

Agenda for a meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 9 AUGUST 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.

- 1. APOLOGIES AND LEAVE OF ABSENCE**
- 2. CONFIRMATION OF STATUS OF AGENDA**
- 3. DISCLOSURES OF INTEREST**
- 4. CONFIRMATION OF MINUTES**
 - 4.1 Minutes of a Council meeting held on Monday, 28 June 2021 5
 - 4.2 Minutes of an Extraordinary Council meeting held on Wednesday, 7 July 2021 24
- 5. COMMITTEE REPORTS**
 - 5.1 Infrastructure Committee**
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GJ Ion
CHIEF EXECUTIVE

TERMS OF REFERENCE AND DELEGATION

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

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 project.

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	2 August 2021
Prepared by	Gaylene Kanawa Democracy Team Leader
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of Council meetings held since 28 June 2021.

2. RECOMMENDATION

THAT the Waikato District Council confirm the following minutes as a true and correct record:

- i) **ordinary meeting held on Monday, 28 June 2021; and**
- ii) **extraordinary meeting held on Wednesday, 7 July 2021.**

3. ATTACHMENTS

Open Minutes – Ordinary Meeting held on 28 June 2021
Open Minutes – Extraordinary Meeting held on 7 July 2021

Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 28 JUNE 2020** commencing at **9.30am**.

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 RC McGuire
 Cr FM Mclnally
 Cr EM Patterson
 Cr JD Sedgwick
 Cr NMD Smith
 Cr LR Thomson
 Cr CT Woolerton

Attending:

Mr Paul Cooney (Deputy Chair/Independent Commissioner – District Plan Hearings Panel)

Mr GJ Ion (Chief Executive)
 Mr TG Whittaker (Chief Operating Officer)
 Mr R MacCulloch (General Manager Service Delivery)
 Mrs S O’Gorman (General Manager Customer Support)
 Mr I Cathcart (Special Infrastructure Projects Manager)
 Ms A Diaz (Chief Financial Officer)
 Mr V Ramduny (Strategic Projects Manager)
 Mr J Quinn (Communications, Engagement and Marketing Manager)
 Mr N Johnston (Funding and Partnerships Manager)
 Mr C Bailey (Finance Manager)
 Mr J Ebenoh (Planning & Policy Manager, Community Growth)
 Mr W Gauntlett (Growth & Analytics Manager, Community Growth)
 Mrs GJ Kanawa (Democracy Team Leader)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Woolerton)

THAT an apology from Councillor Lynch be received.

CARRIED

WDC2106/09

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs McGuire/Patterson)

THAT the agenda for a meeting of the Waikato District Council held on Monday, 28 June 2021 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 8 which shall be considered with the public excluded;

AND THAT in accordance with Standing Order 9.4 the order of business be changed with agenda item 7.2 [*Timing of Hearing Panel's Decision on Proposed District Plan – Extension Sought*] being considered after agenda item 5;

CARRIED

WDC2106/10

DISCLOSURES OF INTEREST

Cr Sedgwick and Cr Gibb advised members of the Board that he/she would declare a financial conflict of interest in item 7.2 [*Timing of Hearing Panel's Decision on Proposed District Plan – Extension Sought*].

CONFIRMATION OF MINUTES

Resolved: (Crs Gibb/Eyre)

THAT the following minutes be confirmed as a true and correct record:

- a) **Minutes for the Waikato District Council meeting held on 17 May 2021; noting a change to the Public Excluded Minutes to add Cr Church as in attendance.**
- b) **Minutes for the Waikato District Council Extraordinary Meeting held on 20 May 2021; and**
- c) **Minutes for the Waikato District Council Long Term Plan Hearings & Deliberations held on 25-27 May 2021 and 3 June 2021.**

CARRIED

WDC2106/11

ACTIONS REGISTER – MAY 2021

The report was received [*WDC2106/10 refers*]. The following discussion was held:

- Zero Harm – installation of new playgrounds – legally the playgrounds are not vested to Council for two years and any liability in this period lays with the developer.

COMMITTEE RECOMENDATIONS

Policy & Regulatory Committee – 9 June 2021
 Agenda Item 5.1

The report was received [*WDC2106/10 refers*]. No discussion was held.

Consultation Approval for the Waikato District Council Water Supply Bylaw (P&R2106/06)

Resolved: (Crs Sedgwick/Woolerton)

THAT as required under s83 of the Local Government Act 2002, the Waikato District Council:

- a) adopts the Statement of Proposal; and
- b) approves the commencement of public consultation on the proposed Waikato District Council Water Supply Bylaw 2021 and the Proposed Water Leak Remission Policy to be undertaken between 16 June 2020 and 16 July 2021;
- c) confirm that submissions on the Bylaw and the Policy be considered, and if requested by submitters, be heard by the Policy & Regulatory Committee at a hearing to be held in August 2021; and
- d) notes that the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and that it is satisfied that the Bylaw can be justified as a reasonable limitation on people's rights and freedoms.

CARRIED

WDC2106/12

Approval for Consultation: Proposed Waikato District Council Stormwater Bylaw 2021
 P&R Agenda Item 6.3 – Resolution P&R2106/07

Resolved: (Crs Sedgwick/Thomson)

THAT as required under s83 of the Local Government Act 2002, the Waikato District Council:

- a) adopts the Statement of Proposal; and
- b) approves the commencement of public consultation on the proposed Waikato District Council Water Supply Bylaw 2021 and the Proposed Water Leak Remission Policy to be undertaken between 16 June 2020 and 16 July 2021;
- c) confirm that submissions on the Bylaw and the Policy be considered, and if requested by submitters, be heard by the Policy & Regulatory Committee at a hearing to be held in August 2021; and
- d) notes that the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and that it is satisfied that the Bylaw can be justified as a reasonable limitation on people's rights and freedoms.

CARRIED

WDC2106/13

Infrastructure Committee

Agenda Item 6.1

The report was received [*WDC2106/10 refers*]. No discussion was held.

