

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaruawahia on **MONDAY, 24 APRIL 2023** commencing at **9.30am**.

**Present:**

Her Worship the Mayor, Mrs JA Church (Chairperson)  
Cr C Beavis  
Cr C Eyre  
Cr J Gibb  
Cr M Keir  
Cr P Matatahi-Poutapu  
Cr K Ngataki  
Cr EM Patterson  
Cr M Raumati  
Cr V Reeve  
Cr L 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 Experience)  
Ms M May (General Manager Service Delivery)  
Mr A Averill (Acting Deputy General Manager Service Delivery)  
Mr K Abbot (Executive Manager, Projects & Innovation)  
Ms K Rhind (Senior Engagement Advisor)  
Mrs GJ Kanawa (Democracy Manager)  
Ms N Hubbard (Team Leader, Corporate Planning)  
Mr T McIntyre (Policy Advisor, Corporate Planning)

The Council and staff opened the meeting with a joint karakia.

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies all members were present.

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

Agenda Item 2

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

**THAT the agenda for a meeting of the Waikato District Council held on Monday, 24 April 2023 be confirmed:**

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 8, which shall be considered with the public excluded; and
- b. all reports be received.

**CARRIED**

**WDC2304/15**

## **DISCLOSURES OF INTEREST**

Agenda Item 3

There were no declarations of interest.

## **CONFIRMATION OF MINUTES**

Agenda Item 4

The report was received [*WDC2304/15 refers*] with no further discussion held.

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

**THAT the Waikato District Council confirms:**

- a. the open and public excluded minutes for a meeting held on Wednesday, 5 April 2023 as a true and correct record.

**CARRIED**

**WDC2304/16**

## **ACTIONS REGISTER**

The report was received [*WDC2304/15 refers*] and the following discussion was held:

- Council raised concern regarding fixed income constituents and would like a workshop on what other agencies are providing once the FAQ sheet is developed.

**ACTION:** Workshop to be scheduled once FAQ sheet developed on what is being provided by Crown agencies to assist our communities and identify where Council need to continue to advocate to Central Government in regard to the wellbeing of our communities.

## **COMMITTEE REPORTS**

There were no Committee reports.

## **REPORTS**

### Zero Harm

#### Agenda Item 7.1

The report was received [*WDC2304/15 refers*] and the following discussion was held:

- The Zero Harm Manager noted there were a number of new Safety Action Representatives who have joined the SAT team from across the organisation.
- A query was raised in which staff were mainly impacted by the critical risk safety factors – it was noted that these are mainly our warranted officers who were accessing properties and often having difficult frontline conversations.
- Councillors appreciated the new graphs but it was difficult to compare percentages between groups.
- It was noted that incidents of high risk were mainly around workplace violence and working with animals.
- Query raised in regard to lack of trends in data and what the ideal situation for Council looked like. The Zero Harm Manager noted more analysis was being undertaken in the next month which would be reflected in more detail in future reports.

### Reallocation of Tuakau Dog Pound Budget

#### Agenda Item 7.2

The report was received [*WDC2304/15 refers*] and the following discussion was held:

- *Is the Huntly site deemed superior to the location of the Ngaruawahia site?* The feasibility study attached to the report and other investigations have identified the Ngaruawahia pound is no longer fit for purpose and the Huntly site has been identified as a more suitable location.
- *What is the impact on this for staff considering most are based in Ngaruawahia?* Whilst the staff are based at Ngaruawahia they are mainly mobile and dealing with issues across the district.
- It was noted there was no firm cost for the Huntly site as yet and negotiations were continuing. Further reports would be provided to Council as part of the LTP process with refined details, including future proofing land for possible off-ramps in this location in the future.

- *Right next to community lakes area – will the noise from the new pound be an issue and can the new building be designed in a way in which it does not cause an impact on the residents?* The Council needs to comply with sound requirements in the District Plan and whilst there will be some issue with barking dogs at time, the design will work to mitigate this as much as possible.
- It was noted that there did need to be a reallocation of funding from various budgets in regard to the purchase of land once the detail was finalised.
- Query in regard to the downward trends for impounding and euthanising and what was driving this change?

**ACTION:** LTP Workshops will contain full business case with detailed trends, statistics and updated design/implementation costs.

