

Agenda for a meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 17 MAY 2021** 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.*

- |            |   |           |
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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.

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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	6 May 2021
<b>Prepared by</b>	Gaylene Kanawa Democracy Team Leader
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Confirmation of Minutes

## **I. EXECUTIVE SUMMARY**

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To confirm the minutes of Council meetings held since 6 April 2021.

## **2. RECOMMENDATION**

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**THAT the Waikato District Council confirm the following minutes as a true and correct record of those meetings:**

- i) ordinary meeting held on Monday, 6 April 2021;**
- ii) extraordinary meeting held on Wednesday, 28 April 2021; and**
- iii) extraordinary meeting held on Wednesday, 5 May 2021.**

## **3. ATTACHMENTS**

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Open Minutes – Ordinary Meeting held on 6 April 2021  
 Open Minutes – Extraordinary Meeting held on 28 April 2021  
 Open Minutes – Extraordinary Meeting held on 5 May 2021

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Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY, 6 APRIL 2021** commencing at **9.32am**.

**Present:**

His Worship the Mayor, Mr AM Sanson (Chairperson)  
Cr AD Bech  
Cr CA Eyre  
Cr JM Gibb  
Cr SD Lynch  
Cr RC McGuire  
Cr FM McNally  
Cr EM Patterson  
Cr JD Sedgwick  
Cr NMD Smith  
Cr LR Thomson  
Cr CT Woolerton [*from 9.35am*]

**Attending:**

Cr T Mahuta (Waikato Regional Council)  
Cr P Storey (Waikato Regional Council)  
Mr C McLay (Chief Executive, Waikato Regional Council)  
Ms K Macown (Audit New Zealand)  
Mr C Susan (Audit New Zealand)

Mr TG Whittaker (Chief Operating Officer)  
Mr R MacCulloch (General Manager Service Delivery)  
Mrs S O’Gorman (General Manager Customer Support)  
Mr V Ramduny (Acting General Manager Community Growth)  
Mr J Ebenhoh (Planning & Policy Manager)  
Mr B Burnand (Project Manager Long Term Plan)  
Ms A Diaz (Chief Financial Officer)  
Mr J Quinn (Communications, Engagement and Marketing Manager)  
Mr C Bailey (Finance Manager)  
Ms A Plumpton (Development Contributions Co-ordinator)  
Ms T Hancock (Senior Communications and Engagement Officer)  
Ms L Shirley (Zero Harm Manager)  
Mrs LM Wainwright (Committee Secretary)

**APOLOGIES AND LEAVE OF ABSENCE**

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

**THAT an apology be received from Cr Church and Cr Henderson;**

**AND THAT an apology for lateness be received from Cr Woolerton.**

**CARRIED**

**WDC2104/01**

**CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Crs Thomson/Gibb)**

**THAT the agenda for a meeting of the Waikato District Council held on Tuesday, 6 April 2021 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 7 which shall be considered with the public excluded.**

**CARRIED**

**WDC2104/02**

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**CONFIRMATION OF MINUTES**

**Resolved: (Crs Bech/Lynch)**

**THAT the minutes of a meeting of the Waikato District Council held on Monday, 22 February 2021 be confirmed as a true and correct record of that meeting.**

**CARRIED**

**WDC2104/03**

## **COMMITTEE RECOMENDATIONS**

### **Strategy & Finance Committee**

Agenda Item 5.1

Consideration of Conservation Fund Applications (S&F2103/05)

**Resolved: (Crs Gibb/Thomson)**

**THAT Council approve, in full, the Conservation Fund applications:**

- of \$4,900.00 from M Emms (146C Woodcock Road, Tamahere);
- of \$4,700.00 from K Over (349 Pinnacle Hill Road, Mangatāwhiri); and
- of \$4,999.00 from C Jackson (1109 Whaanga Road, Raglan).

**CARRIED**

**WDC2104/04**

Submission on the Waikato Regional Transport Plan 2021-2051 (S&F2103/06)

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

**THAT Council approve the:**

- submission on the draft **Waikato Regional Land Transport Plan 2021-2051**, and
- inclusion of additional comments within the submission on the draft **Waikato Regional Land Transport Plan 2021-2051**.

**CARRIED**

**WDC2104/05**

Cr Woolerton entered the meeting at 9.35am following discussion on the above item.

## **REPORTS**

Waikato Regional Council's LTP Presentation

Agenda Item 6.1

Tabled Item: Waikato Regional Council's 2021-2031 LTP Roadshow presentation.

- Representatives from Waikato Regional Council summarised the powerpoint presentation on the 2021-2031 LTP Roadshow.
- In 2020 WRC developed a ten (10) year strategy. The focus was on water, climate, biodiversity/biosecurity, coastal and marine, sustainable infrastructure and transport connections.

- Healthy waterways were a priority for communities and Central Government. This would require an increase in regulatory activities.
- The Regional Pest Management Plan and Regional Coastal Plan would be consulted on alongside the LTP.
- Targeted rates for sustainable housing.
- Transport connections with regional centres.

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

**THAT the report from the Chief Executive be received.**

**CARRIED**

**WDC2104/06**

Development Contributions Policy and Policy Appendices – Approval for Consultation  
Agenda Item 6.2

The Development Contributions Co-ordinator took the report as read. No discussion was held.

**Resolved: (Crs McNally/Woolerton)**

**THAT the report of the Acting General Manager Community Growth be received;**

**AND THAT Council, in accordance with section 82A(2) of the Local Government Act 2002, approves the Statement of Proposal, the draft 2021/22 Development Contributions Policy and appendices to the draft policy for consultation as part of the LTP consultation process.**

**CARRIED**

**WDC2104/07**

Adoption of the Long Term Plan 2021-31 Draft User Fees and Charges, Draft Supporting Information and Consultation Document  
Agenda Item 6.3

The Project Manager Long Term Plan took the report as read and noted the following matters:

- Draft unfunded projects. Mercer hall had been removed from the project list. The NZ Fire Service facility at Mercer could be purchased for community use.

**ACTION:** A community facility for Mercer be placed on the unfunded list in the LTP.

- Continuation of the inorganic collection would be discussed at the community drop-in sessions to assess whether communities would/would not support the service.

**ACTION:** Staff were acknowledged for the work put in to the LTP process and for the quality of the document produced.

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

**THAT** the report from the **Acting General Manager Community Growth** be received;

**AND THAT Council:**

- a) **Adopts the Draft User Fees and Charges Schedule (Attachment 4) and the Statement of Proposal for Draft User Fees and Charges (Attachment 3) for the purposes of public consultation through the Long Term Plan consultation process.**
- b) **Adopts the Supporting Documentation (Attachment 2) relied on as the basis for drafting the Long Term Plan 2021-31 Consultation Document, including:**
  - i. **Significant Forecasting Assumptions**
  - ii. **Draft Infrastructure Strategy**
  - iii. **Draft Financial Strategy**
  - iv. **Revenue and Financing Policy**
  - v. **Draft Financial Statements**
  - vi. **Draft Capital Projects List**
  - vii. **Draft Unfunded Projects List**
  - viii. **Draft Performance Measures.**
- c) **Receives the Audit New Zealand audit opinion on the Draft Long Term Plan 2021-31 Consultation Document.**
- d) **Adopts the Long Term Plan 2021-31 Consultation Document that has incorporated final feedback from Audit New Zealand.**
- e) **Approves commencement of formal consultation on the Draft Long Term Plan 2021-31 from 7 April 2021 to 7 May 2021.**
- f) **Authorises the Chief Executive to make minor amendments to the documentation should they be required to ensure accuracy and correct minor drafting errors.**

**CARRIED**

**WDC2104/08**

Replacement of Petitions Policy with Petitions Guidelines

## Agenda Item 6.5

The Planning & Policy Manager summarised the report and noted the following amendment under the Petitions Guideline:

Point one would now read:

***“Guidelines for preparing a petition***

*Petitions should include a short statement (no more than 150 words), regarding the issues to be addressed.”*

**Resolved: (Crs Woolerton/Gibb)**

**THAT the report from the Acting General Manager Community Growth be received;**

**AND THAT Council revoke the Waikato District Council ‘Petitions Policy’ and replace it with the Waikato District Council ‘Petitions Guidelines’ with immediate effect.**

**CARRIED**

**WDC2104/09**

Zero Harm Update

## Agenda Item 6.4

The Zero Harm Manager took the report as read and noted the following matters:

- Statistics had been provided on the “Work Safe, Home Safe” event.
- Understanding how the new contents of the Health & Safety Act requirements affect the PCBU (Person Conducting a Business or Undertaking).
- Eroad (Council’s automated fleet management system) had been in place for one (1) year and would be reviewed.

**Resolved: (Crs Gibb/Bech)**

**THAT the report from the Chief Executive be received.**

**CARRIED**

**WDC2104/10**

**EXCLUSION OF THE PUBLIC**

Agenda Item 7

**Resolved: (Crs Thomson/Woolerton)****THAT the public be excluded from the following parts of the proceedings of this meeting:**

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item number 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 number 2.1 Huntly SHI Single Stage Business Case		
Item 2.2 Contract 20/006 Resolution Amendment		

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 1 Confirmation of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item 2.1 Huntly SHI Single Stage Business Case	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.
Item 2.1 Huntly SHI Single Stage Business Case	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.
Item 2.2 Contract 20/006 Resolution Amendment	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.

**AND THAT Ms Simone (Principal Transport Planner, NZTA) be permitted to remain at this meeting, after the public has been excluded, because of her knowledge of the Huntly SHI Single Stage Business Case. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter to inform and advise the elected members.**

**CARRIED**

**WDC2104/11**

*Resolutions WDC2204/12 to WDC2104/15 are contained in the public excluded section of these minutes.*

Having concluded the public excluded meeting the following items were released into open meeting:

**REPORTS (CONTINUED)**

Huntly SHI Single Stage Business Case  
PEX Agenda Item 2.1

It was resolved [*Resolution No. WDC2104/13*] 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/McInally)*

*THAT the report from the General Manager Service Delivery be received;*

*AND THAT Council endorse the SHI Huntly Revocation Single Stage Business Case;*

*AND FURTHER THAT the Council recommend to Waka Kotahi NZ Transport Agency Board that the SHI Huntly Revocation Single Stage Business Case be accepted and that the recommended programme be approved.*

**CARRIED”**



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Minutes of an extraordinary meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY, 28 APRIL 2021** commencing at **1.03pm**.

