

Kaunihera | Council

Kaupapataka Wātea | Open Agenda



Notice is hereby given that an ordinary meeting of Matamata-Piako District Council will be held on:

Ko te rā | Date: Wednesday 25 September 2024
Wā | Time: 9:00
Wāhi | Venue: Council Chambers
35 Kenrick Street
TE AROHA

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

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Ā-TIKANGA | PROCEDURAL

1	Whakatūwheratanga o te hui Meeting Opening	3
2	Ngā whakapāha/Tono whakawātea Apologies/Leave of Absence	3
3	Panui i Ngā Take Ohorere Anō Notification of Urgent/Additional Business	3
4	Whākī pānga Declarations of Interest	3
5	Whakaaentanga mēneti Confirmation of Minutes	3
6	Papa ā-iwi whānui Public Forum	3

NGĀ PŪRONGO A NGĀ ĀPIHA | OFFICER REPORTS

7	Pūrongo me whakatau Decision Reports	
7.1	Risk and Assurance Committee Report of 10 September 2024	4
7.2	PowerCo Easements in Jim Gardiner Grove and Tom Grant Drive	8
7.3	Community Facilities Bulk Fund Projects 2024/25	22
7.4	Plan Change 54 - Papakāinga	40
7.5	Waikato Water Done Well - Proposal	43
7.6	Te Whare Whakapakari - Matamata Stadium Construction Contracts	81
7.7	Waitoa Water Supply - Options for the Community	90
7.8	Top Risks	114
8	Ngā Pūrongo Whakamārama Information Reports	
8.1	Minutes of Hauraki Gulf Meeting	118

1 Whakatūwheratanga o te hui | Meeting Opening

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

That an apology from Councillor Thompson for leave of absence, be received.

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.”

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

- 28 August 2024 - ordinary meeting of Matamata-Piako District Council
- 28 August 2024 - Public Excluded report of an ordinary meeting of Matamata-Piako District Council

6 Papā ā-iwi whānui | Public Forum

At the close of the agenda there were no speakers scheduled to the public forum.

7 Pūrongo me whakatau | Decision Reports

7.1 Risk and Assurance Committee Report of 10 September 2024

CM No.: 2939759

Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update from the Risk and Assurance Committee following its meeting on 10 September 2024.

Rāpopotonga Matua | Executive Summary

Risk and Assurance Committee Chairperson, Jaydene Kana, in attendance to update Council on the committee business, provide an overview of the minutes and any recommendations from the Risk and Assurance Committee meeting held on 10 September 2024.

Tūtohunga | Recommendation

That:

1. The information be received.

Ngā Tāpiritanga | Attachments

[A↓](#). RAC 10092024 Chair's Summary



Ngā waitohu | Signatories

Author(s)	Tamara Kingi Governance Team Leader	
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Approved by	Sandra Harris Policy, Partnerships and Governance Manager	
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KOMITI O TE MOOREAREA ME TE TUUMARU/RISK AND ASSURANCE COMMITTEE

10 SEPTEMBER 2024 - CHAIR SUMMARY

#	Item	Summary	Resolution
2	Karakia - Open	Chair Jaydene Kana	
3	Apologies (Full)	Councillor Gary Thompson	The Committee received the apologies.
6	Confirmation of Minutes	2 July 2024 Minutes	The Committee confirmed the minutes.
7.1	Chair Update		The Committee received the report.
7.2	Chief Executive Officer Update	Don updated the Committee on: <ul style="list-style-type: none"> ▪ Waka Kotahi NZTA funding ▪ Annual Report progress ▪ Property Valuations impact on rates ▪ Waikato Water Done Well update ▪ Future Reporting to the Committee on the Matamata Stadium, Playground and the Wastewater Plan projects ▪ Future Quarterly Compliance Reporting to the Committee on consents 	The Committee received the report.
7.3	Committee Self-Assessment 2024		The Committee received the report and Committee members will complete the self-assessment by 14 October 2024.
7.4	Legislative Compliance Framework	The Committee's discussion focussed on: <ul style="list-style-type: none"> ▪ How MPDC identifies new and relevant legislation ▪ Updating policies to reflect changes to legislation ▪ Risk assessments/prioritisation of legislation to focus resources where needed ▪ The risks to Council of non-compliance ▪ Reporting on non-compliance of legislation and consents ▪ Having statements in the WoF – Compliance with the legislation to the best of our knowledge ▪ The extent, tracking and cost of non-compliance which is a priority of the Executive Team ▪ Lessons learned shared via training ▪ LGOIMA requests trending upwards 	The Committee received the report and the Committee provided feedback on understanding the risk and cost to Council of non-compliance, understanding the prioritisation of legislation to determine where to focus resources and stating we comply to the best of our knowledge.
8.1	Safety and Wellness Reports	The Committee's discussion focussed on: <ul style="list-style-type: none"> ▪ Aggressive behaviour ▪ The effectiveness of the Health and Safety system (Damstra) ▪ Internal ACC accredited employee audit findings ▪ For 2023/24 strategic priority of using our systems, policies and processes also including a focus on communication and training 	The Committee received the report and requested a scale is included for more transparency on aggressive behaviour incidents.
8.2	Professional Indemnity and Public Liability Insurance Cover	The Committee's discussion focussed on: <ul style="list-style-type: none"> ▪ The like-for-like provision of professional indemnity and public liability insurance with the change of provider from Marsh to Aon ▪ The 3 claims being handled by Marsh 	The Committee received the report.

8.3	Procurement Annual Report FY 23/24	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Improving small value purchasing ▪ Risk of not entering information into the system (Authority) ▪ The effectiveness of the procurement system ▪ MPDC’s procurement culture – being considered as part of procurement policy review and General Managers receive quarterly procurement non-compliance reports ▪ Any findings that create concern about the risk of fraud to which the Team responded no, to the best of their knowledge 	The Committee received the report.
8.4	Policy Register	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Prioritising reviews of overdue policies ▪ Reviewing whether a policy is needed or if guidance can be provided through operations manual/standard operating procedures ▪ Reviewing which policies should be reviewed by the Risk and Assurance Committee. Adding the review of the following policies to the Committee’s work programme: Asset Management, Capitalisation and Council Vehicles and Digital if that is a policy versus a Strategy. 	The Committee received the report and provided feedback of consolidating policies and including additional policies for the Committee’s review.
8.5	Annual Plan 25/26	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ The definitions of significant and material – which is covered in MPDC’s significance and engagement policy ▪ The role of the Committee in relation to the review of the Annual Plan ▪ The impact of Local Water Done Well and NZTA funding 	The Committee received the report.
8.6	Climate Change Rivermap	<p>The Committee’s discussion focussed on the appetite of the community to fund climate resilience</p>	The Committee received the report.
8.7	23/24 Annual Report and Interim Management Report	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Requesting new category in Income Statement to split out Other Revenue reporting ▪ High level of cash assets ▪ Addressing significant overruns of roading costs ▪ No new findings in the interim management report and ▪ Audit NZ advised of a need to pause the MPDC audit and redeploy audit resources for a greater good and MPDC will use this silver lining of additional time to reflect on other priorities ▪ The significant movements in the financial statements, including the impact of revaluations and the effect on starting positions for longer-term planning – Keeping Council informed in the spirit of no surprises 	The Committee received the report and the interim audit management report and provided feedback to keep council informed of changes to starting positions, based on annual report results.
8.8	LTP Audit Report	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Additional assurance provided to MPDC by auditing the Consultation Document ▪ The recommendation raised about roading is not unique to MPDC ▪ Corrected misstatements for financial statements and performance reporting – whether these and additional costs could have been avoided with increased resourcing ▪ Uncorrected misstatements – explaining how this arose and not correcting this 	The Committee received the report.
8.9	23/24 Accounting Matters	<p>The Committee’s discussion focussed on:</p> <ul style="list-style-type: none"> ▪ The need for a revaluation, impacting the audit timeline 	The Committee received the report.

		<ul style="list-style-type: none"> ▪ Good transparency on the treatment of the Waikato Regional Airport Ltd shareholding 	
8.10	Risk Management	<p>The Committee focussed agreeing MPDC's top risks:</p> <ol style="list-style-type: none"> 1. Loss of data and business systems 2. Failure of essential services/infrastructure/assets/systems, initially focusing on water/wastewater 3. Not meeting compliance/legislative requirements 4. Failure to develop/maintain partnerships with mana whenua, hapuu, iwi and Maaori 5. Inadequate response to disasters, weather events and pandemics 6. Failure to respond to climate impacts 7. Inadequate response to political change 8. Inadequate financial strategy 9. Failure to communicate/engage with stakeholders <p>Chair to work with the Team on the 'deep dive' into each of these risks</p>	The Committee received the report, agreed the top risks, and that deep dives into these risks will be scheduled by the Chair and MPDC Team.
8.11	Delegation Policy and Delegation Register	<p>The Committee's discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Updating the delegation register ▪ CEO delegation to contractors ▪ Delegation when the CEO is absent ▪ Transparency to Council on amendments to the delegation register 	The Committee received the report and asked the Team to provide feedback at a future Committee meeting how the delegation in the CEO's absence had operated.
8.12	Risk and Assurance Work Programme – Update July	<p>The Committee's discussion focussed on:</p> <ul style="list-style-type: none"> ▪ Consolidating similar areas (IT Security, Web Security) ▪ Removing or consolidating some items (Risk policy, Risk framework, Culture/Vision/Values) ▪ Adding business continuity as outlined in the Committee Charter <p>Chair to work with the Team on updating the work programme</p>	The Committee received the report and agreed the Chair and the Team will consolidate the work programme for the next Committee meeting.
	Karakia – Close	Chair Jaydene Kana	
C1		<i>Note there was 1 public excluded report</i>	

7 Pūrongo me whakatau | Decision Reports

7.2 PowerCo Easements in Jim Gardiner Grove and Tom Grant Drive

CM No.: 2902657

Te Kaupapa | Purpose

The purpose of the report is to enable Council to decide:

- (a) whether to allow the installation of a new electricity switch unit and replace an existing transformer at two locations at Tom Grant Drive, Matamata; and
- (b) to grant an easement concerning the new electricity network infrastructure at the reserve.

Classification of the land is required prior to making a decision on the easement.

Rāpopotonga Matua | Executive Summary

PowerCo has requested an easement over part of Tom Grant Drive, a Council-owned reserve in Matamata, to install new electricity infrastructure and replace existing infrastructure. The work involves installing a switch unit and replacing an aging transformer, which will enhance the reliability of the local power supply and reduce outages. The proposed easement will affect two areas within the reserve, both of which are already home to existing electrical infrastructure.

The easement would provide PowerCo the legal right to use the land, clarify maintenance responsibilities, and ensure the infrastructure's registration against the land title.

Council staff have assessed the impacts on the reserve and determined that they will be minimal, with no adverse effects on recreational activities, public access, or the natural environment. Public notification of the easement is not required under Section 48 of the Reserves Act, as the proposed work will not materially alter or damage the reserve.

Two options were considered: declining the easement or granting it. The recommended option is to grant the easement, as it complies with relevant legislation and policy, and has a minor impact on the reserve's use and visual amenity. PowerCo has agreed to cover all associated costs, including legal and survey fees. A one off easement fee of \$2000 has been offered.

The report also presents an opportunity to classify six land parcels at the reserve under Section 16(2A) and declare six land parcels to be reserve and classify them, in line with Section 14 of the Reserves Act 1977. Land classifications are in line with the proposed classifications for Tom Grant Drive in the Passive Reserves Management Plan.

Public notification is not required, as the land is designated open space in the Operative District Plan.

Tūtohunga | Recommendation

That:

1. The report is received;
2. Council resolves to classify Lots 3 & 4 DPS 28404, Lots 5 & 6 DPS 28404, Lot 1 DPS 30594 and Lot 5 DPS 28864 at Tom Grant Drive as Recreation Reserve in terms of Section 16 (2A) of the Reserves Act 1977;
3. Council resolves to declare reserve and classify as Recreation Reserve in terms of Section 14 of the Reserves Act 1977, Lot 15 DPS 11320, Lot 21, Pt Lots 13, 15 & 18 DPS 12591, and Lot 14 DPS 11320.
4. Council resolve to grant an easement to Power Co over Tom Grant Drive to convey electricity;
5. Council authorises staff to complete the necessary administrative actions to give effect to the decision.

Horopaki | Background

Council has received a request from PowerCo to grant an easement for electricity infrastructure over Tom Grant Drive, which is land owned by Council in Matamata. The driver for the work is to replace aging infrastructure and to improve reliability of the high voltage supply to the local community by allowing load to be shifted between circuits which will reduce the length and extent of power outages.

The land and two work areas within the reserve are shown on the map in Attachment A to this report.

Tom Grant Drive Reserve is 4.7520 hectares in size and consists of 17 separate land parcels (see map in Attachment B). Eleven of the 17 land parcels are held subject to the Reserves Act 1977, with five land parcels being classified Recreation Reserve and six as unclassified Recreation Reserve. The remaining six land parcels are subject to the Local Government Act 2002. All are vested in or owned by Matamata Piako District Council.

The drive that meanders through the reserve starts at Rawhiti Avenue, and finishes in the northern end of Matamata on Tawari Street. It is bounded along its length by residential and rural properties. The reserve contains a collection of semi mature trees.

There is existing electricity-related infrastructure on the reserve, including a transformer and underground power lines. The existing electrical infrastructure dates from before 1993 and there is currently no easement registered against the title of the land.

The Proposal - PowerCo –new switch unit and transformer replacement

The work proposed by PowerCo involves two locations within Tom Grant Drive:

- **Area A** – work proposed here is for the installation of a new switch unit next to an existing transformer on Tom Grant Drive. The switch unit is referred to in the documentation provided by PowerCo as CFCF Installation (see Figure 1 below).
- **Area B** – work proposed behind 15 here is for the replacement of an existing transformer (see Figure 2 below). The replacement transformer is marginally larger than the existing transformer (500mm wider and estimated as 200-300mm taller)

The locations of both areas are shown on the map in Attachment A.

PowerCo is proposing to access the reserve via the existing sealed drive, entering either from Weka Street or Rawhiti Avenue.

Temporary traffic management and safety devices to manage works area, provide for the continued passage of pedestrians and traffic around the works area, excavate works area, install new equipment, commission new equipment, backfill and reinstate disturbed surfaces to as close as reasonably possible to the condition existing prior to the works.

PowerCo has agreed to cover all associated costs, including legal and survey fees. A one off easement fee of \$2000 has been offered.



Figure 1: Area A - Proposed location of new switch unit on Tom Grant Drive

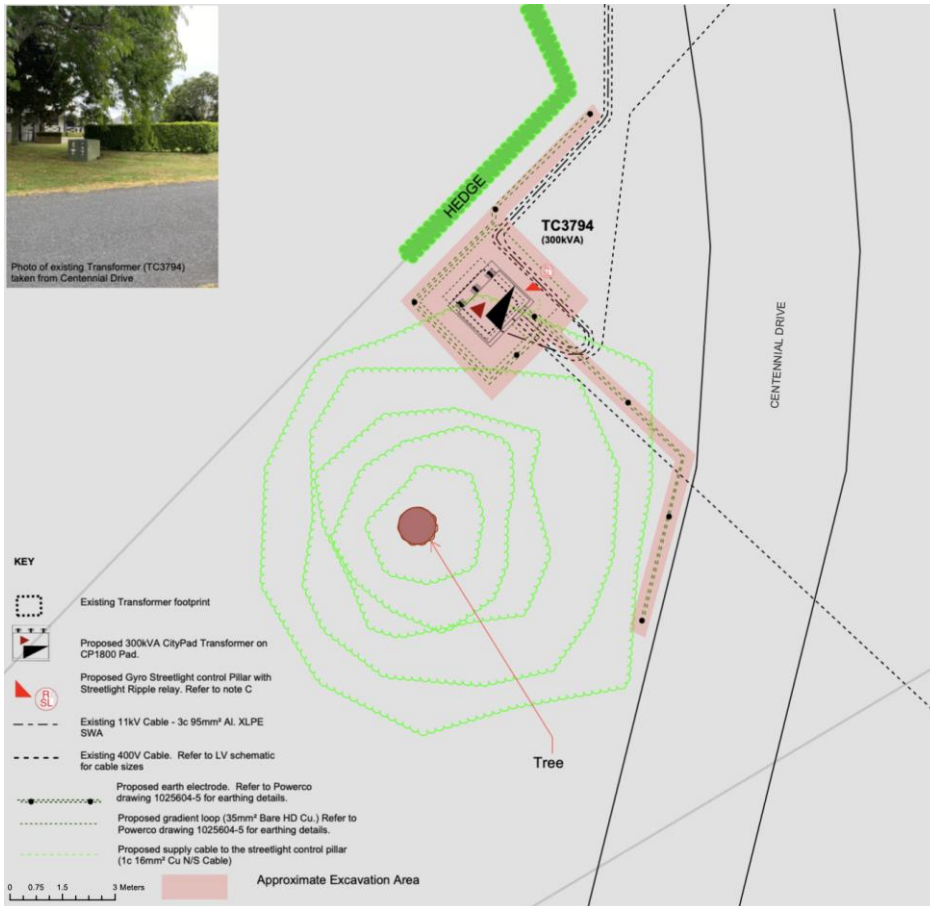


Figure 2: Area B - Location of proposed transformer replacement behind 15 Kotuku Crescent

Ngā Take/Kōrerorero | Issues/Discussion

Section 48 of the Reserves Act 1977 regulates easements over reserves. Section 9.3.2 of the General Policies Reserve Management Plan 2019 outlines Council's policy about easements for utilities assets owned by network utility operators on Reserves. These policies apply to the granting of new easements over Reserves that are already vested in Council.

The process for granting an easement involves:

- Entry in to a binding agreement to grant an easement;
- Completion of physical works by;
- Completion and lodgement with LINZ of a survey plan identifying the easement area;
- Completion, execution and lodgement of the easement instrument;
- Payment of compensation and costs (if any);
- Confirmation of completion of registration of the easement by Power Co.

Benefits of an easement

- An easement grants a specific right to use land belonging to someone else for a specified purpose. Council has historically agreed to grant easements over Reserves where the impact on the Reserve is minimal or beneficial.

- Easements are registered against the title of the land. This is very useful if Council wishes to undertake any works on the land in future as it highlights a third party interest in the land and draws attention to the fact that there are electricity assets including high voltage underground powerlines at the site. Easements also clarify ownership and maintenance responsibilities.

Assessment of Easement Application/ Effects on the Reserve

Staff have assessed the expected effects on the reserve based on:

- information provided by the applicant
- the requirements of the Reserves Act
- the classification/vesting of the land as Recreation Reserve
- General Policies Reserve Management Plan 2019, and
- Passive Reserves Management Plan 2009.

The table below provides a summary of the assessment. Overall the proposed easement activity is assessed as not materially altering or permanently damaging the reserve and not impeding public access and use.

Type of Effect/ Considerations	Assessment	Comments
Effects on users of the reserve/ Recreational Activities	Effects have been assessed to be less than minor.	The proposed switch box and replacement transformer will not impact on the recreational use/ users of the reserve due to the small size, placement and co-location with other existing infrastructure. Any remaining adverse effects will be managed and further minimised through appropriate conditions being placed on the easement (to be determined by staff).
Visual effects/ amenity		
Enjoyment of the reserve by the public		
Effects on freedom of access		
General Policies RMP	Proposal complies with the objectives and policies of the General Policies RMP.	The GP-RMP contemplates the occupation of reserves by easements for utilities assets owned by network utility operators (Policy 9.3.2)
Passive Reserves RMP	Proposal complies with the objectives and policies of the Section 4.	Proposed activity has been assessed not materially altering or permanently damaging the reserve and will not impede public access and use. Whilst the Tom Grant Drive specific section of the Passive Reserves RMP does not specifically mention the use of the reserve for electricity infrastructure, the reserve contains existing electricity infrastructure.
Is activity contrary to the provisions of the Conservation Act or	Not contrary.	Reserves Act provides powers to grant concessions in form of an lease, licence or easement in respect to activities.

the Reserves Act		
Trees	Impact assessed as minimal.	The trees at Area A are not protected under the Operative District Plan and the impact on surrounding trees has been assessed by an arborist to be negligible. Care should still be taken when undertaking work in vicinity of the trees.

Public Notification of easement not required

Under section 48 of the Reserves Act 1977, in the case of reserves vested in Council, with the consent of the Minister of Conservation and on such conditions as the Minister thinks fit, Council may grant rights of way and other easements over any part of the reserve for... an electrical installation or work, as defined in section 2 of the Electricity Act 1992.

The Minister of Conservation has delegated to all councils (by way of delegation dated 12 June 2013) the ability to consent to easements under section 48 of the Reserves Act 1977 where the reserve is vested in Council, this means that despite the wording of the Reserves Act 1977, Council does not require Ministerial consent prior to making a decision on whether or not to grant the easement.

Before granting a right of way or an easement under part of a reserve vested in it, the Reserve Act 1977 specifies that the Council is required to give public notice specifying the easement intended to be granted, and give full consideration to all objections and submissions received in respect of the proposal. However, public notice requirements are not required where the reserve:

- is vested in Council; and
- is not likely to be materially altered or permanently damaged; and
- the rights of the public in respect of the reserve are not likely to be permanently affected by the establishment and lawful exercise of the easement.

Public notification of the proposed easement is not required, as the land at Tom Grant Drive is owned by or vested in Council and the proposed work does not materially alter or permanently damage the reserve. The rights of the public in respect of the reserve are not permanently affected by the establishment and lawful exercise of the easement.

Land Classification

The reserve consists of 17 separate land parcels (see map in Attachment B).

Eleven land parcels are held subject to the Reserves Act 1977, with five land parcels being classified Recreation Reserve and six as unclassified Recreation Reserve. The remaining six land parcels are subject to the Local Government Act 2002. All are vested in or owned by Matamata Piako District Council.

Classification is the process of giving each land parcel a primary purpose that indicates what the land will be used for and the activities that are appropriate to occur. All land included in a reserve management plan need be classified to make the management plan valid (or legally binding).

Classifying Land under section 16 of the Reserves Act

There are six unclassified land parcels within the reserve. They are marked in Attachment B with a red circle (●). These are: Lots 3 & 4 DPS 28404, Lots 5 & 6 DPS 28404, Lot 1 DPS 30594 and Lot 5 DPS 28864.


The land was vested in Council on deposit for Recreation Reserve purpose in the 1980s and as such, can be classified under Section 16(2A) of the Reserves Act without public notification.

Declaring Land reserve and classifying it under section 14 of the Reserves Act

The passive reserves management plan for Tom Grant Drive includes a management intention that suggests;

that Lot 15 DPS 11320, Lot 21, Pt Lots 13, 15 & 18 DPS 12591, and Lot 14 DPS 11320 (currently all fee simple) be classified as Recreation Reserve under the Reserves Act 1977.

As all the above land is designated as open space under the Operative District Plan, the public notification exemption under section 14(2) of the Reserves Act apply.

Land this applies to is shown with a blue circle () in Attachment B.

Regulatory Matters

Under the District Plan, the trees in the vicinity of Area A and B are not protected under Schedule 3. The proposed activity therefore does not require resource consent under the Resource Management Act 1991.

Mōrearea | Risk

There is a risk in having the location of the transformer and switch box within the reserve without an easement in place to clarify duties and responsibilities affecting the above ground utilities. An easement minimises this risk as it is registered against the record of title.

Ngā Whiringa | Options

Two options have been considered for this easement application:

1. Decline the application – Status Quo
2. Grant the application in line with Section 48 of the Reserves Act

A description of each option, including advantages, disadvantages are outlined below.

Option One – Status Quo/ Decline Easement	
Description of option	
Council declines to approve the easement concession	
Advantages	Disadvantages
No cost to Council	Another public place will have to be found to install the new infrastructure that is required to provide electricity to the new development.
No additional infrastructure in the reserve	-

Option Two – Grant Application	
Description of option	
Council agrees to grant the easement on the reserve for the right to convey electricity	
Advantages	Disadvantages
Compliance with relevant legislation	Less than minor impact on reserve use, visual amenity and noise impact on users.

