

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **MONDAY, 13 MARCH 2023** commencing at **9.30am**.

Present:

Her Worship the Mayor, Mrs JA Church (Chairperson)
Cr C Beavis
Cr J Gibb
Cr M Keir
Cr K Ngataki
Cr M Raumati
Cr V Reeve
Cr P Thomson
Cr T Turner
Cr D Whyte

Attending:

Mr TG Whittaker (Chief Operating Officer)
Ms A Diaz (Chief Financial Officer)
Mr R MacCulloch (General Manager Service Delivery)
Mr C Morgan (General Manager Community Growth)
Mrs GJ Kanawa (Democracy Manager)
Mr A Averill (Community Connections & Strategic Property Manager)
Mr G Tregida (Roading Manager)
Mr A Singh (Contract Manager – Roading)

The Chief Operating Officer opened the meeting with a karakia.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Ngataki/Gibb)

That the apologies for:

- a. non-attendance as absent on Council business from Cr Eyre and Cr Patterson be accepted; and**
- b. non-attendance from Cr L Thomson and Cr P Matatahi-Poutapu be accepted.**

CARRIED

WDC2303/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs Beavis/P Thomson)

THAT the agenda for a meeting of the Waikato District Council held on Monday, 13 March 2023 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

WDC2303/02

DISCLOSURES OF INTEREST

Agenda Item 3

There were no declarations of interest.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*WDC2303/02 refers*] with no further discussion held.

Resolved: (Crs Beavis/Keir)

THAT the Waikato District Council confirms:

- a. the open and public excluded minutes for a meeting held on Friday, 24 February 2023 as a true and correct record.

CARRIED

WDC2303/03

COMMITTEE REPORTS

Chief Executive Performance Review Committee – 21 February 2023

Agenda Item 5.1

The report was received [*WDC2303/02 refers*] and the following discussion was held:

- It was noted this item was for information as discussed at the Council workshop earlier in the month. The review of policies were undertaken by the Chief Executive Performance Review Committee under delegation.
- Councillors queried when they would see a new set of KPIs for the Chief Executive and it was noted there would be a workshop held for setting 2023/24 KPIs in April/May.

ACTION: Workshop to be scheduled for Chief Executive 2023/24 KPIs in April/May.

Infrastructure Committee – 1 March 2023

Agenda Item 5.2

The report was received [*WDC2303/02 refers*] and no further discussion was held.

Budget Adjustment for the Huntly Aquatic Centre Boiler Project (INF2303/03)

Resolved: (Crs Whyte/Keir)

That the Waikato District Council:

- a. in order to enable Council to proceed with the Huntly Aquatic Centre Boiler Project in 2022/2023 and receive the EECA funding that:
 - i. the 2023/2024 budget allowance of \$100,394 (IAC10010-0222) be brought forward to this financial year 2022/2023;
 - ii. the 2023/2024 budget allowance of \$88,092 (IAC10095-0124) be brought forward to this financial year 2022/2023; and
 - iii. the 2024/2025 budget allowance of \$18,574 (IAC10010-0325) be brought forward to this financial year 2022/2023.

CARRIED

WDC2303/04

Proposed Stopping of former McDonald Road, Pokeno (INF2303/04)

Resolved: (Crs Whyte/Ngataki)

That the Waikato District Council approves:

- a. part of the closed Hitchen and McDonald Road, Pokeno, as shown marked Section 1, 2 to 3 on Attachment One be legally stopped in accordance with the Public Works Act 1981;
- b. part of Section 1 on Attachment One (northern portion) resulting from the road stopping to be vested as stormwater catchment;
- c. part of Section 1 on Attachment One (southern portion) resulting from the road stopping action be sold to the adjacent landholdings at a price established by market valuation and to be within the Council Property Policy, for amalgamation with LOT 1000 DP 501835;
- d. section 2 on Attachment One resulting from the road stopping action be transferred for amalgamation with Allots 284-289 Mangatangi PSH at no cost to compensate the loss of frontage of the property;
- e. section 3 on Attachment One resulting from the road stopping action to be transferred to Kiwirail as railway land;
- f. the proceeds of sale of part of Section 1 on Attachment One be used to fund the road stopping process and the relevant costs of this road stopping process to be funded by Strategic Property budget IPP-12003-E-0-1212-0000; and
- g. the Chief Executive be delegated authority to execute all relevant documentation to give effect to this resolution.