**Present:**

His Worship the Mayor, Mr AM Sanson (Chairperson)  
Cr AD Bech  
Cr CA Eyre  
Cr JM Gibb  
Cr SL Henderson  
Cr SD Lynch  
Cr RC McGuire  
Cr FM McInally  
Cr EM Patterson [From 1.14pm]  
Cr JD Sedgwick  
Cr NMD Smith  
Cr LR Thomson  
Cr CT Woolerton

**Attending:**

Mr GJ Ion (Chief Executive)  
Mr TG Whittaker (Chief Operating Officer)  
Mr R MacCulloch (General Manager Service Delivery)  
Mr C Morgan (General Manager Community Growth)  
Mrs S O’Gorman (General Manager Customer Support)  
Ms A Diaz (Chief Financial Officer)  
Mr M Jansen (Project Manager)  
Ms J Hall (Contracts & Compliance Officer)  
Mrs GJ Kanawa (Democracy Team Leader)

**APOLOGIES AND LEAVE OF ABSENCE**

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

**THAT an apology from Councillor Church be received;**

**AND THAT an apology for lateness from Councillor Patterson be received.**

**CARRIED**

**WDC2104/16**

**CONFIRMATION OF STATUS OF AGENDA ITEMS**

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

**THAT the agenda for an extraordinary meeting of the Waikato District Council held on Wednesday, 28 April 2021 be confirmed and all items therein be considered, noting that both reports are to be considered with the public excluded as detailed at agenda item 4.**

**CARRIED**

**WDC2104/17**

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**EXCLUSION OF THE PUBLIC**

Agenda Item 4

**Resolved: (Crs Thomson/Woolerton)**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<b>Item number I.1</b> <b>Approval to Award – 20/037 Playground and Minor Works Contract</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 I.2</b> <b>Waikato District Alliance – approval of remaining variations and increase to approved contract sum</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 I.1</b> <b>Approval to Award – 20/037 Playground and Minor Works Contract</b>	<b>7(2)(b)(ii)</b>	<b>To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</b>
	<b>7(2)(i)</b>	<b>To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</b>
	<b>7(2)(j)</b>	<b>To prevent the disclosure or use of official information for improper gain or improper advantage.</b>
<b>Item I.2</b> <b>Waikato District Alliance – approval of remaining variations and increase to approved contract sum</b>	<b>7(2)(b)(ii)</b>	<b>To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</b>

**CARRIED**

**WDC2104/18**



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Minutes of an extraordinary meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY, 5 MAY 2021** commencing at **1.01pm**.

**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)  
Mr C Morgan (General Manager Community Growth)  
Mr J Quinn (Communications, Engagement and Marketing Manager)  
Mr S Toka (Iwi & Community Relationship Manager)  
Mrs GJ Kanawa (Democracy Team Leader)

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence.

**CONFIRMATION OF STATUS OF AGENDA ITEMS**

Resolved: (Crs Thomson/Sedgwick)

**THAT** the agenda for an extraordinary meeting of the Waikato District Council held on Wednesday, 5 May 2021 be confirmed and all items therein be considered and received.

**CARRIED**

**WDC2105/01**

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**REPORTS**

Revocation of Resolution – Maaori Wards  
Agenda Item 4.1

The report was received [*CCL2105/01 refers*].

Resolved: (Crs Smith/Gibb)

**THAT** the Waikato District Council resolves, to revoke Part B of Motion WDC2011/09 passed at it's meeting held on 2 November 2020, which read:

***“AND THAT the Council does not establish Maaori wards for the 2022 local authority elections, and resolves to undertake a poll of electors in conjunction with the 2022 local authority elections on whether to establish Maaori wards for the 2025 and 2028 elections (Option 3b in the staff report);”***

**AND THAT** staff provide a report to the extraordinary meeting scheduled for Thursday, 20 May 2021, presenting options on whether or not to establish Maaori Wards for the Waikato District at the 2022 Local Body Elections.

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

For the Motion: Mayor Sanson, Crs Bech, Church, Eyre, Gibb, Henderson, Lynch, McInally, Patterson, Sedgwick, Smith, Thomson, Woolerton.

Against the Motion: Cr McGuire

The Motion was declared **CARRIED** by 13 votes to 1.

**CARRIED**

**WDC2105/02**

There being no further business the meeting was declared closed at 1.09pm.

Minutes approved and confirmed this                      day                      2021.

AM Sanson  
**CHAIRPERSON**

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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	4 May 2021
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	CCL2020
<b>Report Title</b>	Actions Register – May 2021

## **I. EXECUTIVE SUMMARY**

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Please find attached an update on the outstanding actions following the Council meeting in April 2020.

## **2. RECOMMENDATION**

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**THAT the report from the Chief Executive be received.**

## **3. ATTACHMENTS**

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Attachments:

- Waikato District Council – Action Register (Open)

23  
**Waikato District Council – Action Register (Open)**

Date	Action	Team Responsible	Status
April 2021	<p><b><u>Long Term Plan 2021-31</u></b></p> <p>A community facility for Mercer be placed on the unfunded list in the LTP.</p> <p>Staff were acknowledged for the work put in to the LTP process and for the quality of the document produced.</p>	Community Growth	A line for a community facility in Mercer was inserted onto the Unfunded Projects list that formed part of the supporting information for LTP consultation.

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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	4 May 2021
<b>Prepared by</b>	Lynette Wainwright Committee Secretary
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Policy & Regulatory Committee Recommendations

## **I. EXECUTIVE SUMMARY**

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The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory Committee meeting of Wednesday, 28 April 2021, as set out below.

The Policy & Regulatory Committee Agenda and Unconfirmed Minutes from its meeting of Wednesday, 28 April 2021 can be found on the Council website:

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

## **2. RECOMMENDATIONS FROM THE POLICY & REGULATORY COMMITTEE**

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Approval to Revoke Control of Coastal Erosion on Council Reserves (P&R2104/04)

**THAT Council revokes the Control of Coastal Erosion on Council Reserves Policy 1997 with immediate effect.**

Procurement Policy (P&R2104/05)

**THAT Council adopts the updated Procurement Policy.**

Local Government NZ Conference – July 2021 (P&R2104/06)

**THAT Waikato District Council appoint the following elected representatives to attend the LGNZ conference and Excellence Awards for 2021 in Blenheim from Thursday, 15 July to Saturday, 17 July 2021:**

**His Worship the Mayor – Allan Sanson  
Deputy Mayor – Councillor Aksel Bech  
Councillor Jan Sedgwick  
Councillor Chris Woolerton**

**AND THAT His Worship the Mayor – Allan Sanson is appointed as the presiding delegate at the Local Government New Zealand Annual General Meeting on 17 July 2021;**

**AND FURTHER THAT the Deputy Mayor – Councillor Aksel Bech is appointed as the alternate delegate at the Local Government New Zealand Annual General Meeting on 17 July 2021;**

**AND FURTHER THAT Council consider if there are any proposed remits for consideration at the Local Government New Zealand Annual General Meeting.**

Hearing for Proposed Amendments to the Waikato District Council Keeping of Animals Bylaw 2015 (P&RHE2102/06)

**THAT Council adopt the Waikato District Council Keeping of Animals Bylaw 2015, as amended.**

### **3. ATTACHMENTS**

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Nil

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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	6 May 2021
<b>Prepared by</b>	Lynette Wainwright Committee Secretary
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Infrastructure Committee Recommendations

## **I. EXECUTIVE SUMMARY**

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The purpose of this report is to seek the Council's approval of the recommendations from the Infrastructure Committee meeting of Wednesday, 5 May 2021, as set out below.

## **2. RECOMMENDATIONS FROM THE INFRASTRUCTURE COMMITTEE**

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Meremere Wastewater Plant Upgrade – Electricity Easement in Gross (INF2105/08)

**THAT Council:**

- i) in accordance with s.48(3) Reserves Act, confirms that public notification of the proposed electricity easement in gross is not required for the Meremere Wastewater Plant Upgrade as the proposal is considered not to be detrimental to the reserve or its users;
- ii) exercise its delegated authority under s.48 Reserves Act 1977 to complete a grant of electricity easement in gross, in favour of WEL Networks Limited, over parts of the land legally described as Lot 1 DPS 47624;

**AND THAT** the Chief Executive be delegated authority to execute all relevant documentation to give effect to the resolution.

Relocation of Huntly Train Station Building (INF2105/09)

**THAT Council:**

- i) **approves the \$100,000 of tagged funds currently held in the Property Proceeds Reserve be released to the Huntly Train Station relocation and refurbishment project budget; and**
- ii) **delegates authority to the Chief Operating Officer to execute any relevant documentation to give effect to these resolutions.**

**3. ATTACHMENTS**

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Nil

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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	April 2021
<b>Prepared by</b>	Lynn Shirley Zero Harm Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301
<b>Report Title</b>	Zero Harm Update

## **1. EXECUTIVE SUMMARY**

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The purpose of this report and its attachment is to provide an update on current health and safety performance. Council recognises that compliance is essential, but it aspires to achieve a sustainable zero harm culture, where everyone works safely and goes home safe every day.

Councils' zero harm culture shall be supported by a health and safety management system of policies, standards and procedures that eliminate or effectively manage risk and enable best practice.

## **2. RECOMMENDATION**

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**THAT the report from the Chief Executive be received.**

## **3. BACKGROUND**

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### **'Our People' - Safety Leadership and Engagement**

#### Safety and Wellness Engagement Conversations

The Chief Executive, Executive Leadership Team (ELT) and People Leaders continue to undertake Safety Engagement Conversations.

There were 260 Safety Engagement Conversations recorded in BWare Safety Manager (BWare) during March and 207 during April 2021.

The Zero Harm Team has completed a draft 'Safety Leadership and Culture Standard' that will form part of Council's documented Zero Harm Safety Management System. This is currently with the Executive Leadership Team (ELT) for review.

## Disciplined Management Systems

### Training and Competency

A number of health and safety training courses have been planned or delivered over the past two months. These are summarised in the following table;

Training delivered or planned	Number of workers required to complete training	Number of workers trained
Situational Safety and Tactical communications Training (2-day course delivered by CERT)	11	10 ( <i>one worker still to complete day 2 due to illness</i> )
Asbestos Awareness Training (Online course delivered by Safety n Action)	12	Training currently underway
Contractor Health and Safety Management (1-day course delivered by Impac)	32	Training booked for 10 <sup>th</sup> and 16 <sup>th</sup> June
Health and Safety Representative Stage 1 Training (2-day course delivered by Impac)	1	1

### Event Management

A total of 53 health and safety events were recorded in BWare Safety Manager during March and April 2021. These included one Serious Near Miss (Severity 3) event and two Restricted Work Injury (Severity 5) events. There were also four First Aid (Severity 6) events and 28 Near Miss (Severity 7) events.

Two of the Near Miss events were associated with the critical risk of workplace violence and these events are summarised in the following table along with the two Restricted Work Injury events.

Team	Task being undertaken	Associated Critical Risk	Event Description	Comments
Animal Control	Investigating rushing dog complaint	<i>Workplace Violence/Aggression</i>	<b>Severity 3 – Serious Near Miss.</b> Two Animal Control Officers (ACOs) went to visit a property following report of rushing dogs. The ACOs were threatened with violence by the dog owner. The dog owner subsequently presented with a large knife and advanced towards the ACO's. The ACOs immediately left the property and called the Police	Event was immediately escalated to Team Leader and Community Safety Manager. Post event supported provided to ACOs. Zero Harm Team completed Event Investigation and Risk Review. Risk review confirmed all safety critical controls were in place.
Customer Delivery	Undertaking library duties	<i>Workplace Violence/Aggression</i>	<b>Severity 7 – Near Miss.</b> A large group of youth (~20) visited the Ngaruawahia Library from Huntly as part of an organised course. A	Library was closed and post critical incident support was provided to team members involved. An Event Investigation and Risk

			group of local Ngaruawahia youth became aware of their presence and arrived for what looked almost like an organised fight. Several aggressive actions took place. Library staff initiated a 'site lockdown' and called the Police who responded to the site.	Review is scheduled for 12 <sup>th</sup> May.
Customer Support – Animal Control	Undertaking Community Event – Pound Pup Pool Party	<i>Not applicable</i>	<b>Severity 5 – Restricted Work Injury.</b> While taking photos of the event from the side of the pool, a staff member noticed a dog in distress who was trying to get out of the water. The staff member strained their back while trying to hold the camera out of the water and assist the dog.	External medical treatment (including physiotherapy and reduced hours) undertaken. Event Investigation (4 Step Structured Problem Solve) is underway.
Animal Control	Undertaking Pound Duties	<i>Not applicable</i>	<b>Severity 5 – Restricted Work Injury.</b> While carrying out Pound duties an Animal Control Officer (ACO) rolled their ankle walking on flat gravel behind the Pound.	Workplace first aid immediately provided and external medical treatment sought. Event Investigation (4 Step Structured Problem Solve) is underway.