Huntly Train Station Building

Inf 2106/04

Resolved: (Crs Patterson/Sedgwick)

THAT the Waikato District Council:

a) revokes resolution no. WDC2105/06 which read as follows:

THAT the Waikato District 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;***

b) approves, that by documented agreement, Council accepts the transfer of ownership of the Huntly Train Station building for a nominal sum (being \$1, if demanded), and that ownership be conditional upon:

- i) the tagged funds of \$406,824.59 derived from the sale of Harlock Place be released from the Property Proceeds Reserve, and that those funds be utilised by Council towards the cost of relocation, structural strengthening and refurbishment of the building (for use as the main exhibit space for the Museum);**
- ii) the remaining funds of \$15,000 be released from the Property Proceeds Reserve, and that those funds be utilised by the Huntly Mining and Cultural Museum Society Incorporated for use at the Civic Centre;**
- iii) A commitment being made to assess the Huntly Facilities targeted rate to ensure that operating costs of the Huntly Train Station building are considered and funded appropriately;**
- iv) the Huntly Mining and Cultural Museum Society Incorporated is to be responsible for the Furniture and Equipment component (to be detailed in a Business Plan be put forward for Council consideration and approval at a later date);**
- v) Council to be responsible for the ongoing maintenance and cleaning of the public toilets. Any additional toilet facilities solely for use of the Museum will fall under the area of responsibility of the Huntly Mining and Cultural Museum Society Incorporated;**

- vi) Council (subject to Kiwirail approval) grant a concessional sublease of the Train Station Building to the Huntly Mining and Cultural Museum Society Incorporated, and that in accordance with the provisions of Council's current Community Leasing Policy the rental will be \$10 per week, and further that the lease is to provide that:
1. the Huntly Mining and Cultural Museum Society Incorporated is to be responsible for outgoings (e.g power, cleaning, consumables, contents and public liability insurance solely in connection with their activities) plus furniture and equipment, and that Council will be responsible for building Insurance;
 2. Council, as the owner of the building, is to be responsible for the upkeep (including graffiti removal) and weathertightness of the building exterior;
 3. Council (as lessee under the Kiwirail lease) is subject to a number of conditions imposed under the ground lease which will necessitate that the Huntly Mining and Cultural Museum Society Incorporated is required to confirm the nature of the activities that will occur on the land; and as there are additional requirements around signage this will need to be jointly agreed through the process;
 4. Council has an expectation that the Train Station building will be the main public exhibition space for the Huntly Mining and Cultural Museum Society Incorporated, and that the onsite presence will serve to act as a deterrent for antisocial or delinquent behaviours;
- c) delegates authority to the Chief Executive to execute all documentation to give effect to these resolutions.

CARRIED

WDC2106/14

*Proposed Partial Stopping of Martin Lane, Horsham Downs
INF2106/07*

Resolved: (Crs Patterson/Gibb)

THAT the Waikato District Council approves:

- a) that the section of Martin Lane at Horsham Downs as shown on hatched the diagram included at Attachment I to the staff report be declared surplus to Council roading requirements and that when it has defined by survey that it be legally stopped in accordance with the provisions of the Public Works Act 1981;
- b) that the section of land resulting from the road stopping action be transferred for amalgamation with the land currently held in RT 773527; and
- c) that the Chief Executive be delegated authority to execute all documentation to give effect to this resolution.

CARRIED

WDC2106/15

REPORTSZero Harm Update
Agenda Item 7.1

The report was received [*WDC2106/10 refers*]. No discussion was held.

Timing of Hearing Panel's Decision on Proposed District Plan – Extension Sought
Agenda Item 7.2

The report was received [*WDC2106/10 refers*]. Mr Cooney (Deputy Chairperson, Proposed District Plan Panel) spoke to the request.

Resolved: (Crs Smith/Patterson)**THAT the Waikato District Council:**

- a) agrees on Option 2 which requires the independent hearings panel to deliver a decision by 17 January 2022; and
- b) delegates the Chief Executive write to the Minister for the Environment (attaching the Panel's letter) seeking the further extension for the PDP decisions, under clause 10A of Schedule 1 of the RMA, to a date no later than 17 January 2022.

CARRIED**WDC2106/16**

Cr Gibb and Cr Sedgwick did not take part in the discussion nor vote on the above matter due to a conflict as District Plan Commissioners.

Adoption of Long-Term Plan 2021-2031 and Development Contributions Policy 2021
Agenda Item 7.3

Tabled Item: Attachment 17 – Audit NZ report on the Waikato District Council's 2021-2031 Long Term Plan.

The report was received [*WDC2106/10 refers*]. The following discussion was held:

- Desire not to have another Long Term Plan document like this due to it's poor readability.
- Question around people who had already been charged and what impact would it have.
- Impact on implementation – new developers da, existing developers new dc policy does not apply.
- Add ancillary dwelling you will pay as per new policy.
- Minor dwelling without changing title – half heu.
- Education required on new policy as not many submissions on this.

- Pool charges – community facilities – limited profit sharing – reconciliation of income.

Resolved: (Crs Smith/McGuire)

THAT the Waikato District Council:

- a) in accordance with the Local Government Act 2002, adopts the Development Contributions Policy 2021 and appendices (Attachments 1-16) with the following amendment to the Development Contributions Policy 2021:
 - i) Removes Ngaruawahia Sub-catchment A – Stormwater, Roads and Transport levies and catchment maps. That these be replaced with the combined spatial area with a Development Agreement Area on these maps;

CARRIED

WDC2106/17

Resolved: (Crs McNally/Patterson)

- b) approves the amendment of the User Fees and Charges 2021-24 schedule with the following:
 - i. include the proposed wording to reference swimming pool fees: Please note that swimming pools are managed via an independent operator. The independent operator sets fees and charges as deemed appropriate. For this reason, charges may vary from time to time. Please refer to Council's website for the most current swimming pool charges. <https://www.waikatodistrict.govt.nz/recreation/swimming-pools>
 - ii. correct an error in Section 127 Land Use Consent fees by reducing the fees to \$1,700 (for 2021/22), \$1,800 (for 2022/23), and \$1,900 (for 2023/24); Version: 10, Version Date: 17/06/2021 Document Set ID: 3150778 147Page 2 Version 4.0 c. correct an error in wastewater Capital Contribution fees by reducing the fees for Pokeno to \$25,301 (for 2021/22), \$25,186 (for 2022/23), and \$27,103 (for 2023/24);
 - iii. correct an error in wastewater Capital Contribution fees by reducing the fees for Whaanga Coast to \$24,962 (for 2021/22), \$25,836 (for 2022/23), and \$26,740 (for 2023/24);

CARRIED

WDC2106/18

Resolved: (Crs Patterson/Gibb)

- c) endorses the Asset Management Plans (as at 28 June 2021) as underlying information upon which the LTP has been formed;

CARRIED

WDC2106/19

Cr Smith requested his vote again c) above be recorded.

