

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **MONDAY, 15 AUGUST 2022** commencing at **9.33am**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech
Cr JA Church
Cr CA Eyre
Cr JM Gibb
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 C Morgan (General Manager, Community Growth)
Mr R MacCulloch (General Manager, Service Delivery)
Ms A Diaz (Chief Financial Officer)
Ms L Shirley (Zero Harm Manager)
Mr V Ramduny (Strategic Projects Manager)
Mr K Martin (Waters Manager)
Mr D Sharma (Three Waters Projects Manager)
Mrs GJ Kanawa (Democracy Team Leader)

APOLOGIES AND LEAVE OF ABSENCE

There were no apologies and all members were present.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (His Worship the Mayor, AM Sanson/Cr Thomson)

THAT the agenda for a meeting of the Waikato District Council held on Monday, 15 August 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 items therein be considered in open meeting with the exception of those items detailed at agenda item 8, which shall be considered with the public excluded;
- c. in accordance with Standing Order 9.4 the order of business be changed with:
 - i. agenda item 8.1 [*Exclusion of the Public*] being considered after Item 2;
 - ii. agenda item PEX3.3 [*Committee Reports – CEPR Recommendations – 8 August 2022*], being considered after agenda item 8.1;
 - iii. agenda item 7.2 [*Return of the Raglan Airfield (Lot 2 SAI ID 1059) to Mana Whenua*] being considered at 10.00am; and
- d. all reports be received.

CARRIED

WDC2208/01

EXCLUSION OF THE PUBLIC & STAFF

Agenda Item 8.1

The report was received [*WDC2208/01 refers*] and no further discussion was held.

Resolved: (Crs Thomson/Lynch)

- 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:

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
Item PEX 3.3 Chief Executive Performance Review Committee Recommendations – 8 August 2022	7(2(a))	To protect a person's privacy

- 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.**

CARRIED

WDC2208/02

The open section of the meeting resumed at 10.46am.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*WDC2208/01 refers*] and no further discussion was held.

Resolved: (Crs Sedgwick/Church)

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

CARRIED

WDC2208/05

Actions Register

Agenda Item 5

The report was received [*WDC2208/01 refers*] and the following discussion was held:

- What is the likely timeframe for the hall targeted rates work? This has not been finalised as whilst we have the new resource to do the work, they are currently establishing relationships with the hall committees and understanding what the current arrangements are.
- Te Kohanga Hall are working slightly differently and staff could benefit by speaking with them to gain further learnings.

ACTION: Council staff to provide hall committees with learnings of previous hall committees in regard to maintenance and insurances.

Return of the Raglan Airfield (Lot 2 SAI ID/1059) to Mana Whenua

Agenda Item 7.2

The report was received [*WDC2208/01 refers*] and the following discussion was held:

- General Manager Service Delivery advised of recent observations and discussions with the rightful owners.
- Continuing to work with agencies to identify what the process would be and Council could facilitate some of it but other portions were the role of central government.
- Angeline Greensill spoke on behalf of some of the rightful owners and thanked the Council for their discussions to date and acknowledging that this was the right thing to do.

Resolved: (Crs Smith/Bech)

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. SAI ID/1059, the Raglan Aerodrome land, to its rightful owners.

CARRIED

WDC2208/06

The meeting adjourned following the above item at 10.13am and resumed at 10.16am.

COMMITTEE REPORTS

Waters Governance Board Recommendations – 17 July 2022

Agenda Item 6.1

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

The report was received [WDC2208/01 refers] and the following discussion was held:

- Waters Manager provided an overview of the project and answered questions on the capacity of the new plant, noting that it was a modular plan that could be added to in the future.
- Mr Crabb from Watercare also addressed some technical queries the Council had.

Resolved: (Crs Patterson/Thomson)

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.**

CARRIED

WDC2208/07

Pokeno/Tuakau Wastewater Network Upgrade (WGB2207/07)

The report was received [WDC2208/01 refers] and no further discussion was held.

Resolved: (Crs Patterson/Sedgwick)

THAT the Waikato District Council:

- 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.

CARRIED

WDC2208/08

Strategy & Finance Committee Recommendations – 22 June 2022
Agenda Item 6.2

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

The report was received [WDC2208/01 refers] and the following discussion was held:

- Council requested an English translation in the document to explain what “Taiao” meant and future documents should always reflect translations if in Te Reo Maori.

Resolved: (Crs Gibb/Thomson)

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

CARRIED

WDC2208/09

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

The report was received [WDC2208/01 refers] and the following discussion was held:

Resolved: (Crs Gibb/Bech)

THAT the Waikato District Council adopts the Future Proof Strategy 2022.

