

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **WEDNESDAY, 21 DECEMBER 2022** commencing at **9.03am**.

**Present:**

Her Worship the Mayor, Mrs JA Church (Chairperson) *[Until 11.50am, Item 7.3]*

Cr C Beavis

Cr CA Eyre (Deputy Mayor)

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 *[From 9.15am Pt Item PEX 4.1] [Until 1.25pm Pt Item PEX5]*

**Attending:**

Mr GJ Ion (Chief Executive)

Mr TG Whittaker (Chief Operating Officer)

Mrs S O’Gorman (General Manager Customer Support)

Mr C Morgan (General Manager Community Growth)

Mr K Abbott (Executive Manager Projects & Innovation)

Mrs E Edgar (Executive Manager Communications, Marketing & Engagement)

Mrs C Pidduck (Legal Counsel)

Mr S Toka (Iwi & Community Partnerships Manager)

Ms L Shirley (Zero Harm Manager)

Mr C Bailey (Finance Manager)

Mr V Ramduny (Strategic Projects Manager)

Ms J Bishop (Contracts & Partnering Manager)

Mr A Averill (Community Connections & Strategic Property Manager)

Mr J Brown (Senior Communications Advisor)

Ms K Rhind (Senior Engagement Advisor)

Mrs GJ Kanawa (Democracy Manager)

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies.

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

Agenda Item 2

**Resolved: (Her Worship the Mayor, Mrs JA Church/Cr Beavis)**

**THAT** the agenda for a meeting of the Waikato District Council held on Wednesday, 21 December 2022 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 7, which shall be considered with the public excluded;
- b. in accordance with Standing Order 9.4 the order of business be changed with:
  - i. agenda item 7.1 and PEX1 [*Exclusion of the Public – Local Government Act 2002 – Clause 35 Review*] being considered after agenda item 2; and
  - ii. agenda item 7.2 and PEX3.1 [*Exclusion of the Public - Waters Governance Board Recommendations – 22 November 2022*] being considered after agenda item 5; and
- c. all reports be received.

**CARRIED**

**WDC2212/01**

## **EXCLUSION OF THE PUBLIC**

Local Government Act 2002 – Clause 35 Review  
Agenda Item 7.1

The report was received [*WDC2212/01 refers*] and no further discussion was held.

**Resolved: (Crs P Thomson/L Thomson)**

- a. **THAT** the public and staff 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 4.1 Local Government Act 2002 – Clause 35 Review</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>

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 4.1 Local Government Act 2002 – Clause 35 Review	7(2)(a)	To protect a person’s privacy
	7(2)(c)(i)	To protect information that is subject to an obligation of confidence and to ensure the information avenue remains open, when it is in the public interest for it to do so.
	7(2)(c)(ii)	To protect information that is subject to an obligation of confidence and to protect the public interest
	7(2)(g)	To protect legally privileged information.
	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.

b. THAT the Democracy Manager be permitted to remain in the room to take the minutes of this section of the meeting.

**CARRIED**

**WDC2212/02**

**DISCLOSURES OF INTEREST**

Agenda Item 3

There were no declarations of interest.

## **CONFIRMATION OF MINUTES**

Agenda Item 4

The report was received [*WDC2212/01 refers*] and no further discussion was held.

**Resolved: (Crs Beavis/Ngataki)**

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

- a. ordinary meeting held on 9 November 2022; and
- b. extraordinary meeting held on 18 November 2022.

**CARRIED**

**WDC2212/05**

## **COMMITTEE REPORTS**

Waters Governance Board Recommendations 22 November 2022

Agenda Item 5.1

Small Waters Scheme Proposal (WGB2211/08)

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- Landed with a good solution for the community, however public interest in how work progresses and ensuring we remain within budget.
- Te ture whaimana principles to be adhered to with this proposal.

Service Delivery & Resourcing for the Three Waters Contract (WGB2211/09)

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- Support the additional resource and would like staff to work in with Waikato-Tainui workplan strategies during recruitment.
- Keep community boards involved and informed with works in their areas on a more regular basis.
- Staff indicated that recruitment was currently underway and hoping to fill positions by mid February 2023.

