issued three broad criterion for the Community Aspiration Funding, these are:

1. Supporting communities to transition to a sustainable and low-emissions economy, including by building a resilience to climate change and natural hazards.
2. Delivery of infrastructure and/or services that enable housing development and growth with a focus on Brownfield and infill development opportunities where those are available.
3. Delivery of infrastructure and/or services that support local place-making and improvements in community well-being.

WDC in conjunction with iwi have applied the kaupapa assessment terms of the Wai Ora Wai Māori policy* to the DIA criteria. We have simplified the criteria, to encourage true community-led project submissions.

Community Aspiration criterion:

1. **Taha Wairua** – Resilience and adaptation of ecosystems to aid community connectivity
 - a. **Kia toitū te whakawhitinga ki te whakaheke i te ōhanga o te puha kia pūmau ki te huringa o te āhua o ngā rangi**
Identify opportunities to improve energy efficient buildings, energy efficient transportation and projects that assist in the reduction of carbon emissions.
 - b. **Kia toitū te whakawhitinga ki te whakaheke i te ōhanga o te puha kia pūmau ki ngā matepā o te taiao**
Identify the natural hazards (E.g. coastal erosion, flooding, earthquake) of our district and build community resilience to manage them.
2. **Taha Kikokiko** – Enabling the development of infrastructure to provide community connectivity
 - a. **Kia āhei te hanga, ki te whakarahi ake i nga waahi whare hou**
Identify opportunities to enable growth of residential and commercial activity on undeveloped land.
 - b. **Kia āhei te hanga, ki te whakarahi i ngā waahi onāiane**
Identify opportunities to enable redevelopment and or revitalisation of existing residential and commercial areas to meet the changing needs of the community.
3. **Taha Whānau** – When our communities are connected, our whanau thrive
 - a. **Hei awhina i te āhuatanga o te whakahaere, i te whakawhanake i te oranga o te hāpori**
Support local initiatives that improve community social and cultural well-being.

* The Wai Ora Wai Māori policy was created by the Waikato-Tainui College of Research and Development and Manaaki Whenua, Landcare Research and published June 2017.

1.5 Selection Methodology

All applications received will be categorised to address scale-inequity challenges using the definitions below.

1. Tuakana – aimed at applicants that do not require additional support to get them contract/service ready, Council staff for example.
2. Tēina – aimed at applicants with propositions that would benefit from further support to get them contract/service ready.

2.0 Assessment Panel

A cross-functional team of evaluators will be involved in the assessment of proposals and recommending the applicants for receipt of funding.

Assessment Panel Members

Representative/s	Name	Organisation
Iwi Representative Chairperson	Carolyn Hopa	East Ward Representative
Iwi Representative Deputy Chairperson	Donald Turner	South Ward Representative
Iwi Representative	Haydn Solomon	West Ward Representative
Iwi Representative	Crystal Cherrington	North Ward Representative
Council Representative General Manager, Service Delivery	Roger MacCulloch	Waikato District Council
Council Representative Procurement Manager	Everard Whangapirita	Waikato District Council
Council Representative General Manager, Community Growth	Clive Morgan	Waikato District Council
Council Representative Chief Financial Officer	Alison Diaz	Waikato District Council

Administration Project Management

Role	Name	Organisation
Waters Manager	Keith Martin	Waikato District Council
Three Waters Reform Project Manager	Deron Sharma	Waikato District Council

3.0 Mātauranga Māori

3.1 The approach

- Wānanga (full tikanga Māori mihi whakatau & protocols)
- If requested presentations can be held on Marae
- Whānau able to present Written or Oral submissions

- **Wāhanga Tuatahi** – Phase one, the long tail.
 - Taha Wairua
 - Taha Kikokiko
 - Taha Whānau,

- 30m Pōwhiri – (Panel and staff welcomed on the marae. 2 Speakers and Kai)
- 30m Applicants – (Prescribed process that’s facilitated by the Chair)
 - 5m Whakawhanaungatanga – (Brief introductions)
 - 20m Tuku Kōrero
 - 5m Kōrerorero – (Brief Q&A)
- Poroporoaki – (Farewell and Closing Prayer – 2 Speakers)

- **Wāhanga Tuarua** – Phase two, the short tail.
- 30m Pōwhiri – (Panel and staff welcomed on the marae. 2 Speakers and Kai)
- 40m Applicants – (Prescribed process that’s facilitated by the Chair)
 - 5m Whakawhanaungatanga – (Brief introductions)
 - 20m Tuku Kōrero
 - 15m Kōrerorero – (Brief Q&A)
- Poroporoaki – (Farewell and Closing Prayer – 2 Speakers)

3.2 Evaluation procedure summary

- **Wāhanga tuatahi** – Phase one, the long tail.
 - Assessed by teams of two from the Assessment Panel
 - Proposals can be presented written, orally or virtually.
 - Each Panel member will independently score each project against the relevant criteria.
 - Scoring will be based solely on the non-priced criteria and will be independent of other factors.
 - A shortlist will be created based on the above scoring decisions and categorised as a Tuakana or Tēina

- All applicants will be given 5 working days to further develop their proposals before Wāhanga tuarua – Phase two starts.
- Tēina applicants can request application support from Council during this time to help develop their proposals.

