

WAITOMO DISTRICT COUNCIL

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 25 AUGUST 2026 AT 9.00AM

- PRESENT:** Mayor John Robertson
Deputy Mayor Eady Manawaiti
Councillor Olivia Buckley
Councillor Allan Goddard
Councillor Janette Osborne
Councillor Dan Tasker
Councillor Isaiah Wallace
- IN ATTENDANCE:** One Member of the Public
Sport Waikato representatives:
Matthew Cooper, Chief Executive Officer
Steve Dalgety, General Manager Regional Leadership
Robbie Matthews, Connectivity Coordinator
Pureora Project (Department of Conservation Te Papa Atawhai) representative:
Tama Blackburn, Program Co-Lead
- STAFF:** Chief Executive, Ben Smit
Manager – Governance Support, Michelle Higgie
General Manager – Community Services, Helen Beever
Manager – Strategy and Policy, Charmaine Ellery
Policy Advisor, Rajeshwari (Raj) Mahadevappa
Leader - Communications and Engagement, Jenelle Burnell
Acting General Manager – Strategy and Environment, Hilary Walker
Chief Financial Officer, Tina Hitchen

1. Karakia Tuwhera

2. Apologies

No apologies.

3. Declarations of Member Conflicts of Interest
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No declarations were made.

4. Determinations Report – Public Amenities Bylaw Review

Council considered a business paper seeking a decision on reviewing the Waitomo District Council Public Amenities Bylaw and presenting a determinations report for consideration.

The Manager – Strategy and Policy expanded verbally on the business paper and answered members' questions.

Resolution

- 1 The business paper on Determinations Report – Public Amenities Bylaw Review be received.
- 2 Council determines that a bylaw continues to be the most appropriate way of addressing the perceived problems that arise in relation to the matters addressed within the Waitomo District Public Amenities Bylaw 2010 in accordance with section 155 of the Local Government Act 2002.

- 3 Council approves the initiation of a review of the Waitomo District Public Amenities Bylaw 2010 in accordance with section 145 of the Local Government Act 2002.

Manawaiti/Buckley Carried

5. Water Services and Trade Waste Bylaw Reviews and Trade Waste Discharge Plan Delegation
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Council considered a business paper seeking approval to commence the joint review of Waitomo District Council's Water Services Bylaws and to delegate powers to Waikato Waters Limited in relation to the development of a Trade Waste Discharge Plan, as required or permitted by the Local Government (Water Services) Act 2025.

The Manager – Strategy and Policy expanded verbally on the business paper and answered members' questions.

Resolution

- 1 The business paper on Water Services and Trade Waste Bylaw Reviews and Trade Waste Discharge Plan Delegation be received.
- 2 Council determines that the Waitomo District Council Water Services Bylaw 2015 and Waitomo District Council Trade Waste Bylaw 2006 (Amended 2016) are not consistent with the Local Government (Water Services) Act 2025.
- 3 Council agrees to submit the findings to Waikato Waters Limited by 1 September 2026 through the Bylaw Coordination Group and continue with the joint review process.
- 4 Council agrees to invite Waikato Waters Limited to propose new bylaws, or an amendment to the existing Water Services Bylaw 2015 and Trade Waste Bylaw 2006 (Amended 2016), pursuant to section 263(4)(a) of the Local Government (Water Services) Act 2025.
- 5 Pursuant to section 185(2) of the Local Government (Water Services) Act 2025 delegates to Waikato Waters Limited the authority to prepare, consult on, and issue a Trade Waste Discharge Plan.

Goddard/Osborne Carried

Matthew Cooper, Chief Executive Officer, Steve Dalgety, General Manager Regional Leadership and Robbie Matthews, Connectivity Coordinator entered the meeting at 9.27am.

The Manager – Strategy and Policy and Policy Advisor left the meeting at 9.30am

6. Confirmation of Minutes: 28 July 2026

Resolution

The Minutes of the Waitomo District Council meeting held on 28 July 2026, including the public excluded Minutes, be confirmed as a true and correct record.

Buckley/Goddard Carried

7. Confirmation of Minutes: 4 August 2026 (Extraordinary Meeting)
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Resolution

The Minutes of the Extraordinary Waitomo District Council meeting held on 4 August 2026 be confirmed as a true and correct record.

Robertson/Osborne Carried

8. Receipt of Unconfirmed Audit and Risk Committee Minutes – 11 August 2026
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Resolution

The Unconfirmed Minutes of the Audit and Risk Committee meeting of 11 August 2026 be received.

Tasker/Manawaiti Carried

9. Receipt of Unconfirmed Les Munro Centre Steering Group Minutes – 29 July 2026

Resolution

The Unconfirmed Minutes of the Les Munro Centre Steering Group meeting of 29 July 2026 be received.

Robertson/Wallace Carried

10. Presentation: Sport Waikato – End of Year Report 2025/2026

Council received a presentation from Sport Waikato representatives Matthew Cooper (Chief Executive Officer), Steve Dalgety (General Manager Regional Leadership) and Robbie Matthews (Connectivity Coordinator) presenting the Sport Waikato Year End Report for 2025/2026.

Tama Blackburn, Program Co-Lead, Pureora Project, (Department of Conservation Te Papa Atawhai) entered the meeting at 9.50am.

Resolution

The presentation from Sport Waikato be received.

Tasker/Osborne Carried

Matthew Cooper, Steve Dalgety and Robbie Matthews left the meeting at 10.19am.

11. Deputation: Pureora Project
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Council received a deputation by PowerPoint Presentation from Tama Blackburn, Program Co-Lead for the Department of Conservation (Te Papa Atawhai) Pureora Project.

Tama Blackburn left the meeting at 10.43am.

The meeting adjourned for morning tea at 10.43am and reconvened at 11.00am.

12. Mayor's Report – August 2026

Council considered a business paper presenting the Mayor's report for the current month.

The Mayor expanded verbally on his report and answered Members' questions.

The Leader - Communications and Engagement entered the meeting at 11.08am.

The Acting General Manager – Strategy and Environment entered the meeting at 11.11am.

Resolution

Mayor's Report – August 2026 be received.

Robertson/Manawaiti Carried

13. Chief Executive's Report – August 2026

Council considered a business paper providing the Chief Executive's oversight of the organisation and its progress toward achieving its vision, outcomes, and priorities.

The Chief Executive expanded verbally on his report and answered Members' questions.

Resolution

Chief Executive Report – June 2026 be received.

Robertson/Tasker

Carried

14. Better off Fund – Status Report

Council considered a business paper providing a status report on the Better off Fund grant.

The Chief Executive and Acting General Manager – Strategy and Environment expanded verbally on the business paper and answered Members' questions.

Resolution

The business paper on Better off Fund – Status report be received.

Manawaiti/Buckley

Carried

15. Les Munro Centre - Project Revitalisation Update

Council considered a business paper providing an update on the status and progress of the Les Munro Centre revitalisation project and seeking endorsement of the budget applied from the Better off Funding.

The Chief Executive expanded verbally on the business paper and answered Members' questions.

The Leader – Communications and Engagement presented the Social Point interactive engagement tool developed for public consultation and feedback on the revitalisation project.

Resolution

- 1 The business paper on Les Munro Centre Project Revitalisation Update be received.
- 2 Council endorse the budget allocation of \$40,000 from the Better-Off Fund (Les Munro Project) to the Les Munro Centre Revitalisation Project – Pre engagement.

Manawaiti/Robertson

Carried

The Leader – Communications and Engagement left the meeting at 11.55am.

16. Review of Governance Statement (Post Waters Transition to Waikato Waters Limited)

Council considered a business paper presenting Council's Governance Statement, revised following the transition of water and wastewater services to Waikato Waters Limited, for consideration and adoption.

The Manager – Governance Support expanded verbally on the business paper and answered Members' questions.

The Chief Financial Officer and Acting General Manager – Strategy and Environment entered the meeting at 12.05pm

Resolution

- 1 The business paper on Review of Governance Statement (Post Waters Transition to Waikato Waters Limited) be received.
- 2 The Governance Statement - August 2026 (Revised post Water Services Transition) be adopted.

- 3 Council note that the Governance Statement will become out of date for periods of time following enactment of new/revised legislation due to the current legislative environment.

Wallace/Goddard Carried

17. Bi-Monthly Activity Report - Corporate and Finance

Council considered a business paper providing an update on activities that form part of the Leadership/Governance Group including Finance.

The Chief Financial Officer and Chief Executive expanded verbally on the business paper and answered Members' questions.

Resolution

The Bi-Monthly Activity Report: Corporate and Finance be received.

Buckley/Robertson Carried

18. Bi-Monthly Activity Report - Strategy and Environment Group

Council considered a business paper providing an update on work programmes that form part of the Strategy and Environment group.

The Acting General Manager – Strategy and Environment expanded verbally on the business paper and answered Members' questions.

Resolution

The business paper on Bi-Monthly Strategy and Environment Group Report be received.

Manawaiti/Tasker Carried

19. Interim Unaudited Financial Report for the period ended 30 June 2026

Council considered a business paper providing an overall progress report on Waitomo District Council's financial activities for the period ended 30 June 2026.

The Chief Financial Officer expanded verbally on the business paper and answered Members' questions.

Resolution

- 1 The business paper on the Interim Unaudited Financial Report for the period ended 30 June 2026 be received.

Robertson/Wallace Carried

20. 2025/2026 Carry forwards

Council considered a business paper seeking approval to carry forward unspent 2025/26 operational and capital budgets to the 2026/27 financial year.

The Chief Financial Officer expanded verbally on the business paper and answered Members' questions. Note correction to BP

Resolution

- 1 The business paper on 2025/26 Carry Forwards be received.
- 2 Council approve the carry forwards of \$6,960,700 of unexpended 2025/26 capital budget and \$96,000 operational budget to the 2026/27 financial year as follows:

Capital Expenditure

Activity	Capital Project	Carryover \$	Comment
Leadership (\$126,600)	Aerial photography	37,600	Project delayed due to weather. New aerals will be flown during 2026/27.
	Connectivity improvements and renewals	20,000	Project is to upgrade connectivity for some WDC sites such as LMC. This also includes the implementation of connectivity solutions for transfer stations once a preferred solution is identified.
	End user devices	54,000	Ongoing equipment replacement. Device costs have increased by 25% over the past 6 months driven by a global shortage of RAM.
	IT hardware renewals	15,000	Ongoing IT hardware renewals including audio and/or visual components for WDC sites.
Recreation and Property (\$416,700)	Centennial Park development	101,300	Continuation of the development of Centennial Park.
	Eketone Street sections development	315,400	Continuation of the development of sections. To be funded as part of Better Off Funding.
Solid waste (\$1,303,000)	Te Kuiti transfer station improvements and renewals	20,000	Te Kuiti transfer station upgrade of weighbridge software and installation of safety signage and traffic markings
	Te Kuiti transfer station accessway renewals	250,000	Internal roading repairs and addressing potholes along with drainage improvements. This budget has been reallocated from the original Transfer station improvements budget.
	Te Kuiti landfill capping	1,003,000	This carryover includes \$597,000 of the original capping budget allocated in the 2026/27 Annual Plan <u>plus</u> a reallocation of \$406,000 from the original Transfer station improvements budget.
	Te Kuiti resource recovery centre improvements	30,000	This budget has been reallocated from the original Transfer station improvements budget. This project includes increasing the capacity of the resource recovery centre to support more reusing of materials and reducing waste to landfill. To be funded from Waste Minimisation Levy funds.
Stormwater (\$651,000)	Te Kuiti stormwater improvements	173,000	Stormwater renewal work committed and work is underway.
	Te Kuiti stormwater – Eketone Street	120,000	Project is related to development of the Eketone Street sections. To be funded by Better Off Funding
	Te Kuiti stormwater main renewals and minor works	191,500	Planning for Te Kuiti stormwater main renewal is underway, with delivery targeted within the 2026/27 year.
	Te Kuiti stormwater catchment management plan renewals	92,000	Outstanding items identified in the catchment management plans will be actioned during 2026/27.
	Te Kuiti stormwater resource consent renewal	14,500	Stormwater resource consent work is underway. Once the draft resource consent is received, staff will finalise for lodgment with Waikato Regional Council.
	Rural stormwater renewals	51,000	The 2025/26 budget allocation was too small to enable any meaningful renewal works, so will be combined with the 2026/27 budget to delivery of viable programme of renewals.

Activity	Capital Project	Carryover \$	Comment
	Rural stormwater catchment management plans	9,000	Outstanding items identified in the catchment management plans will be actioned during 2026/27.
Roads (\$4,463,400)	Storm damage renewals from July and October 2025 events	3,504,400	Continuation of road renewals as a result of the July and October weather events that damaged the roads network.
	Storm damage renewals from April 2026 event	569,000	Road renewals as a result of the April weather events. This is a reallocation of the remaining unspent budget from the 2022 and 2023 weather events.
	Roading renewals (including structures component replacements, drainage renewals)	390,000	Continuation of roading work programmes that are currently in progress.

Operational Expenditure

Activity	Operational Project	Carry Over \$
Leadership – reallocation of unspent audit fees budget	Unspent operational budgets reallocated to IT consultants fees to support IT projects including workflow design and automation and connectivity upgrades.	96,000

Robertson/Osborne Carried

21. Recommendation from Audit and Risk Committee: Local Government Funding Agency Cash Advance Facility

Council considered a business paper presenting a recommendation from the Audit and Risk Committee to replace Council's current wholesale advance facility with the Local Government Funding Agency's cash advance facility.

The Chief Financial Officer expanded verbally on the business paper and answered Members' questions.

Resolution

- 1 The business paper on Recommendation from Audit and Risk Committee: Local Government Funding Agency Cash Advance Facility be received.
- 2 Council approve replacing its current cash advance facility with the Local Government Funding Agency's Cash Advance facility.

Goddard/Buckley Carried

22. Motion to Exclude the Public

Council considered a business paper enabling Council to consider whether or not the public should be excluded from the consideration of Council business.

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	Reason for passing this resolution	Section 48(1) grounds for the passing of this resolution
1. Sale of 2 Jennings Street, Te Kuiti	Section 7(2) (i) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1) (d) The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

- 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	Chief Executive
Manager – Governance Support	Committee Secretary

- 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.

Robertson/Buckley Carried

23. Public Excluded Items to be made public following Council's decision taking
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Resolution

Following Council's consideration and decision taking of the public excluded items –

1 Sale of 2 Jennings Street, Te Kuiti

Due to the commercial nature of the decision, Resolution 1 only (as follows) be made public until such time of the property is sold.

Resolution

1 The business paper on Sale of 2 Jennings Street, Te Kūiti be received.

Buckley/Goddard Carried

24. Karakia Whakamutunga

There being no further business the meeting closed at 12.36pm

Dated this day of

JOHN ROBERTSON
MAYOR

Confidential Confidential

Confidential Confidential

Confidential

Document ID: 1003942

Report To: Council**Meeting Date:** 29 September 2026**Subject:** **Inframax Construction Limited – Governance Matters for 2026 Annual General Meeting****Type:** Decision Required**Author(s):** Michelle Higgie
Manager – Governance**1 Purpose of Report**

- 1.1 The purpose of this business paper is to present to Council matters for consideration relating to the upcoming Inframax Construction Limited (ICL) 2026 Annual General Meeting (AGM) which will be convened in the Council Chambers after the Council Meeting on Tuesday 27 October 2026 at 2.00pm.

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 Inframax Construction Limited – Governance Matters for 2026 Annual General Meeting be received.
- 2 Council notes that no succession planning for the appointment of new Directors is required at this time.
- 3 Council confirms the number of Directors for Inframax Construction Limited pursuant to Clause 11.1 of the ICL Constitution i.e. "unless so determined, the minimum number shall be four and the maximum number shall be six."
- 4 Council re-appointed Janie Elrick to the Board of Directors following retirement by rotation pursuant to the Inframax Construction Limited Constitution.
- 5 Council approves the following Directors retirement by rotation schedule for the period 2026 to 2029:

Director Janie Elrick	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2023. To retire by rotation – October 2026
Director Chris Ryan	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2024. To retire by rotation – October 2027
Director Hugh Goddard (Chair)	Re-appointed following retirement by rotation October 2025. Appointed as Chair effective October 2025. To retire by rotation – October 2028
Director Jonathan Kay	Appointed as a Director effective 1 November 2025. To retire by rotation – October 2029

- 6 Council notes that next 3-yearly remuneration review for the Board of Directors is due prior to the 2027 Annual General Meeting.

3 Background

- 3.1 ICL is a Council Controlled Organisation in accordance with Section 6 of the Local Government Act 2002, with Waitomo District Council (WDC) having full ownership by way of a 100% shareholding investment.
- 3.2 In accordance with the ICL Constitution and Council's Policy on the Appointment of Directors to Council Controlled Organisations (WDC Policy), there are a number of governance matters that require review prior to each ICL annual general meeting, including:
- Any Succession Planning requirements
 - Number of Directors (ICL Constitution - Clause 11.1)
 - Retirement by Rotation of Directors (ICL Constitution - Clause 11.6)
 - Appointment of Chairperson (ICL Constitution - Clause 13.4)
 - Remuneration of Directors (WDC Policy - Section 3.3)

4 Commentary

CURRENT BOARD MEMBERSHIP

- 4.1 The current membership of the ICL Board of Directors (BoD) is as follows:

Director Hugh Goddard	First appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2025. Appointed as Chair effective October 2025.
Director Janie Elrick	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2023.
Director Chris Ryan	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2024.
Director Jonathan Kay	Appointed as a Director effective 1 November 2025.

SUCCESSION PLANNING

- 4.2 With four appointed Directors who are all intending to stay on the Board, there is no need to consider any succession planning at this time.

NUMBER OF DIRECTORS

- 4.3 With respect to the number of Directors, Clause 11.1 of the ICL Constitution provides:

"The minimum and maximum number of Directors may be determined from time to time by the Council, and unless so determined, the minimum number shall be four and the maximum number shall be six."

- 4.4 The ICL Board of Directors (BoD) recommended retaining a Board of four directors and the consensus is this provides opportunity to ensure the right level of diversity of experience, skills and expertise around the Board table.
- 4.5 Council at its 9 October 2025 meeting resolved:

3 Council confirms the number of Directors for Inframax Construction Limited pursuant to Clause 11.1 of the ICL Constitution i.e. "unless so determined, the minimum number shall be four and the maximum number shall be six."

RETIREMENT BY ROTATION

- 4.6 Section 11.6 of the ICL Constitution refers to the Rotation of Directors as follows:

11.6.1 One Third Retire: *At the annual meeting in every year, one third of the Directors (with a minimum of two) or if the number is not a multiple of three then the number nearest to one third, shall retire from office.*

Note: Since the number of directors has been four or less, Council has proceeded with a retirement by rotation on the basis of "the nearest number to one third" (being one director) rather than "(with a minimum of two)". This is to assist with consistency of the directorship moving forward i.e. directors retire by rotation every fourth year instead of every second year.

4.7 Section 11.6 of the ICL Constitution also provides:

11.6.2 Longest Serving Retire: *The Directors to retire shall be those who have been longest in office, but as between persons who became Directors on the same day, the directors to retire shall, unless otherwise agreed between them, be determined by lot.*

11.6.3 Re-Election: *A retiring Director shall be eligible for re-election.*

4.8 In accordance with Clause 11.6.1 of the ICL Constitution, with the current number of directors being four (including the Chair), the nearest number to one third is one, and therefore one director must retire by rotation. In accordance with Clause 11.6.2, the longest serving Director is required to retire by rotation.

4.9 As three of the current three Directors were all appointed at the same time (April 2022), the BoD recommended to Council ahead of the 2023 AGM that the Directors retire by rotation as follows:

2023 – Janie Elrick
2024 – Chris Ryan
2025 – Hugh Goddard

4.10 Council at its meeting on 31 October 2023 resolved to approve the BoD's recommendation for the above retirement by rotation plan.

4.11 Janie Elrick retired by rotation and was re-appointed at the 2023 AGM.

4.12 Chris Ryan retired by rotation and was re-appointed at the 2024 AGM.

4.13 Hugh Goddard retired by rotation and was re-appointed at the 2025 AGM and was also appointed Chair following the retirement of Earl Rattray.

4.14 Jonathan Kay was appointed as a new Director effective 1 November 2025.

4.15 Based on the above, the retirement by rotation schedule is as follows:

Director Janie Elrick	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2023. Due to retire by rotation – October 2026
Director Chris Ryan	Appointed as a Director effective 1 April 2022. Re-appointed following retirement by rotation October 2024. Due to retire by rotation – October 2027
Director Hugh Goddard (Chair)	Re-appointed following retirement by rotation October 2025. Appointed as Chair effective October 2025. Due to retire by rotation – October 2028
Director Jonathan Kay	Appointed as a Director effective 1 November 2025. Due to retire by rotation – October 2029

APPOINTMENT OF CHAIRPERSON

4.16 Section 13.4 of the ICL Constitution reads:

13.4 **Chairperson:** *The chairperson shall be appointed from time to time by notice in writing from the Council to the Company; but if no such chairperson is appointed at any time, or if at any meeting the chairperson is not present within fifteen minutes after the time appointed for the meeting, the meeting shall be cancelled.*

4.17 As the current Chairperson (Hugh Goddard) was appointed at the 2025 AGM and is not due to retire until October 2028, no action is required regarding the appointment of the Chairperson this year.

DIRECTORS REMUNERATION

4.18 Sections 2.3 and 3.3 of Council's Policy on the Appointment of Directors to Council Controlled Organisations (June 2026) read:

2.3 Remuneration

2.3.1 *Remuneration will be determined on a case by case basis taking in to account the size, form and purpose of the organisation, any previous level of fees paid by the shareholder and any other relevant requirements contained in the organisation's constitution.*

3.3 Remuneration

3.3.1 *The Council will set ICL directors' remuneration either by resolution at the Annual General Meeting or by way of resolution of Council. The resolution will state whether the remuneration is set s a fixed cap for Board Remuneration, to be allocated by the Board, or specifying the salaries to be paid to the directors and chairperson.*

3.3.2 *Remuneration for directors will be determined by an analysis of market rates for comparable positions at the time appointment(s) are being made and thereafter assessed every three years.*

4.19 The BoD remuneration was increased in 2024 and is currently at the following rates:

- The Board Chair remuneration is to be set at \$66,000 per annum
- The Directors remuneration is to be set at \$33,000 per annum

4.20 The next 3-yearly remuneration review will be ahead of the 2027 ICL AGM.

5 Attachments/Separate Enclosures
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Attachments:

- 1 Inframax Construction Limited Constitution (Doc # 556354)
- 2 Waitomo District Council Policy on the Appointment of Directors to Council Controlled Organisations (Doc # 947889)

The Companies Act 1993

**NOTICE OF ADOPTION, ALTERATION, OR
REVOCATION OF CONSTITUTION**
(Section 32(3))

10046036027

(for office use only)

Please note that the information in this form must be either typewritten or printed. It must not be handwritten.

Company
Name

INFRAMAX CONSTRUCTION LIMITED

Company Number

HN 508698

The abovenamed company has -
(Place a tick ✓ in the appropriate box)

☐

adopted a constitution

☒

altered its constitution

☐

revoked its constitution

The company adopted a new constitution on October 28th 2003 and altered the constitution on

2	6
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Day

0	5
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Month

0	4
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Year

A copy of the constitution as adopted is attached to this notice.

Signature of Director/Authorised Person

Name of Director/Authorised Person

Kevin Francis Were

Date

May 26th 2004

Presented by

Simpson Grierson
Solicitors

Account No.

Postal Address

Private Bag 92518
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JAR

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P# C9

-3 JUN 2004

CONSTITUTION

May 2004

INFRAMAX CONSTRUCTION LIMITED



INFRAMAX CONSTRUCTION LIMITED

CONSTITUTION

1. INTERPRETATION

In this Constitution, unless the context otherwise requires:

1.1 Definitions:

"**Act**" means the Companies Act 1993 as amended from time to time;

"**Board**" means the Directors of the Company who number not less than the required quorum acting together as a Board of directors;

"**Company**" means Inframax Construction Limited;

"**Constitution**" means this Constitution as amended from time to time;

"**Council**" means The Waitomo District Council, duly constituted under the provisions of the Local Government Act 1974 and the Local Government Act 2002;

"**Director**" means a person appointed and continuing in office, in accordance with this Constitution, as a director of the Company;

"**Local Government Act**" means the Local Government Act 2002 as amended from time to time; and

"**Statement of Intent**" means each Statement of Intent to be completed by the Board in terms of section 64 of the Local Government Act 2002.

2. CONSTITUTION

2.1 Effect of Constitution: The Company, the Board, each Director and each shareholder of the Company have the rights, powers, duties, and obligation to set out in the Act except to the extent that they are negated or modified by the Constitution. Subject to the Act, the Constitution is binding on and enforceable by each of the Company, the Board, each Director and each shareholder against any other of them in accordance with its terms.

2.2 Relationship of Constitution to Act and Local Government Act: Where there is any conflict between the Constitution and any mandatory provision in the Act or the Local Government Act, the mandatory provision in the applicable Act shall prevail.

- 2.3 Constitution Of No Effect:** This Constitution has no effect to the extent that it contravenes, or is inconsistent with, the Act, the Local Government Act or the Statement of Intent.

3. MANAGEMENT OF THE COMPANY

- 3.1 Local Government Act and Statement of Intent:** The business and affairs of the Company must be managed strictly in accordance with the applicable provisions of the Local Government Act and the Statement of Intent.
- 3.2 Decisions Relating to Operation:** All decisions of the Board relating to the operation of the Company must be made in accordance with the Statement of Intent and this Constitution.
- 3.3 Role of Director:** Without limitation to any other duties that a Director has, the role of each Director is to assist the Company to meet its objectives and any other requirements in its Statement of Intent.

4. CALLS ON SHARES

- 4.1 Board May Make Calls:** The Board may from time to time make such calls as it thinks fit upon the shareholders in respect of any amount unpaid on their shares and not by the conditions of issue made payable at a fixed time or times, and each shareholder shall, subject to receiving at least 14 days' written notice specifying the time or times and place of payment, pay to the Company at the time or times and place so specified the amount called. A call may be revoked or postponed as the Board may determine.
- 4.2 Timing of Calls:** A call may be made payable at such times and in such amount as the Board may determine.
- 4.3 Liability of Joint Holders:** The joint holders of a share shall be jointly and severally liable to pay all calls in respect thereof.
- 4.4 Interest:** If an amount called in respect of a share is not paid before or on the time appointed for payment thereof, the person from whom the amount is due shall pay interest on that amount from the time appointed for payment thereof to the time of actual payment at such rate not exceeding 10% per annum as the Board may determine, but the Board shall be at liberty to waive payment of that interest wholly or in part.
- 4.5 Instalments:** Any amount which by the terms of issue of a share becomes payable on issue or at any fixed time shall for all purposes be deemed to be a call duly made and payable at the time at which by the terms of issue the same becomes payable and, in case of non-payment, all the relevant provisions of this Constitution relating to payment of interest and expenses, forfeiture, or otherwise shall apply as if the amount had become payable by virtue of a call duly made and notified.

- 4.6 Differentiation as to Amounts:** The Board may, on the issue of shares, differentiate between the holders as to the amount of calls to be paid and the times of payment.

5. FORFEITURE OF SHARES

- 5.1 Notice of Default:** If any person fails to pay any call or any instalment of a call for which such person is liable at the time appointed for payment, the Board may at any time thereafter serve notice on such person requiring payment of the amount unpaid together with any interest which may have accrued.
- 5.2 Final Payment Date:** The notice shall name a further day (not earlier than the expiration of 14 days from the date of service of the notice) on or before which the payment required by the notice is to be made, and shall state that, in the event of non-payment on or before the time appointed, the shares in respect of which the amount was owing will be liable to be forfeited.
- 5.3 Forfeiture:** If the requirements of any such notice are not complied with, any share in respect of which the notice has been given may be forfeited, at any time before the required payment has been made, by a resolution of the Board to that effect. Such forfeiture shall include all dividends and bonuses declared in respect of the forfeited share and not actually paid before the forfeiture.
- 5.4 Sale of Forfeited Shares:** A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the Board in its sole discretion thinks fit and, at any time before a sale or disposition, the forfeiture may be cancelled on such terms as the Board thinks fit. If any forfeited share shall be sold within 12 months of the date of forfeiture, the residue, if any, of the proceeds of sale after payment of all costs and expenses of such sale or any attempted sale and all amounts owing in respect of the forfeited share and interest thereon shall be paid to the person whose share has been forfeited.
- 5.5 Cessation of Shareholding:** A person whose share has been forfeited shall cease to be a shareholder in respect of the forfeited share, but shall, nevertheless, remain liable to pay to the Company all amounts which, at the time of forfeiture, were payable by such person to the Company in respect of the share, but that liability shall cease if and when the Company receives payment in full of all such amounts.
- 5.6 Evidence of Forfeiture:** A statutory declaration in writing declaring that the declarant is a director of the Company and that a share in the Company has been duly forfeited on a date stated in the declaration shall be conclusive evidence of such facts as against all persons claiming to be entitled to the share.
- 5.7 Validity of Sale:** The Company may receive the consideration, if any, given for a forfeited share on any sale or disposition thereof and may

execute a transfer of the share in favour of the person to whom the share is sold or disposed of, and such person shall then be registered as the holder of the share and shall not be bound to see to the application of the purchase money, if any, nor shall such person's title to the share be affected by any irregularity or invalidity in the proceedings in reference to the forfeiture, sale or disposal of the share.

