

# Kaunihera | Council

## Mēneti Wātea | Open Minutes



Minutes of an ordinary meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 28 June 2023 at 9.00am.

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### Ngā Mema | Membership

#### **Manuhuia | Mayor**

Adrienne Wilcock, JP (Chair)

#### **Koromatua Tautoko | Deputy Mayor**

James Thomas

#### **Kaunihera ā-Rohe | District Councillors**

Caleb Ansell

Sarah-Jane Bourne

Sharon Dean

Bruce Dewhurst

Dayne Horne

Peter Jager

James Sainsbury

Russell Smith

Kevin Tappin

Gary Thompson

Sue Whiting

## Ngā whakapāha | Apologies

Cr Sue Whiting

## Members Present on Microsoft Teams

Cr Kevin Tappin

Cr James Sainsbury

## Kaimahi i reira | Staff Present

Name	Title	Item No.
Don McLeod	Chief Executive Officer	8.2
Stephanie Hutchins	Governance Support Officer	
Larnia Rushbrooke	Finance and Business Services Manager	7.1, 7.2
Niall Baker	Policy Team Leader	7.1, 7.7
Sandra Harris	Placemaking and Governance Team Leader	7.3
Arshia Tayal	Parks and Facilities Advisor	7.4
Sheree O'Brien	Customer Services Manager	7.4
Todd Makeham	Parks Operations Manager	7.4
Kelly Reith	People, Safety and Wellness Manager	8.1
Barry Reid	Roading Asset Engineer	7.5
Manaia Te Wiata	Group Manager Business Support	7.6

## I reira | In Attendance

Name	Position/Organisation	Item	Time In	Time Out
Peter Volker		6	9.00am	9.16am
Frank Rowson		6	9.00am	9.16am
Jaydene Kana	Risk and Assurance Committee Chair	8.3	9.10am	9.17am

**1 Whakatūwheratanga o te hui | Meeting Opening**

Mayor Adrienne Wilcock welcomed members, staff and public present and declared the meeting open at 9.01am

**2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That an apology from Cr Sue Whiting be received and accepted.

That the apology from Cr James Sainsbury for early departure from the meeting be accepted. Cr James Sainsbury left the meeting at 9.25am.

**Resolution number CO/2023/00001**

**Moved by: Cr G Thompson**

**Seconded by: Cr C Ansell**

**KUA MANA | CARRIED**

**3 Pānui i Ngā Take Ohore Anō | Notification of Urgent Additional Business**

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
  - (i) The reason why the item is not on the agenda; and
  - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
  - (i) That item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
  - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

**LATE AGENDA ITEM: Risk and Assurance Committee Report of 13 June 2023**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That:

1. Council considers item 8.3 Risk and Assurance Committee Report of 13 June 2023 at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a), 46A(7)(b)(i) and 46A(7)(b)(ii) of the Local Government Official Information and Meetings Act 1987, to ensure all information is available to enable timely adoption of the Annual Plan 2023/24 for the 2023/24 financial year commencing on 1 July 2023.

Resolution number CO/2023/00002

Moved by: Cr C Ansell

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

**LATE AGENDA ITEM: Update - Fees & Charges 2023/24**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That:

1. Council considers item 7.7 - Update - Fees & Charges 2023/24 at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a), 46A(7)(b)(i) and 46A(7)(b)(ii) of the Local Government Official Information and Meetings Act 1987, to enable timely adoption of the corrected Fees and Charges 2023/24 for the 2023/24 financial year commencing on 1 July 2023.

Resolution number CO/2023/00003

Moved by: Cr C Ansell

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

**4 Whākī pānga | Declaration of interest**

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

**5 Whakaaetanga mēneti | Confirmation of minutes**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the minutes of the meeting of the ordinary meeting of Matamata-Piako District Council held on Wednesday, 7 June 2023, be confirmed as a true and correct record of the meeting.

Resolution number CO/2023/00004

Moved by: Cr D Horne

Seconded by: Cr S-J Bourne

**KUA MANA | CARRIED**

## **6 Take i puta mai | Public Forum**

<b>Name</b>	<b>Position/Organisation</b>	<b>Topic</b>
Peter Volker Frank Rowson		<ul style="list-style-type: none"> <li>Letter on fluoridation</li> </ul>
<p><b><u>Summary</u></b></p> <p>Peter Volker and Frank Rowson in attendance to discuss the consequences of fluoridation in water supply. Mr Volker provided a brief overview, informed council of a recent Stuff NZ article regarding fluoride and highlighted the negative impacts of adding fluoride to the districts water supply. Mr Volker mentioned a previous report from a National Toxicity programme in the United States that shows investigations over a 6 year period. This report was made available to the public in March 2023 and displays the negative effects of fluoride in youth.</p> <p>Mr Volker requested Council to brace themselves against government direction to fluoride its water supply and to be informed about the impacts.</p> <p>Frank Rowson opened with a few comments on further negative impacts for fluoridating water. Mr Rowson informed council that fluoridating the districts water supply is not mandated according to the Health Fluoridation Drinking Act which says that councils can choose to add fluoride or not to.</p>		
<p><b>ATTACHMENTS</b></p> <p>A Public Forum - Fluoridation diagram - 28 June 2023</p>		

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7 Pūrongo me whakatau | Decision Reports

## 7.1 Adoption of Annual Plan 2023/24

CM No.: 2706947

### Rāpopotonga Matua | Executive Summary

Council is required to produce an Annual Plan each year prior to 1 July with the exception of the years when a Long Term Plan (LTP) is produced. The Annual Plan, which has been circulated electronically, outlines any major variation to what was proposed in the Long Term Plan and is Council's budget for the financial year 1 July 2023 to 30 June 2024. 2023/24 represents Year 3 of the 2021-31 LTP.

Council previously discussed the draft Annual Plan budgets in December 2022. Since then there have been changes to government policy timeframes in respect of three waters reform, increased pricing which Council has given consideration to. At its meeting on 3 May 2023, Council resolved to consult on the draft Annual Plan, approving a Consultation Document for this purpose.

The purpose of this report is to seek Council's adoption of the Annual Plan 2023/24 to come into effect 1 July 2023. As part of this, Council needs to confirm it is intending to run an unbalanced budget, and to re-allocate some reserve funding as decided during the budget process.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Council confirms that it considers it prudent to adopt an unbalanced budget for 2023/24 for the reasons set out in the Balanced Budget section of this report.
3. Funding of \$354,000 will be reallocated from the Wastewater capital contribution reserve fund to offset increased operating costs in Wastewater for 2023/24.
4. The remaining balance of the Covid-19 Recovery reserve fund (of approximately \$1.2m), is transferred back to the “Community Purposes Reserve”.
5. Council adopts the Annual Plan 2023/24 to come into effect 1 July 2023.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Council confirms that it considers it prudent to adopt an unbalanced budget for 2023/24 for the reasons set out in the Balanced Budget section of this report.
3. Funding of \$354,000 will be reallocated from the Wastewater capital contribution reserve fund to offset increased operating costs in Wastewater for 2023/24.
4. The remaining balance of the Covid-19 Recovery reserve fund (of approximately \$1.2m), is transferred back to the “Community Purposes Reserve”.
5. Council adopts the Annual Plan 2023/24 to come into effect 1 July 2023 subject to amending the Annual Plan 2023/24 to incorporate resolution 4 above.

Resolution number CO/2023/00005

Moved by: Cr K Tappin

Seconded by: Cr B Dewhurst

**KUA MANA | CARRIED**

## Horopaki | Background

Council previously discussed the draft Annual Plan budgets in December 2022. Since then there have been changes to government policy timeframes in respect of three waters reform, increased costs in various areas which Council has given consideration to.

At its meeting on 3 May 2023, Council resolved to consult on the draft Annual Plan, approving a Consultation Document for this purpose.

## Ngā Take/Kōrerorero | Issues/Discussion

### Consultation

Public consultation was undertaken on the draft Annual Plan. 148 total submissions were received, of which 120 were formal submissions and 28 informal. A Council hearing was held on 7 June 2023. At this meeting, Council made some key decisions as follows:

- Uniform Annual General Charge (UAGC) is set at 27.5%.
- Council applies to the Department of Internal Affairs (DIA) for a change in the use of the Better off Funding of \$800,000 to offset the water costs in 2023-24. Should the DIA decline this request, this will be funded by other means such as asset sales, or reserves.
- The proposed total rates increase is 13.79% for 2023-24
- Council is reviewing its Levels of Service as part of the LTP and will be engaging the community on this plan over the coming year.

### Balanced Budget

Under section 100 of the LGA 2002 Council must ensure that projected operating revenues are sufficient to cover operating expenses. In other words, Council must balance the budget.

Council may make an exception (by resolution) if satisfied that it is financially prudent to do so, having regard to:

- the estimated expenses of achieving and maintaining desired level of service and the service capacity of assets
- the costs and revenues needed to maintain the capacity and integrity of assets throughout their useful lives
- how these costs will be equitably funded over the life of assets and facilities
- Council's funding and financial policies (e.g. Revenue and Financing Policy)

The Annual Plan statement of comprehensive revenue and expense projects highlights that there will be a \$2.8m deficit for the 2023/24 financial year, and as such the budget is not balanced.