The attached Zero Harm Dashboard illustrates safety performance for March and April 2021.

### Contractor Management

Over the last two months the Zero Harm Team has continued to provide coaching and support to Council Contract Managers on contractor health and safety management requirements. Key activities have included;

- The review of contract specific health and safety plans for the district-wide playground and minor maintenance contract and the Huntly Library lift replacement.
- Site visits to the Te Awa cycleway construction in the Managaonua Gully during large tree felling work and the Huntly Grandstand Roof repair work.
- Health and Safety Governance meeting with the Alliance at Brownlee Avenue including planning for the completion of a site traffic management risk assessment
- Commencement of a fortnightly Health and Safety Governance meeting with Woodlands Estate

As previously mentioned, the Zero Harm Team is also organising Contractor Health and Safety Management training. Council works regularly with other organisations (Persons Conducting a Business or Undertaking (PCBU)) in order to achieve its objectives. Working with multiple PCBUs

creates risk which needs to be managed. The training to be delivered will be undertaken to Unit Standard 17595 Contractor Management. Key processes that will be covered include;

- Scoping work to be undertaken
- Initial engagement of a PCBU through to implementation, review and improvement
- Duties and obligations of a PCBU, and how these duties overlap with others

## **Managed Risks**

### Critical Risk Management

As planned, over the next two 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 – Sue O’Gorman
- Asbestos – Alison Diaz

A further review of on-road driving is scheduled for July.

### Workplace Violence

Work is continuing on reviewing the controls implemented at each Council library and service centre following the Fear Free Security risk assessments.

Planning is also underway to arrange the delivery of the next level of training to support management of the risk of workplace violence. This training is targeted at the 140 staff identified as having a medium level of exposure to this risk.

### Working on Or Near Roadways

Initial scoping and planning has commenced on the development of a ‘Working on or Near Roadways Critical Risk Management Standard’ that will form part of Council’s documented Zero Harm Safety Management System.

## **4. DISCUSSION AND ANALYSIS OF OPTIONS**

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### **4.1 DISCUSSION**

This report is to assist Councillors with their due diligence requirements as Officers. The report should start the conversation and provide opportunities for Councillors to raise questions and discuss progress.

### **4.2 OPTIONS**

Council could choose to accept the report or not. Council could ask for additional information if needed.

## **5. CONSIDERATION**

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### **5.1 FINANCIAL**

There are no direct financial requirements identified in this report.

## 5.2 LEGAL

This report is prepared as part of assisting Council to meet its duties in accordance with the Health and Safety at Work Act 2015 and associated regulations.

## 5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Council has a Zero Harm Commitment (Policy) and Zero Harm Strategy which forms the basis of our health and safety philosophy and management system.

## 5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Planned	In Progress	Complete	
		✓	Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Council engages with our Community Boards and Community Committees to ensure they are clear on their obligations. Council also undertakes audits and safety engagement conversations in relation to our contractors.

## 6. CONCLUSION

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This report provides an update on our Zero Harm Safety Management System and monthly health and safety performance.

## 7. ATTACHMENTS

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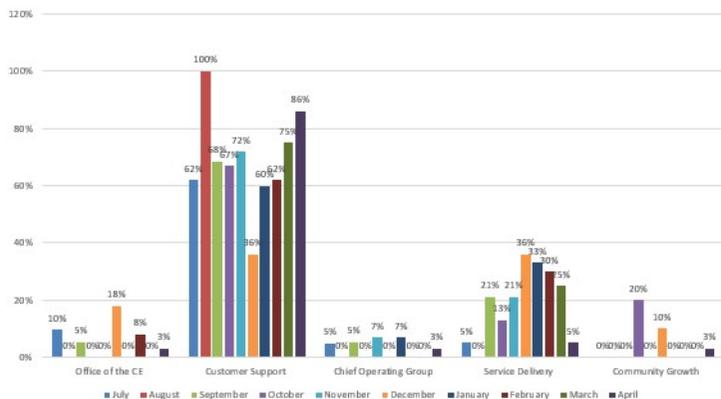
Zero Harm Performance Dashboard April 2021

# Zero Harm Performance Dashboard - April 2021

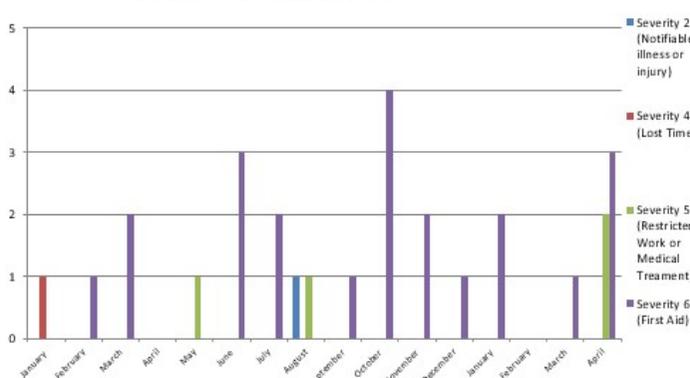


## Event Management

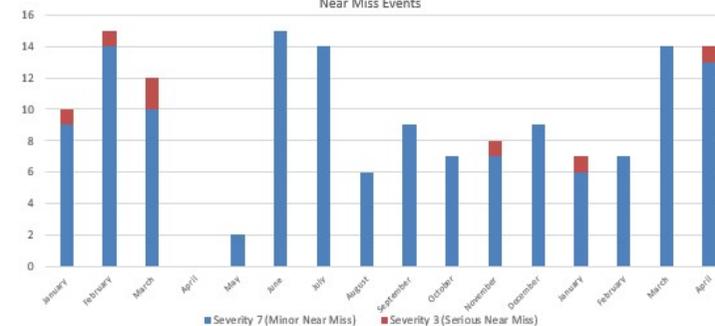
Percentage of Total Events Reported by Business Unit



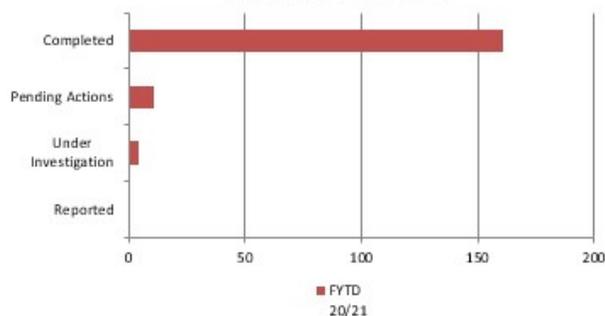
Personal Injury Events by Severity Rating



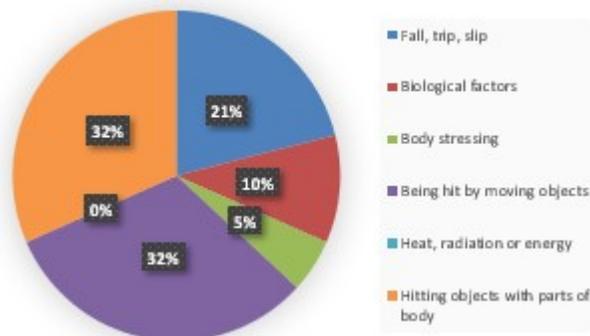
Near Miss Events



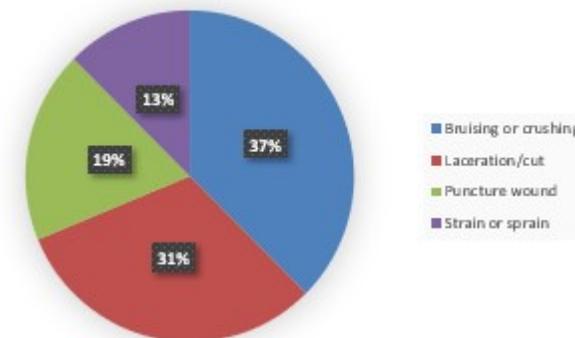
Event Management Status



Mechanism of Harm Year to Date

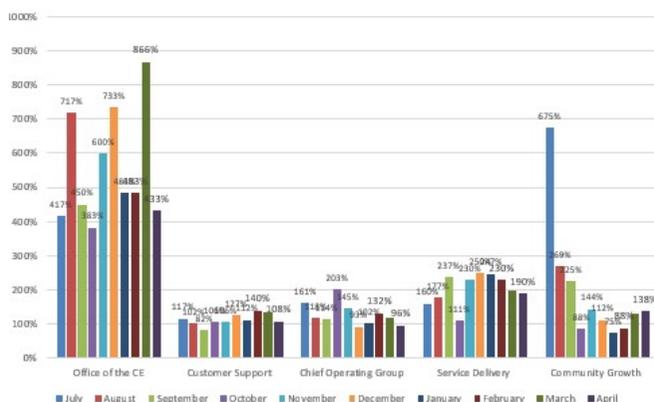


Nature of Injury Year to Date

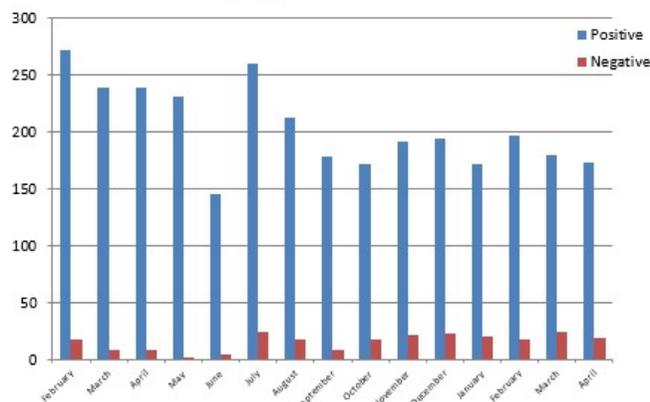


## Safety Leadership

Safety Engagement Conversations (Percentage of target)



Nature of Safety Engagement Conversation



## Key Take Outs

### A summary of key insights in relation to Event Management and Safety Leadership and Engagement

- Two Restricted Work Injuries (RWIs) occurred in April. Both of these events are currently under investigation.
- Total health and safety event reporting remains consistent with previous months. Of the events that occurred in April 86% of these were reported by the Customer Support business unit.
- There are a number of events moving through the Event Management Process. Currently there are 11 events with 'pending actions'. These corrective actions need to be completed before the event can be closed. The timely completion of corrective actions remains a focus for the Executive Leadership Team (ELT) and the Zero Harm Team.