6. TRANSFER OF SHARES

- 6.1 Freedom to Transfer is Qualified:** Every shareholder, who desires to sell or transfer any shares (the "proposing transferor") shall give notice in writing (a "transfer notice") to the Company that the proposing transferor desires to transfer the shares. The transfer notice must nominate the sum the proposing transferor considers to be the value of the shares referred to in the transfer notice.
- 6.2 Board to Act as Agent:** A transfer notice shall (subject to the provisions of clauses 6.1 to 6.8) constitute the Board as the agent of the proposing transferor for the sale of such shares to any shareholder or shareholders of the Company at the sum specified in the transfer notice, or, at the option of any of the shareholders at the fair value to be fixed in accordance with clause 6.5.
- 6.3 All Shares to be Transferred:** If a transfer notice includes several shares it shall not operate as if it were a separate transfer notice in respect of each share and the proposing transferor shall be under no obligation to sell or transfer part only of the shares specified in the transfer notice. Except as provided in clause 6.5 the transfer notice shall not be revocable without the sanction of the Board in writing.
- 6.4 Purchaser:** If the Board, within the space of one calendar month after being served with a transfer notice, finds a shareholder or shareholders willing to purchase the shares (the "transferee" or "transferees"), and gives notice thereof to the proposing transferor, the proposing transferor shall, subject to clause 6.5, be bound to transfer the shares to the transferee or transferees upon payment of the sum specified in the transfer notice or the fair value determined in accordance with clause 6.5 (as the case may be) (subject to any lien which the Company may have under the Constitution or the terms of issue of the shares and to deduction in respect thereof).
- 6.5 Determination of Fair Value:** If any difference arises between the proposing transferor and the transferee as to the fair value of the shares, the price of the share or shares shall be the fair value determined by the Council. If the fair value fixed as aforesaid is less than the sum nominated in the transfer notice, the proposing transferor may revoke the transfer notice by giving notice in writing to the Company within 7 days of receipt by the proposing transferor of notice of the "fair value" determined by the Council.

- 6.6 Default by Transferor:** If, in any case the proposing transferor after becoming bound to transfer the shares makes default in transferring the shares, the Company may execute a transfer or transfers of the shares on behalf of the proposing transferor and the Company may receive the purchase money and shall thereupon cause the name or names of the transferee or transferees to be entered in the register as the holder or holders thereof and shall hold the purchase money (subject to any lien in favour of the Company) in trust for the proposing transferor. A Director's receipt will be a good discharge to the transferee or transferees for the purchase price and no question can be raised as to the title of the transferee or transferees to the shares after the transferee or transferees are registered as the holders thereof.
- 6.7 Disposition of Shares:** Subject to the provisions of this Constitution, the shares specified in any transfer notice given to the Company pursuant to clause 6.1 shall be dealt with as follows:
- 6.7.1 Shareholders of Same Class of Shares:** The said shares must be offered in the first instance to holders of the class of shares contained in the transfer notice and, if after satisfying the claims of such holders including their claims to any excess (which shall be satisfied pro rata according to their holdings), in the second instance to holders of other classes of shares in each case as nearly as may be in proportion to the number of existing shares in that class held by them respectively, and the offer shall in each case limit the time within which the same if not accepted will be deemed to be declined and may at the same time contain a notification that any such shareholder who desires an allotment of shares in excess of that shareholder's proportion should in the reply to the Company state how many excess shares that shareholder desires to purchase;
- 6.7.2 Unclaimed Shares:** If all such shareholders do not claim their proportions, the unclaimed shares shall be used for satisfying the claims in excess pro rata according to the number of shares applied for.
- 6.8 No Shareholder to Purchase:** If the Company cannot within the space of one month after being served with a transfer notice find a shareholder or shareholders willing to purchase the shares and give notice in the manner aforesaid, the proposing transferor may unless the proposing transferor has revoked the transfer notice pursuant to clause 6.5, at any time within 3 calendar months after the expiration of the said period of one month sell and transfer the shares to any person at a price not lower than the value specified in the transfer notice or the fair value fixed as aforesaid and clauses 6.1 to 6.7 shall not apply to such transfer provided that the right herein conferred on a shareholder shall in all cases be subject to the provisions of clause 7.

- 6.9 All Shareholders Consent:** Clauses 6.1 to 6.8 shall not apply in the case of any transfer of a share or shares approved in writing by all the shareholders of the Company.

7. REFUSAL TO REGISTER TRANSFERS

- 7.1 Directors' Right to Refuse Registration:** Subject to compliance with the provisions of section 84 of the Act, the Board may refuse or delay the registration of any transfer of any share to any person whether an existing shareholder or not:

- 7.1.1 Required by Law:** if so required by law;
- 7.1.2 Imposition of Liability:** if registration would impose on the transferee a liability to the Company and the transferee has not signed the transfer;
- 7.1.3 Failure to Pay:** if a holder of any such share has failed to pay on due date any amount payable thereon either in terms of the issue thereof or in accordance with the Constitution (including any call made thereon);
- 7.1.4 Infant or Unsound Mind:** if the transferee is an infant or a person of unsound mind;
- 7.1.5 More Than One Class:** if the transfer is in respect of more than one class of shares;
- 7.1.6 Proof of Ownership:** if the transfer is not accompanied by such proof as the Board reasonably requires of the right of the transferor to make the transfer; or
- 7.1.7 Pre-emptive Rights:** if the pre-emptive provisions contained in clause 6 have not been complied with.

8. NEW ISSUE OF SHARES

New shares offered to shareholders pursuant to section 45 of the Act and not accepted within the prescribed time or in respect of which an intimation is received from the person to whom the offer is made declining such offer may be disposed of by the Board in such manner as it thinks most beneficial to the Company provided that the Board may not offer terms to third parties which are more favourable than the terms upon which the shares were offered to shareholders. If the Board shall dispose of any such share at a price in excess of that at which it was offered to a shareholder, it may in its discretion pay the whole or any part of such excess to such shareholder.

9. ACQUISITION OF COMPANY'S OWN SHARES

- 9.1 Authority to Acquire Own Shares:** For the purposes of sections 59 and 60(1)(b)(ii) of the Act, the Company is expressly authorised to purchase or otherwise acquire shares issued by it.
- 9.2 Authority to Hold Own Shares:** Subject to any restrictions or conditions imposed by law the Company is expressly authorised to hold shares acquired by it pursuant to section 59 or section 112 of the Act.

10. PROCEEDINGS AT MEETINGS OF SHAREHOLDERS

- 10.1 First Schedule Modified:** The first schedule to the Act is modified as provided in this section 10.
- 10.2 Chairperson:** Sub-clause 1(2) of the first schedule to the Act is deleted and replaced with the following:

"1(2) If no chairperson of the Board has been appointed, or if at any meeting of shareholders the chairperson of the Board is not present within 15 minutes of the time appointed for the commencement of the meeting, at the option of the Shareholders, the meeting shall be cancelled or the Shareholders may agree a person present to act as the chairperson.

- 10.3 Notice of Meetings:** Clause 2 of the first schedule to the Act is amended as follows:

10.3.1 By deleting sub-clause (4) and replacing it with the following:

"(4) The chairperson may, and if so directed by the meeting shall, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting."

10.3.2 By adding the following sub-clause:

"(5) The accidental omission to give a notice of a meeting to, or the non-receipt of a notice of a meeting by, any person entitled to receive

such notice shall not invalidate the proceedings at that meeting."

10.4 Voting: Clause 5 of the first schedule to the Act is amended as follows:

10.4.1 By adding the following words to the end of sub-clause (7):

- "(7) In the case of an equality of votes, whether voting is by voice or show of hands or poll the motion or resolution being voted on shall be deemed to be defeated.

10.4.2 By adding the following sub-clauses:

- "(9) Subject to any rights or restrictions for the time being attached to any class of shares, every shareholder present in person or by proxy and voting by voice or on a show of hands shall have one vote."
- "(10) The chairperson may demand a poll on a resolution either before or after a vote thereon by voice or on a show of hands."
- "(11) The demand for a poll may be withdrawn."
- "(12) Except as provided in sub-clause (13), if a poll is duly demanded it shall be taken in such manner as the chairperson directs, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded."
- "(13) A poll demanded on the question of adjournment shall be taken immediately. A poll demanded on any other question shall be taken at such time and place as the chairperson of the meeting directs, and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of the poll."

10.5 Postal Votes: Clause 7 of the first schedule to the Act providing for postal votes is deleted.

10.6 Proxies and Representatives:

10.6.1 Right to Proxy: The Council may exercise the right to vote either by being present or by proxy or representative.

- 10.6.2 Right to Attend and be Heard:** A proxy or representative for the Council is entitled to attend and be heard and vote at a meeting as if the proxy or representative were the Council.
- 10.6.3 Appointment of Proxy:** A proxy must be appointed by notice in writing signed by the Council and the notice must state whether the appointment is for a particular meeting or a specified term not exceeding 12 months.
- 10.6.4 Proxy to be Produced:** No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced before the start of the meeting.
- 10.6.5 Proxy Form to be Sent:** A proxy form shall be sent with each notice calling a meeting.
- 10.6.6 Form of Proxy:** An instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:

INFRAMAX CONSTRUCTION LIMITED

INSTRUMENT APPOINTING A PROXY

The Waitomo District Council being a member of **Inframax Construction Limited** hereby appoints (print name of proxy) _____ of or failing him/her _____ of _____ as my/our proxy to vote for me/us on my/our behalf at the [.....th Annual] [Special] Meeting of the Company to be held at _____ on _____ commencing at [am/pm] [or all meetings of the Company held within twelve months of the date hereof] and at any adjournment of any such meeting.

Signed this _____ day of _____
(Usual signature/s)"

- 10.6.7 Alternative Form:** Where it is desired to give the Council an opportunity of voting for or against a resolution, the instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:

INFRAMAX CONSTRUCTION LIMITED

INSTRUMENT APPOINTING A PROXY

The Waitomo District Council being a member of **Inframax Construction Limited** hereby appoints (print name of proxy) _____ of _____ or _____

failing him/her of as my/our proxy to vote for me/us on my/our behalf at the [.....th Annual] [Special] Meeting of the Company to be held at on commencing at [am/pm] and at any adjournment thereof.

I/We direct my/our proxy to vote in the following manner

Vote with a Tick

Resolutions	For	Against
1.	_____	_____
2.	_____	_____

Signed this day of
(Usual signature/s)"

10.7 Representatives: A body corporate which is a shareholder may appoint a representative to attend a meeting on its behalf in the same manner as that in which it can appoint a proxy.

10.8 Resolutions in Lieu of Meeting:

10.8.1 Resolutions in Writing: A shareholders' resolution in lieu of a meeting signed in accordance with section 122 of the Act is as valid as if it had been passed at a meeting, and may consist of several documents in like form, each signed by one or more shareholders. A facsimile of any such signed resolution shall be as valid and effectual as the original signed document with effect from completion of its transmission.

10.8.2 Prior Notice Unnecessary: A resolution in accordance with clause 10.8.1 may be signed under clause 10.8.1 without any prior notice being given.

10.8.3 Representative to Sign Resolutions: A representative appointed by the Council to attend a meeting shall be deemed to have authority from the Council to sign any resolution.

11. DIRECTORS

11.1 Number of Directors: The minimum and maximum number of Directors may be determined from time to time by the Council, and unless so determined, the minimum number shall be four and the maximum number shall be six.

- 11.2 Qualification:** A person will be disqualified from being appointed or holding office as a director of the Company if that person is a member, officer or employee of a Territorial Authority as defined in the Local Government Act.
- 11.3 Tenure of Office:** Each Director shall hold office until:
- 11.3.1 Removal:** removal in accordance with the Constitution; or
- 11.3.2 Vacation of Office:** vacation of office pursuant to section 157 of the Act; or
- 11.3.3 Dies:** the Director dies; or
- 11.3.4 Absence from Meetings:** vacation of office resulting ipso facto from being absent without permission of the Board from three consecutive meetings of the Board.
- 11.4 Appointment and Removal of Directors by Shareholders:** The Directors of the Company shall be such person or persons as may from time to time be appointed either by the shareholders by ordinary resolution or by notice in writing to the Company signed by the holder or holders of a majority of the shares in the capital of the Company but so that the total number of directors shall not at any time exceed the maximum number, if any, fixed pursuant to clause 11.1. Every Director shall hold office subject to the provisions of this Constitution and may at any time be removed from office by ordinary resolution of the shareholders or by notice in writing to the Company signed as aforesaid. Directors may be appointed individually or together unless the shareholders by ordinary resolution require any director's appointment to be voted on individually.
- 11.5 Casual Vacancies:** The Board shall not have power at any time to appoint any person to be a Director either to fill a casual vacancy or as an additional Director. A person may be appointed by notice in writing to the Company from the Council to be a Director either to fill a casual vacancy or as an additional Director but so that the total number of Directors shall not at any time exceed the number determined in accordance with clause 11.1 (if any). The person appointed to fill a casual vacancy shall retire at the same time as if he or she had become a Director on the day on which the director in whose place he or she is appointed was last elected a Director.
- 11.6 Rotation of Directors:**
- 11.6.1 One Third Retire:** At the annual meeting in every year, one third of the Directors (with a minimum of two) or if the number is not a multiple of three then the number nearest to one third, shall retire from office.

- 11.6.2 Longest Serving Retire:** The Directors to retire shall be those who have been longest in office, but as between persons who became Directors on the same day, the directors to retire shall, unless otherwise agree between them, be determined by lot.
- 11.6.3 Re-Election:** A retiring Director shall be eligible for re-election.
- 11.7 Cross Directorships:** A Director of the Company may be or become a director or other officer of, or otherwise interested in, any Company promoted by the Company or in which the Company may be interested as shareholder or otherwise, and no such Director shall be accountable to the Company for any remuneration or other benefits received by him or her as a Director or officer of, or from his or her interests in, any such other Company unless the Company otherwise directs or the law requires.
- 11.8 Professional Directors:** Any Director may act by himself or herself or his or her firm in a professional capacity for the Company, and a director or firm shall be entitled to remuneration for professional services as if he or she were not a Director provided that nothing herein shall authorise a Director or his or her firm to act as auditor of the Company.
- 11.9 Directors' Gratuities:** The Company shall not:
- 11.9.1 On Retirement:** pay any gratuity or pension or allowance on retirement to any Director or in the case of a Director's death to his or her spouse or dependants; and
- 11.9.2 Retirement Benefit:** make contributions to any fund and pay premiums for the purchase or provision of any such benefit.
- The Board shall not authorise the payment of any such benefits and shall not authorise any contributions to any fund for the payment of any premiums for the purchase or provision of any such benefit.
- 11.10 Alternate Directors:**
- 11.10.1 Appointment of Alternate Directors:** The Council may by notice in writing to the Company appoint any person who is:
- (a) not a Director; and
 - (b) qualified to be a director in terms of the Act and this Constitution,
- to be an alternate director during any Director's absence or inability to act as a director.

11.10.2 Notice of Appointment: The notice of appointment of an alternate Director must include an address for service of notice of meetings of Directors. Failure to give an address will not invalidate the appointment but notice of meetings of Directors need not be given to the alternate Director until an address is provided to the Company.

11.10.3 Powers of Alternate Director: The appointee, while he or she holds office as an alternate Director, shall be entitled to all notices of meetings of Directors and any paper minutes or documents sent to Directors and to attend and vote at any meetings of Directors. The appointee shall not vote at any meeting or sign any resolution in lieu of a meeting under clause 13.6 of this Constitution except in place of the director for whom he or she is an alternate and shall not be entitled to be remunerated otherwise than out of the remuneration of the director for whom he or she is an alternate.

11.10.4 Revocation and Cancellation of Appointment: Any appointment of an alternate Director may be revoked at any time by the Council. The appointment of an alternate Director shall be cancelled and the alternate Director shall cease to hold office whenever the Director for whom he or she is an alternate ceases to be a Director.

11.10.5 No Other Appointments: No Director shall appoint a deputy or agent or alternate director. No alternate Director shall be appointed otherwise than by way of appointment of an alternate director by the Council in accordance with this clause 11.

12. DIRECTORS DUTIES

12.1 Wholly Owned Subsidiary: If the Company is a wholly owned subsidiary, a Director may act in a manner in which he or she believes is in the best interests of the Company's holding company (which, for the avoidance of doubt, means the Council) even though it may not be in the best interests of the Company.

12.2 Not Wholly Owned: If the Company is a subsidiary (but not a wholly owned subsidiary), a Director may with the prior agreement of the shareholders (other than the Company's holding company), act in a manner which he or she believes is in the best interests of the Company's holding company (which, for the avoidance of doubt, means the Council) even though it may not be in the best interests of the Company.

12.3 Directors to Comply with the Act and Constitution: A Director must not act, or agree to the Company acting, in a manner that contravenes the Act or the Constitution and, without limitation, must comply with the Statement of Intent.

13. PROCEEDINGS OF THE BOARD

- 13.1 Third Schedule Deleted:** The provisions of the third schedule to the Act are deleted and replaced as provided in this section 13.
- 13.2 Regulation of Meetings, Quorum and Convening:** The Directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. The quorum necessary for the transaction of business by the Board may be fixed by the Council and, unless so fixed, shall be a majority of Directors. A Director may, and an employee at the request of a Director shall, at any time, by any means of communication, summon a meeting of the Board. It shall be necessary to give notice of a meeting of the Board to each and all Directors regardless if for the time being any such Director or Directors is or are absent from New Zealand.
- 13.3 Voting:** Questions arising at any meeting of the Board shall be decided by a majority of votes. In cases of an equality of votes a motion shall be lost. No business shall be transacted when a quorum is not present.
- 13.4 Chairperson:** The chairperson shall be appointed from time to time by notice in writing from the Council to the Company; but if no such chairperson is appointed at any time, or if at any meeting the chairperson is not present within fifteen minutes after the time appointed for the meeting, the meeting shall be cancelled.
- 13.5 Resolution in Writing:** A resolution in writing, signed by all the Directors for the time being entitled to receive notice of a meeting of the Board shall be as valid and effectual as if it had been passed at a meeting of the Board duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more Directors. A facsimile of any such signed resolution shall be as valid and effectual as the original signed document with effect from completion of its transmission.
- 13.6 Method of Meeting:** A meeting of the Board may be held either:
- 13.6.1 Physical Meeting:** by a number of the Directors who constitute a quorum being assembled together at the place, date and time appointed for the meeting; or
- 13.6.2 Other Means:** by means of audio, or audio and visual, communication by which all directors participating and constituting a quorum can simultaneously hear each other throughout the meeting.
- 13.7 Minutes:** The Board shall ensure that minutes are kept of all proceedings at meetings of the Board.

14. STATEMENT OF INTENT

- 14.1 Obligation to Prepare:** The Board shall deliver to the Council a draft Statement of Intent on or before 1 March in each year.
- 14.2 Content of Statement of Intent:** Each Statement of Intent must, to the extent that it is appropriate given the organisational form of the Company, specify for the Company and its subsidiaries (if any) and in respect of the financial year following the financial year in which it is required by clause 14.3.2 to be delivered and each of the immediately following two financial years, the following information:
- 14.2.1 Objectives:** the objectives of the Company, including the objectives of shareholders and the other objectives which are specified as requirements applicable to the Company under the Local Government Act 2002 (including, without limitation, the requirements of section 59 of the Local Government Act 2002).
 - 14.2.2 Governance:** a statement of the Board's approach to governance of the Company; and
 - 14.2.3 Nature:** the nature and scope of the activities to be undertaken by the Company; and
 - 14.2.4 Shareholders' Funds to Assets:** the ratio of consolidated shareholders' fund to total assets, and the definitions of those terms; and
 - 14.2.5 Accounting Policies:** the accounting policies of the Company; and
 - 14.2.6 Targets:** the performance targets and other measures by which the performance of the Company may be judged in relation to its objectives; and
 - 14.2.7 Distributions:** an estimate of the amount or proportion of accumulated profits and capital reserves that is intended to be distributed to the shareholders; and
 - 14.2.8 Information to Council:** the kind of information to be provided to the shareholders by the Company during the course of those financial years, including the information to be included in each half yearly report (and, in particular, what prospective financial information is required and how it is to be presented); and
 - 14.2.9 Acquisitions:** the procedures to be followed before the Company or any of its subsidiaries subscribes for, purchases or otherwise acquires shares in any Company or other organisation; and

14.2.10 Compensation: any activities for which the Board seeks compensation from any local authority (whether or not the local authority has agreed to provide the compensation); and

14.2.11 Council's Investment: the Board's estimate of the commercial value of the shareholders' investment in the Company and the manner in which, and the times at which, that value is to be reassessed; and

14.2.12 Other Matters: any other matters that are agreed by the shareholders and the Board.

Any financial information, including (but not limited to) forecast financial information, must be prepared in accordance with generally accepted accounting practice.

14.3 Completion of Statement of Intent: The Board:

14.3.1 Board to Consider: must consider any comments on the draft Statement of Intent that are made to it within two months of 1 March by the shareholders or any of them; and

14.3.2 Board to Deliver: must deliver the completed Statement of Intent to the shareholders on or before 30 June each year.

14.4 Modifications of Statement of Intent:

14.4.1 Requirements: the Board may, by written notice, modify a Statement of Intent at any time if the Board has first:

- (a) given written notice to the shareholders of the proposed modification; and
- (b) considered any comments made on the proposed modification by the shareholders or any of them within:
 - (i) one month after the date on which the notice under paragraph (a) of this clause 14.4 was given; or
 - (ii) any shorter period as the shareholders may agree.

14.4.2 Shareholders' Directions: the shareholders may from time to time require the Board to modify the Statement of Intent by including or omitting any provision or provisions of a kind referred to in clause 14.2.1 to 14.2.9 inclusive, and the Board shall comply with the notice.

14.4.3 Matters to be Considered: before giving any notice under clause 14.4.2 the shareholders must consult the Board concerned as to the matters to be referred to in the notice.

14.5 Statement of Intent Publicly Available: Every completed Statement of Intent and every modification that is adopted to a Statement of Intent must be made available to the public by the Board within one month after the date on which it is delivered to the shareholders or adopted, as the case may be.

15. INDEMNITIES

The Company is expressly authorised to indemnify and/or insure any director or employee against liability for acts or omissions and/or costs incurred in connection with claims relating thereto of the type specifically contemplated by sub-sections (3),(4) and (5) of section 162 of the Act to the maximum extent permitted by those sub-sections.

16. DIVIDENDS

16.1 Dividends on Shares Not Fully Paid Up to be Paid Pro Rata: Subject to the rights of persons, if any, entitled to shares with special rights as to dividend, all dividends on shares not fully paid up shall be authorised and paid in proportion to the amount paid to the Company in satisfaction of the liability of the shareholder to the Company in respect of the shares either under this Constitution or pursuant to the terms of issue of the shares. No amount paid or credited as paid on a share in advance of calls shall be treated for these purposes as paid on the share. All dividends shall be apportioned and paid proportionately to the amounts paid or credited as paid on the shares during any portion or portions of the period in respect of which the dividend is paid, but if any share is issued on terms providing that it shall rank for dividend as from a particular date that share shall rank for dividend accordingly.

16.2 Deduction of Unpaid Calls: The Board may deduct from any dividend payable to any shareholder any amount presently payable by such shareholder to the Company on account of calls or otherwise in relation to the shares on which such dividends are payable.

16.3 Payment by Cheque or Warrant: Any dividend, interest, or other money payable in cash in respect of shares may be paid by cheque or warrant sent through the post directed to the registered address of the holder, or, in the case of joint holders, to the registered address of that one of the joint holders who is first named in the share register or to such person and to such address as the holder or joint holders may in writing direct. Every such cheque or warrant shall be made payable to the order of the person to whom it is sent. Any one of two or more joint holders may give effectual receipts for any dividends, bonuses, or other money payable in respect of the shares held by them as joint holders.

16.4 No Interest: No dividend shall bear interest against the Company.

- 16.5 Unclaimed Dividends:** All dividends unclaimed for one year after having been authorised may be invested or otherwise made use of by the Board for the benefit of the Company until claimed, and all dividends unclaimed for five years after having been declared may be forfeited by the Board for the benefit of the Company. The Board may, however, annul any such forfeiture and agree to pay a claimant who produces evidence of entitlement to the Board's satisfaction of the amount due to such claimant unless in the opinion of the Board such payment would embarrass the Company.

17. ACCOUNTS

The Board must ensure that financial statements that comply with the Financial Reporting Act 1993 and the Local Government Act are:

- 17.1 Completed:** completed in relation to the Company and each balance date; and
- 17.2 Signed:** dated and signed by two Directors of the Company.

18. REPORTS

- 18.1 Preparation:** The Board must within the time limits prescribed by the Act and the Local Government Act, prepare a formal half year report and an annual report on the affairs of the Company during the relevant accounting period. The Board shall provide the shareholders with any other reports and information upon written request by any shareholder.
- 18.2 Copies to Shareholders:** The Board must cause a copy of the half year report and annual report to be sent to every shareholder of the Company within the time limits prescribed by the Act and the Local Government Act. The Board must make the Annual Report available to the public within the time limit prescribed by the Local Government Act.
- 18.3 Form of Report:** Every half yearly and annual report for the Company must be in writing and be dated and must contain the reports, financial statements and information required by the Act and the Local Government Act.

19. NOTICES

- 19.1 Service:** A notice may be served by the Company upon any Director or shareholder either personally, or by posting it by fast post in a prepaid envelope or package addressed to such Director or shareholder at such person's last known address or by delivery to a document exchange or by facsimile to the facsimile telephone number of such director or shareholder or by e-mail to the e-mail address given to the Company by such Director or shareholder.

19.2 Time of Service: Without limiting any other ways for the Company to prove that a Director or shareholder has received a notice, a notice will be treated as received:

19.2.1 Time of Service by Facsimile: if sent by facsimile, at 5.00 pm on the day following completion of transmission or if such day is a Saturday or a Sunday or a day on which major trading banks are closed for usual business in the place of intended receipt then on the next day (not being a Saturday or a Sunday) on which such banks are open for usual business;

19.2.2 Time of Service by Post: If sent by post:

- (a) in the case of a person whose last known address is in New Zealand, at the expiration of 72 hours after the envelope or package containing the same was duly posted or delivered in New Zealand; and
- (b) in the case of a person whose last known address is outside New Zealand, at the expiration of seven days after the envelope or wrapper containing the same was duly posted by fast post in New Zealand; and

19.2.3 Time of Service by E-Mail: if sent by e-mail on the sender's receipt of an e-mail message indicating that the e-mail has been opened at the recipient's terminal.

19.3 Proof of Service: In proving service by post or delivery to a document exchange, it shall be sufficient to prove that the envelope or package containing the notice was properly addressed and posted or delivered with all attached postal or delivery charges paid. In proving service by facsimile, it shall be sufficient to prove that the document was properly addressed and sent by facsimile.

19.4 Service on Joint Holders: A notice may be given by the Company to the joint holders of a share by giving the notice to the joint holder first named in the share register in respect of the share.

19.5 Service on Representatives: A notice may be given by the Company to the person or persons entitled to a share in consequence of the death or bankruptcy of a shareholder by addressing it to such person or persons by name or by title or by any appropriate description, at the address, if any, within New Zealand supplied for the purpose by the person or persons claiming to be so entitled, or (until such an address has been so supplied), by giving the notice in any manner in which the same might have been given if the death or bankruptcy had not occurred.

20. LIQUIDATION

20.1 Distribution of Surplus Assets: Subject to the terms of issue of any shares in the Company and to clause 20.2, upon the liquidation of the

Company the assets, if any, remaining after payment of the debts and liabilities of the Company and the costs of winding-up ("surplus assets") shall be distributed among the shareholders in proportion to their shareholding provided however that the holders of shares not fully paid up shall only receive a proportionate share of their entitlement being an amount which is in proportion to the amount paid to the Company in satisfaction of the liability of the shareholder to the Company in respect of the shares either under the Constitution of the Company or pursuant to the terms of issue of the shares.

- 20.2 Distribution In Specie:** Upon a liquidation of the Company, the liquidator, with the sanction of an ordinary resolution and any other sanction required by law, may divide amongst the shareholders in kind the whole or any part of the assets of the Company (whether they consist of property of the same kind or not) and may for that purpose set such value as the liquidator deems fair upon any property to be divided as aforesaid and may determine how the division shall be carried out as between the shareholders or different classes of shareholders. The liquidator may, with the like sanction, vest the whole or any part of any such assets in trustees upon such trusts for the benefit of the shareholders as the liquidator thinks fit, but so that no shareholder shall be compelled to accept any shares or other securities whereon there is any liability.

21. REMOVAL FROM THE NEW ZEALAND REGISTER

In the event that:

- 21.1 Cessation of Business:** the Company has ceased to carry on business, has discharged in full its liabilities to all its known creditors, and has distributed its surplus assets in accordance with its Constitution and the Act; or
- 21.2 No Surplus Assets:** the Company has no surplus assets after paying its debts in full or in part, and no creditor has applied to the court under section 241 of the Act for an order putting the Company into liquidation; the Board may in the prescribed form request the Registrar to remove the Company from the New Zealand register.

22. AUDITORS

The Company must at each annual meeting, appoint an auditor to:

- 22.1 Hold Office:** hold office from the conclusion of the meeting until the conclusion of the next annual meeting; and
- 22.2 Audit:** audit the financial statements of the Company for the accounting period next after the meeting.

The auditor must be the Auditor-General (as defined in the Public Audit Act 2001) appointed in terms of that Act.

