

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaaruawaahia on **MONDAY, 28 AUGUST 2023** commencing at **9.30am**.

Present:

Her Worship the Mayor, Mrs JA Church (Chairperson)
Cr C Beavis
Cr C Eyre (Deputy Mayor)
Cr J Gibb
Cr P Matatahi-Poutapu
Cr K Ngataki
Cr E Patterson
Cr M Raumati
Cr V Reeve
Cr T Turner
Cr D Whyte

Attending:

Mr GJ Ion (Chief Executive)
Mr TG Whittaker (Chief Operating Officer)
Mr R MacCulloch (General Manager Customer Support)
Ms C Bailey (Finance Manager)
Mr L Shirley (Zero Harm Manager)
Mr N Johnston (Advocacy & Investment Advisor)
Mr A Singh (Transport Operations Team Leader)
Mr L McCarthy (Roading Contractor)
Mr S Browning (Roading Contractor)
Mr W Durning (Mayoral Strategy Manager)
Mrs GJ Kanawa (Democracy Manager)

The Council and staff opened the meeting with a joint karakia.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Gibb/Ngataki)

THAT the Waikato District Council:

- a. accepts the apologies from Cr M Keir, Cr L Thomson and Cr P Thomson for non-attendance.**

CARRIED

WDC2308/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs Eyre/Reeve)

THAT the agenda and supplementary public excluded agenda for a meeting of the Waikato District Council held on Monday, 28 July 2023 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

WDC2308/02

DISCLOSURES OF INTEREST

Agenda Item 3

Her Worship the Mayor declared an interest in Item 7.4 - Appointment to funding distributions committee as a previous member on the Wellbeing Trust and recommended appointment of the Mayor in the report. She further noted that she would vacate the Chair during this item.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*WDC2308/02 refers*] with no further discussion held.

Resolved: (Crs Whyte/Ngataki)

THAT the Waikato District Council confirms the minutes for a meeting held on Monday, 17 July 2023 be confirmed as a true and correct record.

CARRIED

WDC2308/03

ACTIONS REGISTER

The report was received [*WDC2308/02 refers*] and no further discussion was held.

COMMITTEE REPORTS

Infrastructure Committee Recommendations – 5 July 2023

Agenda Item 6.1

Road Services Review – Recommendation of preferred option (INF2308/05)

The report was received [WDC2308/02 refers] and no further discussion was held.

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council:

- a. **approves the option of 4c and 5b/d of the Waikato District Council Road Services Review Report (refer Attachment I) – to bring asset management and contract management inhouse and to design physical works contracts to deliver general maintenance and renewals through appropriately sized and scoped NZS3917 forms of service delivery contracts; and**
- b. **note that the team will proceed to design the detail of this model to deliver on the critical success factors through the following steps:**
 - i. **identify the boundaries for the general maintenance contracts,**
 - ii. **identify areas of specialty activities that would provide better Public Value to tender and manage separately,**
 - iii. **design the team structure required to resource the asset management, programming and contract management tasks inhouse;**
 - iv. **develop the detailed business case to recommend a decision on the best value delivery model for procurement, and**
 - v. **develop the procurement plan to identify contract and tendering details such as tenure of the contracts, supplier selection methodology etc; and**
- c. **note that an enhanced Alliance model will be assessed against a new model to test benefits and efficiencies of any change.**

CARRIED

WDC2308/04

Endorsement – Upper Northern Waikato Railway Station Indicative Business Case (INF2308/06)

The report was received [WDC2308/02 refers] and no further discussion was held.

Resolved: (Crs Patterson/Ngataki)

THAT the Waikato District Council:

- a. **endorses the Upper Northern Waikato Railway Station Indicative Business Case (IBC);**
- b. **notes that endorsing the IBC does not mean making any funding commitment to the construction of a railway station or railway stations;**

