

# Kaunihera | Council

## Mēneti Wātea | Open Minutes



Minutes of an ordinary meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 25 September 2024 at 9:00.

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### Ngā Mema | Membership

#### **Manuhuia | Mayor**

Adrienne Wilcock, JP (Chair)

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

James Thomas

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

Caleb Ansell

Sarah-Jane Bourne

Sharon Dean

Bruce Dewhurst

Dayne Horne

Peter Jager

James Sainsbury

Russell Smith

Kevin Tappin

Gary Thompson

Sue Whiting

## Ngā whakapāha | Apologies

Cr Gary Thompson

Leave of absence

## Kaimahi i reira | Staff Present

Name	Title	Item No.
Don McLeod	Chief Executive Officer	
Tamara Kingi	Governance Team Leader	
Kuljeet Kaur	Governance Advisor	
Sandra Harris	Policy, Partnerships and Governance Manager	
Arshia Tayal	Parks & Facilities Advisor	7.2, 7.3
Alicia Symes	Infrastructure Assets Project Officer	7.2, 7.3
Carolyn McAlley	Senior RMA Policy Planner	7.3, 7.4, 7.7, 7.8, 7.9, 8.1
Manaia Te Wiata	Group Manager Business Support	7.3, 7.4, 7.5, 7.6, 7.7,
Nathan Sutherland	Planning Manager	7.3, 7.4
Susanne Kampshof	Assets and Project Manager	7.3, 7.4, 7.5, 7.7,
Andrea Durie	Communications and Engagement Manager	7.3, 7.4, 7.5, 7.6, 7.7
Ally van Kuijk	Group Manager Growth and Regulation	7.3, 7.4
Bridget Mulligan	Communications and Engagement Officer	7.6, 7.7
Lesley Steeples	Risk Manager	7.7, 7.8
John Bouttell	Systems and Network Administrator	7.8
Jayshree Kanji	Graduate RMA Policy Planner	7.8, 7.9, 8.1

## I reira | In Attendance

Name	Position/Organisation	Item	Time In	Time Out
Jaydene Kana	Independent Chairperson of Risk and Assurance Committee	7.1	9.00am	9.05am
Frank Healy	Matamata Futures Representative	7.6	10.30am	11.07am

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

Mayor Adrienne welcomed elected members, staff and those viewing the meeting online. The meeting was declared open at 9.01am.

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

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the Leave of Absence for Cr Thompson (11 September 2024 to 2 October 2024 Inclusive) be granted.

**Resolution number CO/2024/00001**

**Moved by: Cr J Sainsbury**

**Seconded by: Cr C Ansell**

**KUA MANA | CARRIED**

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

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

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

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

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

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

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

**4 Whākī pānga | Declaration of interest**

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

**5 Whakaaetanga mēneti | Confirmation of minutes**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the minutes of the meeting of the ordinary meeting of Matamata-Piako District Council held on Wednesday, 28 August 2024, be confirmed as a true and correct record of the meeting.

That the minutes of the meeting of the Public excluded meeting of Matamata-Piako District

Council held on Wednesday, 28 August 2024, be confirmed as a true and correct record of the meeting.

**Resolution number CO/2024/00002**

**Moved by: Cr C Ansell**

**Seconded by: Cr S Dean**

**KUA MANA | CARRIED**

**6 Take i puta mai | 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.

#### **WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

**That:**

- 1. The information be received.**

**Resolution number CO/2024/00003**

**Moved by: Cr C Ansell**

**Seconded by: Cr B Dewhurst**

**KUA MANA | CARRIED**

## 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.

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

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; and
5. Council authorises staff to complete the necessary administrative actions to give effect to the decision.

Resolution number CO/2024/00004

Moved by: Cr S Whiting

Seconded by: Cr C Ansell

**KUA MANA | CARRIED**

## 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.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

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.

Resolution number CO/2024/00005

Moved by: Cr J Sainsbury

Seconded by: Cr D Horne

**KUA MANA | CARRIED**

## 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.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

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.

Resolution number CO/2024/00006

Moved by: Deputy Mayor J Thomas

Seconded by: Cr C Ansell

**KUA MANA | CARRIED**



## 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.

## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

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.

Resolution number CO/2024/00007

Moved by: Cr B Dewhurst

Seconded by: Cr K Tappin

**KUA MANA | CARRIED**

*The meeting adjourned at 10.09am and reconvened at 10.30am.*

## 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.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

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, subject to the Development Agreement being signed.**

Resolution number CO/2024/00008

Moved by: Cr C Ansell

Seconded by: Cr P Jager

**KUA MANA | CARRIED**

*Item 7.6: Mayor Adrienne Wilcock declared a conflict of interest and did not take part in the discussion or decision. Deputy Mayor James Thomas acted as Chairperson during the item.*

*Deputy Mayor James Thomas and Cr Russell Smith moved the meeting be adjourned at 11.43am; Cr Caleb Ansell and Cr Russell Smith moved the meeting reconvene at 11.52am.*

## **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.

### **WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

**That:**

- 1. The proposed contributions from Waitoa residents for a Council water supply be 15% of the project cost for the purposes of the initial engagement process.**
- 2. Council endorse the proposed engagement process on the medium level engagement which is to involve and collaborate.**

**Resolution number CO/2024/00009**

**Moved by: Cr C Ansell**

**Seconded by: Cr D Horne**

**KUA MANA | CARRIED**

*The meeting adjourned at 12.30pm and reconvened at 1.07pm.*

## 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.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

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 Matamata-Piako District Council.

Resolution number CO/2024/00010

Moved by: Cr K Tappin  
Seconded by: Cr S Dean

**KUA MANA | CARRIED**

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.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2024/00011

Moved by: Cr D Horne

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

*Mayor Adrienne Wilcock and elected members acknowledged and congratulated CEO Don McLeod for his recognition of his significant contribution to Local Government, at the Taituarā Conference.*

1.15pm

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

CONFIRMED AS A TRUE AND CORRECT RECORD  
OF THE MEETING OF KAUNIHERA | COUNCIL  
HELD ON 25 September 2024.

**KO TE RĀ | DATE:** .....

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