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Report To: Council



Meeting Date: 25 August 2026

Subject: **Determinations Report – Public Amenities Bylaw Review**

Type: Decision Required

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1. Purpose of Report

- 1.1. The purpose of this business paper is to seek a decision from Council on reviewing the Waitomo District Council Public Amenities Bylaw (the Bylaw) and present the determinations report for consideration.

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 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.

3. Background

PUBLIC AMENITIES BYLAW 2010

- 3.1 The Bylaw was developed in accordance with the bylaw making powers under the provisions of the Local Government Act 2002 (LGA), Reserves Act 1977 (Reserves Act), and Burial and Cremation Act 1964 (BCA). The scope of the Bylaw is regulating public amenities to ensure that acceptable standards of convenience, conduct, safety are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district. The bylaw also covers how we manage the operation, maintenance, administration, safety, and use of cemeteries.
- 3.2 Prior to the Bylaw being adopted by Council, the Waitomo District Council (WDC) General Bylaws 1993 included provisions around Public Places, Nuisances, Cemeteries, and Beaches. The Bylaw was extensively redrafted in 2009 to fit in with the latest legislative requirements, it was also proposed to make a combined Public Amenities Bylaw from Library, Parks and Reserves, Swimming Pools, Beaches and Cemeteries Bylaws.
- 3.3 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.

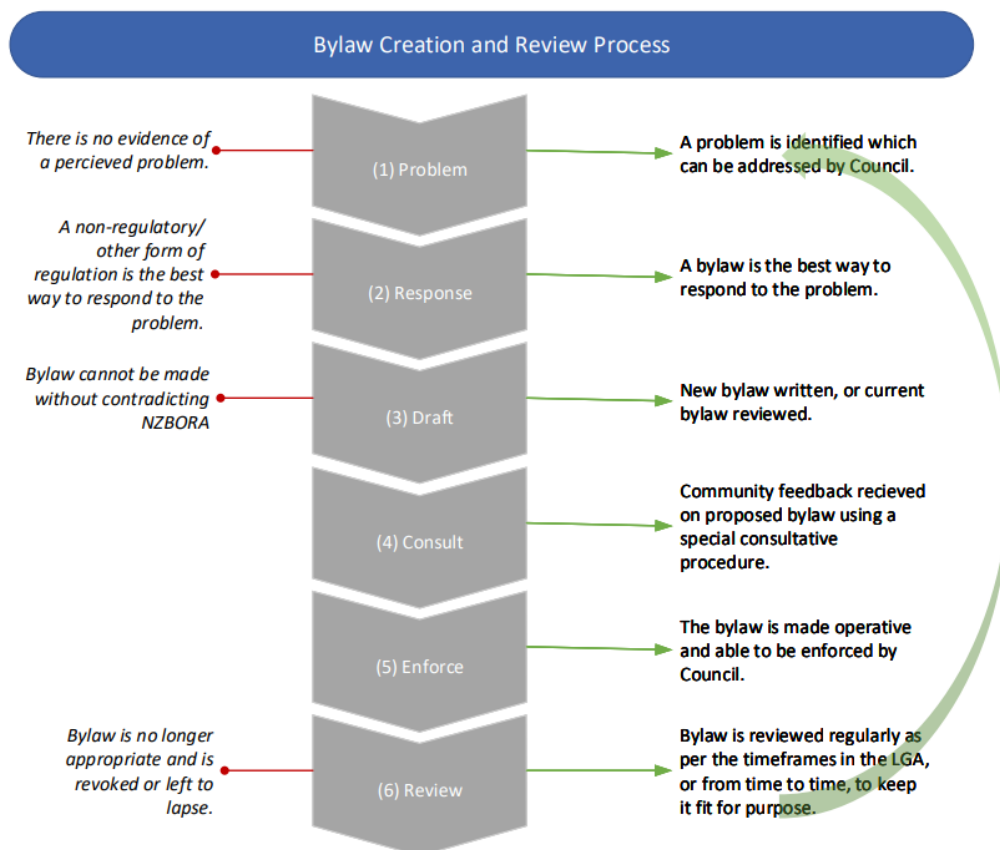
- 3.4 Under sections 158-9 of the LGA bylaw must be reviewed no later than five years from when it was made and thereafter at reviewed at least every ten years. A bylaw that is not reviewed as required is automatically revoked two years after the due date for review. As such, the Bylaw adoption must be completed by 10 February 2027 to stop it from being revoked under section 160A of the LGA.
- 3.5 Council decided at the 17 December 2024 Council Meeting to delay the review of the Bylaw given the review of the Waitomo District Plan and the potential for decisions to overlap with this Bylaw.

LEGISLATIVE CONTEXT

LOCAL GOVERNMENT ACT 2002

- 3.6 The LGA outlines the approach councils need to undertake to make, review or revoke bylaws. Bylaws do not have the authority to override primary legislation; they seek to supplement and support national rules with local rules. All bylaws must be reasonable. Bylaws must focus on providing a remedy to the identified problem. Amongst other things, the requirement to be reasonable relates to the bylaw not unnecessarily impacting upon a person's freedom. A bylaw must not be inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- 3.7 In reviewing and developing bylaws, Council is required to follow both the decision making and consultation requirements set out in the LGA. Each bylaw must be assessed in terms of its costs and benefits to the community, as well as an assessment of the other options available to the council to regulate or remedy the problem. Under section 160 of the LGA, if after the review the Council considers that the bylaw should be amended, revoked, or revoked and replaced, it must use a special consultative procedure (SCP) to effect these changes. If Council considers that the bylaw should continue without amendment, it must also use the SCP before the review is complete. The diagram below sets out the Bylaw creation and review process.

Figure 1:



LOCAL GOVERNMENT ACT 2002

- 3.8 The LGA gives general bylaw making powers territorial authorities to make bylaws for its district for 1 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.
- 3.9 This bylaw includes 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 in public places. 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.

BURIAL AND CREMATION ACT 1964

- 3.10 The BCA provides local Authorities bylaw-making power that allows councils to manage the operation, maintenance, administration, safety, and use of cemeteries and crematoriums, including setting rules about burials, monuments, fees, and conduct within the cemetery or crematorium.

LITTER ACT 1964

The Litter Act 1979 (Litter Act) empowers local authorities to administer litter control and prevention. Section 12 gives public authorities the ability to make a bylaw that gives effect to the provisions in the Litter Act. The Litter Act provisions include providing bins in public places, clearing and controlling of litter and the ability to issue fines, infringements and cost recovery relating to litter offences.

HEALTH ACT 1956

- 3.11 The Health Act 1956 (the Health Act) also provides guidance and empowers local authorities on the management and regulation of nuisance activities and behaviour to protect public health. Provisions in the Health Act apply regardless of any bylaw and issues raised under it are dealt with by the Ministry of Health. The definition of 'nuisance' under the Health Act includes things that may be offensive or injurious to public health, so the bar is high for what constitutes a 'nuisance'. A bylaw can address nuisance problems in the district that are valid problems but may not be offensive or injurious to public health to the extent that would mean the problem can be managed under the Health Act.

RESERVES ACT 1977

- 3.12 The Reserves Act provides bylaw making powers for the management, safety, preservation, and use of the reserve or any part thereof and the preservation of the flora and fauna and the scenic, historic, archaeological, biological, geological, or other scientific or natural features therein, and for the preservation of the natural environment. This includes control of access for people and animals, operation of machinery and general use or reserves.

4. Commentary

DETERMINATIONS

- 4.1 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. The determinations report fulfils the first requirement of section 155, an assessment against the NZBORA to be completed when a proposed draft bylaw is presented to the Council for consideration.

PERCEIVED PROBLEM ANALYSIS

- 4.2 Information about perceived problems has been gathered using Council records of public enquiries and complaints, advice from compliance staff, and from discussions with other relevant staff across the organisation. The below summary sets out the perceived problems in the District, which cause issues that are regulated through the Bylaw.

- 4.3 Council staff encounter through managing the kerbside contract and transfer stations a number of issues when it comes to managing waste and public behaviour. A summary of the main types of issues and frequency they occur is tabled below:

4.4 Table 1: Public Amenity issues

Category	Frequency of issues
Public toilets	Weekly
Aquatic Centre	Monthly (during season)
Library	Annual
Parks and Reserves	Monthly
Beaches	Annual
Other (picnic tables, seating, signs, murals/artwork, memorials etc.)	Bi-Monthly

PERCEIVED PROBLEMS APPROPRIATELY ADDRESSED THROUGH A BYLAW:

Public Toilets

- 4.5 Staff are frequently dealing with conduct issues in and around WDC public toilets. These issues range from graffiti, damaging the facilities, littering, and soiling of the stalls. These issues do create significant additional costs in cleaning and replacement of equipment. There is no practical solution to catching offenders to issue infringements or offences to help recover this cost.

Aquatic Centre

- 4.6 Contracted staff will need to be able to deal with conduct issues at the Aquatic Centre, however there are no recent reports on issues. There is potential for issues to arise from graffiti, damaging the facilities, littering, and nuisance or unsafe behaviour.

Library

- 4.7 The library is a very welcoming and inclusive space for all, staff manage most situations that arise without escalation.
- 4.8 On occasion there have been instances of inappropriate and/or disruptive behaviour. In extreme cases trespass notices can be issued for a breach of the Bylaw or Library Policy.

Parks and Reserves

- 4.9 There are instances of conduct issues in our parks and reserves, more often it relates to damage to green spaces from vehicles such as motor bikes and recently there was an attempt to cut down trees at Redwood Park.
- 4.10 These types of incidences are at the lower end are a public nuisance or offensive to members of the public, at the higher end a risk to public health and safety.
- 4.11 As with public toilets these issues of damage create additional costs to remedy and the ability to identify and prosecute offenders is limited.

Beaches

- 4.12 There are some instances of conduct issues on beaches. These are often related to motorbikes, vehicles and horses being driven or ridden in a manner that creates a public nuisance through to safety issues.
- 4.13 These are not always reported through official channels, there have been three reports over the last five years for vehicles on beaches – these related more to freedom camping, some mention of damage.

Other

- 4.14 There are general issues with damage and graffiti to seating, tables, murals etc. Damage to these amenities is not uncommon, these are usually repaired by the Parks and Reserves team or the accumulation of damage requires a repaint for example. This reduces the cost by using internal resourcing however this is still a cost to ratepayers.

5. Analysis of Options

5.1 The following options are the most practicable to address the perceived problems:

1. Review and amend the current bylaw (recommended).
2. Retain without amendment.
3. Revoke the bylaw and rely on alternative regulation and voluntary cooperation to ensure compliance.

OPTION ONE: REVIEW AND AMEND THE CURRENT BYLAW

5.2 This option involves reviewing the bylaw in light of learnings from the operation of the bylaw since it was last reviewed.

Table 2: Review and Amend the Bylaw

Advantages	Disadvantages	Costs
Provides Council with the most appropriate tool to respond to issues pertaining to public amenities, their use, management and conduct of users. Allows Council to take into consideration and if appropriate incorporate any new information available since the last review. Consistent with Council's previous approach to having a bylaw on this matter. Proactive approach to regulation. Community views and preferences will be collected as part of the review process. Allows matters best dealt with outside a bylaw to be relocated for optimal operational efficiency, including revising issues that overlap with the Public Places, and Public Health and Safety Bylaws. An updated bylaw will likely enable a more streamlined process for any future amalgamations with other Councils and combined bylaws.	Council resources and time required to undertake review. Staff, public and key stakeholders will need to re-familiarise themselves with the changed instrument. Some functions may remain but be located in other instruments.	Compliance with the bylaw and any changes would be an education first and enforcement only as necessary. There is no significant cost to review the bylaw as WDC has the expertise in-house.

OPTION TWO: RETAIN THE CURRENT BYLAW WITHOUT AMENDMENT

5.3 Under this option, the Council would resolve that, given the findings in this report, the current bylaw should continue without amendment under section 160(3)(b) of the LGA. This option is not recommended.

Table 3: Retain the Current Bylaw

Advantages	Disadvantages	Costs
Saves resources and time in the review process. Still allows the Community to participate in consultation relating to this issue via the special consultative procedure. Avoids need to refamiliarise any parties with a new instrument or regulatory approach.	Restricts Council's ability to make changes, and if significant changes are required as a result of public consultation, further consultation may be required. The bylaw would not be updated to resolve overlap with other bylaws and instruments. Any views arising from SCP will not be incorporated into the bylaw. Unable to take into account any learnings from recent situations. Any views arising from SCP will not be incorporated into the bylaw. Retaining the current bylaw may make it more difficult for any future amalgamations bring into a combined bylaw.	There would be very minimal cost to consult on the current bylaw, the cost would be similar to a review due to still needing to follow the SCP process. Cost of implementing the existing bylaw would be met by existing budgets.

OPTION THREE: REVIEW AND REVOKE THE BYLAW AND RELY ON ALTERNATIVE MECHANISMS AND EXISTING LEGISLATION TO ENSURE COMPLIANCE

- 5.4 This option would require Council to create an alternative approach to regulate waste management. This alternative approach may be through policy, education or other approaches. Council would need to rely on alternative regulations where relevant to ensure compliance, for example the Reserves Act, Litter Act, Health Act, BCA, WDC Public Places and Public Health and Safety Bylaws or other such provisions.

Table 4: Revoke the Bylaw

Advantages	Disadvantages	Cost
Provides a non-adversarial approach. Reduces Council's regulatory role and enforcement burden. Still allows the Community to participate in consultation relating to this issue via the special consultative procedure for revocation. Would not require resources for future review.	The current Bylaw would still need to be revoked, requiring a special consultative procedure. Inconsistent with Council's previous approach to have a bylaw to regulate this matter. Council will not have a specific tool to respond to issues occurring as a result of inappropriate conduct in public amenities. Council would not have a specific tool to respond to issues around managing burials and the district cemeteries.	There would be very minimal cost to consult on revoking the current bylaw, the cost would be similar to a review due to still needing to follow the SCP process.

6. Considerations

RISK

- 6.1 There is very little risk involved in undertaking a bylaw review. Council will review and approve a draft statement of proposal and draft bylaw, prior to public consultation.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.2 Reviewing the Bylaw retains consistency with the historical Council position to have a bylaw on this matter.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.3 Community consultation via a special consultative procedure is required when a bylaw is made, reviewed, or revoked. Therefore, the community will have the opportunity to make their views known to Council prior to a decision being made.

7. Recommendation

- 7.1 It is recommended that:
- (a) 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(1) of the Local Government Act 2002; and
 - (b) Approves the initiation of a review of the Waitomo District Public Amenities Bylaw 2010 in accordance with Local Government Act 2002.

8. Attachments/Separate Enclosures

Attachment:

- 1 Waitomo District Council Public Amenities Bylaw 2010 (Doc # 271396)



Public Amenities Bylaw 2010

Created:	February 2010
Review Date:	September 2014
Adopted:	10 February 2015
Amended:	1 January 2019 (due to implementation of Freedom Camping Bylaw 2018)
Next Review Date:	February 2025

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1.0 INTRODUCTION

1.1 Scope

- 1.1.1 The Local Government Act 2002 confers general bylaw making powers on Council. This bylaw controls a diverse range of activities in public amenities to ensure that acceptable standards of convenience, safety and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district. In particular this bylaw addresses conduct in public amenities such as libraries, reserves, aerodrome, public parking areas, public toilets swimming pool, beaches, other public buildings and cemeteries which may have an adverse effect on other users of these facilities.
- 1.1.2 Section 145, 146 of the Local Government Act 2002 and other relevant Act e.g. Reserves Act 1977, Health Act 1956, outline some of the powers and requirements of the Council in regard to public places and reserves. Areas of control so prescribed by this legislation are not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act, 2002 and other legislation should be read in conjunction with it.

1.2 Fees and Charges

- 1.2.1 The fees for any certificate, authority, approval, consent given, inspection made or service given by Council and any other matter described in this Bylaw shall be as set out in Council's Fees and Charges Manual from time to time.

1.3 Offences

- 1.3.1 No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this Bylaw without first obtaining that licence or approval and the failure to do so shall constitute a breach of this Bylaw.
- 1.3.2 No application for a licence or authority from Council and no payment of or receipt for any fee paid in connection with such application, licence or authority, shall confer any right, authority or immunity on the person making such application or payment.
- 1.3.3 Everyone commits an offence against this Bylaw who:
- 1.3.4 Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw; or
- 1.3.5 Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided; or
- 1.3.6 Does not refrain from doing anything which under this Bylaw he or she is required to refrain from doing; or
- 1.3.7 Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw; or
- 1.3.8 Refuses or neglects to comply with any notice duly given under this Bylaw; or
- 1.3.9 Obstructs or hinders any officer of the Council in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw: or
- 1.3.10 Fails to comply with any notice or direction given in this Bylaw.

1.4 Penalties

- 1.4.1 Every person convicted of an offence against this Bylaw shall be liable to the penalties as set out in Section 242 (4) of the Local Government Act 2002 and further if the offence is one to which Section 243 of the Local Government Act 2002 applies (and is therefore an infringement offence) shall be liable to infringement fees as prescribed by Regulations made under Section 259 (b) of the Local Government Act 2002, or where any person is alleged to have committed an offence against this Bylaw; be proceeded against pursuant to any other enactment so empowering Council.

- 1.4.2 The continued existence of any work, building, land, premises or thing in such a state or form as to be in contravention of any provision of this Bylaw, shall be deemed to be a continuing offence under this Bylaw.

2.0 INTERPRETATION

- 2.1 In this bylaw, unless the context otherwise requires:

APPROVED means approved by Council or by an officer of Council authorised in that behalf.

AUTHORISED OFFICER means any person appointed by Council to act on its behalf and with its authority.

BEACH means any land adjacent to any sea coast or lakeside capable of being used for recreational purposes which for the time being is vested in or under the control of the council and is contiguous to the foreshore and used in connection therewith and where a river crosses a beach includes the area one kilometre upstream from the mouth of the river, and, where the control of the foreshore is vested in the council, includes the foreshore.

BOOK includes any magazine, newspaper, periodical, or manuscript or other article of a similar nature, or any part thereof respectively.

BORROWER means any person to whom the local authority has by registration or otherwise granted any licence or privilege to borrow.

BORROWER'S CARD means any card issued by the librarian as a means of identification of any borrower from the library.

BYLAW means a bylaw of the local authority for the time being in force, made under the provisions of any Act or authority enabling the local authority to make bylaws.

CEMETERY means any cemetery vested in or under the control of the Council from time to time.

COUNCIL means the Waitomo District Council.

CUSTODIAN means any person for the time being appointed by Council to control or manage or to assist in the control and management of any land, building, or premises belonging to or under the jurisdiction of Council.

DISTRICT means the Waitomo District.

DOCUMENT means any map, picture, or piece of music including a gramophone record or sound recording tape, broadsheet, card, cutting, photographic or negative film, or photocopy whether the property of Council or for the time being under the control of Council.

ENVIRONMENTAL HEALTH OFFICER means the Environmental Health Officer appointed by Council under the authority of the Health Act 1956 or any other Act.

INSPECTOR means any officer appointed by the local authority for the time being to carry out or exercise the duties of an inspector under this bylaw.

LIBRARIAN includes any person for the time being appointed to control or manage (or to assist in the control and management of) the library;

LIBRARY means any library established and carried on for the time being by the Council for use by the public or any section of the public, and includes every portion of any building used for such purposes.

LICENSED means holding a licence under this bylaw or under any statute.

MAP includes a chart or plan or other article of a similar nature;

MEDICAL OFFICER OF HEALTH means the Medical Officer of Health appointed under the provisions of the Health Act 1956 for the health district, which includes the district under the jurisdiction of the local authority.

MONUMENT means the same as in Section 2(1) of the Burial and Cremation Act 1964.

OCCUPIER means the inhabitant occupier of any property and in any case where any building, house, tenement, or premises is or are unoccupied shall be deemed to include the owner as hereinafter defined of such building, house, tenement, or premises.

OFFENCE includes any act or omission in relation to this bylaw or any part thereof for which any person can be punished either on indictment or by summary process.

OWNER of any property, or as applied to any land, building, or premises, means any person for the time being entitled to receive the rack rent of such property, land, buildings, or premises, or who would be so entitled if the same were let to a tenant at a rack rent; and where any such person is absent from New Zealand, shall include his attorney or agent, or any other person acting for him on his behalf.

PARKING means the standing of a vehicle in any place for a period in excess of 5 minutes and the verb park shall have a corresponding meaning.

PERSONS include a corporation sole and also a body of persons, whether corporate or unincorporated.

PICTURE includes an engraving, etching, print or photograph or other article of a similar nature, and includes any rental picture available for hire.

PLAQUE LAWN CEMETERY means a cemetery in which the surface is laid down as a grass lawn, no headstones project above the ground and which is declared to be such by Council.

POOL MANAGER includes any attendant or contractor for the time being employed by Council to control or manage or to assist in the control and management of any swimming pool.

PREMISES means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same or enclosed space separately occupied and all lands, buildings and places adjoining each other and occupied together shall be deemed to be the same premises.

PUBLIC AMENITY includes any beach, cemetery, public library, swimming pool, aquatic centre, park, reserve, recreational, cultural or community centre, museum, or hall under the ownership or control of Council.

PUBLIC SWIMMING POOL (hereinafter called SWIMMING POOL) means any swimming pool under the control for the time being of the local authority for use by the public or any section thereof and includes every portion of any premises used in connection with such purposes.

REFERENCE COLLECTION means any item identified by Council for use only within the library.

RESERVE includes any open space, plantation, park, garden, or ground set apart for public recreation or enjoyment which is now or hereafter may be under the management or control of the local authority.

ROAD has the same meaning as in the Land Transport Act 1998, which includes every berm, bridge, culvert, drain, ford, gate, building or other thing belonging thereto or lying upon the line or within the limits of the road reserve, and shall where the context requires include a street but does not include State Highways controlled by the NZ Transport Agency except where a specific authority has been delegated to Council.

SEXTON means any person appointed by the Council to manage the day-to-day activities of any cemetery under its jurisdiction. Such activities include arranging for the provision of plots for burials.

SPECIAL COLLECTION means any item or group of items identified by Council, or held by Council, to have specific characteristic(s) that warrant the use of those items being restricted to ensure the items are appropriately protected or maintained.

STREET, PRIVATE STREET, FOOTWAY AND PRIVATE WAY shall have the respective meanings assigned to them in the Local Government Act 1974 and shall where the context requires be included within the definition of a road.

SURFBOARD means any object of wood, metal, fibre-glass, plastic or any other material of any kind whatsoever used for the purpose of surfing or surf-riding.

SURFBOARD AREA means an area as defined and reserved under clause 1908.2 hereof.

TABLET includes a plaque.

VEHICLE has the same meaning as in the Land Transport Act 1998 which is a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and Includes a hovercraft, a skateboard, in-line skates, and roller skates.

WORKING HOURS means the hours specified by the Council during any working day when its offices shall be open to the public.

WRITING, WRITTEN or any term of like import means and includes words printed, painted, engraved, lithographed, or otherwise traced or copied, and where anything is required to be written it may be partly in writing and partly in printing.

3.0 GENERAL CONDUCT AND RESTRICTIONS IN PUBLIC AMENITIES

3.1 Vehicles

3.1.1 No person shall in any public amenity:

- (a) Drive or park any vehicle carelessly, negligently or dangerously or without due consideration for persons using the public amenity;
- (c) Fail to comply with any direction for the regulation of vehicles given by an authorised officer, a member of the police or a traffic sign;
- (d) Fail, after the vehicle has been involved in an accident within any public amenity to give his name and address and the name and address of the owner of the vehicle to any person having reasonable grounds for requiring them;
- (e) Fail forthwith to report to an authorised officer any accident in which the vehicle has been involved within any public amenity;

3.1.2 Except with the prior permission of the Council, no person shall bring any vehicle into the public amenity unless such access is gained via an approved vehicle access point and vehicles are only driven on roadways provided for this purpose.

3.1.3 Vehicles may only be driven in public amenities on access ways which are open to vehicular traffic and park only in designated parking areas.

3.1.4 No vehicle shall be driven in any other direction than indicated by traffic signs or at a greater speed than indicated on any road within the public amenity and where no speed limit is displayed a speed limit of 20 km/h shall apply pursuant to the speed limit part of Council's Land Transport Bylaw.

3.1.5 Clause 3.1.4 will not apply to a vehicle used at the time to save or protect life or health, or prevent injury or serious damage to property.

3.2 Vegetation

3.2.1 No tree or shrub shall be planted in any part of any public amenity without the prior consent of the Council.

3.2.2 No person shall disturb, damage, take or pick any cutting or flower from any tree, shrub, plant or remove other vegetation in any public amenity without the consent of the Council.

3.3 Restricted Conduct in Public Amenities

3.3.1 No person shall in a public amenity:

- (a) interfere with, interrupt or delay the carrying out of any activity, service or ceremony;
- (b) obstruct, hinder or interfere with any person acting in the execution of his duty in relation to any public amenity;
- (c) bring into or exhibit any article that is a nuisance or is offensive to any other person;
- (d) behave in a manner that creates a nuisance or is offensive or is likely to create a nuisance or offensive to any other person;
- (e) consume, inject or inhale any proscribed substances or offer or sell such substances to any person;
- (f) be intoxicated and fail forthwith to leave any public amenity when directed to do so by an authorised officer or Police officer;
- (g) use profane or obscene language or gestures within the hearing or sight of any person in that public amenity;
- (h) climb, or attempt to climb any wall, fence, barrier, railing or post;
- (i) wilfully give a false fire or ambulance alarm.

3.3.2 Except with the prior permission of the Council, no person shall in a public amenity:

- (a) light a fire, except at fireplaces specially provided or in an appliance designed for outdoor cooking, and in accordance with any restriction imposed by Council on the lighting of fires;
- (b) open a drain or sewer on, or disturb or remove the surface of, any public amenity;
- (c) remove any sand, soil or other naturally occurring material found in a public place.

3.3.3 No person shall in a public amenity, throw or leave litter or any material or thing or substance which is likely to be hazardous or injurious to any person, or likely to be offensive or create a nuisance. Litter may be deposited in public litter receptacles where these are provided.

3.4 Animals in/on Public Amenities

3.4.1 The control of animals in/on public amenities is subject to the relevant provisions in the Public Places Bylaw and the Dog Control Bylaw except that animals may be taken into or onto a public amenity with the prior consent of Council.

3.5 Expulsion of Offenders

3.5.1 The Council may require any person who contravenes any of the provisions of this Bylaw or any rules made by the Council relating to the use of a public amenity under this Bylaw, or has otherwise acted in an unlawful manner in a public amenity or any person who is not bona fide using the public amenity for the purpose for which it is intended, to leave that public amenity, and any refusal on the part of the person to do so will constitute an offence against this Bylaw.

3.6 Exclusion from Public Amenity

3.6.1 Where in the opinion of the Council, any person has contravened any of the provisions of this Bylaw or any rules made by the Council relating to the use of a public amenity under this Bylaw, or has otherwise acted in an unlawful manner in a public amenity, the Council may exclude that person from the public amenity, until notice is given for the person to return.

4.0 LIBRARY

4.1 Management Control and Use

4.1.1 Council may from time to time make rules:

- (a) For the control, management and use of the library;
- (b) Determining the days and hours during which a library shall be open; and
- (c) For subscriptions, fees and charges payable by persons entering, remaining in or using the library or any service offered in the library.

4.1.2 Council or an authorised officer may from time to time determine:

- (a) The maximum number of items of the collection which may be lent to any person at any one time;
- (b) The length of time any item may be lent to any person;
- (c) The conditions for use of any item of a reference or special collection, or any other library service;
- (d) The information required for membership and any applicable terms or conditions of membership;
- (e) That a library or part thereof may be closed to the public for the exclusive use of the library by any person or group;
- (f) That a library or part thereof may be closed where circumstances would adversely affect library operations or public safety; and
- (g) For maintaining good order and conduct whilst persons are in a library or part thereof.

4.2 Conditions of Membership

4.2.1 Any person issued a library card is responsible for all items borrowed using that card, and any damage to, or loss of items borrowed using that card.

4.2.2 Without limiting clause 4.2.1 where a person under the age of 18 years is issued a library card a parent or guardian must guarantee responsibility for that card, and in doing so that parent or guardian accepts responsibility for all items borrowed using that card, and any damage to, or loss of items borrowed using that card.

4.2.3 Every application for membership must contain the information that the Council requires to issue the library card.

4.2.4 Any person issued a library card shall notify Council of any change of their address.

4.2.5 Any person issued a library card shall notify Council of the loss of any library card.

4.2.6 Any person issued a library card shall not allow any other person to use the library card except where that person:

- (a) Is the parent or guardian responsible for that library card; or
- (b) Has been authorised to use the library card by application to Council.

4.3 Borrowing

4.3.1 Any member may borrow any item, except reference books and special collection items, from any library provided that they:

- (a) Pay any applicable fee or service charge;

- (b) Present their library card or other form of identification acceptable to Council;
- (c) The item is issued to them through the Council or library issuing system;
- (d) Have approval to remove that item from the library;
- (e) Return the item to the library by the specified return time and date.

4.3.2 Council may restrict any member from borrowing any item from the library if that person:

- (a) Has any outstanding fines or other outstanding amounts owed to Council in excess of the prescribed level;
- (b) Has already borrowed more than the prescribed number of items;
- (c) Seeks to borrow an item that is part of a reference collection or special collection for which use is restricted.