Council has determined that it is prudent to run an unbalanced budget for next year for the following reasons:

### Not fully funding depreciation on Roding assets

Council considers that it is prudent to not fully fund depreciation of Roding assets this year for the following reasons:

- The inflationary cost increases seen in the replacement cost of Roding assets have been significant over the past year, and there is potential that these costs may settle as the economic factors that caused them also settle, in which case it would not be prudent to collect this funding in advance from current ratepayers.
- Council assumes it is unlikely that Waka Kotahi will be in a position to increase the level of renewal work it will fund for Council going forward, in which case Council would need to reduce the renewal programme accordingly.
- Affordability for the community is a key concern at a time when costs of living have also increased significantly.



- Rather than fully funding the non-subsidised share of depreciation, Council believes it is prudent to fund only to the level of renewal work council reasonably expects to achieve for the year, leaving \$3.56m un-funded.

#### Not fully funding depreciation on 3 Waters assets

Council considers that it is prudent to not fully fund depreciation of 3 Waters assets this year for the following reasons:

- The inflationary cost increases seen in the replacement cost of 3 Waters assets have been significant over the past year, and there is potential that these costs may settle as the economic factors that caused them also settle, in which case it would not be prudent to collect this funding in advance from current ratepayers.
- Affordability for the community is a key concern at a time when costs of living have also increased significantly.
- Rather than fully funding depreciation, Council believes it is prudent to only fund to the level of renewal work council reasonably expects to achieve for the year, leaving \$653,000 un-funded.

Consistent with previous years and as set out in the LTP, Council has also made decisions to not fully fund depreciation on some assets that it has deemed would not be replaced in the future (eg Community halls, and historic buildings), and the financial performance of some activities are ring-fenced (i.e. activities that are expected to be self-funding). These decisions contribute to the unbalanced position for 2023/24.

#### Reallocation of reserve funding

##### Wastewater

Council collects separate targeted Wastewater rates from two industries in Morrinsville in respect of their contribution to the upgrade of the treatment plant that occurred in 2012. Part of these annual rates are designated to cover the borrowing costs of the arrangement, and the balance has historically (at Council's discretion) been held in reserve to offset future renewal costs. Given the significant increase in operating costs for Wastewater this year (particularly electricity), Council has determined that it is prudent to reallocate \$354,000 of the reserve funds to offset the increased wastewater operating costs.

##### Covid-19 recovery

At its meeting of 27 May 2020, Council resolved to create a \$2m Covid-19 Recovery Reserve fund, for the purposes of; expanding Council's capacity to complete capital projects, engaging fixed term staff to move forward on Council's digital strategy, and for cultural and socio economic relief for our community as a result of the Covid-19 pandemic. The fund was created by reallocating funding from the existing Community Purposes Reserve. As at June 2023, the balance of the fund stands at \$1.2m (although is currently unadjusted for any 2022/23 spending).

The district is moving on from the pandemic, so Council is asked to consider if the need for the separate Covid-19 Recovery fund still exists. If not, it is recommended that this is tidied up by transferring the remaining balance of the Covid-19 Recovery reserve fund, back to the Community Purposes Reserve where it originally came from.

#### **Mōrearea | Risk**

The budget is prepared using the best available information. Council, under normal circumstances faces a certain level of risk when setting its budgets. There are many macro-economic factors that can impact on operating costs, particularly in this current high inflation environment.

There are risks of not fully funding depreciation, particularly if asset replacement costs do not settle or reduce over the coming year. Any shortfalls in depreciation funding would need to be

funded from debt if Council were unable to cover the cost of required renewals, or would require Council to slow the rate at which infrastructure can be improved or replaced post 2023-24. Council will maintain a watching brief on asset replacement costs, and may need to look to re-coop any deficits, potentially adding to future rate increases.

## Ngā Whiringa | Options

As part of the Annual Plan process Council gave consideration to several options.

The draft Annual Plan Consultation Document presented the following options:

 <b>What we're proposing</b>	 <b>What are the alternatives?</b>
<p>We're proposing to proceed with the 16.9% rates increase for all the reasons outlined in this document. You can also view the draft Annual Plan in full and use our online interactive tool to explore the budget in more detail at <a href="https://mpdc.nz/annualplan">mpdc.nz/annualplan</a>.</p> <p>We believe this draft budget strikes a balance - it includes a number of cut backs, as well as some risks in how we manage our finances to keep rates down, but it also means we can continue to deliver all our existing services and make progress on projects that are already under way.</p> <p>We know that 16.9% is a massive increase - but we're also wary of deferring any more costs, as prices only go up.</p>	<p>There are a few areas that we could partially fund or take greater risks (we've provided examples of this throughout this document), however, we don't believe these options would be financially responsible. They would only make overall rates increase slightly smaller (lowering it to around 14.6%), and are likely to cause problems or even bigger increases in years to come.</p> <p>If you think that those risks are worth taking and that we should kick these costs to the future for the sake of saving 2.3% this year, then we want to know about it.</p> <p>If you can think of anything else we haven't considered to make significant savings that can be implemented as soon as 1 July (noting that we legally can't make drastic service cuts without a lengthy Long Term Plan review) then we'd also love to hear your ideas.</p>

## Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Council is required under the Local Government Act 2002 (LGA) to adopt the Annual Plan prior to 1 July.

The LGA requires Council to enable democratic decision-making to promote its purpose to enable democratic local decision-making and action by, and on behalf of, communities; and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses within a framework of accountability and prudent financial management.

In the course of the decision-making process, Council must:

- seek to identify all reasonably practicable options for the achievement of the objective of a decision;
- assess those options by considering:
  - the benefits and costs of each option in terms of the present and future interests of the district;
  - the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner by each option;
  - the impact of each option on Council's capacity to meet present and future needs in relation to any statutory responsibility;
- any other matters that, in the opinion of the Council, are relevant; and

- give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

It is the responsibility of Council to make, in its discretion, judgments about how to achieve compliance with its decision-making obligations that is largely in proportion to the significance of the matter affected by the decision.

Section 95 of the LGA states that if the proposed Annual Plan does not include significant or material differences from the content of the Long Term Plan for the financial year to which the proposed Annual Plan relates then Council does not need to consult.

Any consultation undertaken must be conducted in a manner that gives effect to the requirements of section 82 which are the principles of consultation. Council undertook a consultative process given the proposed change in rating levels from the LTP forecast.

The final Annual Plan for adoption is circulated separately. Any further changes required to that are more than minor would require a review of all of the financials which cannot be achieved prior to the adoption date.

### **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

The timeline is set out below:

- Consultation Document and underlying information adopted for consultation - 3 May
- Consultation open 8 - 26 May
- Council Meeting – Hearing 7 June
- Council Meeting – Adoption 28 June

Consultation included newspaper advertising, information on Councils website and facebook page, e-newsletters, elected member presentations/attendance at public sessions held in Morrinsville, Matamata, and Te Aroha.

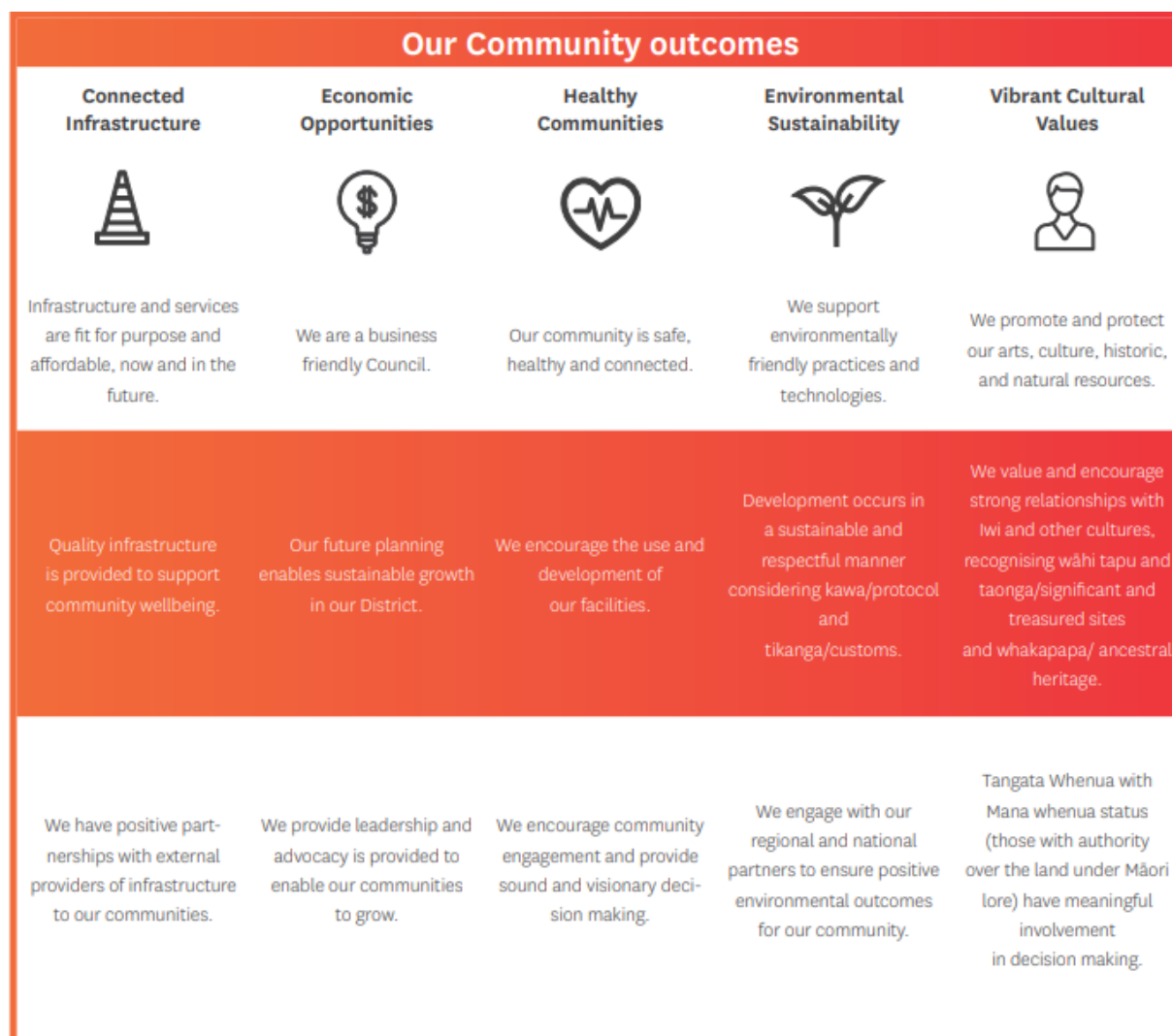
The Annual Plan must be adopted prior to 1 July each year.