Resolved: (His Worship the Mayor/Cr Sedgwick)

- d) receives the audit report relating to the Long Term Plan 2021-31, pursuant to section 94(1) of the Local Government Act 2002 (Attachment 17);

CARRIED

WDC2106/20

Resolved: (Crs Gibb/Sedgwick)

- e) adopts the audited Long Term Plan 2021-31 pursuant to section 93 of the Local Government Act 2002 (Attachment 18);

CARRIED

WDC2106/21

Resolved: (Crs Gibb/Woolerton)

- f) authorises the Chief Executive to make any necessary minor drafting or presentation amendments to the Long Term Plan 2021-31 before going to print;

CARRIED

WDC2106/22

Resolved: (Crs Patterson/Smith)

- g) authorises the implementation of the Long Term Plan 2021-31 in accordance with Council's Delegations Register and Significance & Engagement policy.

CARRIED

WDC2106/23

His Worship the Mayor thanked all elected members, Audit NZ and staff for their contribution towards the adoption of the 2021-2031 Long Term Plan.

Rates Resolution 2021/2022

Agenda Item 7.4

The report was received [WDC2106/10 refers]. The following discussion was held:

Resolved: (Crs Smith/Woolerton)

THAT the Waikato District Council hereby resolves that the rates set out in the table below be set under the Local Government (Rating) Act 2002 (“the Act”) for the financial year commencing on 1 July 2021 and ending on 30 June 2022;

Source	Category	Funding	Basis of Rating	LTP 2021/22 \$
General Rate		Work program as highlighted in the long term plan including Animal Control, Community and Safety, Corporate and Council Leadership, Environmental Health, Community Liaison, Libraries, Parks and Reserves, Resource Management, Roding, Solid Waste management, Stormwater, Wasterwater and Water Supply	Uniform rate in the dollar of capital value	0.0020692
Uniform annual general charge (UAGC)	All rateable land in the district	People related activities including but not limited to libraries, parks and reserves, public cemeteries, public swimming pools, public toilets, community centres, community liaison, grants and donations, safer communities, animal control, civil defence and safety, building control, environmental health, resource management planning, environmental consents planning, area offices and democracy/ local government	Fixed amount per rating unit	417.63
Targeted community facilities rates (apply to all rating units within each ward catchment area).	Huntly Community Facilities (urban catchment)	Covers the cost of maintenance and operation of community facilities.	Fixed amount per rating unit	42.00
	Ngaruawahia Community Facilities			25.00
	Raglan Community Facilities			25.00
Huntly pool rural	Based on location of rating unit in catchment area	Covers the cost of maintenance and operation of community facilities.	Fixed amount per rating unit	16.00
Tamahere Recreation Reserve	Based on location of rating unit within the Tamahere Ward	Covers the cost of loan interest and additional operational costs for the above average level of service of the Tamahere Recreation Reserve	Fixed amount per SUIP	38.00

Source	Category	Funding	Basis of Rating	LTP 2021/22 \$
Targeted hall or community centre rates (apply to all rating units within each hall catchment area).	Te Kohanga	Covers the cost of maintenance and operation of halls, other facilities and community centres.	Uniform rate in the dollar of land value	0.000026
	Aka Aka			55.00
	Eureka			35.00
	Glen Murray			50.00
	Gordonton			26.00
	Horsham Downs			35.00
	Karioitahi			55.00
	Mangatangi			34.50
	Mangatawhiri			58.50
	Maramarua			24.00
	Matangi			30.00
	Meremere			24.00
	Naike			40.89
	Ohinewai			24.00
	Opuatia			32.00
	Orini			26.00
	Otaua			55.00
	Pokeno			23.00
	Port Waikato			125.00
	Pukekawa			40.00
	Puketaha			38.00
	Ruawaro			29.00
	Tamahere			70.00
	Taupiri			24.00
	Tauwhare			30.00
	Te Akau/Waingaro			32.00
	Te Hoe			30.00
	Te Kowhai			50.00
Te Mata		24.00		
Tuakau		46.13		
Whangarata		46.00		
Waikaretu		50.00		
Whitikahu		53.00		

Source	Category	Funding	Basis of Rating	LTP 2021/22 \$
Tuakau refuse and recycling collection	Rating units within serviced areas	Covers the cost of refuse and recycling collection where the service is provided.	Fixed amount per wheelie bin.	209.46
Glen Murray refuse and recycling collection	Rating units within serviced areas		Fixed amount per separately used or inhabited part of a rating unit	61.24
Raglan recycling collection	Residential rating units within serviced areas.		Fixed amount per separately used or inhabited part of a rating unit	143.41
Te Mata/Te Uku recycling collection points	Residential rating units within serviced areas.		Fixed amount per separately used or inhabited part of a rating unit	57.01
District wide refuse and recycling collection	Residential rating units within serviced areas. (Eureka, Glen Afton/Pukemiro, Gordonton and surrounds, Horotiu, Horsham Downs, Huntly and surrounds, Meremere, Ngaruawahia and surrounds, Pukekawa, Rangiriri and surrounds, Rotokauri, Tamahere and surrounds, Taupiri and surrounds, Te Kauwhata and surrounds, Te Kowhai, Whatawhata)		Fixed amount per separately used or inhabited part of a rating unit	209.46

Source	Category	Funding	Basis of Rating	LTP 2021/22 \$
Water Supply - Non metered	Serviceable properties in the urban centres of Huntly, Ngaruawahia, Pokeno and Raglan.		Fixed amount per rating unit	293.81
Water Supply - Metered	Metered rating units in serviced areas	District wide water activities as per the long term plan.	Fixed amount per separately used or inhabited part of a rating unit	293.81
			Charge Per cubic metre of water consumed (as measured by meter).	2.10
Wastewater	Residential - connected	Wastewater activities	Fixed amount per separately used or inhabited part of a rating unit	1157.11
	Residential - available (not connected but within 30 metres of a public wastewater drain - to which it is capable of effectively being connected)		578.56	
	Non residential/commercial - Non rateable (Organisations classified by the Act as fully non-rateable or organisations that are non-profitable as determined by the Council) - connected		1157.11	
	Non residential/commercial - Non rateable (Organisations classified by the Act as fully non-rateable or organisations that are non-profitable as determined by the Council) - connected		115.71	
	Non residential/commercial - Assistance for the elderly (Organisations supportive of the elderly as determined by the Council) - Connected		1157.11	
	Non residential/commercial - Assistance for the elderly (Organisations supportive of the elderly as determined by the Council) - Connected		231.42	
	Non residential/commercial - Commercial - Connected		1157.11	
	Non residential/commercial - Commercial - Connected		578.56	

