

## Notice of Meeting:

I hereby give notice that an ordinary Meeting of the Council will be held on:

**Date:** Thursday 30 May 2024  
**Time:** 9:30 am  
**Meeting Room:** Council Chamber and Audio Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Lance Vervoort  
Chief Executive

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## Council *Kaunihera* OPEN AGENDA

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### Membership

**Chairperson** Mayor Paula Southgate  
*Heamana*

**Deputy Chairperson** Deputy Mayor Angela O'Leary  
*Heamana Tuarua*

<b>Members</b>	Cr Maxine van Oosten	Cr Geoff Taylor
	Cr Moko Tauariki	Cr Sarah Thomson
	Cr Ewan Wilson	Cr Emma Pike
	Cr Mark Donovan	Cr Anna Casey-Cox
	Cr Louise Hutt	Cr Kesh Naidoo-Rauf
	Cr Andrew Bydder	Vacancy
	Cr Tim Macindoe	

**Quorum:** A majority of members (including vacancies)

**Meeting Frequency:** Monthly – or as required

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Amy Viggers  
*Mana Whakahaere*  
Governance Lead

**21 May 2024**

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## Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council<sup>1</sup>:
  - a) The power to make a rate.
  - b) The power to make a bylaw.
  - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
  - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
  - e) The power to appoint a Chief Executive.
  - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Council's Governance Statement.
  - g) The power to adopt a remuneration and employment policy.
  - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
  - i) The power to approve or amend the Council's Standing Orders.
  - j) The power to approve or amend the Code of Conduct for Elected Members.
  - k) The power to appoint and discharge members of committees.
  - l) The power to establish a joint committee with another local authority or other public body.
  - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council does not accept the recommendation.
  - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
  - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
  - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
  - c) Approval of any changes to city boundaries under the Resource Management Act 1991.
  - d) Adoption of governance level strategies plans and policies which advance Council's vision and strategic goals.

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<sup>1</sup> [Clause 32, Schedule 7, Local Government Act 2002](#)

- e) Approval of the Triennial Agreement.
- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- j) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- k) Approval of Activity Management Plans.
- l) Sister City relationships.

**Oversight of Strategies, Plans and Reports:**

- Long Term Plan
- Annual Plan
- Annual Report
- Shaping Hamilton Kirikiriroa Together
- Our Climate Future
- He Pou Manawa Ora

**Oversight of Policies and Bylaws:**

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to officers specific to the Resource Management Act 1991*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*
- *Climate Change Policy*
- *Any Community Engagement Policies*

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**1 Apologies – *Tono aroha***

**2 Confirmation of Agenda – *Whakatau raarangi take***

The Council to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipanga***

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

**4 Public Forum – *Aatea koorero***

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6699.

# Council Report

**Committee:** Council

**Date:** 30 May 2024

**Author:** Amy Viggers

**Authoriser:** Michelle Hawthorne

**Position:** Governance Lead

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Council Open Minutes 4 April 2024

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the open Minutes of the Council Meeting held on 4 April 2024 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Council Open Unconfirmed Minutes 4 April 2024

## **Council Kaunihera OPEN MINUTES**

Minutes of a meeting of the Council held in Council Chamber and Audio-Visual Link, Municipal Buliding, Garden Place, Hamilton on Thursday 4 April 2024 at 9.30am.

**PRESENT**

<b>Chairperson</b>	Mayor Paula Southgate
<b>Heamana</b>	
<b>Deputy Chairperson</b>	Deputy Mayor Angela O’Leary
<b>Heamana Tuarua</b>	
<b>Members</b>	Cr Maxine van Oosten Cr Moko Tauariki Cr Ewan Wilson Cr Mark Donovan (via audio visual) Cr Louise Hutt Cr Andrew Bydder (via audio visual) Cr Geoff Taylor Cr Sarah Thomson Cr Melaina Huaki Cr Anna Casey-Cox Cr Kesh Naidoo-Rauf

<b>In Attendance</b>	Lance Vervoort – Chief Executive Sean Murray – General Manager Venues, Tourism & Events Andrew Parsons - General Manager Infrastructure & Assets Janet Carson – General Manager Partnerships, Communication & Maaori Blair Bowcott- General Manager Strategy, Growth & Planning David Bryant – General Manager Business Services Peter Winder – Three Waters Consultant
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<b>Governance Staff</b>	Amy Viggers – Governance Lead Keryn Phillips, James Winston II and Arnold Andrews – Governance Advisors
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*The meeting was opened with a Karakia from Council Kaumatua Tame Pokaia.*

- 1. Apologies – Tono aroha**  
**Resolved:** (Mayor Southgate/Cr Wilson)  
That the apologies for absence from Cr Pike are accepted.
- 2. Confirmation of Agenda – Whakatau raarangi take**  
**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the agenda is confirmed.
- 3. Declarations of Interest – Tauaakii whaipaaanga**  
No members of the Council declared a Conflict of Interest.

4. **Public Forum – Aatea koorero**  
No members of the public wished to speak in the Public Forum.
5. **Confirmation of the Council Open Minutes - 14 March 2024**  
**Resolved:** (Cr Wilson/Cr van Oosten)  
That the Council confirm the Open Minutes of the Council Meeting held on 14 March 2024 as a true and correct record.
6. **Confirmation of the Elected Member Open Briefing Notes – 13 March 2024**  
**Resolved:** (Cr Wilson/Cr van Oosten)  
That the Council confirm the Closed Briefing Notes of the Elected Member Briefing held on 13 March 2024 as a true and correct record.
7. **Confirmation of the Elected Member Open Briefing Notes – 20 March 2024**  
**Resolved:** (Cr Wilson/Cr van Oosten)  
That the Council confirm the Closed Briefing Notes of the Elected Member Briefing held on 20 March 2024 as a true and correct record.
8. **Chair's Report**  
Mayor Southgate spoke to her report and thanked staff and businesses involved in the planning the visit to Hamilton's friendship city Ieper and encouraged community groups to participate in planned community events concerning the proposed 2024-34 Long-Term Plan.  
**Resolved:** (Mayor Southgate/Cr Macindoe)  
That the Council receives the report.
9. **Three Waters Reform Update**  
The General Manager Infrastructure & Assets took the report as read. Staff responded to questions from Elected Members concerning the role of the working group, the process to representation at the Mayoral Forum and the impact on the forum's draft position statement by unsigned Councils.  
**Resolved:** (Mayor Southgate/Cr Thomson)  
That the Council:
  - a) receives the report;
  - b) notes that Government's Local Water Done Well programme;
  - c) notes the initiative taken by the Waikato Mayoral Forum to explore options through the Waikato Water Done Well project.
  - d) notes the Hamilton City Council (HCC) project team established to assist the Council in considering options in response to the Local Water Done Well programme and the use of remaining government funding for waters transformation for this purpose.
  - e) appoints Mayor Southgate and Cr Thomson (as alternate) to represent Hamilton's interests in the Mayors and Chair Forum Waikato Water Done Well project.
  - f) notes that the HCC representative on the Mayors and Chair Forum Waikato Water Done Well project has no authority to commit HCC other than through formal resolution of Council;
  - g) establishes a Council Waters Working Group to act as a sounding board for waters reform issues and options as set out in the Terms of Reference set out in this report;
  - h) appoints Mayor Southgate, Deputy Mayor O'Leary, Cr Thomson, Cr van Oosten, Cr Macindoe and Maangai Kana to the Waters Working Group; and
  - i) notes that decisions of Council's Waters direction will be sought via future reports to the Council or an appropriate Committee.



**10. Resolution to Exclude the Public**

**Resolved:** (Cr Wilson/Cr van Oosten)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Public Excluded Minutes 14 March 2024	) Good reason to withhold ) information exists under ) Section 7 Local Government	Section 48(1)(a)
C2. Peacocke Waikato River Bridge Contract Settlement	) Official Information and ) Meetings Act 1987	

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h)
	to enable Council to carry out negotiations	Section 7 (2) (i)

**The meeting moved into Public Excluded session at 10.00am.**

**The meeting returned to an open session at 10.59am.**

*During the public excluded session the following was resolved to take part in the open.*

**C2. Peacocke Programme Update**

**Resolved:** (Cr Thomson/Cr Wilson)

That the Council requests staff install two transit lanes (T2 or T3) on the Peacocke Waikato River Bridge, the scope of which is to be confirmed by the Traffic, Speed Limit and Road Closure Hearings Panel, noting that the long term intention is for the lanes to be Bus Lanes and that this will be communicated to future Peacocke residents through the appropriate channels.

**Cr Taylor dissenting.**

**The meeting was adjourned from 11.02am to 11.07am during discussion of the above item.**

*The meeting was closed with a karakia from Mayor Southgate*

**The meeting was declared closed at 11.26am.**

# Council Report

**Committee:** Council

**Date:** 30 May 2024

**Author:** Charlotte Mitchell

**Authoriser:** Michelle Hawthorne

**Position:** Graduate Governance Support

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Elected Member Briefing Open Notes 3 April 2024

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open notes of the Briefing held on 3 April 2024 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Elected Member Briefing Unconfirmed Open Notes - 3 April 2024

Elected Member Briefing Notes – 3 April 2024 – Open

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Time and date:	11:30 am, 3 April 2024
Venue:	Committee Room 1, Hamilton City Council

**Long Term Plan (LTP) Consultation Process**

Staff explained that the purpose of the presentation was to inform members of processes Staff had implemented to respond to Elected Members concerns relating to the Long-Term Plan. Members asked questions in relation to the following matters:

- Have Your Say Platform;
- submissions received to date; and
- how and when members will be able to access the submissions.