### **Ngā take ā-lhinga | Consent issues**

There are no consent issues.

### **Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

The Annual Plan contributes to all Community Outcomes as detailed below:



## Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

The budget for the Annual Plan preparation and associated communications is \$10,000. This is funded from the Strategies and Plans Activity budget. The main costs incurred were in relation to the public consultation process.

## Ngā Tāpiritanga | Attachments

[Annual Plan 2023/24 for Adoption \(Under Separate Cover\)](#)

## Ngā waitohu | Signatories

Author(s)	Laura Hopkins <b>Policy Advisor</b>	
	Anne Gummer <b>Policy Advisor</b>	
	Larnia Rushbrooke	

	<b>Finance and Business Services Manager</b>	
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Approved by	Niall Baker <b>Policy Team Leader</b>	
	Erin Bates <b>Strategic Partnerships and Governance Manager</b>	
	Manaia Te Wiata <b>Group Manager Business Support</b>	

## 7 Pūrongo me whakatau | Decision Reports

### 7.2 Setting of Rates 2023/24

CM No.: 2732145

#### Rāpopotonga Matua | Executive Summary

Council is scheduled to adopt its Annual Plan 2023/24, and having done so, in accordance with Section 23 of the Local Government (Rating) Act 2002, can set the rates for the 2023/24 financial year.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The report be received;
2. The Matamata-Piako District Council hereby resolves to set the following rates in this report, under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2023 and ending on 30 June 2024, and to state the due dates and authorise penalties on unpaid rates (under section 24 and 57 and 58 respectively of the Local Government (Rating) Act 2002); and
3. The rates shown below are inclusive of fifteen percent (15%) Goods and Services Tax.

Resolution number CO/2023/00006

Moved by: Cr C Ansell

Seconded by: Cr K Tappin

**KUA MANA | CARRIED**

#### Horopaki | Background

Council has adopted the Annual Plan 2023/24 and is required under the Local Government (Rating) Act 2002 to pass a separate resolution to set the rates for the 2023/24 financial year.

#### Ngā Take/Kōrerorero | Issues/Discussion

The rates to be set are as follows:

Rate	
(A)	<b>General rate</b> A general rate set under Section 13 of the Local Government (Rating) Act 2002 and made on all rateable land in the Matamata-Piako District, at 0.00130724 per dollar of capital value, for the purposes of funding activities as identified in Council's Annual Plan.
(B)	<b>Uniform annual general charge</b> A uniform annual general charge set under Section 15 of the Local Government (Rating) Act 2002 and made on all rateable land in the Matamata-Piako District, being \$773.90 per rating unit, for the purposes of funding activities as identified in Council's Annual Plan.
(C)	<b>Stormwater targeted rate</b> A targeted rate for stormwater drainage disposal under Section 16 of the Local Government (Rating) Act 2002 to fund expenditure on stormwater disposal activities as identified in Council's Annual Plan:
(i)	A uniform charge of \$132.26 per rating unit within the townships of Matamata, Morrinsville, Te Aroha and Waharoa.



<b>(D)</b>		<b>Kerbside collection targeted rate</b> A targeted rate for kerbside collection under Section 16 of the Local Government (Rating) Act 2002 to fund expenditure on kerbside collection services as identified in Council's Annual Plan:
	(i)	A uniform charge of \$286.63 per separately used or inhabited part of a rating unit to which the service is available.
<b>(E)</b>		<b>Wastewater targeted rate</b> Differential targeted rate for wastewater disposal under Section 16 of the Local Government (Rating) Act 2002 to fund expenditure on wastewater disposal activities as identified in Council's Annual Plan:
	(i)	A uniform charge of \$616.20 per rating unit in respect of each single residential house connected to the service.
	(ii)	The following scale of charges will apply for non-single residential and non-residential properties connected to the service: A uniform charge per rating unit for the first pan on all connected properties of \$616.20, and An additional uniform charge per pan (excluding the first pan) of \$616.20, for properties with up to 4 pans, or An additional uniform charge per pan (excluding the first pan) of \$523.77, for properties with up to 10 pans, or An additional uniform charge per pan (excluding the first pan) of \$492.96, for properties with up to 15 pans, or An additional uniform charge per pan (excluding the first pan) of \$462.15, for properties with up to 20 pans, or An additional uniform charge per pan (excluding the first pan) of \$431.34, for properties with more than 20 pans.
	(iii)	A uniform charge for properties within 30 metres of Council's wastewater reticulation network of \$308.10 per rating unit to which the service is available (but not connected).
	(iv)	A uniform charge per specified rating unit, being 18 Allen Street Morrinsville, of \$594,332.90, in respect of the proprietor's contribution to the Morrinsville wastewater treatment plant upgrade.
	(v)	A uniform charge per specified rating unit, being 38 Pickett Place Morrinsville, of \$188,611.25, in respect of the proprietor's contribution to the Morrinsville wastewater treatment plant upgrade.
<b>(F)</b>		<b>Water supply targeted rate</b> Differential targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002 to fund expenditure on water activities as identified in Council's Annual Plan:
	(i)	A uniform charge of \$516.20 per separately used or inhabited part of a rating unit to which the service is connected and provided.
	(ii)	A uniform charge for properties within 100 metres of Council's water reticulation network of \$258.10 per separately used or inhabited part of a rating unit to which the service is available (but not connected).
<b>(G)</b>		<b>Water supply targeted rates (metered)</b> In addition to a uniform charge per separately used or inhabited part of a rating unit to which the service is connected and provided, targeted rates for water supply under Section 19 of the Local Government (Rating) Act 2002 to fund expenditure on water activities as identified in Council's Annual Plan, as follows:
	(i)	A targeted rate for metered water supply of \$2.18 per cubic metre of water consumed (as measured by meter) over and above the first 63 cubic metres

		of water consumed per quarter, or the first 21 cubic metres consumed per month (excluding the water supplied as outlined in (ii) – (iv) following).
	(ii)	A targeted rate for metered water supply of \$1.59 per cubic metre of water consumed (as measured by meter) over and above the first 63 cubic metres of water consumed per quarter, or the first 21 cubic metres consumed per month from the Pohomihi water line.
	(iii)	A targeted rate for metered water supply of \$1.17 per cubic metre of water consumed (as measured by meter) over and above the first 63 cubic metres of water consumed per quarter, or the first 21 cubic metres consumed per month, for Braeside Aquaria.
	(iv)	A targeted rate for metered water supply of \$2.18 per cubic metre of water consumed (as measured by meter) over and above the first 63 cubic metres of water consumed per quarter, or the first 21 cubic metres consumed per month, for Matamata farm properties that contain the Matamata trunk main from Tills Road. A 50% discount will be applied to this rate if the invoice is paid by the due date.
<b>(H)</b>	<b>Rural hall targeted rates</b>	
	Targeted rates for rural halls under Section 16 of the Local Government (Rating) Act 2002 to fund expenditure on rural halls as identified in Council's Annual Plan, as follows:	
	(i)	Tauhei Hall: a targeted rate of \$0.00012074 per dollar of land value of all rating units within the Tauhei Hall rating area.
	(ii)	Hoe-O-Tainui Hall: a targeted rate of \$0.00002682 per dollar of land value of all rating units within the Hoe-O-Tainui Hall rating area.
	(iii)	Springdale Hall: a targeted rate of \$0.00001481 per dollar of land value of all rating units within the Springdale Hall rating area.
	(iv)	Kiwitahi Hall: a targeted rate of \$0.00001951 per dollar of land value of all rating units within the Kiwitahi Hall rating area.
	(v)	Patetonga Hall: a targeted rate of \$0.00003134 per dollar of land value of all rating units within the Patetonga Hall rating area.
	(vi)	Wardville Hall: a targeted rate of \$0.00002905 per dollar of land value of all rating units within the Wardville Hall rating area.
	(vii)	Tahuna Hall: a targeted rate of \$42.02 per rating unit on all land within the Tahuna Hall rating area
	(viii)	Mangateparu Hall: a targeted rate of \$38.28 per rating unit on all land within the Mangateparu Hall rating area.
	(ix)	Kereone Hall: a targeted rate of \$42.71 per rating unit on all land within the Kereone Hall rating area.
	(x)	Tatuanui Hall: a targeted rate of \$63.60 per rating unit on all land within the Tatuanui Hall rating area.
	(xi)	Walton Hall: a targeted rate of \$30.87 per rating unit on all land within the Walton Hall rating area.
	(xii)	Okauia Hall: a targeted rate of \$0.00001704 per dollar of the capital value of all land within the Okauia Hall rating area.
	(xiii)	Hinuera Hall: a targeted rate of \$0.00001401 per dollar of the capital value of all land within the Hinuera Hall rating area.
	(xiv)	Piarere Hall: a targeted rate of \$0.00001781 per dollar of the capital value of all land within the Piarere Hall rating area.
	(xv)	Mangaiti Hall: a targeted rate of \$13.02 per separately used or inhabited part of a rating unit within the Mangaiti Hall rating area.
	(xvi)	Waihou Hall: a targeted rate of \$28.81 per separately used or inhabited part of a rating unit within the Waihou Hall rating area.
	(xvii)	Elstow Hall: a targeted rate of \$22.23 per separately used or inhabited part of a rating unit within the Elstow Hall rating area.



