

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 30 October 2024 at 9:00.

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 Peter Jager

Kaimahi i reira | Staff Present

Name	Title	Item No.
Manaia Te Waita	General Manager Business Support	
Tamara Kingi	Governance Team Leader	
Samantha Oosthoek	Projects and Engagement Administrator	
Andrea Durie	Communications and Engagement Manager	7.1, 7.2, 7.3, .7.4, 7.5, 7.6, 7.9
Charlotte Walker	Graduate Policy Advisor	7.1, 7.2, 7.3, .7.4, 7.5, 7.6, 7.9
Susanne Kampshof	Assets and Projects Manager	7.1
Arshia Tayal	Parks & Facilities Advisor	7.1
Ellie Mackintosh	Legal Counsel	7.1 7.2, 7.3, 7.4
Ally van Kuijk	General Manager Growth and Regulation	7.1 7.2, 7.3, 7.4, 7.5
Raewyn Ellison	Quality Systems Coordinator	7.6
Lesley Steeples	Risk Manager	7.6
Kelly Reith	General Manager People, Governance and Relationships	7.6
Barry Reid	Roading Asset Engineer	7.7, 7.8

I reira | In Attendance

Name	Position/Organisation	Item	Time In	Time Out
Graeme Brewer	Morrinsville Menz Shed	Public Forum	9.00am	9.05am
Nicki Malone (online)	Xyst	7.1	9.05am	9.10am
Matthew Martin	Waikato Times		9.00am	10.20am

1 Whakatūwheratanga o te hui | Meeting Opening

Mayor Adrienne declared the meeting open at 9.01am. Elected members, staff and members of the public were welcomed.

**2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence
WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the apology from Councillor Peter Jager, be accepted and leave of absence from the meeting be granted.

Resolution number CO/2024/00001

Moved by: Cr J Sainsbury

Seconded by: Cr R Smith

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, 25 September 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 Whiting

KUA MANA | CARRIED

6 Take i puta mai | Public Forum

Name	Position/Organisation	Topic
Graeme Brewer	Morrinsville Menzshed	Certificate of Appreciation
<u>Summary</u> <p>Menz Shed have received numerous grants over the years and wanted to show gratitude for what Council contributed. They currently have 65 members and are now own their factory, debt free.</p> <p>Graeme presented a certificate to Mayor Adrienne Wilcock, acknowledging current and previous Council representatives, and also made mention of other sponsors.</p> <p>Mayor Adrienne thanked Graeme for speaking to the public forum and acknowledged the journey that they, alongside Matamata-Piako District Council, have had to find a suitable location.</p>		

7 Pūrongo me whakatau | Decision Reports

7.1 Proposed Lease Expansion for Kaitiaki Trap N Train Trust at Waharoa Domain, Waharoa

CM No.: 2950229

Te Kaupapa | Purpose

To seek a decision from Council to publicly notify the proposal of the Kaitiaki Trap N Train Trust at Waharoa Domain to expand its lease area.

Rāpopotonga Matua | Executive Summary

This report seeks a decision on the proposal of the Kaitiaki Trap N Train Trust, located at Waharoa Domain, to expand its lease area. The Trust's current lease, issued in October 2021 for a 10-year term with two five-year renewal options, was incorrectly processed under the Reserves Act 1977. The proposed expansion offers an opportunity to rectify this error in accordance with the Conservation Act 1987. The lease expansion proposal requires public notification prior to making a final decision.

Waharoa Domain is Crown owned land, managed by the Council as the Administering Body under an appointment to control and manage the land. The proposed lease expansion needs to be assessed under Part 3 B of the Conservation Act due to this appointment to control and manage (as per section 59A of the Reserves Act 1977).

The expansion of the lease area would facilitate further development, including community garden expansion and building renovations.

The report assesses the effects of the proposed lease expansion as positive, as recreational values and visual amenity will likely improve. The proposal is also aligned with Council strategic direction and policies. Two options are considered: maintaining the status quo or granting the application.

The recommended option is to proceed with public notification, allowing the Trust to apply for necessary consents and secure funding for improvements, fostering community engagement and development.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The report is received;
2. Pursuant to an Instrument of Delegation from the Minister of Conservation dated 12 June 2013, Council exercises the functions of the Minister under section 59A of the Reserves Act 1977 and Part 3B of the Conservation Act 1987 with respect to an application for a concession over Waharoa Recreation Reserve;
3. Council exercises its power as Administering Body of the Reserve under the Reserves Act 1977 and resolves to publicly notify the application for a lease concession over part of the Waharoa Recreation Reserve, pursuant to section 17SC of the Conservation Act 1987;
4. Council Staff are authorised to undertake the required administrative actions to give effect to the decisions.

Resolution number CO/2024/00003

Moved by: Cr C Ansell

Seconded by: Cr J Sainsbury

KUA MANA | CARRIED

7.2 Council Delegations 2024

CM No.: 2929663

Te Kaupapa | Purpose

The purpose of this report is to seek Council adoption of the Delegation Policy and Delegation Register 2024.

