

Minutes for a meeting of the Waikato District Council held in the Council Chambers, 15 Gallileo Street, Ngaaruawaahia on **MONDAY, 20 NOVEMBER 2023** commencing at **9.35am**.

Present:

Her Worship the Mayor, Mrs JA Church (Chairperson)
Cr C Beavis
Cr C Eyre (Deputy Mayor)
Cr J Gibb
Cr M Keir
Cr P Matatahi-Poutapu (*from 10.05am - Part Item 7.2*)
Cr K Ngataki
Cr E Patterson
Cr M Raumati
Cr V Reeve
Cr L Thomson
Cr P Thomson (*from 10.12am - Part Item 7.2*)
Cr T Turner
Cr D Whyte

Attending:

Mr GJ Ion (Chief Executive)
Mr TG Whittaker (Chief Operating Officer)
Ms M May (General Manager, Service Delivery)
Mr W Gauntlett (General Manager, Community Growth)
Mr L McCarthy (Acting Roading Manager)
Mr A Singh (Roading Operations Team Leader)
Ms K Boyt (Roading Contractor)
Ms J Bishop (Contracts & Partnering Manager)
Ms M Wilson (Contracts & Partnering Advisor)
Ms M Rinaldi (Corporate Planner)
Mrs GJ Kanawa (Democracy Manager)

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

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Ngataki/Patterson)

THAT the Waikato District Council accepts the apologies from Cr Matatahi-Poutapu and Councillor P Thomson for late arrival.

CARRIED

WDC2311/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs L Thomson/Eyre)

THAT the agenda for a meeting of the Waikato District Council held on Monday, 20 November 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

WDC2311/02

DISCLOSURES OF INTEREST

Agenda Item 3

Cr Eyre and Cr Patterson noted they would not participate in Item 6.1 – Policy & Regulatory Committee Recommendations - Appointment of Council's Representative on the Future Proof Hearings Subcommittee (P&R2011/05) as they were the recommended appointments.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*WDC2311/02 refers*] and no further discussion held.

Resolved: (Crs Ngataki/Turner)

THAT the Waikato District Council confirms the minutes as a true and correct record for meetings held on:

- a. **Monday, 9 October 2023 (ordinary); and**
- b. **Tuesday, 24 October 2023 (additional); and**
- c. **Wednesday, 1 November (extraordinary) 2023.**

CARRIED

WDC2311/03

ACTIONS REGISTER

The report was received [*WDC2311/02 refers*] and no further discussion was held.

COMMITTEE REPORTS

Policy & Regulatory Committee Recommendations – 14 November 2023

Agenda Item 6.1

Adoption of the Freedom Camping Bylaw 2023 (P&R2311/04)

The report was received [*WDC2311/02 refers*] and no further discussion was held.

Resolved: (Crs Eyre/Keir)

THAT 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 11 of the Freedom Camping Act 2011, that a bylaw is necessary in the Waikato District for one or more of the following purposes:**
 - i. **to protect the area; and**
 - ii. **to protect the health and safety of people who may visit the area; and**
 - iii. **to protect access to the area.**
- c. **confirms, in accordance with Section 11 of the Freedom Camping Act 2011, that the bylaw is the most appropriate and proportionate way of addressing the perceived problem(s) in relation to each area; and**
- d. **confirms that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990; and**
- e. **notes the changes made to the proposed Freedom Camping Bylaw 2023 (Attachment 1 of the Policy & Regulatory agenda report), as directed during deliberations by the Policy and Regulatory Committee on 16 October 2023; and**
- f. **that the Freedom Camping Bylaw 2023 (Attachment 2 of the Policy & Regulatory agenda report) be adopted; and**
- g. **confirms that staff will need to amend reserve management plans to reflect the provisions of the Freedom Camping Bylaw 2023.**

CARRIED

WDC2311/04

Appointment of Council's Representative on the Future Proof Hearings Subcommittee (P&R2011/05)

The report was received [WDC2311/02 refers] and no further discussion was held.

Resolved: (Crs Beavis/Gibb)

THAT Waikato District Council appoints:

- a. **Cr Carolyn Eyre (who is the Deputy Mayor and is also one of Waikato District Council's representative on the Future Proof Implementation Committee) be Waikato District Council's representative on the Future Proof Hearings Subcommittee; and**
- b. **Cr Eugene Patterson (who is Council's alternate representative on the Future Proof Implementation Committee) be Cr Eyre's alternate should the latter not be able to discharge her duties.**

CARRIED

WDC2311/05

Recommendation to Adopt – Significance and Engagement Policy (P&R2011/06)

The report was received [WDC2311/02 refers] and no further discussion was held.

Resolved: (Crs Eyre/Ngataki)

THAT Waikato District Council appoints:

- a. **adopts the Significance and Engagement Policy 2023 (Option One – Attachment I of the Policy & Regulatory agenda report), and**
- b. **revokes the Significance and Engagement Policy 2020 (Attachment 3 of the Policy & Regulatory agenda report).**

CARRIED

WDC2311/06

REPORTS

Zero Harm

Agenda Item 7.1

The report was received [*WDC23/1/02 refers*] and the following discussion was held:

- A query was raised as to how Council arrived at a target of 50% reduction in TRIS for the year. The Chief Executive noted this was based on historical trends and currently discussions were underway as to whether this was a good measure.
- It was noted that a further independent review was being undertaken, following a review in 2016 which provided a comprehensive report and queries were made as to why? Staff advised the report needed to be refreshed to ascertain whether some points raised were still relevant and also how we have tracked to date based on the previous report.
- It was further noted that the independent review also covered Hakanoa Camp and the Ngaruawahia Dog Pound, which were not an area of expertise for our team.
- It was noted that a recent media release from the Police advised of a ban from the “Waikato District”, do Council receive notifications of this sort and if so are they advised to elected members? It was noted that this is a police matter and the Waikato District they refer to is quite a bit larger than our District boundaries.