Source	Category	Funding	Basis of Rating	LTP 2021/22 \$
Urban Stormwater	Rating units within the stormwater catchment areas for which the service is available (Horotiu, Huntly, Matangi, Meremere, Ngaruawahia, Pokeno, Port Waikato, Raglan, Taupiri, Te Kauwhata and Tuakau).	District wide stormwater activities as per the long term plan.	Fixed amount per rating unit	193.40
Tamahere rural stormwater	Rating units within the Tamahere stormwater catchment area.	Tamahere rural stormwater activities	Fixed amount per rating unit	29.11
Tamahere land drainage	Rating units within the Tamahere land drainage catchment area.	Land drainage activities.	Amount per hectare of land area	6.59
Community Boards	Huntly ward	Direct costs of operating all the community boards within the district	Fixed amount per rating unit	23.12
	Ngaruawahia ward			23.12
	Onewhero-Tuakau ward			23.12
	Raglan ward			23.12
	Taupiri ward			23.12
Pokeno Capital Wastewater Scheme	Connected properties in scheme area	Covers the capital cost and interest charges of the work.	Loan Instalments - Fixed amount per connection.	1,654.35
Whaanga Coast Capital Wastewater Scheme	Connected properties in scheme area	Covers the capital cost and interest charges of the work.	Loan Instalments - Fixed amount per connection.	1,689.22

AND THAT the Waikato District Council resolves that rates for the 2020/21 year (excluding water by meter rates) shall be due in three equal instalments as follows:

First Instalment 20 September 2021
Second Instalment 20 January 2022
Third Instalment 20 May 2022

AND FURTHER THAT the Waikato District Council resolves that water by meter rates shall be invoiced separately and payable in two instalments each year. For the 2021/22 financial year, the meter reading dates and the payment due dates of instalments for each area are:

Area	Reading Date 1	Payment Due Date 1	Reading Date 2	Payment Due Date 2
Ngaruawahia	July 2021	03 September 2021	January 2022	04 March 2022
Taupiri	July 2021	03 September 2021	January 2022	04 March 2022
Horotiu	July 2021	03 September 2021	January 2022	04 March 2022
Huntly	August 2021	01 October 2021	February 2022	01 April 2022
North Waikato	September 2021	05 November 2021	March 2022	06 May 2022
Pokeno	September 2021	05 November 2021	March 2022	06 May 2022
Port Waikato	October 2021	03 December 2021	April 2022	03 June 2022
Onewhero	October 2021	03 December 2021	April 2022	03 June 2022
Tuakau	October 2021	03 December 2021	April 2022	03 June 2022
Southern Districts	November 2021	07 January 2022	May 2022	01 July 2022
Western Districts	November 2021	07 January 2022	May 2022	01 July 2022
Raglan	December 2021	04 February 2022	June 2022	05 August 2022
Te Akau	December 2021	04 February 2022	June 2022	05 August 2022

AND FURTHER THAT the Waikato District Council authorises the following penalty regime on unpaid rates (including water by meter rates):

- i) A penalty of 10% on so much of any rates instalment that has been assessed after 1 July 2021 and which is unpaid after the due date for payment, to be applied on the penalty dates as follows:**

First instalment 21 September 2021
Second instalment 21 January 2022
Third instalment 23 May 2022

- ii) **A penalty of 10% on so much of any water by meter instalment that has been assessed after 1 July 2021 and which is unpaid after the due date for payment. The penalty dates for the water instalments are as follows:**

Area	Penalty date 1	Penalty date 2
Ngaruawahia	07 September 2021	07 March 2022
Taupiri	07 September 2021	07 March 2022
Horotiu	07 September 2021	07 March 2022
Huntly	04 October 2021	04 April 2022
North Waikato	08 November 2021	09 May 2022
Pokeno	08 November 2021	09 May 2022
Port Waikato	06 December 2021	07 June 2022
Onewhero	06 December 2021	07 June 2022
Tuakau	06 December 2021	07 June 2022
Southern Districts	10 January 2022	04 July 2022
Western Districts	10 January 2022	04 July 2022
Raglan	07 February 2022	08 August 2022
Te Akau	07 February 2022	08 August 2022

- iii) **A penalty of 10% on so much of any rates assessed before 30 June 2021 which remain unpaid on 1 July 2021. The penalty date is 1 July 2021.**
- iv) **A further penalty of 10% on any rates to which a penalty has been added on 1 July 2021 if the rates remain unpaid. The penalty date is 1 January 2022.**

AND FURTHER THAT the Waikato District Council sends a copy of the resolution to the secretary of Local Government within 20 working days of these decisions.

CARRIED

WDC2106/24

Submission – Public Consultation on Potential Trust Deed Amendment
Agenda Item 7.5

The report was received [*WDC2106/10 refers*]. No discussion was held.

Resolved: (Crs McGuire/Bech)

THAT the Waikato District Council retrospectively approves the submission to the WEL Energy Trust on the Potential Trust Deed Amendment.

CARRIED

WDC2106/25

Appointment of Director of Waikato LASS
Agenda Item 7.6

The report was received [*WDC2106/10 refers*]. No discussion was held.

Resolved: (His Worship the Mayor/Cr Sedgwick)

THAT the Waikato District Council appoints Gavin John Ion as a Director of Waikato Local Authority Shared Services (WLASS) for a further term of three years from 1 July 2021.

CARRIED

WDC2106/26

Capital Work in Progress write off
Agenda Item 7.7

The report was received [*WDC2106/10 refers*]. The following discussion was held:

- A report will come to Council for formal approval.

ACTION: Staff to look at different terminology for this process.

Resolved: (Crs Smith/Church)

THAT the Waikato District Council receives the report from the Chief Financial Officer and notes a further report will be provided to the next Council meeting regarding this matter.