Certified as the Constitution of the Company



Director

26.5.04

Date

Waitomo District Council

Policy on Appointment of Directors to Council Controlled Organisations

Adopted by:	Council - 30 June 2026
Doc No:	947889 v1.0.6
Date of Next Review:	June 2027
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Responsibility:	Leadership

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PURPOSE AND SCOPE | TE ARONGA ME TE KORAHĪ

1. This purpose of this policy is to set out, in accordance with Section 57 of the Local Government Act 2002 (the "Act") an objective and transparent process for:
 - (a) Identifying and considering the skills, knowledge and experience required of directors of a Council organisation.
 - (b) Appointing directors to a Council organisation.
 - (c) Determining the remuneration of directors of a Council organisation.
2. This policy will:
 - (a) Comply with section 57 of the Local Government Act 2002.
 - (b) Disclose the process and criteria Council will apply to the appointment, removal and setting of remuneration for directors of Council organisations.
3. When Council is involved with CCO's under the definitions of Section 6(1) of the LGA, Council will disclose its interests in these organisations in the Long Term Plan.
4. This Policy is not required for the appointment of directors to a water organisation CCO which is covered by Section 48 of the Local Government Water Services Act 2025 (LGWSA).

DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

Council Organisation ("CO")	as defined in Section 6 of the Act of the Local Government Act 2002 a CO is an organisation in which Council has a voting interest and/or the right to appoint a director, trustee or manager.
Council Controlled Organisation (CCO)	means a CO in which one or more local authorities' control, directly or indirectly, 50% or more of the voting rights and/or have the right, directly or indirectly, to appoint 50% or more of the directors, trustees or managers.
Council Controlled Trading Organisation CCTO	means a CCO which operates a trading undertaking for which making a profit is one of its purposes.
Appointments and Chief Executive Relationship Committee	means a committee appointed by Council consisting elected members that has the authority to appoint directors to CCO's.
Water organisation	As defined in Section 4 of the Local Government Water Services Act 2025

POLICY | KAUPAPA HERE**1. Criteria for Selecting Directors (General)****1.1 General Criteria**

- 1.1.1. Council will appoint persons as directors of CCO's (excluding water organisation CCO's) under the criteria outlined in Section 57(2) and Section 57(3) of the LGA, specifically, persons that Council considers have the skills, knowledge and experience to:
- a) Guide the organisation given the nature and scope of its activities
 - b) Contribute to the achievement of the objectives of the organisation.
 - c) Knowledge of tikanga Māori (if relevant).
- 1.1.2. A director of a water organisation must be appointed on the basis of their competency to perform the role by the Shareholder Representative Forum or the Board of Directors.

1.2 Skill Criteria

- 1.2.1. Council considers that any person that it appoints to be a director of a CCO should clearly demonstrate the following skills/attributes:
- a) Intellectual ability
 - b) Business experience or other experience, skills or qualifications that are relevant to the activities of the organisation
 - c) Sound judgement
 - d) High standard of personal integrity
 - e) Ability to work as a team member
 - f) Understanding of governance issues
 - g) Knowledge of tikanga Māori (if relevant)
- 1.2.2. The directors of a water organisation must collectively have an appropriate mix of skills, knowledge, and experience in relation to providing water services.

1.3 Specific Exclusions from Directorship of a Council Controlled Organisation

- 1.3.1. No person shall be appointed as a director of a CCO (excluding water organisation CCO) who:
- a) Has served a jail sentence of three months or longer or has been convicted of a crime that carries such sentence.
 - b) Has been convicted of fraud, theft, or robbery.
 - c) Has been declared bankrupt at any point in time or been the director of a company at the time it was placed in receivership or liquidation.
- 1.3.2. A person is not able to be appointed as a director of a water organisation CCO if the person is—
- a) an elected member of a territorial authority that is a shareholder in the water organisation; or
 - b) an employee of a territorial authority that is a shareholder in the water organisation; or
 - c) an employee of any other shareholder in the water organisation; or

- d) an employee of the water organisation.

2. Procedures for Appointment of Directors (General - excluding water organisations)

2.1 Appointment Process

- 2.1.1 When vacancies arise in the directorship of any CCO, Council will follow the following appointment process:

- a) Council will decide whether to advertise a particular vacancy or make an appointment without advertisement, and outline the process for appointment and setting of remuneration including:
 - i. Recruiting of candidates,
 - ii. Contract development and negotiation,
 - iii. Ongoing performance monitoring.
- b) When taking a decision on this matter, Council will consider:
 - i. The costs and benefits of any advertisement,
 - ii. The availability of qualified candidates,
 - iii. The urgency of the appointment,
 - iv. The degree of public interest in the issue
- c) Council will consider applications and resolve an appointment in committee (this protecting the privacy of natural persons). Public notice of the appointment will be made as soon as practicable after Council has made its decision.
- d) An elected member who is under consideration to fill a particular vacancy may not be present in the discussion or vote on that appointment.

2.2 Length of Tenure

- 2.2.1 Council will decide length of tenure prior to appointment.

2.3 Remuneration

- 2.3.1 Remuneration will be determined on a case by case basis taking in to account the size, form and purpose of the organisation, any previous level of fees paid by the shareholder and any other relevant requirements contained in the organisation's constitution.

2.4 Removal of Directors

- 2.4.1 Directors appointed to CCO's by Council are in the role at the pleasure preference of Council. Council may terminate a director's appointment at any time by way of written notice.

2.5 General

- 2.5.1 Council expects that directors appointed to CCO's will avoid situations where their actions could give rise to a conflict of interest. To minimise these situations, Council requires directors to follow the provisions of the Institute of Directors in New Zealand Code of Practice for Directors and the provisions of the Companies Act 1993. All directors are appointed at the pleasure of the Council and may be dismissed for breaches of these stated documents.

3. Procedures for Appointment of Directors to Inframax Construction Limited

NOTE: This section is to be read in conjunction with the Constitution of Inframax Construction Limited.

3.1 Appointment Process

3.1.1 Directors on the board of Inframax Construction Limited (ICL) will be appointed by way of Council resolution on receipt of advice/recommendation by the Appointments and Chief Executive Relationship Committee. The Appointments and Chief Executive Relationship Committee will provide advice to Council on the following matters:

- a) Whether to advertise a particular vacancy or make an appointment without advertisement, and outline the process for appointment and setting of remuneration including:
 - i. Recruiting of candidates,
 - ii. Contract development and negotiation,
 - iii. Ongoing performance monitoring.
- b) In preparation of this advice the Investment Representative Committee will consider:
 - i. The costs and benefits of any advertisement,
 - ii. The availability of qualified candidates,
 - iii. The urgency of the appointment,
 - iv. The degree of public interest in the issue.
- c) The Appointments and Chief Executive Relationship Committee will select and interview a shortlist of candidates, undertake a structured evaluation and make recommendation to Council for final approval. Council may consider applications and resolve an appointment in committee (this protecting the privacy of natural persons). Public notice of the appointment will be made as soon as practicable after Council has made its decision.
- d) An elected member who is under consideration to fill a particular vacancy may not be present in the discussion or vote on that appointment and may not continue to be an elected member if appointed as a director of ICL.

3.2 Appointment of Temporary Directors

3.2.1 Temporary directors for ICL will be appointed by the Appointments and Chief Executive Relationship Committee.

3.3 Remuneration

- 3.3.1 The Council will set ICL directors' remuneration either by resolution at the Annual General Meeting or by way of resolution of Council. The resolution will state whether the remuneration is set as a fixed cap for Board Remuneration, to be allocated by the Board, or specifying the salaries to be paid to the directors and chairperson.
- 3.3.2 Remuneration for directors will be determined by an analysis of market rates for comparable positions at the time appointment(s) are being made and thereafter assessed every three years.

3.4 Removal of Directors

- 3.4.1 The Appointments and Chief Executive Relationship Committee may terminate the appointment of an ICL director at any time by way of written notice.

4. Procedures for Appointment of Directors to Waikato Waters Limited

- 4.1.1 All matters relating to directors for Waikato Waters Limited are outlined in the Constitution of Waikato Waters Limited and the Shareholders Agreement. Appointment of directors to a water organisation CCO must also meet the criteria of Section 48 of the LGWSA.

5. Waitomo District Council Controlled Organisations

5.1 Companies in which Waitomo District Council directly owns the shares and trades for profit (CCTO).

- 5.1.1 Inframax Construction Limited.

5.2 Companies in which Waitomo District Council holds shares with other local authorities. (CCO)

- 5.2.1 Waikato Local Authority Shared Services Ltd (WLASS) trading as CoLab.
5.2.2 Waikato Waters Limited (WWL) also known as Waikato Waters (WW)

5.3 Other Entities in which Waitomo District Council holds shares (not CCO)

- 5.3.1 NZ Local Government Insurance Corporation Limited trading as Civic Financial Services Ltd.

6. CCOs in Which Council Has a Minority Interest

- 6.1.1 Where Council has a minority interest in a CCO (i.e. where a CCO is controlled by a number of councils and this Council does not have a majority stake) then the process for the appointment and remuneration of directors will be agreed with other stakeholders (by whatever name) in the CCO. As far as practicable, Council's involvement in the process will be consistent with this policy.

Document ID: 1006594

Report To: Council



Meeting Date: 29 September 2026

Subject: **Waikato Waters Ltd - Statement of Expectations**

Type: Decision Required

Author(s): Ben Smit
Chief Executive

1 Purpose of Report

- 1.1 The purpose of this business paper is gain approval for the Statement of Expectations (SOE) agreement between Waikato Waters Limited and each of the member council owners being part of the Shareholder Representative Forum.

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 Waikato Waters Ltd - Statement of Expectations be received.
 - 2 Council adopts Version 1 of the Waikato Waters Ltd Statement of Expectations

3 Background

- 3.1 Waikato Waters SOE sets out the shareholder expectations for Waikato Waters Ltd (WWL), as required by the Local Government (Water Services) Act 2024 (LG(WSA)). It is adopted by WWL's shareholders through the Shareholders Representative Forum (SRF) established under the WWL Shareholders' Agreement. WWL's Shareholders are Hauraki District Council, Ōtorohanga District Council, Matamata-Piako District Council, South Waikato District Council, Waipā District Council and Waitomo District Council.
- 3.2 The first Statement applies from 1 July 2026 to 30 June 2036, with a particular focus on the first three years. During that phase, the Shareholders expect WWL to prioritise a safe and effective transition, service continuity, workforce capability, core systems and organisational stability, while laying foundations for improved performance, efficiency and long-term benefits.
- 3.3 The document needs to be resolved by December 2026.
- 3.4 A version was initially drawn up by Council Chief Executives which the SRF indicated was too long, operational and detailed.
- 3.5 A shorter version was drawn up and received positive feedback from the SRF. The second document was more in line with what a SOE would look like. This document is attached. This version was sent to SRF members for final ratification but there was then more interest from at least one council to have a more fulsome SOE. This document is attached.

4 Commentary

- 4.1 The writer believes that that version 1 is most appropriate for a company / shareholder SOE. The version 2 is repetitive and is also too detailed for the situation we have. There is significant legislation, common business practice and agreements between WWL and it's shareholders that cover a lot of this detail. Furthermore Independent Chair of the shareholders group engaged with the Board of WWL on our recommended option, and found common ground.

5 Analysis of Options

- 5.1 Approve Version 1 of the SOE.
- 5.2 Approve Version 2 of the SOE
- 5.3 Modify one of the versions and recommend the amended version

6 Considerations

RISK

- 6.1 Non-agreement between the shareholders leading to the SOE not approved by December 2026. This is highly unlikely but this process is consuming time for Mayors and Chief Executives.
- 6.2 The relationship between WWL and SRF is important so the resolution of this SOE is important so that the efforts of WWL can focus on delivery and planning for the future. A detailed SOE is making this difficult.
- 6.3 Version 1 of the SOE is too high level. The document had received wide support and appears to be det at the appropriate level.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.4 This agreement is in line with previous documents approved and current plans in place.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.5 It is not believed that community engagement on this matter is required. This decision is not considered significant in accordance with WDC's Significant and Engagement Policy given it is a summary of the previous decisions made.

7 Attachments/Separate Enclosures

Attachments:

- 1 Waikato Waters Statement of Expectations Version 1 (Doc 1006563)
- 2 Waikato Waters Statement of Expectations Version 2 (Doc 1006562)

STATEMENT OF EXPECTATIONS

Pre-amble

This Statement of Expectations is the fundamental accountability document for Waikato Waters Ltd (WWL), a commercially disciplined water services company owned by its Shareholding Councils. It is not a guide, operational handbook or procedural manual. Rather, it establishes the basis on which the Shareholders may hold the Company to account; records the expectations, responsibilities and commitments of each party; and defines the framework through which the relationship, performance, decision-making and shared interests will be governed and managed.

The Shareholding Councils, the Board and management have distinct and complementary responsibilities, and each contributes to WWL's success within its respective mandate. The Shareholding Councils exercise ownership responsibilities by articulating strategic expectations, exercising rights reserved to Shareholders under the Shareholders' Agreement and monitoring performance. The Board governs WWL, exercises independent judgement and oversees management. Management leads and manages the business within the authority delegated by the Board. These roles are to be carried out through respectful, constructive engagement and an acknowledgement of the expertise, statutory obligations and decision-making authority of each party.

WWL must have operational freedom to manage people, assets, systems, investment delivery, customers, procurement, pricing implementation and risk within the law, the Shareholders' Agreement, approved plans, funding settings and applicable shareholder approvals.

Accordingly, this Statement provides a durable framework for mutual accountability, constructive engagement and timely decision-making. It respects the governance and operational responsibilities of the Board and management while ensuring Shareholders receive the information and assurance needed to discharge their ownership responsibilities.

Waikato Waters operates in a highly regulated environment and has significant compliance obligations including for natural resource protection and drinking water safety. Waikato Waters is also subject to economic regulation under the *Commerce Act 1986*. This regulatory framework operates in the interests of the environment and consumers.

The Statement of Expectations cannot contradict the legal obligations of the Directors under company law, nor the regulatory requirements of the Commerce Commission and the covenant requirements of the New Zealand Local Government Funding Authority.

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Statement of Expectations

1. This Statement is the fundamental expression of the Shareholders' expectations for WWL and the primary reference point for accountability between the Shareholders and the Company. It is not a guide to day-to-day operations. It establishes the basis for assessing and holding the Company to account, defines the principal responsibilities and commitments of the Shareholders and the Company, and sets out how their relationship, performance, decisions and shared interests will be governed so that WWL can operate as a financially sustainable, customer-focused and commercially disciplined water services company.
2. Shareholding Councils will act collectively through the Shareholder Representative Forum (SRF) and the reserved-matters framework set out in the Shareholders' Agreement.

Term and Review

3. This Statement applies from 1 July 2026 to 30 June 2036 and is subject to any review, approval or replacement requirements in legislation. It may also be reviewed following a material ownership, funding, scope or obligations change.

Commercial Focus

4. WWL's core task is to operate a professional water utility with accountability for customers, assets, service performance, compliance, revenue, investment delivery, debt and long-term financial sustainability.

Shareholder and Company Relationship

5. The relationship between the Shareholders and the Company is founded on mutual respect, good faith, clarity of mandate and shared accountability for agreed outcomes. Each party recognises the legitimate responsibilities and expertise of the others. Shareholders articulate ownership expectations and exercise reserved rights; the Board governs WWL, applies independent judgement and oversees management; and management leads and manages the business under the Board's authority.
6. The parties acknowledge that clear ownership oversight and appropriate commercial and operational independence are mutually reinforcing. WWL requires sufficient freedom to deliver safe, reliable, compliant and efficient services, while Shareholders require timely information and assurance to discharge their ownership responsibilities. Consistent with the respective mandates of the parties, operational decisions—including individual projects, procurement and staffing—are matters for the Board and management unless Shareholder involvement is required by law, the Shareholders' Agreement, approved plans or an applicable council decision.

7. The operating principles are:

- a. Shareholders speak through agreed shareholder channels, principally the SRF, within the SRF's mandate its Terms of Reference
 - b. WWL and the Shareholders maintain a mutual no-surprises approach on material ownership, financial, service, regulatory and reputational matters, supported by timely formal reporting and appropriate informal engagement.
 - c. Shareholders focus on outcomes, efficiency, performance, risk and reserved matters, not operational inputs.
 - d. Reporting is concise, exception-based and decision-useful.
 - e. Disputes are escalated quickly through the processes in the Shareholders' Agreement, so delivery is not delayed.
 - f. Where WWL becomes aware that an approved strategy, plan, performance target or material Shareholder expectation cannot, or is unlikely to, be delivered in full or within the agreed timeframe, it will advise the Shareholders at the earliest reasonable opportunity. The advice will state clearly what is not expected to be achieved and why; explain the causes, assumptions and likely consequences; identify material risks, dependencies and trade-offs; quantify the variance where practicable; and set out proposed mitigation, recovery actions, decisions required, revised timeframes and any recommended amendment to the relevant expectation or plan. Subsequent reporting will track the agreed response and progress until the matter is resolved or a revised expectation is approved.
 - g. The parties agree and maintain clear points of contact, escalation pathways and communication protocols. Informal engagement should enable early discussion and resolution, while decisions, material commitments and matters requiring assurance are recorded and progressed through the appropriate formal channels.
8. Unless a matter is reserved to shareholders, required by law, required by the Shareholders' Agreement, or is a material departure from approved plans, it is for WWL's Board and management to decide and implement.

Establishment Expectations

9. During establishment (being until 1 July 2027), WWL is expected to:
- a) complete the transfer of people, assets, liabilities, contracts, consents, obligations and systems from Shareholders in accordance with respective transfer agreements without service disruption;
 - b) adopt a transparent investment prioritisation framework that balances risk, growth, compliance, asset condition and service levels;
 - c) build direct customer, billing, revenue, collections and communication capability (with date of effect to be confirmed with Councils in accordance with the terms of their respective post-completion services agreement);
 - d) develop transparent pricing that supports financial sustainability;

- e) establish effective working relationships with iwi, hapū, regulators, customers and Shareholders;
- f) use shared services only where efficient, transitional or commercially justified; and
- g) operate within approved budgets, manage cashflow and debt prudently, and protect long-term service resilience.

Enduring Expectations

- 10. WWL must meet all statutory, regulatory, Treaty settlement, environmental, public health, employment, financial and governance obligations. Compliance is a baseline requirement, not a basis for shareholders to manage operations.

Strategic Direction and Priority Expectations

- 11. Shareholders' strategic priorities are:
 - a. safe establishment and seamless transfer of water services;
 - b. financially sustainable, customer-focused and reliable services;
 - c. commercial benefits from scale, including reduced duplication, stronger capability, better procurement, improved asset intelligence and disciplined capital delivery;
 - d. public health, environmental and regulatory compliance; and
 - e. capital investment aligned with growth, resilience and the Investment Prioritisation Framework.

Performance Expectations

- 12. Waikato Waters is committed to supporting its obligations to deliver to customers, compliance with regulatory demands and shareholder aspirations by establishing policy, procedures, systems and reporting mechanisms that demonstrate its commitment to these outcomes and to one of continuous improvement
- 13. WWL will maintain a performance framework that enables Shareholders to assess whether their expectations and approved strategic outcomes are being met and to hold the Company to account on an informed basis. The framework will provide clear, balanced and decision-useful visibility of service, financial, compliance, customer, asset, workforce, efficiency, transition and strategic delivery performance, without unnecessarily duplicating Board reporting and consistently with the Shareholders' and Transfer Agreements.
- 14. Performance requirements and reporting will be reviewed periodically with Shareholders to confirm that they remain sufficient to address Shareholder expectations, provide meaningful assurance and support timely consideration where performance, strategy or delivery is at risk. Reporting will distinguish matters requiring Shareholder decision or attention, including material exceptions, from operational matters for the Board and management. It will also provide transparent explanation whenever current strategy or

approved plans cannot be delivered as intended, including the reasons, implications, available options, corrective action and any proposed resetting of expectations.

15. Reporting should show:

- a) performance against agreed shareholder expectations and approved plans;
- b) material exceptions, risks, dependencies and trade-offs, including a transparent explanation of any approved strategy, plan, target or Shareholder expectation that cannot be delivered as intended, the reasons for the variance, its consequences, corrective actions, revised outlook and any matter requiring Shareholder decision; and
- c) evidence that WWL is improving efficiency, customer outcomes, asset performance, compliance and financial sustainability.

Resource Management and Land-use Planning

16. In resource management and land-use planning, WWL acts as the specialist water utility. Councils retain statutory planning and regulatory roles. WWL provides technical input, identifies network constraints, advises on infrastructure implications and protects the integrity of water services investment and operations. The shared interests' arrangements between each Council and WWL are as set out in Schedule 3 of their respective transfer agreements (as may be amended by agreement from time to time).

Statutory Obligations and Relationships with Iwi and Hapū

- 17. WWL must meet all applicable statutory, regulatory, Treaty settlement, joint management, environmental, public health, financial and governance obligations across its service area.
- 18. Nothing in this Statement changes or reduces existing commitments owed by any Shareholding Council to iwi, hapū or other parties, including commitments under Treaty settlement arrangements, joint management agreements or Te Ture Whaimana.
- 19. WWL should build practical and respectful working relationships with iwi and hapū, regulators, customers and Shareholders in a way that supports its role as a water services utility and its statutory and contractual obligations.

Reporting

- 19. Until 1 July 2027, WWL will report every two months to the SRF on transfer readiness, service continuity, critical risks, financial position, customer readiness and matters requiring shareholder attention.
- 20. From 1 July 2027, WWL will report quarterly to the SRF on performance, exceptions, strategic risks, shareholder matters and material progress against approved plans.

21. SRF meetings should focus on shareholder-level matters: performance, financial sustainability, major projects by exception, material risks, regulatory issues, customer outcomes and reserved matters.
22. Six-monthly reporting should cover capital delivery by exception, compliance, financial outlook, critical risks, material stakeholder relationships and transition progress.
23. Operational engagement between WWL and council officers should support agreed interfaces, statutory processes, emergency management, development planning, shared services, transfer obligations and material no-surprises matters. The parties will use those informal channels constructively for early awareness and coordination, while ensuring that approvals, directions and material commitments are made only through the authorised formal channels and do not create unintended approval rights.
24. Individual council briefings should be by exception or agreed annual programme and must not duplicate SRF reporting or direct company operations.

DRAFT

WAIKATO WATERS

STATEMENT OF EXPECTATIONS

INTRODUCTION

1. This document sets out the statement of expectations (“Statement”) for Waikato Waters Ltd (WWL), as required by the Local Government (Water Services) Act 2024 (LG(WS)A). It is adopted by WWL’s shareholders (“Shareholders”) through the Shareholders Representative Forum (SRF) established under the WWL Shareholders’ Agreement. WWL’s Shareholders are Hauraki District Council, Ōtorohanga District Council, Matamata-Piako District Council, South Waikato District Council, Waipā District Council and Waitomo District Council.
2. This first Statement applies from 1 July 2026 to 30 June 2036, with a particular focus on the first three years (“Establishment Phase”). During that phase, the Shareholders expect WWL to prioritise a safe and effective transition, service continuity, workforce capability, core systems and organisational stability, while laying foundations for improved performance, efficiency and long-term benefits.
3. The Shareholders acknowledge that pursuant to the LG(WS)A any direction or requirement imposed by the Water Services Authority, Commerce Commission or Waikato Regional Council prevails to the extent of any inconsistency with this Statement.

RELATIONSHIP EXPECTATIONS

4. The Shareholders expect WWL to embed a strong partnership with Shareholders and iwi partners based on collaboration, good faith and no surprises. This recognises that success depends on the joint commitment to outcomes and aligned planning for growth and investment.
5. The Shareholders expect WWL and the Shareholders to work together in accordance with the following principles:
 - a) Openness, honesty, integrity and professionalism.
 - b) Respect and listening to each other.
 - c) Work constructively to find solutions that are mutually beneficial.
 - d) Transparency and no surprises.
 - e) Early identification of disagreements or differences of view and rapid escalation for resolution.
 - f) Understanding the context and constraints that the Shareholders and the WWL face.
6. The Shareholders expect that any disagreements between the Shareholders and WWL to be amicably resolved. Any unresolved disagreement between a Shareholder and WWL will be referred to the relevant chief executives. If it remains unresolved, the dispute resolution process in the Shareholders’ Agreement will apply.

7. The Shareholders as territorial authorities remain democratically accountable to their communities for local outcomes. In light of this, the Shareholders expect WWL to recognise the community, political and reputational implications of significant decisions and maintain a proactive no-surprises approach with Shareholders.

ESTABLISHMENT EXPECTATIONS

8. The Shareholders expect that by 1 July 2027 WWL will be fully operational, complete all relevant transfers under applicable Transfer Agreements, safely and effectively operate water supply and wastewater systems, and perform its role as a lifeline utility in any civil defence emergency.
9. The Shareholders expect WWL to consult with them to develop an investment prioritisation framework showing priorities, timing, trade-offs and alignment with each Council's infrastructure programme ("Investment Prioritisation Framework"). This will inform WWL's Water Services Strategy, which must be adopted by 30 June 2027.
10. During the Establishment Phase, the Shareholders expect WWL to:
 - a) implement direct customer billing over time;
 - b) develop and communicate a pricing approach that supports affordability, financial sustainability and transparency, consistent with the Water Services Delivery Plan;
 - c) develop in a way that would enable the future merger or integration with other water organisations to be implemented as simple as possible;
 - d) manage and govern WWL to avoid disruption to water services delivery;
 - e) establish effective relationships with iwi and hapū at governance and operational levels;
 - f) provide the SRF with an overview of the first 12 months' customer engagement strategy, including key customer groups, messages and approach;
 - g) minimise disruption to Shareholders and customers during and after transition through clear communication, effective engagement and appropriate management of customer enquiries;
 - h) operate within agreed shared services arrangements and transition to an appropriate operating model over time;
 - i) develop the systems and capabilities needed for compliant, efficient and resilient operations;
 - j) operate within approved budgets and manage finances prudently;
 - k) maintain robust financial and operational risk management systems;
 - l) prepare a second Water Services Strategy aligned with Council long-term planning cycles; and

- m) accept responsibility for transferred assets, liabilities and related obligations.

ENDURING EXPECTATIONS

11. WWL must act in accordance with any relevant statutory obligation that applies to the Shareholders.
12. The Shareholders expect WWL to operate in a way that:
 - a) meets the legislative requirements of a water service provider and water organisation;
 - b) honours Te Tiriti o Waitangi and the Treaty Settlements within its area of operation.
 - c) gives effect to Te Ture Whaimana and maintains effective relationships with iwi and hapū, including supporting Joint Management Agreement (JMA) relationships (and any subsequent Treaty Settlement obligations affecting the area of WWL);
 - d) works in partnership with Shareholders, adopting a 'one team approach' that responds to the direction set by Shareholders and responds to population growth and development pressure;
 - e) works as an integral part of the Future Proof partnership (or any successor to Future Proof).
13. The Shareholders expect WWL to:
 - a) deliver water services safely, cost-effectively, sustainably and transparently;
 - b) act in the interests of current and future customers, with charging that is transparent, evidence-based and consistent, and appropriately balances affordability, long-term sustainability and equity;
 - c) plan and manage assets for long-term service delivery and growth;
 - d) operate in accordance with sound business practice and delegated authority;
 - e) work with Shareholders to align planning, investment and growth;
 - f) be a high-performing, innovative and responsible organisation and a good employer;
 - g) remain within its role as a utility provider; and
 - h) consider partnership and investment opportunities that support infrastructure delivery and comply with its legal obligations.

STRATEGIC DIRECTION AND PRIORITY EXPECTATIONS

14. The Shareholders expect WWL to have the following strategic priorities:
 - a) deliver reliable, customer-focused services while managing affordability and clearly communicating trade-offs between cost, service levels and investment;

- b) improve service outcomes, capability and efficiency, demonstrating benefits from scale and regional coordination;
- c) operate and develop water and wastewater networks that meet public health, environmental and regulatory requirements and uphold Te Ture Whaimana;
- d) develop infrastructure that supports Shareholder strategies, including the Future Proof Future Development Strategy or other relevant regional strategies, and population growth;
- e) align and sequence capital investment with the Investment Prioritisation Framework; and
- f) consider impacts on growth and non-growth areas when prioritising capital investment and sequencing and clearly communicate material trade-offs.

OUTCOMES EXPECTATIONS

15. The Shareholders expect WWL to contribute to the following outcomes:

- a) the implementation of Te Ture Whaimana and improved health and well-being of the Waikato & Waipa Rivers (and any subsequent Hauraki Catchment Treaty Settlements);
- b) sustainable and well-managed urban and rural development that caters to the needs of our communities; and
- c) improved integration and efficiencies from a boundaryless approach in water service delivery across the region, including considering innovation through whole of catchment approaches to water services delivery.

16. The Shareholders expect WWL to deliver the following outcomes:

- a) affordable water services that provide clear value to customers;
- b) compliance with all environmental, public health and economic regulation;
- c) a stable, secure long-term decision-making environment supporting sound investment in long-life infrastructure;
- d) capital investment aligned with Council infrastructure programmes and planned development;
- e) coordinated planning between WWL and Councils;
- f) a skilled workforce capable of delivering high-performing water services;
- g) high-quality, responsive customer service and communication;
- h) strong, enduring relationships with neighbouring water service providers; and
- i) in collaboration with relevant Councils, appropriate and transparent recovery of growth costs from developers.