Recommended option

Option 2 is the preferred option. Effects of the proposal have been assessed to not materially alter or permanently damage the reserve nor permanently affect the public's rights in respect of the reserve

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

Granting of an easement over Reserve land vested in Council

See information outlined above under Assessment of Easement Application. Section 48 of the Reserves Act 1977 regulates such matters. Section 9.3.1 of the General Policies Reserve Management Plan 2019 outlines Council's policies to guide decision-making about easements for utility assets on Reserves. These policies apply to grants of new easements over Reserves that are already vested in Council.

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a low level of significance.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Affected parties will be informed when equipment will be installed.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low

	level of significance.
Section 82 – this sets out principles of consultation.	None.

Policy Considerations

1. To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Public notification of the proposed easement is not considered necessary as provided by s48(3), Reserves Act 1977, however Council may at its discretion chose to notify the matter if it so desires.

Timeframes

Key Task	Dates
<Insert text>	<Insert text>





Ngā take ā-lhinga | Consent issues

None Known

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council’s Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE	MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION
TŌ MĀTOU WHAKAKITENGA OUR VISION	
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. ‘The heart of our community is our people, and the people are the heart of our community.	
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)	

			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- A place to thrive
 - “investing in the right infrastructure at the right time”

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

The beneficiary of the easement, PowerCo, has agreed to pay all costs of the easement (survey etc.), and reasonable legal costs in processing the request for easement, as well as an easement fee of

Ngā Tāpiritanga | Attachments

[A](#)  Attachment A- Location map showing proposed work areas



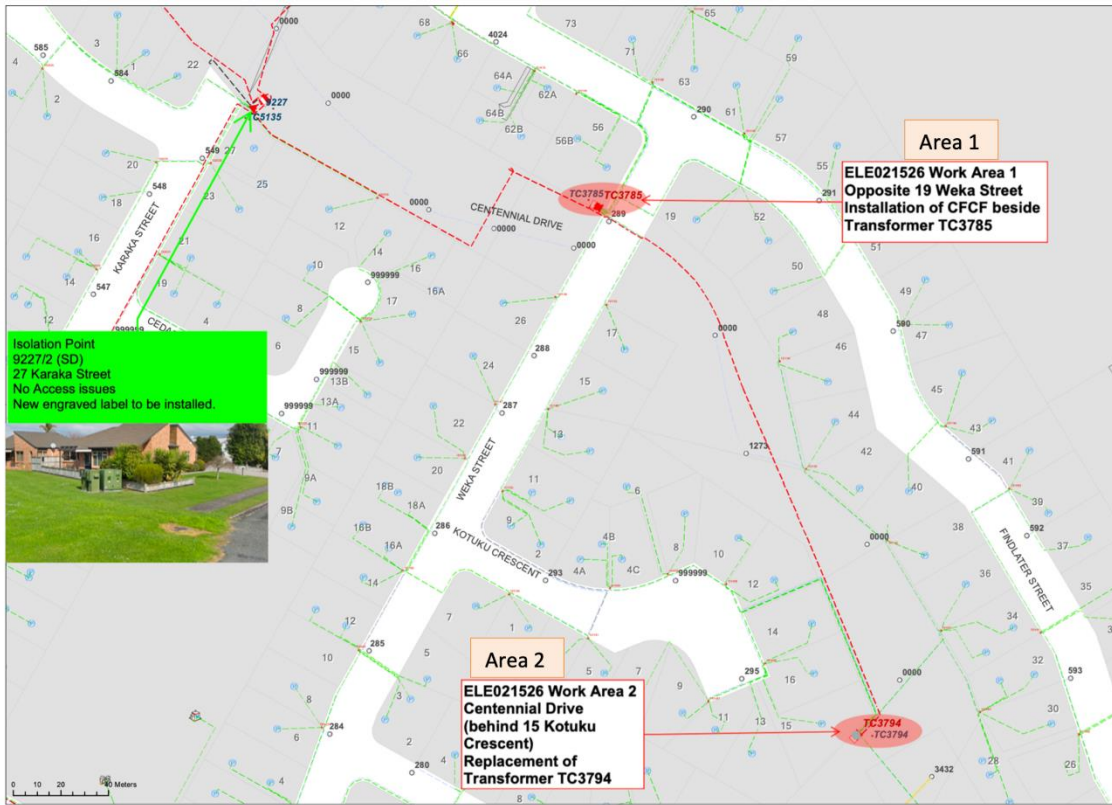
[B](#)  Attachment B - Land Status and proposed classifications



Ngā waitohu | Signatories

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	Mark Naudé Parks & Facilities Planning Team Leader	

Approved by	Susanne Kampshof Assets and Projects Manager	
	Manaia Te Wiata Group Manager Business Support	



Notes
1/ Refer to the following sheets for construction details of the required works.

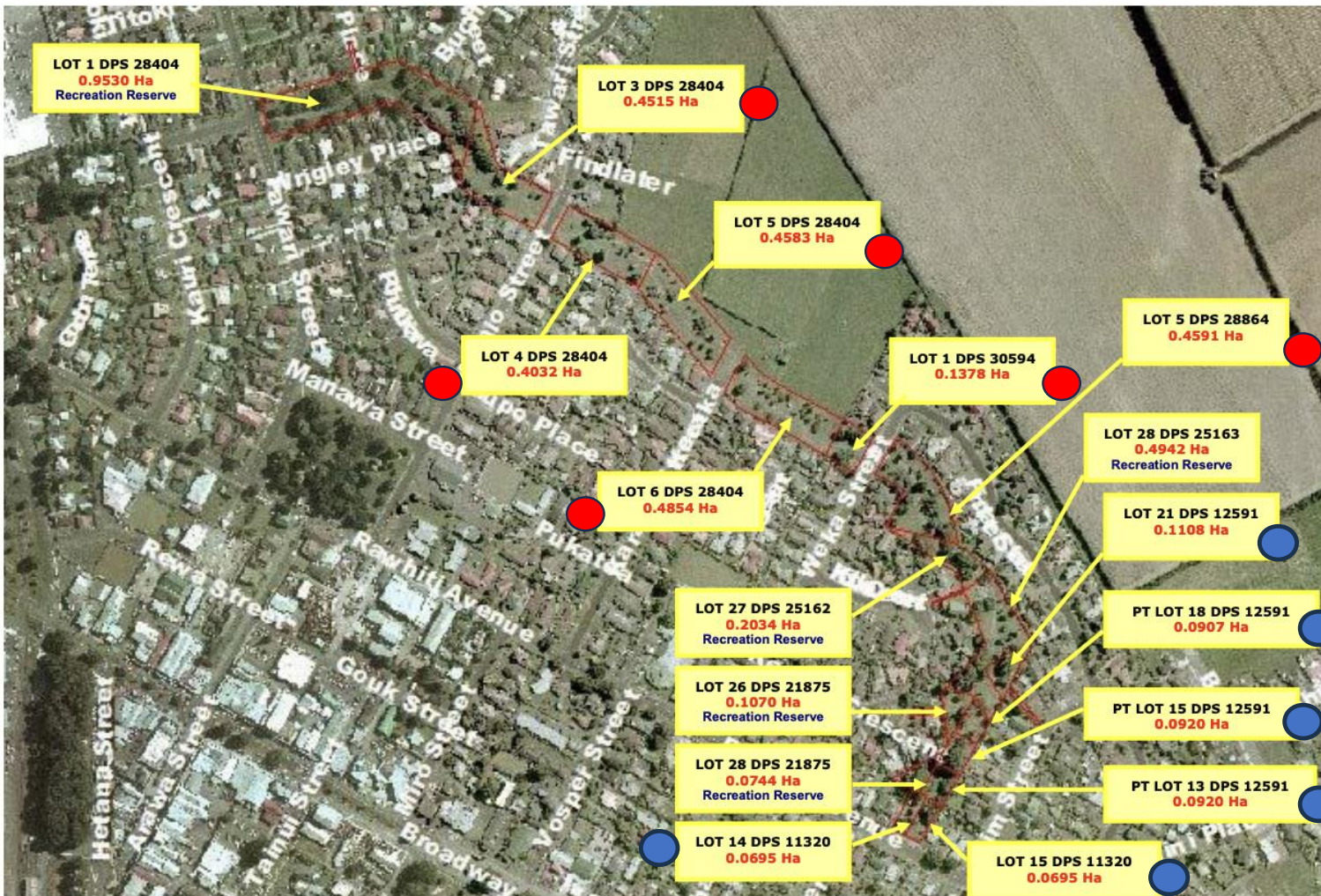
Printed from Powerco ArcMap
Print Date:11/07/2024
Original Page Size:
A3, Landscape
DO NOT SCALE FROM PLAN

The design information shown on this plan has been prepared by Northpower for Powerco. No redistribution or modification is permitted. It is the responsibility of the user to ensure that this is the latest version of the plan. No warranty of accuracy is given or implied. Any measurements shown for existing assets are a guide only. Data shows approximate positions of Powerco's assets as a guide only. Position of existing assets is unknown if no measurements are shown. Before any excavation you must follow the www.beforeudig.co.nz enquiry process.

Site Visit Date:9/7/24
Designed by: Wif Martin
Reviewed by: Steve Cox
Date:
Status: For Powerco Approval

ELE021526EVL-MV-DistTxRppl-Outdoor-TC3794
Weka Street/Centennial Drive, Matamata
Project Overview/Isolation Points
Sheet 1 of 6





Land subject to the Local Government Act, to be declared reserve and classified as per Section 14 of the Reserves Act 1977

Land subject to the Reserves Act, to be classified as per Section 16(2A) of the Reserves Act 1977

RESERVE NAME	CT No	LEGAL DESCRIPTION	PRIMARY STATUS	AREA	OWNERSHIP	CLASSIFIED AS (TYPE)
Tom Grant Drive	21B/1446	Lot 15 DPS 11320 Lot 21, Pt Lots 13, 15 & 18 DPS 12591	Borough of Matamata seized in fee simple 16.3.1977	4549 m2	Fee Simple	Not Classified
	7A/1133	Lot 14 DPS 11320	Transferred to Borough of Matamata in fee simple 1.5.1967	696 m2	Fee Simple	Not Classified
	26B/492	Lot 1 DPS 28404	Recreation Reserve by Gaz. 1981p 2437 (GN H 365054) under Sec 14 Reserves Act 1977. Classified under Sec 16(2) of the Reserves Act 1977	9,530 m2	Vested	Recreation
		Lots 3 & 4 DPS 28404	Recreation Reserve on deposit of DPS 28404 on 28.8.1980 under Section 306(4) Local Government Act 1974	8,547 m2	Vested	Not Classified
		Lots 5 & 6 DPS 28404	Recreation Reserve on deposit of DPS 28404 on 28.8.1980 under Section 306(4) Local Government Act 1974	9,437 m2	Vested	Not Classified
		Lot 1 DPS 30594	Recreation Reserve on deposit of DPS 30594 on 21.10.1981 under Section 306(4) Local Government Act 1974	1,378 m2	Vested	Not Classified

RESERVE NAME	CT No	LEGAL DESCRIPTION	PRIMARY STATUS	AREA	OWNERSHIP	CLASSIFIED AS (TYPE)
Tom Grant Drive		Lot 5 DPS 28864	Recreation Reserve on deposit of DPS 28864 on 19.9.1980 under Section 306(4) Local Government Act 1974	4,591 m2	Vested	Not Classified
		Lots 26 & 28 DPS 21875	Recreation Reserve on deposit of DPS 21875 on 31.5.1976 under Section 352(4) Municipal Corporations Act 1954. Classified under Sec 16(11)(b) of the Reserves Act 1977	1,814 m2	Vested	Recreation
		Lot 27 DPS 25162	Recreation Reserve on deposit of DPS 25162 on 7.7.1978 under Section 352(4) Municipal Corporations Act 1954. Classified under Sec 16(11)(b) of the Reserves Act 1977	2,034 m2	Vested	Recreation
		Lot 28 DPS 25163	Recreation Reserve on deposit of DPS 25163 on 7.7.1978 under Section 352(4) Municipal Corporations Act 1954. Classified under Sec 16(11)(b) of the Reserves Act 1977	4,942 m2	Vested	Recreation

7 Pūrongo me whakatau | Decision Reports

7.3 Community Facilities Bulk Fund Projects 2024/25

CM No.: 2883523

Te Kaupapa | Purpose

The purpose of this report is to obtain approval for the proposed projects to be funded out of the Bulk Funds.

Rāpopotonga Matua | Executive Summary

The Long Term Plan 2024-2034 allocated \$141,000 annually to the Bulk Fund projects across the Community Facilities Assets groups. The Bulk Fund is intended to fund small to medium-sized capital projects relating to the activities that fall under the Community Facilities and Property Activity group in the Long Term Plan. The Bulk Fund can also be used to fund renewals in cases where there is no dedicated renewal budget or the cost is likely to exceed the available budget. Council is asked to consider the list of potential projects and identify the priority projects to be funded in the 24/25 Financial Year.

A number of potential projects have been identified and scoped with indicative cost estimates.

It is recommended that Council allocates funding to the projects as assessed by staff.

Tūtohunga | Recommendation

That:

1. Council receive the report as read;
2. Council approve the list of proposed projects to be funded out of the Bulk Fund in the financial year 24/25
3. Council approve 15% contingency for the proposed projects
4. Council agree to leave \$25,000 in the Bulk Fund budget for potential projects later in the financial year.

Horopaki | Background

There is \$141,000 annually to implement the Bulk Fund projects across the Community Facilities Asset groups.

Assessment of the proposed projects has been carried out by staff and members of the Parks and Reserves Action Group.

Ngā Take/Kōrerorero | Issues/Discussion

In the Parks & Open Spaces and Community Facilities & Buildings Activities, there are projects that have no capital, renewal or LTP funding. These have been proposed as projects requiring funding.

Projects have been ranked based on the assessment criteria for bulk funds.

The projects that do not receive funding this year will be kept on the bulk fund list for up to a maximum of three years, at which point they will be removed if they have not received funding.

It is proposed to leave the remaining fund of approximately \$25,000 in the Bulk Fund budget for projects that may appear later in the year that will require funding. There is at least one potential project on the radar which this may apply to; the Matamata Swimzone roof ventilation project. There is still work being undertaken on scoping of this project so we will not know the extent of the budget required until later in the financial year.

Mōrearea | Risk

As there is a wide variety of projects, each with varying associated costs, on the bulk fund list this year, it is not viable to assess all of the risks in this report. Once the projects have been prioritised, individual risk assessments will be completed adhering to the MPDC Risk Policy.

Ngā Whiringa | Options

Option One – Approve the list of proposed projects				
Description of option				
Council approve the prioritized list of Bulk Fund projects. The funding gets used for the agreed projects i.e. highest priority projects according to staff get funding. Council approve 15% contingency for the proposed projects. Council agree to leave \$25,000 in the Bulk Fund budget for potential projects later in the financial year.				
#	Proposed prioritisation of projects	Description	Cost	Score
1	District-wide Park & Wayfinding Signage	Standardisation of parks & reserves signage across the district	\$ 20,000.00	44
2	TA Domain BBQ Replacement	Replacement of broken BBQ in the TA Domain	\$ 12,000.00	39
3	TA Cemetery Gates	Replace temporary gate with more robust and aesthetic permanent gate	\$ 20,000.00	37
4	MV Events Centre - Drinking Fountain	Installation of drinking fountain with water bottle refill station	\$ 4,400.00	32
5	TA Boyd Park Seating	Benches will enable more people of all abilities to stay and watch their kids/grandkids play.	\$ 4,300.00	31
6	Te Aroha Track & Boat Ramp Seating	Replacement of existing seats with standardised weatherproof seating	\$ 3,800.00	30
7	District-wide Carpet Tiles & Trolleys	Carpet tiles and trolley to keep up with demand and minimise the need to ship the existing ones around the district	\$ 13,100.00	30

8	MM Swap Park Safety Fence	KiwiRail recommended fencing to prevent access to the tracks	\$ 2,500.00	30
9	District-wide SZ Pool Inflatable Modules	New modular pieces to enable district-wide use	\$ 10,300.00	29
10	MM Headon Stadium - Rose Yorke Lounge Carpet Tiles	Carpet tiles to add a level of soundproofing as well as making the room feel a bit warmer in winter	\$ 5,000.00	26
11	MM Headon Stadium - Rose Yorke Lounge AV System	AV System to make the room more readily available for meetings as well as corporate and community events	\$ 4,600.00	25

Advantages	Disadvantages
Operational, reputational and health & safety risks are reduced	Projects ranked lower will not be completed this financial year. This can affect operational efficiency of facilities
Aligns with community outcomes	
Essential Projects that previously did not have any funding will now be able to go ahead, aiding in Council Facilities' operations.	

Option Two – Council decide on an alternative prioritization of projects to be funded

Description of option

Council does not approve the recommended prioritized list of bulk funds projects but decides on an alternative prioritization of projects to be funded out of the Bulk Fund. Council approve 15% contingency for the proposed projects. Council agree to leave \$25,000 in the Bulk Fund budget for potential projects later in the financial year.

Proposed Projects	Description	Cost	Score	Mayor & Councillors Prioritisation Ranking #
District-wide Park & Wayfinding Signage	Standardisation of parks & reserves signage across the district	\$ 20,000.00	44	
TA Domain BBQ Replacement	Replacement of broken BBQ in the TA Domain	\$ 12,000.00	39	
TA Cemetery Gates	Replace temporary gate with more robust and aesthetic permanent gate	\$ 20,000.00	37	
MV Events Centre - Drinking Fountain	Installation of drinking fountain with water bottle refill station	\$ 4,400.00	32	

TA Boyd Park Seating	Benches will enable more people of all abilities to stay and watch their kids/grandkids play.	\$ 4,300.00	31	
Te Aroha Track & Boat Ramp Seating	Replacement of existing seats with standardised weatherproof seating	\$ 3,800.00	30	
District-wide Carpet Tiles & Trolleys	Carpet tiles and trolley to keep up with demand and minimise the need to ship the existing ones around the district	\$ 13,100.00	30	
MM Swap Park Safety Fence	KiwiRail recommended fencing to prevent access to the tracks	\$ 2,500.00	30	
District-wide SZ Pool Inflatable Modules	New modular pieces to enable district-wide use	\$ 10,300.00	29	
MM Headon Stadium - Rose Yorke Lounge Carpet Tiles	Carpet tiles to add a level of soundproofing as well as making the room feel a bit warmer in winter	\$ 5,000.00	26	
MM Headon Stadium - Rose Yorke Lounge AV System	AV System to make the room more readily available for meetings as well as corporate and community events	\$ 4,600.00	25	
Advantages		Disadvantages		
Elected members have the chance to vote on what they consider high priority, separately to the staff priority		Inefficient use of staff time prioritizing projects		
		Some projects which staff ranked high priority could be moved down the list and may not be completed		
		Some operational and health & safety risks may remain		

Recommended option

Option 1 – Approve the list of proposed projects

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

There are a number of projects on the bulk fund list which could be considered for the next Long Term Plan (2027-30). There is currently no funding available for the proposed projects in the operational, renewal or LTP budgets.

A number of the projects align with the Parks and Open Spaces Strategy (POSS).

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	The community would notice levels of service dropping if certain projects on the bulk fund list were not completed. There are some projects on the bulk fund list which have a high health & safety element to them. MPDC’s reputation would reduce if certain projects did not go ahead.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	N/A

Policy Considerations

1. To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Necessary communications with both internal and external stakeholders will take place once projects progress.

Timeframes




Key Task	Dates
Council agrees on bulk fund project prioritisation	September 2024
Confirmation of funded projects sent to managers	October 2024
Project briefs & Work Orders set up	October 2024
Purchase orders set up and projects commence	October 2024
Projects completed	June 2025

Ngā take ā-Ihinga | Consent issues

If the Te Aroha Domain BBQ replacement goes ahead, it may require resource and building consent the other projects are not likely to require consents.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council's Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE		MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION	
TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. 'The heart of our community is our people, and the people are the heart of our community.'			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- He wāhi kaingākau ki te manawa | A place with people at its heart
 - Create vibrant, welcoming town centres.
 - Strive for liveable, accessible, connected neighbourhoods.
- He wāhi whakapapa, he wāhi hangahanga | A place to belong and create
 - “Provide locals and visitors with memories and experiences that keep people entertained and wanting more”

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

This report is about funding projects from the Parks & Reserves Bulk Funds \$141,000.

Ngā Tāpiritanga | Attachments

- A↓. [2024-25 District-wide Signage and Wayfinding Summary and Scoring](#)

- B↓. [2024-25 TA Domain BBQ Replacement Summary and Scoring](#)

- C↓. [2024-25 TA Cemetery Gates Summary and Scoring](#)

- D↓. [2024-25 MV Events Centre Water Fountain Summary and Scoring](#)

- E↓. [2024-25 TA Boyd Park Seating Summary and Scoring](#)

- F↓. [2024-25 TA Track and Boat Ramp Seating Summary and Scoring](#)

- G↓. [2024-25 District-wide Carpet Tiles & Trolleys Summary and Scoring](#)

- H↓. [2024-25 MM Swap Park Safety Fence Summary and Scoring](#)

- I↓. [2024-25 Inflatable Modules Summary and Scoring](#)

- J↓. [2024-25 Rose Yorke Lounge Carpet Tiles Summary and Scoring](#)

- K↓. [2024-25 Rose Yorke Lounge AV System Summary and Scoring](#)


Ngā waitohu | Signatories

Author(s)	Alicia Symes Infrastructure Assets Project Officer	
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Approved by	Susanne Kampshof	
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	Assets and Projects Manager	
	Manaia Te Wiata Group Manager Business Support	

Proposal Summary

Project Name	Park & Wayfinding Signage	Document CM No.	2886578
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Mark Naudé	Revision Date	05/07/2024

I. Project Description: There is no standardised signage for our parks & reserves. At present we have a number of different signs to signify a park or reserve and there are a number of parks & reserves that are lacking in signage/wayfinding.

II. Current Situation: There is not enough funding in the current LTP budget to cover the costs for new signage. We can get Stanish Signs to produce the signs and KVS will do the posts and installation. KVS estimate approx. \$100 per sign for posts and installation.

III. Potential Options:

- *Option 1: Fund the purchase of signs as below from Stanish Signs and the installation by KVS*
 - *Standard 1200mm Park Identification signs \$356.90 + \$100 KVS install*
 - *A2 size 5mm ACM signs \$88.55 (4mm) / \$104.30 (6mm) + \$100 KVS install*
 - *100 x 100 timber posts, painted and planed + crossbar for installation*
 - *100 x 100 x 1800/2100 PAR painted timber posts*
- *Option 2: Do Nothing, leave it as it is – No costs involved in this option, parks & reserves remain without appropriate signage/wayfinding.*

IV. Recommended Option:

- *Option 1: Fund the purchase of signs from Stanish Signs and the installation by KVS*

V. Anticipated Results:

- Standardisation of parks & reserves signage across the district
- Appropriate parks & reserves wayfinding signage across the district
- More visitors to parks & reserves as wayfinding signage makes it easier to navigate

VI. Total Cost: \$20,000

Proposal Summary

Project Name	TA Domain BBQ Replacement/Upgrade	Document CM No.	2886694
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Mark Naudé	Revision Date	25/06/2024

I. Project Description: There is currently a BBQ at the Te Aroha Domain, however it is broken beyond repair. Initially, the BBQ was donated by a community group and Council have since taken on the maintenance and repair of the asset. As the asset requires replacing, it would be nice to include a shelter covering the BBQ which also provides some seating elements. The shelter would need to be in keeping with the Domain look/feel, so an Edwardian style shelter would be fitting. Heritage NZ and PRAG would need to approve the shelter.

II. Current Situation: The Te Aroha Domain BBQ is beyond repair and needs replacing. There is currently an electrical risk as the wiring is non-compliant. To maximise the use of the space, it would be good to provide a shelter with a seating option in keeping with the look/feel of the domain.