CARRIED

WDC2106/27

Te Huia Governance Forum Representative

Agenda Item 7.8

The report was received [*WDC2106/10 refers*]. The following discussion was held:

Resolved: (His Worship the Mayor/Cr Thomson)

THAT the Waikato District Council confirms the appointment of Councillor Patterson as the Waikato District Council representative on the Te Huia Governance Forum.

CARRIED

WDC2106/28

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Henderson/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 1 Confirmation of Public Excluded Minutes for the meeting held on 17 May 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 Audit & Risk Committee Independent Chair		
Item 3.2 Solid Waste Review – Phase 2 Strategy, Education and Engineering Support		

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 Statue Barred Rates and Water Accounts	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 Xtreme Zero Waste Limited – Contract renewal for period 1 July 2021 to 30 June 2026; and new deed of lease		

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 Audit & Risk Committee Independent Chair	7(2)(a)	Protect the privacy of natural persons, including that of deceased natural persons.
Item 3.2 Solid Waste Review – Phase 2 Strategy, Education and Engineering Support	7(2)(a)	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

CARRIED

WDC2106/29

Resolutions WDC2106/30 – WDC2106/39 are contained in the public excluded section of these minutes. Decisions relating to the following items were approved for release at the appropriate time by the Chief Executive:

Intern appointment for Waters Governance Board
PEX Agenda Item 2.2

Xtreme Zero Waste Limited – Contract renewal for period 1 July 2021 to 30 June 2026;
and new deed of lease
PEX Agenda Item 3.4

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

REPORTS

Audit & Risk Committee Independent Chair
PEX Agenda Item 3.1

The report was received [WDC2106/31 refers]. No discussion was held.

Resolved: (His Worship the Mayor/Cr Gibb)

THAT the Waikato District Council:

- i) appoints Peter Stubbs as Independent Chair of the Audit & Risk Committee for a period of three years.*
- ii) confirms these resolutions be released into the open section of the meeting, but the report remain confidential.*

CARRIED

WDC2106/35

There being no further business the meeting was declared closed at 11.50am.

Minutes approved and confirmed this day 2020.

AM Sanson
CHAIRPERSON

MINUTES for an extraordinary meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY, 7 JULY 2021** commencing at **11.30am.**

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech *via Audio Visual link*
Cr JA Church
Cr C Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McInally
Cr EM Patterson
Cr JD Sedgwick *via Audio Visual link*
Cr NMD Smith
Cr LR Thomson
Cr C Woolerton

Attending:

Mr D Ofsoske (Election Services)

Mr GJ Ion (Chief Executive)
Mr T Whittaker (Chief Operating Officer)
Mr J Quinn (Communication, Marketing & Engagement Manager)
Mr J Ebenhoh (Planning & Policy Manager)
Mr A Marais (Business Intelligence Team Leader)
Ms H Beavan (Corporate Planning Team Leader)
Ms G Kanawa (Democracy Team Leader)
Mr J Brown (Senior Communications & Engagement Advisor)
Ms B Clarke (Corporate Planner)
Mr M Horsfield (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Church/Henderson)

THAT an apology from Councillor Lynch for non attendance be received.

CARRIED

WDC2107/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Thomson/Gibb)

THAT the agenda for the extraordinary meeting of the Waikato District Council held on Wednesday, 7 July 2021 be confirmed and all items therein, including the supplementary memorandum circulated on 6 July 2021 with further community board details, maps and updated recommendations be considered in open meeting.

CARRIED

WDC2107/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

REPORTS

Representation Review 2021
Agenda Item 4.1

Tabled Items : Replacement maps for proposed Tuakau Community Board (Attachment 14A) and Raglan Community Board recommendations (Attachment 15)

- The Representation Review process has included community focus groups, online surveys and workshops for Councillors and Community Boards. Feedback from the consultation sessions has helped develop the proposal presented at the meeting.
- Public consultation will begin on Wednesday 14th July 2021 until Friday 20th August 2021. Hearings will be held on Thursday 9th September 2021.
- Concern raised regarding the workload for Maaori ward representatives being appointed to Community Boards. Idea raised that there could be a freshhold for involvement in Community Boards with large Maaori constituencies. Suggestion that at least one Maaori ward representatives attends a Community Board meeting and representatives could alternate their attendance.
- Cr McGuire noted his opposition of the proposed Waerenga-Hukanui ward. Concern raised that there were not communities of interest within the ward due to its size and that the proposed ward be split into two smaller wards.
- Cr Bech noted a lot of work has gone into the ward design with careful consideration built largely on input from community consultation and focus groups. Communities of interests can be complex and challenging. Communities can submit on their thoughts during the public consultation period.

- Key point from the previous representation review was proportionality. The proportionality of the population range that Councillors represent was noted to be high within the +/- 10% rule. The proposed Pokeno ward was used as an example. Concern noted how this affects representation in growth areas.
- It was noted that the proposed wards comply with Statistics New Zealand data. The grouping of the proposed wards around key growth node towns was to address these concerns. Little can be done to mitigate future growth fluxuations. It was difficult to get all wards within the recommended +/- 10% proportionality rule.
- The division of the Onewhero – Tuakau Community Board. Report notes that the Community Board can consult with the public during the public consultation period. It was important that the community were aware of their options and that they were conveyed clearly, such as the differences between a Community Board and Community Committee, along with considerations for targeted rates. Question raised about the possibility that Onewhero becomes a division of the current board or become a Community Board or Committee with a targeted rate if public feedback suggested support for that. It was important to listen to the feedback from the community. The current targeted rate for the area could remain if a tier 2 Onewhero Community Committee was established.
- Raglan Community Board boundaries. The Community Board will need to explain and consult areas outside of the current boundaries which they wish to include in their catchment. Reiterated again that it was important to clearly explain the differences between a Community Board and Community Committee.
- Proposed Tamahere-Newcastle ward. Concern raised that Councillors elected for the proposed ward would be too Hamilton focused, not district focused. It was noted that elected members were accountable to the whole district, not just their ward.
- Important for Councillors to support Community Boards and Committees when they want to consult on moving Board/Committee boundaries. Communities have the right to challenge proposals for boundary extensions and targeted rates.
- An extraordinary council meeting will hear the public submissions. The adoption of the final proposal will occur once the public hearings and deliberations have been held. The recommendation for this meeting was only to consider the initial proposal of public consultation.
- Important that there was consistent naming of proposed wards through the consultation document for public clarity. However it was noted that it was important to demonstrate the process for which the finalised proposal came to be.
- The scenario was raised that some submissions may not be within the scope of what was being proposed. Most issues can be dealt with. The final adoption cannot be wildly different from what was originally proposed. Issues such as funding would be out of scope.