# Council Report

**Committee:** Council

**Date:** 30 May 2024

**Author:** James Winston II

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Elected Member Briefing Open Notes 10 April 2024

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open notes of the Briefing held on 10 April 2024 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Elected Member Briefing Unconfirmed Open Notes - 18 April 2024

## Member Briefing Notes – 18 April 2024 – Open

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**Time and date:** 2.00pm, 18 April 2024  
**Venue:** Committee Room 1, Hamilton City Council

### Transport Project Updates

Staff introduced the session and explained that the purpose of the session to have further direction from Members on a proposed decision-making principles and process. Members asked questions in relation to the following matters:

- need for elected member oversight;
- the grading matrix produced by Safe System Assessments;
- liability; and
- alternative options for the Low-Cost Low-Risk Programme approval process.

# Council Report

**Committee:** Council

**Date:** 30 May 2024

**Author:** James Winston II

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Elected Member Briefing Open Notes 18 April 2024

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirm the Open notes of the Briefing held on 18 April 2024 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Elected Member Briefing Unconfirmed Open Notes - 18 April 2024

**Member Briefing Notes – 18 April 2024 – Open**

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**Time and date:** 2.00pm, 18 April 2024  
**Venue:** Committee Room 1, Hamilton City Council

**Transport Project Updates**

Staff introduced the session and explained that the purpose was to have a follow up discussion with members about feedback from previous information session on 10 April 2024. Members asked questions in relation to the following matters:

- on the need for elected member oversight;
- understanding the grading matrix produced by Safe System Assessments attached to major projects to allow elected members understand the rationale supporting the assessment;
- understanding of where liability would rest if Council decided not to go forward with a project;
- options for what years in the plan projects can begin;
- do all projects come with the Safer System Assessment.

# Council Report

**Committee:** Council **Date:** 30 May 2024

**Author:** Andrew Parsons **Authoriser:** Andrew Parsons

**Position:** General Manager **Position:** General Manager  
Infrastructure and Assets Infrastructure and Assets

**Report Name:** Local Water Done Well Update

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

1. To inform the Council on recent developments in relation to the Government's Local Water Done Well initiative and enable the Council to consider a draft submission on the second water reform Bill.
2. To seek delegation from the Council to transition uncommitted Better Off Funding from existing projects to support Local Water Done Well.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
  - a) receives the report;
  - b) notes that responding to Local Water Done Well will require Hamilton City Council to incur costs that are unbudgeted in the current year, and for which no provision has been made in the draft Long-Term Plan for 2024/25 and beyond.
  - c) notes that the Better-Off Funding projects are significantly progressed with most of the Better Off Funding spent or committed;
  - d) delegates authority to the Chief Executive to transition approximately \$1.3M of uncommitted Better-Off Funding (grant funding) to support Local Water Done Well;
  - e) notes that the result of the Better Off Funding transition to Local Water Done Well will be reported to the first Finance Committee following the transition of the funds;
  - f) notes that a Waters Transition Fund payment of \$364,750 is expected from the Department in Internal Affairs; and
  - g) notes the Chief Executive will commission work under delegated authority to confirm or re-validate the 2015 Cranleigh business case identified benefits for water services, support the exploration of options for the future delivery of water services and undertake initial due diligence with Waikato District.



## Executive Summary - *Whakaraapopototanga matua*

4. A report outlining the timetable for legislative reform as part of the Government's Local Water Done Well programme was presented at [the 4 April 2024 Council meeting](#). That paper reflected the Minister of Local Government's intention to introduce and enact a second reform Bill in mid-2024.
5. At the time of writing this report the second Bill had not been introduced to Parliament. It is expected that the Bill will be introduced before the Council meeting on 30 May and that there will be a very short period for making submissions on the Bill.
6. As soon as possible after the Bill is introduced to Parliament Council will be briefed on the content of the Bill and any issues that it may pose for Hamilton. A draft submission on the Bill will be prepared for Council consideration. Depending on when the Bill is introduced there may be little time to circulate a draft submission prior to the Council meeting on May 30.
7. Water reform is a critical issue for the Council, and it will be important that Council carefully consider the proposed legislation and a possible submission.
8. Responding to Local Water Done Well will require HCC to incur costs related to:
  - i. the consideration of options for the delivery of waters services, including through the Waikato Water Done Well initiative, and other options for joint service delivery with other councils.
  - ii. the preparation of a Water Services Delivery Plan (as will be required by the legislation about to be introduced to Parliament).
  - iii. work that will be required to comply with new economic regulation and to establish transparency over the costs, revenues, assets, and funding self-sufficiency of Council's existing waters operations – separate from the rest of Council's activities.
  - iv. work required to support any transition to a new waters delivery framework.
9. The full cost of these requirements is not yet known, but no provision for these activities has been made in either the current year or in the draft Long-Term Plan for 2024/25 and beyond.
10. A Waters Transition Fund payment of \$364,750 is expected from the Department in Internal Affairs. If received, this funding can be applied to the HCC costs associated with Local Waters Done Well.
11. In the first half of 2023, Council successfully applied for \$14.6M of Better Off Funding from the previous Government with all projects/initiatives commencing 30 June 2023 and concluding by 30 June 2024.
12. In April 2024, the new coalition Government confirmed Better Off Funding would be retained but redirected to support the implementation of Local Water Done Well. Council has identified approximately \$1.3m of uncommitted Better Off Funding which could be transitioned to Local Water Done Well.
13. The identified \$1.3m of uncommitted Better Off Funding is primarily derived from deferring or stopping work, and in small part achieved through savings.
14. For further Better Off Funding project details see **Attachment 1: Better Off Funding project summary**.
15. If the Council were to not transition the Better Off Funding, the Local Water Done Well work would place additional funding pressures on the first few years of the upcoming 2024-34 Long-Term plan.
16. Staff consider the matters/decisions in the report to have low significance and that the recommendations comply with the Council's legal requirements.

## Background - Koorero whaimaarama

### Better Off Funding

17. Better Off Funding was introduced by the previous Government as part of its water reform. It is an investment by the Crown into local government as part of the transfer of responsibility of three waters.
18. Better Off Funding projects had to meet some or all of the funding criteria of:
  - i. supporting communities to transition to a sustainable and low-emissions economy, by building resilience to climate change and natural hazards;
  - ii. the delivery of infrastructure and/or services that enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available; and
  - iii. the delivery of infrastructure and/or services that support local place-making and improvements in community wellbeing.
19. In the first half of 2023 Council successfully applied for \$14.6M of Better Off Funding from the Government.
20. The Council application predominantly offset existing expenditure forecast for the 2023-24 Annual Plan. This directly improved the balancing the books measure in the current 2023-24 Financial Year.
21. Council's Better Off Funding agreement has scheduled all projects/initiatives commencing 30 June 2023 and concluding by 30 June 2024. Council's approach to applying all the Better Off Funding in the current Financial Year means that most of the Better Off Funding is currently either spent or committed to being spent.
22. In early 2024, following Waka Kotahi withdrawing funding of the Transport Choices programme funded through the Climate Emergency Relief Fund, Council heard that the Government had asked for advice on returning un-contracted Better Off Funding.
23. This meant that the Council's plan to spend all of its allocation of the Better Off Funding by 30 June 2024 appeared to leave us in a fortuitous position with less funds at risk than other councils whose programmes spanned several years.

### Local Water Done Well

24. As noted in the [report to the 4 April 2024 Council meeting](#), the government has committed as part of its Local Water Done Well programme to progressing two further Bills through Parliament. In announcing the approach and establishing the timetable for reform on 12 February 2024 the Minister of Local Government has stated that:

*"The first bill will be passed by the middle of 2024 and will set out provisions relating to council service delivery plans and transitional economic regulation. It will also provide streamlined requirements for establishing council-controlled organisations under the Local Government Act 2002, enabling councils to start shifting the delivery of water services into more financially sustainable configurations should they wish to do so."*

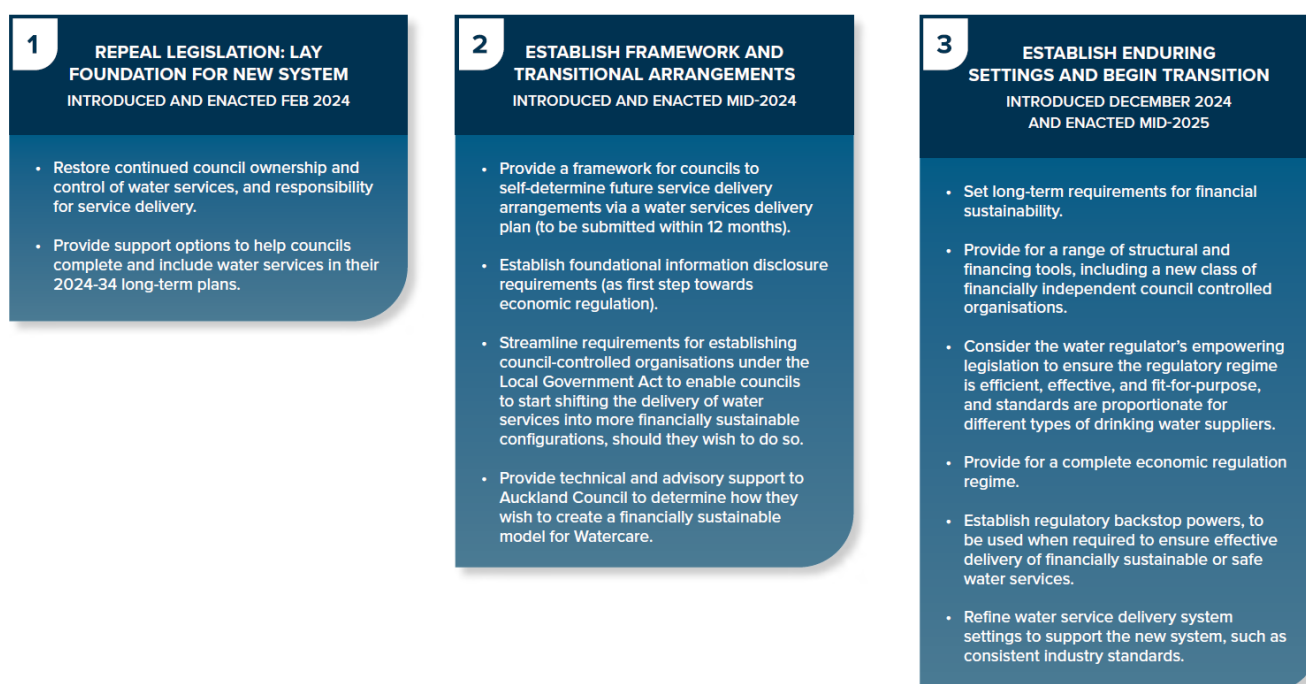
*"A second bill to provide for the long-term replacement regime will be introduced in December 2024 and passed by the middle of 2025. This will set out provisions relating to long-term requirements for financial sustainability, provide for a complete economic regulation regime, and a new range of structural and financing tools, including a new type of financially independent council-controlled organisation."*