The items were put as one resolution, reflected in same resolution number.

Small Waters Scheme Proposal (WGB2211/08)

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

**THAT the Waikato District Council:**

- a. notes the **Waters Governance Board** recommendation for budget to be made available to construct a new water treatment plant at Te Akau; and
- b. approves a budget of \$706,000 for the new water treatment plan at Te Akau, through repurposing the small water schemes decommissioning operational budget within the Long-Term Plan.

**CARRIED**

**WDC2212/06**

Service Delivery & Resourcing for the Three Waters Contract (WGB2211/09)

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

**THAT the Waikato District Council notes the report and resolutions from the Waters Governance Board meeting held on 22 November 2022 (WGB2211/09) in regard to Service Delivery & Resourcing for the Three Waters Contract.**

**CARRIED**

**WDC2212/06**

**EXCLUSION OF THE PUBLIC**

Waters Governance Board – Recommendations to Council - 22 November 2022  
Agenda Item 7.2

The report was received [WDC2212/01 refers] and no further discussion was held.

**Resolved: (Crs Eyre/L Thomson)**

**THAT the Waikato District Council:**

- 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
<b>Item PEX 3.1 Waters Governance Board Recommendations – 22 November 2022</b> a. <b>Ngaruawahia Wastewater Network Renewal</b> b. <b>Raglan Wastewater Treatment Plant Upgrade</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>

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 PEX 3.1 Waters Governance Board Recommendations – 22 November 2022</b> <b>Item PEX 3.1a Ngaruawahia Wastewater Network Renewal</b>	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	7(2)(j)	To prevent use of the information for improper gain or advantage.
<b>Item PEX 3.1b Raglan Wastewater Treatment Plant Upgrade</b>	7(2)(b)(ii)	To protect information that would otherwise unreasonably prejudice a person's commercial position.
	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
	48(1)(d)	To enable deliberations in private on a decision or recommendation in any applicable proceeding

- b. **THAT Matthew Telfer from Watercare be permitted to remain for the public excluded section pertaining to this item as he can provide background information on the items under discussion.**

**CARRIED**

**WDC2212/07**

## **REPORTS**

### Zero Harm Update

#### Agenda Item 6.1

The report was received [*WDC22/12/01 refers*] and the following discussion was held:

- Significant amount of work to date, particularly with workplace violence strategy and reducing risks for animal control staff.
- *Any feedback on the customer campaign in effect?* Within next six months we will have some data back regarding this campaign. We are also extending it to our partners – Waikato District Alliance, Citycare, Downer etc.
- *Any change in policy in regard to notifiable events?* The only notifiable event we have had is the electric shock at Raglan Holiday Park, which was investigated and all actions completed. Following this event we undertook an independent gap analysis and are working with camp to close out recommendations.
- *ZH SIP – 17 to be delivered – how are we tracking – don't have detail but will get back to you.*
- *Zero Harm Engagement Conversations – explanation as to why the figures the way they are?* There is an organisational KPI where people leaders are requested to complete at least two Zero Harm conversations per month – a number of people have moved and team structures have changed, as well as some staff being more active in reporting than others.
- *Safety leadership and culture – could not determine if we were getting better or worse – success would be the number of conversations going up and educating people leaders regarding what a good safety conversation looks like.*
- *Notice an increase in events recorded – increase is a good thing?* High levels of reporting are indicative of a good safety culture.
- *What risk lens do we utilise with our social media campaigns?* As per the recent email sent to Councillors regarding the social media post which was targeted at promoting sober driving if people were participating in National Crate Day – safety was the lens that was intended not to promote a post that would encourage the binge drinking culture.