PERFORMANCE EXPECTATIONS

16. The Shareholders expect WWL to develop and maintain a performance framework that gives effect to the expectations set out in this Statement. The performance framework is expected to evolve over time, including through the development of the Water Services Strategy and as systems, data, and regulatory requirements mature.
17. The performance framework should include clear and measurable performance indicators and targets that enable performance to be monitored over time and support transparent reporting.
18. The performance framework should align with the reporting expectations set out in this Statement, including regular reporting on progress, service delivery, financial and network performance, emerging risks, and customer outcomes. Reporting should provide clear insight into performance against expectations, including:
 - a) how trade-offs between cost, level of service, and investment are being managed;
 - b) progress in delivering efficiency gains and benefits from scale; and
 - c) performance against key service, customer, environmental and financial outcomes.

RESOURCE MANAGEMENT AND LAND-USE PLANNING EXPECTATIONS

19. In accordance with the protocols and shared-interest arrangements under each relevant Transfer Agreement, the Shareholders expect WWL to:
 - a) provide timely two-waters expertise to support Shareholders' growth strategies, Long-Term Plans, spatial planning and regulatory processes, including consenting (except where WWL is the applicant), plan changes and appeals;
 - b) partner in developing and implementing development strategies, Council growth strategies and spatial plans;
 - c) work with Shareholders on opportunities for integrated planning and delivery, including Long-Term Plans and resource management plans;
 - d) use agreed population forecasts and growth assumptions for planning purposes;
 - e) coordinate with Shareholders when working with developers, including on development agreements;
 - f) coordinate with Shareholders when working with significant water users and trade waste customers; and
 - g) in accordance with agreed Transfer Agreement protocols, align approaches to private plan changes and unplanned or out-of-sequence development.

STATUTORY OBLIGATIONS AND RELATIONSHIPS WITH IWI AND HAPŪ

20. The Shareholders have statutory obligations under the respective Iwi Waikato and Waipā River Settlements, which will extend to forthcoming Hauraki based Treaty settlements.
21. The Shareholders expect WWL to support the Shareholders to meet those obligations and give effect to settlement commitments, including by working with Treaty partners and Shareholding Councils.
22. The Shareholders expect WWL to respect the mana and role of mana whenua, build positive working relationships with mana whenua, and establish an effective framework that supports strong engagement with mana whenua in relation to both operational and strategic programmes.

REPORTING

23. The Shareholders expect WWL to report to the SRF every two months on its progress and activities until 1 July 2027. From 1 July 2027, WWL must report quarterly through the SRF on the timeliness of its input into Council statutory planning processes, including consenting and plan changes. The Shareholders further expect quarterly meetings between WWL and the SRF that are focused on progress, the delivery of major projects, operational performance, emerging risks, and relationship issues.
24. From 1 July 2027, the Shareholders expect WWL to report formally to the SRF every six months on financial and network performance and other indicators required by Taumata Arowai, the Commerce Commission and MCERT. The report must cover:
 - a) delivery of capital projects against the annual investment delivery plan, including departures from planned programmes;
 - b) resource consent and regulatory compliance and enforcement status, including actual or potential issues and proposed solutions;
 - c) forecast expenditure, projects subject to government or third-party funding, lending and implications for future water charges;
 - d) critical risks and proposed mitigations;
 - e) key stakeholder relationships and engagements; and
 - f) progress transferring services and hosted systems from Shareholders to WWL.
25. The Shareholders expect regular and real time CE and officer level engagement on changes to work programmes, network constraints, public consultation processes, planning and consenting processes, on a no surprises basis. In addition to the regular reporting to the SRF, the respective shareholding Councils expect regular briefings from and engagement with WWL in a form and at a frequency that is agreed between WWL and each Council. The Councils expect regular and proactive engagement with, and reporting to, consumers.
26. Where WWL becomes aware that an approved strategy, plan, performance target or material Shareholder expectation cannot, or is unlikely to, be delivered in full or within the agreed timeframe, it will advise the Shareholders at the earliest reasonable opportunity. The advice will state clearly what is not expected to be

achieved and why; explain the causes, assumptions and likely consequences; identify material risks, dependencies and trade-offs; quantify the variance where practicable; and set out proposed mitigation, recovery actions, decisions required, revised timeframes and any recommended amendment to the relevant expectation or plan. Subsequent reporting will track the agreed response and progress until the matter is resolved or a revised expectation is approved.

REVIEW

27. This Statement will be reviewed in accordance with the following process:
- a) No later than four months before the date the next Statement of Expectation is due under the LGWSA (“SOE Due Date”) the SRF will review the draft Statement of Expectations and feedback and comments will be provided, including any feedback from the Board.
 - b) A draft of the Statement will be created and shared again with the Board for feedback no later than three months before the SOE Due Date.
 - c) No later than one month before the SOE Due Date the SRF will convene to discuss and agree the feedback received from the Board and once the draft SOE has been reviewed, it will be approved by the SRF by consensus. In the absence of consensus being achieved, the SOE will be voted on as a Reserved Matter in accordance with the Shareholders’ Agreement.
28. In accordance with the decision-making thresholds in the Shareholders’ Agreement, the Shareholding Councils may at any time, but no later than three months before the next Water Services Strategy is due, or on the Board’s application, amend, revoke or replace the Statement. Before doing so, the Shareholding Councils, acting through the SRF, must consult the Board.
29. In addition to the review process above, the Shareholders may review this Statement if:
- a) any local government reorganisation occurs affecting a shareholder council of WWL, or
 - b) following the completion of the transfer of water services from all shareholder councils (indicatively October/November 2027).

Document ID: 1006307

Report To: Council

Meeting Date: 29 September 2026

Subject: **BCA Collaboration Project – Briefing paper**

Type: Information Only

Author(s): Ben Smit
Chief Executive

1 Purpose of Report

- 1.1 The purpose of this report is to update Council on the BCA Collaboration Project, a joint initiative between Waitomo District Council and fourteen other councils across the Waikato, Bay of Plenty and Gisborne regions to explore increased collaboration in the delivery of Building Consent Authority (BCA) services. This report outlines the purpose of the project, who is involved, its expected outcomes and benefits, and the cost to Council. No decision is sought from 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 That the report on the BCA Collaboration Project be received.

3 Background

- 3.1 Building Consent Authorities (BCAs) across New Zealand are operating in a rapidly changing environment. The traditional model, where councils deliver building consent services within their own geographic boundaries, is increasingly shifting towards a customer-segment model, where services are organised around customer or consent type rather than location, allowing work to be delivered across a wider geographic area.
- 3.2 At the same time, deregulation of certain types of building work is expected to reduce council consent volumes, while private BCAs continue to grow their share of consenting activity. The Ministry of Business, Innovation and Employment (MBIE) has instructed all councils to actively consider voluntary consolidation and is progressing legislative change intended to remove existing barriers to collaboration.
- 3.3 In response to these challenges, the Waikato Chief Executives Forum commissioned the BCA Collaboration Project. Co-Lab (Waikato Local Authority Shared Services), a council-controlled organisation owned by councils across Waikato and Western Bay of Plenty, has been asked to facilitate the project on behalf of participating councils.
- 3.4 The project began earlier in 2026 with 11 councils developing an Indicative Business Case (IBC) to help Chief Executives decide whether there was sufficient strategic merit to progress to a more detailed Design and Decision Case, and which option should form the basis of that work. Following consideration of the IBC, Chief Executives agreed to proceed with developing a fully consolidated BCA model, and 15 councils, including Waitomo District Council, have since confirmed their participation in this next phase.
- 3.5 The Design and Decision Case is due to be completed by the end of 2026 and will be presented to participating councils' Chief Executives, who will then decide whether to progress further.

Progressing through the current design phase does not commit any council, including Waitomo District Council, to participating in a future consolidated BCA model.

4 Commentary

- 4.1 Fifteen councils are participating in the BCA Collaboration Project: Gisborne District Council, Hamilton City Council, Hauraki District Council, Kawerau District Council, Ōpōtiki District Council, Ōtorohanga District Council, Rotorua Lakes Council, South Waikato District Council, Taupō District Council, Tauranga City Council, Waikato District Council, Waipā District Council, Waitomo District Council, Western Bay of Plenty District Council and Whakatāne District Council.
- 4.2 The project is sponsored by Craig Hobbs, Chief Executive of Waikato District Council, alongside a steering group that also includes Stace Lewer (Chief Executive, Ōpōtiki District Council) and David Hall. Each council has nominated a Key Contact as its primary link to the project; Chief Executive Ben Smit is Waitomo District Council's Key Contact. An Oversight Group provides strategic direction and an Expert Group provides technical expertise and recommendations to inform the design. Co-Lab's Trina Falconer is the project manager, and legal advice is being provided by Nathan Speir.
- 4.3 Collectively, the participating councils could design what would become New Zealand's second largest BCA, creating scale and capability that individual councils cannot readily achieve on their own. The strategic goals of the project are a consistent and predictable customer experience, faster processes and improved productivity, stronger decision quality and regulatory integrity, greater capability, resilience and shared capacity, improved financial sustainability and value for money, and stronger data, information management and continuous improvement.
- 4.4 The project team has identified a number of potential benefits from collaboration, including an improved and more consistent customer experience, reduced accreditation costs if councils are able to group together for IANZ accreditation (subject to the relevant legislative change passing), greater resilience and access to specialist capability, opportunities to standardise processes and reduce duplication, potential new revenue opportunities as Crown agencies explore national or cross-regional consenting contracts, and greater ability to respond to future regulatory, technology and market changes.
- 4.5 The future model is also intended to create a more competitive and sustainable working environment for BCA staff, supporting retention, development and attraction of skilled staff, and offering broader career pathways and professional development opportunities across a larger, consolidated workforce.
- 4.6 The BCA Collaboration Project is separate from two other Co-Lab related initiatives. Co-Lab Building Services (CBS) is an existing shared service that processes participating councils' overflow building consent applications. The Building Consent Checking Assistant project is a separate initiative to develop a pre-application tool that would check completeness and high-impact compliance items before lodgement. Neither of these initiatives forms part of the BCA Collaboration Project.
- 4.7 Business as usual services continue at Waitomo District Council and all participating councils while this work is underway. The project team is continuing to develop the Design and Decision Case with input from council staff, including through workshop engagement and the provision of data to inform the design. Each council remains responsible for its own internal communications; Waitomo District Council will receive key messages and supporting material through the project's Oversight Group and Key Contact to support this.
- 4.8 Waitomo is continuing the merge of building control services with Otorohanga District Council. These projects don't impact each other.
- 4.9 Waitomo District Council's share of the cost of developing the Design and Decision Case is \$14,000. The cost is apportioned using Co-Lab's standard methodology, under which 25% of the total cost is a fixed component and the remaining 75% is apportioned based on each council's operating expenditure.

5 Attachments/Separate Enclosures

Attachments:

- 1 BCA Collaboration Project Frequently Asked Questions (August 2026) (Doc # 1006556)

Frequently Asked Questions

Building Consent Authority (BCA) Collaboration Project

- **What is the BCA Collaboration Project?**

The BCA Collaboration project has been established to explore opportunities for increased collaboration in the delivery of Building Consent Authority services across participating councils from Waikato, Bay of Plenty and Gisborne

- **Who is Co-Lab?**

[Co-Lab](#) (Waikato Local Authority Shared Services) is a council-controlled organisation (CCO) owned by councils across Waikato and Western Bay of Plenty. Their vision is for council collaboration through Co-Lab to maximise community outcomes.

- **Is this a Co-Lab initiative?**

No. The project was commissioned by the Waikato Chief Executive Forum in response to ongoing challenges facing BCAs. Fifteen councils have since chosen to commission the Design & Decision Case. Co-Lab's role is to facilitate this process on behalf of the participating councils.

- **Why Now?**

BCA market dynamics are shifting rapidly. The traditional location-based operating model, where councils primarily deliver building consent services within their own geographic boundaries, is increasingly shifting towards a customer-segment model. Under this approach, services can be organised around different types of customers or consent work, rather than solely by location, enabling work to be delivered across a wider geographic area.

Emerging deregulation of certain build types is expected to reduce council consent volumes. At the same time, the growing presence of private BCAs is creating a competitive environment for building consent services. MBIE has instructed all councils to actively consider voluntary consolidation and is progressing legislative changes to remove existing barriers.

- **How did the BCA Collaboration Project get to this stage?**

The project initially commenced earlier this year with 11 councils, to develop an Indicative Business Case (IBC) to support Chief Executives in determining whether there was sufficient strategic merit to progress to a detailed Design and Decision Case, and which option should form the basis for that work.

Following consideration of the IBC, the Chief Executives agreed to proceed with the development of a fully consolidated BCA model, with 15 councils subsequently confirming their participation in the next phase.

- **What are the goals of this project?**

The core focus is on improving the experience of the customer and the strategic goals are as follows:

- consistent and predictable customer experience
- faster processes and improved productivity
- stronger decision quality and regulatory integrity

- greater capability, resilience, and shared capacity
- improved financial sustainability and value for money
- stronger data, information management, and continuous improvement

- **How will the future model support our BCA workforce?**

The future model aims to create a competitive and sustainable working environment that supports the retention, development and attraction of skilled BCA staff. A larger, consolidated workforce is expected to enable better coordination and access to expertise across participating councils, while also providing staff with broader career pathways, professional development opportunities and greater opportunities to specialise or work across different areas of the business.

- **Is this the same as Co-Lab Building Services (CBS) or the Building Consent Checking Assistant Project?**

No. Co-Lab Building Services is a shared service established for participating councils to process their overflow building consent applications. The BC Checking Assistant project is for the proposed development of a pre-application tool that checks completeness and high-impact compliance checks before lodgement – the design intent is to keep people in the loop for checks that require judgement-heavy assessment, accountability and quality assurance, while reducing repetitive checking effort.

- **What happens next?**

Business-as-usual services continue. The project team will work with representatives from councils to develop the Design and Decision Case. Once completed, this will be presented to Chief Executives, who will consider the findings and determine whether to progress to the next phase. Progressing through the current design phase does not commit any council to participating in a future consolidated BCA model.

Council	Key Contact Name	Council	Key Contact Name
Gisborne District Council	Ian Petty	Taupō District Council	Jessica Sparks
Hamilton City Council	Cory Lang	Tauranga City Council	Denise Whelan
Hauraki District Council	Peter Thom	Waikato District Council	Joy Kaipara
Kawerau District Council	Michaela Glaspey	Waipā District Council	Barbara Dempsey
Ōpōtiki District Council	Peter Edwards	Waitomo District Council	Ben Smit
Ōtorohanga District Council	Tony Quickfall	Western BOP District	Jason Sandford
Rotorua Lakes Council	Jean-Paul Gaston	Whakatāne District Council	David Bewley
South Waikato District Council	Gary Knighton		



Document ID: 1004484

Report To: Council



Meeting Date: 29 September 2026

Subject: **Bi-Monthly Activity Report: Community Services Group**

Type: Information Only

Author(s): Helen Beever
General Manager – Community Services

1. Purpose of Report

- 1.1 The purpose of this business paper is to update Council on activities that form part of the Community Services Group portfolio.

2. Suggested Resolutions

- 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 Bi-Monthly Activity Report: Community Services Group be received.

3. Introduction

- 3.1 The following sections in this business paper align with the Groups of Activities as contained in Council's 2026/2027 Annual Plan and where the portfolio is delivered by the Community Services Group.

4. Leadership

HUMAN RESOURCES

- 4.1 While not obvious in any planning documents, Human Resources is a critical function of Council falling under the Leadership Activity with the service provided by the Community Services Group in conjunction with the Chief Executive.

CURRENT ACTIVITY

- 4.2 WDC has been successful in recruiting for the following positions:

- Customer Support Advisor (Fixed Term)
- Animal Control Officer

- 4.3 The following position remains vacant at the time of writing this business paper:

- Service Desk and Digital Support Officer

5. Customer and Information Services

- 5.1 Customer and Information Services is one of the several functions within the Leadership Activity in the 2026/2027 Annual Plan and the delivery of these services is provided by the Community Services Group.
- 5.2 Customer and Information Services includes management of all digital assets, databases and platforms, technical support for staff and cyber security, and the systems that shape how customers interact with Council.

CURRENT ACTIVITY

- 5.3 Current activity includes:
- The Microsoft Intune build for corporate laptops is complete, with security settings and device controls now in place across the fleet.
 - Wireless upgrades at the Queen Street administration building, the Customer Services Hub and the Library are complete, with staff reporting no further connection issues. A particular improvement has been noticed in the Training Room and Chambers, where multiple people can now connect to Wi-Fi at the same time, adding capacity that would be useful if Council needed to stand up an Emergency Operations Centre.
 - The Customer Services Hub and Library now have independent internet connections, and these are working as intended.
 - The transition of IT systems and tools connected to the move to Waikato Waters Ltd is complete, with both sides reporting everything working well.
 - Flowingly online forms continue to be added to the website, with the highest use forms prioritised first. Staff are also being upskilled in using Flowingly to document team standard operating procedures, supporting knowledge management so a team's processes are recorded and do not leave with a staff member when they move on.
 - Artificial Intelligence Use Policy training has commenced. Elected members and staff holding AI licences have each completed two training sessions, and self-service training hubs are being set up for both groups.

RISKS AND OPPORTUNITIES

- 5.4 Digital services and information management continue to carry operational and organisational risk due to Council's reliance on business systems, digital records, vendor support, cyber security controls and staff information practices.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 5.5 Extending the Artificial Intelligence Use Policy self-service training hubs for elected members and staff.
- 5.6 Continuing to document team processes in Flowingly, contributing to Council's wider business continuity and resilience planning by ensuring key processes remain available if a staff member is unexpectedly unavailable or leaves the organisation.
- 5.7 Report outcomes and actions of external risk review of digital services to next Audit and Risk meeting.

6. Community and Partnerships

- 6.1 This group represents a range of collaborative and partnership approaches and initiatives involving many agencies and organisations. The activities involve the common theme of promoting a better quality of life and a better living environment within the district.

- 6.2 **Community Development** supports the wellbeing of our communities by enabling local organisations and private providers to deliver a variety of community-based services and activities to meet the needs of our community.
- 6.3 **District Development** is delivered through working in collaboration with a range of community partners for the benefit of the community.
- 6.4 **Waitomo District Library Services** provide a wide range of services and facilities including physical and online educational and recreational materials, programmes, events, internet and Wi-Fi services, technology lessons and online services.
- 6.5 **Customer Service & Visitor Hub** provide a customer service one-stop-shop centrally located in the main street of Te Kūiti. Information services are also available, providing residents and visitors access to quality, up to date information and advice for activities, attractions, accommodation, and events in the district.
- 6.6 **Council Recreation Services** engage operators specialising in facility management to manage the Waitomo District Aquatic Centre and Gallagher Recreation Centre.

CUSTOMER SERVICE AND VISITOR HUB

CURRENT ACTIVITY

- 6.7 The Customer and Visitor Hub is the council's main point of contact with the public, covering dog registration, rates, consents, water, solid waste enquiries, and general information, across walk-in, phone, afterhours, email and online contact.

Rates Rebate

- 6.8 Rates rebate applications received this year to date total 252, against a final total of 397 for the 2025/2026 rating year. This year's figure is still running, so it is not yet a full year comparison.

Customer Service and Visitor Hub

- 6.9 Total visitors to the Customer and Visitor Hub for January to August 2026 were 8,960 up from 8,387 for the same period in 2025.
- 6.10 International visitors rose from 618 to 1,028 over the same period, while domestic visitor numbers stayed steady.

Customer Hub Visitors	Jan to Aug 2025	Jan to Aug 2026
Total visitors	8,387	8,960
Council service visits	5,478	5,660
Domestic visitors	2,293	2,272
International visitors	618	1,028
Reason for Visiting	Jan to Aug 2025	Jan to Aug 2026
Visitor information	799	773
Rates	660	426
General/Other	545	745
Dog registration	562	536
Rates rebate	343	398
Solid waste	149	149
Service requests	138	121

Contact Centre

- 6.11 Contact centre call volumes for January to August 2026 were down 7% on the same period last year, with calls handled faster on average.
- 6.12 After hours contacts for January to August 2026 totalled 512, down 27% on the 699 recorded for the same period in 2025.

Contact Centre	Jan to Aug 2025	Jan to Aug 2026
Calls offered	7,141	6,638
Average handling time	3 min 15 sec	2 min 40 sec
Afterhours Centre	Jan to Aug 2025	Jan to Aug 2026
Calls handled	699	512

Service Requests

- 6.13 Total service requests for January to August 2026 were 3,123 down 10% on the 3,471 received for the same period in 2025.

Customer Requests	Jan to Aug 2025	Jan to Aug 2026
Total requests	3,471	3,123
Category	Jan to Aug 2025	Jan to Aug 2026
Customer Service	614	369
Animals	597	358
Water and wastewater combined	494	410
Rates	191	103
Building	156	129
Roading	139	145

RISKS AND OPPORTUNITIES

- 6.14 There are no immediate risks identified for this activity.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 6.15 The team is preparing for increased visitor enquiries as the summer season approaches and more people travel through the district.

COMMUNITY DEVELOPMENT AND DISTRICT DEVELOPMENT

CURRENT ACTIVITY

Les Munro Centre Community Open Day

- 6.16 The Les Munro Centre (LMC) Community Open Day was held on 29 August 2026 and attracted approximately 600 people. The event provided an opportunity for the community to explore the Centre and experience the range of activities and services it could offer in the future.
- 6.17 Activities included library programmes, rock climbing, pickleball, craft stalls, live music, inflatables and cooking demonstrations by Melanie Simpson, which proved extremely popular. The library set-up in the LMC foyer showcased how a library space could look and operate within a community hub. Attendees also had the opportunity to speak with staff and provide feedback on the future of the LMC.

Novice Driver Training Programme

- 6.18 The Novice Driver Training Programme has operated in the Waitomo District since 2016, supporting young people aged between 16 and 25 to progress through the driver licensing system.

- 6.19 Council partners with the New Zealand Transport Agency Waka Kotahi (NZTA), Te Kūiti Community House Trust and Number Twelve to deliver the programme, working alongside driving instructors, schools and other community organisations. NZTA provides 80% of the programme's funding, with the remaining 20% funded via the Community Development activity.
- 6.20 Support provided through the programme includes learner licence workshops, practical driving instruction, transport and assistance with licence testing. Coordination, administration and reporting are also undertaken to support eligible participants as they progress through each stage of the licensing process.
- 6.21 During the 2025/26 financial year, participants achieved 169 driver licence milestones. This included 100 learner licences, 39 restricted licences and 30 full licences.

Top of the Town

- 6.22 Planning is well underway for the 2026 Top of the Town event, to be held on 14 November. The event is being promoted through Council's Facebook page, with registrations opening at the end of September.
- 6.23 Top of the Town is designed to encourage community participation at Centennial Park and provide an enjoyable inclusive experience for participants.

DC Tynan Trust

- 6.24 Four applications were received for the latest DC Tynan funding round. The applications will be considered by the Assessment Committee at its meeting on 15 September 2026.
- 6.25 Following the assessment process, applicants will be advised of the outcome, and the approved funding allocations will be confirmed.

Legendary Te Kuiti – Town Murals

- 6.26 As part of a Legendary Te Kūiti (LTK) project, work is underway to refresh the town murals located in Rora Street, depicting Te Kūiti's past and future. The existing murals require replacement due to their deteriorating condition.
- 6.27 The original artists have been contacted by LTK and advised of the proposed changes. Following these discussions, a selection of local artists were invited to submit draft concepts for the refreshed murals.
- 6.28 An artist has been selected, and staff are working with LTK to finalise the artwork before the project progresses to the next stage.

Te Ara Toa Rangatahi Festival and Talent Show

- 6.29 WDC is partnering with Multiply Agency to support the Te Ara Toa Rangatahi Festival and Talent Show Finale, which will be held at the Les Munro Centre on 26 September 2026.
- 6.30 The event is inspired and led by rangatahi and aims to raise awareness of alcohol and drug-related harm while promoting wellbeing, positive choices and stronger community connections. The festival will include activities, entertainment, kai stalls and information focused on wellbeing and alcohol and drug awareness.
- 6.31 The afternoon festival will be followed by a talent show featuring rangatahi finalists, live performances and rangatahi MCs. Special guest performers Lion Rezz and Geneva Coffin will also perform.
- 6.32 WDC's involvement supports the objectives of the Rangatahi Engagement Plan by enabling rangatahi-led activities, strengthening rangatahi participation and providing a safe, alcohol and drug-free event for rangatahi, whānau and the wider community.

Spring/Summer Night Food Markets

- 6.33 Planning is underway for a Spring/Summer Night Food Market to be held on a Thursday evening in late October 2026. Staff are working with the organisers of the Hamilton food markets, alongside local food truck operators, to bring a varied selection of food vendors to Te Kuiti.
- 6.34 The first market will provide an opportunity to assess community interest. If successful, the night markets may be held monthly through to March 2027, providing a regular evening activity for the community while supporting local vendors.

Mayor's Taskforce for Jobs

- 6.35 The Mayors Taskforce for Jobs (MTFJ) Community Employment Programme for the period 1 July 2026 to 30 June 2027 has been confirmed. The MTFJ agreement provides funding to support employment outcomes within the Waitomo District.
- 6.36 The agreement provides funding of up to \$220,000 plus GST, paid in two tranches of \$110,000. The first tranche is payable following execution of the agreement. Before the second tranche is released, at least 80% of the first tranche must be reported as spent and 10 MSD clients must be placed into employment.
- 6.37 The programme must achieve at least 29 employment placements, comprising 17 MSD main benefit clients and up to 12 participants who are NEET, or at risk of becoming NEET. At least 70% of each group must remain in employment, or off a main benefit, for 182 days.
- 6.38 When comparing to the 2025/26 MTFJ agreement, the overall target has increased from 27 to 29 placements. However, the required number of MSD client placements has reduced from 23 to 17, while eligible NEET placements have increased from four to 12. This provides greater flexibility to support rangatahi who need employment assistance.

RISKS AND OPPORTUNITIES

- 6.39 There is a risk that participation at community events is less than expected.
- 6.40 There is a risk that the Mayors Taskforce for Jobs employment placements are not achieved. Regular reporting and funding via two separate tranches reduces the risk.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 6.41 Top of the Town 2026.
- 6.42 Waitomo District Christmas Parade.
- 6.43 Planning for the Great NZ Muster 2027.

WAITOMO DISTRICT LIBRARY SERVICES

CURRENT ACTIVITY

- 6.44 Over the past few months, a refresh of the library webpages has been completed to improve both the appearance and usability of the site. This work has included updating existing information, improving the overall look and feel, and adding new content to better showcase library services and resources.
- 6.45 New additions include an online learning portal, information on the history of the library, and a "Meet the Team" section. Staff have also reviewed and updated content across the site to ensure information is current and easy to find.
- 6.46 Library staff spent time preparing for the LMC Open Day, recognising it as a valuable opportunity to showcase library services to community members who may not regularly visit the library. One of the library's key goals is to challenge perceptions of what a modern library offers, and the event

provided the perfect platform to demonstrate the wide range of resources, spaces, and activities available.

- 6.47 The library transformed the LMC foyer into five interactive zones, each highlighting a different aspect of library services. These included a reading lounge featuring comfortable seating, newspapers, and books; a social space with tables, chairs, board games, and card games; a children's area with LEGO challenges, blocks, and books; a creative space showcasing 3D printing information alongside a simple craft activity; and a digital space where visitors could make stop-motion movies.
- 6.48 The display attracted strong interest throughout the day, with many visitors spending time exploring the different areas, participating in activities, and asking questions about library services. The event was a great success in raising awareness of the library's offerings and helping community members see the library as a welcoming, creative, and dynamic space.
- 6.49 The library is a member of the Kōtui consortium, a shared service that supports around 40 District Council libraries across New Zealand through a common Library Management System (LMS). This collaborative approach helps public libraries access robust and cost-effective systems while benefiting from shared expertise and resources.
- 6.50 Kōtui has been using the SirsiDynix platform since 2011, and the consortium is now undertaking a formal review to determine whether it remains the best solution for member libraries. The tender process is expected to take 12 to 18 months and will assess available options across the market. Depending on the outcome, the project may result in the migration and implementation of a new Library Management System across all participating councils.
- 6.51 This work is being led by Kōtui and is being undertaken in accordance with the National Library and Department of Internal Affairs procurement processes. The review represents an important opportunity to ensure Kōtui libraries continue to have access to modern, reliable, and cost-effective systems that support both staff and customers into the future.

RISKS AND OPPORTUNITIES

- 6.52 There are no immediate identified risks with this activity.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 6.53 With another set of school holidays approaching, staff are currently planning a range of activities and events to engage local tamariki and encourage continued learning and creativity during the break.
- 6.54 A total of 130 activity packs will be prepared and made available for children to take home. The packs will feature a variety of spring-themed crafts and activities, providing fun, low-cost opportunities for families to enjoy together.
- 6.55 Staff are also preparing the fourth edition of the library's collaborative artwork book. This annual project invites tamariki to contribute artwork around a chosen theme, with submissions compiled and professionally printed into a book. The initiative has been well received over the past three years and provides a unique opportunity to celebrate local creativity and have local content included in the library's collection.
- 6.56 In addition, two further library events are being planned for the holiday period. Details are being confirmed, and further information will be shared once planning is complete.

COUNCIL RECREATION SERVICES

CURRENT ACTIVITY

Waitomo District Aquatic Centre

- 6.57 A new contract for the management and operation of the Waitomo District Aquatic Centre has been awarded to Community Leisure Management (CLM). The contract will provide for the ongoing

operation of the facility, including day-to-day management, staffing, programme delivery and maintaining appropriate levels of service for the community.

