

Document ID: 798453

Report To: Council



Meeting Date: 26 November 2024
Subject: Mayor's Report – December 2024
Type: Information Only
Author(s): John Robertson
 Mayor

1. Purpose of Report

1.1 The purpose of this business paper is to present the Mayor's report for the current month.

2. Suggested Resolution

2.1 The following is a suggested resolution only and does not represent Council policy until such time as it is adopted by formal resolution.

1 The Mayor's Report – December 2024 be received.

3. Commentary

3.1 It is great to see the Tainui Wetere Domain in Mokau progress, the latest development being with the addition of a playground. The playground was the recipient of grants, like Lotteries, and sponsorship from local businesses. This progress is being made because the Domain now operates under a long-term lease agreement with the Council - a decision that Council made at its February 2024 meeting.

3.2 This agreement was a long time in the making. I recall being asked to attend a Domain Committee meeting soon after becoming Mayor. Around the table were committee members who spoke of years of frustration over both their dealings with Council and their efforts to try to bring themselves and the rugby club together. I recall Council officers expressing frustration also. There are always two sides to a story.

3.3 The February 2024 lease agreement achieved four important outcomes.

1. It empowered the community.
2. It made clear where responsibilities lay between community and council.
3. It enabled the reserve to develop.
4. It saved the Council time and money.

3.4 Throughout our district we have many other opportunities to empower communities.

3.5 In Benneydale, the community took over the Benneydale Hall some years ago. A Hall Committee runs it. It works. Councillor Goddard helped facilitate this.

3.6 With our policy of preferring community ownership of halls, other than the Les Munro Centre and the Piopio Hall, made clear this year, other communities are expressing interest in assuming ownership of their halls.

- 3.7 In Marokopa, the Domain is owned by the Council. The community has invested significantly in facilities on this land. Now there is a question about what to do with the old school site and how to secure local interest in running the campground. Councillors Manawaiti and Osborne and I have been engaged in discussions on this.
- 3.8 In Piopio, the Pony Club approached me earlier this month as they consider investing to improve their facilities at the Rukuhia Domain. Council officers have advised me that no agreement is in place between the Council and the Rukuhia Domain Committee or users of the Domain. Councillor Todd and I will engage with the community to help us understand what sort of arrangement needs to be put in place to further community aspirations.
- 3.9 In Te Kuiti, the deputation of Shelley Mitchell at our last Council meeting alerted us to the partnership sought to support the maintenance of the District's premium rugby field.
- 3.10 With all these facilities the Council needs to be careful and sensitive during its engagement with community groups. Community groups deliver valuable services within our district. They do best when empowered, and empowerment is best enabled through agreements that are clear and have longevity.



JOHN ROBERTSON, QSO
MAYOR

Document No: 798524

Report To: Council

Meeting Date: 17 December 2024

Subject: **Adoption of 2025 Meeting Schedule**

Type: Decision Required

Author(s): Michelle Higgle
Manager – Governance Support

1. Purpose of Report

- 1.1 The purpose of this business paper is for Council to formally adopt a Meeting Schedule for the 2025 calendar year.

2. Suggested Resolutions

- 2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.

1 The business paper on Adoption of 2025 Meeting Schedule be received.

2 Council adopt the following Meeting Schedule for the 2025 calendar year:

| | | | |
|-----------------|------------------------|---------------|--|
| Tuesday | 4 February 2025 | 9:00am | Audit and Risk Committee Meeting |
| Tuesday | 25 February 2025 | 9.00am | Council Meeting |
| Tuesday | 25 March 2025 | 9.00am | Council Meeting |
| Tuesday | 29 April 2025 | 9.00am | Council Meeting |
| Tuesday | 13 May 2025 | 9.00am | Audit and Risk Committee Meeting |
| | | 1.00pm | Appointments and Chief Executive Relationship Committee |
| Tuesday | 14-15 May 2025 | 9.00am | Council Hearing: Submissions to draft Annual Plan |
| Tuesday | 27 May 2025 | 9.00am | Council Meeting |
| Tuesday | 10 June 2025 | 9.00am | Council Meeting: draft Annual Plan Deliberations |
| Monday | 30 June 2025 | 9.00am | Council Meeting |
| Tuesday | 29 July 2025 | 9.00am | Council Meeting |
| Tuesday | 18 August 2025 | 9.00am | Audit and Risk Committee Meeting |
| Tuesday | 26 August 2025 | 9.00am | Council Meeting |
| Tuesday | 7 October 2025 | 9.00am | Audit and Risk Committee Meeting |
| Thursday | 9 October 2025 | 9.00am | Council Meeting |