III. Potential Options:

- *Option 1: BBQ replacement with Edwardian style shelter \$26,000 + GST(+install/freight costs) and picnic seating \$3455 + GST & \$250 KVS installation and foundation costs – Resource Consent may be needed for the shelter adding anywhere from \$1200-\$5000 if outsourced.*
 - *Keep Te Aroha Beautiful (KTAB) and other community groups may be interested in sponsoring materials for the shelter or helping with building/installation.*
- *Option 2: BBQ replacement only \$12,000 + GST & installation costs*
- *Option 3: Do Nothing, leave it as it is – No costs involved in this option*

IV. Recommended Option:

- *Option 2: BBQ Replacement with Edwardian style shelter and seating*

V. Anticipated Results:

- Increased amenity value for the Domain
- Community/patrons spend more time in the Domain and surrounding areas
- Area upgraded to be more in keeping with the look/feel of the Domain

VI. Total Cost: ~\$12,000 + GST & installation costs

Proposal Summary

Project Name	TA Cemetery Gates	Document CM No.	2915690
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sheree O'Brien	Revision Date	12/08/2024

I. Project Description: The Te Aroha Cemetery extension was completed in 2023, however the entrance gate is currently a temporary measure - a metal pole with padlocks. Work on the gates and fence at the Matamata Cemetery was undertaken by Dave Taylor last year and it makes sense to use the same design for the new gate for Te Aroha ie. Hinuera Stone.

II. Current Situation: Since the temporary gate was installed, the padlocks have been cut and grounds vandalised three times in the last year. A more secure entrance gate is therefore required to stop the vandalism. Making the new gates aesthetically pleasing and in keeping with the other existing gates would also be beneficial as part of these proposed works.

III. Potential Options:

- *Option 1: Full replacement – design and installation \$20,000+GST - includes the following*
 - Foundations for five columns
 - Blockwork to 5 columns including reinforcing and block fill
 - Sawn Hinuera Stone to 5 columns
 - Foundation for joining walls between front and rear columns, including split 130 wide Hinurea stone 600 high with a 50 mil black painted
 - Galvanized rail between columns
 - Hinuera stone capping to all columns
 - Mowing strips to all walls
 - 1500 high powder coated gates to main entry with 1500 high man gate to the right side
- *Option 2: Do Nothing, leave it as it is – Increased maintenance costs involved to constantly replace padlocks and clean/tidy the areas after vandalism.*

IV. Recommended Option:

- *Option 1: Full replacement – design and installation*

V. Anticipated Results:

- Reduction in vandalism
- Entrance more in keeping with other existing gates
- Cemetery more welcoming to users

VI. Total Cost: \$20,000+GST

Proposal Summary

Project Name	Morrinsville Events Centre – Drinking Water Fountain	Document CM No.	2886886
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sharon Bryant	Revision Date	09/04/2024

I. Project Description: To purchase and install a bottle filling station with drinking water fountain in the Morrinsville Events Centre. There is an expectation from users that drinking water will be provided. It is not feasible to install a drinking water fountain outside as patrons don't want to be running outside/don't want children running outside to fill up water bottles, especially for winter sports users. Furthermore, an outside fountain will attract vandalism, whereas an indoor bottle filling station & drinking fountain will be able to be monitored by other users.

II. Current Situation: Morrinsville Events Centre currently does not have either a bottle filling station or a drinking water fountain. The benefits of installing a hydration station at the events centre include promoting sustainability, demonstrating a duty of care and a commitment to patrons health and wellbeing, as well as improving the usability of the centre by ensuring users always have access to clean, chilled water and provides an enhanced level of service to patrons.

By installing a hydration station at the Morrinsville Events Centre it encourages patrons to bring their own reusable water bottles. The bottle filling station is quick and easy, taking away the awkwardness of trying to fill bottles in a sink. The sensor activated bottle filler minimises germs as there are less high touch areas.

III. Potential Options:

- *Option 1: Purchase and install a bottle filling station with drinking water fountain - \$4359+GST (offer of 20% off if purchased directly through Merquip)*
- *Option 2: Do nothing, leave it as it is – No costs but does not meet any objectives*

IV. Recommended Option:

- *Option 1: Purchase and installation of bottle filling station with drinking water fountain*

V. Anticipated Results:

- Improves usability of centre and provides an enhanced level of service to patrons
- Promotes sustainability

VI. Total Cost:

\$4359+GST (offer of 20% off if purchased directly through Merquip)

Proposal Summary

Project Name	Boyd Park Seating	Document CM No.	2886685
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Mark Naudé	Revision Date	15/06/2024

I. Project Description: Lots of people watch junior soccer – mostly adults with small children and end up sitting on the footpath or grass near the soccer club entrance. The addition of some benches will give parents, grandparents and children a place to sit off of the ground. Many other parks in the district have seating, but Boyd Park does not.

II. Current Situation: Currently there are no seats or benches around the soccer club, meaning parents and children have to sit on the ground. There are often grandparents that want to watch their grandkids play soccer but end up having to stand for the duration of the training/matches, which for some is not possible meaning they do not stay. The addition of benches will enable more people of all abilities to stay and watch their kids/grandkids play. KVS to install benches and accompanying concrete bases.

III. Potential Options:

- Option 1: Purchase 4 x Rendezvous bench seats from Streetscape to include KVS installation and concrete bases
- Option 3: Do Nothing, leave it as it is – No costs involved in this option

IV. Recommended Option:

- Option 1: Purchase bench seats and get KVS to install

V. Anticipated Results:

- More opportunities for people to sit off of the ground when watching sports

VI. Total Cost:

\$3824+GST plus \$250 per seat (Todd's estimates for installation & concrete bases)
Total: 4284+GST



Rendezvous bench

Proposal Summary

Project Name	TA Tracks and Boat Ramp Seating	Document CM No.	2886881
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Mark Naudé	Revision Date	21/04/2024

I. Project Description: There are 3 seats along the Tui Domain Track and 1 next to the boat ramp in Te Aroha which are of varying degrees of quality and weatherproof-ness. The replacement of these existing seats with standardised weatherproof seating will minimise the excessive wear that has been occurring with the old timber/metal seats due to being constantly wet/damp because of their placement.

II. Current Situation: The existing seating is of varying quality and there is no standardisation between them. By replacing these benches with something more suitable to the weather and ground conditions it both prolongs the asset life and also reduces maintenance on them in the long-term as well as making them more usable to patrons.

III. Potential Options:

- *Option 1: purchase 4 x Replas Beachcomber Te Aroha style seats. KVS to install along with concrete footings/bases where appropriate*
- *Option 2: Do Nothing, leave it as it is – No costs involved in this option*

IV. Recommended Option:

- *Option 1: purchase 4 x Replas Beachcomber Te Aroha style seats. KVS to install along with concrete footings/bases where appropriate*

V. Anticipated Results:

- Prolonged asset life
- Reduced maintenance/repairs
- More usable for patrons

VI. Total Cost:

\$2800+GST
Total +\$250 ea for KVS to install along with appropriate bases \$3800+GST

Proposal Summary

Project Name	District-wide Carpet tiles and trolleys	Document CM No.	2886585
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sharon Bryant	Revision Date	12/04/2024

I. Project Description: The project has been suggested to enable the Centre to be more able to host a wider range of community events. Providing more flexibility for the centres to host events may provide a greater stream of revenue to the centres. For events of a non-sporting nature to be hosted at the Centre comfortably a temporary flooring system is needed. This temporary event floor would serve the purpose of protecting the sporting floor from damage, reducing noise and creating a more appropriate surface for a wide range of events.

II. Current Situation: At present, there is only one set of carpet tiles and trolleys. The current smart tiles (large carpet court tiles) are stored at Morrinsville Events Centre and cost a lot of money and time to transport to other Events Centres in the district. Currently there cannot be more than one non-sporting event at the same time in the district. The existing trolleys are also wearing quicker than expected due to being transported to different facilities frequently. Floors are more likely to be damaged by non-sports shoes, requiring additional cleaning and maintenance.

III. Potential Options:

- *Option 1: Purchase 1 x Trolley & 200m² of Smart Carpet Tiles each year for 3 years. Same colour as the existing smart tiles - \$13,066*
- *Option 2: Purchase 3 x Trolleys and 600m² of Smart Carpet Tiles to cover 1 x full size court. Same colour as the existing smart tiles – \$39,200*
- *Option 3: Defer and consider the project for funding through the next LTP (2027-30).*
- *Option 4: Do Nothing, leave it as it is – Increased OPEX costs involved in this option as using KVS to transport tiles to and from each events centre. Continue to use the main sports courts for prominently sports use. The wider community events of a small scale to continue to be catered for in the existing meeting rooms.*

IV. Recommended Option:

- *Option 1: Purchase 1 x Trolley & 200m² of Smart Carpet Tiles each year for 3 years*

V. Anticipated Results: Hosting a wider range of events will both increase potential use of the facility as well as potentially increase revenues from additional usage. More than one facility will be able to be booked as a non-sporting event at the same time. There will be less damage to sports court flooring and therefore less cleaning and additional maintenance required.

VI. Total Cost: Approx - \$13,066

Proposal Summary

Project Name	Swap Park Safety Fence	Document CM No.	2886610
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Mark Naudé	Revision Date	05/07/2024

I. Project Description: KiwiRail requested that Council fence a section of Swap park where people take a shortcut near the railway line. The section at the back of Swap Park, along the State Highway is roughly 15-20m in length.

II. Current Situation: Matamata-Piako District Council have a beautification lease at Matamata. Kiwirail received an email from a member of the public advising that they have witnessed a few recent near misses with people crossing the tracks in front of trains. They mentioned that people are accessing the tracks through an unfenced area.

Kiwirail has correspondence on the lease file from 2018 that mentions this issue was discussed with MPDC after a fatality, where the coroner recommended fencing to prevent access to the tracks.

III. Potential Options:

- *Option 1: Installation of a chainlink type fence including a gate for access along the back boundary of Swap Park next to the State Highway – KVS to install*
- *Option 2: Do Nothing, leave it as it is* – No costs involved in this option. Major safety issues remain and more near misses and potential fatalities could happen as a result of doing nothing.

IV. Recommended Option:

- *Option 1: Installation of a chainlink type fence including a gate for access along the back boundary of Swap Park next to the State Highway*

V. Anticipated Results:

- Increase safety for pedestrians
- Stop wandering pedestrian access to the railway tracks from Swap Park, but allow a gate for access to minimise vandalism and fence cutting
- Stop dogs and small children using Swap Park wandering onto the tracks and across the State Highway

VI. Total Cost: \$2500

Proposal Summary

Project Name	District-Wide Swim Zone Inflatable Modules	Document CM No.	2886626
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sharon Bryant	Revision Date	19/05/2024

I. Project Description: Some of the current modular inflatable pieces are only able to be used at certain facilities due to the minimum water depth required. The proposed new modular inflatable pieces will be able to be used district-wide as the minimum depth for all proposed pieces is 1.1m, giving the ability to freshen up the courses and swap pieces around.

II. Current Situation: There is no renewal budget for inflatable modules. The current inflatable modular pieces have been patched and repaired for a number of seasons and they are at the end of their life. There were some modular pieces that were unable to be used in certain pools due to the minimum depth not being deep enough so it would be good to select modules that can be used district-wide as this gives the facilities more opportunity to swap and freshen up the courses to keep it interesting for kids.

III. Potential Options:

- *Option 1: Full replacement – all items purchased*
- *Option 2: Partial replacement – some items purchased*
- *Option 3: Do Nothing, leave it as it is – No costs involved in this option*

Need (in order of importance)	Item	Cost GST not included
Non negotiable	High pressure blower	\$255
1	Slalom module	\$3465
2	Crater module	\$1630
3	Hole in the wall module	\$2965
4	Zig Zag	\$965
5	Peg Play	\$965

IV. Recommended Option:

- *Option 1: Full replacement – all items purchased*

V. Anticipated Results:

- Better use of modules at all facilities
- More variety for kids
- Potential for increased revenue as inflatables are more appealing to children and families

VI. Total Cost: \$10,245 +GST

Proposal Summary

Project Name	Carpet tiles for Rose Yorke Lounge – Headon Stadium	Document CM No.	2886601
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sharon Bryant	Revision Date	05/05/2024

I. Project Description: To make the Rose Yorke Lounge in Headon Stadium more user friendly it is proposed to lay carpet tiles. The carpet tiles will also add a level of soundproofing as well as making the room feel a bit warmer and cosier in winter.

II. Current Situation: Other Council owned facilities have carpeted meeting rooms. Since the Stadium was refurbished in 2020 the Rose Yorke Lounge has served as more of a storage room than a usable facility/meeting room as the room isn't very user friendly.

III. Potential Options:

- *Option 1: Purchase of 60m² grey carpet tiles to match other existing facilities*
- *Option 2: Do Nothing, leave it as it is – No costs involved in this option*

IV. Recommended Option:

- *Option 1: Purchase of 60m² grey carpet tiles to match other existing facilities*

V. Anticipated Results:

- Increased soundproofing
- Increased warmth in winter
- More user friendly

VI. Total Cost: \$5000+GST

Proposal Summary

Project Name	AV System for Rose Yorke Lounge – Headon Stadium	Document CM No.	2886597
Project Class	Project Bulk Funds		
Prepared	Alicia Symes	Revision No.	1
Checked	Sharon Bryant	Revision Date	24/04/2024

I. Project Description: To make the Rose Yorke Lounge in Headon Stadium more user friendly it is proposed to install an AV System similar to other facilities in the district.

II. Current Situation: Since the Stadium was refurbished in 2020 the Rose Yorke Lounge has served as more of a storage room than a usable facility/meeting room. The below equipment will make the room more readily available for meetings as well as corporate and community events.

III. Potential Options:

- *Option 1: Purchase of the following equipment*
 - WIFI
 - Rack mountable pro-grade router - \$820
 - UniFi 6 Lite Access Point - \$215 (we'd only need one in the Rose York Room. The other connection point options are in the change room area, or maybe above those rooms to service the court area (might need some extra cabling though)
 - AV
 - LG 65" 4K Commercial TV - \$1700 (UR640S - 75 inch model is \$1000 more if you wanted to go bigger)
 - TV Cart for 32-70in TV Height Adjustment - \$1000 (StarTech STNDMTV70)
 - Samsung HW-B650 3.1 Channel Soundbar - \$500
 - Wireless Display Adapter - \$150
 - Multiplugs and extension cords - \$200
- *Option 2: Do Nothing, leave it as it is – No costs involved in this option*

IV. Recommended Option:

- *Option 1: Purchase AV equipment for the Rose Yorke Lounge*

V. Anticipated Results:

- More usable/functional space
- Potential for increased revenue for the facility
- Wider range of events able to be held at the facility

VI. Total Cost: \$4585

7 Pūrongo me whakatau | Decision Reports

7.4 Plan Change 54 - Papakāinga

CM No.: 2930666

Te Kaupapa | Purpose

The purpose of this report is to seek approval from the Council to make Plan Change 54 - Papakāinga operative.

Rāpopotonga Matua | Executive Summary

The Papakāinga Plan Change sought to include new rules in the District Plan that enabled quality papakāinga development that supports the social, cultural and economic wellbeing of tangata whenua. One of the key aspects of the Plan Change is the creation of a new zone called the Māori Purpose Zone. The Māori Purpose Zone is proposed to have two separate precincts, Precinct 1 - Papakāinga Tahī and Precinct 2 - Papakāinga Rua. The plan change also included district wide provisions for sites that are not included in the new Māori Purpose Zone. The plan change was first publically notified on the November 2022. Due to an error in some of the advertised material, the plan change was re-notified with submissions closing in February 2023. The decision was publically notified on 9, 10 and 11 July 2024. The 30-day appeal period following this notification has since lapsed and no appeals were lodged. Consequently, this report seeks Council's resolution to seal the plan change and make it operative. Nathan Sutherland and Carolyn McAlley are available to answer any questions.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **Pursuant to Clause 17 of Schedule 1 of the Resource Management Act 1991 Plan Change 54 - Papakāinga is approved, sealed with the seal of the Council and signed by the Mayor and Chief Executive Officer; and**
3. **Pursuant to Clause 20 of Schedule 1 of the Resource Management Act 1991, Plan Change 54 - Papakāinga becomes operative on 6 November 2024.**

Horopaki | Background

In consultation with Iwi, this Council led plan change sought to include new rules to better enable quality Papakāinga development, to support the social, cultural and economic wellbeing of tangata whenua. One of the key aspects of the Plan Change is the creation of a new zone called the Māori Purpose Zone. The Māori Purpose Zone is proposed to have two separate precincts Precinct 1 - Papakāinga Tahī and Precinct 2 - Papakāinga Rua. The plan change also included district wide provisions for sites that are not included in the new Māori Purpose Zone. For these sites, the plan change included provisions that would enable Papakāinga development on Māori Freehold Land, General Land owned by Māori (*if it can be demonstrated there is an ancestral connection and a legal mechanism in place to ensure the land is maintained in whanau ownership in perpetuity*), and Treaty Settlement Land in the Rural and Rural-Residential Zones.

The plan change was originally publically notified on the November 2022, but due to an error in some of the advertised material the plan change was re-notified with submissions closing in February 2023. Fifty-five submissions, including one late submission were received in response to

the notification. Following this, the submissions were summarised and notified on 4 April 2023. Three further submissions were received. A hearing to decide the submissions was held on 17 and 18 April 2024 and was overseen by independent commissioners Bill Walsey (Chair) and James Whetu on behalf of the Council. Their final decision was publically notified on 9, 10 and 11 July 2024. The appeal period closed on 22 August 2024. A copy of the decision and the final district plan provisions are attached under separate cover.

Clause 29 of Schedule 1 of the Resource Management Act 1991 (RMA) gives the relevant submitters 30 working days following its notification, to appeal the decision. No appeals were received.

Ngā Take/Kōrerorero | Issues/Discussion

The appeal period finished on 22 August 2024, with no appeals being lodged. Given that there were no appeals, the final step in the process is to make the plan change operative. Clause 17 of Schedule 1 of the RMA allows a council to approve all or part of a plan change when it is beyond challenge by submission or appeal. It gives effect to this approval by affixing the seal of the Council to the plan change. Following this approval, Clause 20 of the Schedule 1 of the RMA says that the Council shall publically notify the date on which a plan becomes operative at least five working days prior to this occurring.

Determining an operative date can be an iterative process and can depend on a range of factors including the time taken to prepare and review an operative version of the plan, the ability to finalise District Plan maps and deadlines for newspaper advertisements. Based on these factors, staff have recommended an operative date of 6 November 2024. A timeline to make PC54 operative is attached under separate cover.

Mōrearea | Risk

In adopting the recommendations of this report, it is considered that the decision to make PC 54 operative would constitute a low risk. The Council's Risk Policy provides an expectation that the organisation will comply with all relevant legislative requirements in the conduct of its business. Making a plan change operative in accordance with the relevant provisions of the RMA is an expectation of that piece of legislation.

Ngā Whiringa | Options

Papakāinga operative Papakāinga housing in the District.

Option 2: To not make Plan Change Papakāinga operative

Should the Council decide to not make the plan change operative, it would still be able to enforce the proposed provisions. Section 86B of the RMA says that a rule in a proposed plan generally has legal effect once the decision on submissions relating to that rule has been made by Council and the decision has been publically notified. There are a few exceptions, but these would not apply in this particular situation.

The submissions on PC 54 have been decided and the decisions released on 9, 10 and 11 July 2024. No appeals were lodged within the specified 30-working day appeal period, meaning that the proposed provisions have legal effect in accordance with section 86B of the RMA. However, not making the plan change operative would add significant complexity to the administration of any Papakāinga application as any current operative plan does not become inoperative until the newly proposed plan becomes operative. This would mean that the two sets of potentially conflicting provisions would apply at the time of a Papakāinga application.

Recommended option

Option 1 is recommended in this instance. Making PC 54 operative is the final step in the plan change process and it would enable Council to observe and enforce (solely) the District Plan provisions that have been decided on by the independent hearing commissioners (on behalf of the Council).






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

Clause 17 of Schedule 1 of the RMA says that Council may approve a plan change and in giving effect to this approval, it must affix its seal to it. Clause 20 then states that an approved plan shall become operative on the date notified by the Council, noting that this notification needs to occur at least five working days prior to the plan becoming operative. The Council's current process for making plan changes operative is considered to be in accordance with the expectations of the RMA.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The RMA requires the operative date of a proposed plan be publically notified. This will be achieved by sending notification emails/letters to the submitters and relevant parties outlined in clause 20 of the RMA. A public notice will also be placed in the Scene Matamata - 1 October 2024, Morrinsville News - 3 October 2024, and the Te Aroha News - 1 October 2024.

Ngā Tāpiritanga | Attachments

- A.  PC 54-Commissioner's Decision (*Under Separate Cover*)
- B.  PC 54-Commissioner's Decisions on Submissions (*Under Separate Cover*)
- C.  PC 54-Commissioner's Decision-Attachment B1-Amended District Wide Provisions (*Under Separate Cover*)
- D.  PC 54-Commissioner's Decision-Attachment B2-Amended MPZ Provisions (*Under Separate Cover*)
- E.  PC 54-Timeline to become operative (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Carolyn McAlley Senior RMA Policy Planner	
Approved by	Nathan Sutherland Team Leader RMA Policy	
	Ally van Kuijk General Manager Growth & Regulation	

7 Pūrongo me whakatau | Decision Reports

7.5 Waikato Water Done Well - Proposal

CM No.: 2924404

Te Kaupapa | Purpose

The purpose of this report is to enable Matamata-Piako District Council to consider and make informed decisions with respect to the Waikato Water Done Well recommendations.

Rāpopotonga Matua | Executive Summary

Under the Local Waters Done Well Council is required to consider the model it will adopt to manage and deliver Waters Services to the District.

As previously reported the Mayoral and Iwi Leaders Forum asked the Chief Executives to consider options for the Waikato and report back.

In a review of reviewed Long Term Plans it was identified that over the next 10 years Councils in the Waikato have budgeted \$7.5 Billion for the 3 Waters of which \$5 Billion is allocated for Capital works.

The challenge of resourcing, delivering and funding is significant.

The introduction of stronger regulatory requirements including economic as well as quality will place additional operational risk on the organisation.

The current point discharge consenting system doesn't allow for a wider catchment based context to be assessed and therefore there is the potential for inefficient expenditure that doesn't benefit water quality.

A catchment based approach will provide for the potential for working with the regulators to explore other investment opportunities that provide better water quality outcomes.

Aggregation of Councils Waters functions as Stage 1 will allow strategic discussions with the Civil contracting industry and with the regulators to identify more effective ways of working with more efficiency.

The first step in the process is for Councils to discuss and develop a Heads of Agreement (HoA) that will set the base for developing a separate waters entity for those Councils who see merit in the proposal.

Funding for this next step will be sourced from the allocation Council approved for the development of a Water Services Plan.

Tūtohunga | Recommendation

That:

1. Council receive this report, the material presented and the attached technical report

AND

2. Council approve the following recommendations relating to future water services by Matamata-Piako District Council:

a) Strategic framework:

Council agrees to the vision, outcomes and success measures for the Waikato to be adopted in principle. These are set out in section 3 of the attached technical report and also included in this report for ease of reference.

b) Co-design a staged aggregated model:

Council agrees to be a participating council that will co-design an aggregated model for the delivery of water services staged by function and governed by a professional board from the outset. Stage 1 will be the establishment of an entity providing functional services to participating councils. The end point (to deliver on the vision, outcomes and success measures) is an aggregated, fully regulated water services entity (or as termed in the service delivery models recently announced by the Minister, a multi-council owned water organisation).

c) Advise Forum Chairs of decision:

Council formally advise the Joint Chairs of the Waikato Joint Mayors and Chairs Forum (via the Co-Lab project team) of their decision in relation to the above recommendations by end of September 2024.

d) Heads of Agreement:

Council formally instruct its Chief Executive to negotiate a Heads of Agreement (HoA) to bring back for council approval by the end of October 2024 (with the intention of the HoA being signed in November 2024). The HoA will be a non-binding agreement between participating councils, entered into on a good faith basis to show a commitment to progress in the manner proposed. The framework will inform the development of more formal documentation.

OR

3. Council does not approve the recommendations and does not agree to be a participating council that will co-design an aggregated model for the delivery of water services staged by function and governed by a professional board from the outset. Council will exit the Waikato Water Done Well workstream but be kept informed of the work underway.

Horopaki | Background

Councils are required by law to periodically review the cost-effectiveness of how they meet their communities’ needs for good-quality local infrastructure, local public services, and performance of regulatory functions.