4.4 Damage or Loss of Collection Items

4.4.1 If any item borrowed for the Library is lost or returned in a state that prevents the item from being returned to the collection, the borrower shall pay to Council the cost of replacing such item, or pay for any damage as the Council may determine.

4.5 Special Collections

4.5.1 Without limiting clauses 4.1, 4.2, or 4.3 any person may use any item that is part of a special collection provided they comply with any conditions of use specified by Council.

4.6 Entry and Access

4.6.1 Any person may enter, remain in or use any public part of any library during the hours that the library is open to the public.

4.7 Use of the Library

4.7.1 The use by any person of any library service or facility must be for legal purposes, and must not result in breach of copyright, breach of privacy rights, unauthorised alteration or deletion of data or website contents, unauthorised access to information or the access or transmission of illegal images or text.

5.0 PARKS AND RESERVES

5.1 Restricted Conduct in Parks and Reserves

- 5.1.1 No person shall post or interfere with any placard, sign, or notice board in on or about any reserve without the prior permission of an authorised officer of the Council, or without such permission distribute any handbill or notice in a reserve or at any of the entrances.
- 5.1.2 No person shall bathe or wade in any water in any reserve except in any bath, swimming pool or paddling pool provided for that purpose or any recognised swimming spot in a river in the reserve.
- 5.1.3 No person shall put up or erect any stall, booth, swing, amusement device, or structure of any kind within any reserve except by permission of an authorised officer of the Council and then only in compliance with every condition under which such permission may be granted.
- 5.1.4 No person shall sell or offer for sale any article of food or merchandise or liquor, intoxicating or otherwise, or any kind of drink, or carry on any trade, pursuit, or calling within any reserve, without permission of an authorised officer of the Council, and then only in compliance with every condition under which such permission may be granted. Any custodian may take into his or her possession and retain, without liability, any intoxicating liquor, while the person carrying the same is in any reserve or facility.
- 5.1.5 No person shall by any means whatsoever destroy, shoot, snare, injure, interfere with or take any animal, whether wild or farmed, fish, bird, bird's nest or bird's egg, or attempt so to do, in or from any reserve without the prior permission of an authorised officer of the Council.

Provided that in the case of any animal or bird protected by the Wildlife Act 1953 no such permission shall be granted unless and until the provisions of that Act have been complied with.

- 5.1.6 No person shall, within the limits of any reserve and except with the prior permission of an authorised officer of the Council, organise, hold, or conduct, or attempt to hold or conduct a fair or fete.
- 5.1.7 The authorised officer of the Council in charge of reserves, and in his or her absence the custodian, may prevent any game being played therein which in his or her opinion is liable to damage the said reserve or anything therein, or which in his or her opinion is otherwise undesirable or unseemly.
- 5.1.8 No person shall play any game in any reserve except upon such portions thereof as shall be set apart for that purpose or as the custodian or authorised officer shall direct.
- 5.1.9 No person shall play at or engage in or practice activities or sports on any playing ground or part thereof on any reserve after being requested by the custodian or authorised officer to leave such playing ground or reserve or any part thereof, or when any notice is erected at the main entrance to such playing ground or reserve or alone or with any other words.
- 5.1.10 No person shall play or practise golf except on a reserve which the Council has set aside for that purpose.
- 5.1.11 No person shall within the limits of any reserve and without the prior permission of an authorised officer of the Council:-
 - (a) Take, use, or carry any firearm, axe or similar weapon or other instrument of a dangerous character, or any airgun or bow and arrow, trap or net or let off any fireworks; or
 - (b) Throw stones or other projectiles or missiles either by hand or by means of a catapult or other appliance.
- 5.1.12 Any custodian may take into his or her possession and retain any of the articles referred to in 5.1.11 (a) above without being liable for any claim arising therefrom while the person carrying the same is in any reserve.
- 5.1.13 No person shall from or in the airspace above any reserve except the Waitomo Aerodrome fly any model aeroplane in a manner hazardous to the public and when directed to cease doing so by a duly authorised officer of the Council.
- 5.1.14 No person shall make use of any part of any reserve except the Waitomo Aerodrome for the purpose of the landing thereon or flying there from of an aeroplane or of any kind of flying machine, hot air balloon, or glider except in case of emergency or in accordance with the prior permission of an authorised officer of the Council.
- 5.1.15 No person shall permit or cause wastage of water or permit any water tap to flow for a longer period than may be reasonably required for the filling of utensils for drinking, cooking, or washing purposes; nor shall any person in any manner pollute or otherwise render unfit for use for human consumption or otherwise any water supply in any reserve.

6.0 USE OF PUBLIC SWIMMING POOLS

6.1 Management Control and Use

- 6.1.1 If in the opinion of either Council or the pool operator an emergency or other situation warrants the immediate closing for public use of any swimming pool or any part thereof, Council or the pool operator as the case may be may forthwith close such swimming pool for use by the public until, in the opinion of Council or the pool operator, such emergency or other situation ceases to exist.
- 6.1.2 The pool operator may refuse admission to any person to any part of any swimming pool which in the opinion of the pool operator is likely to become overcrowded.

- 6.1.3 No person shall use or seek to use cameras and or mobile phones with camera (pixtel) in the changing rooms.
- 6.1.4 Council may in its discretion, for such fees and under terms and conditions and during such periods as Council may decide, grant rights or permission to use any swimming pool or part thereof for the purpose of coaching or teaching swimming with or without monetary reward and may refuse to grant or renew such rights or permission or cancel any such permission.
- 6.1.5 Children under the age of 8 years are required to be supervised by a person 16 years or older.
- 6.1.6 No person shall:-
- (a) Dive from any part of any swimming pool other than from the immediate surround to any area of water set aside for swimming. or
 - (b) Take into any part of the swimming pool any glass bottles or other containers made of glass. The pool operator shall have power to impound any such articles brought into the swimming pool.
- 6.1.7 Every person shall leave the swimming pool immediately upon the request of the pool operator over the public address system or by the sounding of a warning device.
- 6.1.8 Any person finding any article which may have been left in any bathroom or changing room or in any other part of the swimming pool shall immediately after finding such article deliver the same to the pool operator or other person acting on his or her behalf. Any property not claimed within 3 months of the date of being handed in may be disposed of in such manner as Council thinks fit.

7.0 BEACHES

7.1 Access to Beaches

- 7.1.1 Every person operating any vehicle, or leading, riding or driving any horse on any part of any beach must show due consideration for other users of the beach at all times.
- 7.1.2 Except as provided for in 7.1.3 below Council may prohibit or restrict the leading, riding, driving or swimming of a horse or cattle or other animal on or from any part of a beach which is likely to be used or is ordinarily used or is being used for the purpose of bathing or other recreation.
- 7.1.3 Any person whose land is adjacent to such beach and who uses the beach as an access to such land has the right to use the beach for this purpose, but the right shall be confined to that portion between such land and the nearest access point.
- 7.1.4 All vehicles and horses are prohibited on dunes. However, any person wishing to access the beach from an adjoining property or road may use a vehicle or horse on a dune only in a manner that does not cause nor is likely to cause damage to any part of that dune, and that utilises the most direct route possible.
- 7.1.5 Every person being the owner or having the care, custody or control of any cattle or sheep shall keep and prevent the same from wandering or being at large without proper guidance on any beach.

7.2 Protection of Property

- 7.2.1 Subject in all things to the provisions of the Resource Management Act 1991, except with the permission of the Chief Executive, no person shall –
- (a) Remove from any beach any stone, shingle, shell, sand, boulders, silt, mud, or other material;
 - (b) Use any portion of a beach for the wintering of boats; or
 - (c) Interfere with or remove any portion of any structure erected for the control of sand.

- 7.2.2 No person shall damage, disfigure or write in or upon any dressing shed, toilet or other property.

7.3 Restricted Conduct on Beaches

- 7.3.1 No person shall clean any fish or leave any dead fish or fish offal on the beach, or deposit any dead fish or fish offal in the sea in the vicinity of the beach.
- 7.3.2 No person shall use, displace, or otherwise interfere with any appliance or warning device provided by Council or by any life saving club unless authorised by Council to do so for practice purposes.

7.4 Surf Life Saving Clubs

- 7.4.1 Council may at its discretion authorise any life saving club (whether subsidised or not) to:
- (a) provide and use life saving equipment to the approved standards of the New Zealand Surf Life Saving Association;
 - (b) use any such life saving equipment provided by Council ; and
 - (c) erect and, as may from time to time be necessary, remove from any place warning or danger notices.
- 7.4.2 No person shall obstruct or hinder or interfere with the carrying out of any life saving operations or drills or with any person engaged in those activities.

7.5 Dogs on Beaches

- 7.5.1 No person shall take any dog or allow any dog in his/her custody to be on any beach except as permitted by the current Waitomo District Council Dog Control Policy and Bylaw.

7.6 Speed Limits on Beaches

- 7.6.1 Any maximum permitted speeds for vehicles using beaches or portions thereof shall be set under the current version of the Speed Limits Bylaw, whether freestanding or part of a consolidated Bylaw.

8.0 PUBLIC CEMETERIES

A GENERAL

8.1 Burial Plots: Exclusive Right of Burial

- 8.1.1 Burial plots sold by Council shall be sold upon the terms and conditions as decided by Council and the exclusive right of burial may be granted for such limited period as Council determines.
- 8.1.2 Any purchaser or owner of the exclusive right of burial in any plot in which no burial have yet taken place, may, with the consent of Council, transfer his or her interest in such ground to any other person upon payment to Council of the relevant administration fee.
- 8.1.3 No burial shall take place in any plot in respect of which the exclusive right of burial is held by another person unless such person has consented to such burial in writing.

8.2 Burial Plots: No Exclusive Right of Burial

- 8.2.1 Where the exclusive right of burial has not been purchased, and where the human remains to be buried are not that of a poor person as mentioned in clause 8.7 below, such burial shall take place only upon production to Council of a certificate by a relative of the deceased in the form prescribed by Council.
- 8.2.2 Such burial shall take place in such plot as Council shall determine and no fence or headstone shall be erected thereon unless the exclusive right of burial is purchased at a later date as provided for in clause 8.2.3 below.

- 8.2.3 Any friend or relative of a person so buried may, at any time within 2 years from the date of such burial or such extended time as Council sees fit, purchase the exclusive right of burial in such plot and exercise all the rights and privileges there-ament.

8.3 Provisions for all Interments

- 8.3.1 Burials may be made in any cemetery for the time being vested in Council or under its control and not officially closed.
- 8.3.2 No burial shall be made in any cemetery without a burial warrant for that purpose obtained from Council by the person having the management or control of the burial and presented to the sexton as authority for burial.
- 8.3.3 No such warrant shall be issued until the fee for interment has been paid provided however, in the case of an interment under the management or control of a funeral director, Council may waive the requirement for prior payment and charge the cost against the funeral director concerned on the basis of a monthly account, or such period as Council decides.
- 8.3.4 "Out of district fees" shall be payable as per the Policy set by Council from time to time.
- 8.3.5 The burial warrant, when issued by Council, shall be sufficient authority for such burial, and after such burial the sexton shall sign the certificate at the foot of such warrant.
- 8.3.6 Notification of the intended burial shall, whenever possible, be given to Council at least 9 working hours prior to the time fixed for the funeral. Where an intended burial is to take place on a weekend or public holiday, whenever possible, 12 working hours notice shall be given to Council. Notification of an intended burial can be made to Council, outside working hours, through the Council's afterhours service. No Burial shall take place until the warrant has been delivered to Council.

8.4 Hours for Interments

- 8.4.1 No interment shall be held on any day except between the hours as set out below:

1 October – 31 March		1 April – 30 September	
Day of week	Burial times	Day of week	Burial times
Monday - Friday	10.00am – 3.30pm	Monday - Friday	10.00am – 2.30pm
Saturday	10.00am – 2.00pm	Saturday	10.00am – 2.00pm

- 8.4.2 Council must agree to and confirm the time for all burials with the funeral director.

8.5 Sexton or Assistant Only to Dig Grave

- 8.5.1 No person other than an authorised officer or his assistants or any other person for the time being duly authorised by Council shall dig any grave in, or open the ground for burial in any part of any cemetery or fill in such grave after the interment has occurred. The minimum depth of cover over any coffin shall be 1m.

8.6 Burial of Ashes

- 8.6.1 Upon application being made in that behalf and on payment of the prescribed fees the urn containing the ashes of any deceased person may be buried at a minimum depth of 400 mm in either the special portion of the cemetery set aside for that purpose or in any plot subject to an exclusive right of burial subject to the limitation that no more than four urns may be buried in any one plot.

8.7 Interment Charges: Poor Persons

- 8.7.1 Where application is made to Council for the interment at reduced charges of any deceased poor person, the applicant shall, on making such application, furnish to the Council a certificate duly signed certifying that such deceased person has not left sufficient means to pay the ordinary charge of interment fixed by Council, and that his relatives and friends are unable to pay the same. Such certificate shall be in the form specified by Council.

8.8 Deceased Servicemen

- 8.9.1 Only those persons who have had war service or service which has been defined by the Minister of Veteran's Affairs as war service or that person's spouse or partner may be buried in a Servicemen's section of the Te Kuiti Cemetery. This provision is subject to the condition that a spouse or partner of a serviceman or servicewoman may only be buried after the interment of the serviceman or servicewoman.
- 8.9.2 Notwithstanding anything to the contrary contained in this part of this bylaw, the fee payable to Council for the disinterment of any deceased serviceman and the re-interment thereof in the war graves section of the cemetery by the War Graves Branch of the Department of Internal Affairs may be agreed upon between the parties from time to time.

8.9 Disinterment

- 8.9.1 Where an application for a disinterment is received by Council, the disinterment shall be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of the relevant fees.

8.10 Soliciting of Orders

- 8.10.1 No person shall advertise or solicit any order or custom from any other person, in any cemetery, for any work whatsoever to be done or in connection with any cemetery, or for the sale, preparation, or supply of any article, material, or thing to be set up, affixed, placed or used in any cemetery.
- 8.10.2 Except at the specific request of a purchaser of plot or their representatives or assigns no person shall, in any cemetery, accept or take any such order or custom as aforesaid.

8.11 Vehicles

- 8.11.1 No person shall take any vehicle of any kind into any cemetery except between the hours of sunrise and sunset, or at such time as Council approves.
- 8.11.2 No person in control of any vehicle shall drive on any part of any cemetery except the roads open for vehicular traffic unless authorised by Council.
- 8.11.3 All vehicles (other than hearses) shall yield unconditional right of way to any funeral procession.

8.12 Animals

- 8.12.1 No person may bring or allow any dog, horse or other animal to enter the confines of any cemetery except that Council may permit sheep to be grazed for the purposes of maintaining the cemetery.

B ENHANCEMENT OF PLOTS**8.13 Vaults**

- 8.13.1 No vaults will be constructed in any cemetery within the District without Council consent and plans and specifications for the construction thereof must be submitted to Council for consideration. If approved, construction of the vault shall be to standards acceptable to Council.

8.14 Fencing, Tombstones etc

- 8.14.1 Purchasers or owners of the exclusive right of burial in any cemetery other than a memorial park or plaque lawn cemetery may surround the plots of ground allotted with kerbing in permanent materials. The highest part of such kerbing shall be not more than 300mm above the highest point in the terrain. Tombstones, headstones or other monuments may be erected thereon provided always that no such kerbing, tombstone, or other monument shall be erected unless a plan or description or both as required shall have been submitted to Council and duly approved and a permit issued therefore on payment of the relevant fee.
- 8.14.2 All foundations for kerbs, tombstones, headstones, monuments shall be laid to the satisfaction of Council.

- 8.14.3 Every person who encloses any plot of ground shall do all levelling required at his own cost and in accordance with the requirements of Council.
- 8.14.4 Every such person shall without delay remove all rubble and earth not required in the filling in of any grave, or in connection with levelling thereof from the cemetery to a place approved by Council.

8.15 Deposit of Materials

- 8.15.1 No person erecting or repairing any headstone, monument, fence or other work in, on, or around any grave, or constructing or repairing any vault, in any cemetery may place or deposit tools and materials for a longer time than is reasonably necessary for the purpose of completing such work.
- 8.15.2 No person shall make use of any footpath or roadway in the cemetery for the purpose of mixing cement or mortar otherwise than upon a proper mixing board or other suitable covering to protect the facilities from spillage or leakage of any material used.
- 8.15.3 Council may construct sheds or other buildings for the storage of tools, or materials used by any person for the construction, maintenance or repair of plot enhancement works, and may fix charges for the use thereof and for the supply of turf or water or any other services.
- 8.15.4 If Council provides any such shed or building, it may require any such mason or other person to remove all tools or materials either from the cemetery or into such shed or building.
- 8.15.5 If Council so requires, a deposit shall be lodged with every application for a permit to carry out any work and shall be refunded when the work has been completed to the satisfaction of Council.

8.16 Keeping in Order

- 8.16.1 All kerbs, enclosures, tombstones, headstones and other monuments shall be kept in proper order or repair by the purchasers of lots or their representatives or assignees.
- 8.16.2 Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all monuments, tablets and fences or erections of any kind which shall fall into a state of decay or disrepair may at any time be removed from the cemetery by order of Council subject to section 9 of the Burial and Cremation Act 1964. In the event of there being no one available to effect repairs or permit removal, a photographic record of the plot shall be taken and filed with the cemetery records before removal.

8.17 Removal of Fences, Headstones, Plants etc

- 8.17.1 No monumental mason or other person shall remove any headstone, monument, kerb or tablet from any cemetery or grave any without permission of Council.
- 8.17.2 No person shall, without authority, remove or take any vase, wreath, plant, flower or any other thing from any cemetery, or grave, except that Council may cause any neglected or broken material of this nature to be removed.

8.18 Memorial Part (Berm or Garden Cemeteries): Erection of Memorials

- 8.18.1 Council may construct or cause to be constructed a continuous concrete platform or berm at ground level or below ground level as required, of a width suitable to maintain stability, ranging from 650mm if underground set on solid sub-soil, to 1m if flush with surface on which base or platform foundation work for all memorials will be placed. The cost of the platform shall be included in the purchase price of the plot.
- 8.18.2 Concrete based work for all memorials shall not stand higher than 450mm or as Council permits, above the highest point of the concrete berm or ground level, whichever is the higher, and shall be of a depth (front to back) of 650mm and shall, where required, allow insets for flower containers.
- 8.18.3 On surface berms (or platforms), a clear space of 150mm shall be maintained, both front and back of the memorial foundation base.

- 8.18.4 No erected memorial shall, at the head of the plot, be wider than 1m in the case of a single plot, or 2m in the case of a double width (family) plot.
- 8.18.5 No erected memorial shall, at the head of any plot, be higher than 450mm or such height as Council permits. Such memorial shall comply with sound engineering principles and shall be aesthetically acceptable to the controlling authority. The plans of such memorial shall be submitted to, and approved by the local authority before the erection of any such memorial be permitted.
- 8.18.6 No erected memorial shall be of any other material than granite, or similar material approved by Council. Concrete shall be finished in white cement only with no colours added.
- 8.18.7 In constructing bases and in erecting memorials, the adjoining roads, paths or allotment shall not be damaged.
- 8.18.8 All memorials shall be kept in good repair by the purchase of the allotment or their assignee. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all memorials of any kind which shall fall into a state of decay or disrepair, may at any time be removed from the cemetery by order of Council and in the event of there being no one available to effect repairs or permit removal, a photographic record of the plot shall be taken before removal and filed with the cemetery records.

8.19 Brick or Walled-in Graves

- 8.19.1 No bricked or walled-in graves will be constructed in a berm or garden cemetery.
- 8.19.2 Statuary may be permitted within a memorial park cemetery subject to any conditions and requirements of Council.

8.20 Vases or Containers

- 8.20.1 All vases and containers for flowers shall be housed in insets set into the base on which the memorial is placed in such manner as shall be approved by Council.

8.21 Plaque Lawn Cemeteries: Structures, Plaques, Tablets and Flowers on Plots

- 8.21.1 In any plaque lawn cemetery no person shall:
- (a) Erect any kerb, railing, fence, building, or other structure on or around any single plot or part thereof.
 - (b) Construct or place any tombstone, headstone, monument or structure upon any plot in such manner that any part thereof shall project above the level of the ground immediately adjoining; or
 - (c) Install or place any memorial plaque, memorial tablet or other thing on any plot without the prior permission in writing of the Council, and subject to compliance with the following conditions:
 - (i) Any such memorial, tablet or memorial plaque shall consist of a permanent material as may be approved from time to time by Council.
 - (ii) Such tablet or plaque shall be of an approved size and set in any approved position in an approved manner.
 - (iii) All lettering and names of persons buried in each plot shall be placed on the one tablet or plaque.
- 8.21.2 No person shall plant anything on any plot, but during a period of 30 days following interment, or such other period as Council may approve, but any wreath or other floral tribute may be placed on a plot and shall be removed at the expiration of such period.
- 8.21.3 After expiry of 30 days or such extended period approved by Council no person shall place any floral tribute except flowers and foliage on a plot in a special receptacle of an approved type.

- 8.21.4 The special receptacle referred to above shall be installed adjoining any tablet or plaque on the side nearest the head of the plot and every part of such receptacle shall be 50mm or more below the level of the adjoining ground surface.
- 8.21.5 The sexton may remove damaged receptacles or receptacles of a type not approved by Council, and may also remove dead flowers and dead foliage at any time.

Common Seal of Waitomo District Council:

The Common Seal of the Waitomo District Council
was hereto affixed in the presence of:

Mayor

Chief Executive

Document No: 979132

Report To: Council



Meeting Date: 25 August 2026

Subject: **Water Services and Trade Waste Bylaw Reviews and Trade Waste Discharge Plan Delegation**

Type: Decision Required

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

1 Purpose of Report

- 1.1 The purpose of this business paper is to seek approval from Council to commence the joint review of WDC's Water Services Bylaws and delegate powers to Waikato Waters Limited (WWL) in relation to the development of a trade waste discharge plan, as required or permitted by the Local Government (Water Services) Act 2025 (LGSWA).

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 Water Services and Trade Waste Bylaw Reviews and Trade Waste Discharge Plan Delegation be received.
 2. Council determines that the WDC Water Services Bylaw 2015 and WDC 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.

3 Background

- 3.1 Council has transferred responsibility for delivering drinking water supply and wastewater treatment activities to WWL on 1 July 2026 including the delegation of the administration and enforcement powers of the Water Services Bylaw 2015 and Trade Waste Bylaw 2006 (Amended 2016) collectively referred to as the Waters Bylaws.
- 3.2 The WDC Water Services Bylaw 2015 includes a section (Part C) for the Stormwater activity. WDC is retaining all the responsibilities for this activity however this bylaw now requires the same review process under the LGWSA.

- 3.3 The Waitomo District Council Water Services Bylaw 2015 and Waitomo District Council Trade Waste Bylaw 2006 (Amended 2016) are enclosed separately and form part of this business paper.
- 3.4 Councils are required to undertake an initial review of all water-related bylaws by 27 August 2027 under the LGWSA. These reviews must consider the consistency of existing bylaws with the new legislation and conclude with a plan for any required changes.
- 3.5 The review must include inviting WWL, as a water organisation operating in the district, to propose a new bylaw or amendment, considering any proposal received, and deciding whether to confirm, amend, revoke or revoke and replace the relevant bylaw.
- 3.6 As Council water services will now be delivered through multi-council arrangements, the review must also be a joint one. Each Council will have differing levels of compliance with the LGWSA however due to the new requirements in LGWSA all bylaws will require some amount of amendment or be revoked and adoption of a new compliant bylaw.
- 3.7 Any changes or new bylaws identified as required through the initial review must be made by August 2030. Thereafter, reviews of bylaws are required every ten years.
- 3.8 Under section 185 of the LGWSA Council is required by August 2027 to prepare, consult and issue a Trade Waste Discharge Plan, this responsibility may be delegated to WWL under this section.

4 Commentary

WATERS BYLAW REVIEWS

- 4.1 Under section 263 of the Act, by August 2027 Council must review each of its water services bylaws that it has in force in the District for consistency with the LGWSA. It must then determine whether to confirm Council's existing bylaws, amend those bylaws or revoke and replace the bylaws.
- 4.2 For bylaws relevant to the transferring Water Services, as part of the bylaw review, Council must invite WWL to propose new or amended bylaws. It is a requirement under the LGWSA for the review process to be undertaken jointly with the other shareholding councils.
- 4.3 To coordinate this process, the shareholding councils and WWL have developed a Memorandum of Understanding that sets out:
- The agreed process and timeframes for the joint review of relevant bylaws.
 - The establishment of a Bylaw Coordination Group with membership from WWL and the shareholding councils to manage the bylaw review process.
 - The process for developing Trade Waste Discharge Plans, as also required by the LGWSA.
 - The agreement to delegate powers under applicable existing bylaws.
- 4.4 Council agreed to enter the MoU at the 30 June Council Meeting and to delegate finalisation and signing of the document to the Chief Executive. The documents have since been finalised and signed in accordance with this resolution.

CONSISTENCY REVIEW

- 4.5 Under the MoU agreement and sharing of information WDC's Waters Bylaws have been reviewed for consistency by WWL and then apply this approach to the other bylaw consistency reviews through the Bylaw Coordination Group.
- 4.6 The consistency review under section 263 of LGWSA has considered the Waters Bylaws. While stormwater services are not transferring to WWL, the Stormwater Management Bylaw remains within the scope of the legislative consistency review because it is a water services bylaw that applies within the district.

4.7 A summary of the findings is outlined in the table below:

Topic	LGSWA section	Description	WDC Bylaw
Bylaw provisions	258(1)	Bylaw making power	Matters covered under 258, generally consistent, update to LGSWA. Partially consistent
	258(2)	Permits	Issuing of permits would need to be updated to the water services provider. Partially consistent
	258(3)	Charging fees	Fees are referenced to Council's Fees and Charges Manual (now Schedule) which is correct. This will need to be updated to align with Water Services Strategy being adopted by 1 July 2027. References to legislation will also need to be updated for 1 July 2027 to reflect the change in how WWL charge fees (not under LGA). Consistent till 30 June 2027.
	258(8), (9)	Wastewater environmental performance standards	Not addressed in the bylaws, regulations were introduced in 2025. No inconsistencies found with the standards. Not consistent
	4	Definitions	Need to be updated to LGWSA definitions Not consistent
Restriction of Supply	19-20	Obligation to continue to provide water services	Restriction only for extraordinary supply and Principal Officer able to make restrictions during drought or other times of restricted supply. References to be updated Partially consistent
Connections	147 - 150	Three-step approval process	Connections are covered but three-step process allowed for. Partially consistent
Access to land	161 - 162	Notification to landowners	To be updated with LGSWA Partially consistent
Trade Waste	185 and 187(1)	Trade waste discharge plan	WDC does not have a trade waste discharge plan. Consistent till July 2027.
	187(3)	Scope of trade waste bylaw	Provisions in 187 covered, needs updating to LGWSA Partially consistent
	190	Scope of trade waste permits	Requirements in Trade Wastes Bylaw will require technical review For example, to ensure discharge characteristics set out in Trade Wastes Bylaw and conditions of permits issued under Trade Wastes Bylaw comply with requirements of LGWSA and relevant plans and standards.

Topic	LGSWA section	Description	WDC Bylaw
	191 - 197	Internal review of decision to decline trade waste permit	Review process cover needs to be updated for consistency with the internal review process set out in the LGWSA. Partially consistent
Stormwater	206, 211	Scope of stormwater network bylaws	Some key areas are not covered: Critical infrastructure (defined in LGWSA) Requiring notification from private landowners. Exclusions for transport corridors or services agreement obligations.
Offences and Penalties	269, 256	Infringement offences	Only referenced to LGA, would need to be updated to LGSWA. References to approved officers need to be made relevant to delegations. Infringements could also be added.
	214	Restriction of water service	No allowance in current bylaw, could be included

TRADE WASTE DISCHARGE PLANS

- 4.8 Section 185 of the LGWSA requires Council to prepare and issue a WDC Trade Waste Discharge Plan (the Plan) by August 2027. The LGWSA outlines what must be covered by the Plan and what may be included.
- 4.9 A trade waste discharge plan must set out the approach that the territorial authority (and the water organisation, if applicable) will take to regulate:
- (a) trade waste in its district; and
 - (b) the discharge of trade waste into wastewater networks in its district.
- 4.10 The trade waste discharge plan may:
- (a) if issued by a territorial authority, include proposals that the territorial authority make a trade waste bylaw; or
 - (b) if issued by a water organisation, include recommendations that the territorial authority make a trade waste bylaw.
- 4.11 The trade waste discharge plan must specify:
- (a) the types of or specific premises to which the trade waste discharge plan applies; and
 - (b) any requirements or limits in relation to transporting trade waste; and
 - (c) any proposed or recommended trade waste bylaws that are necessary to implement the plan; and
 - (d) the circumstances in which the water service provider will impose any fees or charges in relation to trade waste, including when a penalty will be imposed for not complying with the trade waste discharge plan or a trade waste permit.