3. Commentary

- 3.1 This Meeting Schedule includes all planned meetings required to complete Council's work programme up until the 2025 Triennial Elections, with the exception of the Appointments and Chief Executive Relationship Committee and the Re Raangai Koorero Whakakaupapa Committee, which will convene on as an required basis and will be publicly notified in the month prior to each meeting.
- 3.2 Generally, Council meeting are scheduled on the basis of monthly meetings taking place on the last Tuesday of each month. However there are exceptions in 2025, firstly the June Council meeting will be convened on Monday 30 June, and secondly the September meeting being will be to Thursday 9 October to enable the last meeting of the triennium to be closer to the Elections.
- 3.3 Audit and Risk Committee meetings are scheduled quarterly, with the exception of the last meeting of the year which is brought forward a month to October. This enables the Committee to consider and make recommendations to Council on the Annual Report prior to adoption before the end of October.
- 3.4 It should also be noted that because of the "living" nature of Council's work programme, scheduled meeting dates over and above the normal monthly Council meetings often alter as time passes and therefore only the known dates are included for adoption in the Meeting Schedule. Any additional meetings will be scheduled if and when required.
- 3.5 No Council or Committee Meetings are scheduled for January or December.

Document ID: 798558

Report To: Council



Meeting Date: 17 December 2024

Subject: **Water Services Bylaw 2010 (adopted 10 February 2015) and Public Amenities Bylaw 2010 (adopted 10 February 2015) – 10 Year Review**

Type: Decision Required

Author(s): Alex Bell
General Manager – Strategy and Environment

Charmaine Ellery
Manager – Strategy and Policy

1. Purpose of Report

- 1.1 The purpose of this business paper is to recommend to Council that the 10 year review of the Water Services Bylaw 2010 (adopted 10 February 2015) and Public Amenities Bylaw 2010 (adopted 10 February 2015) not be completed in accordance with section 160A of the Local Government Act 2002.

2. Suggested Resolutions

- 2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.

- 1 The business paper on the Water Services Bylaw 2010 (adopted 10 February 2015) and Public Amenities Bylaw 2010 (adopted 10 February 2015) – 10 Year Review be received.
- 2 In accordance with Section 160A of the Local Government Act 2002, Council agree not to complete the 10 year review of the Water Services and Public Amenities Bylaws and for both Bylaws to be revoked as of 10 February 2027 (unless revoked earlier by the Council).

Water Services Bylaw Resolutions

- 3 A review of the current Water Services Bylaw will be undertaken once the Local Government Water Services Bill is enacted, and if required, a new Bylaw will be developed at that time and the existing Bylaw revoked.
- 4 If a new Water Services Bylaw is not required as a result of the Local Government Water Services Bill, then a new Bylaw will not be developed. However, should it be determined that the Water Services Bylaw is still required, a review will be undertaken and a new Bylaw adopted.
- 5 Council publicly notify that due to the significant changes to be implemented in the water services delivery space over the next two years, it will not be completing the 10 year review of the existing Water Services Bylaw 2010 and that should it decide a new Bylaw is required, it will develop a new Bylaw prior to 10 February 2027.