Under Local Water Done Well, all councils are required by the government to look at how they can address any infrastructure deficits and raise standards of delivery to meet future regulatory requirements (economic, environmental and drinking water).

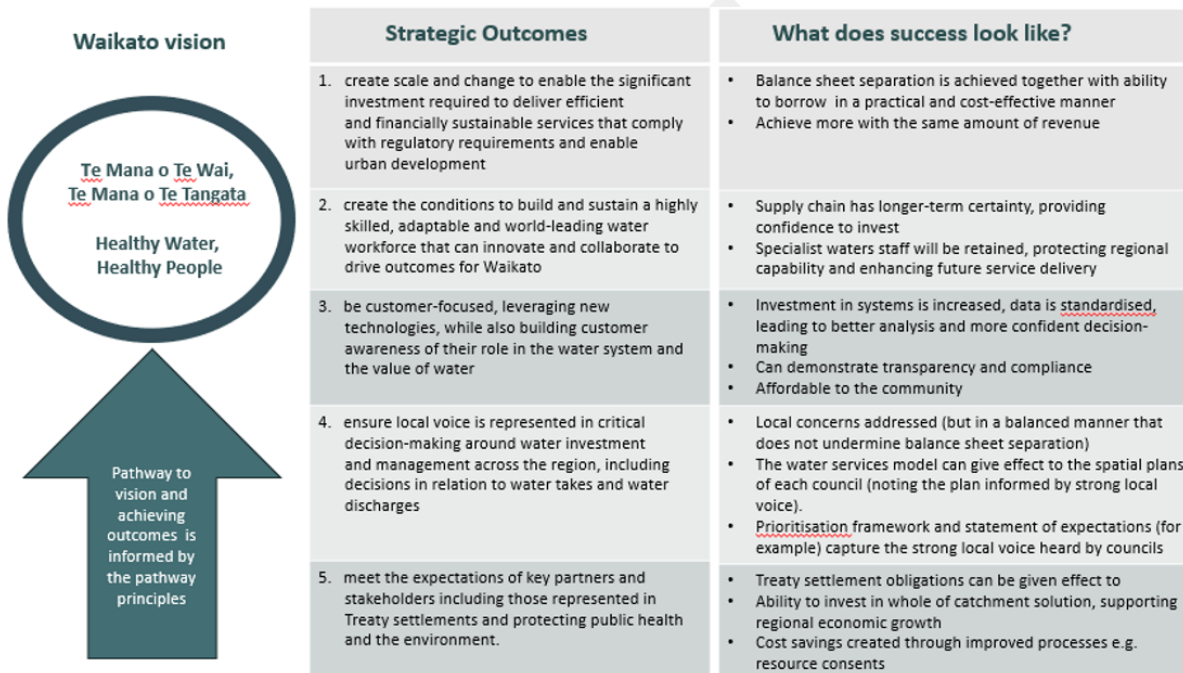
One of the first requirements for councils under Local Water Done Well is that they submit a water services delivery plan by August 2025. Councils must adopt these plans by resolution. The plans require councils to describe the current state of water services and demonstrate publicly their commitment to deliver water services in a way that:

- a) ensures regulatory and quality standards are met
- b) is financially sustainable; and
- c) supports the council’s housing growth and urban development, as specified in its long-term plan.

Plans can be submitted individually or jointly. The information requested of councils is extensive and includes detail around the anticipated or proposed model for future water services delivery, together with the implementation plan for the proposed model (including timeframes and milestones).

Strategic Framework

Appendix - Strategic framework



Regional and Local Context

Under the banner 'Waikato Water Done Well', the Waikato Joint Mayors and Chairs Forum seeks to support individual councils to make informed decisions on the merits of aggregating water services, regionally or sub-regionally. This report (together with the accompanying technical report) is the output of work mandated by the Forum.

Across Waikato councils LTP24s indicate circa \$7.5 billion is budgeted to be invested in three waters over the next decade alone. Of this, nearly \$5 billion relates to capital works. Some further capital commitments were recommended to councils but were not included in final 10-year budgets, largely because of affordability concerns. Under the current regime, the Waikato will continue to have infrastructure deficits. It is acknowledged that the Government's proposed changes in regulation to make sure it is proportionate to risk and benefit may lead to a review of capital works programmes. However, even with a 20% reduction, the size of the capital delivery programme across the Waikato is sizeable (in comparison, the Bay of Plenty programme is \$3.9 billion). There are multiple independent reports over the last decade (or more) that have been commissioned at a national and local level and show three waters can be delivered more cost-effectively if councils leveraged scale. The analysis set out in the attached technical report and this cover report continues to support that. Using a very conservative efficiency target of around 1% per year (compare with the efficiency target of 4% per annum set by the Watercare Board), savings of around \$338 million across the whole of Waikato could be achieved from a fully aggregated water services entity, over 10 years. The main driver of the efficiency savings relates to capital works planning and delivery, being \$185 million.

Successive governments have long recognised the benefits of scale. While the legislation is still being developed, Local Government Minister Simeon Brown has personally confirmed to Forum members at a meeting held in mid-June 2024 that the government is looking for a more joined-up approach to water services delivery, including in the Waikato.

The drivers for aggregation are both financial and non-financial. Water experts across Waikato councils, and externally (including contractors), advise risks and opportunities will best be mitigated and captured by councils working together.

This is not just about debt capacity, although that is a challenging issue for growth councils, in particular. Nor is it about whether councils can 'afford' their three waters capex forecast over the course of their LTPs. Even if councils can 'afford' to deliver within their debt limits, under the status quo projections show this will not be affordable for all communities.

Affordability for ratepayers, and the legal obligations of councils to review cost-effectiveness of arrangements, is a fundamental premise of this work.

While each council has its own challenges, the top challenges and risks across all councils (as rated by Chief Executives) are:

- a) Workforce availability (staff and suppliers)
- b) Capital works delivery
- c) Compliance (Waikato Regional Council and Taumata Arowai)
- d) Consenting (renewals and/or new)
- e) Community affordability (where revenue needs are greater than acceptable water rates)

There are also some common opportunities to be realised, including:

- a) better use of standardised data and consistent technology
- b) working together to foster and promote innovation
- c) increased leverage for procurement and contracting
- d) better local career paths for the regional waters workforce and enhancing attractiveness for others to enter the sector

- e) forming sound and effective relationships with Iwi at a level that aligns with current entities (Waikato River Authority, Hauraki Gulf Forum and Waihou, Piako, Coromandel Catchment Authority). Note this approach would not change any existing commitments to Iwi from any Council.

Ngā Take/Kōrerorero | Issues/Discussion

Challenges for Matamata-Piako District Council

The challenges that have been identified specific to Matamata-Piako District Council are:

Council / key problem	Debt capacity	Community affordability	Workforce availability	Capital works delivery	Business continuity	Compliance	Consenting
Matamata-Piako			✓	✓		✓	✓

Debt capacity: Waikato councils fit into, basically, two categories.

- a) Growth councils (Hamilton, Waikato and Waipa): these councils are running out of the ability to borrow funds from the Local Government Funding Agency (LGFA) because they will surpass the debt to revenue ratio covenant. To give councils increased access to borrowing, LGFA has recently confirmed that where councils form a water services CCO (whether wholly owned by one council or by more), it will extend borrowing up to 5 times revenue. This is subject to the parent council(s) providing financial support and meeting other prudent credit criteria (yet to be confirmed). This borrowing will be separate from the parent(s) council borrowing. In addition, for high growth councils, LGFA is reviewing whether it can increase debt limits to 3.5 times revenue. This is subject to LGFA AGM and subsequent board approval on a bespoke basis.
- b) Other Waikato councils: albeit there is significant growth in other councils, the pressure on the debt to revenue covenant is not as large as the growth councils. Overall, Matamata-Piako is currently one of these councils. However, as noted in the LTP24, it has been necessary to increase the overall historic debt to revenue ratio to 175% to fund increased capital works requirements. Further, when water services debt to revenue is ring-fenced, the ratio gets as high as 419% in year 3 and 4 of LTP24. Concern is expressed in the LTP24 that this level of debt for water may unfairly reduce the ability for Council to meet other needs and wants of the community. However, as the forecast three waters capital work projects are considered “must do”, the ability to reduce debt is limited. Raising rates to reduce debt was considered but on balance, it has been determined prudent not to increase rates at a time when there is uncertainty in the three waters space and when the overall debt can be managed within the limits (see also the section on community affordability below). The intention is to address the debt position post 2034.

An important point is that the need to set up an individual council CCO for the debt funding purpose is often confused with the need to establish an aggregated waters services CCO which would provide relief for all the issues raised in this report and not just an individual council’s need to be able to borrow funds.

Community affordability: Based on a benchmark of water services becoming unaffordable if water rates exceeds 2% of household mean income, the below (based on current LTP information) demonstrates that Matamata-Piako District Council is affordable and on the basis of current projections will remain so over the next 10 years. Prioritising affordability while still delivering services for the community was a focus in the planning for LTP24. It is also recognised

in that document that to reduce debt, it is necessary to increase revenue. Affordability was a relevant factor in the decision not to make significant increases in revenue over the period 2024-2034 (other than small additional increases in waters revenue in the last four year). If fully funding depreciation is a requirement of new regulatory framework, then the impact on rates will also need to be reviewed as depreciation is not currently being fully funded

It is worth noting that in the context of New Zealand, Watercare (in accordance with its Statement of Intent) monitors customer affordability with reference to a target of being no more than 1.5% of Aucklanders' household income.

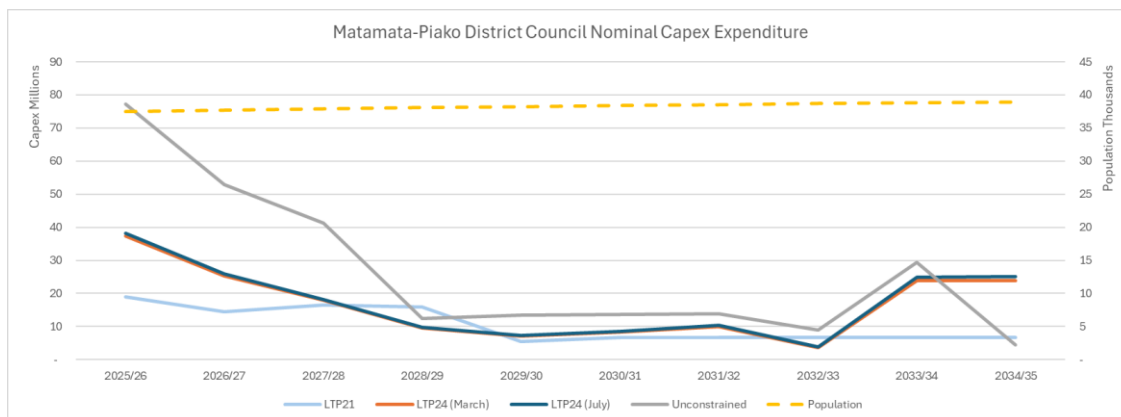
Council	2024 Average Water Charges	2024 Mean Household Income	2024 Affordability	2035 Average Water Charges	2035 Mean Household Income	2035 Affordability
Hamilton	1,589	\$122,485	1.3%	5,281	\$195,968	2.7%
Hauraki	1,714	\$93,971	1.8%	4,860	\$150,348	3.2%
Matamata-Piako	1,539	\$106,012	1.5%	2,193	\$169,613	1.3%
Ōtorohanga	974	\$105,383	0.9%	1,652	\$168,606	1.0%
South Waikato	1,613	\$108,224	1.5%	2,337	\$173,152	1.3%
Taupō	1,655	\$110,702	1.5%	3,350	\$177,116	1.9%
Thames Coromandel	1,890	\$79,530	2.4%	3,049	\$127,243	2.4%
Waikato	2,310	\$129,602	1.8%	7,921	\$207,355	3.8%
Waipā	2,021	\$120,903	1.7%	3,470	\$193,437	1.8%
Waitomo	2,651	\$89,164	3.0%	4,634	\$142,657	3.2%

Workforce availability: the retention and recruitment of staff with the requisite skills, together with procuring contractor expertise are challenges that each Council faces. The workforce in water is an aging workforce. Even for those councils who do not consider financial sustainability to be an issue, there is the risk of not having the staff with the capability and capacity to maintain the requisite levels of service. This has been identified as a challenge for Matamata-Piako District Council.

Capital works delivery: The capital investment projected for Matamata-Piako District Council over the period from 2024/2025 to 2034/2035 (based on draft data provided) is over \$216million. It is accepted that the scope of capital works will be reviewed as clarity on the changes to regulatory requirements becomes known. However, even with a 20% reduction, the capital works programme is nearly \$173 million. In response to a survey on how confident the Chief Executive is that LTP 2024 reflects the future investment required by Matamata-Piako District Council, particularly in relation to supporting growth through capital expenditure, with 9 being very high confidence and 1 being very low, the Chief Executive rated this as being 5.

Furthermore, in response to a survey as to how confident they are that LTP2024 reflects future investment requirement by their council to meet future regulatory requirements, including any fees payable to regulators (including economic) (using the same scale as above), the Chief Executive rated this as 7.

The capital works programme as set in LTP21, March 2024 (draft figures provided by councils) and July 2024 (draft) is set out below together with the unconstrained or necessary amount of capital investment that was identified by council staff during the last reform. This is then plotted against the population growth.



Compliance: compliance issues raised in respect of Matamata-Piako District Council by Waikato Regional Council and Taumata Arowai in the 2023/2024 year are as follows:

Council	Waikato Regional Council ¹			Taumata Arowai ²	Summary
	Water	Wastewater	Stormwater		
Matamata-Piako	2	4	4	✓	✓

Opportunity for Matamata-Piako District Council to address challenges

Aggregation provides Matamata-Piako District Council with an opportunity to mitigate the risks that the above challenges present. Further, aggregation provides a significant opportunity for a more strategic and cost-effective approach to consenting (noting one third of all water consents in the region expire by 2030). This is because there are four councils in the Waihou Piako catchment who could, for example, have strategic conversations with the consent authority and Iwi partners about how to improve freshwater outcomes through ‘nutrient balancing’ between all the wastewater treatment plants within the catchment. Matamata-Piako District Council has already proactively taken steps to benefit from nutrient balancing between plants within its own district.

The recommendation at paragraph 2(b) above in respect of Waikato Water Done Well is for participating councils to take an incremental and pragmatic approach to developing a regional entity which is flexible to cater for different needs across the region, and equitable so that over time, everyone (i.e. each community) wins.

Residual impact on Matamata-Piako District Council

On a wider regional level, it is acknowledged the residual impacts of moving some functional services from some individual councils to a regional entity are unknown at this stage. However, a long-term perspective is required to ensure a delivery model is adopted that is sustainable (with affordability being a component of this). The pathway principles set out in the attached technical report include a principle in relation to risk, and that risks associated with aggregation (including residual risk to councils) are managed and mitigated. Together, we can develop a financially sustainable model which better provides the water services infrastructure our communities and region need, and which meets regulatory requirements and government and community expectations.

¹ Number of ‘regimes’ with moderate to significant non-compliance in 23/24 year. WRC only recorded Hauraki, Matamata Piako, South Waikato and Waikato councils as having significant non-compliance over the last year.

² Have supplies without protozoa or bacteria barriers or no residual disinfection in the 23/24 year

In the interests of efficiency, councils who are unwilling or unable to commit by mid-September 2024 to an incremental approach, and the ultimate goal of an aggregated, fully regulated water services delivery entity, should exit this workstream (noting they will continue to be informed of the work underway). It will be up to these councils to determine how they will meet the requirements of Local Water Done Well and demonstrate the commitment to deliver water services in a manner that meets the requirements of central government.

Next steps

As per recommendations, the next step is for councils to inform the Joint Chairs of the Forum of their decision in relation to the recommendations. If council wishes to be a participating council, the CE will be taken to have the mandate to negotiate the HoA which will be brought back to council for consideration and approval in October 2024.

Mōrearea | Risk

Detailed elsewhere in this report and attachment.

Ngā Whiringa | Options

Detailed elsewhere in this report and attachment.

Recommended option

The recommended option is:

Option 1:

Council approves the recommendations and agrees to be a participating council that will co-design an aggregated model for the delivery of water services staged by function and governed by a professional board from the outset.

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

Detailed elsewhere in this report and attachment.





Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Detailed elsewhere in this report and attachment.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata-Piako District Council's Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE	MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION

TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. 'The heart of our community is our people, and the people are the heart of our community.			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- He wāhi e poipoi ai tō tātou taiao | A place that embraces our environment

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

Detailed elsewhere in this report and attachment.

Ngā Tāpiritanga | Attachments

[A↓](#). Waikato Water Done Well Technical Report August 2024



Ngā waitohu | Signatories

Author(s)	Don McLeod Chief Executive Officer	
Approved by	Don McLeod Chief Executive Officer	

Waikato Water Done Well

*Ki te kotahi te kākaho, ka whati; ki te
kāpuia, e kore e whati*

*A single reed is vulnerable, but a
bunch of reeds together is
unbreakable*

Kīngi Tawhiao



August 2024

Authored by:
Vaughan Payne, Sinead Hart, Rohan Matuku

Table of Contents

1.	Introduction.....	4
2.	National context	4
2.1.	Increasing regulation	6
2.2.	Timeline Challenges.....	7
3.	Strategic direction	7
4.	Findings	8
4.1.	Local Findings	8
4.2.	Financial findings	12
4.3.	Local concerns ('showstoppers')	14
4.4.	Summary of findings.....	15
5.	A Way Forward	16
5.1.	A safe start.....	16
5.2.	The end point	19
6.	The transition pathway	20
6.1.	Pathway principles	20
6.2.	Stage 1 Pathway	21
6.3.	Stage 2 Pathway	21
6.4.	Timing	21
7.	Next steps	22
7.1.	Recommendations adopted.....	22
7.2.	Recommendations not adopted.....	22
	Appendix 1 - Methodology	23
	Appendix 2 - Summary of Bill#2.....	26
	Appendix 3 – Design parameters.....	29

List of Figures

Figure 1.1 Waikato Water Done Well Roadmap
Figure 3.1 Waikato strategic direction for water services
Figure 4.1 Population and capital works projections
Figure 4.2 Regional priority spend
Figure 4.3 Efficiency savings across spatial options
Figure 4.4 Efficiency savings across spatial options (capital works)
Figure 4.5 Challenges to delivering levels of service
Figure 5.1 Stage 1 Indicative Regional CCO Structure
Figure 6.1 Overview of Transition Pathway

List of Tables

Table 4.1 Water services drivers for each Council
Table 4.2 Affordability across Councils 2024 and 2035
Table 4.3 Compliance issues across Waikato Councils
Table 5.1 Stage 1 roles and responsibilities
Table 5.2 Needs and immediate opportunities captured at Stage 1
Table 5.3 Needs and opportunities captured at Stage 2

1. Introduction

The Waikato is known nationally for its leadership in managing water, being courageous and innovative to ensure better long-term outcomes for Lake Taupō, the Waikato and Waipā rivers, Hauraki Coromandel rivers and Tikapa Moana/Hauraki Gulf. Working with their Iwi partners, Waikato councils are now seeking to find a pragmatic solution to water infrastructure that, over time, meets the needs of each council, their communities and the requirements of central government.

Under the banner 'Waikato Water Done Well', the Waikato Joint Mayors and Chairs Forum (**Forum**) seeks to support individual councils to make informed decisions on the merits of aggregating water services, regionally or sub-regionally.

This report builds on the work presented to the Forum on 11 March 2024 and sets out what is being presented to councils in the context of step 5 of the Waikato collaborative roadmap (refer Figure 1.1 below) and the recommended way forward. This report should be read in conjunction with the cover report prepared for each council.



Figure 1.1 Waikato Collaborative Roadmap

We acknowledge the leadership and direction of the Chief Executive Working Party and the wider Chief Executive Forum in the development of this report and the recommended way forward. Against the national timeline and developments, extensive work has been carried out across Waikato Councils to work through the above roadmap. Details of the methodology applied in developing this report are included in Appendix 1.

2. National context

Local Water Done Well empowers local decision-making about future water services delivery but in the context of increased government oversight requirements. Local Water Done Well is being implemented in three stages:

- a) **Stage 1** involved the repeal of all prior water services legislation with effect from 17 February 2024.
- b) **Stage 2** is currently underway being the Local Government (Water Services Preliminary Arrangements) Bill (**Bill#2**). This was introduced into Parliament in May 2024. The Select Committee returned its report on the Bill on 18 July 2024. A summary of Bill#2 (with the proposed amendments from the Select Committee) is included in Appendix 2. The Bill is due to be passed into law in late August 2024. Key points to note are that it:

- Requires councils to submit water services delivery plans within 12 months of the Bill being passed into law (i.e. by late August 2025)
- Provides for foundation "economic regulation" through information disclosure requirements for specified entities
- Introduces a streamlined process for consulting on the establishment of a jointly owned water services council-controlled organisation (CCO)

Preparing water services delivery plans will require significant effort from councils. Chief Executives are currently considering how to ensure a consistent and cost-effective approach across Waikato councils who wish to adopt such an approach.

c) **Stage 3** will commence in December 2024. Bill#3 will provide the enduring settings for Local Water Done Well including:

- a comprehensive economic regulatory regime; and
- a comprehensive range of options, tools and models (service delivery models) that councils can choose from in relation to delivering water services.

Bill#3 is expected to be introduced into law by mid-2025 but the policy intent informing it was made known on 8 August 2024. Key points are that:

- All water service providers (i.e. councils or water organisations) must meet minimum requirements including;
 - i. meeting regulatory standards (economic, environmental and water quality)
 - ii. being financially sustainable
 - iii. operating within a new planning and accountability framework – this will require a water services strategy every 3 years and an annual water services report within three months of the financial year end. Information on water services will no longer form part of the long term plan even where services are kept in-house
 - iv. acting consistently with statutory objectives
- The water services delivery model choices available to councils include:
 - i. delivering water services in-house through a separate business division or unit
 - ii. establishing a wholly owned water organisation
 - iii. establishing a joint arrangement with other councils, including a water organisation that is owned by three or more councils or owned wholly or partly by a consumer trust
 - iv. councils design alternative arrangements that meet the minimum requirements
- Additional requirements for any water organisation are that:
 - i. it must be a company (subject to exemption)
 - ii. its activities must be limited to providing water services (subject to exemption)
 - iii. it can only be owned by councils or consumer trusts
 - iv. it must have restrictions against privatisation
 - v. Board appointments must be competency based but with no council staff or elected members on the board
 - vi. shareholders must prepare a statement of expectations at least every three years (must include information on strategic priorities and specific requirements / obligations that relate to Treaty settlements or other arrangements in place with local Iwi).

A large amount of the narrative around the service delivery options has focused on debt capacity as this is a key driver for growth councils. The need to set up an individual council CCO for debt funding purposes is often confused with the need to establish an aggregated waters services organisation (or CCO) that can provide relief for the issues raised in this report, not just an individual council's need for increased borrowing.

2.1. Increasing regulation

Bill#3 will provide for comprehensive economic regulation and consumer protection, with the regulator being the Commerce Commission. The Commerce Commission will have a range of regulatory tools, including mandatory information disclosure, designed to promote efficient practices and protections for consumers. The first focus of the Commerce Commission is stated to be monitoring whether sufficient revenue is being collected by water service providers for their investment needs. These initial requirements for information disclosure are expected to be set six months after the commencement of legislation (by early 2026).

The effect of the above is that water services is moving to whole of system regulation rather than the current 'end of pipe' regulation. Simply put:

- a) The taking of water and discharge of wastewater and stormwater (end of pipe) will continue to be regulated (Regional Council) and, in the Waikato context, must align with existing Treaty settlements requiring improved freshwater outcomes
- b) Drinking water and wastewater treatment will become more heavily regulated (Taumata Arowai) (but Taumata Arowai taking a proportionate, cost effective and efficient approach in its functions and duties)
- c) Infrastructure and service quality standards can be introduced covering investment in network and treatment plants - whether over investment or under investment (including requiring action to be taken to improve performance) (Commerce Commission)
- d) The cost of providing water services will be regulated through mandatory information disclosure requirements imposed on water services providers and scrutiny of the price charged to end users (Commerce Commission).

