

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 5 February 2025
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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1 Whakatūwheratanga o te hui | Meeting Opening

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

At the close of the agenda no apologies had been received.

3 Pānui i Ngā Take Ohorere 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

Minutes, as circulated, of the ordinary meeting of Matamata-Piako District Council, held on 11 December 2024

6 Papa ā-iwi whānui | Public Forum

7 Pūrongo me whakataū | Decision Reports

7.1 Waharoa Domain: Hearing on Submissions on Proposed Extension of Lease Area

CM No.: 2980804

Te Kaupapa | Purpose

The purpose of this report is to:

- give consideration to the submissions received;
- hear those who wish to speak to their submissions; and
- make a decision on Kaitiaki Trap N Train Trust's proposal to expand its lease area.

The authority to consider submissions, hear submitters and decide on the lease rests with Council as Administering Body of the Reserve and as delegate of the Minister for Conservation. These powers have not been sub-delegated to staff.

Rāpopotonga Matua | Executive Summary

The Kaitiaki Trap N Train Trust, currently leases a portion of Waharoa Domain and is proposing to expand its leased area to facilitate further development, including community garden expansion and building renovations.

Waharoa Domain is a Recreation Reserve under the Reserves Act 1977. The reserve is Crown Land and Council holds an appointment to control and manage the land on behalf of the Crown. Accordingly, the proposed lease had to be publically notified. Council resolved to notify the proposed lease on 30 October 2024. Public notice was given on 5 November 2024. Six submissions were received. All submissions were in favour of the proposal. One submitter wishes to speak to their submission. A Hearing is therefore convened.

Prior to making a decision on the proposed lease, Council is required to consider the submissions received and to hear those submitters who wish to speak to their submissions.

Tūtohunga | Recommendation

That:

1. **The Report be received;**
2. **Council gives consideration to all submissions received;**
3. **Council hears those submitters who wish to speak to their submissions;**
4. **Pursuant to section 59A, Reserves Act 1977, and Part 3B, Conservation Act 1987, Council resolves to grant a concession, in the form of a ground lease over portion of the Waharoa Recreation Reserve, to Kaitiaki Trap N Train Trust;**
5. **Council Staff are authorised to undertake the necessary administrative actions to give effect to Council's decision.**

Horopaki | Background

The Kaitiaki Trap N Train trust would like to expand on their current lease area at Waharoa Recreation Reserve (also known as Waharoa Domain) to facilitate further development, including community garden expansion and building renovations.

As the Reserve is Crown Land and Council is appointed to control and manage the land, Section 59A of the Reserves Act 1977 applies to any proposed lease. Section 59A empowers the Minister for Conservation, in accordance with Part 3B of the Conservation Act 1987, to grant a concession (such as a lease) in respect of any Reserve controlled or managed by an Administering Body. The Minister has delegated this particular power to Council.

At its meeting on 30 October 2024, Council resolved to notify the proposed changes to the lease and lease concession. The Public Notice was published in the *Waikato Times*, *The Scene* *Matamata* newspapers (on the 5th of November for both) as well as on Council's website and Facebook page and an Antenno post targeted to Waharoa Residents.

Six submissions were received. All submissions were in favour of the proposal. One submitter wishes to speak to their submissions. A summary of submissions is provided in Attachment A.

Prior to making a decision on the proposed lease, Council is required to consider the submissions received and to hear those submitters who wish to speak to their submissions.

Ngā Take/Kōrerorero | Issues/Discussion

Overview of the site, including Land Status

Waharoa Recreation Reserve (also known as Waharoa Domain) is located on the corner of Mowbray Road and Mill Street in the south-east of Waharoa.

The 5.2785 hectare Reserve consists of large flat grassed area, with a former bowling green and clubrooms, now leased to the Trust.

The only other known user of the Domain is the Raungaiti Sports Club. The existing sportsfield area is currently mown by Council.

The Reserve is Crown Land classified as a Recreation Reserve under the Reserves Act 1977. Council holds an appointment to 'control and manage' the Reserve under the Reserves Act 1977.

Leasing Powers and Requirement to Publicly Notify

As the Reserve is Crown Land and Council is appointed to control and manage the land, Section 59A of the Reserves Act 1977 applies to any proposed lease. Section 59A empowers the Minister for Conservation, in accordance with Part 3B of the Conservation Act 1987, to grant a concession (such as a lease) in respect of any Reserve controlled or managed by an Administering Body.

An Instrument of Delegation signed by the Minister for Conservation in 2013 has delegated the powers under Section 59A to territorial authorities so that an Administering Body may apply Part 3B of the Conservation Act 1987 as though references in that Part to the Minister and/or Director-General are references to the Administering Body.

In practice, this means that Council may, as a delegate of the Minister of Conservation, consider a lease over part of a Reserve that it 'controls and manages' but must follow the concession process prescribed by the Conservation Act 1987 as modified by Section 59A of the Reserves Act 1977. Under the Conservation Act process, an application for a lease must be publicly notified unless it is an extension or exercise of a right of renewal of an existing lease. As this is a new lease, public

notification is required.

Regulatory matters

Various improvements are planned to be undertaken on the 'Old Bowling Club Pavillion' by the Trust, which are likely to require resource consents under the Resource Management Act 1991. Building consent is also required under the Building Act 2004.

These consents are to be obtained by the Trust, following a decision by Council on the proposed lease expansion.

In order to give effect to any consents that might be granted, landowner permission is required in order to exercise the consent. In this case, Council fulfils the role of landowner's representative in its capacity as the Administering Body of the Reserve.

Resource and building consents may not be exercised at the Reserve unless Council agrees to it in its capacity as the Administering Body of the Reserve.

It is recommended that Council grants the landowner approval permission at the same time it makes a decision on the lease concession, following the public notification and hearings process. Effects of the proposal on the environment will be addressed in more detail as part of the resource consent process.

Mōrearea | Risk

Risks are outlined in options assessment below.

Ngā Whiringa | Options

See tables below.

| Option One – Status Quo | |
|---|---|
| Description of option | |
| Council declines to grant a concession (lease). Kaitiaki Trap N Train Trust would not be able to expand their leased area. | |
| Advantages | Disadvantages |
| Not granting the lease at this time could allow time to seek and consider further information if it is required to make a decision. | Submitters who submitted in favour of the proposal may be disappointed. |
| | <u>Perception Risk:</u> Some people may perceive the time involved and administrative costs incurred as part of the consultation process as wasted. |
| | |
| Option Two – Council grants the concession | |
| Description of option | |

Council agrees to grant the concession (lease). Provided lease is granted and consents obtained, Kaitiaki Trap N Train Trust may expand their lease and make the necessary changes to the old Bowling Pavilion building.

| Advantages | Disadvantages |
|--|---------------|
| Lease document will formalise the respective rights, duties, and obligations of the parties. | |
| Kaitiaki Trap N Train Trust may apply for resource and building consents and if granted exercise those consents. | |
| Legal requirements are met. | |
| Submitters are likely to be satisfied with the outcome. | |

Recommended option

It is recommended that Council grants the concession. Effects of the activity can be addressed through resource consent conditions and risks can be mitigated by having a formal lease in place and via the resource consent process.

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

Reserves Act 1977 and Conservation Act 1987

Council may, as a delegate of the Minister of Conservation, consider a lease over part of a Reserve that is Crown Land which Council 'controls and manages' but must follow the concession process prescribed by Part3B of the Conservation Act 1987 as modified by Section 59A of the Reserves Act 1977. The notification process under section 49, Conservation Act 1987, has been followed. A public notice was placed in a local newspaper (*The Scene*) as well as in a regional newspaper (*Waikato Times*). While not a legal requirement, the notice was also placed on Council's website, Antenna, and Facebook page.

Council must now give consideration to the submissions received before making its decision.

Parks & Open Spaces Strategy 2021-51

The Parks & Open Spaces Strategy 2021-51 allocated Waharoa Domain to the Sport and Recreation park management category. The proposal aligns with the purpose of this category.

Resource Management Act 1991

Under the operative District Plan, Building on a Pubic Reserve, is a Discretionary Activity which requires resource consent.

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 | Public notice was given in accordance with s49, Conservation Act 1987. Submissions were received. Council is now asked to hear and consider these |
| 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 <i>low</i> level of significance as it involves minor expansion of an existing activity. |
| Section 82 – this sets out principles of consultation. | Statutory requirements were followed |

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

The consultation process prescribed by the Conservation Act 1987 has been followed. As required by s.49, Conservation Act 1987 public notice was placed on 5 November 2024 in a 'newspaper circulating in the area in which the subject matter of the notice is situated' (*The Scene, Matamata & Waikato Times*).

Whilst not a legal requirement, the notice was also placed on the Council website, Antenno and Facebook page.

Six submissions were received. All submissions were in favour of the proposal. Submissions commonly highlighted recreational and social benefits of the proposal (Attachment A).

Ngā take ā-lhinga | Consent issues


In order to give effect to any consents that might be granted landowner permission is required in order to exercise the consent. In this case, Council fulfils the role of landowner's representative in its capacity as the Administering Body of the Reserve.

Resource and building consents may not be exercised unless Council agrees to it in its capacity as the Administering Body of the Reserve.

It is recommended that Council grants the landowner approval permission at the same time it makes a decision on the lease concession, following the public notification and hearings process.

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
 - "be the connector between community, iwi, NGOs and government agencies".
- A place to thrive
 - "seek opportunities to realise Matamata- Piako's economic potential".
- A place that embraces our environment
 - "educate and exemplify continues improvement in waste minimisation
 - create and maintain green and natural and open spaces
 - demonstrate and advocate for climate friendly and community resilient initiatives".
- A place to belong and create.

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

The cost of public notification has been funded from operational budgets.

Ngā Tāpiritanga | Attachments

[A↓](#). A. Summary of Submissions

Ngā waitohu | Signatories

| | | |
|-------------|---|--|
| Author(s) | Arshia Tayal Kaitohu Paparēhia me ngā Taiwhanga Parks & Facilities Advisor | |
| | Mark Naudé Kaiārahi Mahere Paparēhia me ngā Taiwhanga Parks & Facilities Planning Team Leader | |
| Approved by | Susanne Kampshof Pou Rawa me ngā Kaupapa Assets and Projects Manager | |
| | Manaia Te Wiata Tumu Whakarae Chief Executive Officer | |

| Name of Submitter | Position | Wish to be heard? | Summary of Submission |
|-------------------------|----------|-------------------|---|
| Mariana Vargas | Support | No | Creates a wonderful space for everyone. Aligns with the purpose of a domain. |
| Suzanne O'Connor | Support | No | A place for local people to come together. Utilizing location to support community needs. |
| Michaela Aliimatafitafi | Support | No | No comments |
| Nicole Preston | Support | No | No comments |
| June Wilson | Support | Yes | Helps support younger kids in the community |
| Martin Louw | Support | No | Garden supports self-reliance and community unity . |

7 Pūrongo me whakatau | Decision Reports

7.2 Draft Fees and Charges 2025/26 - Approval for Consultation

CM No.: 2977573

Te Kaupapa | Purpose

The purpose of this report is to present the Draft Fees and Charges 2025/26 and Statement of Proposal to Council for its consideration, and adoption for consultation.

Rāpopotonga Matua | Executive Summary

Council reviews its Fees and Charges annually, and consults on any proposed changes with the community, as part of the Annual Plan or Long Term Plan process.

The Draft Fees and Charges has been developed with relevant managers, workshopped with Council, and is now presented to Council for approval for public consultation.

Tūtohunga | Recommendation

That:

1. The report be received.
2. The Draft Fees and Charges 2025/26 and Statement of Proposal are approved for consultation.
3. Council authorise staff to make any minor amendments needed prior to consultation.

Horopaki | Background

Council reviews its Fees and Charges annually, and consults on any proposed changes with the community, as part of the Annual Plan or Long Term Plan process.

Some fees and charges are set by statute, while others are at Council's discretion.

The Revenue and Financing Policy sets the range within which fees and charges under each activity are set.

Generally, Council's approach is to increase its Fees and Charges by inflation each year. For the 2025/26 year, the inflation rate has been set at 3.2%, as determined by BERL (Business and Economic Research Ltd).

Ngā Take/Kōrerorero | Issues/Discussion

The Draft Fees and Charges 2025/26 have been developed in conjunction with the Annual Plan budgets for 2025/26. Fees and charges were reviewed by relevant managers and workshopped with Council at a public workshop on 20 November 2024. The proposed Fees and Charges have also been reviewed against the Revenue and Financing Policy, and found to be consistent with the policy.

A summary of the proposed changes to the Fees and Charges is set out in the Statement of Proposal (attached).

Detail of all proposed Fees and Charges, including a comparison with the current year's fees and charges, and the reasons for any proposed changes, are outlined in the Draft Fees and Charges 2025/26 (attached).

A period of public consultation will take place March/April 2025, with a Hearing to be held in May 2025. Council is required to adopt its Fees and Charges in time for the 2025/26 financial year, beginning 1 July 2025.

Mōrearea | Risk

The Fees and Charges form a key revenue source for a number of Council activities. Any change to the revenue from user fees will have a financial impact.

Ngā Whiringa | Options

Options are outlined in the Statement of Proposal (attached)

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

Legal and policy considerations are outlined in the Statement of Proposal (attached)

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 in the Statement of Proposal. |
| Section 78 – requires consideration of the views of Interested/affected people | Public consultation will be undertaken. |
| 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. |
| Section 82 – this sets out principles of consultation. | Consultation will be undertaken in accordance with Section 83 |

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 consultation on the Draft Fees and Charges 2025/26 will take place March/April 2025.

A hearing will take place in May 2025. Animal control fees will also be adopted at this time, due to communication requirements. The rest of the Fees and Charges will be adopted in June 2025.





Timeframes

| Key Task | Dates |
|--|--|
| Council approval of Draft Fees and Charges 2025/26 and Statement of Proposal for public consultation | 5 February 2025 |
| 13 March – 13 April 2025 | Public consultation |
| 7 May 2025 | Hearing Adoption of Animal Control Fees |
| June 2025 | Adoption of Fees and Charges 2025/26 |
| 1 July 2025 | Fees and Charges 2025/26 in force |

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 |
| <p>TŌ MĀTOU WHAKAKITENGA OUR VISION</p> <p>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.'</p> | |
| <p>TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)</p> | |

| | | | |
|---|---|---|---|
|  |  |  |  |
| 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:

- All of the community outcomes are relevant

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

The Fees and Charges are developed within the Annual Plan budget.

Ngā Tāpiritanga | Attachments

- A. Draft Fees and Charges 2025/26 for Council Approval for Consultation 05.02.25 (*Under Separate Cover*)
- B. [Draft Statement of Proposal Fees and Charges 2025/26](#)

Ngā waitohu | Signatories

| | | |
|-------------|---|--|
| Author(s) | Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor | |
| Approved by | Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager | |
| | Kelly Reith Hautū Tāngata, Kāwana me ngā Hononga Group Manager People, Governance & Relationships | |

Tauira Ngā Utu | Draft Fees and Charges 2025/26

He Taukī Marohitanga | Statement of Proposal



Kupu Whakataki | Introduction

While rates are Council's main source of income, Council also receives around 16% of its revenue from fees and charges.

Fees and charges are either total or partial cost recoveries for certain services. The proportion of costs that can be recovered through fees and charges for any given activity is set out in Council's Revenue and Financing Policy.

Fees and Charges cover a wide range of Council services including swimming pool entry fees, dog registration fees, facility hire, and building consents.

Annual Review of Fees and Charges

Council reviews its Fees and Charges annually as part of the Annual Plan or Long Term Plan process. This regular review ensures fees and charges are up to date and reflect the actual and reasonable costs of providing services and activities to the community.

As part of the review, a period of public consultation is held to seek community feedback.

Proposed changes to Fees and Charges 2025/26

Overview

When reviewing Fees and Charges, Council's general approach is to increase fees by inflation. For the 2025/26 year the inflation figure, as set by BERL (Business and Economic Research Limited), is 3.2%.

In some cases, inflation is not added and fees are kept the same. This may be for a number of reasons including fee increases in the previous year, or to align with fees for other services. In addition, some fees are set by legislation and cannot be changed at Council's discretion.

For some activities there can be increases above the rate of inflation to better recover the costs of delivering the service, or due to a wider restructure of the way costs are charged to customers.

Below, a summary of the proposed changes to fees and charges under each activity is outlined. To view full details of the proposed changes please see the separate draft Fees and Charges 2025/26 document.

Summary of changes by activity

Cemeteries

- Most fees increased by inflation
- Six percent increase in weekend and public holiday burial and ashes fees to reflect actual staff costs

General Property

- Fees increased by inflation or staying the same, except for \$3 increase in *Boardroom including kitchen* to align with other Community Venue fees

Libraries

- No change to fees

Parks and Open Spaces

- Most fees increased by inflation or staying the same
- \$5 increase in *Booking fee* for cost recovery for staff time to process bookings

Community Venues

- No change to most fees
- Fees increased by inflation for *Waharoa Aerodrome* and *Camping*
- Event Facility bookings of 3 or more consecutive days will have hourly rates capped at 10 hours per day maximum
- *Key bond* removed as customers are charged for lost card instead

Animal Control

- Most fees including dog registration increased by inflation or no change
- Increase to *impounding* fees to reflect actual costs
- One new \$75 fee for *Disposal of unclaimed / surrendered dog* to reflect actual costs

Building

- Inflation added to base fee plus small increase for insurance cost recovery
- Objective Build fee removed from base fee, to be charged separately due to changes in fee structure.
 - From 1 July 2025 - 10 November 2025 the Objective Build fee will be \$140 for most building work

- From 11 November 2025 onwards, the Objective Build fee will be charged based on the value of the building work. For work with value less than or equal to \$124,999, the fee will be \$80. For work with value equal to or more than \$125,000, fee will be .075% of value, capped at \$2,500,000
- New note added, should any particular job significantly exceed the standard processing time an additional fee will be charged, based on the additional hours spent on the application
- New fee for *Applicant meetings*: first 30 minutes free, thereafter \$205 per hour, to reflect actual costs
- New fee for *Urgent Residential Code of Compliance Certificate*: \$500, to reflect actual costs

Licensing

- Most fees increased by inflation or no change
- New statutory fees set by Ministry for Primary Industries (MPI). Council collects a *MPI Levy* fee on behalf of MPI, and collects a *MPI Levy Admin* fee to recoup the cost of administering the MPI Levy
- *Administration fee* increased to align Administration fees across activities
- Increase to fee for *Return of seized stereo* from \$150 to \$200 for cost recovery for staff time required
- *Alcohol licence* fees currently set by legislation. Council will be consulting on a Draft Alcohol Licensing Fees Bylaw alongside the Fees and Charges which would give Council discretion to set these fees based on actual costs

Resource Consents

- Increases to staff hourly rates to align staff positions and fees across various activities

Roading

- Most fees increased by inflation
- One new fee for *Works Access Permit / Date extension*: \$50 for cost recovery for staff time required to process extensions
- Increases to *Corridor Access Request* and *Vehicle Crossing* fees to recover staff time
- Removal of fees for *Approved Contractors* as these are not in use

Rubbish

- *Refuse*: increase to bag rate from \$5.50 to \$6.90 for partial cost recovery, increase to per tonnage rate from \$33 to \$35.50 per tonne for cost recovery
- *Green waste*: increase to bag rate from \$5 to \$6.50 for partial cost recovery, increase to per tonnage rate from \$14 to \$17 per tonne for cost recovery

- Car tyres (up to 5 from consumers), *whiteware*, *car batteries* now free
- *Degassing* of appliances increase from \$13 to \$15.50 for cost recovery
- New fee for *Weigh only* for trucks \$10

Wastewater

- Change to fee structure and increases for cost recovery, based on required staff time

Water

- Fees increased by inflation

Strategies and Plans

- *Private Plan changes* - some increases to fees based on staff time to align with equivalent positions and fees in other activities

Engineering

- Fees increased by inflation

Customer Services

- Some *printing* and other fees removed as all files are supplied digitally only
- Some *Access to files* fees increased for cost recovery for increased charges from LINZ and staff costs
- Hazard LIM changes coming into effect 1 July 2025 may require an increase to the base *Land Information Memorandum* fee and/or the removal of the *Urgent LIM* fee option
- Other fees generally increased by inflation

Communications

- New fees for *Filming permits and locations* for cost recovery

Legal

- *In house services* fee increased by inflation

Independent Commissioner

- *Secretarial and administrative support* fee reduced to align with fees across other activities
- Staff time associated with hearings increased by inflation.

Swimming Pools

- *Spa* fee reduced from \$3 to \$2

- *Concession cards (pool entry)* - some fees rounded down for ease of customer service
- Some combination fees removed to consolidate fee structure – Concession card (pool and spa entry), Membership (pool and spa entry), SZTA No.2 Bath House (private 30 min session) and pool/outdoor spa combo
- SZTA No.2 Bath House (private 30 min sessions) fee simplified to just one fee per person of \$20
- One new concession added for Active Health

Other options we could consider

Keep the status quo: make no changes to the fees and charges

| Advantages | Disadvantages |
|-----------------------|--|
| Charges stay the same | Charges do not increase to reflect the actual cost of services |
| | Inconsistent with our Revenue and Financing Policy |
| | We would need to recover costs through rates instead |

Reduce or revoke fees and charges

| Advantages | Disadvantages |
|--|--|
| The public would not have to pay directly for services or would pay less | We would need to recover costs through rates instead |
| | Inconsistent with our Revenue and Financing Policy |

Statutory requirements

1) Consultation

The requirements for consultation for the different fees and charges contained in the Fees and Charges document vary depending on their enabling legislation as set out below.

a) Fees and charges enabled through the Local Government Act 2002

Under Section 150 of the Local Government Act 2002 (LGA) Council may prescribe fees or charges either through

- a bylaw or
- public consultation (using the principles of consultation in the LGA, Section 82)

Aside from the proposed Draft Alcohol Fees Bylaw (being consulted on separately), Council has opted not to use bylaws to set fees and charges at this time. Therefore, public consultation will be undertaken.

For consultation under the LGA Section 82, the requirements are for Council to make publicly available:

- the proposed Fees and Charges and the reasons for the proposal
- an analysis of the reasonably practicable options including the proposal

b) Fees and charges enabled through other legislation

In addition, under other legislation such as the Resource Management Act 1991 (RMA) and Building Act 2004, Council may prescribe fees or charges relevant to certain administration purposes (such as processing resource consents) through

- public consultation (using the special consultative procedure in the LGA, Section 83)

For consultation under the LGA Section 83, the requirements are for Council to make publicly available:

- a Statement of Proposal
- a summary of the information if necessary
- a description of how the community can present their views to Council
- a statement of the period within which views on the Fees and Charges may be provided to Council.

Council must make this information as widely available as is reasonably practicable as a basis for consultation and provide an opportunity for persons to present their views to Council.

Council's approach to consultation for Fees and Charges

To ensure all legislative requirements are met as described above, consultation on the Draft Fees and Charges 2025/26 will be undertaken in accordance with the LGA, Section 83.

2) Revenue from Fees and Charges


Fees and charges prescribed under the LGA must not provide for the local authority to recover more than the reasonable costs incurred by the local authority for the matter for which the fee is charged. (LGA, Section 150 (4)).

In addition, the Revenue and Financing Policy sets out the proportion of funding that may be recovered from fees and charges for each of Council's activities, which was publically consulted on. (LGA, Section 103).

Have Your Say


Council invites the community to provide feedback on the proposed Fees and Charges 2025/26 to assist us in the decision-making process.

How to give you feedback

 Online: To fill out the online form click here (insert hyperlink)

 Mail to: Matamata-Piako District Council, PO Box 266, Te Aroha 3342

 Email: info@mpdc.govt.nz

 In-person: drop your feedback form into any of our Council offices or libraries

Speaking to your feedback

You have the right to present your feedback to the Councillors at a public hearing to be held on 7 May. If you indicate in your feedback that you would like to do this, staff will be in contact to arrange this with you.

Feedback is public information

Please be aware your feedback is information. Your feedback, including your name, will be used and reproduced for purposes such as reports to Councillors, which are publicly available, including to media.

Key Dates

| Process | Date |
|--|------------------------------------|
| Council approve Draft Fees and Charges 2025/26 and Statement of Proposal for public consultation | 5 February 2025 |
| Public consultation | 13 March – 13 April 2025 |
| Council hearing | 7 May 2025 (and 8 May if required) |
| Council adopt Fees and Charges 2025/26 | 25 June 2025 |
| Fees and Charges 2025/26 in force | 1 July 2025 |

More Information

You can call us on 07 884 0060 and let our friendly Customer Services staff know you have a question about the Fees and Charges.

Feedback form – Fees and Charges 2025/26

Please provide your feedback by 13 April 2025

Name / Organisation: _____

For individuals please simply write your name, for organisations please write the full organisation name and your name

Email: _____

Phone: _____

Address: _____

Town: ☐ Matamata ☐ Morrinsville ☐ Te Aroha ☐ Other: _____

Age: ☐ Under 18 ☐ 18–24 ☐ 25–34 ☐ 35–44 ☐ 45–64 ☐ 65–74 ☐ 75+

Would you like to speak to the Mayor and Councillors about your feedback?

Feedback can be provided in person or via video on Wed 7 May 2025 ☐ Yes ☐ No

Privacy statement: Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Fees and Charges 2025/26

Which of these options do you support?

☐ Proposed option: The Fees and Charges would change to those proposed

- Make the changes set out in the 2025/26 Fees schedule

☐ Option 2: Status quo

- Make no changes to the current fees and charges, but risk breaching the Revenue and Financing Policy and a lack of cost recovery

☐ Option 3: Reduce or remove Fees and Charges

- Reduce or remove fees and charges to make them cheaper. This may increase rates, breach the Revenue and Financing Policy, and contribute to Council debt.

Additional comments

7 Pūrongo me whakatau | Decision Reports

7.3 Draft Dangerous and Insanitary Buildings Policy - Approval for Consultation

CM No.: 2980976

Te Kaupapa | Purpose

To present the Draft Dangerous and Insanitary Buildings Policy and Statement of Proposal for Council approval for public consultation.

Rāpopotonga Matua | Executive Summary

Section 131 of the Building Act 2004 requires all territorial authorities to adopt a Dangerous and Insanitary Buildings Policy. The current Dangerous, Affected and Insanitary Buildings Policy was reviewed in July 2024. After being reviewed in July 2024, the Ministry of Business, Innovation & Employment conducted a performance monitoring assessment. The assessment looked at territorial authority powers and obligations under the Building Act 2004 in relation to dangerous, affected, or insanitary buildings. The assessment recommended changes to be made to the Policy and procedures to reflect legislation and other recommendations. Recommended changes to the Policy have been made and are included in the attached Dangerous and Insanitary Buildings Policy for Council consideration.

This report recommends Council approve the Draft Dangerous and Insanitary Buildings Policy and Statement of Proposal for public consultation.

Tūtohunga | Recommendation

That:

1. The report be received.
2. The Draft Dangerous and Insanitary Buildings Policy be approved for consultation.
3. The Statement of Proposal for the Draft Dangerous and Insanitary Buildings Policy be approved for consultation.
4. Council authorise staff to make any minor amendments needed prior to consultation.

Horopaki | Background

Section 131 of the Building Act 2004 requires all territorial authorities to adopt a Dangerous and Insanitary Buildings Policy. It must be reviewed at least every five years.

Council adopted its first Earthquake-prone, Dangerous and Insanitary Buildings Policy in 2006, this was then reviewed 2011 and 2016.

The Building (Earthquake-prone Buildings) Amendment Act 2016 came into force on 1 July 2017 and as a result, schedule 1AA(3)(3) of the Act required Council to amend or replace the policy to remove references to earthquake-prone buildings.

Additionally, section 132A outlined that the new policy must also include reference to “affected buildings”. An affected building has the same meaning as section 121A of the Act, and is as follows: a building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby –

- a) a dangerous building as defined in section 121; or
- b) a dangerous dam within the meaning of section 153.

A Dangerous, Affected and Insanitary Buildings Policy was adopted in 2019 and reviewed in July 2024.

Ngā Take/Kōrerorero | Issues/Discussion

In October 2024, the Ministry of Business, Innovation & Employment conducted a performance monitoring assessment and found one corrective action, one strongly recommended action and five recommendations.

| MBIE Performance Monitoring Assessment | | | |
|--|---|--|--|
| Outcome | # | Description | Comment |
| Corrective Action | 1 | Update required to reflect current legislation and Council’s priorities when performing dangerous and insanitary building functions | Updated in attached Policy |
| Strong Recommendation | 1 | Public/owner information and assistance available on Council’s website | This recommendation sits outside of the Policy itself and is being progressed separately. |
| Recommendation | 5 | Inspection check sheet Capturing DAI buildings Compliance of an issued DAI building notice S124 notice – follow-up Number of buildings classified as DAI | All of the recommendations sit outside of the Policy itself and are being progressed separately. |

Other recommendations to align with best practice have also been incorporated, these are detailed in the attached Statement of Proposal.

Mōrearea | Risk

Risks are identified in the attached Statement of Proposal.

Ngā Whiringa | Options

Options are identified in the attached Statement of Proposal.

Recommended option

Approve the attached draft Dangerous and Insanitary Buildings Policy for consultation.

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

Legal considerations are identified in the attached Statement of Proposal.

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 in the attached Statement of Proposal. |
| Section 78 – requires consideration of the views of Interested/affected people | Council will share the draft Policy with groups/individuals that it considers will be affected or who may have an interest in the relevant issues and will give due consideration to the views and preferences received through the consultation process. |
| 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 <i>low</i> level of significance. |
| Section 82 – this sets out principles of consultation. | Council is required to seek community views using the special consultative procedure set out in section 83 of the Local Government Act 2002. |

Policy Considerations

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

| | |
|---|----------------------------|
| Review Policy, Statement of Proposal | December 2024/January 2025 |
| Council approval of draft Policy for consultation | February 2025 |
| Full public consultation | March/April 2025 |
| Council Hearing and Deliberations | May 2025 |
| Council adoption | June 2025 |
| Updated Policy is force | July 2025 |

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.

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

Funded through the Strategies and Plans budget.

Ngā Tāpiritanga | Attachments

[A↓.](#) Draft Statement of Proposal Dangerous and Insanitary Buildings Policy 2025

[B↓.](#) Draft Dangerous and Insanitary Buildings Policy 2025

Ngā waitohu | Signatories

| | | |
|-----------|--|--|
| Author(s) | Charlotte Walker Kaitohu Kaupapahere Paetahi Graduate Policy Advisor | |
| | Laura Hopkins Kaitohu Kaupapahere Mātāmua Senior Policy Advisor | |

| | | |
|-------------|---|--|
| Approved by | Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager | |
| | Kelly Reith Hautū Tāngata, Kāwana me ngā Hononga Group Manager People, Governance & Relationships | |

Te Reo Translation | Dangerous, and Insanitary Buildings Policy 2025

He Tauākī Morhi | Statement of Proposal



Kupu Whakataki | Introduction

This Policy is a requirement of section 131 of the Building Act 2004, which states that a territorial authority must adopt a Dangerous and Insanitary Buildings Policy within its district.

Council adopted its first Earthquake-prone, Dangerous and Insanitary Policy at its meeting on 12 July 2006. The Policy was reviewed in 2011 and 2016. In 2019, the Policy was amended as per the Building (Earthquake-prone Buildings) Amendment Act 2016. Council were required to amend the Policy to remove references to earthquake-prone buildings. Additionally, the Policy was amended to include reference to “affected buildings”. Council is required to review this Policy every 5 years. It was last reviewed recently in 2024 and was approved by Council and effective from 1 July 2024. Following this, MBIE conducted a performance monitoring assessment report of the Policy and recommended minor amendments to align with updated legislation and include priorities when performing building functions on dangerous, affected and insanitary buildings.

The Act requires Council to use the special consultative procedure of the Local Government Act 2002 (LGA) when reviewing this Policy.

Te Reo Translation | Reasons for the proposal

This is a proposal by the Matamata-Piako District Council (Council) to make amendments to its Dangerous, Affected and Insanitary Buildings Policy (Policy) under sections 131 and 132 of the Building Act 2004. This Statement of Proposal is a requirement of the Special Consultative Procedure for the review of the Policy under the Local Government Act 2002 (LGA).

The changes to the Policy are being proposed to ensure wording aligns with current legislation and to align with best practice.

Consultation is being undertaken with the community so Council can assess public support for the proposed amendments and can consider alterations to the draft Policy as a result of the feedback received. This document includes a summary of the proposed Policy and how you can have your say.

Te Reo Translation | Current Dangerous and Insanitary Buildings Policy

The Policy ensures that buildings in the district do not compromise people’s health and safety through dangerous or insanitary conditions. The Policy aims to balance potential health and safety benefits with any economic costs.

This policy sets out:

- The approach that Council will take in performing its functions under the Building Act 2004 in relation to Dangerous, Affected and Insanitary Buildings;
- Council’s priorities in performing these functions; and
- How the policy will apply to Heritage buildings.

The Policy helps to reduce the potential risk posed to residents by Dangerous, Affected or Insanitary Buildings and sets out a clear framework about how Council will manage unsatisfactory building conditions. We are also required to have this Policy under the Act.

Te mānuka e kawea ake ana | What we're proposing

What we're proposing to change:

1. Wording adjustments to reflect the Building Act 2004.
2. Inclusion of additional legislation considerations to address non-compliances.
3. Inclusion of the priority for action for a Dangerous, Affected or Insanitary Building, urgent and non-urgent priorities (see clause 8.1).
4. Inclusion of clause referencing Council's Enforcement Policy as applicable to undertake monitoring and enforcement actions (see clause 8.3g).
5. Inclusion of Council's passive approach to Dangerous, Affected or Insanitary Buildings, meaning Council will not actively inspect all buildings in the district but will act promptly and prioritise any buildings that come to the attention of Council as potentially dangerous, affected or insanitary (see clause 5.1).
6. Inclusion of clause outlining that all information relating to dangerous, affected or insanitary buildings will be recorded on property files and land information memorandums (LIM's) (see clause 13.1).
7. Introduction of Te Reo Translation in Policy headings.