# Zero Harm Performance Dashboard - April 2021



## Contractor Safety Management

Zero Harm Team Contractor Safety Management Activity Undertaken	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Contracted Work H&S Risk Assessment	4	3	3		7		3	2	3			
Contract Manager H&S Advice and Support					5			3	3	3		
Contractor Site Visit or Inspection	1		9	2	11	1	2		4	15		
Contractor Pre-Start or Tool Box Meeting			1		2					2		
Contractor H&S Meeting			4	1	1	2	1	2		3		
Contractor Task or JSA Review and Approval	2	1	4	5			3	3	3	1		
Contractor Task or JSA Field Audit		1	2								1	
Contracted Work Safety Plan Review and Approval	4	3	2	1		2	3	2	2	4		
Contracted Work Safety Plan (SSSP) Field Audit				1					1	2		
Contracted Work End of Project H&S Review				1	1							

Interaction with other PCBUs		
Issues Raised/ Opportunity for Improvement	Actions (Us and Others)	Other Comments
Questions raised by Woodlands Office Team regarding the management of contractors undertaking work at the Estate	Discussed how Woodlands Estate and WDC could use a coordinated approach to contractor health and safety management	Fortnightly meeting established between WDC Venue and Events Team, Zero Harm and Woodlands to progress a coordinated health and safety approach
Lack of approved Evacuation Scheme at Brownlee Avenue Depot	Have re-submitted additional information to FENZ for Evacuation Scheme approval	On site traffic management risk assessment now scheduled to be undertaken
Limited health and safety information provided for three year district-wide playground renewal and minor maintenance contract	Contract Specific Health and Safety Framework being developed to provide clear expectations to main contractor	

## Contractor Safety Management



Work continues to progress on the Tamahere section of the Te Awa Cycleway through the Managaonua Gully. Critical health and safety risks associated with recent work have included the felling of two large trees. Specialist sub-contractors were engaged to undertake this high risk work. A site visit and review of the associated risk management plan for work was undertaken by the Council Contract Manager and Zero Harm team.



## Critical Risk Management

In March work commenced on repairing the Huntly Grandstand roof and its support structure. The Main Contractor for the project is Industrial Site Services (ISS) Ltd. There are a number of critical health and safety risks associated with the work being undertaken including; working at height, falling/dropped objects and work in close proximity to high voltage power lines.

The following contractor H&S management activities have been undertaken to date by the WDC Contract Manager with support from the Zero Harm team;

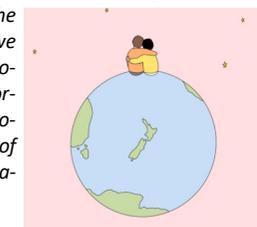
- Review and approval of Contract Specific H&S Plan
- A number of worksite visits and a field based audit of Contract Specific H&S Plan application



## Worker Engagement

Key items raised at Safety Action Team (SAT) meeting other worker feedback

- SAT discussed a recent event where a land owner transported staff in their vehicle during a site visit and the risks associated with loss of control of the vehicle. SAT has requested the Executive Leadership Team (ELT) discuss and define risk appetite associated with this activity and provide feedback to enable risk control options to be identified and implemented.
- A SAT Representative who recently attended the Stage One (2 day) Health and Safety Representative training provided very positive feedback on Council's health and safety management approach following reflection with fellow course attendees.
- SAT also discussed the upcoming COVID vaccinations for Group 4 (everyone in Aotearoa aged 16 and over who have not been vaccinated in one of the three previous groups). The team agreed that we should continue to promote the latest information that is being provided by the Ministry of Health and the New Zealand Government.



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### **Open Meeting**

<b>To</b>	Waikato District Council
<b>From</b>	Clive Morgan General Manager Community Growth
<b>Date</b>	17 May 2021
<b>Prepared by</b>	Jim Ebenhoh Planning and Policy Manager
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1301 / 3075053
<b>Report Title</b>	Port Waikato Adaptive Management Planning: Co-Design Report

## **1. EXECUTIVE SUMMARY**

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This report briefly summarises progress on the Port Waikato Adaptive Management Planning project, which is developing a Resilience Strategy in response to natural hazard risks, and presents a Co-Design Report for Council endorsement. The Co-Design Report summarises progress to date and intended deliverables of the various workstreams. It has been developed in partnership with various project stakeholders from the Port Waikato Resilience Group (PWRG), which is undertaking the Port Waikato Adaptive Management Planning Project.

## **2. RECOMMENDATION**

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**THAT** the report from the **General Manager Community Growth** be received;

**AND THAT** the attached **Co-Design Report** be endorsed as a **guiding document** for the **Port Waikato Adaptive Management Planning Project**.

## **3. BACKGROUND**

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A report to Council in December 2019 provided detailed background on coastal erosion issues at Port Waikato. In brief, Port Waikato has historically experienced cyclical coastal erosion; that is, there have been periods of erosion followed by periods of accretion. Council obtained consultant advice in 2014/15 that led to a subsequent relocation of the community hall when erosion reached the recommended 'trigger point' of 7.5 metres from the building.

The community continues to experience severe coastal erosion which has worsened rapidly in the past few years and in particular is affecting public and private properties at the southern end of Ocean View Road at Port Waikato.

A public information session hosted by Council in October 2019 at the Surf Lifesaving Club revealed the community's concern about a perceived lack of action by Council in relation to erosion hazards. Following that meeting, Council staff developed a coordinated approach to communication and activities relating to Port Waikato ranging from carpark maintenance and drainage to public toilets and signage. In addition, building consent and resource consent staff contacted property owners at the southern end of Ocean View Road to offer guidance on possible consent pathways relating to demolition, rebuild and relocation.

While these immediate responses were necessary, Council also recognised the need to embark on a longer-term adaptive management planning process, in partnership with the community and other stakeholders, to develop a resilience strategy for Port Waikato in the face of various natural hazards. At its 7 December 2019 meeting Council resolved that *“\$50,000 be approved from the Disaster Recovery Fund for independent facilitation and technical advice for an adaptive management planning process with the Port Waikato community, local iwi, other agencies and stakeholders in order to build resilience to natural hazards, noting that additional funding is likely to be required in future years and will also be sought from external sources.”*

The adaptive management planning process is summarised in the attached Co-Design Report. The benefits of this approach include that it makes decisions now based on the best information currently available, while preserving flexibility for future decision-making to take place based on new and/or improved information. Various ‘trigger points’ can be programmed so that actions can be planned for when a specified event occurs (e.g. erosion to within a certain distance of a building), without needing to know today exactly when that might occur.

Adaptive management planning in the context of coastal erosion and flooding is **not** the same thing as ‘managed retreat’; it provides for the full spectrum of options including defence, accommodation (e.g. raised floor levels), retreat, and avoidance (e.g. not allowing subdivision or other intensification of land use in hazard areas).

Following the Council resolution above, an independent facilitator (Traverse Environmental Ltd) was procured with the agreement of community members, and a Port Waikato Resilience Group (PWRG) was set up including representatives from the Port Waikato Residents and Ratepayers Association, Waikato District Council, Waikato Regional Council and Department of Conservation. After a delay arising from the initial COVID-19 lockdown period, the PWRG began meeting regularly, approving Terms of Reference and an intended work programme which is summarised in the attached Co-Design Report.

Achievements of the group to date in the past 12 months include:

- Discussing and in some cases resolving issues relating to public signage, carpark maintenance and drainage.
- Hosting representatives from the Department of Internal Affairs who summarised central government's work on natural hazard adaptation.
- Reviewing a literature review on Port Waikato coastal hazards and potential options, commissioned from Raglan-based eCoast by Waikato Regional Council.
- Developing a Draft Action Plan based on potential low-cost, no-consent or easily-consented short-term options.
- Beginning to discuss medium-term options for a Sunset Beach Erosion Response Plan.
- Agreeing to work on a longer-term Resilience Strategy.

Council's Draft 2021-2031 Long Term Plan includes funding to continue this project and eventually expand it to other communities as required.

## **4. DISCUSSION AND ANALYSIS OF OPTIONS**

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### **4.1 DISCUSSION**

The attached Co-Design Report has been prepared to summarise the work to date (including Terms of Reference for the PWRG and an associated Technical Advisory Group) and the intended future work programme. Council endorsement is sought, to acknowledge the work to date and to provide confidence to the PWRG that the work programme is supported in principle by Council.

### **4.2 OPTIONS**

Option One is to receive this report and endorse the attached Co-Design Report. As stated above, this would provide the project working group with confidence that it is 'on the right track'. **This is the recommended option.**

Option Two would be to simply receive the report and the attached Co-Design Report, but not endorse it. The project would still continue but would not have the security of knowing that its approach is supported by the Council's Elected Members. There is no particular advantage to this option, so it is not recommended.

Option Three would be to amend the attached Co-Design Report before endorsing it. This is an acceptable option, but in the spirit of co-design, consideration should be given to the need for the community and other stakeholders (through the PWRG) to agree to these changes. If substantial changes are suggested by Council, it would be best to bring these back to the PWRG for discussion and then have the finalised Co-Design Report endorsed at a future Council meeting.

## **5. CONSIDERATION**

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### **5.1 FINANCIAL**

There are no direct financial implications of this report. Council resolved to fund the initial phase of this work through \$50,000 from the Disaster Recovery Fund and has included additional funding to complete this project in the Draft 2021-2031 Long Term Plan.

### **5.2 LEGAL**

There are no significant legal issues in relation to the decision requested today, which is simply to endorse continued exploration of issues and options for the short, medium and long term. The legal implications of any future courses of action will be considered as part of the development of the Resilience Strategy.

### 5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The approach taken through this project is aligned with the New Zealand Coastal Policy Statement, the Waikato Regional Policy Statement and the proposed Waikato District Plan, all of which encourage a holistic, integrated approach to natural hazards and suggest looking at more options than just hard protection structures.

The approach is also consistent with Council's vision of Liveable, Thriving and Connected Communities, by proposing a collaborative process to promote the future viability of the Port Waikato community. It is also aligned with the following Community Outcomes:

- Supporting our communities: Kia tautoko ki a taatou Haapori
- Sustaining our environment: Kia toituu to taatou Taiao
- Working together with you: Kia mahi tahi taatou
- Providing value for money: Ka whai painga mo te puutea

The proposed adaptive management planning process is inclusive by design, and involves partnership with the Waikato Regional Council, central government, community representatives and local iwi (Ngaati Karewa, Ngaati Tahinga) - subject to their availability.

### 5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

The Significance and Engagement Policy is not triggered by the decision requested by this report, which is simply to endorse the Co-Design Report.

That said, the adaptive management planning process itself involves a high level of engagement over the life of the project, hopefully moving beyond collaboration to empowerment; that is, building community capacity and resilience.

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The adaptive management planning process is being co-designed with the Port Waikato community and is involving a series of collaborative meetings with nominated community representatives, iwi and other agencies, as well as opportunities for wider input including more formal consultation at appropriate times.					

Stakeholders who have been or will be engaged with are:

Planned	In Progress	Complete	
	X		Internal
	X		Community Boards / Community Committees
	X		Waikato-Tainui / Local iwi (Waikato-Tainui has not yet been directly engaged but local iwi have been invited onto the PWRG)
	X		Households – through community reps
	X		Business – through community reps
	X		Other (central government, e.g. DIA and DoC)

There is no Community Board specifically for Port Waikato, but the wider Onewhero-Tuakau Community Board has representatives on the PWRG, as does the Port Waikato Residents and Ratepayers Association.

## 6. CONCLUSION

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The Port Waikato adaptive management planning project has been underway for over a year and has developed the attached Co-Design Report summarising its foundational work to date (e.g. Terms of Reference) and its intended work programme covering the short-, medium- and long-term horizons. Endorsement by Council of this Co-Design Report is sought, to provide a confident foundation for the continued progress and completion of this project.

## 7. ATTACHMENT

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Port Waikato Resilience Strategy - Co-Design Process Report

# Port Waikato Resilience Strategy Co-design Process Report

## I Context

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Port Waikato is a community at the far north-western corner of the Waikato District, at the mouth of the Waikato River, with a resident population of around 1,000 and a summertime population of up to 1,500. It has historically experienced cyclical coastal erosion; that is, there have been times of erosion followed by times of accretion. Waikato District Council obtained consultant advice in 2014/15 that led to a policy of ‘managed retreat’ with respect to public assets, and a subsequent relocation the community hall when erosion reached the recommended ‘trigger point’ of 7.5 metres from the building.