CARRIED

WDC2208/10

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

The report was received [WDC2208/01 refers] and the following discussion was held:

Resolved: (Crs Gibb/Woolerton)

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

CARRIED

WDC2208/11

Infrastructure Committee Recommendations – 8 August 2022

Agenda Item 6.3

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

The report was received [WDC2208/01 refers] and the following discussion was held:

Resolved: (Crs Patterson/Sedgwick)

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.**

CARRIED

WDC2208/12

REPORTS

Zero Harm Update

Agenda Item 7.1

The report was received [WDC2208/01 refers] and the following discussion was held:

- Staff had completed draft zero harm strategy for next year that was with Executive Leadership Team for review and approval.
- Concern raised regarding the information around workplace violence, particular regarding front counter staff being at risk. Frontline staff were a high priority and a project was being rolled out regarding zero tolerance to workplace violence as staff have become tolerant towards abusive customers, the intent was to clearly identify the threshold and tolerance levels.
- Safety conversations are being recorded better, i.e. more staff recording them, particularly focussed around personal wellbeing with the significant workloads for many staff.

Water Services Entities Bill Submission

Agenda Item 7.3

The report was received [*WDC2208/01 refers*] and no further discussion was held.

Resolved: (Crs Sedgwick/Patterson)

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.

CARRIED

WDC2208/13

Three Waters Funding Agreement

Agenda Item 7.4

The report was received [*WDC2208/01 refers*] and the following discussion was held:

- Staff had received some feedback from the Legal Team and provided an update to Council on this information.
- DIA had advised that the long term agreements were still some time off and this funding agreement was to provide Council's with funding to facilitate the "Better off funding process".
- The agreement allowed for \$800,000 being paid in four (4) instalments for the year.
- If there was a change in government, whilst the current Three Waters proposal may not proceed, the funding in this agreement would be honoured.
- Waikato were in a unique position with their Watercare agreement and discussions were still being held about the impact of Three Waters beyond July 2023.
- Briefing scheduled with Councillors and the national transition unit later in August.

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council:

- a. **approves Council entering into the Three Waters Services Reforms Transition Support Package (Tranche I) Funding Agreement with the Department of Internal Affairs.**
- b. **delegates to the Chief Executive, authority to seek to negotiate any amendments to the Funding Agreement, and authority to sign the Three Waters Services Reforms - Transition Support Package (Tranche I) Funding Agreement with the Department of Internal Affairs on behalf of Council.**
- c. **notes that Council is currently in the process of reviewing the Three Waters Reform - Better Off Package (Tranche I Funding) Funding Agreement.**

CARRIED

WDC2208/14

EXCLUSION OF THE PUBLIC

Agenda Item 8.2

Resolved: (Crs Thomson/Lynch)

- 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:

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		
Item PEX 4.1 Approval of Waikato Regional Airport Limited Director Remuneration and Appointments		
Item PEX 4.2 Progressing Infrastructure Servicing of Ohinewai		

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 4.3 Notification of Intensification Planning Instrument: Enabling Housing Supply Variation 3 to the Proposed Waikato District Plan (decisions version)	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 4.4 Approval for variations to the Waikato District Alliance in FY2023 and FY2024 to deliver additional capital projects		

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

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

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.

CARRIED

WDC2208/15

Resolutions WDC2208/03 – WDC2208/04 & WDC2208/16 – WDC2208/25 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.

Strategy & Finance Committee Recommendations – 3 August 2022
PEX Agenda Item 3.1

Recommended Appointment – District Licensing Committee Commissioner (P&R2208/07)

It was resolved [Resolution No. WDC2208/17] during the public excluded section of the meeting that the following resolution be released into open meeting but the report remain confidential and unavailable to the public:

“Resolved: (Crs Sedgwick/Gibb)

THAT the Waikato District Council:

- a. Mr Andrew Baker be appointed to the role of Commissioner of the DLC (and as List Member); and
- b. that the term of that appointment commences as soon as possible but at the latest by the beginning of the next triennium, for an initial five-year term; and
- c. the Chief Executive gives effect to the recommendations in this report; and
- d. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.

Infrastructure Committee Recommendations – 8 August 2022
PEX Agenda Item 3.2

Increase to Approved Contract Sum for Contract C20 006 Te Awa Cycleway Mangaonua Gully (INF2208/12)

It was resolved [Resolution No. WDC2208/18] 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/Woolerton)

THAT the Waikato District Council:

- a. approves the cost and scope increase by \$250,000 to the Te Awa Cycleway – Mangaonua Gully Section Contract 20/006 awarded to Base Civil. The new approved contract sum will be [REDACTED]; and
- b. 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.