Ngā Kōwhiringa ku awhakaarotia | Options considered

Option 1: Adopt the draft Dangerous and Insanitary Buildings Policy

This is Council's preferred option.

This option is for Council to adopt the draft Policy containing minor amendments to assist with clarity and legislative requirements.

| Advantages | Disadvantages |
|---|------------------------------|
| Council's Dangerous and Insanitary Buildings Policy would reflect legislative requirements and assist in clarity and understanding. | No disadvantages identified. |

Option 2: Keep the status quo

Council could not adopt the amended Policy.

| Advantages | Disadvantages |
|--------------------------|---|
| No advantages identified | Council's Dangerous and Insanitary Buildings Policy would not contain the |



| | |
|--|---|
| | recommended updates identified in the Policy's audit. |
| | The Policy would not include the correct wording to align with current legislation. |

Te Reo Translation | Legal considerations

Relevant Legislation

Local Government Act 2002

Building Act 2004

The Building Act 2004 (The Act) aims to improve control of, and encourage better practices in, building design and construction. The Act is the primary legislation which governs the building industry.

Pursuant to section 131 of the Act, all Councils are required to adopt a Dangerous and Insanitary Buildings Policy to reduce the danger risk posed to the population by these buildings. The legislation also recognises that the circumstances of individual councils will vary, and that the local economic, social and other factors have an impact on the implementation of these provisions of the Act.

The measures in the legislation also recognise the need for a consistent, transparent and accountable approach to the implementation of the provisions in order to protect the health and safety of building users. The Policy ensures that buildings in the district do not compromise people's health and safety through dangerous or insanitary conditions.

Local Government Act 2002 (LGA) Decision-making requirements

Having regard to the decision making provisions in the LGA and Council's Significance and Engagement Policy, the decision 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. This includes any decision not to take any action.

Council are consulting using the Special Consultative Procedure as required under the Act.

Te Reo Translation | More information

For more information about this proposal, and to see what else we are seeking feedback on go to [insert hyperlink]

Te Reo Translation | Feedback

Whether you agree, disagree or you have suggestions on things we want to hear from you!

Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Te Reo Translation | How to give your feedback

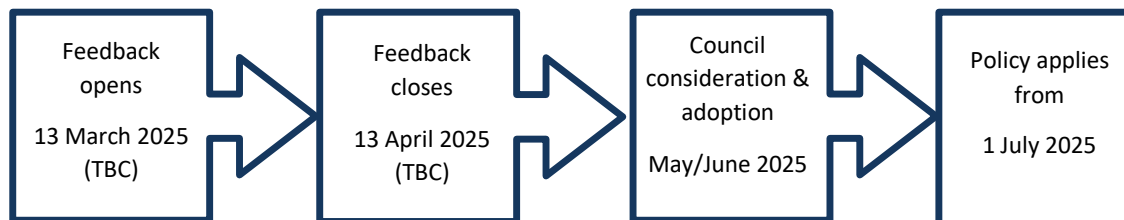
🖥️ Online: Go to [insert hyperlink] to fill out the online form.

✉️ Mail to: Matamata-Piako District Council, PO Box 266, Te Aroha 3342

✉️ Email: info@mpdc.govt.nz

👤 In person: You can drop your feedback form into any of our Council offices or libraries.

Key dates



Feedback form – Draft Dangerous and Insanitary Buildings Policy

Please provide your feedback by 13 April 2025

Name/Organisation: _____

For individuals please simply write name/names, for organisations please write the full organisation name

Email: _____ Phone: _____

Address: _____

Town: ☐ Matamata ☐ Morrinsville ☐ Te Aroha ☐ Other: _____

Age: ☐ Under 18 ☐ 18–24 ☐ 25–34 ☐ 35–44 ☐ 45–64 ☐ 65–74 ☐ 75+

Would you like to speak to the Mayor and Councillors about your feedback?

Feedback can be provided in person or via video on Wednesday 7 May 2025 (and Thursday 8 May if required).

☐ Yes ☐ No

Privacy statement: Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Dangerous, Affected and Insanitary Buildings Policy:

1) Which of these options do you support?

☐ **Proposed option: Adopt the draft Dangerous, Affected and Insanitary Buildings Policy**

- ☐ We are proposing to make minor amendments to the Policy to assist in clarity and align with legislative requirements.

☐ **Option 2: Status Quo**

- ☐ Keeping the status quo would mean that Council's Dangerous, Affected and Insanitary Buildings Policy would not contain the recommended updates identified to align with legislation.

Additional Comments to support the option chosen above:

- 2) Is there anything else you would like us to consider in regard to Dangerous and Insanitary Buildings in the district?

Please provide any further comments below

Please provide your feedback by 13 April 2025



Matamata-Piako District Council

**Te Reo Translation | Dangerous and
Insanitary Buildings Policy 2025**

Draft for Consultation

| | |
|-------------------------|--|
| Department | Policy, Partnerships and Governance |
| Policy Type | External |
| CM Reference | CM 2974088 |
| Council Resolution Date | June 2025 (TBC) |
| Policy Effective From | 1 July 2025 |
| Engagement Required | Special Consultative Procedure (Local Government Act 2002) |
| Policy Supersedes | Dangerous, Affected and Insanitary Buildings Policy 2024 |
| Review Frequency | Every five years |
| Next Review Date | 1 July 2030 |



| | |
|--|----------|
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PART 1 KUPU WHAKATAKI | INTRODUCTION

1. Introduction

- 1.1 The Dangerous and Insanitary Buildings Policy 2025 has been prepared by *Council* to comply with section 131 of the Building Act 2004, which states that *Council* must adopt a policy on *Dangerous* and *Insanitary Buildings* within its *District*.
- 1.2 A *Building* may become *Dangerous* or *Insanitary* due to a number of reasons, such as unauthorised alterations being made, from a fire, from a natural disaster, or as a result of its use by an *Occupant*.
- 1.3 *Affected Buildings* are defined as *Buildings* which are adjacent to, adjoining, or nearby to a *Dangerous Building* and may arise where a *Dangerous Building* is physically close enough to potentially pose a danger to people within the *Affected Building*.

2. Purpose

- 2.1 The purpose of this *Policy* is to:
 - a) Reduce the potential risk posed to residents in the *District* by *Dangerous*, *Affected* or *Insanitary* buildings;
 - b) Improve the control of, and encourage better practice in design and construction; and,
 - c) Provide a clear framework of how *Council* will manage unsatisfactory *Building* conditions.
- 2.2 This *Policy* sets out:
 - a) The approach that *Council* will take in performing its functions under the *Act* in relation to *Dangerous*, *Affected* and *Insanitary Buildings*;
 - b) *Council's* priorities in performing these functions; and
 - c) How the *Policy* will apply to *Heritage Buildings*.
- 2.3 The relevant principles of section 4 of the *Act* have been taken into account in preparing this *Policy*, and in the performance of *Council's* functions, powers and duties.

3. Scope

- 3.1. This *Policy* applies to all *Buildings* within the Matamata-Piako *District*.
- 3.2 Earthquake-prone *Buildings* are managed under the Building (Earthquake-prone Buildings) Amendment Act 2016 and are therefore excluded from this *Policy*.

4. Context

- 4.1 *Council* is committed to ensuring that the *District* is a safe place to live and work in. This *Policy* is consistent with *Council's* approach to deliver on the current and future social, economic, environmental, and cultural wellbeing of its communities.
- 4.2 *Council* is expecting moderate growth over the next 30 years with an expected increase in population and *Building* stock that is ageing in some areas.
- 4.3 Lack of maintenance and unauthorised *Building* alterations can cause serious *Building* problems for occupants. Dangers could include inadequate fire protection or means of escape, or danger of collapse.

- 4.4 This *Policy* has been developed to reflect the local context. In doing so, *Council* has endeavoured to strike a balance between the threats posed by *Dangerous, Affected and Insanitary Buildings*, and the broader social and economic issues affecting the community that are involved.

5. Principles

- 5.1 This *Policy* has been developed with the intent of a passive approach to implementation. *Council* will not actively inspect all *Buildings* within the *District*; however, when *Buildings* that may be *Dangerous* or *Insanitary* come to the attention of *Council*, *Council* has a statutory responsibility to act promptly and will prioritise these to ensure the safety of persons or property and investigate.
- 5.2 If a *Building* is determined to be *Dangerous* or *Insanitary*, *Council* will ensure that the *Building* is made safe through working with the *Building* owner and utilising its powers under the *Act*.
- 5.3 *Council* is also required to consider whether any other *Buildings* may be *Affected* by a *Dangerous* or *Insanitary Building* and if so, what action, if any, is appropriate.
- 5.4 *Council* will work with other agencies including Heritage New Zealand Pouhere Taonga, Fire and Emergency New Zealand (FENZ), and the New Zealand Police to achieve the purpose of the *Act*.

PART 2 KAUPAPAHERE I POLICY

6. Identification of Potentially Dangerous, Affected or Insanitary Buildings

- 6.1 The need to undertake an inspection may be triggered by any of the following:
- a) the observations of staff or contractors;
 - b) information or complaints received from members of the public or members of professional bodies;
 - c) events arising following natural disasters;
 - d) notification from the Ministry of Business, Innovation and Employment (MBIE);
 - e) notification from FENZ.
- 6.2 When *Council* receives information regarding a potentially *Dangerous, Affected* or *Insanitary Building* it will:
- a) Check the details of the property against *Council* records;
 - b) Have an *Authorised Officer* undertake an inspection of the *Building* in question to assess the condition of the building. In doing this, *Council* may seek advice from FENZ, or any other professional or organisation deemed appropriate by *Council*; and,
 - c) Prepare an inspection record.

7. Assessment of Potentially Dangerous, Affected or Insanitary Buildings

- 7.1 All inspections of potentially *Dangerous, Affected* or *Insanitary Buildings* will involve an assessment of the *Building*'s condition in terms of the definitions in sections 121 (*Dangerous Buildings*), 121A (*Affected Buildings*) and 123 (*Insanitary Buildings*) of the *Act* and the current *Building* code requirements.
- 7.2 *Council* may engage a subject matter expert to assist with determining the course of action.
- 7.3 *Authorised Officers* are not required to inform or obtain approval for inspections to determine whether or not a *Building* is *Dangerous* or *Insanitary*, unless the *Building* is a

household unit. In these circumstances, *Council* must either obtain consent of the *Occupier* of the household unit or obtain an order from the *District Court*.

- 7.4 In considering how to address non-compliances, *Council* may consider other legislative requirements or compliance mechanisms in addition to the Building Act 2004. This may include in particular, consideration of the following: Local Government Act 2002, Resource Management Act 1991, Civil Defence Emergency Management Act 2002, Heritage New Zealand Pouhere Taonga Act 2014, Health Act 1956.

8. Prioritising Actions for Dangerous, Affected or Insanitary Buildings

- 8.1 The priority for action for a *Dangerous, Affected* or *Insanitary Building* will be decided after the initial assessment of the *Building* and recorded as either:

- a) Urgent: *Building* is considered to be immediately *Dangerous*, *Council* will act urgently, for the purpose of saving or protecting life or health or preventing serious damage to property;
- b) Non-urgent: *Building* is not considered to pose an immediate danger to life or health and no other *Buildings* will be immediately *Affected*, *Council* will act efficiently to respond; or
- c) Not considered to be *Dangerous, Affected* or *Insanitary*.

- 8.2 Where notification has been received from FENZ of a *Dangerous Building*, *Council* will contact them to discuss proposed action.

- 8.3 If *Council* is satisfied that a *Building* is *Dangerous, Affected* or *Insanitary* it will:

- a) Consult with the owners of the relevant *Building* to further determine the circumstances and decide on an appropriate course of action.
- b) Take appropriate measures to secure the *Building*. This may include but is not limited to, fences, hoardings or warning notices.
- c) Except for an *Affected Building*, issue a notice under section 124(2)(c) requiring the *Building Owner* to undertake *Building* work to reduce or remove the danger, or prevent the *Building* from remaining *Insanitary*.
- d) Work with the *Building Owner* to achieve a mutually acceptable outcome. Where the situation requires, *Council* may invoke its powers under the Act, including but not limited to sections 124, 126, 128A and 129 of the Act.
- e) Take any action that is necessary to remove any *Immediate Danger* to the safety of people, or immediate action that is necessary to fix *Insanitary* conditions (section 129 of the Act). The *Building Owner* is liable for the *Council's* costs in doing so, and the amount recoverable becomes a charge on the land.
- f) Inform complainants of the inspection results and *Council's* intended course of action to deal with the situation.
- g) Undertake monitoring and enforcement actions in accordance with the Act and *Council's* Enforcement Policy.

9. Application of Policy to Heritage Buildings

- 9.1 This *Policy* applies to *Heritage Buildings* in the same way it applies to all other *Buildings*.

- 9.2 *Council* recognises principles in section 4(2)(d) and (l) of the Act which illustrates, “the importance of recognising any special traditional and cultural aspects of the intended use of a *Building*” and “the need to facilitate the preservation of *Buildings* of significant cultural, historical, or heritage value” respectively.

9.3 Council recognises *Heritage Buildings* as important infrastructure that add character and history to the *District*. This includes *Heritage Buildings* listed with Heritage New Zealand Pouhere Taonga and/or areas that may be referenced in Schedule 1 (Heritage sites) or Schedule 2 (Heritage – waahi tapu) of the operative Matamata-Piako District Plan.

9.4 Council will work with the *Building Owner* to ensure the development of appropriate management and planning for *Heritage Buildings* for their protection wherever possible. This will be achieved by:

- a) Recognising the *Heritage Buildings* that exist in the *District*, as per the definition of *Heritage Building* in the *Act*.
- b) Informing relevant statutory organisations, including Heritage New Zealand-Pouhere Taonga, with regards to any listed *Building* identified as *Dangerous* or *Insanitary*.
- c) Ensuring the consideration of any advice received from Heritage New Zealand Pouhere Taonga or a professional conservation organisation or heritage professional (if relevant).
- d) Consideration of any relevant conservation report, conservation plan, condition report, management plan, heritage assessment or other document.
- e) Advising *Building Owners* of any funding assistance that may be available for *Heritage Buildings* to help with any costs to be incurred, either through Council (for example, the Natural, Cultural and Built Heritage Grant) or through an external organisation (for example, the Heritage New Zealand Pouhere Taonga National Heritage Preservation Incentive Fund and New Zealand Lotteries funds).

10. Costs

10.1 Council may issue a notice under section 124(2)(c) of the *Act* requiring work to be carried out on *Dangerous* or *Insanitary Buildings* to reduce or remove the danger, or to prevent the *Building* from remaining *Insanitary*. If work required under such a notice issued by Council is not completed or proceeding with reasonable speed, Council may invoke its powers under section 126 of the *Act* and apply to the *District Court* for an order authorising the *Territorial Authority* to carry out *Building* work required in the notice.

10.2 If Council carries out *Building* work required under a notice issued in accordance with section 124(2)(c) of the *Act*, it is entitled to recover costs associated with that work from the *Building Owner*, as set out in section 126(3) of the *Act*.

11. Immediate Danger

11.1 If a *Building* presents an *Immediate Danger* or health hazard to people within and/or around it, or to surrounding *Buildings*, Council may choose to invoke its powers under section 129 of the *Act*.

12. Building Owners

12.1 *Building Owners* are legally responsible for ensuring the maintenance and compliance of their buildings. Council encourages *Building Owners* to look after their *Buildings* by undertaking timely maintenance to help prevent the *Buildings* from becoming *Dangerous* or *Insanitary*.

13. Building Information

13.1 All information relating to *Dangerous*, *Affected* or *Insanitary Buildings* will be recorded noting the status of requirement for improvement or the results of improvements as applicable. All information relating to *Dangerous*, *Affected* or *Insanitary Buildings* will be filed on the relevant property file, this will include a copy of the original inspection record

and any further action taken. This information will also be included on any land information memorandum (LIM) prepared for the property.

14. Amendments

14.1 This *Policy* may be amended when required subject to the provisions of the *Act*.

15. Application and review

15.1 This *Policy* will be reviewed at least every five (5) years, as required by section 132(4) of the *Act*. After adopting and amending a policy, a copy will be provided to MBIE as specified by section 132(3).

15.2 The above does not preclude this *Policy* from being reviewed within the time frame stated in the *Act* to meet the needs of *Council* and to reflect best practice. If *Council* decides to amend or replace the *Policy* following the review or at any other time, it must do so by using the special consultative procedure in section 83 of the LGA.

15.3 This *Policy* will take effect from 1 July 2025.

16. Definitions

16.1 For the purposes of this *Policy* the definitions in the table below shall apply.

16.2 Where a definition has the same meaning as a definition in the *Act*, the definition for the purposes of this *Policy* includes any subsequent amendment to the definition in the *Act*. For the avoidance of doubt, where a definition in the *Act* differs from a definition in this *Policy*, the definition in the *Act* has precedence.

| Term | Definition |
|---------------------------|---|
| <i>Affected Building</i> | Has the same meaning as section 121A of the <i>Act</i> , as follows: a <i>Building</i> is an <i>Affected Building</i> for the purposes of this <i>Act</i> if it is adjacent to, adjoining, or nearby – a) a <i>Dangerous Building</i> as defined in section 121; or b) a dangerous dam within the meaning of section 153. |
| <i>Authorised Officer</i> | Has the same meaning as section 222(4) of the <i>Act</i> , as follows: means an officer of a <i>Territorial Authority</i> to whom either or both of the following applies: a) he or she is authorised to carry out <i>Inspections</i> ; or b) he or she is authorised to enter land – i. by this <i>Act</i> ; or ii. by an order of the <i>District Court</i> made under section 227. |
| <i>Building</i> | Has the same meaning as section 8 of the <i>Act</i> , as follows: In this <i>Act</i> , unless the context otherwise requires, <i>Building</i> – a) means a temporary or permanent movable or immovable structure (including a structure intended for occupation by people, animals, machinery, or chattels); and b) includes – i. a mechanical, electrical, or other system; and ii. any means of restricting or preventing access to a residential pool; and |

| Term | Definition |
|---------------------------|--|
| | <p>iii. a vehicle or motor vehicle (including a vehicle or motor vehicle as defined in section 2(1) of the Land Transport Act 1998) that is immovable and is occupied by people on a permanent or long-term basis; and</p> <p>iv. a mast pole or a telecommunication aerial that is on, or forms part of, a <i>Building</i> and that is more than 7m in height above the point of its attachment or base support (except a dish aerial that is less than 2 m wide); and</p> <p>c) includes any 2 or more <i>Buildings</i> that, on completion of <i>Building</i> work, are intended to be managed as one <i>Building</i> with a common use and a common set of ownership arrangements; and</p> <p>d) includes the non-moving parts of a cable car attached to or servicing a <i>Building</i>; and</p> <p>e) after 30 March 2008, includes the moving parts of a cable car attached to or servicing a <i>Building</i>.</p> |
| <i>Building Owner</i> | <p>Has the same meaning as Section 7 of the <i>Act</i> as follows: <i>Owner</i> in relation to any land or any <i>Buildings</i> on the land, –</p> <p>a) means the person who –</p> <ol style="list-style-type: none"> is entitled to the rack rent from the land; or would be so entitled if the land were let to a tenant at a rack rent; and <p>b) includes –</p> <ol style="list-style-type: none"> the owner of the fee simple of the land; and for the purposes of sections 32, 44, 92, 96, 97, and 176(c), any person who has agreed in writing, whether conditionally or unconditionally, to purchase the land or any leasehold estate or interest in the land, or to take a lease of the land, and who is bound by the agreement because the agreement is still in force. |
| <i>Council</i> | Means the governing body of the Matamata-Piako District Council or any person delegated to act on its behalf. |
| <i>Dangerous Building</i> | <p>Has the same meaning as section 121 of the <i>Act</i>, as follows:</p> <p>1) A <i>Building</i> is dangerous for the purposes of this <i>Act</i>, if –</p> <ol style="list-style-type: none"> in the ordinary course of events (excluding the occurrence of an earthquake), the <i>Building</i> is likely to cause – <ol style="list-style-type: none"> injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or damage to other property; or <p>b) in the event of fire, injury or death to any persons in the <i>Building</i> or to persons on other property is likely.</p> <p>2) For the purpose of determining whether a <i>Building</i> is <i>Dangerous</i> in terms of subsection (1)(b), a <i>Territorial Authority</i> –</p> <ol style="list-style-type: none"> may seek advice from employees, volunteers, and contractors of Fire and Emergency New Zealand who have been notified to the <i>Territorial Authority</i> by the board of Fire and Emergency New Zealand as being competent to give advice; and if the advice is sought, must have due regard to the advice. |

| Term | Definition |
|----------------------------|---|
| <i>District</i> | Refers to the Matamata-Piako <i>District</i> . |
| <i>Heritage Building</i> | <p>Has the same meaning in section 7 of the <i>Act</i>, as follows:</p> <ul style="list-style-type: none"> a) in subpart 6B of Part 2, – i) a <i>Building</i> that is included on the New Zealand Heritage List/Rārangī Kōrero maintained under section 65 of the Heritage New Zealand Pouhere Taonga Act 2014; or ii) a <i>Building</i> that is included on the National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu list maintained under section 81 of the Heritage New Zealand Pouhere Taonga Act 2014; or iii) a place, or part of a place, that is subject to a heritage covenant under section 39 of the Heritage New Zealand Pouhere Taonga Act 2014 and is registered under section 41 of that Act; or iv) a place, or part of a place that is subject to a heritage order within the meaning of section 187 of the Resource Management Act 1991; or v) a place, or part of a place, that is included in the schedule of a district plan because of its heritage value. <p>At its discretion <i>Council</i> may also consider recognised character <i>Buildings</i>, such as from within the Te Aroha Special Character Area under the Operative Matamata-Piako <i>District Plan</i> (as at the date of this Policy) and Marae buildings as <i>Heritage Buildings</i>.</p> |
| <i>Household Unit</i> | <p>Has the same meaning as section 7 of the <i>Act</i>, as follows:</p> <ul style="list-style-type: none"> a) means a <i>Building</i> or group of <i>Buildings</i>, or part of a <i>Building</i> or group of <i>Buildings</i>, that is — <ul style="list-style-type: none"> i. used, or intended to be used, only or mainly for residential purposes; and ii. occupied, or intended to be occupied, exclusively as the home or residence of not more than 1 household; but b) does not include a hostel, boarding house, or other specialised accommodation. |
| <i>Immediate Danger</i> | <p>Has the same meaning as section 129 of the <i>Act</i>, as follows:</p> <ul style="list-style-type: none"> a) This section applies if, because of the state of a <i>Building</i>, – <ul style="list-style-type: none"> i. <i>Immediate Danger</i> to the safety of people is likely in terms of section 121 or 123; or ii. immediate action is necessary to fix <i>Insanitary</i> conditions. |
| <i>Insanitary Building</i> | <p>Has the same meaning as section 123 of the <i>Act</i>, as follows: a <i>Building</i> is <i>Insanitary</i> for the purposes of this <i>Act</i> if the <i>Building</i> —</p> <ul style="list-style-type: none"> a) is offensive or likely to be injurious to health because — <ul style="list-style-type: none"> i. of how it is situated or constructed; or ii. it is in a state of disrepair; or |

| Term | Definition |
|------------------------------|--|
| | <ul style="list-style-type: none"> b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the <i>Building</i> or in any adjoining <i>Building</i>; or c) does not have a supply of potable water that is adequate for its intended use; or d) does not have sanitary facilities that are adequate for its intended use. |
| <i>Inspection</i> | <p>Has the same meaning as section 222 of the <i>Act</i>, as follows: means the taking of all reasonable steps —</p> <ul style="list-style-type: none"> a) to determine whether — <ul style="list-style-type: none"> i. <i>Building</i> work is being carried out without a <i>Building</i> consent; or ii. <i>Building</i> work is being carried out in accordance with a <i>Building</i> consent; or iii. section 162C is being complied with; or iv. a notice to fix has been complied with; b) to ensure that, — <ul style="list-style-type: none"> i. in relation to <i>Buildings</i> for which a compliance schedule is issued, the inspection, maintenance, and reporting procedures stated in the compliance schedule are being complied with; or ii. in relation to <i>Buildings</i> that have specified systems, the requirement for a compliance schedule is being complied with; c) to enable a <i>Territorial Authority</i> to — <ul style="list-style-type: none"> i. identify <i>Dangerous</i>, earthquake-prone, or <i>Insanitary Buildings</i> within its <i>District</i>; and ii. carry out its functions or duties in relation to those <i>Buildings</i>; d) to satisfy a <i>Territorial Authority</i> as to whether a certificate of acceptance for <i>Building</i> work should be issued under section 96. |
| <i>Policy</i> | Means The Dangerous and Insanitary Buildings Policy 2025. |
| <i>Territorial Authority</i> | <p>Has the same meaning as section 7 of the <i>Act</i>, as follows:</p> <ul style="list-style-type: none"> a) means a city <i>Council</i> or District <i>Council</i> named in Part 2 of Schedule 2 of the Local Government Act 2002; and, — <ul style="list-style-type: none"> i. in relation to land within the <i>District</i> of a <i>Territorial Authority</i>, or a <i>Building</i> on or proposed to be built on any such land, means that <i>Territorial Authority</i>; and ii. in relation to any part of a coastal marine area (within the meaning of the Resource Management Act 1991) that is not within the <i>District</i> of a <i>Territorial Authority</i>, or a <i>Building</i> on or proposed to be built on any such part, means the <i>Territorial Authority</i> whose <i>District</i> is adjacent to that part; and b) includes the Minister of Conservation or the Minister of Local Government, as the case may be, in any case in which the Minister of Conservation or the Minister of Local Government |

| Term | Definition |
|----------------|--|
| | is the <i>Territorial Authority</i> under section 22 of the Local Government Act 2002. |
| <i>The Act</i> | means the Building Act 2004. |

7 Pūrongo me whakatau | Decision Reports

7.4 Draft Alcohol Licensing Fees Bylaw - Approval for Consultation

CM No.: 2980983

Te Kaupapa | Purpose

To present the Draft Alcohol Licensing Fees Bylaw and Statement of Proposal for Council approval for public consultation.

Rāpopotonga Matua | Executive Summary

In regards to Alcohol Licencing Fees Council has two options;

- 1) Charge the statutory fees set in 2012, or
- 2) Create a Bylaw to recover reasonable actual costs.

Council held a public workshop and also considered the matter at a formal Council meeting in November 2024. Staff informed affected stakeholders of the proposal in December 2024.

The draft Bylaw as attached considers actual costs of this activity and proposes a staged approach at increasing fees to recover reasonable actual costs.

This report recommends Council approve the Draft Alcohol Licensing Fees Bylaw 2025 and Statement of Proposal for public consultation.

Tūtohunga | Recommendation

That:

1. The report be received.
2. Council determines that in accordance with section 155(1) of the Local Government Act 2002, a bylaw (in the form of an Alcohol Licensing Fees Bylaw) is the most appropriate way of addressing the funding short fall.
3. Council determines that the Draft Alcohol Licensing Fees Bylaw 2025 meets the requirements of section 155 of the Local Government Act, in that it:
 - i. is the most appropriate form of bylaw;
 - ii. does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
4. Council approves the Draft Alcohol Licensing Fees Bylaw 2025 for public consultation in accordance with section 150 of the Local Government Act 2002.
5. Council approves the Statement of Proposal for the Draft Alcohol Licensing Fees Bylaw 2025.
6. Council authorises staff to make any minor amendments needed prior to consultation.

Horopaki | Background

Council's current alcohol licensing fees are those set by statute, as outlined in the Sale and Supply of Alcohol Act 2012.

The Sale and Supply of Alcohol Act (Fees-setting Bylaw) 2013 allows for councils to set their own fees for alcohol licences, through the implementation of a bylaw. As Matamata-Piako District Council has not yet adopted a bylaw, the fees remain the same as those that were set in 2012.

Council is now proposing to adopt an Alcohol Licensing Fees Bylaw, which would allow fees for alcohol licenses to more accurately reflect the actual costs of administering them.

Section 402(1) of the Sale and Supply of Alcohol Act 2012, states that regulations under section 397(1)(b) or (c) — permits that Council may do anything reasonably necessary to ensure that, so far as is practicable, the total costs of the licensing authority are recovered out of the fees paid to it under this Act.

Using application income/expenditure data and evaluation of other Council's bylaws, a draft Alcohol Licensing Fees Bylaw has been developed and is attached, which proposes a 25% fee increase per year over two years, and then a 3% fee increase in the third year to account for inflation.

Ngā Take/Kōrerorero | Issues/Discussion

By introducing a bylaw, Council could recover some or all of the costs of administering the alcohol licensing fees, dependent on the level of cost recovery desired. The draft Bylaw proposes to set fees at a level that would almost recover the costs of processing applications.

In the 2023/24 financial year, Council received a total income of \$141,704.95 in alcohol licensing application fees. Council's total expenditure to process those applications totalled \$211,448.90. This discrepancy led to Council paying \$69,743.95 for the remaining alcohol licensing fee costs which were not covered by the application fees. The remaining cost was covered by ratepayers.

Since the statutory fees were set in 2012, inflation and customer price index has increased by 37%. Cost increases are likely due to inflation, staff and other costs to process the applications.

Informing affected stakeholders

To ensure affected stakeholders were advised of possible fee changes, and given the opportunity to provide early feedback, information was provided in December 2024, through a newsletter to alcohol licensees containing information about the proposed Bylaw. The information within the newsletter included:

- Why the Bylaw is being proposed
- What the Bylaw would mean for license holders
- What the current fees pay for
- Contact information for any concerns or questions

At the time of writing this report we had not received any feedback from stakeholders.

A public Council workshop was held in November 2024 to outline the key issues and options, and seek Council feedback. Staff provided information about the income versus expenditure of alcohol fees over the last seven financial years, an outline of the statutory fees set in the Sale and Supply of Alcohol Act 2012, and a comparison of multiple other Council's application fee increases through Bylaws. The workshop highlighted the increasing costs to Council each financial year to process the application fees.

Mōrearea | Risk

There is a risk that ratepayers may feel they shouldn't be cross-subsidising alcohol licenses should we continue with the statutory fees.

There is a risk that stakeholders may feel their views have not been adequately taken into account if Council does not incorporate any feedback into the final version of the Bylaw.

Ngā Whiringa | Options

Options are outlined in the Statement of Proposal (attached).

Legal and policy considerations

Legal and policy considerations are outlined in the Statement of Proposal (attached).

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 in the Statement of Proposal. |
| Section 78 – requires consideration of the views of Interested/affected people | Early engagement was presented to affected parties and formal consultation will occur in 2025 as per the statutory requirements. This will be followed by consideration of views during the decision making process and then adoption of the final Bylaw including any changes made following consultation if required. |
| 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. |
| Section 82 – this sets out principles of consultation. | Consultation will be undertaken in March/April in accordance with the SCP and following the principles of section 82 of the LGA. |

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

Council has informed stakeholders (alcohol license holders within the District), through an alcohol licensee newsletter which comes out regularly and included Bylaw information.




Timeframes

| Key Task | Dates |
|------------------------------------|---------------|
| Council workshop and formal report | November 2024 |
| Early information newsletter sent | December 2024 |
| Council to adopt for consultation | February 2025 |

| | |
|------------------------|------------------|
| Formal consultation | March/April 2025 |
| Council hearing | May 2025 |
| Adoption of Bylaw | June 2025 |
| Bylaw comes into force | 1 July 2025 |

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

Development of this Bylaw falls within the Strategies and Plans budget.

Ngā Tāpiritanga | Attachments

[A↓.](#) Draft Statement of Proposal - Alcohol Fees 2025

[B↓.](#) DRAFT Alcohol Fees Bylaw 2024

Ngā waitohu | Signatories

| | | |
|-----------|--|--|
| Author(s) | Charlotte Walker Kaitohu Kaupapahere Paetahi Graduate Policy Advisor | |
| | Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor | |

| | | |
|-------------|---|--|
| Approved by | Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager | |
| | Kelly Reith Hautū Tāngata, Kāwana me ngā Hononga Group Manager People, Governance & Relationships | |

Te Reo Translation | Alcohol Licensing Fees Bylaw 2025

He Tauākī Morhi | Statement of Proposal



Kupu Whakataki | Introduction

Matamata-Piako District Council is proposing an Alcohol Licensing Fees Bylaw, made in accordance with the Sale and Supply of Alcohol Licensing (Fees) Regulations 2013

Currently, Council charges the statutory fees as set out in the Sale and Supply of Alcohol Act 2012. These statutory fees have not kept up with increases in Council's costs since their implementation.

The proposed Bylaw would allow Council to bring licensing fees in line with the increases in costs that have occurred since 2012, for both the processing and monitoring of alcohol licences.

It is proposed to take a staggered approach to increasing alcohol licensing fees, increasing fees by 25 percent from 1 July 2025, another 25 percent from 1 July 2026 to account for cost recovery and a 3 percent increase from July 1, 2027 to account for assumed inflation. This is to ensure the increases are spread out for current licence holders and not seen fully in year one.

Te Reo Translation | Reasons for the proposal

Currently Council charges the statutory fees for alcohol licences as set out in the Sale and Supply of Alcohol (Fees) Regulation 2013 (see Table 1 below).

Table 1 – Council's Current Alcohol Licence Fees (set by statute)

| | | Licence Application Fee (GST Included) | Annual Fee (GST Included) |
|--|-----------|--|---------------------------|
| On Licence, Off Licence, Club Licence. | Very Low | \$368.00 | \$161.00 |
| | Low | \$609.50 | \$391.00 |
| | Medium | \$816.50 | \$632.50 |
| | High | \$1,023.50 | \$1,035.00 |
| | Very High | \$1,207.50 | \$1,437.50 |
| Special Licence | Class 1 | \$575.00 | n/a |
| | Class 2 | \$207.00 | n/a |
| | Class 3 | \$63.25 | n/a |
| Temporary Authority | - | \$296.70 | n/a |
| Temporary Licence | - | \$296.70 | n/a |
| Manager's Certificate | - | \$316.25 | n/a |

Implementing the proposed Bylaw would:

- Allow Council to charge fees for alcohol licences which more accurately reflect the true costs to Council of administering these licences.
- Shift the costs from ratepayers to those applying for the licences
- Align the charging of fees for alcohol licences more closely with the policy considerations of Council's Revenue and Financing Policy, which amongst other

considerations, seeks to fairly distribute the benefits between the whole community, separate communities, and individuals

Te mānuka e kawea ake ana | What we're proposing

What we're proposing to change

We are proposing to increase alcohol licensing fees by 25% for the period 1 July 2025 to 30 June 2026, and by an additional 25% for the period of 1 July 2026 to 30 June 2027. The fees would increase by an additional 3% for the period of 1 July 2027 to 30 June 2028.

