

Agenda for a meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 15 AUGUST 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. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

*Note: It is proposed to take Items 8.1 and PEX 3.3 will be taken at this point of the meeting.*

**3. DISCLOSURES OF INTEREST**

**4. CONFIRMATION OF MINUTES**

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GJ Ion  
**CHIEF EXECUTIVE**

## TERMS OF REFERENCE AND DELEGATION

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

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### **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.

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Confirmation of Minutes</b>
Date:	10 August 2022
Report Author:	Gaylene Kanawa, Democracy Team Leader
Authorised by:	Gavin Ion, Chief Executive

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

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

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To confirm the minutes for a meeting of Council held on Thursday, 30 June 2022.

## **2. Staff recommendations**

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

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**THAT the minutes for a meeting of the Waikato District Council held on Thursday, 30 June 2022 be confirmed as a true and correct record.**

## **3. Attachments**

### **Ngaa taapirihanga**

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Attachment 1 – CCL Minutes – 30 June 2022

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Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **THURSDAY, 30 JUNE 2022** commencing at **9.31am**.

**Present:**

His Worship the Mayor, Mr AM Sanson (Chairperson)  
Cr JA Church  
Cr C Eyre  
Cr SL Henderson  
Cr SD Lynch  
Cr RC McGuire  
Cr FM McNally  
Cr EM Patterson  
Cr JD Sedgwick  
Cr NMD Smith  
Cr LR Thomson  
Cr CT Woolerton

**Attending:**

Mr GJ Ion (Chief Executive Officer)  
Mr TG Whittaker (Chief Operating Officer)  
Mrs S O’Gorman (General Manager, Customer Support)  
Mr R MacCulloch (General Manager, Service Delivery)  
Ms A Diaz (Chief Financial Officer)  
Ms L Shirley (Zero Harm Manager)  
Mr K Martin (Waters Manager)  
Ms C Nutt (Waters Contract Relationship Manager)  
Ms C Bailey (Finance Manager)  
Mr M Balloch (Building Quality Manager)  
Mrs M Russo (Corporate Planning Team Leader)  
Mr R Rink (Contracts Team Leader)  
Mrs GJ Kanawa (Democracy Team Leader)

**APOLOGIES AND LEAVE OF ABSENCE**

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

**THAT the apologies from Cr Bech and Cr Gibb for non-attendance be accepted.**

**CARRIED**

**WDC2206/01**

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

**Resolved: (Crs Eyre/Sedgwick)**

**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; and
- b. all reports be received.

**CARRIED**

**WDC2206/02**

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## **CONFIRMATION OF MINUTES**

Agenda Item 4

**Resolved: (Crs Church/Eyre)**

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

**CARRIED**

**WDC2206/03**

Actions Register

Agenda Item 5

The report was received [*WDC2206/02 refers*] and the following discussion was held:

- Clarity was sought regarding Community Board members expectations with attending conferences and discretionary funding training that would be given as part of the induction process after the elections. Staff confirmed that full training would be given regarding the new process and policies surrounding elected member expenses and funding.

**REPORTS****Policy & Regulatory Committee Recommendations – 14 June 2022**  
Agenda Item 6.1

The reports and any attachments referred to below can be found at the following link - <https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/policy-and-regulatory-committee>. The report was received [WDC2206/02 refers] and no further discussion was held.

**Revocation of Policies (P&R2206/04)****Resolved: (Crs Sedgwick/Woolerton)**

**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**

**CARRIED****WDC2206/04**



Adoption of the Proposed Livestock Movement Bylaw 2022 (P&R2206/05)

**Resolved: (Crs Sedgwick/Smith)**

**THAT the Waikato District Council:**

- 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. 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. 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. adopts the **Livestock Movement Bylaw 2022 (Attachment 2)** be adopted; and 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)**; and
  - iii. **'Stock Underpass Policy 2006 (Attachment 5)**

A division was called for, voting for which was as follows:

For the Motion: His Worship the Mayor; Cr Church, Cr Eyre, Cr Henderson, Cr Lynch, Cr McGuire, Cr McInally, Cr Patterson, Cr Sedgwick, Cr Smith, Cr Thomson.

Against the Motion: Cr Woolerton.

**CARRIED**

**WDC2206/05**

Strategy & Finance Committee Recommendations – 22 June 2022

Agenda Item 6.2

The reports and any attachments referred to below can be found at the following link - <https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/strategy-and-finance-committee>. The report was received [WDC2206/02 refers] and no further discussion was held.

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

**Resolved: (Crs Sedgwick/Smith)**

**THAT the Waikato District Council:**

- a. adopts the **Annual Plan 2022/23 (attachment 1)**;
- b. adopts the amendments to the **Fees and Charges 2021-2023 Document (as set out in Attachment 2)**;
- c. adopts 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. approves the total **Community Board Targeted Rate for 2022/23** be reappropriated to **Community Boards** based on the new representation arrangements; and
- e. delegates the **Chief Executive** to make formatting and/or grammatical amendments to the **Annual Plan**.

**CARRIED**

**WDC2206/06**

Feedback from the Waikato District Council on the Interim Report on the Future of Local Government Review (S&F2206/05)

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

**THAT the Waikato District Council:**

- a. approves feedback to the **Future for Local Government Review Panel** on the **Interim Report on the Future of Local Government Review**; and
- b. delegates the **Mayor** to make any subsequent amendments to the feedback (letter) prior to him signing it off.

**CARRIED**

**WDC2206/07**

Managing Afforestation Incentives (S&F2206/07)

**Resolved: (His Worship the Mayor/Cr Thomson)**

**THAT the Waikato District Council notes the approved Managing Afforestation submission to the Ministry of Primary Industries on Managing exotic afforestation incentives was lodged with the Ministry for Primary Industries on 22 April 2022.**

**CARRIED**

**WDC2206/08**

**REPORTS**Zero Harm Update

Agenda Item 7.1

The report was received [*WDC2206/02 refers*] and the following discussion was held:

- Vehicle accident involving one of our Animal Control Team since report written, staff were investigating and will report to the next Council meeting.
- Contractors were able to do their own plan – Code of Practice Temporary Traffic Management. Waka Kotahi changed these rules and did not engage with the sector as well as it could have and rolled out a framework that the sector gave strong feedback on. Staff trying to work through what it means for Council and our contractors, but in the interim still status quo.
- Worksafe have been involved with setting guidelines for working on roadways, however that has not been finalised as not on their website.
- Zero Harm staff working with Community Boards and Hall Committees to develop strategies for managing contractors within our Zero Harm framework. Staff trying to understand levels of risk with different types of risks to help the halls control the risk management around various works.
- Engagement conversations chart – Zero Harm Team monitor and follow up when they do not match our EAP reports.

Hamilton-Waikato Metropolitan Wastewater Detailed Business Cases

Agenda Item 7.2

The report was received [*WDC2206/02 refers*] and the following discussion was held:

- The Waters Manager spoke to his report and covered off the options and highlighted that Option A in the report was the preferred approach by Iwi as well as staff.
- Project has been a collaboration with Iwi, ensured they were part of the journey throughout the development of the MOU and development of the detailed business case.
- Important to have in place before Entity B comes into fruition as part of the Three Waters Reform as best outcome for Iwi, ratepayers and Council.

- Integrated system and recognised that ratepayers would have to pay for these outcomes which has taken around seven (7) years to finalise.
- Projections take growth and separate allowance of around 30% unallocated, therefore can easily accommodate additional/unexpected flows.
- Tuakau-Pokeno wastewater pipeline, amended programme of works coming through Council.

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

**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.**

**CARRIED**

**WDC2206/09**

Adoption of the High Pedestrian Traffic Areas

## Agenda Item 7.3

The report was received [WDC2206/02 refers] and no further discussion was held.

**Resolved: (Crs Sedgwick/Eyre)****That the Waikato District Council:**

- a. notes the changes that have been made to the proposed high pedestrian areas (Attachment I), 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 I).

**CARRIED****WDC2206/10**Subdivision 0098/21 Avant Developments Ltd, 536 Hakarimata Road, Ngaruawahia –Proposed Road Names

## Agenda Item 7.4

The report was received [WDC2206/02 refers] and no further discussion was held.