- **Wāhanga tuarua** – Phase two, the short tail.
 - Proposals can be presented in person or written. All applicants must be available at the venue for questions.
 - All 8 panel members will assess each of the proposals being presented and independently score each project against the relevant criteria.
 - Scoring will be based solely on the non-priced criteria and will be independent of other factors.
 - Pricing information will be introduced once the non-price scores have been finalised.
 - All panel members will then collectively moderate and prioritise the proposals.
- A recommendation document will be prepared for endorsement at the August 2022 Council meeting.

Note: if required, the panel will approach project submitters for further details.

4.0 Attachments

Please provide any other documents you would like the assessment panel to consider that support your proposal. Please email these documents to Procurement@waidc.govt.nz prior to [insert date]

4.1 Submissions

Submissions close on (TBC)

What is the name of the project and point of contact.

Initiative Name	Contact Details

4.2 Project Summary

In this section, you are required to give details of the project being submitted. Please populate all the fields being requested as this information is crucial for the Assessment Panel.

Please consider the below as a guideline to help you complete this section:

1. Define what your project is and why it's needed in your community.
2. Define what are your expected outcomes are.
3. Define what activities are in scope and if there maybe any out-of-scope activities within this project.
4. Define your project timelines and how far into the planning process you are.

Project Summary

[Insert your summary here]

4.3 Assessment Criteria

Please explain how your project meets the following criteria described below.

Criteria	Explanation of how your project meets criteria. (If criteria not applicable, write N/A)
<p>Kia toitū te whakawhitinga ki te whakaheke i te ōhanga o te puha kia pūmau ki te huringa o te āhua o ngā rangi</p> <p>Identify opportunities to improve energy efficient buildings, energy efficient transportation and projects that assist in the reduction of carbon emissions.</p>	
<p>Kia toitū te whakawhitinga ki te whakaheke i te ōhanga o te puha kia pūmau ki ngā matepā o te taiao</p> <p>Identify the natural hazards (e.g. coastal erosion, flooding, earthquake) of our district and build community resilience to manage them.</p>	
<p>Kia āhei te hanga, ki te whakarahi ake i nga waahi whare hou</p> <p>Identify opportunities to enable growth of residential and commercial activity on undeveloped land.</p>	
<p>Kia āhei te hanga, ki te whakarahi i ngā waahi onāiane</p> <p>Identify opportunities to enable redevelopment and or revitalisation of existing residential and commercial areas to meet the changing needs of the community.</p>	
<p>Hei awhina i te āhutatanga o te whakahaere, i te whakawhanake i te oranga o te hāpori</p>	

Support local initiatives that improve community social and cultural well-being.	
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4.4 Additional Information

Pricing

Please provide a high level breakdown of your project funding requirements.

As per section 1.5 to help us categorise your proposal; can you please provide your last financial years' turnover value.

To	Waikato District Council
Report title	Exclusion of the Public
Date:	11 April 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Gavin Ion, Chief Executive

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

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1 Confirmation of Minutes Item number PEX 2 Action Register	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 3.1 Infrastructure Committee Recommendations - 20 June 2022		
Item PEX 4.1 Proposal to remain in the Transition Period Under the Watercare Agreement due to The Three Waters Reform		
Item PEX 4.2 Watermain Renewals - Change Request		

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 4.3 Appointment of Development Contributions Commissioners to Determine Development Contributions Objection Lodged by 99 Ngaruawahia Limited	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 4.4 Minutes from the Chief Executive Performance Review Committee Meeting Adopting 2022/23 KPI's		
Item PEX 4.5 Contract 21-061 Raglan Wharf Improvement - Approval to Award		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX 1 Confirmation of Minutes Item number PEX 2 Action Register		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item PEX 3.1 Infrastructure Committee Recommendations - 20 June 2022		Refer to the Infrastructure Committee agenda for 20 June 2022 for Public Excluded reasons.
Item PEX 4.1 Proposal to remain in the Transition Period Under the Watercare Agreement due to The Three Waters Reform	7(2)(b)(ii) 7(2)(j)	To protect information that would otherwise unreasonably prejudice a person's commercial position To prevent use of the information for improper gain or advantage.

Item No.	Section	Interest
Item PEX 4.2 Watermain Renewals - Change Request	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.
Item PEX 4.3 Appointment of Development Contributions Commissioners to Determine Development Contributions Objection Lodged by 99 Ngaruawahia Limited	7(2)(a)	To protect a person's privacy
Item PEX 4.4 Minutes from the Chief Executive Performance Review Committee Meeting Adopting 2022/23 KPI's	7(2)(a)	To protect a person's privacy
Item PEX 4.5 Contract 21-061 Raglan Wharf Improvement - Approval to Award	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

2. Attachments Ngaa taapirihanga

There are no attachments for this report.