- 4.12 The trade waste discharge plan may:
- (a) include conditions that the water service provider may impose on the discharge of trade waste into the wastewater network:
 - (b) include different requirements or provisions for different categories of trade waste premises:
 - (c) apply to 1 or more wastewater networks:
 - (d) specify any class of waste or material that is not to be trade waste for the purposes of this Act.
- 4.13 Given expertise for this subject matter now sits with WWL the recommendation is that Council delegates the preparation, consultation and issuing of the Plan to WWL. The development of the Plan is related to the review of our existing Trade Waste Bylaw, and any replacement or amendment as it must align with the Plan.
- 4.14 The consultation must meet the requirements of section 156 of the Local Government Act 2002 (LGA) using the special consultative procedure (SPC) or modified SPC depending on the level of significance under Council's Significance and Engagement Policy.
- 4.15 The Plan will need to be issued by August 2027, and any associated bylaw also adopted by this date.

5 Analysis of Options

OPTION 1

- 5.1 Determine that the WDC Waters Bylaws require review based on the consistency report against the LGSWA and proceed with the process through the Bylaw Coordination Group(recommended)
- 5.2 Delegation of the preparation, consultation and issuing of the Trade Waste Discharge Plan to WWL and proceed with the process through the Bylaw Coordination Group (recommended).

OPTION 2

- 5.3 Determine that the WDC Waters Bylaws require do not review based on the consistency report against the LGSWA and retain the current bylaws.
- 5.4 Not delegate the preparation, consultation and issuing of the Trade Waste Discharge Plan to WWL.

6 Considerations

RISK

- 6.1 Under the LGSWA, WWL may only perform the functions or exercise the powers in the same manner, subject to the same restrictions, and with the same effect as if the water organisation were the territorial authority, therefore it is considered low risk to delegate powers and functions to WWL.
- 6.2 With an MoU in place there is a much lower risk that the bylaw review process will not meet the requirements or timeline set out in the LGWSA.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.3 The suggested delegations are not consistent with the current Council Long Term Plan. However, they are consistent with the WDC Water Services Delivery Plan 2025, Significance and Engagement Policy and are allowed for in the LGSWA.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.4 Staff have considered suggested delegations against the Significance and Engagement Policy and have assessed that the matters are of low significance. The matters in this paper are operational in nature, being designed to support the effective implementation of this decisions already enacted and so therefore are of low significance.
- 6.5 The community views will be sought on any proposals and drafts for the Waters Bylaws and Trade Waste Discharge Plan as outlined in the LGSWA prior to finalisation and adoption or approval.

7 Recommendation

- 7.1 It is recommended that Council proceed with the joint Waters Bylaw reviews and complete the process through the Bylaw Coordination Group as agreed in the MoU.
- 7.2 It is recommended that Council delegate the preparation, consultation, and issuing of the Trade Waste Discharge Plan to WWL and proceed with the process through the Bylaw Coordination Group as agreed in the MoU.

8 Attachments

Attachment:

- 1 Final Memorandum of Understanding relating to Water Services Bylaws (Doc # 982855)

Separate Enclosure:

- 1 Bylaws:
- Waitomo District Council Water Supply Bylaw 2015 (Doc # 979015)
 - Waitomo District Council Trade Waste Bylaw 2006 (Amended 2016) (Doc # 315562)

Memorandum of Understanding

Relating to Water Services Bylaws

Waikato Waters Limited

and

Waipā District Council

South Waikato District Council

Waitomo District Council

Matamata-Piako District Council

Hauraki District Council

This **Memorandum of Understanding** is made on

2026

between **Waikato Waters Limited** (company number 9358922) a duly incorporated company having its registered office at Unit 3, 149 Ossie James Drive, Hamilton Airport, Hamilton, 3282 (**Waikato Waters**)

and **Waipā District Council (Waipā DC)**
 South Waikato District Council (SWDC)
 Waitomo District Council (Waitomo DC)
 Matamata-Piako District Council (MPDC)
 Hauraki District Council (HDC)
 (each a **Council** and together, the **Councils**)

BACKGROUND

- A. Waikato Waters is / will be responsible for the delivery of drinking water and wastewater services in the district of each Council with effect from their respective agreed transfer dates; these being:
 - a) Tranche#1 councils (Waipā DC, Waitomo DC and SWDC): 1 July 2026
 - b) Tranche#2 council (MPDC): 1 October 2026
 - c) Tranche#3 councils (Hauraki DC and Ōtorohanga DC): 1 July 2027
- B. Responsibility has been / will be transferred on completion of a transfer agreement between Waikato Waters and each council. From completion of the first transfer agreement, Waikato Waters is a water organisation under the Local Government (Water Services) Act 2025 (**LG(WS)**).
- C. Under the LG(WS), by 27 August 2027 each Council must identify and review their respective bylaws that relate to water services to ensure they are consistent with the requirements of the LG(WS) (**Bylaw Review**). For those bylaws which relate to wastewater and water supply services (**Water Services Bylaws**), the Councils must consult with Waikato Waters as part of the Bylaw Review. The Parties note that there are obligations under the LG(WS) for Council to review bylaws relating to stormwater services, but these fall out of the scope of this MoU as responsibility for such services has not been/will not be transferred to Waikato Waters.

- D. This memorandum records the agreed framework for the Bylaw Review and future reviews of Water Services Bylaws by the Councils, including the parties' respective roles, expectations and accountabilities, and to establish a cross-agency bylaw coordination group (**Bylaw Coordination Group**).

IT IS AGREED

1. Overall Objectives and Principles

- 1.1. The mutual objectives of the parties are to ensure an efficient and co-operative approach to the Bylaw Review as required by the LG(WS) and any further reviews of Water Services Bylaws. The purpose of this memorandum is to:
- (a) ensure the parties have a common understanding about each party's role and legal responsibilities with regards to Water Services Bylaws and the Bylaw Review;
 - (b) facilitate cooperation and information sharing between the parties; and
 - (c) establish a coordinated approach to all reviews of Water Services Bylaws, including the Bylaw Review.
- 1.2. The parties acknowledge the need to coordinate their responsibilities, powers and functions regarding the Bylaw Review, recognising that this requires cross-agency communication and cohesion. The parties agree to work together in good faith and conduct themselves in a manner that is consistent with the following relationship principles:
- (a) The parties' relationship is based on mutual trust.
 - (b) The parties will conduct their communications regarding Water Services Bylaws openly, promptly and fairly with the intent to take constructive mutual steps to avoid differences and identify solutions.
 - (c) The parties will support each other in implementing the Bylaws Review and acknowledge their different but complementary roles under the LG(WS).
 - (d) The parties will endeavour to identify and notify each other in respect of any issue or concern that is developing (or potentially developing) at the earliest possible opportunity, including, without limitation, the prompt supply of information as and when available.
 - (e) The parties will act reasonably and in good faith to deliver the Bylaws Review in pursuit of the long-term public interest and in the spirit of service to the community.

- (f) The parties will act reasonably and in good faith to progress the Bylaw Review within the timeframes required by the LG(WS) and make available the necessary capacity and capability to meet these timeframes.

2. Bylaw Review

- 2.1. In accordance with its obligations under section 263 of the LG(WS), each Council will identify each Water Services Bylaw that applies in its district and review those Bylaws to determine whether they are consistent with the requirements of the LG(WS).
- 2.2. In addition to inviting input in accordance with section 263(4) of the LG(WS), it is open to a Council to engage Waikato Waters for broader support in the carrying out of this review. Where a Council seeks Waikato Waters support, a service order will be entered into under the shared services agreement between that Council and Waikato Waters to document the scope of the support required and the basis on which it is provided.
- 2.3. Each Council will submit the output from the review under clause 2.1 (and clause 2.2 where applicable) to the Bylaw Coordination Group by 1 September 2026.
- 2.4. After consideration (and regardless of any support from Waikato Waters under clause 2.2), the Bylaw Coordination Group will submit the collective feedback to Waikato Waters and invite Waikato Waters to propose a new bylaw or an amendment to the Water Services Bylaws for the purposes of section 263(4)(a) of the LG(WS). Waikato Waters will provide the Councils with its proposal through the Bylaw Co-Ordination Group no later than 30 November 2026, or such other date as agreed in writing.
- 2.5. Pursuant to section 263(4)(b) and (c) of the LG(WS), and no later than 28 February 2027 (or later where the timeframe at 2.4 is extended), the Councils will consider Waikato Waters' proposals and decide whether to:
 - (a) confirm the bylaw;
 - (b) amend the bylaw;
 - (c) revoke the bylaw; or
 - (d) revoke and replace the bylaw,
 to ensure it is consistent with the provisions of the LG(WS).
- 2.6. If a Council decides a bylaw should be amended, revoked, or revoked and replaced, that Council will develop a plan for doing so under section 263(4)(d) and (6) of the LG(WS). The plan must:

- (a) demonstrate how Council has taken into account a proposal made by Waikato Waters under clause 2.4;
 - (b) include a schedule of dates for each step in the plan; and
 - (c) ensure that the amendment, replacement, or revocation and replacement is made no later than 1 September 2027.
- 2.7. In the event that a Council does not agree with a Waikato Waters proposal under clause 2.4, the relevant Council and Waikato Waters will as far practicable, undertake to resolve the issue via the Bylaw Coordination Group and failing a resolution will escalate the issue to their respective Chief Executives.
- 2.8. For any future reviews of Water Services Bylaws, the Councils will respectively invite Waikato Waters to propose a new bylaw or an amendment to the existing bylaw in accordance with section 264(3)(a) LG(WS) within a reasonable timeframe to give Waikato Waters sufficient time to prepare a proposal. The parties will discuss any invitation under this clause at the next scheduled meeting of the Bylaw Coordination Group.

3. Bylaw Coordination Group

- 3.1. The parties will, on or as soon as possible after the date of this MOU, establish the Bylaw Coordination Group. The role of the Bylaw Coordination Group is to:
- a) co-ordinate the Bylaw Review;
 - b) agree, prepare and collaboratively deliver a proposed suite of water services bylaws to apply consistently (or as consistently as possible) across the service area of Waikato Waters, allowing for local variations as required;
 - c) ensure that up to the transfer date of water services from any of the Councils to Waikato Waters, any proposals to make, amend or revoke a Water Services Bylaw is referred to Waikato Waters for input as required by the major decisions framework in the Shareholders' Agreement;
 - d) facilitate consistent decision-making by all parties in regard to the administration of Water Services Bylaws;
 - e) co-ordinate future bylaw reviews in accordance with the LG(WS) and Waikato Waters operational requirements;
 - f) remove, as far practicable, roadblocks to ensure that commitments to timeframes can be met;
 - g) share information and draw on each party's institutional knowledge for the mutual benefit of all parties; and

- h) by agreement of the Councils, arrange for the joint engagement of external specialist or technical advisors (including legal, policy, or water services specialists) to assist with the Bylaw Review or any future reviews of Water Services Bylaws (with the members of the Bylaw Coordination Group to agree in advance of the engagement being confirmed how costs are to be shared among them).
- 3.2. The Councils and Waikato Waters will each make available senior staff members as representatives for the Bylaw Coordination Group with the appropriate decision-making level and capabilities regarding Water Services Bylaws (the Representatives).
- 3.3. Each party may replace its representatives on the Bylaw Coordination Group from time to time subject to the replacement satisfying the requirements of clause 3.2 above.
- 3.4. The Bylaw Coordination Group will meet at least monthly for the duration of the Bylaw Review and periodically as agreed following the completion of the Bylaw Review. Where any Representative is not available for a meeting, he/she will arrange for an alternate representative to attend the meeting in their place.
- 3.5. The Waikato Waters Representative will be the chairperson (administrative not directive) to each meeting and provide secretariat support, unless agreed otherwise between the parties. This includes, without limitation:
 - (a) co-ordination and management of diary invites and meeting room bookings
 - (b) compiling the agenda
 - (c) collating and distributing papers for meetings, including ensuring papers meet deadlines
 - (d) preparation and distribution of centralised reporting forms and a risk register
 - (e) recording and distributing meeting minutes; and
 - (f) monitoring performance of actions.
- 3.6. To avoid doubt, the parties acknowledge and agree that the Bylaw Coordination Group will not make decisions on the adoption of bylaws on behalf of the Councils, as all bylaws need to be formally approved by each relevant Council.
- 4. Trade Waste Discharge Plan**
- 4.1. The Councils must prepare and issue a trade waste discharge plan no later than 27 August 2027 in accordance with section 185 of the LG(WS).

- 4.2. A Council may delegate the preparation, consultation and issue of the trade waste discharge plan to Waikato Waters. The parties agree that the Councils will make any such delegations no later than 31 August 2026, so that Waikato Waters has sufficient time to prepare and issue the trade waste discharge plan. A service order will be entered into under the shared services agreements to document the terms of the delegation.
- 4.3. Waikato Waters will consult with the Councils via the Bylaw Coordination Group on whether the trade waste discharge plan shall include recommendations that the Councils make a trade waste bylaw amendment, prior to making any recommendation.

5. Bylaw Proposals

- 5.1. The parties acknowledge and agree that it is the Councils' role and responsibility to make Water Services Bylaws under the LG(WS).
- 5.2. If Waikato Waters proposes that the Councils make a new water services bylaw or amend or revoke an existing water services bylaw, the Councils will decide within 30 working days whether:
- (a) Waikato Waters or the Councils will undertake consultation of the Bylaw in accordance with section 259(2) of the LG(WS); and
 - (b) the proposal meets the requirements of section 261(1) of LG(WS).
- 5.3. The parties agree to assist each other during consultation processes and will share information as reasonably necessary to facilitate consultations, including via the Bylaw Coordination Group.

6. Bylaw Delegations

- 6.1. Each Council agrees to resolve to delegate to Waikato Waters any of its functions or powers that relate to the administration or enforcement of a water services Bylaw to take effect as soon as practicable on or after Waikato Waters becomes the water organisation in respect of the relevant Council area under the LG(WS). These delegations will apply to existing Water Services Bylaws while the Bylaw Review is undertaken.
- 6.2. It is anticipated that any new Water Services Bylaws will directly empower Waikato Waters (as the water services provider under the LG(WS)) to exercise relevant functions and duties. However, the Councils will continue to seek authorisation to delegate to Waikato Waters any functions or powers that are or may become necessary for the administration or enforcement of the Water Services Bylaws, or for

Waikato Waters to exercise its powers and functions as a water organisation under the LG(WS).

- 6.3. When discharging powers or functions under delegation from any of the Councils, Waikato Waters will:
- (a) promptly inform the delegating Council of any issues in performing the delegated power or function, insofar as the delegating Council could reasonably expect to be informed; and
 - (b) provide the delegating Council with all of the information necessary to enable the delegating Council to sufficiently oversee and receive appropriate assurances that the delegated functions are being carried out in accordance with the relevant bylaw and this MOU.

7. Bylaw Publication

- 7.1. Each party acknowledges that if a bylaw is made, it must be made available for public inspection at their offices and on a publicly available internet site maintained on behalf of that party pursuant to section 258(10) of the LG(WS).
- 7.2. The parties agree that they will coordinate bylaw communications and publications and endeavour to publish bylaws simultaneously.

8. Effect of this MOU

- 8.1. This MOU confirms the relationship between the parties based on a spirit of goodwill and cooperation. The parties acknowledge and agree that this MOU does not constitute or create, and shall not be deemed to constitute, any legally binding or enforceable obligations on the parties but contains non-binding statements of intent.

9. Councils' Statutory Obligations

- 9.1. Waikato Waters acknowledges and agrees that the Councils have a range of statutory and regulatory powers and functions which they may exercise or must fulfil and nothing in this MOU will be construed as:
- (a) limiting the Councils, or fettering their discretion, in the exercise of their statutory and regulatory powers and functions; or
 - (b) requiring the Councils to exercise their statutory and regulatory powers and functions in a particular way.

10. General

10.1. Costs

Each party will bear its own costs in connection with the negotiation of this MOU and any matters arising out of it unless otherwise expressly agreed in writing.

10.2. Dispute Resolution

In the unlikely event there is a dispute between the parties relating to the interpretation or application of the MOU the parties agree to resolve any such dispute via a meeting of their Representatives in the first instance. Failing resolution, the parties agree to first escalate the dispute to their respective Chief Executives for resolution and failing that, appoint a mediator.

10.3. No Partnership

Nothing in this MOU will create, constitute or evidence any partnership, joint venture, agency, trust or employer/employee relationship between the parties and neither party may make or allow to be made any representation that any such relationship exists between the parties. No party will have the authority to act for or incur any obligation on behalf of the other party.

10.4. Counterparts

This MOU may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one instrument.

EXECUTED as a Memorandum of Understanding

SIGNED for and on behalf of
WAIKATO WATERS LIMITED by an
Authorised Signatory:

Name

Chief Executive



SIGNED for and on behalf of **Waipā District Council** by an authorised signatory:

Name

Chief Executive

SIGNED for and on behalf of **South Waikato District Council** by an authorised signatory:

Name

Chief Executive

SIGNED for and on behalf of **Waitomo District Council** by an authorised signatory:

Name

Chief Executive

SIGNED for and on behalf of **Matamata-Piako District Council** by an authorised signatory:

Name

Chief Executive

SIGNED for and on behalf of **Hauraki District Council** by an authorised signatory:

Name

Chief Executive

WAITOMO DISTRICT COUNCIL

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 28 JULY 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
- STAFF:** Chief Executive, Ben Smit
Manager – Governance Support, Michelle Higgie
General Manager – Community Services, Helen Beever
Acting General Manager – Strategy and Environment, Hilary Walker
Chief Financial Officer, Tina Hitchen
Manager – Community Development, Sarah McElroy
Manager – Strategy and Policy, Charmaine Ellery
Senior Strategy and Policy Advisor, Alice Tasker (Online)
Policy Advisor, Rajeshwari (Raj) Mahadevappa
Financial Accountant, Wayne La Roche
Solid Waste Lead, Komal Devi
Roading Manager, Richard Shailer
Animal Control Officer, Lisa Martel

1. Karakia Tuwhera

2. Apologies

No apologies.

3. Declarations of Member Conflicts of Interest

No declarations made.

4. Confirmation of Minutes: 30 June 2026

Resolution

The Minutes of the Waitomo District Council meeting held on 30 June 2026 be confirmed as a true and correct record.

Robertson/Osborne Carried

5. Receipt of Unconfirmed Minutes: Te Raangai Whakakaupapa Koorero (Māori Relations Committee) Minutes – 21 June 2021

Resolution

The Unconfirmed Minutes of the Te Raangai Whakakaupapa Koorero (Māori Relations Committee) meeting of Sunday 21 June 2021 be received.

Manawaiti/Tasker Carried

6. Bi-Monthly Activity Report: Community and Partnerships
--

Council considered a business paper providing an update Council on activities that form part of the Community Services Group portfolio.

The General Manager – Community Services and Manager – Community Development expanded verbally on the business paper and answered Members questions.

The Solid Waste Lead and Rooding Manager entered the meeting at 9.05am.

Resolution

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

Tasker/Buckley Carried

The General Manager – Community Services and Manager – Community Development left the meeting at 9.13am.

7. Bi-Monthly Activity Report: Rooding, Stormwater and Solid Waste

Council considered a business paper providing an update on the Rooding, Stormwater and Solid Waste activities.

The Chief Executive, Rooding Manager and Solid Waste Lead expanded verbally on the business paper and answered Members questions.

The Acting General Manager – Strategy and Environment entered the meeting at 9.23am.

The Animal Control Officer entered the meeting at 9.30am.

Resolution

The Bi-Monthly Activity Report: Rooding, Stormwater and Solid Waste be received.

Robertson/Osborne Carried

The Solid Waste Lead and Rooding Manager left the meeting at 9.48am.

The Manager – Strategy and Policy and Policy Advisor entered the meeting at 9.48am.

8. 2025/2026 Annual Report on Waitomo District Council Dog Control Policy and Practices
--

Council considered a business paper presenting for consideration and adoption the Waitomo District Council Dog Control Policy and Practices Report 2025/2026.

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

Resolution

- 1 The business paper on 2025/2026 Annual Report on Waitomo District Council Dog Control Policy and Practices be received.
- 2 The 2025/2026 Annual Report on Waitomo District Council Dog Control Policy and Practices be adopted.

Goddard/Buckley Carried

The Acting General Manager – Strategy and Environment and Animal Control Officer left the meeting at 9.53am.

9. Electoral System for 2028 Election
--

Council considered a business paper providing a brief on the public notification to be completed for the First Past the Post electoral system to be used at the 2028 Election.

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

Resolution

The business paper on Electoral System for the 2028 Election be received.

Manawaiti/Goddard Carried

10. Delegations Register Review
--

Council considered a business paper presenting a revised Delegations Register for consideration and adoption.

The Chief Executive and Manager – Strategy and Policy expanded verbally on the business paper and answered Members questions.

The Chief Financial Officer entered the meeting at 9.58am.

Resolution

- 1 The business paper on Delegations Register Review be received.
- 2 The Delegations Register be adopted by Council with minor editorial amendments as approved by the Chief Executive.

Buckley/Goddard Carried

The Senior Strategy and Policy Advisor left the meeting (online) at 10.00am.

11. Co-Lab – Adoption of Statement of Intent 2026/2027

Council considered a business paper presenting for consideration and adoption the Co-Lab Statement of Intent for 2026/2027.

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

Resolution

- 1 The business paper on Co-Lab: Adoption of Statement of Intent 2026/2027 be received.
- 2 Council adopt the Co-Lab Statement of Intent for the year ended 30 June 2027.
- 3 The Co-Lab Statement of Intent for the year ended 30 June 2027 be published on Council's website.

Robertson/Manawaiti Carried

12. Inframax Construction Limited – Adoption of Statement of Intent 2026/27
--

Council considered a business paper presenting for consideration and adoption Inframax Construction Limited's Statement of Intent for the year ending 30 June 2027.

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

Resolution

- 1 The business paper on Inframax Construction Limited – Adoption of Statement of Intent 2026/2027 be received
- 2 Council adopt the Inframax Construction Limited Statement of Intent for year ended 30 June 2027.
- 3 The Statement of Intent for Inframax Construction Limited be published on Council's website.

Goddard/Manawaiti Carried

13. Local Government Funding Agency Ltd - Statement of Intent 2026-2029

Council considered a business paper presenting the Statement of Intent 2026-2029 for the NZ Local Government Funding Agency Limited.

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

Resolution

The business paper on Local Government Funding Agency Limited – Statement of Intent 2026-2029 be received.

Robertson/Osborne Carried

The Financial Accountant entered the meeting at 10.15am

14. Debt Transfer to Waikato Waters Limited

Council considered a business paper providing a brief on the outcome of the transfer of Council's debt relating to wastewater and water supply assets to Waikato Waters Limited.

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

Resolution

- 1 The business paper on Debt Transfer to Waikato Waters Limited be received.
- 2 Council acknowledged the work required to bring the transfer of Water and Wastewater activities to Waikato Waters Limited to a conclusion.

Robertson/Tasker Carried

The Chief Financial Officer and Financial Accountant left the meeting at 10.27am

15. Residents' Survey 2026

Council considered a business paper presenting the results of the Residents' Survey for 2026.

The Policy Advisor and Manager Strategy and Policy expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on the Residents' Survey 2026 be received.
- 2 Council authorise the release of the Residents' Survey Report 2026 for public information.

Manawaiti/Buckley Carried

16. 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. Chief Executive – Section 35 Review	Section 7(2) (a) To protect the privacy of natural persons, including that of deceased natural persons	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 that only the Chief Executive will be present as required for this item of business.
- 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/Tasker Carried

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

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

1 Chief Executive – Section 35 Review

As this is an employer/employee matter no information on this matter is to be made public.

18. Karakia Whakamutunga

There being no further business the meeting closed at 3.27pm.

Dated this day of 2026

JOHN ROBERTSON
MAYOR

Confidential Confidential

Confidential Confidential

Confidential

WAITOMO DISTRICT COUNCIL

Extraordinary Council Meeting

MINUTES OF AN EXTRAORDINARY MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 4 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
STAFF:	Chief Executive, Ben Smit Manager – Governance Support, Michelle Higgie General Manager – Community Services, Helen Beever Acting General Manager – Strategy and Environment, Hilary Walker Chief Financial Officer, Tina Hitchen Manager - Customer and Digital Services, Kat Merrin-Brown

1.	Karakia Tuwhera
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2.	Apologies
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No apologies

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

4.	Simplifying Local Government – Head Start Process: Approval of Outline Proposal for Submission
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Council considered a business paper seeking Council's approval for the Head Start Outline Proposal, developed jointly with Ōtorohanga District Council, to be submitted to the Ministry for Cities, Environment, Regions and Transport under the Head Start pathway by 9 August 2026.

The Mayor, Chief Executive and Manager - Customer and Digital Services expanded verbally on the business paper, acknowledging the relationship between Waitomo and Ōtorohanga elected members and staff and answered Members questions.

Resolution

- 1 The business paper on Simplifying Local Government – Head Start Process: Approval of Outline Proposal for Submission be received.
- 2 That Waitomo District Council approves the Head Start Outline Proposal for the creation of a new unitary authority, prepared jointly with Ōtorohanga District Council, for submission to the Ministry for Cities, Environment, Regions and Transport under the Head Start pathway by 9 August 2026.

- 3 Council acknowledged the workload in putting together the Outline Proposal and noted its thanks to the elected members and staff from both Waitomo and Ōtorohanga District Councils in completing the Outline Proposal for submission.

Robertson/Manawaiti	Carried
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There being no further business the meeting closed at 9.30am

Dated this day of 2026

JOHN ROBERTSON
MAYOR

WAITOMO DISTRICT COUNCIL**Audit and Risk Committee****MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL AUDIT AND RISK COMMITTEE HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 11 AUGUST 2026 AT 9.00AM**

PRESENT: Independent Chair Jaydene Kana
 Mayor John Robertson
 Deputy Mayor Eady Manawaiti
 Councillor Olivia Buckley
 Councillor Janette Osborne

STAFF: Chief Executive, Ben Smit
 Manager – Governance Support, Michelle Higgie
 General Manager – Community Services, Helen Beever
 Health and Safety Coordinator, Tanchia Pitts-Brown
 Manager – Strategy and Policy, Charmaine Ellery
 Chief Financial Officer, Tina Hitchen
 Financial Accountant, Wayne La Roche
 Policy Advisor, Rajeshwari (Raj) Mahadevappa
 Manager – Customer and Digital Services, Kat Merrin-Brown
 Acting General Manager – Strategy and Environment, Hilary Walker

1. Karakia Tuwhera**2. Apologies**

Np Apologies

3. Declarations of Member Conflicts of Interest

The following declaration was made:

Name	Item of Business	Reason for Declaration
Jaydene Kana	General	Director of Waikato Waters Limited

4. Confirmation of Minutes: 12 May 2026**Resolution**

The Minutes of the Waitomo District Council Audit and Risk Committee meeting held on 12 May 2026 be confirmed as a true and correct record.

Kana/Manawaiti Carried

5. Simplifying Local Government – Head Start Proposal

The Independent Chair advised she has been watching closely the Simplifying Local Government - Head Start considerations and invited members to comment.

Mayor Robertson confirmed that the Ōtorohanga/Waitomo proposal was submitted last week and briefed the Committee on meetings he had in Wellington with Members of Parliament while attending the Local Government New Zealand Rural & Provincial Sector meeting on Thursday 5 August 2026.

The Independent Chair advised the Committee that the Chair Report should be considered in conjunction with the Risk Management paper later on the Agenda and that the Order Paper be re-arranged accordingly.

6. Progress Report: Health and Safety (Quarter 4 – April to June 2026)

The Committee considered a business paper providing a brief on Waitomo District Council's health and safety performance during quarter four of the 2025/26 year.

The Health and Safety Coordinator and General Manager – Community Services expanded verbally on the business paper and answered Members questions.

The Independent Chair requested a review of the Strategic/Critical Risks and Mitigation Controls for Health and Safety be undertaken at the 28 September 2026 Council Workshop.

Resolution

The Progress Report: Health and Safety be received.

Kana/Osborne Carried

The General Manager – Community Services and Health and Safety Coordinator left the meeting at 9.29am

7. Mastercard Expenditure Report (April to June 2026)

The Committee considered a business paper on expenditure incurred via WDC issued Corporate Mastercard for the period April to June 2026.

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

Resolution

The business paper on Mastercard Expenditure Report: April - June 2026 be received.

Robertson/Kana Carried

The Manager – Strategy and Policy, Chief Financial Officer and Asset Accountant entered the meeting at 9.34am.

8. Chair Report – August 2026

The Committee considered the Independent Chair's report for August 2026.

The Independent Chair spoke to her report for August 2026 and suggested that the Key Questions raised in her report be considered at the Committee Workshop scheduled for Monday 28 September 2026.

The Chief Executive and Mayor spoke on the changes which will occur as a result of the Simplifying Local Government Head Start process and changes to legislation including the Resource Management Act and Planning Act.

Resolution

The Chair Report – August 2026 be received.

Kana/Osborne Carried

9. Risk Management and Mitigation (Verbal Update)

The Chief Executive advised that the paper included in the Agenda is not the updated version prepared for this meeting and provided a verbal update on progress with key risk and assurance matters.

Councillor Osborne noted that while the Risk Management Framework has been reviewed recently by the Council the critical/strategic risks have not.

The Independent Chair also noted that the Risk Management Framework still includes waters activities and should be updated to reflect the transfer to Waikato Waters Ltd.

Resolution

The verbal update from the Chief Executive on Risk Management and Mitigation be received.