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

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

**CARRIED****WDC2206/11**Rates Resolution 2022/2023 Financial Year

## Agenda Item 7.5

The report was received [WDC2206/02 refers] and the following discussion was held:

- Rate was as per the Long Term Plan, with additional of Raglan Food Waste Targeted Rate consulted on with the community.
- Concern raised that targeted rates for community halls was insufficient for the committees to maintain facilities at a reasonable standard, do not want them to fall into disrepair as some have in the past.

**ACTION:** Halls team to review targeted rates for community halls.

**Resolved: (Cr Smith/Sedgwick)****THAT the Waikato District Council:**

- a. 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:**

<b>Area</b>	<b>Reading Date I</b>	<b>Payment Due Date I</b>	<b>Reading Date 2</b>	<b>Payment Due Date 2</b>
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:**

<b>First instalment</b>	<b>21 September 2022</b>
<b>Second instalment</b>	<b>21 January 2023</b>
<b>Third instalment</b>	<b>23 May 2023</b>

- 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:**

<b>Area</b>	<b>Penalty date 1</b>	<b>Penalty date 2</b>
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.**

**CARRIED**

**WDC2206/12**

Community Aspirations Fund Assessment Panel Terms of Reference  
Agenda Item 7.6

The report was received [*WDC2206/02 refers*] and the following discussion was held:

- Terms of reference as discussed at workshop on 20 June 2022.
- Cr Bech had raised the issues with the name of the fund and Council would need to consider new name, but preferred not to utilise Better Off funding due to the connotations.

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

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

**CARRIED**

**WDC2206/13**

**EXCLUSION OF THE PUBLIC**

Agenda Item 8

**Resolved: (Crs Eyre/Sedgwick)**

- a. **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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 1 Confirmation of Minutes</b>  <b>Item number PEX 2 Action Register</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 3.1 Infrastructure Committee Recommendations – 20 June 2022</b>		

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
<b>Item PEX 4.1</b> <b>Proposal to remain in the Transition Period Under the Watercare Agreement due to The Three Waters Reform</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 4.2</b> <b>Watermain Renewals – Change Request</b>		
<b>Item PEX 4.3</b> <b>Appointment of Development Contributions Commissioners to Determine Development Contributions Objection Lodged by 99 Ngaruawahia Limited</b>		
<b>Item PEX 4.4</b> <b>Minutes from the Chief Executive Performance Review Committee Meeting Adopting 2022/23 KPI's</b>		
<b>Item PEX 4.5</b> <b>Contract 21-061 Raglan Wharf Improvement - Approval to Award</b>		

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

Item No.	Section	Interest
<b>Item PEX 1</b> <b>Confirmation of Minutes</b>  <b>Item number PEX 2</b> <b>Action Register</b>		<b>Refer to the previous Public Excluded reason in the agenda for this meeting.</b>
<b>Item PEX 3.1</b> <b>Infrastructure Committee Recommendations – 20 June 2022</b>		<b>Refer to the Infrastructure Committee agenda for 20 June 2022 for Public Excluded reasons.</b>

Item No.	Section	Interest
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)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(j)	To prevent use of the information for improper gain or advantage.
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.

- b. **THAT Mr R Laurenson from Watercare be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of Watercare. This knowledge, will be of assistance in relation to the matters to be discussed under Items PEX 4.1 and PEX 4.2.**

**CARRIED**

**WDC2206/14**

The meeting was adjourned at 10.45am and resumed at 11.00am.

Resolutions WDC2206/15 – WDC2206/21 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.

Infrastructure Committee Recommendations – 20 June 2022  
PEX Agenda Item 3.1

It was resolved [Resolution No. WDC2206/15] 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 Patterson/Lynch)

THAT the Waikato District Council:

- a. approves the current Long Term Plan funding of \$796,448 from budget line 7RL70007.CO.0124 (Huntly rail amenities stage 1B), in financial year 2023/24, be brought forward to 2022/23 (budget line 7RL70007.CO.0124);
- b. recommends to Council the reallocation of surplus funds of up to \$400,000 from Ngaruawahia Hall Seismic Strengthening project (budget code ICC10020.CO.0222) - this surplus is loan funded;
- c. recommends, for ease of reporting, that Council approve the transfer of \$199,112 (of the \$400,000 requested) from budget code ICC10020.CO.0222 (Ngaruawahia Hall Seismic Strengthening) to 7RL70007.CO.0124 (Huntly rail amenities stage 1B), so it can be used for this project to increase local share funding due to Waka Kotahi NZTA funding assistance rate (FAR of 51% only granted and not the 76% anticipated, (an additional 24% of \$199,112 required), noting that this additional funding (ICC10020.CO.0222) is loan funded;
- d. delegates authority to the [Chief Executive/Chief Operating Officer], in consultation with His Worship the Mayor and Chairperson of the Infrastructure Committee, to award the contract for Huntly Railway Station Building Relocation and Public Toilets (“Contract 21/064”) in accordance with Council’s Procurement Policy and guidelines;
- e. delegates authority to the [Chief Executive/Chief Operating Officer] to negotiate and execute the Contract 21/064; and
- f. resolves to release the resolutions into open meeting, but the report remain confidential and unavailable to the public.

Cr Smith requested his dissenting vote to the above resolution be recorded.”



Raglan Wharf  
PEX Agenda Item 4.5

It was resolved [Resolution No. WDC2206/20] 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 Thomson/McGuire)

THAT the Waikato District Council:

- a. approves awarding the Raglan Wharf Improvement Contract 21/061, to HEB Construction Ltd;
- b. sets the Approved Contract Sum of [REDACTED] using funds from budget code IRW10030-CO-0000-0122 and MBIE funding reference R0.01700;
- c. delegates authority to the Chief Executive to negotiate and execute the Contract 21/061; and
- d. resolves to release the resolutions into the open section of the minutes but the report and quantum of payment remain confidential and unavailable to the public.”

There being no further business the meeting was declared closed at 11.48am

Minutes approved and confirmed this                      day                      2022.

AM Sanson  
**CHAIRPERSON**

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Actions Register – August 2022</b>
Date:	20 July 2022
Report Author:	Karen Bredesen, PA to General Manager Service Delivery
Authorised By:	Gavin Ion, Chief Executive

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

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

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

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**That the Waikato District Council receives the Actions Register for August 2022.**

### **3. Attachments** **Nгаа тааpирihanga**

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Attachment 1 – Actions Register (Open)

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## Waikato District Council - Actions Register (Open)

June 2022

Meeting Date	Item and Action	Person / Team Responsible	Status Update
30 June 2022	<p><b><u>Rates Resolution 2022/2023 Financial Year</u></b></p> <ul style="list-style-type: none"> <li>▪ Halls team to review targeted rates for community halls.</li> </ul>	Service Delivery, Samantha Baker	<p>Community Halls Targeted rates and Catchment Review is a current work in progress between Community Venues and Events, Corporate Planning and Community Assets.</p> <p>Considerations are being made for how to best prioritise works and collection of up to date and accurate data.</p> <p>Community Assets are waiting on a quote for a full asset condition assessment from an external contractor.</p> <p>The asset condition and 10-year maintenance plan of each hall will influence the roll out of this review.</p> <p>Impact to workload is also a consideration for such a large-scale project and must fit into consultation schedule.</p>

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Waters Governance Board Recommendations – 19 July 2022</b>
Date:	9 August 2022
Report Author:	Elizabeth Saunders, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

## **1. Executive summary**

### **Whakaraapopotanga matua**

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The purpose of this report is to seek the Council's approval of the recommendations on the Te Kauwhata Wastewater Treatment Plant Upgrade and Recommendations and the Pokeno/Tuakau Wastewater Network Upgrade from the Waters Governance Board meeting on Tuesday, 19 July 2022, as set out below.