	(xviii)	Manawaru Hall: a targeted rate of \$33.88 per separately used or inhabited part of a rating unit within the Manawaru Hall rating area.	
(I)	<b>Due dates for payment of rates</b>		
	That all rates, except metered water supply targeted rates, will be payable in four instalments on the following dates:		
	(i)	First instalment	25 August 2023
	(ii)	Second instalment	27 November 2023
	(iii)	Third instalment	26 February 2024
	(iv)	Fourth instalment	27 May 2024
	That metered water supply targeted rates will be payable on the following dates:		
	(i)	Ratepayers on quarterly invoicing cycle:	
		Quarter ending 30 September 2023	20 November 2023
		Quarter ending 31 December 2023	20 February 2024
		Quarter ending 31 March 2024	20 May 2024
		Quarter ending 30 June 2024	20 August 2024
	(ii)	Ratepayers on monthly invoicing cycle:	
		Month ending 31 July 2023	25 August 2023
		Month ending 31 August 2023	25 September 2023
		Month ending 30 September 2023	25 October 2023
		Month ending 31 October 2023	27 November 2023
		Month ending 30 November 2023	27 December 2023
		Month ending 31 December 2023	25 January 2024
		Month ending 31 January 2024	26 February 2024
		Month ending 29 February 2024	25 March 2024
		Month ending 31 March 2024	26 April 2024
		Month ending 30 April 2024	27 May 2024
		Month ending 31 May 2024	25 June 2024
		Month ending 30 June 2024	25 July 2024
(J)	<b>Penalties (applicable to all rates, except metered water supply targeted rates)</b>		
	That a ten percent (10%) penalty pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002 be added to any amount of rates instalment unpaid by the due date above on the following dates:		
	(i)	First instalment	25 August 2023
	(ii)	Second instalment	27 November 2023
	(iii)	Third instalment	26 February 2024
	(iv)	Fourth instalment	27 May 2024
	and that the Group Manager Business Support and the Finance and Business Services Manager be delegated authority to apply the penalty.		

## Mōrearea | Risk

Council's exposure to risk with this decision is that due legal process has not been followed, thereby invalidating the rates. The process to set the Annual Plan budgets and associated rates have followed legislated process. In previous years, an independent legal review has been performed over the Rates Calculation in the Funding Impact Statement of the Annual Plan and the Rates Resolution. This year there has been no changes to the Rating Legislation or Local Government Act (as they pertain to the process of setting the rates). Nor has there been any change to these documents or the rates set (other than the amount), so no additional legal review has been obtained as the risk is considered minimal.

## Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Council is required to adopt an Annual Plan and set its rates prior to 1 July 2023 under the Local Government Act 2002 and Local Government (Rating) Act 2002.

## Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Council undertook public consultation on the 2023/24 Draft Annual Plan, including the proposed rates. Following consultation, and during the hearing process, changes were made to the budget so that the total rates to be collected decreased from 16.9% to 13.79%, with some shifts in how the rate increase affects various properties depending on the services that they received.

## Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

The setting of the rates allows Council to collect revenue as specified for the 2023/24 Annual Plan.

## Ngā Tāpiritanga | Attachments

There are no attachments for this report.

## Ngā waitohu | Signatories

Author(s)	Larnia Rushbrooke <b>Finance and Business Services Manager</b>	
Approved by	Manaia Te Wiata <b>Group Manager Business Support</b>	

7 Pūrongo me whakatau | Decision Reports

## 7.3 2023 LGNZ Remits

CM No.: 2727837

### Rāpopotonga Matua | Executive Summary

This report seeks feedback from Council on the attached Local Government New Zealand (LGNZ) remits for the Annual General Meeting (AGM) on 26 July 2023. The topics covered are:

1. Allocation of risk and liability in the building sector
2. Rates Rebate
3. Roothing/Transport Maintenance Funding
4. Local election accessibility
5. Ability for co-chairs at formal meetings
6. Parking infringement penalties
7. Rural and regional public transport
8. Establishing resolution service
9. Earthquake prone buildings
10. KiwiSaver contributions for elected members
11. Audit NZ Fees

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council provided feedback to support/not support the following remits:
  1. Allocation of risk and liability in the building sector
  2. Rates Rebate
  3. Roothing/Transport Maintenance Funding
  4. Local election accessibility
  5. Ability for co-chairs at formal meetings
  6. Parking infringement penalties
  7. Rural and regional public transport
  8. Establishing resolution service
  9. Earthquake prone buildings
  10. KiwiSaver contributions for elected members
  11. Audit NZ Fees
2. Council notes these remits will be voted on by the presiding Council Delegate at the 2023 LGNZ AGM, who may duly take into consideration additional information received on the day to inform the final vote on behalf of the Council.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council support the following remits:
  1. Allocation of risk and liability in the building sector
  2. Rates Rebate
  3. Roothing/Transport Maintenance Funding
  4. Local election accessibility
  5. Ability for co-chairs at formal meetings
  6. Parking infringement penalties
  8. Establishing resolution service
  9. Earthquake prone buildings
  11. Audit NZ Fees
2. Council support the following remit, noting that cross-subsidisation needs to be considered:
  7. Rural and regional public transport
3. Council remain neutral on the following remit and provide no comment:
  10. KiwiSaver contributions for elected members
4. Council notes these remits will be voted on by the presiding Council Delegate at the 2023 LGNZ AGM, who may duly take into consideration additional information received on the day to inform the final vote on behalf of the Council.

**Resolution number CO/2023/00007**

**Moved by: Cr C Ansell**

**Seconded by: Cr G Thompson**

**KUA MANA | CARRIED**

### **Horopaki | Background**

The remits have been put forward in advance of the 26 July 2023 AGM in order to allow Council representatives to gauge the views of the full Council prior to the meeting.

### **Ngā Take | Issues / Kōrerorero | Discussion**

Staff have provided some comments on the remits as follows:

#### **1. Allocation of risk and liability in the building sector**

Council staff are fully supportive of this remit regarding fair allocation of risk and liability. Council to date has had relatively low numbers of claims compared to other Councils but we support proportionate liability.

#### **2. Rates Rebate**

For the current year to date (2022/23) staff have processed over 1,000 applications for rebates, totalling over \$700,000. Council staff take a proactive approach to this process by sending reminders to all previous applicants at the start of each financial year letting them know they are able to apply if they are eligible.

Staff note that assessment of the income threshold and rebate amount are undertaken each year and acknowledge the current increased cost of living pressures. Staff agree that having a much more streamlined approach with other agencies including Internal Affairs and Ministry of Social Development would make this process much more efficient and cost effective in terms of processing.

#### **3. Roothing/Transport Maintenance Funding**

Council supports the actions proposed to lobby the government to increase funding for state highway and local road maintenance and renewal budgets.

The rate of inflation has not been reflected in our approved funding from Waka Kotahi, resulting in less being invested in our road network and reducing the level of service on our roads.

Having input into the GPS and discussing the highlighted issues with relevant Ministers is an action supported by Council.

#### **4. Local election accessibility**

The Election Access Fund could help pay for disability related costs during campaigning such as accessible transport to meetings, sign language interpreters etc. If the fund was made available for local government elections as well as central government elections staff agree it may give better access for people with disabilities to stand for local government.

#### **5. Ability for co-chairs at formal meetings**

Matamata-Piako District Council currently have co-chairs for the Waharoa (Matamata) Aerodrome Committee as a requirement of the Ngāti Hauā Claims Settlement Act 2014. Staff believe this works well for this Committee and believe adding clarity to enable co-chairs for standing committees and the like could be beneficial.

#### 6. Parking infringement penalties

Matamata-Piako District Council doesn't currently have a parking infringement regime however it is a matter that Council has been investigating within the last couple of years. Notwithstanding this, staff are supportive of enabling each Council's to recover full and actual costs to carry out this function otherwise this cost is borne by the ratepayer. Setting of individual fees for parking infringement by Council should be made simple yet transparent and as a result staff would promote the option of annual consultation under the Local Government Act 2002 rather than a fee setting bylaw.

#### 7. Rural and regional public transport

Council supports the action for the Government and opposition parties to commit to increasing investment in public transport for rural and regional communities to support access to essential services and amenities, and vibrant rural communities.

There are often barriers in place to provide that connection and access to essential services, and support local economies by connecting residents with local businesses and job opportunities.

This aligns with Council's vision of supporting the wellbeing of our community and a district that's easy to live in, explore and connect.

Noting that the solution being tailored to the needs of the community and could mean a number of different services or partnerships supported to provide this service.