- c. notes that the recommended option which has emerged from the IBC is that a railway station is provided at Tuuaakau in the short term (3-5 years) to serve Te Huia in the short term (within 3-5 years) but that there is also a good case or a second station at Pōkeno in the short term;
- d. notes that for a two-station solution (i.e., Tuuaakau and Pookeno) to be provided in the short term, it would be necessary to consider some time saving measures for Te Huia which will need to be investigated further in a Detailed Business Case (DBC);
- e. notes that the findings of the IBC do not preclude the opening of a station at Te Kauwhata in the medium to longer term (6 years+), particularly if additional Te Huia services are introduced which provide opportunities for commuter travel to/from Hamilton;
- f. notes that the case for funding and the confirmation of the costs and benefits of having more than one station in the northern Waikato are examined in further detail in a DBC together with their respective platform layout and the staging of delivery;
- g. notes that the preliminary P95 cost estimates for the preferred station options at Tuuaakau, Pookeno and Te Kauwhata are as follows:
 - Tūākau - \$6,390,000
 - Pōkeno - \$9,230,000
 - Te Kauwhata - \$7,420,000;
- h. notes that the DBC is expected to cost \$500,000 and that this figure (made up of an assumed 51% Waka Kotahi Financial Assistance Rate) be put forward for consideration in both Council's LTP 2024-2034 and the Regional Land Transport Plan;
- i. notes that any funding allocation in the LTP and RLTP for the DBC and, after this, for station construction is subject to a decision on Te Huia continuing beyond June 2024;
- j. agrees that the IBCP95 cost estimates for a railway station Tuuaakau (\$6,390,000) and Pookeno (\$9,230,000) be considered for inclusion post year 4 in Council's 2024-2034 Long Term Plan and the Regional Land Transport Plan subject to a decision on Te Huia continuing beyond June 2024, the completion of a DBC and a proviso of government subsidy for station construction;
- k. requests staff work with the Waikato Regional Council on a review of bus transport in the northern Waikato which would also include investigating a service which connects Te Kauwhata and Pōkeno to the Papakura Railway Station in the short-term and the Drury Railway Station in the medium term;
- l. confirms that a communications plan be developed to clearly articulate the business case process and the key decision-making and funding dependencies so that our communities understand what still needs to be done before any railway station can be constructed.

CARRIED

WDC2308/05

Infrastructure Acceleration Fund; Ngaaruawaahia – Budget Amendments (INF2308/07)

The report was received [WDC2308/02 refers] and no further discussion was held.

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council:

- a. receives the report titled “Budget Amendments for projects funded by the Infrastructure Acceleration Fund, Ngaaruawaahia” dated 16 August 2023;
- b. approves the following budget adjustments:
 - i. replace the local share funding of \$953,449 in the subsidised Roding project with external funding from Kainga Ora (IAF);
 - ii. establish an unsubsidised Roding gross budget of \$6,223,139 due to the increased Roding budget requirement. This is to be funded by \$2,896,171 from Kainga Ora (IAF) and local share funding of \$3,326,968 from the Ngaaruawaahia Structure Plan Reserve.
 - iii. establish a Stormwater, Wastewater and Water gross budget of \$2,627,206. This is to be funded by \$1,470,380 from Kainga Ora (IAF) and local share funding of \$1,156,826 from the Ngaaruawaahia Structure Plan Reserve.

CARRIED

WDC2308/06

REPORTS

Zero Harm

Agenda Item 7.1

The report was received [WDC2308/02 refers] and the following discussion was held:

- Contractor reporting within the Council reports was raised, for which staff confirmed that they did not report Contractor incidents.
- Zero Harm Manager explained the process for Contractors reporting through their health and safety systems and it was a requirement that any incidents be reported to the relevant person in Council overseeing the contract.

ACTION: Zero Harm staff to advise of best practice in regard to reporting on contractor incidents.

- Explanation provided around graphs, noting one colour was the current month and the other colour reflected the same month the previous year.
- A summary of the Mental Health Awareness Week activities was provided for Council and Councillors encouraged to attend the session from Jehan Casinader.

ACTION: Invite for the Jehan Casinader session to be forwarded to Councillors.

- Issue raised around whether exit interviews were being held with staff and they were comfortable in sharing the information with P&C around mental health wellbeing. Chief Executive was confident that robust information was being provided and all feedback whether positive or negative is a gift to better the organisational culture.

ACTION: Zero Harm staff to schedule workshop with Councillors once the bowtie was developed for monitoring mental health wellbeing.