The community continues to experience severe coastal erosion which has worsened rapidly in the past few years, particularly affecting public property and private properties at the southern end of Oceanview Road. A public information session hosted by Waikato District Council in October 2019 at the Surf Lifesaving Club revealed the community’s concern about a perceived lack of action in relation to erosion hazards. Following that meeting, a more coordinated approach was taken to communication and activities relating to Port Waikato, ranging from carpark maintenance and drainage to public toilets, signage, and consenting requirements relating to demolition, rebuild and relocation of private property.

In addition to these immediate actions, Waikato District Council also recognised the need to embark on a longer-term adaptive management planning process, in partnership with the community and other stakeholders, to develop a resilience strategy for Port Waikato in the face of various natural hazards. At its 7 December 2019 meeting, it resolved that “\$50,000 be approved from the Disaster Recovery Fund for independent facilitation and technical advice for an adaptive management planning process with the Port Waikato community, local iwi, other agencies and stakeholders in order to build resilience to natural hazards, noting that additional funding is likely to be required in future years and will also be sought from external sources.”

The adaptive management planning process is summarised in this Co-Design Report.

## 2 Purpose

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The purpose of the Port Waikato Resilience Strategy (“the Strategy”) is to develop a long-term adaptive plan for responding to the natural hazards risks faced by the Port Waikato community.

The Strategy will follow the approach set out in the Ministry for the Environment’s 2017 coastal hazards and climate change guidance for local government.

The Strategy will also seek to identify pragmatic and cost-effective responses that can be deployed in the short and medium-term to respond to current hazard risks and community concern, particularly in relation to coastal erosion effects at Sunset Beach.

### 3 Objectives

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The Strategy will measure success against the following objectives:

- a. A plan is developed, adopted and implemented to respond to the immediate, short, medium and long term natural hazards risks faced by the Port Waikato community.
- b. The Port Waikato community are:
  - informed about the risks they face from natural hazards in the short, medium and long term.
  - Engaged, understanding and supportive of the plan to respond to natural hazards risks.
  - Empowered and less anxious about future risks posed by natural hazards.

### 4 Scope

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#### 4.1 Project Area

The Port Waikato Resilience Strategy is being developed for the Port Waikato spit, Sunset Beach and Maraetai Bay areas, as illustrated in **Figure I** below. This area is the most densely populated settlement in the Port Waikato environs and is the area subject to a range of natural hazard risks.

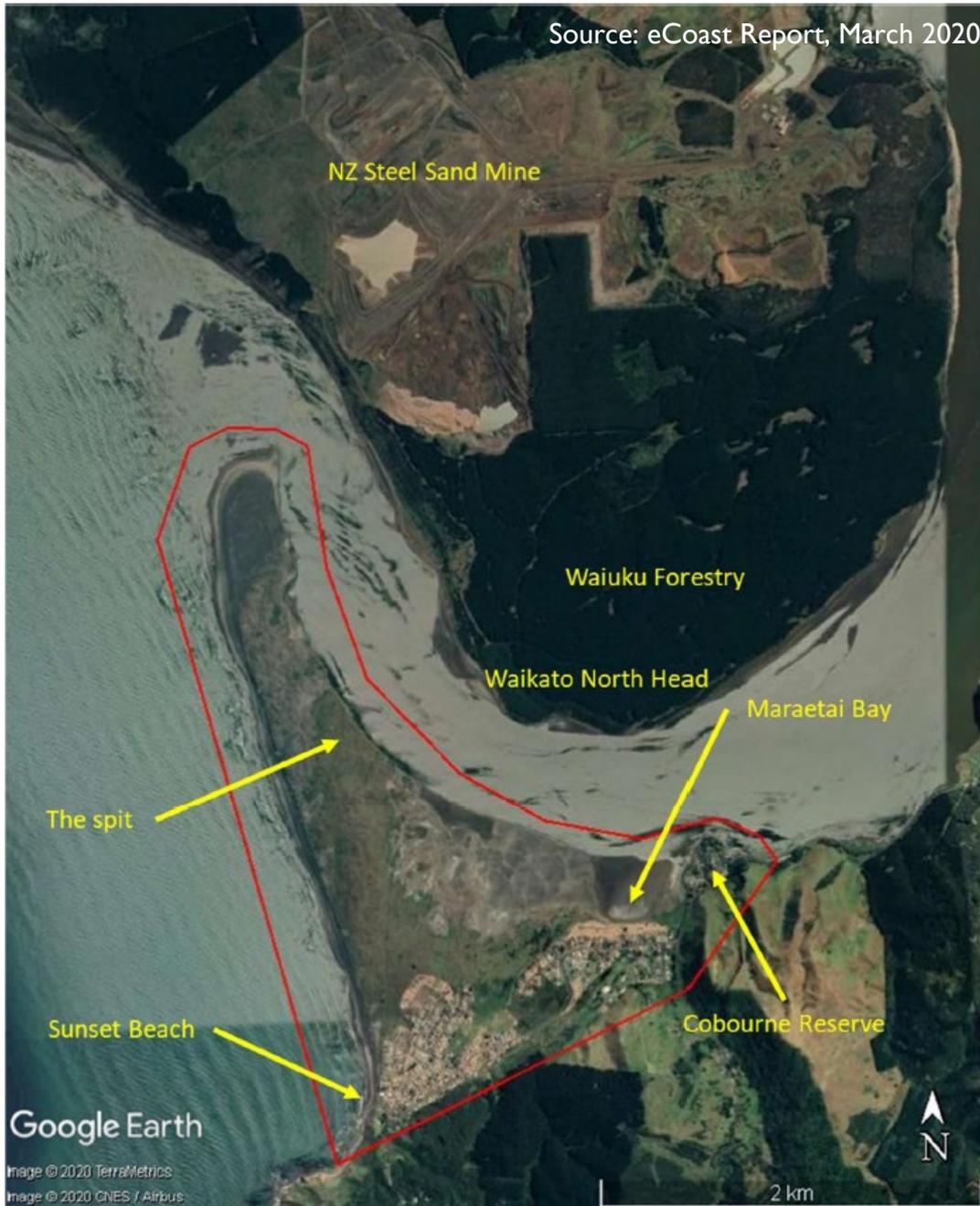


Figure 1 Port Waikato Resilience Strategy: Area of Interest

#### 4.2 Natural Hazards in the Scope of the Strategy

The Port Waikato area is highly dynamic and affected by a range of coastal and river processes. While there are immediate issues associated with coastal erosion at Sunset Beach, the Strategy will also consider other hazards risks to ensure that long term planning is effective and does not lead to unintended consequences.

The following natural hazards are within the scope of the Strategy:

- Sea level rise caused by climate change (including consideration of vertical land movement)
- Coastal Erosion
- Coastal Inundation
- River flooding

The following natural hazards will not be considered as part of the Strategy at this time, but may be relevant to long term planning considerations for Port Waikato and incorporated into future reviews:

- Land stability
- Earthquake and liquefaction
- Tsunami
- Groundwater changes in response to sea level rise

### 4.3 Planning Horizon

The Strategy will seek to put in place a plan for responding to the changing risks of natural hazards over the next 100 years. This timeframe is consistent with the requirements for Councils set out in the New Zealand Coastal Policy Statement 2010.

## 5 Process

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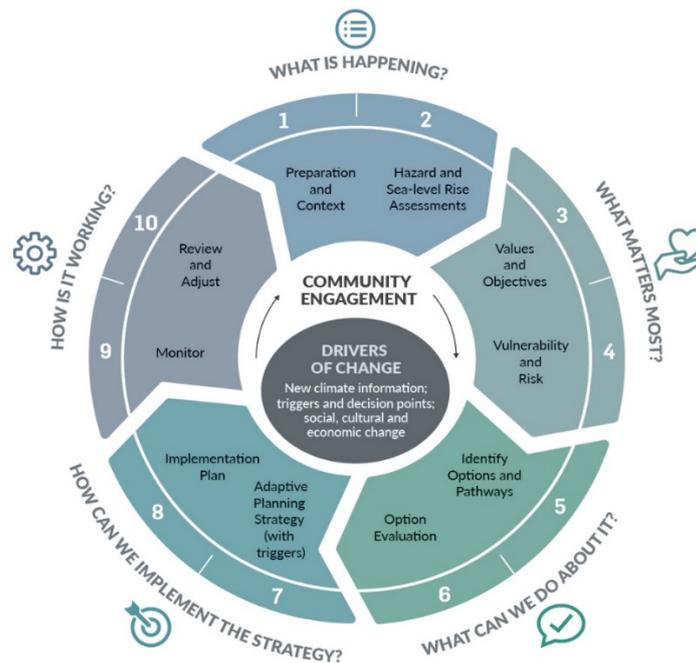
### 5.1 Dynamic Adaptive Pathways

In December 2017, the Ministry for the Environment released its updated guidance document *Coastal Hazards and Climate Change: Guidance for Local Government* (“MfE Guidance”). The Strategy is designed to align with this guidance.

The MfE Guidance introduces a 10-step framework for implementing long-term planning and decision making for coastal areas affected by coastal hazards and climate change effects (**Figure 2**). The process incorporates Dynamic Adaptive Policy Pathways (“DAPP”).

DAPP is an approach for responding to deep uncertainty, as presented by the challenges of planning for the future effects of climate change. In DAPP, a series of actions over time (pathways) are developed to achieve a set of predefined objectives. As conditions change and new information is available (for example, increased storms and/or sea level rise) and existing actions are no longer fit for purpose, new actions are implemented. The idea is to be ready to respond to changing conditions with appropriate action before significant damage and impacts occur and to ensure decisions and actions are made at the appropriate time.

The benefits of this approach include that it makes decisions now based on the best information currently available, while preserving flexibility for future decision-making to take place based on new and/or improved information. Various ‘trigger points’ can be programmed so that actions can be planned for when a specified event occurs (e.g. erosion to within a certain distance of a building), without needing to know today exactly when that might occur.



**Figure 2:** 10 Step Decision Cycle from *Coastal Hazards and Climate Change: Guidance for Local Government*, Ministry for the Environment, 2017.

## 5.2 Collaborative Approach

The MfE Guidance recognises that adapting to climate change will require effective engagement with communities, iwi/hapū, and others. There will be differing values and world views that need to be understood and considered in developing adaptive planning solutions.

The Strategy is being developed as a collaboration between the Port Waikato Community, Mana Whenua, Waikato District Council, and the Waikato Regional Council.

The Strategy is seeking to achieve effective collaboration through two key approaches:

1. The formation of the Port Waikato Resilience Group (PWRG); and
2. Adopting a co-design approach.

Each approach is discussed further in the following sections.

## 5.3 Port Waikato Resilience Group (PWRG)

The PWRG has been formed by the following member groups / organisations:

- a. Port Waikato Community.
- b. Ngāti Tahinga and Ngāti Karewa.
- c. Waikato Tainui.
- d. Waikato District Council.
- e. Waikato Regional Council.
- f. Department of Conservation.

The PWRG have been meeting monthly for approximately 12 months to refine its membership, approach, objectives and work programme.

A primary outcome has been the development of a Terms of Reference for the PWRG, which were confirmed by the PWRG at a meeting on 26 November 2020 and are provided as **Attachment I**.

Acknowledging there may be some change over time, at time of writing this report the individuals appointed to the PWRG are listed in **Table I**.