The table below sets out the fees payable to Council for application and annual fees for Licences, for the next three years (from 1 July 2025 to 30 June 2026, from 1 July 2026 to 30 June 2027 and from 1 July 2027 to 30 June 2028).

Table 2 – Proposed alcohol licensing fees

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | | 1 July 2026 to 30 June 2027 (incl. GST) | | 1 July 2027 to 30 June 2028 (incl. GST) | |
|-----------------------------|--|------------|--|------------|--|------------|
| Risk Category for Premises* | Application Fee | Annual Fee | Application Fee | Annual Fee | Application Fee | Annual Fee |
| Very Low | \$460 | \$201 | \$575 | \$252 | \$592 | \$260 |
| Low | \$762 | \$489 | \$952 | \$611 | \$981 | \$629 |
| Medium | \$1,021 | \$791 | \$1,276 | \$988 | \$1,314 | \$1,018 |
| High | \$1,279 | \$1,294 | \$1,599 | \$1,617 | \$1,647 | \$1,666 |
| Very High | \$1,509 | \$1,797 | \$1,887 | \$2,246 | \$1,944 | \$2,313 |

*The fee category for premises are those defined in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013.

What we're proposing to keep the same

We are proposing to retain the licence requirements and classifications as outlined in the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2013.

In addition, the manager's certificate fee cannot be changed unless all territorial authorities change the fee. The fee currently remains at \$316.25 (GST inclusive) as per section 11, Sale and Supply of Alcohol (Fees) Regulations 2013.

Ngā Whiringa | Options



Option 1: Adopt the draft Bylaw as proposed

This is Council's recommended option.

Adopting the proposed Alcohol Licensing Fees Bylaw would result in alcohol licence fees increasing by 25 percent from July 1, 2025, another 25 percent from July 1, 2026 and a 3 percent increase from July 1, 2027 to account for assumed inflation.

Adopting the proposed Bylaw would enable Council to better reflect the true costs of administering the fees.

| Advantages | Disadvantages |
|---|--|
| Would allow for cost recovery, therefore ratepayers would be subsidising less of this activity. | Those requiring alcohol licences would have to pay more than they do currently over a staged approach. |

Option 2: Status Quo – Continue to charge the fees set by statute

Keeping the status quo would keep alcohol licensing fees the same as they currently are, based on statutory fees set out in 2013, by the Sale and Supply of Alcohol (Fees) Regulations.

| Advantages | Disadvantages |
|--|---|
| No application fee increase for alcohol licence holders. | Council will continue to spend more on administering the activity than it collects in fees. Loss from expenditure will continue to be covered by ratepayers. |

Te Reo Translation | Legal Considerations

Pursuant to section 155 of the Local Government Act 2002 (LGA), Council must determine whether a bylaw is the most appropriate way of addressing the perceived problem.

Once Council has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw:

- is the most appropriate form of bylaw; and
- whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

These requirements are addressed below.

Is a bylaw the most appropriate way of addressing the perceived problem?

Council's perceived problem regarding the processing of alcohol licensing applications is that the costs associated with administering the licensing applications are not covered by the fees paid by applicants. This gap in funding results in ratepayers subsidising the administrative process.

A bylaw is an appropriate way to regulate Council alcohol licensing fees as it is permitted under the Sale and Supply of Alcohol (Fees) Regulations 2013 and allows Council to set alcohol licensing fees at a level that reflects the actual costs of providing the service.

Is the draft Bylaw the most appropriate form of bylaw?

A bylaw addressing alcohol licensing fees is the most appropriate way of addressing the perceived problem as it provides an effective way for Council to recover costs.

Is the draft Bylaw consistent with the New Zealand Bill of Rights Act 1990?

Council is required to consider if the Bylaw is consistent with the New Zealand Bill of Rights Act 1990 (NZBoRA). Section 155(3) of the Act states that no bylaw may be made which is inconsistent with the NZBoRA.

The NZBoRA specifically identifies four types of rights, these are:

- Life and security of the person;
- Democratic and civil rights;
- Non-discrimination and minority rights;
- Search, arrest and detention.

Staff have reviewed the draft Bylaw in relation to the four types of rights and conclude that it is consistent with the NZBoRA.

Bylaw Review Periods

Pursuant to sections 158 and 159 of the LGA, Council is required to review bylaws five years after initial adoption and every ten years after that.

For this particular Bylaw a three yearly review is recommended initially to ensure fees are kept up to date and reflect actual costs. Council may assess earlier than this if needed.

Local Government Act 2002 (LGA) Decision-making requirements

Having regard to the decision making provisions in the LGA 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. This includes any decision not to take any action.

Te Reo Translation | More information

For more information about this proposal, and to see what else we are seeking feedback on go to [insert hyperlink]

Te Reo Translation | Feedback

Whether you agree, disagree or you have suggestions we want to hear from you!

Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Te Reo Translation | How to give your feedback

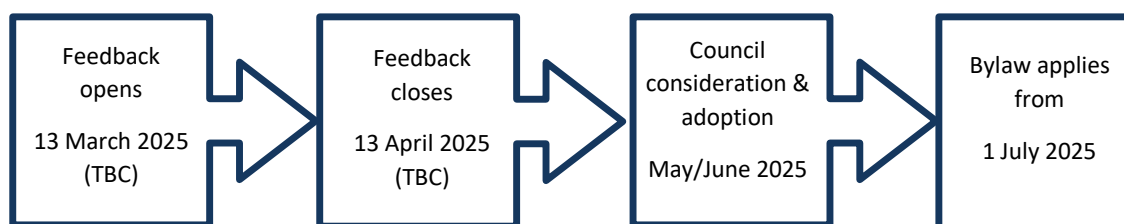
🖨 Online: Go to [insert hyperlink] to fill out the online form.

✉ Mail to: Matamata-Piako District Council, PO Box 266, Te Aroha 3342

✉ Email: info@mpdc.govt.nz

👤 In person: You can drop your feedback form into any of our Council offices or libraries.

Key dates



Feedback form – Draft Alcohol Licensing Fees Bylaw

Please provide your feedback by 13 April 2025

Name/Organisation: _____

For individuals please simply write name/names, for organisations please write the full organisation name

Email: _____ **Phone:** _____

Address: _____

Town: ☐ Matamata ☐ Morrinsville ☐ Te Aroha ☐ Other: _____

Age: ☐ Under 18 ☐ 18–24 ☐ 25–34 ☐ 35–44 ☐ 45–64 ☐ 65–74 ☐ 75+

Would you like to speak to the Mayor and Councillors about your feedback?

Feedback can be provided in person or via video on Wednesday 7 May 2025 (and Thursday 8 May if required).

☐ Yes ☐ No

Privacy statement: Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

Alcohol Licensing Fees Bylaw:

1) Which of these options do you support?

☐ **Proposed option: Introduce Bylaw with Staged Fee Increases**

- ☐ We are proposing to increase alcohol licensing fees for the period 1 July 2025 to 30 June 2026 by 25 percent, for the period of 1 July 2026 to 30 June 2027 by 25 percent, and a 3 percent increase for the period of 1 July 2027 to 30 June 2028.

☐ **Option 2: Status Quo**

- ☐ Keeping the status quo would keep alcohol licensing fees the same as they currently are, which are based on the statutory fees set out in 2013, by the Sale and Supply of Alcohol (Fees) Regulations.

Additional Comments to support the option chosen above:

- 2) Is there anything else you would like us to consider in regard to Alcohol Licensing in the district?

Please provide any further comments below

Please provide your feedback by 13 April 2025



Matamata-Piako District Council

Te Reo Translation 2025 | Alcohol Licensing Fees Bylaw 2025

Draft for consultation 13 March – 13 April 2025

| | |
|-----------------------------|--|
| Department | Policy, Partnerships and Governance |
| Policy Type | External |
| Resolution Date | June 2025 (TBC) |
| Policy/Bylaw Effective From | 1 July 2025 |
| Review Frequency | Not less than once every five to ten years as required by the Local Government Act 2002. Three yearly review recommended. |
| Review Date | June 2028 (TBC) |
| Engagement Required | Special Consultative Procedure (Local Government Act 2002) |
| Policy/Bylaw Supersedes | New Bylaw |



| | |
|---|----------|
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PART 1 KUPU WHAKATAKI | INTRODUCTION

1. Function, Purpose and Approach

- 1.1 The function of the *Bylaw* is to prescribe where possible fees, for matters to which fees payable to *Council* are prescribed in the Sale and Supply of Alcohol (Fees) Regulations 2013.
- 1.2 The purpose the *Bylaw* is to allow *Council* to recover the actual costs associated with administering alcohol *Licences* within the *District*.
- 1.3 The statutory fees the *Council* currently prescribes were set by the Sale and Supply of Alcohol Act (Fees) Regulations 2013, part 1.
- 1.4 The *Alcohol* activity expenditure is calculated using a prescribed formula and includes *Council* staff time spent, hearing costs and *District Licensing Committee* time. The *Alcohol* activity expenditure calculations display that the processing of *Alcohol* licensing fees is currently resulting in a financial loss, as the statutory fees set in 2013 do not account for inflation or the increased costs associated with staffing and administrative expenses. The *Councils* current income from application fees versus processing expenses from 2017-2024 are displayed in the Table 1.5 below.
- 1.5 Table displaying *Councils Alcohol* licensing application income, expenditure and the total cost of processing applications from 2017-2024.

| | Income | Expenditure | Cost |
|----------|--------------|--------------|--------------|
| 2023/24 | \$141,704.95 | \$211,448.90 | -\$69,743.95 |
| 2022/23 | \$130,345.89 | \$192,745.68 | -\$65,399.79 |
| 2021/22 | \$125,042.04 | \$192,019.10 | -\$66,977.06 |
| 2020/21* | \$136,573.89 | \$177,330.10 | -\$40,756.51 |
| 2019/20* | \$120,135.25 | \$163,192.90 | -\$43,057.65 |
| 2018/19 | \$118,421.65 | \$171,540.40 | -\$53,118.75 |
| 2017/18 | \$117,397.32 | \$163,746.42 | -\$46,349.10 |

* The 2020 figures may have also been affected by the COVID-19 pandemic, with fewer events leading to a decline in special licensing applications.

- 1.6 The *Bylaw* establishes a phased approach, implementing increased *Alcohol* licensing over a three-year period, with a 25 per cent increase from 1 July 2025, 25 per cent from 1 July 2026 and a 3 per cent increase from July 1, 2027 to account for assumed inflation.

2. Title and Commencement

- 2.1 The *Bylaw* shall be known as the 'Matamata-Piako District Council Alcohol Licensing Fees Bylaw 2025'.

2.2 The *Bylaw* comes into force on 1 July 2025.

3. Application

3.1 The *Bylaw* applies to *Alcohol* Licenses within the Matamata-Piako *District*.

4. Enabling Enactments

4.1 The *Bylaw* is made in accordance with section 146(b)(v) of the Local Government Act 2002, section 405 of the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2013 under the authority of the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013.

4.2 Nothing in the *Bylaw* detracts from any provision of, or the necessity for compliance with, all applicable *Acts*, regulations, bylaws, and the Matamata-Piako District Plan, including but not limited to the:

- a) Local Government Act 2002 (LGA 2002); and
- b) Sale and Supply of Alcohol Act 2012; and
- c) Sale and Supply of Alcohol (Fees) Regulations 2013.

5. Delegation

5.1 Any of the powers and functions of the *Council* as detailed and set out in the *Bylaw*, may be delegated by it, to its *Chief Executive Officer* and sub-delegated by the *Chief Executive Officer* to any such other Officer of *Council*.

6. List of Schedules

6.1 Schedule 1 – Fees

7. Related Information

7.1 Any explanatory notes are for information purposes, do not form part of this *Bylaw*, and may be inserted, amended or revoked without formality.

8. Review

8.1 Pursuant to sections 158 and 159 of the LGA, Council is required to review bylaws five years after initial adoption and every ten years after that. For this particular *Bylaw* a three yearly review is recommended initially to ensure fees are kept up to date and reflect actual costs. *Council* may assess earlier than this if needed.

9. Definitions

9.1 For the purposes of the *Bylaw* the following definitions shall apply:

| Term | Definition |
|----------------|---|
| <i>Act</i> | The Sale and Supply of Alcohol Act 2012. |
| <i>Alcohol</i> | Meaning as given by the <i>Act</i> in section 5(1). |

| Term | Definition |
|-------------------------------------|---|
| <i>Application Fee</i> | Meaning as given by the Sale and Supply of Alcohol (Fees) Regulations 2013 and means the fee for any of the following: <ul style="list-style-type: none"> a) an application for an <i>On-licence</i>, <i>Off-licence</i>, or <i>Club Licence</i>; b) an application to vary an <i>On-licence</i>, <i>Off-licence</i>, or <i>Club Licence</i>; c) an application to renew an <i>On-licence</i>, <i>Off-licence</i>, or <i>Club Licence</i>. |
| <i>Approved or Approval</i> | Means <i>Approved</i> in writing by resolution of the <i>Council</i> or by any <i>Authorised Officer</i> so authorised on behalf of the <i>Council</i> , pursuant to this <i>Bylaw</i> or any enactment. |
| <i>Authorised Officer</i> | Means <ul style="list-style-type: none"> a) any <i>Person</i> appointed or authorised by the <i>Council</i> to carry out duties and exercise powers under this <i>Bylaw</i>. b) any <i>Person</i> appointed by the <i>Council</i> to enforce the provisions of any <i>Council Bylaw</i> and who holds a warrant under section 177 of the Local Government Act 2002 or an appropriate section of any other <i>Act</i>. |
| <i>Bylaw</i> | Means the Matamata-Piako District Council Alcohol Licensing Fees Bylaw 2025. |
| <i>Club Licence</i> | A <i>Licence</i> holder can sell and supply <i>Alcohol</i> for consumption on the <i>Club Premises</i> by authorised customers and visitors. |
| <i>Chief Executive</i> | Means the <i>Chief Executive</i> appointed pursuant to section 42 of the Local Government Act 2002. |
| <i>Council</i> | Means the Matamata-Piako <i>District Council</i> . |
| <i>District</i> | Means the <i>District</i> within the jurisdiction and under the control of the <i>Council</i> . |
| <i>District Licensing Committee</i> | Meaning given by the <i>Act</i> in section 5 and means for any of the following: <ul style="list-style-type: none"> a) means a licensing committee appointed under section 186; and b) in relation to any <i>Premises</i>, or any application relating to any <i>Premises</i>, means the licensing committee for the <i>District</i> in which the premises are situated; and |

| Term | Definition |
|------------------------|--|
| | c) in relation to a licence or manager's certificate, means the licensing committee that issued it. |
| <i>Fees Regulation</i> | The Sale and Supply of Alcohol (Fees) Regulations 2013. |
| <i>Licence</i> | Meaning given by the <i>Act</i> in section 5 and means for any of the following: <ul style="list-style-type: none"> a) a <i>Licence</i> issued under the <i>Act</i> that is in force; and, b) in relation to any licensed <i>Premises</i>, means the <i>Licence</i> issued for them (or, in the case of <i>Premises</i> that 2 or more <i>Licences</i> have been issued for, any of those <i>Licences</i>). |
| <i>Manager</i> | Meaning given by the <i>Act</i> in section 5 and means the following: <ul style="list-style-type: none"> a) means a <i>Manager</i> of a licensed <i>Premises</i> appointed under the <i>Act</i>; and b) in relation to any licensed <i>Premises</i>, means a <i>Manager</i> of those <i>Premises</i>. |
| <i>Off-licence</i> | Meaning given by the <i>Act</i> in section 17 and means the following: <p>On the <i>Premises</i> an <i>Off-licence</i> is held for, the licensee can sell <i>Alcohol</i> for consumption somewhere else.</p> <p>While the <i>Premises</i> an <i>Off-licence</i> is held for are open for the sale and supply of <i>Alcohol</i> for consumption somewhere else, the licensee can also do one or both of the following:</p> <ul style="list-style-type: none"> a) supply <i>Alcohol</i> free, as a sample, for consumption on the premises: b) sell <i>Alcohol</i>, as a sample, for consumption on the <i>Premises</i>, if— <ul style="list-style-type: none"> i) the <i>Premises</i> are a winery cellar door; and ii) the <i>Alcohol</i> sample is grape wine (as defined in section 58(3)); and iii) each sample contains no more than 35 millilitres of wine. |
| <i>On-licence</i> | Meaning given by the <i>Act</i> in section 14 and means the following: <p>On any <i>Premises</i> an <i>On-licence</i> (other than an <i>On-licence</i> endorsed under section 37 of the <i>Act</i>) is held for, the licensee:</p> <ul style="list-style-type: none"> a) can sell and supply <i>Alcohol</i> for consumption there; b) can let people consume <i>Alcohol</i>. |

| Term | Definition |
|------------------------|--|
| <i>Person</i> | Includes a corporation sole and a body of <i>Persons</i> , whether corporate or unincorporated. |
| <i>Premises</i> | Meaning given by the <i>Act</i> in section 5 and means for any of the following: <ul style="list-style-type: none"> a) includes a conveyance; and b) includes part of any <i>Premises</i>; and c) in relation to a licence, means the <i>Premises</i> it was issued for |
| <i>Special Licence</i> | Meaning given by the <i>Act</i> in section 22 and means for any of the following: <ul style="list-style-type: none"> a) On the <i>Premises</i> a <i>Special Licence</i> designated as an on-site <i>Special Licence</i> is held for, the licensee can sell and supply <i>Alcohol</i>, for consumption there, to people attending an event described in it. b) On the <i>Premises</i> a <i>Special Licence</i> designated as an off-site <i>Special Licence</i> is held for, the licensee can sell the licensee's <i>Alcohol</i>, for consumption somewhere else, to people attending an event described in it. |

TE REO TRANSLATION | Schedule 1 - Fees

1. On-licence, Off-licence and Club Licence Fees payable for premises in each risk category

The table below sets out the fees payable to *Council* for application and annual fees for *Licences*, for the next three years (from 1 July 2025 to 30 June 2026, from 1 July 2026 to 30 June 2027, and from 1 July 2027 to 30 June 2028).

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | | 1 July 2026 to 30 June 2027 (incl. GST) | | 1 July 2027 to 30 June 2028 (incl. GST) | |
|----------------------------|--|------------|--|------------|--|------------|
| Risk Category for Premises | Application Fee | Annual Fee | Application Fee | Annual Fee | Application Fee | Annual Fee |
| Very Low | \$460 | \$201 | \$575 | \$252 | \$592 | \$260 |
| Low | \$762 | \$489 | \$952 | \$611 | \$981 | \$629 |
| Medium | \$1,021 | \$791 | \$1,276 | \$988 | \$1,314 | \$1,018 |
| High | \$1,279 | \$1,294 | \$1,599 | \$1,617 | \$1,647 | \$1,666 |

| | | | | | | |
|-----------|---------|---------|---------|---------|---------|---------|
| Very High | \$1,509 | \$1,797 | \$1,887 | \$2,246 | \$1,944 | \$2,313 |
|-----------|---------|---------|---------|---------|---------|---------|

- 1.1 See regulations 5 and 6 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the *Council* must assign the cost/risk rating and fees category to any *Premises* for which an *On-licence*, *Off-licence* or *Club Licence* (including renewals) is held or sought.

2. Fees payable for Special Licences

A *Person* applying under section 22 of the *Act* for a *Special Licence* must pay an *Application Fee* to the *Council* of:

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | 1 July 2026 to 30 June 2027 (incl. GST) | 1 July 2027 to 30 June 2028 (incl. GST) |
|-----------------------|--|--|--|
| Special Licence Class | Fee | Fee | Fee |
| Class 1 | \$719 | \$898 | \$925 |
| Class 2 | \$259 | \$323 | \$333 |
| Class 3 | \$79 | \$99 | \$102 |

- 2.1 See regulations 5 and 6 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the *Council* must assign the cost/risk rating and fees category to any *Premises* for which a Special Licence Class 1, Class 2, or Class 3 is held or sought.

3. Fees payable for Temporary Authority

A *Person* applying under section 136(2) of the *Act* for a Temporary Authority to carry on the Sale and Supply of *Alcohol* must pay an *Application Fee* to the *Council* of:

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | 1 July 2026 to 30 June 2027 (incl. GST) | 1 July 2027 to 30 June 2028 (incl. GST) |
|---------------------|--|--|--|
| Temporary Authority | Fee | Fee | Fee |
| | \$371 | \$464 | \$478 |

- 3.1 See regulations 12 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the *Council* must assign the fees to any *Premises* for which a Temporary Authority is sought or held.

4. Fees payable for Temporary Licence

A *Person* applying under section 74 of the *Act* to sell *Alcohol* pursuant to a *Licence* from *Premises* other than the *Premises* to which the *Licence* relates must pay an *Application Fee* to the *Council* of:

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | 1 July 2026 to 30 June 2027 (incl. GST) | 1 July 2027 to 30 June 2028 (incl. GST) |
|---------------------|--|--|--|
| Temporary Licence | Fee | Fee | Fee |
| | \$371 | \$464 | \$478 |

- 4.1 See regulations 12 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the *Council* must assign the fees to any *Premises* for which a Temporary Licence is sought or held.

5. Fees payable for Extract from Register

The fee payable to a *District Licensing Committee* under section 66(2) of the *Act* for an extract from a register is:

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | 1 July 2026 to 30 June 2027 (incl. GST) | 1 July 2027 to 30 June 2028 (incl. GST) |
|-----------------------|--|--|--|
| Extract from Register | Fee | Fee | Fee |
| | \$72 | \$90 | \$93 |

- 5.1 See regulations 12 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the *Council* must assign the fees to any *Premises* for which an Extract from Register is sought or held.

6. Fees payable for Manager's Certificate

15.1 A *Person* applying under section 219 of the *Act* for a *Manager's* certificate to carry on the Sale and Supply of Alcohol is:

| Period fee applies: | 1 July 2025 to 30 June 2026 (incl. GST) | 1 July 2026 to 30 June 2027 (incl. GST) | 1 July 2027 to 30 June 2028 (incl. GST) |
|-----------------------|--|--|--|
| Manager's Certificate | Fee | Fee | Fee |
| | \$316.25 | \$316.25 | \$316.25 |

- I. *Manager's* Certificate application fees are included in this *Bylaw* but there is no change as set out in the Sale and Supply of Alcohol (Fees) Regulations 2013 section 11.

7. Goods and Services Tax Inclusive

The fees prescribed by this *Bylaw* are inclusive of goods and services tax.

7 Pūrongo me whakatau | Decision Reports

7.5 Staff Long Service Presentation

CM No.: 2980012

Rāpopotonga Matua | Executive Summary

Staff member, Peter Challis to be presented with a Long Service Award in recognition of 30 years' of service to Matamata-Piako District Council.

Tūtohunga | Recommendation

That:

1. The information be received.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

| | | |
|-----------|---|--|
| Author(s) | Samantha Oosthoek Kaiwhakarite Kaupapa, Whai Wāhi Project and Engagements Administrator | |
|-----------|---|--|

| | | |
|-------------|---|--|
| Approved by | Tamara Kingi Kaiārahi Kāwana Governance Team Leader | |
| | Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager | |

7 Pūrongo me whakatau | Decision Reports

7.6 Two new road names for the new residential subdivision at 1 Rutherford Road, Waihou

CM No.: 2949326

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 roads that are intended for the use of the public generally, and for the numbering of land and buildings.

Rāpopotonga Matua | Executive Summary

This 19-lot residential subdivision at 1 Rutherford Road, Waihou is under the project management of James Harvey of PPD (Property Projects Developments). PPD (a sister company of Schick Civil) is located in Cambridge. PPD provide boutique, end-to-end developments; their strengths including planning, design, consenting, construction and sales and marketing.

It is recommended that the Council accept the proposed road names of Summerfield Place and Sunmount Lane.

Tūtohunga | Recommendation

That:

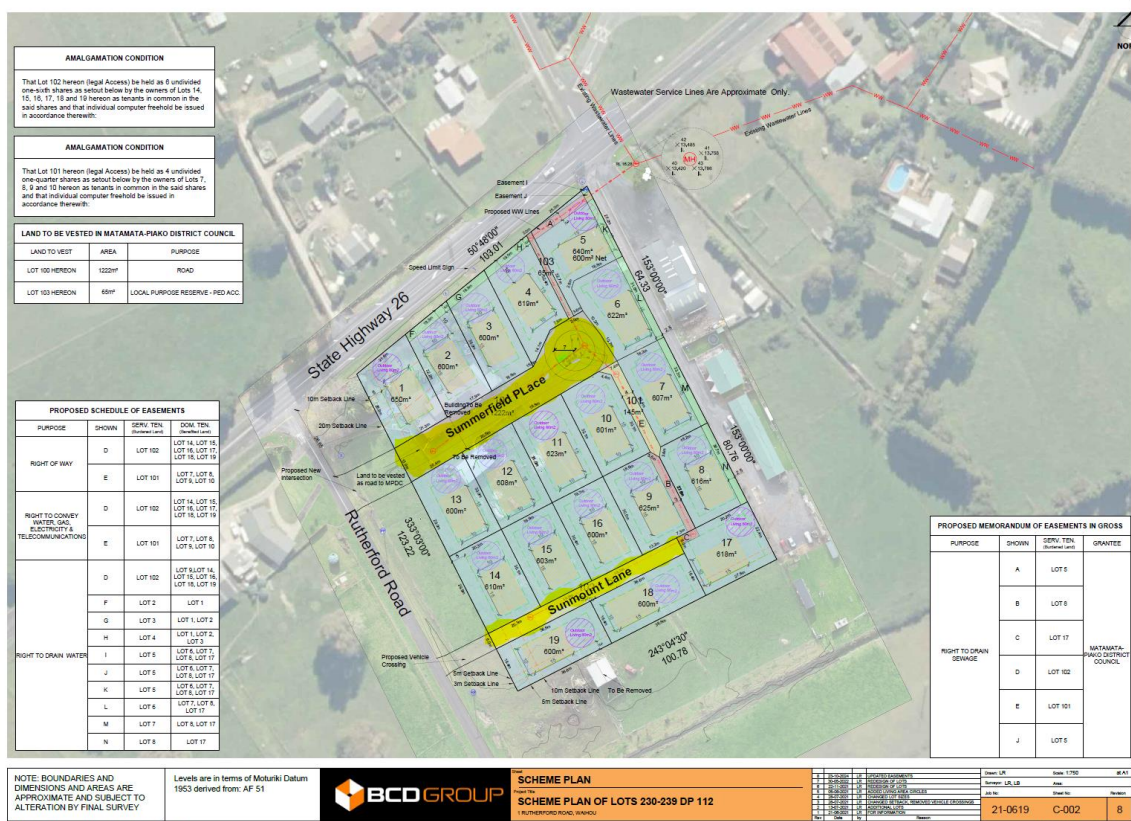
1. Council approves the two preferred road names **Lot 100: Summerfield Place (public)** and **Lot 102: Sunmount Lane (private)** for the 19-lot residential subdivision at 1 Rutherford Road, Waihou

Horopaki | Background

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

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

What follows is a surveyor's scheme plan of the proposed site with the layouts of the new roads to be named highlighted in yellow. A larger plan will be attached to this report for ease of viewing.



Ngā Take/Kōrerorero | Issues/Discussion

Once a request for road naming has been received from the applicant, Council staff check the suitability of chosen preferred and alternative names against the street register and road naming policy. Staff then request that LINZ perform necessary checks against their database. This two-step quality process ensures that the proposed road names meet with policy criteria; specifically that throughout our district and neighbouring districts road names aren't duplicated or preferably don't sound similar to existing road names.

In terms of the correct consultation procedures with Mana Whenua, staff encourage applicants to initially refer to Council's road naming policy for guidance. Then for:

- **Public road names to be vested in council:** Applicants are encouraged to obtain information about the cultural identity of select locations/areas within the district.
- **Private access way names (not vested in Council):** The process differs in that the same consultative requirements don't apply in terms of Mana Whenua's involvement – developers/applicants aren't required to consult.

In terms of road name sign installations and their subsequent maintenance:

- **Public road names to be vested in Council:** The road name signs become Council's cost.
- **Private access ways (not vested in Council):** The road name signs are a private landowner cost.

Mōrearea | Risk

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

Ngā Whiringa | Options

The Project Manager for this development consulted with Mana Whenua, however no replies were received from within our district. Accordingly, preferred and alternative road names were selected in accordance with 6. *Naming considerations* of the attached road naming policy.

| Option One – Preferred road names (assessed per Council's policy) | |
|--|---------------|
| Description of option | |
| <p>Lot 100: Summerfield Place (public) Lot 102: Sunmount Lane (private)</p> <ul style="list-style-type: none"> • Summerfield refers to a desirable and picturesque location, an area known for its pleasant climate and scenic views, a sunny, open area of land surrounded by the warmth and beauty of nature. A location linked to summer activities on the nearby Hauraki Trail, the mountains and nature walks. Summerfield forms an historic reference to the developed land. • Sunmount refers to a place where the sun and the mountain meet in harmony, symbolizes a road that leads to a view of the mountain, particularly highlighting the way the sunlight interacts with the mountain. The "sun" aspect of the name symbolises the sun rising over the land surrounding Mt. Te Aroha and the Kaimai Range, casting natural light across the area throughout the day. The "Mount" aspect of the name refers to Mt. Te Aroha. | |
| Advantages | Disadvantages |
| Summerfield is not duplicated in the Matamata-Piako District. | None |
| Both Summerfield and Sunmount are single words avoiding cartographic problems. | None |
| Both Summerfield and Sunmount are easy to spell and pronounce. | None |
| Sunmount is a short street name (i.e. is no longer than 12 characters). | None |

| | |
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| | |
|--|--|

Option Two – Alternative road names (assessed per Council's policy)

Description of options

Lot 100: Tihi and Sunmount

- **Alt #1** Tihi - (Tihi in Māori means "summit" or "peak") referring to Mt Te Aroha.
- **Alt #2** Sunmount (meaning is outlined above)

Lot 102: Pukeko and Summerfield

- **Alt #1** Pukeko - Named after the native Pūkeko bird, commonly seen in the wetlands around Piako.
- **Alt #2** Summerfield (meaning is outlined above)

| Advantages | Disadvantages |
|--|---------------|
| Tihi is not duplicated in the Matamata-Piako District. | None |
| Tihi is a short street name (i.e. is no longer than 12 characters). | None |
| Both Sunmount and Pukeko don't sound similar to existing street names in the district. | None |
| Both Summerfield and Pukeko are easy to spell and pronounce. | None |

Recommended option

Option One: lists the preferred names for each of the two roads to be named. Option Two: lists alternatives (1 and 2) as back-ups should any of the preferred names be deemed unsuitable.

Consistency of theme and the originality of these names are obvious advantages offsetting any disadvantages (if highlighted above).

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

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 | Mana Whenua were consulted in accordance with policy, but no responses from within the district were received. The views of LINZ were captured by way of their email reply, commenting on the names chosen by the applicant. |
| 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. | Consultative steps were followed by the Developer/Applicant to support the approval process of Council. |

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

As soon as possible after the meeting, Council staff will phone or email the Developer/Applicant or Agent to notify of Council's resolution, enabling them to progress orders for road signage etc. Later, upon the release of Council's minutes, Council staff will prepare the *"Official Group Email Notification of Committee Resolution for New Road Names – Council, October 2024"*, which is a group email to numerous contacts e.g. to LINZ, NZ Post, Core Logic NZ Ltd, internal staff and other relevant parties.





Ngā take ā-lhinga | Consent issues

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

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 |
| <p>TŌ MĀTOU WHAKAKITENGA OUR VISION</p> <p>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.'</p> | |

| 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 that embraces our environment
- A place to belong and create

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

As one of the roads is public and vested in Council this road sign installation and its subsequent maintenance becomes a Council cost. The other is private therefore a cost on the developer.

Ngā Tāpiritanga | Attachments

- [A↓](#). Scheme Plan with road names added
[B↓](#). Final Road Naming Policy Adopted 2 October 2019

Ngā waitohu | Signatories

| | | |
|-------------|--|--|
| Author(s) | Barry Reid Pūkenga Rawa Rori Roading Asset Engineer | |
| Approved by | Susanne Kampshof Pou Rawa me ngā Kaupapa Assets and Projects Manager | |
| | Manaia Te Wiata Tumu Whakarae Chief Executive Officer | |



NOTE: BOUNDARIES AND DIMENSIONS AND AREAS ARE APPROXIMATE AND SUBJECT TO ALTERATION BY FINAL SURVEY

Levels are in terms of Moturiki Datum 1953 derived from: AF 51



SCHEME PLAN
Project Title
SCHEME PLAN OF LOTS 230-239 DP 112
1 RUTHERFORD ROAD, WAIHOU

| | | | |
|-----|------------|----|--|
| 8 | 23-10-2024 | LR | UPDATED EASEMENTS |
| 7 | 30-05-2022 | LR | REDESIGN OF LOTS |
| 6 | 22-11-2021 | LR | REDESIGN OF LOTS |
| 5 | 05-08-2021 | LR | ADDED LIVING AREA CIRCLES |
| 4 | 28-07-2021 | LR | CHANGED LOT SIZES |
| 3 | 28-07-2021 | LR | CHANGED SETBACK, REMOVED VEHICLE CROSSINGS |
| 2 | 13-07-2021 | LR | ADDITIONAL LOTS |
| 1 | 21-06-2021 | LR | FOR INFORMATION |
| Rev | Date | by | Reason |

| | | |
|------------------|--------------|----------|
| Drawn: LR | Scale: 1:750 | at A1 |
| Surveyor: LR, LB | Area: | |
| Job No: | Sheet No: | Revision |
| 21-0619 | C-002 | 8 |

all dimensions to be verified on site before making any shop drawings or commencing any work.

the copyright of this drawing remains with BCD Group

Numbering of Properties, Naming of Roads, Access Ways and Open Spaces

Department(s): Assets, Policy and Strategy
 Corporate Strategy (Iwi Liaison)
 Regulatory Planning

Policy Type: External Policy

Council Resolution Date: 02 October 2019

1. Introduction

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

Road names and property numbers are used by a wide array of users for the accurate and quick identification of properties including; emergency services, postal and delivery services, personal visitors, service deliveries such as power, telephone and water. It is essential that properties have a formal and unique address by which they can be identified.