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

**THAT the Waikato District Council:**

- a. approves the reallocation of financial year 2022/23 budget \$2,950,449 as per below:
  - i. \$1,850,449 be transferred from IDO10095-0122 to IDO10010-0123 (as a new project account code) for the Central Dog Pound – New Build project; and
  - ii. that the remaining budget of \$1,100,000 be held in the same account code IDO10095-0122 for the Tuakau Dog Pound (satellite site).

**CARRIED**

**WDC2304/17**

Adoption of Public Places Bylaw 2023  
Agenda Item 7.3

The report was received [WDC2304/15 refers] and the following discussion was held:

- Council acknowledged the efforts of staff to ensure this bylaw was reviewed before it lapsed.

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

**That the Waikato District Council:**

- a. confirms that further consultation is not required under section 76 of the Local Government Act 2002;
- b. confirms, in accordance with Section 155 of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problem(s);
- c. confirms that, in accordance with Section 155 of the local government Act 2002, the proposed bylaw is the most appropriate form of bylaw;
- d. confirms that the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990;

- e. notes the changes made to the proposed Public Places Bylaw (Attachment 1), as directed during deliberations by the Policy and Regulatory Committee on 11 and 12 April, with the following further amendment to Schedule 1 (Page 120 of the agenda); and

Currently reads:

**AREAS WHERE SKATEBOARDS ARE PROHIBITED**

*Pursuant to the Land Transport Act 1998 and the Local Government Act 2002 Council Hereby Declares the following areas to be no riding areas at all times.*

*The following portions of roads are hereby constituted restricted and no person may ride or use any Skateboard, Scooter or Roller Blades in the following areas except with the written consent of the Council:*

New Wording to read:

**SKATEBOARD RESTRICTIONS**

*The following portions of roads are hereby constituted restricted areas for using any Skateboard, Scooter or Roller Blade:*

- f. that Council adopts the Public Places Bylaw (Attachment 2), with the following amendment to Schedule 1 (Page 134 of the agenda):

Currently reads:

**AREAS WHERE SKATEBOARDS ARE PROHIBITED**

*Pursuant to the Land Transport Act 1998 and the Local Government Act 2002 Council Hereby Declares the following areas to be no riding areas at all times.*

*The following portions of roads are hereby constituted restricted and no person may ride or use any Skateboard, Scooter or Roller Blades in the following areas except with the written consent of the Council:*

New Wording to read:

**SKATEBOARD RESTRICTIONS**

*The following portions of roads are hereby constituted restricted areas for using any Skateboard, Scooter or Roller Blades:*

**CARRIED**

**WDC2304/18**

**ACTION:** Staff to arrange for the bylaw to be updated and implemented as per the above resolutions.

Adoption of Traffic Bylaw 2023

Agenda Item 7.4

The report was received [WDC2304/15 refers] and the following discussion was held:

- Council expressed disappointment that the roads submitted on were not included in Schedule 7 and need to add to this schedule in future.

**ACTION:** Staff to report to Council as soon as practicable with roads to be resolved for inclusion on Schedule 7 of the Traffic Bylaw 2023.

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

**That the Waikato District Council:**

- a. confirms that further consultation is not required under section 76 of the Local Government Act 2002;
- b. confirms, in accordance with Section 155 of the Local Government Act 2002, a bylaw is the most appropriate way of addressing the perceived problem(s);
- c. confirms that, in accordance with Section 155 of the local government Act 2002, the proposed bylaw is the most appropriate form of bylaw;
- d. confirms that the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990;
- e. notes the changes made to the proposed Traffic Bylaw (Attachment 1), as directed during deliberations by the Policy and Regulatory Committee on 11 April;
- f. recommends that Council adopts the Traffic Bylaw (Attachment 2).

**CARRIED**

**WDC2304/19**

2024-34 LTP Community outcomes approval for public engagement

Agenda Item 7.5

The report was received [WDC2304/15 refers] and the following discussion was held:

- It was requested that reference to support local be amended to support local enterprise. Need to also ensure we are seen to encourage small enterprise through our procurement processes.
- Concern raised that Council are not being open about balancing their regulatory role in the outcomes as it appears we are championing growth but this is not the feedback from developers through consenting process. Previous outcomes were clearer about our regulatory role.
- Cannot see the evidence of utilising our waterways for connections. It was believed that Council currently run the risk of breaching Te Ture Whaimana, and we need to understand what is involved with our approach to waterways.