*Table I Port Waikato Resilience Group Members*

<b>Members</b>	<b>Confirmed Appointments</b>
Port Waikato Community	Jade McCormack (PWRG Chair)
	Ross Millen (PWRG Deputy Chair)
	Jo Poland
	Leah Fry
	Malcolm Beattie
	Mike McCormack
	Melanie Gabriel
	Robyn Green
	Wayne Green
	Sylvia Dwen
	James Smith
	Brian Wadman
	Glenn Graham
Chanel Brock	
Ngāti Tahina/Ngāti Karewa	Rereokeroa Shaw
	To be confirmed
Waikato Tainui	To be confirmed
	To be confirmed
Waikato District Council	Jim Ebenhoh
	Kurt Abbot
	Anisha McPhee
Onewhero-Tuakau Community Board	Kandi Ngataki
	Stephanie Henderson
Waikato Regional Council	Rick Liefting
	Alejandro Cifuentes
Department of Conservation	Dannika Tukua

To support the effective operation of the PWRG, support roles have been confirmed and are listed in **Table 2**.

*Table 2 Support Roles to the PWRG*

Support Roles	Confirmed Appointment
Administrator	Waikato District Council staff
Facilitator	Simon Bendall
Technology Advisor	Ross Millen
Waikato District Council (Councillor Observer)	Cr Carolyn Eyre
Waikato Regional Council (Councillor Observer)	Cr Pamela Storey

#### 5.4 Co-Design

Co-design is an approach that actively involves project partners and stakeholders in the design process, to help ensure the approach taken and the end result meets their needs and is usable.

The PWRG has been operating using this principle. In practice this means all members of the PWRG working cooperatively to determine how it will go about its work, and what it is trying to achieve.

This report sets out the outcome of this co-design work to date.

#### 5.5 Technical Advisory Group

To support the work of the PWRG and the Councils, the Waikato District Council and Waikato Regional Council have established a Technical Advisory Group (TAG).

TAG's functions are to assist with the project management, technical support and delivery of the of the Strategy.

A Terms of Reference for the TAG have been developed and are provided as **Attachment 2**.

## 6 Outcomes

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### 6.1 Project Deliverables

As agreed in their terms of reference, the PWRG will produce the following deliverables:

1. A '**Port Waikato Resilience Strategy Co-design Process Report**' (this Report) that will set out the process the PWRG will undertake to achieve its objectives. The Co-design report will be presented to the Waikato District Council for consideration and adoption.
2. A '**PWRG Action Plan**', for responding to immediate natural hazards risks and other community matters in the short term.

3. A 'Sunset Beach Erosion Response Plan', that will:
  - a. Objectively identify and assess options, and select a preferred option, for the short term slowing / halting of erosion losses at Sunset Beach to mitigate further serious damage to infrastructure and property from coastal erosion at Port Waikato while a long-term plan is developed;
  - b. Ensure the option that is selected remains compatible with an adaptive planning approach; and
  - c. Implement the selected option(s) within a reasonable timeframe
4. A 'Port Waikato Resilience Strategy', that will:
  - a. Summarise (with reference to appropriate technical information) the natural hazards risks faced by the Port Waikato Community in the short, medium and long term;
  - b. Present recommended responses to those hazards risks;
  - c. Follow the dynamic adaptive pathways planning approach for coastal hazards as set out in the Ministry for the Environment's guidance for local government; and
  - d. Describe the process taken by the PWRG to arrive at its recommendations.
  - e. Integrates the outcomes of the Sunset Beach Erosion Response Plan for immediate responses.

## 6.2 PWRG Work Programme

The PWRG have developed a work programme setting out a high-level series of tasks (to achieve its objectives), which is attached as **Attachment 3**.

## 7 Decision Making

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With the assistance of TAG, the PWRG will develop recommendations for the Waikato District Council, who retain full decision-making authority in accordance with local government representative and legal functions.

The first decision gateway is for the Waikato District Council to consider this report (Deliverable 1). It will also be provided to Waikato Regional Council for comment and review. Subject to any iteration or refinement agreed between the Councils and the PWRG, if approved and adopted by the Waikato District Council it will confirm the approach to be taken by the PWRG and provide clarity for all parties on functions, outcomes and decision-making process.

If this report is adopted, the Waikato District Council's next decision gateway will be a consideration of Deliverable 3; the Sunset Beach Erosion Response Plan.

It is noted that Deliverable 2, the PRWG Action Plan, is excluded from the formal decision-making process. The activities identified under this deliverable are necessarily low cost, "no-regret" actions that can be rapidly deployed to reduce natural hazards risks and impacts in

the immediate term. These actions can be identified, approved and deployed within staff decision-making delegation.

An outline of the project and relationship between the parties and deliverables is illustrated in **Figure 3**.

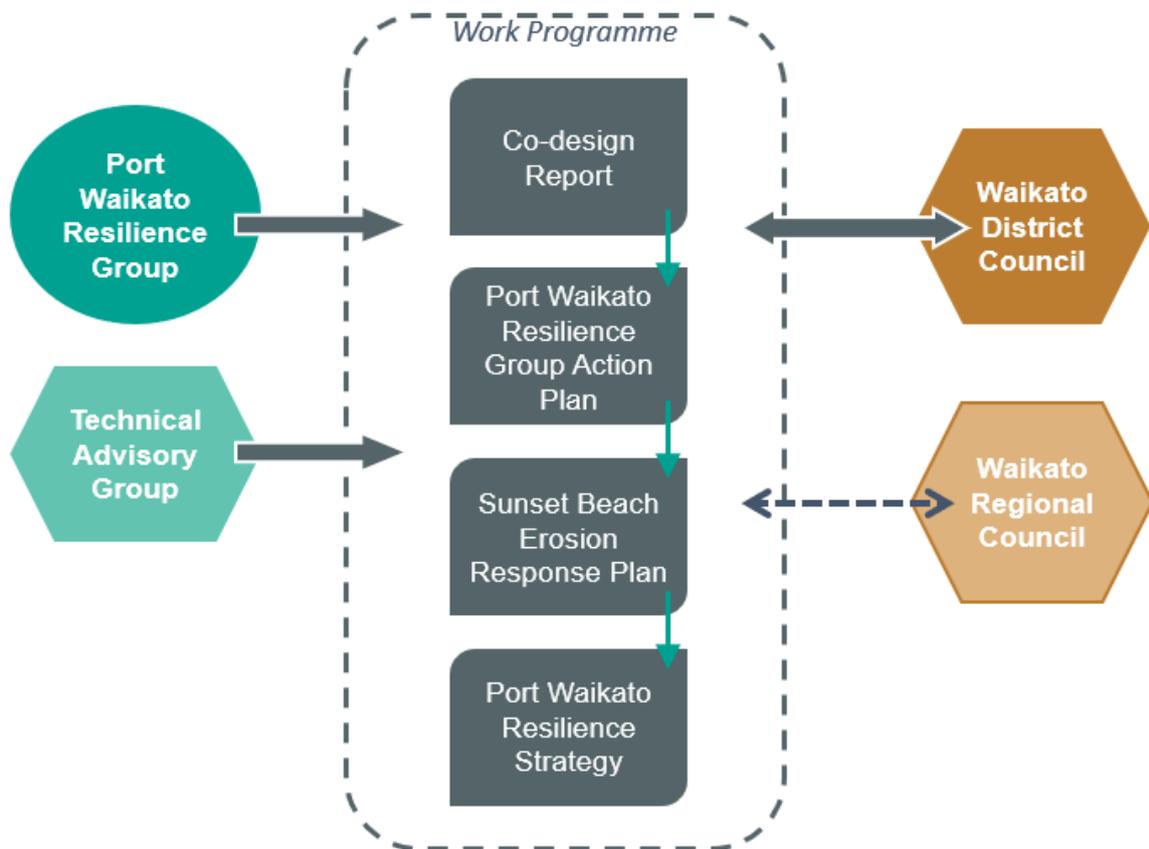


Figure 3 Project outline diagram

## 8 Implementation

Critical to the success of the work of the PWRG is implementation of identified actions.

Actions under the Sunset Beach Erosion Response Plan and Port Waikato Resilience Strategy will involve (potentially significant) new Council expenditure. It is anticipated that this proposed expenditure will be included in future reviews (or mid-term amendments to) Council's Long Term Plan, and must necessarily be the subject of wider public consultation.

When the Sunset Beach Erosion Response Plan and Port Waikato Resilience Strategy have been finalised and adopted by Council, the TAG will commence work on an Implementation Plan to guide and drive next steps. This will include determining matters such as:

1. Concept designs and costings for proposal natural hazard response actions
2. Details for how the actions will be funded between direct (private) and indirect (public) beneficiaries
3. How and when (as determined by the DAPP process) actions are likely to be implemented
4. Confirming any resource consent requirements
5. Developing the detail to be included in public consultation as part of Council's Long Term Plan review / amendment.

## **Attachment I – Port Waikato Resilience Group Terms of Reference**

# PORT WAIKATO COMMUNITY RESILIENCE STRATEGY

## PORT WAIKATO RESILIENCE GROUP

### Terms of Reference

*This Terms of Reference was confirmed by unanimous decision of the Port Waikato Resilience Group at their meeting on 26 November 2020.*

#### 1. Name

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- 1.1. The working group established and operating under this Terms of Reference shall be known as the Port Waikato Resilience PWRG (“PPWRG”).
- 1.2. The PWRG is an informal entity established by agreement of its members.

#### 2. Purpose

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- 2.1. The purpose of the PWRG is to form a partnership between Mana Whenua, the Port Waikato community, the Waikato District Council and Waikato Regional Council (“Partner Councils”), the Department of Conservation and other key stakeholders to develop pragmatic, realistic, and adaptive solutions to natural hazards risks for the Port Waikato Community in the short, medium and long term.

#### 3. Objectives

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- 3.1. The PWRG will measure success against the following objectives:
  - a. A positive productive working relationship is established between PWRG members.
  - b. Trust is established between the PPWRG members.
  - c. A plan is developed to respond to the immediate, short, medium and long term natural hazards risks faced by the Port Waikato community.
  - d. The Port Waikato community are:
    - informed about the risks they face from natural hazards in the short, medium and long term.
    - Engaged, understanding and supportive of the plan to respond to natural hazards risks.
    - Empowered and less anxious about future risks posed by natural hazards.

## 4. Deliverables

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The PWRG will produce:

- 4.1. A '**Port Waikato Natural Hazards Planning Co-design Process Report**' that will set out the process the PWRG will undertake to achieve its objectives. The Co-design report will be presented to the Waikato District Council for consideration and adoption. (note WRC for info)
- 4.2. A '**PRWC Action Plan**', for responding to immediate natural hazards risks and other community matters in the short term.
- 4.3. A "**Sunset Beach Erosion Response Plan**", that will:
  - a. Objectively identify and assess options, and select a preferred option, for the short term slowing / halting of erosion losses at Sunset Beach to mitigate further serious damage to infrastructure and property from coastal erosion at Port Waikato while a long-term plan is developed;
  - b. Ensure the option that is selected remains compatible with an adaptive planning approach; and
  - c. Implement the selected option(s) within a reasonable timeframe
- 4.4. A '**Port Waikato Resilience Strategy**', that will:
  - a. Summarise (with reference to appropriate technical information) the natural hazards risks faced by the Port Waikato Community in the short, medium and long term;
  - b. Present recommended responses to those hazards risks;
  - c. Follow the dynamic adaptive pathways planning approach for coastal hazards as set out in the Ministry for the Environment's guidance for local government<sup>1</sup>; and
  - d. Describe the process taken by the PWRG to arrive at its recommendations.