The Commerce Commissioner will also have regulatory tools to set revenue thresholds (minimum and maximum) and monitor and enforce financial ring-fencing. Depending on performance, it may also be given power (for specific providers) to place limits on revenue, similar to price quality regulation that applies in the electricity market. Under the new regulatory regime, planning and building infrastructure based on perceptions of what is acceptable to ratepayers will not be sustainable.

Councils will need to adapt their water services business to meet the above requirements. This will require significant investment to demonstrate compliance through robust data and asset management systems.

The importance of data to demonstrate performance and compliance, and ensure risks are being appropriately managed, is highlighted by the most recent Taumata Arowai report released on 27 June 2024. The findings in this are that the quality of data (particularly for network performance) and completeness of reporting needs to improve so that Taumata Arowai can understand whether risks are being appropriately managed, and sector performance is improving over time. The report also notes a lack of information about networks is likely to impact the ability of operators to properly manage the relevant networks. It notes this is likely to result in an increase in safety risks and costs because operators are more likely to be undertaking reactive maintenance than planning for, and investing in, resilient networks.

2.2. Timeline challenges

Water services delivery plans require councils to state their proposed model and implementation plan for delivering water services by August 2025. The policy intent explaining the available options, tools and models has been announced but the legislation will only be passed into law a few months before the submission date for the water services delivery plans (mid-2025).

Similarly, Bill#2 requires financial sustainability by 30 June 2028. This includes meeting regulatory requirements, which will include the comprehensive economic regulation regime that will only be passed into law in mid-2025.

Councils may not be able to make a final decision about the end model now. But there is sufficient information for councils to start addressing immediate risks and opportunities.

3. Strategic direction

To ensure clarity on the desired end point, **council members are asked to approve in principle the strategic direction for Waikato water services in the long term** (being through at least a 10-to-15-year lens). To this end, the following strategic framework is recommended.



Figure 3.1 Waikato strategic direction for water services

4. Findings

4.1. Local findings

The Waikato comprises diverse councils, communities and needs. Table 4.1 summarises the water services drivers of each council as assessed by each council's Chief Executive.

Council / key problem	Debt capacity	Community affordability	Workforce availability	Capital works delivery	Business continuity	Compliance	Consenting
Hamilton	✓	✓	✓				✓
Waikato	✓	✓	✓	✓	✓	✓	✓
Waipā	✓	✓					
Taupō		✓	✓	✓		✓	✓
Thames-Coromandel				✓		✓	
Matamata-Piako			✓	✓		✓	✓
Hauraki		✓	✓	✓	✓	✓	✓
South Waikato		✓	✓	✓		✓	✓
Waitomo		✓	✓	✓		✓	
Ōtorohanga			✓	✓		✓	✓

Table 4.1 Water services drivers for each Council

The following paragraphs summarise each need as it relates to councils, individually or collectively.

4.1.1. Debt capacity

Growth councils have an immediate need to access increased borrowing to support growth. Of the councils in the Waikato, three have identified this as a key driver for change. For other councils, while debt capacity is not a driver currently, a significant amount of their debt headroom is taken up by waters. This limits their ability to borrow for other community initiatives.

4.1.2. Community affordability

Seven of the 10 councils in the Waikato have identified community affordability as an issue (whether now or in the future). LTPs point to significant increases in revenue being required to meet future infrastructure investment and regulatory requirements. In just three years, there have been significant increases in projected expenditure between the LTP21 and LTP24 (refer Figure 4.1 below). In respect of rates revenue and development contributions, such increases are being balanced against what is deemed to be affordable to customers.

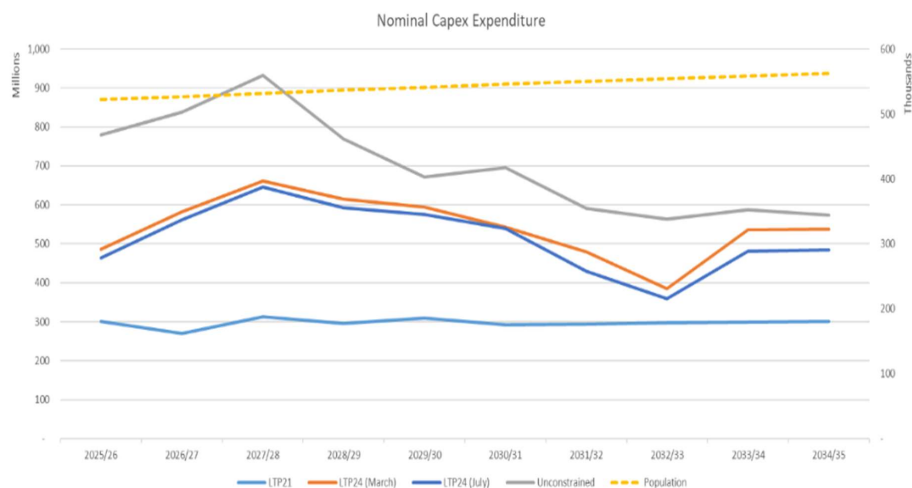


Figure 4.1 Population and capital works projections

Chief Executives were asked to rate how confident they are that their LTP24 reflects the future investment needs of their council, particularly in relation to supporting growth through capital expenditure. In response, all Chief Executives rated their confidence as being between medium to high, with the majority being close to very high.

There is no official definition of unaffordable water in New Zealand, but indicators suggest that there is an affordability challenge if water services are more than 2% of household income. Taking this measure, some Waikato communities increasingly face unaffordable water services. It should be noted that Watercare adopt a lower measure of 1.5% and other councils such as Thames Coromandel have adopted a higher measure of 2.5%.

Table 4.2 below has been completed based on:

- a) revised FY24 and FY35 water charges from Councils
- b) 2024 household average incomes from Infometrics (excluding Matamata-Piako and Waitomo which are unavailable); and
- c) 2035 household average income based on an annual 4.81% increase (which is the output of earlier DIA work)

The figures in Table 4.2 are likely to be conservative as in some LTPs, Councils say they will limit average 10-year rate increases for affordability (e.g. to 6% on average). This results in high increases in years 1 -3 and lower increases in the outer years to make the average work, thus understating the likely increases needed for the outer years. This pattern is reinforced by Figure 4.1 above.

Council	2024 Average Water Charges	2024 Mean Household Income	2024 Affordability	2035 Average Water Charges	2035 Mean Household Income	2035 Affordability
Hamilton	1,589	\$122,485	1.3%	5,281	\$195,968	2.7%
Hauraki	1,714	\$93,971	1.8%	4,860	\$150,348	3.2%
Matamata-Piako	1,539	\$106,012	1.5%	2,193	\$169,613	1.3%
Ōtorohanga	974	\$105,383	0.9%	1,652	\$168,606	1.0%
South Waikato	1,613	\$108,224	1.5%	2,337	\$173,152	1.3%
Taupō	1,655	\$110,702	1.5%	3,350	\$177,116	1.9%
Thames Coromandel	1,890	\$79,530	2.4%	3,049	\$127,243	2.4%
Waikato	2,310	\$129,602	1.8%	7,921	\$207,355	3.8%
Waipā	2,021	\$120,903	1.7%	3,470	\$193,437	1.8%
Waitomo	2,651	\$89,164	3.0%	4,634	\$142,657	3.2%

Table 4.2 Affordability across Councils 2024 and 2035

4.1.3. Workforce (staff and suppliers)

Critical waters staff and contractors report being under pressure given the ageing workforce, competition (from other potential employers including offshore) and an environment of ongoing uncertainty. Smaller councils, where operations can be highly dependent on a few individuals, are at risk of staff recruitment/retention. Civil construction contractors must also deal with the peaks and troughs in workflow that arise from each council's LTP capital works programmes. Their ability to deliver is increasingly challenged given their current state resources. They advise it will take 2-3 years to gear up for programmes bigger than what is currently in the market.

4.1.4. Capital works delivery

The investment needs of councils vary, but the regional priorities by expenditure are summed up by the following diagram in order of priority of spend:



Figure 4.2 Regional priority spend

In terms of asset condition, overall:

- a) Less than half (44%) of wastewater networks are rated as average or better
- b) On average 20% (11 Olympic sized swimming pools) of treated water is lost per day before it reaches customers

- c) Over the last decade, Waikato councils have been able to progressively increase their capacity to deliver capital work programmes. In the three years ending 20/21, an average of 78% of actual capex budgets was spent. More recent reports on capex budgets versus actual spend indicate this gap continues to close. However, we need to be mindful of the role recent significant inflationary pressures play in closing this financial gap i.e. an increase in spend does not necessarily equate to a proportional increase in programme delivery. According to Infometrics, water services infrastructure is estimated to cost 30% more to build than three years ago.
- d) Figure 4.1 above demonstrates that the amount of capital works being projected is decreasing despite population growth increasing. A large gap continues between the investment in capital works provided for in LTPs and the investment that staff say is necessary (refer to 'unconstrained' line in Figure 4.1).
- e) The key challenge for many councils is getting the work done. The reasons for under delivering on the LTP programmes are generally due to:
- Resourcing - availability of appropriately skilled internal and external resources
 - Procurement - supply chain management, lead-in time for materials, tendering and approvals, stakeholder agreement
 - Project life cycle management – resource consent delays, business case approvals, scheduling, land purchases associated with developer led timelines, incorrect investment appraisals, unforeseen technical issues.

4.1.5. Business continuity

Waikato District Council's contract with Watercare will terminate at the end of June 2026. Waikato District Council is now assessing alternative options for delivering water services to its ratepayers from 1 July 2026. It must have certainty on how it will provide services (or the tender process it will engage in to procure services) by November 2024. The benefits of the Watercare arrangement have included improved service levels, delivery of capital projects, innovation and new ideas, and sharper procurement. This is a pointer to what may be achieved through aggregation in the Waikato.

4.1.6. Compliance

Complying with regulations and resource consents is a basic expectation.

- Drinking water:** except for Hamilton and Waipā, all councils had supplies without protozoa or bacteria barriers or residual disinfection in the 2023/24 year.
- Water supplies:** except for Taupō, Waipā, Hamilton and Waikato, there were moderate to significant non-compliance issues with water takes.
- Wastewater:** except for Waipā and Hamilton, there were moderate to significant non-compliance issues with wastewater discharges.
- Stormwater:** except for Taupō, Waipā, Waitomo and Hamilton, there were moderate to significant non-compliance issues with stormwater discharges.

Council	Waikato Regional Council ¹			Taumata Arowai ²	Summary
	Water	Wastewater	Stormwater		
Thames Coromandel	2	2	9	✓	✓
Hauraki	1	5	4		✓
Matamata-Piako	2	4	4	✓	✓
Taupō		3		✓	✓
South Waikato	1	2	1		✓
Waitomo	2	3			✓
Ōtorohanga	2	1	2	✓	✓
Waipā					
Hamilton					
Waikato		6	6		✓

Table 4.3 Compliance issues across Waikato Councils

Chief Executives were asked to rate how confident they are that their LTP24 reflects the future investment needs of their council to meet future regulatory requirements (including fees payable to regulators). In response, all Chief Executives rated their confidence as being between medium to high, the majority being highly confident.

4.1.7. Consenting

Almost one third of all consents are due to expire within the next six years (2030). From this group, 44 are related to wastewater discharge and 72 are associated with water abstraction. Within the next 10 years there are at least 30 moderate to high-risk consents that need renewing.

4.2. Financial findings

Financially, not all councils need a CCO at this time, but all can benefit. Over the next decade, a majority of Waikato households will face significant rate increases under the status quo. The proposed water rate increases and affordability impacts are included in Table 4.2 above.

4.2.1. Modelling

The financial modelling shows that aggregation requires less revenue than a standalone scenario to achieve the same outcomes. The decision-making body of any aggregated model can then determine whether the savings can be applied to reducing rates for customers or reinvestment in assets.

Across Waikato councils LTP24s indicate circa \$7.5 billion is budgeted to be invested in three waters over the next decade alone. Of this, nearly \$5 billion relates to capital works. Some further capital commitments were recommended to councils but were not included in the final 10-year budgets, largely because of affordability

¹ Number of 'regimes' with moderate to significant non-compliance in 23/24 year. WRC only recorded Hauraki, Matamata Piako, South Waikato and Waikato councils as having significant non-compliance over the last year

² Have supplies without protozoa or bacteria barriers or no residual disinfection in the 23/24 year

concerns. While the scope of capital works programmes may be reviewed once there is clarity on the national standard being developed for wastewater discharge, even with a 20% reduction, the scope of the programme remains significant. As noted earlier, the Waikato has unique Treaty settlements requiring improved freshwater outcomes which will also be relevant in informing capital works programmes.

There are multiple independent reports over the last decade (or more) that have been commissioned at a national and local level which show three waters can be delivered more cost-effectively if councils leveraged scale. In the context of comparing rates across councils in a standalone position versus in an aggregated mode, this has proved difficult based on LTP data as councils collect revenue differently. Therefore, the comparison is not like with like, or kina with kina. Because of this, efficiency savings have been used as the metric to measure the benefits of aggregation across the requested spatial options. With the inclusion of approximately \$100m additional spending in the model spread over 10 years to help drive efficiencies (spend to save), the efficiency savings set out in Figure 4.3 are projected in each of the spatial options identified over 10 years, with this being around \$338 million in a regional fully aggregated water organisation. This is based on a very conservative assumption of about 1% per annum efficiency target across all expenditure. The modelling shows that by FY34, efficiency savings is approximately 10% of projected spending, growing to 15% over the subsequent 8 years.

The assumption of 1% is conservative when compared with the 5% per year assumption that is included in other independent reports and with the 4% per annum efficiency target set for Watercare by its Board.



Figure 4.3 Efficiency savings across spatial options (fully aggregated)

The main driver of the efficiency savings relates to capital works planning and delivery, being \$185 million. Applying the same efficiency target of 1% to the projected capital expenditure for the different spatial options results in the projected efficiency savings in Figure 4.4 below.



Figure 4.4 Efficiency savings across spatial options (capital works)

4.2.2. Borrowing

The current model of borrowing through the Local Government Funding Agency (LGFA) is cost-effective and practical for councils and CCOs (that can borrow). Council backing is required for LGFA to provide funding to any water organisation established. Any model adopted in the Waikato should be designed to retain the ability to borrow through LGFA.

The service delivery options choices announced in August 2024 are:

- a) In-house (business unit or division)
- b) Single council owned water organisation
- c) Multi-council owned water organisation
- d) Mixed council / consumer trust owned
- e) Consumer trust owned

Councils are free to choose alternative arrangements subject to meeting the minimum requirements relating to regulatory requirements and being financially sustainable. From a borrowing perspective, the position is:

- a) High-growth councils may be able to borrow up to 350% revenue (subject to LGFA AGM in October 2024 and applications on a bespoke basis).
- b) A single council owned water organisation will be able to borrow up to 500% revenue (subject to prudent credit criteria and parent council financial support). This borrowing will be separate from the parent(s) council borrowing.
- c) A multi-council owned water organisation will be able to borrow up to 500% revenue (subject to prudent credit criteria and parent councils financial support). This borrowing will be separate from the parent(s) council borrowing.
- d) A multi-council owned water organisation without council guarantee or any water organisation that is not wholly owned by councils, will not be able to borrow through LGFA (in the short term in any event). Accordingly, these are not practical options for now.

Based on the guidance issued by DIA, any water services organisation needs to be a company. This, together with the need to obtain borrowing from LGFA, points to a limited liability company that is owned by all those councils who wish to aggregate as the recommended vehicle.

4.3. Local concerns ('showstoppers')

A significant effort has been made to identify local concerns for each council that need to be addressed in any future model. Local concerns are generally over and above financial considerations. Examples of local concerns include:

- a) Local voice and influence
- b) Prioritisation of local needs
- c) Meeting Treaty settlement obligations
- d) Asset ownership

All the showstoppers can be addressed as part of the proposed pathway forward (an aggregated model, staged by function over time). However, the way local concerns are addressed in the 'end point' model must align with the minimum requirements that will be set by legislation, including the additional requirements for a water services organisation. Again, as noted above, these requirements include that the water organisation:

- a) have no staff or elected members on board
- b) be a company
- c) be limited to water services activity
- d) be owned by a council and / or a consumer trust (for the reasons set out under borrowing above, a consumer trust is not a practical or cost-effective option in the Waikato)
- e) have a Board appointed on competency
- f) have restrictions against privatisation

In short, leadership will be required to balance local concerns into the design of a water organisation that meets the minimum requirements. The end model design parameters to achieve this balance are included in **Appendix 3**.

Summary of findings

The interconnection between all the above challenges and findings is summarised in Figure 4.5 below.



Figure 4.5 Challenges to delivering levels of service

Affordability is a key consideration of every council. This determines the level of revenue gathered from ratepayers, developers and so on. In turn, this determines how much can be borrowed under a council's debt to revenue policy. The overall funding envelope will determine the extent of a council's financial ability to meet compliance requirements, and to also address investment needs, whether they relate to growth, levels of service, resource consents and/or renewals. Whether a council has financial constraints or not, it must have access to a skilled and capable workforce (internal and external) to have confidence it can and will deliver services to the requisite level.

A way forward

4.4. A safe start

Not all councils need a fully aggregated water organisation now, but it is highly likely all councils and communities will need and benefit from one at some point.

Councils with debt as a driver are motivated to move faster. However, increasing debt capacity is not the only challenge these councils face. While debt capacity may be increased by these councils having their debt to revenue ratio increased to 350% (as is to be proposed at the LGFA October AGM) and / or establishing a single council owned water organisation (refer to as a standalone local CCO in Figure 5.1 below), this in isolation will not unlock the collective benefits projected in the financial modelling and the non-financial opportunities set out in section 5.1.2 below. Furthermore, the cost of the intended borrowing will need to be considered as part of assessing affordability to ratepayers / consumers. As noted above, multiple reports over multiple years show there are benefits to be unlocked by aggregating water infrastructure. All communities will benefit at different stages and so, over time, everyone wins.

If councils accept aggregation and scale provide the ability to collectively address the challenges they face, then the question is not whether to aggregate but rather what is the process that gives councils a safe pathway towards an aggregated model.

Previous government reform and other attempts at establishing fully aggregated water services entities in a non-incremental manner have been unsuccessful. This is largely due to what we have identified as 'showstoppers' or the local concerns, as set out in section 4.3 above. While 'showstoppers' can be addressed as part of the pathway forward, strong leadership (by both governance and management) will be necessary to balance such concerns while achieving the benefits of aggregation.

In addition, we understand that councils will not be prepared to make a firm commitment on the final form of any fully aggregated entity until there is further clarity on the applicable legislation, tools and options. However, doing nothing is not a cost-effective option. There is an opportunity now for councils to take a first, sensible and 'no-regret' step towards unlocking the opportunities of a joined-up approach to water infrastructure.

Based on the above, it is recommended Waikato councils consider and adopt an incremental model now that:

- a) positions them to leverage immediate opportunities for their communities and unlock some benefits in the short-term
- b) gets councils as far along the road to the vision and achieving the strategic outcomes as practicable at this time and
- a) has a built-in process that enables the model to evolve to meet councils' future long-term needs and respond to legislation as it develops.

To this end, it is recommended councils co-design an aggregated model that is staged by function and governed by a professional board from the outset. Stage 1 is a short-term solution involving the establishment of an entity that provides functional services to participating councils (a jointly owned contracting model). However, the pre-agreed end point (Stage 2) is an aggregated fully regulated water services entity.

Details of each stage are included below.

4.4.1. Stage 1 Description

Stage 1 of the staged aggregated model is the establishment of an entity that provides functional services to participating councils.

Key components of Stage 1 are:

- a) Councils agree on the long-term end point to achieve the strategic direction, being a fully regulated regional entity (referred to as a multi-owned council water organisation in more recent guidance), co-designed by councils in accordance with agreed design parameters set out in Appendix 3 (as updated to reflect the legislative requirements for any water organisation)
- b) The entity formed at Stage 1 will be jointly and equally owned by all participating councils
- c) The functional services (asset management, capital works delivery, consenting, project planning and design, procurement) will be provided to councils under the terms of a services agreement
- d) Councils will retain the role of water service provider (and so will remain the regulated provider)
- e) Councils retain decision-making in relation to price setting, ownership of assets and investment priorities

A regional entity established under Stage 1 will not achieve balance sheet separation on its own. Growth councils who need additional debt capacity now could achieve balance sheet separation under Stage 1 through a standalone local CCO, while remaining a participant in the regional model and working collaboratively to achieve the long-term end point. The expectation would be for the operations of each local CCO to merge into the fully regulated regional entity at the time Stage 2 is implemented.

The roles and responsibilities at Stage 1 are identified in Table 5.1 below.

Responsibility	Council (or local CCO)	Regional CCO
Assets ownership	✓	X
Prices / tariffs– entitlement to revenue, set prices, billing	✓	X
Funding sources / mechanisms - ability to borrow	✓	X
Decision re investments in service area	✓	X
Regulated entity – accountable and liable compliance and consenting (including economic regulatory compliance)	✓	X
Operations	✓	X
Capital works delivery	Monitor Services agreement	✓
Programme management		✓
Procurement		✓
Consenting		✓
Project planning and design		✓
Asset management		✓
Education and training		✓

Table 5.1 Stage 1 roles and responsibilities

Figure 5.1 provides an indicative structure for the regional CCO, including how a local CCO could fit within a regional model at Stage 1.

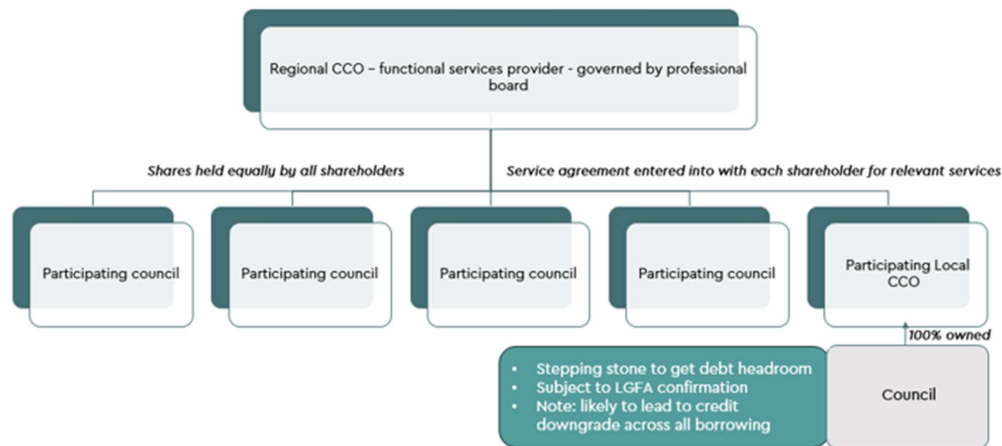


Figure 5.1 Stage 1 Indicative Regional CCO Structure

4.4.2. Stage 1 Opportunities

Stage 1 will not unlock all the benefits of aggregating water infrastructure but there are significant benefits that can be obtained without councils having to address any of the local concerns (showstoppers) at this point.

Table 5.2 lists the immediate needs of the Waikato in relation to water services and how Stage 1 can capture these opportunities. The potential efficiency savings from a combined approach to capital works is addressed at section 4.2.1; based on a 1% per annum efficiency target, this projects a potential \$185 million in savings over 10 years across the Waikato region. Again, this efficiency target is considered to be conservative.

Need	Immediate opportunity
A stronger workforce	<ul style="list-style-type: none"> To rebuild, develop, retain a highly skilled and adaptable workforce with clear career paths in the water industry
Deliver capital works more efficiently and cost effectively	<ul style="list-style-type: none"> To strengthen capital works delivery by having a single team focused delivering projects on time and in budget To provide supply chain with certainty of pipeline and enable supply chain management To smooth costs as councils not competing for same resources
Improve resilience and compliance	<ul style="list-style-type: none"> For infrastructure to be planned and developed in a more resilient manner through a single AMP informed by a single strategic AMP
Smarter consenting	<ul style="list-style-type: none"> To evolve from council boundary, ad hoc consent applications to strategic integrated investment planning that take a whole of catchment approach, and looks to whole of river health

Need	Immediate opportunity
Better data to make better decisions	<ul style="list-style-type: none"> To have a consolidated system capturing standardised data and supporting improved decision-making, effective prioritisation, proactive maintenance and capital works planning. This would address the risk identified by Taumata Arowai about network providers and the need for quality of data (particularly for network performance) and completeness of reporting needing to improve
Focused Governance	<ul style="list-style-type: none"> Consistency of governance where a professional board of directors is appointed and is focused on (and accountable for) creating efficiency and delivery

Table 5.2 Needs and immediate opportunities captured at Stage 1

4.5. The end point

Any staged model must provide clarity on the long-term (5/10/15 year) end point councils collectively want to reach. The end point which aligns with the strategic direction adopted by participating councils (refer section 3 above) is a regulated regional water organisation, co-designed by councils in accordance with agreed design parameters (refer Appendix 3 as amended to reflect proposed legislative requirements).