This policy covers both the naming of access ways and the naming of roads to ensure there is consistency.

2. Objectives

- a. To ensure consistency in naming of roads and access ways in the district.
- b. To clarify the meaning of access ways and to provide clear rules for the naming of these.
- c. To ensure roads are named to reflect the identity of the local areas as well as ensuring ease of identification for the Council, emergency services and others.

3. Definitions

| | |
|-----------|--|
| Developer | An individual or entity, which is making an application. This may include Council, a consent holder or the party developing the infrastructure including |
|-----------|--|

| | |
|------------------------|--|
| | but not limited to a Developer. |
| Council | Matamata-Piako District Council. |
| Culturally significant | Ancestral land, water, wahi tapu, valued flora and fauna, and other taonga significant to Mana Whenua. |
| Name | The word or name used to identify a road, open space or Council facility. Name excludes the road type (see definition: road types). |
| Open space | Includes all parks and reserves administered by Council. This includes Reserve As defined under s 2 of the Reserves Act 1977 and land owned by Council with a primary recreation function, not held under the Reserves Act 1977. |
| Access Ways | A single 'lot', right of way or a series of right-of-ways that will be occupied by a physical driveway, providing vehicle access to a minimum of six lots. This also includes common access lots, retirement village roads and common property within a Unit Development as defined under section 5 of the Unit Titles Act 2010. |
| Road | Road as defined in section 315 of the Local Government Act 1974, and any square and any public place intended for the use of the public generally. |
| Road types | Road types in accordance with The Australian/New Zealand Standard on Rural and urban addressing AS/NZS 4819:2011 (outlined in Schedule 1 below). |

4. Application

The developer must submit their preferred name(s) plus two alternatives for each road or access way¹. A plan identifying all roads or access ways and each property number must be included in the proposal. All proposed roads or access ways to be named must be clearly labelled.

Developers must consider property numbers and road/open spaces names at the early stages of their resource consent application to ensure there are no delays to the process.

5. Property numbering

Property numbers for both public roads and access ways must adhere to the relevant New Zealand standards issued by LINZ. In general:

- a. Addresses on the left side of the road should be ordered by number, using odd numbers beginning with "1" at the start of the road/access way.

¹ Proposals must be submitted in writing to Council's Asset Manager – Strategy and Policy.

- b. Addresses on the right side should be ordered by number, using even numbers starting with “2”.
- c. When numbering a cul-de-sac, the same “odd on the left, evens on the right” approach should be used. Incremental numbering around the cul-de-sac should not be used.
- d. Rural numbering is based on the distance down the road. The distance in metres is divided by 10 and rounded to the nearest odd number (left side) or even number (right side).

6. Naming considerations

A proposal to name or rename a road, or an open space must include evidence that the name(s) reflect one or more of the following:

- a. The identity of the Matamata-Piako District and/or local identity.
- b. The historical significance of particular locations.
- c. The cultural significance of the area to Mana Whenua.
- d. People important in the history of an area.
- e. Events, people and places significant to a community or communities locally, nationally or internationally.
- f. Flora and Fauna significant or important to the history of an area.

7. Consultation with Mana Whenua

Prior to submitting a proposal applicants are to request Council staff² provide guidance as to the appropriate Mana Whenua of an area. Applicants are to provide each Mana Whenua group with at least 15 working days to identify if the area has cultural significance and provide feedback to the applicant.

The purpose of the feedback is to provide non-binding advice to the applicant as to how culturally significant an area is to Mana Whenua. The applicant must provide evidence that they have given Mana Whenua an opportunity to provide feedback in accordance with this section.

For the avoidance of doubt consultation requirements with Mana Whenua do not apply to private access ways.

² Council's Corporate Strategy Team in their role as Iwi Liaison will provide the relevant contact details to Developers in consultation with Mana Whenua on request.



8. Criteria for all road and access way names

Any proposed road and access way names will preferably meet the following criteria:

- a. Not be duplicated in the Matamata-Piako District
- b. Preferably, be short (generally not longer than 12 characters).
- c. Be single words to avoid cartographic problems.
- d. Be easy to spell and pronounce.
- e. Not sound similar, or be similar in spelling, to an existing road name.
- f. Not include a preposition, e.g. Avenue of the Allies.
- g. Not be abbreviated or contain an abbreviation excepting that “St” can be used for “saint” and ‘Mt’ can be used for “mount”.
- h. Names must not include a numeral (e.g. 5 Oaks Drive) but can include a number as a word (e.g. Five Oaks Drive).
- i. Not be in poor taste or likely to cause offense.
- j. Not lead with ‘The’.
- k. The name ‘Lane’ cannot be used for a public road. “Lane” is for private access ways only.
- l. If more than one road or access way is being named, consideration must be given to the names sharing a common theme. Where there is an existing theme or grouping of names in an area, consideration should be given to new names having an appropriate association with existing names in the area.
- m. Road types must comply with Schedule 1

9. Renaming of roads

The name of an existing road or access way may only be changed if a clear benefit to the community can be demonstrated. Examples of this are the incorrect spelling of a name, eliminating duplication in spelling or sound, preventing confusion arising from major changes to road layout or to make geographical corrections

10. Private Access Ways

For the naming of an access way, the following rules also apply:

- a. The name chosen for an access way must be a ‘Lane’ (e.g. Oaks Lane)



- b. If the access way currently services other existing properties then the property owners must be consulted and evidence of this consultation provided to Council.
- c. The private access way must not be vested in Council
- d. The access way must service a minimum of six lots.
- e. The numbering of the street where the access way is created must not be altered with the exception of the lot being subdivided in its entirety.
- f. The numbering of the lots within the subdivision that will be serviced by the access way must follow Council's existing numbering system.
- g. Council is not responsible for any external agencies refusal to acknowledge the access way name.
- h. Council's refuse collection service will only collect from the road (not up the access way).
- i. Signage displaying the name must be within the boundaries of the access way or as agreed on private property created by the subdivision. This signage must be in reverse colours to that used by the public street name system. Supplementary signage must be fixed to the access way name blade stating that the access way is 'Private Access' and 'No Exit'.
- j. Council will not be responsible for any costs associated with the construction and maintenance of the access way or any related signage.

11. Open spaces

For the naming of an open space, the following rules also apply:

- a. Any naming or renaming of open spaces must consider the obligations set out in Part 6 of the Local Government Act 2002.
- b. Reserves must be named or renamed by resolution of Council and in accordance with the Reserves Act 1977.
- c. The Naming of Reserves should also follow the policies as outlined in the General Policies Reserve Management Plan 2019 (see 11.11 of the GPRMP) or any subsequent replacement policies. The naming of open spaces (those that are not reserves) should use the General Policies RMP criteria as a guideline when naming an open space.



12. Decisions on names

Subject to LINZ approval, the final decision on road, access way and open spaces names rests with Council. Council may, at its sole discretion, delegate this decision making function to another body or member of staff.³

13. Relevant Legislation

Matamata-Piako District Council is responsible for the naming of roads under the Local Government Act 1974 Section 319.

Where a reserve is vested in Council, the Minister of Conservation or Council may specify or change the name of a reserve by notice in the Gazette (Section 16(10) Reserves Act 1977).

14. Related Policies, Strategies or Guidelines

This Policy complies with The Australian/New Zealand Standard on Rural and urban addressing AS/NZS 4819:2011.

15. Audience

- a. Council
- b. Council staff
- c. Developers
- d. Mana Whenua
- e. The community

16. Measurement and Review

This policy will be reviewed yearly by the Asset Manager – Strategy and Policy.

³ Delegations will be made by Council resolution and recorded in Council's delegations register.



Schedule 1

| Road type | Abbreviation | Description | Open ended | Cul-de-sac | Pedestrian only |
|-----------|--------------|---|------------|------------|-----------------|
| Alley | Aly | Usually narrow roadway in a city or towns. | √ | √ | |
| Arcade | Arc | Passage having an arched roof or covered walkway with shops along the sides. | | | √ |
| Avenue | Ave | Broad roadway, usually planted on each side with trees. | √ | | |
| Boulevard | Blvd | Wide roadway, well paved, usually ornamented with trees and grass plots. | √ | | |
| Circle | Cir | Roadway that generally forms a circle; or a short enclosed roadway bounded by a circle. | √ | √ | |
| Close | Cl | Short enclosed roadway. | | √ | |
| Court | Crt | Short enclosed roadway, usually surrounded by buildings. | | √ | |
| Crescent | Cres | Crescent shaped roadway, especially where both ends join the same thoroughfare. | √ | | |
| Drive | Dr | Wide roadway without many cross- streets. | √ | | |
| Glade | Gld | Roadway usually in a valley of trees. | √ | √ | |
| Green | Grn | Roadway often leading to a grassed public recreation area. | | √ | |
| Grove | Grv | Roadway that features a group of trees standing together. | | √ | |
| Highway | Hwy | Main thoroughfare between major destinations. | √ | | |
| Lane | Lane | Narrow roadway between walls, buildings or a narrow country roadway. (reserved exclusively for non-public roads) | √ | √ | √ |
| Loop | Loop | Roadway that diverges from and rejoins the main thoroughfare. | √ | | |
| Mall | Mall | Wide walkway, usually with shops along the sides | √ | | |
| Mews | Mews | Roadway having houses grouped around the end. | | √ | |
| Parade | Pde | Public roadway or promenade that has good pedestrian facilities along the side. | √ | | |
| Place | Pl | Short, sometimes narrow, enclosed roadway. | | √ | |
| Promenade | Prom | Wide flat walkway, usually along the water's edge. | | | √ |
| Quay | Qy | Roadway alongside or projecting into the water. | √ | √ | |
| Rise | Rise | Roadway going to a higher place or position | √ | √ | |
| Road | Rd | Open roadway primarily for vehicles. In general rural roads should be called road. | √ | | |
| Square | Sq | Roadway which generally forms a square shape, or an area of roadway bounded by four sides. | √ | √ | |
| Steps | Stps | Walkway consisting mainly of steps. | | | √ |
| Street | St | Public roadway in an urban area, especially where paved and with footpaths and buildings along one or both sides. | √ | | |
| Terrace | Tce | Roadway on a hilly area that is mainly flat. | √ | √ | |
| Track | Trk | √ Walkway in natural setting. | | | √ |
| View | View | A road with a view | √ | √ | |
| Walk | Walk | Thoroughfare for pedestrians | | | √ |
| Way | Way | Short enclosed roadway. (reserved exclusively for non-public roads) | | √ | |
| Wharf | Whrf | A roadway on a wharf or pier. | √ | √ | √ |

7 Pūrongo me whakatau | Decision Reports

7.7 Plan Change 61 - Approval for distribution to iwi authorities.

CM No.: 2983769

Te Kaupapa | Purpose

The purpose of this report is to seek the approval of Council on the current draft content of Plan Change 61 (PC 61), approval for this version of PC 61 to be provided to the iwi authorities for their review and comment, and approval to make minor changes to the draft document up until the point it is provided to the iwi authorities.

Rāpopotonga Matua | Executive Summary

Plan Change 61 (PC 61) involves a change to the Operative Matamata-Piako District Plan to primarily align it with the National Planning Standards, but it also includes the introduction of some new zones and activities, as well as some administrative “tidy ups”. A description of the changes proposed are included in the document attached to this report. The changes have also been discussed at several Council workshops. Staff seek Council approval of the content of PC 61, and approval to then release PC 61 to the iwi authorities for their consideration and comment as required by Clause 4A of Schedule 1, RMA. The iwi authorities will have until the end of March 2025 to provide comments.

Staff also propose to continue their review of the PC 61 material to ensure the document and maps are consistent and correct and there may be the need to make small consequential changes to rectify any inconsistencies. Staff seek approval to undertake this work until PC 61 is provided to the iwi authorities.

Carolyn McAlley will briefly speak to the agenda item and is available to answer any queries as is Nathan Sutherland.

Tūtohunga | Recommendation

That:

1. The report be received.
2. The current content of draft proposed Plan Change 61 is approved, and
3. The approved draft proposed Plan Change 61 is provided to the iwi authorities for their review and comment, and
4. Staff are able to continue to review the draft proposed Plan Change 61 and make any minor consequential changes such as formatting, linkages across the plan and mapping in preparation for providing it to the iwi authorities.

Horopaki | Background

Plan Change 61 primarily involves changing the provisions of the District Plan to align with the requirements of the National Planning Standards, but also includes some additional changes such as the introduction of residential units into the Town Centre Zone, the introduction of minor residential units across several zones, the introduction of several Open Space Zones and some administrative based changes. Informal consultation on the proposed changes occurred in the latter part of 2024. At the Council workshop on 11 December 2024, staff provided elected members with recommendations in relation to the feedback received during this public/stakeholder consultation phase of this project.

The agreed recommendations, of which there were quite a number, have all been included into the Summary Report. Notably the changes to the Sport and Active Recreation Zone will now include some additional activities such as conferences and cafes to provide a revenue stream if this is required. Provision is also made for a number of community type events subject to various restrictions in the Temporary Activities section of the District Plan. The Sport and Active Recreation Zone will continue to provide for artificial lighting to enable night time sporting activities to occur, with a rule relating to the height of lighting structures in the zone, and a new related policy and an assessment criteria. The changes to the Sport and Active Recreation Zone are discussed at section 9 of the Summary Report and a full version of the Sport and Active Recreation Zone, together with the material from the Temporary Activities section is provided at Appendix C of the PC 61 Summary Report for member's consideration.

In the background, staff have also been reviewing the draft material for correctness and consistency and seek to ensure that this work can continue, should any errors or inconsistencies be discovered post-decision, but prior to providing the document to the iwi authorities.

Ngā Take/Kōrerorero | Issues/Discussion

Given that PC 61 has been subject to several Council workshops, staff are confident that the Council are generally familiar the bulk of its content. Therefore, it will not be analysed further in this report. However, at the last workshop, there were two matters that still required further investigation. These were lighting in the Sport and Active Recreation Zone and minor residential units in the Medium Density Residential Zone. These have been discussed below.

Lighting

As the Council lighting expert had to take medical leave late last year, staff have had to wait until this year to be able to finalise the recommended changes related to the provision of lighting within the Sport and Active Recreation Zone (the only open space zone that provides for artificial lighting) and the effects that this may have on adjacent sites. These are consequential changes needed in response to the requirement to provide for the Open Space Zones as part of the National Planning Standards.

The key new matter for consideration is an additional standard in the lighting chapter that provides for sites adjoining a Sport and Active Recreation Zone to receive no more than an added illuminance of 2 lux when measured vertically at the window (pg.12 of the Summary Report). This provides for a reasonable measure to determine the effect of lighting for sites adjoining a Sport and Active Recreation Zone. The inclusion of the lux level measurement is in line with best practice and will enable the standard to be easily monitored, if required.

Attached minor household units in the Medium Density Residential Zone

The request for 70 attached minor household units within two locations in the Medium Density Residential Zone has necessitated the development of a new suite of standards specific to this request (pg. 4 of the Summary Report) as currently minor household units are not provided for in

this zone. These minor household units, unlike the proposed permitted minor household units in the General Residential, General Rural or Rural Lifestyle Zones will be a restricted discretionary activity. The proposed standards are reasonably similar to the minor household units in other zones with regard the provision of an outdoor living area and service area, however points of difference are a smaller minimum net site area of 450m², reflective of the development intensity of the zone, and the need for the site to provide more water storage (7,000 litres) as opposed to the current requirement of 5,000 litre for one house on a site. Assessment criteria will ensure that servicing suitability is assessed.

Ongoing correction processes

In the background staff have also been reviewing the draft material for correctness and consistency. With such a large document, it is common for small errors and inconsistencies to be found. Should Council approve the current plan change content, staff seek approval to make minor changes prior to providing the document to the iwi authorities. Such changes could include fixing spelling mistakes, formatting, wording, numbering and cross-referencing inconsistencies. No changes would be made that affect the integrity or the interpretation of the proposed provisions.

Mōrearea | Risk

In adopting the recommendations of this report, it is considered that approval of the draft version of PC 61 would constitute a low risk. The approval of PC 61 would enable the plan change to then be supplied to the iwi authorities. 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 draft plan change available to iwi authorities in accordance with the relevant provisions of the RMA is an expectation of that piece of legislation.

Ngā Whiringa | Options

Community interest in some aspects of this plan change so there would be benefit in moving the plan change along in a timely manner towards the next stage of public engagement.

Recommendation

Option 1 is the recommended option in this instance. This option would enable the statutory processes outlined in Schedule 1 of the RMA to occur within the timelines that have been set down for this project, allowing the material to be distributed to the iwi authorities for their review and comment in a timely manner. This will enable the project to proceed to public notification subject to Council approval. There is community interest in some aspects of this plan change and there would be benefit in moving the plan change along in a timely manner towards the next stage of public engagement.

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

The RMA provides the statutory processes for the development, notification and decision making related to plan changes. Following the specified RMA processes ensures that Council develops a robust document, and avoids becoming the subject of a judicial review. The recommended options in this report are aligned to the required statutory processes.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The outcome of this meeting and any decisions on the recommendations will be provided in the minutes of the meeting. In the event that the Council approve PC 61 for distribution to the iwi authorities, any feedback received and any changes recommended by staff in response to that feedback, will be subject to further Council review and approval prior to the public notification of PC 61.

Ngā Tāpiritanga | Attachments

[A↓](#). MPDC Version Proposed Plan Change 61 Summary Report 18 09 2024 Updated Jan 2025

Ngā waitohu | Signatories

| | | |
|-------------|--|--|
| Author(s) | Carolyn McAlley Kaiwhakamahere Rautaki RMA Matua Senior RMA Policy Planner | |
| Approved by | Nathan Sutherland Kaiārahi Rautaki RMA Team Leader RMA Policy | |
| | Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation | |

Proposed Plan Change 61 – General Updates to Align with National Planning Standards Operative District Plan

Introduction

The following changes to the plan are the result of working through the Operative District Plan and converting it into the National Planning Standards (NPS) framework, a requirement set by government. This work is in two parts, firstly reformatting the plan into the required format.

The more significant work includes new chapters such as the Mana Whenua Chapter, the new Open Space and Sport and Active Recreation Chapters, together with new rules to align with new defined terms, such as Minor residential unit. Other work required additions to existing chapters so that the chapter functions effectively within the new framework. The remainder of this summary report discusses all these changes in more detail.

Proposed Changes

(1) Conversion of Operative District Plan to National Planning Standards

The District Plan is required to be restructured and reformatted to provide national consistency through using the national planning standards. It does not require a change in Council policy direction rather its reorganization within the plan. All plans must use the definitions that are within the standards.

Zones are to be used and a 'Zone Framework Standard' requires the zones that have been provided for to be used. For example, there are five residential zones to choose from; Large lot residential, low-density residential zone, general residential zone, and medium residential zone.

A Tangata Whenua/Mana Whenua Chapter is required to be put in place. This chapter is required to outline all the information about Iwi, Iwi Management Plans, Treaty Settlements and Statutory Acknowledgements, Iwi values and relationships to inform the community and give advice in relation to planning processes.

Within the standards, it requires Council to use 99 definitions, not all of which are applicable to the Matamata-Piako district. Some of these are specific Resource Management Act (RMA) definitions that are currently used; however, some will change how the district plan is administered. For example, 'Home occupation' becomes 'Home Business' and the rules within the existing definition will need to be put into the appropriate chapters. A 'Dwelling' becomes a 'Residential Unit' and changes are required throughout the District Plan. "Primary production" includes farming, forestry and quarrying and all of the rules for these need to be carefully reworked so as to align with this definition, and/or any definitions that may sit under this.

Council is required to put in place the National Planning Standards as directed by the government. The restructure and reformatting are required to proceed through a RMA Schedule 1 process whereby submissions are called for and this will occur in due course.

The following sections refer to chapter and rule numbers, as they will be shown in the new reformatted National Planning Standards version of the District Plan. A fully reformatted version of the District Plan will be made available at the time of public notification.

(2) Special Purpose Zone Mushroom Processing Zone at former NZ Mushroom Sites at Snell Street and Taukoro Road Morrinsville

Remove 14.7 SPZ-MUPZ and Precinct Plans

- (NZ) Mushrooms Ltd- Morrinsville Snell St - Section 1 SO 55982, Lot 7A DP 2465 and PT Lot 1 DP 16287, all being part of the Motumaohe No. 2 Block.
- (NZ) Mushrooms Ltd – Morrinsville Taukoro Road - Lot 1 DP 36969, Block II Maungakawa SD.

Reason: Under the Operative District Plan, both sites were provided for as Development Concept Plans and were converted into a Special Purpose Zone - Mushroom Processing Zone (SPZ-MPZ) under the National planning Standards.

Both the above sites have discontinued growing and processing mushrooms or compost manufacture. Whilst the provisions provide for the matters either within the General Industrial Zone (GIZ) (for Snell Street) or the General Rural Zone (GRUZ) (for Taukoro Road) for other users developing and using these sites, retaining these rules does not give the community surety over the intended environmental outcomes from these sites.

See Appendix A for a copy of 14.7 SPZ-MUPZ to be deleted.

(3) Use the defined term “Minor Residential Units” to replace the defined term “Dependent Persons Dwelling” within the General Residential Zone, General Rural Zone, and Rural Lifestyle Zone, and provide new standards. Add in provisions for “Attached Minor Residential Units” within the Medium Density Residential Zone

Replace ‘Dependent Persons Dwelling’ with ‘Minor residential unit’ as provided for in the NPS within 13.1 General Residential Zone (GRZ), 13.3 General Rural Zone (GRUZ) and 13.4 Rural Lifestyle Zone (RLZ) being the former residential, rural, and rural-residential zones.

Remove the definition of ‘Dependent Persons Dwelling’ from 3.1 Definitions.

Remove the following standards from 13.1 General Residential Zone (GRZ), 13.3 General Rural Zone (GRUZ) and 13.4 Rural Lifestyle Zone (RLZ)

- (a) Be limited to a maximum gross floor area of 50m²;
- (b) Be relocatable buildings to be removed from the site when the need no longer exists. A restrictive covenant to this effect shall be registered on the Certificate of Title of the subject property prior to building work commencing;

- (c) Not be required to comply with the requirements of this plan relating to household recreation space or car parking, but shall comply in all other respects; Rules GRUZ-R6(1)-(8) (or GRZ-R6(1)-(8))

- (d) Be located in such a way that does not compromise the compliance of the principal dwelling with all requirements of this plan.

And **replace** with the following:

Within 13.1 General Residential Zone (GRZ)

- (e) The minimum net site area shall be 600m²;
- (f) The maximum floor area of the unit shall be 60m²;
- (g) An attached carport of no more than 18m² is permissible;
- (h) The vehicle access shall be from the vehicle crossing serving the primary residential unit;
- (i) The minor residential units shall be located within 40m of the primary residential unit;
- (j) A minimum outdoor living space of 20m² exclusive to the minor residential unit shall be provided with minimum dimensions of 3m. This shall be unobstructed by vehicle access, parking, and buildings and shall be directly accessible from the main living area; and
- (k) All on site activities must individually and collectively comply with all PER activity standards.

Within 13.3 General Rural Zone (GRUZ)

- (l) The minimum net site area shall be 2500m²
- (m) The maximum floor area of the unit shall be 60m²;
- (n) An attached carport of no more than 18m² is permissible;
- (o) The vehicle access shall be from the vehicle crossing serving the primary residential unit;
- (p) The minor residential units shall be located within 100m of the primary residential unit;
- (q) A minimum outdoor living space of 20m² exclusive to the minor residential unit shall be provided with minimum dimension of 3m. This shall be unobstructed by vehicle access, parking, and buildings and shall be directly accessible from the main living area; and
- (r) All on site activities must individually and collectively comply with all PER activity standards.

Within 13.4 Rural Lifestyle Zone (RLZ)

- (s) The minimum net site area shall be 2500m²
- (t) The maximum floor area of the unit shall be 60m²;
- (u) An attached carport of no more than 18m² is permissible;
- (v) The vehicle access shall be from the vehicle crossing serving the primary residential unit;
- (w) The minor residential units shall be located within 40m of the primary residential unit;
- (x) A minimum outdoor living space of 20m² exclusive to the minor residential unit shall be provided with minimum dimension of 3m. This shall be unobstructed by vehicle access, parking, and buildings and shall be directly accessible from the main living area; and

- (y) All on site activities must individually and collectively comply with all PER activity standards.

Add in 13.2 Medium Density Residential Zone and PREC1 as Restricted Discretionary Activities the provision for “Attached Minor Residential Units” subject to the following:

- (a) MRZ-R2(1) to MRZ-R2(5), and MRZ-R4 or PREC1-R2(1) to PREC1-R2(5), and PREC4-R4
- (b) Attached minor residential units shall comply with the following:
 - (i) Must be designed and attached to the primary residential unit;
 - (ii) The minimum net site area shall be 450m²;
 - (iii) The maximum floor area of the unit shall be 60m²;
 - (iv) An attached carport of no more than 18m² is permissible;
 - (v) The vehicle access shall be from the vehicle crossing serving the primary residential unit;
 - (vi) A minimum outdoor living space of 20m² exclusive to the minor residential unit shall be provided with minimum dimension of 3m. This shall be unobstructed by vehicle access, parking, and buildings and shall be directly accessible from the main living area; and
 - (vii) All on site activities must individually and collectively comply with all PER activity standards.

Amend MRZ-R2(5)(a) and PREC1-R2(5)(a) as follows:

- (a) Rainwater storage tanks with a minimum capacity of 5,000 litres for the supply on non-potable water for outdoor use for allotments that have a standalone residential unit or 7,000 litres for allotments that have a residential unit and attached minor residential unit; or

Amend MRZ-R3(2) and PREC1-R3 - RDIS Matters of Discretion to provide for a Duplex or Attached Minor Residential Unit.

3.1 Definitions

Amend the existing term “Minor residential unit” to align with the NPS definition as follows: ~~For the Settlement Zone,~~ means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.

Reason: The “dependent persons dwelling” provides for a limited range of accommodation in that it can only be used by a person dependent on the party in the primary dwelling. The ‘minor residential unit’ provides for anyone to develop a “minor residential unit” in conjunction with the primary residential unit of a site subject to standards to provide minimum amenity for the user of the unit. The standards have been aligned with those developed for the Settlement Zone which previously went through a plan change; therefore the definition needs to be amended to apply to the whole District Plan. It would also compensate for the changes to the definition of “dwelling” which presently allows for an attached self-contained suite occupied by a member of the same family. The Medium Density Residential Zone does not permit dependent persons dwellings and relies on the duplex to have an additional unit on a site; however these are

a full sized unit requiring at least 200m². The attached minor residential unit within this zone will provide for more options to provide for housing.

(4) Home Businesses in lieu of Home Occupations with New Standards

Replace 'Home Occupations' with 'Home businesses' as provided for in the National Planning Standards within 13.1 General Residential Zone (GRZ), 13.3 General Rural Zone (GRUZ), and 13.4 Rural Lifestyle Zone (RLZ) and,

Remove the definition of 'Home Occupations' and **amend** 'Home occupation business retail area' by deletion of 'occupation'.

Remove the following standards from 13.1 General Residential Zone (GRZ), 13.3 General Rural Zone (GRUZ) and 13.4 Rural Lifestyle Zone (RLZ),

- (a) Ancillary character
- (b) The activity must be ancillary to the use of the site for residential or rural use and occupy no more than 10% of the site or 150m² whichever is the lesser.
- (c) The activity is carried out either wholly within the dwelling or within an accessory building erected or modified for the purpose and constructed to the satisfaction of Council.
- (d) Retailing
 - (i) Retailing of goods from the site shall be permitted in accordance with the access provisions in Section 9.
 - (ii) Any area set aside for retail (inside or outside) shall not exceed 20m².

And **Replace** with the following:

13.1 General Residential Zone

- (a) A maximum of two full time equivalent positions may be employed in the home business and it must include at least one permanent resident of the site;
- (b) The home business shall not involve the parking of heavy vehicles (Gross Vehicle Weight of 3,500kg or more) on site;
- (c) The sale of goods directly to customers from the site is limited to those produced on site and/or which are ancillary to a service undertaken on site;
- (d) The total area dedicated to a home occupation shall be limited to 60m² floor area. This may include up to 20m² outdoor areas for the activity including storage subject to this area being screened by fencing and/or landscaping to a minimum height of 1.8m;
- (e) A maximum outdoor area of 10m² for the display of goods for sale in addition to (d);
- (f) Includes non-self-contained B&B for up to six people;
- (g) Shall not involve any pet day care or grooming services, and
- (h) The hours for delivery and collection of goods as well as onsite customer visits shall be between: 7.30am to 5.30 pm – Monday to Sunday.

13.3 General Rural Zone and 13.4 Rural Lifestyle Zone

- (a) A maximum of two full time equivalent positions may be employed in the home business and it must include at least one permanent resident of the site;
- (b) The home business shall not involve the parking of heavy vehicles (Gross Vehicle Weight of 3,500kg or more) on site;
- (c) The sale of goods directly to customers from the site is limited to those produced on site and/or which are ancillary to a service undertaken on site;
- (d) The total area dedicated to a home occupation shall be limited to 60m² floor area. This may include up to 20m² outdoor areas for the activity including storage subject to this area being screened by fencing and/or landscaping to a minimum height of 1.8m;
- (e) A maximum outdoor area of 10m² for the display of goods for sale in addition to (d);
- (f) Includes non-self-contained B&B for up to six people;
- (g) Any private day care activity shall be limited to four children (excluding children permanently resident);
- (h) Shall not involve any pet day care or grooming services, and
- (i) The hours for delivery and collection of goods as well as onsite customer visits shall be between: 7.30am to 5.30 pm – Monday to Sunday.

Reason: The NPS has set a definition of 'Home Businesses' which will replace the term 'Home Occupation' presently used in the District Plan. The standards in the District Plan have been updated and aligned to provide consistency throughout the District with those developed for the existing Settlement Zone which previously went through a plan change.

(5) General Rural Zone and Rural Lifestyle Zone Maximum Building Footprint

Amend, within 13.3 General Rural Zone and 13.4 Rural Lifestyle Zone the following rules GRUZ-R6(2)(a) and RLZ-R6(2)(a) as follows:

"(a) Total building ~~coverage~~ footprint for ~~accessory~~ buildings on sites less than 4000 m² 1ha shall not exceed ~~40~~ 20% of the net site area."

Reason: To ensure that the degree of buildings on sites of a rural lifestyle nature, are proportional to the size of the lot, through amending the site coverage rule.

(6) Residential Unit and Standards in Town Centre Zone, Commercial Zone and General Industrial Zone

Change the activity- "one residential unit per property ancillary to a business" to now provide for one independent residential unit per site within the Town Centre Zone, and **add** in standards to cater for these. **Add** in 13.7 Commercial Zone and 13.8 General Industrial Zone standards to cater for residential development as outlined below.

Within 13.6 Town Centre Zone

Amend TCZ-R1(12) as follows:

~~“One dwelling residential unit per site property ancillary to a business or industrial activity within the business or industrial zone~~

Subject to

Add in “TCZ-R5(5)”

Add in the following as TCZ-R5(5)

(5) Residential Development

- (a) All residential activities must be located above ground floor level with its own access, except for any access provided to the upper floor levels, storage and service area.
- (b) Have a minimum gross floor area of 50m²
- (c) All storage and service areas must be located to the rear of the building and be visually screened
- (d) Each residential unit shall be provided with an outdoor living area that is:
 - (i) For the exclusive use of the residential unit, and is contained within the area or unit site area;
 - (ii) Readily accessible from a living area inside the residential unit;
 - (iii) Free of driveways, manoeuvring area, parking spaces, buildings and service areas;
 - (iv) Located and/or screened so that at least 50% of the outdoor living area has complete visual privacy from the living rooms and outdoor living spaces of other residential units on the site, and from adjoining sites;
 - (v) Outdoor living areas shall have a minimum area of 10m² where no dimension is less than 2m.
- (e) Each residential unit shall be provided with a service area that is:
 - (i) Located at or below ground-floor level, readily accessible to the residential unit, secure and weatherproof;
 - (ii) A minimum area of 1.8m long by 1m high by 1m deep.

ADD Within 13.7 Commercial Zone and 13.8 General Industrial Zone, the following as COMZ-R5(4) and GIZ-R5(5)

Residential Development

- (f) All residential activities must be located above ground floor level, except that, residential activities may occur on the ground floor to the rear of the building frontage occupied by retail or another PER activity, and the site is not a through site;
- (g) Have a maximum floor area of no more than 50% of the floor area of the business activity on the site;
- (h) All storage and service areas must be located to the rear of the building and be visually screened
- (i) Each residential unit shall be provided with an outdoor living area that is:
 - (i) For the exclusive use of the residential unit, and is contained within the area or unit site area;
 - (ii) Readily accessible from a living area inside the residential unit;
 - (iii) Free of driveways, manoeuvring areas, parking spaces, buildings and service areas;
 - (iv) Located and/or screened so that at least 50% of the outdoor living area has complete visual privacy from the living rooms and outdoor living spaces of other residential units on the site, and from adjoining sites;

- (v) Outdoor living areas shall have a minimum area of 10m² where no dimension is less than 2m.
- (j) Each residential unit shall be provided with a service area that is:
 - (i) Located at or below ground-floor level, readily accessible to the residential unit, secure and weatherproof;
 - (ii) A minimum area of 1.8m long by 1m high by 1m deep.

Add a new definition into 3.1 Definitions for “Service area” as follows:

“Service Area means an area of outdoor space for the exclusive use of the residential unit for domestic requirements, such as rubbish storage or a clothesline. It excludes any space required for outdoor living space, parking, manoeuvring, or buildings.”