CARRIED

WDC2303/05

Huntly – Land Acquisition Agreement (INF2303/12)
PEX Agenda Item with resolutions released into open.

Resolved: (Crs Whyte/Gibb)

That the Waikato District Council:

- a. accepts the new offer from the landowner of 13 Tregoweth Lane to allow Council to:
 - i. cancel the Agreement Dated 21 December 2020 between the parties;
 - ii. acquire the land required for road being approximately 166m² being part Part Lot 7 DP 305 held in Record of Title SA53/168; and
 - iii. to compensate the landowner of 13 Tregoweth Lane (being Lot 7 DP 305 held in RT SA53/168) by selling 9 and 11 Tregoweth Lane (Lot 6 DP 350 held in RT SA44D/959 and Lot 7 DP 350 held in RT SA53/168 respectively) at a price of \$65,000 plus GST (if any) in recognition of the costs of fulfilling the remaining obligations of the signed exchange agreement.
- b. that the proposal to sell 9 and 11 Tregoweth Lane for less than market Value be noted as an exception on the basis that the new agreement provides a lesser financial cost to Council than the original exchange agreement; and
- c. delegates to the Chief Executive the authority to negotiate and conclude agreements on terms to protect Council's interests and execute all relevant documentation to give effect to this resolution.

CARRIED

WDC2303/06

Policy & Regulatory Committee – 7 March 2023
Agenda Item 5.3

The report was received [WDC2303/02 refers] and the following discussion was held:

- Councillor Beavis moved each of the items and noted the reason for an amendment to the resolutions for the *Amendments to the Speed Limits Bylaw 2011 Schedules (P&R2303/05)*.

Revocation of Policies (P&R2303/03)

Resolved: (Crs Beavis/Turner)

THAT the Waikato District Council:

- a. revokes with immediate effect the Funding for Road Closures for Community Events Policy 2009.

CARRIED

WDC2303/07

Appointment and Remuneration of Directors Policy (P&R2303/04)

Resolved: (Cr Beavis/Gibb)

THAT the Waikato District Council:

- a. revokes the **Appointing Directors and Trustees to Council Controlled Organisation Policy (2014)**; and
- b. adopts the **Appointment and Remunerations of Directors Policy**.

CARRIED

WDC2303/08

Amendments to the Speed Limits Bylaw 2011 Schedules (P&R2303/05)

Resolved: (Cr Beavis/Turner)

THAT the Waikato District Council:

- a. adopts the amendments to the **Speed Limits Bylaw 2011** schedules, with the following further amendments:
 - i. **Schedule p20 of 60: 50km/hr | Matangi Rd | (Start) Winning Way/Matangi Rd corner, 1,050 metres west of Tauwhare Road | (End) Tauwhare Rd | 2022 Amendments.**
 - ii. **Schedule p24 of 60: 50km/hr | Tauwhare Rd | (Start) 100m south of Taplin Road | (End) 440m Northeast of Robinsons Lane | 2022 Amendments**

CARRIED

WDC2303/09

ACTION: Staff to update the Speed Limits Bylaw 2011 Schedules as per Resolution WDC2303/09.

REPORTS

Proposed Road Stopping Irish Road, Mangatawhiri

Agenda Item 6.1

The report was received [WDC2303/02 refers] and the Strategic Property Manager responded to queries on the road stopping processes, noting what would occur if the proposed recommendation was not passed.