The Waters Governance Board agenda and unconfirmed minutes from the meeting on Tuesday, 19 July 2022 can be found on the Council website via the following link:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-administered-committees/water-governance-board>

## **2. Staff recommendations**

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

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Te Kauwhata Wastewater Treatment Plant Upgrade and Recommendations (WGB2207/07)

**THAT the Waikato District Council:**

- a. approves a reduction to the Te Kauwhata Wastewater Treatment Plant design capacity, subject to receiving support for the project scope change from the Ministry of Housing and Urban Development; and**
  - b. endorses the Te Kauwhata Wastewater Treatment Plant upgrade option 2, which is the dual lane MABR/MBR, and providing recommendation (a) is achieved that Watercare awards the tender to the successful company; and**
  - c. any budget for this project, not spent along with costs not forecast in 2022/2023, be moved or phased to future budgets.**
-

Pokeno/Tuakau Wastewater Network Upgrade (WGB2207/07)

**THAT the Waikato District Council approves:**

- a. the following work to proceed:
  - i. the upgrade of the Tuakau interceptor wastewater pump station mechanical and electrical capacity;
  - ii. resilience improvements;
  - iii. constructing a new low gravity trunk sewer from Whangarata Rail to Bollard Road; and
  - iv. increasing the capacity of Market Street pump station in Pokeno.
  
- b. the upgrades outlined in stages 3 to 7 are incorporated into the 2024 LTP to ensure infrastructure delivery is planned to support growth aspirations whilst maintaining levels of service.

### **3. Attachments**

#### **Ngaa taapirihanga**

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There are no attachments.

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Strategy &amp; Finance Committee Recommendations – 3 August 2022</b>
Date:	15 August 2022
Report Author:	Grace Shaw, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Team Leader

## 1. Executive summary

### Whakaraapopotanga matua

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The purpose of this report is to seek the Council's approval of the recommendations from the Strategy and Finance meeting held on Wednesday, 3 August 2022, in regard to:

- Draft Taiao in the Waikato Strategy
- Adoption of the Future Proof Strategy
- Adoption of the Local Area Blueprints for Port Waikato and Gordonton

## 2. Staff recommendations

### Tuutohu-aa-kaimahi

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Draft Taiao in the Waikato Strategy (S&F2208/04)

**THAT the Waikato District Council approves the public release of the draft Taiao in the Waikato Strategy for public consultation.**

Adoption of the Future Proof Strategy (S&F2208/05)

**THAT the Waikato District Councils adopts the Future Proof Strategy 2022.**

Adoption of the Local Area Blueprints for Port Waikato and Gordonton (S&F2208/06)

**THAT the Waikato District Council adopts the Port Waikato & Gordonton Local Area Blueprints.**

## 3. Attachments

### Ngaa taapirihanga

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Attachments referenced in this report can be found in the 3 August 2022 Strategy and Finance report [here](#).

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Infrastructure Committee Recommendations – 8 August 2022</b>
Date:	9 August 2022
Report Author:	Elizabeth Saunders, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

## **1. Executive summary**

### **Whakaraapopotanga matua**

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The purpose of this report is to seek the Council's approval of the recommendations from the Infrastructure Committee meeting held on Monday, 8 August 2022.

The Infrastructure Committee agenda and attachments from the meeting on Monday, 8 August 2022 can be found on the Council website via the following link:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/infrastructure-committee>

## **2. Staff recommendations**

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

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Approval to opt into All of Government electrical supply agreement (INF2208/09)

**THAT the Waikato District Council:**

- a. **opts into the electrical supply to Meridian Energy Limited in accordance with the All-of-Government Agreement, for a four-year term (1 July 2022 - 30 June 2026) for the forecasted value of \$1 million per annum; and**
- b. **delegates authority to the Chief Executive to accept the offer and sign any associated documents.**

## **3. Attachments**

### **Ngaa taapirihanga**

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There are no attachments.

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Zero Harm Update</b>

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

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

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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**

### **Whakaraapopotanga matua**

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- A draft Zero Harm Strategic Improvement Plan for FY22/23 has been developed and is currently with the Executive Leadership Team (ELT) for review and approval.
- While driving back to the Ngaruawahia Office after completing a task a staff member veered off the road and hit a parked vehicle. The Police and Ambulance attended the scene, and the staff member received first aid treatment. A structured problem solve using the Incident Causation Analysis Methodology (ICAM) was completed.

## **3. Staff recommendations**

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

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**That the Council receives the report.**

## **4. Background**

### **Koorero whaimaarama**

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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.

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## 5. Discussion Matapaki

### Strategic Improvement Overview

An end of year review of the FY21/22 Zero Harm Strategic Plan was undertaken in June. The outcome of this, in conjunction with Council's strategic focus areas of Te Tiriti o Waitangi, Local Government Reform, Customer Experience and Flexible Working have been used to develop the FY22/23 Zero Harm Strategic Improvement Plan (the "Plan"). The Plan's activities align with the continual improvement cycle of Plan, Do, Check and Act.

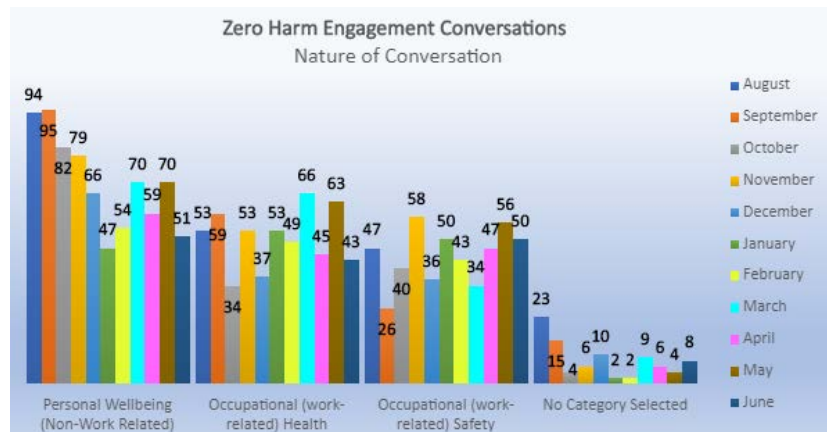
The Plan has been shared with the Executive Leadership Team (ELT) for review and approval, and the Safety Action Team (SAT). Once approved, an infographic will be developed to share the key areas of focus with the organisation.

### People and Organisational Safety Culture

#### **Zero Harm Engagement Conversations**

People Leaders continue to undertake monthly Zero Harm Engagement Conversations. Established processes are now in place to ensure new permanent or temporary People Leaders are aware of and able to undertake this activity.

A total of 2061 were recorded during the period July 2021 to June 2022.



High level analysis of this data highlighted the following:

- There has been a steady increase in conversations associated with either 'Work-related Health' or 'Work-related Safety' topics.

The top three topics of each Zero Harm Engagement Conversation type from the last twelve months are detailed in the table below.

Personal Wellbeing	Occupational (Work-related) Health	Occupational (Work-related) Safety
<ul style="list-style-type: none"> <li>- Personal health (32%)</li> <li>- Personal stress (23%)</li> <li>- Relationships/family (18%)</li> </ul>	<ul style="list-style-type: none"> <li>- Covid-19 (21%)</li> <li>- Work-related stress (19%)</li> <li>- Mental wellbeing (13%)</li> </ul>	<ul style="list-style-type: none"> <li>- Hazard/Risk management (24%)</li> <li>- On road driving (17%)</li> <li>- Training and competency (7%)</li> </ul>

## **Disciplined Management Systems**

### ***Auditing and Governance***

Progress continues on addressing non-conformances and implementing improvement recommendations from the following health and safety audits.

- Raglan Holiday Park Safety Management System Gap Analysis (*externally facilitated*)
- Council's Zero Harm Safety Management System ISO45001 Audit (*internally facilitated*)

A virtual team has been established and is meeting fortnightly to support the Raglan Holiday Park Manager to implement improvement actions from the gap analysis. Current areas of focus include the development of standard operating procedures (SOPS) and reviewing the induction programme for new workers. Health and safety governance training for the Raglan Holiday Park Board is scheduled to be completed in August.