## 5. Membership

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- 5.1. The PWRG shall be formed by the following member groups / organisations:
  - a. Port Waikato Community.
  - b. Ngāti Tahinga and Ngāti Karewa.

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<sup>1</sup> Ministry for the Environment (2017). *Coastal hazards and climate change: Guidance for local government*. Publication reference number: ME 1341

- c. Waikato Tainui.
  - d. Waikato District Council.
  - e. Waikato Regional Council.
  - f. Department of Conservation.
- 5.2. The individuals appointed to the PWRG by each member group / organisation are listed in **Attachment 1**.

## 6. Appointment of New Members

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- 6.1. New or replacement members of the PWRG from the Port Waikato Community may be appointed at the discretion of the Chair.
- 6.2. A standing invitation remains in place for new / replacement members to be appointed by and at the sole discretion of Ngāti Tahinga and Ngāti Karewa.
- 6.3. A standing invitation remains in place for new / replacement members to be appointed by and at the sole discretion of Waikato Tainui.
- 6.4. New or replacement members of the PWRG from Waikato District Council, Waikato Regional Council and the Department of Conservation may be appointed by each organisation respectively, with notification to the Chair.

## 7. Role of PWRG Members

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### Port Waikato Community Members

- 7.1. Participants in the process as members of the community with local knowledge, relationships, and expertise. For the avoidance of doubt, community members are not participating as mandated representatives of Port Waikato.
- 7.2. Participants with full voting and speaking rights.

### Ngāti Tahinga, Ngāti Karewa and Waikato Tainui

- 7.3. Participants in the process as members of Ngāti Tahinga, Ngāti Karewa and Waikato Tainui and as members of the community with local knowledge, relationships, and expertise.
- 7.4. Participants with full voting and speaking rights.

### **Partner Council and Department of Conservation Staff**

- 7.5. Provide technical support and expertise to the PWRG when this is requested through the Chair.
- 7.6. Provide comment on matters related to statutory responsibilities under relevant legislation for each organisation.
- 7.7. Participants in an advisory capacity only with no voting rights. Full speaking rights.

## **8. Appointment of Chair / Deputy Chair**

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- 8.1. On the formation of the PWRG, the members shall by consensus agreement elect a Chair and Deputy Chair.
- 8.2. The Chair and Deputy Chair are to be selected from the members, or an independent may be appointed to either role.
- 8.3. In the event that an independent Chair or Deputy Chair is appointed, that person will act in all respects as an independent and neutral third party
- 8.4. The Chair and Deputy Chair shall be responsible for:
  - a. the efficient, fair and collaborative operation of the meeting.
  - b. ensuring the Terms of Reference are followed and adhered to.
  - c. handling all media enquiries regarding the work of the PWRG.
- 8.5. The Chair and Deputy Chair may vote as PWRG members only.
- 8.6. The individuals appointed as the Chair and Deputy Chair listed in **Attachment 1**.

## **9. Support Roles**

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- 9.1. On the formation of the PWRG, the members shall by consensus agreement appoint persons to the following Support Roles:
  - a. Administrator
  - b. Facilitator
  - c. Technology Advisor
- 9.2. The Administrator shall be responsible for:
  - a. The organisation and logistics associated with the successful operation of the PWRG.
  - b. Recording and distributing the minutes, actions and resolutions from each workshop.

- c. Managing communications related to logistics with all members outside of each workshop.
- 9.3. The Facilitator shall be responsible for:
- a. The overall management of each workshop, including managing how the PWRG works and interacts, resolving conflicts, leading debates, seeking consensus, supporting the Chair and Deputy Chair, and ensuring voting members are given the full opportunity to participate.
  - b. Securing the necessary outcomes from each PWRG meeting in an efficient, fair, and transparent manner.
- 9.4. The Technology Advisor shall be responsible for:
- a. Providing and operating the technology requirements to meet the needs of the PWRG.
- 9.5. Support Roles have not voting rights.
- 9.6. The individuals appointed to the Support Roles are listed in **Attachment 1**.

## 10. Observers

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- 10.1. The Partner Councils may each appoint any number of elected representatives (Councillors) to participate in PWRG meetings.
- 10.2. Waikato District Council may also appoint a community board member to participate in PWRG meetings.
- 10.3. Observers are present to observe and offer advice and opinions and to communicate organisational aspirations, constraints and requirements, when these are requested by or through the Chair.
- 10.4. Observers have no voting rights.
- 10.5. The Councillors appointed as Observers are listed in **Attachment 1**.

## 11. PWRG Procedures

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### Apologies

- 11.1. Should a member be unable to attend a meeting, they must inform the Chair at least 24 hours prior to any meeting.
- 11.2. If the Chair and Deputy Chair cannot attend, the role of Chair may be delegated to an alternate member for that meeting.

**Quorum**

11.3. A quorum of five PWRG voting members is required.

**Meeting dates, times, venue and notification**

11.4. PWRG meetings will be held on a monthly basis or more or less as may be agreed by the members to ensure that the PWRG objectives are achieved.

11.5. All meetings of the PWRG shall be notified by the Administrator to PWRG Members, Support Roles and Observers with at least 5 working days' notice.

11.6. Meetings will be held at the Port Waikato Fire Station at 6pm – 8pm or at a venue and time agreed by the members.

11.7. Meetings may also be held virtually by prior arrangement.

**Agendas**

11.8. Meeting agendas, with attached meeting papers (if required) will be approved by the Chair and distributed at least five working days prior to the next scheduled meeting.

11.9. The Chair and Facilitator are responsible for arranging and circulating the agendas.

**Minutes**

11.10. Draft minutes of meetings of the PWRG are to be circulated to PWRG members no later than 5 working days following a meeting.

11.11. Draft minutes shall be reviewed and approved as draft by the Chair or Facilitator prior to circulation.

11.12. Once confirmed by the PWRG, minutes will be made available to the public.

**Meeting Attendance**

11.13. Attendance at PWRG meetings shall be open to PWRG Members, Support Roles and Observers only.

11.14. At the sole discretion of the Chair, members of the public, media, technical advisors and/or other persons may be invited to attend PWRG meetings.

**12.Code of Conduct**


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12.1. All participants agree to act in good faith. This means committing to open, honest, constructive, robust, respectful and collaborative deliberations.

- 12.2. Chatham House Rules<sup>2</sup> will generally not apply, unless directed by the Chair that it will apply to any particular meeting, or part of a meeting.
- 12.3. Contributions made within the PWRG will be "without prejudice". That is, nothing said within the PWRG may be used in a subsequent planning or legal process except for the final recommendations and agreements reached and reported by the PWRG.
- 12.4. Participants agree to show respect for others views when communicating with their wider networks.
- 12.5. Participants agree to refrain from discussion and debate through media channels (i.e. newspapers, radio, television, and social media).
- 12.6. Any public statement regarding the PWRG's process, or advice or recommendations made by the PWRG, are to be agreed by the PWRG and made through the Chair.
- 12.7. Consensus shall be strived for in all decisions made by voting members of the PWRG and is defined as every voting member (i.e. 100%) of the PWRG being in agreement.
- 12.8. Where consensus cannot be reached on a specific piece of advice or a recommendation, the reasons for disagreement will be noted by the Facilitator, any alternatives defined, and the reasons for members positions on the alternatives recorded.
- 12.9. When the PWRG reaches a decision, participants will be expected to acknowledge that decision in subsequent public discussion, or presentation to the Partner Councils.
- 12.10. If a meeting is missed by a participant, they will not be entitled to "re-litigate" a piece of consensus advice or recommendation at a later time.
- 12.11. Participants are expected to commit to an agreed schedule of meetings and make every effort to attend all meetings. While it is anticipated that some will miss certain meetings through circumstances beyond their control, if a significant number of meetings are not attended then at the discretion of the Chair membership may be reviewed and a reappointment process may be triggered.
- 12.12. Where a participant deliberately or otherwise breaches the requirements and expectations of their participation on the PWRG, as set out in this Terms of Reference, the Chair may, at their sole discretion, recommend that the participant be removed. If this recommendation is confirmed by the PWRG, the participant in question shall immediately cease to be a member or participant of the PWRG.

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<sup>2</sup> When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

### 13. Conflicts of Interest

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- 13.1. Participants are required to declare any actual or perceived interests to the PWRG. The Chair will then determine whether or not the interest represents a conflict, and if so, what action will be taken.

### 14. Media Protocol

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- 14.1. Any approaches or requests by news media shall be directed as follows:
- a. **In relation to a specific property impacts by coastal hazards** – relevant landowner. For the avoidance of doubt, any landowner who is also a member of the PWRG is not prevented or restricted from discussing matters directly relevant to their property.
  - b. **In relation to the operations, recommendations and process of the PWRG** – Chair or Deputy Chair.
  - c. **In relation to Council functions and processes** – relevant Council media contact.
- 14.2. Any publications or media releases made by the PWRG or in relation to the work of the PWRG shall be approved by the Chair prior to release.

### Communications

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- 14.3. The usual form of communication for providing notices of meetings, circulating agendas and meeting notes shall be by email.
- 14.4. A collaborative wiki platform shall be established and maintained by the Technology Advisor for use by PWRG members as a single place to store and share information regarding the PWRG. The platform shall be available for use by PWRG members only and shall not be open to members of the public.
- 14.5. Following each PWRG meeting, the Chair shall prepare a brief summary for the next issue of the Port Report. The purpose of the summary is to maintain open communication with the Port Waikato Community on the work of the PWRG

### 15. Reporting

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- 15.1. The Partner Councils shall, in good faith, consider all reports and recommendations prepared by the PWRG and may seek clarification and/or amendments from the PPWRG before formally receiving the report.

15.2. The Partner Councils shall ensure regular reporting to elected representatives.

## **16.Changes to Terms of Reference**

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This Terms of Reference may be changed by consensus agreement at any formal meeting of the PWRG when quorum requirements is met.

## ATTACHMENT 1 – PORT WAIKATO RESILIENCE GROUP

<b>Members</b>	<b>Confirmed Appointments</b>
<b>Port Waikato Community</b>	Jade McCormack
	Ross Millen
	Jo Poland
	Leah Fry
	Malcolm Beattie
	Mike McCormack
	Melanie Gabriel
	Robyn Green
	Wayne Green
	Sylvia Dwen
	James Smith
	Brian Wadman
	Glenn Graham
	Chanel Brock
<b>Ngāti Tahinga / Ngāti Karewa</b>	Rereokeroa Shaw
	<i>To be confirmed</i>
<b>Waikato Tainui</b>	<i>To be confirmed</i>
	<i>To be confirmed</i>
<b>Waikato District Council</b>	Jim Ebenhoh
	Kurt Abbot
<b>Onewhero-Tuakau Community Board</b>	Kandi Ngataki
	Stephanie Henderson
<b>Waikato Regional Council</b>	Rick Liefiting
	Alejandro Cifuentes
<b>Department of Conservation</b>	Dannika Tukua

<b>Chair and Deputy Chair</b>	<b>Confirmed Appointment</b>
<b>Chair</b>	Jade McCormack
<b>Deputy Chair</b>	Ross Millen

<b>Support Roles</b>	<b>Confirmed Appointment</b>
Administrator	Waikato District Council staff
Facilitator	Simon Bendall
Technology Advisor	Ross Millen

<b>Observers</b>	<b>Confirmed Appointment</b>
Waikato District Council	Cr Carolyn Eyre
Waikato Regional Council	Cr Pamela Storey

## **Attachment 2 – Technical Advisory Group Terms of Reference**

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## Terms of Reference

### Port Waikato Community Resilience Strategy Technical Advisory Group

#### 1. Purpose

- 1.1. This Terms of Reference describes the membership, role, function and administration of the Technical Advisory Group (“**TAG**”) formed for the Port Waikato Community Resilience Strategy (“**PWCRS**”).
- 1.2. This document also confirms the agreed cost sharing arrangements (including in-kind costs) between the Waikato District Council and Waikato Regional Council (“**the Councils**”) for the development of PWCRS.