Kana/Osborne Carried

10. Treasury Management Report for the period ended 30 June 2026

The Committee considered a business paper providing an update on Council's debt position and compliance with borrowing limits for the period ended 30 June 2026.

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

Resolution

- 1 The business paper on Review of the Treasury Policy be received.
- 2 The Committee notes the breach of the fixed interest hedging percentages as fixed rate cover is lower than policy requirements for the 0-2 year and 2-4 year bands. No new fixed rate cover was entered into due to the debt settlement from Waikato Waters Ltd on 1 July 2026. The breach was remedied on 1 July 2026.

Kana/Manawaiti Carried

11. Local Government Funding Agency Cash Advance Facility - Recommendation to Council

The Committee considered a business paper presenting a Local Government Funding Agency cash advance facility option and seeking a recommendation from the Committee to Council to replace the current wholesale advance facility with the Local Government Funding Agency cash advance facility.

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

The Policy Advisor entered the meeting at 10.02am

Resolution

- 1 The business paper on Local Government Funding Agency Cash Advance Facility – Recommendation to Council be received.
- 2 The Committee recommends that Council approve the Local Government Funding Agency Cash Advance facility in place of the current wholesale advance facility.

Kana/Manawaiti Carried

The Manager – Customer and Digital Services entered the meeting at 10.06am

12. Progress Report: Audit Findings for year ended June 2025

The Committee considered a business paper providing a further update on progress with addressing the audit findings from the audit conducted by Deloitte Limited for the year ending 30 June 2025.

The Chief Financial Officer and Manager – Strategy and Policy expanded verbally on the business paper and answered Members questions.

The Chief Financial Officer advised that Committee that the valuation for Inframax Construction Ltd went out to tender this year and as a result a new Valuer has been appointed for this year.

Resolution

The business paper on Progress Report: Audit findings for year ending June 2025 be received.

Kana/Robertson Carried

The Chief Financial Officer, Asset Accountant and Manager – Customer and Digital Services left the meeting at 10.15am.

The Acting General Manager – Strategy and Environment entered the meeting at 10.17am.

13. Quarterly Report: Key Performance Indicators for the period ended 30 June 2026

The Committee considered a business paper presenting Waitomo District Council's delivery performance on non-financials for the 2025/26 financial year for the period ending 30 June 2026 (Quarter 4).

The Policy Advisor, Manager – Strategy and Policy and Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

The Quarterly Report: Key Performance Indicators for the period ended 30 June 2026 be received.

Kana/Buckley Carried

14. Progress Report: Procurement Summary Schedule (April to June 2026)

The Committee considered a business paper presenting a summary of the procurements made in the period 1 April 2026 to 30 June 2026 in accordance with Waitomo District Council's Procurement Policy.

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

Resolution

The business paper on the Progress Report: Procurement Summary Schedule (April to June 2026) be received.

Kana/Buckley Carried

15. Karakia Whakamutunga

There being no further business the meeting closed at 10.32am

Dated this day of 2026

JAYDENE KANA
INDEPENDENT CHAIR

WAITOMO DISTRICT COUNCIL**Les Munro Centre Steering Group**

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL LES MUNRO CENTRE STEERING GROUP HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON WEDNESDAY 29 JULY 2026 AT 1.00PM**PRESENT: Steering Group Members**

Mayor John Robertson
Deputy Mayor Eady Manawaiti
Councillor Olivia Buckley

Project Team

Ata Te Kanawa
Waitomo District Council Chief Executive, Ben Smit
Ōtorohanga District Council Chief Executive, Tanya Winter
General Manager – Community Services, Helen Beever
Manager – Community Development, Sarah McElroy
District Librarian, Julie O'Toole
Senior Strategy and Policy Advisor, Alice Tasker

1. Karakia Tuwhera

2. Apologies

The apology from Waitomo District Councillor Isaiah Wallace was noted.

3. Recap of Previous Design Concepts

Ben presented a recap of the project to date and discussed the designs created by Boon in 2024.

This was done to recap the three design versions created at the time.

The designs continue to allow event space for the NZ Shearing Championships and larger funerals while creating space for a library and community hub.

Tanya noted her background and experience in local government lies in the community space, with experience redesigning community venues.

John noted The Lines Company building on King Street was being pulled down and it was worth being aware of that property becoming available for development.

4. Current Project and Engagement
--

Discussed the projects communications plan with upcoming community engagement and an event at the LMC.

Staff are currently seeking an engagement tool and planning an event for Saturday, 29 August. The intention is to have people come to see the space in use and imagine the different ways it could be used and to give feedback on future uses. The various options of what could be in the space have been grouped into five categories as in the communications plan.

- Art, Culture and History Celebration
- Education and Learning Centre
- Access to Technology
- A place to meet people and recreate
- Physical spaces for meetings and activities

During the discussion of stakeholders it was raised to ensure we also consult with:

- Schools
- Te Nehenehenui - both in terms of cultural and design partnership but also about kapa haka competitions and other events being held at the centre.

Eady, Isaiah and Ata to engage with TNN and Ngati Rora involving Keni-Duke Hetit (architect) whakapapa with Ngati Rora. Keni-Duke could look at the cultural components of the design).

- Tourism and Cave Operators
- Te Kūiti Museum

The Building

Olivia raised that it would be good to consider sustainability and the environment in the build concepts, e.g. a green building and have solar panels.

Document ID: 1000520

Report To: Council



Meeting Date: 25 August 2026

Subject: **Presentation: Sport Waikato – End of Year Report 2025/2026**

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 advise Council that Sport Waikato representatives Matthew Cooper, Chief Executive Officer and Steve Dalgety, General Manager Regional Leadership will be in attendance at 9.30am to present and speak to Sport Waikato Year End Report for 2025/2026.

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 presentation from Sport Waikato be received.

Document ID: 1000510

Report To: Council



Meeting Date: 25 August 2026

Subject: **Deputation: Pureora Project**

Type: Information Only

Author(s): Michelle Higgie
Manager – Governance Support

1 Purpose of Report

- 1.1 The purpose of this business paper is to inform Council that Tama Blackburn, Program Co-Lead, Pureora Project with the Department of Conservation Te papa Atawhai will be in attendance at 10.30am to brief the Council on the Pureora Project.

2 Suggested Resolution

- 2.1 The following is a suggested resolution only and does not represent Council policy until such time as it is adopted by formal resolution.
- 1 The Deputation on Pureora Project be received.

3 Commentary

- 3.1 The following is a brief introduction to the project as provided to Council:

This kaupapa is about nature restoration and enhancement of the Pureora Forest Park and surrounding areas, at approximately 250,000 hectares (still to be defined) and encompassing the mountains that produce springs and wetlands that feed some of the most prominent waterbodies in Te Ika a Maui; namely Taupōnui a Tia, Waikato awa, Waipā awa, Mōkau awa, and Te Awa Tupua/Whanganui awa.

There are seven settlements across the area of interest and a multitude of stakeholders locally and afar.

This kaupapa is currently transitioning from the discovery phase to the design phase and we want to present it to the district councils so they know what is going on in their areas of jurisdiction, and can identify ways to align and contribute, should this kaupapa continue to grow.

Currently, this project is being driven by DOC, WRC, and HRC with the future aspiration that this kaupapa will be led by the community and supported by government agencies. More detail will be presented at the hui.

- 3.2 A copy of the PowerPoint Presentation to be made at the Council meeting is attached.

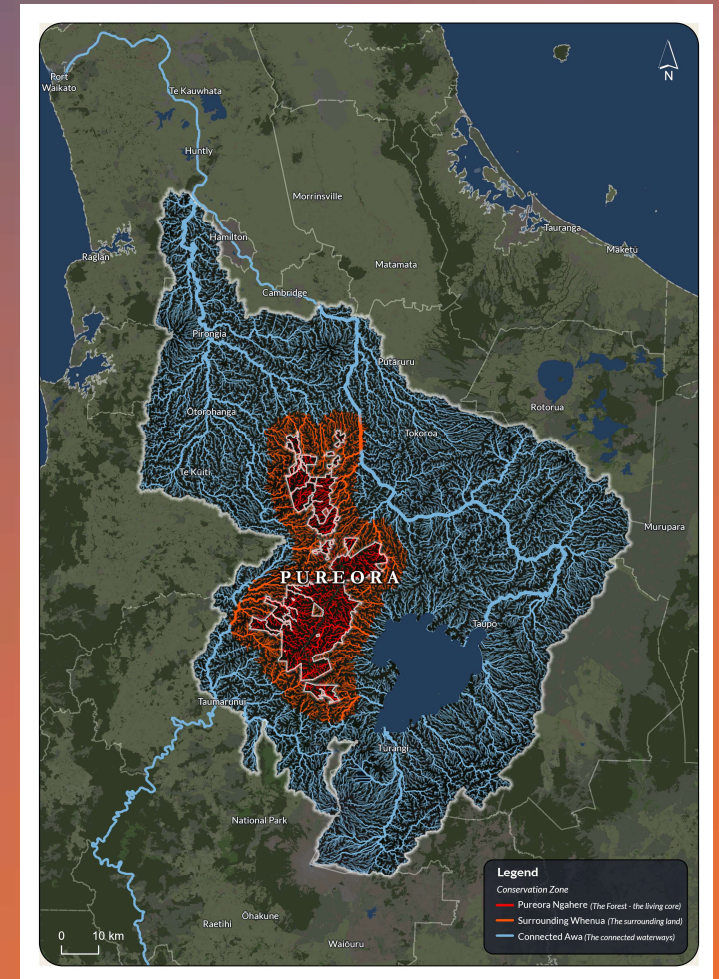
4 Attachments and Enclosures

Attachment: Pureora Project PowerPoint Presentation (Doc # 1001082)

The Pureora Project

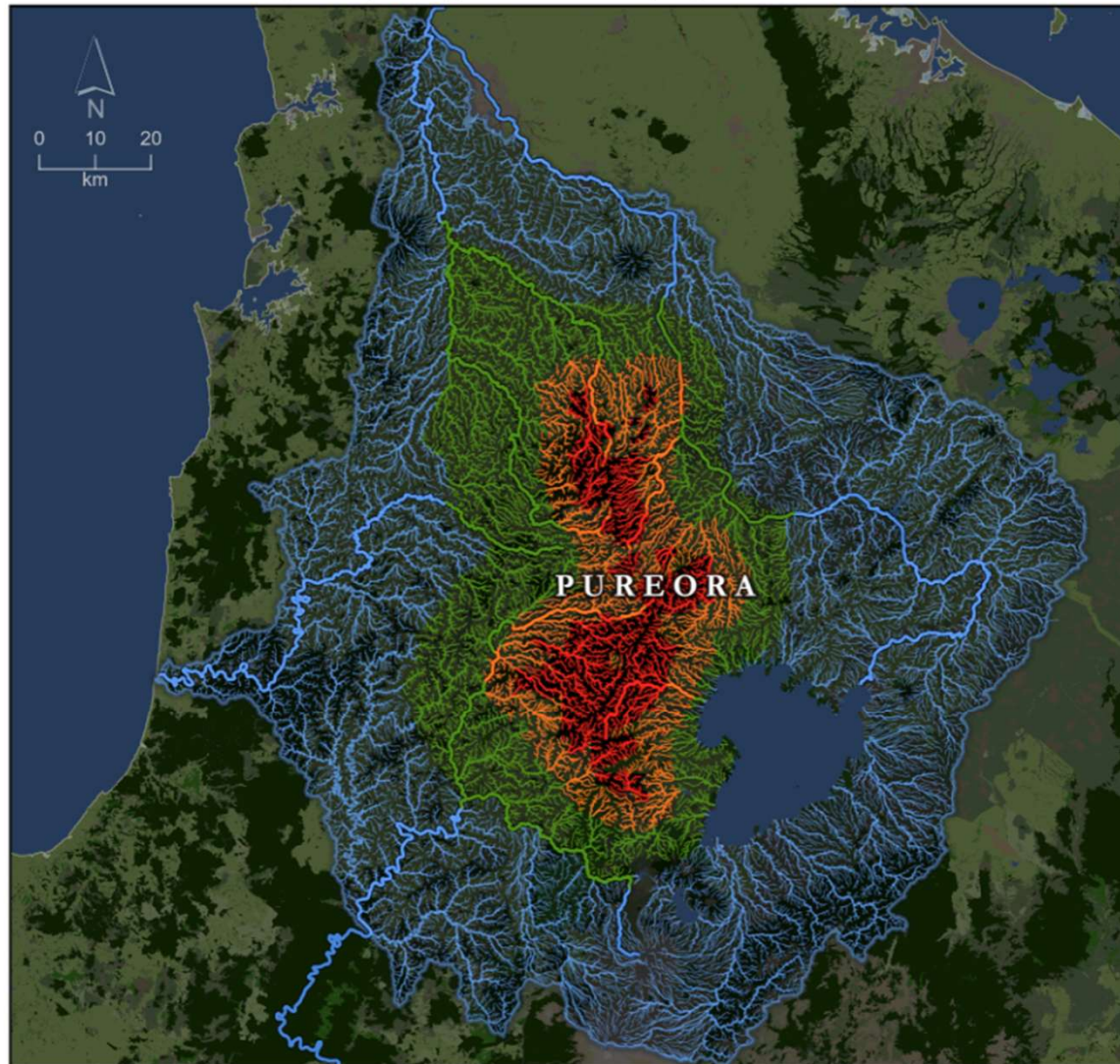
A vision, a responsibility, a better future

Be part of the discovery phase for something that could positively impact landscapes, waterways, air space and generations of people



Pureora Forest Park: Conceptual Conservation Zones Story Board

Major rivers (main map) and their catchments (inset), across four conceptual conservation zones.



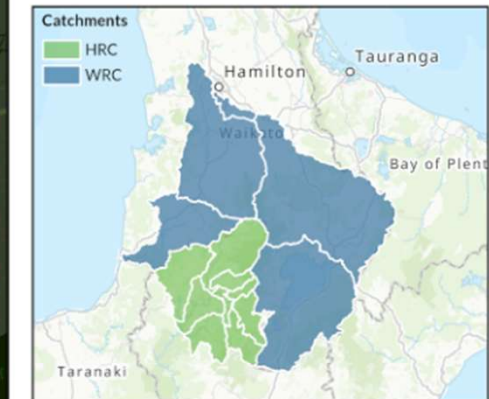
Legend

Conservation Zones

- Pureora Ngahere (the forest - the living core)
- Surrounding Whenua (the surrounding land)
- Working Rohenga (the working boundary)
- Connected Awa (the connected waterways)

Ngā Awa - Major rivers

Waikato River	WRC	337.0 km
Whanganui River	HRC	319.8 km
Waipa River	WRC	170.6 km
Mōkau River	WRC	164.4 km
Puniu River	WRC	83.1 km
Ongarue River	HRC	83.0 km
Waihaha River	WRC	32.9 km
Waipapa River	WRC	31.0 km



Catchments span the Waikato (WRC) and Horizons (HRC) regional councils; Waikato's 52 sub-catchments are grouped here by water management zone.

Ngā Whaitua - Catchments

Upper Waikato	WRC	4401.0 km ²
Lake Taupō	WRC	3431.0 km ²
Waipa	WRC	3092.7 km ²
West Coast	WRC	1444.1 km ²
Central Waikato	WRC	181.9 km ²
Ohura	HRC	781.9 km ²
Retaruke	HRC	464.4 km ²
Whanganui - Upper	HRC	449.6 km ²
Whanganui - Top	HRC	445.7 km ²
Whakapapa	HRC	358.1 km ²
Taringamotu	HRC	202.1 km ²
Ongarue	HRC	893.6 km ²
Pungapunga	HRC	110.9 km ²

Sources: LINZ river centrelines (CC BY 4.0); catchments, Waikato & Horizons Regional Councils; land cover, LCDB v6.0, Manaaki Whenua Landcare Research (CC BY 4.0). Inset basemap © Esri. Projection NZGD2000/NZTM. Produced July 2026.

**The ancient spiritual forest, the resourceful
food basket, a shared identity**

Photo: Manila Standard Lifestyle



Disconnection, degrading resources, shared impacts



- Farmer led restoration
- Community and research groups
- Tourism and business advocacy
- Iwi/hapū river monitoring and enhancement



Deer the focus of annual Pureora Hunting Competition

KOTAHITANGA

- A unified approach
- Shared resources
- Collective outcomes



Intergenerational



Council Priorities

"Kia Mau Tātou Ki Te Ara -
Steady as She Goes" -
Ōtorohanga

Looking After
the Place We
Love - **Taupō**

Shaping Our District
Together - **Waitomo**

Strong
Leadership,
Advocacy
and Financial
Stewardship -
Ruapehu

Where is the alignment?



Catchment and Water Resilience

Cleaner waters, healthier ecosystems, and more resilient communities and infrastructure.



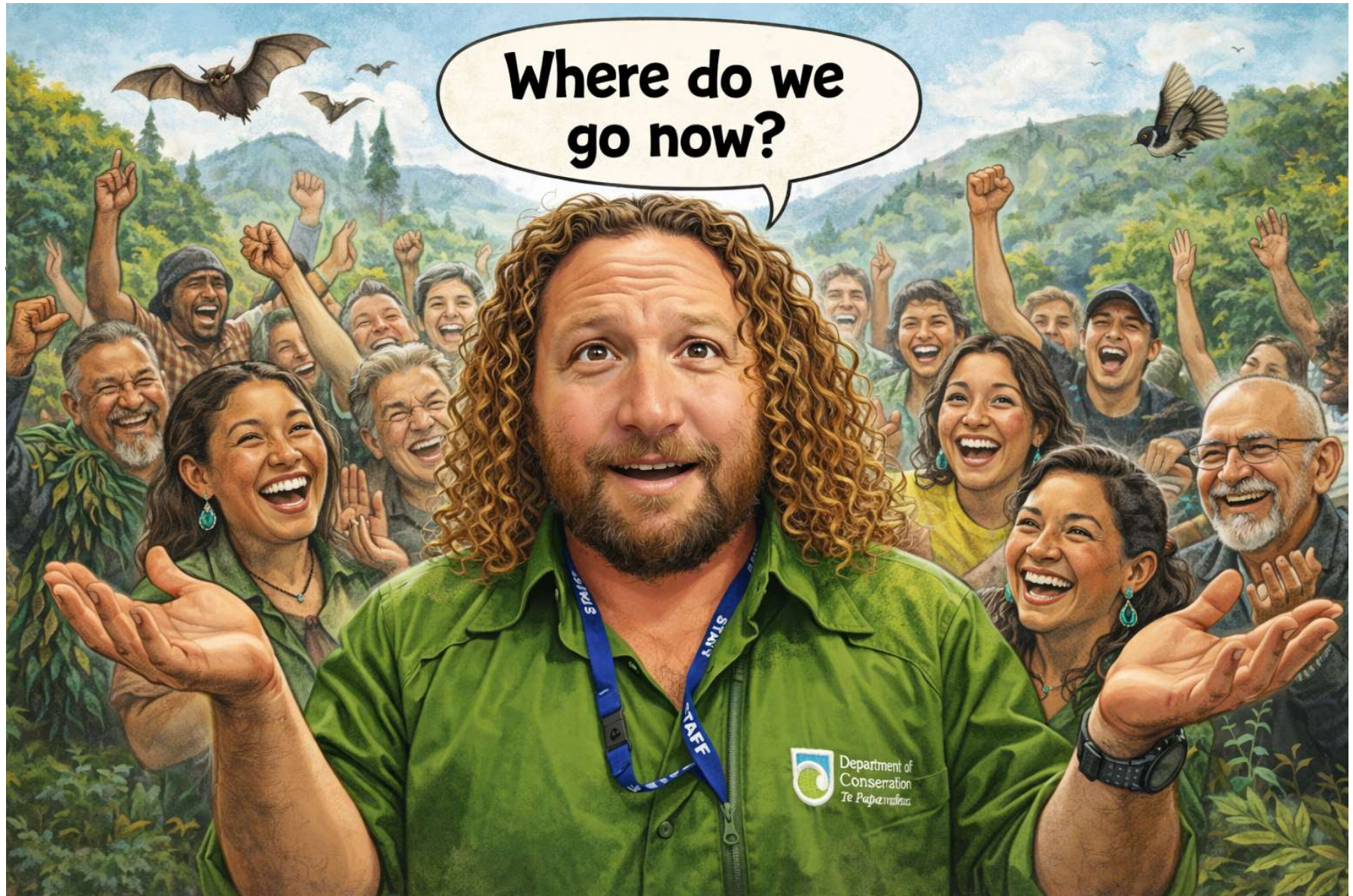
Restoration-Led Prosperity
Building economic opportunity, community wellbeing and environmental health together



Honoring Te Tiriti-based relationships
Empowered communities through collaboration and clear communication



Community-Led, Government-Supported
Enduring stewardship through local leadership, strong partnerships and continuous connection.



Document ID: 1000196

Report To: Council



Meeting Date: 25 August 2026

Subject: **Mayor's Report – August 2026**

Type: Information Only

Author(s): John Robertson
Mayor

1. Purpose of Report

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

2. Suggested Resolution

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

1 The Mayor's Report – August 2026 be received.

3. Commentary

- 3.1 Large infrastructure projects that seek to enrich communities are often challenging. Council supported projects are especially complex due to the additional layers of consultation and public accountability required. Project delivery is likely to be spread over several Councils.
- 3.2 In recent years our Council has seen such a challenge firsthand.
- 3.3 In 2014 this Council set its sight on delivering what in 2023 became the Gallagher Recreation Centre. A community trust was formed to develop and deliver it, "The Game on Trust".
- 3.4 The project was consulted on in Council's 2018 Long Term Plan at which time residents were asked if they supported Council investing \$1.5 million into the Trust's project. Council agreed to do so by borrowing this amount. The debt and its repayment was incorporated into the Council's 2018 Plan, repayable over thirty five years.
- 3.5 Under the Council elected in 2019, a Steering Group was formed to review it. It became clear through this process that the project was unable to be delivered by the Trust. A revised business case was developed, the design scrutinized further, and assumptions regarding operational sustainability tested further. In the end a unique partnership emerged between Council, Te Kuiti High School and the Ministry of Education. The Ministry and the school added further funding, while the Council assumed the risks around construction and operations.
- 3.6 This \$9 million project was completed in February 2023. It was built on budget and on time. It is operationally successful.
- 3.7 The last Council investigated a proposal to merge the overcrowded Te Kuiti library with the underutilized Les Munro Centre. "Better off Funding" was used to undertake initial work.
- 3.8 This Council is advancing this investigatory work and consulting with the community to bring forth views and ideas. The work is being funded by "Better off Funding."

- 3.9 At its September Council meeting, elected members will need to decide on whether to proceed to the next stage of this project, including whether to consult on it and possibly commit funding toward its capital development in our 2027 to 2037 Long Term Plan.
- 3.10 There are lessons to be learned from the Gallagher Recreation Centre project that can be applied to a Les Munro / Library project. They include:
1. Clarity of both purpose and outcomes sought.
 2. Unanimous support for the project from elected members.
 3. Oversight and advice from Steering Group.
 4. Rigour around the business case.
 5. Support from “partner” organisations.
 6. Excellence with respect to project management.
- 3.11 I would add one more lesson - commitment and leadership by the Mayor.
- 3.12 This project will take several years to bring together and execute. External fundraising will take time. We should anticipate it flowing into the next Council.

Document ID: 1000195

Report To: Council**Meeting Date:** 25 August 2026**Subject:** Chief Executive's Report – August 2026**Type:** Information Only**Author(s):** Ben Smit
Chief Executive**1 Purpose of Report**

- 1.1 The purpose of this business paper is provide the Chief Executive's oversight of the organisation and its progress toward achieving its vision, outcomes, and priorities.

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 Chief Executive Report – June 2026 be received.

3 Commentary

- 3.1 The Chief Executive's oversight report follows. Financial oversight information to follow.

FINANCIAL		SIGNATURE PROJECTS	OPERATIONS	
Net Operating Position YTD	Available in September report	Report is a "Work in Progress" subject to development of the Project Management Framework	Leadership	Long Term Plan
Variance to Revised Budget	Available in September report		Community/Partners	Annual Report
Capital Spend YTD % of Revised Budget	Available in September report		Recreation/Property	District Plan
Total YTD Capital Spend to	Available in September report		Regulatory	LMC Revitalisation
Loan \$M at	Available in September report		Resource Management	Landfill closure, Solid Waste contracting and planning
			Solid Waste	Te Kuiti Water Resilience project
			Stormwater	Stormwater futures planning
			Wastewater	
			Water	
			Roading	

KEY DECISIONS / DISCUSSIONS	TOP OF MIND
To be made by Council for input • Bi-monthly reports • Financial carryovers from 2025/26 • Various policy and bylaw	Areas of focus or concern for CEO • Solid Waste - Landfill capping and contract implementation • Roading and Stormwater Team - delivery • Stormwater modelling • Les Munro Centre – Revitalisation Project • Information Services – delivery • Reconfigure GIS Service

BIG WINS / LEARNING
• Great start to Head Start proposal sent • Good staff survey results • Organisational changes implemented well

HEALTH & SAFETY
Incidents, Accidents and Near Misses • Nothing significant to report. Staff Wellbeing • Staff very busy but settled given the significant interim and external change occurring and in the future.

RECRUITMENT
Vacancies • Building Control Officer • Animal Control Officer • Service Desk and Digital Support Officer

OTHER MATTERS REQUIRING ATTENTION
Nil

Document ID: 1000549

Report To: Council



Meeting Date: 25 August 2026

Subject: **Better off Fund – Status Report**

Type: Information only

Author(s): Hilary Walker
Acting General Manager Strategy and Environment

Ben Smit
Chief Executive

1 Purpose of Report

- 1.1 The purpose of this business paper is to provide a status report on the Better off Fund grant.

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 Better off Fund – Status report be received.

3 Background

- 3.1 The original Better off Fund (BOF) grant package was provided to Waitomo District Council under five broad project groupings:
1. Town Gateways
 2. Walkways
 3. Cultural and Community Hub (subsequently renamed Les Munro Centre Revitalisation)
 4. Social Good Partnerships
 5. Town Amenity Improvements
- 3.2 Two Tourism Infrastructure Fund grants were also received for the Walkways project bringing the total grant package to \$ 3,691,000.
- 3.3 The majority of projects and sub-projects have either been completed, or where possible, had funds reassigned to the unallocated tranche be used for Stormwater projects as per council decision dated 29 October 2024.
- 3.4 A status dashboard is provided at paragraph 4.5.

4 Commentary

- 4.1 The BOF grant expires 30 June 2027. Staff have reviewed the grant agreement and related information material and confirm that all projects need to be completed with claims and supporting evidence filed and approved before the 30 June 2027 deadline or seek approval to avoid the risk of not being reimbursed.
- 4.2 A recommendation for the re-allocation of Sports Co-ordinator funding will come to the 29 September 2026 council meeting.
- 4.3 A project status Dashboard as at 30 June 2026 is provided below:

Project Grouping	Project Name	Status	Forecast Completion	Funding Allocation	GL Spent To Date	Committed	Uncommitted
Town Amenity	- Piopio Cosmopolitan carpark - Benneydale SH30 - Benneydale Hall carpark - Marokopa campground derelict building removal	Complete		\$575,000	\$575,000		0.00
Les Munro Centre Revitalisation		Implementation		\$200,000	\$84,000		\$116,000
Social Good Partnerships	Mokau museum	Complete		\$30,000	\$30,000		0.00
	Housing Strategy	Complete		\$80,000	\$79,000		\$1,000
	Rangatahi Pathways	Complete		\$600,000	\$573,000		\$27,000
	Sports co-ordinator	To be reallocated		\$200,000			\$200,000
	Centennial Park concept development	Complete		\$50,000	\$40,000		\$10,000
Walkways	Walkways and Brook Park	Final stages	30 Sept 2026	\$396,000 (BOF) \$141,000 (TIF)	\$485,000	\$52,000	0.00
Town gateways	Traffic calming	Project stopped		\$4,000	\$4,000		0.00
Stormwater	Stormwater improvements	Pre DIA approval	30 May 2027	\$1,415,000			\$1,415,000
TOTALS				\$3,691,000	\$1,870,000	\$52,000	\$1,769,000

Figures rounded to nearest 000

Document ID: 1000904

Report To: Council



Meeting Date: 25 August 2026

Subject: **Les Munro Centre - Project Revitalisation Update**

Type: Decision Required

Author(s): Ben Smit
Chief Executive

1 Purpose of Report

- 1.1 The purpose of this business paper is to update Elected Members on the status and progress of the LMC revitalization project and endorse the budget applied from the Better off Funding.

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 LMC Project Revitalization Update be received.
 - 2 Council endorse the budget allocation of \$40,000 from the Better-Off Fund (Les Munro Project) to the LMC Revitalization Project – Pre engagement.

3 Background

- 3.1 Please find attached the history of the previous LMC project and what has happened since the project started again in the last few months.

4 Commentary

- 4.1 The Council workshop on the topic on 30 June 2026 attached a draft terms of reference for the project. The most recent terms of reference is attached. The workshop discussed the history of the project, the terms of reference and endeavoured to gain clarity on the problem/opportunity statement. It discussed the first stage of the project being initial community engagement and went through the stages of the project up to 30 June 2027. From this the project team developed and implemented a community engagement project to determine what the community's priorities were for future potential activities in the LMC.
- 4.2 Council expressed concern that the LMC Revitalisation project had committed expenditure before a budget for the project had been approved. Project funding of \$116,000 is available under the Better Off Funding for the Les Munro Project.
- 4.3 From that discussion an informal update paper was provided, by email, to Elected Members in mid August 2026 to give an understanding of the project history and the work currently being done on engaging with the community to get an understanding of what the potential future activities of LMC could be.