### ***Performance Reporting and Event Management***

Council's zero harm performance across several health and safety metrics for the period July 2021 to June 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 June 22	Trend
Events reported in BWare Safety Manager ( <i>Lead</i> )	203	178	
Total Recordable Injuries (TRIs) e.g., Lost Time Injury, Restricted Work Injury or Medical Treatment Injury ( <i>Lag</i> )	4	2	50% reduction on FY21 result
WorkSafe NZ Notifiable Events ( <i>Lag</i> )	1	1	No reduction on FY21 result
First Aid Injury events ( <i>Lag</i> )	19	18	No reduction on FY21 result
Serious Near Miss events ( <i>Lead</i> )	4	1	
Near Miss events ( <i>Lead</i> )	107	86	Slightly down on FY20/21 this may be attributed to the 'New Hazard' classification
New Hazards ( <i>Lead</i> )	17	162	Large number of reports during the year related to Covid-19
Safety Engagement Conversations ( <i>Lead</i> ) KPI is >150 conversations per month.	2872	2061	Exceeded annual target of 1800

Only one personal injury (Severity 6) First Aid event was recorded in BWare Safety Manager for June. The event was associated with the critical risk of On Road Driving. While driving back to the Ngaruawahia Office after completing a task a staff member veered off the road and hit a parked vehicle. The Police and Ambulance attended the scene, and the staff member received first aid treatment.

A structured problem solve using the Incident Causation Analysis Methodology (ICAM) was completed and is now ready for ELT review.

There were seven minor near miss events reported for June. 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 Critical Risk	Task being undertaken/ risk description	Number of Near Miss event reports	Additional risk management controls
<i>Workplace violence</i>	Customer Delivery Front Counter duties	3	<ul style="list-style-type: none"> <li>- Person alert raised in P&amp;R</li> <li>- Additional checks added to Preventative maintenance route and monthly checks of lockdown buttons are being implemented</li> </ul>
<i>Asbestos</i>	Removal of dumped asbestos	1	<ul style="list-style-type: none"> <li>- No asbestos removal control plan was obtained from supplier for review, prior to work being undertaken. 4 Step Structured Problem Solve being undertaken</li> </ul>
<i>Mental wellbeing</i>	Removal of dogs from house of deceased person	1	<ul style="list-style-type: none"> <li>- New Promapp process developed for responding to Police requests for Animal Control support</li> </ul>

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

### ***External Training and Competency***

Recently delivered or planned health and safety training is summarised in the following table. It is important to note that three courses have had to be postponed in the last two months due to Covid-19 and the seasonal flu.

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	11/11
H&S Representative Stage 2 (2-day online training)	7	2/7 5 staff booked to attend in August/September
Front Counter Safety Training (1 day training)	18	Being delivered in August
Situational Safety and Tactical Communications Training (2-day training)	11	Day 1 delivered but day 2 to be rescheduled due to Covid-19

		illness. 9 staff have completed day 1
Mental Health First Aid Training (1 day training delivered by St Johns)	14	3/14
Workplace Risk Management (Hazard Identification) (1 day training)	15 Animal Control Team to attend. Part of Bowtie control plan for working with animals	2/15

## **Critical Safety Risk Management**

### ***Critical Risk Management***

As planned in our Zero Harm Assurance Calendar, over the next three months the Zero Harm team will be meeting with the ELT champions and Safety Action Team (SAT) representatives of the following critical safety risks to undertake a six-monthly risk review

- Workplace Violence – General Manager Sue O’Gorman
- Asbestos – Chief Financial Officer Alison Diaz
- Hazardous Substances – General Manager Clive Morgan
- On Road Driving – Chief Executive Gavin Ion

The Zero Harm team has recently completed a two-day Bow Tie Fundamentals training course with Impac Services Ltd to support the ongoing management of Council’s critical safety risks.

### ***Working with Animals***

A working group has been formed, with members of the Animal Control and Zero Harm teams meeting on a fortnightly basis to progress the implementation of controls from the Working with Animals critical risk bowtie.

### ***Workplace Violence***

A cross functional working group continues to meet regularly to progress work on risk and tolerance thresholds in relation to violence and aggression, and a worker and customer education campaign.

### ***Working on or near Roadways***

Initial scoping and planning has commenced on the development of the Working on or Near Roadways critical risk bowtie. All members of the Land Development team are booked to attend the Inspector training as recommended by the Code of Practice for Temporary Traffic Management (CoPTTM).

## **6. Attachments**

### **Ngaa taapirihanga**

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## Attachment 1 – Zero Harm Dashboard – June 2022

Date:	1 <sup>st</sup> August 2022
Report Author:	Lynn Shirley
Authorised by:	Gavin Ion Chief Executive

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Return of the Raglan Airfield (Lot 2 SA11D/1059) to Mana Whenua</b>
Date:	15 August 2022
Report Author:	Megan May, Deputy General Manager Service Delivery Roger MacCulloch, General Manager Service Delivery
Authorised by:	Gavin Ion, Chief Executive

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

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

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To inform Council of the ownership history of the Raglan Airfield.

#### **AND**

To seek approval to engage with the Office for Māori Crown relations (Te Arawhiti) and other relevant agencies to facilitate the return of the Lot 2. SA11D/1059 to its rightful owners.

## **2. Executive summary**

### **Whakaraapopototanga matua**

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In February 1936, following reported conversations with elders from a local Māori group, the area now known as Raglan Airfield was selected as a suitable location for an emergency airfield by an Airforce Officer and obtained for this purpose. The 36 hectare airfield block was made up of land from the Te Kopua and Papahua blocks which were Māori freehold land.

Following the end of World War Two, the area was no longer required for defence purposes. However rather than returning the land to its former owners, the Civil Aviation Authority requested Raglan County Council take over the administration of the airfield, which it did. In 1969, the land was declared 'Crown Land' and formally vested in the Raglan County Council.

From 1971 the question of the land going back to the original Māori owners was pursued by Mrs Tuaiwa (Eva) Rickard and the Matakite-O-Aotearoa Movement. In June 1987, Lot 1, the parcel previously utilised as a golf course and now known as Te Kopua No. 4 Block was returned to Māori ownership. The area now known as the Raglan Airfield (Lot 2) was retained by Waikato District Council (WDC), the predecessor of Raglan County Council.

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Since that time, WDC has continued to manage the land and operate it as an unmanned airfield. In early 2019, the CAA issued a notice to aviators which prompted many airfield operators to review the safety of their sites. Accordingly, WDC engaged an independent aviation expert to review the operation of the Raglan Airfield. As a result of the review, several recommendations were made on how to improve the operation and safety of the Raglan airfield. These recommendations were presented to Council and accepted in full.

During the implementation of these safety improvements, significant interest was generated in the community which resulted in an onsite occupation of the land. This action coincided with conversations between WDC staff, Mayor Allan Sanson, Councillor Thomson, Mana Whenua (Ngati Maahanga, Newton Whaanau Trust & Papahua 1 and descendants of Te Kopua Block / Tainui O Tainui) on the future of the airfield.

As a result of these discussions, staff have been instructed to seek Council approval to engage with the Office for Māori Crown Relations (Te Arawhiti) and other relevant agencies to facilitate the return of the Raglan Aerodrome, known as Lot 2, to its rightful owners.

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

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**That the Waikato District Council approves engagement with the Office for Māori Crown Relations (Te Arawhiti) and other relevant agencies to facilitate the return of Lot 2. SA11D/1059, the Raglan Aerodrome land, to its rightful owners.**

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

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The Raglan Aerodrome is legally described as Lot 2. SA11D/1059 and comprises some 10.2815ha. (Attachment 1).

#### **Ownership history of the Raglan Airfield**

The land is owned by the Waikato District Council and held by the Council in trust as a Reserve under the Reserves Act 1977. The land is classified as a Local Purpose (aerodrome) Reserve.

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### *Lot 2 DPS 14166 – Raglan Aerodrome*

The aerodrome reserve is an amalgamation of what was previously three main separate land parcels. The details and history of each of these three parcels is outlined below.