Public Amenities Bylaw Resolutions

- 6 A review of the current Public Amenities Bylaw will be undertaken once the Proposed Waitomo District Plan is Operative, and if required, a new Bylaw will be developed at that time and the existing Bylaw revoked.
- 7 If it is determined that the Public Amenities Bylaw is no longer required as a result of the Proposed Waitomo District Plan, then a new Bylaw will not be developed. However, should it be determined that the Public Amenities Bylaw is still required, a review will be undertaken and a new Bylaw adopted.
- 8 Council publicly notify that due to the likely significant changes to be implemented once the Proposed Waitomo District Plan is Operative, it will not be completing the 10 year review of the existing Public Amenities Bylaw 2010 and that should it decide a new Public Amenities Bylaw is required, it will develop one prior to 10 February 2027.

| |
|------------------------|
| <h3>3. Background</h3> |
|------------------------|

3.1 LOCAL GOVERNMENT ACT 2002 (LGA)

- 3.2 The LGA provides the requirements for the making, reviewing, and revoking of Bylaws.
- 3.3 Section 156 of the LGA requires that the use of the special consultative procedure must be used when making, amending or revoking bylaws. However, a council may, by resolution publicly notified, make minor changes to, or correct errors in a bylaw outside the required 5 or 10 year reviews.
- 3.4 Section 158 of the LGA provides that any new Bylaw adopted by the Council must be reviewed within 5 years of it being made.
- 3.5 Section 159 provides that further reviews must be completed no later than 10 years after the last review.
- 3.6 Section 160 of the LGA requires that for any review of a Bylaw (5 or 10 year review), whether changes have been made or not, Council must consult using the special consultative procedure.
- 3.7 Section 160A of the LGA provides that a bylaw not reviewed under Sections 158 or 159 (as above), is revoked on the date that is 2 years after the last date on which the bylaw should have been reviewed.

3.8 WATER SERVICES BYLAW - LOCAL GOVERNMENT WATER SERVICES BILL

- 3.9 The purpose of the Water Services Bylaw is to:
- (a) protect public health and the security of the public water supply;
 - (b) detail the responsibilities of both the Council and the consumers with respect to the public water supply and other water related services;
 - (c) ensures the safe and efficient creation, operation, maintenance and renewal of all public water services, sewerage and stormwater drainage networks;
 - (d) ensures proper hazard management to prevent or minimise flooding and erosion;
 - (e) minimises adverse effects on the local environment particularly freshwater ecological systems and beach water quality, and assists in maintaining receiving water quality;
 - (f) ensures that watercourses are properly maintained;

- (g) ensures protection of Council's water services, sewerage and stormwater drainage assets and the health and safety of employees;
- (h) sets out acceptable types of connection to public water services, sewerage and stormwater networks.
- 3.10 The Government will introduce a third Local Water Done Well Bill in December 2024 that will establish the enduring settings for the new water services system.
- 3.11 The Local Government Water Services Bill will set out a range of changes to the water services delivery system and to the water services regulatory system.
- 3.12 This includes:
- New water services delivery models for councils to choose from, including new water organisations that can be owned by councils and/or consumer trusts
 - Minimum requirements for local government water services providers
 - A new economic regulation regime for local government water services providers, to be implemented by the Commerce Commission
 - Changes to improve the efficiency and effectiveness of the drinking water regulatory regime, and the approach Taumata Arowai takes to regulating the regime
 - Change in the approach to applying Te Mana o te Wai, affecting drinking water suppliers as well as wastewater and stormwater networks
 - A new approach to managing urban stormwater, including changes to improve the management of overland flow paths and watercourses in urban areas
 - Changes relating to wastewater environmental performance standards and national engineering design standards.
- 3.13 It is considered that given these changes, this could have a significant impact on how Council manages its water services under its current Water Services Bylaw, and in fact the new entities or legislation may specifically deal with the Bylaw requirements.
- 3.14 **PUBLIC AMENITIES BYLAW**
- 3.15 The Public Amenities Bylaw controls a diverse range of activities in public amenities to ensure that acceptable standards of convenience, safety and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district. In particular this bylaw addresses conduct in public amenities such as libraries, reserves, aerodrome, public parking areas, public toilets, swimming pool, beaches, other public buildings and cemeteries which may have an adverse effect on other users of these facilities.
- 3.16 Council officers consider that as we have now progressed a number of statutory documents (Reserve Management Plan, Proposed Waitomo District Plan (PDP), Public Places Bylaw 2023 and Public Health and Safety Bylaw 2023) that may potentially conflict or overlap with the Public Amenities Bylaw, we need to review the Bylaw alongside these documents to ensure that there is no duplication or inconsistencies. The appropriate time to do this would be after the PDP is made operative.