Reason: Residential units independent of a business should be provided for within the Town Centre’s above ground level. There is no reason to require these to be connected to a business. New standards have been developed to allow these to occur as a permitted activity. Standards have also been developed for the residential units provisions in the Commercial and Industrial zones to ensure amenity is provided. A new definition “service area” will also be included.

(7) General Residential Zone – Conservation Forestry

Delete GRZ-R1(12) ‘Conservation Forestry’ as a permitted activity within 13.1 General Residential Zone

Reason: Conservation forestry is inappropriate within a residential zone as it has the potential to lock down residential zoned land for a landuse more akin to a rural zone and hinder growth opportunities.

(8) Introduce the Open Space Zone and Natural Open Space Zone

To provide a new chapter 13.10 Open Space Zone within the district plan to provide objectives, policies, and rules for open space purposes that are used predominantly for a range of passive and active leisure and recreational activities, along with limited facilities and structures.

See attached in Appendix B for the zone chapter for Open Space.

Remove reference to “Public Reserves” in ENGY-R2(1) to (4) and INF-R1, INF-R3, INF-R7, INF-R9 to INF-R11

Add references to include consideration of the Open Space Zone as follows:

- (a) ENGY-R2, ENGY-R4 to ENGY-R6 Electricity transmission and distribution activities
- (b) ENGY-R7, ENGY-R9 to ENGY-R11-Renewable energy generation activities
- (c) ENGY-R12, ENGY-R15 Liquid fuels and gas transmission and distribution
- (d) INF-R7, INF-R9 to INF-R11 PER, RDIS, DIS and NC activities
- (e) INF-R12 to INF-R15-Water, wastewater and stormwater

- (f) INF-R16, INF-R19, INF-R20-Misc works and network utilities
- (g) Tran-R1
- (h) CL-R1- Discretionary activities for Contaminated Land

Reason: This new zone is a result of the NPS which requires a reserve to be subject to a zoning that encompasses a range of activities with their own objectives, policies, and rules. At present, reserves are identified on the planning maps as a 'reserve' and are usually zoned the adjoining zone, with reliance on the objectives, policies, and rules of that zone, rather than having their own objectives, policies and rules. The "Open Space Zone" will provide objectives, policies and rules for open space purposes that are used predominantly for a range of passive and active leisure and recreational activities, along with limited facilities and structures.

To provide a new chapter-Natural Open Space Zone. The contents of this chapter are the same as the existing kaitiaki (conservation) zone.

Reason: This new zone is a result of the NPS, which provides for Natural Open Space Zones within the Zone Framework. The "Natural Open Space" zone will recognize the existing Conservation/Kaitiaki Zone and provide objectives, policies and rules to ensure its ongoing protection, while providing for the same limited range of activities. While it is an existing zone, its map recognition will change.

(9) Sport and Active Recreation Zone

To provide a new chapter 13.11-SARZ Sport and Active Recreation within the district plan to provide objectives, policies, rules, standards and assessment criteria for open space areas for a range of sport and recreational activities, including organized sport and recreation for local, district-wide and regional communities, plus some additional activities such as conferences and cafes to provide a revenue stream if this is required. Provision is also made for a number of community type events subject to various restrictions in the Temporary Activities section. The new SARZ zone will continue to provide for artificial lighting to enable night time sporting activities to occur, with a rule relating to the height of lighting structures in the SARZ zone, and assessment criteria. A related rule in the lighting chapter will control the effects of this lighting on adjacent sites and additional assessment criteria are proposed should a resource consent be required.

See Appendix C for the zone chapter for the Sport and Active Recreation Zone.

Add references to include consideration of the Sport and Active Recreation Zone as follows:

- (a) ENGY-R2, ENGY-R4 to ENGY-R6 Electricity transmission and distribution activities
- (b) ENGY-R7, ENGY-R9 to ENGY-R11-Renewable energy generation activities
- (c) ENGY-R12, ENGY-R15 Liquid fuels and gas transmission and distribution
- (d) INF-R7, INF-R9 to INF-R11 PER, RDIS, DIS and NC activities
- (e) INF-R12 to INF-R15-Water, wastewater and stormwater
- (f) INF-R16, INF-R19, INF-R20-Misc works and network utilities
- (g) Tran-R1
- (h) CL-R1- Discretionary activities for Contaminated Land

Reason: This new zone is a result of the NPS which provides for Open Space Zones within the Zone Framework. At present, reserves are identified on the planning maps as a 'reserve' and are usually zoned the same as the adjoining zone, with reliance on the objectives, policies, and rules of that zone, rather than having their own objectives, policies and rules.

3.1 Definitions

Add in new definitions for 'Public Amenities', 'Recreational facilities' and 'Informal Recreation' as follows:

Public Amenities – means facilities established for the convenience and amenity of the public. Includes: landscaping and planting; toilets; seating and picnic tables; bicycle stands and cycle parking structures; fountains; drinking fountains; rubbish bins; directional signage and information boards; barbecues; lighting; shelters; changing facilities; and playgrounds and playground equipment.

Recreational facilities – means a facility where the primary purpose is to provide for sport and recreation activities. Includes:

- recreation centres;
- aquatic facilities, swimming pools, both indoor and outdoor;
- fitness centres and gymnasiums; and
- indoor sports centres.

Informal recreation – means non-competitive physical activity for the purpose of wellbeing and enjoyment.

Function – means for the OSZ and SARZ a special event or formal social event where it is a special occasion to celebrate.

Planning Maps – reserve layers.

The following properties have a reserve layer on the planning maps **which are proposed to be removed**.

- (a) 25-27 Ward St, Waharoa – Currently in private ownership
- (b) 26 Ward St, Waharoa – Currently in private ownership
- (c) Okauia Springs Road, Matamata - Currently in private ownership. Cultural redress property through the Ngāti Hinerangi Claims Settlement Act 2021
- (d) 639 Mowbray Road, Matamata - Currently in private ownership. Cultural redress property through the Ngāti Hinerangi Claims Settlement Act 2021.

(10) Chapter 5 Mana Whenua

To provide a new Chapter 5-Mana Whenua to align with the NPS.

See Appendix D to view the chapter.

Amend Chapter 6.7 Tangata Whenua to 6.6 Mana Whenua and reorder sections alphabetically. Amend Table of Contents accordingly.



Reason: The NPS requires that the District Plan provide information on Mana Whenua within the District.

(11) Chapter 9.1 Historic Heritage – Heritage Sites – Amend McDonald Cottage Location from Lorne St to Canada St, Morrinsville, and delete Former Borough Council Office at Matamata.

Amend from HH-SCHED1-Heritage Sites

Site ID-14

McDonald Cottage (Residential Unit)

~~53A Lorne Street, Morrinsville~~ 41 Canada Street, Morrinsville

~~(Lot 49 DP 2461) (Part Lot 136 DP 2461)~~

Relocate on planning map 28.

Reason: The Cottage has been removed from the site at Lorne Street and relocated to the Museum site in Canada Street, Morrinsville.

Delete from HH-SCHED1-Heritage Sites

Site ID-20

Former Borough Council Office (Matamata-Piako District Council Area Office)

Corner Tainui & Tui Streets, Matamata

(Sections 18, 19, & 20 and Part Section 15 Block VII Matamata Township)

Delete on planning map 32.

Reason: In 2016, a resource consent was granted to demolish the Former Borough Council Office and has subsequently been removed.

(12) Section 12.1 Activities on the Surface of Water – remove reference to speed and structures over water

Delete ASW-R3 “Motorised vessels are not to exceed speeds of five knots (9kph) within 5m of a riverbank for all tributaries of the Waihou River.”

Add as Other Method “(9) Speed on waterways as determined by WRC Bylaws.”

Delete ASW-R5(f) matter of discretion “The speed and size of any vessels to be used shall comply with the Water Recreation Regulations on the surface of waterways and any likelihood of bank erosion.”

Amend ASW-R2(2) discretionary activities to require structures on or over the surface of water to apply to ‘relevant recreational activities’ only.

“Erection, or placement of new structures, addition, alteration or replacement of existing authorised structures on ~~or over~~ the surface of water with the exception of overhead electricity infrastructure.”

Reason: The speed on the waterways is governed and regulated by the Waikato Regional Council and Council does not want to unnecessarily be a regulator. In terms of the structures on or over the surface of water Council cannot regulate the development of bridges or structures over the surface of water under this rule as it is not within its functions as set out in section 31 of the RMA.

(13) Section 12.5 Light – Assessment Criteria, Standards

Add in LIGHT-RDIS activities Matter of Discretion as follows:

“The extent to which the lighting and structure will detract from the amenity value of any adjoining residential areas, and the measures to remedy adverse effects, including through the location of the structure and hours of operation.”

Reason: As a result of reformatting required by the NPS, the provisions related to Light are now required to be captured in one chapter. The addition of new assessment criteria is making it clear that as part of a development, consideration needs to be given to the amenity values of residential areas.

Add in LIGHT-R3 Standards

“(2)(c) In lieu of (a) and (b) above, sites adjoining a SARZ an added illuminance of in excess of 2 lux is used measured vertically at the window”

Reason: The SARZ chapter will provide for lighting structures to enable nighttime sporting activities to continue to occur. This new proposed standard in the lighting chapter will provide for a reasonable measure to determine the effect of lighting for sites adjoining a SARZ

(14) Chapter 3 Interpretations

3.1 Definitions

Amend definition of ‘Storage and Warehousing’ as follows:

“means land or buildings for the purpose of storing materials ~~and includes recycling depots,~~ but excludes retailing.

Reason: Recycling depots are provided for as part of ‘industrial activities’ which has been developed as a new definition under the National Planning Standards.

Amend definition of ‘Specified Reference Point’ as follows:

~~“For the Settlement Zone,~~ means the finished ground level as identified and approved as part of an approved subdivision consent for which S. 224(c) has been granted or the natural ground level, immediately below the building or building component which is being measured.”

Reason: Specified Reference Point is a new term used in the NPS and was inserted into the plan as part of the Settlement Zone Plan Change. For consistency, it needs to apply to the remainder of the District Plan.

(15) Section 8.1 Contaminated Land

Add in the following policies to Section 8.1 Contaminated Land

CL-P3

Contaminated land is managed or remediated to ensure that contaminants are at a level acceptable for the proposed land-use.

CL-P4

Management of contaminated land must be carried out in a manner that avoids further adverse effects on human health and or on the environment.

CL-P5

Use or development of contaminated land must not damage or destroy any contaminant containment works, unless comparable or better containment is provided, or monitoring demonstrates that the containment is no longer required.

CL-P6

Ensure that development of contaminated land management approaches include site investigations, remediation action plans, or management plans for identifying, monitoring and managing contaminated land.

See Appendix G for further amendments to align with the National Environmental Standard

Reason: This topic is required to be a separate chapter under the NPS. These policies are required to provide substance to the chapter and the need to identify how the objectives are achieved for this chapter. Further amendments are proposed to align with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

(16) General Rural Zone and Rural lifestyle Zone – Exclusion for the keeping of animals

Add in the following standard for pastoral farming activities (RLZ-R1(11))

“Excluding the keeping of animals where 50% or more feed comes from the site.”

Add in the following to GRUZ-R4(15), GRUZ-R5(7) and GRUZ-R7(1) – “ but excludes the keeping of animals where 50% or more feed comes from the site.”

Reason: This standard is required to allow for pastoral farming activities to continue where they provide shelter/stand-off pads for animals where reliance for farming is on the soils. This is to ensure that by providing for shelters and feedlots the activity does not get

captured as Intensive Indoor Primary Production-a new national planning standards definition.

Provide for a new yard standard within GRUZ-R6 for the keeping of animals

“Any building or enclosure used for the housing and keeping of any animals (including milking and calf rearing sheds, but excluding buildings for intensive farming) are not permitted within 50 metres of the boundary. This standard excludes stock loading races or stock loading yards associated with an agricultural activity and commercial stockyards, sales yards and holding paddocks.”

Reason: To provide a setback yard on the site where animals are kept to mitigate or remedy nuisances generated in conjunction with the keeping of animals.

(17) Financial Contributions

Amend Chapter 12.4 Financial Contributions – update financial contributions for reserves and amend SCHED7-FC to show contributions for reserves only and update to current values.

Reason: When the District Plan became operative Financial Contributions for reserves, water, wastewater, and roading were all collected under the Resource Management Act (RMA). Subsequently the Local Government Act provided for Local Authorities to develop Development Contribution Policies whereby these policies are regularly updated to provide for growth, and it is through this mechanism that most of the contributions are collected. Therefore, it is appropriate for Council to update the provisions in the District Plan to reflect that other mechanisms are now utilised to collect many of the financial contributions previously collected under the RMA.

(18) Town Centre Zone

Remove from the Town Centre Zone the following permitted activities:

- Vet clinics
- Fire stations
- Packhouses and cool stores
- Storage and warehousing

Rezone a portion of Matamata, Morrinsville and Te Aroha to the Town Centre zone whilst the remainder of the previous business zone is rezoned Commercial.

Reason: Under the Operative District Plan the zoning of the Town Centre is ‘Business’ Zone and the NPS provides for a Town Centre Zone and a Commercial Zone. Therefore, the Business zone will be rezoned into two and it is considered appropriate to have Town Centre, which is the key shopping areas of the towns. As a result, it is considered inappropriate to provide the activities listed as permitted activities within the Town Centre, which is the key shopping areas of the towns. These activities remain in the Commercial Zone.

See Appendix E for a copy of the maps that show the Town Centre Zone and Commercial Zone in Matamata, Morrinsville and Te Aroha.

(19) SPZ-FUZ Future Urban Zone

To provide a new Chapter 14.7 SPZ-FUZ Special Purpose Zone-Future Urban Zone to align with the existing 'future residential policy area' and bring into an appropriate zone in alignment with the NPS. Add objectives, policies and rules within the subdivision chapter to align with the zone.

See Appendix F to view the chapter and subdivision additions and amendments.

Delete GRUZ-P13, GRUZ-R8 PREC1-Future Residential Policy Area and renumber GRUZ-R9 and rename to: GRUZ-R8 Other Plan Matters

Amend Table of Contents accordingly

Reason: The NPS provides within the Special Purpose Zones for a Future Urban Zone

(20) Community Gardens

To provide for community gardens throughout the district.

Add within the TCZ and COMZ to provide community gardens as permitted activities. Add within the GRZ, MRZ, GRUZ, RLZ, SETZ and GIZ to provide community gardens as discretionary activities.

Add in new definition

"Community garden means a garden operated by a group or collective on land for the purpose of growing plants, vegetables or fruit. Not for commercial gain."

Reason: To provide for community gardens throughout the district without having to work through non-complying activity status and removing unnecessary barriers.

APPENDIX A – 14.7 SPZ-MUPZ Mushroom Processing to be deleted

~~14.7-SPZ-MUPZ Mushroom Processing Zone~~

~~Issues~~

~~Within the district there are two sites near Morrinsville which were provided with specific Development Concept Plans to provide for mushroom processing. One of the sites on the corner of Avenue Road North and Snell Street Morrinsville caters for the growing and processing of mushrooms whilst the other in Taukoro Road caters for the manufacture of compost which is used for mushroom growing at the other site. These sites have been~~



established as a Special Purpose Zone, which provides for the above. The zone is divided into PREC's to provide for the needs of the individual sites.

MUPZ-Objectives

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|---------|---|
| MUPZ-O1 | To enable the orderly and coherent development of processing and extractive industry in a manner that promotes the sustainable management of natural and physical resources in the rural areas. |
| MUPZ-O2 | To ensure that the design of potential future development maintains or enhances the rural character, landscape and amenity of the zone and the surrounding area. |
| MUPZ-O3 | To provide healthy and safe working, living and recreational environments by avoiding and mitigating the effect of excessive noise, vibration, odour and dust. |

MUPZ-Policies

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|---------|---|
| MUPZ-P1 | The adverse effects of processing and extractive industries should be avoided, remedied or mitigated in accordance with the amenity values of the adjacent community. |
| MUPZ-P2 | To encourage a high standard of on-site amenity in industrial areas including within Special Purpose Zones for Industrial purposes. |
| MUPZ-P3 | To ensure that the rural landscape, character and amenity values are maintained by avoiding inappropriate adverse effects, including cumulative adverse effects, from potential future development. |
| MUPZ-P4 | To ensure that activities in rural and industrial areas including Special Purpose Zones avoid, remedy or mitigate generated effects to maintain and enhance a healthy, safe and pleasant environment and take all reasonable steps to internalise any nuisance effects. |

SPZ-MUPZ-PREC1- Snell St Morrinsville

Refer to Precinct Plan Snell Street, Morrinsville

| PREC1-R1 PER activities | ZONE Subject to |
|---|--|
| (1) Any PER activity in GIZ (2) Plant and enclosed facilities for the packing and distribution of mushrooms produced on the site including by- | All PER activities must comply with the general and specific activity standards. (a) Being within the existing and future development areas identified on the Precinct Plan |

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| <p>products and waste materials and the following elements of activity</p> <ul style="list-style-type: none"> (a) The growing of mushrooms (b) Warehouses, silos, stores, coolstores and the storage of mushrooms produced on the site (c) Offices, laboratories and research facilities ancillary to the growing of mushrooms (d) Canteens, dining rooms, ablution facilities, medical rooms, care centres and recreational facilities <p>(3) Transport servicing depots and workshops for vehicles used in the operation</p> <p>(4) Farming activities</p> <p>(5) Buildings, structures, car-parking and activities accessory and/or ancillary to any PER activity</p> <p>(6) Residential accommodation for staff as at 10 June 1993</p> | <p>(b) Relevant standard in PREC1 and PREC2 R5(1) to (3) and MUPZ-R6</p> |
| PREC1-R2 CON activities | <p>Zone</p> <p>Subject to</p> <p>All CON activities must comply with the general and specific activity standards.</p> |
| (1) Any CON activity in the GIZ | <p>Matters of control</p> <ul style="list-style-type: none"> (a) Relevant standards in PREC1 and PREC2 R5(1) to (3) and MUPZ-R6 (b) Matters of Control identified in the GIZ |
| (2) Subdivision to provide for PER or CON activities | <ul style="list-style-type: none"> (a) SUB-R6 and SUB-R7 where relevant (b) SUB-R8 |
| PREC1-R3 RDIS activities | <p>Zone</p> <p>Subject to</p> <p>All RDIS activities must comply with the general and specific activity standards.</p> <p>Matters of Discretion</p> <p>SUB-R9(1) and (2)</p> |
| (1) Subdivision not meeting the standards | |
| PREC1-R4 DIS activities | <p>Zone</p> <p>Subject to</p> <p>The matters of discretion may be used to inform and guide the assessment of a</p> |

| | |
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| | DIS activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (1) Any activity listed as a PER, CON, that does not comply with any of the standards (2) Any industrial activity listed as a DIS activity within the GIZ (3) The processing of mushrooms (4) Waste water treatment plants and ponds (5) Energy production including boilers, power plants, and co-generation plants (6) Facilities for the storage of dangerous goods and hazardous substances associated with the growing and processing of mushrooms including related by-products and waste materials. | Matters of discretion (a) Relevant standards in PREC1 and PREC2 R5(1) to (3) and MUPZ R6 (b) HPW-R4(2) or SUB-R9(9) |
| PREC1-R5 NC activities | Zone Subject to The matters of discretion may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (1) Any activity not provided for as a PER, CON, or DIS activity or not located in general accordance with the Precinct Plan | |

SPZ-MUPZ-PREC2- Taukoro Road, Morrinsville

Refer to Precinct Plan- Taukoro Road, Morrinsville

| | |
|---|---|
| PREC2-R1 PER activities | Subject to |
| | All PER activities must comply with the general and specific activity standards. |
| (1) Plant and facilities for and the manufacture of compost within the four existing covered compost bunkers as identified on the Precinct Plan for supply for use on and off the site, including the following elements of activity: | (a) Being within the existing and future development areas identified on the Precinct Plan (b) Relevant standard in PREC1 and PREC2 R5(1) to (3) and MUPZ R6 |

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| <p>(a) Delivery of raw materials</p> <p>(b) Use of a large impervious concrete slab including border and other channels for the collection of all run-off from activities on the slab. Such a slab is to be used for the storage of raw materials used for the compost production at an inventory level for a continuing supply to the compost making process. Concrete bays for loading of trucks, adjoining the concrete slab.</p> <p>(c) Use of covered concrete bunkers with the provision of ducting to provide aeration to materials within such bunkers and the operation of a Biofilter bed to manage the discharge of offensive odours.</p> <p>(d) Use of machinery for spreading/mixing, storing on site</p> <p>(e) Accessory buildings including offices, equipment servicing and laboratories, and other staff facilities</p> <p>(f) A bore and well for water supply</p> <p>(g) Water tanks for the recirculation of the water</p> <p>(h) Access, manoeuvring, loading/unloading and parking of vehicles</p> <p>(i) Provision of all associated and incidental structural engineering, electrical and other work for the completion and operation of the above PER activities</p> <p>(2) Transport servicing depots and workshops for the vehicles used in the operation</p> <p>(3) Farming activities</p> <p>(4) Buildings, structures and activities accessory and/or ancillary to any PER activity</p> <p>(5) Residential unit as at 1 November 1996</p> | |
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| (6) Any PER activity in the GRUZ PREC2-R2 CON activities | Subject to All CON activities must comply with the general and specific activity standards. |
| (1) On-site fixed irrigation system, and the spraying or spreading of liquid by-products or wastes as a fertiliser or for irrigation purposes from these systems or from truck based units in accordance with resource consents and GRUZ-R6(6) (2) Any CON activity in the GRUZ PREC2-R3 RDIS activities | (a) Relevant standards in PREC1 and PREC2 R5(1) to (3) and MUPZ-R6 (b) Relevant standards in HPW-R3 Matters of Control (c) Relevant Matters of Control in HPW-R4 |
| (1) The growing and processing of mushrooms (2) Plant and facilities for and the manufacture of compost within bunkers, beyond what is identified as a PER activity, for the supply for use on and off the site, including the elements of the activity as identified under Per activities. PREC2-R4 DIS activities | Subject to All RDIS activities must comply with the general and specific activity standards. Matters of Discretion (a) Relevant standards in PREC1 and PREC2-R5(1) to (3) and MUPZ-R6 (b) HPW-R4 (a) to (e), (h) to (j), (n), (o), (p), and (r). |
| (1) Energy production including boilers, power plants and co-generation plants (2) Facilities for the storage of dangerous goods and hazardous substances associated with the manufacture of compost and the growing and processing of mushrooms including related by-products and waste materials (3) Buildings, structures and activities accessory and/or ancillary to and DIS activity | Matters of discretion (a) Relevant standards in PREC1 and PREC2-R5(1) to (3) and MUPZ-R6 (b) HPW-R4 |

| | |
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| (4) Any activity listed as a PER or CON activity that does not comply with any of the standards or specified conditions | |
| (5) Waste water treatment plants and ponds | |
| (6) Any DIS activity in the GRUZ | |
| PREC2-R5 NC activities | Subject to The matters of discretion may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (1) Any activity not provided for as a PER, CON, or DIS activity or not located in general accordance with the Precinct Plan | |

PREC1- NZ Mushrooms Snell St Morrinsville and PREC2- NZ Mushrooms Taukoro Road, Morrinsville

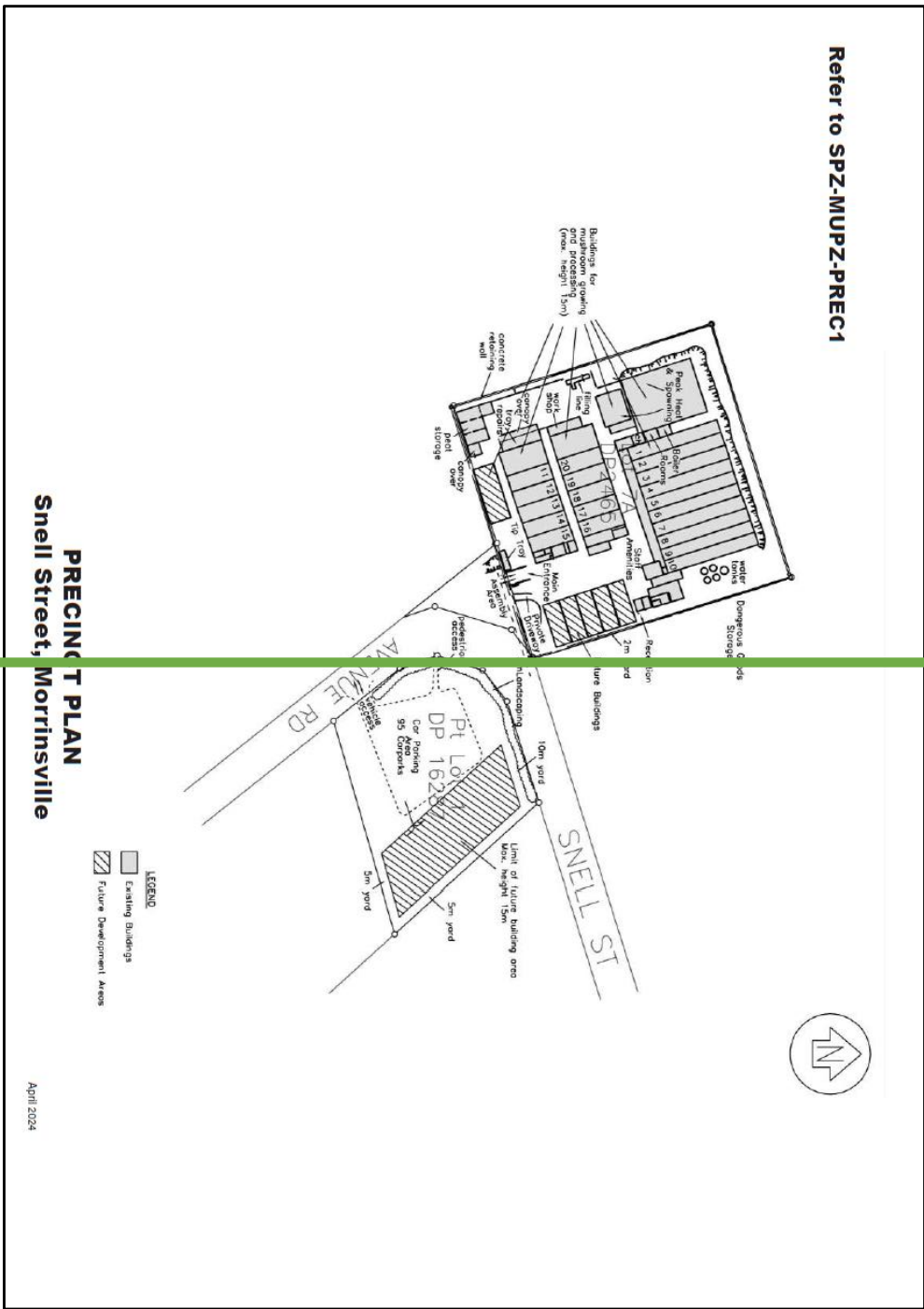
MUPZ-R5 Standards

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| 1.1.1 R5 (1) Building envelope |
| (a) Maximum height 20m |
| (b) Yards adjoining any road or non-industrial zone 80m |
| (c) All other yards 10m |
| Provided that: The following shall meet the building envelope requirements in R5(1)(a), (b) and (c) above: |
| (i) Any uncovered deck, terrace, platform or bridge which is more than 1m above ground level |
| (ii) Any pool or tank more than 1m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub) |
| (iii) Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes |
| (iv) Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support |
| (d) Fences and walls |

| |
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| <p>(i) No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback where it adjoins a zone or reserve other than the MUPZ-PREC1 and</p> <p>(ii) Exceed the maximum height rules in MUPZ-R5(1) outside the yard setback</p> |
| <p>R5(2) Landscaping</p> <p>(a) Landscaping shall be required on sites that are located within the identified Principal Road Landscaping Areas subject to the following criteria:</p> <p>(i) A redevelopment of the site is proposed which includes any new or replacement building footprint of 50m² or more;</p> <p>(ii) A minimum of 15% of the front yard requirement shall be landscaped and maintained with a mixture of shrubs, specimen trees and ground cover. The landscaping area shall have a minimum dimension of 1m and shall be located in front of the primary building.</p> <p>(b) Landscaping shall be undertaken and maintained in accordance with a Landscape Plan and planting programme submitted to and approved by Council prior to development commencing.</p> |
| <p>R5(3) Access, parking, loading and manoeuvring</p> <p>1.1.2 See Chapter 7.3 Transport and</p> <p>All internal roading and parking areas shall be formed with an all-weather surface designed to minimise dust and noise nuisance.</p> |

MUPZ-R6 Other Plan Matters

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| <p>All activities shall comply with the relevant matters where applicable as identified below:</p> |
| <p>(1) Chapters 1-6</p> <p>(2) Section 7.1 Energy, 7.2 Infrastructure, 7.3 Transport</p> <p>(3) Section 8.1 Contaminated Land, 8.2 Hazardous Substances, 8.3 Natural Hazards</p> <p>(4) Chapter 9 Historic and Cultural Values</p> <p>(5) Chapter 11 Subdivision</p> <p>(6) Section 12.2 Air Emissions, 12.3 Earthworks, 12.4 Financial Contributions, 12.5 Light, 12.6 Noise, 12.7 Signs, 12.8 Temporary Activities</p> <p>The above are subject to any specific rules and controls within the Precincts taking precedence.</p> |





APPENDIX B – Open Space Zone

13.11-OSZ Open Space Zone

Issues

The Open Space Zone (OSZ) is to provide open spaces that are used predominantly for a range of informal recreational activities, along with limited associated facilities and structures. The District's open spaces vary in size from small neighbourhood parks to larger parks where people can enjoy activities such as walking and cycling, skateboarding, and kicking a ball around. Some of these open spaces are located throughout the District within the rural areas, and others are in urban neighbourhoods and form an important part of the district's active transport network.

These public open spaces are generally more open, with less built features and contribute to an attractive living environment for people within the district. They can also have important natural and historic heritage values.

OSZ – Objectives

| | |
|---------------|---|
| <u>OSZ-O1</u> | <u>The open and spacious character, amenity values and any historic, cultural, and natural values of the zone are maintained.</u> |
| <u>OSZ-O2</u> | <u>Informal recreation activities are the predominant use of the zone and buildings, and exclusive use activities are limited to maintain public use and open space for informal use.</u> |
| <u>OSZ-O3</u> | <u>OSZ-O2</u> <u>The adverse effects of use and development of open space areas on residents, communities and the environment are avoided, remedied, or mitigated.</u> |

OSZ – Policies

| | |
|---------------|---|
| <u>OSZ-P1</u> | <u>Provide for a variety of informal activities as primary activities and provide for secondary activities including small-scale community uses and accessory activities.</u> |
| <u>OSZ-P2</u> | <u>Maintain or enhance the natural character values of open spaces by retaining significant vegetation and undertaking new landscaping (where appropriate and practical).</u> |
| | |



| | |
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| <u>OSZ-P3</u> | <u>Development, including new buildings and structures located near sites of significance to Mana Whenua recognise the relationship of Mana Whenua to the area.</u> |
| <u>OSZ-P4</u> | <u>Limit buildings, structures and activities to those which enhance people's ability to use and enjoy the open space for informal recreation.</u> |
| <u>OSZ-P5</u> | <u>Locate and design buildings and structures to:</u> (a) <u>maintain the open space character and function of the zone</u> (b) <u>maintain public accessibility and minimise areas for exclusive use</u> (c) <u>protect any natural or historic heritage values</u> |
| <u>OSZ-P6</u> | <u>Manage activities to minimise adverse effects such as noise, glare and traffic on the values of the surrounding environment</u> |

OSZ – Rules

| | |
|---|---|
| <u>OSZ-R1- PER activities</u> | <u>Subject to</u> <u>All PER activities must comply with the general and relevant activity specific standards.</u> |
| (a) <u>Informal recreation</u> | <u>OSZ-R5</u> |
| (b) <u>Public amenities & buildings for public amenities</u> | |
| (c) <u>Education & research facilities directly related to the open space</u> | |
| (d) <u>Observation areas, viewing platforms, & related structures</u> | |
| (e) <u>Informal sport & play structures</u> | |
| (f) <u>Open space maintenance</u> | |
| (g) <u>Information facilities accessory to a PER activity</u> | |
| (h) <u>Conservation planting & maintenance</u> | |
| (i) <u>Accessory buildings</u> | |
| (j) <u>Artworks</u> | |
| (k) <u>Demolition of buildings</u> | <u>No standards apply</u> |
| (l) <u>Internal additions & alterations to buildings</u> | |
| (m) <u>Functions at the Firth Tower Museum</u> | <u>(i) Maximum of 26 per year</u> |

| | |
|---|--|
| OSZ-R2- RDIS activities | Subject to All RDIS activities must comply with the general and relevant activity specific standards. |
| (a) Activities listed in OSZ-R1 Table that are PER not complying with the Standards, unless otherwise provided. | Matters of discretion (i) OSZ-R5 matters of non-compliance (ii) OSZ-R6 |
| (b) Organised sport and recreation | Matters of discretion (i) OSZ-R5 (ii) OSZ-R6 (iii) The effects of the intensity, scale and duration of the events on informal recreational use of the open space. |
| (c) Construction of vehicle access & parking areas | Matters of discretion OSZ-R6 |
| (d) Community gardens | |
| OSZ-R3 DIS activities | Subject to The matters of discretion may be used to inform and guide the assessment of a DIS activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (a) Recreation facilities | |
| (b) Clubrooms | Matters of Discretion |
| (c) Visitor Centres | OSZ-R5 |
| (d) Community centres, halls, arts & cultural centres | OSZ-R6 |
| (e) Jetties & boat ramps | Matters of Discretion OSZ-R6 |
| OSZ-R4 NC Activities | Subject to The matters of discretion may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (a) Activities not provided for above in OSZ-R1 to R3 | |

OSZ-R5 Standards

(1) Building Envelope

(a) Maximum height

The maximum building height is 9m

(b) Height in relation to boundary

Where an open space directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the adjoining open space boundary.

