

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **THURSDAY, 29 SEPTEMBER 2022** commencing at **1.00pm**.

Present:

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

Attending:

Mr GJ Ion (Chief Executive Officer)
Mrs S O’Gorman (General Manager, Customer Support)
Mr R MacCulloch (General Manager, Service Delivery)
Ms A Diaz (Chief Financial Officer)
Mrs E Edgar (Communications, Marketing & Engagement Manager)
Ms K Rhind (Senior Community Engagement Advisor)
Ms L Shirley (Zero Harm Manager)
Mr K Martin (Waters Manager)
Ms C Bailey (Finance Manager)
Mr M Balloch (Building Quality Manager)
Mr W Gauntlett (Growth & Analytics Manager)
Mrs C Pidduck (Legal Counsel)
Ms H Coalter (Infrastructure Development Manager)
Mrs GJ Kanawa (Democracy Manager)

The Iwi and Community Partnerships Manager opened the meeting with a karakia.

His Worship the Mayor requested a minutes silence in recognition of the passing of Queen Elizabeth II.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Sedgwick/Thomson)

THAT the apology from Cr Gibb for non-attendance be accepted.

CARRIED

WDC2209/09

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Church/Eyre)

THAT the agenda for a meeting of the Waikato District Council held on Thursday, 29 September 2022 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda item 7, which shall be considered with the public excluded;
- b. in accordance with Standing Order 9.4 the order of business be changed with:
 - i. part of agenda item 7 [*Exclusion of the Public – for item PEX 3.4*] being considered after Item 3;
 - ii. agenda item PEX3.4 [*Learnings from the Morrison Solutions Report on the Pokeno Tuakau Pipelines Price Escalation*], being considered after agenda item 7 (part as per i above); and
- c. all reports be received.

CARRIED

WDC2209/10

DISCLOSURES OF INTEREST

There were no disclosures of interest.

EXCLUSION OF THE PUBLIC

Part Agenda Item 7

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 3.4 Learnings from the Morrison Solutions Report on the Pokeno Tuakau Pipelines Price Escalation	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 3.4 Learnings from the Morrison Solutions Report on the Pokeno Tuakau Pipelines Price Escalation	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(c)(i)	To protect information that is subject to an obligation of confidence and to ensure the information avenue remains open, when it is in the public interest for it to do so
	7(2)(g)	To protect legally privileged information.
	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 P Stubbs, Chairperson Audit & Risk Committee be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the matter to be discussed and can inform/advise the Council with their discussion

CARRIED

WDC2209/11

CONFIRMATION OF MINUTES

Agenda Item 4

Resolved: (Crs Lynch/Thomson)

THAT the minutes for the Waikato District Council meeting as follows be accepted as a true and correct record:

- a. Ordinary meeting held on 15 August 2022;
- b. Extraordinary meeting held on 7 September 2022; and
- c. Extraordinary meeting held on 16 September 2022.

CARRIED

WDC2209/14

COMMITTEE REPORTS

Policy & Regulatory Committee Recommendations – 12 September 2022

Agenda Item 5.1

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 [WDC2209/10 refers] and no further discussion was held.

Revocation of Policies (P&R2209/04)

Resolved: (Crs Sedgwick/Lynch)

THAT the Waikato District Council revokes the policies listed below with immediate effect:

- a. **Relocatable Home Parks and Camping Grounds Policy 2009; and**
- b. **Street Lighting and Other Security/Amenity Lighting Policy 1997.**

CARRIED

WDC2209/15

Retrospective approval of the Gleeson Cox managed fill Waikato Regional Council resource consent submission (P&R2209/07)

Resolved: (Crs Sedgwick/Lynch)

THAT the Waikato District Council retrospectively approves the submission to Waikato Regional Council on the 16 August 2022, to oppose the Gleeson Cox managed fill application (APPI44475).

CARRIED

WDC2209/16

Strategy & Finance Committee Recommendations – 14 September 2022

Agenda Item 5.2

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 [WDC2209/10 refers] and no further discussion was held.

The recommendations were put as a whole and is reflected with the same mover/seconded and resolution number.

General Rate Position for the year ended 30 June 2022 (S&F2209/03)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. confirms the 2021/2022 general rate surplus of \$899,355 be transferred to the General Accounting Reserve Fund; and
- b. notes that \$200,000 is required to support the 2022/23 Annual Plan.