- Discussion centred around the lack of synergy between economic outcome and unique location, then cultural distinction of the district. The wording needed to be clearer on the uniqueness of being the home of the Kingitanga and Councillors needed to understand the intent of the outcomes in regard to Te Tiriti o Waitangi.
- It was noted we should not shorten Te Tiriti o Waitangi to “Te Tiriti” and work still required on the wording of this outcome, i.e. – we honour, understand and implement the principles of Te Tiriti o Waitangi whilst acknowledging our unique relationship with the Kingitanga and connection with mana whenua of our district, but it was noted this would be worked on further and circulated to Councillors for feedback by the end of the week.

**ACTION:** Corporate Planning Manager to provide wording of amended outcomes to Council for feedback by Friday, 28 April to ensure they have captured the amendments requested.

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

**That the Waikato District Council approves the draft Community Outcomes statements as amended for consultation with the community.**

**CARRIED**

**WDC2304/20**

2022 Elections Report  
Agenda Item 7.6

The report was received [*WDC2304/15 refers*] and the following discussion was held:

- The Electoral Officer provided an overview of the contents in the report, particularly noting the increased costs to Council for the 2022 Triennial Elections due to rural postage costs and lower recoveries from the Te Kauwhata Licensing Trust and Waikato Regional Council due to candidates being elected unopposed.
- Councillors asked question around the Representation Review process, which were responded to by the Electoral Officers and Chief Executive, with particular note that Council were not legally required to undertake another review of these arrangements (but could undertake a review in 2024 for the 2025 elections if that was the direction from council) until 2026 for the 2028 elections.
- The issue of lack of engagement in Local Government Elections is a key factor in the Local Government Commission enquiry that is currently before the Select Committee. Council’s submission did cover the importance of a Civic Education Programme driven by Central Government along with a national coordinated approach and campaign.
- We need to consider how we do better going forward, including ballot boxes across the community as it is evident that ratepayers preferred to utilise ballot boxes, with 15% of the returned votes coming into ballot boxes on the last day of voting.

- It was noted the report omitted the fact that the Western Districts General Ward was also unopposed.
- Council expressed appreciation in the professional way in which the electoral officers undertook the process and enquiries, along with the efforts of the team in ensuring additional special voting opportunities and availability of ballot boxes in the community.
- It was requested that both the preliminary and final rolls be separated out in regard to the Maori roll, similar to what occurs with non-resident ratepayers for future elections.

**ACTION:** Elections team to take on the feedback provided by Council for planning of the 2025 Local Government Elections.

**ACTION:** Democracy Manager to provide Her Worship the Mayor with the key points to be reiterated at the Justice Committee hearings in May.

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

**That the Waikato District Council:**

- receives the report on the 2022 Triennial Elections, and
- notes the update on the results from the Tuakau Community Board byelection.

**CARRIED**

**WDC2304/21**

The meeting adjourned at 11.23am and reconvened at 11.40am.

Approval of Waikato Triennial Agreement 2022-25  
Agenda Item 7.7

The report was received [*WDC2304/15 refers*] and the following discussion was held:

- Mayoral forum meeting held in February, however it was noted that we needed 12 Councils to agree and can often not meet the legislative deadline of 1 March following the elections.
- Waikato District Council are one of the first adopting this agreement and further work is being developed on a collaborative workplan between the Councils.

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

**That the Waikato District Council:**

- approves the 2022-25 Waikato Triennial Agreement, as attached to the staff report; and
- Her Worship the Mayor be delegated authority to sign the 2022-25 Waikato Triennial Agreement on behalf of the Council.

**CARRIED**

**WDC2304/22**



National Sustainability Showcase

Agenda Item 7.8

The report was received [WDC2304/15 refers] and the following discussion was held:

- It was noted the Mayor was no longer attending this event and it was noted that Cr Eyre was attending as she was already in Wellington for another LGNZ meeting.
- Concern raised that there was minimal information provided on this event and the opportunity for other rural Councillors to be involved.
- Council wanted consideration of a 'networking' budget in future such that Council training and development budget was sufficient.

**ACTION:** Future reports to factor in opportunities for other Councillors to attend these events where possible.

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

**That the Waikato District Council:**

- a. **grant approval to the Deputy Mayor, Carolyn Eyre to attend this event and provide funding for the travel and accommodation required.**

**CARRIED**

**WDC2304/23**

Councillor Eyre abstained from voting on the above matter.

Councillor Raumati requested her dissenting vote against the above resolution be recorded.