*"The second bill will also establish regulatory backstop powers, to be used when required to ensure effective delivery of financially sustainable or safe water services. In addition, it*

*will also make necessary amendments to the water regulator's legislation to ensure the regulatory framework is fit for purpose and workable for drinking water suppliers."*

*"Local Water Done Well recognises the importance of local decision making and flexibility for communities and councils to determine how their water services will be delivered in the future. We will do this while ensuring a strong emphasis on meeting rules for water quality and investment in infrastructure."*

25. The intended content of each of the three pieces of water legislation are set out in Figure 1 below.



**Figure 1: Local Water Done Well Three Step Legislative Plan**

26. The second Bill is expected to be introduced to Parliament before the 30 May Council meeting.
27. Given the importance of Water Reform to Hamilton it is important that the Council carefully considers the Bill and makes a submission that supports the aspects of the Bill that it agrees with and addresses any issues or concerns that the Council may have. If there is time following the introduction of the Bill, staff will prepare and separately distribute a draft submission for Council to consider.
28. Responding to Local Water Done Well will require HCC to incur costs related to:
- the consideration of options for the delivery of waters services, including through the Waikato Water Done Well initiative, and other options for joint service delivery with other councils
  - the preparation of a Water Services Delivery Plan (as will be required by the legislation about to be introduced to Parliament)
  - work that will be required to comply with new economic regulation and to establish transparency over the costs, revenues, assets and funding self-sufficiency of Council's existing waters operations – separate from the rest of Council's activities
  - work required to support any transition to a new waters delivery framework.

29. The full cost of these requirements is not yet known, but no provision for these activities has been made in either the current year or in the draft Long-Term Plan for 2024/25 and beyond. Council will need to determine how it will fund the activities that will be required to respond effectively to Local Waters Done Well.

## Discussion

### Local Water Done Well

30. The work in response to Local Water Done Well that is anticipated is significant. Considering options for the delivery of waters services will include options for a whole of Waikato solution (as is being explored through the Waikato Water Done Well initiative), and a range of other options from a HCC stand-alone business unit, to an HCC only CCO, a combined CCO with other Future proof Councils, a partnership of some form with Tauranga, and other possible arrangements, such as the provision of services to Waikato District to replace the services currently provided to them by Watercare. The consideration of options will need to be sufficiently robust as to provide the Council confidence that it will meet the decision-making requirements of the Local Government Act 2002.
31. Work is underway to scope the options and analysis of options that is necessary. The full extent of this work will depend on the nature of the new legislative requirements. Key aspects of this will not be known until the third reform Bill is introduced to Parliament at the end of this year. Some options can be considered and discarded as a result of an initial high-level assessment. Others will require far more detailed consideration.
32. A key factor in the scale of work that may be required to consider delivery options is the extent to which HCC can rely on the substantial business case prepared by Cranleigh in 2015. While a lot has changed since then, if it is possible to conclude that the substantive benefits that Cranleigh identified are still available it could be possible to avoid repeating the very substantial costs of developing an equivalent business case.
33. Of all of the options, the most pressing is work to explore possible partnership with Waikato District. Given Watercare's decision to withdraw from their service provision contract Waikato now faces a challenging timetable to ensure service continuity. Exploring possible partnerships with Waikato, including whether HCC is able to provide a services solution that would avoid the need for repeated major change, is therefore on a more pressing timeline than the broader response to Local Water Done Well.
34. The first step in exploring options with Waikato District is to complete an information sharing / due diligence process in relation to the services that Watercare currently provide Waikato. This work will help HCC to determine whether or not it could provide services to Waikato. It will also provide the means to confirm the extent to which the benefits identified by Cranleigh in 2015 are still available and achievable. In approaching this work some costs will fall on each Council. Waikato is engaging additional staffing to support the process and has ensured that Watercare is able to provide the necessary information. HCC will also need to resource its parts of the necessary work.
35. Given the urgency with which Waikato is working and the resource constraints within Hamilton City Council, the Chief Executive will need to engage some external resources to complete the information sharing / due diligence process. Part of this work will include, confirming or re-validating the 2015 Cranleigh business case identified benefits for water which HCC needs to do anyway. The work will need to commence in the current year and will extend into July 2024.

### Government direction on Better Off Funding

36. In April 2024 the Minister of Local Government provided an update about the next stage of Local Water Done Well. This included Cabinet decisions in relation to how Better Off Funding would be retained and redirected to support the implementation of Local Water Done Well.

37. Council has been directed to identify, by mutual agreement with Crown Infrastructure Partners and the Department of Internal Affairs (DIA), if any opportunities exist for Council to redirect unspent Better Off Funding to increase investment in water infrastructure or to help establish new water services delivery organisations.
38. The DIA has advised that any mutually agreed changes will be confirmed through a formal contract variation when the Local Government Water Services (Transitional Provisions) Bill passes into law, which is expected around mid-2024.
39. Following this Government advice, the Chief Executive instructed the business to not commit any further Better Off Funding until a decision could be made whether these funds should be transitioned to support work in response to Local Water Done Well.
40. The business has identified approximately \$1.3m of uncommitted Better Off Funding which could be transitioned to Local Water Done Well. It predominantly comes from the 'Connecting to the community via online portal and open data' (information services), 'Implementing He Pou Manawa Ora – Pillars of Wellbeing Strategy' and 'Workplace and school travel planning' (transport) projects with smaller portions identified in the 'Climate change corporate sustainability and community and business education', and 'Waiwhakareke natural area development' projects.
41. The identified \$1.3m of uncommitted Better Off Funding is primarily derived from deferring or stopping work, and in small part achieved through savings. For further Better Off Funding project details see **Attachment 1: Better Off Funding project summary**.
42. Notwithstanding the Better Off Funding, a Waters Transition Fund payment of \$364,750 is expected from the Department of Internal Affairs (DIA). Staff are liaising with the DIA around the timing of the payment. The Waters Transition Fund payment is additional to the Better Off Fund.

## Options

43. Considering the options available to Council is made complex because the scope of work required to respond to Local Water Done Well over the next year and beyond is not yet known. However, what is clear is that the approach in the Long-Term Plan to secure savings means that there is no capacity within the funding proposed in the draft Long-Term Plan for this activity in 2024/25.
44. HCC's response and any additional work to develop a Water Services Delivery Plan and seriously explore alternative delivery options will need to be funded in addition to the funding provided in the Long-Term Plan – or further savings will need to be made elsewhere.
45. Council has few options to consider that would provide the level of funding likely to be required to respond to Local Water Done Well in the balance of this financial year and through 2024/25.
46. Key options are:
  - i. **Choose not to fund the activity** – this is likely to result in non-compliance in relation to the preparation of a Water Services Delivery Plan and will compromise HCC's ability to find water services delivery options that are most beneficial to Hamilton. Delaying decisions that would lead to increased borrowing capacity and the more timely delivery of critical infrastructure necessary to support growth would be of concern. This option is not recommended.

- ii. **Make provision for this activity in the Long-Term Plan** – Council has not yet adopted the Long-Term Plan and could choose to add this activity to it. However, to do so would require either a further reprioritisation of activities and identifying compensating savings, or a further increase to the level of rates proposed for 2024/25. Given the pressures on the budget for 2024/25 and the complexity and challenges of making changes to the draft Long-Term Plan at this stage, this option is not recommended.
- iii. **Transfer Better Off and Transition Funding to support this activity** – this approach would reflect the latest Government direction and policy. This is the approach that is recommended by staff.

### **Financial Considerations - *Whaiwhakaaro Puutea***

- 47. Financial considerations will be considered as part of the substantive advice to Council on the Bill.
- 48. Local Water Done Well presents Council with a compulsory yet underfunded new work programme. If Council were to not transition the Better Off Funding the Local Water Done Well work would place additional funding pressures on the first few years of the upcoming 2024-34 Long-term Plan.
- 49. Notwithstanding the Better Off Fund, a Waters Transition Fund payment of \$364,750 is expected from the Department in Internal Affairs.
- 50. The Waters Transition Fund payment of \$364,750, along with the \$1.3m of Better Off reused funding, would give HCC a total of \$1.66 m over the next 14 months for the significant amount of work that is necessary on 3 Waters delivery reform.

### **Legal and Policy Considerations - *Whaiwhakaaro-aa-ture***

- 51. Staff confirm that the recommendation complies with the Council's legal and policy requirements and note that the Local Government Water Services (Transitional Provisions) Bill is required to be passed into law to formalise any transition of uncommitted Better Off Funding to support Local Water Done Well.
- 52. Further Legal and Policy considerations will be considered as part of the substantive advice to Council on the Bill.