4. Commentary

4.1 BYLAW REVIEW

- 4.2 If the 10 year review of the Bylaws were to be completed before 10 February 2025 (as required by both the LGA), it is highly likely that the Water Services Bylaw would need to be reviewed once the Local Government Water Services Bill comes into effect and similarly the Public Amenities Bylaw would need to be reviewed once the PDP is Operative.

- 4.3 It is considered to ensure consistency and to reduce the potential for conflict the 10 year reviews of both Bylaws not be completed in accordance with section 160A of the LGA.
- 4.4 **IMPLICATION OF NOT COMPLETING 10 YEAR REVIEW**
- 4.5 The implication of not completing the required 10 year review is that the Bylaws will be revoked as of 10 February 2027 (if not revoked by the Council earlier) and a new Bylaw will need to be adopted.
- 4.6 An inhouse review of both Bylaws will be undertaken once the Local Government Water Services Bill comes into force and the PDP is operative. Council officers will then present advice back to Council and if new Bylaws are required, they will be developed, and if not the Bylaws will be revoked.
- 4.7 If new Bylaws are required before 10 February 2025 , then Council will need to revoke the existing Bylaws at the time it adopts the new Bylaws.
- 4.8 There is no difference in the process/timeline between undertaking a review of an existing Bylaw or creating a new Bylaw.
- 4.9 In this instance, rather than undertake two Bylaw reviews of both the Water Services Bylaw and the Public Amenities Bylaw over the next two years, it is preferable to not undertake a 10 year review until such time as we have had an opportunity to review the Local Government Water Services Bill and the operative PDP to ensure that firstly a Bylaw is still the most efficient and effective manner to manage the issue and so that there are no inconsistencies or conflicts in approach.

5. Considerations

- 5.1 **RISK**
- 5.2 There is little to no risk involved in not completing the 10 year review of the Bylaws on the due date, as the Bylaw will still be in place until they are revoked in February 2027, unless revoked by the Council earlier.
- 5.3 **CONSISTENCY WITH EXISTING PLANS AND POLICIES**
- 5.4 It is considered that the Bylaws are consistent with current plans and policies.
- 5.5 **SIGNIFICANCE AND COMMUNITY VIEWS**
- 5.6 There are no significance or community issues in not completing the 10 year review, as the approach as set out in the resolutions will ensure consistency of approach going forward and will reduce duplication. At such time as an amendment is required, a new Bylaw or Bylaws will be developed through a special consultative process as required by the LGA.

6. Recommendation

- 6.1 The business paper on the Water Services Bylaw 2010 (adopted 10 February 2015 and Public Amenities Bylaw 2010 (adopted 10 February 2015) – 10 Year Review be received.
- 6.2 In accordance with Section 160A of the Local Government Act 2002, Council agree not to complete the 10 year review of the Water Services and Public Amenities Bylaws and for both Bylaws to be revoked as of 10 February 2027 (unless revoked earlier by the Council).

Water Services Bylaw Resolutions

- 6.3 A review of the current Water Services Bylaw will be undertaken once the Local Government Water Services Bill is enacted, and if required a new Bylaw will be developed at that time and the existing Bylaw be revoked.

- 6.4 If a new Water Services Bylaw is not required as a result of the Local Government Water Services Bill, then a new Bylaw will not be developed. However, should it be determined that the Water Services Bylaw is still required, a review will be undertaken and the Bylaw renewed.
- 6.5 Council publicly notify that due to the significant changes to be implemented in the water services delivery space over the next two years, it will not be completing the 10 year review of the existing Water Services Bylaw 2010 and that should it decide a new Bylaw is required, it will develop one prior to 10 February 2027.