#### **Parcel A – Part Papahua No2**

<b>Date</b>	<b>Action</b>	<b>Reference</b>	<b>Area</b>
3 December 1919	Papahua No. 2 Block was partitioned by the Native Land Court and vested in 29 owners.	SAPR170/4 ML13518	34 acres
18 August 1924	The 29 owners transferred the block to the Raglan Town Board, by way of a Gift for the purposes of a Public Reserve.	Transfer 182007 SA399/91	34 acres
9 June 1938	Raglan Town District was merged into the Raglan County.	Transmissions Z46798 – GN 1938 Page 1360	34 Acres
19 September 1941	Part of Papahua No2 Block taken for defence purposes under the public works Act 1928.	GN 1941, P2798 (Proc 10855, SO 31512	4 acres, 3 roods, 35 perches

**Parcel B – Part Papahua No. 1**

<b>Date</b>	<b>Action</b>	<b>Reference</b>	<b>Area</b>
19 September 1941	Papahua No1 Block taken for defence purposes under the Public Works Act 1928.	GN 1941, P2798 (Proc 10855, SO 31512	8 acres 9 perches

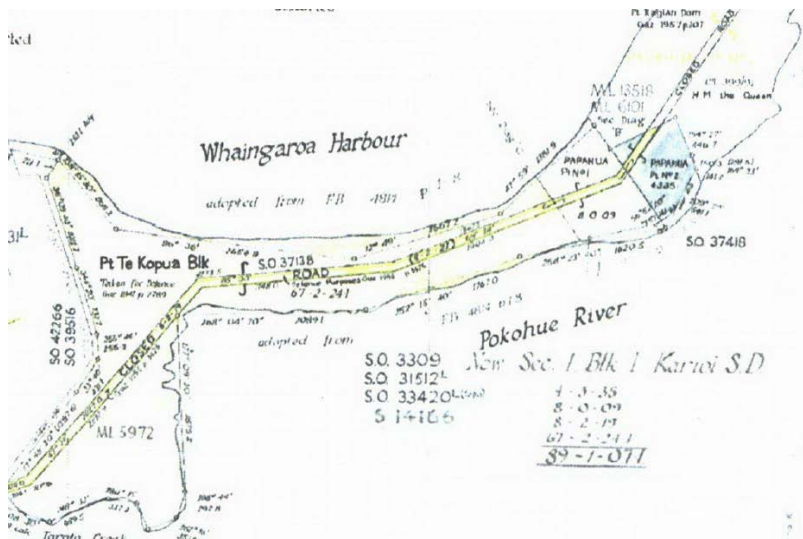
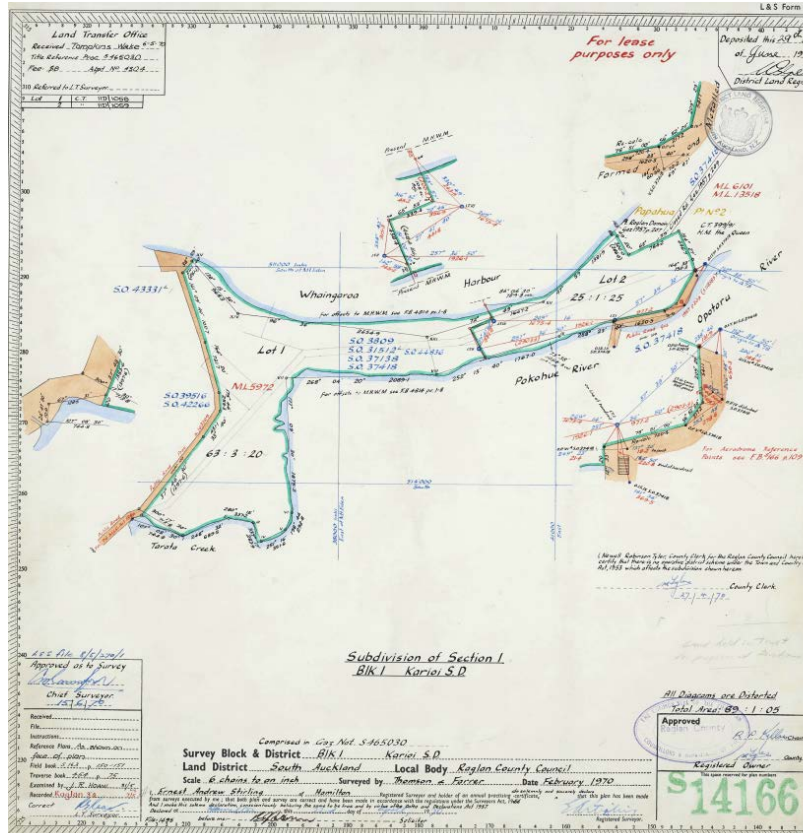
**Parcel C – Te Kopua**

<b>Date</b>	<b>Action</b>	<b>Reference</b>	<b>Area</b>
19 September 1941	Te Kopua Block taken for defence purposes under the Public Works Act 1928.	GN 1941, P2798 (Proc 10855, SO 31512	67 acres 2 roods and 24 perches

From 1941 the following changes were made to the land status of the combined land that is now held for the aerodrome.

<b>Date</b>	<b>Action</b>	<b>Reference</b>
1955	The road running through the block was stopped for defence purposes under the Public Works Act 1928.	GN 1955 P1425 SO37138
4 August 1969	All the land held for defence purposes was declared Crown Land. being <ul style="list-style-type: none"> <li>- 67.2.24 – Part Te Kopua Block</li> <li>- 8.2.19 – Closed Road</li> <li>- 0.0.2 - Closed Road</li> <li>- 8.0.9 – Part Papahua No 1 Block</li> <li>- 4.3.35 - Part Papahua No 2 Block</li> </ul>	GN 1969 P 1425 (S454319, SO 44836

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	 <p>Whaingaroa Harbour Pt Te Kopua Blk S.O. 37138 S.O. 3309 S.O. 31512 S.O. 33420 S 14106 Pokohue River New Sec. 1 Blk 1 Karioi S.D.</p>	
<p>1 October 1969</p>	<p>The Crown Land was re-defined as Section 1 Block1, Karioi Survey District and set apart as a reserve for aerodrome purposes and vested in the Raglan County Council in Trust, for that purpose.</p>	<p>GN 1969 P1970 (S465030)</p>
<p>29 June 1970</p>	 <p>Subdivision of Section 1, Blk 1 Karioi S.D. Survey Block &amp; District... Karioi S.D. Land District... South Auckland... Local Body... Raglan County Council Scale &amp; chains to an inch... Surveyed by... Date February 1970 Total Area: 89.1105 \$14166</p>	<p>DPS 14166, CT11D/105 8 and CT11D/105 9</p>

12 April 1979	Lots 1 and 2 were classified Local Purpose (aerodrome) reserve.	GN 1979 P1147, H229064
27 April 1979	The vesting in the Raglan County Council over Lot 1 was cancelled and the reservation over Lot 1 was revoked.	GN1979 P1978, H240758 and H240759
29 June 1987	Lot 1 was revested in Maori ownership and today this parcel is known as Te Kopua No.4 Block.	
1989	In respect of Lot 2, by operation of the Local Government (Waikato Region) Reorganisation Order 1989, the Raglan County Council was declared a former authority and was replaced by the Waikato District Council. The transmission of name on the title had not been progressed.	

Since this date, WDC has continued to operate Lot 2 as a non-certified aerodrome.

### **Engagement with Mana Whenua**

In December 2021, Waikato District Mayor Allan Sanson, Councillor Lisa Thomson, Chief Executive Gavin Ion and General Manager – Service Delivery Roger MacCulloch met with Mana Whenua (Ngati Maahanga, Newton Whaanau Trust & Papahua 1 and descendants of Te Kopua Block / Tainui O Tainui) to discuss the management of the airfield, the safety improvements underway, land ownership and long-term use of the land. It was agreed that once the immediate operational and safety issues had been addressed, discussion on land ownership could begin.

This discussion began in March 2022 when the safety improvement works had been completed and the airfield was operational. At a hui held on 6 July 2022, it was agreed that there was general support from the Council for the return of the airfield land to its rightful owners and that a resolution would be put to Council seeking agreement to engage with the Office for Māori Crown relations (Te Arawhiti) and other relevant agencies to achieve this outcome. This report gives effect to the commitment given at this hui.

## **5. Discussion and analysis**

### **Taataritanga me ngaa tohutohu**

The airfield, which is legally described as Lot 2. SA11D/1059, is subject to the Reserve Act 1977 (Act) and therefore must be managed in accordance with this piece of legislation until this classification is changed. As the aerodrome was Crown Land before being vested in the Council in Trust, the Crown holds a reversionary interest in the land.

Section 27 of the Act states that the vesting in the reserve may, with the consent of the Administering Body (Council) be cancelled by the minister. This action would relinquish Council of administration responsibilities and would facilitate the return of the land to Mana Whenua.