### Adoption of Annual Report 2021/22

#### Agenda Item 6.2

The report was received [*WDC22/12/01 refers*] and the following discussion was held:

- The Finance Manager advised that Council had received confirmation of final audit approval.
- The draft was adopted by previous Council who provided a letter of recommendation.
- The auditors had advised that a focus on the report was the lack of clarity around our approach to Three Waters Reform and greenhouse gas emissions. It was however noted that it would be in every audit opinion for Councils.
- Good result for financial stewardship during a difficult year – focus would be on staff shortages going forward.

- New framework in place with EPMO, lots of change and initiatives, investment needs to be put into culture of organisation to ensure retention of staff. Reality is we will lose staff that we do not want to as staff move onto fantastic opportunities, which is a celebration but all Councils are struggling to retain staff and it is impossible to provide succession for everybody.
- Good applications being received but we do hold vacancies from time to time but People and Capability team has significant work programme in place to recruit.
- Retention rate for long term staff in the first year is 80%, which is a high standard and it is healthy to have some turnover.
- Equally challenging issue is the recession and how does that impact on the organisation. People within the organisation promote via word of mouth.

**ACTION:** Workshop to be held with Council in 2023 to consider impacts of recession and what the impact will be on rates.

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

**THAT the Waikato District Council:**

- a. notes the **Audit & Risk Committee have recommended adoption of the Annual Report 2020/21 from a risk perspective; and**
- b. **adopts the Annual Report 2020/21 and Annual Report Summary 2020/21 as attached to the supplementary agenda;**
- c. **delegates the Chief Financial Officer to make any minor wording amendments identified before making the documents available on Council's website.**

**CARRIED**

**WDC2212/10**

Terms of Reference for Mana Whenua Forums  
Agenda Item 6.3

The report was received [WDC2212/01 refers] and the following discussion was held:

- The request to defer the discussion regarding the terms of reference was recognition that this is an important piece of work which requires consultation and full consideration. This work cannot be rushed.
- Staff advised that discussions had been held with our joint management partners – Waikato-Tainui regarding approach and wording.
- Council expressed gratitude for the efforts by the Iwi & Community Partnerships Manager for this piece of work which still held the principles of Te Tiriti o Waitangi in place.
- Need to remember the discussions in February 2023 need to have the right people at the table, i.e. our joint management agreement partners as well as mana whenua.
- Cr Matatahi-Poutapu and Her Worship the Mayor acknowledged Mr Toka's contribution to the organisation and his resignation had left a large gap in the organisation.



- Concern was raised regarding gap and nobody left to lead this piece of work. It is imperative that the two Maaori ward Councillors be involved and the work going forward.

**ACTION:** Staff to schedule a briefing early in 2023 with Council and partners to consider the Terms of Reference for Mana Whenua Forums.

**Resolved: (Her Worship the Mayor/Cr Eyre)**

**That the Waikato District Council refers the Terms of Reference for Mana Whenua Forums to a Council briefing early in 2023.**

**CARRIED**

**WDC2212/11**

The meeting was adjourned at 10.50am and reconvened at 11.17am.

*Governance Structure – Additional Delegations*

Agenda Item 6.4

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- Chief Executive provided an overview of the appointments being sought, noting that these were based on the proposed structure being developed by Waikato Regional Council.
- The Chief Executive also spoke about the appointment of Peter Stubbs as the independent chair of the Development Agreement Committee.

**Resolved: (Crs Eyre/L Thomson)**

**That the Waikato District Council confirms the following additions to the Governance Structure for 2022-2025:**

- a. the appointment of Cr Eugene Patterson as the Council member on the Regional Transport Committee.**
- b. the appointment of Cr David Whyte as the alternate Council member on the Regional Transport Committee.**
- c. the appointment of Cr Eugene Patterson as the Council member on the Metropolitan Public Transport Sub-Committee (or amended name).**
- d. the appointment of Cr David Whyte as the alternative Council member on the Metropolitan Public Transport Sub-Committee (or amended name).**
- e. the additional of Cr Eugene Patterson as the alternative Council member on the Future Proof Implementation Committee.**
- f. appointment of Peter Stubbs as the Independent Chair of the Development Agreements Committee, subject to the Chief Executive confirming remuneration details with Councillors.**

**CARRIED**

**WDC2212/12**

Delegations Register - Staff  
Agenda Item 6.5

The report was received [WDC2212/01 refers] and no further discussion was held.