4.5.1. Stage 2 Description

To achieve the strategic outcomes, the (end point) regional entity must be able to borrow in its own name and so must:

- a) have an independent professional board
- b) have control of waters services assets³
- c) be able to make decisions about investments⁴
- d) be able to set the price and tariff structures for water services across the service area in accordance with pricing principles set by participating councils. Balance sheet separation will only be unlocked if the entity is entitled to the revenue from water services.

Appendix 3 further sets out the design parameters for the end point fully regulated entity.

Councils may need to move into a fully regulated end point at different times and so the design of the end point can provide flexibility for this (subject to there being sufficient scale to go live).

4.5.2. Stage 2 Opportunities

Stage 2 seeks to extend the benefits captured during Stage 1 by developing an aggregated model that is positioned to achieve the outcomes (as demonstrated by the success measures) set out in the strategic framework at Section 3 to this report. For residual councils, the following needs will also be met:

³ The ownership of assets is a matter that will be addressed once there is clarity on the options that will be made available to councils via legislation.

⁴ Having regard to a prioritization framework pre-approved by participating councils and a statement of expectations

Need	Long term opportunity
Removing water debt from council balance sheet	<ul style="list-style-type: none"> Where balance sheet separation is achieved, the increased borrowing will reduce the need for increased revenue from customers. From a council perspective, it will also open up balance sheet capacity within the council for its residual activities
Preparing for economic regulation	<ul style="list-style-type: none"> Providing councils with a ring-fencing solution in terms of water services activity. Enables councils to prepare for economic regulation by removing water services from their main business and transferring into an organisation designed to respond to regulatory requirements.

Table 5.3 Needs and opportunities captured at Stage 2

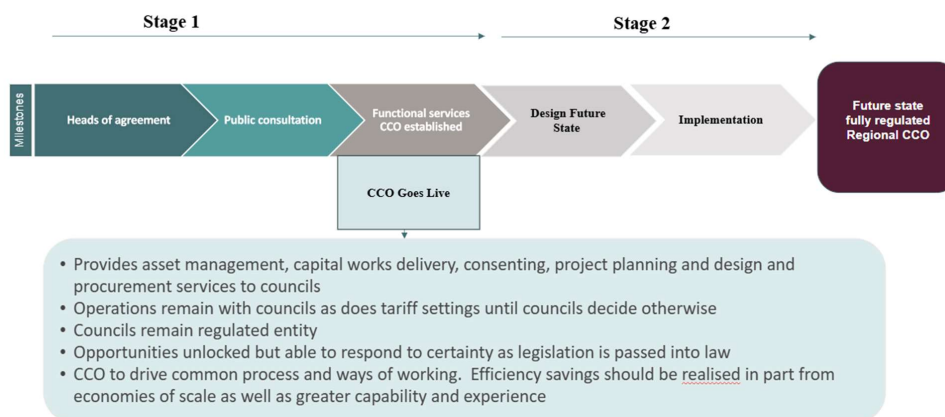
5. The transition pathway

5.1. Pathway principles

The proposed principles that will inform the pathway to implement the strategic direction are:

- Sustainability:** focusing on long term financial and non-financial benefits
- Pragmatic:** balanced and pragmatic approach to reach end goal
- Simplicity:** people understand what is proposed and why
- Flexibility:** design and timing are flexible to cater for different needs
- Commercial robustness:** independent professional board accountable to shareholders and clarity as to respective roles
- Equitable:** everyone wins at some stage
- Cost effective:** choices made that are the most cost effective
- Risk:** risks associated with aggregation (including residual risk to councils) are managed and mitigated

Figure 6.1 summarises the application of these principles to stages 1 and 2.



5.2. Stage 1 pathway

The first step to implementing Stage 1 is through a Heads of Agreement entered into by participating councils setting out the key terms of the relevant governance documentation. To ensure the detail required for the transition from current state to a functional services aggregated entity is captured and agreed (including managing risk to the residual business of council), it is recommended Chief Executives be given a mandate to commence negotiating a Heads of Agreement now.

The Heads of Agreement will be a non-binding agreement between participating councils, entered into in good faith to show a commitment to progress in the manner proposed. The content of the Heads of Agreement will include:

- a) identifying the key governance documents (constitution, shareholders' agreement, letter/statement of expectations) and the key terms to be covered in those documents e.g. share allocation, voting rights and board appointment process
- b) steps necessary to establish the Stage 1 functional services aggregated entity
- c) roles and responsibilities between councils and aggregated entity and decision-making framework
- d) consultation process to be adopted (i.e. whether new streamlined consultation process to be used)
- e) transition pathway for evolving into the Stage 2 fully regulated aggregated entity (including any applicable conditions) e.g. process for Board to develop an establishment plan for a fully regulated aggregated entity,
- f) key matters on which shareholder approval to be obtained for Stage 2 e.g. process principles for developing establishment plan, pricing principles, prioritisation framework, any share reallocation if assets are to transfer at the 'end point'
- g) any exit ramps if a council no longer wishes to be a participating council after the formal governance documentation has been adopted

The agreed framework will inform the development of more formal documentation. Councils that do not enter wish to be participating councils at the Heads of Agreement stage will exit this workstream but will be kept updated on the development of the Heads of Agreement.

5.3. Stage 2 pathway

The pathway to Stage 2 will be embedded in the design of the staged model. This will be achieved through the governance documentation developed during Stage 1. These documents will empower a professional board to develop an establishment plan for a fit-for-purpose organisation that gets councils to the 'end point'. At this time (which will be after mid-2025) legislation will be in place to inform the Board's establishment plan. This plan will need approval from the shareholding councils based on the process set out in the relevant documentation.

5.4. Timing

For the sake of waters staff, it is important to maintain momentum. Uncertainty created by various reforms has gone on for too long. This report has outlined pragmatic steps that can be taken now on a no regrets basis. What is proposed enables current needs to be addressed while having the flexibility to adapt as we get legislative certainty.

To retain Waikato District Council as a participant in the functional services aggregated entity, Waikato District Council has advised it needs a good faith commitment from councils as to the establishment of a stage 1 aggregated entity by November 2024. This will allow Waikato District Council sufficient time to put alternative arrangements in place before expiry of its contract with Watercare (end of June 2026).

Considering this, and balancing with the requirement of water services delivery plans to be submitted by August 2025 (subject to extensions of time in limited circumstances), the indicative timing for Stage 1 and Stage 2 development is as follows:

- a) **November 2024:** non-binding good faith Heads of Agreement in place
- b) **Q1 2025:** governance documentation is approved and adopted by participating councils
- c) **Q2 2025:** Stage 1 functional services entity established, establishment board and establishment Chief Executive in place
- d) **Post Q2 2025:** The timeframe for agreement of the establishment plan for Stage 2 will be a matter for shareholding councils to agree between themselves (in conjunction with the Board) as will the timeframe for the implementation of that plan.

The above timeline enables participating councils to manage and respond to the timeline challenges set out in section 2.2 above.

6. Next steps

6.1. Recommendations adopted

If the recommendations are adopted:

- a) A Heads of Agreement will be negotiated and brought back to the council for approval before the end of October 2024. The Heads of Agreement is intended to be a non-binding document.
- b) Formal commitment to Stage 1 will only occur when the governance documentation is approved and adopted by a participating council (likely to be by the end of Q1 2025). The process to design and develop Stage 2 will be embedded in the governance documentation, together with any exit ramps agreed by the shareholding councils.

6.2. Recommendations not adopted

If the recommendations are not adopted, and a council does not approve of being a participating council in the proposed aggregated model, it will exit the Waikato Water Done Well workstream but be kept informed of the work underway.

Appendix 1 - Methodology

1. The focus of the work undertaken for Waikato Water Done Well has been on:
 - a) potential spatial options for aggregation
 - b) “showstoppers” (a summary of the concerns raised by Forum members in relation to an aggregated entity)
2. Following a meeting of the Joint Forum on 11 March 2024, it was agreed that:
 - a) further work would be carried out on the spatial options, including a workshop with key Council staff to test the outputs from the financial modelling
 - b) developing design parameters to address the “showstoppers”
 - c) a proposal be submitted to the Forum on 22 July 2024
3. Since March 2024 numerous meetings have been held to move through steps 3 and 4 of the Waikato collaborative roadmap. This has been at a time when resources are already stretched, reflecting a strong desire across the region to arrive at the right pathway forward.
4. Council representatives of the Forum attended a briefing with the Local Government Minister Simeon Brown on 12 June 2024. At this, the Minister personally confirmed to the Forum that the government is looking for a more joined-up approach to three waters delivery, including in the Waikato.

Step 3 of roadmap - Financial assessment

5. The process informing the Waikato financial modelling undertaken at step 3 of the roadmap is set out below.

Spatial options

6. Based on feedback, the scope of the spatial options was increased to include the whole Waikato (excluding HCC) option. Accordingly, the four spatial options are:
 - a) Whole of Waikato
 - b) Waikato river catchment
 - c) Hauraki Coromandel catchment
 - d) Whole of Waikato (excluding HCC)

Vehicle options

7. Key requirements to achieve the strategic outcomes are that the end entity is one that can achieve balance sheet separation from councils and, in the short term, can borrow through the Local Government Funding Agency (LGFA). As LGFA can only lend to councils and CCOs, the entity will need to be a form of CCO that can access borrowing through LGFA and retain the current cost of borrowing.
8. The service delivery options that announced by the Department of Internal Affairs in August 2024 are:
 - a) In-house (business unit or division)
 - b) Single council owned water organisation
 - c) Multi-council owned water organisation
 - d) Mixed council / consumer trust owned

- e) Consumer trust owned
- 9. Guidance is that councils are free to choose alternative arrangements subject to them meeting the regulatory requirements and being financially sustainable.
- 10. Based on the requirement for any vehicle to achieve balance sheet separation and retain the ability to borrow from LGFA, the legal form that aligns with the options announced is the multi-council owned water organisation. As per guidance, any such organisation needs to be company and, again to ensure the ability to borrow from LGFA, must be owned by councils.
- 11. A limited liability company is consequently the recommended vehicle.

Financial modelling

- 12. The process applied to develop the Waikato financial model and confirm the assumptions which underpin it are as follows:

Steps in relation to development of financial model	
a)	as directed by the Forum, the Project Team has leveraged off past work done by councils and DIA in relation to water services delivery and has optimised existing resources available
b)	the financial model built by DIA's NTU financial modelling team in the context of the former Entity A (Wai Tamaki ki Te Hiku) Funding and Pricing Plan was used as the starting point
c)	the assumptions underpinning that model (version 1 assumptions) were reviewed by a project working group appointed by the Forum and Waikato CEs and updated (version 2 assumptions)
d)	the updated assumptions were then further tested with a small number of CFOs from across the Waikato (version 3 assumptions)
e)	the version 3 assumptions were tested with the wider CFO Forum in April 2024
Steps in relation to collation of data	
f)	Data is input based on the 10-year financial information for waters related activity (capex and opex) as included in the Long-Term Plan 2024 / enhanced Annual Plan

- 13. In addition to the above, the following steps have been undertaken to inform the recommendations:
 - a) A workshop with the CFOs to discuss, in addition to the assumptions, the data being input into the financial model and the metrics for measuring a comparative analysis of councils going alone versus an aggregated model. In overview, it was agreed that financial modelling should be completed using the LTP 2024 data rather than any unconstrained programme of work. This is because unconstrained is not realistic in either scenario due to issues around deliverability and capacity.
 - b) Further meetings to discuss the appropriate metrics that should be applied to compare options
 - c) Quality assurance carried out by council finance staff and Co-Lab in relation to the financial model
 - d) Input and direction from the CE Working Party on 8 April and 31 May in relation to financial modelling and showstoppers
 - e) Input and direction from the Waikato CE Forum on 19 April, 17 May in relation to financial modelling and showstoppers

- f) Further input and direction from the Waikato CE Forum on 21 June in relation to the strategic direction, findings and recommendations to be put to the Forum, with a follow up meeting on 5 July 2024
- g) Direction from the Forum Reference Group on 26 April and 15 June LTP Confidence survey across the CEs

Step 4 of roadmap – Design parameters (showstoppers)

- 14. Showstoppers are those local concerns over and above financial concerns raised by Forum members in relation to an aggregated entity. These were captured from discussions across CEs and tested with the Forum Reference Group.
- 15. Following workshops with the CE Forum, the concerns have been distilled into the below groups:
 - a) Local voice and influence
 - b) Distributional impacts
 - c) Service delivery, scope and standards
 - d) Transition considerations
- 16. For completeness, the table of concerns is included below.

Overarching groups identified	Concerns captured in grouping
Local Voice and influence	<ul style="list-style-type: none"> Timeframe to price harmonization (formerly known as cross-subsidisation) Enabling local voice Governance Prioritisation of communities Community perception re assets being 'given away' Ability to influence pricing Iwi buy in and influence in decision making
Distributional impacts	<ul style="list-style-type: none"> Timeframe to price harmonization Prioritisation of communities Water metering
Service delivery, scope and standards	<ul style="list-style-type: none"> Ability to create scale and mode quickly Stormwater – in or out
Transitional considerations	<ul style="list-style-type: none"> Ability to create scale and move quickly Stranded costs Costs involved in standing up a CCO

Appendix 2 - Summary of Bill#2 (as at the date of this report)

1. The Local Government (Water Services Preliminary Arrangements) Bill was introduced into Parliament in May 2024. The Select Committee returned its report on 18 July 2024. The Bill is due to be passed into law in August 2024. It is the second stage in the Government's Local Water Done Well following repeal of the previous Government's water services entity model in February 2024.
2. The content of the Bill largely aligns with previous Ministerial announcements.
3. There are effectively three matters provided for in the Bill (not including provisions specific to Watercare). These are:
 - a) Water services delivery plans (**Plans**) (once off occurrence)
 - b) Foundational information disclosure
 - c) Streamlined provisions for consultation
4. Bill#2 will require councils to prepare and submit water services delivery plans (Plans) within 12 months of the Bill being passed into law. Plans must be submitted to the Secretary for Local Government (CE of Department of Internal Affairs (DIA)) for approval, but the Minister of Local Government can give a time extension in limited circumstances. Any extension of time granted by Minister to submission date must specify for how long
5. In broad terms, the Plans must identify the current state of a council's water services, and show how the council will deliver those services in a way that:
 - a) meets relevant regulatory quality standards for stormwater, wastewater and water supply networks
 - b) is financially sustainable
 - c) ensures compliance with drinking water quality standards; and
 - d) supports housing growth and urban development objectives.
6. More specifically, the Plans ask for councils to describe:
 - a) Current state of network
 - b) Current levels of service
 - c) Areas that receive water services in the district and those that don't, together with infrastructure associated with provision for population growth and development capacity
 - d) Whether water services comply with current regulatory requirements (and to what extent) and will comply with anticipated future regulatory requirements. Must describe any non-compliance (actual or anticipated) and how the proposed model for future delivery will address
 - e) Details of capex and opex required to deliver water services and for regulatory requirements
 - f) Financial projections for period of plan – opex, revenue, capex, debt.
 - g) Assessment of current condition, lifespan and value of network
 - h) Asset management approach
 - i) Issues, constraints and risks, together with impact on delivery
 - j) Anticipated or proposed model for delivering water services (including any joint arrangement or to continue to deliver alone)
 - k) How will revenue be separated from other functions

- l) What consultation was undertaken to develop the information re the anticipated or proposed model for delivering water services
 - m) Plan to make financially sustainable by 30 June 2028
 - n) Implementation plan for proposed model
 - o) Any other information set in rules by Secretary for Local Government under the Act within 3 months of Act being in force
7. **Period covered:** Plans must cover at least 10 financial years, with more detailed information for the first three financial years. Plans cover 10 years from 2024/2025 financial year, but MAY include information for additional 20 years if helps to identify future investment requirement
8. **Approval:** Plans must be adopted by resolution of council and certified as true and accurate by the Chief Executive.
9. **Joint arrangements:** Councils can prepare a joint Plan with other councils. Joint arrangements must cover all water supply and wastewater services of the participating councils, but a council can choose to retain for itself delivery of some or all of its stormwater services, if it wishes. A key decision for councils when preparing their plan will be whether to continue delivering services alone, or enter into a joint arrangement with other councils, whether through a CCO or some other arrangement. If a CCO with other councils is preferred, there is a streamlined consultation process.
10. **Implementation plan:** Plans must include an implementation plan for delivering proposed model or arrangements and if the proposal is to deliver water services alone, the actions that ensure financial sustainability by 30 June 2028. Implementation plans must include:
 - a) process for delivering the proposed model or arrangements
 - b) commitment to give effect to the proposed model or arrangements once plan is accepted
 - c) name of each council that commits to delivering the proposed model or arrangements
 - d) time frames and milestones for delivering the proposed model or arrangements
11. **Post submission:** Minister is required to decide on whether Plan is compliant as soon as reasonably practicable after submission. Further:
 - a) Councils are required to give effect to proposals for future delivery once plan accepted - objective is to get councils to start actioning plans
 - b) Secretary given power to monitor compliance with plans
 - c) Plans can be changed post approval where amendments significant or is a change is to the proposed model set out in the original plan – amended plan must be submitted within 18 months of Bill becoming law
12. **Statutory backstop:** A Plan will only be approved by the Secretary if it complies with the legislative requirements. If the Secretary is not satisfied the Plan is compliant, he can ask the council (or councils where the Plan is joint) to amend it and resubmit by a specified date. The Minister can appoint a Crown facilitator or Crown water services specialist in specific circumstances. The Crown facilitator can assist with preparation of the Plan and facilitate any negotiations between joint parties to an arrangement. The Crown water services specialist can prepare Plans on behalf of a council or direct a council to adopt a Plan that the specialist has prepared (which could effectively remove the council's lead role in the process).
 - a) Notice to be given before a Crown facilitator of water services specialist is appointed
 - b) Minister also has the power to appoint a Crown facilitator if plans not given effect to by Councils

Additional information: disclosure requirements

13. The Bill's explanatory note states that "foundational information disclosure" will be provided through Plans "to lay the groundwork for comprehensive economic regulation". It also enables the Commerce Commission to require a council or a CCO to publicly disclose a wide range of information such as financial statements, asset values and valuation reports, pricing information, contracts, related party transactions, financial and non-financial performance measures, asset management plans, and quality performance measures and statistics.

Streamlined consultation

14. The Bill provides for an alternative consultation and decision-making process (modifying the existing processes in the Local Government Act 2002).
15. The important features of these alternative arrangements are:
- a) Councils do not have to consider "all reasonably practicable options". They may identify two options only - being the status quo and the proposed new arrangement
 - b) Councils are only required to consult once, and do not have to consult on any amendments to the LTP that are required as a result of a decision relating to a CCO
 - c) Councils may conditionally approve an LTP plan amendment subject to the agreement by other parties to a joint arrangement
 - d) Councils may (but are not required to) consider the impact of a joint CCO on communities in the areas covered by the joint arrangement (not just their own districts)
 - e) principles for public consultation in LGA apply to alternative consultation process for joint arrangement
 - f) information made publicly available must include how proposal is likely to affect rates, debt, levels of service and charges for water
 - g) Councils will be temporarily exempt from having to consider the cost-effectiveness of current arrangements for meeting the community's needs, under section 17A of the Local Government Act 2002
 - h) For councils that opted to defer their LTPs, they can combine consultation on a CCO and their LTPs for 2025-2034.

Appendix 3 – Design parameters

Category	Design of future state fully regulated Regional CCO must:
Local voice and influence	<ul style="list-style-type: none"> • identify factors to be prioritised for further development – capture for statement of expectations • identify mechanisms for local voice/ influence/representation – noting the requirement to have a consumer complaints process under economic and consumer protection regulation • confirm integration of Treaty settlement arrangements as a key design principle
Distributional impacts	<ul style="list-style-type: none"> • have a phased pricing pathway/transition as a key design principle • provide for further work required on possible conditions of entry (to mitigate concerns over past investment) • agree consistent public messaging (officer and Elected Members) around the value of the model, scale of savings
Service delivery, scope and standards	<ul style="list-style-type: none"> • be flexible to account for regulatory uncertainty • have options for stormwater that align with government policy
Transition considerations	<ul style="list-style-type: none"> • approach LGFA to determine if borrowing will be available for aggregation establishment costs • recommend each council manage their own stranded costs – with time for this to be managed and transition pathway principles • provide for a staged model including ability for councils to 'opt-in' post establishment
Credit rating separation and increased borrowing	<ul style="list-style-type: none"> • align with design parameters set out in Bill#3 to achieve increased debt capacity but still enable LGFA borrowing. Model options and parameters currently being developed. May require councils to ring fence water services revenue and debt in a separate model and dilution of council control • enable residual councils' balance sheets to be opened up to meet other community expectations which are currently limited

7 Pūrongo me whakatau | Decision Reports

7.6 Te Whare Whakapakari - Matamata Stadium Construction Contracts

CM No.: 2940017

Te Kaupapa | Purpose

To obtain Council approval to award the Enabling work contract and the Design and Build contract for Te Whare Whakapakari Matamata Stadium project.

Rāpopotonga Matua | Executive Summary

Council is managing the Te Whare Whakapakari Matamata Stadium project.

A number of project milestones have been achieved and the project time-frame provides for two construction contracts to be awarded in October.

Council will be responsible for contract costs when awarded.

Council is working in partnership with the community on the project. The Matamata Indoor Sports and Recreation Hub Charitable Trust has been raising funds from the community.

The project budget is \$11,486,000 including contingencies.

There are \$1.56 million of confirmed funds that are still to be paid to Council.

There are grant applications of \$2.1 million of that are pending.

It is assessed that when the contracts have to be awarded, the most at-risk funding stream is the grant applications.

There are many negative risks to the project if the contracts are not awarded as programmed.

Options to mitigate the risk of a funding short-fall are identified in the report.

If the mitigation options are acceptable to Council it is recommended that the contracts are awarded.

Tūtohunga | Recommendation

That:

- Council award the contracts and mitigate the impact of any short-fall in the targeted funding by utilising the proceeds of the sale of 26 Rockford Street**

Horopaki | Background

In March 2023 Council considered a business case for the proposed Matamata Stadium and made the following decisions:

That:

1. *Council receive the peer review report received from the independent advisor for the proposed Matamata Sports Stadium to be located at the Matamata College.*
2. *Conditional on the MoE providing adequate commitment to capital investment, depreciation costs, and ongoing operating costs, to the satisfaction of the Council, the Council agrees to;*
 - *• A revised location of the Stadium to an area within the school precinct adjacent to the current gymnasium site.*
 - *• An additional \$1,000,000 contribution toward the building project over and above the \$2,000,000 already committed funded by way of capital loan.*
 - *• Designate \$100,000 of this additional funding as operational expenses associated with any further investigations, legal advice etc. prior to funded from either rates or reserves.*
 - *Confirming an under writing commitment to both the construction costs and ongoing operational costs when the facility is operational, consistent with the controls in place within the Memorandum of Understanding.*
 - *Operational management of the facility once the facility is complete.*

1. Council considers that the proposal as outlined and quantified in the peer review does not require additional public consultation; as this(sic) have been considered in previous Long Term Plans.

The Project was initially driven by local resident Bruce Magan and the Matamata Futures Trust and then by the Matamata Indoor Sports and Recreation Hub Charitable Trust (Charitable Trust).

A Project Steering Group (PSG) was established for the project. Representation includes Matamata Futures, Matamata College, Sports Waikato, Iwi, Ministry of Education (MOE) and Council.

Deputy Mayor James Thomas is now the Chair of the PSG.