Yards

Front

5m or the average setback of buildings on adjacent front sites, whichever is lesser

Side and Rear

6m

No side and rear yards are required where the open space zone adjoins a TCZ, COMZ, GIZ, SARZ, and NOSZ

River Protection

20m

Provided that:

(a) Accessory buildings may be erected within any rear and/or side yard so long as:

(i) The written consent of all owners of property/ies contiguous to any building is obtained and Rule OSZ R5 (1) (b) is not compromised or:

(ii) It is proposed to locate the accessory building within the rear and/or side yard and:

The building is less than 10m² in area;

The building is less than 2.5m in height;

The building will not be connected to an electricity supply;

There is no discharge of stormwater onto neighbouring land from the building; and:

No more than one accessory building is established on a site in accordance with this rule.

(b) The following shall meet the building envelope requirements in R5(1)(a), (b) and (c) above:

(i) Any uncovered deck, terrace, platform, or bridge which is more than 1m above ground level

(ii) Any pool or tank more than 1m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub)

(iii) Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes

| | |
|--|--|
| <p>(iv) <u>Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support</u></p> <p>(c) <u>All structures on or adjacent to site boundaries must also comply with the provisions of the Building Act.</u></p> <p>(c) <u>Fences and walls</u></p> <p>(i) <u>No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback, and</u></p> <p>(ii) <u>Exceed the maximum height and height to boundary rules in OSZ-R5(1).</u></p> | <p>(2) <u>Maximum Building Footprint and Permeable Surface Area unless otherwise provided for</u></p> |
| <p>(a) <u>Maximum building footprint shall be 15% of the net site area</u></p> <p>(b) <u>Any deck, terrace, platform or bridge which is more than 1m above ground level shall meet the building footprint in R5(2)(a) and (b) above and any decks under 1m in height shall be excluded from this footprint.</u></p> | <p>(3) <u>Screening</u></p> |
| <p><u>Any outdoor storage or rubbish collection areas that directly face and are visible from a GRZ, GRUZ or business zone (TCZ, COMZ, GIZ) adjoining a boundary with, or on the opposite side of the road from, an open space zone, must be screened from those areas by a wall or fence providing visibility at least 1.8m high.</u></p> | |

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| <p><u>OSZ-R6 Matters of Discretion for RDIS, DIS, NC activities</u></p> |
| <p>(i) <u>The effects of the intensity and scale of the activity on amenity of the locality, and the measures to remedy or mitigate any adverse effects, including but not limited to noise and transport.</u></p> <p>(ii) <u>The effects from the development design, external appearance and landscaping.</u></p> <p>(iii) <u>The extent the activity is consistent with any relevant adopted Reserve Management Plan, National PA Pest Management Plan, Conservation Management Strategy or Conservation Management Plan for the area</u></p> <p>(iv) <u>The effects of the location and design on natural character and landscape values.</u></p> <p>(v) <u>The effects associated with the construction and use of the structures, including effects to landform and vegetation.</u></p> <p>(vi) <u>The location and extent of any archaeological cultural and historic sites within any area subject to the application and how they will be affected by the proposal.</u></p> <p>(vii) <u>Development proposals shall ensure that any run-off or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation, or a reduction of water quality in natural watercourses and groundwater that leads to adverse effects on identified natural habitats and ecosystems or detracts from the natural character of the environment.</u></p> |

OSZ-R7 Other Plan Matters

All activities shall comply with the relevant matters where applicable as identified below:

- (1) Chapters 1-6
- (2) Section 7.1 Energy, 7.2 Infrastructure, 7.3 Transport
- (3) Section 8.1 Contaminated Land, 8.2 Hazardous Substances, 8.3 Natural Hazards
- (4) Chapter 9 Historic and Cultural Values
- (5) Chapter 10 Natural Environment
- (6) Chapter 11 Subdivision
- (7) Section 12.3 Earthworks, 12.4 Financial Contributions, 12.5 Light, 12.6 Noise, 12.7 Signs, 12.8 Temporary Activities

OSZ - Other Methods

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| <u>OSZ-M1</u> | <u>Reserve management plans and bylaws controlling the use of reserves.</u> |
|---------------|---|

OSZ - Principal Reasons

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| <u>OSZ-PR1</u> | <u>The OSZ provides for the zoning of open spaces which have been developed as reserves for a range of passive and active leisure and recreational activities and enable activities to occur. The zoning of these areas provide a clear indication as to their location within the district.</u> |
|----------------|--|

OSZ - Anticipated Environmental Results

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|-----------------|---|
| <u>OSZ-AER1</u> | <u>That the open spaces within the OSZ are utilized by the community and provide for their health and wellbeing by providing for active and passive recreational needs.</u> |
|-----------------|---|

Insert the following into **3.1 Definitions**

Public Amenities – means facilities established for the convenience and amenity of the public. Includes: landscaping and planting; public toilets; seating and picnic tables; bicycle stands and cycle parking structures; fountains; drinking fountains; rubbish bins; directional signage and information boards; barbeques; lighting; shelters; changing facilities; and playgrounds and playground equipment.

Recreational facilities – means a facility where the primary purpose is to provide for sport and recreation activities. Includes:

- recreation centres;
- aquatic facilities, swimming pools, both indoor and outdoor;



- fitness centres and gymnasiums; and
- indoor sports centres

Informal recreation – means non-competitive physical activity for the purpose of wellbeing and enjoyment.

Function – means for the OSZ and SARZ a special event or formal social event where it is a special occasion to celebrate.

APPENDIX C – Sport and Active Recreation Zone

13.12-SARZ Sport and Active Recreation

Issues

The Sport and Active Recreation Zone (SARZ) provides open space areas for a range of sport and recreation activities, including organised sport and recreation for local, district-wide and regional communities. This zone applies in parks, sports grounds and multi-sport facilities. Such areas will normally have associated buildings such as club rooms, changing sheds or toilet facilities.

Sport and active recreation areas are predominantly characterised by large open space areas with associated buildings and facilities that vary in scale depending on the sport and recreation activities that take place there. It is generally accepted that the level of development in this zone is higher than other Open Space and Recreation zones and that the sport and recreation activities that are anticipated to take place in this zone can generate noise, light and traffic effects in surrounding neighbourhoods.

SARZ – Objectives

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| <u>SARZ-O1</u> | <u>Sport and active recreation open space areas are predominantly used by the public for organized sport and active recreation characterized by community and cultural activities.</u> |
| <u>SARZ-O2</u> | <u>Indoor and outdoor sport and active recreation opportunities are provided, while avoiding or mitigating any significant adverse effects on nearby residents, communities and the surrounding areas.</u> |
| <u>SARZ-O3</u> | <u>The role, function and predominant character and amenity of the SARZ is not compromised by incompatible activities and/or built form.</u> |
| <u>SARZ-O4</u> | <u>Encourage shared use of existing facilities and provide for activities which are compatible with sport and recreation to ensure land and buildings are used efficiently.</u> |

SARZ – Policies

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| <u>SARZ-P1</u> | <u>Enable indoor and outdoor organised sports (including night-time training and play), active recreation, informal recreation and playground facilities as primary activities and provide for community activities, accessory activities and associated building and structures as secondary activities, while ensuring design, scale and intensity is appropriate.</u> |
| <u>SARZ-P2</u> | <u>Avoid activities that are incompatible with the role, function and predominant character of the SARZ and/or activities that will result in reverse sensitivity</u> |

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| | <u>issues or conflict with those activities PER, or where adverse effects cannot be appropriately avoided, remedied or mitigated.</u> |
| <u>SARZ-P3</u> | <u>Maintain the role, function and predominant character of the zone by controlling the effects of the bulk, scale and location of built form, structures and activities so that any adverse effects including noise, signage, lighting effects, traffic and vehicle access, are managed to maintain a reasonable level of amenity value for nearby residents, communities and the surrounding environment.</u> |
| <u>SARZ-P4</u> | <u>Maximise the use of indoor and outdoor recreational facilities including through multifunctional use and adaptable designs to increase the capacity and use of open space.</u> |

SARZ – Rules

| <u>SARZ-R1- PER activities</u> | <u>Subject to</u> All PER activities must comply with the general and relevant activity specific standards. |
|---|--|
| (a) <u>Informal recreation</u> | <u>SARZ-R5</u> |
| (b) <u>Organised sport and recreation</u> | |
| (c) <u>Recreation facilities</u> | |
| (d) <u>Clubrooms</u> | |
| (e) <u>Public amenities & buildings for public amenities</u> | |
| (f) <u>Conference activities</u> | |
| (g) <u>Education & research facilities directly related to the open space</u> | |
| (h) <u>Observation areas, viewing platforms, & related structures including grandstands</u> | |
| (i) <u>Parks, sport & recreation structures; & floodlighting, fittings and support towers up to 20m in height</u> | |
| (j) <u>Park, utility sheds & storage associated with activities on site</u> | |
| (k) <u>Retail, services & information facilities accessory to a PER activity</u> | |
| (l) <u>Conservation planting & maintenance</u> | |
| (m) <u>Accessory buildings</u> | |
| (n) <u>Artworks</u> | |
| (o) <u>Demolition of buildings</u> | <u>No standards apply</u> |
| (p) <u>Internal additions & alterations to buildings</u> | |



| | |
|--|--------------------------------|
| (q) <u>External additions & alterations to buildings</u> | <u>SARZ-R5</u> |
| (r) <u>Customary use</u> | <u>SARZ-R5</u> |
| (s) <u>Functions</u> | (a) <u>Maximum 26 per year</u> |

| | |
|---|--|
| <u>SARZ-R2- RDIS activities</u> | <u>Subject to</u> All RDIS activities must comply with the general and relevant activity specific standards. |
| (a) <u>Activities listed in SARZ-R1 that are PER not complying with the Standards</u> | Matters of discretion <u>SARZ-R5 Matters of non-compliance</u> <u>SARZ-R6</u> |
| (b) <u>Restaurants and cafes</u> | Matters of discretion <u>SARZ-R6 and</u> The effects on public access to, and use of, the open space. |
| (c) <u>Floodlighting, fittings & support towers over 20m in height</u> | Matters of discretion <u>SARZ-R6</u> |
| (d) <u>Community gardens</u> | |
| (e) <u>Healthcare facilities excluding medical centres</u> | |

| | |
|---|---|
| <u>SARZ-R3 DIS activities</u> | <u>Subject to</u> The matters of discretion may be used to inform and guide the assessment of a DIS activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (a) <u>Community facilities & halls</u> | Matters of discretion <u>SARZ-R5</u> <u>SARZ-R6</u> |
| (i) <u>Art galleries, arts & cultural centres</u> | |
| (ii) <u>Retail not otherwise provided for</u> | |
| (b) <u>Early childhood learning facilities</u> | |

| | |
|--|--|
| <u>SARZ-R4 NC Activities</u> | <u>Subject to</u> The matters of discretion may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| (a) <u>Activities not provided for</u> | Matters of discretion <u>SARZ-R5</u> <u>SARZ-R6</u> |

| SARZ-R5 Standards | |
|---|--|
| (1) Building Envelope | |
| (a) <u>Maximum height</u> | <u>The maximum building height is 10m except for floodlights where the maximum height is 20m.</u> |
| (b) <u>Height in relation to boundary</u> | <u>Where an open space directly adjoins a site in another zone, the height in relation to boundary standard that applies in the adjoining zone applies to the adjoining open space boundary, except for floodlights where (a) and (c) apply.</u> |
| (c) <u>Yards</u> | |
| <u>Front</u> | <u>5m</u> |
| <u>Side and Rear</u> | <u>6m</u> <u>No side and rear yards are required where the open space zone adjoins a business or industrial zone</u> |
| <u>River Protection</u> | <u>20m</u> |
| <u>Provided that:</u> | |
| (a) <u>Accessory buildings may be erected within any rear and/or side yard so long as:</u> | |
| (i) <u>The written consent of all owners of property/ies contiguous to any building is obtained and Rule SARZ-R5(1)(b) is not compromised or:</u> | |
| (ii) <u>It is proposed to locate the accessory building within the rear and/or side yard and:</u> | |
| | <u>The building is less than 10m² in area;</u> |
| | <u>The building is less than 2.5m in height;</u> |
| | <u>The building will not be connected to an electricity supply;</u> |
| | <u>There is no discharge of stormwater onto neighbouring land from the building;</u> |
| | <u>and:</u> |
| | <u>No more than one accessory building is established on a site in accordance with this rule.</u> |
| (b) <u>The following shall meet the building envelope requirements in R5(1)(a), (b) and (c) above:</u> | |
| (i) <u>Any uncovered deck, terrace, platform or bridge which is more than 1m above ground level</u> | |
| (ii) <u>Any pool or tank more than 1m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub)</u> | |

| |
|---|
| <p>(iii) <u>Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes</u></p> <p>(iv) <u>Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support</u></p> <p>(c) <u>Fences and walls</u></p> <p>(i) <u>No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback, and</u></p> <p>(ii) <u>Exceed the maximum height and height to boundary rules in SARZ-R5(1) above</u></p> |
| <p>(2) <u>Maximum Building Footprint and Permeable Surface Area unless otherwise provided for</u></p> <p>(a) <u>Maximum building footprint shall be 35% of the net site area</u></p> <p>(b) <u>Minimum permeable surface area to manage stormwater runoff is 40% of the net site area</u></p> <p>(c) <u>Any uncovered deck, terrace, platform or bridge which is more than 1m above ground level shall meet the building footprint and permeable surface area in R5(2)(a) and (b) above and any decks under 1m in height shall be excluded from this footprint and surface area.</u></p> |
| <p>(3) <u>Screening</u></p> <p><u>Any outdoor storage or rubbish collection areas that directly face and are visible from a residential zone, rural zone or business zone (TCZ, COMZ or GIZ) adjoining a boundary with, or on the opposite side of the road from, this zone, must be screened.</u></p> |

| |
|--|
| <p><u>SARZ-R6 Matters of Discretion</u></p> <p>(a) <u>The effects of the intensity and scale of the activity on residential amenity, and the measures to remedy or mitigate any adverse effects.</u></p> <p>(b) <u>The effects from the development design, external appearance and landscaping.</u></p> <p>(c) <u>The extent the activity is consistent with any relevant adopted Parks Strategy, Reserve Management Plan, Conservation Management Strategy or Conservation Management Plan for the area</u></p> <p>(d) <u>The location and extent of any archaeological cultural and historic sites within any area subject to the application and how they will be affected by the proposal.</u></p> <p>(e) <u>Development proposals shall ensure that any run-off or stormwater resulting from the establishment of the activity does not lead to siltation, sedimentation, or a reduction of water quality in natural watercourses and groundwater that leads to adverse effects on identified natural habitats and ecosystems or detracts from the natural character of the environment.</u></p> <p>(f) <u>The effects of the sports lighting to enable accessibility to community sport that cannot be met within the wider network.</u></p> |
|--|

SARZ-R7 Other Plan Matters

All activities shall comply with the relevant matters where applicable as identified below:

- (1) Chapters 1-6
- (2) Section 7.1 Energy, 7.2 Infrastructure, 7.3 Transport
- (3) Section 8.1 Contaminated Land, 8.2 Hazardous Substances, 8.3 Natural Hazards
- (4) Chapter 9 Historic and Cultural Values
- (5) Chapter 10 Natural Environment
- (6) Section 12.3 Earthworks, 12.5 Light, 12.6 Noise, 12.7 Signs, 12.8 Temporary Activities

SARZ - Other Methods

| | |
|----------------|---------------------------------|
| <u>SARZ-M1</u> | <u>Reserve Management Plans</u> |
|----------------|---------------------------------|

SARZ - Principal Reasons

| | |
|-----------------|---|
| <u>SARZ-PR1</u> | <u>The zoning of existing reserve areas as SARZ will enable a range of recreational activities and activities which are complimentary to recreational activities to occur. The zoning of these areas provide a clear indication as to their location within the district.</u> |
|-----------------|---|

SARZ-Anticipated Environmental Result

| | |
|------------------|--|
| <u>SARZ-AER1</u> | <u>That the open spaces within the SARZ are utilized by the community to provide for their health and well-being by providing for sport and active recreation areas.</u> |
|------------------|--|

12.8-TEMP Temporary Activities

Add the following to cater for markets and events within the Open Space Zone and Sport and Active Recreation Zone

| TEMP-R4 PER activities- OSZ and SARZ | Subject to |
|--|--|
| (1) Entertainment events (excluding concerts), carnivals, festivals, fairs, markets, or exhibitions, and associated temporary buildings and car parks. | (a) TEMP-R9 (b) No more than 12 events per calendar year in the SARZ and 3 events per calendar year in the OSZ. (c) Hours of operation: 7am to 8pm Sunday to Thursday, |

| | |
|--|--|
| | <p>and 7am to 10.30pm Friday and Saturday</p> <p>(d) No event shall exceed two consecutive days duration and temporary structures are:</p> <p>(i) Erected no more than 2 days before the event occurs</p> <p>(ii) Removed no more than 3 days after the end of the event</p> |
| TEMP-R6 RDIS activities – OSZ and SARZ | Subject to |
| <p>(1) Entertainment events (excluding concerts), carnivals, festivals, fairs, markets, or exhibitions, and associated temporary buildings and carparks not meeting the standards.</p> <p>(2) Concerts within the SARZ only.</p> | <p>Matters of discretion</p> <p>(a) Those matters of non-compliance</p> <p>(b) TEMP-R10</p> |

APPENDIX D – 5 Mana Whenua

5 Mana Whenua

Mana whenua means an iwi or hapū that exercise a customary authority within in an identified area of the Matamata-Piako District.

5.1 Recognition of Iwi and Hapū

The following iwi and hapū are mana whenua within the Matamata-Piako District.

Clicking on the iwi authority links above will take you to their respective websites, where you will find information regarding histories, tribal areas, associated marae, vision statements, cultural, social and environmental priorities, and contact details.

| Iwi | Hapu (within MPDC) | Waka | Marae |
|--|---|----------------------------------|---|
| Ngāti Hauā Iwi Trust | Ngāti Rangi Tawhaki Ngāti Te Oro Ngāti Werewere Ngāti Te Rangitapu Ngāti Waenganui | Tainui | Rukumoana Marae Kai-a-te-mata Marae Raungaiti Marae |
| Ngāti Hinerangi Iwi | Ngāti Kura Ngāti Rangi Ngāti Tamapango Ngāti Tangata Ngāti Tawhaki Ngāti Te Riha Ngāti Tokotoko Ngāti Whakamaungarangi Uri o Tangata | Tainui | Hinerangi Tawhaki Marae Te Ōhāki Marae Tamapango Marae Tangata Marae |
| Ngāti Koroki Kahukura Trust | | Tainui | |
| Ngāti Maru Runanga Iwi Authority | | Hauraki / Tāmaki | |
| Ngāti Rāhiri Tumutumu | Ngāti Haumia Ngāti Hue Ngāti Kopirimaui Ngāti Kotopara Ngāti Rāhiri Ngāti Tau Ngāti Te Atua Ngāti Te Kaha Ngāti Te Ruinga Ngāti Tumutumu | Hauraki | Tui Pā |
| Ngāti Whanaunga Inc | | Hauraki / Tāmaki | |
| Raukawa Iwi | Ngāti Hinerangi Ngāti Kirihihi Ngāti Mōtai Ngāti Te Apunga | Tainui | Ukaipō Marae Rengarenga Marae |

| | | | |
|---|--|----------------------------------|-------------------------------|
| | Ngāti Wehiwehi | | Tangata Marae |
| Te Kupenga O Ngāti Hako https://hako.co.nz/ | | Hauraki | Paeahi Marae |
| Te Runanga A Iwi O Ngāti Tamatera https://tamatera.co.nz/ | | Hauraki / Tāmaki | |
| Te Runanga O Ngāti Pāoa https://www.ngatipaoaiwi.co.nz/ | Matekiwaho Ngamuri Ngāti Horowhenua Ngāti Huia Ngāti Hura Ngāti Huruhuru Ngātis Kahu Ngāti Kauahi Ngāti Kohua Ngāti Koura Ngāti Mahia Ngāti Ngamuri Ngāti Omakau Ngāti Parengaherehere Ngāti Rapu Ngāti Rauwhea Ngāti Ringatahu Ngāti Ruakura Ngāti Rurangi Ngāti Taharoku Ngāti Tahuna Ngāti Tarao Ngāti Te Aho Ngāti Te Aute Ngāti Te Hiko Ngāti Tipa Ngāti Tuwhanga Ngāti Wharetoi Ngāti Whata Te Hingawaka Te Mata Tokeroa Te Rapupo | Hauraki / Tāmaki | Waiti Marae |
| Ngāti Tara Tokanui https://ngatitaratokanui.maori.nz/ | | Hauraki | |
| Waikato-Tainui https://waikatotainui.com/ | Ngāti Hauā Ngāti Makirangi Ngāti Ngutu Ngāti Paretekawa Ngāti Wairere | Tainui | |

5.2 Iwi and Hapū Values

| Ngā Kaupapa | | Ngā Whāinga |
|-------------------------------------|---|---|
| <u>Tiriti</u> | <u>Tiriti based relationships</u> | <u>A relationship characterised by mutual respect, open communication, and meaningful partnerships that uphold the mana and interests of both parties. Respecting Te Tiriti by honouring the spirit and principles of partnership, protection and participation.</u> |
| <u>Te Puāwaitanga o Te Ao Māori</u> | <u>Cultural Vibrancy and Protection</u> | <u>Recognise and protect cultural values in particular to Mana whenua's relationship to land, cultural heritage, sites of significance, to taonga and the natural environment as a whole. Appreciate and realise Māori Culture is to be respected, thriving and added richness to inclusiveness and diversity.</u> |
| <u>Kaitiakitanga</u> | <u>Environmental Stewardship</u> | <u>Enable the exercise of guardianship of natural and physical resources by Mana whenua in accordance with tikanga Māori.</u> |
| <u>Tū Rangatiratanga</u> | <u>Representation</u> | <u>Empowering self-determination to support and promote Rangatiratanga leading to achieve collective aspirations in a way that acknowledges Mana whenua's role in their mana motuhake.</u> |
| <u>Ngākau Pūmau</u> | <u>Integrity and Accountability</u> | <u>Uphold high standards of integrity and accountability ensuring transparency and trust between Council and Mana whenua</u> |
| <u>Te Reo</u> | <u>Language of Connections Language of Whakapapa Language of Mātauranga</u> | <u>Upholding in high regard Te Reo Māori as a vessel to:</u> <ul style="list-style-type: none"> <u>Unite people, cultures and community</u> <u>Carry past generations, weaving whakapapa and generational threads to honour “who we are and where we come from.”</u> <u>Encompass transferring of traditional knowledge and wisdom enabling ancestral lived experiences to help shape current and future driven decision-making</u> |

5.3 Treaty Settlement Interests

The following iwi have settled their historic Te Tiriti o Waitangi claims against the Crown, with certain provisions of their respective Deeds of Settlement enacted by legislation.

| Deed of Settlement | Statutory Acknowledgements |
|---|---|
| Waikato Raupatu Claims Settlement Act 1995 | |
| Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 | |
| Raukawa Claims Settlement Act 2014 | See sections 27 and 34, and Statements of Association for the Statutory Areas Maps for Part Kaimai-Mamaku Conservation Park, Okauia and Taihoa Geothermal Fields, Part of Waihou River and its tributaries, and Part of Lake Karapiro |
| Ngāti Hauā Claims Settlement Act 2014 | See section 36 and Statements of Association for the Statutory Areas Maps for Waiorongomai, Ngatamahinerua (Part of Kaimai Mamaku Conservation Park and part Maurihiro Scenic Reserve, Te Wairere (being Wairere Falls Scenic Reserve, part of Gordon Park Scenic Reserve, and part of Kaimai Mamaku Conservation Park, Te Weraiti (part of Kaimai Mamaku Conservation Park), and Waikato River and tributaries within the Ngāti Haua Area of Interest |
| Ngāti Koroki Kahukura Claims Settlement Act 2014 | See sections 27 and Statements of Association for the Statutory Areas Maps for Waikato River and tributaries within the Ngāti Haua Area of Interest, and Lake Karapiro |
| Ngāti Hinerangi Settlement Act 2021 | See sections 33 and 40, and Statements of Association for the Statutory Areas Maps for Okauia and Taihoa Geothermal Fields, Kaimai range ridgeline, Part Kaimai Range (including part Kaimai Mamaku Conservation Park, part Gordon Park Scenic Reserve, part Wairere Falls Scenic Reserve, and part Maurihiro Scenic Reserve), Part Maurihiro Scenic Reserve, Te Ara o Maurihiro (Thompson's Track), Te Tapui Scenic Reserve within the area of interest, Waianuanau, and Waihou River and its tributaries within the area of interest. |

The above links will take you to the Statutory Acknowledgement section of the respective settlement legislation for each iwi. Statutory Acknowledgement interests are identified through Treaty Settlement legislation. The Council must also provide summaries of resource consent applications or copies of notices to iwi for each resource consent it receives for an activity within, adjacent to, or directly affecting a statutory acknowledgement area. This provides iwi/hapū with the opportunity to directly identify any cultural matters relating to the statutory acknowledgment area. This information is then factored into the Council's assessment and decisions around the proposed activity.



The following iwi have not settled their historic Te Tiriti o Waitangi claims against the Crown, but it is considered good practice to have regard to any statutory acknowledgements identified.

| |
|--|
| <u>Te Kupenga O Ngāti Hako - Member of Hauraki Collective</u> |
| <u>Ngati Maru Rununga Iwi Authority – Deed of Settlement initialled with Crown 8 September 2017 Member of Hauraki Collective</u> |
| <u>Te Runanga O Ngāti Paoa – Ngati Paoa Claims Settlement Bill 2022</u> |
| <u>Ngāti Rāhui Tumutumu – Deed of Settlement initialled with Crown on 13 July 2017</u> |
| <u>Te Rununga A Iwi O Ngāti Tamatera – Deed of Settlement initialled with Crown on 20 September 2017.</u> |
| <u>Ngāti Tara Tokanui – Deed of Settlement signed on 28 July 2022; Ngāti Tara Tokanui Claims Settlement Bill</u> |
| <u>Ngāti Whanaunga Inc – Deed of Settlement initialled with the Crown on 25 August 2017 Member of Hauraki Collective</u> |

5.4 Council and Mana Whenua Relationships

- (1) Te Manawhenua Forum mō Matamata-Piako is, “To facilitate tangata whenua contribution to Council’s decision making.” The forum considers matters to sustainably promote the social, economic, environmental and cultural wellbeing of Māori communities for today and for the future.

The Forum includes representatives from Council, Ngāti Hauā, Ngāti Rāhiri-Tumutumu, Raukawa, Ngāti Maru, Ngāti Whanaunga, Ngāti Pāoa and Ngāti Hinerangi. Ngāti Tamatera also have the ability to join.

The forum is a standing committee of Council and the structure was developed through discussions with Māori nominated representatives.

- (2) There is a specific agreement to administer and manage reserve land at the Waharoa Aerodrome.
- (3) Terms of Reference for specific working groups on plan changes have been put in place at various times, the latest being the development of the Papakāinga plan change.
- (4) When Council undertakes large projects, be it development of community sites or bilingual signage policy, iwi representatives are invited to participate.
- (5) Council staff will work with mana whenua to prioritise the establishment of Mana Whakahono ā Rohe agreements for the iwi within the district.

5.5 Iwi and Hapū Planning Documents

The table below lists iwi and hapū planning and/or environment related documents.

| Iwi | Document | Date | Type | Status |
|--------------------------------------|--|----------------------|---|-------------------------------------|
| Waikato Tainui | Tai Tumu, Tai Pari, Tai ao | 2013 | Environmental Management Plan | Lodged with Council |
| Ngāti Hauā Iwi Trust | Te Rautaki Tamata Ao Turoa o Haua | 2018 | Environmental Management Plan | Lodged with Council |
| Ngāti Whanaunga | Ngaati Whanaunga Strategic Management Plan | 2019 | Strategic Management Plan | Lodged with Council |
| Raukawa | Te Rautaki Taiao A Raukawa | 2015 | Environmental Management Plan | Lodged with Council |

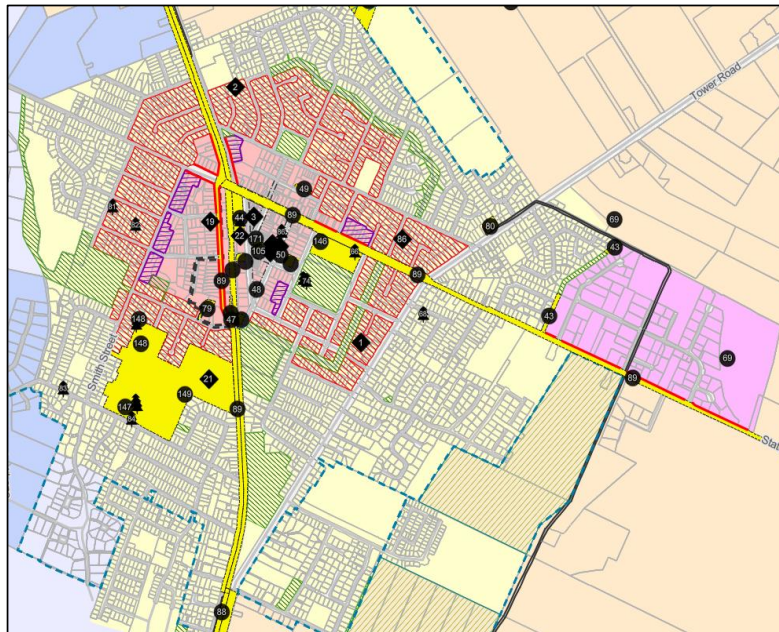
5.6 Engagement and Consultation with Mana Whenua

Council recognises the need to consult with Mana whenua stems from Te Tiriti o Waitangi principles of partnership, participation and protection and requiring both parties to act reasonably and make informed decisions. Council also acknowledges engaging and consulting with Mana whenua as cultural experts often leads to a better understanding of the issues and opportunities. In many instances, this shared responsibility will result in improved social, cultural and environmental outcomes, trusting relationships, and positive outcomes of mutual benefit.

While the Resource Management Act 1991 has different requirements for consulting with Mana whenua, their contribution to assessing effects on Māori cultural values as set out under Part II of the Act can be significant. For this reason, Council engages and consults with Mana whenua on all resource consent applications through the relevant Iwi authority.