CARRIED

WDC2209/17

Wharekawa Coast 2120 – Community Panel Recommendations (S&F2209/05)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. receives the report titled ‘Wharekawa Coast 2120 - Community Panel recommendations and next steps’;
- b. assists the Hauraki District Council, the Waikato Regional Council and Iwi in the preparation of a joint community plan for the Wharekawa Coast; and
- c. recommends the new Council appoints a Waikato District Council elected member representative to the Wharekawa Coast 2120 Joint Working Party in the new triennium.

CARRIED

WDC2209/17

Adoption of the Whaingaroa (S&F2209/06)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. adopts the Whaingaroa Harbour Strategy, as recommended by the Raglan Community Board and Strategy & Finance Committee.

CARRIED

WDC2209/17

Approval to adjust and rename the Te Kauwhata Railway Station budget (S&F2209/07)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. notes the respective financial contributions from **Waikato District Council, Waka Kotahi and Waikato Regional Council** making up the \$152,000 available for a railway station feasibility study (business case) for Te Kauwhata and Pookeno;
- b. renames the 'Te Kauwhata Rail Station (pre-implementation phase) passenger facilities and infrastructure improvements' in Transport Investment Online (TIO) and the associated Long Term Plan cost centre to 'Te Kauwhata and Pookeno Railway Stations (pre-implementation phase) passenger facilities and infrastructure improvements.' ; and
- c. approves the necessary budget changes to correct the Waka Kotahi (NZTA) subsidy income to 51% (\$52,020) from 76% (\$77,520) as was adopted in the 2021 – 2031 LTP and the transfer of General Rate funding from the Roothing Passenger Transport budget of \$25,500.

CARRIED

WDC2209/17

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. **approves the Hamilton-Waikato Metropolitan Transport Programme Business Case;**
- b. **delegates the General Manager Community Growth and the General Manager Service Delivery the authority to finalise any outstanding matters, including review feedback related to the Programme Business Case documents;**
- c. **notes that the Hamilton-Waikato Metropolitan Transport Programme Business Case was considered for approval by the Future Proof Implementation Committee on 2 September 2022;**
- d. **notes that further detailed work will be required to plan for implementation of the recommended programme outlined in the Hamilton-Waikato Metropolitan Transport Programme Business Case;**
- e. **notes that staff will do an assessment of the existing LTP budget to understand how capital and maintenance work in the WDC area within the Hamilton-Waikato metropolitan area can support the implementation of the PBC; and**
- f. **notes that the LTP 2024-2034 will need to consider how Council can financially support the implementation of the Hamilton-Waikato Metropolitan Transport PBC for the benefit of its communities within the Hamilton-Waikato Metropolitan Area on the understanding that this will require implementation across the jurisdictional boundaries of Hamilton city, Waikato district and Waipa district.**

CARRIED

WDC2209/17

Adoption of the Northern Hamilton-Waikato Metropolitan Wastewater (S&F2209/09)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. approves the Northern Hamilton-Waikato Metropolitan Wastewater Detailed Business Case noting the preferred option was endorsed at the 4 July 2022 Council meeting;
- b. delegates authority to the Chief Executive to finalise any outstanding matters including review feedback related to the Business Case documents;
- c. notes that Schedule 3 of the approved Memorandum of Understanding between the partners will be updated to reflect the preferred wastewater option for the Northern Hamilton-Waikato Metropolitan area.
- d. notes that the Northern and Southern Hamilton-Waikato Metropolitan Wastewater DBC programmes will need to be integrated into a planned investment programme, including further consideration of wastewater system investment timing and triggers and development and implementation of the sub-regional wastewater consenting strategy.
- e. notes that estimated costs associated with conveyancing wastewater from the Ngaaruawaahia WWTP to the Pukete WWTP may be used to inform the National Transition Unit (NTU).

CARRIED

WDC2209/17

Area R2, Area WA and HTI – Next Steps (S&F2209/10)

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council:

- a. notes that Hamilton City Council will commence scoping studies for R2 and WA and, together with consideration being given to the development potential of HTI, use the findings to inform the sub-regional Future Development Strategy and the timing of the land transfer process with Waikato District Council;
- b. begins the process to transfer R2, WA and HTI from Waikato District Council to Hamilton City Council as per the 2020 Strategic Boundary Agreement once written notice is provided by the Chief Executive of Hamilton City Council to the Chief Executive of Waikato District Council of a transfer request, noting that such a request will be informed by a mutual understanding on the timing of growth in these land parcels by both Councils through the application of boundary-less planning, infrastructure and financial principles.