Resolved: (Crs Whyte/Keir)

That the Waikato District Council:

- a. rescinds Resolution INF2022/04 dated 2 February 2022, which read as follows:

Resolved: (Crs Sedgwick/Thomson)

THAT the Infrastructure Committee approves:

- a. *the portion of unformed Irish Road, Mangatawhiri, as shown marked Section A on SO51992 – Plan of Road to be Stopped (attached to the staff report) be declared surplus to Council roading requirements, and be legally stopped in accordance with the Public Works Act 1981;*
- b. *the section of land resulting from the road stopping action be transferred, at a price established by market valuation and to be within the Council Property Policy, for amalgamation with Allotment 11-14 Settlement of Pokeno (RTNA35D/873);*
- c. *the proceeds of sale be credited to the Property Proceeds Reserve; and*
- d. *the Chief Executive be delegated authority to execute all relevant documentation to give effect to this resolution.*
- b. approves the portion of unformed Irish Road, Mangatawhiri, as shown marked Section A on SO51992 – Plan of Road to be Stopped (attached to the staff report), be declared surplus to Council roading requirements, and be legally stopped in accordance with the Public Works Act 1981;
- c. approves the section of land resulting from the road stopping action be transferred, at a price established by market valuation and to be within the Council Property Policy, for amalgamation with Lot 1 DP 78984, under Record of Title NA34D/1218;
- d. approves the proceeds of sale be credited to the Property Proceeds Reserve; and
- e. delegates the Chief Executive to execute all relevant documentation to give effect to this resolution.

CARRIED

WDC2303/10

WDA Variation for Huntly Renewals Programme 2021-22

Agenda Item 6.2

The report was received [WDC2303/02 refers] and the following discussion was held:

- General Manager, Service Delivery advised that some works were being carried out in regard to maintenance of the asset prior to it being vested to Council.
- Queries arose regarding the vesting of the Taupiri Bridge and the need for additional funding from Waka Kotahi to replace this expensive asset as the end of its useful life. General Manager, Service Delivery noted that this issue had been raised with the agency but conceded that the agency was not prepared to amend the Funding Agreement to address these concerns.
- Councillors queried a situation where Franklin District Council refused to take a bridge asset in the past in Pokeno – staff were not aware of the background here but would endeavour to include an update to the Infrastructure Committee.
- Council queried where State Highway 1B was currently within the vesting process and it was noted costs were still being identified. It was also noted that ongoing maintenance and replacement of these assets would be a cost to ratepayers.
- Staff noted the 2021-2031 Long-term Plan initially included investment in bridge assets which were removed to support the agreed investments for water assets in the 10 year plan.

ACTION: Staff to provide an update on roading vestments from Waka Kotahi to Council at the next Infrastructure meeting.

Resolved: (Crs Beavis/Raumati)

THAT the Waikato District Council:

- a. rescinds Resolution INF2022/09 dated 2 February 2022, which read as follows:

Resolved: (Crs Lynch/Smith)

That the Infrastructure Committee approves:

- a. **the variation up to \$1.4M to the Waikato District Alliance to carry out the pavement rehabilitation project in Huntly that is 100% funded by Waka Kotahi.**
- b. **a budget being established for the Waikato District Alliance at the 100% Financial Assistance Rate associated with the three-year funding of the renewals for Huntly.**

CARRIED

INF2202/09

- b. **approves the variation of up to \$1.6 million to the Waikato District Alliance to carry out the pavement rehabilitation project in Huntly that is 100% funded by Waka Kotahi; and**
- c. **approves a budget being established for the Waikato District Alliance at the 100% Financial Assistance Rate associated with the three-year funding of the renewals for Huntly.**

CARRIED

WDC2303/11

Raglan Town 2 Surf Shared Path Funding Application

Agenda Item 6.3

The report was received [WDC2303/02 refers] and the following discussion was held:

- Council indicated whilst it was admirable we sought funding to carry out these works, what impact did this have on our programmed capital works?
- General Manager, Service Delivery acknowledged these additional works did have an impact on the existing capital programme and the new works costings did not take into account the amount of staff time to apply for external funding and report to Committees/Council on a proposed change. With the implementation of the Enterprise Project Management Office Council would show improvements in this area, along with understanding Council's capacity to deliver additional projects and the impact on existing LTP capital programmes.