#### 8. Establishing resolution service

This remit suggests complaints regarding Elected Members be assessed by an independent body; rather than by Council. Staff agree there could be some benefits; however should this proceed, standardisation of codes of conduct, clarity around consequences/corrective action and public transparency would need consideration.

#### 9. Earthquake prone buildings

Council staff acknowledge the difficult situation that a number of building owners are in with regard to earthquake prone buildings. We acknowledge some of these buildings may never be repaired and have the potential to become an eyesore for our towns. However, staff feel that allowing more time for these building owners is not going to resolve this issue in the long term.

#### 10. KiwiSaver contributions for elected members

Staff agree advocating for changes to the Employment Relations Act 2002 to allow KiwiSaver deductions to be taken from elected members' remuneration, and for employer contributions to be allocated. This is equitable with Members of Parliament, and contributes to making local governance an attractive role. Staff also note this would need to be budgeted.

#### 11. Audit NZ Fees

Reporting and audit requirements are important for transparency and accountability. The work required by staff to complete audits is increasing, the costs of audits are also rising. The 2020/21 Annual Report audit fee was \$139,773 ex GST. We have been advised the 2021/22 Annual Report audit fee has increased, we are yet to receive the final fee. There is also the Long Term Plan audit fee every three years, the 2021-2031 fee was approximately \$84,000. Council staff agree that the scale and content of reporting and auditing should be reviewed at a national level.

#### **Ngā Whiringa | Options**

For each of the remits above Council has the option to support, not support or to remain neutral.

#### **Ngā Tāpiritanga | Attachments**

A. 2023 LGNZ Remits

#### **Ngā waitohu | Signatories**

Author(s)	Sandra Harris <b>Placemaking and Governance Team Leader</b>	
Approved by	Erin Bates <b>Strategic Partnerships and Governance Manager</b>	
	Don McLeod <b>Chief Executive Officer</b>	

7 Pūrongo me whakatau | Decision Reports

## 7.4 Te Aroha Cemetery Earthquake Damage

CM No.: 2726893

### Rāpopotonga Matua | Executive Summary

A series of earthquakes during January and February-damaged a number of headstones in the historic section of Te Aroha Cemetery.

Damaged headstones were taped off in February 2023 as they were deemed a safety hazard to the public

Under the Burials and Cremations Act 1964, the local authority is responsible for ensuring the safety of the monuments.

Staff engaged Waikato Stonecraft to assess the affected headstones and recommend repair options. They have proposed two potential solutions: (1) Remove headstones and lay them down, or (2) re-fix headstones with adhesives.

There is no dedicated budget for this type of work. If charged to the cemeteries operating budget the additional costs would significantly impact that budget.

Direction is sought on how to proceed with repairing the affected headstones.



## Tūtohunga | Recommendation

That:

1. The report be received;
2. Council resolves that, either:
  - (a) Headstones are laid down to mitigate safety risk (Option 1 in the report); or
  - (b) Stone masons are engaged to refix headstones with adhesives (Option 2 in the report);
3. Council identifies a funding source for this work.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The report be received;
2. Council engage Stone masons to refix headstones with adhesives;
3. Council uses the Community Purposes Reserve for this work.
4. Council acknowledges that the damage is the result of a one-off natural event and agrees to repair for health and safety purposes.

Resolution number CO/2023/00008

Moved by: Deputy Mayor J Thomas

Seconded by: Cr S-J Bourne

**KUA MANA | CARRIED**

## ATTACHMENTS

A Te Aroha Cemetery Damage - 28 June 2023

## Horopaki | Background

The earthquakes of 3 January and 3 February 2023 centered in Te Aroha caused headstones in the historic section of the Te Aroha Cemetery to fall and move, causing damage to a number of stones.

It was initially reported by a member of the public that approximately 10 headstones had damage. Following an inspection by Council staff on 10 February 2023 it was found that approximately 49 headstones were affected. Staff from the Parks operation team assessed and taped off the monuments that are deemed a risk/hazard to the public - this was completed 23 February 2023 (see Attachment). The Te Aroha Museum have offered to help locate family of the damaged monuments 23 February 2023. Six families have made contact to date.

Headstones/monuments at cemeteries are not Council assets and are the responsibility of relatives of the deceased to maintain. Given these are historic graves, relatives of the deceased may no longer be present in the district or might not feel compelled to spend money on repairs. Council has a legal duty to ensure public safety if monuments are deemed to pose a safety risk.

Staff also inspected other cemeteries and there is no apparent damage.

## Ngā Take/Kōrerorero | Issues/Discussion

Staff engaged Waikato StoneCraft to provide options on how to deal with the damaged headstones. These are discussed in the Options section of the report.

Headstones are not Council assets and generally it is the responsibility of relatives of the deceased to maintain them. Council does however have responsibilities for health and safety.

There is no dedicated budget to repair the damaged headstones and repairs will significantly impact on the cemeteries operations budget.

## Mōrearea | Risk

### Health and safety

- If no action is taken, the monuments can pose a risk of hurting staff maintaining the cemetery but also visitors
- While repairing, the confined space between the monuments poses a risk to stone masons repairing headstones.

### Precedent

If damage occurs to headstones in other cemeteries of the district there is likely to be an expectation that Council would deal with these in the same manner.

### Reputational Risk

There is a reputational risk if Council does nothing.

## Ngā Whiringa | Options

There are three potential options:

Option 1 - Lay down headstones on top of existing concrete. This option mitigates immediate safety risks and improves the appearance of the cemetery to some extent (i.e. fallen headstones neatly laid out rather than randomly distributed), and makes maintenance around the graves easier.

Option 2 - Refix headstones with adhesives. This option mitigates immediate safety risks, improves the appearance of the cemetery by reinstating the headstones to their former positions, and makes maintenance around the graves easier. It is also the most expensive option.

Option 3 – Do nothing. This is the cheapest option but does not address safety concerns, improve the appearance of the cemetery, or make maintenance easier around the graves. This option presents the greatest safety and reputational risks and is not recommended.

The options are summarised in Table 1 below:

Table 1: Options

Option	Description	Addresses safety	Improves appearance of	Cost per	Total cost
--------	-------------	------------------	------------------------	----------	------------

No.		concerns	cemetery	headstone	
1	Lay down on top of existing concrete	Yes	To some extent	\$250 excl. GST	\$12,250 excl GST
2	Refix with adhesive	Yes	Yes	\$390 excl. GST	\$19,110 excl GST
3	Do nothing	No	No	\$0	\$0

### Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

Headstones are not Council assets and generally it is the responsibility of relatives of the deceased to maintain them. Council does however have responsibilities for health and safety. Section 9(h) of the Burials & Cremations Act (1964) requires that “where any monument or tablet is, or in the opinion of the local authority is, a danger to persons frequenting or working in the cemetery, the local authority shall make the monument or tablet safe or shall take it down or remove it”.

Clause 4.4.9 of the Public Amenities Bylaw 2014 requires that: “No person shall, without the authority of the Cemetery Manager, remove or take from any grave, any vase, wreath, plant, flower or other object, except where the Council may have cause to remove any neglected or broken material of this nature.”

### Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

There is no statutory requirement to consult on this matter.

The detail of communication with the public will depend on which option Council chooses.

The timeframe will be based on the availability of contractor if Option 1 or 2 is selected.

### Ngā take ā-lhinga | Consent issues

No consent required. Options 1 and 2 involve maintenance to existing headstones and is considered to be in keeping with the cemetery designation.

### Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision

**Theme:** Healthy Communities.

**Community Outcome:** Our community is safe, healthy and connected.

**Theme:** Vibrant Cultural Values.

**Community Outcome:** We promote and protect our arts, culture, historic, and natural resources.

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

There is no dedicated budget for this work. The additional costs would impact on the cemeteries operating budget. Option 1 would use up almost a third of the Cemeteries Operations budget. Option 2 would use up almost half of the Cemeteries Operations budget.

Council may wish to nominate a special fund to cover the costs of this work.

The Community Facilities and Properties Bulk Fund cannot be used as the headstones are not Council assets and cannot be capitalised.

### Ngā Tāpiritanga | Attachments

- A⇒ Te Aroha Cemetery Monument Earthquake Damage 3 February 2023\_Part1 (*Under Separate Cover*)
- B⇒ Te Aroha Cemetery Monument Earthquake Damage 3 February 2023\_Part2 (*Under Separate Cover*)

### Ngā waitohu | Signatories

Author(s)	Arshia Tayal <b>Parks and Facilities Advisor</b>	
Approved by	Mark Naudé <b>Parks and Facilities Planning Team Leader</b>	
	Susanne Kampshof <b>Asset Manager Strategy and Policy</b>	
	Manaia Te Wiata <b>Group Manager Business Support</b>	

7 Pūrongo me whakatau | Decision Reports

## 7.5 Retract/replace an earlier approved road name for Avenue Road Business Park, Morrinsville

CM No.: 2732573

### Rāpopotonga Matua | Executive Summary

On the 26 April 2023, Council approved two road names for the Avenue Road Business Park located on Avenue Road North in Morrinsville:

- Road 1: Magistrate Avenue and
- Road 2: Piki Tūranga Place

The following day, the applicant was notified, and then on 1 May 2023 a range of other interested parties were also notified that Council had approved the two preferred road names above (Resolution number CO/2023/0009).

In late May 2023, the applicant contacted staff again, stating that there had been a problem with one of the earlier approved road names (Piki Tūranga Place) and that Ngāti Haua were looking to retract the name and provide a new, replacement name.

