

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **WEDNESDAY, 9 NOVEMBER 2022** commencing at **9.32am**.

Present:

Her Worship the Mayor, Mrs JA Church (Chairperson)
Cr C Beavis
Cr CA Eyre
Cr JM Gibb
Cr M Keir
Cr P Matatahi-Poutapu
Cr K Ngataki
Cr EM Patterson
Cr M Raumati
Cr V Reeve
Cr LR Thomson
Cr P Thomson
Cr T Turner
Cr D Whyte

Attending:

Mr GJ Ion (Chief Executive)
Mr TG Whittaker (Chief Operating Officer)
Mrs S O’Gorman (General Manager Customer Support)
Mr R MacCulloch (General Manager Service Delivery)
Mr C Morgan (General Manager Community Growth)
Ms M May (Deputy General Manager Service Delivery)
Mr K Abbott (Executive Manager Projects & Innovation)
Mrs C Pidduck (Legal Counsel)
Mr W Gauntlett (Growth & Analytics Manager).
Mr V Ramduny (Strategic Projects Manager)
Ms J Bishop (Contracts & Partnering Manager)
Mr J Brown (Senior Communications Advisor)
Mrs GJ Kanawa (Democracy Manager)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs L Thomson/P Thomson)

THAT the apology for lateness from Cr Beavis be accepted.

CARRIED

WDC2211/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs Gibb/Ngataki)

THAT the agenda for a meeting of the Waikato District Council held on Wednesday, 9 November 2022 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 6, which shall be considered with the public excluded; and
- b. all reports be received.

CARRIED

WDC2211/02

DISCLOSURES OF INTEREST

Agenda Item 4

There were no declarations of interest.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*WDC2211/01 refers*] and no further discussion was held.

Resolved: (Crs Patterson/Whyte)

THAT the minutes for the Waikato District Council inaugural meeting held on Thursday, 20 October 2022 be confirmed as a true and correct record.

CARRIED

WDC2211/03

REPORTS

Governance Structure & Appointments to External Organisations

Agenda Item 5.1

The report was received [*WDC2211/01 refers*] and the following discussion was held:

- Cr Beavis and Cr Keir to both be appointed to the the Community Committees in the Tamahere-Woodlands general ward.
- Remove Freshwater Lakes Working Group as the group has been dissolved.
- Waikato District Crime Prevention Trust is in recess, managed through internal working group.
- Terms of reference on page 33 of the agenda – community aspirations be added to blueprints for those communities without blueprints.

Cr Beavis entered the meeting at 9.36am during discussion on the above item.

Resolved: (Her Worship the Mayor, JA Church/Cr Eyre)

THAT the Waikato District Council:

- a. in accordance with section 41A Local Government Act 2002, the Council notes that the Mayor has established the committee structure and appointed the chairpersons to those committees as set out in the Governance Structure attached to this report (Attachment I);
- b. the Council approves the Governance Structure attached to this report (Attachment I), including:
 - i. the appointment of members to:
 1. specified committees, subcommittees and other decision-making bodies in accordance with clause 31, Schedule 7 Local Government Act 2002; and
 2. positions on community committees and external organisations, including joint committees with other local authorities; and
 3. notes that the appointments to Community Boards is partially completed with the representation review and further resolved as part of the inaugural meeting for those boards that sat within a general ward that consisted of more than one councillor as follows:

“THAT the Waikato District Council, pursuant to section 50 (b) of the Local Government Act 2002 and section 19(f) of the Local Electoral Act 2001 makes the following appointments to Community Boards for the 2022-2025 triennium:

 - a. *Tuakau Community Board:*
 - i. *Councillor Paaniora Matatahi-Poutapu from the Tai Raro Takiwaa Maaori Ward; and*
 - ii. *Councillor Vern Reeve from the Tuakau-Pokeno General Ward.*
 - b. *Rural-Port Waikato Community Board:*
 - i. *Councillor Paaniora Matatahi-Poutapu from the Tai Raro Takiwaa Maaori Ward; and*
 - ii. *Councillor Carolyn Eyre from the Western Districts General Ward.*
 - c. *Huntly Community Board:*
 - i. *Councillor Paaniora Matatahi-Poutapu from the Tai Raro Takiwaa Maaori Ward; and*
 - ii. *Councillor David Whyte from the Huntly General Ward.*
 - d. *Taupiri Community Board:*
 - i. *Councillor Tilly Turner from the Tai Runga Takiwaa Maaori Ward; and*
 - ii. *Councillor Janet Gibb from the Newcastle-Ngaruawahia General Ward.*
 - e. *Ngaruawahia Community Board:*
 - i. *Councillor Tilly Turner from the Tai Runga Takiwaa Maaori Ward; and*

- ii. **Councillor Eugene Patterson from the Newcastle-Ngaruawahia General Ward.**
- f. **Raglan Community Board:**
 - i. **Councillor Tilly Turner from the Tai Runga Takiwaa Maaori Ward; and**
 - ii. **Councillor Lisa Thomson from the Whaingaroa General Ward.**
- ii. **the terms of reference and delegations to the specified committees, subcommittees and other decision-making bodies in accordance with clause 32, Schedule 7 Local Government Act 2002; and**
- c. **approves the updating of Council policies that is necessary to reflect the approved Governance Structure, such updates to be undertaken by staff in consultation with the Chairperson of the Policy & Regulatory Committee.**
- d. **delegates the Chief Executive or their nominee to make the necessary alterations to the Governance Structure as discussed at this meeting, along with any administrative changes required as part of the legal review to the proposed terms of reference.**

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

For: Cr Beavis, Cr Eyre, Cr Gibb, Cr Keir, Cr Matatahi-Poutapu, Cr Ngataki, Cr Patterson, Cr Raumati, Cr L Thomson, Cr P Thomson, Cr Turner, Cr Whyte, Her Worship the Mayor, Mrs JA Church.