- Noted that clear communication within the consultation document was important on what options were available for funding for Community Boards and Committees. Tier two Community Committees can access discretionary funding, funded through a targeted rate, but not committee remunerations.
- Point raised that a clear explanation should be included in the consultation of what the criteria is to have or establish a Community Board.

Resolved: (Crs Smith/Woolerton)

a) THAT the Waikato District Council resolves, in accordance with sections 19H and 19J and clauses 1 and 2 of Schedule 1A of the Local Electoral Act 2001, to adopt the following as its initial proposal for the review of representation arrangements for at least the 2022 triennial election:

- i) Waikato District Council to comprise the mayor elected at large and 13 councillors elected under the ward system, specifically 11 general ward councillors and two Maaori ward councillors ;**
- ii) Waikato District Council be divided into eight wards, these being:**

Ward and number of councillors	Communities of interest	Geographic Reference
Te Takiwaa Maaori Ward Two (2) Maaori ward councillors	District-wide	The entire district - proposed boundaries of which are shown on Attachment 1
Central General Ward Two (2) general ward councillors	Huntly, Ngaruawahia, Ohinewai, Rotongaro, Rotowaru, and Taupiri.	The central part of the District with communities either side of the Waikato River - proposed boundaries of which are shown on Attachment 2
Pokeno-Hunua General Ward One (1) general ward councillor	Pokeno, Hunua Ranges (portion) Mangatawhiri, Mangatangi and Mercer.	The northeastern part of the district bordering Auckland Council in the north and Hauraki District in the east – the proposed boundaries of which are shown on Attachment 3
Port Waikato General Ward One (1) general ward councillor	Aka Aka, Glen Murray, Matira, Naike, Otaua, Onewhero, Port Waikato, Pukekawa-Opuatia, Ruawaro, Te Akau, Te Kohanga, Waikeretu, Waikokowai and Waiuku-Karioitahi.	The northwestern part of the district bordering Auckland Council in the north - the proposed boundaries of which are shown on Attachment 4

Ward and number of councillors	Communities of interest	Geographic Reference
Tamahere-Newcastle General Ward Three (3) general ward councillors	Hautapu, Horotiu, Horsham Downs, Koromatua, Matangi, Puketaha, Rotokauri, Tamahere, Te Kowhai and Whatawhata.	The southeastern part of the district bordering Hamilton City Council in the west/south/east – the proposed boundaries of which are shown on Attachment 5
Tuakau General Ward One (1) general ward councillor	Tuakau	The northern part of the district bordering Auckland Council in the north – the proposed boundaries of which are shown on Attachment 6
Waerenga-Hukanui General Ward Two (2) general ward councillors	Eureka, Gordonton, Hampton Downs, Hautapu, Maramarua, Meremere, Miranda, Orini-Tauhei, Pukemoremore, Rangiriri, Te Hoe, Te Kauwhata, Waerenga, Waiterimu-Matahuru Whangamarino, and Whitikahu.	The eastern part of the district bordering Hauraki District Council in the east – the proposed boundaries of which are shown on Attachment 7
Whaangaroa General Ward One (1) general ward councillor	Glen Afton, Glen Massey, Makomako, Okete, Pukemiro, Raglan, Ruapuke, Te Mata, Te Uku, Waingaro, Waitetuna	The southwestern part of the district bordering Waipa District Council in the east and Otorohanga District Council in the south – the proposed boundaries of which are shown on Attachment 8

iii) Confirms the population that each ward member represents (based on population estimates as at 30 June 2020) are as follows, noting that:

- I. the population that each general ward councillor represents is within the range of 6155 +/- 10% (5,539 – 6,770) in compliance with section 19V(2) of the Local Electoral Act 2001; and**

2. the number of Maaori ward members complies with Schedule 1A of the Local Electoral Act 2001:

Ward	Population Estimate (as at 1 July 2021)	Number of Councillors	Population per Councillor	+/- 10%
Te Takiwaa Maaori Ward	15,150	2	7,575	100%
Central General Ward	12,400	2	6,200	101%
Pokeno-Hunua General Ward	6,510	1	6,510	106%
Port Waikato General Ward	6,520	1	6,760	106%
Tamahere-Newcastle General Ward	17,150	3	5,617	93%
Tuakau General Ward	6,420	1	6,180	104%
Waerenga-Hukanui General Ward	12,250	2	6,125	100%
Whaaingaroa General Ward	6,610	1	6,155	107%

iv) Retains five (5) community boards representing five (5) urban communities, these being:

Community Board and number of members	Communities	Geographic Reference
Huntly Community Board Six (6) elected members and two appointed members, being one of the Central general ward councillors and one of the Te Takiwaa Maaori Ward councillors.	Huntly	The current Huntly Community Board area with a minor addition to a mesh block in the north-east border - the proposed boundaries of which are shown on Attachment 10

Community Board and number of members	Communities	Geographic Reference
<p>Ngaruawahia Community Board</p> <p>Six elected members and two appointed members, being one of the Central General Ward councillors and one of the Te Takiwaa Maaori ward councillors.</p>	Ngaruawahia	<p>The current Ngaruawahia Community Board area with slight boundary adjustments to incorporate the mesh block that includes the new development at River Terraces and stops the boundary at the golf course – the proposed boundaries of which are shown on Attachment 12</p>
<p>Tuakau Community Board</p> <p>Six elected members and two appointed members, being the Tuakau General Ward councillor and one of the Te Takiwaa Maaori ward councillors.</p>	Tuakau	<p>The Tuakau Community Board reduced to the Tuakau General Ward boundaries – the proposed boundaries of which are shown on tabled updated Attachment 14A</p> <p>Removal of the Onewhero section of the existing community board area and consult with the community in regard to the establishment of a community committee.</p>
<p>Raglan Community Board</p> <p>Six elected members and two appointed members, being the Whaaingaroa general ward councillor and one of the Te Takiwaa Maaori Ward councillors.</p>	Raglan	<p>Retain the current Raglan Community Board area - the proposed boundaries of which are shown on Attachment 16</p>