### **Climate Change Impact Statement**

- 53. Supporting Local Water Done Well work is fundamental for securing resilient three waters outcomes for Hamilton but funding this work as recommended through this report would lower funding for the climate change community and business education.
- 54. Climate change impacts will be considered as part of the substantive advice to Council on the Bill.

### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

- 55. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
- 56. The subject matter of this report recommends transitioning funding away from projects that deliver 4 wellbeings outcomes. These outcomes will be replaced with the wellbeing outcomes derived from the Local Water Done Well workstream.
- 57. Wellbeing Considerations will be considered as part of the substantive advice to Council on the Bill.

### **Risks - Tuuraru**

- 58. By transferring a portion of the Better Off Funding to Local Waters Done Well there is a reputational risk to Council from our Iwi, Mana Whenua and Maataawaka partners due to the He Puo Manawa Ora work programme being reduced.
- 59. Risks will be considered as part of the substantive advice to Council on the Bill.

### **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

#### **Significance**

- 60. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.
- 61. Significance will be considered as part of the substantive advice to Council on the Bill.

#### **Engagement**

- 62. The recommendations of this report are intended to provide the framework that ensures that community views are addressed as the Council considers options for the future.
- 63. The Council retains the ability to decide at a future time to consult on options for waters delivery if it considers that necessary and appropriate.
- 64. Given the low level of significance determined, the engagement level is low. No engagement is required.

### **Attachments - *Ngaa taapirihanga***

Attachment 1 - Better Off Funding project summary

TITLE	DETAILS	BOF ALLOCATION	COMMITTED BOF ALLOCATION	RECOMMENDATION TO REALLOCATE TO WATERS	COMMENT
City and community safety	Undertake projects that aim to deter anti-social behaviour, look for opportunities to prevent crime, support the homeless or vulnerable and to enhance perceptions of safety for users of the central city.	\$3,137,000.00	\$3,137,000.00	\$0.00	No reallocation available as budget fully committed.
Climate change corporate sustainability and community and business education	Support Council in their sustainability initiatives and to develop educational material for the broader public.	\$750,000.00	\$673,140.00	\$76,860.00	Stopping education and partnership projects.
Community grants distributed to the community	Provide funding to non-profit organisations in the community.	\$1,750,000.00	\$1,750,000.00	\$0.00	No reallocation available as budget fully committed.
Connecting to the community via online portal and open data	Actively improve Council's connection to and engagement with the community, via open data and online portal access.	\$3,329,400.00	\$2,679,102.00	\$650,298.00	Reprioritising work programmes to be funded in 2024/25.
Implementing He Pou Manawa Ora – Pillars of Wellbeing Strategy	Build internal capability to cover te ao Māori, Te Tiriti o Waitangi, maatauranga Māori, Te Ture Whai Mana o te Awa o Waikato, tikanga, te reo Māori, and engagement with Iwi, Hapuu and Maataawaka.	\$525,000.00	\$300,000.00	\$225,000.00	Not progressing with the Council Chamber Cultural Project, cultural assets management plan and the cultural Blueprint.
Nature in the City programme	Gully restoration including plantings, paths and boardwalks.	\$3,912,100.00	\$3,912,100.00	\$0.00	No reallocation available as budget fully committed.
Waiwhakareke natural area development	Perform pest management, maintain the trail system and facilities, manage and monitor visitors to the park, provide visitor experiences, monitor and manage the parks flora and fauna, perform environmental research and education, and undertake planting.	\$542,400.00	\$495,071.00	\$47,329.00	Programme savings.
Workplace and school travel planning	Perform cycling and walking accessibility, workplace and school travel planning.	\$704,100.00	\$412,528.00	\$291,572.00	Stopping uncommitted work.
TOTAL		\$14,650,000.00	\$13,358,941.00	\$1,291,059.00	



# Council Report

Item 10

**Committee:** Council  
**Author:** Robyn Denton  
**Position:** Network and Systems Operations Manager  
**Date:** 30 May 2024  
**Authoriser:** Andrew Parsons  
**Position:** General Manager Infrastructure and Assets  
**Report Name:** Bryce Street Resilience Works - Seddon Road to Tristram Street

<b>Report Status</b>	Open
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## Purpose - *Take*

1. To seek approval from the Council for the inclusion of changes to Bryce Street between Seddon Road and Tristram Street to improve resilience against the risk identified and funded through the 2023/24 Low-Cost Low- Risk Local Roads programme.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Council:
  - a) receives the report;
  - b) notes that the decision of the 7 June 2018 Community and Services Committee meeting to delegate authority to the CE to progress matters related to the proposal for a Community Cricket Centre in Circus Park by Northern Districts Cricket including road stopping of Bryce Street between Seddon Road and Tristram Street will not proceed any further as Northern Districts Cricket no longer wish to pursue this option;
  - c) approves the inclusion of Bryce Street Resilience Works has been added to the Low- Cost Low-Risk Local Roads programme for 2023/24 at an estimated cost of \$650,000 with 51% of the cost being subsidy by NZ Transport Agency;
  - d) notes that the completion of the Bryce Street Resilience Works is weather dependent, and the work may not be able to be completed in the 2023/24 financial year, funding from NZ Transport Agency is not able to be carried over into the new Long Term Plan period and therefore if the works are delayed funding will be required from the 2024/25 Minor Improvements – Local Roads programme to complete the works; and
  - e) notes that the proposed shared path on the southern side of Bryce Street between Seddon Road and Tristram Street will be formalised via a subsequent Traffic, Speed Limit and Temporary Road Closure Hearing Panel meeting.

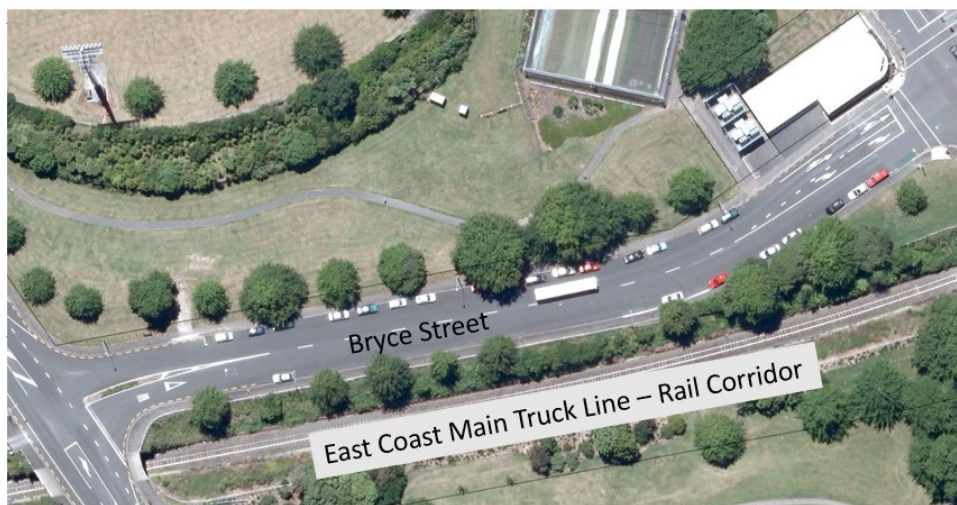
## Executive Summary - *Whakaraapopototanga matua*

3. The section of Bryce Street between Seddon Road and Tristram Street has been subject to ongoing ground settlement since 2013. This settlement has resulted in Bryce Street being closed to traffic several times and repairs and relocations being made to the road and footpath – particularly on the southern side of Bryce Street closest to the East Coast Main Trunk Line rail corridor.

4. Investigations and various geotechnical tests have determined that it is most likely that this section of Bryce Street has a concrete pavement built in the 1940's to span the organic material below.
5. Monitoring has been undertaken for the site and based on data collected and reviewed there has been a distinct pattern of accelerated settlement in summer (drying) and reduced rates of movement in winter.
6. The changing rates in settlement are believed to be associated with the layer of organic silt soils, which is susceptible to swelling/shrinking as the ground water content changes, and a row of trees located on the crest of the cutting for the rail corridor.
7. Staff have been working on finding an option to provide a long term solution that will reduce the risk of ongoing settlement and the risk of the slope slumping in the adjacent rail corridor.
8. Staff recommend **Option Four** - Changes to the road layout and regrading of the slope, as detailed later in the report.
9. Staff consider the decisions in this report have low significance and that the recommendations comply with the Council's legal requirements.

### Background - *Koorero whaimaarama*

10. Cracks in the road and footpath surfaces were first noticed in Bryce Street in **2013** between Seddon Road and Tristram Street and as a result a monitoring programme was put in place.
11. The East Coast Main Trunk railway line is situated in a cutting approximately 5 metres below the road as shown in the plan below:



***Bryce Street layout in 2013 – parking on both sides with adjacent rail corridor***

12. An investigation report completed in 2013 concluded that the deformation was likely to be caused by staged settlement of the peat and other organic soils over a prolonged period of time and exacerbated by increased load and or reduction in groundwater level due to drought. It was identified that the series of trees along the deformed section could have also contributed to a reduction in groundwater level.
13. Changes were made to reduce the loading on the edge of the concrete pad on its southern edge closest to the railway line via the removal of parking in the section where the majority of settlement had occurred.