#### 2. Project context

- 2.1. The PWCRS is being prepared for the Port Waikato coastal area, situated on the west coast of the North Island, on the south bank of the Waikato River at its outflow (“**Port Waikato**”). This area includes the Sunset Beach community.
- 2.2. The PWCRS seeks to co-design an adaptive management plan for natural hazards at Port Waikato with the community and other key stakeholders, aided by an experienced external facilitator. The plan will consider short, medium and long term options as well as trigger points for particular actions.
- 2.3. The PWCRS will be used to inform decision making on other Port Waikato activities including the management of public assets and Civil Defence and Emergency Management readiness and recovery is expected to improve as a result of this work.
- 2.4. A Port Waikato Resilience Group (“**PWRG**”) has been formed with members of the Port Waikato Community.
- 2.5. The PWRG has developed and confirmed its own terms of reference, and has identified a series of deliverables within its scope, which include the following:
  - 2.5.1. A ‘Port Waikato Natural Hazards Planning Co-design Process Report’ that will set out the process the PWRG will undertake to achieve its objectives. The Co-design report will be presented to the Waikato District Council for consideration and adoption. (note WRC for info)
  - 2.5.2. A ‘PRWC Action Plan’, for responding to immediate natural hazards risks and other community matters in the short term.
  - 2.5.3. A ‘Sunset Beach Erosion Response Plan’, that will:
    - a. Objectively identify and assess options, and select a preferred option, for the short term slowing / halting of erosion losses at Sunset Beach to mitigate further serious damage to infrastructure and property from coastal erosion at Port Waikato while a long-term plan is developed;
    - b. Ensure the option that is selected remains compatible with an adaptive planning approach; and
    - c. Implement the selected option(s) within a reasonable timeframe.

2.5.4. A 'Port Waikato Resilience Strategy', that will:

- a. Summarise (with reference to appropriate technical information) the natural hazards risks faced by the Port Waikato Community in the short, medium and long term;
- b. Present recommended responses to those hazards risks;
- c. Follow the dynamic adaptive pathways planning approach for coastal hazards as set out in the Ministry for the Environment's guidance for local government<sup>1</sup>; and
- d. Describe the process taken by the PWRG to arrive at its recommendations.

### 3. Membership

- 3.1. In general, TAG shall be formed by staff representatives from the Councils; however, independent and/or external appointments to TAG may be made by the agreement of the Councils.
- 3.2. The Councils may freely appoint members to the TAG at any time.
- 3.3. There shall be no upper or lower limit on the number of TAG members, except that the Councils shall seek to ensure that there is sufficient input to the TAG to cover the following areas of expertise:
  - i. Mātauranga Maori
  - ii. Resource Management and Planning
  - iii. Engineering / asset management
  - iv. Coastal Science
  - v. CDEM
  - vi. Hazard Risk Assessment/Management
  - vii. Communications and Engagement
- 3.4. The members of TAG shall appoint a Chair to run the meetings and set the agenda.
- 3.5. The members of TAG shall appoint an administrator to record and circulate agreed actions, organise logistics, and assist with task delivery.
- 3.6. The initial members of TAG shall be:

Waikato District Council: Jim Ebenhoh (Chair), Kurt Abbot, Anisha McPhee, plus admin staff member  
TBC

Waikato Regional Council: Alejandro Cifuentes, Rick Liefting, Phil Mourot, Whitney Mills  
Facilitator: Simon Bendall

### 4. Meetings

- 4.1. Meetings shall generally be held at the Waikato District Council and by video conference.
- 4.2. Meetings shall generally be held every 4 weeks for the duration of the project, and generally at least 2 weeks ahead of each PWRG meeting, or as may be determined by the Councils.
- 4.3. The agenda for each meeting (and any relevant meeting materials) shall be circulated at least 3 working days before the meeting.

## 5. Functions

- 5.1. TAG's functions are to assist with the project management, technical support and delivery of the of PWCRS, including:
- i. Completing tasks and project work as directed by the Waikato District Council;
  - ii. Supporting the PWRG to achieve the deliverables defined in its terms of reference;
  - iii. Leading project engagement with the community and stakeholders;
  - iv. Providing technical information and support for the Waikato District Council councillors and senior managers to enable sound and informed decision making;
  - v. Facilitating information and knowledge exchange between the Councils; and
  - vi. Ensuring Council inputs and activities are integrated, aligned and complementary.
- 5.2. The Waikato District Council shall be responsible for administering the TAG including preparing and circulating agendas, confirming meeting dates and venues, taking and circulating minutes and providing a point of contact for TAG Members.

## 6. Cost sharing

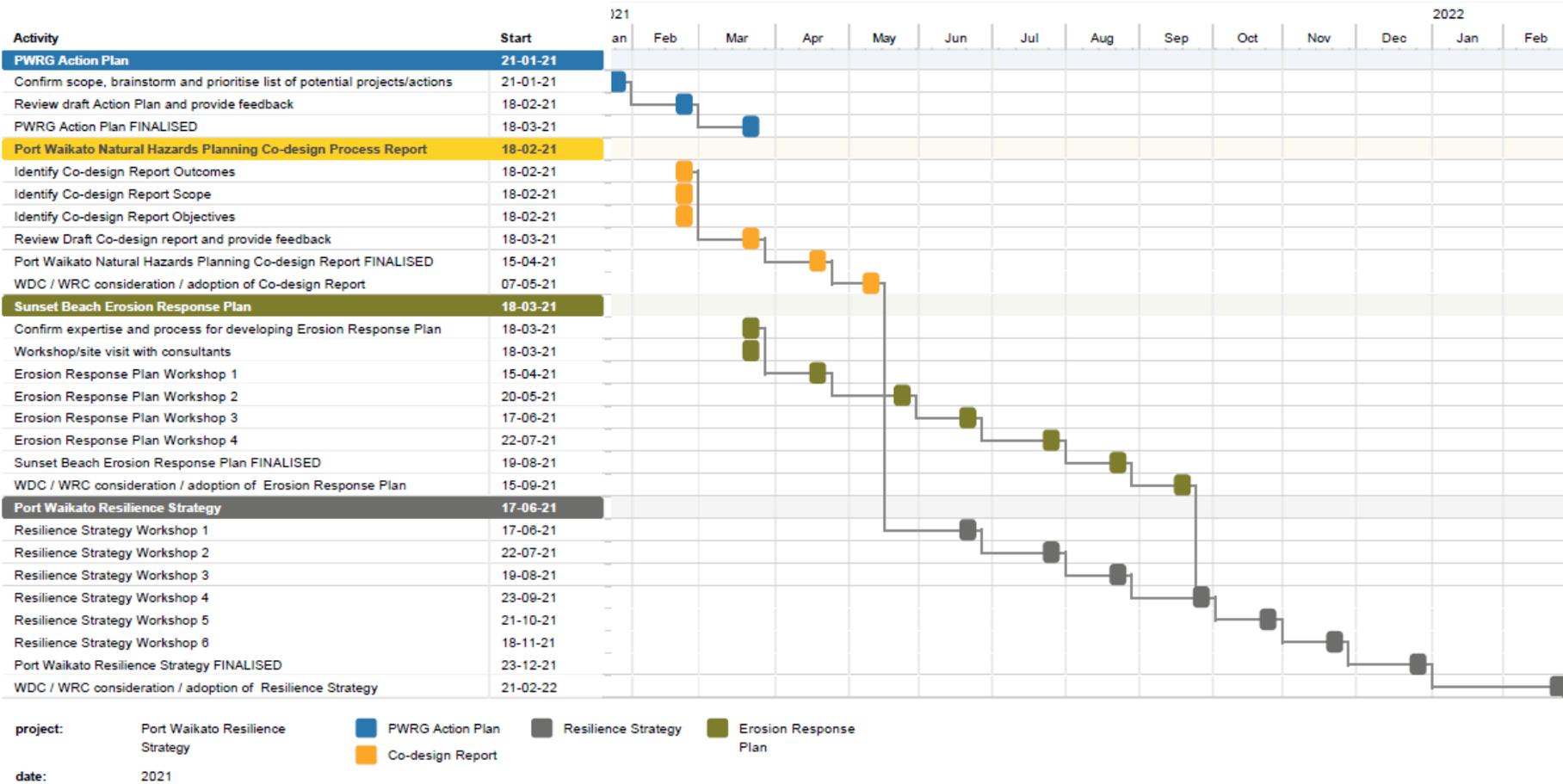
- 6.1. Each Council shall be responsible for meeting their own costs for participating in the TAG.
- 6.2. The Waikato District Council shall be responsible for meeting the costs of engaging an external facilitator / advisor.
- 6.3. Cost sharing between the Partner Councils for all other project costs shall be determined and agreed on a case-by-case basis.

## 7. Review and Variation

- 7.1. On an annual basis, TAG shall undertake a review of these terms of reference to ensure they remain fit for purpose and effective.
- 7.2. Amendments to these Terms of Reference may only be made with the written approval of the Councils.

## **Attachment 3 – Port Waikato Resilience Group Work Plan**

DRAFT FOR DISCUSSION: Port Waikato Resilience Group Work Plan



Note: Work Plan as approved by the PWRG on 21 January 2021.  
 The Work Plan will be regularly reviewed and updated by the PWRG.

### Open Meeting

<b>To</b>	Waikato District Council
<b>From</b>	Gavin Ion Chief Executive
<b>Date</b>	6 May 2021
<b>Prepared by</b>	Gaylene Kanawa Democracy Team Leader
<b>Chief Executive Approved</b>	Y
<b>Reference #</b>	GOV1318
<b>Report Title</b>	Exclusion of the Public

## I. RECOMMENDATION

**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 1 Confirmation of Public Excluded Minutes for 6 April 2021 and 28 April 2021	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item 3.1 Development Agreement - 6 Waugh Lane, Huntly - Builtsmart Properties Limited		
Item 3.2 Draft Development Agreement - 192 Old Taupiri Road, Ngaruawahia		

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 3.3 Te Awa Cycleway – Change in Project Funding	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item 3.4 Smart Environmental Limited – Contract renewal for further 5 year period 1 July 2021 to 30 June 2026		

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 1 Confirmation of Public Excluded Minutes for 6 April 2021 and 28 April 2021		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item 3.1 Development Agreement - 6 Waugh Lane, Huntly - Builtsmart Properties Limited	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
Item 3.2 Draft Development Agreement - 192 Old Taupiri Road, Ngaruawahia	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

Item No.	Section	Interest
Item 3.3 Te Awa Cycleway – Change in Project Funding	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
	7(2)(j)	To prevent the disclosure or use of official information for improper gain or improper advantage.
Item 3.4 Smart Environmental Limited – Contract renewal for further 5 year period 1 July 2021 to 30 June 2026	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
Item 3.5 Metropolitan Waste (Waikato) Limited – Contract Renewal and Extension 29 June 2021 to 30 June 2026	7(2)(b)(ii)	To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
	7(2)(i)	To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).