- 6.58 A new dosing pump has been installed at the Aquatic Centre following signs of failure towards the end of the previous season. All associated safety signage and equipment has been installed in preparation for the upcoming season.

Gallagher Recreation Centre

- 6.59 For the period 1 June to 31 August 2026 the Gallagher Recreation Centre continued to see strong participation across programmes and gym services and the multipurpose room has had several bookings over this time.
- 6.60 As at 30 August 2026, gym membership totalled 412 members.

7. Recreation and Property

- 7.1 This group comprises parks and recreation, housing and other properties, community facilities and public facilities.
- 7.2 **Parks and Recreation** involves the provision of parks and reserves for recreation, green places that are restful and enhance the visual amenity of our communities.
- 7.3 **Housing and Property** involves provision of housing and community facilities such as halls.
- 7.4 **Community Facilities** involves the provision of recreation and cultural opportunities to support the health and well-being of the community.
- 7.5 **Public Facilities** involves the provision of cemeteries, public car parks, public toilets, street furniture and our CCTV system.

PARKS AND RECREATION

CURRENT ACTIVITY

- 7.6 An independent district-wide playground inspection completed by Playsafe in August 2026 against NZS 5828:2015 found Council's playgrounds to be generally in Fair to Excellent condition, with an average Playground Condition Score of approximately 85%.
- 7.7 Progress continues on the proposed replacement of the Te Waitere Jetty pontoon platform, following completion of an inspection of the existing structure.
- 7.8 Requests for quotes have been issued to two companies, to consider different replacement options.
- 7.9 One company provides a plastic pontoon system, while the other provides a predominantly precast concrete system incorporating some plastic pontoon components. The scope of work includes replacement of the failing pontoon, repair and reinstatement of the worn connection between the gangway and pontoon, and treatment of visible corrosion on the piles to help extend the life of the existing structure.
- 7.10 Staff continue to liaise with the Te Waitere Boat Club Committee to help inform the preferred option and requirements for the replacement pontoon.
- 7.11 Due to the Waitere Boat Club's annual whaleboat races, staff have requested that construction be completed by 27 November 2026. Practical completion, the defects liability period and as-built handover are expected to be finalised by 18 December 2026.
- 7.12 A structural inspection of the Mōkau Jetty was completed in September 2026, confirming the jetty is generally in good condition and functioning as intended. Some remedial works were identified

including minor repairs to railings and surface matting, and monitoring of some surface corrosion. These works will be undertaken by the Parks and Reserves team.

RISKS AND OPPORTUNITIES

- 7.13 Playground inspections help identify and address safety issues early, while supporting planned maintenance and renewals.
- 7.14 Replacement of the Te Waitere Jetty pontoon will improve safety and usability and provide a sustainable, long-term solution, with an anticipated service life of approximately 20 years.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 7.15 Over the next three months, work will focus on completing the replacement to the Te Waitere Jetty pontoon.

HOUSING AND PROPERTY

CURRENT ACTIVITY

- 7.16 Maintenance inspections have commenced on two recently vacated flats following the departure of long-term tenants. Minor repairs and maintenance identified through the inspections will be completed before the flats are prepared for the incoming tenants.
- 7.17 Council is working with a local builder to complete the identified repairs to the Mahoenui Hall. The replacement windows have been obtained; however, the builder is currently completing another large project before commencing the works. Staff remain in contact with the builder and will continue to progress the repairs.
- 7.18 Discussions with the Mahoenui Hall Committee regarding divestment of the hall will continue alongside the repair works. The intention is to complete the identified works while continuing discussions with the Committee regarding the future ownership and management of the hall.
- 7.19 Staff have recently met with the Mairoa Hall Committee, who have expressed an interest in taking over ownership of the hall. Staff are currently progressing the arrangements, including preparation of lease documentation based on a similar approach to that used for the Mokauiti Hall.
- 7.20 Staff will continue to engage with the Mapiu and Waitanguru Hall Committees, with a view to developing a similar arrangement for the future management and ownership of these halls.

RISKS AND OPPORTUNITIES

- 7.21 There are no immediate identified risks with this activity.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 7.22 Continuation of the property inspections at Redwood Flats, to inform the programmed maintenance schedule.
- 7.23 Ongoing discussions with Mahoenui, Mairoa and Waitanguru Hall Committee's to progress divestment of halls.

COMMUNITY FACILITIES

CURRENT ACTIVITY

- 7.24 Development of the new section at Te Kūiti Cemetery has commenced, with the concrete footings for the new shelter now poured. Installation of the shelter is the next key stage of the project. Once completed, landscaping works, including berm formation and planting, will follow to complete the first stage of development.

- 7.25 Construction of the new ashes wall at Kiritehere Cemetery is nearing completion, with the remaining works expected to be completed shortly. The new wall will provide a dedicated area for the interment and remembrance of ashes and improve the facilities available at the cemetery. A formal opening is being planned.

RISKS AND OPPORTUNITIES

- 7.26 Weather conditions may impact the timing of landscaping works, including berm construction and planting.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 7.27 Completing the installation of the new shelter at Te Kūiti and the new ashes wall at Kiritehere.

PUBLIC FACILITIES

CURRENT ACTIVITY

- 7.28 New pumps have been installed at the Mōkau public toilets following an operational issue caused by inappropriate items, including wet wipes and clothing, entering the wastewater system and affecting the pump motors. The new pumps have restored the system to full operation and will improve the ongoing reliability of the facility.
- 7.29 Signage has been prepared and will be installed on the inside of all public toilet doors, reminding users not to dispose of inappropriate items down the toilets. This follows an increase in blockages caused by items being flushed through the wastewater systems.

RISKS AND OPPORTUNITIES

- 7.30 Inappropriate items being flushed continue to cause blockages and damage to the public toilet wastewater systems, resulting in unplanned maintenance and potential disruption to facilities. The recent pump replacement and new signage provide an opportunity to reduce further issues and improve the ongoing reliability of the facilities.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 7.31 Over the coming months, staff will monitor the effectiveness of the new signage, with the aim of improving the appropriate use and cleanliness of public toilet facilities and reducing ongoing blockages and maintenance issues.

Document ID: 1004376

Report To: Council



Meeting Date: 29 September 2026

Subject: **Waitomo District Landfill Forestry Area - Plantation Management**

Type: Decision Required

Author(s): Liz Riley
Property and Facilities Manager

Helen Beever
General Manager – Community Services

1 Purpose of Report

- 1.1 The purpose of this business paper is to seek Council endorsement of the proposed management response for the forestry area at the Waitomo District Landfill.

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 Waitomo District Landfill Forestry Area - Plantation Management be received.
 - 2 Council endorse the proposed two-stage spray treatment of the current *Pinus radiata* planting block adjacent to the landfill.
 - 3 Council note that staff will reassess the site following completion of the spray programme and report back on options for its future use before any further replanting is undertaken.

3 Background

- 3.1 Waitomo District Council (WDC) owns land at the Waitomo District Landfill that has historically included a *Pinus radiata* production forest. The former production forest comprised approximately 16.1 hectares and was planted in 1994.
- 3.2 In October 2021, Council resolved that the mature Pine plantation be harvested for sale and that the site be replanted following harvest. Professional Harvest Systems was appointed to undertake the harvest.
- 3.3 The harvest was completed in 2022. The actual harvest produced 10,284 recoverable tonnes at a stumpage rate of \$53.00 per tonne, returning \$545,074 excluding GST. This was approximately \$18,146 above the 2021 market assessment.
- 3.4 Ahead of replanting, future land management options were assessed. The assessment concluded that the area was unlikely to be eligible for Emissions Trading Scheme carbon opportunities because historical imagery indicated significant vegetation cover before 1990.
- 3.5 The 2022 economic assessment compared re-establishment in pine forestry, mānuka for honey production, and conversion to grazing. Replanting in pine provided the strongest modelled return, Mānuka and grazing produced negative modelled returns.

- 3.6 The site was subsequently replanted in *Pinus radiata* in accordance with Council's earlier decision. The area was sprayed in July 2023, and 15,000 seedlings were subsequently planted.
- 3.7 In January 2024 a desiccation spray and release around the pines was completed.
- 3.8 Costs for spraying and replanting following harvesting total \$50,000.

4 Commentary

- 4.1 The plantation area comprises approximately 16.1 hectares, as shown in Attachment 1, and was planted with approximately 15,000 seedlings.
- 4.2 Since establishment, the plantation has not performed as intended. Grazing, particularly by goats, together with a large landslip at the top of the highwall, has resulted in significant damage and loss of the trees and contributed to poor tree form across the planting area.
- 4.3 Since the plantation was established, goat control has been undertaken on four occasions, comprising three culling operations and one capture operation. Due to the nature of these animals, goat control is likely to remain a recurring issue and require ongoing management.
- 4.4 A recent visual and drone assessment indicates that only a small proportion (probably 20%) of the originally planted trees remain. A significant number of the surviving trees are multi-headed and are not considered suitable for a productive forestry crop.
- 4.5 Given the current condition of the plantation (ie covered in gorse), professional advice provided to staff is not to undertake immediate replanting. The recommended approach is to leave the site in its current state until Spring 2026, spray the planting area, allow an appropriate period for regrowth or germination, and then undertake a second spray treatment. This is probably in two years time but this will be monitored.
- 4.6 The appropriate timing between the first and second spray treatments will be confirmed with the forestry adviser or contractor before the work is undertaken.
- 4.7 Once the second spray has been completed and the site condition is clearer, staff propose to reassess the longer-term use of the area and report back to Council. If forestry remains the preferred land use, the ongoing goat issue will need to be considered before further investment in planting is made.
- 4.8 At approximately 16.1 hectares, the area is relatively small in commercial plantation terms. Considering the condition of the current planting, the cost of re-establishment and the ongoing goat-control requirements, staff consider it appropriate to reassess the future use of the area rather than immediately replanting.

5 Analysis of Options

RETAIN THE EXISTING PLANTATION

- 5.1 The existing plantation could be retained and continue to be managed. This would avoid the immediate cost of spraying and re-establishment. However, the current crop has poor survival and form, with multi-headed trees unsuitable for productive forestry, and damage caused by goats feeding on the young trees remains an issue. For these reasons, this option is not recommended.

REMOVE THE EXISTING PLANTING AND REASSESS FUTURE LAND USE

- 5.2 The existing planting and gorse could be removed through two spray treatments, after which the future use of the land could be reassessed. This would remove the poorly established crop and allow the site to be reconsidered before committing further expenditure to planting. The disadvantage is the cost of spraying (about \$12,500) and that the future use of the land would remain undecided in the short term. This is the recommended option.

SPRAY AND IMMEDIATELY REPLANT IN *PINUS RADIATA*

- 5.3 The existing planting could be sprayed and the area replanted in *Pinus radiata*. This would return the land to the forestry use previously assessed as providing the strongest financial return. However, there is a risk of further establishment failure if goat grazing is not adequately controlled, together with additional upfront planting costs. This option is not recommended until the current site issues have been addressed.

6 Considerations

RISK

- 6.1 The principal risk in retaining the current crop is that Council continues to carry a plantation that is unlikely to develop into a good-quality production forest, while incurring ongoing management costs.
- 6.2 Replanting immediately also carries risk, particularly if the goat problem that contributed to the current outcome has not been adequately addressed. This could result in Council incurring further establishment costs without achieving a successful plantation. Any future forestry proposal should therefore include appropriate goat control measures and monitoring during establishment.
- 6.3 The proposed spray operations will need to be planned and undertaken in accordance with relevant health and safety, environmental and land management requirements. This will include managing spray drift and considering adjoining land uses and ongoing landfill operations.
- 6.4 Council previously resolved that the landfill forestry area be replanted after the 2022 harvest. The proposed two-stage spray programme does not determine the long-term future land use. It responds to the poor condition of the current replanting and allows Council to reconsider the best future option once the site has been reset.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.5 Reviewing this matter is consistent with Council's existing policies and plans.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.6 The forestry area forms part of the wider designated landfill site and has historically been managed as a production forestry crop. On the information available, the proposed spray treatment is an operational land-management response and is not expected to be significant under Council's Significance and Engagement Policy. This should be confirmed against the current policy before the paper is issued.

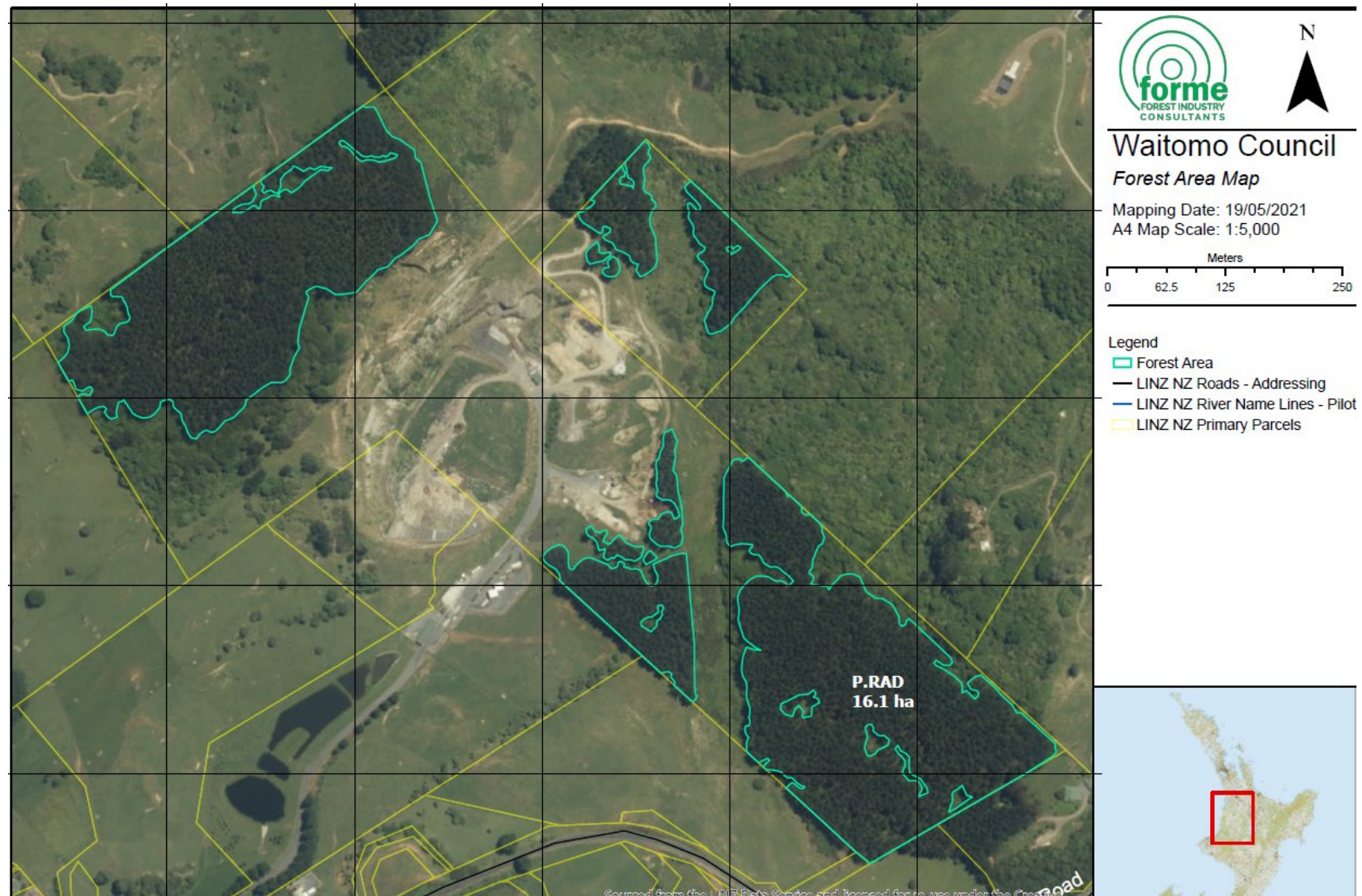
7 Recommendation

- 7.1 That Council endorse the proposed two-stage spray treatment, at an approximate cost of \$12,500, of the current Pine planting at the Waitomo District Landfill, with the first treatment to be undertaken in Spring 2026 and the second treatment following the interval recommended by Council's forestry adviser or contractor. This would be funded from reserves provided for this purpose.
- 7.2 That Council note that no further replanting is proposed until the spray programme has been completed, the site has been reassessed, and options for the future use of the area have been reported back to Council.
- 7.3 That any future proposal to re-establish production forestry include measures to protect new plantings.

8 Attachments/Separate Enclosures

Attachments:

- 1 Map of planting area



Document No: 1006263

Report To: Council



Meeting Date: 29 September 2026

Subject: **Public Amenities and Public Places Bylaw Review, proposed Cemetery Bylaw - Adoption of Statement of Proposal for Consultation**

Author(s): Charmaine Ellery
Manager - Strategy and Policy

Helen Beever
General Manager – Community Services

Liz Riley
Property and Facilities Manager

1 Purpose of Report

- 1.1 The purpose of this business paper is to present to Council the Public Amenities and Public Places Bylaw Review, proposed Cemetery Bylaw - Adoption of Statement of Proposal for Consultation.

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 Public Amenities and Public Places Bylaw Review, proposed Cemetery Bylaw - Adoption of Statement of Proposal for Consultation be received.
 - 2 Council determines that a bylaw continues to be the most appropriate way of addressing the perceived problems that arise in relation to the matters addressed within the Waitomo District Public Amenities and Public Places Bylaws in accordance with section 155 of the Local Government Act 2002.
 - 3 Council approves the review of the Waitomo District Public Places Bylaw 2023 to include public amenities in accordance with section 145 of the Local Government Act 2002.
 - 4 Council adopts the Statement of Proposal for Public Places Bylaw review, including the draft Public Places Bylaw 2026 as presented for public consultation.
 - 5 Council adopts the Statement of Proposal for revoking the Public Amenities Bylaw and adopting the Cemeteries Bylaw 2026, including the draft Cemeteries Bylaw 2026 as presented for public consultation.
 - 6 Council approves that the public consultation period begins on 1 October 2026 and concludes on 30 October 2026.
 - 7 The Chief Executive be authorised to make any final editorial amendments to the Statement of Proposal that may be necessary before it is made publicly available.

3 Background

- 3.1 Under the Local Government Act 2002 (LGA), the Reserves Act 1977 (RA) and the Burial and Cremation Act 1964 (BCA), Waitomo District Council currently has a Public Amenities Bylaw 2010 (the Bylaw).

- 3.2 Prior to the Bylaw being adopted by Council, the Waitomo District Council (WDC) General Bylaws 1993 included chapters on Public Places, Nuisances, Cemeteries, and Beaches.
- 3.3 The General Bylaw was extensively redrafted in 2009 to fit in with the legislative requirements of the day, it was also proposed at that time to make a combined Public Amenities Bylaw from Library, Parks and Reserves, Swimming Pools, Beaches and Cemeteries chapters. A draft bylaw was consulted on with the community and the final version was adopted in February 2010.
- 3.4 A full review of the Bylaw was conducted in 2014, some minor amendments were made on library management and burial of spouses of military personnel.
- 3.5 The LGA gives territorial authorities general bylaw making powers for one or more of the following purposes:
- (a) protecting the public from nuisance;
 - (b) protecting, promoting, and maintaining public health and safety;
 - (c) minimising the potential for offensive behaviour in public places.
- 3.6 The RA and BCA give more specific powers to manage reserves and cemeteries.
- 3.7 Under these Acts this Bylaw can include sections to regulate conduct in order to protect the public from nuisance; protect, promote and maintain public health and safety, and minimise the potential for offensive behaviour when using public amenities. A bylaw may also be used to manage and protect particular land areas, structures and infrastructure (such as from damage, misuse and loss) including reserves, recreation grounds and other land that Council controls.
- 3.8 The Bylaw was due for review by February 2025 (10-year review), however due to the review of the Waitomo District Plan and potential for overlap into this Bylaw, Council decided to utilise the 2-year period allowed for in LGA to retain the current bylaw. Bylaws that are due for review are automatically revoked once two years have passed from the review date.
- 3.9 Council determined in the 25 August Council meeting that the Bylaw should now be reviewed in accordance with section 145 of the Local Government Act 2002 (LGA). This allows consideration of the decisions to date with the near completion of the Waitomo District Plan review and time to consult with the community on a proposal before the automatic revocation of the Bylaw in February 2027.

4 Commentary

REVIEW

- 4.1 A comprehensive review of the Bylaw was undertaken by WDC staff and consideration of the perceived problems this Bylaw addresses. The notable findings were:

INTRODUCTION

- 4.2 The scope description was limited and did not specifically mention the BCA, a more expanded scope with more detail on legislation is recommended.

OFFENCES AND PENALTIES

- 4.3 This section can be covered more broadly so as not to limit the application of offences and penalties, recommend updating to combination of broad coverage and guidance notes aligned with more recent WDC bylaws.

INTERPRETATION

- 4.4 Definition of Public Amenity is recommended to be updated to more closely match the general definition, this would remove public places like beaches and public facilities like the pool and library. Amenities would cover things such as equipment, structures, monuments, artworks for enhancement and enjoyment of public areas.

- 4.5 This would then require Public Places definition to be updated to include beaches and note that it already includes facilities. For clarity public places will often have public amenities within them.
- 4.6 Other definitions need to be aligned with the definitions from the relevant legislation.

GENERAL CONDUCT AND RESTRICTIONS IN PUBLIC AMENITIES

- 4.7 Most of the clauses (especially considering the updated definitions) are covered in the existing Public Places (PP) Bylaw and Public Health and Safety (PHS) Bylaw, the Waitomo District Plan or RMP, therefore it is recommended to remove any overlap and retain the clauses in the other bylaws or Plans.
- 4.8 There are some clauses that are police matters, covered directly under legislation or cover areas that are not within the scope of what the bylaw can govern. These clauses are recommended to be removed.

LIBRARY

- 4.9 The library section for the most part is outside what the Bylaw can govern, most are operational matters that are covered in the Library Collection Management Policy and Waitomo District Library Guidelines.
- 4.10 Matters relating to conduct can be covered more generally through the PP and PHS Bylaws with the library being defined as a public place (i.e. facility).

PARKS AND RESERVES

- 4.11 The Reserve Management Plan controls the use of reserves and for more specific issues these are captured in the existing PP Bylaw and PHS Bylaw therefore it is recommended to remove any overlap and retain the clauses in the other bylaws or Plans.
- 4.12 Clauses related to wildlife, use of firearms or weapons are covered under the Wildlife Act 1953, the Arms Act 1983 and Summary of Offences Act 1981 and other legislation so can be removed.
- 4.13 Clauses relating to model planes and flying are covered under WDC Drone Policy and Civil Aviation Authority rules so can be removed.

USE OF PUBLIC SWIMMING POOLS

- 4.14 This section is recommended to simply modernise the wording and ensure references for responsibility are correct. Waitomo District Aquatic centre meets the definition of a public facility and is therefore more appropriately covered under the PP Bylaw.

BEACHES

- 4.15 Several clauses (especially considering the updated definitions) are covered in the existing Public Places PP Bylaw and PHS Bylaw, some specific clauses are recommended to be transferred to a specific beach section.
- 4.16 Some clauses are covered by the District Plan or RMP, therefore it is recommended to remove any overlap and retain the clauses in the other bylaws or Plans.
- 4.17 Dogs on beaches and speed limits are covered by the Dog Control bylaw and beaches being roads speed limits are covered under the Speed Limit rules 2024

PUBLIC CEMETERIES

- 4.18 All the cemetery sections are recommended to be brought up to date including definitions. A new scope and purpose section will provide a clearer introduction as to the purpose of this bylaw. Updating the layout and language will improve readability and clarity.

- 4.19 This includes changing language referring to the burial of a 'poor person' to 'a person without means'. The process for identifying a person without means has also been updated. Poor person is referred to in the BCA section 49, more modern language is recommended for the Bylaw.
- 4.20 The Bylaw now makes clear that no burial shall take place unless an Exclusive Right of Burial (a plot) has been purchased and it is only an approved person who may erect memorials or do any repairs in a cemetery, rather than any person.
- 4.21 The recommendation is to create a separate Cemetery Bylaw as this is enabled through separate legislation (BCA) and is much more specific than general bylaw scope under LGA. Cemeteries do meet the definition of a public place with public amenities so are already covered by the general PP and PHS Bylaws.
- 4.22 A separate cemetery bylaw is common among councils, and most Waikato councils have a separate Cemetery bylaw so this would create better alignment going forward.

SUMMARY OF RECOMMENDATIONS

- 4.23 Elected members had the opportunity to review the recommended changes and to give direction on how these changes could be incorporated into existing bylaws, and clauses covered by other Plans and internal documents at the workshop on 15 September 2026.
- 4.24 The recommended approach is to create a separate Cemetery Bylaw and add Public Amenities under a new definition to the PP Bylaw, the above changes were presented in the initial drafts at the workshop.
- 4.25 The draft bylaws need to be presented as tracked change documents. The existing text brought across from the Public Amenities Bylaw in the PP Bylaw shows as blue, changes are in red, removed or moved text in green.
- 4.26 The existing text in the proposed Cemetery Bylaw from the Public Amenities Bylaw is black, changes in red removed or moved text in green.

DETERMINATION REPORT

- 4.27 Under section 155 of the LGA, the Council is required to determine whether a bylaw is the most appropriate way of addressing the perceived problem, determine whether the proposed bylaw is the most appropriate form of bylaw, and determine that the proposed bylaw is not inconsistent with the NZBORA.
- 4.28 Council received the determinations report for the Bylaw at the Council meeting on 25 August 2026. The Council resolution was to proceed with the review of the Bylaw. The recommendation to include public amenities into the Public Places Bylaw triggers the full review process for the PP Bylaw.
- 4.29 Council now need to consider if the determination report for the Bylaw can now be applied to the Public Places Bylaw thereby determining that the PP Bylaw is the most appropriate approach and should be reviewed as a result. The recommended resolutions #2 and #3 covers this requirement.

ASSESSMENT AGAINST NEW ZEALAND BILL OF RIGHTS ACT 1990

- 4.30 Under section 155 of the Local Government Act 2002, Council must assess whether the reviewed Public Places Bylaw and proposed Cemeteries Bylaw have any implications under the New Zealand Bill of Rights Act 1990 (NZBORA).
- 4.31 The Public Places Bylaw may potentially limit certain rights and freedoms, including freedom of peaceful assembly, and freedom of movement, by regulating activities in public places. These potential limitations arise from restrictions on how public spaces may be used. WDC staff assessment is that any such limitations are justified under section 5 of NZBORA, as the Bylaw is made under clear legislative authority and the restrictions are reasonable and proportionate in the interests of protecting public health and safety and managing public places.
- 4.32 Part 2 of the NZBORA sets out the rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society. As advised

in the 2023 review the draft reviewed Public Places Bylaw could possibly be inconsistent with the following rights (section numbers are references to the sections in the NZBORA):

- Section 14 – right to freedom of expression.
- Section 15 – right to manifestation of religion and belief.

4.33 WDC staff have assessed the possible inconsistencies as follows:

4.34 Sections 14 and 15 – the draft reviewed PP Bylaw contains clauses 5.2(d), 5.2(e), 5.2(h) and 5.2(l) which include a prohibition on preaching or distributing any printed or written material advertising any product, service or entertainment, bring or exhibit any article or behave in a manner that is a nuisance or offensive. Exercising freedom of expression and manifestation of religion and belief in ways which have negative impacts are already limited beyond this Bylaw, including the right to be free from discrimination, as provided in section 19 of NZBORA.

4.35 This reasoning also applies to the proposed Cemeteries Bylaw section 9 preventing solicitation in a cemetery.

4.36 WDC staff do not consider either of the draft Bylaws give rise to any implications under the NZBORA. This assessment will be repeated before the final Bylaws are adopted by Council.

STATEMENT OF PROPOSAL

4.37 The special consultative procedure in section 86 of the LGA is required to be used when Council makes Bylaws under the LGA. Section 86(2) of the LGA requires a Statement of Proposal for a Bylaw to include:

4.38 A draft of the bylaw as proposed to be made;

- The reasons for the proposal; and
- A report on any relevant determinations by the local authority under section 155.

4.39 The Statement of Proposal for this report complies with these requirements and is enclosed as Attachment 1 and Attachment 2. A copy of the track changed draft Bylaw is included in each Statement of Proposal. A clean version of each draft bylaw will also be made available for ease of reading online and in hardcopy.

4.40 The general public will be informed by way of public notice in the local newspaper, promotion on the WDC website and Facebook page. Hardcopies will also be available at Queen Street Office reception, Waitomo District Library and Customer Service Centre on Rora Street.

4.41 The proposed timetable for consultation and the adoption process is:

Key Milestone	Planned timeframe
Council Meeting – Adoption of the Statement of Proposal and proposed Bylaw for public consultation.	29 September 2026
Consultation Period	1 October to 30 October 2026
Hearing of submitters who wish to speak to their submissions.	17 November 2026
Deliberations Council - Discuss feedback from the community and changes are agreed to if appropriate.	24 November 2026
Council Meeting – Adoption of the final Bylaw.	24 November 2026

5 Analysis of Options

5.1 The following options are available to the Council with regard to the adoption of the Statements of Proposal

OPTION 1

- 5.2 Should the Council choose not to adopt the Statement of Proposals and retain the current Bylaw without amendment, the Bylaw would not reflect any updates and will cease to have effect two years after the date on which the Bylaw was required to be reviewed being 10 February 2027.