- 4.4 A business paper will to be presented to Council on 29 September on the potential future LMC activity concepts for approval. If approved, work would then be undertaken to conceptually design and cost the revitalisation of the revitalised facility ready for inclusion in LTP and LTP engagement.
- 4.5 The project forecast cost to the end of September 2026 is under \$40,000. At the September meeting a project cost to take the project to the end of June 2027 will be presented but this is expected to exceed the \$116,000 BOF funding.
- 4.6 A LMC Revitalization Steering Group Meeting was held on 29 July 2026. The LMC Revitalization Project has a Project Steering Group of Mayor Robertson, Deputy Mayor Manawaiti, Cr Buckley and Cr Wallace. A project team is also in place to implement the project.
- 4.7 The draft minutes of the Steering Group meeting on 29 July 2026 are attached. These will be formally adopted at the August Council meeting.
- 4.8 There had been significant work on the implementation of the community engagement. This was required to ensure we had adequate feedback to have a Business Paper ready to go to the September Council meeting. The September council meeting will be a 'go / don't proceed further' decision based on the information supplied from the community engagement. It will summarise the future LMC activities that the community thought should be part of a revitalized LMC.
- 4.9 An update of the engagement planned by to September 2026 follows:
- An engagement plan has been developed using videos with local young people creating interest in an open day at the LMC and also drawing people to use our engagement product. The first of these 'hook' videos will be out on Friday 14 August 2026. A second one on 28 August 2026 before the open day. A third is likely to be out on 1 September 2026.
 - Social Point will be used as the interactive engagement tool. This has been successfully used for Town Concept Plans and the Centennial Park project. The product will be live 24 August 2026. This will give people an opportunity to look at what the LMC facility could be in the future by putting forward options for future activities. Results from the engagement to the end of 17 August 2026 are: 12,100 views, 259 likes, 46 comments and 23 shares. Feedback has been generally positive.
 - A community open day with multiple activities has been set for 29 August 2026. Activities on the day will include: displays from our Library depicting the future focus of a Library / Community Hub, computers for attendees to engage in the community engagement tool (Social Point) so that they can view and comment on the future of LMC, a place to record their memories of the LMC, entertainment and activities for a range of ages, food and craft stalls, potentially music outside (weather dependent) and visual displays of future Libraries / Community Hubs.
- 4.10 The project budget to get to the end of September 2026 is \$40,000. The project budget to the end of June 2027 is still being compiled. The \$116,000 is very unlikely to cover the project costs to the end of June 2027.

5 Analysis of Options

- 5.1 The LMC revitalisation project could be stopped now (before the open day) but there has been a lot of promotion for the LMC open day and the Social Point engagement. So there would be little or not financial saving in stopping now.
- 5.2 The September Council meeting will be provided a report to inform whether the project will proceed from there.

6 Considerations

RISK

- 6.1 Stopping the project now has the potential to cause confusion and the perception of waste given the investment in the open day and community engagement has occurred already.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.2 The LMC revitalisation project is consistent with previous plans and policies, and funding was flagged under the BOF scheme.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.3 The community is being engaged on its preferences for the future of LMC.
- 6.4 The project is within the boundaries of the significance and engagement policy.

7 Attachments/Separate Enclosures
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Attachments:

- 1 LMC Revitalisation Project – Terms of Reference (Doc # 972770)
- 2 Draft Minutes of the LMC Project Revitalisation Steering Group 29 July 2026 (Doc # 1000299)
- 3 Chronology of Events – LMC Revitalisation Project (Doc # 1000300)

Waitomo District Council

Les Munro Centre Revitalisation Steering Group

Terms of Reference

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1. Introduction

The Les Munro Centre (LMC), previously known as the Waitomo Cultural and Arts Centre, was built in 1979. The building was renamed the Les Munro Centre in 2015, after the WWII dam buster pilot and farmer who had been Mayor of Waitomo District from 1980 to 1995.

WDC owns and operates this large venue. The LMC comprises a main hall (capacity 750), supper room (capacity 120), foyer (capacity 100) and outdoor deck and grass area.

The total floor area of the LMC is 1500m². The internal layout has remained consistent over time, however, in 2015 the outdoor decking area was incorporated as an addition along with a small garden upgrade.

In the early days, the LMC was a popular venue for social gatherings and community functions. A dedicated manager was situated at the site, managing all booking components and being available to hirers should they need assistance. This level of services ceased back in the early 1990's.

Over recent years interior renovations have taken place at the LMC including ceiling renewals in the main hall, refurbishing the foyer and supper room, upgrading the kitchen facilities, revitalising the courtyard and outdoor spaces, as well as enhancing the main bathrooms.

Renewal works for the main hall floor, stage area and mezzanine floor (dressing rooms, bathrooms and toilets) have not been undertaken. The air conditioning upgrade has recently occurred.

The venue is however very important to the community and holds Te Kūiti's largest event – the New Zealand Sheering Championships – as well as smaller events like community events, birthday parties and funerals.

Council has approved a project to look at the opportunities for the revitalisation of the centre to improve utilisation and community use and to reduce the rates cost.

2. Problem and Opportunity

There is a real opportunity for the wider King Country region to have a community hub to cater for a large range of users and activities. These are often the centre of a community connecting people in a common space.

At the same time WDC's public library is bursting at the seams. The library, like all public libraries, is going through a significant shift in its identity. Libraries are moving away from being quiet places for books and reading to vibrant community hubs, offering kids programmes, information and learning environments, workshops, dynamic spaces, and a broader range of materials for hire alongside other community groups and facilities.

The LMC has significant historical and emotional appeal to some people but its usage is low given the changing patterns of use for such facilities over the last 40 years. It also costs significantly more than it receives in revenue so is a significant cost to ratepayers. This is largely due to the underutilisation of the LMC and the high costs of operation and facility upgrades required for the aging facility.

It has been suggested that there is an opportunity to revitalise the LMC as a community and cultural hub incorporating the current library activities.

3. Role/Purpose

The role of the Steering Group is to work together in a collaborative way seeking opportunities and initiatives to unlock the LMC's full potential by exploring alternative social, cultural and commercial usage opportunities.

- The Steering Group will help to inform a list of concepts and ideas and then, if successful, guide the development of opportunities for the Les Munro Centre.
- It will consider how to effectively engage with all stakeholders – the community, users, iwi and mana whenua and potential funders. It will oversee development of planning and funding options
- Outcomes from the Steering Group will be reported to Council.
- Any community engagement documents will be adopted by Council for consultation.
- The Steering Group will initiate and review feedback received from the stakeholders and help to develop a range of options for revitalisation of the LMC.
- The range of options will be reported to Council for consideration.
- Final community consultation, outlining the range of options, will form part of Councils Long Term Plan 2027/37 consultation process.

The following timeline has been agreed by Council.

Key Milestone	Timeframe
Project Establishment	
Form Steering Group Elected Member and staff representation	June 2026
Confirm Draft Scope of Works	30 June 2026
Engage project support as required	June 2026
Develop broad options for consideration	June 2026
Research on NZ sites and refine options for activities	June / July 2026
Initial Councillor workshop to provide update	30 June 2026
Initial Community Engagement	
Refine Broad Options from Councillor workshop	June / July 2026
Development of communications plan	June 2026
Initial Stakeholder Engagement Seeking feedback – Funders, community, iwi / mana whenua	August / September 2026
Site visits for community hub sites	August / September 2026
Initial work on funding options	August / September 2026
Council Meeting Update on progress and engagement and broad options for consideration	29 September 2026

Key Milestone	Timeframe
Broad Concept Design	
Refine options and develop cost estimates	October / November 2026
Council Meeting Consideration of Options and Costings for Draft LTP	24 November 2026
Refine Analysis of options and costings and funding Refine options and develop funding scenarios	November / December 2026
Cost estimates finalised for LTP 27/37 draft budgets	January 2027
Public Consultation	
Community Engagement forming part of LTP 27/37	March/April 2027
Consideration of Submissions	May 2027
Adoption of Preferred Option from LTP 27/37	June 2027
Finalise Project Design, Budget and Funding	
Complete final design	Jul / Aug 2027
Submit finalised funding applications	Aug / Sep 2027
Project Approval and Implementation	
Council Approval to progress	30 Nov 2027
Develop procurement plans and implement	Dec 2027
Award contract	Feb 2028
Start physical works	Mar 2028

4. Project Budget

This is not defined. A potential source of funding for the project development is 'Better off Funding'. Initially funds had been put aside for this project from this fund but these have later been ear-marked for other uses.

5. Communications Plan for the Initial Community Engagement

The project team is developing key messages and an engagement plan for the next few months which are key to get some initial thoughts on the project and ideas on the scope of what a revitalised LMC could look like.

6. Membership of the Groups

The Steering Group (Group) will comprise representation from Waitomo District Council and the community, as follows:

Waitomo District Council Elected Members

- Mayor Robertson - Chair
- Councillor Wallace
- Councillor Manawaiti
- Councillor Buckley

The Project Team will comprise:

Waitomo District Council Staff

- Ben Smit – Internal Project Sponsor
- Helen Beever – Project Manager
- Julie O’Toole – Library advisor
- Alice Tasker – Project Coordinator and Research and Analysis
- Sarah McElroy – Community development

Otorohanga District Council

- Tanya Winter – Chief Executive

Community

- To be advised / discussed

External Support / Consultants

- Ata Te Kanawa – Culture, community and design input
- Project Design – Boon Limited with local mana whenua support
- Funding Support – Steve Bramley
- Digital Communications – Leon Hemara

7. Meetings of the Group

- Meetings of the Project Team will be chaired by the Chief Executive.
- Meetings of the Group will take place, as required and be chaired by the Mayor.
- Minutes of the meeting will be recorded and held on file by Waitomo District Council.
- The group may obtain external voluntary resources to assist with the work of the Group from time to time.

8. Broad Scoping Options (Draft)

Five potential categories of future activity have been defined as a mechanism for communicating with our community and other stakeholders:

- Art, Culture and History Celebration
- Education and Learning Centre
- Access to Technology
- A place to meet people and hold social gatherings
- Physical spaces for meetings and activities

Services now delivered by libraries around the Country:

- Lending physical and digital books/magazines/media
- Providing internet access
- Printing/scanning services
- Programmes and competitions for school-aged children
- Community assistance to patrons
- Early childhood programmes
- Hosting clubs/community groups

- Accessing local history/local archives
- Skills workshops and makerspaces
- Community outreach services (e.g. mobile libraries)
- Hosting cultural events
- Research services
- Targeted programmes and activities for people with disabilities
- Adult education programmes
- Advisory services (e.g. citizens advice)
- Hosting council events and meetings
- Civil defence emergency preparedness services
- Hosting a council service centre (e.g. rates collection)
- Access to government services (e.g. min Social Development counter, job seeker support, or drivers licensing)
- Hosting JPs
- Leasing/hosting spaces where other services can operate
- Sensory rooms

As part of their evolution, libraries are increasingly working in hubs or co-locating with other services. Rather than delivering the full range of services listed above they may be in the same location as other groups who deliver essential community services. Some examples of what other libraries are doing are unpacked below.

9. Potential activities and venues that could be catered for

Themes that could be represented throughout the facility:

- Creating connections through playgroups, community groups, spaces to connect
- Māori cultural celebration
- Local history and enhanced feeling of connection using art, history and cultural rotating displays and permanent pieces and archives

Activities that could be included in a new Library Facility:

- Library and resource provision
- Education, learning centre – e.g. digital literacy, reading programmes, storytelling, information provision, health and wellbeing
- Small meeting rooms and breakouts spaces
- Community space for meetings, activities and classes
- Community information provision
- Provision for youth, children and older people built into the library space
- Technology centre
- Creativity – e.g. music recording, podcasts / sound-proof environment
- Food and beverage - small tea and coffee facility

Activities that could be included in the wider redeveloped LMC facility

- Little Theatre and other performing arts
- Farmers markets / general markets
- Small conference centre
- Large and small meeting rooms / flexible spaces for community use

- Business services, casual office space and meeting space
- Entertainment – e.g. small cinema
- After school services
- Toy library
- Play Trailer (Tū Manawa funded)

WAITOMO DISTRICT COUNCIL

Les Munro Centre Steering Group

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL LES MUNRO CENTRE STEERING GROUP HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON WEDNESDAY 29 JULY 2026 AT 1.00PM

PRESENT: Steering Group Members

Mayor John Robertson
Deputy Mayor Eady Manawaiti
Councillor Olivia Buckley

Project Team

Ata Te Kanawa
Waitomo District Council Chief Executive, Ben Smit
Ōtorohanga District Council Chief Executive, Tanya Winter
General Manager – Community Services, Helen Beever
Manager – Community Development, Sarah McElroy
District Librarian, Julie O'Toole
Senior Strategy and Policy Advisor, Alice Tasker

1. Karakia Tuwhera

2. Apologies

The apology from Waitomo District Councillor Isaiah Wallace was noted.

3. Recap of Previous Design Concepts

Ben presented a recap of the project to date and discussed the designs created by Boon in 2024.

This was done to recap the three design versions created at the time.

The designs continue to allow event space for the NZ Shearing Championships and larger funerals while creating space for a library and community hub.

Tanya noted her background and experience in local government lies in the community space, with experience redesigning community venues.

John noted The Lines Company building on King Street was being pulled down and it was worth being aware of that property becoming available for development.

4. Current Project and Engagement

Discussed the projects communications plan with upcoming community engagement and an event at the LMC.

Staff are currently seeking an engagement tool and planning an event for Saturday, 29 August. The intention is to have people come to see the space in use and imagine the different ways it could be used and to give feedback on future uses. The various options of what could be in the space have been grouped into five categories as in the communications plan.

- Art, Culture and History Celebration
- Education and Learning Centre
- Access to Technology
- A place to meet people and recreate
- Physical spaces for meetings and activities

During the discussion of stakeholders it was raised to ensure we also consult with:

- Schools
- Te Nehenehenui - both in terms of cultural and design partnership but also about kapa haka competitions and other events being held at the centre.

Eady, Isaiah and Ata to engage with TNN and Ngati Rora involving Keni-Duke Hetit (architect) whakapapa with Ngati Rora. Keni-Duke could look at the cultural components of the design).

- Tourism and Cave Operators
- Te Kūiti Museum

The Building

Olivia raised that it would be good to consider sustainability and the environment in the build concepts, e.g. a green building and have solar panels.

Les Munro Centre

Chronology - Revitalisation Project

1.0 COUNCIL WORKSHOP – 15 AUGUST 2023

- 1.1 Council discussed potential service evolution opportunities for the Les Munro Centre.
- 1.2 The opportunity to re-allocate Better-Off Funding to develop a Feasibility Study was also discussed.
- 1.3 [\\$200,000 of Better-Off Funding was allocated to the Community and Cultural Hub \(CCH\) project](#), and it was considered that the broad goals and objectives for a CCH may be able to be met, in part, by a revitalisation of the LMC.
- 1.4 The rescoping of the CCH Project received Crown Infrastructure Partners Limited (CIP) approval. It was agreed with the Council that this [project would commence in mid-2024](#) following completion of the LTP.
- 1.5 Informal discussions with SGL Funding (community consulting practice) and Boon Limited (design consultants) took place. The thought concept at the time was that utilisation of the LMC would not materially improve unless a pivotal repurposing was achieved such as a mix of services. For example, library services and a community hub. It was noted however that this was only an initial concept, and that wider community engagement would help to inform future decisions.

2.0 COUNCIL MEETING – 30 JULY 2024

- 2.1 Public Excluded Minute Extract:

3. *Les Munro Centre*

Council considered a business paper providing an overview on the current Les Munro Centre air conditioning project and suggesting a community engagement process aimed to look at ways of improving utilisation of the Les Munro Centre.

The General Manager – Infrastructure Services, General Manager – Community Services and Chief Executive expanded verbally on the business paper and answered Members' questions.

Resolution

- 1 *The business paper on the Les Munro Centre be received.*
- 2 *The new air conditioning unit installation is put on hold while further investigations are made and community engagement on the improved utilisation of the Les Munro Centre is completed.*
- 3 *That staff proceed with the revitalisation and utilisation review of the Les Munro Centre engaging the support of consultants.*
- 4 *A Work Group be established with membership to include Councillor New and members of the Community.*
- 5 *That a draft Engagement Document and Plan be presented for approval at the 27 August 2024 Council meeting.*
- 6 *Council investigate the contractual obligations regarding the purchase and design of air conditioning.*

Goddard/Todd

Carried

3.0 COUNCIL WORKSHOP – 27 AUGUST 2024

3.1 Briefing on Progress post 30 July Council Meeting:

- 1 A group of key stakeholders were contacted and invited to attend a meeting to discuss and consider broad goals and objectives for the potential revitalisation of the LMC.
- 2 The meeting took place on 6 August 2024, with representation from elected members, WDC staff, the Shearing Committee, Te Nehenehenui, On-Stage Te Kuiti, Waitomo Society of Arts and the community attending.
- 3 Consultant support included representation from SGL Funding and Boon Ltd.
- 4 Excellent discussion took place, with all at the table contributing. It was agreed that the LMC is an asset for the community, however, is underutilised and dated.
- 5 Action points were agreed, including the need for further discussion with the NZ Shearing Committee, On-Stage Te Kuiti and Te Nehenehenui to better understand design and functional needs for their respective events. These discussions took place during the week of 12 to 16 August 2024.
- 6 Initial design concepts were then developed by Boon Ltd, with input from SGL Funding and WDC staff.
- 7 The second meeting of the Key Stakeholder Group took place on Monday 19 August 2024 with initial design concepts discussed.

3.2 SGL Funding Ltd Preliminary Business Case presented to Workshop.

3.3 Boon Feasibility Concept Plans presented to Workshop.

3.4 key milestones and associated timelines table amended and updated to reflect current status.

Key Milestone	Timeframe	Status
Form Steering Group Elected Member and staff representation	July 2024	Completed
Confirm Scope of Works for contracting assignment	July 2024	Completed
Engage SGL Funding and Boon Limited	July 2024	Completed
Determine broad concepts with SGL Funding and Boon Limited	July 2024	Completed
Develop skeleton of thoughts for discussion	August 2024	Completed
Council Workshop Review preliminary business case, draft concepts and cost estimates	27 August 2024	
Council Meeting Adoption of Communication and Engagement Plan and Community Engagement Document	24 September 2024	
Community Engagement Seeking feedback	Mid-October to 04 November 2024	
Council Meeting Consideration of community responses	26 November 2024	
Analysis of options	November / December 2024	
Cost estimates finalised for AP 25/26 draft budgets	1 February 2025	
Community Engagement forming part of Annual Plan 25/26	March/April 2025	
Consideration of Submissions	May 2025	
Adoption of Annual Plan 25/26	June 2025	

4.0 POST 27 AUGUST 2024 WORKSHOP

- 4.1 LMC air conditioning project put on hold subject to progress on the LMC revitalisation project.

5.0 COUNCIL WORKSHOP – 15 OCTOBER 2024

- 5.1 Development of Draft Annual Plan 2025/2026. Extract from workshop paper:

3.29 Les Munro

- 3.30 *This project currently sits under the Better off Funding project list for concept and design work. Further consultation would occur during the dAP process and the outcome and implementation will need to be incorporated into the AP if this was the agreed timeframe.*

6.0 COUNCIL WORKSHOP – 17 DECEMBER 2024

- 6.1 Development of the 2025-26 Annual Plan Financial Forecasts. Extract from workshop paper:

CAPITAL EXPENDITURE

4.4 Recreation and Property

- 4.5 2025/26 forecast capital expenditure of \$332K includes:

- Parks and reserves expenditure of \$131K (includes playground equipment renewals, a minor allowance for Brook Park development, Te Kuiti domain new bollards and fenceline work and costs relating to Eketone Street land subdivision.
- Housing and other property minor renewals of \$15K
- Community facilities renewals of \$108K (includes minor renewals at Les Munro Centre, Aquatic Centre, and library book and technology renewals)
- Public facilities renewals of \$72K (includes security camera renewals, table/bin renewals, minor public toilet renewals).

7.0 COUNCIL WORKSHOP – 4 FEBRUARY 2025

- 7.1 Development of the 2025-26 Annual Plan Financial Forecasts. Extract from workshop paper:

Appendix 2: Funding for asset replacement

*With the additional property assets identified for reduced funding for replacement, a total of \$7.0 million **has not been funded, as set in the following table.***

\$000's	LTP 2025	LTP 2026	dFF 2026
Depreciation Expense	10,018	10,665	10,755
<u>Less Depreciation not funded</u>			
Elder Persons Housing	99	99	110
Community Halls	193	197	215
Other Land and Buildings	0	0	56
Other Housing (Excluding Elderly Housing)	0	0	26
Marokopa Campground	0	0	37
Les Munro Centre	0	0	17
Aerodrome	0	0	35
Gallagher Recreation Centre	218	223	218

\$000's	LTP 2025	LTP 2026	dFF 2026
<i>Public Amenities</i>	0	0	4
<i>Te Kuiti Stormwater</i>	32	16	16
<i>Wastewater</i>	329	256	256
<i>Water Supply</i>	423	328	329
<i>Subsidised Roads</i>	5,153	5,515	5,658
Depreciation not funded	6,447	6,634	6,977
Funding for Asset Replacement	3,571	4,031	3,778

8.0 COUNCIL MEETING – 9 OCTOBER 2025

8.1 Progress Report on Better off Funding Projects. Relevant business paper extracts:

4.1 PROJECT STATUS

4.2 Projects and sub-projects have different procurement stages, scoping requirements and delivery outcomes and timeframes. The following table provides a status overview with more specific sub-project detail in the following sections.

Project	Status	Start date	End date
1. Town Gateways	Rescoped then discontinued	1 Mar 2023	29 Oct 2024
2. Walkways	Completed – opening ceremony pending	1 Jan 2023	30 Oct 2025
3. Les Munro Revitalisation (ex Cultural and Community Hub)	Completed initial scoping, optioneering and costing of alternatives. Project to potentially be reconsidered during the development of the Long Term Plan	1 Dec 2024	30 Jun 2025
4. Social Good Partnerships	Completed/Planning/Implementation	1 Sept 2022	30 Mar 2027
5. Town Amenity Improvements	Completed	1 Jan 2023	30 Aug 2024

4.31 LES MUNRO CENTRE REVITALISATION (\$200,000)

4.32 The purpose of this refocused sub-project is to identify and unlock the potential of the Les Munro Centre and potentially reduce the rates requirement.

4.33 Initial proposal developed with community and external support. Council made the decision to put the outcome on hold and look at it through the LTP process.

4.41 FINANCIAL STATUS

Project Grouping	Project Name	BOF Grant \$	Actual \$	Committed costs 31 Aug 2025 \$	Uncommitted fund 31 Aug 2025 \$	Project Status	Treatment of uncommitted funds
Les Munro Centre Revitalisation	<i>Business Case and Scoping</i>	200,000	80,961	Nil	119,039	Consider using to continue work during LTP	Leave with project

9.0 COUNCIL WORKSHOP – 14 APRIL 2026

9.1 PowerPoint Recap/Briefing. Project underway again.

10.0 COUNCIL WORKSHOP – 30 JUNE 2026

- 10.1 Steering Group Terms of Reference presented for Council feedback.
- 10.2 Council was advised there is no budget in the capital plan or operating cost budget but \$119,039 was still available in the Better-Off Funding projects funding.

11.0 CE BRIEFING TO COUNCIL – POST COUNCIL WORKSHOP – 4 AUGUST 2026

- 11.1 Council was concerned at committed expenditure when they have been told there is no budget. CE to provide a mid month update paper on where the project is and follow up with a formal paper to define scope and budget for the project but will continue to implement the project plan for community engagement given that a significant amount of this engagement preparation has been undertaken, a LMC open day to get feedback from the community on the potential future activities of LMC

Document ID: 1000319

Report To: Council



Meeting Date: 25 August 2026

Subject: **Review of Governance Statement (Post Waters Transition to Waikato Waters Limited)**

Type: Decision Required

Author(s): Michelle Higgie
Manager – Governance Support

1 Purpose of Report

- 1.1 The purpose of this business paper is to present Council's Governance Statement, revised following the transition of water and wastewater services to Waikato Waters Limited, for consideration and adoption.

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 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.

3 Background

LEGISLATIVE REQUIREMENT

- 3.1 Section 40 of the Local Government Act 2002 requires every local authority to prepare and make publicly available, within six months after a triennial election, a local governance statement which must include the matters set out in subsection 40(1). The intention is to ensure that the principles relating to local authorities, governance principles, and obligations relating to contributions to decision-making processes, are set out in a transparent manner.
- 3.2 The Governance Statement can be adopted by ordinary resolution and is separate from the obligations to prepare a long-term plan and the annual plan, which both require the special consultative procedure to be followed.

40 Local governance statements

- (1) *A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—*
- (a) *the functions, responsibilities, and activities of the local authority; and*
 - (b) *any local legislation that confers powers on the local authority; and*

- (ba) *the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under [section 158](#) or [159](#); and*
- (c) *the electoral system and the opportunity to change it; and*
- (d) *representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and*
- (e) *members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*
- (f) *governance structures and processes, membership, and delegations; and*
- (g) *meeting processes (with specific reference to the applicable provisions of the [Local Government Official Information and Meetings Act 1987](#) and standing orders); and*
- (h) *consultation policies; and*
- (i) *policies for liaising with, and memoranda or agreements with, Māori; and*
- (j) *the management structure and the relationship between management and elected members; and*
- (ja) *the remuneration and employment policy, if adopted; and*
- (k) *equal employment opportunities policy; and*
- (l) *key approved planning and policy documents and the process for their development and review; and*
- (m) *systems for public access to it and its elected members; and*
- (n) *processes for requests for official information.*
- (2) *A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.*
- (3) *A local authority must update its governance statement as it considers appropriate.*

4 Commentary

- 4.1 Since WDC's Governance Statement was adopted by Council in April this year, the transition of Council's water and wastewater services to Waikato Waters Limited has occurred requiring updating of the Bylaws section of the Governance Statement.
- 4.2 It is also important for Council to note that due to the significant amount of legislative change occurring which will impact on local government, the content of this Governance Statement will become out of date for periods of time following enactment of new/revised legislation.
- 4.3 This revision of the Governance Statement has been amended to reflect –
 - Delegation of authority to enforce WDC's bylaws for water and wastewater services and trade waste to Waikato Waters Ltd (WWL) and noting that the shareholder councils are working with WWL on a full review of those bylaws.
 - Addition of a new para 3.1.2 noting the numerous legislative changes and reviews in process which will impact local government in the near future.
 - A tidy up of the key Acts impacting local government and including a brief description for each.
- 4.4 A copy of the revised Governance Statement with the revisions highlighted is attached to and forms part of this business paper.

5 Analysis of Options

- 5.1 Council has two options available to it with respect to the revision as presented.
- 5.2 **Option One** (Recommended)
- 5.3 Adopt the revised Governance Statement as presented.
- 5.4 **Option Two**
- 5.5 Not adopt the revised Governance Statement.
- 5.6 Not adopting the revision would mean the Governance Statement does not accurately reflect the information required to be included in a Governance Statement under the Local Government Act 2002. The delegation of authority to WWL to enforce Bylaws is considered an important change to the content of the Governance Statement and it should be revised to reflect that position.

6 Considerations

RISK

- 6.1 The risk of not adopting the revised Governance Statement is that it would not comply with the intent of a governance statement as set out in the Local Government Act 2002, Section 40(1)(ba).

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.2 The revised Governance Statement is consistent with Council's existing plans and policies and just documents the new arrangement post the water services transition.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.3 Whilst the delegation of bylaw enforcement to WWL is significant from a bylaw perspective, it does not trigger Council's Significance and Engagement Policy and is in line with the transfer of water services to WWL as consulted on with the community.
- 6.4 Section 262 of the Local Government (Water Services) Act 2025 authorises Council to delegate to WWL(as a Council Controlled Organisation) any of its functions or powers that relate to the administration or enforcement of a water services bylaw. This delegation excludes the ability to make, amend or revoke a bylaw or to delegate any of these functions or powers.
- 6.5 Any delegation under this section does not prevent Council from exercising the relevant powers or functions nor does it affect the responsibility of Council for the actions of WWL when acting under the delegation. To clarify Council can carry out the same functions and powers delegated and are still responsible any action undertaken in accordance with the Water Services and Trade Waste Bylaws by WWL or WDC staff.

7 Attachments/Separate Enclosures

Attachment:

- 1 Draft Governance Statement - August 2026 (Revised post Water Services Transition)
(Doc # 1000201)

Waitomo District Council

Governance Statement

~~April~~ August 2026

Revised post Water Services Transition

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INTRODUCTION | KUPU ARATAKI

The Local Government Act 2002 (the LGA) is a re-write of previous legislation, designed to shift councils toward governing for the long-term well-being of their communities – and away from being involved in the day-to-day operational decisions that distract elected members from strategic thinking and planning.