CARRIED

WDC2209/17

Infrastructure Committee Recommendations – 19 September 2022

Agenda Item 5.3

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/infrastructure-committee>. The report was received [WDC2209/10 refers] and no further discussion was held.

The recommendations were put as a whole and is reflected with the same mover/seconded and resolution number.

Proposed Extension to Leased area Raglan Surf Lifesaving Club, Raglan (INF2209/06)

Resolved: (Crs Patterson/Smith)

THAT the Waikato District Council:

- a. **pursuant to Section 54 of the Reserves Act 1977 Council exercises its delegated authority as Lessor, to grant an extension of the Raglan Surf Life Saving Club Incorporated leased area to include an additional area of approximately 82 square metres, to enable the extension of their building to provide a new control room and deck, being part of Lot 1 DPS 44506, subject to, the applicant:**
 - i. **continuing engagement with hapū regarding the proposal and the planting of the reserve and leased area;**
 - ii. **obtaining any required resource and building consents to undertake the construction; and**
 - iii. **executing a Deed of Lease variation to record the amended lease area.**
- b. **the Applicant is to meet all costs incurred through the process; and**
- c. **the Chief Executive being satisfied as to the hapū engagement, he is delegated authority to execute all relevant documentation to give effect to the resolution.**

CARRIED

WDC2209/18

Proposed Easement on Local Purpose Reserve (Esplanade), Raglan (INF2209/08)

Resolved: (Crs Patterson/Smith)

THAT the Waikato District Council:

- a. pursuant to Section 48 of the Reserves Act 1977 Council exercises its delegated authority to grant an electricity easement in gross (in favour of WEL Networks Limited) over the 'Easement Area' (delineated in the Attachment I – Aerial Diagram – Area of works), being part of Lot 14 and Lot 15 DP 31092.
- b. the Applicant is to meet all costs incurred through the process; and
- c. upon the Chief Executive being satisfied as to the iwi / hapū engagement, be delegated authority to execute all relevant documentation to give effect to the resolution.

CARRIED

WDC2209/18

Proposed Easement on Reserve - The Point, Ngāruawāhia (INF2209/09)

Resolved: (Crs Patterson/Smith)

THAT the Waikato District Council:

- a. pursuant to Section 48 of the Reserves Act 1977, Council exercises its delegated authority to grant an electricity/utility easement in gross in favour of WEL Networks Limited) over the 'Easement Area' delineated in the Attachment I– Aerial Diagram – Area of works and existing infrastructure) as being with part of Allotment 580, 585, 587 and 588 TN of Newcastle, Part section I SO 61580 and the fee simple parcel being part SO2464;
- b. the applicants are to meet all costs incurred through the process;
- c. execution of the easement agreement shall be subject to consultation with iwi and hapū, provided that the Chief Executive retains discretion to proceed where appropriate; and
- d. the Chief Executive be delegated authority to execute all relevant documentation to give effect to the resolution.

CARRIED

WDC2209/18

Proposed Road Stopping Martin Lane, Horsham Downs (INF2209/10)

Resolved: (Crs Patterson/Smith)

THAT the Waikato District Council:

- a. proceeds to notify the proposal to stop a portion of formed Martin Lane, Horsham Downs, as delineated on Attachment 1 and 2 (being approximately 1790m² (Subject to survey), in accordance with the Local Government Act 1974;
- b. if no objections are received during public notification or are withdrawn thereafter, the road stopping process continues and the portion of road described as 'proposed road to be stopped' on Attachment 1 be declared to be stopped in accordance with the Local Government Act 1974;
- c. the section of land resulting from the road stopping action be transferred for amalgamation with Lot 1 DPS 76724 and Section 4-5 SO500297 and Lot 1 DP 504278, forming title 773527, at a price established by registered valuation, along with access to at least 20 carparks for school /public use;
- d. should the road stopping proceed that Council acquires for road by part exchange that portion of land described as 'Section 2' and 'Section 3' on Attachment 3 being approximately 92m² combined (subject to survey), by way of offset from the road to be stopped at a price to be determined by registered valuation;
- e. the net proceeds of sale be credited to the Property Proceeds Reserve; and
- f. the Chief Executive be delegated authority to execute all relevant documentation to give effect to this resolution.