On 14 June, the new, replacement road name of Kotahitanga was supplied by Ngāti Hauā's Cultural Advisor to the applicant, who promptly sent it on to Council staff.

The applicant is now requesting Council retract the earlier Piki Tūranga Place road name and approve a suitable replacement road name, per the below recommendation.

## Tūtohunga | Recommendation

That:

1. The report be received
2. Council retracts the earlier approved road name **Piki Tūranga Place**
3. Council replaces it with either **Alternative 1: Stipulate Place** (from the earlier 29 April report) or, the new applicant Preferred: **Kotahitanga Place** for the Avenue Business Park development in Morrinsville.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The report be received
2. Council retracts the earlier approved road name **Piki Tūranga Place**
3. Council replaces it with **Kotahitanga Place** for the Avenue Business Park development in Morrinsville.

Resolution number **CO/2023/00009**

Moved by: **Cr S-J Bourne**

Seconded by: **Deputy Mayor J Thomas**

**KUA MANA | CARRIED**

## Horopaki | Background

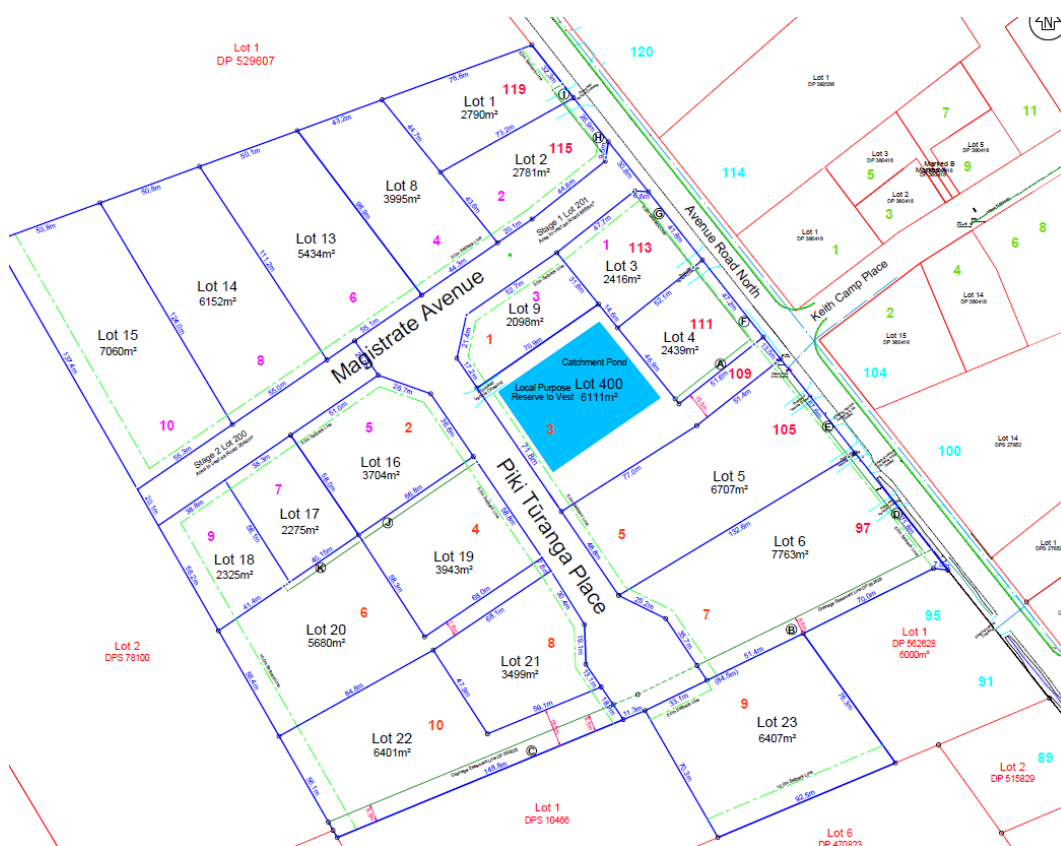
Road names and property numbers are used extensively by a range of individuals and organisations for accurate and efficient identification. Such forms of identification are not limited to emergency services, postal and courier services, visitors and utility providers (water, power telephone, internet) etc. For these reasons, it is both appropriate and necessary that individual properties have a formalised and unique address from which they can be identified.

Council is responsible under sections 319, 319A and 319B of the Local Government Act 1974 for the road naming and numbering of land and buildings.

Important road naming objectives include:

- Ensuring district-wide consistency for the naming of roads and access ways.
- Clarifying the meaning of access ways and rules for their naming.
- Ensuring roads are named so as to reflect the identity of local areas within the district in addition to ease of property identification.

The below road naming and numbering plan was earlier provided by Landform Surveys Ltd of Hamilton (for the 26 April 2023 report) on behalf of the applicant and shows **Piki Tūranga Place**, which is to be replaced by one-of-two possible road naming options.



## Ngā Take/Kōrerorero | Issues/Discussion

Road name checks are performed initially against Council's street register and then against the Land Information New Zealand (LINZ) database. Checks ensure that proposed road names meet policy criteria; specifically throughout our district and neighbouring districts they aren't duplicated or don't sound similar to existing road names.

For public road naming, applicants refer to Council's road naming policy for guidance on consultation with Mana Whenua; obtaining information relating to the cultural identity of select locations/areas within the district.

For private roads and access ways not vested in Council the same consultative requirements don't apply in terms of Mana Whenua involvement and road sign installations and maintenance remain a cost on private land owners.

The applicant has assessed Preferred and Alternative road names against road naming policy Section 6 (Naming considerations) & Section 8 (Criteria), respectively. Below is evidence that each of the names reflect policy.

### Retraction of Piki Tūranga Place

The applicant communicated the following to staff, *"The iwi on reflection felt the original name (Piki Tūranga) was too important to be used as a street name, which as developers we want to respect this change in view."*

In referencing the 26 April 2023 report, Piki Tūranga means (rise in rank). Significant to the Steffert family - at the passing of Anaru Thompson the former Tūmuaki of Ngāti Hauā these words were frequently used at the ascension of his son Hone to the role of Tūmuaki.

### Preferred: Kotahitanga Place

As mentioned in the Executive Summary, the applicant recently (mid-June) received from Ngāti Hauā's Cultural Advisor a new, replacement name – Kotahitanga Place.

About Kotahitanga Place, the applicant informs Council *"this is a generic name which reflects community and iwi working together, which has been at the corner stone of the relationship between Ngāti Haua and the Steffert family."*

### Alternative 1: Stipulate Place

Staff note that Alternative road names to the Preferred: Piki Tūranga Place were included as part of the 26 April 2023 report. Alternatives may be used as back-ups when preferred road names aren't supported. Therefore Council could now reasonably consider Stipulate Place (Alternative 1) as a credible replacement given that Piki Tūranga Place has been retracted.

The name Stipulate refers to a successful racehorse owned by the Steffert family and is evidence of identity with the Matamata-Piako district.

### Alternative 2: Ian Place

Ian Steffert is the original family owner of the property. The name has a connection to people important in the history of the area.

### Mōrearea | Risk

The applicant's efforts to select road names presents little if any reputational risk to Council. Also as previously mentioned above, Council's initial street register checks and the subsequent LINZ database checks of preferred and alternative road names are seen as careful and deliberate risk mitigation steps.

### Ngā Whiringa | Options

The two principal options include the previous (26 April 2023) **Alternative 1: Stipulate Place** or the new, replacement applicant **Preferred: Kotahitanga Place**.

Another lesser option is Ian Place should either of the mentioned be deemed unsuitable.

### Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy consideration

Council's Naming of Roads, Access ways Policy (02 October 2019) is attached. Once this industrial development receives certification road names become vested in Council and road signage (once in place) is also maintained by Council, as public roads.

Staff believe no new road signage is currently in place for this subdivision.

### Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Communications relate to notifications on the outcome of Council's decision-making. Generally the applicant is phoned following Council's decision and then an email is sent confirming it. Subsequently, a range of contacts (LINZ, NZ Post, Core Logic NZ Ltd, internal staff and others) are sent the: "Official Group Email Notification of Committee Resolution (for New Road Names – Council, June 2023)". Council's resolution with the group email follows the release of Council minutes.

Due to the necessity to retract the earlier approved road name, staff will notify all parties once a new, replacement road name has been recommended by Council.



### Ngā take ā-lhinga | Consent issues

Road naming approval is a Council requirement prior to the issuing of 223/224 resource consent completion certificates.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Barry Reid <b>Roading Asset Engineer</b>	
Approved by	Susanne Kampshof <b>Asset Manager Strategy and Policy</b>	
	Manaia Te Wiata <b>Group Manager Business Support</b>	

7 Pūrongo me whakatau | Decision Reports

## 7.6 Options for the sale of 8 Curragh Place Matamata

CM No.: 2732726

### Rāpopotonga Matua | Executive Summary

Council owns an industrial property at 26 Rockford Street Matamata.

Council has an agreement for the sale of the property which is expected to be settled by 1 August 2023.

It is expected that 26 Rockford Street will be subdivided into multiple industrial, lots.

This may trigger an approach to purchase an adjacent Council lot at 8 Curragh place. The inclusion of this lot in the larger industrial subdivision is considered to provide the opportunity for a better development outcome for the town.

Council is requested to consider whether this outcome is sufficient justification to depart from a competitive disposal process.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council sell 8 Curragh Place by way of a competitive process (eg tender).

OR

2. Council sell 8 Curragh Place directly to the developer of 26 Rockford Street to facilitate the best development outcome for the town.