That is to say that the legislation now makes mandatory, the requirement for councils to always consider the future well-being of their communities and to consider the whole community above individuals or individual sectors.

At the time of reviewing this Governance Statement post the transition of Council's water and wastewater services to Waikato Waters Ltd, there is a significant amount of legislative change occurring which will impact on local government and therefore the content of this Governance Statement could become out of date for periods of time following enactment of new/revised legislation.

What is Governance Statement?

A Governance Statement is a collection of information summarising how a council engages with its communities, how it makes its decisions and how residents and ratepayers can become involved in those processes. It is a requirement of Section 40 of the LGA, which reads as follows:

40 Local governance statements

- (1) *A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—*
 - (a) *the functions, responsibilities, and activities of the local authority; and*
 - (b) *any local legislation that confers powers on the local authority; and*
 - (ba) *the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and*
 - (c) *the electoral system and the opportunity to change it; and*
 - (d) *representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and*
 - (e) *members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*
 - (f) *governance structures and processes, membership, and delegations; and*
 - (g) *meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and*
 - (h) *consultation policies; and*
 - (i) *policies for liaising with, and memoranda or agreements with, Māori; and*
 - (j) *the management structure and the relationship between management and elected members; and*
 - (ja) *the remuneration and employment policy, if adopted; and*
 - (k) *equal employment opportunities policy; and*
 - (l) *key approved planning and policy documents and the process for their development and review; and*
 - (m) *systems for public access to it and its elected members; and*
 - (n) *processes for requests for official information.*
- (2) *A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.*
- (3) *A local authority must update its governance statement as it considers appropriate.*

PURPOSE AND SCOPE | TE ARONGA ME TE KORAHĪ

Functions, Responsibilities and Activities of Council

Purpose of Local Government

The LGA defines the purpose of local government as providing for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end the LGA —

- (a) states the purpose of local government; and
- (b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
- (c) promotes the accountability of local authorities to their communities; and
- (d) provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach.

Translated, Council is obliged to ensure that –

- 1. Decision-making is transparent and engages the community enabling community democracy; and
- 2. The needs of communities for infrastructure, community services and regulatory functions are met in a manner that is both efficient and effective and is also appropriate to present and anticipated future circumstances.

The Role of Council

The LGA further defines that the role of any local authority is specifically to give effect to the purpose of local government and to carry out the duties within the rights and powers conferred on it by the LGA.

Status and Powers

- 1. A local authority is a Territorial Local Authority (TLA) with perpetual succession in terms of its legal definition.
- 2. For the purposes of performing its role, a TLA has, subject to the LGA, any other enactment, and the general law:
 - a. the full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
 - b. the full rights, powers, and privileges for the purposes of paragraph (a),
- 3. A TLA must exercise its powers under the LGA wholly or principally for the benefit of its District and community.
- 4. That said, nothing in the LGA prevents two or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or prevents a transfer of responsibility from one local authority to another in accordance with the LGA or restricts the activities of a council-controlled organisation.

The LGA also contains a number of other provisions that dictate what a TLA may or may not do.

POLICY | KAUPAPA HERE**1.0 Principles Relating to Local Authorities**

Council **must** act in accordance with the following principles.

- Conduct its business openly, transparently and in a democratically accountable manner.
- Pursue and achieve identified priorities and goals efficiently and effectively.
- Be aware and take notice of the view of all its constituent communities.
- Make decisions that take account of the diversity of the community, and the community's interests, within its district or region.
- Take account of the interests of future as well as current communities.
- Measure and have regard to, the impact of any decision in terms of achieving the economic, social, cultural and environmental well-being of the District.
- Provide opportunity for Māori to contribute to the decision-making processes of Council.
- Collaborate and co-operate with other local authorities and relevant organisations.
- Employ sound and acceptable good business practices in its operation.
- Ensure that the resources and assets of the District are managed prudently for the good of the community, present and future. The Council is given the responsibility of looking after key services and assets such as roads, water supplies and sewerage to ensure such services are there for future communities in a well-kept state.
- Pursue development of the community in a way that is sustainable in the future.

2.0 Principles of Governance

Council is required to ensure:

- The public and elected members are aware and understand what local governance means to its community.
- The public and elected members fully appreciate how an elected member is expected to conduct themselves.
- That governance organisations (i.e. Council, Community Boards, etc.) and the way in which they work, are effective, efficient, open and transparent.
- That wherever possible, the management of Council's regulatory responsibilities is kept separate from service activities.
- That Council acts as a "good employer".
- That the relationship between the elected members and management of the WDC organisation is understood, respected and appreciated by everyone in the community.

3.0 Legislation**3.1 General**

3.1.1 Local government operates in a highly regulated environment and there is a range of national legislation (over 200 different statutes) that ~~applies~~ apply to all Territorial Local Authorities.

3.1.2 It must be noted that there are numerous legislative changes and reviews in process by the current Government which will impact local government, including:

- Local Government (System Improvements) Amendment Bill
- Simplifying Local Government" Structural Proposals

- Planning and Natural Environment Bills
- Rates Capping and Development Levies
- Dog Control Act Review

3.1.23.1.3 The key Acts are listed below. For more information visit www.legislation.govt.nz

1. **Accident Compensation Act 2001:** Sets levy structures for municipal workforces.
2. **Airport Authorities Act 1966:** Lets joint-venture councils operate public airfields.
3. **Amusement Devices Regulations 1978 (via Machinery Act):** Forces safety inspections for local fairgrounds.
4. **Animal Products Act 1999:** Sets trade guidelines for regional council facilities.
5. **Animal Welfare Act 1999:** Mandates safety limits for regional animal shelters.
6. **Arts Council of New Zealand Toi Aotearoa Act 2014:** Streamlines governance for the encouragement, promotion and support of the arts for all New Zealanders. (Operates as Creative New Zealand)
7. **Biosecurity Act 1993:** Directs regional councils to eliminate invasive pests.
8. **Building Act 2004:** Mandates building code compliance and council structural inspections.
9. **Burial and Cremation Act 1964:** Dictates local cemetery maintenance obligations.
10. **Bylaws Act 1910:** Provides the legal framework for validating council laws.
11. **Citizenship Act 1977:** Directs mayors during local citizenship ceremonies.
12. **Civil Defence Emergency Management Act 2002:** Directs council actions during natural disasters.
13. **Climate Change Response Act 2002:** Demands local adaptation reporting for rising emissions.
14. **Commerce Act 1986:** Sets market rules for council water pricing models.
15. **Companies Act 1993:** Governs Council-Controlled Organisations (CCOs).
16. **Conservation Act 1987:** Forces alignment between regional plans and public conservation lands.
17. **Construction Contracts Act 2002:** Determines payment claims for municipal build projects.
18. **Consumer Guarantees Act 1993:** Holds municipal recreational facilities accountable for service safety.
19. **Contract and Commercial Law Act 2017:** Standardizes city supply purchase documents.
20. **Copyright Act 1994:** Protects digital media used in public libraries.
21. **Crimes Act 1961:** Outlines corruption charges for bribery of local officials.
22. **Criminal Records (Clean Slate) Act 2004:** Affects background screening for prospective staff.
23. **Crown Organisations (Criminal Liability) Act 2002:** Subjects local bodies to certain criminal penalties.
24. **Disabled Persons Community Welfare Act 1975:** Makes provision for financial and other assistance in respect of the disabled.
25. **Dog Control Act 1996:** Commands animal registrations and aggressive dog management.

26. **Electricity Act 1992:** Coordinates network maintenance alongside council lines.
27. **Employment Relations Act 2000:** Controls collective bargaining for unionized workers.
28. **Environment Act 1986:** Sets standard duties for local environmental auditors.
29. **Equal Pay Act 1972:** Insures wage equality across identical municipal job roles.
30. **Exclusive Economic Zone and Continental Shelf Act 2012:** Manages marine boundaries adjacent to regional zones.
31. **Fair Trading Act 1986:** Avoids deceptive assertions in local advertising projects.
32. **Fencing Act 1978:** Sets legal terms for property boundary lines and local disputes.
33. **Fire and Emergency New Zealand Act 2017:** Requires local coordination for fire permitting.
34. **Flags, Emblems, and Names Protection Act 1981:** Dictates standard protocol for public buildings.
35. **Food Act 2014:** Requires councils to verify commercial food grading systems.
36. **Freedom Camping Act 2011:** Sets the legal framework for freedom camping on public land.
37. **Gambling Act 2003:** Sets caps for local gaming machine distributions.
38. **Gas Act 1992:** Manages pipeline installations through urban zones.
39. **Goods and Services Tax Act 1985:** Applies standard tax rules to council invoices.
40. **Government Roothing Powers Act 1989:** Controls transitions between highways and city streets.
41. **Hazardous Substances and New Organisms Act 1996:** Tasks councils with managing toxic chemicals.
42. **Health Act 1956:** Gives inspectors power to remove sanitation nuisances.
43. **Health and Safety at Work Act 2015:** Requires safe conditions for public contractors.
44. **Heavy Engineering Research Levy Act 1978:** Impacts structural fabrication components for bridges.
45. **Heritage New Zealand Pouhere Taonga Act 2014:** Protects historic places during local developments.
46. **Holidays Act 2003:** Determines leave compensation calculations for council employees.
47. **Housing Act 1955:** Connects state initiatives with local housing developments.
48. **Human Rights Act 1993:** Prevents discrimination in council employment and public services.
49. **Impounding Act 1955:** Permits local pounds to seize wandering livestock.
50. **Income Tax Act 2007:** Defines the tax exemptions for local governments.
51. **Infrastructure Funding and Financing Act 2020:** Supplies funding tools for local infrastructure development.
52. **Inquiries Act 2013:** Directs formal investigation processes into council matters.
53. **Land Drainage Act 1908:** Sets rules for managing water, streams, and drains.
54. **Land Transfer Act 2017:** Authenticates boundary definitions for local rates assessments.

55. **Land Transport Act 1998:** Provides rules for enforcing street regulations.
56. **Land Transport Management Act 2003:** Finances transport networks using fuel taxes.
57. **Litter Act 1979:** Empowers local wardens to fine litter offenders.
58. **Local Authorities (Members' Interests) Act 1968:** Restricts financial conflicts of interest for councilors.
59. **Local Electoral Act 2001:** Controls council elections, voting, and representation reviews.
60. **Local Government (Rating) Act 2002:** Empowers councils to assess and collect property rates.
61. **Local Government (Water Services) Act 2025:** Directs sustainable water management systems.
62. **Local Government Act 2002:** Establishes purposes, powers, and operational duties.
63. **Local Government Borrowing Act 2011:** Regulates central funding agencies for financing.
64. **Local Government Official Information and Meetings Act 1987:** Guarantees public information access.
65. **Major Events Management Act 2007:** Directs commercial zones for events.
66. **Marine and Coastal Area (Takutai Moana) Act 2011:** Regulates coastal consents and customary titles.
67. **Maritime Transport Act 1994:** Authorizes regional harbourmasters to manage marine safety.
68. **Minimum Wage Act 1983:** Standardizes entry wages across council services.
69. **National Parks Act 1980:** Directs nearby territorial authorities on boundary development.
70. **New Zealand Bill of Rights Act 1990:** Requires bylaws to respect human rights.
71. **New Zealand Library Association Act 1939:** Tuned the library society into a legal corporate body with perpetual succession, including setting rules for its governance.
72. **Ombudsmen Act 1975:** Authorizes independent reviews of administrative council decisions.
73. **Overseas Investment Act 2005:** Requires council inputs regarding sensitive land sales.
74. **Parental Leave and Employment Protection Act 1987:** Secures return-to-work positions after leave.
75. **Privacy Act 2020:** Limits how local councils gather and manage personal data.
76. **Property Law Act 2007:** Deals with land rights affecting structural easements.
77. **Prostitution Reform Act 2003:** Lets councils determine standard brothel zoning rules.
78. **Protected Disclosures (Protection of Whistleblowers) Act 2022:** Secures internal whistleblowers reporting council corruption.
79. **Psychoactive Substances Act 2013:** Enables councils to restrict party-pill retailers.
80. **Public Audit Act 2001:** Directs the Auditor-General to inspect council finances.

81. **Public Finance Act 1989:** Coordinates capital financing streams with national budgets.
82. **Public Records Act 2005:** Mandates the preservation of local government documentation.
83. **Public Works Act 1981:** Outlines compulsory land acquisition powers for infrastructure.
84. **Racing Act 2003:** To govern the racing industry, manage betting systems, and support long-term industry viability.
85. **Railways Act 2005:** Controls safety intersections across urban train tracks.
86. **Rates Rebate Act 1973:** Provides financial relief on local council rates for low-income homeowners.
87. **Rating Valuations Act 1998:** Sets the rules for how property values are assessed for local council rates.
88. **Receiverships Act 1993:** Provides financial recovery guidelines during local defaults.
89. **Remuneration Authority Act 1977:** Decides the salary limits for elected local officials.
90. **Reserves Act 1977:** Manages the acquisition, classification, and maintenance of public parks.
91. **Residential Tenancies Act 1986:** Defines the legal rights and duties of landlords and tenants, sets rules for rent and bonds, establishes property standards like the healthy homes requirements, and provides dispute resolution via the Tenancy Tribunal.
92. **Resource Management Act 1991:** Governs regional and district spatial plans and resource consents.
93. **Sale and Supply of Alcohol Act 2012:** Oversees local alcohol licensing policies and bans.
94. **Securities Markets Act 1988:** Governs disclosure practices for municipal bond programs.
95. **Shop Trading Hours Act 1990:** Allows districts to dictate Easter Sunday trading.
96. **Smoke-free Environments and Regulated Products Act 1990:** Controls vaping and smoking restrictions in public parks.
97. **Soil Conservation and Rivers Control Act 1941:** Limits regional flood destruction risks.
98. **Te Ture Whenua Maori Act 1993:** Directs land rates structures on ancestral estates.
99. **Telecommunications Act 2001:** Restricts building permits for cellular towers.
100. **Trespass Act 1980:** Gives property owners and occupiers the legal right to control who enters and remains on their land or buildings.
101. **Unit Titles Act 2010:** Governs disclosure statements within high-density council boundaries.
102. **Urban Development Act 2020:** Drives urban regeneration policies through combined authorities.
103. **Utilities Access Act 2010:** Governs code access for telecom cables beneath roads.
104. **Volunteers Employment Protection Act 1973:** Protects citizens who volunteer for civil defence.

105. **Wages Protection Act 1983:** Standardizes processing guidelines for pay deductions.
106. **Walking Access Act 2008:** Preserves public walking access routes over private land.
107. **Waste Minimisation Act 2008:** Establishes refuse collection and environmental levies.
108. **Water Services Act 2021:** Outlines drinking water safety criteria for local grids.
109. **Weathertight Homes Resolution Services Act 2006:** Created to help fix leaky building disputes.
110. **Wild Animal Control Act 1977:** Restricts game populations inside district jurisdictions.
111. **Wildlife Act 1953:** Affects local environmental zoning regarding habitat protections.

- ~~Animal Welfare Act 1999~~
- ~~Arts Council of New Zealand Toi Aotearoa Act 2014~~
- ~~Biosecurity Act 1993~~
- ~~Building Act 2004~~
- ~~Building Research Levy Act 1969~~
- ~~Burial and Cremation Act 1964~~
- ~~Bylaws Act 1910~~
- ~~Citizenship Act 1977~~
- ~~Civil Defence Emergency Management Act 2002~~
- ~~Disabled Persons Community Welfare Act 1975~~
- ~~Dog Control Act 1996~~
- ~~Fencing Act 1978~~
- ~~Food Act 2014~~
- ~~Freedom Camping Act 2011~~
- ~~Gambling Act 2003~~
- ~~Government Roadway Powers Act 1989~~
- ~~Hazardous Substances and New Organisms Act 1996~~
- ~~Health Act 1956~~
- ~~Health and Safety at Work Act 2015~~
- ~~Heritage New Zealand Pouhere Taonga Act 2014~~
- ~~Impounding Act 1955~~
- ~~Land Drainage Act 1908~~
- ~~Land Transfer Act 2017~~
- ~~Land Transport Act 1998~~
- ~~Land Transport Management Act 2003~~
- ~~Litter Act 1979~~
- ~~Local Authorities (Members' Interests) Act 1968~~

- ~~Local Electoral Act 2001~~
- ~~Local Government (Rating) Act 2002~~
- ~~Local Government Act 2002~~
- ~~Local Government Official Information and Meetings Act 1987~~
- ~~New Zealand Library Association Act 1939~~
- ~~Nga Wai o Maniapoto (Waipa River Act) 2012~~
- ~~Privacy Act 1993~~
- ~~Property Law Act 2007~~
- ~~Prostitution Reform Act 2003~~
- ~~Protected Disclosures Act 2000~~
- ~~Public Records Act 2005~~
- ~~Public Works Act 1981~~
- ~~Racing Act 2003~~
- ~~Rates Rebate Act 1973~~
- ~~Rating Valuations Act 1998~~
- ~~Reserves Act 1977~~
- ~~Residential Tenancies Act 1986~~
- ~~Resource Management Act 1991~~
- ~~Sale and Supply of Alcohol Act 2012~~
- ~~Te Ture Whenua Māori Act 1993~~
- ~~Trespass Act 1980~~
- ~~Unit Titles Act 2010~~
- ~~Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010~~
- ~~Waste Minimisation Act 2008~~
- ~~Weathertight Homes Resolution Services Act 2006~~

3.2 Local Legislation

3.2.1 Local legislation is law made by Central Government relating specifically to a localised area. There is currently no such legislation in existence pertaining solely to the Waitomo District. However, the following acts relate to the Waitomo District as well as other TLAs:

- Maniapoto Claims Settlement Act 2022
- Nga Wai o Maniapoto (Waipa River Act) 2012
- Ngāti Tūwharetoa - Ngāti Tūwharetoa Claims Settlement Act 2018
- Raukawa Claims Settlement Act 2014
- Rereahu - Maraeroa A and B Blocks Claims Settlement Act 2012
- Waikato-Tainui - Waikato Raupatu Claims Settlement Act 1995
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

4.0 Bylaws

4.1 Purpose

4.1.1 Pursuant to the Local Government Act 2002 (LGA) S145 a TLA may make **general** bylaws for its district 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.

4.1.2 S146 of the LGA also provides:

- (1) Without limiting section 145, a territorial authority may make bylaws for its district for the purposes—
 - (a) of regulating 1 or more of the following:
 - (i) [Repealed]
 - (ii) waste management:
 - (iii) [Repealed]
 - (iv) solid wastes:
 - (v) keeping of animals, bees, and poultry:
 - (vi) trading in public places:
 - (b) of managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with 1 or more of the following:
 - (i) water races:
 - (ii) [Repealed]
 - (iii) [Repealed]
 - (iv) land drainage:
 - (v) cemeteries:
 - (vi) reserves, recreation grounds, or other land under the control of the territorial authority:
 - (c) [Repealed]

4.2 Review

4.2.1 Section 158 of the LGA requires that Council must review any bylaw, made under the LGA, no later than five years after the date on which the Bylaw was made, and once that initial five year review is completed, bylaws are then required to be reviewed at a minimum on a 10 year cycle. If bylaws are not reviewed as detailed above, they cease to have effect two years after the date on which the Bylaw was required to be reviewed.

4.2.2 Historically WDC had a large number of Bylaws. A full review was completed in the period 2008-2011, where Council consolidated the many old Bylaws into “new” Bylaws.

4.2.3 Set out in the table below is the timeline for each (currently adopted) Bylaw, including the statutory review date.

[1]	Alcohol Fees	30-Jun-25	30-Jun-30		
[2]	Dog Control	22-Feb-05	16-Dec-08	15-Dec-15 25-Jun-19 - Minor amendments 30-Jun-25 - 10 Yr Review	Jun-2035
[3]	Freedom Camping	27-Nov-18	Jun-2022	Nov-2023	Nov-2033

[4]	Land Transport	10-Feb-10	Feb-2015	25-Feb-25 - 10 Yr Review	Feb-2035
[5]	Public Amenities	10-Feb-10	10-Feb-15	Feb-2019 - Minor amendments to align with Freedom Camping Bylaw	Feb-2025 Feb-2027 TBC
[6]	Public Health and Safety	3-Nov-09	25-Jun-14	Feb-2019 - Minor amendments to give effect to changes to the Food Act 2014 Nov-2023	Nov-2033
[7]	Public Places	24-Mar-09	25-Jun-14	Feb-2011 - Amendment to Sched B - Liquor Control Sept-2018 - Minor amendments to align with Freedom Camping Bylaw Nov-2023 - 10 Yr Review	Nov-2033
[8]	Solid Waste	30-Jun-26	30-Jun-31		
[9]	Trade Waste	26-Jul-06	26-Jul-11	28-Jun-016	Jun-2026 Refer Notes below
[10]	Water Services	10-Feb-10	10-Feb-15		10-Feb-2025 Feb-2027 Refer Notes below

Bylaw	Bylaw Adoption Date	5-Year Review Adoption	Other Reviews	10-Year Review Adoption Date
Alcohol Fees	30/06/2025	30/06/2030		
Dog Control	22/02/2005	16/12/2008	15/12/2025 25/06/2019 — Minor amendments 30/06/2025 — 10 Yr Review	06/2035
Freedom Camping	27/11/2018	06/2022	11/2023	11/2033
Land Transport	10/02/2010	02/2015	25/02/2025 — 10 Yr Review	02/2035
Public Amenities	10/02/2010	10/02/2015	02/2019 — minor amendments to align with Freedom Camping Bylaw	02/2025 02/2027 (Refer Note 1)
Public Health and Safety	03/11/2009	25/06/2014	02/2019 — minor amendments to give effect to changes to the Food Act 2014 11/2023	11/2033
Public Places	24/03/2009	25/06/2014	02/2011 — amend Sched B Liquor Control 09/2018 — minor amendments to align with Freedom Camping Bylaw 11/2023 — 10 Yr Review	11/2033
Solid Waste	03/11/2009	25/06/2014		03/2024 03/2026 (Refer Note 2)
Trade Waste	26/07/2006	26/07/2011	28/06/2016	06/2026

Bylaw	Bylaw Adoption Date	5-Year Review Adoption	Other Reviews	10-Year Review Adoption Date
Water Services	10/02/2010	10/02/2015		02/2025 02/2027 (Refer Note 3)

Notes:

Public Amenities Bylaw

- On 17 December 2024 Council resolved that a review of the current Public Amenities Bylaw will be undertaken once the Proposed Waitomo District Plan is Operative, and if required, a new Bylaw will be developed at that time and the existing Bylaw revoked.
- ~~On 17 December 2024 Council resolved that a review of the current Solid Waste Bylaw be undertaken once Council makes a decision on the future of the Waitomo District Landfill to ensure ongoing consistency with Council's Waste Management Policies and Practices, and if required a new Bylaw be developed at that time and the existing Bylaw be revoked.~~

Water Services and Trade Waste Bylaws

- ~~On 17 December 2024 Council resolved that a review of the current Water Services Bylaw will be undertaken once the Local Government Water Services Bill is enacted, and if required, a new Bylaw will be developed at that time and the existing Bylaw revoked.~~ WDC's drinking water and wastewater activities transferred to Waikato Waters Ltd (WWL) on 1 July 2026 and Council delegated its powers and functions to administer and enforce the Water Services (with the exception of Stormwater) and Tradewaste Bylaws.

The WWL shareholding councils and WWL have developed a Memorandum of Understanding that sets out:

- The agreed process and timeframes for the joint review of relevant bylaws.
- The establishment of a Bylaw Coordination Group with membership from WWL and the shareholding councils to manage the bylaw review process.
- The process for developing Trade Waste Discharge Plans, as also required by the LGWSA.
- The agreement to delegate powers under applicable existing bylaws.

4.3 Alcohol Fees Bylaw

- ~~4.1.14.3.1~~ The purpose of this Bylaw is to set fees for any matter for which fees payable to territorial authorities as prescribed in the Sale and Supply of Alcohol (Fees) Regulations 2013.

4.2.4.4 Dog Control Bylaw

- ~~4.2.14.4.1~~ The purpose of the bylaw is:

- To give effect to Council's Dog Control Policy;
- To protect and maintain public safety; and
- To address how Council will fulfil its functions and duties pursuant to the Dog Control Act 1996.

- ~~4.2.24.4.2~~ This bylaw gives effect to the Dog Control Policy for the Waitomo District, the objective of which is to enable people to enjoy the benefits of dog ownership and provide for the exercise and recreational needs of dogs and their owners, whilst minimising danger, distress, and nuisance to the community generally.

4.3.4.5 Freedom Camping Bylaw

4.3.14.5.1 The purpose of this bylaw is to control freedom camping in the District in order to:

- (a) Protect local authority areas;
- (b) Protect the health and safety of people who may visit local authority areas;
- (c) Protect access to local authority areas.

Note: This bylaw applies only to the areas under the control of the Waitomo District Council. Compliance with this Bylaw does not remove the need to comply with all applicable Acts, regulations, bylaws, and rules of law. This includes complying with any parking or other traffic restrictions in any area, any restrictions on keeping of animals, not littering, not lighting fires in breach of any fire ban, not making excessive noise, and complying with the directions of enforcement officers. This Bylaw should also be read alongside the Freedom Camping Act 2011.

4.4.4.6 Land Transport Bylaw

4.4.14.6.1 The purpose of this bylaw is to manage, control and protect all of the roading corridors including unformed "paper" roads in the District, other than state highways which are controlled by the New Zealand Transport Agency and which the relevant powers have not been delegated to the Waitomo District Council.

4.5.4.7 Public Amenities Bylaw

4.5.14.7.1 The purpose of this bylaw is to control a diverse range of activities in public amenities to ensure that acceptable standards of convenience, safety and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the District.

4.5.24.7.2 In particular this bylaw addresses conduct which may have an adverse effect on other users at public amenities such as:

- Libraries
- Reserves
- Aerodrome
- Public Parking Areas
- Public Toilets
- Swimming Pools
- Beaches
- Other Public Buildings
- Cemeteries

4.5.34.7.3 The Local Government Act 2002 and other relevant Acts e.g. Reserves Act 1977, outline some of the powers and requirements of the Council in regard to public places and reserves. Areas of control so prescribed by that legislation is not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act, 2002 and other legislation should be read in conjunction with the bylaw.

4.6.4.8 Public Health and Safety Bylaw

4.6.14.8.1 The purpose of this bylaw is to control a diverse range of activities to ensure that acceptable standards of public health and safety are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district.

4.6.24.8.2 In particular this bylaw addresses a wide range of issues that could have an adverse effect on the health and safety of the public by regulating:

- Scaffolding and Deposit of Building Materials
- Fire Prevention
- Keeping of Animals
- Food Safety
- Body Piercing
- Hostels
- Prostitution

4.6.34.8.3 The LGA 2002 and other relevant Acts e.g. Forest and Rural Fires Act 1977, Health Act 1956 and Prostitution Reform Act 2003 outline some of the powers and requirements of the Council in regard to public health and safety. Areas of control so prescribed by that legislation

are not necessarily repeated within this bylaw and therefore the relevant sections of these acts should be read in conjunction with the Bylaw.

4.7.4.9 Public Places Bylaw

4.7.14.9.1 The purpose of this bylaw is to control a diverse range of activities to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district.

4.7.24.9.2 In particular this bylaw addresses damage to public facilities which may have an adverse effect on other users such as:

- Roads
- Grass Verges
- Garden Places and Reserves

4.7.34.9.3 The Local Government Act 2002 and other relevant Acts e.g. Reserves Act 1977, outline some of the powers and requirements of the Council in regard to public places and reserves. Areas of control so prescribed by that legislation is not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act, 2002 and other legislation should be read in conjunction with the bylaw.

4.8.4.10 Solid Waste Bylaw

4.8.14.10.1 The purpose of this bylaw is to:

- (a) Ensure that household waste is reduced, collected and disposed of in the interests of public health and in an efficient and cost effective manner; and
- (b) Provide for the efficient collection and recovery of recyclable waste; and
- (c) Ensure that the obstruction of streets and roads by waste for collection is minimised; and
- (d) Manage waste management facilities for the optimum disposal or recycling of waste.

4.9.4.11 Trade Waste Bylaw

4.9.14.11.1 The purpose of this bylaw is to provide for the:

- (a) Acceptance of long-term, intermittent, or Temporary Discharge of Trade Waste to the Sewerage System;
- (b) Establishment of five grades of Trade Waste: Exempted, Permitted, Conditional, Controlled and Prohibited;
- (c) Evaluation of individual Trade Waste discharges to be against specified criteria;
- (d) Correct storage of materials in order to protect the Sewerage System from spillage;
- (e) Installation of flow meters, samplers or other devices to measure flow and quality of the Trade Waste discharge;
- (f) Pre-treatment of waste before it is accepted for discharge to the Sewerage System;
- (g) Sampling and monitoring of Trade Waste discharges to ensure compliance with the bylaw;
- (h) Inspection of points on a property from where Trade Waste is or could be discharged;
- (i) Council to accept or refuse a Trade Waste discharge;
- (j) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing, Trade Waste and the associated costs of administration and monitoring;
- (k) Administrative mechanisms for the operation of the bylaw; and
- (l) Establishment of waste minimisation and management programmes (including sludge's) for Trade Waste producers.