CARRIED

WDC2209/18

Proposed Licence to Occupy Electric Vehicle Charging Site, Tamahere (INF2209/11)

Resolved: (Crs Patterson/Smith)

THAT the Waikato District Council approves:

- a. the granting of a Licence to Occupy to ChargeNet NZ Limited for a site on Wiremu Tamihana Drive for a term of up to 15 years;
- b. the Licence be on commercial terms that enable the investment in the infrastructure as well as protecting the Council's interests; and
- c. the Chief Executive be delegated authority to execute all relevant documentation to give effect to the resolution.

CARRIED

WDC2209/18

REPORTS

Zero Harm Update

Agenda Item 6.1

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- It was noted that since the report was circulated the response rate to the survey outline in the executive summary of the report had increased to 75%.
- It was noted at the Audit & Risk Committee earlier that day a Situational Safety training session for Councillors would be held as part of the induction.
- Engagement conversations – an analysis of the data would occur around non categorised safety conversations which would be provided to the new Council.
- It was noted that the Zero Harm report was an exemplar report that should be utilised as a training tool for other report writers.

Approval for Consultation on General Policies Reserve Management Plan

Agenda Item 6.2

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- Amount of consultation seems to be excessive, however it was noted that this is required under legislation.
- Smoking signage is referred to, however we do not refer to drug/alcohol free. It was noted that these matters sit within the Public Places By-law which is due for review.

Resolved: (Crs Smith/Patterson)

That the Waikato District Council:

- a. **approves public consultation be undertaken on the draft General Policies Reserves Management Plan (attachment 1 of the staff report) for a period of no less than 2 months, as required under Section 41 of the Reserves Act 1977.**

CARRIED

WDC2209/19

Three Waters Reform - Better Off Funding Assessment Panel Recommendations
Agenda Item 6.3

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- It should be noted in the cover letter to DIA that the CCTV information came through submissions, for which Council determined it should be included in the prioritised list even though it had not been prioritised by the panel.
- It was noted that Council were not the decision makers, which is why both the recommended list as well as contingency list were being provided to the DIA.
- Contingency projects – if not funded in Tranche 1 would the contingency list be automatically considered as part of Tranche 2? It was noted no direction had been provided for Tranche 2 as yet and they would possibly have to reapply.
- Concern was raised regarding the issue recently highlighted that this funding was not 100% crown funded, therefore we would be relying on urban ratepayers covering the cost of rural areas indirectly through Entity B. It was noted that some rural areas also paid a targeted rate for water and wastewater services.
- Risk analysis – funding recipients may find it hard to adhere to best practice and perhaps struggle to deliver on projects. It was noted that the EPMO would be able to identify this quickly and that is why the contingency list was provided so that if there were any issues projects on the contingency list could be implemented in their place.
- Upon approval by DIA – Council receive 10% and are provided with incremental payments on a monthly basis.
- Some Councillors did not support the contingency list due to private benefit.
- Three waters distasteful from the start, find it difficult to support, but there is an air of inevitability about it.

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

That the Waikato District Council:

- a. **accepts Option I that the recommended shortlist and contingency projects from the better off funding assessment panel, with the addition of CCTV to the program of works, be put forward for funding from the DIA via the Three Waters Reform – Better Off Package (Tranche One Funding) Funding Agreement;**
- b. **acknowledges that all of the better off funding applications have been assessed and evaluated by the better off funding panel and the shortlisted submissions provided to Council have ranked highest against the DIA evaluation criteria as well as Waikato District Council’s strategic vision;**
- c. **notes that, under the agreed Terms of Reference with iwi, Council has the right to select and approve any project submitted for better off funding that meets the DIA better off funding criteria;**
- d. **approves Council entering into the Three Waters Reform – Better Off Package (Tranche One Funding) Funding Agreement with the Department of Internal Affairs.**
- e. **delegates to the Chief Executive, authority to sign the Three Waters Reform Better Off Package (Tranche One Funding) Funding Agreement with the Department of Internal Affairs on behalf of Council;**
- f. **recommends that the approved better off funding projects are allocated to Council’s Project Management Office (PMO) to enable Council to either deliver internally or provide project management oversight to community groups self-delivering for the purpose of ensuring projects are delivered within scope and DIA reporting criteria;**
- g. **notes that, where approved projects are community delivered, appropriate contracts are signed with those community groups ensuring projects outcomes and deliverables are aligned with Council’s obligations under the Funding Agreement with the DIA; and**
- h. **notes that a lessons learned report will be prepared to reflect the learnings from the novel process developed for tranche one and utilize it for improvements for tranche two.**

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

For the Motion: Cr Bech, Cr Church, Cr Eyre, Cr Lynch, Cr McGuire, Cr Patterson, Cr Sedgwick, Cr Thomson and His Worship the Mayor, Mr AM Sanson.