OPTION 2

- 5.3 If the Council chooses to proceed with the suggested updates to the PP Bylaw and proposed Cemeteries Bylaw, thereby requiring the adoption of the Statement of Proposals for public consultation as prescribed by the LGA.

6 Considerations**6.1 RISK**

- 6.1** There is very little risk involved in undertaking a Bylaw review. The Statement of Proposal has been prepared to fulfil the requirements of section 86 of the LGA. A consultation period of 1 month allowing public submissions has been suggested which meets the legislative requirement.

6.2 CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.2** Reviewing the Bylaw retains consistency with the historical Council position to have a bylaws for these matters.

6.3 SIGNIFICANCE AND COMMUNITY VIEWS

- 6.3** The Council's Significance and Engagement Policy requires the Council to assess the degree of significance of proposals and decisions, which informs the appropriate level of engagement.

- 6.4** Based on the list of criteria for significance listed in the Significance and Engagement Policy, these draft Bylaws are assessed as medium significance for the people of the District, which corresponds to the 'consult' level of engagement.

- 6.5** Additionally, the Significance and Engagement Policy state that Council will use the special consultative procedure set out in section 83 of the LGA for reviewing Bylaws.

- 6.6** Staff therefore recommend that Council undertake public consultation in accordance with the requirements of the LGA and its Significance and Engagement Policy.

- 6.7** Section 83 of the LGA requires the Council to make some specific decisions which are summarised as follows:

- Prepare and adopt a Statement of Proposal.
- Ensure the Statement of Proposal is publicly available.
- Ensure a description of how the Council will provide people interested in the Proposal with an opportunity to present their views is publicly available.
- Ensure a statement of the period (not less than 1 month) within which views on the Proposal may be provided to the Council is publicly available.
- Provide an opportunity for people to present their views to the Council in a manner that enables spoken interaction between the person and Elected Members (or delegated representatives) and ensure that any such person is informed about how and when they may take up that opportunity.

7 Recommendation

- 7.1** The business paper on Public Amenities and Public Places Bylaw Review, proposed Cemetery Bylaw - Adoption of Statement of Proposal for Consultation be received The Council adopt the Dangerous, Affected and Insanitary Buildings Policy 2026 as presented.

- 7.2 Council determines the bylaws are the appropriate means to address the perceived problems and approves the amalgamation of public amenities into the PP bylaw and therefore approving the review of the PP Bylaw and the need to have a separate Cemeteries Bylaw.
- 7.3 Council approve a one month consultation with the community following the SCP on the draft bylaws as outlined through the Statements of Proposals as presented.
- 7.4 The Chief Executive be authorised to make any final editorial amendments to the Statements of Proposals that may be necessary.

8 Attachments/Separate Enclosures
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Separate Enclosure:

- 1 Draft Statement of Proposal – Public Places Bylaw 2023 (Doc #1006744)
- 2 Draft Statement of Proposal – Cemeteries Bylaw 2026 (Doc #1006647)
- 3 Public Amenities Bylaw 2015 (Doc # 271396)

Document No: 1005322

Report To: Council



Meeting Date: 29 September 2026

Subject: **Annual Residents Survey - Benchmarking Report 2025/2026**

Type: Information Only

Author(s): Rajeshwari Mahadevappa
Policy Advisor

Charmaine Ellery
Manager Strategy and Policy

1 Purpose of Report

- 1.1 The purpose of this business paper is to present the Annual Residents Survey - Benchmarking Report 2025/2026 from Key Research.

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 Annual Residents Survey - Benchmarking Report 2025/2026 be received.
 - 2 Council authorise the release of the Annual Residents Survey - Benchmarking Report 2025/2026 for public information.

3 Background

- 3.1 Council carries out a survey each year seeking to understand how residents feel about our performance and the way we deliver our services and activities. One of the ways we do this is to undertake an annual Residents Survey – to look at what we do well, and where we need to make improvements.
- 3.2 The Residents Survey is used to measure seven of Council’s Key Performance Indicators (KPIs) and inform our Annual Report each year.
- 3.3 The Annual Residents Survey 2026 was conducted by Key Research, an independent research company, during May this year. The results were presented to the Council on 28 July 2026 Council Meeting.
- 3.4 Key Research has conducted surveys for 23 Councils across New Zealand in 2025/26, including 20 District Councils and 3 City Councils and has provided the benchmarking report. The benchmarking report is enclosed as **Attachment 1**.

4 Commentary

KEY FINDINGS

- 4.1 Overall, Waitomo District Council's (WDC) results compare favourably with the other councils participating in the survey.
- 4.2 Out of 60 measures surveyed, WDC achieved the top score in eight measures and significantly above the average for most of the measures. WDC is not the lowest performing Council for any of the measures, but for 'safety of the roads', we are below average and close to the lowest.
- 4.3 Measures where WDC achieved the highest score out of the 23 benchmarked Councils (measures where we cannot see the green circle in the graphs in the benchmarking report, we are the top performing Council for that measure).
- leadership
 - trust
 - engagement and consultation
 - enquiry handling
 - building consents
 - overall regulatory services
 - libraries
 - cemeteries
- 4.4 Measures where WDC scored significantly above the average and close to the top score across the 23 Councils (less than 5% difference to the top score) -
- overall reputation
 - financial management
 - open/outdoor places
 - parks, reserves and green spaces
 - sports fields and playgrounds
 - public facilities and open/outdoor places
 - food safety and alcohol licensing
 - transfer stations
 - reliability of water supply
 - availability of footpaths
- 4.5 Measures where WDC scored below the average -
- flood protection
 - overall quality of water (including taste, clarity and odour)
 - overall stormwater system
 - kerbside rubbish and recycling collection
 - pools
 - public toilets
 - safety of the roads
 - overall roading infrastructure
 - annual property rates are fair and reasonable
 - quality of life/wellbeing
- 4.6 The table below gives WDC's score compared with other councils.

Table 1- WDC's score compared with participating Councils

Measures	WDC – top score (average shown in brackets)	WDC – below the average (average shown in brackets)	Top performance
Overall roading infrastructure		53% (55%)	73%
Safety of the roads		54% (64%)	79%
Overall stormwater system		57% (65%)	77%
Overall quality of water (including taste, clarity and odour)		65% (72%)	89%
Flood protection		55% (63%)	80%

Measures	WDC – top score (average shown in brackets)	WDC – below the average (average shown in brackets)	Top performance
Kerbside rubbish and recycling collection		77% (81%)	93%
Litter control		67% (69%)	84%
Pools		76% (78%)	96%
Public toilets		70% (71%)	86%
Annual property rates are fair and reasonable		28% (29%)	38%
Quality of life/wellbeing		78% (84%)	91%
Engagement and Consultation	83% (50%)		83%
Enquiry Handling	83% (71%)		83%
Libraries	99% (88%)		99%
Cemeteries	98% (85%)		98%
Overall regulatory services	84% (61%)		84%
Building consents	87% (55%)		87%
Leadership	74% (55%)		74%
Trust	70% (49%)		70%

- 4.7 The table below gives WDC's benchmark score for 2024/25 and 2025/26. Improved measures are shaded in green, measures where performance dropped from last year are shaded in light pink.

Table 2- WDC's benchmark score for 2024/25 and 2025/26

Measures	2024/25	2025/26	
Trust	59%	70%	Measures showing an improvement of 10% or more compared with 2024/25.
Resource consents	43%	59%	
Building Consents	75%	87%	
Food safety and licensing	75%	86%	
Pools	80%	76%	No measures dropped by 5% or more compared with 2024/25. The largest decreases were in Pools and Public Toilets.
Public toilets	74%	70%	

5 Recommendation

- 5.1 The business paper on the Annual Residents Survey - Benchmarking Report 2025/2026 be received.
- 5.2 Council authorise the release of the Annual Residents Survey - Benchmarking Report 2025/2026 for public information.

6 Attachments/Separate Enclosures

Annual Residents Survey - Benchmarking Report 2025/2026 (1005444)



Councils' Annual Residents Surveys Benchmarking Report 2025/2026

Research background



Research Objectives

The specific objectives of this research were:

- To understand residents' satisfaction with services and facilities provided by Councils across New Zealand.
- To benchmark the key performance indicators against other Councils.



Method

- Surveys were undertaken with 23 different Councils across New Zealand in 2025/26, including 20 District Councils and 3 City Councils.
- Respondents were selected at random from the Electoral Roll, ratepayers database, and/or email contacts collected through previous years' surveys.
- The questionnaires were designed in consultation with Councils and were structured to provide a comprehensive set of measures relating to core activities, services, and infrastructure, and to provide a wider perspective of performance. This includes assessment of reputation and knowledge of Council's activities.
- Post data collection, the samples were weighted to be exactly representative of key population demographics for each area based on the 2023 Census.
- At an aggregate level the surveys have an expected 95% confidence interval (margin of error) of between +/- 3.2% and +/-4.8%.
- Maximum, minimum and average scores for key performance indicators are shown and benchmarked based on 23 Council's performances. Questions used are either identical or closely related, allowing for comparison.
- To allow for better and more extensive benchmarking, several measures are presented as an average score of all related measures in the relevant section.
- Please note: if minimum, average, or maximum values are not visible in a chart, it means that your Council results are equal to that value. For clarity, please view the table on the page following each chart.

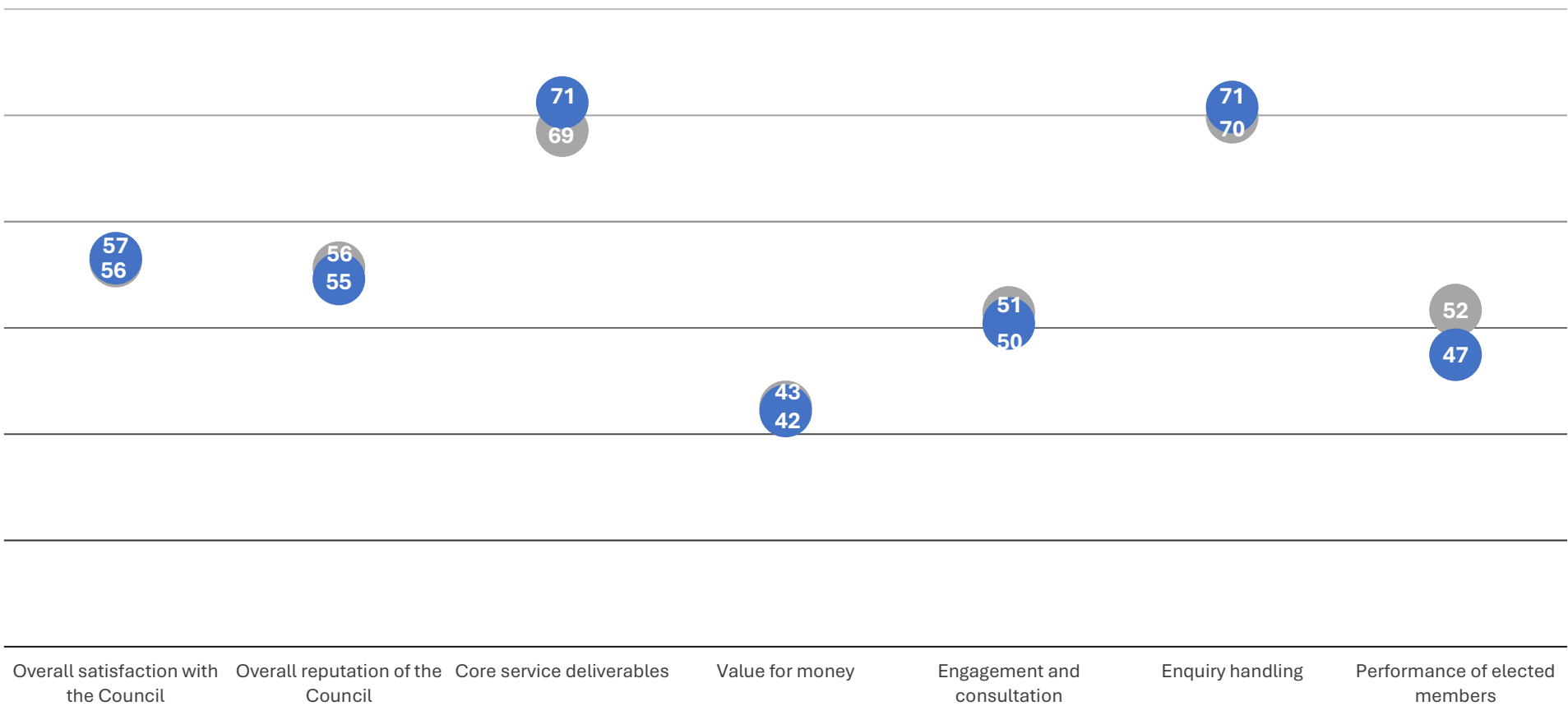
Councils included in 2025/26 Benchmarking report

- Far North District Council
- Gisborne District Council
- Hauraki District Council
- Kaipara District Council
- Manawatū District Council
- Matamata-Piako District Council
- Masterton District Council
- Nelson City Council
- New Plymouth District Council
- Palmerston North City Council
- Queenstown Lakes District Council
- Rotorua Lakes District Council
- South Waikato District Council
- Stratford District Council
- Tasman District Council
- Tauranga City Council
- Timaru District Council
- Thames-Coromandel District Council
- Waikato District Council
- Waimakariri District Council
- Waipā District Council
- Waitaki District Council
- Waitomo District Council

Year on year change – Overall

2025/2026 Council Benchmarking

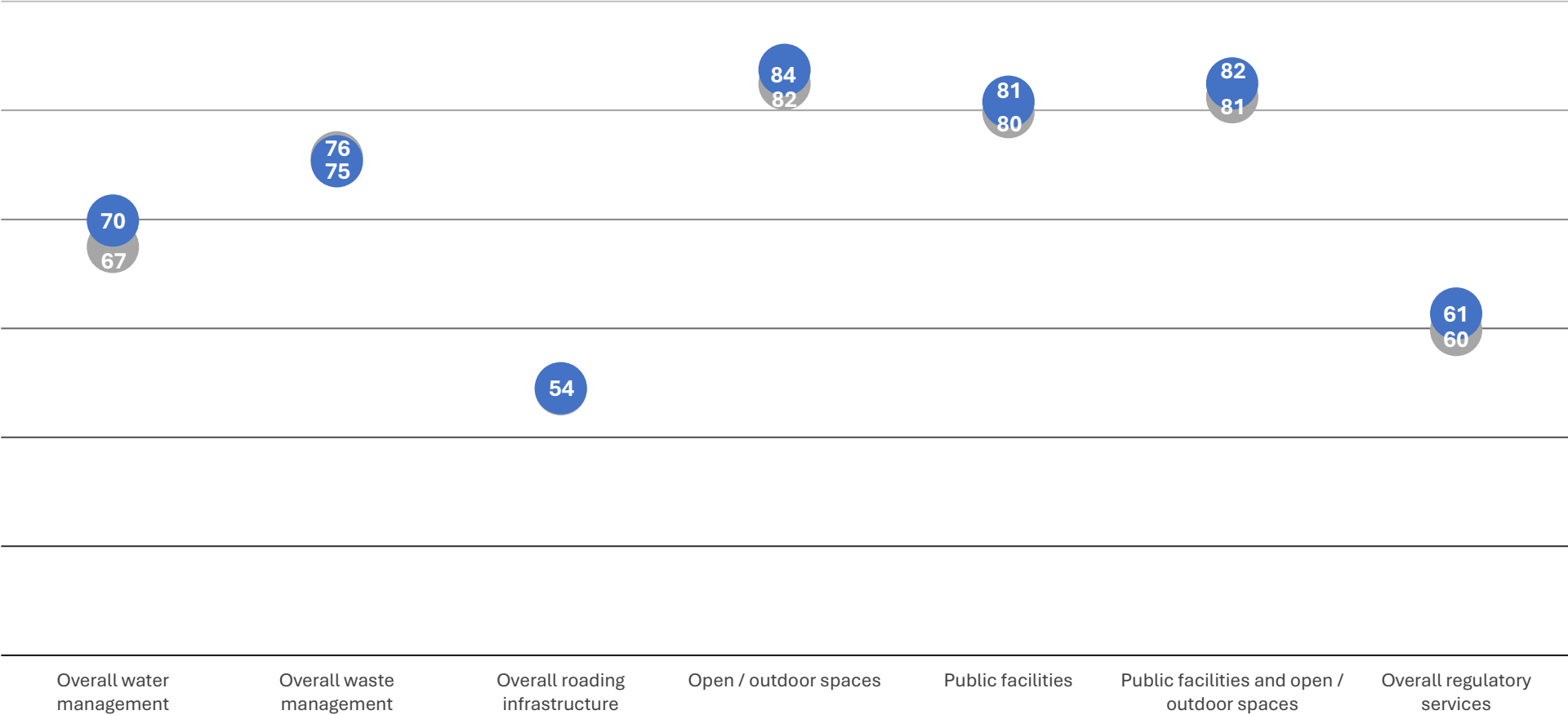
All Councils' Average 2024/25 All Councils' Average 2025/26



Year on year change – Core service deliverables

2025/2026 Council Benchmarking

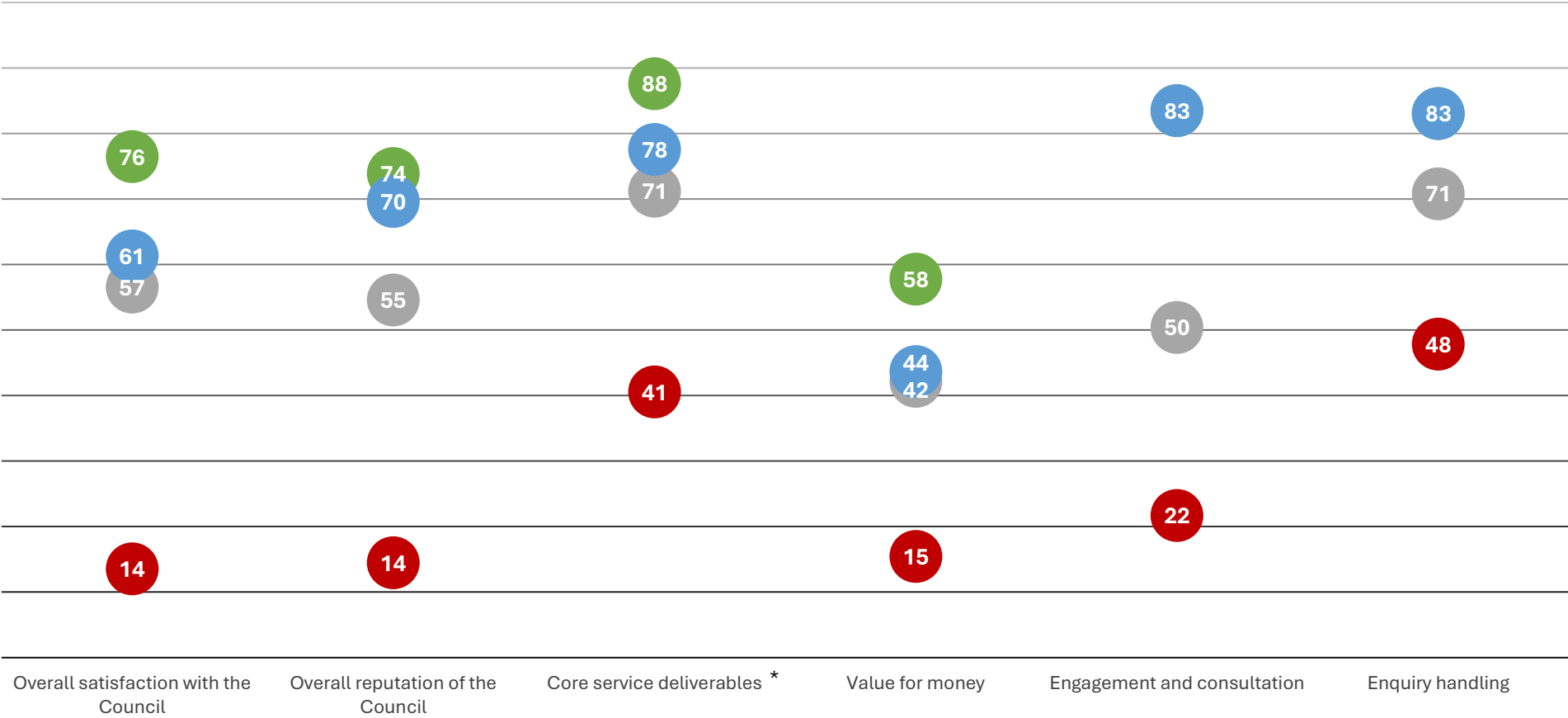
● All Councils' Average 2024/25 ● All Councils' Average 2025/26



Overall measures

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Overall measures

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall satisfaction with the Council	61	57	+4	76	-15	14	+47
Overall reputation of the Council	70	55	+15	74	-4	14	+56
Core service deliverables	78	71	+7	88	-10	41	+37
Value for money	44	42	+2	58	-14	15	+29
Engagement and consultation	83	50	+33	83	-	22	+61
Enquiry handling	83	71	+12	83	-	48	+35

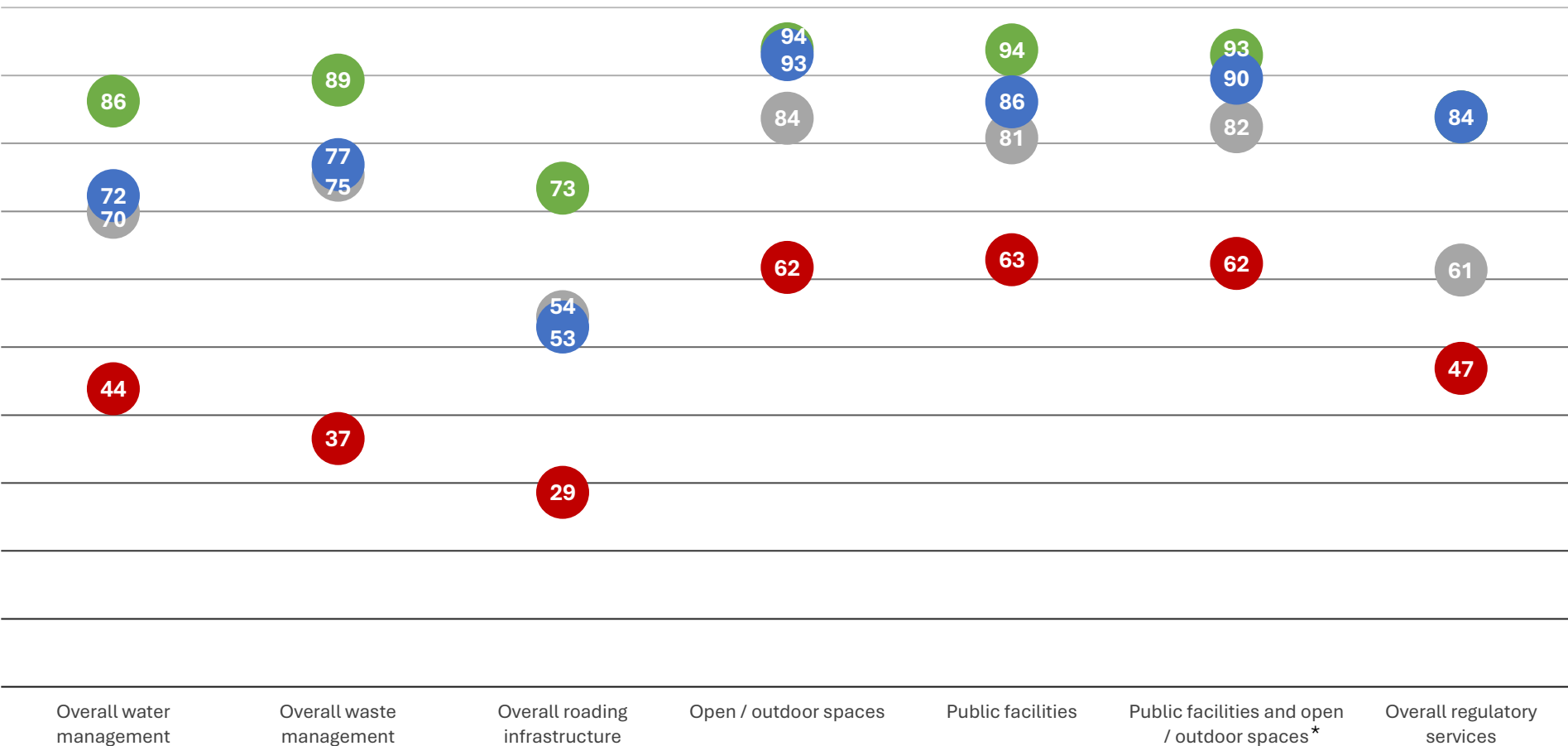
Overall measures – District Councils only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall satisfaction with the Council	61	55	+6	75	-14	14	+47
Overall reputation of the Council	70	55	+15	74	-4	14	+56
Core service deliverables	78	70	+8	88	-10	41	+37
Value for money	44	41	+3	58	-14	15	+29
Engagement and consultation	83	50	+33	83	-	22	+61
Enquiry handling	83	70	+13	83	-	48	+35

Core service deliverables

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Core service deliverables

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall water management	72	70	+2	86	-14	44	+28
Overall waste management	77	75	+2	89	-12	37	+40
Overall roading infrastructure	53	54	-1	73	-20	29	+24
Open / outdoor spaces	93	84	+9	94	-1	62	+31
Public facilities	86	81	+5	94	-8	63	+23
Public facilities and open / outdoor spaces	90	82	+8	93	-3	62	+28
Overall regulatory services	84	61	+23	84	-	47	+37

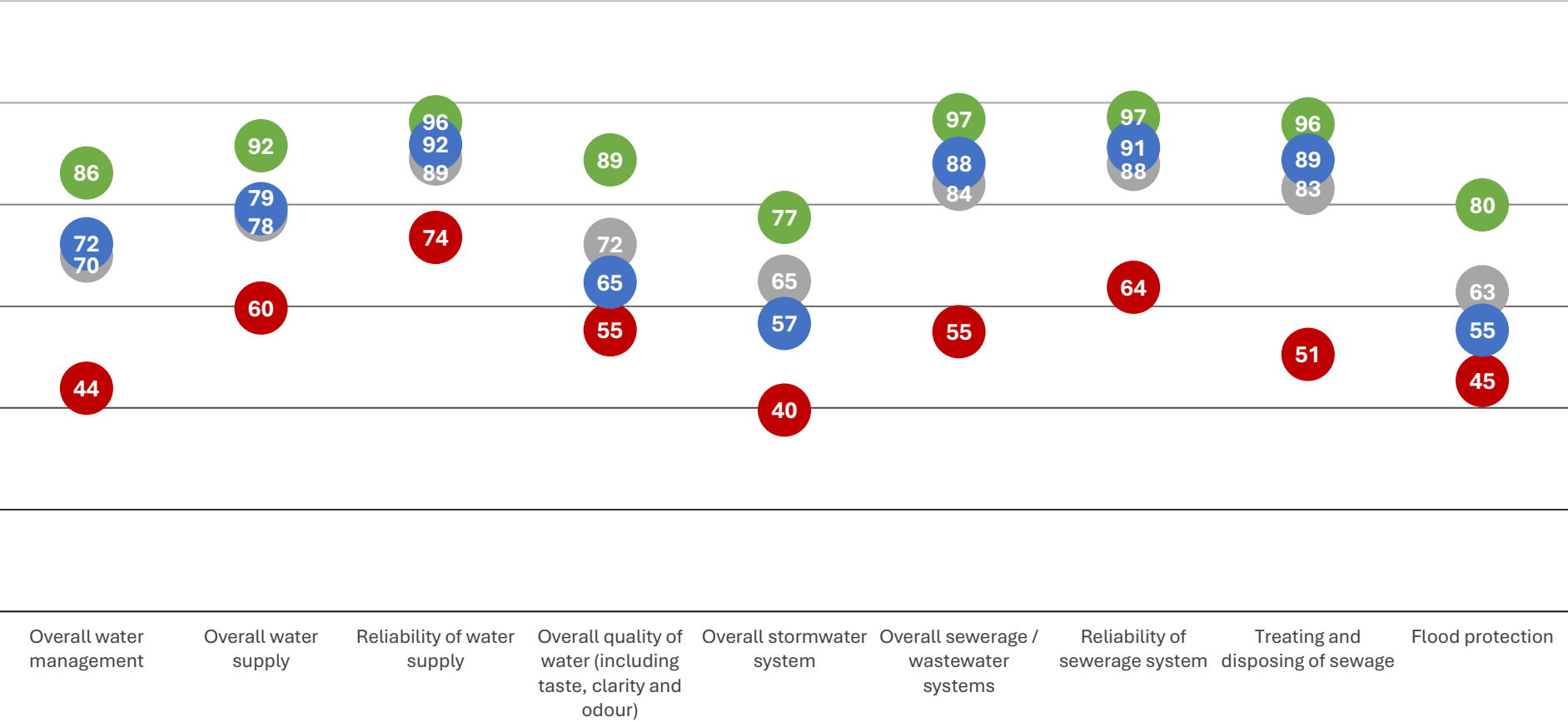
Core service deliverables – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall water management	72	68	+4	86	-14	44	+28
Overall waste management	77	74	+3	89	-12	37	+40
Overall roading infrastructure	53	54	-1	73	-20	29	+24
Open / outdoor spaces	93	84	+9	94	-1	62	+31
Public facilities	86	81	+5	94	-8	63	+23
Public facilities and open / outdoor spaces	90	83	+7	93	-3	62	+28
Overall regulatory services	84	61	+23	84	-	47	+37