APPENDIX E – Town Centre Zone and Commercial Zone for Matamata, Morrinsville and Te Aroha

Matamata

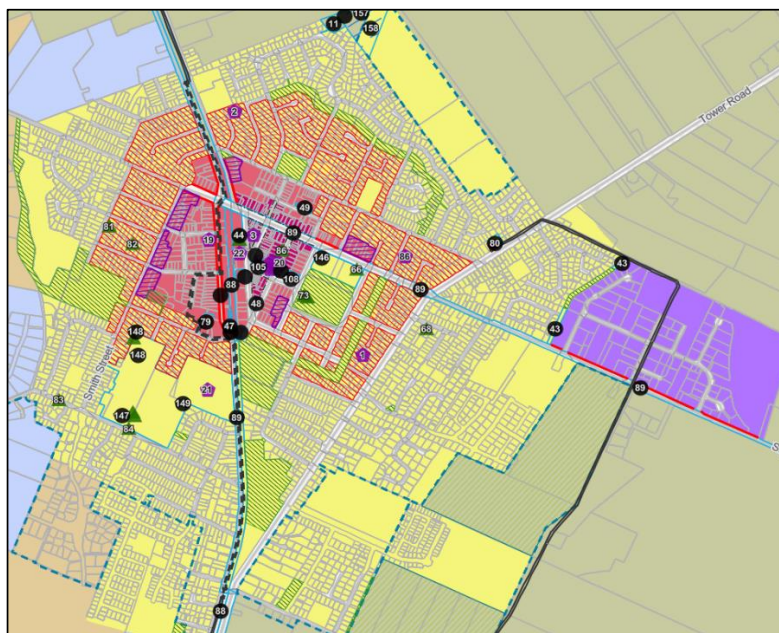


Before

Business Zone



Industrial Zone



After

Commercial Zone



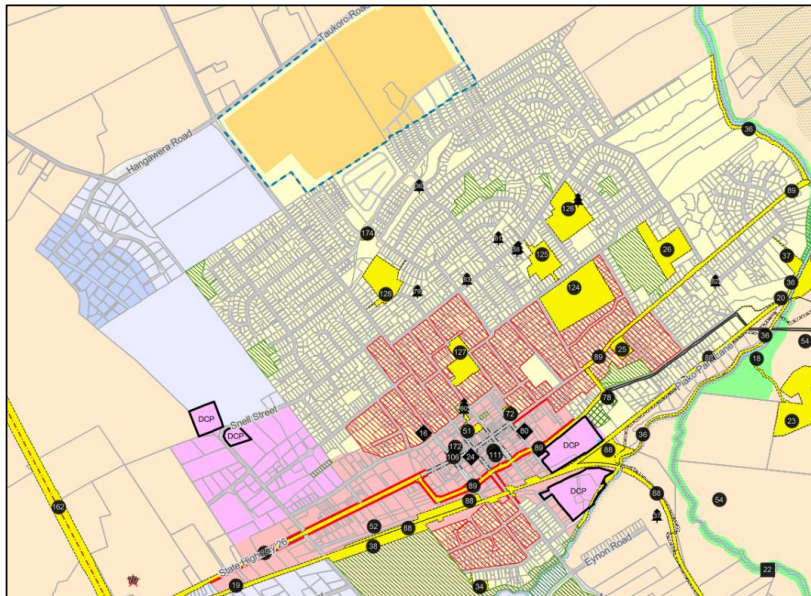
Town Centre Zone



General Industrial Zone



Morrinsville

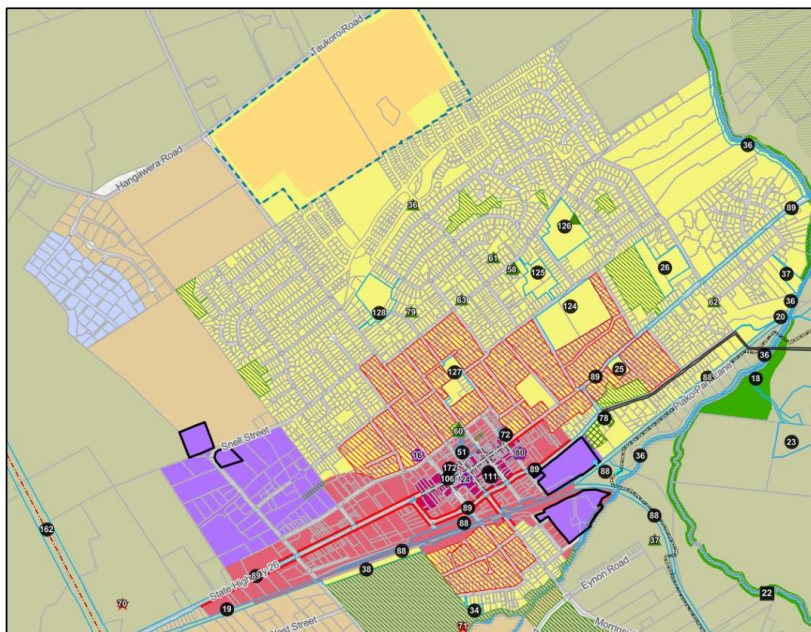


Before

Business Zone



Industrial Zone



After

Commercial Zone



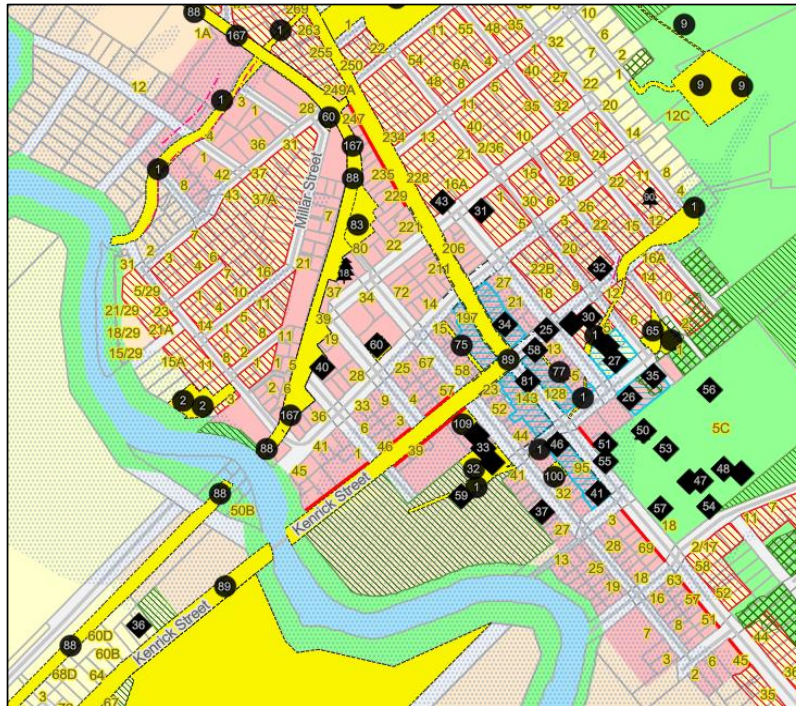
Town Centre Zone



General Industrial Zone



Te Aroha



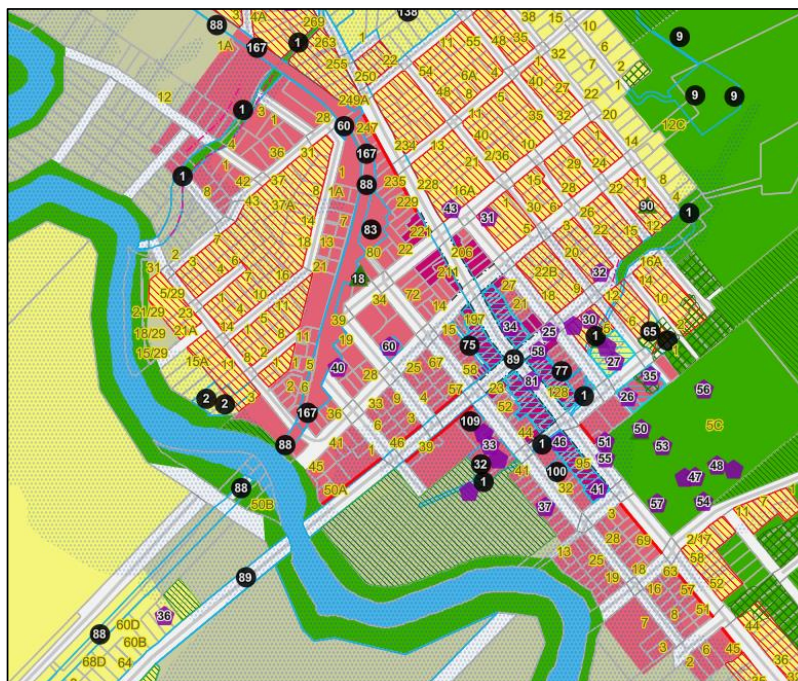
Before

Business Zone



Industrial Zone





After

Commercial Zone



Town Centre Zone



General Industrial Zone



APPENDIX F – Special Purpose Zone-Future Urban Zone

14.7 SPZ-FUZ Special Purpose Zone- Future Urban Zone

Issues

Council provided for 'future residential policy areas' adjacent to the towns of Matamata and Te Aroha as part of its former District Plan. Such policy areas signal future urban zoning; therefore these areas are now (proposed) zoned a Special Purpose Zone as a 'Future Urban Zone'.

The SPZ-FUZ in Matamata is part of the Banks Road to Mangawhero Road Development Area Plan, and the other area in Te Aroha fronts Stanley Avenue and Te Kawana Road. The SPZ-FUZ is a transitional zone. It essentially creates a holding pattern by identifying land suitable for urban development in the future and preventing any development in the interim that may compromise urban development. This holding pattern will remain in place until a District Plan Change and concurrent Development Area Plan release the land for live urban zoning such as general residential or medium residential zoning.

FUZ Objectives

| | |
|--------|---|
| FUZ-O1 | Future urban development for residential purposes is not compromised by premature or incompatible use or development. |
|--------|---|

| | |
|--------|--|
| FUZ-O2 | <u>Rural landuse activities such as farming are provided for to continue until the land is zoned for urban purposes.</u> |
| FUZ-O3 | <u>The development of land zoned SPZ-FUZ occurs in an orderly, timely and planned manner and urbanisation is avoided until the sites have been zoned for urban purposes.</u> |

FUZ Policies

| | |
|--------|--|
| FUZ-P1 | <u>Require use and development to maintain and complement rural character and amenity.</u> |
| FUZ-P2 | <u>Avoid use and development of land that may result in one or more of the following:</u> <ul style="list-style-type: none"> (a) <u>Structures and buildings of a scale and form that will hinder or prevent urban development;</u> (b) <u>Require the extension of the transport network and compromise the efficient and effective operation of the local and wider transport network;</u> (c) <u>Require upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure;</u> (d) <u>Inhibit the efficient provision of infrastructure;</u> (e) <u>Give rise to reverse sensitivity effects when urban development occurs;</u> (f) <u>Give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure;</u> (g) <u>Undermine the form or nature of future urban development.</u> (h) <u>Compromise any relevant Development Area Plan.</u> |

FUZ – Rules

| <u>FUZ-R1- PER activities</u> | <u>Subject to</u> |
|--|---|
| (a) <u>Primary production (excluding mineral exploration, forestry and quarrying activities)</u> | <u>FUZ-R4(1) to (5) where relevant and FUZ-R5</u> |
| (b) <u>Demolition of buildings and structures</u> | <u>No standards apply</u> |
| (c) <u>Internal alterations to existing buildings</u> | <u>No standards apply</u> |
| (d) <u>One residential unit per record of title</u> | <u>FUZ-R4(1) to (5) where relevant and FUZ-R5</u> |
| (e) <u>Accessory buildings for PER activities</u> | |

| | |
|--|--|
| (f) <u>Use of land for effluent disposal of non-human waste from agricultural activities</u> | FUZ-R4(1) to (5), FUZ-R5 |
| (g) <u>The keeping of not more than 25 poultry and/or 10 pigs</u> | |
| FUZ-R2 RDIS activities | Subject to |
| (a) <u>Activities listed in FUZ-R1 not complying with the standards</u> | <u>Matters of discretion</u> (a) <u>FUZ-R4(1) to (5) and FUZ-R5</u> |
| FUZ-R3 – NC activities | Subject to <u>The matters of discretion may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed.</u> |
| (a) <u>Activities that are not PER,RDIS or DIS</u> | <u>Matters of discretion</u> <u>HPW-R4(2) where applicable</u> |

FUZ-R4 Standards

(1) Building Envelope

(a) Maximum height -----10m

(b) Height relative to site boundary

No part of any building shall exceed a height of 3m plus the shortest horizontal distance between that part of the building and the nearest site boundary.

(c) Yards

Front yards -----

25m

Side yards -----

10m

River protection yard -----

20m

Provided that:

(i) Accessory buildings may be erected on any rear and/or side yard but not the river protection yard so long as the written consent of any affected property owner(s) is obtained and rule FUZ-R4(1)(a) is not compromised.

- (ii) Any accessory building to be developed in conjunction with an existing residential unit shall be PER in a front yard provided that it shall be erected behind the front line of the dwelling residential unit.
- (d) Any deck, terrace, platform or bridge which is more than 1m above ground level shall meet the yard requirements in R4(1)(c) above.
- (e) Any pool or tank more than 1m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub) shall meet the yard requirements in R4(1)(c) above.
- (f) Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence ~~or business or for assembly or storage purposes~~ shall meet the yard requirements in R4(1)(c) above.
- (g) Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support shall meet the yard requirements in R4(1)(c) above.
- (h) Rural House Sites
For Rural house sites within the FUZ which contain less than 2,500m² the following yards shall apply:
- | | |
|----------------------------------|-------------|
| (i) <u>Front Yard.....</u> | <u>15m</u> |
| (ii) <u>Side/Rear Yards.....</u> | <u>10m,</u> |
- unless the adjacent property is 1ha or less in which case a minimum side/rear yard of 5m shall apply.
- For sites located along a state highway or railway line corridor refer to Noise-R12
- (i) Fences and walls
- (i) No fences or walls or a combination of these (whether separate or joined together) shall exceed 2m in height within the yard setback; or
- (ii) Exceed the maximum height and height to boundary rules in R4(1) (a) and (b) above outside of the yard setback.
- (2) Maximum Building Footprint**
- (a) Total building footprint for accessory buildings on allotments less than 1 ha shall not exceed 20 % of the net site area.
- (b) Any deck, terrace, platform or bridge which is more than 1m above ground level shall meet the building footprint above and any decks under 1m in height shall be excluded from this footprint.
- (3) Effluent disposal systems**
- Any effluent disposal system (including disposal onto land by way of spray irrigation) associated with the disposal of non-human waste shall comply with the following:
- (a) Yards
10 metres from a road boundary;

300 metres from a school, marae, hall or public reserve only from spraying which is associated with or from intensive indoor primary production as identified in GRUZ R4(15) or an industrial use;

300 metres from a Residential zone only from spraying which is associated with or from intensive indoor primary production as identified in GRUZ R4(15) or an industrial use;

150 metres from residential units;

Provided that the required yards shall be reduced in respect of any school, marae, hall, public reserve or other facility where all persons owning and occupying those facilities give written consent to a specific reduced yard.

(b) Access

See TRAN-R4

(c) No spraying shall occur from a public road or place.

(4) Keeping of Animals

Any building or enclosure used for the housing and keeping of any animals (including milking and calf rearing sheds, but excluding buildings for intensive farming) are not permitted within 50m of the boundary. This standard excludes stock loading races or stock loading yards associated with an agricultural activity and commercial stockyards, sales yards and holding paddocks.

(5) Future Development

Any activity within the FUZ, shall not be established or located in such a manner that may interfere with or compromise the alignment of any roading linkage to adjacent residential zoned land and/or an identified road corridor, or compromise future development of a Development Area Plan.

FUZ-R5 Other Plan Matters

All activities shall comply with the relevant matters where applicable as identified below:

- (1) Chapters 1-6
- (2) Section 7.1 Energy, 7.2 Infrastructure, 7.3 Transport
- (3) Section 8.1 Contaminated Land, 8.2 Hazardous Substances, 8.3 Natural Hazards
- (4) Chapter 9 Historic and Cultural Values
- (5) Section 10 Natural Environment
- (6) Section 11 Subdivision
- (7) Section 12.1 Activities on the Surface of Water, 12.2 Air Emissions, 12.3 Earthworks, 12.4 Financial Contributions, 12.5 Light, 12.6 Noise, 12.7 Signs, 12.8 Temporary Activities

FUZ-Principal Reasons



| | |
|---------|---|
| FUZ-PR1 | <u>'Future Residential Policy Areas' were provided for in the former district plan to signal future urban zoning to provide for growth around the towns of Matamata and Te Aroha. These same areas are zoned as a 'Future Urban Zone' being a transitional zoning whereby limitations on future development are put in place so as not to compromise the ability for the land to be developed for urban purposes in the future.</u> |
| FUZ-PR2 | <u>By putting in place the Future Urban Zone, rather than keeping the 'Future Residential Policy Area' aligns with the structure of the National Planning Standards.</u> |

FUZ-Anticipated Environmental Results

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|----------|--|
| FUZ-AER1 | <u>Future urban development for residential purposes is not compromised by premature or incompatible use or development.</u> |
|----------|--|

Subdivision

Add in the following objective and policies

SUB-O10

Future urban development for residential purposes is not compromised by premature or incompatible subdivision within the FUZ.

SUB-P18

Avoid subdivision that will result in the fragmentation of land and compromise future urban development of the anticipated residential nature within the FUZ.

SUB-P19

Avoid subdivision of land within the FUZ that may result in one or more of the following:

- Structures and buildings of a scale and form that will hinder or prevent urban development;
- Require the extension of the transport network and compromise the efficient and effective operation of the local and wider transport network;
- Require upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure;
- Inhibit the efficient provision of infrastructure;
- Undermine the form or nature of future urban development.

SUB-P20

Provide for boundary adjustments in the FUZ where they facilitate future urban development outcomes.



SUB-R3 RDIS activities

SUB-R3(2) amend as follows: 'All zones except FUZ'

SUB-R4 DIS activities amend as follows

| | |
|---|-----------------|
| (3) Boundary Relocation Allotment Also Refer to SUB-R7(11) | GRUZ |
| (4) Subdivision in DEV2-Banks Road to Mangawhero Road that results in the first road connection to Banks Road through the <u>GRZ and FUZ Future Residential Policy Area</u> from subdivision of the GRZ Also Refer to Chapter 16 | <u>GRUZ FUZ</u> |

SUB-R5 NC activities amend and add as follows

| | |
|---|-----------------|
| (6) Subdivision in DEV2-Banks Road to Mangawhero Road that results in a second or subsequent road connection to Banks Road through the <u>GRUZ FUZ and the Future Residential Policy Area</u> | <u>GRUZ FUZ</u> |
| (14) <u>Any subdivision within the FUZ except as provided for above in SUB-R2(1) and (2) and in SUB-R4 (4)</u> | <u>FUZ</u> |

SUB-R6(3)(d) amend as follows:

Any activity within the Future Residential Policy Area-FUZ, shall not be established or located in such a manner that may interfere with or compromise the alignment of any roading linkage to adjacent residential zoned land and/or an identified road corridor.

SUB-R8(6) amend as follows:

| |
|---|
| SUB-R8(6) <u>Future Residential Policy Areas-Future Urban Zone</u> |
| (a) Council has reserved control and may impose conditions in respect of whether the proposed land-use or subdivision activity may compromise the future ability of <u>the a FUZ</u> area to be developed for residential development and how this objective can be achieved through changes in the design or layout of the activity. |

16.2 DEV2- Banks Road to Mangawhero Road

DEV-R1 amend as follows:

Connection to Banks Road through FRPA SPZ-FUZ and Rural Zone

- (i) There may be a single new Collector Road to connect the GRZ to Banks Road through the FRPA SPZ-FUZ and GRUZ. Any application for subdivision in the GRZ that includes provision for the first Collector Road through the FRPA SPZ-FUZ and GRUZ to connect to Banks Road shall be assessed as a DIS under

- District Plan SUB-R4(4). The notification tests in the RMA shall apply to an application under this provision, and particular consideration will be given to notifying the following parties:
- (k) Any application for subdivision that includes an additional road connection through the ~~FRPA-SPZ-FUZ and GRUZ~~ will be assessed as a non-complying activity under SUB-R5(6).

APPENDIX G – 8.1 CL Contaminated Land

Issues

Land can become contaminated when hazardous substances are not used, stored or disposed of in an appropriate way. Contaminated land is commonly associated with past activities such as the manufacture and use of pesticides, timber treatment and sheep dipping. People can be exposed to contaminated land by direct contact with contaminated soil, swallowing food or water from contaminated environments and breathing vapours or contaminated dust. As well as endangering health, contamination can limit the use of land or cause corrosion that may threaten buildings and property. It is important that sites in the district identified as being potentially contaminated are investigated further so people are not exposed to contaminants that may affect their health.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESC”) provide a

national environmental standard for activities on pieces of land where soil may be contaminated in such a way as to be a risk to human health. Regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. District councils are responsible for applying and enforcing the provisions of National Environmental Standards.

The NESCS contains a set of planning controls that direct the requirement for consent or otherwise for activities on contaminated or potentially contaminated land. The methods to establish whether land is contaminated, include determining whether an activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the land. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated or the contaminants are contained to make that land safe for human use.

In most cases, the responsibility for the management of effects on the environment arising from contaminated sites land will sit with the Waikato Regional Council (e.g. leaching of contaminants to waterbodies or groundwater from land development or disturbance activities).

CL - Objectives

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|-------|--|
| CL-O1 | To ensure that contaminated <u>sites land</u> in the District are <u>is</u> managed and/or redeveloped in a manner which avoids, remedies or mitigates any adverse environmental effects. |
|-------|--|

CL - Policies

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|--------------|--|
| CL-P1 | The risks associated with contaminated sites including the use, storage, disposal and transportation of material must be comprehensively documented to enable Council and the public to manage potential adverse effects. |
| CL-P2 | Council will work with the Waikato Regional Council and other relevant agencies to develop a framework for managing high risk contaminated <u>sites land</u> . |
| <u>CL-P3</u> | <u>Contaminated land is managed or remediated to ensure that contaminants are at a level acceptable for the proposed land-use.</u> |
| <u>CL-P4</u> | <u>Management of contaminated land must be carried out in a manner that avoids unacceptable adverse effects on human health and or on the environment.</u> |
| <u>CL-P5</u> | <u>Use or development of contaminated land must not damage or destroy any contaminant containment works, unless comparable or better containment is provided, or monitoring demonstrates that the containment is no longer required.</u> |
| <u>CL-P6</u> | |



| | |
|--|--|
| | <u>Ensure that development of contaminated land management approaches include site investigations, remediation action plans, or management plans for identifying, monitoring and managing contaminated land.</u> |
|--|--|

CL - Rules

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|--|--|
| <u>CL-R1-The rules relevant to contaminated land are managed through the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.</u> | |
| CL-R2- DIS activities | Subject to The matters of discretion HPW-R2(2) may be used to inform and guide the assessment of a DIS activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| Activities undertaken on known contaminated sites land in GRUZ, RLZ, GRZ, MRZ, GIZ, TCZ, COMZ, <u>OSZ, SARZ unless provided for as a PER, CON or RDIS within the NES identified in CL-R1</u> | Matters of discretion HPW-R2(2) |
| CL-R3- NC activities | Subject to The matters of discretion HPW-R2(2) may be used to inform and guide the assessment of a NC activity. However, there is no limit or restriction on the matters or effects that may be assessed. |
| Activities undertaken on known contaminated land in The Natural Open Space Zone <u>unless provided for as a PER, CON, RDIS or DIS within the NES identified in CL-R1</u> | Matters of discretion HPW-R2(2) |

CL - Other Plan Matters

| |
|---|
| All activities shall comply with the relevant matters where applicable as identified below: |
| (1) Chapters 1-6 |
| (2) Section 7.1 Energy, 7.2 Infrastructure, 7.3 Transport |
| (3) Section 8.1 Contaminated Land, 8.2 Hazardous Substances, 8.3 Natural Hazards |
| (4) Chapter 9 Historic and Cultural Values |
| (5) Chapter 10 Natural Environment |
| (6) Chapter 11 Subdivision |

- | | |
|-----|--|
| (7) | Section 12.2 Air Emissions, 12.3 Earthworks, 12.5 Light, 12.6 Noise, 12.7 Signs, 12.8 Temporary Activities |
| (8) | Part 3- Any relevant zone or overlay |

CL - Anticipated Environmental Results

| | |
|---------|--|
| CL-AER1 | A reduction on the number of contamination incidents caused by indiscriminate and poorly managed waste disposal. <u>Reduce the risk to the environment or human health and property as a result of the adverse effects of contaminated land.</u> |
| CL-AER2 | Safe and effective solid waste storage and disposal. |
| CL-AER3 | Reduction in adverse effects on the environment. |



Matamata Piako District Council
District Plan – Operative Version (NPS)
Part 2- District Wide Matters
8 Hazards and Risks
8.1 Contaminated Land

Item 7.7

Attachment A

7 Pūrongo me whakatau | Decision Reports

7.8 MPDC consideration of the Hauraki Gulf / Tīkapa Moana Marine Protection Bill

CM No.: 2987938

Te Kaupapa | Purpose

The purpose of the report is for the Council to determine its stance in relation to the proposed advocacy position of the Hauraki Gulf Forum (HGF), in relation to the current version of the Hauraki Gulf / Tīkapa Moana Marine Protection Bill (the Bill). This position will then be conveyed through Cr James Sainsbury to the HGF at the meeting on 3 March 2025.

Rāpopotonga Matua | Executive Summary

The Bill with its aim to increase the protection levels of the Hauraki Gulf, has been developed by the Department of Conservation and a working group, and was first introduced to Parliament in 2023. Its first reading was in August of that year, and submissions to the Environment Select committee closing in November 2023. In June 2024, the Select Committee endorsed the continuation of the Bill, with advice on likely dates for the next reading. The version of the Bill at that time was supported by the HGF with its proposed extension of protection areas and fishing limitations.

In Oct 2024, the Minister of Conservation announced the Bill would progress, with new amendments that included the proposal to allow limited ring net fishing in two of the high protection areas. The Co-Chairs of the HGF publically expressed concern about this amendment. In the meantime the Bill passed its second reading.

In its proposed agenda for the 2 December 2024 meeting, the HGF put forward a proposed advocacy position for the remainder of the Bill's statutory process for its members to consider. The proposed advocacy position sought that "*HGF calls for the Government to discard the proposed amendments to allow commercial fishing in Highly Protected Areas, and to pass the Hauraki Gulf Tīkapa Moana Bill in the form recommended by the Select Committee*",¹ and the related formal recommendation of the draft agenda is;

"That the Hauraki Gulf Forum (HGF):

- a) consider the implications of the Marine Protection Bill and next steps*
- b) endorse the position that the Forum calls for the Government to discard the proposed amendments and pass the Hauraki Gulf Tīkapa Moana Bill in the form recommended by the Select Committee*
- c) consider the Forum's collective approach to responding to legislative change with implications for the Hauraki Gulf."*²

The 2 December 2024 meeting of the HGF was unexpectedly cancelled. The Executive Officer of the HGF has advised the same agenda item above will be moved to a new meeting date now proposed for 3 March 2025 for decision making. For the MPDC representative to put forward a view on the proposed advocacy position, a decision is required by Council. Staff are recommending that the position described in the recommendations of the HGF is supported by MPDC. Cr Sainsbury and staff member Carolyn McAlley are available to answer questions.

¹ Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 48

² Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 48

Tūtohunga | Recommendation

That:

1. The report be received.
2. The Council supports the recommendations of the HGF 2 December 2024 Draft Agenda, on page 48 of the Attachment to this agenda and directs its representative, Cr James Sainsbury to convey this to the Hauraki Gulf Forum.

Horopaki | Background

The HGF is a statutory body, which promotes and facilitates integrated management and the protection and enhancement of the Hauraki Gulf, under the Hauraki Gulf Marine Park Act 2000. MPDC is currently represented at the HGF by Cr James Sainsbury.

The HGF is administered by Auckland Council and meets 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. Recognising those critical marine values and ecosystems through advocating for protection, restoration and enhancement.

As part of its work, the HGF has strongly advocated for this Bill. This advocacy work also aligns with the aspirations of SeaChange Tai Timu Tai Pari, a Marine Spatial Plan for the Hauraki Gulf, *"the product of over a decade of intense work by mana whenua, community, industry, councils and other stakeholders"*³ to provide increased protection for the Hauraki Gulf.

The Bill proposed an overall increase in the extent of marine protection from 0.3 % to 6%, with two existing marine reserves proposed to be extended, together with additional High Protection Areas and Seafloor Protection areas. The High Protection Areas allow for customary practices of tangata whenua. This version was initially endorsed by the Select Committee, however when it was later announced that the Bill would progress to its second reading, the Minister announced a departure from the Select Committee draft. These amendments would allow for restricted commercial fishing opportunities in two of the High Protection Areas. At that time the Chairs of the HGF publically expressed concern at the amendments *"as the proposal to allow commercial fishing in protected areas defeats the purpose, undermining the integrity of the Bill and the principles of marine protection"*⁴. The Bill, with the new amendments, passed its second reading late last year.

To clarify a collective position of the HGF on these amendments, and inform ongoing advocacy related to Hauraki Gulf matters, members of the HGF have been requested to provide a response to a series of related recommendations at the 3 March meeting.

In the meantime, the statutory process for the Bill will now proceed to its next step, where after its second reading it will be set down for consideration by a committee of the whole House. The committee is made up of all members, who have the opportunity to discuss the Bill in detail and to ask questions of the Minister or member in charge. This is also the last opportunity for the text of

³ Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 47

⁴ Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 47

the bill to be amended, so consideration of proposals for amendments often constitutes a significant part of the committee stage. The committee then reports back to the House and the Bill becomes available for third reading⁵. It is anticipated the Co-Chairs of the HGF, will be advocating directly with their contacts in Parliament should the proposed advocacy position be endorsed.

Ngā Take/Kōrerorero | Issues/Discussion

The changes to the Bill have resulted, as reported in the cancelled agenda, in a number of very divergent options as to the possible effects of allowing commercial fishing in the high protection areas. The proposed changes are *“restricted to ring-net fishing targeting mullet, trevally and kahawai in two of the new High Protection Areas, one in Kāwau Bay and one off Motutapu Island. It is restricted to up to five existing operators, at night, across the winter months⁶”*.

While the HGF has been very supportive of other parts of the Bill that expand the areas of protection, the Co-Chairs of the HGF have expressed concerns at the commercial fishing in High Protection Areas becoming part of the Bill, as they consider that it is contrary to the intent of the HGF and its purpose.

Staff consider that it is not the purpose of the Council decision making process today, to debate and decide the possible impacts or otherwise of the proposal to allow commercial fishing in the High Protection Areas. This type of decision making would be the realm of experts in the topic of marine protection of which the HGF is a part. The purpose of this report and its recommendations is to enable the HGF to continue to participate in the advocacy process related to the Bill, as there has been a change in the Bill that has been identified as contrary the intent of the HGF and its purpose. It is worth noting that there is no information as to the background to the change and no information as to how this change will impact on the customary activities that have been allowed for in the High Protection Areas. While future, further information may become available, staff consider at this time it would be beneficial to remain part of the process and resolve matters to the satisfaction of the HGF if possible, rather than not be a part of the process at all.

Mōrearea | Risk

It is considered that adopting the recommendation of this report to endorse the proposed advocacy position of the HGF, would constitute a low risk. The approval of the proposed advocacy position would enable the Co-Chairs of the HGF to continue to advocate for the outcomes of the Bill to be more consistent with the aspirations of the HGF of which MPDC is an active member. This approach is not contrary to Council's Risk Policy which provides an expectation that the organisation will comply with all relevant legislative requirements in the conduct of its business.

Ngā Whiringa | Options

High Protection Areas intended adverse consequences for our district promotes and facilitates integrated management and the protection and enhancement of the Hauraki Gulf, under the Hauraki Gulf Marine Park Act 2000. **Recommended option**

Option 1 is recommended option in this instance. This option has the potential, if also selected by other members of the HGF, to enable the HGF to continue participating in the statutory development process related to the Bill. This approach would be consistent with the purpose of the HGF in its work to protect the Hauraki Gulf.

⁵ Parliamentary Practice in New Zealand 2023 by Chapter, Chapter 38-The Legislative Process: Second Reading and Committee of the Whole House, New Zealand Parliament.

⁶ Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 47

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

The HGF agenda required the members of the HGF to provide confirmation or otherwise that they supported the proposed advocacy position of the HGF in relation to the Bill. As this type of process has not been covered directly by the Council's Delegations Register, it is considered prudent for the Council to make a decision on the matter. This approach provides for transparent decision making with regard the elected members approach to the request.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The Council decision will be reported and publically available as part of the Minutes of this meeting. The outcome sought by the HGF Co-Chairs in relation to their preferred advocacy approach to the Bill will be reported by staff at the next HGF update item to both the Council and Te Manawhenua Forum.

Ngā Tāpiritanga | Attachments

[A↓](#). Draft agenda for cancelled HGF meeting 2/12/24

Ngā waitohu | Signatories

| | | |
|-------------|--|--|
| Author(s) | Carolyn McAlley Kaiwhakamahere Rautaki RMA Matua Senior RMA Policy Planner | |
| Approved by | Nathan Sutherland Kaiārahi Rautaki RMA Team Leader RMA Policy | |
| | Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation | |



Hauraki Gulf Forum

Tikapa Moana

Te Moananui-ā-Toi

I hereby give notice that an ordinary meeting of the Hauraki Gulf Forum will be held on:

Date: Monday, 2 December 2024
Time: 1.00pm
Meeting Room: Reception Lounge, Level 2
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Hauraki Gulf Forum OPEN AGENDA

MEMBERSHIP

Co-chairperson
Co-chairperson
Tangata Whenua
Members

Mayor Toby Adams
Ms Nicola MacDonald

Ms Charmaine Bailie
Mr Joe Davis
Cr Christine Fletcher
Mr Terrence Hohneck
Mr Jacob Hore
Mr Tom Irvine
Cr Mike Lee
Cr Kerrin Leoni
Cr Warren Maher
Mr Martin Mariassouce
Cr Paaniora Matatahi-Poutapu
Mr Dean Ogilvie
Mr Chris Ollivier

Ms Bianca Ranson
Mr Alex Rogers
Cr James Sainsbury
Mayor Len Salt
Cr Wayne Walker
Cr John Watson

Hauraki District Council
Tangata Whenua

Tangata Whenua
Tangata Whenua
Auckland Council
Tangata Whenua
Ministry for Primary Industries
Tangata Whenua
Auckland Council
Auckland Council
Waikato Regional Council
Te Puni Kōkiri
Waikato District Council
Tangata Whenua
Aotea / Great Barrier Local Board (Auckland Council)
Waiheke Local Board (Auckland Council)
Department of Conservation
Matamata-Piako District Council
Thames-Coromandel District Council
Auckland Council
Auckland Council

(Quorum 11 members)

Mike Giddey
Kaitohutohu Mana Whakahaere / Governance
Advisor
25 November 2024
Contact Telephone: 027 221 7183
Email: mike.giddey@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Selected extracts from the Hauraki Gulf Marine Park Act 2000

3 Purpose

The purpose of this Act is to—

- (a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (b) establish the Hauraki Gulf Marine Park:
- (c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:
- (d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:
- (e) establish the Hauraki Gulf Forum.

Part 1 Management of Hauraki Gulf

7 Recognition of national significance of Hauraki Gulf

- (1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
- (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity—
 - (a) to provide for—
 - (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
 - (ii) the social, economic, recreational, and cultural well-being of people and communities:
 - (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
 - (c) to maintain the soil, air, water, and ecosystems of the Gulf.

8 Management of Hauraki Gulf

To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—

- (a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:
- (b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:
- (d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:
- (e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:

- (f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

Part 2 Hauraki Gulf Forum

15 Purposes of Forum

The Forum has the following purposes:

- (a) to integrate the management and, where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand;
- (b) to facilitate communication, co-operation, and co-ordination on matters relating to the statutory functions of the constituent parties in relation to the Hauraki Gulf, its islands, and catchments, and the Forum;
- (c) to recognise the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and, where appropriate, its catchments.

16 Establishment of Forum

- (1) A body called the Hauraki Gulf Forum is established.
- (2) The Forum consists of the following representatives:
 - (a) 1 representative appointed by the Minister;
 - (b) 1 representative appointed by the Minister of Fisheries;
 - (c) 1 representative appointed by the Minister of Maori Affairs;
 - (ca) 7 representatives appointed by the Auckland Council;
 - (d) 1 representative appointed by each of the following local authorities:
 - ...(iv) Hauraki District Council;
 - ...(vi) Matamata-Piako District Council;
 - ...(ix) Thames-Coromandel District Council;
 - ...(x) Waikato District Council;
 - ...(xi) Waikato Regional Council;
 - (e) 6 representatives of the tangata whenua of the Hauraki Gulf and its islands appointed by the Minister, after consultation with the tangata whenua and the Minister of Maori Affairs.
- (2A) The representatives appointed in accordance with subsection (2)(ca) must—
 - (a) be members of—
 - (i) the Auckland Council; or
 - (ii) a local board of the Auckland Council elected in accordance with the Local Electoral Act 2001; and
 - (b) include 1 member of each of the Great Barrier Island and Waiheke Island local boards.
- (3) The representatives appointed in accordance with subsection (2)(d) or (5) must be members of the local authority elected in accordance with the Local Electoral Act 2001.