Against the Motion: Cr Henderson, Cr McNally, Cr Smith and Cr Woolerton.

The motion was declared **CARRIED** by 9 votes to 4.

CARRIED

WDC2209/20

Recommendation to Review Community Board and Committee Funding
Agenda Item 6.4

The report was received [*WDC2209/10 refers*] and no discussion was held.

Resolved: (Crs Smith/Thomson)

That the Waikato District Council:

- a. notes the funding arrangements and costs of administering the Community Boards and Committees.
- b. recommends the incoming Council undertakes a review of the funding arrangements and recovery of the administration costs in the Long Term Plan 2024/2034.

CARRIED

WDC2209/21

Annual Dog Control Report 2021-2022
Agenda Item 6.5

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- Council noted that this was a good report and congratulated staff on the rehoming of 220 dogs throughout the year.
- Concern was raised regarding the increase in dog attacks, but staff could not pinpoint the cause for this.

Resolved: (Crs Church/Sedgwick)

That the Waikato District Council:

- a. approves the Annual Dog Control Report 2021/2022 (as attached to this staff report) for release to the community via our website.

CARRIED

WDC2209/22

Adoption of the Annual Report and Summary 2021-22
Agenda Item 6.6

The report was received [*WDC2209/10 refers*] and the Finance Manager provided an overview and answered questions, noting no significant issues were raised.

Resolved: (Crs McNally/Sedgwick)

That the Waikato District Council:

- a. adopts the Annual Report and Summary 2021/22 subject to the final audit process; and
- b. provides a letter of recommendation, subject to audit adjustments, to the incoming Council allowing adoption of the Annual Report and Summary 2021/22 on their behalf.

CARRIED

WDC2209/23

Elected Member Policy Reviews
Agenda Item 6.7

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- Explanation provided around the intent of the changes to the Conferences policy.
- Council queried the discretion around mileage caps and whether the policy could cover additional discretionary payments by Council outside of the remuneration review. It was not believed that this could be done, however staff would investigate further.

Resolved: (Crs Lynch/Bech)

That the Waikato District Council:

- a. notes the Elected Members Reimbursement Policy has been reviewed and given no feedback was received from community boards, no changes are proposed;**
- b. notes the Conferences & Seminars Policy has been reviewed and while no feedback from community boards was received from, some minor changes are proposed to provide clarity for elected members;**
- c. adopts the Elected Members Reimbursement Policy (Attachment 1); and**
- d. adopts the amended Conferences & Seminars Policy (Attachment 2).**

CARRIED

WDC2209/24

End of Triennium – Delegations and governance matters
Agenda Item 6.8

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- It was noted that there was an error in the report referring to Mr Smedts as a Commissioner of the DLC, it should be noted that he is a member of the DLC not a Commissioner. It was further clarified that Commissioner could be appointed as a Chairperson for hearings.
- It was recommended that the transition arrangements also included the Deputy Mayor-elect – this was incorporated into the resolutions below.

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

That the Waikato District Council:

- a. except as otherwise recorded in this recommendation, the Council extends the Chief Executive's current delegations (detailed in the Council's Delegations Register) to include all of Council's responsibilities, duties, and powers currently retained by the Council or delegated to the Council's standing Committees (except the District Licensing Committee and Waters Governance Board), subject to the following conditions:**