Public Amenities Bylaw Resolutions

- 6.6 A review of the current Public Amenities Bylaw will be undertaken once the Proposed Waitomo District Plan is Operative, and if required a new Bylaw will be developed at that time and the existing Bylaw be revoked.
- 6.7 If it is determined that the Public Amenities Bylaw is no longer required as a result of the Proposed Waitomo District Plan, then a new Bylaw will not be developed. However, should it be determined that the Public Amenities Bylaw is still required, a review will be undertaken and the Bylaw renewed.
- 6.8 Council publicly notify that due to the likely significant changes to be implemented once the Proposed Waitomo District Plan is Operative, it will not be completing the 10 year review of the existing Public Amenities Bylaw 2010 and that should it decide a new Public Amenities Bylaw is required, it will develop one prior to 10 February 2027.

Document No: 797319

Report To: Council



Meeting Date: 17 December 2024

Subject: **Amendment to Policy on Community Organisations Insurance Arrangements through Council**

Type: Decision Required

Author(s): Rajeshwari Mahadevappa
Graduate Policy Advisor

Charmaine Ellery
Manager Strategy and Policy

1. Purpose of Report

- 1.1 The purpose of this business paper is to seek approval from the Council to amend the Policy on Community Organisations Insurance Arrangements through Council.

2. Suggested Resolutions

- 2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.
- 1 The business paper on Amendment to Policy on Community Organisations Insurance Arrangements through Council be received.
 - 2 Council approve the proposed amendment to include an additional criterion to consider eligible Community Organisation not situated on Council owned land or Council reserve land to participate in the insurance arrangements provided through Council as follows -
 - If the eligible Community Organisation is not situated on Council owned land or Council reserve land, the Council has the discretion to approve the insurance arrangements based on whether it considers the organisation provides benefit to the community.

3. Background

- 3.1 Council is a member of the Co-Lab Insurance Collective which has a membership of ten councils in the greater Waikato area. Council has been part of the Insurance Collective under the umbrella of Co-Lab since its inception in June 2012.
- 3.2 Council insures its property and infrastructural assets through a Material Damages insurance policy which provides cover for damages and losses for unforeseen and unintended events, such as fire or natural disaster occurrences.
- 3.3 At the 11 May 2021 Audit, Risk and Finance Committee meeting, a paper was presented on the Insurance Update Report for the insurance year to 31 October 2021. The Committee noted the need for a Council policy to be developed regarding the insuring of community assets located on Council land.

3.4 The Draft Policy on Community Organisations Insurance Arrangements through Council was presented to the Audit, Risk and Finance Committee Meeting on the 15 February 2022 for consideration. At that meeting the Committee resolved:

- 1 *The business paper on Draft Policy on Community Organisations Insurance Arrangements through Council be received.*
- 2 *The Audit, Risk and Finance Committee recommend to Council the adoption of the Policy on Community Organisations Insurance Arrangements through Council, subject to any amendments agreed at this meeting.*

3.5 Following this, the Draft Policy on Community Organisations Insurance Arrangements through Council was presented to the Council Meeting on the 22 February 2022 for consideration. At that meeting the Council resolved:

- 1 *The business paper on Draft Policy on Community Organisations Insurance Arrangements through Council be received.*
- 2 *Council adopt the Policy on Community Organisations Insurance Arrangements through Council subject to the addition of a new Clause 4.8 as follows:*
 - 4.8 *Council will impose a charge on a participating organisation to cover its administration cost through Council's Fees and Charges regime.*