OR

5. Council enter into an agreement with the developer of 26 Rockford Street to include 8 Curragh Place in the subdivision plan and determine a basis to apportion sale proceeds.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council's preference is to sell 8 Curragh Place directly to the developer of 26 Rockford Street, with staff to investigate the issues that are still outstanding.

Resolution number CO/2023/00010

Moved by: Cr B Dewhurst

Seconded by: Cr G Thompson

**KUA MANA | CARRIED**

### Horopaki | Background

Council confirmed that land at 26 Rockford Place Matamata was no longer required for the purposes of a traffic by-pass.

An investigation was commissioned into the best options for the disposal of the land.

The first step in the disposal process was to offer the land back to the previous owners as required by the Public Works Act 1981. This offer was exercised by the previous owners and settlement for the sale is expected to occur in August.

Council retains a number of interests in the property relating to infrastructure including a stormwater retention pond and access to the Wastewater treatment plant. These interests have been protected by way of easements.

It is expected that once sold, Council will be approached by the owners in relation to development of the property.



In addition to the property at 26 Rockford Street, Council still owns an adjacent property at 8 Curragh Place (indicated by the “X” in the above map).

The property is approximately 4502 square metres and has a current rating valuation of \$780,000 (as at 01/07/2021)

The property has been considered for the location of the Matamata health shuttle garages. This could occur without requiring a resource consent.

## **Ngā Take/Kōrerorero | Issues/Discussion**

### **Council intentions for 26 Rockford Street**

The divestment strategy report completed for 26 Rockford Street made the following observations:

*26 Rockford Street (the Site) is well positioned to act as a future connection between the existing industrial area and adjacent land to the north and the east (if this land was to be rezoned in the future (Future Industrial Land)). The Future Industrial Land has restricted access, noting that the*

*District Plan currently constrains the density of the land to the east if accessed via the State Highway.*

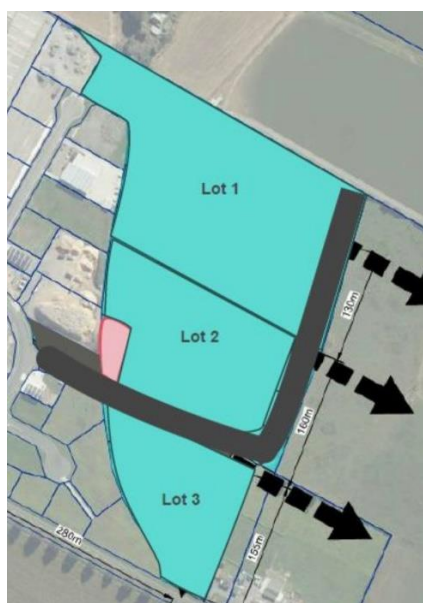
*Future proofing access via the Rockford Street entrance to the Site (and through the Site) to these land parcels will be key to the future growth of the industrial area. The Site currently provides MPDC the control to do this, but this control would be relinquished if the Site was sold “as is”.*

#### *MPDC Critical Success Factors*

*Defining critical success factors (CSF) at the outset of developing a strategy is critical to ensuring the strategy aligns with the wider vision of the organisation, and the expectations of its stakeholders. MPDC has a responsibility to ensure that it acts in the best interests of the Matamata-Piako community and consistent with its long-term vision for the District.*

*The CSF's for the Rockford Street 'go to market' strategy were discussed in the initial scoping workshop (Workshop 1) on Wednesday 3 February 2021, and later defined in our memo to MPDC dated 19 February 2021. The CSF's as confirmed by MPDC to inform this strategy are:*

- 1. The divestment strategy delivers a robust and fair disposal process aligned with MPDC's procurement principles/requirements.*
- 2. The divestment process maximises value for money outcomes for MPDC.*
- 3. Once disposed of, the Site is activated with a use deemed appropriate/acceptable to MPDC and not simply land banked by the purchaser.*
- 4. The Site is developed in line with optimal development requirements established by MPDC i.e. the inclusion of a spine road to avoid a cul-de-sac within the Site.*



*The image is provided to indicate the potential connectivity with adjacent properties. It does not represent any preference as to how the property should be developed.*

The report also made reference to the 8 Curragh Place property:

*Offer back - further consideration regarding the requirement for land*

*The potential State Highway 24 roundabout may require land from the Site, as well as the adjacent site owned by MPDC (8 Curragh Place). Given this, it may be prudent to investigate the ability to transfer part of the land (and 8 Curragh Place) for another Public Work to allow for the construction of a roundabout and connection roads - rather than disposing the Site (and 8 Curragh Place at the appropriate time) to then be required for another public work at a later date*

These extracts confirm:

1. The divestment strategy was intended to derive best economic value on disposal whilst also facilitating optimal development for the town
2. 8 Curragh Place was a consideration in terms of the optimal development

### **Disposal of Council owned properties**

Council does not have a property disposal policy.

Staff would typically recommend that the sale of Council property is conducted by way of a transparent competitive process eg for sale by auction or on the open market.

An example of where Council has made a decision to sell a property to one party is 115 Anderson Street Morrinsville. In this case Council has decided to sell directly to St John's at a market price determined by valuation. Council clearly considered selling directly to St John's was in the best interests of the community.

### **Best financial return for Council**

A competitive process would normally be considered to ensure the best financial outcome for the sale of a property.

The development of 26 Rockford Street introduces an additional consideration about realising the best value for 8 Curragh Place. It is possible that the property's value as part of the development would exceed the values as a stand alone section.

It may be possible to obtain an opinion from a valuer regarding the relative values.

In a competitive process the owner of 26 Rockford Street could still purchase 8 Curragh Place.

### **Best Development Outcome for Matamata**

The appropriate development of 26 Rockford Street has been a focus of Council's investigations into the divestment of the property.

8 Curragh Place's location adjacent to the state highway creates an opportunity for better connectivity arising from the development of 26 Rockford Street. This may extend to any development that occurs on the southern side of the state highway.

This possibility was also noted in the report on the divestment of 26 Rockford Street.

If 8 Curragh Place is not included in the development of 26 Rockford Street, an industrial subdivision can still occur.

The strategic outcome (ie connectivity) may not be optimal.

### **Disposal of 8 Curragh Place by competitive process whilst facilitating optimal development**

26 Rockford Street could be subdivided incorporating 8 Curragh Place without Council selling the lot at this stage.

This would require an agreement between the property owners including a basis to determine the apportionment of sale proceeds

### **Mōrearea | Risk**

Financial risk – a competitive sale process would normally be expected to determine the true market value of a property. In this case the development of 26 Rockford Street could increase the value of 8 Curragh place if it is included in the development. It may be possible for a valuer to provide advice on the potential difference in values.

If Council decided to sell directly to the developer of 26 Rockford Street, the price would be determined by valuation. It is assumed the valuation would reflect the post-development configuration.

Sub-optimal development – there is a risk that selling 8 Curragh Place as a stand-alone section will result in a sub-optimal development of 26 Rockford Street.

Reputation risk – Council may be criticised if it sells 8 Curragh place through a non-competitive process. The objective of achieving an optimal development of the land would be one justification.

### **Ngā Whiringa | Options**

**Option 1** Sell 8 Curragh Place by way of a competitive process (eg tender)

**Option 2** Sell 8 Curragh Place directly to the developer of 26 Rockford Street to facilitate the best development outcome for the town

**Option 3** Enter into an agreement with the developer of 26 Rockford Street to include 8 Curragh Place in the subdivision plan and determine a basis to apportion sale proceeds

Option 1 would be the process normally recommended unless there was a compelling reason to do otherwise.

Option 2 or 3 should be selected if Council considers that achieving the best development outcome for the industrial subdivision is the most desirable outcome. These options may also result in the best financial return.

Option 3 would be more complex than Option 2 as there would need to be an agreement to apportion post-development sale proceeds. It has the advantage that there would be a competitive sale process (post-development).

Under Option 2, Council could require an option to re-purchase if 26 Rockford Street is not developed within a specified period.

### **Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations**

#### Decision Making

The purpose of local government is to:

- enable democratic local decision making and action by, and on behalf of, communities; and
- to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

Council must, in the course of the decision-making process:

- seek to identify all reasonably practicable options for the achievement of the objective of a decision;
- assess those options by considering:
  - the benefits and costs of each option in terms of the present and future interests of the district;
  - the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner by each option;
  - the impact of each option on Council's capacity to meet present and future needs in relation to any statutory responsibility;
- any other matters that, in the opinion of the Council, are relevant; and
- give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

It is the responsibility of Council to make, in its discretion, judgments about how to achieve compliance with its decision making obligations that is largely in proportion to the significance of the matter affected by the decision.

The sale of 8 Curragh Place is not considered significant as this is consistent with the purpose of the industrial subdivision that established the lot.

This report:

- presents options for the disposal of 8 Curragh Place
- Identifies the potential outcomes of the different options including non-financial benefits ie optimal development of land

The development of 26 Rockford Street will present additional industrial lots to the market. As such it is not considered that there are any particular parties or persons affected by the sale of 8 Curragh place.

Council is not required to sell 8 Curragh Place by way of a complete process. It is prudent that Council determines the sale value by taking appropriate advice i.e. valuation.

On this basis it is considered that Council will meet all of its decision making obligations under the Local Government Act 2002.

## **Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes**

It is expected that Council will be approached about the potential purchase of 8 Curragh Place.

## **Ngā take ā-lhinga | Consent issues**

Any consent issues will be addressed as part of the subdivision.