Water management

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



Water management

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall water management	72	70	+2	86	-14	44	+28
Overall water supply	79	78	+1	92	-13	60	+19
Reliability of water supply	92	89	+3	96	-4	74	+18
Overall quality of water (including taste, clarity and odour)	65	72	-7	89	-24	55	+10
Overall stormwater system	57	65	-8	77	-20	40	+17
Overall sewerage / wastewater systems	88	84	+4	97	-9	55	+33
Reliability of sewerage system	91	88	+3	97	-6	64	+27
Treating and disposing of sewage	89	83	+6	96	-7	51	+38
Flood protection	55	63	-8	80	-25	45	+10

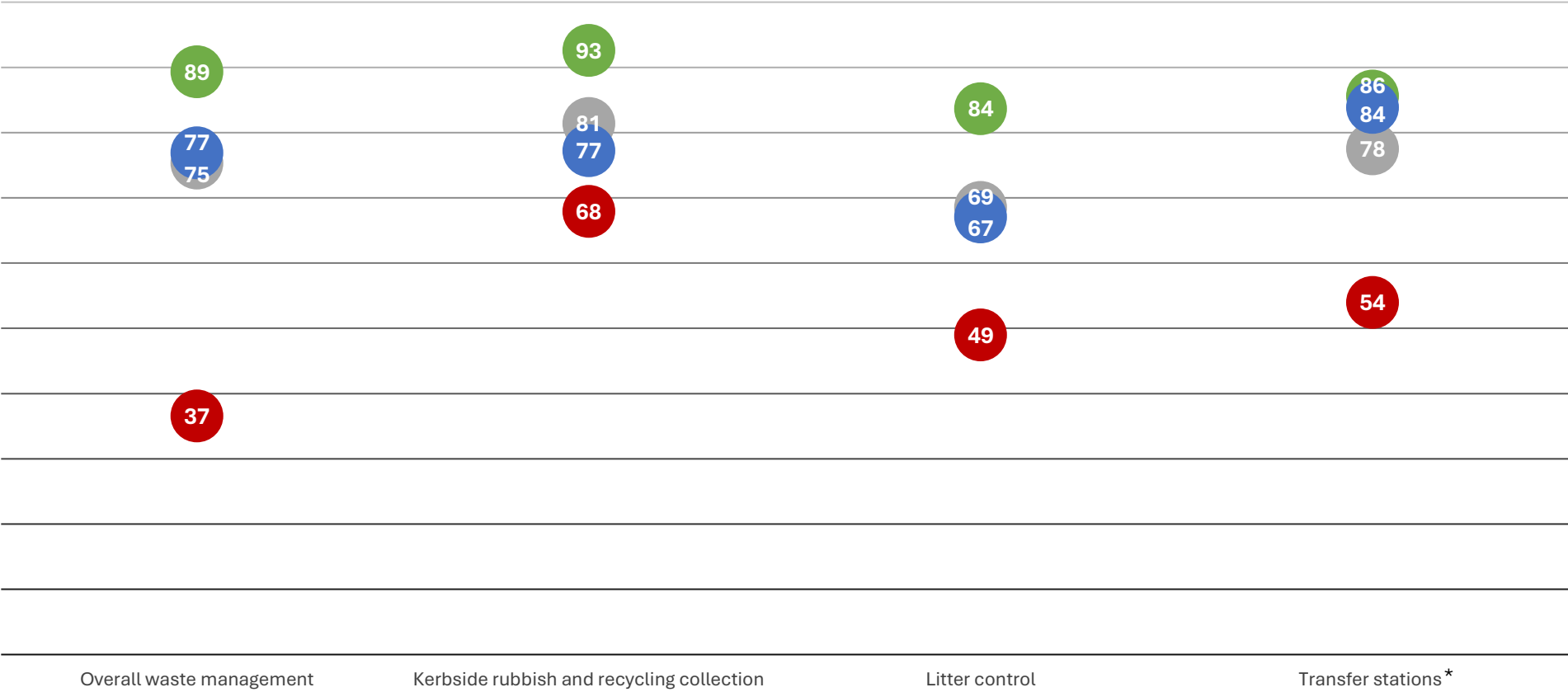
Water management – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall water management	72	68	+4	86	-14	44	+28
Overall water supply	79	77	+2	92	-13	60	+19
Reliability of water supply	92	89	+3	96	-4	74	+18
Overall quality of water (including taste, clarity and odour)	65	72	-7	89	-24	55	+10
Overall stormwater system	57	64	-7	77	-20	40	+17
Overall sewerage / wastewater systems	88	83	+5	97	-9	55	+33
Reliability of sewerage system	91	88	+3	97	-6	64	+27
Treating and disposing of sewage	89	83	+6	96	-7	51	+38
Flood protection	55	61	-6	74	-19	45	+10

Waste management

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Waste management

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall waste management	77	75	+2	89	-12	37	+40
Kerbside rubbish and recycling collection	77	81	-4	93	-16	68	+9
Litter control	67	69	-2	84	-17	49	+18
Transfer stations	84	78	+6	86	-2	54	+30

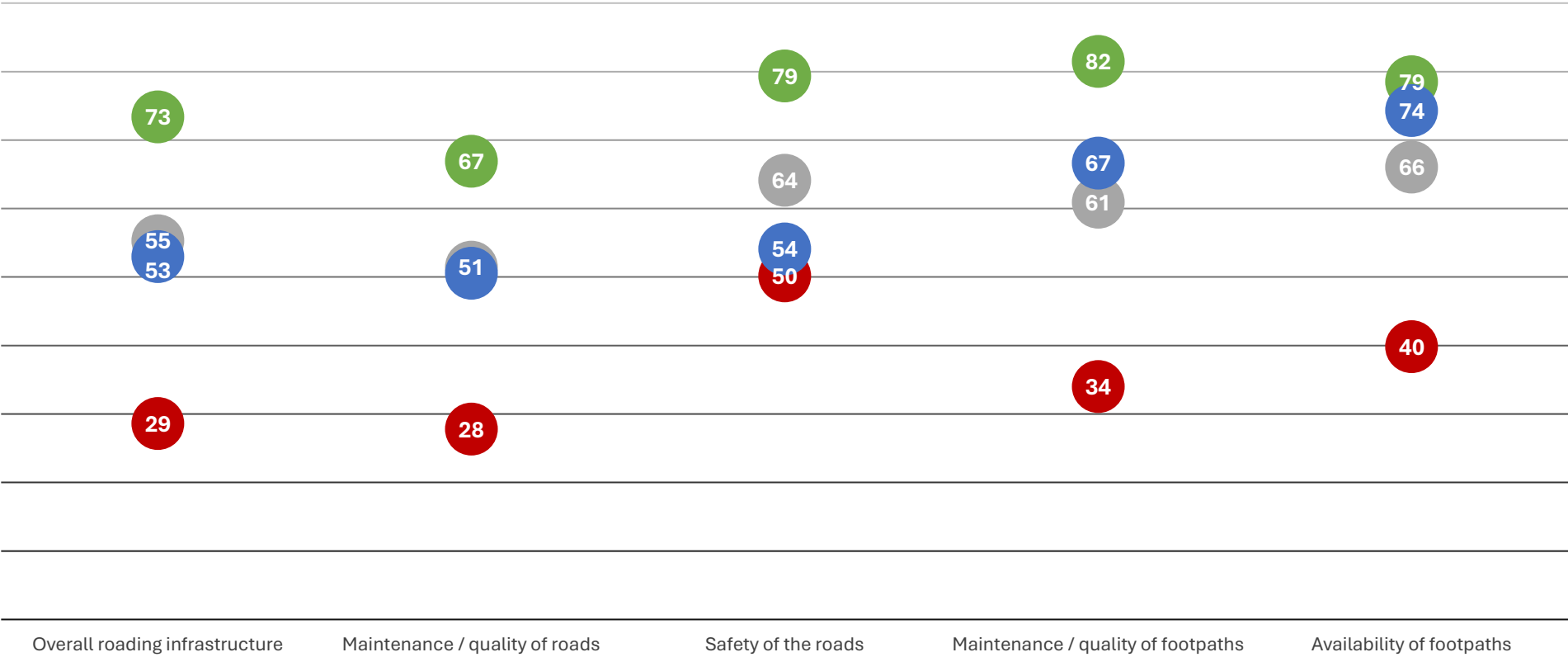
Waste management – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall waste management	77	74	+3	89	-12	37	+40
Kerbside rubbish and recycling collection	77	80	-3	87	-10	68	+9
Litter control	67	67	-	75	-8	49	+18
Transfer stations	84	77	+7	86	-2	54	+30

Roading infrastructure

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



Roading infrastructure

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall roading infrastructure	53	55	-2	73	-20	29	+24
Maintenance / quality of roads	51	51	-	67	-16	28	+23
Safety of the roads	54	64	-10	79	-25	50	+4
Maintenance / quality of footpaths	67	61	+6	82	-15	34	+33
Availability of footpaths	74	66	+8	79	-4	40	+34

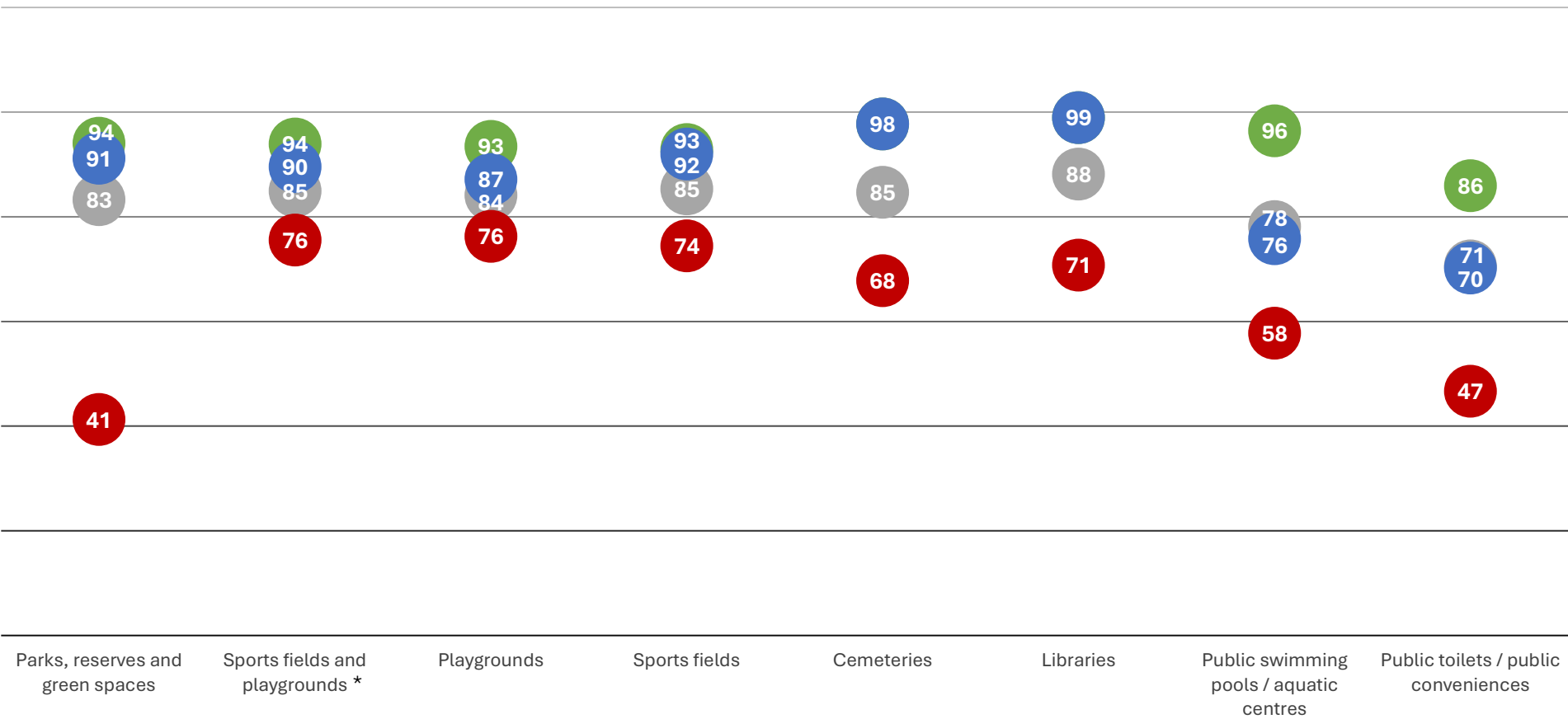
Roading infrastructure – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall roading infrastructure	53	54	-1	73	-20	29	+24
Maintenance / quality of roads	51	51	-	67	-16	28	+23
Safety of the roads	54	61	-7	75	-21	50	+4
Maintenance / quality of footpaths	67	60	+7	75	-9	34	+33
Availability of footpaths	74	66	+8	79	-5	40	+34

Public facilities and open / outdoor spaces

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Public facilities and open / outdoor spaces

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Parks, reserves and green spaces	91	83	+8	94	-3	41	+50
Sports fields and playgrounds	90	85	+5	94	-4	76	+14
Playgrounds	87	84	+3	93	-6	76	+11
Sports fields	92	85	+7	93	-1	74	+18
Cemeteries	98	85	+13	98	-	68	+30
Libraries	99	88	+11	99	-	71	+28
Public swimming pools / aquatic centres	76	78	-2	96	-20	58	+18
Public toilets / public conveniences	70	71	-1	86	-16	47	+23

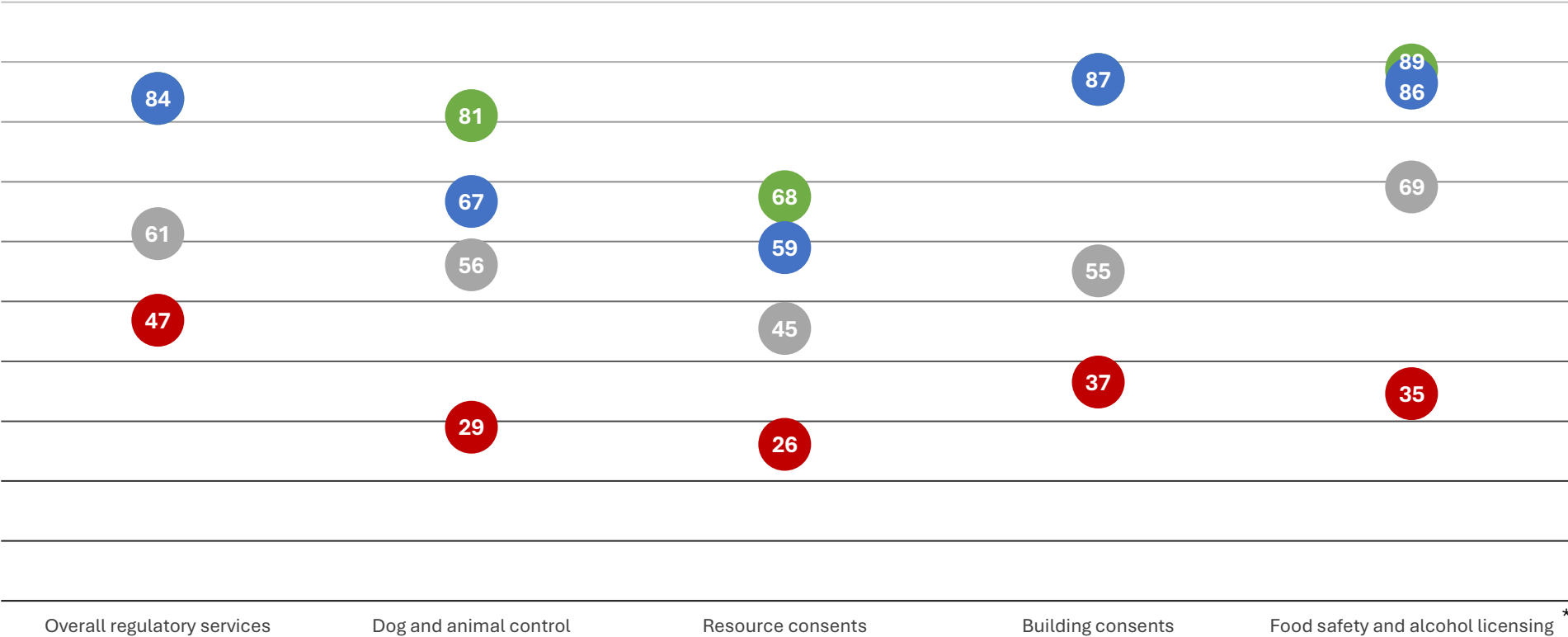
Public facilities and open / outdoor spaces – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Parks, reserves and green spaces	91	83	+8	94	-3	41	+50
Sports fields and playgrounds	90	86	+4	94	-4	76	+14
Playgrounds	87	85	+2	93	-6	77	+10
Sports fields	92	85	+7	93	-1	74	+18
Cemeteries	98	86	+12	98	-	70	+28
Libraries	99	89	+10	99	-	71	+28
Public swimming pools / aquatic centres	76	78	-2	96	-20	58	+18
Public toilets / public conveniences	70	71	-1	86	-16	47	+23

Regulatory services

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Regulatory services

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall regulatory services	84	61	+23	84	-	47	+37
Dog and animal control	67	56	+11	81	-14	29	+38
Resource consents	59	45	+14	68	-9	26	+33
Building consents	87	55	+32	87	-	37	+50
Food safety and alcohol licensing	86	69	+17	89	-3	35	+51

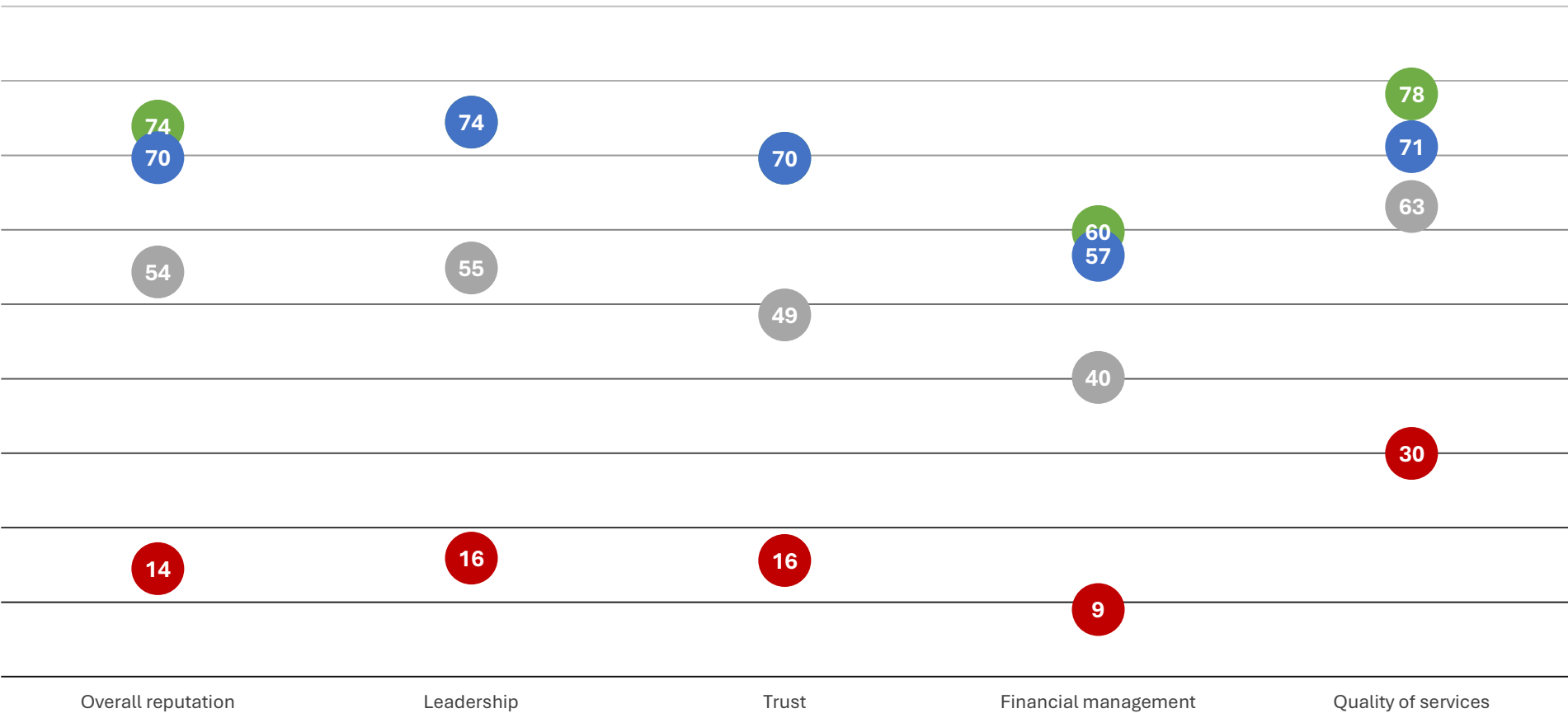
Regulatory services – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall regulatory services	84	61	+23	84	-	47	+37
Dog and animal control	67	56	+11	81	-14	29	+38
Resource consents	59	45	+14	68	-9	26	+33
Building consents	87	55	+32	87	-	37	+50
Food safety and alcohol licensing	86	69	+17	89	-3	35	+51

Reputation

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



Reputation

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall reputation	70	54	+14	74	-4	14	+56
Leadership	74	55	+19	74	-	16	+58
Trust	70	49	+21	70	-	16	+54
Financial management	57	40	+17	60	-3	9	+48
Quality of services	71	63	+8	78	-7	30	+41

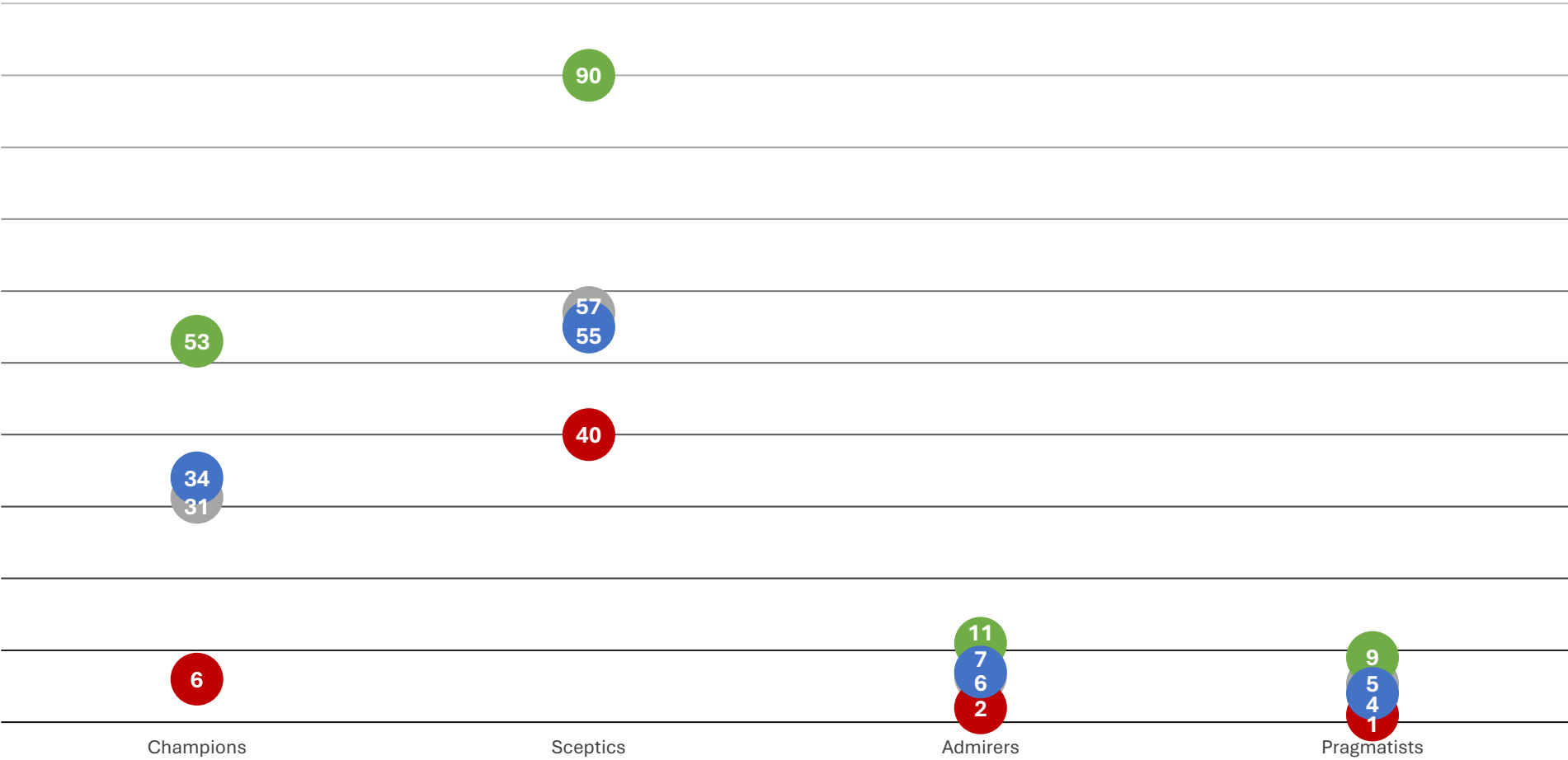
Reputation – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Overall reputation	70	55	+15	74	-4	14	+56
Leadership	74	55	+19	74	-	16	+58
Trust	70	49	+21	70	-	16	+54
Financial management	57	41	+16	60	-3	9	+48
Quality of services	71	63	+8	78	-7	30	+41

Reputation profile

2025/2026 Council Benchmarking

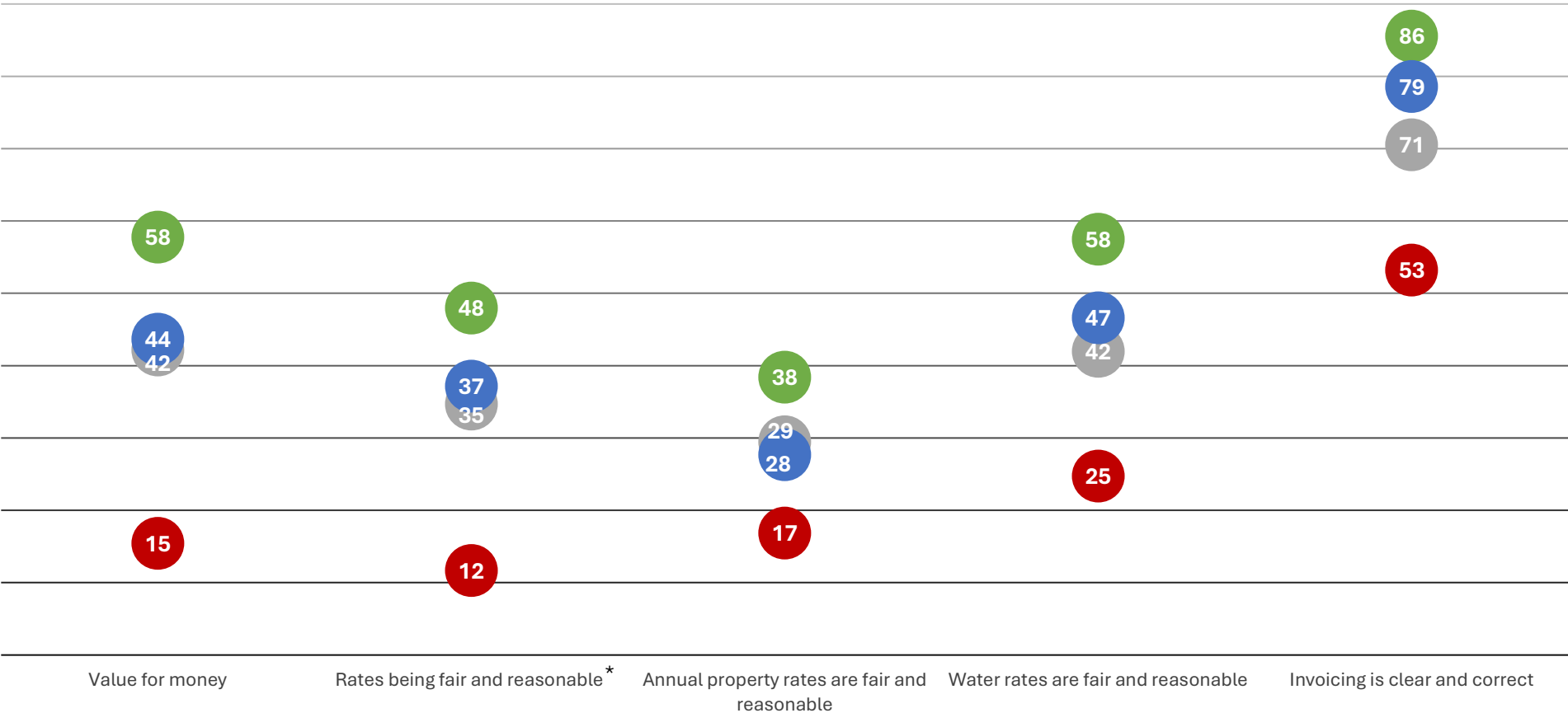
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Value for money

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



* To allow for better and more extensive benchmarking, these measures are presented as an average score of all related measures.