Community Board and number of members	Communities	Geographic Reference
<p>Taupiri Community Board</p> <p>Six elected members and two appointed members, being one of the Central general Ward councillors and one of the Te Takiwaa Maaori ward councillors.</p>	<p>Taupiri</p>	<p>Retain the current Taupiri Community Board area - the proposed boundaries of which are shown on Attachment 18</p>

- v) **In accordance with section 19K(2) of the Local Electoral Act, the Council resolves that the reasons for the proposed changes to the current representation arrangements are:**
1. **To reflect the establishment of one or more Maaori wards in accordance with Council’s resolution on 20 May 2021;**
 2. **To reflect the population growth across the district since the last representation review and the associated effect on communities of interest within the district;**
 3. **To better align names of wards with the location and significance of the communities represented in those wards;**
 4. **To reflect the common interests of communities directly neighbouring Hamilton city;**
 5. **To provide effective and accessible representation to rural communities of interest within the district;**
 6. **For the minor boundary alterations to the community boards, to reflect growth in the respective communities and ensure effective representation of those communities.**
- b) **THAT the Waikato District Council adopt the Waikato District Council’s Representation Review 2021 Initial Proposal for consultation starting 14 July 2021 and closing 20 August 2021 and a public notice is published to that effect, in accordance with the Local Electoral Act 2001.**
- c) **THAT the Waikato District Council agrees to hear submissions on the Initial Proposal at an extraordinary Council meeting on 9 September 2021 and, if required, 10 September 2021.**

- d) **THAT the Waikato District Council authorises the Chief Executive, in consultation with the Political Working Group (consisting of Mayor Sanson, Cr Bech and Cr Sedgwick), to approve the Statement of Proposal consultation document and submission form.**

CARRIED

WDC2107/03

Cr McGuire requested his vote against the above resolutions be recorded.

There being no further business the meeting was declared closed at 12:20pm.

Minutes approved and confirmed this day of 2021.

AM Sanson
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	29 July 2021
Prepared by	Lynette Wainwright Democracy Advisor
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Infrastructure Committee Recommendations

1. EXECUTIVE SUMMARY

The purpose of this report is to seek the Council's approval of the recommendation from the Infrastructure Committee meeting of Wednesday, 28 July 2021, as set out below.

The Infrastructure Committee Agenda and Unconfirmed Minutes from its meeting of Wednesday, 28 July 2021 can be found on the Council website:

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

2. RECOMMENDATION FROM THE INFRASTRUCTURE COMMITTEE

Adoption of Raglan Coastal Reserves Management Plan for Papahua, Wainui and Manu Bay (INF2107/05)

THAT Council adopts the Raglan Coastal Reserves Management Plan and Concept Plans for Papahua, Wainui and Manu Bay with any amendments.

Note: No amendments were made to the Management or Concept Plans.

3. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	26 July 2021
Prepared by	Lynette Wainwright Democracy Advisor
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Policy & Regulatory Committee Recommendations

I. EXECUTIVE SUMMARY

The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory Committee meeting of Wednesday, 21 July 2021, as set out below.

The Policy & Regulatory Committee Agenda and Unconfirmed Minutes from its meeting of Wednesday, 21 July 2021 can be found on the Council website:

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

2. RECOMMENDATIONS FROM THE POLICY & REGULATORY COMMITTEE

Fraud Prevention Policy Review (P&R2107/08)

THAT the Waikato District Council adopts the Fraud Prevention Policy, with amendments.

Note: Amendments made to the policy document were as follows:

- “Organization” was amended to read “Organisation”, and
- “Audit & Risk Subcommittee” was amended to read “Audit & Risk Committee”.

Risk Management Policy (P&R2107/09)

THAT the Waikato District Council adopts the updated Risk Management Policy.

3. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Roger MacCulloch General Manager Service Delivery
Date	26 July 2021
Chief Executive Approved	Y
Reference #	CCL2021
Report Title	Contract 14/079 Resolution Amendment

I. EXECUTIVE SUMMARY

This report requires a Council resolution as the contract is over \$2,000,000.

The Infrastructure Committee resolved (INF2103/04), in March 2021 to extend the Arboriculture Service Contract as follows:

THAT the Infrastructure Committee approve an extension of contract time of three (3) months (1 April to 30 June 2021) for Contract 14/079 Arboriculture Services.

It was further resolved (INF2106/06) to increase the contract term and sum as follows:

- a) An increase to the contract term for Contract 14/079 Arboriculture Services be extended until the 31 August 2021; and***
- b) An increase to the contract sum of \$172,000 for Contract 14/079 Arboriculture Services.***

The previous approved contract sum was \$1,950,724.68 so the additional \$172,000 requested to extend the contract during negotiations takes the contract value to \$2,122,724.68 which requires a Council resolution as it is the total of the contract to be approved not just the variation.

2. RECOMMENDATION

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

AND THAT the Council approve an increase to the contract sum of \$172,000 for 14/079 Arboriculture Services (\$1,950,724.68 + \$172,000 = \$2,122,724.68).

3. ATTACHMENTS

- Copy of report to 24 March 2021 Infrastructure Meeting re Contract No. 14/079 Arboriculture Services Contract Term Extension
- Copy of report to 16 June 2021 Infrastructure Meeting re Contract No. 14/079 Arboriculture Services Contract Term Extension

Open Meeting

To	Infrastructure Committee
From	Roger MacCulloch General Manager Service Delivery
Date	24 March 2021
Prepared by	Duncan MacDougall Open Spaces Team Leader
Chief Executive Approved	Y
Reference #	INF2021; ECM ID. 3035791
Report Title	Contract No. 14/079 Arboriculture Services – Contract Term Extension

1. EXECUTIVE SUMMARY

On 1 April 2015 Council entered into a contract with Franklin Trees for the provision of arboriculture services. The contract had an original term of three (3) years with a right of renewal for a further three (3) years. As the suppliers were meeting expected service levels and attaining agreed performance targets, the contract was extended through Council resolution.

This report is to advise the Infrastructure Committee that Contract No. 14/079 Arboriculture Services will reach the end of its contract period on the 31 March 2021 and to seek approval to extend the contract term for a further three (3) months. This will allow for the completion and negotiation of a new arboriculture services contract. No increase in contract sum or additional budget will be required.

2. RECOMMENDATION

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

AND THAT the Infrastructure Committee approve an extension of contract time of three (3) months (1 April to 30 June 2021) for Contract 14/079 Arboriculture Services.