LGNZ Conference & Annual General Meeting 26-28 July 2023 (Christchurch)

Agenda Item 7.9

The report was received [WDC2304/15 refers] and the following discussion was held:

- It was noted that whilst there was no conference cost to attend the Te Maruata Hui, the Councillors still needed approval for the costs towards flights, accommodation and the balance of the LGNZ Conference.

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

**That the Waikato District Council:**

- a. **confirms the following delegation to attend the LGNZ Conference 2023; Her Worship the Mayor, the Chief Executive, Councillor Turner, and Councillor Matatahi-Poutapu; and**
- b. **confirms Councillors Matatahi-Poutapu and Turner will be the representatives at the Te Maruata Hui prior to the conference; and**
- c. **confirms Her Worship the Mayor and the Chief Executive represent the Waikato District Council at the 2023 LGNZ Annual General Meeting.**

**CARRIED**

**WDC2304/24**

LGNZ Remits – Zone 2  
Agenda Item 7.10

The report was received [WDC2304/15 refers] and the following discussion was held:

- Concern raised the effectiveness of LGNZ advocacy given lack of progress of previous AGM remits.
- An example of previous remits that still had not been implemented by legislation - attendance of meetings via audio-visual conference which lapsed after the Emergency Preparedness Notice was discontinued, yet was re-introduced as part of the Severe Weather Events legislation implemented until September 2024.
- For a Council as widespread as Waikato it would be more cost effective and efficient at times for meetings to be held via audio-visual conference.
- It was suggested we continue dialogue and strengthening relationship with the Minister of Local Government.

**ACTION:** Workshop to be held with Councillors to discuss possible remits for the LGNZ AGM to inform the Chief Executive on any remits to be submitted.

**EXCLUSION OF THE PUBLIC**

Agenda Item 8

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

- 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 2<br>Minutes from meeting held on Wednesday, 5 April 2023 | Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987 | Section 48(1)(a)                                                 |
| Item PEX 3<br>Actions Register – April 2023                        |                                                                                                                         |                                                                  |

| <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<br/>Infrastructure Committee<br/>Recommendations – 5 April<br/>2023</b> |                                                                      |                                                                         |
| <b>Item PEX 5<br/>Chief Executive Issues</b>                                            |                                                                      |                                                                         |
| <b>Item PEX 6<br/>Mayoral Issues</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:

| <b>Item No.</b>                                                                          | <b>Section</b>                                           | <b>Interest</b>                                                                                                 |
|------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Item PEX 2<br/>Minutes from meeting held on<br/>Monday, 13 March 2022</b>             | <b>Refer previous minutes for reasons for exclusion.</b> |                                                                                                                 |
| <b>Item PEX 3<br/>Actions Register April 2023</b>                                        |                                                          |                                                                                                                 |
| <b>Item PEX 4.1<br/>Infrastructure Committee<br/>Recommendations – 12 April<br/>2023</b> | <b>7(2)(b)(ii)</b>                                       | <b>To protect information that would otherwise unreasonably prejudice a person’s commercial position</b>        |
| <b>a. Horotiu Industrial Park<br/>Development Update<br/>(INF2304/06)</b>                | <b>7(2)(c)(ii)</b>                                       | <b>To protect information that is subject to an obligation of confidence and to protect the public interest</b> |
| <b>b. Te Kowhai – Acquisition of<br/>Land for Sports Fields<br/>(INF2304/07)</b>         | <b>7(2)(h)</b>                                           | <b>To enable commercial activities to be carried out without prejudice or disadvantage.</b>                     |
|                                                                                          | <b>7(2)(i)</b>                                           | <b>To enable negotiations to carry on without prejudice or disadvantage.</b>                                    |

| Item No.                             | Section    | Interest                                                                                                                                                                    |
|--------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item PEX 5<br>Chief Executive Issues | 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. |
| Item PEX 6<br>Mayoral Issues         |            |                                                                                                                                                                             |

**CARRIED**

**WDC2304/25**

*Resolutions WDC2304/26-2304/29 are contained in the public excluded section of these minutes.*

*It was noted that whilst the Infrastructure Committee reports were to remain confidential and the resolutions could be released that this needed to be done once negotiations were finalised in these matters and would be made public by the Chief Executive at the appropriate time.*

There being no further business the meeting was declared closed at 12.47pm.

Minutes approved and confirmed this                      day                      2023.

JA Church  
**CHAIRPERSON**