4. Commentary

- 4.1 The current Policy sets the conditions of the arrangement and eligibility criteria for participating organisations with assets situated on Council land to take advantage of Council's pooled insurance arrangements, which is further enhanced through Council being part of the Co-Lab insurance collective.
- 4.2 Under insurance contracts, one party can hold an insurance policy on behalf of another party, and this does not reduce the liability of the insurer to respond to a valid claim.
- 4.3 A community need has arisen to amend the Policy to include eligible Community Organisations not situated on Council owned land or Council reserve land unable to meet the escalating insurance costs to participate in the insurance arrangements through Council.
- 4.4 Council received a deputation from Shelley Mitchell on behalf of the Maniapoto Rugby Sub Union on the 26 November 2024 Council Meeting informing of the implications of the reduced grant funding from the Council, challenges currently being faced in relation to the rugby facilities and rising insurance costs.
- 4.5 The proposed amendments are shown in red in the criteria section of the Policy (2.1b and 2.1c) and forms part of this business paper.

5. Analysis of Options

- 5.1 Council has the option of approving or rejecting the proposed amendments to the policy.
- 5.2 If the Council approves the proposed amendments, the eligible Community Organisations not situated on Council owned land or Council reserve land can participate in the insurance arrangements through Council.
- 5.3 If the Council rejects the proposed amendments, provision of insurance cover for eligible Community Organisations situated on Council owned land or Council reserve will continue. However, Council would continue to receive requests in an adhoc manner, and this could lead to inconsistencies and perceived unfairness of assessment by Council.

6. Considerations

6.1 **Risk**

6.2 The proposed amendments may attract additional applications for covering assets through Council's insurance policy. Additional organisations may increase the risk of non-payment, this would be mitigated through the application process ensuring the organisation has sufficient means to cover the annual premium.

6.3 Organisations eligible for this insurance cover would also be eligible for WDC Community grants which typically cover operations costs such as insurance.

6.4 Risks identified in adopting the proposed amendments to the policy is considered as being low.

6.5 **Consistency with Existing Plans and Policies**

6.6 There is no additional cost to the wider community and nothing in the proposed amendments is consistent with existing plans and policies.

6.7 This change is consistent with the intent of the Policy giving community groups the option to reduce insurance costs through WDC's collective agreement.

6.8 **Significance and Community Views**

6.9 The decision is not a significant decision in terms of the Council's Significance and Engagement Policy.

7. Recommendation

7.1 The business paper on Amendment to Policy on Community Organisations Insurance Arrangements through Council be received.

7.2 Council approve the proposed amendment to include an additional criterion to consider eligible Community Organisation not situated on Council owned land or Council reserve land to participate in the insurance arrangements provided through Council as follows -

- If the eligible Community Organisation is not situated on Council owned land or Council reserve land, the Council has the discretion to approve the insurance arrangements based on whether it considers the organisation provides benefit to the community.

8. Attachments/Separate Enclosures

Attachment:

- 1 Policy on Community Organisations Insurance Arrangements through Council (797316)

Waitomo District Council

Policy on Community Organisations Insurance Arrangements Through Council

| | |
|----------------------|--|
| First adopted | 22/02/2022 |
| Last Reviewed | Inaugural |
| Review Date | 2025 |
| Associated documents | Rates Remission Policy, Council's Fees and Charges |
| Responsibility | GM Business Support |



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PURPOSE AND SCOPE | TE ARONGA ME TE KORAHĪ

1. The purpose of the Community Organisation Insurance Policy is to allow incorporated Community Organisations with property located on Council land to benefit from Council's collective insurance arrangements through competitive insurance cover for property assets.

DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

Community Facility

A building, collection of buildings, other structures or property that is owned by the participating Community Organisation that is situated on a Council reserve or operational land and is available for community use.

Community Organisation

An incorporated organisation that pursues sporting, recreational or community purposes and is for not-for-profit or is for charitable purposes, within the Waitomo District.

An organisation that is for private pecuniary profit or engages in sporting, recreational or community purposes as a secondary purpose will not be eligible.

Council retains discretion as to whether an organisation fits these criteria.

POLICY | KAUPAPA HERE

1. Objective

- 1.1 To support eligible Community Organisations to obtain competitive insurance cover.
- 1.2 The insurance cover is for damage to physical property assets and cover for losses due to business interruption.
- 1.3 No other insurance type is provided within this Policy. (i.e., Public Liability or Professional Indemnity cover is not provided).