ACTION: Zero Harm Manager would investigate the process for these “bans” with the Waikato District Commander for Police and also ascertain whether the Resilience team were aware of when these bans were made.

- A Councillor raised an issue with the process for dealing with verbal abuse in Council buildings and noted that he was well supported during this occasion within the Ngaruawahia office, however what support is available in the outer areas or when Councillors were visiting residents.
- It was noted that office and library staff were well trained to deal with events of this nature and Council endeavour to provide a secure environment within our offices, including ensuring there are withdrawal areas for everyone to maintain safety.
- It was noted that Community Boards and Committees were bound like any other elected member in the current terms of reference by the current Code of Conduct policy of the previous Council.
- It was further noted that this policy would be reviewed in the New Year and full training provided to elected members (including community committee members) on the requirements under the Council Code of Conduct.
- If Councillors wished to take these matters further, the current policy requires them to discuss with the Mayor for further investigation/discussions with the elected member involved.

- Council could also provide G7 devices for community meetings and recommended that Councillors attend meetings in pairs. It was further noted that at all Community Board meetings the Democracy Advisors were in possession of G7 devices which they could activate in the event of an emergency.
- It was further recommended that if Councillors were going to a residents address that you they did not know to contact Council to see if there are any other issues known at that address.
- There was also Council's support service – Vitae and if they needed this support to contact any of the ELT or Democracy Manager who could provide the details.

ACTION: Zero Harm team to book another Situational Safety Awareness training that was provided to most Councillors during induction, but there were still a few Councillors that had not received this training.

Joint Waikato Iwi, Chairs & Mayors Forum Draft ToR and Position Statement on Water Service Agenda Item 7.2

The report was received [*WDC2311/02 refers*] and the following discussion was held:

- The Chief Executive provided an overview of the paper and terms of reference, for which Council held a workshop on last week.
- Collaboration opportunities were being worked on now, but was was the timeframe for these? It was noted that we had to wait and see what the Government would do once it was formed – this terms of reference and position statement allowed us to protect partnerships in the interim.
- Asset management system aligned and provided by Watercare now, it was noted that in the future billing systems for water and wastewater charges would have to change and this would cause upheaval for ratepayers.
- There was an expectation that significant improvement in regard to discharges in Raglan needed to be made and whilst progress had been made Council were still a long way from where we wanted to be.
- Currently the legislation indicates we are will enter into a water services agreement on 1 July 2025 with Entity B and Council have planned accordingly, however until the government is formed and we know their direction it is difficult to know anything further.
- It was noted that a system for charging would be similar to what occurs in Auckland, i.e. the water meter on each property records water going in and a portion of that is calculated for storm/wastewater discharge.

Resolved: (Crs Eyre/Turner)

That the Waikato District Council:

- a. **ratifies the draft Terms of Reference for the Joint Waikato Iwi, Chairs and Mayors Forum and Draft Position Statement on Waters Services.**

CARRIED

WDC2311/07

Councillor Matatahi-Poutapu entered the meeting at 10.05am during the above item and was present for the above vote and partial discussion.

Councillor P Thomson entered the meeting at 10.12am during the above item and was present for the vote, but not the discussion.

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Patterson/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:

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 – Minutes for confirmation	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 3.1 – Chief Executive Performance Review Committee – Minutes for 17 September 2023 (For Information Only)		
Item PEX 3.2 – Infrastructure Committee – 8 November 2023		
Item PEX 4.1 – Roding Services Contract Review		
Item PEX 4.2 – Strategic Land Acquisition - Pookeno		

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 2 – Minutes for confirmation	Refer previous minutes for reasons for exclusion.	
Item PEX 3.1 – Chief Executive Performance Review Committee – Minutes for 17 September 2023 (For Information Only)	7(2)(a)	To protect a person’s privacy.
Item PEX 3.2 – Infrastructure Committee – 8 November 2023	Refer to Infrastructure Committee agenda for reasons for exclusion.	
Item PEX 4.1 – Roading Services Contract Review	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.
Item PEX 4.2 – Strategic Land Acquisition - Pookeno	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

CARRIED

WDC2311/07

Resolutions WDC2311/08 -WDC2311/13 are contained in the public excluded section of these minutes.

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

REPORTS (CONTINUED)

Infrastructure Committee Recommendations - 8 November 2023
PEX Agenda Item 3.2

Strategic Land Acquisition – Raglan (INF2311/09)

It was resolved [WDC2311/10] 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/Whyte)

“THAT the Waikato District Council:

- a. approves the purchase of the property at 398 Wainui Road, Raglan.
- b. delegates to the Chief Executive to conclude a negotiation at a price he deems reasonable guided by the registered valuation and on terms suitable to protect Council’s interest.
- c. notes that the property purchase will be funded from the Strategic Property District Wide budget using cost centre 104662-1200-0000-00-50007 and held as a Strategic Property until such time it is required for road.
- d. resolves to release the resolutions into the open meeting at the conclusion of the settlement of a successful land purchase, but the report remains confidential and unavailable to the public.

CARRIED”

Roading Services Contract Review

PEX Agenda Item 4.1

It was resolved [WDC231111] 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 Keir/Patterson)

THAT the Waikato District Council:

- a. approves use of NZS3917 contract model to procure the Road Maintenance and Renewal Services for a start date of 1 July 2025; and
- b. approves the release of this resolutions into the open meeting, but the report remains confidential and unavailable to the public.

CARRIED”