Note: While this bylaw has a District wide application, its main focus is in relation to trade waste discharges to the Te Kuiti Sewerage System, principally from the two local abattoirs - Universal Beef Packers Ltd (UBP) and Te Kuiti Meat Processors Ltd (TKM). Other, smaller, trade waste dischargers include the Te Kuiti Stock Yards and the Lime Haulage truck-washing facility at Te Kuiti.

~~4.10~~4.12 Water Services Bylaw

~~4.10.1~~4.12.1 The purpose of this bylaw is to:

- (a) protect the public health and the security of the public water supply;
- (b) detail the responsibilities of both the Council and the consumers with respect to the public water supply and other water related services;
- (c) ensure the safe and efficient creation, operation, maintenance and renewal of all public water services, sewerage and stormwater drainage networks;
- (d) ensure proper hazard management to prevent or minimise flooding and erosion;
- (e) minimise adverse effects on the local environment particularly freshwater ecological systems and beach water quality, and assists in maintaining receiving water quality;
- (f) ensure that watercourses are properly maintained;
- (g) ensure the protection of Council's water services, sewerage and stormwater drainage assets and the health and safety of employees;
- (h) set out acceptable types of connection to public water services, sewerage and stormwater networks.

5.0 The Electoral System

5.1 General

5.1.1 The Local Electoral Act 2001 (LEA) and the Local Electoral Amendment Act 2002 govern local authority elections.

5.1.2 In the past Council has employed a 'First Past the Post' (FPP) electoral system for triennial general elections. Under FPP, electors vote by indicating their preferred candidate, and the candidate with the most votes is declared the winner, regardless of the proportion of votes that candidate obtained.

5.1.3 The alternative system permitted under the LEA is the Single Transferable Vote system (STV). Under STV, electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The number of candidates required to fill all vacancies is achieved:

- By counting all of the first preferences and electing those candidates who reach the quota, then
- by a transfer of spare votes (over the quota) from elected candidates in proportion to all their voters' second preferences, then
- by excluding the lowest polling candidates and transferring these votes to the voters' second preferences.

5.1.4 These steps continue until enough candidates have reached the quota and have been elected.

5.2 Changing the Electoral System

5.2.1 Section 27 of the LEA allows for the electoral system to be changed, provided that any change is made not later than 12 September in the year that is two (2) years before the year in which the next triennial general election is to be held. However such change must remain in effect for the following two triennial elections.

5.2.2 Pursuant to the LEA the public also has a right to demand a poll that the electoral system be changed, but in doing so must meet criteria as set out in the LEA.

5.2.3 Council completed a full review of representation arrangements (including the electoral system) in 2023 to be in effect for the 2025 and 2028 Elections.

6.0 Elected Members' Role and Conduct

6.1 The Members

Mayor John Robertson

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Isaiah Wallace

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022 355 1787

6.2 Role of an Elected Member

6.2.1 Members of a Local Authority are elected to bring effect to the purpose of local government as set out elsewhere in this Statement, including:

- Developing and adopting Council policy
- Monitoring the performance of Council against its stated objectives, policies and identified community outcomes
- Representing the interests of the people of the Waitomo District
- Employment of the Chief Executive (pursuant to the LGA, a local authority employs the Chief Executive, who in turn employs all other staff on its behalf)

6.2.2 The manner and process by which Council Members must meet their responsibilities is widely prescribed in the LGA, particularly terms of Schedule 7.

6.3 Role of the Mayor

6.3.1 The Mayor, as one of the elected members, shares the same role as other members including, but not limited to, the following:

- 1) To provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
- 2) To lead the development of the territorial authority's plans (including the long term plan and annual plan), policies, and budgets for consideration by the members of the territorial authority.

6.3.2 Pursuant to the LGA, the Mayor also has the following powers:

- (a) to appoint the deputy mayor:
- (b) to establish committees of the territorial authority:
- (c) to appoint the chairperson of each committee established (and may make the appointment before the other members of the committee are determined; and may appoint himself or herself)

Note: The LGA also provides for the Council to

- (a) remove a deputy mayor appointed by the mayor
- (b) discharge reconstitute a committee established by the mayor
- (c) discharge a chairperson appointed by the mayor

6.4 Conduct of an Elected Member

6.4.1 Elected members have specific obligations as to their conduct as outlined in the following legislation:

- Schedule 7 of the LGA, which includes obligations for Council to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct (refer section below) and Standing Orders.
- The Local Authorities (Members' Interests) Act 1968, which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).
- The Secret Commissions Act 1910 prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
- The Crimes Act 1961 regarding the acceptance of gifts and the use of official information for private profit.

6.5 Code of Conduct

6.5.1 All Councils must adopt a Code of Conduct as a requirement of the LGA. The Code of Conduct sets out Council's understanding and expectations of how the Mayor and elected members will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by, or is in the possession of, elected members, and contains details of the sanctions that council may impose if an individual member breaches the code.

Note: In 2025 the Minister of Local Government referred to the Local Government Commission the task of developing a standardised Code of Conduct for all local authorities. The Commission completed that work, and the standardised Code of Conduct and accompanying report were submitted to the Minister in February 2026. To date no further information has been received from the Minister of Local Government regarding implementation of that standardised code. In the interim, Waitomo District Council continues to operate under the Code of Conduct adopted in 2022.

7.0 Governance Structures and Processes, Membership and Delegated Authorities

7.1 Council

7.1.1 The Mayor and Council Members are elected by the people of the Waitomo District form the Council. The Council is responsible for the overall governance of the District and ensuring that Council acts in the best interests of its residents and ratepayers.

7.1.2 The Mayor presides over meetings of the Council. An Independent Chairperson presides over the Council's Audit and Risk Committee. That Independent Chair is currently Jaydene Kana, an experienced Chair who is also the independent chair for a number of other TLA Audit and Risk Committees and is a Director on the Board of Waikato Waters Limited.

- 7.1.3 Council adopts a Meeting Schedule for the calendar year in December/January each year. The Council currently meets on a monthly basis on the last Tuesday of each month, except where such a meeting coincides with a public holiday or is required to be deferred for unforeseen reasons. The commencement time of these meetings varies depending on the amount of business to be considered. Council meetings and commencement times are publicly notified in the King Country News, and the Agendas are available to the public via Council's Website.

7.2 Committees

- 7.2.1 Council may create committees of Council as it sees fit. A Committee Chairperson is responsible for presiding over meetings of a Committee and ensuring that the Committee acts within the powers delegated by Council. Committees are groups appointed by Council for specific functions.
- 7.2.2 Pursuant to the LGA, a committee includes, in relation to a local authority,
- a committee comprising all the members of that local authority; and
 - a standing committee or special committee appointed by that local authority; and
 - a joint committee appointed under clause 30 of Schedule 7; and
 - any subcommittee of a committee described in paragraph (a) or paragraph (b) or paragraph (c)

Details	Appointment
Waitomo District Council Committees and Steering Groups	
Audit and Risk Committee The purpose of the Audit, Risk and Finance Committee is to provide guidance, assurance and assistance to Waitomo District Council on matters specific to risk, compliance, controls and external accountabilities (both financial and non-financial).	Independent Chair - Jaydene Kana Mayor Robertson Deputy Mayor Manawaiti Councillor Osborne Councillor Buckley
Te Raangai Whakakaupapa Koorero The purpose of the Committee is to provide guidance, assistance and support to Waitomo District Council (WDC) on matters specific to Iwi and Mana Whenua relationships.	Chair - Deputy Mayor Manawaiti Mayor Robertson Councillor Tasker Councillor Wallace
District Licensing Committee <u>Note:</u> A TA's DLC established pursuant to s186 of the Sale and Supply of Alcohol Act 2012 is not a Committee of Council under the LGA. Therefore a DLC is not discharged following a General Election. Under Section 186 of the Sale and Supply of Alcohol Act 2012 (the Act), Council is required to appoint a District Licensing Committee (DLC) (with a quorum of three members, one of whom must be the Chairperson). Section 192(1)(b) of the Act requires that TAs together with 1 or more other territorial authorities establish, maintain and publish a "list" of persons jointly approved by the TAs to be members of the TA's DLC. Since 2013, Waitomo, Otorohanga and Waipa DCs have been sharing resources for its DLC and maintain a joint list. The DLC is responsible for considering applications made under the Act.	<i>Council Resolution 26 October 2021</i> Tegan McIntyre (Commissioner/ Chair) Guy Whitaker Ross Murphy Patsi Davies Dr Michael Cameron (Alt Commissioner/Chair) Roy Johnstone John Gower <u>Note:</u> All appointments were made for a 5 year period (ending 21/11/2026) <i>Council Resolution 26 August 2025</i> Truc Tran (Alternate Commissioner/ Chair) (for a period ending 21/11/26)
Te Kūiti Aerodrome (Industrial Park) Steering Group	Mayor (Lead)
Les Munro Centre Steering Group	Mayor (Lead)
Waitomo District Landfill and Solid Waste Steering Group	Councillor Goddard (Lead)
Local Water Done Well Steering Group	Mayor (Lead)
Local Roading Network Steering Group	Mayor (Lead)

Details	Appointment
Waitomo District Council Committees and Steering Groups	
Waikato University Clinical Training	Mayor (Lead), Cr Buckley
Inframax Board Liaison	Mayor (Lead), Cr Goddard
One "King Country" Council	Mayor (Lead)

7.3 Regional and Sub-Regional Appointments

Details	Appointment												
Regional and Sub-Regional Appointments (including Joint Committees)													
Taranaki Regional Council – State Highway 3 Working Party The SH3 Working Party was formed by the Taranaki Regional Council in 2002. The purpose of the Working Party is to liaise, monitor, co-ordinate, advocate and collate information on the section of State Highway 3 between Piopio and the SH3/3A junction north of New Plymouth, with a view to formulating recommendations to promote the integrity and security of this section of the state highway network in recognition of its strategic importance. WDC is represented on the Working Party by both an elected representative and a staff member.	Councillor Buckley Alternate – Mayor												
Waikato Civil Defence Emergency Management Joint Committee Pursuant to the Civil Defence Act, Civil Defence throughout the Waikato Region is overseen at a political level by a Joint Committee known as the Civil Defence Emergency Management Group (CDEMG). Civil Defence Emergency Management Groups (CDEM Groups) are responsible for the implementation of local CDEM in an efficient and effective manner. CDEM Groups are formed from local authorities that work together and with other organisations to provide co-ordinated CDEM planning for reduction, readiness, response, and recovery. The Joint Committee is a local government committee with one elected representative from each council. The role of the joint committee is to provide political oversight and governance to ensure that the functions and obligations of the Waikato Civil Defence Emergency Management Group are fulfilled. The members of the Waikato CDEM Joint Committee are: <table> <tr> <td>Hamilton City Council</td><td>Hauraki District Council</td></tr> <tr> <td>Matamata-Piako District Council</td><td>Otorohanga District Council</td></tr> <tr> <td>South Waikato District Council</td><td>Taupo District Council</td></tr> <tr> <td>Thames-Coromandel District Council</td><td>Waikato District Council</td></tr> <tr> <td>Waikato Regional Council</td><td>Waipa District Council</td></tr> <tr> <td>Waitomo District Council</td><td></td></tr> </table>	Hamilton City Council	Hauraki District Council	Matamata-Piako District Council	Otorohanga District Council	South Waikato District Council	Taupo District Council	Thames-Coromandel District Council	Waikato District Council	Waikato Regional Council	Waipa District Council	Waitomo District Council		Deputy Mayor Alternate – Mayor
Hamilton City Council	Hauraki District Council												
Matamata-Piako District Council	Otorohanga District Council												
South Waikato District Council	Taupo District Council												
Thames-Coromandel District Council	Waikato District Council												
Waikato Regional Council	Waipa District Council												
Waitomo District Council													
Waikato Mayoral Forum Pursuant to Section 15 of the Local Government Act 2002, not later than 1 March after each triennial general election of members, all local authorities within each Region must enter into an agreement (Waikato Triennial Agreement) containing protocols for communication and co-ordination among them during the period until the next triennial general election of members. In March 2012, the Regional Triennial Forum governing body (which undertook reviews of the Regional Triennial Agreement at that time) recommended the formation of a Regional Governance body with appropriate delegated authority to provide Regional leadership and representation on matters of strategic importance for the Waikato in accordance with the Triennial Agreement, including completing future reviews of the Triennial Agreement in accordance with the LGA 2002. As a result, in 2012 the Waikato Mayoral Forum (WMF) was established. Since its formation, the Waikato Mayoral Forum has been collaboratively and successfully pursuing its goal of collaborating and working together to	Mayor Alternate – Deputy Mayor												

Details	Appointment
Regional and Sub-Regional Appointments (including Joint Committees)	
develop tangible benefits for the Region through greater local government co-operation. The Forum – made up of Mayors and the Regional Council Chair – has initiated a series of work streams aimed at improving joint planning, economic development and local government efficiency generally. Two of these work streams have now become standalone, independent processes: • A joint committee of council representatives is overseeing the creation of a common Waikato Plan to guide the region's future • A business-led governance body is implementing the Waikato Means Business economic development strategy. • Other work streams covering the key areas of policy and bylaws, water services and roading have also been delivering tangible results in the areas of cutting red tape, positioning councils for major water savings and significant efficiencies on roading services. All this work dovetails with related efforts by councils through the jointly owned Waikato Local Authority Shared Services company to drive savings and other efficiencies.	
Waikato Regional Council – Regional Transport Committee The RTC is a WRC Committee, and its purpose is to plan and coordinate land transport and road safety and to recommend WRC's policy on land transport. The RTC also prepares the Regional Land Transport Strategy and Regional Land Transport Programme.	Councillor Osborne Alternate – Councillor Tasker
Waikato River Authority The Waikato River Authority is an independent statutory body under the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010. The purpose of the of the Authority is to set the primary direction through its Vision and Strategy to achieve the restoration and protection of the health and wellbeing of the Waikato River and Waipā River for future generations. The Authority covers a catchment of 11,000 km2 comprising the Waikato River (from Huka Falls to Te Pūaha o Waikato), and the Waipa River (from its source to its connection with the Waikato River) including both rivers' catchments. The Authority has 10 board members – five appointed from each river iwi (Tainui, Te Arawa, Tuwharetoa, Raukawa, and Maniapoto) and five Crown-appointed members. The Regional Council nominates one Crown member, and one is nominated by the territorial authorities. The Minister for the Environment appoints one of two co-chairpersons; iwi choose the other.	? Await nominations
Waipa Joint Management Agreement Nga Wai O Waipa Co-Governance Forum <i>(Waikato, Waipa, Otorohanga and Waitomo Districts)</i> In June 2012, Council resolved to enter a new era of co-management for the Waipa River between Council and the Maniapoto Māori Trust Board through the Nga Wai o Maniapoto (Waipa River Act) 2012. The Act provides that a Joint Management Agreement (JMA) be developed between Council and the Maniapoto Māori Trust Board as part of the co-management arrangements. To assist the JMA process the Nga Wai o Waipa Joint Committee was established involving all local authorities (whose boundaries fall within the legislated boundaries provided for in the Act) as a collective and the Maniapoto Māori Trust Board. This collective approach also satisfies Council's legislative obligation to form a joint committee and also provides for a holistic and collaborative co-governance model for the JMA.	Mayor Alternate – Deputy Mayor

7.4 Trusts providing for Council nomination/application

Details	Appointment
Trusts Providing for Council Nomination/Appointment	
Maru Energy Trust Maru Energy Trust is a not-for-profit charitable trust, established in August 2018 by The Lines Company. The Trust provides support to improve the energy efficiency of households and wellbeing of the occupants including: A. Developing and implementing educational programmes to help households and the community understand how to better manage their energy use. B. Identifying households within the community who would benefit from advice and assistance regarding their energy use. C. Facilitate physical modifications to the home and environment to improve energy use. D. Securing funding to support the charitable purposes of the Trust; and E. Undertaking any other purpose that benefits households or the community in keeping with the charitable purposes of the Trust. Core activities of the Trust are facilitating and co-funding the installation of insulation and heat pumps making use of EECA's Warmer Kiwi Homes Funding. The Trust Board must comprise of at least three and no more than eight Trustees appointed in accordance with the Trust Deed. One Trustee is to be appointed to represent the Waitomo, Otorohanga, Taupo and Ruapehu District Councils jointly. The term of this Trustee is three years.	Previously Ruapehu Mayor Weston Kirton Await nominations
North King Country Development Trust The North King Country Development Trust (NKCDT) was established in 1993 as part of reforms to the electricity industry to administer a Trust Fund (resultant of the electricity reforms) for the benefit of residents living within the area over which the former Waitomo Electric Power Board was authorised to supply electricity. The Settlers of the Trust were the Waitomo and Otorohanga District Councils. The Trust Deed (Part 2, Clause 1(a)) provides that Waitomo, Otorohanga and Taupo District Councils (the Councils) jointly, are an Appointor for the Trust and are to appoint two Trustees. <u>Note</u> Historically the Councils' appointees have been either Mayors or Chief Executives, but there is nothing within the Trust Deed requiring an appointee to be either an employee or elected member of the Councils. The Term of Office is four years from the date of appointment and Trustees shall be eligible for reappointment. Part 1, Clause 3.2(d) of the Trust Deed provides that a Trustee shall cease office if the Appointor which appointed that Trustee gives a notice under Rule 3.5 removing that Trustee from his office as Trustee. Rule 3.5 of the Trust Deed states: <i>"From the date of this Deed the Appointors referred to in Part 2 of this Schedule shall each be entitled, by notice to the Secretary or Chairperson, to appoint the number of Trustees referred to in Part 2 and to remove that Trustee or Trustees and appoint another in his or her or their place or fill any vacancy should the Trustee or Trustees appointed by them cease for any reason to hold office as Trustee."</i>	Mayor Robertson <u>Note:</u> Mayor Robertson was first appointed in August 2020 and at the end of his four year term was re-appointed in 2024 with the support of both the Otorohanga and Taupo District Councils. Mayor Robertson's current four year term does not expire until 2028, so no action is required by Council at this time.
Te Kūiti Community House TKCH is a registered Charitable Trust. The purpose of the TKCHT is to support the Te Kuiti community to develop and grow by facilitating appropriate services in the promotion of the well-being of the people living and working in the community including: 1. Reduce social isolation 2. Reduce Family violence 3. Strengthening our Community	Deputy Mayor

Details	Appointment
Trusts Providing for Council Nomination/Appointment	
4. Support for youth and Rangatahi 5. Support for families and whanau 6. Community interaction and cooperation to create a vibrant caring The TKCHT Deed provides under Section 6 – <i>"At all times at least one trustee shall be the nominee of the Waitomo District Council."</i> There is nothing within the Trust Deed requiring the Council nominated Trustee to be either an employee or elected member of the Council.	
Waitomo Catchment Trust Board The Waitomo Catchment Trust Board is a registered charity (CC33433). The Trust focuses on catchment restoration projects within the Waitomo area, with the aim of improving the health and management of the Waitomo area's waterways and land. The Trust's work is part of wider efforts to manage and protect the Waikato River catchment, and in particular the Upper Waipa catchment. The Trust works in partnership with other organisations including Waikato Regional Council and the Queen Elizabeth Trust and also involves engagement with the community and stakeholders in the Waitomo District. One trustee is to be appointed by the Waitomo District Council in accordance with the Trust's Constitution.	Mayor
Waitomo Caves Museum Society Incorporated Also known as Waitomo Caves Museum & Discovery Centre Founded in 1973 and operated as an Incorporated Society, the Waitomo Caves Museum Society Incorporated not only manages the Discovery Centre but also serves as the community's information hub. Alongside its museum collections of fossils, photos, moa bones, and Māori artefacts, the Centre provides ticket sales for local caves and activities, educational programmes, retail services, NZ Post, a library, and community facilities including public toilets. Section 7.6(iv) of the Rules of the Society provide that WDC shall be entitled to appoint (1) representative to the Executive Board of the Society.	Councillor Osborne

7.5 External Funding Partners (Administered by Council)

Details	Appointment
External Funding Partners – Administered by Council	
Creative Communities WDC administers a local Creative Communities Assessment Committee consisting of two Councillors and community representatives having knowledge of the arts in the Waitomo District, to join the Creative Communities Assessment Committee. The Committee meets twice yearly, in June and November, to distribute funds made available by Creative New Zealand to support community based arts activities in the Waitomo District.	Councillor Osborne Councillor Tasker
DC Tynan Trust The DC Tynan Trust is an outlier in respect to Trusts. Firstly, it is not a registered Trust. Secondly, the Trust falls into the category of an External Funding Partner administered by Council and thirdly, it is also classified as a Council Controlled Organisation (CCO) under the Local Government Act 2002, section 7(3) because the power to appoint and remove trustees is vested with the Council. This Trust was established in 1982 for the purpose of making disbursements from a very generous bequest made to the former Borough of Te Kuiti by the late Daniel Tynan. In terms of his will, it was Mr Tynan's wish that his bequest be utilised for such social, cultural, educational or recreational purposes within the former Borough of Te	3 Urban Ward Councillors

Details	Appointment
External Funding Partners – Administered by Council	
Kuiti as the trustees think fit. Delivery of the Trust Deed rests with four Trustees, three of which are the Waitomo District Council urban Councillors (as the purpose of the Trust is limited to the Urban ward). The funds of the Trust are held in a Trust Account with Forgeson Law and Diane Forgeson is the fourth Trustee.	
Sport New Zealand The Sport New Zealand (SNZ) (formerly SPARC) Rural Travel Fund's objective is to help subsidise travel for junior teams participating in local sport competition. The allocation of the fund's based on a population density formula for territorial authorities that have fewer than 10 people per square kilometre. Council administers one SNZ Rural Travel funding round per year, usually in October. The SNZ Rural Travel Assessment Committee consists of two Council staff, two Councillors, one NZ Police representative and a Sport Waikato representative.	Councillor Tasker Councillor Buckley

7.6 Other Representation Appointments

Details	Appointment
Other Representation Appointments/Portfolios	
Community Youth Connections Examples: - TUIA Programme - Mayor's Taskforce for Jobs - Employment Partnerships	Mayor Councillor Wallace
Piopio Wastewater Community Liaison Group Pursuant to Clause 34 of the Environment Court "Order of Court", Council as the Consent Holder shall establish and service a Community Liaison Group to be known as the Piopio Wastewater Community Liaison Group.	Mayor Councillor Buckley
Te Kuiti and District Historical Society In July 2011, the Historical Society wrote to Council advising they had a vacancy on their Committee and sought appointment of a WDC Representative. The general objects of the Society are to preserve, by photographic means, historical information including landmarks and buildings, to record historical research and to stimulate and guide public interest in matters of historical importance to the District.	Councillor Tasker

Waitomo Rural Ward Portfolios

The portfolio representation of these areas will include Councillor representation for liaison purposes at community activities, attending community events in these areas, and being the point of contact for residents and ratepayers within these areas of the District.

Examples of representation/portfolios are listed beneath the relevant area below.

Note: This is not a comprehensive list.

Rural Northwest (incorporating old Waitomo/Te Anga Rural Wards)

- Marokopa Recreation Ground Committee - Tere Waitomo Community Trust	Councillor Osborne
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Rural Southeast (incorporating old Aria/Mangaokewa Wards)

- Benneydale Hall - Mokauiti Hall - Rangitoto Hall	Councillor Goddard
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Rural Southwest (incorporating old Paemako/Tainui Wards)

- Piopio Retirement Board - Mokau Residents and Ratepayers Association - Tainui Wetere Domain Board	Councillor Buckley
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7.7 Delegations

- 7.7.1 Under the LGA and other legislation, Council has considerable ability to delegate its powers, functions and duties to committees and staff. These delegations enable the Council to operate efficiently and effectively. The delegations made by Council are maintained in a Delegations Register which is subject ongoing review and required updates are referred to Council for approval.

8.0 Meetings of Elected Members

8.1 Meetings

- 8.1.1 The legal requirements for Council's meetings are set down in the LGA, the Local Government Official Information and Meetings Act 1991 (LGOIMA) and the Standing Orders adopted by Council. Meetings of the Council must be publicly notified and the agenda made available to the public pursuant to the criteria set out in the LGOIMA.
- 8.1.2 All Council and Committee meetings are open to the public unless there is a reason to consider some item with the "public excluded", which means that these items are deemed to be confidential, and members of the public will be asked to leave the meeting until discussion on the item has been completed. Section 48 LGOIMA outlines reasons for excluding the public from meetings. The most common reasons are as follows:
- For the protection of personal privacy
 - To prevent disclosure of legally privileged information
 - To prevent disclosure of commercially sensitive information
 - To ensure the maintenance of public health and safety
- 8.1.3 Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Mayor.
- 8.1.4 All Council and Committee meetings are livestreamed, and the recordings are available on Council's website.

9.0 Consultation Policies

9.1 Consultation

- 9.1.1 Council is obliged to consult with its community on many matters and deems it advisable to do so regardless of legislative requirements. Council will seek to engage the community on any matter of significance or material interest to their well-being.
- 9.1.2 Specifically, Council will comply with all consultation requirements set down in relevant legislation and particularly those conditions set out in the LGA and the Resource Management Act.

10.0 Relationships with Māori

10.1 Relationships

- 10.1.1 The Local Government Act 2002 includes a specific requirement for Council to set out the steps it intends to take which might foster Māori capacity to contribute to the decision making processes of Council. In the Waitomo District 45.3% of people identify in the census as belonging to the Māori ethnic group, compared with 17.8 percent for all of New Zealand. Therefore, it is important that we have effective mechanisms in place for promoting Māori involvement in decision-making.
- 10.1.2 Council's current processes to involve Māori in decision making are as follows:
- Meet with local Māori specifically during formal consultation processes at a location convenient to them, to seek their feedback.

- Invite Māori representatives to be part of any groups established by Council where feedback for the purpose of seeking community feedback or understanding community views.
- Iwi and Hapu representatives are consulted to discuss specific proposals which may involve a significant decision in relation to land or a body of water.

10.1.3 The ways in which Council has been fostering the development of Māori capacity is as follows –

- Re-establishing the Te Raangai Whakakaupapa Koorero Committee for the 2025-2028 triennium to continue to develop more formally Council's relationship with iwi, mana whenua and Māori in general.
- Commitment to developing a Memorandum of Understanding with Ngāti Rora so as to enhance Council's relationship with Ngāti Rora and to enable them to put their thoughts and ideas forward. Council staff have monthly hui with Ngāti Rora to discuss collaboration and the sharing of information.
- Maintaining an open and approachable relationship between Waitomo District Council and Te Nehenehenui over and above the requirements of the Settlement Agreement. Council staff, including the Executive, have regular scheduled meetings with Te Nehenehenui.
- Co-management of the Waipa River with Tangata Whenua through the Joint Management Agreement.
- Consultation, particularly on Resource Management Planning and Town Concept Planning, with Regional Marae Committees.

10.1.4 Participation levels in decision-making forums, including elections, are an important measure of legitimacy for democratic institutions such as local government. As such securing Māori participation should be an important point for consideration by local government. This aspect, combined with the obligations of the Treaty of Waitangi, places a clear responsibility on local government to secure Māori participation to uphold both the Treaty and its own democratic legitimacy.

11.0 Management Structure and Relationship between Management and Elected Members

11.1 Relationship between Management and Elected Members

11.1.1 The roles of the elected Council and that of the Chief Executive (management) are distinct and prescribed by the LGA despite the employer/employee relationship. In simple terms, Council's role is to decide "what" at Principal Activity sub-level (refer Schedule 10 LGA, LTP and Annual Plans) and the Chief Executive's role is to execute, effectively and efficiently, Council's decisions – i.e. the "how".

11.1.2 The only direct employee of the Elected Council is the Chief Executive who is consequentially responsible for all staff. A number of terms and conditions relevant to the Chief Executive relationship are determined by the LGA in addition to a contractual agreement which sets out the employment relationship in detail.

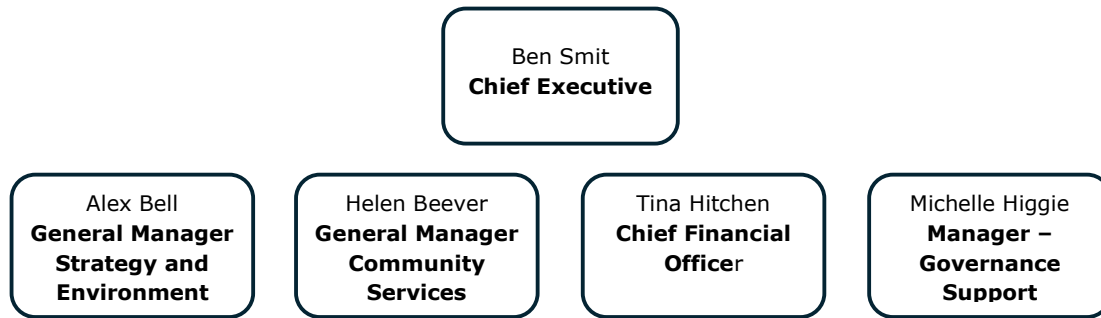
11.1.3 The Chief Executive reports to the Council. All staff report to and are employed by the Chief Executive.

11.1.4 Management is obliged to provide information to elected members' that is relevant to their function in bringing effect to the purpose of local government and management recognises that Council decision-making is largely dependent on sound information and advice.

11.1.5 Elected members are entitled to access information held by the Council for the purpose of carrying out their role as an elected member, however in their private capacity their rights to accessing information held by Council are the same as those of a member of the public.