Against: Nil

The motion was declared **CARRIED** unanimously

WDC2211/04

ACTION: Staff to update changes noted at the meeting to the Governance Structure and forward to Legal Counsel for review.

Remuneration for Elected Members 2022-23

Agenda Item 5.2

The report was received [*WDC2211/01 refers*] and the following discussion was held:

- Advice provided on how the percentages had been determined based on workload of Chairs of Committees and Maaori Ward Councillors.

Resolved: (Crs Eyre/Reeve)

THAT the Waikato District Council:

- a. approves the remuneration for Councillors, including positions of additional responsibility, as follows:**

Position	Number of Members	Remuneration per Member
Deputy Mayor	1	\$93,736
Chairperson – Infrastructure Committee, Performance & Strategy Committee, Sustainability & Wellbeing Committee	3	\$80,345
Maaori Ward Councillors	2	\$61,598
Councillor Base Remuneration	7	\$53,564

- b. delegates to the Chief Executive, or his nominee, to complete the documentation to be submitted to the Remuneration Authority to give effect to this resolution; and**
- c. notes that the recommended remuneration for Councillors will take effect once approved by the Remuneration Authority and gazetted, which is expected to be towards the end of December 2022.**

CARRIED

WDC2211/05

ACTION: Chief Executive or his nominee to forward the above resolutions to the Remuneration Authority for approval.

Chief Executive Decisions Under Delegation During Election Period
Agenda Item 5.3

The report was received [*WDC2211/01 refers*] and the following discussion was held:

- Councillors queried the process for training requests.
- More information requested on the decision to disestablish Wellbeing Trust and agreement with Momentum.

ACTION: Staff to provide an overview to Councillors on the background on agreement with Momentum.

Resolved: (Crs Patterson/Beavis)

That the **Waikato District Council** notes the decisions made by the Chief Executive during the election period:

- a. approving a professional development opportunity for Councillor Eyre and Councillor Beavis who need to attend a Making Good Decisions (provides the training to become a Hearings Commissioner) to be paid by Council.
- b. approval of transfer from council to Momentum Waikato Trust (Deed of Gift) – approximately \$4.5million as agreed by the previous Council.
- c. approval of a technical and operational submission on Variation 3 (would normally go to Performance & Strategy).
- d. approval of the estimated expenditure for the Tuakau Community Board byelection of \$22,000 (plus GST). It is noted that nominations for the byelection will open on 24 November 2022, with the final date for special votes and votes into ballot boxes at 12noon on Friday, 17 February 2023.
- e. Sale of a council mobile phone to a retiring elected member for \$850 inclusive of GST.
- f. approval of increased remuneration for Audit & Risk Chairperson from \$20,000 to \$25,000 per annum.

CARRIED

WDC2211/06

EXCLUSION OF THE PUBLIC

Agenda Item 6

Resolved: (Crs Gibb/Patterson)

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 3.1 Approval for moving budgets forward to enable preliminary design and investigations for cap	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 3.2 Pokeno Sports Park Phase 2 – Earthworks and Car Park – Delegation to Award Contract		

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

Item No.	Section	Interest
Item PEX 3.1 Approval for moving budgets forward to enable preliminary design and investigations for cap	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 3.2 Pokeno Sports Park Phase 2 – Earthworks and Car Park – Delegation to Award Contract	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

WDC2211/07

Resolutions WDC2211/08 & WDC2211/10 are contained in the public excluded section of these minutes.

Having concluded the public excluded meeting the following resolutions were released into the open section of the minutes.

Approval for moving budgets forward to enable preliminary design and investigations for cap
PEX Agenda Item 2.1

It was resolved [Resolution No. WDC2211/08] 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/Gibb)

That the Waikato District Council:

- a. approves the budget movements as outlined in the financial considerations section of the report; and
- b. notes that the approved budget table will also be attached to the minutes for this meeting (Attachment 2.1A); and
- c. that these resolutions be released in the open section of the minutes (excluding budget details), but the report remain confidential and unavailable to the public.

CARRIED”

Pokeno Sports Park Phase 2 – Earthworks and Car Park – Delegation to Award Contract
PEX Agenda Item 2.2

It was resolved [Resolution No. WDC2211/09] 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 Gibb/Raumati)

THAT the Waikato District Council:

- a. delegates authority to the Chief Executive Officer, in consultation with Her Worship the Mayor and Chairperson of the Infrastructure Committee, to award the contract for Pokeno Sports Park Phase 2 (“Contract C00000191”) in accordance with Council’s Procurement Policy and guidelines;
- b. delegates authority to the Chief Executive to negotiate and execute the Contract C00000191; and
- c. resolves to release the resolutions into open meeting, but the report remain confidential and unavailable to the public.

CARRIED”

There being no further business the meeting was declared closed at 12.36pm

Minutes approved and confirmed this day 2022.

JA Church
CHAIRPERSON