In addition to this, Schedule D of the Joint Management Agreement with Waikato Tainui must also be considered. Council has agreed to consult with Waikato Tainui for the purposes of assisting it in determining the appropriate management of land that was derived from the Crown, which is administered and under the control of the Council.

There have already been some informal discussions with Waikato-Tainui regarding the transfer of the land. The indication were that we should engage with mana whenua in the first instance.

If the recommendations of this report are approved, staff will commence discussions with the minister to request the vesting of the Reserve is cancelled.

## **5.1 Options**

### **Ngaa koowhiringa**

Council can either accept the recommendation for staff to start discussions with the relevant agencies to return the land to its rightful owners or oppose it. Staff recommend the acceptance of the recommendation. This acknowledges the discussions with Mana Whenua at the meeting which occurred on 6 July 2022.

## **5.2 Financial considerations**

### **Whaiwhakaaro puutea**

There are no material financial considerations currently associated with the recommendations of this report. As progress is made, and further recommendations are made / resolutions sought from Council, financial considerations will be addressed.

## **5.3 Legal considerations**

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

The recommendation of this report will ultimately result in the land legally described as Lot 2. SA11D/1059 in the name of Waikato District Council changing ownership. However the current resolution does not enact the change. As progress is made to better understand this process, further recommendations will be made and relevant legal considerations will be highlighted to Council.

## **5.4 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

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

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## **5.5 Maaori and cultural considerations**

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

Consultation with Mana Whenua, who are descendants of the original owners of this land, has resulted in the drafting of this report and recommendation to Council. If accepted, the return of this culturally significant land to its rightful owners, would go some way to redress this historic grievance.

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

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

The recommendation of this report does not have any specific impact on climate change or resilience for the Council. However it should be noted that the airfield is a low lying piece of land adjacent to Whaingaroa Harbour which is likely to be affected by sea level rise and enhanced coastal erosion caused by climate change.

## **5.7 Risks**

### **Tuuraru**

The Raglan Airfield and surrounding land provide important amenity to the community. Consequently, the decision to engage with the Office for Māori Crown Relations (Te Arawhiti) and other relevant agencies to facilitate the return of Lot 2. SA11D/1059 to its rightful owners may not be supported everyone. It will therefore be important to engage with all key stakeholders to ensure there is a common understanding of the history of the land and the reasons why it is being returned to its rightful owners.

It should also be noted that the process to be followed to return the land is likely to be complicated, involve multiple agencies and parties, and will not always be in Councils direct control.

## **6. Significance and engagement assessment**

### **Aromatawai paahekoheko**

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### **6.1 Significance**

#### **Te Hiranga**

The return of land to Mana Whenua is of high significance in accordance with the Council's [Significance and Engagement Policy](#).

### **6.2 Engagement**

#### **Te Whakatuutakitaki**

The recommendations of this report are a result of engagement with Mana Whenua and reflect the informal feedback which has been reported by the Raglan Community Board and local community.

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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"/>
<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>	<i>Ongoing engagement will occur to facilitate the intent of this report.</i>				

State below which external 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
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

## 7. Next steps Ahū whakamua

If the recommendation of this report is approved, staff will contact the Office of Māori Crown Relations (Te Arawhiti) and other relevant agencies to facilitate the return of Lot 2 SA11D/1059, Raglan Aerodrome land, to its rightful owners.

## 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 – Record of Title – Raglan Aerodrome



[Show Historical View](#)

# GRIP TITLE INFORMATION PREVIEW

## Freehold

<b>Identifier</b>	SA11D/1059
<b>Land Registration District</b>	South Auckland
<b>Date Issued</b>	29 June 1970

### Prior References

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<b>Estate</b>	Fee Simple
<b>Area:</b>	10.2815 hectares more or less
<b>Legal Description</b>	Lot 2 Deposited Plan South Auckland 14166
<b>Purpose</b>	Reserve for local purposes (aerodrome)

**Registered Owners**  
Raglan County Council

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### Interests

FOR LEASE PURPOSES ONLY

Subject to the Reserves Act 1977

*Disclaimer: This preview provides an indication of the likely content of Record of Title SA11D/1059, it is not a substitute for an authoritative Record of Title. For an authoritative Record of Title of SA11D/1059 please contact Land Information New Zealand. This content of this preview has been generated using data sourced from LINZ Data Service on 29/07/2022.*

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Water Services Entities Bill submission</b>
Date:	15 August 2022
Report Author:	A Diaz, Chief Financial Officer
Authorised by:	G Ion, Chief Executive

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

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

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To provide the 22 July submission on the Water Services Entities Bill as approved by the Mayor, Deputy Mayor and Chairpersons of the Infrastructure, Policy & Regulatory and Strategy & Finance Committees (the Submission Forum) as per section 7 of Council's common delegation's process.

## **2. Executive summary**

### **Whakaraapopototanga matua**

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The Water Services Entities Bill (the Bill) will establish four publicly owned water services entities to manage water supply, wastewater and stormwater. The Bill is part of a wider package of legislation which will enact the three waters reform work.

The Waikato district would be serviced by the Western-Central Water Services Entity (sometimes referred to as entity B), alongside 21 other district and city localities.

Under the Bill, the new entities would:

- Deliver water services and related infrastructure in an efficient and financially sustainable manner
- Protect and promote public health and the environment
- Support and enable housing and urban development
- Operate in accordance with best practice commercial and business practices
- Act in the best interests of present and future consumers and communities
- Deliver water services in a sustainable and resilient manner that seeks to mitigate the effects of climate change and natural hazards

The select committee have received 6,528 submissions on the Bill.

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The background narrative for Councils submission is consistent with messaging from the Long-term Plan 2021-2031 and related strategies.

The main submission points are:

- Speed of transition
- Support for skill-based governance structure
- Acknowledgement that the entities should be using council plans and strategies which have been formed by extensive consultation
- Highlighting the importance of the entities role in enabling growth

The submission expresses support for the Taituarā technical legislative recommendations which are attached.

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

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**THAT the Waikato District Council notes that the submission lodged on 22 July was developed and approved as per section 7 of Council’s common delegations process and incorporates feedback from the Waters Governance Board.**

### **4. Attachments** **Ngaa taapirihanga**

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Attachment 1 – Water Services Entities Bill Submission

Attachment 2 – Taituarā submission summary

The Bill can be located at:

<https://www.legislation.govt.nz/bill/government/2022/0136/latest/LMS534587.html>

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**20 July 2022**

Water Services Entities Bill  
Committee Secretariat  
Finance and Expenditure Committee  
Parliament Buildings  
WELLINGTON

[fe@parliament.govt.nz](mailto:fe@parliament.govt.nz)

To the Finance and Expenditure Committee,

**RE: Submission from the Waikato District Council on Water Services Entities Bill**

The Waikato District Council welcomes the opportunity to make a submission on the Water Services Entities Bill.

Situated at the heart of the golden triangle between Auckland, Hamilton and Tauranga, the Waikato district is one of the fastest growing territorial authority areas in New Zealand. The district's current population of around 86,000 is projected to reach to between 128,500 and 149,500 by 2060. The district is also a key focus of government's Urban Growth Agenda initiative through the Hamilton to Auckland Corridor Plan, and through Future Proof Te Tau Titoki (sub-regional growth forum) planning mechanisms are well advanced to link infrastructure and land use activity in a sustainable way.

Ours is a very diverse district with communities that are growing rapidly and those which are not expected to grow. Our district also has a very diverse socio-economic profile due to its history, its geographical expanse and its location. While the size of our district is similar to that of Auckland, we lack the critical mass and economies of scale to provide water and wastewater infrastructure at a price point that is deemed affordable. Council has been on its own water reform journey for several years to try and address the mismatch of community and regulatory expectations with a geographically dispersed population.

**Submission**

From a technical drafting perspective, Waikato District Council (WDC) supports the sector submission from Taituarā. Our submission provides context around the three waters reform we have been on as a Council and commentary on the issues we believe should be addressed in the Bill.