11.2 Management Structure

11.2.1 The following diagram sets out Council's senior management structure:



11.2.2 The responsibilities of each Group are set out below:

Chief Executive

- Contract Supervision
- Design and Investigation
- Roading
- Stormwater Services
- Tender Evaluation
- Waste Minimisation
- ~~Wastewater Services (until 30/6/26)~~
- ~~Water Supplies (until 30/6/26)~~

Strategy and Environment

- Animal Control
- Annual Planning
- Building Control
- Civil Defence
- Community Consultation
- Compliance and Enforcement
- District Plan – Administration
- District Plan – Monitoring
- District Plan – Review
- Environmental Health
- General Inspections
- Long Term Plan
- Policy Preparation
- Resource Management Implementation
- Resource Management Policy

Community Services

- Communication Systems
- Computer Systems
- Council's Central Records System
- District Library Services
- District Promotion
- Economic Development Promotion
- Health and Safety
- Human Resources
- Parks and Reserves
- Property
- Public Amenities
- Recreation and Community Facilities
- Visitor Information Centres

Financial

- Accounting Services
- Financial Services
- Revenue Services (including Rates)

Governance Support

- Citizenship Ceremonies
- Civic Functions
- Council Secretary
- Executive Assistance to Chief Executive
- Executive Assistance to Mayor and Council
- Fleet Management

12.0 Elected Member Remuneration (Sensitive Expenditure) Policy

At the end of 2001, Parliament agreed to transfer the authority for setting elected members' remuneration from the Minister of Local Government to the Higher Salaries Commission (renamed the Remuneration Authority). The authority uses a formula to determine the total amount available for elected member remuneration in each council and must approve each council's proposal for its allocation.

The Mayor and Elected Members receive remuneration as determined by the Remuneration Authority and in accordance with the Council's Elected Members Allowances and Recovery of Expenses Policy which forms part of Council's Sensitive Expenditure Policy.

Council's current Sensitive Expenditure Policy was amended to align with the Remuneration Authority Determination 2025-2026 on 29 July 2025.

The policy sets out rules on the claiming of allowances and expenses by elected members and the resources that will be available to them during their term of office.

The policy covers the Mayor and Elected Members of the Council and for the purpose of reimbursement of expenses and mileage, any Council appointed representative acting on behalf of the Council.

13.0 Equal Employment Policy

Waitomo District Council is committed to actively supporting the principles of equal opportunities through its employment, training, and development of staff.

Waitomo District Council will actively ensure there is no discrimination on the grounds of race, colour, ethnic or national origin, gender, ethnic beliefs, marital status, sexual orientation, family status, political opinion, employment status, age, disability (including illness), or religion.

14.0 Key approved Planning and Policy Documents

The Waitomo District Council is required to comply with various legislation in respect of planning; however Council regards the legislation as a minimum requirement for it to make a meaningful contribution to the community's future well-being.

In an effective organisation, planning follows a hierarchy of plans ranging between a high level vision for the future and action plans that deliver day-to-day results that progress toward the vision.

Council's key planning/policy documents are as follows:

Plan Title	Process for formulating the Plan	Review Process
Long Term Plan	Project plan formed by Council Informal community consultation – extensive Draft plan formulated Formal community consultation (esp. Māori) Final Consideration and adoption Total timeframe approx. 12 months	Every three years. May be varied at any time provided that a due process is followed.
Annual Plan	Draft plan formulated taking account LTP and Council's own strategies Formal community consultation (esp. Māori) Final Consideration and adoption Total timeframe approximately six months	New annual plan each year creates a continual review of all services and activities.
Annual Report	Comparison of Council's actual performance with the proposed performance set out in the Annual Plan or LTP. Produced within four months of end of financial year. Must contain an audited financial statement, set of accounts and annual financial report assessing Council's financial performance and position against budget.	New Annual Report required each year.

Plan Title	Process for formulating the Plan	Review Process
District Plan	Resource management issues documents prepared. Consultation with key stakeholders Public notification of draft plan Submissions on draft plan considered by Council and publicly notified Preparation of proposed plan	Review required no later than 10 years after plan becomes operative. Council may vary at any time to suit changing circumstances.
Asset Management Plans	To comply with the Local Government Act 2002 key requirements of which include the preparation of a long term financial strategy and the recognition of changes in the service potential of assets, which are outputs of AM plans.	Reviewed and Updated Annually
Water and Sanitary Assessment	There is a legislative requirement under the Local Government Act to, from time to time, assess the provision of water services and other sanitary services. The assessment must include the provision of water and other sanitary services within the District including, but not limited to, how drinking water is provided, how sewage and stormwater are disposed of, identified risks to the community and estimated future demands.	It is considered best practice to review the Water and Sanitary Services Assessment on a three year basis to coincide with development of the LTP.

15.0 Public Access to Council

15.1 Contact Details for Waitomo District Council

Main Office: Queen Street, Te Kuiti 3910
 Postal Address: PO Box 404, Te Kuiti 3941
 Phone (Main Office): (07) 878 0800
 Freephone: 0800 932 4357
 Internet: www.waitomo.govt.nz
 Email: info@waitomo.govt.nz

15.2 Contact Details for Mayor and Councillors

15.2.1 Contact details for the Mayor and Councillors are contained in the "Elected Members' Role and Conduct" section of the Statement.

15.3 Access to Key Planning and Policy Documents

15.3.1 Key approved planning and policy documents are made available to the public through a variety of channels. Key documents are available on Council's website or by request at Council offices.

15.3.2 Where legislation requires consultation, Council engages with the community through local newspapers, social media, public meetings and direct written communication. Identified stakeholders in the process receive a copy of the planning documents.

15.3.3 Key public documents that do not require special consultation are made available at Council offices and are sent to identified stakeholders.

15.4 Access to Council Meetings

15.4.1 Meetings are open to the public and are publicly notified, although Council often requires the exclusion of the public for a portion of a meeting. Council meetings are generally held on the last Tuesday of the month, with the exception of December and January. Any member of the public can attend a Council meeting, however, a member of the public wishing to speak at a meeting must gain prior approved from the Mayor or Chairperson.

15.4.2 All Council and Committee meetings are livestreamed and are available via the Council's website.

16.0 Requests for Official Information

16.1 Local Government Official Information and Meetings Act 1987

- 16.1.1 Requests for information from the public may be made under Local Government Official Information legislation. All requests must be in writing and addressed to the Chief Executive and clearly state that they are a request under Local Government Official Information and Meetings Act (LGOIMA).
- 16.1.2 The Chief Executive will decide whether the request is to be granted and notify the requester of that decision within 20 working days of receiving the request. Specific charges may apply to a request, details of which are set out in the Council's fees and charges available on Council's website.
- 16.1.3 Where Council receives a request for information under the LGOIMA, the Chief Executive or authorised employee may extend the time limit set, for a reasonable time. This may occur if the request is for a large quantity of information or necessitates a search through a large quantity of information, or if consultations are needed before making a decision on the request and meeting the original time limit would unreasonably interfere with the operations of the local authority.
- 16.1.4 Reasons for withholding information requested under the LGOIMA, mainly relate to the protection of the privacy or interests of other parties who would be affected by the disclosure of information, or where the information in question should remain confidential to protect commercial interests.
- 16.1.5 If an applicant is dissatisfied with Council's decision in respect to a request for information under the LGOIMA, the applicant has the right to make a complaint to the Ombudsman, to seek an investigation and review of the Council's decision.

Document ID: 1000197

Report To: Council

Meeting Date: 25 August 2026

Subject: **Bi-Monthly Activity Report - Corporate and Finance**

Type: Information Only

Author(s): Tina Hitchen
Chief Financial Officer
Adrian Lindsay
Legal Officer
Michelle Higgie
Manager – Governance Support
Ben Smit
Chief Executive

1 Purpose of Report

- 1.1 The purpose of this business paper is to update Council on activities that form part of the Leadership/Governance Group including Finance.

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: Corporate and Finance be received.

3 Background

- 3.1 This report incorporates commentary (on an as required basis) on activities including:

- Finance
- Leadership/Governance
- Legal Matters (including official information requests)
- Inframax Construction Limited
- CoLab
- Council Owned Quarries
- Fleet

4 Finance**CURRENT ACTIVITY**

- 4.1 Finalising year end information for the draft annual report continues and is the main focus for the team. Asset valuations are underway for roads and footpaths and solid waste, with draft reports expected to be received in late August. Auditors will be on site for the final audit work commencing 7 September.
- 4.2 The regional procurement process (undertaken through Co-Lab) for the rating valuation services and district valuation roll contracts has now been completed with the new contracts commencing in July. Under the new arrangements, Opteon will continue to deliver district valuation roll services using the Valor platform. Opteon were also awarded the valuation services contract, covering roll maintenance activities (including subdivisions, building consents, error and omissions, and objections) as well as the three-yearly district valuation. As part of the regional procurement,

Opteon was also appointed to provide valuation services to Hauraki, South Waikato and Thames-Coromandel District Councils.

- 4.3 The first of the monthly Waikato Waters Ltd (WWL) revenue and funds reports were completed at the beginning of August, covering July's water and wastewater revenue and customer receipts. Cash collected from customers for billing on behalf of WWL was also transferred to WWL in early August.

LOOKING FORWARD – THE NEXT 3 MONTHS

- 4.4 The focus for the team for the coming months will be on the development of the draft annual report. The interim unaudited June financial report is included as a separate business paper in the agenda.
- 4.5 Development of the financial elements of the draft Long Term Plan are underway with budget managers working through their initial ten year budgets.

5 Leadership/Governance

CURRENT ACTIVITY

ELECTED MEMBER INDUCTION PROCESS

- 5.1 The Induction Programme for the current triennium is almost complete with the last of the Induction Tours (Waitomo Valley/West Coast) to be scheduled in the Spring when the weather is more settled and the days are longer.
- 5.2 As advised at the earlier Induction Workshops, some of Council's policies which were inducted at a very high level are now being covered in more depth through the development of the Long Term Plan process and/or when they are coming up for scheduled review/renewal.

FLEET RENEWAL

- 5.3 All new fleet vehicles are purchased through the All of Government catalogue and approved suppliers. All vehicles to be disposed of are sent to Turners Auto Retail Division in Hamilton. This process of disposing of surplus vehicles meets the requirements of Council under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009. The aim is to replace vehicles after four years or 100,000km on the odometer, whichever comes first.
- 5.4 Planning of the 2026/2027 Fleet Renewal programme is almost complete. Early indications are that there may be lengthy wait times for some new vehicles to become available from dealerships.

LGOIMA REQUESTS

- 5.5 Responding to requests for information made under the Local Government Official Information and Meetings Act 1987 (LGOIMA) can take up a significant amount of time.
- 5.6 The following table provides a year-on-year comparison of LGOIMA requests received:

2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026 as at August
25	35	73	96	85	75	70	50	86	85	75	55

Note: These numbers do not include media requests which are handled directly by Communications due to their nature and more often than not being time constrained.

LOOKING FORWARD – THE NEXT 3 MONTHS**RISK MANAGEMENT**

- 5.7 Staff will continue working with the Audit and Risk Committee Chair and our representative from AON (David Robson) to look at the current strategic risks and develop workstreams to consider the practical impact and mitigation of these risks. A staff workshop was held with David Robson and plan what was needed for the coming year.
- 5.8 The focus for this year is on:
- Embedding risk into Contract Management,
 - Integrating risk into decision making and governance
 - Development of a centralised operational risk register
- 5.9 An assurance review for IT/IS/IM has been completed and we are waiting for the final report.
- 5.10 A Council Workshop has been scheduled for September 2026 for the purpose of reviewing Council's Strategic Risks and Risk Management Framework.

SIGNIFICANT ORGANISATION-WIDE PROJECTS

- 5.11 Significant projects having an impact across the whole organisation include:
- Annual Report 2025/2026
 - Development of 2027-2037 Long Term Plan
 - Stormwater: Modelling and Upgrade Planning
 - Solid Waste: Waitomo District Landfill Capping and Waste Management Contracts
 - LMC Revitalization Project
 - Simplifying Local Government – Head Start Proposal

Document ID: 999719

Report To: Council



Meeting Date: 25 August 2026

Subject: **Bi-Monthly Activity Report - Strategy and Environment Group**

Type: Information only

Author(s): Hilary Walker
Acting General Manager – Strategy and Environment

1 Purpose of Report

- 1.1 The purpose of this business paper is to update the Council on work programmes that form part of the Strategy and Environment group.

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

3 Commentary

- 3.1 The activities undertaken by the Strategy and Environment Group are governed and directed by legislation, national, regional and local policies and bylaws. We undertake many activities that contribute to keeping our community and district a safe place to be.
- 3.2 Day to day operations include building control, alcohol licensing, environmental health, bylaw administration, animal and dog control, planning and district planning (Proposed District Plan). The functions of these activities were set out in the business paper on 27 June 2023 (Doc ref:528339).
- 3.3 The activities of these units are 'business as usual' in that the activities undertaken are prescribed in the various legislation and planning / policy documents, which control the day-to-day operations.

RISKS AND OPPORTUNITIES

- 3.4 In terms of risks and opportunities, the primary risk relates to our capacity to continue delivering regulatory functions in accordance with the statutory frameworks administered by the Group.
- 3.5 The last report in June 2026 identified several vacancies within the Building Control team as elevating this potential risk. Since then, a Building Control Officer position has been successfully filled, and work is underway to fully integrate the Building Control teams of Waitomo and Ōtorohanga District Councils. This is a natural progression following the successful establishment of the shared Building Control Manager role and will provide greater resilience, flexibility and capacity across the two councils. Over time, we will investigate the ability to have one International Accreditation New Zealand (IANZ) audit for both councils as opposed to each having to undertake individual audits.
- 3.6 The resignation of our Team Leader - Compliance and Monitoring provided an opportunity to review the team structure against organisational needs. A subsequent change to the Team Leader title and structure of the Animal Control Team has been made to facilitate operational leadership, improve

succession planning and team resilience, create career pathways and recognise specialist expertise. An ongoing arrangement with Waipa District Council provides access to an Enforcement Officer one day per week. This existing arrangement is unaffected by the Team Leader role change and ensures Bylaw complaints and RMA enforcement matters continue to be investigated.

- 3.7 Our GIS specialist and Application Support has recently resigned. The opportunity to review GIS capabilities and consider future system requirements will be taken to better inform the recruitment process.
- 3.8 All other teams within the Group remain fully staffed.

PROGRESS REPORT AND LOOKING FORWARD NEXT 3 MONTHS

ANIMAL CONTROL

- 3.9 As mentioned at paragraph 3.6 of this report, the Animal Control Team has had a change in structure to elevate one of the Animal Control Officer roles into a Senior Animal Control position. This creates promotion opportunities and recognises differing skills and experience within the team. The remaining animal control and pound officer roles remain unchanged.
- 3.10 Through this process we were able to internally promote our two Animal Control officers into the newly named Team Leader – Animal Control and Senior Animal Control Officer roles. This created a vacancy in the Animal Control Officer position. We are working through the recruitment process currently.
- 3.11 The 2026–2027 dog registration year has commenced positively, with 2542 dogs already registered, it leaves approximately 250 dogs left unregistered at this early stage.
- 3.12 The team has been operating under reduced capacity while the structure review and recruitment process is being completed. Despite this a high standard of service has been maintained and we have continued to meet the needs of our community effectively.
- 3.13 We are continuing to focus on an educational and proactive approach to animal control. This approach has been well received within the community, with positive engagement from dog owners and the wider public. We will continue to build on this approach while ensuring compliance with our responsibilities and maintaining a high level of service to the community.

BUILDING CONTROL

- 3.14 The bi-annual IANZ (International Accreditation New Zealand) assessment has been completed with pleasing results. Accreditation remains at low risk, with a number of general non-compliances to be resolved through the action plan sign-off process as part of the standard assessment process. By retaining our low risk status, we remain at bi-annual IANZ audits.
- 3.15 As mentioned at paragraph 3.5 work is underway to bring the two building control teams completely together. A number of activities and workflows, like building inspections, have already started to be undertaken jointly.

PROPOSED WAITOMO DISTRICT PLAN

- 3.16 The Decisions Version of the Proposed Waitomo District Plan was publicly notified on 19 June 2025. The appeals period closed on 1 August 2025. We received 5 appeals and 18 section 274 notices on those various appeals. These appeals and section 274 notices can be found by following the link – <https://www.waitomo.govt.nz/council/district-plan-review/appeals/>.
- 3.17 In terms of the outstanding appeals. Please see the update below.
 - *Royal Forest and Bird (F & B) – Council staff have circulated a document that sets out its position on the F & B appeal points to F & B and the section 274 parties. We have had a response from the parties who are subject to this appeal and are now working through those*

responses to try and resolve this appeal. However, the presiding judge has scheduled court assisted mediation in November if we are unable to resolve this appeal by direct negotiations.

- *Roy Wetini Whaanau Trust – awaiting a decision from the Court on jurisdictional and scope issues.*
- *Te Ruunanga o Ngaati Mahuta ki te Hauaauru Trust – awaiting a decision from the Court on jurisdictional and scope issues.*

EMERGENCY MANAGEMENT

- 3.18 Following endorsement by Waitomo District Council [*Decision: Appointment of Waitomo District Council Local Controller and Recovery Manager* 30 June 2026 (981316)] Mark Bang has been appointed by the Joint Committee as Local Controller (Waitomo, Ōtorohanga and Waipā District Council areas) and Local Recovery Manager (Waitomo District Council Area).
- 3.19 It is important that WDC can be self-sufficient for small scale emergencies, management of internal business continuity interruptions and can activate their own Emergency Operation Centre (EOC) until surge staff from other councils arrive. Identification of staff to fill Incident Management Team roles in a Waitomo EOC is underway and training is commencing as courses become available.
- 3.20 With increasing instances of H5N1 Avian Influenza occurring in Australia and two instances in NZ there is heightened awareness of the risk for the wild bird population in NZ. This has resulted in WDC amplifying messages from MPI (the lead agency for H5N1) on its social media pages. The Local Controller is maintaining a presence on the Waikato Regional liaison group. In the event of the disease becoming imbedded in NZ it will be managed and controlled by MPI.
- 3.21 A report “*Pre Disaster Recovery Planning – Gap Analysis*” has been produced for WDC by Simplexity Consulting and contains 16 recommendations. They cover priority actions in the following areas: Governance, Management, Social, Built, Economic and Natural Environments. Ōtorohanga District have learnt lessons from their recovery from the February 2026 severe weather event. These lessons have been analysed, along with the Simplexity recommendations, and the Local Recovery Managers from Ōtorohanga and Waitomo Districts are collaborating on a Strategic Plan For Recovery to cover both council areas.
- 3.22 The Western Waikato Emergency Operating Area shared service agreement for Civil Defence Emergency Management has been extended until 1 March 2027. This extension will enable the Chief Executive Officers to review current arrangements and recommend options for CDEM delivery for the foreseeable future. In view of the Local Government Head Start proposals and imminent changes to CDEM legislation the extension was the most practical option in the short term.
- 3.23 The Government has introduced an Emergency Management Bill to replace the Civil Defence Emergency Management Act 2002. The select committee process for the Bill has concluded, with the Governance and Administration Committee reporting the Bill back to the House on 5 June 2026. The Bill will move through the remaining parliamentary stages in the coming months and the Government intends to pass the Bill this term. The Bill is not considered contentious and National Emergency Management Agency have produced eight information sheets to inform the sector of the key differences between the current Act and the Bill.

STRATEGY AND POLICY

- 3.24 The Strategy and Policy Team alongside policy owners and activity managers are working on the following:

Policies

- Significance and Engagement – draft workshopped, next draft to be included with draft CD for LTP 2027-37.
- Change Management Policy

Bylaws

- Solid Waste – determinations paper presented for adoption at this Council meeting.
- Public Amenities – determinations report presented for consideration at this Council meeting.
- Water Services and Trade Waste – assessment against LGWSA 2025 presented for consideration at this Council meeting.
- Trade Waste – requires a Trade Waste Discharge Plan (the Plan) to be adopted by Council by 27 August 2027, approval for WWL to prepare, draft, and consult on the Plan presented for consideration at this Council meeting.
- The Team are also supporting the development of a Draft Alcohol Fees Bylaw for Ōtorohanga District Council.

Annual Report 2025/2026

- 3.25 Staff are working on the draft Annual Report 2025/26 document and completing audit requests with our external auditors Deloitte. A large component of this work is collating the Key Performance Measures and related evidence documentation.
- 3.26 The Team is continuing work for the upcoming Long Term Plan workshops and continue to monitor legislation changes and understand the impacts of those changes.

COMMUNICATIONS AND ENGAGEMENT

- 3.27 A detailed update relating to this activity stream was provided in the previous progress report, however further to usual tasks there are two exciting new matters to report on.
- 3.28 **Les Munro Centre Revitalisation Engagement**
- 3.29 The Communications and Engagement team are working with a Council project team to showcase the Les Munro Centre (LMC) and seek ideas and visions on how we can better utilise the iconic building.
- 3.30 The LMC is a large venue that is underutilised and costs ratepayers significantly more money each year than it makes in revenue. The venue is however very important to the community and holds the district's largest event – the New Zealand Sheering Championships – as well as smaller events like birthday parties and funerals.
- 3.31 At the same time WDC has a public library bursting at the seams. The library, like all public libraries, is going through a significant shift in its identity. Libraries are moving away from being quiet places for books and reading to vibrant community centres, offering kids programmes, workshops, dynamic spaces, and a broader range of materials for hire. It has been suggested that there could be a solution to both of these by combining the two.
- 3.32 An engagement campaign has kicked off, inviting the public to share their ideas on how we can revitalise the LMC. An Open Day is also being held on 29 August, offering people a chance to explore the venue, take a closer look at its spaces and see what the centre has to offer.

3.33 Social Point Engagement Platform

- 3.34 To help the community share their ideas on the LMC, an interactive engagement platform has been reestablished, which offers a variety of ways to provide feedback.
- 3.35 Social Point will be familiar to some, as Council has used the platform previously to gather feedback in a more creative and engaging way.
- 3.36 Social Point allows users to browse through photo ideas, contribute to a floor plan, provide commentary and upload their own photos and ideas.

- 3.37 Feedback and ideas will be collated and will help inform the development of a proposed concept design, which will be presented to the community for formal consultation as part of the 2027–37 Long Term Plan process in March 2027.
- 3.38 Social Point will also be used for future consultations.

Document ID: 1000495

Report To: Council**Meeting Date:** 25 August 2026**Subject:** **Recommendation from Audit and Risk Committee:
Local Government Funding Agency Cash Advance Facility****Type:** Decision Required**Author(s):** Wayne La Roche
Financial AccountantTina Hitchen
Chief Financial Officer**1 Purpose of Report**

- 1.1 The purpose of this business paper is to present 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.

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 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.

3 Background

- 3.1 Attached to this paper is a copy of the paper considered by the Audit and Risk Committee on 11 August 2026 as background information.

4 Commentary

- 4.1 The Audit and Risk Committee after considering this matter resolved:

Resolution

- 1 *The business paper on Local Government Funding Agency Cash Advance Facility – Recommendation to Council be received.*
- 2 *The Committee recommends that Council approve the Local Government Funding Agency Cash Advance facility in place of the current wholesale advance facility.*

Kana/Manawaiti Carried

5 Analysis of Options

- 5.1 **Option 1:** Enter into the new LGFA Cash Advance Facility to realise both the savings in facility fee costs and interest rate charged.
- 5.2 **Option 2:** No change - continue with the existing Wholesale Advance Facility. The facility is currently in place and working well but is more expensive than Option 1 in both facility fee costs and interest rate charged.

6 Considerations

- 6.1 No additional risks are identified with the selection of either option. There are adequate internal controls, management oversight and audit scrutiny around cash management and the drawing of debt, which would apply to either option selected.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

- 6.2 The decision is consistent with Council's Treasury Policy which provides for and requires a standby facility to be in place.
- 6.3 Further the same policy requires the approval of Council to negotiate new borrowing facilities following recommendation from the Audit and Risk Committee.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.4 The decision on this matter is considered of low significance under the Significance and Engagement Policy 2026 and will provide cost savings for ratepayers.

7 Recommendation

- 7.1 It is recommended that Council enters into the LGFA Cash Advance facility to replace the existing Wholesale Advance facility as it is more cost effective.

8 Attachments/Separate Enclosures

Attachments:

- 1 Audit and Risk Committee Paper – 11 August 2026 (Doc # 997295)

Document ID: 997295

Report To: Audit and Risk Committee**Meeting Date:** 11 August 2026**Subject:** **Local Government Funding Agency Cash Advance Facility - Recommendation to Council****Type:** Decision Required

Author(s): Wayne La Roche
Financial Accountant

Tina Hitchen
Chief Financial Officer

1. Purpose of Report

- 1.1 The purpose of this business paper is to present the Local Government Funding Agency (LGFA) cash advance facility option and seek a recommendation to Council to replace the current wholesale advance facility with the LGFA cash advance facility.

2. Suggested Resolutions

- 2.1 The following are suggested resolutions only and do not represent the committee's recommendation until such time as it might be adopted by resolution.
- 1 The business paper on Local Government Funding Agency Cash Advance Facility – Recommendation to Council be received.
 - 2 The Committee recommends that Council approve the LGFA Cash Advance facility in place of the current wholesale advance facility.

3. Background

- 3.1 A credit facility is vital to support day to day cash management and is utilised to temporarily cover cash requirements that typically arise due to timing of cash received quarterly from rates, the monthly NZTA subsidy funding and payment of suppliers.
- 3.2 WDC has had a facility with Westpac for many years and the use of the facility, when required, has run very smoothly.
- 3.3 Recently the LGFA have offered a very similar product but at considerably lower cost.
- 3.4 The Treasury Policy requires the approval of Council following a recommendation from the Audit and Risk Committee, to enter into the new borrowing facilities.

4. Commentary

- 4.1 The LGFA is WDC's principal lender and is now offering a new cash advance facility that will operate in a very similar fashion as the current Westpac Wholesale Advance facility in place.
- 4.2 The new facility is more cost effective, in both the facility fee charge and applicable interest rates.
- 4.3 Set out in the table below are the key differences between the LGFA Cash Advance and the Westpac Wholesale Advance facility for credit fee and effective interest rate, with example cost comparisons.

Terms	LGFA Cash Advance Facility	Westpac Wholesale Advance Facility	LGFA the better option?
Base Interest Rate	OCR	Westpac Prime Rate	Yes
Margin	50 basis points	100 basis points	Yes
Commitment Fee	20 basis points	40 basis points	Yes
For Example			
Facility Limit	\$6,000,000	\$6,000,000	n/a
Commitment/Facility Fee	\$12,000 per year	\$24,000 per year	Yes
Example Drawn Amount	\$1,500,000 for 31 days	\$1,500,000 for 31 days	n/a
OCR/Westpac Prime Rate	2.25%	2.55%	Yes
Estimated Interest Cost	\$41,250 per year \$3,503 for 31 days	\$53,250 per year \$4,523 for 31 days	Yes

- 4.4 As shown in the table above, the benefit of the LGFA offering is the facility fee being half the rate of the existing facility. It is priced at 0.20% (20 basis points) compared with 0.40% under the current arrangement, with the amount payable based on the facility limit.
- 4.5 The interest rate payable on the drawn amount is also more favourable for the LGFA option.
- 4.6 The LGFA facility term is for 3 years, compared to 1 year for the existing facility. Interest accrues on a daily basis on the outstanding balance and is paid on maturity (ie, each time a repayment is made).
- 4.7 The administration and use of the facility is slightly more cumbersome than the existing facility however this is manageable within the day to day cash management processes.
- 4.8 The current facility has a current limit of \$6 million. This limit will be reviewed over the coming months and as we work through forecasts for the Long Term Plan to determine whether a lower limit would be more appropriate, given the volume of transactions that have now moved to Waikato Waters Ltd.
- 4.9 This facility will be secured under the existing security arrangements with the LGFA.

5. Analysis of Options

- 5.1 **Option 1:** Enter into the new LGFA Cash Advance Facility to realise both the savings in facility fee costs and interest rate charged.
- 5.2 **Option 2:** No change - continue with the existing Wholesale Advance Facility. The facility is currently in place and working well but is more expensive than Option 1 in both facility fee costs and interest rate charged.

6. Considerations

- 6.1 No additional risks are identified with the selection of either option. There are adequate internal controls, management oversight and audit scrutiny around cash management and the drawing of debt, which would apply to either option selected.

CONSISTENCY WITH EXISTING PLANS AND POLICIES

The decision is consistent with Council's Treasury Policy which provides for and requires a standby facility to be in place.

- 6.2 Further the same policy requires the approval of Council to negotiate new borrowing facilities following recommendation from the Audit and Risk Committee.

SIGNIFICANCE AND COMMUNITY VIEWS

- 6.3 The decision on this matter is considered of low significance under the Significance and Engagement Policy 2026 and will provide cost savings for ratepayers.

7. Recommendation

- 7.1 It is recommended that Council enters into the LGFA Cash Advance facility to replace the existing Wholesale Advance facility as it is more cost effective.

Document ID: 1001008**Report To: Council**

Meeting Date: 25 August 2026

Subject: **Motion to Exclude the Public**

Type: Decision Required

Author(s): Michelle Higgie
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 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.

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.