***Bryce Street 2015 showing – section of parking removed between red arrows.***

14. In **2016** further investigations were completed to try and better understand the causes of the ongoing settlement that was primarily being managed via sealing of cracks to minimise water entering into the organic material beneath the concrete slab pavement.
15. The investigations determined:
  - i. The road pavement is supported on a concrete roadway constructed in the 1940's by the Americans army defence force as a transport route for tanks. This concrete slab was understood to span from approximately halfway across the existing footpath to the northern side of Bryce Street.
  - ii. In the early 1960's, the level of the railway as it crosses the Waikato River was lowered. This meant that the level of the railway as it runs past Bryce Street was also lowered to create a suitable rail gradient. The original level of the railway is not known so it is not known how much that tracks were lowered at this location.
  - iii. Ground location pin monitoring had shown considerable settlement occurring over a 12 month period between 2012 and 2013.
  - iv. A cone penetrometer test (CPT) and borehole were carried out in 2013 to investigate the cause of the deformation of the footpath and the verge of the road pavement.
  - v. During 2014, the affected sections of the footpath and road pavement were excavated.
  - vi. The alignment of Bryce Street was adjusted in order to construct the road pavement and the kerb and channel sitting directly on the concrete slab pavement built by the Americans in the 1940's.
  - vii. The reconstructed footpath is understood to sit half on and half off the concrete slab.
  - viii. As part of the construction works, geogrids were used to reinforce the soils adjacent to the existing concrete slab.
  - ix. Given the ground information and settlement monitoring data available the consultant was not able to confidently identify the mechanism causing the cracking, deformation, and settlement along Bryce Street.

- x. The following proposed preliminary remedial options below were identified and further investigation was proposed to make a more information recommendation:
    - A. Remove Existing Trees
    - B. Drainage
    - C. Geogrid and Fill
- 16. No additional work was undertaken on the site following the 2016 investigations, but ongoing monitoring of the site was undertaken to understand the impact of the changes that had been made ie relocated kerb line and reduced loading on the southern side of Bryce Street.
- 17. In **March 2018** routine monitoring identified further settlement in the westbound traffic lane and adjacent footpath (closest to the East Coast Main Trunk railway line).
- 18. As a precautionary measure the westbound traffic lane and pedestrian footpath were closed on 23 March 2018 and further investigations undertaken to understand the cause of the settlement.
- 19. Staff commissioned Consultants to assess the potential causes of failure and based on the data collected and reviewed there was a distinct pattern of accelerated settlement in summer (due to drying) and reduced rates of movement in winter.
- 20. The changing rates in settlement were believed to be associated with the layer of organic silt soils, which is susceptible to swelling/shrinking as the ground water content changes, and a row of trees located on the crest of the cutting.
- 21. The consensus of the Consultants was that the pattern of settlement observed suggests that the current deformation is largely related to settlement in the organic silt soils due to the uptake of water from the tree roots but it was unclear that this is the only cause.
- 22. Four mitigation options were identified:
  - i. **Option A** – remove trees located on the crest of the cutting and continue to monitor
  - ii. **Option B** – replace existing soils with light weight fill
  - iii. **Option C** – Regrade the batter slope (i.e. top of the cutting)
  - iv. **Option D** – Construct a retaining wall
- 23. The recommendation was that **Option A** (Tree removal) should be undertaken to allow further monitoring (12 months) to assess whether this is the only cause of settlement or not.
- 24. Implementing **Option A** was considered a “Do minimum” option for reducing the rate of ground movement. It was noted that while this option would not necessarily arrest the movement completely it would remove the most likely cause of settlement.
- 25. The tree removal was funded from existing maintenance budgets and implemented during the July 2018 school holidays. The road was fully reopened to traffic.



26. The photo below show the trees that were removed:



***Trees adjacent to Bryce Street within the rail corridor***

27. Following the removal of the trees, further monitoring was planned to assess the impact of the work and the ongoing settlement risk to determine if further mitigation works were necessary to stabilize the site.
28. The [7 June 2018](#) Community and Services meeting considered a proposal from Northern Districts Cricket Association (NDC) (Item #8, page 17). NDC presented at a Council Briefing on 22 May 2018 on a proposed Community Cricket Centre to be located on Circus Park (next to Seddon Park between Seddon Road and Tristram St).
29. The proposal included office space for NDC along with indoor and outdoor training facilities to address a shortage of training facilities for cricket meaning that women's and community cricket are unable to access quality facilities.
30. The proposal required the closure of Bryce Street between Seddon Road and Tristram Street to accommodate the proposed buildings.
31. The meeting resolved:

That the Community and Services Committee:

- a) receives the report;
- b) supports the Community Cricket Centre development proposal subject to:
  - i) it is completed at no cost to Council;
  - ii) all regulatory compliance matters are met including the road stopping; and
  - iii) that HCC open space planning staff be included in the design of the centre precinct.
- c) delegates the CE to progress matters related to this proposal and to negotiate an appropriate agreement with Northern Districts Cricket; and
- d) requests that the final proposal and related agreement is reported back to Council for final approval.

32. Following the meeting staff met with NDC and outlined the process needed to complete a road stopping and likely costs. The option was not subsequently pursued any further and it is understood that NDC have since started investigating other options and no longer wish to peruse this proposal.

33. In **November 2022** monitoring determined that there had been another significant amount of settlement in the road and footpath and a decision was made to close the road pending further investigations.
34. The investigations indicated that while the settlement continued to occur, it was slow and following some minor repairs including crack sealing and pipe repairs, the road was able to be opened to traffic again in early 2023.
35. It was considered desirable to minimise the amount of weight that was sitting on the street at any one time, so No Stopping restrictions were introduced for the full length of the section of Bryce Street at the [22 February 2023](#) Traffic, Speed Limit and Temporary Road Closures Hearings Panel (item 5 page 8).
36. It was noted in the report to the Traffic, Speed Limit and Temporary Road Closures Hearings Panel that further investigation was to be undertaken to determine an appropriate long term treatment for this section of road that would provide a greater degree of confidence that the risk of a slope failure into the rail corridor was able to be minimised.
37. Monitoring results from the site through to end of March 2023 indicate the following:

Vertical Movement during the period 09 May 2015 - 30 March 2023																								
#	X-Sect 1	X-Sect 2	X-Sect 3	X-Sect 4	X-Sect 5	X-Sect 6	X-Sect 7	X-Sect 8	X-Sect 9	X-Sect 10	X-Sect 11	X-Sect 12	X-Sect 13	X-Sect 14	X-Sect 15	X-Sect 16	X-Sect 17	X-Sect 18	X-Sect 19	X-Sect 20	X-Sect 21	X-Sect 22	X-Sect 23	X-Sect 24
CW	-100	-41	-47	-52	-155	-58	-57	-57	-59	-63	-61	-71	-64	Target Removed	Target Removed	Target Removed	Target Removed	-31	-31	-29	-36	-36	-31	0
K	-96	-52	-56	-58	-69	-72	-73	-75	-74	-90	-115	-121	-111	-103	-87	-61	-45	Target Removed	Target Removed	-32	-40	-49	-51	-39
FP	Target Removed	-68	-63	-68	-89	Target Removed	Target Removed	Target Removed	-147	-164	-310	Target Removed	-301	-205	-146	-105	-70	-52	-47	-49	-65	-73	-71	-54

Monitoring results from May 2015 – March 2023 inclusive along Bryce Street between Seddon Road (x-section 1) to Tristram Street (x-section 24) are indicated in the **table above**.

The **table to the right** indicates the colour scheme used in the monitoring table above where:

- the left hand scale (blue tones) are to record degree of uplift, and
- the right hand side (yellow thru to red) record degree of settlement.

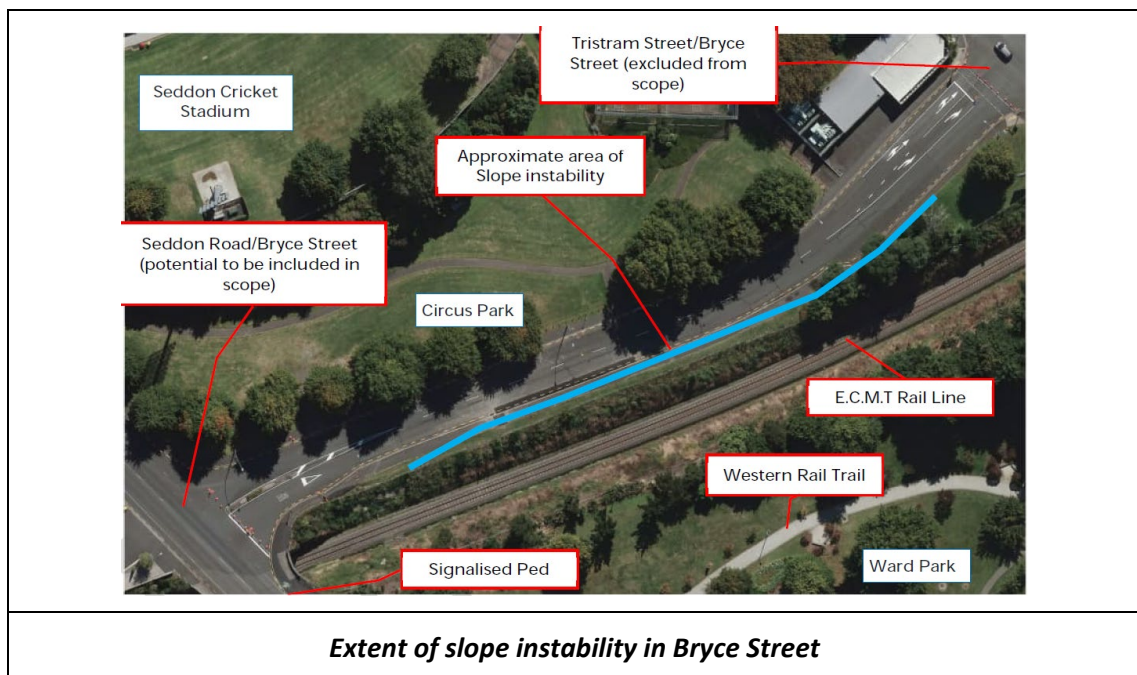
LEGEND	
+ΔZ	-ΔZ
No Movement	
0-10mm	0-10mm
10-30mm	10-30mm
30-50mm	30-50mm
50 - 100mm	50 - 100mm
>100mm	>100mm

38. In **October 2023** an option was sought that would improvement the slope stability and ideally be able to be included in a Low Cost Low Risk programme.
39. As part of this work it was determined that KiwiRail had also identified the failure of the slope between Bryce St and the rail corridor as a risk and had started investigation into options for addressing this in the 2023/24 financial year.