**WDC's three waters reform journey**

WDC supports the need for change and have been on our own change journey since 2012. If we are to improve the health, safety and wellbeing of our water and our people, water quality and environmental effects must be addressed. Further, if we are to support the government's urban growth agenda, it is critical that three waters infrastructure is planned for and made available at the right time.

Waikato District Council has been fortunate to have a group of elected members who work well together and display alignment on the strategic issues our district faces. Our councillors unanimously supported the establishment of a Waters Council Controlled Organisation (CCO) partnering to the south with Hamilton and Waipa due to the critical nature of these services and

the benefits that would come through economies of scale. However, this process was time consuming and expensive, and while the recommendation from the business case was to support the creation of a sub-regional CCO, Hamilton City and Waipa District Councils decided not to proceed.

In 2019, as an alternative way forward, WDC engaged Watercare to deliver three waters services to our district. The assets remain with Council, but Watercare manage and run our treatment plants, pump stations and reticulation networks (water and wastewater). They also manage our stormwater network. Watercare absorbed WDC water services staff as a condition of contract.

The contract is overseen by a Waters Governance Board which is a sub-ordinate decision-making body composed of three independent members, the council Chief Executive and an intern. The Board gives effect to Te Ture Whaimana and the principles of Kaitiakitanga in its decision making. Having independent Board members has allowed the council to bring in expertise and independence which has broadened thinking and decision making.

The contract and arrangement have operated successfully for nearly three years resulting in improved compliance, network resilience and performance.

Affordability is still a significant factor. Despite WDC taking proactive steps to resolve the challenges we face, the increasing compliance of water services and projected rising costs presents a problem. Even with our chosen path, without further change and efficiencies many of our urban communities will be unable to afford the targeted rates required to fund our reticulated drinking water and wastewater services.

## **Issues to be addressed**

### **Continuity of service**

At odds with the LGNZ submission, Council is concerned that the transition period for the water service entities to be operational (from 1 July 2024) is too long. This is an extremely complex transformation for three waters services but the longer the transition period runs, the more difficult it will be to retain sufficient resources to manage and run council assets. Already, we are seeing staff leaving in pursuit of other opportunities or to other parts of the industry. As the water service entities start to recruit, these challenges will compound and affect the resilience and sustainability of existing three waters operations. Having been part of the transition process for the creation of Auckland Council we believe the changes could be brought into force earlier, noting that the need to resolve transitional issues will continue for some time afterwards.

Arrangements such as our contract with Watercare need to remain in place until the Water Service Entities can operate successfully or put alternative arrangements in place. There will be challenges with alternative arrangements given that Watercare provide drinking water and treat wastewater on our behalf.

### **Governance**

Our Council agrees that the water service entities must have independent boards. They will need to make challenging decisions in order to improve water quality, continue to stimulate growth, and stay connected to local communities. The Board selection process should seek the 'best person for the job' and be based on skills and experience.

Council has a number of co-governance arrangements in place with Iwi and mana whenua. We believe the Maaori world view is important given the significance of water to Iwi, hapū, and mana whenua. The reforms must ensure local voice represented by the council is heard and is the basis of decision making.

### Growth

The new entities must give effect to already adopted (and publicly consulted) growth plans and strategies. Council workplans and budgets have been developed following an extensive process engaging with local communities. These workplans are underpinned by land use planning and growth strategies. The assumption is that capital investment priorities for every territorial authority across New Zealand will be picked up and progressed, acknowledging the solution to service that growth may be different to the technical solution designed at the individual council level.

To achieve the future our community wants and in line with the government's urban growth agenda, we need to accelerate the building of communities (including houses) and we, as a council, are currently restricted by our debt cap. The water services entities should have a balance sheet and debt capacity that enables growth to proceed as planned.

The alignment between the water services entities objectives and operating principles does not adequately position these entities as the key enablers of growth. Local authorities undertake detailed planning, but the market ultimately determines the sequencing of growth and given the strong messaging on housing supply challenges councils strive to accommodate these out-of-cycle changes to work plans. The lead infrastructure requirements for three waters are key to opening up both greenfield and brownfield development. The objective laid out under section 11(c) *to support and enable housing and urban development* does not appear to have a strongly worded matching operating principle under section 13 that addresses the importance of managing growth.

WDC would like to thank the Committee for the opportunity to make a submission. The Council will speak to this submission if required.

Yours sincerely,



Allan Sanson

**MAYOR**

## LIST OF RECOMMENDATIONS

### Purpose of the Legislation

1. That the Select Committee separate the clause into a clear statement of purpose and a statement of how the entities should give effect to that purpose.

### Customer Relationships

2. That the Select Committee consider how it will assure itself that customer-facing issues and matters regarding the links to land use planning will be satisfactorily resolved before it reports on this Bill.

### Privatisation

3. That the Select Committee support entrenchment of the provisions that set out the requirements for any disposals of a WSE to proceed.

### Peer Review of the Regulatory Impact

4. That the Select Committee commission an independent analysis of the cumulative impacts of the Bill from an expert in regulatory economics or institutional economics as part of its scrutiny of the Bill.

### Shareholding

5. That the Select Committee amend clause 16 to clarify whether the census night population or the usually resident population counts should be used for determining local authority shareholding.

### Government Policy Statement: Water Services

6. That the Select Committee amend clause 130(2) by adding a clause that requires the Government to explicitly state how the Government intends to support other agencies to implement the GPS:Water or explain its reasons for not providing support.
7. That the Select Committee amend clause 130(2) by adding a clause that requires the Minister to undertake an analysis of the costs and benefits of the objectives in the GPS:Water.

8. That the Select Committee amend clause 134 to read “When performing its functions a water services entity must give effect to any Government policy statement issued under section 129.”
9. That the Select Committee amend clause 131(b) by replacing the word ‘consult’ with the words ‘engage in a way that gives effect to the requirements of clause 202’
10. That the Select Committee amend amend clause 131(b) by adding local authorities to the list of named parties for engagement

### Objectives of Water Services

11. That the Select Committee provide guidance that WSEs are expected to manage conflicts in an open, transparent and accountable manner either as one of the operating principles of clause 13 or in ‘giving effect to the objectives clause’ as per recommendation 6 above.
12. That the Select Committee place WSEs under an obligation to consider ways in which they can help foster the development of Māori capacity to contribute to the governance and decision-making processes of the WSE.

### Te Mana o Te Wai Statements

13. That the Select Committee place WSEs under an obligation to make a copy of any Te Mana o te Wai statement available on an internet site maintained by the entity as soon as practice after receiving the statement.

### Regional Representative Groups

That the Select Committee:

14. add a requirement that the territorial representatives to RRGs be broadly representative of the different mix of metropolitan, provincial and rural territorial authorities to clause 32
15. add a requirement that appointment procedures for the territorial authority representatives for RRGs give effect to the requirements that RRG membership be broadly representative of the different mix of territorial authorities
16. empower WSEs to allow for the calling of a annual shareholders’ meeting by amending clause 91



- 17. empower regional representative groups to, at their discretion, invite the Crown to appoint a non-voting observer to attend all group meetings**
- 18. empower regional representative groups to, at their discretion, appoint a non-voting observer or observers from a regional council in entity's service area**
- 19. empower regional representative groups to, at their discretion, appoint alternates to perform the roles of members of the group when they are absent.**

### **Regional Advisory Panels**

**That the Select Committee:**

- 20. place the RRGs under an obligation to seek advice from regional panels when developing a Statement of Strategic and Performance Expectations, when commenting on an infrastructure strategy, when commenting on a funding and pricing plan, and when approving a board appointment and remuneration policy**
- 21. amend the collective duty of a regional advisory panel to advocate for the interests of its local area, having had regard to both the interests of the local area and wider WSE service area**
- 22. provide those designing or determining regional advisory panel arrangements be with a set of statutory criteria to have regard to**
- 23. add provision requiring the RRGs to regularly review their regional advisory panels (including provision for an initial review before the wider review of governance and accountability in clause 195).**

### **Tenure of Office for Regional Representative Group and Panel Members**

**That the Select Committee**

- 24. add a clause clarifying that RRG members hold office only while they satisfy the requirements of clause 27(3)**
- 25. clarify that RRG and board members must notify the WSE Chief Executive as soon as practicable after ceasing to be eligible to hold office as an RRG or board member as the case may be.**

### **Skills for the Board Appointment Committee and Entity Boards**

**That the Select Committee agree to:**

- 26. amend clauses 38(2) and 57(2) by replacing the words 'network infrastructure' industries with the words 'water services industries'.**

27. amend clauses 38(2) and 57(2) by adding the words 'customer service and customer engagement' to the list of skill sets.