- i. the extended delegations will have effect only for the period from 8 October 2022 until the swearing in of the new Council, which is proposed to be 20 October 2022;
 - ii. the extended delegations do not include a delegation of any Council responsibilities, duties or powers which are prohibited by law from delegation - including, without limitation, those set out in clause 32(1) of Schedule 7 to the Local Government Act;
 - iii. the Chief Executive may only exercise the extended delegations for those matters that cannot reasonably wait until the first meeting of the new Council;
 - iv. where reasonably practicable, the Chief Executive must, before exercising an extended delegation responsibility, duty or power, first consult with the Mayor-elect, Deputy Mayor-elect and Councillor Eyre (being the only current Councillor who will be re-elected unopposed in the 2022 local authority elections); and
 - v. the Chief Executive must report all matters relating to the exercise of an extended delegation to the incoming Council at the first business meeting following the local authority elections;
- b. in accordance with section 34A of the Resource Management Act 1991, the Council delegates to the General Manager Customer Support the responsibility, duty and power to appoint independent commissioner(s) for the purpose of a hearing of an application under the Resource Management Act, subject to the following conditions:
- i. this delegation will have effect only for the period from the date after the day that the local authority election results are declared by public notice (scheduled for 20 October 2022) until such time as this function is formally delegated by the newly-elected Council; and
 - ii. the General Manager Customer Support must report any appointments made under this delegation to the incoming Council at its first formal meeting after the inaugural meeting of Council following the local authority elections; and
- c. in accordance with clause 30(7), Schedule 7 of the Local Government Act 2002, the Council resolves that the following committees, subcommittees and subordinate decision-making bodies continue (and are not deemed to be discharged) on the coming into office of the members of the Council elected at the 2022 local authority elections:
- i. District Licensing Committee; and
 - ii. Waters Governance Board.

CARRIED

WDC2209/25

Overview of WDC Elected Member Induction Programme for 2022 Elections
Agenda Item 6.9

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- The induction booklet should not indicate sessions as mandatory, instead staff should consider utilising the wording highly recommended.
- Consideration should be given to providing all candidates with the proposed sessions that they need to diarise and make arrangements to be available, i.e. “Setting the Scene” sessions, Inaugural meetings etc.
- Councillors noted the value of the LGNZ induction, particularly in regard to the ability to network with other elected members from across the region.

Resolved: (Crs Smith/Sedgwick)

That the Waikato District Council notes the update on the proposed 2022 elected member inductions.

CARRIED

WDC2209/26

Enabling Best Practice Procurement
Agenda Item 6.10

The report was received [*WDC2209/10 refers*] and the following discussion was held:

- The tension point was noted of the benefits of social procurement versus good value for money.
- Small business panel would enable us to understand how we can engage our businesses within the community, as Council’s current approach was risk based.
- It was further noted that we needed to enable local businesses to be incorporated into the strategy and assist them with meeting our tight risk frameworks whilst enabling their growth.
- Council would directly engage with smaller suppliers, e.g. cleaning contract at Council is a low risk contract that would be approved under social procurement strategy, i.e. a closed procurement process would be undertaken with local companies.

Resolved: (Crs Bech/McGuire)

That the Waikato District Council:

- a. approves the procurement strategy;**
- b. agrees that:**
 - i. the Sustainable Procurement framework be created with partners; and**
 - ii. a Small & Medium Enterprise (SME) panel is created utilising a risk-based approach.**

CARRIED

WDC2209/27

EXCLUSION OF THE PUBLIC

Agenda Item 7

Resolved: (Crs Sedgwick/Lynch)

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1 Confirmation of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.1 Strategy & Finance Committee Recommendations – 14 September 2022		
Item PEX 2.2 Infrastructure Committee Recommendations – 19 September 2022		
Item PEX 3.1 Progressing Wastewater Infrastructure to support Ohinewai		
Item PEX 3.2 Delivery of Infrastructure Acceleration Fund Projects (Festival Way)		
Item PEX 3.3 Revocation of the old State Highway 1 through Huntly – Funding Agreement		

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 3.5 Development Agreement Pokeno – PC21/Graham Block, Helenslee Investments Limited and Pokeno Village Holdings Limited	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 3.6 Fillmore Trust Development Agreement, Northgate Road 3 Horotiu		

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

Item No.	Section	Interest
Item PEX 1 Confirmation of Minutes	Refer to the previous Public Excluded reason in the agenda for this meeting.	
Item PEX 2.1 Strategy & Finance Committee Recommendations – 19 September 2022	Refer to the Strategy & Finance Committee agenda for 14 September 2022 for Public Excluded reasons.	
Item PEX 2.2 Infrastructure Committee Recommendations – 19 September 2022	Refer to the Infrastructure Committee agenda for 19 September 2022 for Public Excluded reasons.	
Item PEX 3.1 Progressing Wastewater Infrastructure to support Ohinewai	7(2)(h) 7(2)(i)	To enable commercial activities to be carried out without prejudice or disadvantage. To enable negotiations to carry on without prejudice or disadvantage.