Following the March 2023 resolution Council took over the management of the project.

The following milestones have been achieved:

- The stadium design is well advanced including the understanding of the cultural narrative from Ngaati Hinerangi, Ngaati Raukawa and Ngaati Hauaa
- Resource consent has been issued.
- Building Permit for the first stage of work has been issued (commencement of the Enabling Works)
- Preferred contractors have been selected for the Enabling Works contract and the Design and Build contract.
- There is greater certainty over the project budget with the selection of the contractors

The most critical issue now is that the respective contracts are scheduled to be awarded as follows:

- Enabling Works contract 15/10/2024
- Design and Build contract 1/10/2024

As previously reported to Council, once awarded the liability for any funding short-fall will rest with Council.

Council has invested over \$800,000 on the project since 2018, part of which related to feasibility studies. Committed work for the capital project increases that amount to over \$1 million.

Ngā Take/Kōrerorero | Issues/Discussion

Project Budget

The table below contains a summary of the project budget.

Item	Budget \$
Council direct costs	766,281
Council contingency	100,000
Resource consent	223,287
Design and Build contract	7,860,926
Design and Build contingency (7.5%)	576,781
Enabling Works Contract	1,726,533
Enabling Works contingency (15%)	232,778
Total Project budget	\$11,486,000

Council will note that project contingencies total \$909,559 and comprise approximately 7.9% of the total budget.

Funding Plan

The tables below summarise the funding plan for the project.

Confirmed funding	\$
Council	3,000,000
Institutions including grants	2,500,000
Community pledges paid	1,922,500
Community pledges outstanding	565,000
Naming Rights – agreement to be completed by 9 October.	500,000
Contractor In-kind pledge	500,000
Total	\$8,987,500

Unconfirmed Grants	\$
Lottery Community Facilities Fund – decision due in December	750,000
Lion Foundation – decision due in October	600,000
NZ Community Trust – decision due in October	300,000
Grassroots Trust – still to be lodged	250,000
Other organisations – still to be lodged	200,000
Sub-total	2,100,000
Confirmed plus unconfirmed funding	11,087,500

We previously had listed a contribution of \$440,000 from the Matamata College Board of Trustees. It was proposed that this funding would be sourced from the sale of school houses. MOE representatives advised the Project Steering Committee on 16 September that this funding would not be available for the project.

The Project team have been working with the Design and Build preferred contractor and have identified approximately \$400,000 savings.

The project team will reduce the project budget to \$11,087,500 to offset the lost off the College funding.

Agreements

There are three agreements that Council will have in relation to the Stadium. Two of these will be between Council, MOE and the Matamata College:

- Development Agreement – covering the construction and capital contributions
- Property Sharing Agreement – covering occupancy, relevant responsibilities including ongoing cost apportionment.

The Development Agreement is scheduled to be signed before 30 September 2024.

The various parties will work through the Property Sharing agreement over the coming months.

The third agreement is the Operational agreement that is between Council and Matamata College. This covers more detailed operational issues.

Mōrearea | Risk

The main risk that arises for Council in awarding the contracts is that some of the targeted funding will not be achieved.

This will mean that Council will have to fund the short-fall and/or work with the Project Steering Group to find alternative external sources.

In terms of the confirmed funding:

- We will be aiming to finalise the Naming Rights agreement by 30 September.
- The Project Team has had discussions with the party that has pledged the In-kind contribution. It is highly unlikely that this pledge will not be honoured.

This will leave \$565,000 of the confirmed and unpaid pledges and \$2.1 million of pending grant applications.

The Matamata Indoor Sports and Recreation Hub Charitable Trust has shared the list of pledges to Council. The Trust is confident the pledges will be honoured.

It is more likely that we will not receive the total grant funding that has been identified.

The following options have been considered to mitigate the risk of a short-fall in funding:

1. Delay the awarding of the contracts
2. Reduce the budget
3. Alternative funding sources
4. A mix of 2 and 3.

These are discussed in more detail below.

Delay the awarding of the contract

The tender process specifies the dates the contracts are to be awarded. A delay exposes Council to price variations or completely new procurement processes. The Project Team believe the tenders received were very favourable. If we delay awarding the contracts we introduce a new risk being uncertainty of the project budget.

A delay may also affect funding from other sources eg grant funders, pledges, In-kind funding, Naming rights funding.

This is not a recommended mitigation option.

Reduce the Budget

We have approximately \$900,000 of contingencies. The Project Team will be very discerning in the use of this funding.

Alternative Funding Sources.

An interim funding source could be the net proceeds of the sale of 26 Rockford Street of approximately \$3.3 million.

This is described as an interim funding source as it would be expected that the Charitable Trust will continue to seek alternative funding sources.

The sale proceeds were not budgeted and/or allocated for any specific purpose.

Ngā Whiringa | Options

<Insert text>

Option One – Award the contracts and mitigate the impact of any short-fall in the targeted funding by utilising the proceeds of the sale of 26 Rockford Street.

Description of option	
Council would use the proceeds of sale of 26 Rockford street to offset any funding short-fall. The Matamata Indoor Sports and Recreation Hub Charitable Trust would be requested to source alternative funding for the project.	
Advantages	Disadvantages
The contracts can be awarded to take advantage of the favourable contract prices.	.Council may be criticised for an increased contribution.
The impact of a short-fall of project funding on rating levels is mitigated.	Alternative funding sources may not eventuate.
The project can proceed as planned.	Interest earnings on the Sale proceeds would be reduced.

Option Two – Not award the contracts.

Description of option	
The Enabling Contract and Design and Build Contract would not be awarded until Council has more comfort over the level of secured funding.	
Advantages	Disadvantages
Removes the immediate risk of any short-fall in funding.	Introduces a new risk that contract prices for future tenders are not favourable.
Provides time to confirm other funding sources	May result in the loss of some funding and/or support for the project.
	Procurement would have to be undertaken again, duplicating costs and delaying the project

Recommended option

Award the contracts and mitigate the impact of any short-fall in the targeted funding by utilising the proceeds of the sale of 26 Rockford Street

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

It considered that any relevant legal or policy issues are covered in the report.

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Council’s Significance Policy, a decision in accordance with the recommendations is assessed as having a low to medium level of significance.

Council has previously consulted the community on the project. The matter of public interest is assessed to be how the impact of the decisions in this report vary from the matters that were consulted on.. The matter of most interest is considered to be the impact on rates. The mitigations in the report will mean that the impact does not change. Another matter of interest might be any significant increase in Council contribution to the project. The funding source identified was not budgeted or allocated for any specific purpose. The matters giving rise to this decision were not in Council’s control.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Council has previously consulted the community on the project. The key issue identified in this report is the risk that arises from Council awarding the contracts. The mitigation options identified in the report are believed to ensure that the impact on rates, as consulted on, does not change.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. It is considered that the information provided in this report satisfies the requirements of Section 79.
Section 82 – this sets out principles of consultation.	The project has previously been consulted on. The level of significance is considered to be low to medium. No additional consultation is considered necessary.

Policy Considerations

1. To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any





policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

There is no additional communication or engagement considered necessary.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council’s Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE		MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION	
TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. ‘The heart of our community is our people, and the people are the heart of our community.			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- A place with people at its heart
- A place to thrive
- A place to belong and create

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

The relevant funding source is identified in the risk section.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

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

7.7 Waitoa Water Supply - Options for the Community

CM No.: 2941441

Te Kaupapa | Purpose

The report provides information on the Waitoa Village water supply, including options for a long term solution

Rāpopotonga Matua | Executive Summary

Waitoa Village water supply has been a matter of discussion between the Village community, Fonterra and Council since 2017.

Fonterra has determined that it will not be the village's long-term water supplier.

Council has a responsibility to help address the risks to this water supply and has investigated options for a Council supply.

We have reached the stage where we wish to progress formal processes.

The first step is engaging with the Waitoa Village to ascertain affected property owner views on a council-provided supply versus a private one.

If the decision from that process is that a Council supply is preferred, we will need to:

- Consult affected parties on a district-wide level
- Incorporate the options in an LTP amendment or LTP process.

The decisions that are being sought from this report are:

- The proposed level of contribution Council will require from property owners for a Council supply
- Whether Council is prepared to use the proceeds of the sale of the Waitoa Hall for the project.
- Confirmation of the engagement process.

Council will need to consider its responsibilities under the Local Government Act and Health Act when reflecting on the results of the engagement process.

Decisions from this issue may flow on to other communities.

Tūtohunga | Recommendation

That:

1. **The proposed contributions from Waitoa residents for a Council water supply be % of the project cost for the purposes of the initial engagement process**
2. **That Council endorse the proposed engagement process.**

Horopaki | Background

Waitoa Village has a water supply provided by Fonterra.

In 2016 Fonterra approached Council to discuss the supply transfer to Council.

Fonterra produces high-quality water at its Waitoa Dairy Factory. The reticulation supplying properties in the Village is not at an acceptable standard for a public supply and poses a risk to public health.

Council staff have attended meetings with Fonterra and village residents since 2017.

Council received a formal request to take over the supply in 2018.

This had to be done through a long-term plan (LTP) process and involve community consultation. The changes proposed under the Three Waters policy created some doubt on how a transfer could occur.

Taumata Arowai (Regulator) was established and legislation that followed escalated Fonterra's desire to cease being a water provider.

The village supply is registered with the Regulator and is subject to the corresponding compliance requirements.

WSP undertook a high-level engineering investigation in 2023 to assess options for a Council supply to the Village. This information is summarised in the report.

Council considered including a project in the 2024/2034 long term plan. The estimate had been provisionally increased to \$9 million to take account of economic and market forces prevalent at the time.

Council acknowledged that it could not include a project in the plan without knowing the views of residents of the Waitoa village. Council was also dealing with significant financial challenges in the draft plan.

Council decided to commence formal processes once the long term plan had been adopted.

Council has kept Fonterra advised of the process that it is following.

Staff have had discussions with the Regulator regarding the Waitoa water supply. This includes the options being considered for the Village.

Council has obligations under Section 127 of the Local Government Act 2002 if a water supply in the district is facing a significant problem. Council is not obliged to provide a reticulated water solution. It is obliged to work collaboratively with parties involved to find a solution.

The approach Council has taken to work with Fonterra, the Waitoa village community and the Regulator is consistent with Section 127.

All figures quoted in this report exclude GST except where stated otherwise.

Ngā Take/Kōrerorero | Issues/Discussion

The Decision making process

Council must undertake various processes before it can establish a water supply for the Waitoa Village:

1. It must consult with the affected property owners of the proposed supply area (Waitoa Village)
2. If Council concludes that it should proceed to establish a supply, it must consult with affected parties of the district. Affected parties are all properties currently connected to Council water supplies. The rationale for this is that Council charges rates for water supply on a district-wide basis to connected properties. Under this approach the costs and liabilities for water supply are shared across all connected properties. We would include Waitoa Village if a Council supply is established.
3. Council would need to undertake an LTP amendment. It could also include the matter in the next LTP.

Council could undertake the district wide consultation and an LTP amendment concurrently. The outcome of either Steps 2 and 3 could reverse a decision made from Step 1 to establish a Council supply for the Village.

Waitoa Village supply area

We do not have certainty of the properties connected to the current supply. We must define the supply area to determine the properties affected ie who we will engage with. This is also important to assess the cost impacts and inform the water supply design. All properties within the water supply area would be compelled to contribute to a Council water supply. We have referenced the Waitoa Village Planning map and defined the Residential and Business zones as the supply area. The rating records indicate there are 130 separately rateable properties. We expect some property owners in the proposed area will not want to connect to a Council supply. We also expect some properties currently supplied will not be included in the proposed area. The reticulation in the Village does not conform to the standard required for a public water supply. If a Council supply is to proceed the reticulation will be completely replaced.

The options for supply

WSP was engaged to prepare a high level options report for the provision of a Council water supply. This report was funded by Fonterra. All options provide for the replacement of the village reticulation.

The table below summarises the options and the estimated costs (in 2023).

Option	Description	Estimate (\$ million)
1	A supply from the Waitoa River, treatment plant and reservoir	7.1
2	A supply from a bore, treatment plant and reservoir	7.2
3	A connection to the Te Aroha supply via State Highway 26	7.4
4	A connection to the Te Aroha supply via Waihekau and Ngarua Roads	8.0
5	A connection to the Te Aroha Supply via Waihekau and Seddon Roads	6.1

Table 1

The estimates do not include land acquisition. Council considered including the project in the the draft LTP with a revised estimate of \$9 million. This provided additional contingency given the market and economic conditions of the time. This

also allowed for inflation from 2023 as the project would not be expected to occur for several years.

Staff reached a number of conclusions from this option report:

- Connection to the Te Aroha Water supply is a better option taking into consideration the whole of life costs. This is because there will be no additional treatment costs.
- The Waitoa Village property owners are unlikely to be able to afford to fund any of the options without some external contribution(s)
- Council should consider costs and potential longer-term benefits when selecting the best option for a supply. For example a connection via State Highway 26 could provide a future option for the Waihou community. This might also allow for costs to be shared over more properties. The Waihou Community has not raised any water supply issues with Council in recent times.

For this report, we used the lowest cost option to assess property owners' contribution in the Waitoa Community. The rationale being that Council would only select a more expensive option if there is a wider community benefit. Staff have also critically reviewed estimates whilst still allowing a reasonable contingency.

An alternative to a council-provided supply is for each property to have a private supply. The configuration would involve an ultra-violet (UV) unit filter and pH correction. Replacing the UV lamp and other components would cost approximately \$200 annually.

When Council was first approached in 2016 the proposed concept was for Council to be supplied water by Fonterra. Council would install a reservoir and new reticulation to the Village. Council would accept all responsibility for the supply.

This option became unacceptable for Fonterra. The Regulator would still consider Fonterra is a water supplier. This would also mean the Company would retain the obligations and risks for the supply.

Council's Chief Executive Officer (CEO) recently contacted the Regulator to explore this option further. The CEO proposal would result in the following configuration:

- Fonterra supplies water to a Council reservoir
- Council would treat the water through a UV plant and supply the village.

Hopefully, this will be sufficient for the Regulator to determine that Fonterra is no longer a water supplier.

We have yet to receive a formal response.

The following table summarises the three options that are considered relevant to this discussion.

Option	Description	Estimate (\$ million)
A	A connection to the Te Aroha Supply via Waihekau and Seddon Roads	5.8
B	Fonterra supply to Council treatment plant	4.4
C	Individual property connections	1.6

Table 2

Financial contributions

We have assumed that Waitoa Village residents cannot afford to pay the total cost of a Council supply.

Council has allocated \$200,000 from the Better Off funding to help work through the engagement process for this project.

At one of the Waitoa Community meetings, Fonterra advised it had allocated some funding to assist in the change process. We are awaiting confirmation that funding is still available.

There is likely to be an expectation that the Waitoa Hall sale funding would be available to help offset costs. Council has no legal obligation to allocate this funding for that purpose. An argument for using the funds is that the Waitoa Community funded the hall. Some properties that were in the hall rating area are not on the Village water supply. The hall proceeds balance is currently \$372,000.

Information for Waitoa Village property owners to make an informed decision

Council can recover capital contributions from property owners by establishing a capital funding plan. Property owners would have the choice to pay the capital contribution in one lump sum or over a period. Interest costs can be applied if ratepayers choose to repay over a period.

Council chose a period of 5 years when it connected properties in Tahuna and Waharoa to Council wastewater.

This time-frame has been used to model contributions for Waitoa.

All properties would also be charged the annual water targeted rate (2024 \$688 including GST)

The following tables show the results of funding options at different levels of contribution.

Funding per property	100%	75%	50%	25%
Option A \$5.8million – Lump sum payment	\$44,615	\$33,462	\$22,308	\$11,154
Annual costs over 5 years (with interest)	\$10,306	\$7,729	\$5,153	\$2,576

Table 3

Funding per property	100%	75%	50%	25%
Option B \$4.4 million – Lump sum payment	\$33,846	\$25,385	\$16,923	\$8,462
Annual costs over 5 years (with interest)	\$7,818	\$5,863	\$3,909	\$1,954

Table 4

Option C is estimated to cost \$1.6 million and spread over 130 properties equates to \$12,000 per property. It is possible that some property owners may find cheaper solutions and/or not look to install treatment equipment.

Council could assist with the management of the individual property installations. There would not be an option to spread the costs over five years. The property owners would own the infrastructure.

As a basis for comparison, spreading the cost over five years would equate to an annual payment of \$2,800. This level of annual payment is in the range of 25%-50% contributions for Options A and B

Cross-subsidisation through rates

Council and the residents of the Waitoa Village want a good quality, reliable and affordable water supply for the Village.

Council must also take into account the perspectives of all the district communities.

One of those concerns is how much users should pay for a good or service. When users do not fully fund a good or service the balance is recovered from rates.

Council's Revenue and Financing Policy determines the apportionment of recoveries across available funding sources. The following Policy approaches are considered relevant to this issue:

- Rates are a form of tax and the quantum an individual pays does not necessarily reflect the level of benefit received.
- The funding tools to recover water can be targeted rates, water-by-meter charges and general rates (0-6%).
- The general rate component acknowledges the wider community benefits the activity generates
- At present the service is funded from targeted water rates and water-by-meter charges. The general rate does not currently fund water supplies.
- Water rates are uniform across the district. For example, water users in Te Poi are charged the same targeted water rate as users in Morrinsville.
- This "averaging" results in cross-subsidisation.

There are many examples in Council activities where the users of services do not pay the full cost of the service. These reasons can be summarised into three categories:

- Charging users directly for a service, e.g., on roads, footpaths, parks and reserves is impossible.
- The benefits arising from the service are considered to extend beyond individuals to the wider community, e.g., community leadership, communications, and emergency management.
- Recovering the total costs of activities from users will harm the service, e.g. Pools, Libraries, Refuse Transfer stations.

These policy approaches result in cross-subsidisation of various goods or services.

We estimate over 4,000 properties in the district are not serviced by a Council water supply. The property owners meet all the costs for their water.

In the case of the Waitoa Village the cost-sharing would be spread across all ratepayers paying for Council water supplies.

The following table indicates the impact for district water supply ratepayers from different levels of recovery from Waitoa Village ratepayers

Option A \$5.8 million	100%	75%	50%	25%
Increase in targeted rate – (2024/25 \$688 including GST)	0	\$8.32	\$12.90	\$17.48
Increase in water by meter rate (cents per cubic metre - 2024/25 rate is \$2.97 including GST)	0	\$0.02	\$0.05	\$0.07

Table 5

This contribution would be reduced each year as the loan is repaid.

The last two instances of Council installing utilities infrastructure for district towns were Tahuna and Waharoa. Government subsidy was available to replace septic tank systems with town wastewater systems. The funding proposals were considered by Council in 2009-2011.

The costs of the two schemes were as follows:

- Tahuna \$1.757 million (in 2024 dollars would be \$2.5-\$2.9 million)
- Waharoa \$3.6 million (in 2024 dollars would be \$4.7-\$5.5 million)

Note that the conversion to 2024 dollars depends on the inflation adjustor used and is provided to compare to the Waitoa scheme.

Council required property owners for both schemes to pay \$3,329 (including GST) over five years or \$665.96 per year. In 2024 dollars this would equate to \$4,700 - \$5,600 or \$940 - \$1,120 per year.

An important difference in the Waitoa scheme is that no Government subsidy is available.

Potential Future changes for consideration

Wastewater – concerns have been expressed that installing a water supply in the Village will trigger the need for a wastewater scheme. Council is periodically required to undertake sanitary assessments including Waitoa Village. The impact of a Council water supply on septic tanks in the Village would be assessed through that process.

Waikato Waters Done Well – it is assumed that a regional or sub-regional entity would continue to implement any changes that Council authorises.

Council considerations

The main purpose of this report is to allow Council to decide on the parameters for the establishment of a Council water supply.

There are a number of matters that Council should have regard to when assessing the responses to the Waitoa Village engagement process.

The purpose of Local Government

The purpose of local government is—

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future

Local Government Act 2002, Section 127

Council's approach to date in this matter is considered to be consistent with the requirements of Section 127. That Section also contains the following specific considerations:

When making decisions about future charges and funding arrangements, the territorial authority must—

- (i) take reasonable steps to ascertain and consider the financial circumstances facing the affected consumers; and*
- (ii) consider the range of funding sources provided for in its revenue and financing policy, including the potential use of general rates; and*
- (iii) on request, demonstrate that it has considered those factors.*

The engagement process with the Waitoa Village community could help Council to understand the financial circumstances.

Health Act 1956, Section 23

The following is a summary of the obligations under the Act that Council has in relation to water supply

- Public Health Protection - to improve, promote, and protect public health within the district.
- Regular Inspections – to conduct regular inspections to identify nuisances or health hazards.
- Abatement of Nuisances – to take appropriate steps to eliminate nuisances or health risks if identified.

Precedent – past and future

Whilst decisions of past Councils do not bind Council, the community could expect consistency from Council. A decision to establish a Council water supply in Waitoa might create a similar expectation in Waihou or other parts of the district.

Assumptions

The following are high level assumptions:

- Fonterra will continue to supply water to the Waitoa Village until Council has worked through the necessary processes.
- Te Aroha has sufficient supply for the Village.
- The Village reticulation needs to be replaced to meet Council standards.

At this time Staff will not undertake further engineering work on the project until the consultative processes are completed

Mōrearea | Risk

Costs – high level estimates have been provided. Actual costs will differ. Contingencies have been allowed in the estimates to mitigate this risk.

Legal – it is considered that the processes and matters included in this report meet the necessary legal requirements.

Community Participation – Council wants to hear from all affected parties. There is no compulsion on members of the Waitoa Village to engage on this matter. The engagement process is designed to mitigate that risk.

Actions by other parties – Council can only control what it does. We will continue to work collaboratively with Fonterra and the Regulator. We trust this will mitigate the risk of any unexpected actions by those parties.

Ngā Whiringa | Options

<Insert text>

Option One – That the proposed contributions from Waitoa residents for a Council water supply be % of the project cost for the purposes of the initial engagement process	
That the	
Description of option	
Council will determine the level of contribution it considers appropriate having regard to its legal obligations.	
Advantages	Disadvantages
A decision on the application of the Waitoa Hall sale proceeds can be separate to the water supply issue.	Waitoa Village residents may have an expectation that the Hall sale proceeds are available for the scheme.
	Misses an opportunity to reduce the individual ratepayer contribution.

Option Two – That the proposed contributions from Waitoa residents for a Council water supply be % of the project cost for the purposes of the initial engagement process and that the proceeds of the Waitoa Hall sale be made available to offset the Waitoa Village contributions.	
Description of option	
Council will determine the level of contribution it considers appropriate having regard to its legal obligations and make the hall sale proceeds available for the project.	
Advantages	Disadvantages
This could further reduce the cost of the	The Waitoa Hall sale proceeds would not be

individual ratepayer contribution.	available for any other purpose.
It may meet the expectations of some Waitoa Hall ratepayers.	This may create a point of contention for Waitoa Hall ratepayers who are not affected by the water supply issue.

Recommended option

Option One is recommended. It is suggested that the Waitoa Hall proceeds should only be considered a source of funding if properties are required to meet 100% of the cost of the water supply solution.

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

The relevant sections of the Revenue and Finance Policy are discussed under the Issues section.

Any change in that policy to accommodate this matter would require an LTP amendment.

There is no policy statement that states that Council must charge a capital contribution. The practice would be consistent with the approach taken for new development ie through development contributions.

The practice would also be consistent with the approach taken with the Waharoa and Tahuna Wastewater projects.

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Council’s Significance Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance.

The decisions in this report are not significant as they will be subject to:

- Further consultation with affected parties beyond and including the Waitoa Village
- Either an LTP amendment process or will be a matter for the next LTP.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	The process outlined in the report satisfies the consultation requirements ie the views of affected people will be taken into account.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a medium

	level of significance. The information in the report is considered to be sufficient for Council to make an informed decision.
Section 82 – this sets out principles of consultation.	Addressed in the Engagement Plan

Policy Considerations





1. To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

An engagement plan is attached to this report.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council’s Community Outcomes are set out below:


MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE		MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION	
TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. ‘The heart of our community is our people, and the people are the heart of our community.			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- A place to thrive

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source
Council has allocated funding to cover the engagement process.