Rāpopotonga Matua | Executive Summary

Under the Local Government Act 2002, Council may delegate its statutory powers and its functions to a committee or other subordinate decision-making body, or member or officer of the local authority. The Delegation Policy and Delegation Register provides the framework for this and illustrate all the delegations made to staff across multiple legislations.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Council accepts the amendments and the new delegations for inclusion in the Delegations Register.
3. Council adopts the Delegations Register as circulated under separate cover.

Resolution number CO/2024/00004

Moved by: Cr K Tappin

Seconded by: Cr C Ansell

KUA MANA | CARRIED

7.3 Adoption of Enforcement Policy

CM No.: 2952482

Te Kaupapa | Purpose

Council staff have been developing an Enforcement Policy with the aim of providing clarity, consistency and transparency to staff and our community on how investigation and enforcement will be undertaken. This report seeks Council's endorsement of the proposed Enforcement Policy.

Rāpopotonga Matua | Executive Summary

The proposed Enforcement Policy has been developed to help provide clarity, consistency, community reassurance and fairness across investigation and enforcement action at Council. The purpose of this report is to:

- provide an overview of the proposed Enforcement Policy;
- discuss why an Enforcement Policy is necessary;
- enable discussion with Council on the options/content; and
- adoption of the policy

A copy of the proposed Enforcement Policy is attached and Ellie Mackintosh and Ryan Johnston will be in attendance to present and have a discussion on this policy. This was previously discussed at the workshop on 16 October 2024.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That

1. Council adopts the Enforcement Policy.

Resolution number CO/2024/00005

Moved by: Cr S-J Bourne

Seconded by: Cr D Horne

KUA MANA | CARRIED

7.4 Legislative Compliance 2023/24

CM No.: 2929666

Te Kaupapa | Purpose

The purpose of this report is to seek approval from Council on the annual legislative 'warrant of fitness'. This legislative compliance framework is one way of ensuring that Council is undertaking its activities in accordance with legislation. Ellie Mackintosh will be in attendance to present this item and answer any questions.

Rāpopotonga Matua | Executive Summary

The legislative compliance 'warrant of fitness' (WOF) is completed annually by staff alongside the Annual Report, to ensure that Council is meeting its legal obligations. A copy of this framework has been attached for review by Council.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Information be received.

Resolution number CO/2024/00006

Moved by: Cr C Ansell

Seconded by: Cr G Thompson

KUA MANA | CARRIED

7.5 Dog Control Annual Report 2023/24

CM No.: 2954626

Te Kaupapa | Purpose

The purpose of this report is to adopt the 2023/24 Annual Dog Control Report.

Rāpopotonga Matua | Executive Summary

The Dog Control Act 1996 requires a territorial authority to report annually on its dog control operations.

The attached report includes all the information required under section 10A(2) of the Act for the 2023/24 financial year

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The Annual Dog Control Report 2023/24 be adopted and publicly notified.

Resolution number CO/2024/00007

Moved by: Cr D Horne

Seconded by: Cr J Sainsbury

KUA MANA | CARRIED

7.6 Staff Long Service Presentation

CM No.: 2941863

Te Kaupapa | Purpose

The purpose of this report is to provide recognition to staff for their years of service.

Rāpopotonga Matua | Executive Summary Staff member, Raewyn Ellison, to be presented with Long Service Award in recognition of 20 years' service to Matamata-Piako District Council.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2024/00008

Moved by: Mayor A Wilcock

Seconded by: Cr C Ansell

KUA MANA | CARRIED

The meeting adjourned for morning tea at 10.20am and reconvened at 10.51am

7.7 Road naming: Private access way within Maea Fields - Stage 2, Matamata

CM No.: 2942237

Te Kaupapa | Purpose

While following up on subdivision numbering, Council staff found that a private access way (part of the earlier 3 July 2024 scheme plan from which Council had approved public roads) had been inadvertently overlooked. Therefore, as the access way services 7-lots it is required to be named in accordance with policy.

Council is responsible and has the power under sections 319, 319A and 319B of the Local Government Act 1974 to name formed roads, including private access ways that are intended for use by the public and, for the numbering of land and buildings.

Rāpopotonga Matua | Executive Summary

Tim Kidd, Project Manager for Classic Developments (the Applicant) is seeking council approval to name a new 'private' access way shown in the scheme plan provided below, under Background.

In accordance with (*Section 4: Application of the policy*), for each road to be named the applicant must submit a preferred name plus two alternative names. The applicant has below appropriately submitted the following preferred name as well as alternative names.

Preferred name – Te Tiwha Lane

Alternate #1 – Tangata

Alternate #2 – Kura

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council approves the new preferred 'private' access way Te Tiwha Lane as part of Stage 2 of the Maea Fields subdivision.