### **Appointment and Remuneration Policies**

That the Select Committee add further provisions to clause 40 that:

28. require that appointment and remuneration policies set out policies on the provision of training and professional development of entity board members
29. require that appointment and remuneration policies be reviewed at least once in the term of each RRG
30. require the publication of board appointment and remuneration policies on an internet site maintained by the WSE

### **Disqualifications from Membership**

That the Select Committee:

31. seek advice on whether the appointment of a local authority Chief Executive or senior staff member to a WSE boards is consistent with balance sheet separation
32. amend the Bill to preclude regional council members, local and community board members from membership of a WSE board

### **Transparency and Access to Meetings**

That the Select Committee:

33. replace the minimum number of public meetings that WSEs must hold with a requirement that the WSE hold such meetings as are necessary for the good governance of the entity and
34. require that all meetings of the WSE be held in public except where provided for by section 47 of the Local Government Official Information and Meetings Act 1987.

### **Funding and Pricing Policies**

That the Select Committee:

35. amend clause 150(2)(a) to set a legislative timeframe of 30 years for the funding and pricing policy.
36. amend clause 151 to add a requirement that the WSE boards consider affordability for individuals and groups of individuals in developing their funding and pricing plans and document the results of that consideration

- 37.add a requirement on the WSEs to set limits on their revenues and borrowing as part of their financial strategy**
- 38.require each WSE to supply the Commerce Commission with a copy of the funding and pricing plan.**

### **Infrastructure Strategies**

- 39. That the Committee add a further clause after clause 154(2) that requires disclosure of the WSE's assumptions regarding**
  - (i) the condition and useful lives of significant assets**
  - (ii) the levels of growth and demand for water services and**
  - (iii) changes to levels of service.**
- 40. That each WSE be required to publish the methodologies it uses to establish asset condition and estimate the level of growth and demand for water services.**

### **Asset Management Plans**

**That the Select Committee amend the Bill by:**

- 41.requiring WSEs to prepare an asset management plan of at least 30 years duration for its infrastructure assets and publish these**
- 42.deleting requirements to engage on the asset management plan**
- 43.placing the WSEs under an obligation to review levels of service for each of their water services at least once every three years and identify the major capital projects and the overall implications for maintenance, renewal and replacement programmes .**

### **Investment Prioritisation Methodologies**

- 44.That the WSE Boards document their investment prioritization methodologies and publish their methodologies on an internet site maintained by the WSE.**

### **Employment of a Chief Executive**

**That the Select Committee:**

- 45.add a clause to the Bill that sets out the statutory function of Chief Executives of the WSE and**
- 46.that the Select Committee add a clause clearly stating that the Chief Executive is the employer of WSE staff.**

### **Bylaws**

**47. That clause 214 be amended as set out in the Appendix.**

### **Transition**

**48. That the Select Committee amend clause 11 of schedule one to require those making requests to:**

**(i) consider whether there are reasonably practicable alternatives to making the request of a local authority**

**(ii) seek and give due consideration to local authority views on the impacts agreeing to a request will have on the local authority's work programme.**

**49. That the Select Committee amend clause 22, Schedule One by adding a time limit for the Secretary to advise the results of a review of a local authority decision and communicate the results to local authorities.**

**50. That the Select Committee delete the words 'council community' from clause 21, Schedule One.**

### **Funding and Accountability**

**51. That the Select Committee include a provision in this Bill ensuring that WSE charges are assessed and invoiced separately from local authorities.**

### **Linkages to Other Legislation**

**52. That the Committee agree that any charges levied by WSEs should be included within the ambit of the Rates Rebate Scheme and amend the Bill accordingly.**

**53. That the Select Committee amend the Bill by adding a requirement for the WSEs to conduct an assessment of drinking water, sewage treatment and disposal and drainage works in their area**

**54. That the Select Committee add a consequential amendment to recommendation 51 repealing sections 125 and 126 of the Local Government Act.**

**55. That the Select Committee amend section 101A, Local Government Act 2002 to require local authority financial strategies to disclose:**

**(a) the financial implications and drivers for meeting the existing levels of service/accommodating new requests**

- (b) the local authority's self set limits on rates and debt**
- (c) the local authorities targets for its financial securities and equity investments and its rationale for holding these assets.**

- 56. That the Select Committee amend section 101B, Local Government Act 2002 to align the required disclosures of local authority financial strategies with those the Bill would place on WSEs (and as amended by our recommendations above**
- 57. That the Select Committee recommend the repeal of the requirement that the Secretary for Local Government set mandatory performance measures under section 261B, Local Government Act.**
- 58. That the Select Committee note that many LTP requirements have flow on impacts to the annual plan and annual report requirements and will need to be address now, or in the second Water Services Entities Bill.**
- 59. That the Select Committee seek assurance from officials that the interface between the WSEs and the following legislation will be addressed in development of the second Water Services Entities Bill: the Public Works Act 1981; the Resource Management Act 1991 and successor legislation; the Public Records Act 2005; the Kainga Ora – Homes and Communities Act 2019 and the Infrastructure Funding and Financing Act 2020.**

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Exclusion of the Public &amp; Staff</b>
Date:	10 August 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 3.3 Chief Executive Performance Review Committee Recommendations - 8 August 2022	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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

Item No.	Section	Interest
<b>Item PEX 3.3 Chief Executive Performance Review Committee Recommendations – 8 August 2022</b>	<b>7(2(a))</b>	<b>To protect a person’s privacy</b>

- b. **THAT Mr Tims be permitted to remain at this meeting, after the public and staff have been excluded, because of his knowledge of executive performance reviews. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter to advise the Committee on this matter.**
- c. **THAT the Democracy Manager remain to record the discussion and decision of Council.**

## **2. Attachments**

### **Ngaa taapirihanga**

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There are no attachments for this report.

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<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Exclusion of the Public</b>
Date:	10 August 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 Policy & Regulatory Committee Recommendations - 1 August 2022		
Item PEX 3.2 Infrastructure Committee Recommendations - 8 August 2022		



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
<b>Item PEX 4.1</b> <b>Approval of Waikato Regional Airport Limited Director Remuneration and Appointments</b>	<b>Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987</b>	<b>Section 48(1)(a)</b>
<b>Item PEX 4.2</b> <b>Progressing Infrastructure Servicing of Ohinewai</b>		
<b>Item PEX 4.3</b> <b>Notification of Intensification Planning Instrument: Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version)</b>		
<b>Item PEX 4.4</b> <b>Approval for variations to the Waikato District Alliance in FY2023 and FY2024 to deliver additional capital projects</b>		

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

Item No.	Section	Interest
<b>Item PEX 1</b> <b>Confirmation of Minutes</b>  <b>Item number PEX 2</b> <b>Action Register</b>	<b>Refer to the previous Public Excluded reason in the agenda for this meeting.</b>	
<b>Item PEX 3.1</b> <b>Policy &amp; Regulatory Committee Recommendations - 1 August 2022</b>		
<b>Item PEX 3.2</b> <b>Infrastructure Committee Recommendations - 8 August 2022</b>	<b>Refer to the Infrastructure Committee agenda for 8 August 2022 for Public Excluded reasons.</b>	

Item No.	Section	Interest
Item PEX 4.1 Approval of Waikato Regional Airport Limited Director Remuneration and Appointments	7(2)(a)	To protect a person's privacy
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
Item PEX 4.2 Progressing Infrastructure Servicing of Ohinewai	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.
Item PEX 4.3 Notification of Intensification Planning Instrument: Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version)	7(2)(g)	To maintain legal professional privilege
	7(2)(j)	To prevent use of the information for improper gain or advantage.
Item PEX 4.4 Approval for variations to the Waikato District Alliance in FY2023 and FY2024 to deliver additional capital projects	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.
	7(2)(j)	To prevent use of the information for improper gain or advantage.

## 2. Attachments Ngā taapirihanga

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There are no attachments for this report.

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