40. The opportunity for completing the two projects jointly was discussed and agreed, with both KiwiRail and Hamilton City to work with the same Consultant team. It was agreed that Hamilton City would take responsibility for the work required within the road reserve (defined approximately by the location of the fence line) and KiwiRail would take responsibility for the changes to the slope (being defined approximately as the area between the fence line and the railway lines).
41. Funding for the work to this point had been via the Transport Unit Maintenance and Operations budgets. With the development of a project being considered, funding opportunities were explored and a request to NZ Transport Agency for funding assistance for resilience works via the Low Cost Low Risk – Local Roads Programme was approved in late 2023 pending Hamilton City finding the local share.
42. In early 2024, work on investigations into Bridge and Bank seismic improvements reached a stage where it was determined that only one of the four possible projects would be suitable for progressing within the Low Cost Low Risk – Local Roads Programme. The estimate of the value for completion of three of the sites was beyond the \$2M funding cap that applies to the Low Cost Low Risk programme.
43. Development of a concept was undertaken to finalise the extent of works and funding requirements. Approval for completion of Resilience works in Bryce Street between Seddon Road and Tristram Street was sought at the [2 May 2024](#) Infrastructure and Transport Committee (Item 10, page 270).
44. The item was held over to a later meeting pending provision of additional information on the options that have been considered and the funding of the work completed to date.

### Discussion - *Matapaki*

45. As noted earlier in this report, work has been progressing to develop a more permanent solution to address the geotechnical risk of slope instability along the railway in Bryce Street corridor between Tristram Street and Seddon Road.
46. The following plan shows the extent of the settlement area in Bryce Street that is the focus of the resilience works.



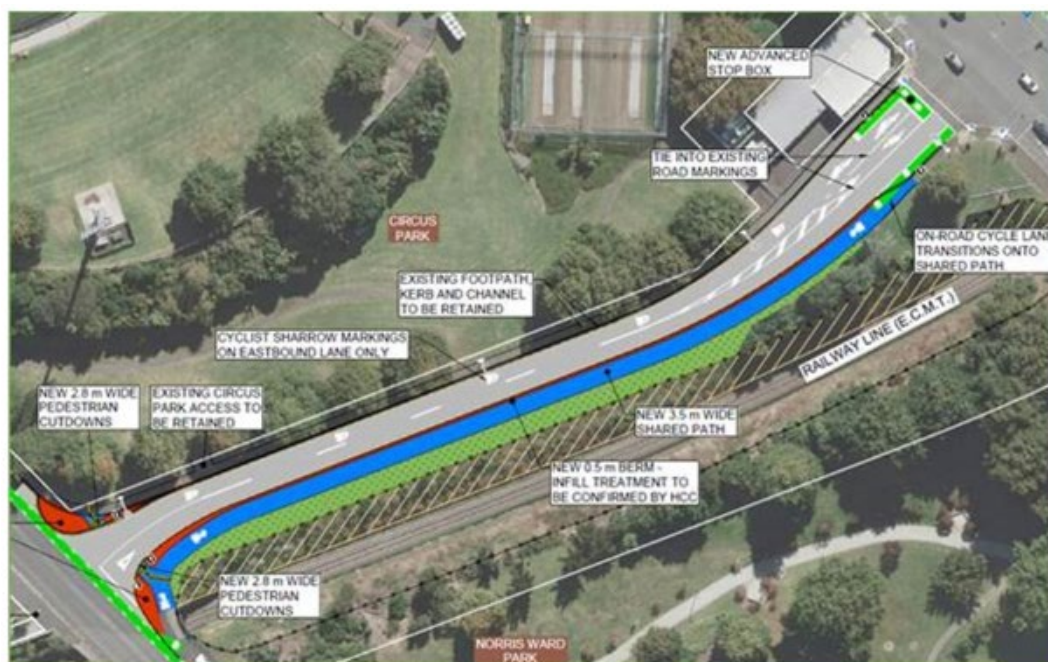
47. The following options were considered to reduce the risk of ongoing settlement of the road and footpath and the bank slumping into the rail corridor:

Option	Scope	Comments
<b>One</b>	Road Closure	<p>Not a preferred option due to:</p> <ul style="list-style-type: none"> <li>i. Costs to complete a formal road closure being had to quantify due to the ability for the process to be challenged via Environment Court. Estimate based on recent closure of a Paper Road (ie not a road that was formed or in use) exceeded \$1M</li> <li>ii. Increased safety risk for the students using Ward Street outside Girls High school as a result of increased traffic flow.</li> <li>iii. An opportunity lost for improvements in Tristram Street to improve traffic flow by making changes to the turning movements at both Bryce Street and Ward Street intersections as well as changes to the Norton Road intersection at Tristram Street.</li> <li>iv. The need to maintain access to Circus Park and the southern entrance to Seddon Park for events and the temporary facilities that are brought in when hosting events eg portaloo.</li> <li>v. The need to maintain access to the WEL Substation on the corner of Bryce Street and Tristram Street</li> <li>vi. The need to remove the weight off the slope would still have required the physical works to the remove road and changes to slope to be completed.</li> </ul>
<b>Two</b>	Dig out the Concrete Pad and underlying organic material and build a new road	<p>Not considered a preferred option due to:</p> <ul style="list-style-type: none"> <li>i. Expected costs – noting that there was a significant depth of organic material found beneath the concrete pad.</li> <li>ii. The pavement would have to be either structural asphalt or concrete.</li> <li>iii. While the option deals with the downward settlement of the road it would not address the loading issues for the slope unless the road was narrowed.</li> </ul>
<b>Three</b>	Retaining structure within the slope	<p>Not considered a preferred option due to:</p> <ul style="list-style-type: none"> <li>i. Likely costs associated with the difficulty of completing the project in the rail corridor and difficulty in accessing the corridor for extended periods ie work has to be programmed between train movements.</li> <li>ii. Does not address the ongoing settlement in the road corridor and resulting cracks and trip hazards occurring on the southern side of the road</li> </ul>



<b>Four</b>	Changes to the road layout and regrading of the slope	<p><b>Preferred Option</b> because the investigations</p> <ul style="list-style-type: none"> <li>i. Lowest cost option</li> <li>ii. The geotechnical investigations indicated that moving the road and footpath to the north would have a positive impact on the slope stability and reduce the associated damage to the relocated road and footpath</li> <li>iii. Work could be completed in conjunction with KiwiRail</li> </ul>
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48. **Option Four** was determined as the preferred option and as noted in the background section of this report, staff have been working with KiwiRail to design the slope stabilisation remediation (slope regrading). Staff are advised that while stabilisation remediation will improve the slope stability of the site, it may not entirely address the issue of residual settlement within the road corridor.
49. Through the investigations completed to date, it was determined that to mitigate the geotechnical risks of settlement and slope instability of the embankment along the southern side of Bryce Street, improvements to the road corridor were required.
50. Site observations indicated the risk of residual settlement and associated pavement damage is lower as the setback from existing slope crest is increased. This has been illustrated by the lack of cracking and settlement at the Tristram Street end of Bryce Street – which is further away from the rail corridor.
51. Therefore, the road corridor is required to be realigned to reduce the loading onto the slope (vehicles and infrastructure) and to move the carriageway to the north of the road reserve to increase the setback from the existing slope crest.
52. The proposed work also provides greater space for KiwiRail's works to be completed. The KiwiRail work to regrade the slope was planned to be completed in conjunction with the work in the transport corridor in the 2023/24 financial year but staff have recently been advised by KiwiRail that they will now be programming this work for the 2024/25 financial year.
53. The reduction in road width for car use will require realignment of the kerblines on the railway side of the road. As Bryce Street is recognised as a priority route in the Biking and Micromobility Plan and is a connection east-west across the city centre, including providing a link to the Western Rail Trail and Claudelands Bridge staff have also allowed for the reinstatement of the existing path on the southern side of the road and included widening this path to become a 4.0m shared path.
54. This will result in the loss of approximately 8-9 carparks on the south eastern side of Bryce St immediately adjacent to Tristram Street. All other parking has already been removed via previous changes in order to minimise weight on the slope.
55. The plan below shows the proposed extent of works which will tie into the existing layout at Tristram Street but require some changes to the kerblines at Seddon Road.



56. While this project had not been identified in the Low Cost Low Risk programme approved at the [7 March 2023](#) Infrastructure and Transport Committee meeting (item 11, page 103), it was noted that:
- i. It is expected that there will be some changes made to the list of sites, proposed works, and timing of implementation as the designs are progressed and the consultation process is undertaken.
  - ii. It is recognised that there is also the possibility of other issues/concerns raised throughout the year that Council will want to try and respond to if the timing and budget allows.
  - iii. The list of sites for 2023/24 is therefore greater than budget available to ensure that there are projects ready to go if there are delays experienced in getting a particular project completed.
  - iv. Any projects not implemented in the 2023/24 year will be carried forward for consideration in the 2024/25 programme. The 2024/25 programme will be presented to this committee for approval in early 2024.
  - v. Updates on the programme including any changes, and progress on implementation will be provided via Executive Updates.
57. Based on the draft Transport Decision Making framework, approved at the [2 May 2024](#) Infrastructure and Transport Committee (item 7, page 82) this project would be categorized as a Green 'Just Do It' project.
58. The work is estimated to require three weeks to complete. While KiwiRail have now decided that they will not undertake their work until later this year, or early 2025, staff believe that in order to mitigate risk to Council for any ongoing settlement in this area that it is worth proceeding with the work if weather in June 2024 allows.