Resolution number CO/2024/00009

Moved by: Cr S Whiting

Seconded by: Cr C Ansell

KUA MANA | CARRIED

7.8 Road naming: Private access way to residential subdivision off 3 Barker Street, Waihou

CM No.: 2949596

Te Kaupapa | Purpose

Council is responsible and has the power under sections 319, 319A and 319B of the Local Government Act 1974 to name formed roads including private access ways that are intended for the use of the public generally, and for the numbering of land and buildings.

Rāpopotonga Matua | Executive Summary

This 7-lot residential subdivision accessed off 3 Barker Street, Waihou is being developed by applicant Brian Johnson of Barker Street Properties Limited. Brian has previously been involved in other small scale developments. Brian refers to Waihou as “having a village like atmosphere” and appears to be very connected with the area.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council approves one preferred private access way name (Ahimanu Lane) listed below for the 7-lot residential subdivision at 3 Barker Street, Waihou

Resolution number CO/2024/00010

Moved by: Deputy Mayor J Thomas

Seconded by: Cr C Ansell

KUA MANA | CARRIED

7.9 25 Waihou Road - Options Report

CM No.: 2957244

Te Kaupapa | Purpose

The purpose of the report is to present Council with options on the future of the property at 25 Waihou Road, Te Aroha.

Rāpopotonga Matua | Executive Summary

Council purchased a property at 25 Waihou Road, Te Aroha in June 2022 to address a need for industrial land in the town.

A feasibility study was undertaken to assess rezoning the property and developing it for industrial purposes. It concluded that while the the land could be developed for this purpose, it would not be economically viable.

Council decided not to proceed with the proposal.

The property was purchased for \$1.29 million and Council incurred approximately \$341,000 in costs to 30 June 2024. The costs included the feasibility study, interest and operating costs.

The property is projected to cost Council approximately \$50,000 per year which is due mainly to the interest expense to fund the purchase.

Council's decision on what to do with the property should link to its objectives.

The property was purchased to meet the need for industrial land now and in the future. This objective can be achieved without Council owning the land.

It is unlikely that Council will financially break-even if the property is held for future development.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council identifies the property at 25 Waihou Road, as surplus to current strategic requirements, and will investigate opportunities.

Resolution number CO/2024/00011

Moved by: Cr J Sainsbury

Seconded by: Cr B Dewhurst

KUA MANA | CARRIED

Item 7.9 heard before item 7.5

Cr Russell Smith voted against the motion

7.10 Te Whare Whakapakari - Matamata Stadium Grant Application Grassroots Trust Limited

CM No.: 2957266

Te Kaupapa | Purpose

The purpose of the report is to obtain resolutions from Council to allow a grant application to be made to the Grassroots Trust Limited.

Rāpopotonga Matua | Executive Summary

Council is managing grant applications to various funding organisations for the proposed Matamata stadium.

An application lodged with the Grassroots Trust Limited has been held up for two reasons:

- The resolution passed in August 2024 incorrectly stated the application be lodged with the Grassroots Grant fund
- The Grassroots Trust Limited requires the grant application signatories to be elected members. The application that was lodged was signed by the Chief Executive Officer and Group Manager Business Support.
-

Council is requested to pass new resolutions to allow the grant to be re-submitted by 31 October 2024.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. That Council authorise a grant application to be lodged with the Grassroots Trust limited for \$250,000 for the Te Whare Whakapakari – Matamata Stadium
2. Council authorise the Mayor and Deputy Mayor to be signatories for the application.

Resolution number CO/2024/00012

Moved by: Cr C Ansell

Seconded by: Cr G Thompson

KUA MANA | CARRIED

8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Mayoral Diary for August and September 2024

CM No.: 2948176

Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update.

Rāpopotonga Matua | Executive Summary

A summary of the Mayoral diary is attached for the months of August and September 2024.

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information is received.

Resolution number CO/2024/00013

Moved by: Mayor A Wilcock

Seconded by: Cr D Horne

KUA MANA | CARRIED

Item 8.1 heard before item 7.7.

9 Take Matatapu | Public Excluded

11.04am The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not public available.

10 Mōtini hei aukati i te iwi whānui | Procedural motion to exclude the public

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That the public be excluded from the following part(s) of the proceedings of this meeting.

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

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

C1 Appointment of Directors - Waikato Regional Airport Limited (WRAL)

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

C2 Recruitment of Chief Executive Officer

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

Resolution number CO/2024/00014

Moved by: Cr J Sainsbury

Seconded by: Cr S Dean

KUA MANA | CARRIED

11 Mōtini hei aukati i te iwi whānui | Procedural motion to include the public

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

11.34am That the public be included.

Resolution number CO/2024/00015

Moved by: Cr R Smith

Seconded by: Cr C Ansell

KUA MANA | CARRIED

11.34 am

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

CONFIRMED AS A TRUE AND CORRECT RECORD
OF THE MEETING OF KAUNIHERA | COUNCIL
HELD ON 30 OCTOBER 2024.

KO TE RĀ | DATE:

TIAMANA | CHAIRPERSON:
Mayor Adrienne Wilcock, JP