**Resolved: (Crs Beavis/L Thomson)**

**That the Waikato District Council; as per Schedule 7, clauses 32, 32A and 32B of the Local Government Act 2022:**

- a. delegates the Chief Executive (or his nominee) the power to update and maintain the Delegations Register for the 2022-2025 triennium; and
- b. confirms that all existing delegations authorised by the Chief Executive are continuing in effect and always remain valid regardless of whether those existing delegations are listed in the Delegations Register (in its current form) or not; and
- c. delegates to the Chief Executive the power to authorise all delegations including statutory, operational, and financial delegations; and
- d. delegates to the Chief Executive and Her Worship the Mayor, Mrs JA Church, the power to issue staff warrants.

**CARRIED**

**WDC2212/13**

Delegations to the Chief Executive for the Holiday Period  
Agenda Item 6.6

The report was received [WDC2212/0? refers] and no further discussion was held.

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

**THAT the Waikato District Council:**

- a. except as otherwise recorded in this resolution, the Council extends the Chief Executive's current delegations (detailed in the Council's Delegations Register) to include all of Council's responsibilities, duties, and powers currently retained by the Council or delegated to the Council's standing Committees (except the District Licensing Committee), subject to the following conditions:
  - i. the extended delegations will have effect only for the period from Thursday, 22 December 2022 until Sunday, 15 January 2023;
  - ii. the extended delegations do not include a delegation of any Council responsibilities, duties or powers which are prohibited by law from delegation - including, without limitation, those set out in Clause 32 of Schedule 7 to the Local Government Act;
  - iii. the Chief Executive may only exercise the extended delegations for those matters that cannot reasonably wait until the next Council or relevant Committee meeting;

- iv. where reasonably practicable, the Chief Executive must, before exercising an extended delegation responsibility, duty or power, first consult with:
    1. the Mayor (or the Deputy Mayor if the Mayor is not available); and
    2. the Chairperson (or Deputy Chairperson, if the Chairperson is not available) of the relevant Committee, which would otherwise have the delegated authority to determine the issue for which the Chief Executive is intending to exercise the extended delegations.
  - v. any decisions made and documents executed in exercising the extended delegations must be reported to the next meeting of Council or relevant Committee;
  - vi. the extended delegations may be revoked at any time by the Council or the Emergency Committee. In the event there is any inconsistency between this delegation and any other delegations made by the Council, this delegation takes precedence.
- b. notes and agrees that, in the event that the Chief Executive is not available, the Chief Operating Officer can exercise any of the extended delegations noted above, subject to the same conditions;
- c. temporarily amend the Emergency Committee's Terms of Reference and Delegations to remove the pre-requisite that a Council meeting is precluded due to a lack of quorum before an Emergency Meeting can proceed, provided that:
- i. such amended Terms of Reference and Delegations shall apply only for the period from Monday, 16 January 2023 until the next scheduled ordinary meeting of Council in mid-February; and
  - ii. all Councillors be invited to any Emergency Committee (via audio visual conference) meeting convened during that period; and
  - iii. noting the Emergency Committee would need a quorum of two (2) members in person.

**CARRIED**

**WDC2212/14**

Meeting Dates 2023  
Agenda Item 6.7

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- The approach to setting the meeting schedule for 2023 was explained to Council. The plan is to spread the workload across the six week cycle period, noting that there were still a number of briefings, workshop and induction events to be rescheduled.

**ACTION:** Staff to schedule diary appointments to protect time in Councillor diaries for 2023.

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

**THAT the Waikato District Council:**

- a. **adopts the 2023 Meeting Schedule for Council and Committees, as circulated under separate cover; and**
- b. **notes that a further report will be provided to the February Council meeting advising of dates for the Joint Management Committee meetings once finalised with our Iwi partners.**

**CARRIED**

**WDC2212/15**

Update to Appeals on Proposed District Plan  
Agenda Item 6.8

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- Staff provided an overview of the progress report, particularly that Council had settled a couple of appeals and continued to negotiate on appeal points.
- It was noted that a report was due to the Court in March 2023 and meetings of the PDP Sub-committee had been scheduled in February to finalise direction on the balance of appeals.