Value for money

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Value for money	44	42	+2	58	-14	15	+28
Rates being fair and reasonable	37	35	+2	48	-11	12	+25
Annual property rates are fair and reasonable	28	29	-1	38	-10	17	+11
Water rates are fair and reasonable	47	42	+5	58	-11	25	+22
Invoicing is clear and correct	79	71	+8	86	-7	53	+26

Value for money – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Value for money	44	41	+3	58	-14	15	+29
Rates being fair and reasonable	37	34	+3	48	-11	12	+25
Annual property rates are fair and reasonable	28	29	-1	38	-10	17	+11
Water rates are fair and reasonable	47	41	+6	58	-11	25	+22
Invoicing is clear and correct	79	70	+9	86	-7	53	+26

Sentiment questions

2025/2026 Council Benchmarking

● All Councils' Average 2025/26 ● Max ● Min ● Waitomo DC



Sentiment questions

% 6-10	Your Council %	Average based on 23 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Quality of life / wellbeing	78	84	-6	91	-13	71	+7
District / City is going in the right direction	68	57	+11	77	-9	18	+50

Sentiment questions – District Councils Only

% 6-10	Your Council %	Average based on 20 Councils %	point diff %	Top performance %	point diff %	Lowest performance %	point diff %
Quality of life / wellbeing	78	84	-6	91	-13	71	+7
District / City is going in the right direction	68	57	+11	77	-9	18	+50

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Document ID: 1001388

Report To: Council



Meeting Date: 29 September 2026

Subject: **Progress Report – Development of Long Term Plan 2027-2037**

Type: Information Only

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Policy Advisor

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Manager Strategy and Policy

1 Purpose of Report

- 1.1 The purpose of this business paper is to document progress on the development of Council's Long Term Plan 2027-2037 to date.

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 Progress Report – Development of Long Term Plan 2027-2037 be received.

3 Disclosure

- 3.1 It is important to note that no decisions are made by the Council at workshops.
- 3.2 These Long Term Plan (LTP) workshops are solely for the purpose of enabling the Council to be fully informed of issues and options, and for Council to provide guidance, feedback, and make requests to the Chief Executive.
- 3.3 Council's guidance, feedback and requests made at these workshops cannot become Council's position/policy unless they are adopted by formal resolution at a Council meeting.
- 3.4 Council adopting this progress report does not mean Council is adopting a position. This paper is solely to document the progress of the LTP development process to date. It will also give an indication that staff and Elected Members have a similar view of the outcomes of LTP workshops.

4 Introduction

- 4.1 In developing a LTP there are three separate stages.

STAGE 1 – PRELIMINARY DRAFT

- 4.2 A preliminary draft LTP (pdLTP) is an inhouse set of "working" documents, developed overtime on the basis of inhouse desktop reviews and Council's feedback and guidance. This stage of the process often takes over a year and includes many Council workshops.
- 4.3 A pdLTP has no formal status. A significant amount of a pdLTP content, while prepared by WDC staff on the basis of feedback and requests of Council through many workshops, is not formally

approved/adopted by the Council at this early stage of the process as it will continue to be evaluated until such time as Council adopts supporting information and a draft LTP.

- 4.4 A pdLTP brings together all the information where Council can then see a "big picture" including financial implications. This enables the Council to make an informed request of the Chief Executive as to the content to be included in a draft LTP to be presented to Council for consideration and adoption.

STAGE 2 – DRAFT

- 4.5 A draft LTP (dLTP) is formally adopted by Council resolution two times. The first is to adopt the dLTP for audit purposes (this is a legal requirement). Once the dLTP has been audited, Council then adopts it for public consultation.
- 4.6 Public consultation includes Council receiving submissions and hearing submitters speak to their submissions, deliberating on submissions and, if necessary, amending the dLTP to reflect the submission deliberations.
- 4.7 If amendments are made to the dLTP following the consultation process, the auditors will carry out a further audit of those changes prior to issuing their audit opinion and Council adopting the final LTP.

STAGE 3 – FINAL

- 4.8 This is the finalised LTP adopted by Council.

5 Commentary

- 5.1 The following LTP Workshop sections of this paper set out what business was on each Workshop Order Paper and the feedback/direction and requests (if any) made by Council to the Chief Executive at each workshop.
- 5.2 The Schedule section at the end of this paper sets out progress against the key milestones and indicative timeline for development of the LTP as approved by Council at its meeting on 23 March 2026.

6 LTP Workshop #1 – 10 March 2026

ORDER PAPER ITEMS

1. Awakino Transfer Station – Relocation Proposal
 2. Development of the 2026/27 Draft Financial Forecasts
 3. Development of Draft Annual Plan 2026/27
 4. 2027-2037 Long Term Plan - Development Process and Timeframes
- 6.1 Items 1-3 are not LTP related.
- 6.2 Item 4 was a briefing on the LTP development process and indicative timeline.

COUNCIL RESOLUTION

- 6.3 Council at its meeting on 24 March 2026 considered a business paper providing an overview of the work programme for the Long Term Plan 2027-2037 Project and resolved as follows:
1. The business paper on Long Term Plan 2027-2037 Development Process and Timeframes be received.
 2. The key milestones and indicative timeframes for the development of LTP 2027-2037 be approved.

- 6.4 The approved key milestones and indicative timeframes as approved by Council are included in the Schedule at the end of this paper together with a commentary on progress against the milestones.

7 LTP Workshop #2 – 14 April 2026

ORDER PAPER ITEM

1. Development of 2027-2037 Long Term Plan
- 7.1 This workshop covered context setting including focus areas, Council's vision, community outcomes and pre-engagement topics.
- 7.2 Council was advised that these will continue to be evaluated as we progress through the development of the LTP.

Direction Sought – 14 April 2026 Workshop	Council Direction:
<u>Council's Vision</u> 1. Does our vision still reflect the intent of Council? 2. Could it progress to the next phase? 3. Need to make sure we are happy with the Te Reo version.	Yes Stay as is Discussion - come back with confirmation
<u>Community Outcomes</u> 4. Is there anything missing in our existing outcomes, do we need to make any changes or add any additional ones?	1. Change 'enable' add 'core services' 2. No change 3. Needs to only cover our area of influence 4. No change
<u>Focus Areas</u> 5. What should Council's focus be for the next 3 years? <i>Progression could be: grow relationships, working/delivering through change, add resilience?</i>	Same focus/priority areas 1. Add 'grow' focus local and regional 2. Change 'ready' prepared/adapting are good 3. Add 'efficiency'
<u>Engagement</u> 6. Any topics for pre-engagement? • Dog exercise park • Les Munro Centre revamp • Others?	Yes Possibly No others
<u>Theme of LTP</u> 7. What should the LTP theme be? <i>Referred to by sector as "Transition LTP"</i>	Exec team to decide – will confirm

8 LTP Workshop #3 – 5 May 2026

ORDER PAPER ITEMS

1. Infrastructure and Water Services Strategies
2. 2027-2037 Land Transport Activity Management Plan
3. Review of Non-Financial Forecasting Assumptions
4. Review of Performance Measurement Framework

5. LTP Strategic Direction 2027-2037 LTP

INFRASTRUCTURE AND WATER SERVICES STRATEGIES

- 8.1 Council was presented by PowerPoint Presentation with key areas of the strategies for information and discussion.

Direction Sought – 5 May 2026 Workshop	Council Direction:
1. Does Council agree with the approach for LTP 2027-37 population projections using a starting point for Waitomo district of 9950 (ERP 2025, StatsNZ) and applying previous trends from Infometrics WDC Population Report 2022?	Yes – this results in a medium growth population trend, the same approach can be applied to household and age projections.

2027-2037 LAND TRANSPORT ACTIVITY MANAGEMENT PLAN (LEVELS OF SERVICE)

- 8.2 Council was introduced to and asked for feedback on the preparation of the draft 2027–2030 Roads and Footpaths Activity Management Plan (AMP), where the priorities sit, identify any potential impacts on Levels of Service, and any areas of concern ahead of WDC's first funding bid to the New Zealand Transport Agency (NZTA).

Direction Sought – 5 May 2026 Workshop	Council Direction:
<u>Levels of Service</u> 1. Indicate appetite to hold current LOS where affordable — or signal where you would consider trade-offs.	Refer Notes from 4 August 2026 Workshop
<u>Funding ask Direction</u> 2. Indicate appetite to hold current LOS where affordable — or signal where you would consider trade-offs.	
<u>Bridge Programme</u> 3. Direction on the bridge "bow wave" approach and the Paraheka #254 renewal profile.	
<u>Stormwater Approach</u> 4. Direction on BAU Year 1 within current envelope, with a Year 2+ intervention review.	
<u>Areas of Concern</u> 5. EM-flagged issues we should make sure are visible in the AMP and bid narrative.	

NON-FINANCIAL FORECASTING ASSUMPTIONS

- 8.3 Non-financial assumptions will continue to be evaluated as we progress through the development of the LTP, changes will be workshopped as required. The draft assumptions are one of the supporting documents that will be included with the consultation process in April 2027 with the final version being adopted at the June 2027 Council meeting immediately prior to the adoption of the LTP 2027-2037.

PERFORMANCE MEASURE FRAMEWORK

- 8.4 Elected members were invited to consider the existing performance measures (as seen on pages 20 – 63 of the LTP 2024-34 and the regular Quarterly Report: Key Performance Indicators reported to Audit and Risk Committee) and give feedback to officers prior to discussions beginning with activity managers.

- 8.5 Performance measurement will be discussed in more detail with elected members later in the year, with measures and targets agreed upon for inclusion in the LTP 2027-37.

STRATEGIC DIRECTION

- 8.6 Following the Workshop #2 on 14 April 2026, revised versions of the proposed Vision Statement and Community Outcomes were presented for further discussion.

9 LTP Workshop #4 – 28 July 2026

ORDER PAPER ITEMS

1. Review of Financial Forecasting Assumptions
2. Revenue and Financing Policy and Rating Considerations for LTP 2027-2037

FINANCIAL FORECASTING ASSUMPTIONS

- 9.1 Council was briefed on a initial desktop review of the Financial Forecasting Assumptions for the LTP, noting that this will continue to be evaluated as we progress through the development of the LTP.

REVENUE AND FINANCING POLICY

- 9.2 Council noted that the 'core' of the Revenue and Financing Policy (RFP) has proven robust and generally fit for purpose. Parts of the RFP have been updated in the past two years, primarily to ensure that the continued to be align with changes arising from transfer of water and wastewater assets.
- 9.3 Council was advised that this Policy will also continue to be evaluated as we progress through the development of the LTP.

Direction Sought – 28 July 2026 Workshop	Council Direction:
1. Council's feedback is sought on whether there are any areas of the RFP that Council wishes to review or provide direction on.	Review cost of damage to roads from forestry operations and also damage to Taharoa Road from mining activity.

10 LTP Workshop #5 – 4 August 2026

ORDER PAPER ITEMS

1. Review of Financial Strategy
2. Review of Rates Remission Policy
3. Review of Significance and Engagement Policy
4. Roads and Footpaths – Levels of Service - Asset Management Plan 2027–37
5. Stormwater – Levels of Service - Asset Management Plan 2027–37
6. Water Services Strategy 2027-2057

FINANCIAL STRATEGY

Direction Sought – 4 August 2026 Workshop	Council Direction:
1. <u>Rates Affordability</u> : Indication of rates increase appetite for first two years of LTP?	As close to CPI as possible.
2. <u>Funding for Asset Replacement</u> : Support continued under-funded component of renewals on selected assets?	No change - continue partial funding of depreciation.
3. <u>Borrowing for Opex</u> : Support borrowing for opex where benefit accrues for a number of years?	Support where benefit accrues for a number of years.

Direction Sought – 4 August 2026 Workshop	Council Direction:
4. <u>Financial Reserves</u> : Support continued use of reserves to smooth rates and fund specific expenditure?	Support continued use of reserves to smooth rates and fund specific expenditure.
5. <u>Securities and Return on Investment</u> : Target rate of return	No change – i.e. No return on shareholders funds

RATES REMISSION POLICY

- 10.1 Council was provided an overview of the Policy on Remission of Rates (including Remissions and Postponements of Rates on Māori Freehold Land (RRP) for the 2027–37 Long Term Plan and seeking feedback on proposed amendments.

Direction Sought – 4 August 2026 Workshop	Council Direction:
2. Amendment of the calculation for payment arrangements under the penalty remission category.	Yes
3. Removal of the category for remission of rates and penalties following rating sale or abandoned land sale.	Yes
4. Any other suggested changes.	Work with Waikato Waters Ltd on their Waiver Policy and staff to advise Piopio Retirement Village when the Waikato Waters Ltd policy is out for consultation.

SIGNIFICANCE AND ENGAGEMENT POLICY

- 10.2 Council was presented a draft Significance and Engagement Policy (SEP) 2027 and asked for feedback the draft Policy.

Direction Sought – 4 August 2026 Workshop	Council Direction:
1. Feedback is sought on the financial thresholds for operational and capital expenditure.	Reduce Operation to 7.5% Reduce Capital to 1%
2. Feedback is sought on the approach to significant contracts for stormwater.	Yes – update clear only applied to stormwater
3. Council's feedback is sought on whether there are any areas of the SEP that Council wishes to review or provide direction on.	Remove Refuse Transfer Station Network from Strategic Assets

ROADS AND FOOTPATHS – LEVELS OF SERVICE - ASSET MANAGEMENT PLAN 2027–37

- 10.3 Council was introduced to and asked for feedback on issues relating to the level of service for Roads and Footpaths to inform the Asset Management Plan (AMP) for the period 1 July 2027 to 30 June 2037.

Direction Sought – 4 August 2026 Workshop	Council Direction:
1. <u>Structures and Bridges</u> 174 structures – average age 48.2 years against 50.0 years remaining life; 65.5% single-lane and most critical \$36.41M renewal need across 29 structures to 2056 – 66% falls from 2045 onward	Further information requested on – - Weight restrictions on bridges/culverts - Bridge maintenance

Direction Sought – 4 August 2026 Workshop	Council Direction:
Response - Increased structures maintenance and component replacement – \$2.5M urgent defect backlog targeted in the first three years - Bridge condition prioritisation review completed (results to follow); 2026 revaluation in progress	
2. <u>Adverse Weather</u> 2022–24 events (including ex-tropical Cyclone Dovi) cost approx. \$18.4M in emergency works - July 2025 storm – \$9.73M; October 2025 storm – \$11.2M; Kopaki Road underslip weekly-monitored Response - Resilience works – benching, culvert capacity, raising road levels, erosion protection; drainage investment more than doubles - Culvert criticality register and ARI-by-road-classification design standard in development	OK with response.
3. <u>Cost Increase</u> - Programme approx. 13% larger than 2024–27 – almost all mechanical (5% p.a. cost escalation from 2030/31) - FAR unchanged at 75% – Council’s 25% local share grows in step, against the 6% rates cap Response - Hold the line – no change to current levels of service proposed - Funding strategy and proposed budgets to a subsequent workshop; contract rates monitored against the 5% assumption	OK with response.
4. <u>Sealed Roads</u> - Smooth Travel Exposure down from 97% (2015/16) to 90% (2024/25); 11.5% of the network now rough/very rough - Seal-age backlog – 23.9% of seals 15+ years old; former 32km/yr resurfacing target missed for several years Response - Heavy maintenance continues; resurfacing rises by around 30% – recovery programme of 35–40km per annum - Rehabilitation eases by around 38% – held at 3–4km per annum	Further information requested on forestry harvest plans, discussions with foresters and impact on road network.
5. <u>Levels of Service</u> Hold current levels of service within the 6% cap, or change them?	Hold current levels of service. 6% cap not relevant because related to last LTP

STORMWATER – LEVELS OF SERVICE - ASSET MANAGEMENT PLAN 2027–37

- 10.4 Council was introduced to and asked for feedback issues relating to the level of service for the Stormwater Activity to inform the Asset Management Plan (AMP) for the period 1 July 2027 to 30 June 2037.

Direction Sought – 4 August 2026 Workshop	Council Direction:
1. <u>Resource Consent Compliance</u> - Consents for Te Kūiti and the smaller towns (eight urban areas) all expired 1 July 2024 – over two years ago - Council records conflict on renewal status – completed and under WRC review, or awaiting a consultant draft [TBC] Response - Resolve the status with Waikato Regional Council as the first priority; report back with any new conditions - Consent renewal is one of three CSDC Implementation Plan priorities for 2027/28–2030/31	OK with response.
2. <u>Declining Level of Service</u> - Flooding events – 2 (2022/23) then 1 (2023/24), against a target of zero - Habitable floors flooded – 5.3 then 6.2 per 1,000 against a target of 1; complaints 6.04 then 6.6 against 4 Response - Confirm the LOS direction – invest to targets, revise targets, or set different standards by town - The 2024 catchment management plans provide the ready-made project list	OK with response.
3. <u>Ageing Network, Unknown Condition</u> - Condition confidence graded 'D' (very uncertain) in the 2021 AMP – still no district-wide assessment - Most 2021 improvement items remain open; customer survey last run 2011/12; renewals smoothed (~\$120k a year at 2020) Response - Commission the condition assessment and repeat the customer survey early in 2027–37 - Reset the improvement programme with owners and dates in the new AMP	OK with response.
4. <u>Climate Change and Design Capacity</u> 1-in-2-year minimum design since at least 2007 – flagged as modest at the 2020 review; below what NZTA expects for a main town - No comprehensive model – the capacity picture rests on 2012 catchment assessments; erosion risk rising at coastal outlets Response - Complete the CSDC-committed comprehensive modelling; bring back a costed design-standard choice - Align with roading's drainage standards work – the networks overlap (catchpits need reconciling)	OK with response.

Direction Sought – 4 August 2026 Workshop	Council Direction:
<u>Levels of Service</u> - Invest to meet the 2021 targets, revise them, or set different standards by town? - Is a 1-in-2-year design storm adequate – and for which towns? - Should direct residential connections remain prohibited? - Are overland and secondary flow paths acceptable in residential areas? - Status quo for the smaller townships? - Increase renewals funding ahead of need?	Further information requested on ownership/responsibility of opens drains on private property.

WATER SERVICES STRATEGY 2027-2057

- 10.5 Council was introduced to and asked for feedback the preparation of the draft Water Services Strategy for Stormwater.
- 10.6 Development of the document will progress during the LTP project.
- 10.7 The stormwater modelling will be presented to Council in the future once further in the field assessment and modelling has been completed.
- 10.8 Levels of service that can be achieved are dependent on the option/s chosen for the current FY stormwater improvements and the future investment options.
- 10.9 Business cases for LTP projects will be presented in October workshop for evaluation.

11 LTP Workshop #6 – 18 August 2026

ORDER PAPER ITEMS

- Levels of Service – Regulation/Resource Management
 - Levels of Service – Solid Waste
 - Levels of Service – Community and Partnerships
 - Draft Public Amenities Bylaw
- 11.1 This workshop covered direction sought from WDC staff on levels of service and an introduction to the review of the Draft Public Amenities Bylaw.

LEVELS OF SERVICE – REGULATION/RESOURCE MANAGEMENT

Direction Sought – 18 August 2026 Workshop	Council Direction:
Does Council support, in principle, replacing the current Animal Control KPI with a measure based on the timeliness and effectiveness of responding to animal control service requests, with the detailed methodology and targets to be developed by officers for future consideration?	Yes – move to a Service Request based measure, but keep the Survey question as well.

LEVELS OF SERVICE – SOLID WASTE

Direction Sought – 18 August 2026 Workshop	Council Direction:
1. Does the Council approve the necessary upgrades to Te Kuiti Transfer Station and roading? These will be included in the capital carry overs from 2025/26.	Yes. Fund from Waste Minimisation fund where possible.
2. Does the Council support the renewal of fencing, shelter and signage at all Transfer Stations in the district?	Yes
3. Is our level of service at all rural transfer station appropriate?	Yes Investigate mitigation options for illegal dumping at Marokopa Transfer Station. (Revenue compared to waste volume shows a problem) – waste dumped over fence into Transfer Station when site is closed)
4. Does Council support joint SWAP survey to be conducted with Otorohanga District Council in 2027?	Yes
5. Does Council agree to delay the purchase of wheelie bin till 2035?	Yes (<i>noting that a lot will change in the local government sector between now and then</i>).
7. Does Council support the renewal of litter bins in the district over the next 10 years?	Yes. When required only
8. Does Council support the continuation of funding recycling bins in Council public events to increase waste diversion rate?	Yes
9. Does Council support to increase education and awareness on waste minimisation and provide more resources?	Can it be funded from the Waste Minimisation subsidy? - Yes Balance at June 2025 - \$300k Bring resource requirement back to Council for consideration.
10. Does Council support the proposed solid waste milestones?	Yes
11. Are the performance targets of 90% for transfer station and 80% for overall satisfaction appropriate?	Change Te Kūiti Transfer Station to 85% Change all other Transfer Stations to 80% Overall Satisfaction to stay at 80% - measure in survey – not a KPI

LEVELS OF SERVICE – COMMUNITY AND PARTNERSHIPS

Direction Sought – 18 August 2026 Workshop	Council Direction:
<u>Community Grants</u>	
1. Does Council agree with reinstating the Hall Hire Subsidy Fund as a contestable grant, with a budget of \$5,000 per annum, based on the criteria outlined above?	Yes – but take this \$5,000 off the Multi-Year Community Partnership Grant budget of \$220,000
2. Does Council approve transferring the annual Sport Waikato funding of \$35,000 from the Multi-Year Community Partnership Grant budget to the Community Development operational budget?	Yes – noting it will still be up for review every 3 years as part of LTP development

Direction Sought – 18 August 2026 Workshop	Council Direction:
3. Subject to item 2 above, does Council agree to a total funding pool for the Multi-Year Community Partnership Grant of \$185,000.	Revised as follows: Original budget \$220,000 Less \$5,000 (refer 1 above) -\$5,000 Less \$35,000 (refer 2 above) <u>-\$35,000</u> New Total \$180,000
<u>Youth Engagement</u>	
4. Does Council agree with continuation of the Rangatahi Engagement Plan model rather than a Youth Council?	Yes
<u>District Events</u>	
5. Does Council support increasing the District Events budget from \$76,500 to \$85,000 per annum to recognise increasing event delivery costs and support the ongoing events programme?	Yes - emphasis on partnering with organisations to deliver
<u>Waikato Screen</u>	
6. Does Council wish to continue the current approach of requiring Waikato Screen to apply for funding through the Community and Partnerships Fund; or Establish an ongoing operational budget for Waikato Screen outside of the Community and Partnerships Fund Policy?	Leave as a grant application
<u>District Library</u>	
7. Does Council support the proposed strategic focus areas for the Library over the next three years? 1 Fostering Lifelong Learning 2 Strengthening Partnerships and Collaboration 3 Community Connections 4 Changing Perceptions	Cut to 3 focus areas (1, 2 and 3). Focus 4 "Changing Perceptions" will occur naturally as a result of Focus areas 1-3.

12 Schedule – Progress against approved Timeline

Colour Key:

Blue = Council Workshop

Pink = Council Meeting

Green = Audit

Council Touchpoint	Anticipated Date	Key Milestones	Commentary
Workshop 1	10 March 2026	Project Structure and Timeframes	Complete
Council Meeting	24 March 2026	Endorsement of Project development process and anticipated timeframes	Complete
Workshop 2	14 April 2026	• Review of Council's Strategic direction including (including New LG purpose):	Complete
		– Vision Statement	Complete
		– Community outcomes	Complete
		– Focus/Priority areas	Complete
		• Context Setting: Business we are in	Complete
		• Waikato Waters Limited – Transition impacts	Complete
		• Pre-engagement	Complete
		• LTP 2024-34 Submissions	Complete

Council Touchpoint	Anticipated Date	Key Milestones	Commentary
Workshop 3	5 May 2026	- Rating considerations - General Rate - UAGC - Targeted - Stormwater - Forestry	Complete
		- Performance Measurement Framework - Groups of Activities	Complete
		LOS / AMP Rooding #1	Complete
		LOS / AMP Stormwater #1	Complete
		Infrastructure + Stormwater Strategies #1	Complete
		Non-financial assumptions	Complete
		Pre-engagement content (if required)	Complete
Council Meeting	26 May 2026	Council's Strategic Direction, Community Outcomes and Focus - Adoption	Complete
Workshop 4	7 July 2026	Financial Strategy #1 Revenue and Financing Policy (RFP) #1 Financial forecasting assumptions Rating structure review Rate increase appetite Rates remission #1 Draft Public Amenities Bylaw	Workshop Cancelled. Business deferred to 28/7/26 Workshop
Workshop 4	28 July 2026	Financial Strategy #1	Deferred to 4/8/26
		Revenue and Financing Policy (RFP) #1	Complete
		Financial forecasting assumptions	Complete
		Rating structure review	Complete
		Rate increase appetite	Complete
		Rates remission #1	Deferred to 4/8/26
		Draft Public Amenities Bylaw	Deferred to 18/8/26
Workshop 5	4 Aug 2026	- Financial Strategy #2 - Rate increase appetite	Complete
		Revenue and Financing Policy (RFP) #2	# 2 Not required
		Rates Remission Policy	Complete
		S&E Policy review	Complete
		LOS / AMP Rooding #2	Further info requested Deferred to 15/09/26
		LOS / AMP Stormwater #2	Further info requested Deferred to 15/09/26
		Infrastructure and Stormwater Strategies #2	Complete
Workshop 6	18 Aug 2026	Community Orgs Insurance Policy	Deferred to 20/10/26
		Review Community Development Fund Policy	Deferred to 20/10/26
		LOS / AMP Solid Waste	Further info on resourcing requested To be rescheduled
		LOS / AMP Community and Partnerships	Complete
		LOS / AMP Regulatory and Resource Management	Complete
		Draft Public Amenities Bylaw - Intro	Complete
		LOS/ AMP Parks and Reserves	Deferred to 28/09/26
New Workshop	15 Sept 2026	LOS / AMP Recreation and Culture	Deferred to 28/09/26
		LOS / AMP Public Amenities	Deferred to 28/09/26
		LOS/ AMP Housing and Property	Deferred to 28/09/26
		LOS / AMP Community and Partnerships	Deferred to 28/09/26
		LOS / AMP Information Services	Deferred to 28/09/26
		LOS / AMP Rooding # 3	
		LOS / AMP Stormwater # 3	
New Workshop	28 Sept 2026	Public Amenities Bylaw – Draft SoP	
		LOS/ AMP Parks and Reserves	
		LOS / AMP Recreation and Culture	
		LOS / AMP Public Amenities	

Council Touchpoint	Anticipated Date	Key Milestones	Commentary
		• LOS/ AMP Housing and Property • LOS / AMP Information Services • Stormwater Modelling	
Workshop 7	6 Oct 2026	• Business cases for new projects	Could defer this workshop to 20 October
Workshop 8	20 Oct 2026	• Development of capital programme • Performance measures – outcome of reviews • Review of inflation forecast and DIA rate targets • Community Orgs Insurance Policy • Review Community Development Fund Policy	
Workshop 9	17 Nov 2026	• Post Election Review • Review of CapEx Programme • Revenue and Financing Policy and Financial Strategy – Analysis and discussion of issues • Confirm Assumptions (Financial and Non-Financial) • Consultation topics • LTP Policies	
Workshop 10	1 Dec 2026	• Revenue and Finance Policy #3 • Financial Strategy #3 • Confirm Rate Appetite • Confirm Rate Appetite • Confirm Rate Structure • Rates remission #2 • Roading AMP and Infrastructure Strategy (NZTA numbers) • Stormwater Strategy • Draft Budget Forecasts • Strategic Financial Issues • Confirm topics and options to be included in CD	
Workshop 11	9 Feb 2027	• Draft Financial Forecasts #2 • Draft CD – 1st review • Final Draft Policies	
Workshop 12	23 Feb 2027	• Finalising draft LTP Consultation Document • Preliminary Draft Financial Forecasts	
Council Meeting	4 Mar 2027	• Adopt Consultation Document for Audit • Adopt Draft Financials for Audit • Adopt Supporting Info for Audit	
	8-12 Mar 2027	AUDIT	
	15-17 Mar 2027	AUDIT (hot review)	
Council Meeting	30 March 2027	Adoption of Supporting Information for Consultation: • Consultation Document • Supporting Information • Supporting Information on proposals • Financial Statements • LoS and Performance Measures • Infrastructure Strategy • Stormwater Strategy • Financial Strategy • Revenue and Financing Policy • Rates Remission Policy • Planning Assumptions • Treasury Policy • Significance and Engagement Policy	

Council Touchpoint	Anticipated Date	Key Milestones	Commentary
Public Notification	2 Apr 2027		
Public Consultation	2 Apr–3 May 2027		
Council Meeting	27 April 2027		
Council Hearing	11 May 2027	Hearing of Submitters	
Council Meeting	25 May 2027	Deliberation of Submissions	
Council Meeting	29 June 2027	Adoption	

Document ID:**Report To: Council**

Meeting Date: 29 September 2026

Subject: **Motion to Exclude the Public**

Type: Decision Required

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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	Reason(s) for passing this resolution in relation to each matter (Section 6 or 7)	Ground(s) under section 48(1) for the passing of this resolution
1. Valuation of Investment in Inframax Construction Ltd at 30 June 2026	Section 7(2) (c) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information— (i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or (ii) would be likely otherwise to damage the public interest.	Section 48(1) (d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

- 3 The following staff 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	Chief Executive
Manager – Governance Support	Committee Secretary
Chief Financial Officer	Business Paper Author
Financial Accountant	Business Paper Author

- 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.