Electoral System for 2025 Local Body Elections

Agenda Item 7.2

The report was received [*WDC2308/02 refers*] and the following discussion was held:

- Concern was raised that if we were not doing a representation review, how council intended to support the wellbeing and workload for Maaori Ward Councillors.. It was noted that a discussion was being held with Councillors later that day on further support for Maaori Ward Councillors.
- Councillors requested more information on the statistics/demographics for wards
- Concern was raised that a discussion had not been held with Waikato-Tainui in regard to the electoral system to be utilised. It was noted that whilst formal consultation was not undertaken the position of Waikato-Tainui was well known through previous engagement. In future a discussion would be held prior to the report coming to Council.

ACTION: Workshop to be held with Council on the statistical/demographics for the current wards once more up to date statistics were available from the latest census.

Resolved: (Crs Patterson/Turner)

That the Waikato District Council:

- pursuant to section 27 of the Local Electoral Act 2001, the Council resolves to retain the First Past the Post electoral system;**
- public notice be given as soon as practicable (and no later than 19 September 2023) of the Council's resolution and (if option (i) or (ii) above is selected) of the right of electors to demand a poll on the electoral system to be used;**
- notes that a review of Maaori Wards is not required during this triennium due to the decision being made in May 2021 to include Maaori Wards for the 2022 and 2025 elections.**
- confirms that a representation review is not required in this triennium due to the robust review process undertaken in the 2021 Representation Review.**

CARRIED

WDC2308/07

Additional Meetings for Annual Schedule

Agenda Item 7.3

The report was received [*WDC2308/02 refers*] and no further discussion was held.

- It was noted later in the meeting there had been an error in the report in regard to the date of the meeting to be held on 24 October which was rectified in the resolution below.

Resolved: (Crs Beavis/Gibb)

THAT the Waikato District Council confirms the following meetings be added to the schedule of meetings for 2023:

- a. Performance & Strategy Committee meeting to be held on Monday, 9 October 2023 at 12noon; and**
- b. Waikato District Council meeting to be held on Tuesday, 24 October 2023 at 12noon; and**
- c. Policy & Regulatory Committee (hearings and deliberations to consider the draft Water Supply Bylaw 2023) on Wednesday, 22 November 2023 at 9.30am.**

CARRIED

WDC2308/08

Appointment to funding distributions committee

Agenda Item 7.4

Her Worship the Mayor vacated the Chair as per her declaration of interest in this item and Cr Eyre assumed the Chair.

The report was received [*WDC2308/02 refers*] and the following discussion was held:

- Background was provided on the previous Council's robust review of discretionary funding and this had resulted in the transition from the Wellbeing Community Trust to Momentum Waikato Community Foundation.
- The recommendation in the report was for the Mayor to be appointed as the Council representative for consistency and continuity as she was the Chair of the Wellbeing Trust.
- Council suggested an alternate be added should the Mayor not be available, refer the updated resolution below.
- Whilst the report advised there was no impact on Maaori, it was noted that some of the feedback to Momentum is that a cultural lens be added to the skill requirement for the Community Representative yet to be appointed.

Resolved: (Crs Matatahi-Poutapu/Gibb)

That the Waikato District Council:

- a. approves the appointment of Mayor Jacqui Church (or her delegate should she be unavailable) to the Waikato District Community Wellbeing Trust distributions committee,
- b. provides feedback to Momentum Waikato Community Foundation regarding expectations for skills, experience and representation in the overall committee composition, including the ability to provide a cultural lens over applications.

CARRIED

WDC2308/09

Cr Eyre vacated the Chair and Her Worship the Mayor resumed the Chair at this time.

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Ngataki/Whyte)

- 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 2 – Confirmation of Minutes for a meeting held on Monday, 17 July 2023	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 – Actions Register		
Item PEX 4.1 – Waters Governance Board Recommendations – 25 July 2023		

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 5.1 - Approval of Initial Waka Kotahi Funding Bid	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 6 – Chief Executive Issues		
Item PEX 7 – Mayoral Issues		

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 2 – Confirmation of Minutes for a meeting held on Monday, 17 July 2023	Refer previous minutes for reasons for exclusion.	
Item PEX 3 – Actions Register	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.
Item PEX 4.1 – Waters Governance Board Recommendations – 25 July 2023	Refer to Waters Governance Board agenda for reasons for exclusion.	
Item 5.1 - Approval of Initial Waka Kotahi Funding Bid	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.