Whatawhata Community Facility Funding Update  
Agenda Item 6.9

The report was received [*WDC2212/01 refers*] and the following discussion was held:

- Archeological works required and balance increase in cost is due to resource consent requirement from Waka Kotahi is to form a carpark and alternative access to the property.
- Concerns were raised with regard to the increased costs. It was noted that this project would be loan funded and a targeted rate put in place.
- Playground was being supported by the School/Ministry of Education.

**Resolved: (Crs Gibb/Matatahi-Poutapu)**

**That the Waikato District Council:**

- a. **approves the project budget increase for Whatawhata Community Facility from \$1,337,404 to \$1,497,404; and**
- b. **approves that the unfunded portion of this budget will be loan funded and repaid by Whatawhata Community targeted rates at the completion of this project.**

**CARRIED**

**WDC2212/16**

Proposed Road Name for Subdivision 0233/17 at 55 Redwood Grove, Tamahere  
Agenda Item 6.10

The report was received [WDC22/12/01 refers] and no further discussion was held.

**Resolved: (Crs Beavis/Raumati)**

**That the Waikato District Council**

- a. **approves the following proposed road name submitted by the developer for SUB0233/17, 55 Redwood Grove, Tamahere.**
  - **Road 1 - Fairweather Lane**

**CARRIED**

**WDC22/12/17**

**ACTION:** Community Boards and Committees need to undertake a regular review of their approved road names lists.

Proposed Road Names for Subdivision 0010/22 at 38 Washer Road, Horotiu  
Agenda Item 6.11

The report was received [WDC22/12/01 refers] and no further discussion was held.

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

**That the Waikato District Council:**

- a. **approves the following proposed road names submitted by the developer for SUB 0010/22, 38 Washer Road, Horotiu:**
  - i. **Road 1 (Lot 100) – Ngarua Lane**
  - ii. **Road 2 (Lot 101) – Tupuke Lane**

**CARRIED**

**WDC22/12/18**

Road Name amendment for Subdivision 0002/21 at 99 Ngaruawahia Road, Ngaruawahia  
Agenda Item 6.12

The report was received [WDC2212/01 refers] and no further discussion was held.

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

**That the Waikato District Council:**

- a. approves the amendment of NCB2205/05 and INF2206/06 to replace the previous approved names as part of the subdivision 0002/21 at 99 Ngaruawahia Road, Ngaruawahia as below:

	<b>ROAD 1</b>	<b>ROAD 2</b>	<b>ROAD 3</b>
<b>Previously approved names</b>	<b>Kiokio Road</b>	<b>Wheki Place</b>	<b>Purei Lane</b>
<b>New recommended names</b>	<b>PAHĪWAI Road</b>	<b>KAUHURI Road</b>	<b>KŌPURA Place</b>

**CARRIED**

**WDC2212/19**

Her Worship the Mayor left the meeting at 11.55am and the Deputy Mayor assumed the Chair.

**EXCLUSION OF THE PUBLIC**

Agenda Item 7.3

**Resolved: (Crs L Thomson/Beavis)**

- 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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Item PEX 4.2 Proposed changes to the constitution of Co Lab</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 PEX 4.3 Mercer – Acquisition of property for community facility</b>		
<b>Item PEX 4.4 Contract 21/061: Raglan Wharf – Request for 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
Item PEX 4.2 Proposed changes to the constitution of Co Lab	7(2)(h)	To enable commercial activities to be carried out without prejudice or disadvantage.
Item PEX 4.3 Mercer – Acquisition of property for community facility	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 4.4 Contract 21/061: Raglan Wharf – Request for Increase to Approved Contract Sum	7(2)(h) 7(2)(i)	To enable commercial activities to be carried out without prejudice or disadvantage. To enable negotiations to carry on without prejudice or disadvantage.