Item No.	Section	Interest
Item PEX 3.2 Delivery of Infrastructure Acceleration Fund Projects (Festival Way)	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 3.3 Revocation of the old State Highway 1 through Huntly – Funding Agreement	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person’s commercial position
	7(2)(g)	To protect legally privileged information.
	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 3.5 Development Agreement Pokeno – PC21/Graham Block, Helenslee Investments Limited and Pokeno Village Holdings Limited	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.
Item PEX 3.6 Fillmore Trust Development Agreement, Northgate Road 3 Horotiu	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.

CARRIED

WDC2209/28

Resolutions WDC2209/12 – WDC2209/13 and WDC2209/29 – WDC 2209/39 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

PEX Agenda Item 2.1

Development Agreement Principles, Stuart PC Ltd (Hynds Pipes), Pokeno (S&F2209/13)

It was resolved [Resolution No. WDC2209/30] 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 Bech/Lynch)

THAT the Waikato District Council:

- a. approves, in principle, the terms attached as Appendix 1 to this report;
- b. notes the intention of staff to engage with Stuart PC Ltd to give effect to these terms; and
- c. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.”

Development Agreement Variation for Rangitahi Limited - Raglan (S&F2209/14)

It was resolved [Resolution No. WDC2209/31] 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 Bech/Lynch)

THAT the Waikato District Council:

- a. supports in principle the draft Amended and Restated Development Agreement between Waikato District Council and Rangitahi Limited (Attachment 2) noting that Council Staff and Rangitahi Ltd have a few minor matters to finalise.
- b. accepts the draft Amended and Restated Development Agreement between Waikato District Council and Rangitahi Limited and delegates to the Chief Executive the authority to enter into a Development Agreement with Rangitahi Limited pursuant to section 207B(2)(a) and 207F of the Local Government Act 2002.
- c. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.”

Development Agreement Pokeno – PC2 | Graham Block Helenslee Investments Ltd
PEX Agenda Item 3.5

It was resolved [Resolution No. WDC2209/32] 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 Church/Henderson)

That the Waikato District Council:

- a. supports the draft Development Agreement with Helenslee Investments Limited & Pokeno Village Holdings Limited (Attachment 2 to staff report);
- b. accepts the Development Agreement with Helenslee Investments Limited & Pokeno Village Holdings Limited (Attachment 2 to staff report) pursuant to section 207B(2)(a) of the Local Government Act 2002; and
- c. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.”

Infrastructure Committee Recommendations
PEX Agenda Item 2.2

108 Horotiu Bridge Road, Horotiu – Land Acquisition for Wastewater Pump Station (INF2209/18)

It was resolved [Resolution No. WDC2209/34] 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/Church)

THAT the Waikato District Council:

- a. approves the acquisition of that part of Part Lot 4 DP 15650 and require easements at 108 Horotiu Road, Horotiu as shown as Section A on the Land Requirement Plan appended to this report at a price established by valuation and in accordance with Council’s Strategic Land Acquisition and Disposal Policy 2019 and to be funded by the Wastewater Reticulation budget IWW12622-C6-0000-0325;
- b. delegates to the Chief Executive the authority to negotiate the agreement to acquire the required land for the new wastewater pump station along with the easements and execute all relevant documentation to give effect to this resolution; and
- c. agrees to release the resolutions into the open meeting but the report remain confidential and unavailable to the public.”

Revocation of the old State Highway 1 through Huntly Funding Agreement
PEX Agenda Item 3.3

It was resolved [Resolution No. WDC2209/38] 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 Lynch/Smith)

THAT the Waikato District Council:

- a. approves entering into a Funding Agreement with Waka Kotahi to deliver the programme of works associated with the Revocation of the Huntly section of the Waikato Expressway;*
- b. requests the Chief Executive to be given the delegated authority to execute the Funding Agreement;*
- c. a budget is established for the Huntly Single Stage Business Case Programme Implementation; and*
- d. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public.”*

The Iwi and Community Partnerships Manager closed the meeting with a karakia.

His Worship the Mayor noted that an opportunity would be provided to each Councillor to say a few words at the close of the meeting.

There being no further business the meeting was declared closed at 3.45pm

Minutes approved and confirmed this 5th day of October 2022 under transition delegations.

AM Sanson
CHAIRPERSON

GJ Ion
CHIEF EXECUTIVE