2. Criteria

- 2.1 Community Organisations that fit the below criteria will be eligible to participate in the arrangement:
 - (a) The organisation must meet the definition of an eligible Community Organisation as defined in the Policy; and
 - (b) The organisation must own the Community Facility situated on Council owned land or Council reserve land; **or**
 - (c) **If the eligible Community Organisation is not situated on Council owned land or Council reserve land, the Council has the discretion to approve the insurance arrangements based on whether it considers the organisation provides benefit to the community.**

- 2.2 Community Organisations that have an existing insurance arrangement with Council as at 30 June 2021 will remain eligible to retain their existing arrangement, subject to agreeing to the payment of the annual administration charge.

3. Applications

- 3.1 Community Organisations that are not currently insured though Council's insurance arrangement must make a written application on the prescribed Form to Council by 31 March for insurance cover commencing 1 November.
- 3.2 The application will include terms and conditions relating to the arrangement which must be agreed to by the Community Organisation.
- 3.3 Incomplete or late applications will be deemed ineligible and will not be considered.

4. Insurance Terms

- 4.1 Insurance arrangements cover the period from 1 November to 31 October the following year.
- 4.2 The terms of the Material Damages and Business Interruption Policy that Council obtains each year, will pass through to the participating Community Organisation including the level of excess applicable.
- 4.3 The Community Organisation will advise the type of insurance cover required on application (i.e., All replacement, indemnity or functional replacement). The Community Organisation will be solely responsible for determining the appropriate type and level of insurance cover for the relevant Community Facility. Council does not guarantee that the type of insurance cover will be available at each renewal period.
- 4.4 Insurance cover for a part year will not be available.
- 4.5 A valuation of the Community Facility by a Registered Valuer for insurance purposes is required for acceptance into the arrangement. Any cost for the initial valuation will be charged to the Community Organisation.
- 4.6 Subsequent insurance valuations, which are usually carried out every three years, will be at Council's cost.
- 4.7 Any claim(s) by a participating Community Organisation will be facilitated through Council.
- 4.8 Council will impose a charge on a participating organisation to cover its administration cost through Council's Fees and Charges regime.

Document ID: 798569

Report To: Council

Meeting Date: 17 December 2024

Subject: **Motion to Exclude the Public**

Type: Decision Required

Author(s): Michelle Higgle
Manager – Governance Support

1. Purpose of Report

1.1 The purpose of this business paper is to enable Council to consider whether or not the public should be excluded from the consideration of Council business.

Note: It is Council's choice whether to consider any of the business listed below in the public or public excluded portion of the meeting.

2. Suggested Resolutions

2.1 The following are suggested resolutions only and do not represent Council policy until such time as they are adopted by formal resolution.

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter, as specified by Section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

| General Subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Section 48(1) grounds for the passing of this resolution |
|---|---|---|
| 1. Waitomo District Landfill and Te Kuiti Wastewater Treatment Plant Sludge Removal Options | Section 7(2) - (i) To enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). | Section 48(1)(a) (i) Where the local authority is named or specified in Schedule 1, under section 6 or section 7 (except section 7(2)(f)(i)) |

- 3 Council agree the following staff, having relevant knowledge to assist in the consideration of the items of business to be public excluded, remain in attendance to assist the Council with its decision making:

| Staff Member | Reason for Remaining in Attendance |
|---|------------------------------------|
| Chief Executive | Council CEO |
| Manager – Governance Support | Committee Secretary |
| General Manager – Infrastructure Services | Portfolio Holder |
| Property and Facilities Manager | Portfolio Holder |
| Solid Waste Lead | Portfolio Holder |

- 4 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 the public.

3. Commentary

- 3.1 Section 48 of the Local Government Official Information and Meetings Act 1987 gives Council the right, by resolution, to exclude the public from the whole or any part of the proceedings of any meeting, only on one or more of the grounds contained within that Section.