ACTION: In future staff to provide clarity of the impact that supporting additional projects would have on delivering existing work programmes.

Resolved: (Crs Whyte/Raumati)

That the Waikato District Council:

- a. a budget increase of \$965,000 to 8UF70583-CO-0000-O922 which is 100% externally subsidised by MBIE as per the TIF Funding Agreement;
- b. as a variation under contract I4/3 I4, the final two sections of the Raglan Town 2 Surf Shared Project, be awarded to the Waikato District Alliance; and
- c. the variation sum of \$965,000 to the Waikato District Alliance contract.

CARRIED

WDC2303/12

Approval for additional funds to support storm damage repairs

Agenda Item 6.4

The report was received [WDC2303/02 refers] and the following discussion was held:

- Staff noted that the required recovery works would overcommit the funding reserves Council currently has and work will be provided within the next annual plan workshop regarding the impact on rates and how Council would replenish the reserve.
- It was noted that Waka Kotahi had increased their subsidy of recovery works to 91%, however staff needed to identify the projects within two weeks of the event to obtain this funding and the funds had to be spent by 30 June 2023. Councillors were concerned this timeframe was unrealistic and we should be seeking more time.
- Council does have insurance policies in place for some assets in the event of natural disasters but it would not cover all the damage of the two recent weather events. Government also provide significant funding for natural disasters as they have for these recent events.
- Queried when we would be looking at the impact on rates as other Council's had already set their rates? It was noted there had been one workshop on the 2023/24 Annual Plan and rates increases, however another one was scheduled for 27 March.

ACTION: Staff to seek an extension to the Waka Kotahi timeframes for spending the increased subsidy available for flood works to post 30 June 2023.

Resolved: (Crs Raumati/P Thomson)

That the Waikato District Council:

- a. approves additional local share funding for Financial Year 2022/23 of \$786,900, funded from the Disaster Recovery Fund;
- b. approves additional local share funding for Financial Year 2023/24 up to the capacity of the Disaster Recovery Fund;
- c. acknowledges that further local share funding will be required in Financial Year 2023/24 to complete the work resulting from the Feb 2023 events - Funding solutions will be explored and requested by Council in a further report;
- d. approves additional local share funding from the roading replacement fund of \$1,219,500 for the 2022/2023 Financial Year to allow urgent additional works to be completed;
- e. approves that a proportion of the Emergency Response Work (total value estimate \$8,000,000) be awarded to the Waikato District Alliance – Contract 14/314 to cover ongoing initial response and slip repair works, and with the balance to be put to market; and
- f. approves that the additional Urgent Work be awarded to the Waikato District Alliance – Contract 14/314, up to the value of \$1,500,000.

CARRIED

WDC2303/13

Making Good Decisions Foundation Course
Agenda Item 6.5

The report was received [WDC2303/02 refers] and the following discussion was held:

- It was noted that Cr Beavis and Cr Eyre attending the “Making Good Decisions Foundation Course” were already approved under the Chief Executive’s transitional authority, therefore Council only needed to approve Cr Keir undertaking the training.
- It was further noted that travel and accommodation expenses would be covered for the two day course and whilst the report notes a two day course there were additional assignments and support required outside of this.

Resolved: (Crs Reeve/Raumati)

That the Waikato District Council approve Cr Mike Keir attending the Making Good Decisions Course in Christchurch on 29 and 30 March 2023.

CARRIED

WDC2303/14

Chief Executive Issues

Agenda Item 6.6

There were no Chief Executive Issues for the open section of the meeting.

EXCLUSION OF THE PUBLIC

Agenda Item 7

Resolved: (Cr Beavis/Ngataki)

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
Chief Executive Issues	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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
Chief Executive Issues	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

WDC2303/15

Resolution WDC2303/16 is contained in the public excluded section of these minutes.

Cr Ngataki closed the meeting with a karakia.

There being no further business the meeting was declared closed at 11.06am

Minutes approved and confirmed this day 2023.

JA Church
CHAIRPERSON

Unconfirmed