**CARRIED**

**WDC2212/20**

*Resolutions WDC2212/03-2212/04, WDC2212/08-2212/09 & WDC2212/22-2212/25 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.

Water Governance Board Recommendations – 22 November 2022

Agenda Item PEX3.1

Ngaruawahia Wastewater Pipeline to the Wastewater Plant (WGB2211/14)

*It was resolved [Resolution No. WDC2212/08] 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 L Thomson/Reeve)

THAT the Waikato District Council:

- a. notes that the Waters Governance Board:
  - i. supports the completion of the Ngaruawahia Pipeline;
  - ii. supports the request to utilise \$2.969 million available within the 2021-31 Long Term Plan; and
  - iii. supports the request to Council for an additional funding solution of \$3.111 million, by the way of loan funding, to enable the completion the final section of the Ngāruawāhia wastewater pipeline;
- b. acknowledges the Ngaruawahia Pipeline upgrade will cost a total of \$6.08 million to deliver the final stage;
- c. recognises that cost solutions contained within the 2021-31 Long Term Plan are not sufficient to enable completion and deliver the final section;
- d. approves the utilisation of the remaining \$2.969 million to complete the final section of the Ngāruawāhia wastewater pipeline that is included within the funding solutions available within 2021-31 Long Term Plan;
- e. approves an additional \$3.111 million of unbudgeted expenditure not included within the 2021-31 Long Term Plan, by the way of loan funding, to allow the completion of the final stage of the Ngaruawahia Pipeline; and
- f. resolves to release the resolutions into open meeting with redacted figures, but the report remain confidential and unavailable to the public.

CARRIED

Proposed Changes to the Constitution of CoLab  
Agenda Item PEX4.2

It was resolved [Resolution No. WDC2212/22] 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/Patterson)

That the Waikato District Council:

- a. approves the following changes proposed by Waikato Local Authority Shared Services Limited, trading as Co-Lab, constitution (as separate recommendations numbered 1 to 4):



b.

Rec.	Summary of change	Clause to be adjusted	Amended wording
1	Change in the groupings of councils who appoint a director to the Board of Co-Lab	13.1e and 13.1f	13.1e one may be appointed by the Thames-Coromandel, Hauraki, Western Bay of Plenty and Matamata-Piako District Councils 13.1f one may be appointed by the Ōtorohanga, Waitomo, South Waikato, and Rotorua District Councils
2	Change to who may be appointed a director	13.2c	13.2c a Council Representative Director cannot be an elected member of a shareholder
3	Change in who approves director remuneration	16.2	16.2 The payment of remuneration or the provision of other benefits by the company to a director for services as a director or in any other capacity may only be authorised in accordance with section 161 of the Act <b>and the requirements of the shareholder's Appointment of Directors' and Trustees of Council Controlled Organisations Policies as required by the Local Government Act 2002</b>
4	Other minor changes	multiple	That the constitution be changed to reflect the various other minor amendments as indicated in the attached 'tracked changes' version of the constitution

c. notes that approving recommendation 3 will require amendments to Council's Appointing Directors and Trustees of Council Controlled Organisations Policy (currently under review).

d. resolves to release the resolutions into the open meeting, but the report remains confidential and unavailable to the public until Co-Lab has received responses from all shareholders.

CARRIED

*It was resolved [Resolution No. WDC2212/24] 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:*

Contract 21 061 Raglan Wharf Request for Increase to Approved Contract Sum  
Agenda Item PEX4.4

*Resolved: (Crs L Thomson/Matatahi-Poutapu)*

*That the Waikato District Council:*

- a. approves the increase in Approved Contract Sum (ACS) for C21/061 Raglan Wharf Contract from \$3,498,163 to \$6,698,163;*
- b. delegates authority to the Chief Executive to negotiate and execute the ACS Contract 21/061; 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 1.40pm

Minutes approved and confirmed this                      day                      2022.

JA Church  
**CHAIRPERSON**