3. BACKGROUND AND DISCUSSION

The attached report (Reference Inf2018 (23/03/2018)) provides the background to the contract and previous extensions.

In order to ensure the new contract arrangement is correctly specified and scoped for the Waikato District Council's needs, high importance has been placed on doing sufficient procurement and contract planning. To do this staff have undertaken a programme to:

- Review methods of service delivery
- Review tree stocks and collect additional asset data where required
- Determine the contractual effects of legislative changes and recent coronial reports.

This work identified a number of gaps in the existing contract format that has taken additional time to resolve which has pushed out the tender release date.

The Franklin Trees contract 14/079 will therefore have to be extended for three months to ensure we have continuation of services.

4. ANALYSIS OF OPTIONS

4.1 OPTIONS

Option 1: Increase the contract term for a further 3 months, until 30 June 2021, to allow for current level of service to continue to be met.

This option **is** recommended.

Option 2: Do not increase the contract term. No further work will be able to be completed under the contract and all works required would need to be completed through a minor works contract on an as required basis. This would-be administration intensive and disruptive to business operations.

This option **is not** recommended.

5. CONSIDERATION

5.1 FINANCIAL

An average of \$ 28,000 per month has been spent through the contract over the last 10 months. There is approximately \$100,000 remaining in the existing approved contract sum which will be sufficient for an additional 3 months.

No additional funding is required from operational budgets. The contract spend utilises existing budgets.

The revised contract expiry of 30 June 2021 will allow the Arboriculture Services contract to be completed and future works to be built into a new contract.

5.2 LEGAL

There have been no concerns with performance or pricing and no increase in levels of service.

The works will be put out to tender in the first half of the 2021 calendar year.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

N/A.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

This is an internal operational matter and will not trigger Council's Significance and Engagement Policy.

6. CONCLUSION

To allow the uninterrupted continuation of arboriculture service maintenance across Council parks, reserves and urban streets it is recommended the extension in contract term be approved by Council.

7. ATTACHMENTS

- Report to February Infrastructure Committee (Reference Inf2018 (23/03/2018)) Contract No. 14/079 Arboricultural Services – Extension and Increase in Approved Contract Sum

Open Meeting

To	Infrastructure Committee
From	Roger MacCulloch General Manager Service Delivery
Date	31 May 2021
Prepared by	Duncan MacDougall Open Spaces Team Leader
Chief Executive Approved	Y
Reference #	INF2021; GOV1318; ECM # 3133329
Report Title	Contract No. 14/079 Arboriculture Services – Contract Term Extension and Contract Sum Increase

I. EXECUTIVE SUMMARY

The infrastructure committee resolved, in March 2021 to extend the Arboriculture Service Contract for 3 months (until 30 June 2021) whilst the new contract was being developed. However, after the extension was granted, the new tenders release to the market was delayed due to procurement team being short staffed. This delay pushed out the timeline so that any new contract cannot be ratified by Council until early August.

This report is to advise the Infrastructure Committee that Contract No. 14/079 Arboriculture Services will reach the end of its contract period on the 30 June 2021 and staff seek approval to extend the contract term for a further two (2) month until 31 August 2021. Staff are also seeking to increase the contract sum by \$172,000 This will allow for the completion and negotiation of a new arboriculture services contract. Funding is available and no additional budgets are required.

2. RECOMMENDATION

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

AND THAT an increase to the contract term for **14/079 Arboriculture Services** be extended until the **31 August 2021** be approved;

AND FURTHER THAT an increase to the contract sum of **\$172,000** for **14/079 Arboriculture Services** be approved.

3. BACKGROUND AND DISCUSSION

The new Arboriculture Services contract is currently out for tender, closing on the 3 June 2021. It is expected that the evaluation and moderation will be complete 4 - 6 weeks after the tender closes. A report will be brought to Council for consideration at the August 2021 meeting.

The current Arboriculture Services Contract (14/079) was extended in March for an additional 3 months through a Council resolution. At that time, it was anticipated that the new contract would be complete and ratified by Council in June. However, due to the delay in the release of the contract the tender timeline has been extended out until early August.

This contract term extension requires an increase of the contract sum to enable further works to continue. This will ensure a robust procurement and contract negotiation period can occur without disruption of service to our customers.

To enable this to happen, a contract sum increase of \$172,000 is requested to undertake routine and priority works over June and July 2021.

4. ANALYSIS OF OPTIONS

4.1 OPTIONS

Option 1: Increase the contract term for a further two (2) months, until 31 August 2021, and increase the contract sum by \$172,000 to allow for the continuation of the service and to resolve any unforeseen issues that may occur (i.e. storm damage unexpected tree failure).

This option is recommended.

Option 2: Do not increase the contract term. No further work will be able to be completed under the contract and all works required would need to be completed through a minor works contract on an as required basis. This would-be administration intensive and disruptive to business operations.

This option **is not** recommended.

5. CONSIDERATION

5.1 FINANCIAL

No additional funding is required from operational budgets. The contract spend utilises existing budgets.

The revised contract expiry of 30 June 2021 will allow the Arboriculture Services contract to be completed and future works to be built into a new contract.

5.2 LEGAL

With the extension, the contract expires on 31 August 2021. There have been no concerns with performance or pricing and no increase in levels of service.

The works are currently out to tender with the tender closing 3rd June with evaluations and moderation expected to be complete 4-6 weeks after the tender close date.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

N/A.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

This is an internal operational matter and will not trigger Council's Significance and Engagement Policy.

6. CONCLUSION

To allow the uninterrupted continuation of arboriculture service maintenance across Council parks, reserves, and urban streets it is recommended the increase in contract term and contract sum increase be approved by Council.

7. ATTACHMENTS

- Report to March Infrastructure Committee (Reference Inf2021 (24/03/2021)) Contract No. 14/079 Arboriculture Services – Contract Term Extension

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	2 August 2021
Prepared by	Matt Horsfield Democracy Advisor
Chief Executive Approved	Y
Reference #	GOV1318
Report Title	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 the meeting held on 28 June 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 2.1 Recommended appointment of two new District Licensing Committee Members to the list membership		

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 28 June 2021		Refer to the previous Public Excluded reason in the agenda for this meeting.
Item 2.1 Recommended appointment of two new District Licensing Committee Members to the list membership	7(2)(a)	Protect the privacy of natural persons, including that of deceased natural persons.