Ngā Tāpiritanga | Attachments

[A↓. Waitoa Water Engagement Plan](#)


Ngā waitohu | Signatories

Author(s)	Manaia Te Wiata Group Manager Business Support	
Approved by	Manaia Te Wiata Group Manager Business Support	

Waitoa Water Engagement Plan Draft

September 2024

35 Kenrick Street - PO Box 266 - Te Aroha 3342 - www.mpd.govt.nz
Morrinsville & Te Aroha 07 884 0060 - Matamata 07 881 90 50

Background

Due to central government changes, Fonterra have decided that they cannot continue to be the water supplier for the village of Waitoa. Taumata Arowai (the new water regulator) requires Council to help come up with a solution, so we have been working alongside Fonterra and the residents of Waitoa for the last few years to investigate potential options for around 120-150 residential properties in this settlement.

Council has been working on the options and the financial impacts. Once we have this information the residents of Waitoa will need to make a decision on whether they wish to be connected to a Council supply or not.

If the community does decide to connect to a Council supply, the town could be connected to the Te Aroha Water Supply via a trunk main that supplies a nearby industry. There would be no need for any additional treatment facilities, and Council already provides water to a number of similar small rural settlements. Alternatively, Council could take water from Fonterra, treat it and distribute it through the network. In both cases the reticulation needs to be replaced.

Because the decision on whether or not to connect to Council supply rests on the Waitoa community, Council did not include any funding for this in the 2024-24 Long Term Plan. However, we did include funding for consultation/to support Waitoa through this decision making process.

If the Waitoa community do opt to connect to a Council supply, it is likely that this will also trigger a Long Term Plan amendment, as water is charged as a fixed, targeted rate (i.e. the decision would impact all customers rated for water supply).

Project Team

- Manaia Te Wiata
- Andrea Durie
- Bridget Mulligan

Note that this plan is focussed on the initial process of supporting the Waitoa community through the decision making process. IF this triggers a requirement for further community consultation and the agreed option is to connect to a Council supply, the Project Team will be reviewed and added to.

Objectives

Taumata Arowai (the new water regulator) requires Council to help come up with a solution – but ultimately, the decision of whether or not to connect to a town supply sits with the community of Waitoa. i.e.

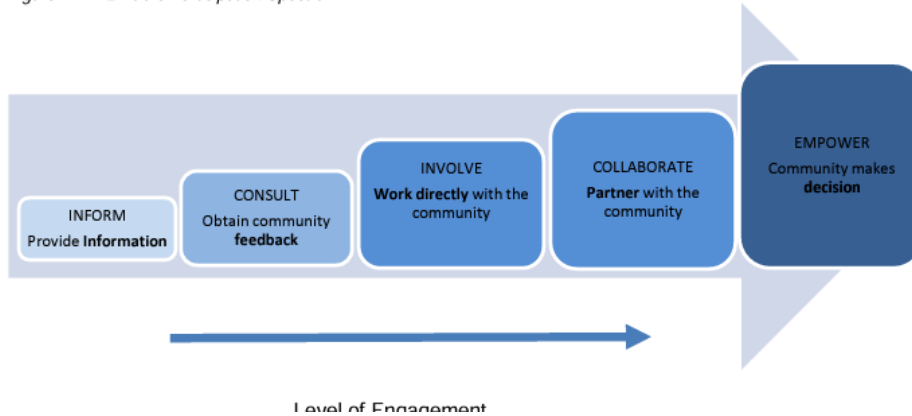
- Council cannot come up with a solution and impose it on the settlement.
- The community could legitimately weight up the options and choose to implement tanks or a privately managed supply (like Waihou)

The initial objective is to ***empower the Waitoa community to make a decision on their preferred future arrangements for water supply for the settlement.***

The following snip is an excerpt from Council's significance and engagement policy that explains the different types of community engagement.



Figure 1: IAP2 Public Participation Spectrum



It is rare for Councils to be required or have an opportunity to fully empower community decision making as legislative frameworks often require Council to be the final decision maker. Therefore, the engagement for this project is likely to take a different format and carry different risks and benefits to Council's past consultations.

Note that this plan is focussed on the initial process of supporting the Waitoa community through the decision making process. IF this triggers a requirement for further community consultation this comms & engagement plan will be reviewed and added to.

Target Audiences

1. All ratepayers in Waitoa
 - including those connected and not currently connected to the existing water supply
2. Residents (non-ratepayers of Waitoa)
 - Residents are considered a secondary audience. Any future changes as a result of this decision will affect residents (i.e. physical works/disruption) and may have a financial impact for them (i.e. result in rent increases)

External parties

- Fonterra – Phillipa Fourie
- Waikato Regional Council
- Taumata Arowai

Others who may have an interest

- Other ratepayers connected to water supply – process will require full transparency
- Local media
- National MP for the area - tbc

Key Messages

This section will be completed once the options are confirmed and the engagement approach is determined.

Options

This section explores different options for decision making for the Waitoa community.

Council can choose which option they feel is most appropriate or, if Council is comfortable with the options outlined, the Waitoa community could choose their preferred method.

The four engagement options presented below are on a scale – the first option is a full deliberative process and each option after that uses fewer deliberation principles.

The options are presented in table format to more easily enable comparison, and weigh up what level will help us achieve the desired outcome.



Deliberation scale – options:

	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
Key principles/IAP2	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
Influence	<ul style="list-style-type: none"> The mayor, councillors and CEO publicly commit to the level of influence the group will have and what they will do with the recommendations. The deliberators present their recommendations directly to the mayor and CEO. Following the deliberation, council responds, clearly outlining which recommendations we will implement and which ones we won't, with reasons. 	<ul style="list-style-type: none"> The mayor, councillors and CEO publicly commit to the level of influence the group will have and what they will do with the recommendations. Senior decision maker(s) receive the group's recommendations. Following the deliberation, council responds, clearly outlining which recommendations we will implement and which ones we won't, with reasons. 	<ul style="list-style-type: none"> No public commitment is made to the level of influence the group will have and what the mayor, councillors and CEO will do with the recommendations ('public commitment'). There is no presentation of the output to the council decision-makers; rather, all input gathered through the engagement activities is summarised, usually by council officers or a consultant. 	<ul style="list-style-type: none"> These activities are usually low influence, for example, a survey, drop-in or submission process. No public commitment is made. All input gathered through the engagement activities is summarised, usually by council officers or a consultant. Senior decision-makers are not involved in the process.
Information	Extensive information provided to and considered by the group. This includes a background document, questions answered throughout process, speakers with diverse and opposing views, and speakers	A background document is prepared, and council responds to the group's questions throughout process. The group hears from speakers organised by council, who have diverse and opposing views. The group doesn't select its	Clear background materials (simpler in style) are provided. The organisation responds to the group's questions during the workshop.	Limited information is provided; often simple and doesn't delve into the complexities and trade-offs around an issue.



	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
Key principles/IAP2	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
	nominated by the deliberating group.	own speakers.		
Representation	<ul style="list-style-type: none"> The group represents a fully randomised and stratified sample of the Waitoa community. Participants are selected through an independent recruitment process and stratified to match key demographics or other targets, which are chosen to ensure the group represents the community affected by the decision. <p><i>What this might look like:</i> A group of up to 30 people who have been randomly selected based on their gender, age, ethnicity, home-ownership status, employment status or other metrics, to reflect the population of Waitoa.</p>	<ul style="list-style-type: none"> The process involves fully or partly randomised group of participants. The deliberative group may include some targeted participants. A randomised group of people might also be asked to consider an issue and their input compared alongside those not randomised. <p><i>What this might look like:</i> A group of up to 30 people, some of whom have been invited, and some who have been selected at random. Trying as much as possible to reflect the population of Waitoa in aspects such as gender, age, ethnicity, home-ownership status, or employment status.</p>	<p>The group includes self selected participants, invited stakeholders and, where possible, some randomly recruited participants.</p> <p><i>What this might look like:</i> A group of 15-30 people who have collectively agreed to represent the community of Waitoa in this decision making process. It might also include some randomly selected participants.</p>	<p>Participants are completely self-selected – often those most likely to take part are people with a high interest or stake in the issue, such as people with more time available to get involved.</p>



	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
Key principles/IAP2	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
Time	<ul style="list-style-type: none"> Sufficient time (4-6 days) is provided for the group to learn about the topic, scrutinise the information, weigh up options, consider trade-offs and find common ground before coming to agreement on recommendations. <p><i>What this might look like:</i> Meeting once a fortnight (e.g. on Saturdays) over several months</p>	<ul style="list-style-type: none"> Deliberation occurs over 2-3 days. Participants may also be asked to undertake their own local conversations. There's time for people to become better informed and engage in dialogue together. There is less time for grappling with trade-offs before coming to agreement on recommendations. The 80% supermajority may be harder to attain. <p><i>What this might look like:</i> Meeting once a fortnight (e.g. on Saturdays) over a month.</p>	<ul style="list-style-type: none"> Participants may be asked to deliberate in different ways i.e. not always in face-to-face or simultaneous online processes. There is little time for dialogue or resolving different views of participants in workshops of one day or less. <p><i>What this might look like:</i> A series of workshops or meetings. These may be a mix of online and in person and are not likely to take full days at a time.</p>	<ul style="list-style-type: none"> There is no time to think. Immediate opinions or responses are received from people who are usually involved in council engagement activities and who have shared their thoughts with council previously. No effort is made to bring people together and hence find common ground amongst people with different views.
Group deliberation	<ul style="list-style-type: none"> Participants generate their own ideas, consider all information available, weigh up the options and trade-offs, and come to a judgement on the best 	<ul style="list-style-type: none"> Participants prepare their own ideas/options and levels of agreement are identified. Some level of consensus is sought; however, participants have 	<ul style="list-style-type: none"> The organisation presents options and participants share their thinking, but no shared ideas or levels of agreement are sought. 	<ul style="list-style-type: none"> Participants identify ideas in response to a set of questions or a pre-prepared documents/options. Views expressed are an



	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
Key principles/IAP2	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
	<p>way forward. They prepare their own recommendations in response to the water supply challenge.</p> <ul style="list-style-type: none"> • During the process, the council prepares a response to the group's draft recommendations, seeking clarity where needed. The group considers this response before finalising their recommendations. • The group's level of agreement on each recommendation is tested to determine which recommendations have supermajority (80%) support. 	<p>reduced ability to negotiate with one another.</p> <ul style="list-style-type: none"> • The process may (or may not) include some level of organisational response to the group's draft recommendations during the process. 		<p>immediate reaction, and based on personal experiences, offering only a very broad sense of public opinion.</p> <ul style="list-style-type: none"> • Often participants produce a list of possible ideas that the council will need to assess and decide upon.



Options - Advantages and Challenges

In addition to those listed above.

	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
Advantages	<ul style="list-style-type: none"> • Long form deliberation, or Citizens Assemblies, are an internationally recognised tool for empowering communities to make decisions on complex topics. • The Waitoa community is the ultimate decision maker – very little Council involvement other than supporting the process. • Ensures the community is well represented in the process i.e. a range of perspectives are considered, not just the loudest voices. • Every household has the opportunity to opt in (and then the representative sample is selected from those who opt in). Given 	<ul style="list-style-type: none"> • The community self-selecting some targeted participants may remove any perception of Council biasing/influencing the process. • The group would likely be made up of neighbours that the community knows and trusts (“I didn’t get to make the decision, but I know that XXX represented my view”). • The Waitoa community is the ultimate decision maker – very little Council involvement other than supporting the process. • Provision can still be made to support equitable involvement – for example providing meals, childcare, transport etc where 	<ul style="list-style-type: none"> • Everyone has equal opportunity to be involved and participate. • Provides limited (face-to-face) opportunities for people to understand the options and ask questions. • Minimum threshold can be agreed by community. E.g. if 65% of people vote to opt in – this will proceed. 	<ul style="list-style-type: none"> • Less time and resource required. • It’s familiar – it’s what we’ve tended to use previously. • Can be delivered in a short timeframe. • Everyone has equal opportunity to contribute through the mechanism selected.



	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
	<p>this issue is well socialised, a higher than average number of people opting in is possible.</p> <ul style="list-style-type: none"> Provision is usually made to support equitable involvement – for example providing meals, childcare, transport etc where required. 	<p>required</p>		
Challenges & risks	<ul style="list-style-type: none"> It is a significant time commitment from participants, for example, it may be over 4-5 Saturdays. The Waitoa community is small, and uptake on the invitation to be part of a citizens assembly is normally quite low (e.g. 3% typical response rate internationally). According to the 2018 census the Waitoa-Ngarua area has a population of 1,170 and 400+ households. This geographic area is larger 	<ul style="list-style-type: none"> The community could select targeted participants that are not representative of the entire community (for example, representatives from high income households). But this could be balanced by those randomly selected. Would still require a significant time commitment from participants – for example, it may be done over 4-5 Saturdays. Not all households would 	<ul style="list-style-type: none"> May result in misrepresentation of the community e.g. only those who don't work, or can afford to attend, take part. Some may not take part because they don't understand the decision impacts them. Harder to plan for and facilitate with large groups. Likely to initially attract high numbers, but drop off – i.e. commitment to attending workshops would likely be lower. 	<ul style="list-style-type: none"> This may result in only hearing from those with a high interest in the issue, and not be reflective of the community. People may provide feedback without having been fully exposed to, or understand, all the details. Council or the community would need to determine the minimum threshold to proceed (e.g. 50% in favour, or a percentage that's lower or greater) There is no 'consensus'

	Option 1: High scale Long form deliberation	Option 2: Medium scale Short form deliberation	Option 3: Low scale Process with deliberative elements	Option 4: Not deliberation Consultation
	<i>Collaborate/Empower</i>	<i>Involve/Collaborate</i>	<i>Involve/Consult</i>	<i>Consult/Inform</i>
	<p>than the Waitoa settlement itself. Council's systems show about 130 households in the settlement of Waitoa.</p> <ul style="list-style-type: none"> • Due to the selection process, not all households would directly input in to the decision making. May result in people feeling unheard. 	<p>directly input in to the decision making. May result in people feeling unheard.</p>	<ul style="list-style-type: none"> • People may participate in the decision making steps without having been fully exposed to all the details (e.g. attending all sessions). • The decision sits with Council. 	<p>from the community, so it is likely that a significant portion of the community feel unheard</p> <ul style="list-style-type: none"> • The decision sits with Council.



Budget

Council has allocated \$200,000 from the Better Off funding to help assess the options and undertake the engagement process for this project – with the Waitoa community initially, and the wider district if that is required*.

*Note that this plan is focussed on the initial process of supporting the Waitoa community through the decision making process. If this triggers a requirement for further community consultation this comms & engagement plan will be reviewed and added to.

Here is an initial outline of what resourcing is likely to be required for a Long Form Deliberation (Option 1) - the most resource intensive of the options.

- Independent facilitator (consultant), engaged early to input to the process
- Council staff time:
 - Planning
 - Creating mailing list for Waitoa
 - Drafting and sending invitation to participate
- Postage cost for invitation
- Third party experts to help select representative assembly e.g. University of Waikato, Versus research, or similar
- Assembly meetings
 - Venue
 - Staff costs to support assembly meetings
 - Catering
 - Possible childcare costs
 - Possible transportation costs
 - Costs for presenters – anticipating a range of experts. May require travel, hourly rate and/or accommodation
 - Participants are normally remunerated in some way for attending. Fee is typically nominal rather than trying to pay for actual hourly time e.g. Jury service rate, \$500 Prezy card
- Staff or consultant time capturing/recording the assembly and reporting i.e. reporting and evaluation

Evaluation

This section will be completed once the engagement approach is determined.



7 Pūrongo me whakatau | Decision Reports

7.8 Top Risks

CM No.: 2939744

Te Kaupapa | Purpose

The purpose of this report is to provide an update on the Risk and Assurance Committee's review of the top risks and to seek final confirmation from Council.

Rāpopotonga Matua | Executive Summary

Following a recent Council workshop on the top risks, direction was given to condense the number of top risks from 16 to around 8-10 risks. Councillors also recommended some of the risks should be moved to an operational list for the Executive Team to focus on.

The Executive Team reduced the number of risks to 13 and presented them to the Risk and Assurance Committee on 10 September for feedback. The committee reviewed the risks and confirmed their views on the top risks for MPDC - including reducing the number of risks to nine.

Confirmation from Council is now sought on the top nine risks that were determined by the Risk and Assurance Committee.

Tūtohunga | Recommendation

That:

1. **The information is received.**
2. **The nine risks determined by the Risk and Assurance Committee on 10 September 2024 are confirmed as the top risks for MPDC.**

Horopaki | Background

Identifying the draft top strategic risks has been an iterative process.

Research on strategic risks was undertaken, with risks identified from a range of sources (including NZ Councils and risk experts), in order to compile an initial list of draft risks.

The draft list was then reviewed and refined to 19 top risks by the Executive Team, along with inherent risk ratings assigned to each risk (likelihood of the risk occurring and the consequences of the risk before controls are put in place).

A workshop was held with the Risk and Assurance Committee, some Councillors and members of the Executive Team, on the 21st of May 2024 to review the risks that had been identified.

The workshop participants provided feedback on the risks, undertook a prioritisation exercise and reviewed the inherent risk ratings for ten of the risks (those that had been prioritised by the group), as a first step towards identifying the top risks.

The Executive Team then reviewed the feedback from the workshop, reviewed the risks again and identified and assessed controls to mitigate the risks. They also undertook the residual risk rating

(likelihood of the risk occurring and the consequences of the risk after controls are put in place) and identified further controls or actions to consider in the future.

Feedback on the draft top risks was sought at a Council workshop on 28 August. Councillors were initially asked to prioritise the draft risks based on what they are most concerned about. To help demonstrate their initial views on what might be the top risks for MPDC. During a facilitated activity, Councillors provided feedback on each of the draft risks to work towards agreement on the top risks for MPDC.

Feedback included the direction to condense the number of top risks from 16 to around 8-10 risks. Councillors recommended some of the risks should be moved to an operational list for the Executive Team to focus on. Councillors also reduced the inherent rating for two risks.

The Executive Team reviewed the Councillors feedback and reduced the number of top risks to 13 (three risks were moved to an operational list that will be monitored by the Executive Team).

The 13 risks and feedback from Councillors was discussed with the Risk and Assurance Committee on 10 September. The committee reviewed the risks and confirmed their views on the top risks for MPDC.

Ngā Take/Kōrerorero | Issues/Discussion

The Risk and Assurance Committee reviewed the draft top risks and moved a further three risks to the list of operational risks as well as combining two of the risks. “Inadequate water, waste water services” was combined with “Failure of essential services, assets, infrastructure or systems” but it was noted that the initial focus would be on water/wastewater.

Below are the top nine risks identified by the Risk and Assurance Committee:

Risk	Inherent rating	Comments
Not meeting compliance and legislative requirements	Extreme	Combine with failure to strategically consider and plan for the future
Inadequate water, waste water services or essential services	Extreme	Combine with essential services but a focus on water and waste water in the short term
Inadequate response to local level natural disasters, extreme weather events and pandemics	Extreme	
Loss of data and business systems	Extreme	
Inadequate Financial Management	Extreme	Rename to financial strategy or leadership
Failure to develop and maintain partnerships with Mana Whenua, Iwi, Hapu and Māori.	Very high	
Failure to communicate and/or engage effectively with stakeholders	Very high	
Inadequate response to political changes	Very high	

Failure to effectively plan for and proactively respond to climate impacts	High	
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Operational Risks

The following were moved by the Risk and Assurance Committee from the top risks list to the operational list:

Risk	Inherent rating	Comments
Failure to provide a safe and healthy workplace	Extreme	Moved to operational
Poor leadership	Very high	Moved to operational
Failure to strategically consider and plan for the future	High	RAC combined with legislative compliance
Failure of essential services, assets, infrastructure or systems	Very high	RAC added to water and waste water risk. May be kept as a separate risk that E-Team reviews

The following had previously been moved to the operational risk list by Executive Team following feedback from Councillors:

Risk	Inherent rating	Comments
Project management failure	Very high	
Inadequate staff capability	Very high	
Information technology does not align to or provide for the organisation's needs.	Very high	

Next steps





Following confirmation from Council on the top risks the risks will be refined (titles and residual ratings) and Council’s risk appetite will be determined.

The Risk and Assurance Committee will also confirm their programme for deep dive risk reviews and the programme for ongoing risk monitoring and testing of control effectiveness will be developed.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council’s Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE	MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION
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TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. 'The heart of our community is our people, and the people are the heart of our community.'			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

MPDC's top risks are relevant to all community outcomes.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Lesley Steeples Risk Manager	
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Approved by	Kelly Reith Group Manager People, Governance & Relationships	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Minutes of Hauraki Gulf Meeting

CM No.: 2930809

Te Kaupapa | Purpose

The purpose of this report is to present the minutes of the Hauraki Gulf Forum (HGF or “the Forum”) meeting from 26 August 2024.

Rāpopotonga Matua | Executive Summary

The HGF is a statutory body, established to promote and facilitate integrated management and the protection and enhancement of the Hauraki Gulf, under the Hauraki Gulf Marine Park Act 2000. The Forum consists of representatives on behalf of Tangata Whenua of the Hauraki Gulf and its Islands, Ministers of Conservation, Fisheries and Māori Development, alongside elected members from Auckland Council, Waikato Regional Council, Waikato, Hauraki, Thames-Coromandel and Matamata-Piako District Councils. Representing Matamata-Piako District Council at the Forum, Councillor James Sainsbury is in attendance. Jayshree Kanji is available to speak to the minutes and is accompanied by Carolyn McAlley to answer any questions.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

The HGF is administered by Auckland Council and meets quarterly to examine issues related to the Gulf’s management. Its current focus is on three priority topics, which include:

1. Improving integrated management through collaborative planning, informed decision-making and action.
2. Restoring water quality values by addressing land use activities that degrade those values.
3. Restoring those critical marine values and ecosystems through advocating for protection, restoration and enhancement.

Within these priority topics, there are a range of strategic issues the HGF will focus on.

Ngā Take/Kōrerorero | Issues/Discussion

The Co-Chairs officially welcomed Lucy Baragwanath to the role of Executive Officer to commence the meeting. The August 2024 HGF included a presentation on the latest works for the Ministry of Primary Industries (MPI) controlled areas, included as part of the public forum presented by John Walsh. The presentation discussed the ongoing work undertaken by MPI to develop a long-term strategy, and provide a review on Exotic Caulerpa controlled areas alongside proposed options going forward.

Emphasis on progressing the protection of the Gulf and creating a healthy catchment was a point of focus in the Co-Chairs report. To achieve this, meetings with senior Government and opposition MP’s have been scheduled to strengthen their knowledge of the Gulf and determine what steps the government can take to support this initiative. Further funding from the government (\$10 million) has been allocated to fight against Exotic Caulerpa. This funding will assist in the

development of tools to combat Caulerpa growth, increasing surveillance measures and providing support for community initiatives.

Additionally, the HGF, Northland Regional Council and the Mayor of Auckland have partnered up to request a meeting with the Minister of Transport regarding the urgent need for a detailed risk assessment and survey to establish the amount of oil that remains where RMS Niagara has sunk. Recent dives have confirmed that the wreck is disintegrating and oil has been observed at the site. If it was released, the remaining oil has potential to deteriorate the coastline and marine environment from Northland to the Coromandel. These are vital areas that contribute to NZ industries such as include aquaculture, fishing, recreation and tourism.

Constituent party reports were also presented to brief Forum members on key priorities and work programmes taking place between the Forum's Constituent parties. Insightful presentations from Department of Conservation and Fisheries New Zealand provided an update on actions both agencies are undertaking to address the decline in mauri and health of the Gulf. Matamata-Piako District Council updated Forum members on current riparian planting and wastewater related works within the District.

In regards to the Executive Officer's report, there were concerns about the Avian influenza and the need for better preparedness among councils. The Forum agreed to request agencies to provide a Regional Plan in response to Avian influenza and approve the convening of a workshop with the Executive Officer following the meeting to ensure alignment and greater focus on advancing strategic goals.

The minutes and the open minute item attachments (which includes the items presented to the Forum) can be accessed here [Hauraki Gulf Forum - Minutes 26 August 2024](#)

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

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