## Financial Considerations - *Whaiwhakaaro Puutea*

59. NZ Transport Agency have approved use of the Low-Cost Low-Risk Local Roads Fund as resilience works and this was included within the approved programme planning earlier this year. The total approved budget for this project is \$650,000, with 51% of the total cost funded by NZ Transport Agency. It is not anticipated that any additional local funding will be required and this value includes the latest investigation work completed to develop this concept.
60. This includes the ability for Council to claim the investigatory work that has been completed to date to determine that the preferred option was suitable to address the issue and met the requirements for Low Cost Low Risk funding.
61. Local share is available for this work due to planned Bridge Stabilisation Projects not being able to proceed because investigations have determined that these works are beyond the \$2M funding cap for the Low Cost Low Risk Programme.

## Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

62. Staff confirm that the staff recommendation complies with the Council's legal and policy requirements.

## Climate Change Impact Statement

63. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation and have determined no adaptation or emissions assessment is required.

## Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

64. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
65. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
66. The recommendations set out in this report are consistent with that purpose.

### Social

67. The Bryce Street resilience works will help provide to enable Bryce Street between Seddon Road to remain open and facilitate a connected city allowing communities to access employment, education, health, and other essential services as well as access to recreational and social opportunities.

### Economic

68. The proposed resilience works reduce the risk of having further settlement in the road and temporary closures to the road to make repairs.
69. It also reduces the risk of material slumping into the rail corridor and blocking the East Coast Main Trunk line which is crucial to the operations of the Ruakura Inland Port and as a connecting route between the Auckland and Tauranga Ports.
70. The project also has improvements for pedestrians and people on bikes to be able to access into the CBD and shopping locations safely.

**Environmental**

71. Completion of the Minor Works programme provides options for use of alternative modes of transportation and the ability for the community to traverse across and around the city in a safe way without the need for a vehicle.

**Cultural**

72. No cultural impacts are expected as a result of these minor works which are minimal and for resilience purposes only.

**Risks - *Tuuraru***

73. There are no known risks associated with the decisions required for this matter.
74. There are risks associated with not approving the Bryce Street Resilience works for completion this financial year including:
- i. Inability to carry over NZ Transport Agency co-investment from 2023/24 year
  - ii. Risk of further settlement and additional maintenance works for sealing of cracks, repairing broken pipes and repairs trip hazards.
  - iii. Risk of a slump into the rail corridor resulting in disruption to the East Coast Main Trunk Railway.

**Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

75. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.
76. The road will be temporarily closed, and detours put in place while the works are completed. Information on the closure will be provided Variable Message Boards on site prior to and during the works and will be supported by media releases and information being provided to those properties and businesses in the immediate area.
77. Given the low level of significance determined, the engagement level is low. No engagement is required.

**Attachments - *Ngaa taapirihanga***

There are no attachments for this report.

# Council Report

Item 11

**Committee:** Council

**Date:** 30 May 2024

**Author:** Carmen Fookes

**Authoriser:** Michelle Hawthorne

**Position:** Policy and Bylaw Advisor

**Position:** Governance and Assurance Manager

**Report Name:** Submission on Waikato Regional Council Representation Review

<b>Report Status</b>	Open
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## Purpose - *Take*

1. To inform the Council of the initial proposal of the Waikato Regional Council Representation Review.
2. To seek the approve from the Council to delegate two Elected Members to approve the Hamilton City Council submission on the initial proposal of the Waikato Regional Council Representation Review, noting any views raised within the meeting.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
  - a) receives the report; and
  - b) delegates XX and XX to work with staff to write and send the submission on behalf of Hamilton City Council, noting any points raised within the meeting.

## Executive Summary - *Whakaraapopototanga matua*

4. Waikato Regional Council are seeking submissions on their representation arrangements for the 2025 local elections.
5. The consultation closes on 7 June 2024 with hearings happening mend of June. Decisions on the representation arrangements will be made end of July 2024.
6. The initial proposal of the representation arrangements from Waikato Regional Council comprises of 14 members, elected from eight wards, with no change to the Hamilton City or Waikato Regional General constituencies.
7. Staff have revied the initial proposal for the Waikato Regional Council Representation Arrangements and support in principle the process that has been undertaken.
8. Staff consider the matters in this report have low significance and that the recommendations comply with the Council's legal requirements.

## Background - *Koorero whaimaarama*

9. Waikato Regional Council last completed a representation review in 2018.

10. Maaori Wards were implemented by Waikato Regional Council for the 2013 local government elections, this has been continued and is intended to continue for the 2025 local government elections.
11. There are no changes to the number of elected representatives.
12. The Waihi and Paeroa Rural areas are suggested to move from the Thames-Coromandel general constituency to the Waihou general constituency. This will affect approximately 2,400 people.
13. The draft initial proposal suggests that the number of elected representatives to Hamilton City and Waikato general constituencies are to remain the same.

### Discussion - *Matapaki*

14. Waikato Regional Council have provided the below initial proposal for the representation arrangements.

Constituency	Population	Members	Pop per member
Thames-Coromandel	36,500	1	36,500
Waikato	74,200	2	37,100
Waihou	66,500	2	33,250
Taupō-Rotorua	37,000	1	37,000
Hamilton	157,400	4	39,350
Waipā-King County	70,700	2	35,350
Ngā Hau e Whā	43,800	1	43,800
Ngā Tai ki Uta	36,400	1	36,400
<b>Total</b>	<b>522,500</b>	<b>14</b>	<b>52,250</b>

15. The Hamilton City and Waikato general constituencies remain unchanged with the number of representatives.
16. The main point of difference between this initial proposal and the representation arrangements from 2022 are that the Wahi and Paeroa rural areas will be moved from Thames-Coromandel general constituency to the Waihou general constituency.
17. Staff have reviewed the initial proposal for the Waikato Regional Council Representation Arrangements and support in principle the process that has been undertaken.
18. As Maaori Wards were implemented as part of the 2013 local government elections, there is no requirement for Waikato Regional Council to undergo a referendum as a result of new legislation.

### Options

19. Staff will work with the delegated Members to submit to the proposed Waikato Regional Council Representation Review.

### Financial Considerations - *Whaiwhakaaro Puutea*

20. This is a regular operating activity funded through the Long-Term Plan.

### Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

21. Staff confirm that the matters in this report complies with the Council's legal and policy requirements.

## Climate Change Impact Statement

22. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

## Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

23. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
24. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
25. The recommendations set out in this report are consistent with that purpose.

## Risks - *Tuuraru*

26. There are no known risks associated with the decisions required for this matter.

## Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

27. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a low level of significance.
28. Given the low level of significance determined, the engagement level is low. No engagement is required.

## Attachments - *Ngaa taapirihanga*

There are no attachments for this report.

# Council Report

**Committee:** Council

**Date:** 30 May 2024

**Author:** Amy Viggers

**Authoriser:** David Bryant

**Position:** Governance Lead

**Position:** General Manager Business Services

**Report Name:** 2024 Maaori Ward By-Election

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

1. To inform the Council of the timing for the 2024 Maaori Ward by-election and approval of unbudgeted operational costs of \$70,000 for a by-election following the resignation of Melaina Huaki.
2. To seek a decision of the Council of the order in which candidates' names are listed on the voting documents for the 2024 Maaori Ward by-election.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

3. That the Council:
  - a) receives the report;
  - b) notes the legislative requirements;
  - c) notes the dates for the 2024 Maaori Ward by-election;
  - d) approves unbudgeted operational costs of \$70,000 for a by-election following the resignation of Melaina Huaki;
  - e) approves the names of the Hamilton City Council Candidates for the 2024 Maaori Ward by-election to be arranged on the voting documents to be:
    - i. Alphabetical order; **OR**
    - ii. Pseudo-random order; **OR**
    - iii. Random order.

## Executive Summary - *Whakaraapopototanga matua*

4. The 2024 Local Authority Elections for Hamilton City Council's Maaori Ward seat (2024 Elections) will conclude at 12.00 noon Wednesday 7 August 2024.
5. The By-Election is required to be undertaken in accordance with the Local Electoral Act 2001 (LEA) to fill an extraordinary vacancy following the resignation of Councillor Melaina Huaki.
6. The 2024 By-election will be conducted using the Single Transferable Voting (STV) electoral system established by Council in August 2020.
7. The report outlines the current legislative requirements to hold a by-election.
8. The report seeks approval of unbudgeted operation costs of \$70,000 to run the by-election, a breakdown of costs is outlined in this report.



9. A decision the Council may make if it chooses is the order of Candidates names on the voting documents (Clause 21(1) of the Local Electoral Regulations 2001). The options for order are alphabetical, random, or pseudo-random. If no decision is made on the order of names, the order defaults to alphabetical.
10. Staff consider the matters/decisions in the report to have low significance and that the recommendations comply with the Council's legal requirements.

## Discussion – *Matapaki*

### Maaori Ward by-election – legislative obligations

11. Melaina Huaki, councillor for the Maaori Ward, resigned her position on 7 May 2024.
12. Under the Local Electoral Act 2001 (LEA) Melaina Huaki's resignation takes effect immediately and a by-election is required because the resignation has occurred more than 12 months before the next triennial general election. This is provide for under Part 6, [Section 117\(1\)](#) of the LEA.