## **Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**

**Theme:** Economic Opportunities

**Community Outcome:** We are a business friendly Council

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

Any costs associated with this matter are expected to be funded by proceeds of the sale of the section.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Manaia Te Wiata <b>Group Manager Business Support</b>	
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Approved by	Manaia Te Wiata <b>Group Manager Business Support</b>	
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7 Pūrongo me whakatau | Decision Reports

## 7.7 Update - Fees & Charges 2023/24

CM No.: 2736800

### Rāpopotonga Matua | Executive Summary

Each year Council reviews its Fees and Charges and consults on any proposed changes with the community alongside the Long Term Plan, Annual Plan or other relevant Council documents. Council's fees and charges are reviewed annually to ensure that they reflect actual and reasonable costs and that any additional processes and new costs are fully covered. By reviewing the Fees and Charges alongside the Annual Plan or Long Term Plan, it enables Council to consider the impact to budgets of any changes to Fees and Charges.

Consultation was undertaken with the community from 14 March 2023 to 14 April 2023. 20 submissions were received in respect to the proposed fees and charges.

A hearing was held on 3 May 2023 whereby Council heard from those submitters who wished to present their submission to Council. There was one presenter relating to the proposed Fees and Charges. Following the hearing and consideration of all submissions received, Council requested further information from staff to inform deliberations and decision-making. The information requested related to the Waharoa (Matamata) Aerodrome.

Following the adoption by Council of the final Fees and Charges on 24<sup>th</sup> May 2023, staff identified further minor changes required to the Fees and Charges schedule to ensure consistency with the consultation document, as detailed below:

- 1) Removal of the fee for non-collection of library books
- 2) Removal of the full day rate for room hireage, and its replacement with a 20% discount for 4 hours or more for non-commercial hirers and a 15% discount for 8 hours or more for commercial hirers.

In addition the Development contributions needed to be updated from last year's figures as per Council's Development Contributions Policy.

Council is asked to formally include these fees within the final Fees and Charges for 2023/24 financial year. The new Fees and Charges will come into effect from 1 July 2023.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Council confirms the inclusion of minor changes to the fees in the Fees and Charges 2023/24 to apply from 1 July 2023.

Resolution number CO/2023/00011

Moved by: Cr C Ansell

Seconded by: Cr G Thompson

**KUA MANA | CARRIED**

### Horopaki | Background

Council reviews the Fees and Charges schedule annually as part of the Annual Plan or Long Term Plan process. This ensures fees and charges are kept up to date and reflect actual and reasonable costs and to make sure additional processes and new costs are fully covered. By

reviewing the Fees and Charges alongside the Annual Plan or Long Term Plan, it enables Council to consider the impact to budgets of any changes to Fees and Charges.

The draft Fees and Charges and associated statement of proposal was approved by Council on 8 March 2023 for consultation and can be found on Council's website.

The final Fees and Charges were approved on 24 May 2023.

The new Fees and Charges will come into effect from 1 July 2023.

### **Ngā Take | Issues / Kōrerorero | Discussion**

Consultation occurred from 14 March 2023 to 21 April 2023 on the draft Fees and Charges 2023/24. Submissions were invited through Council's website or in writing. Submitters could also visit one of Council's libraries or offices to make a submission.

20 submissions were received in regards to the Fees and Charges. 12 submitters did not agree with the proposed changes, 6 were in agreement and 2 were not sure.

Following adoption of the Fees and Charges 2023/24 on 24<sup>th</sup> May 2023, staff have identified the following additional minor changes needed to ensure the Fees and Charges are consistent with those consulted on, and to ensure the Development Contributions are consistent with the Development Contributions Policy.

Highlighted fees are those that staff recommend confirming for inclusion in the Fees and Charges 2023/24 schedule.

Consultation Document	Document Adopted By Council
<b>Libraries</b>	
Fee for non-collection of reserved item removed	Fee for non-collection of reserved item included
<b>Recreation Facilities and Heritage</b>	
Full day rate replaced by <ul style="list-style-type: none"> <li>20% discount for bookings 4 hours or longer for Non Commercial users</li> <li>15% discount for bookings 8 hours or longer for Commercial users</li> </ul>	Full day rates included at same rate as last year
<b>Development and Financial Contributions</b>	
2023/24 update to Development and Financial Contributions was not included in either document. These have now been updated in line with the Development Contributions policy.	

The detail of the changes outlined above are included in the attachment to this report.

### **Mōrearea | Risk**

No specific risks to the proposed recommendation has been identified.

### **Ngā Whiringa | Options**

The following options are available to Council:

1. Council can continue with the Fees and Charges as adopted on 24 May 2023, with the addition of the updated Development Contributions.
2. Council can adopt the Fees and Charges with the addition of the updated Development Contributions and the minor amendments recommended by staff.

Staff recommend Council proceed with **option 2**. The changes proposed ensures that Council's Fees and Charges reflect actual and reasonable costs in the current environment and community feedback has been incorporated.

## Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

### Legislative Requirements

#### *Section 150*

Under Section 150 of the Local Government Act 2002 (LGA) Council may prescribe fees or charges in the form of a bylaw made under the LGA or separately using the principles of consultation.

The consultation was undertaken as per the requirements including ensuring that the Statement of Proposal for the draft Fees and Charges was made as widely available as reasonably practicable as a basis for consultation. Council also provided an opportunity for persons to present their views to the Council.

### Impact on Council Policy

The Fees and Charges are consistent with Council's Revenue and Financing Policy. Forecast revenue from the fees and charges as proposed has been used when setting the draft budgets for the 2023/24 Annual Plan.

## Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

The formal consultation process is outlined below:

Milestone	Date
Documents approved by Council to consult: <ul style="list-style-type: none"><li>- Draft Fees and Charges</li><li>- Statement of Proposal</li></ul>	8 March 2023
Consultation Period	14 March – 14 April 2023 (extended to 21 April 2023)
Hearing Date	3 May 2023
Deliberations and adoption of final Fees and Charges 2023/24	24 May 2023
Consideration of minor amendments to Fees and Charges	28 June 2023
Fees and Charges to apply from	1 July 2023

**Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision**  
**Theme:** Healthy Communities

**Community Outcome:** We encourage community engagement and provide sound and visionary decision-making.

### Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

The fees and charges set by Council are done on the basis of either total or partial cost recovery for certain services. The proportion of costs intended to be recovered for any given activity is set out in Council's Revenue and Financing Policy. This in turn influences the level of fees set for a service. Changes to the level of fees charged for a service will impact Councils budgets (potentially increasing or decreasing revenue from this source).

The associated costs of the consultation process includes the placement of public notices. This is funded from the existing Policies and Bylaws budget.

### Ngā Tāpiritanga | Attachments

- A. Fees and Charges Minor Updates
- B. Fees and Charges 2023/24 Updated Final

### Ngā waitohu | Signatories

Author(s)	Anne Gummer <b>Policy Advisor</b>	
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Approved by	Niall Baker <b>Policy Team Leader</b>	
	Erin Bates <b>Strategic Partnerships and Governance Manager</b>	

8 Ngā Pūrongo Whakamārama | Information Reports

## 8.1 Staff Long Service Presentation

CM No.: 2684206

### Rāpopotonga Matua | Executive Summary

Kelly Reith to be presented with a Long Service Award in recognition of 20 years' service to Matamata-Piako District Council.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2023/00012

Moved by: Cr C Ansell

Seconded by: Cr D Horne

**KUA MANA | CARRIED**

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins <b>Governance Support Officer</b>	
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Approved by	Sandra Harris <b>Placemaking and Governance Team Leader</b>	
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*The meeting adjourned for morning tea at 10.20am and reconvened at 10.43am.*

8 Ngā Pūrongo Whakamārama | Information Reports

## 8.2 Chief Executive Officer's Report

CM No.: 2733055

### Rāpopotonga Matua | Executive Summary

The Chief Executive Officer's report for the period ending May 2023 is circulated separately to the agenda.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2023/00013

Moved by: Cr B Dewhurst

Seconded by: Cr C Ansell

**KUA MANA | CARRIED**

### Ngā Tāpiritanga | Attachments

[A⇒](#) CEO report for period ending May 2023 (*Under Separate Cover*)

### Ngā waitohu | Signatories

Author(s)	Debbie Burge Executive Assistant to the Mayor & CEO	
Approved by	Don McLeod Chief Executive Officer	

8 Ngā Pūrongo Whakamārama | Information Reports

## 8.3 Risk and Assurance Committee Report of 13 June 2023

CM No.: 2739207

### Rāpopotonga Matua | Executive Summary

Risk and Assurance Committee Chairperson, Jaydene Kana, in attendance to update Council on the committee business and provide an overview of the minutes and any recommendations from the Risk and Assurance Committee meeting held on 13 June 2023.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2023/00014

Moved by: Cr G Thompson

Seconded by: Deputy Mayor J Thomas

**KUA MANA | CARRIED**

### Ngā Tāpiritanga | Attachments

- A. MPDC - RAC - Chairperson's Meeting Summary Report - 13 June 2023

### Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins <b>Governance Support Officer</b>	
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Approved by	Sandra Harris <b>Placemaking and Governance Team Leader</b>	
	Erin Bates <b>Strategic Partnerships and Governance Manager</b>	



11.15 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
OF THE MEETING OF KAUNIHERA | COUNCIL  
HELD ON 28 JUNE 2023.

**KO TE RĀ | DATE:** .....

**TIAMANA | CHAIRPERSON:** .....