### Maaori Ward by-election – key dates

13. Key dates for the by-election are as follows:
 

Nominations open	14 May 2024
Nominations close	11 June 2024
Voting opens	16 July 2024
Voting closes	Noon, 7 August 2024
Results declared	Provisional 8 August 2024
Swearing in ceremony	Provisional 13 August 2024

### Maaori Ward by-election - unbudgeted operational funding request

14. Direct costs for the by-election are estimated at \$59,860.00, assuming a 30% return rate. Dale Osofsky from Election Services is Council's Electoral Officer under an existing contract for services.

#### Maaori Ward By-Election Budget Summary @ 30% Return (15,100 Electors)

Postage	\$ 26,001.00
Voting Mailer/Forms	\$ 10,815.00
Labour	\$ 14,710.00
Advertising	\$ 1,500.00
Legal Fees	\$ -
Accommodation	\$ 1,500.00
Computer Support	\$ 1,167.00
Administration	\$ 917.00
Insurance	\$ 2,500.00
Electoral Roll	\$ 750.00
<b>Total</b>	<b>\$ 59,860.00</b>

15. Staff are seeking \$10,000 to run a campaign promoting the by-election. The election campaign will cover key stages of the election process - enrol, standing for council (encouraging nominations) and voting.

### Maaori by-election – order of names

16. Although not mandatory, the Local Electoral Regulations 2001 allows Local Authorities to consider the order of candidate names on the voting documents if they wish.

17. For the 2013, 2016, 2019, 2022 elections and 2024 East Ward by-election, the Council considered the voting order and resolved to use random order.
18. If no decision is made, the order of names defaults to alphabetical order.

### Options

#### Maaori Ward by-election – legislative obligations

19. Under the legislation as it stands this is a mandatory process.

#### Maaori Ward by-election – key dates

20. Under [Section 120](#) of the LEA, the chief executive of the local authority concerned must give notice of the vacancy to the electoral officer; and the election must be held not later than 89 days after the date on which the electoral officer receives notice of the vacancy (subject to some changes over the Christmas period).
21. The key dates outlined meet the requirements to hold a by-election within this timeframe and to meet additional timeframes within the LEA (e.g. length of time voting must be open for).

#### Maaori Ward by-election - unbudgeted operational funding request

22. The by-election is required by law under the LEA as it currently stands. Funding is required to carry out the by election of approx. \$60,000.
23. Remaining funding of \$10,000 is recommended by staff for a communication campaign to encourage nominations and voting in the by-election.

#### Maaori by-election – order of names

24. The candidate profile statement booklet is always printed in alphabetical order. It is only order of candidate names on the voting documents that the Council can determine.
25. The features of each name order arrangement are described below:
  - i. **Option 1 – Alphabetical order of surname:** Alphabetical order is simply listing candidate surnames alphabetically.
  - ii. **Option 2 – Pseudo-random order:** Pseudo-random order is where candidate surnames are randomly selected, and the order selected is the order appearing on **all** voting documents. The names are randomly selected via a good practice method managed by Election Services.
  - iii. **Option 3 – Random Order:** Random order is where all candidate surnames are randomly selected by computer so that the order of surnames is different on each voting document.
26. The advantage of **Option 1 - alphabetical order** is that it is familiar and easier to understand for voters. Where there is many candidates competing for a position, it is easier for a voter to find a candidate they wish to vote for if the names are listed alphabetically.
27. It is also easier for a voter if the order of names on the voting document follows the order of names in the directory of candidate profile statements accompanying the voting document.
28. Random order (**Options 2 and 3 - random and pseudo-random**) removes the perception of name order bias, but the Pseudo-random order of names simply substitutes a different order for an alphabetical order. Any potential first-name bias will transfer to the name at the top of the pseudo-random list. The only effective alternative to alphabetical order is random order.

29. A disadvantage for both the random options is voter confusion as it is not possible for the supporting documents such as the candidate profile statement booklets to follow the order of a random voting paper. Making voting more difficult carries the risk of deterring the voter from taking part.
30. The following table shows the candidate's name order decided by city and regional councils for past elections:

Local Authority	2016	2019	2022
Auckland Council	Alphabetical	Alphabetical	Alphabetical
Hawke's Bay Regional Council	Alphabetical	Alphabetical	Not available
Invercargill City Council	Alphabetical	Random	Not available
Horizons Regional Council	Alphabetical	Random	Random
Southland Regional Council	Alphabetical	Alphabetical	Random
Taranaki Regional Council	Alphabetical	Alphabetical	Not available
Bay of Plenty Regional Council	Random	Random	Random
Christchurch City Council	Random	Random	Random
Canterbury Regional Council	Random	Random	Not available
Hamilton City Council	Random	Random	Random
Napier City Council	Random	Random	Random
Tauranga City Council	Random	Random	Not applicable
Wellington City Council	Random	Random	Random

31. Auckland Council previously undertook an analysis of the impacts of candidate order on elections outcomes based on their 2010, 2013, 2016 elections.
32. Their findings "indicated that there was no compelling evidence that candidates being listed first were more likely to be elected in the last three elections" and that it was "reasonable to conclude that the results from the last three elections were not impacted dramatically by the use of alphabetical ordering on the voting documents". The Auckland Council report can be found [here](#).

### Financial Considerations - *Whaiwhakaaro Puutea*

33. Staff are seeking approval of an unbudgeted operation budget of \$70,000.
34. The candidate voting order will not change the overall cost.

#### Consequences of council vacancy or leave of absence.

35. The Remuneration Authority provide guidance on the allocation of the Remuneration Pool in a number of circumstances.

36. If a councillor's position becomes vacant or a local government member takes temporary unpaid leave of absence, the council must not reallocate among the remaining councillors the amount not being paid during the period of the temporary vacancy or leave of absence.
37. In these cases, the amount allocated is simply not spent by the council and is available for when the position is filled (through a by-election) (section 117(1) of the Local Electoral Act 2001) or by appointment (section 117(3)(a) and 117A of the Act) or when the councillor returns after their leave of absence. If the council decides not to fill a vacancy (section 117(3)(b) of the Act) the amount not being paid as a result of the vacancy must be reallocated among the remaining councillors.
38. Because Melaina Huaki held no additional positions (e.g. Chair or Deputy Chair) the above guidance applies to her now vacant position.

### **Legal and Policy Considerations - *Whaiwhakaaro-aa-ture***

39. Staff confirm that the staff recommendation and any chosen option will comply with the Council's legal and policy requirements.
40. Local Electoral Regulations 2001, S31 allows Local Authorities to consider the order of candidate names on the voting documents. It is not mandatory to pick an option, and if no decision is reached on the matter, the order of candidate names will automatically revert to alphabetical order.

### **Climate Change Impact Statement**

41. Staff have assessed this option against the Climate Change Policy for both emissions and climate change adaptation. Staff have determined no adaptation or emissions assessment is required.

### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

42. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
43. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report. The recommendations set out in this report are consistent with that purpose.

### **Risks - *Tuuraru***

44. If names are ordered alphabetically, there could be perceived risk of bias.
45. If names are randomised, there could be a perceived risk of increasing the complexity of the voting experience and deterring voters.

### **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

#### **Significance**

46. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.

#### **Engagement**

47. Given the low level of significance determined, the engagement level is low. No engagement is required.

### **Attachments - *Ngaa taapirihanga***

There are no attachments for this report.

# Council Report

**Committee:** Council **Date:** 30 May 2024  
**Author:** Arnold Andrews **Authoriser:** Michelle Hawthorne  
**Position:** Governance Advisor **Position:** Governance and Assurance Manager  
**Report Name:** Recommendations from Open Committee Meetings

<b>Report Status</b>	<i>Open</i>
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## Purpose – Take

1. To seek the Council's approval of the recommendations from the following Committee meetings:
  - i. Strategic Risk and Assurance Committee of 28 March 2024 ([Agenda and Minutes](#)) concerning:
    - a. Safety and Wellbeing Report - 1 November 2023 to 31 January 2024
    - b. Risk Management Report
  - ii. Infrastructure and Transport Committee meeting of 2 May 2024 ([Agenda and Minutes](#)) [concerning](#) Water Supply Bylaw;
  - iii. Finance and Monitoring Committee of 7 May 2024 ([Agenda and Minutes](#)) concerning Financial Performance & Strategy Report.

### **Recommendations from the Strategic Risk and Assurance Committee of 28 March 2024** **Safety and Wellbeing Report - 1 November 2023 to 31 January 2024**

2. That the Council receives the report.

### **Risk Management Report**

3. That the Council:
  - a) receives the report; and
  - b) approves the Risk Management Policy, subject to the inclusion of contractors being added to scope section of the policy.

### **Recommendations from the Infrastructure and Transport Committee of 2 May 2024** **Water Supply Bylaw -Deliberations Report**

4. That the Council adopts the revised Water Supply Bylaw (2024), effective from 1 November 2024.

### **Recommendation from the Finance and Monitoring Committee of 7 May 2024** **Financial Performance & Strategy Report**

5. That the Council:
  - i. approves the capital movement as identified in the 7 May 2024 Capital Portfolio Monitoring Report; and

- ii. approves the significant forecast adjustments and revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in the Financial Strategy section of this staff report.

### **Attachments - *Ngaa taapirihanga***

There are no attachments for this report.

## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Public Excluded Minutes 4 April 2024	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of the Elected Member Briefing Closed Notes 3 April 2024		
C3. Confirmation of the Elected Member Closed Briefing Notes 1 May 2024		
C4. Peacocke Property Update		
C5. External Member Appointments to Strategic Risk and Assurance Committee		
C6. Recommendations from Public Excluded Committee Meetings		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C5.	to enable Council to carry out negotiations to protect the privacy of natural persons to enable Council to carry out negotiations	Section 7 (2) (a) Section 7 (2) (i)



Item C6.

to prevent the disclosure or use of official  
information for improper gain or improper  
advantage

Section 7 (2) (j)