17 Functions of Forum

- (1) To promote sections 7 and 8, the Forum has the following functions in relation to the Hauraki Gulf, its islands, and catchments:
 - (a) to prepare a list of strategic issues, determine a priority for action on each issue, and regularly review that list;
 - (b) to facilitate and encourage co-ordinated financial planning, where possible, by the constituent parties;
 - (c) to obtain, share, and monitor information on the state of the natural and physical resources;
 - (d) to receive reports on the completion and implementation of deeds of recognition;
 - (e) to require and receive reports from constituent parties on the development and implementation of policies and strategies to address the issues identified under paragraph (a);
 - (f) to receive reports from the tangata whenua of the Hauraki Gulf on the development and implementation of iwi management or development plans;
 - (g) to prepare and publish, once every 3 years, a report on the state of the environment in the Hauraki Gulf, including information on progress towards integrated management and responses to the issues identified in accordance with paragraph (a);
 - (h) to promote and advocate the integrated management and, where appropriate, the sustainable management of the Hauraki Gulf, its islands, and catchments;
 - (i) to encourage, share, co-ordinate where appropriate, and disseminate educational and promotional material;
 - (j) to liaise with, and receive reports from, persons and groups having an interest in the Hauraki Gulf and business and community interests to promote an interest in the purposes of the Forum;
 - (k) to commission research into matters relating to the functions of the Forum.
- (2) When carrying out its functions under subsection (1), the Forum must have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments.

18 Powers of Forum

- (1) The Forum has the powers that are reasonably necessary to carry out its functions.
- (2) The Forum's powers include the powers—
 - (a) to consider issues related to its purpose; and
 - (b) to receive reports from constituent parties; and
 - (c) to make recommendations to constituent parties; and
 - (d) to advise any person who requests the Forum's advice; and
 - (e) to commission or undertake those activities that are necessary to achieve its purpose.
- (3) The Forum must not—
 - (a) appear before a court or tribunal other than as a witness if called by a party to proceedings; or
 - (b) take part in a decision-making process under any enactment other than to advise when requested to do so.

Draft

Governance Statement – updated May 2021

Whakatauki

“He waka kōtua kāhore e tukutukua ngā mimira.”

A canoe that is interlaced will not become separated at the bow. In unity there is strength.” In the highly developed craft of building ocean going waka the bow section was laced to the centre hull. The waka provides a metaphor for tangata whenua, in that a people interlaced will not be separated and through that unity we find strength.

This Governance Statement replaces all prior versions. It covers how the Forum works, and key roles and responsibilities. The Forum’s purposes, membership, functions and powers are set out in detail in Part 2 of the Hauraki Gulf Marine Park Act 2000 (HGMPA) and are not repeated here.

How the Forum works

Te whakahonore i o maatau hononga Tiriti hei painga mo Te Moananui-ō-Toi; Tīkapa Moana; Hauraki Gulf. The Forum will operate in partnership under the Treaty of Waitangi in accordance with the Hauraki Gulf Marine Park Act, including the principles of the Treaty of Waitangi under Section 6.

It will integrate and respect both Te Ao Māori and other world views.

The Forum’s conduct, and all those that interact with it, will adhere to the intent of the following principles:

- Aroha: being considerate – having respect for relationships and being of service.
- Openness and impartiality: having an open mind when making decisions and listening to other points of view.
- Tautoko: supporting others by respecting and upholding others mana, dignity, identity and unique perspective.
- Manaaki: caring for others by responsibly valuing others and ensuring they feel valued.
- Stewardship: using powers and resources prudently.
- Awhi: helping others by entering into effective engagements in the spirit of co-operation and good faith.
- Leadership: inspiring action toward achieving common goals.
- Tika: being responsible – doing the right thing with integrity and accountability.
- Pono: being effective – building credibility.
- Ethics: maintaining the highest standard of ethical conduct.

The Forum will endeavour to meet quarterly, with meetings split between the Auckland and Waikato regions. It will hold additional workshops and meetings as required.

Our Roles and Responsibilities

- Co-Chairs
 - o One Co-Chair is from and elected by the membership at large
 - o One Co-Chair is from and decided by the Tangata Whenua members
 - o Co-Chairs lead the Forum and are its spokespeople
 - o Co-Chairs work in partnership with each other
 - o Co-Chairs exemplify the principles by which we work
 - o Co-Chairs chair Forum meetings, set strategic direction, support and work with all Members, and front public engagement
- (A separate Co-Chairing arrangement records the practical aspects of Co-Chairing)

- Members
 - o Members support and work with the Co-Chairs and each other to take effective decisions and progress the agenda of the Forum
 - o Members bring their expertise and mana to ensure quality decision making in the interests of the Marine Park
 - o Members represent their Constituent Party, as defined under the HGMPA
 - o Members may send alternates to meetings they are unable to attend so long as this is notified in advance and in accordance with any applicable practice
- Executive Officer
 - o The Executive Officer functions as the Chief Executive of the Forum and is responsible for taking forward resolutions of the Forum, ensuring adherence to the HGMPA, supporting the Co-Chairs and all Members, preparing meeting papers, coordination with external partners, and the Forum's management, contracts, finance and administration.
 - o The Executive Officer chairs meetings of Technical Officers and works closely with the Governance Advisor.
- Governance Advisor
 - o The Governance Advisor is responsible for collating and publishing meeting agendas, writing minutes and providing advice on process.
- Technical Officers
 - o Members are encouraged to have technical officers to provide them and the Forum with expert support and advice.
 - o Technical Officers will work with their Members, the Executive Officer and each other to progress the Forum's resolutions, as appropriate.
- Administering Authority
 - o Auckland Council is the Administering Authority (for responsibilities see s28, HGMPA)

Review

This Governance Statement will be reviewed every 3 years.

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1 Apologies

2 Declaration of Interest

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

3 Confirmation of Minutes

That the Hauraki Gulf Forum:

- a) whakaū / confirm the ordinary minutes of its meeting, held on Monday, 26 August 2024, as a true and correct record.

4 Public Forum

4.1 Public Forum - Regional Pest Management Plan

Te take mō te pūrongo
Purpose of the report

1. Dr Imogen Bassett from Auckland Council will update the forum on the forthcoming Regional Pest Management Plan.

Ngā tūtohunga
Recommendation/s

That the Hauraki Gulf Forum:

- a) thank Dr Imogen Bassett, Auckland Council for her presentation on the forthcoming Regional Pest Management Plan

4.2 Public Forum - Biosecurity update

Te take mō te pūrongo
Purpose of the report

1. John Walsh, Director Readiness and Response Services, Ministry for Primary Industries will provide a biosecurity update.

Ngā tūtohunga
Recommendation/s

That the Hauraki Gulf Forum:

- a) thank John Walsh, Director Readiness and Response Services, Ministry for Primary Industries for his presentation on biosecurity.

4.3 Public Forum - Scallop survey results

Te take mō te pūrongo Purpose of the report

1. Dr James Williams from NIWA will present the recent scallop survey results.

Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) thank Dr James Williams, NIWA for his presentation on the recent scallop survey results.

5 Extraordinary 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
- (b) 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.”

Co-Chairs Report

File No.: CP2024/17787

Te take mō te pūrongo Purpose of the report

1. To provide an update from the Co-Chairs to the Hauraki Gulf Forum.

Whakarāpopototanga matua Executive summary

2. Summer is on its way and the Gulf is getting busier. We are all looking forward to a break and to spending time in, on and around the Hauraki Gulf.
3. In February 2025, the Hauraki Gulf Marine Park turns 25. So many have worked so hard over the last quarter of a century. Many important initiatives have been instigated and we have built up a strong foundation of evidence for the state of the Gulf.
4. However, in terms of bringing about the protection and enhancement specified in the Act, we have a long way to go. The Gulf continues to suffer ecological decline as a result of cumulative impacts from the sea, from the land and from climate change, threatening the precious ecosystems.
5. Our role as defenders and enhancers is important and our goals remain critically important:
 - a. A healthy catchment
 - b. At least 30% marine protection
 - c. A restored seafloor.
6. We are determined to progress the workplan and Lucy is working hard to advance our priorities, expand our influence and drive positive results.
7. After the unanimous endorsement by the Environment Select Committee of the Hauraki Gulf Tikapa Moana Marine Protection Bill we were dismayed at the Government's announcement that while it supports the Bill, it proposes to allow commercial fishing in two of the Highly Protected Areas. This mitigates against the fundamental purpose of the Marine Protection Bill. We have voiced our opposition to this change and will continue to watch the Bill's progress attentively.
8. While we welcomed the Government's commitment of a further \$10 million towards the fight against exotic caulerpa, we remain concerned that insufficient progress is being made in response. The Forum maintains its advocacy for a three-pronged approach:
 - a. Sustained management, ongoing funding and a coordinated strategy involving all stakeholders.
 - b. Diverse responses suited to different environments.
 - c. Community education and awareness to enable rapid responses.
9. Collaboration is critical if we are to make progress. We all have a part to play to protect and enhance the Gulf.
10. We wish you all a relaxing holiday enjoying our treasured Hauraki Gulf.

Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) note the report from the Co-Chairs.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

| | |
|---------|--|
| Authors | Mayor Toby Adams – Co-Chairperson Ms Nicola MacDonald – Co-Chairperson – Tangata Whenua |
|---------|--|

Constituent Party Reports

File No.: CP2024/17786

Te take mō te pūrongo Purpose of the report

1. To update the Hauraki Gulf Forum (HGF) on key developments among its Constituent Parties.

Whakarāpopototanga matua Executive summary

2. The HGF has received a joint written briefing from the Department of Conservation and Fisheries New Zealand (Attachment B). Two recent technical reports are referred to in the DOC update: the benthic community analysis to support the development of the Coastal and Marine Ecological Classification Standard for Deep Reefs in the Hauraki Gulf (Bell et al); and the Methods Report for the stereo baited remote underwater survey of the Hauraki Gulf. As these are substantial reports they have not been attached. Please contact Lucy if you would like copies.
3. The HGF has received a report from Auckland Council (Attachment A).
4. The HGF has received a report from Waikato Regional Council (Attachment C).

Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) thank the Department of Conservation and Fisheries New Zealand for their written reports
- b) thank Auckland Council for its written report
- c) thank Waikato Regional Council for its written report.

Ngā tāpirihanga Attachments

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| A | Auckland Council Constituent Party Report | 17 |
| B | Revitalising the Gulf Update - DoC and FNZ | 29 |
| C | Waikato Regional Council Constituent Report | 33 |

Ngā kaihaina Signatories

| | |
|------------|---|
| Author | Lucy Baragwanath - Executive Officer Hauraki Gulf Forum |
| Authoriser | Sam Hill - General Manager Environmental Services |

Constituent Party Report December 2024
Auckland Council staff to Hauraki Gulf Forum

Item 7

Item 7.8

PART 1: Sediment management and planting initiatives

Rationale for using a strategic approach to facilitate continuous improvement

Auckland Council staff have prepared this constituent party report to provide members of the Hauraki Gulf Forum with an update on Auckland Council initiatives that similarly speak to the Hauraki Gulf Forum's 'strategic issue' for ensuring healthy environment by improving water quality through improved sediment management and restoration initiatives such as riparian planting.

Auckland Council staff have recently provided an update of its *Strategic Approach to Sediment* programme to the Policy and Planning Committee of Auckland Council on 10 October 2024 meeting (item 11 of [Agenda of Policy and Planning Committee - Thursday, 10 October 2024](#)).

Council staff are also updating the *Strategic Approach to Planting* which started in February 2019 and was introduced to the then Auckland Council Environment and Climate Change Committee in July 2020. Both strategic initiatives were conceived through the Natural Environment Strategy unit, Policy department. This strategic unit is distinct from Auckland Council's operational departments and provides independent advice to help shape strategic direction, and translate such advice into improved operational responses.

Adopting a range of strategic approaches will help Auckland Council to evaluate its activities across its region, and its various landscapes and land uses. Strategic approaches are a catalyst for continuous improvement. In the case of sediment management and planting initiatives, these activities in and of themselves will have benefits other than just managing discharges into the receiving environment. Consequently, staff are mindful of a range of complementary outcomes that could be achieved through various interventions. In addition, a range of sediment management and planting activities are not council activities alone. Either the council acts in some way to facilitate or incentivise certain beneficial activities, and in other cases, community interests have their own motivations, interests and ways of approaching issues.

Auckland Council staff regularly engage with adjoining regional councils to socialize and share activities and strategic approaches as they seek to improve outcomes for the natural environment. Similarly, Auckland Council staff are regularly involved in national level discussions on matters affecting how councils in general can respond to the environmental challenges already in front of them. Staff are also often providing advice to community interests to maximise the success of community initiatives.

Managing sediment outcomes requires a strategic approach

Auckland Council recognises that sediment is an issue across the Auckland region. Through several initiatives, the council is focusing on the restoration of water quality values by addressing land use activities that degrade those values. The council is mandated to achieve this, and through various avenues like the provisions of the Auckland Unitary Plan, manages the loss of sediments into waterways. Policy, regulation, and non-regulatory approaches are used to address environmental impacts and overall outcomes from land-based activities.

Attachment A

Attachment A

In 2018, Auckland Council established a Strategic Approach to Sediment Programme to enhance council's existing actions and trial new initiatives that improve sediment reduction outcomes.

Compliance Improvements

Improving compliance on small construction sites is a recent initiative and in the last two financial years (2022-2024) the council's proactive compliance team (4 fulltime equivalents) have conducted nearly 11,000 site visits, served 3,306 abatement notices and issued over 1,000 infringement notices. In 2019 only 10% of sites were complying with erosion and sediment control measures when first visited. These rates have increased significantly to reach 70 - 80% as at June 2024 (see Figure 1).

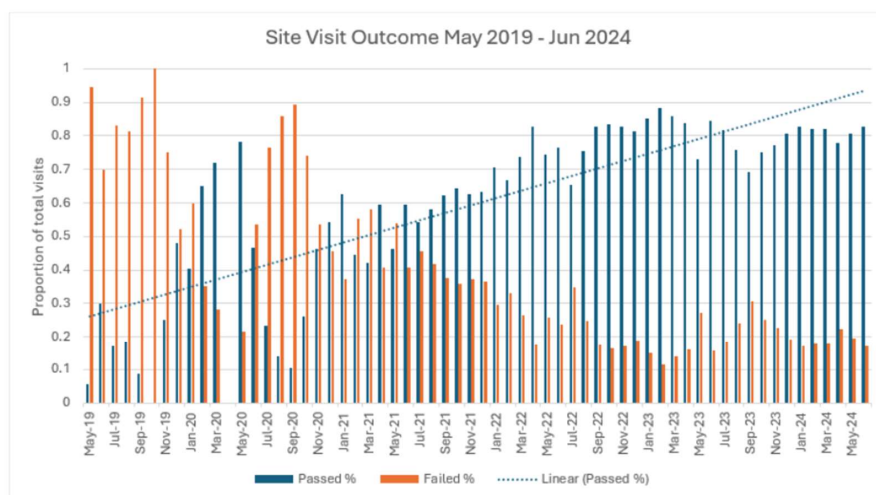


Figure 1. Small construction sites compliance levels with erosion and sediment control measures on first site visit over time since 2019.

Innovation to Improve Information

Innovation and new technology are another focus for the Sediment programme. Council staff have embraced advanced monitoring capability using satellite imagery and machine learning models. Use of these tools enables a greater reach across the region compared to site visits that are, labour intensive/resource heavy, less frequent or responsive to a pollution event reported through the council's Pollution hotline.

In 2023-24 council staff conducted a trial to identify sediment discharges from small construction sites using machine learning to alert staff of a non-compliance issue in real time. Small, inexpensive cameras focused on the kerb and channel downstream from small construction sites were deployed to capture images of sediment discharges. Cameras are now being used with the machine learning models to notify compliance staff of a discharge allowing them to mobilise quickly to the discharge site. This assists regulatory compliance staff in targeting daily compliance visits to sites which are showing sediment discharges. Figure 2 shows typical images of two camera locations.



Figure 2. Site locations of cameras capturing sediment discharge off small construction sites

A collaboration between Auckland Council and Auckland Transport staff undertook a trial using high resolution satellite imagery (post-Gabrielle) and a machine learning model to identify the most likely unsealed rural roads which need mitigation to prevent bare earth / sediments from entering freshwater and / or significant ecological areas (see Figure 3). The technical report is [here](#).

This work will assist council staff in better managing sediments based on potential areas of sediment loss and areas being prioritising for mitigation efforts. An example of this is identifying the unsealed rural roads that have the highest sediment potential by local board in the Table below.

| Board Name | Length Unsealed (m) | Length High Sediment Potential (m) | % of Total High Potential Length |
|-----------------------|---------------------|------------------------------------|----------------------------------|
| Albert - Eden | 3259.7 | 176.7 | 0.5% |
| Maungakiekie - Tamaki | 276.8 | 0 | 0.0% |
| Papakura | 2977.1 | 48.7 | 0.1% |
| Whau | 1331 | 20 | 0.1% |
| Henderson - Massey | 4583.2 | 140 | 0.4% |
| Orakei | 3976.3 | 187.2 | 0.5% |
| Waitakere Ranges | 38085.7 | 6788.8 | 19.3% |
| Devonport - Takapuna | 1097.1 | 70 | 0.2% |
| Hibiscus and Bays | 1474.7 | 71.8 | 0.2% |
| Mangere - Otahuhu | 14274.6 | 100 | 0.3% |
| Waitemata | 4157.6 | 30 | 0.1% |
| Howick | 15404 | 523.7 | 1.5% |
| Upper Harbour | 2603.1 | 107.6 | 0.3% |
| Otara - Papatoetoe | 10493 | 30 | 0.1% |
| Manurewa | 7446.1 | 861.1 | 2.4% |
| Franklin | 59256.3 | 5001.4 | 14.2% |
| Rodney | 607068.8 | 21040.8 | 59.8% |
| Outside Board Extent | 482 | 0 | 0.0% |
| Totals (m) | 778247.1 | 35197.8 | 100 |

Table 1. High sediment potential from unsealed rural roads by local board.

When looking across the Auckland region, Rodney Local Board has 59.8% of High Sediment Potential (HSP) unsealed rural road length, Waitakere Local Board has 19.3% and Franklin Local Board has 14.2% unsealed rural road length.

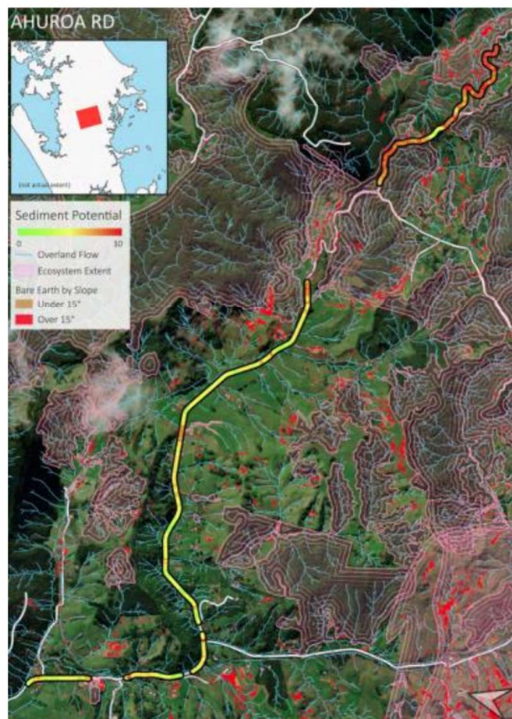


Figure 3. Sediment Potential scores along Ahuroa Road with red representing the highest scores and yellow representing the moderate scores.

Providing an Evidence Base for Policy Updates

In the case of policies and plans, council staff have supported the identification of issues and options relating to sediments so that revised provisions can be drafted in the Auckland Unitary Plan (AUP). In one case, council staff have worked with Lynker Analytics and Zealandia Consulting to establish whether land-cover in five selected catchments had any influence on the rate of sediment loss by comparing pre and post Gabrielle high resolution satellite imagery – see [here](#).

Factors influencing the sediment loss were assessed. Aspect and slope were important as well as land-use such as pasture and indigenous forest. The analysis will help inform and provide evidence for the subsequent plan provisions that will need updating when the AUP plan change is notified to incorporate the requirements of the National Policy Statement for Freshwater Management. This is not scheduled to occur before 2026 or 2027, depending on revisions to the national direction provided by central government. Several national direction instruments under the RMA, including the National Policy Statement for Freshwater Management, will be reviewed by central government during 2025.

A Strategic Approach to Planting

Auckland Council group¹ plants around 900,000 trees and plants each year, many of these in the Hauraki Gulf catchment area. Water quality is a key driver for many planting projects. Planting can support bank and gully stabilisation as well as protecting threatened habitats, coastal erosion and other management outcomes associated with the management of water flows.

The cross-council Strategic Approach to Planting initiative aims to identify, raise awareness, and maximise the strategic outcomes from these planting activities, given the range of rationale which drive planting projects. These outcomes are underpinned by several national and regional policy documents which outline requirements and targets relating to restoration planting, catchment management or water quality and flow management. In brief, the:

- National Policy Statement for Indigenous Biodiversity requires local authorities to assess levels of vegetation cover, promote restoration and set targets for indigenous vegetation cover.
- National Policy Statement Freshwater Management requires an integrated approach “that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.”
- Auckland’s Urban Ngahere Strategy (2019) sets a target of 30% canopy cover across urban Auckland.

The Strategic Approach to Planting initiative takes a landscape scale approach, encompassing both rural and urban areas and is working towards:

- aligning current planting programmes with each other as well as national and regional strategic drivers
- analysing existing work programmes to identify gaps and opportunities to enhance programme work.
- increasing the quality and success of plantings to improve the value for money and resilience of plantings to growing environmental pressures including climatic conditions.
- identifying further indicators of success.
- promoting excellence in data capture, monitoring and evaluation of planting projects.

Data driven optimisation

Since 2021, a customised Geographic Information System (GIS), known as Ruru, has been developed and embedded across council to provide consistent and more efficient methods for data collection, storage, visualisation, analysis, and reporting of conservation data. One element of this system collects and displays detailed data on all planting projects. Information includes the species planted, location, whether a planting is creating new ngahere or increasing diversity in existing bush, nursery supplier, if the planting was carried out by contractors or community volunteers, funding source as well as numbers planted.

We can now accurately report the number of stems planted in catchments flowing into the Hauraki Gulf – see Table 2 which details the number of stems planted over the last four years.

¹ Includes Watercare but not Auckland Transport, Tātaki Auckland Unlimited, Eke Panuku Development Auckland or other council controlled organisations

| Planting (calendar) Year | Total Number of Trees and Plants Planted in the Hauraki Gulf Catchment |
|-----------------------------|---|
| 2021* | 273,000 |
| 2022 | 528,000 |
| 2023 | 371,000 |
| 2024 | 458,000 |
| Grand Total | 1,631,000 |

Table 2. The total number of stems planted in the Hauraki Catchment by planting year. *Ruru data collection for planting was introduced in 2021 and the dataset for this year is likely to be incomplete.

In future the extensive Ruru database will enable analysis and evaluation to drive improvements in Auckland Council's planting programme, and the targeting of interventions to achieve maximise impact on risks such as sediment loss. Figure 4 below shows the locations of restoration planting sites in the Hauraki Catchment over the last three years. Further evaluation of the nature and extent of the planting information contributing to this map is proposed in the second half of the 2024-2025 financial year.

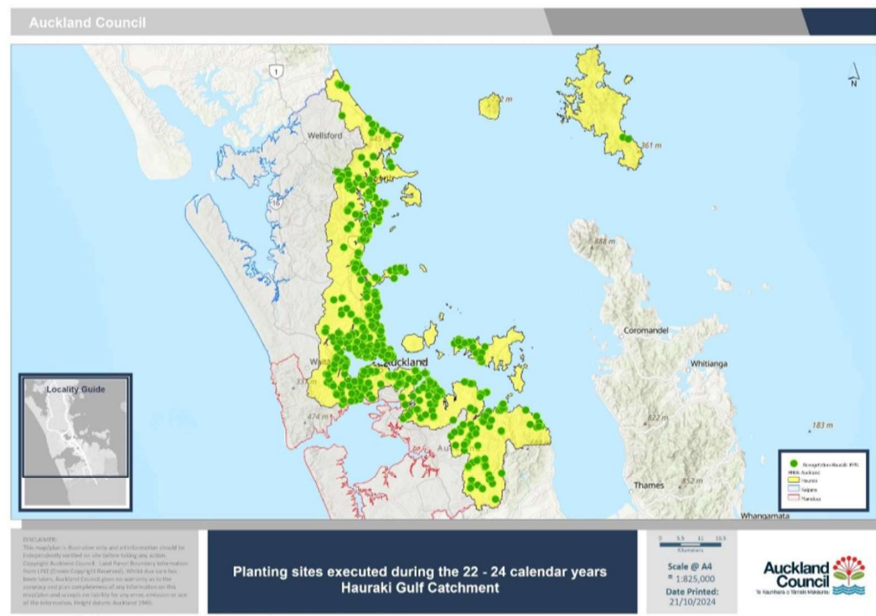


Figure 4. Revegetation sites in the Hauraki Gulf freshwater management unit or catchment area. The green dots indicate site locations, with numbers of stems planted ranging up to 61,000.

Future analysis could map potential restoration sites and factors such as existing vegetation, overland flow paths and sedimentation sources to develop an intervention prioritisation tool. This would allow targeting of future planting projects and other interventions to achieve a range of strategic outcomes such as sediment reduction and improved water quality.

PART 2: Exotic Caulerpa update, other pathways and marine biosecurity activities

Auckland Council staff have prepared this biosecurity update on Auckland Council activities in response to the exotic seaweed Caulerpa and other biosecurity threats within the Auckland region of the Hauraki Gulf.

Auckland Council has been a member of the Exotic Caulerpa National Advisory Group working on determining the strategy and priorities for funding nationally for responding to exotic Caulerpa. The strategy is proceeding in development, and allocations of funding are indicated accordingly. This includes tool development, research and communications and engagement activities.

Further, Auckland Council has been a partner in the Better Business Case, initiated by Ngāti Paoa and Pou Whakarae, which is building a compelling financial case to Government pre-Christmas, for increased investment in the Caulerpa response. The Business Case process is being facilitated by MartinJenkins.

MPI have \$10 million (now increased to \$13 million) for the latest accelerated round of effort to combat Caulerpa. Most of this is going into developing tools, research and communications. Council staff will be working with MPI to get communications out to boaties in our region to reduce the spread of Caulerpa by vessels and related activities (e.g. fishing). 'Protect our Paradise' is the new brand for marine biosecurity, which complements the Top of the North messaging to encourage hull cleaning (Clean Below? Good to Go).



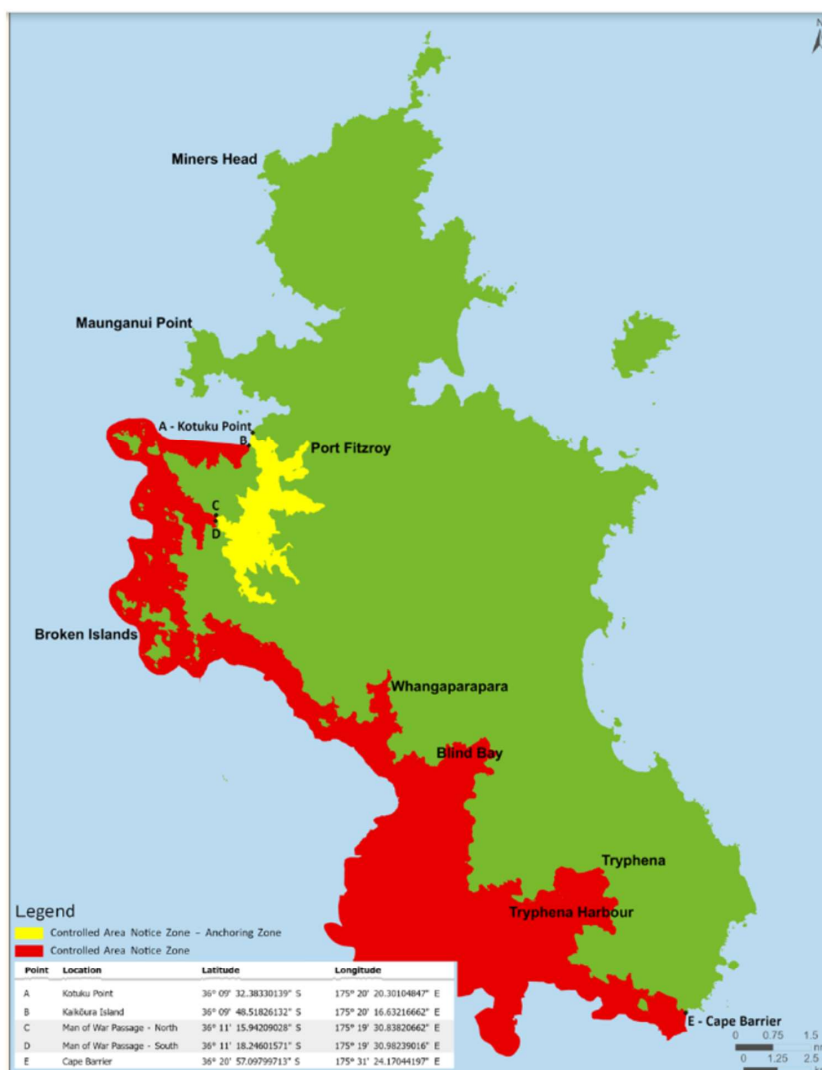
Council staff are working to install multiple bookable short stay moorings at Aotea to combat the economic impact of the extended Controlled Area Notice (CAN) locking off much of the island from boaties – with the ambitious aim to get some installed by the end of 2024. This initiative has come from both Ngāti Rehua Ngāti Wai ki Aotea Trust, the Aotea Caulerpa Response Team, and the Aotea / Great Barrier Local Board, and will be largely MPI funded. Council's facilities, consents and biosecurity staff are all collaborating to assist in the timely procurement of this capacity. A booking system will be needed to administer access to the island. The aim is for this to be free for the duration of the CAN.

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Attachment A

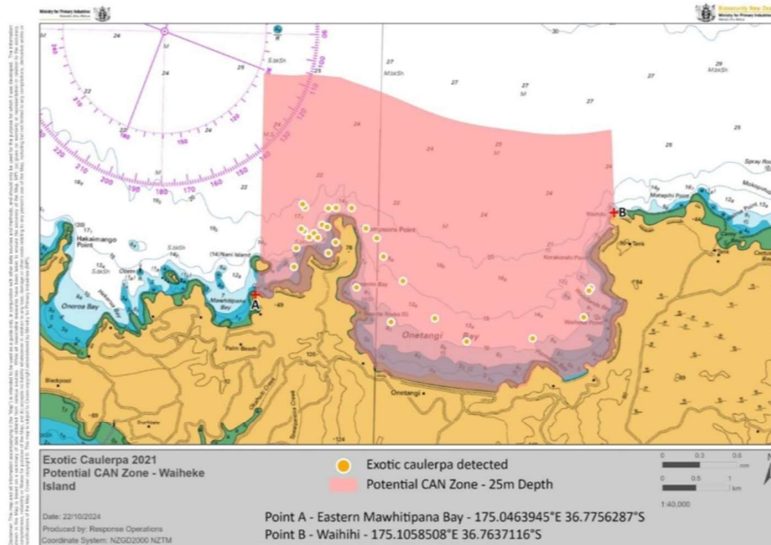
Item 7.8

Attachment A



Existing Controlled Area Notice, Aotea/Great Barrier Island

MPI are proposing a new Caulerpa Controlled Area Notice on Waiheke's Onetangi beach area, which may be introduced by Christmas. This could impact on activities such as fishing and anchoring in this area, and is closely being aligned to the existing rahui.



Draft proposed boundaries of potential Controlled Area Notice, Waiheke Island

With Ports of Auckland, council staff have surveyed the SailGP spectator fleet anchor zone, and the commercial ship anchor zones, and will next look at the Rangitoto channel, to ensure no Caulerpa present before dredging.

We have an expanded summer 2024/25 programme of biosecurity champions on mainland and also Aotea / Great Barrier and other key locations, to try to reach boaties as they depart for Tikapa moana/Hauraki Gulf.

Reports of beach-cast Caulerpa have identified the two most major infestation areas so far detected. As Auckland has a large population who frequent popular beaches, SafeSwim signage at 12 significant and popular beaches around the region now carry a 'Help Stop the Spread – Report Caulerpa' message:



Subsequent surveillance of the Leigh Harbour Omaha Cove location of Caulerpa, treated with chlorine by council contracted divers, has confirmed no further Caulerpa in the specific site, or the wider harbour, was detected. This is the first situation where early detection has led to effective removal. Ngāti Manuhiri was closely involved in this prompt response once the seaweed detection was confirmed. The initial detection was part of the council's normal marine biosecurity surveillance of high value and high-risk areas around the region.

Following reports from Northland Regional Council, the council's Islands Biosecurity team recently (15 November 2024) helped MPI issue a Notice of Direction on a vessel that came into our coastal waters from a heavily Caulerpa infested Controlled Area Notice of Bay of Islands. It anchored at Kawau Island overnight, and then moored at Waiheke Island – where council staff inspected it. No Caulerpa was found on anchor or chain. We will now follow up with additional surveillance at Kawau to ensure no Caulerpa dispersal has occurred at Vivian Bay.

Marine Biosecurity – Other

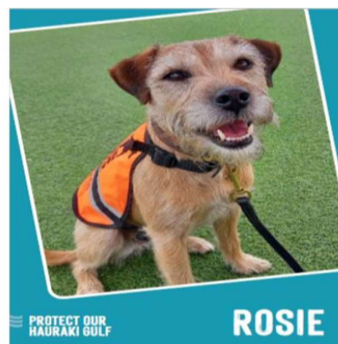
In additional marine biosecurity matters, council staff have been talking to mana whenua, and undertaking community consultation and survey for a haul out boat cleaning facility on Aotea / Great Barrier. There currently are no facilities for cleaning vessels on Aotea / Great Barrier and with a local vessel fleet of approximately 80, and as a destination for many more, an on-island facility would help biosecurity as vessels would not need to move to be cleaned. Moving often distributes marine pests such as Mediterranean fanworm. This proposal was first raised in 2019, but following a pause due to Covid and with the presence of Caulerpa, is now being re-initiated. Community preference is now being indicated for Whangaparapara over Okupu.

Council contracted divers will be re-commencing the regions hull surveillance programme shortly, aiming to survey vessel level of foul on approx. 10% of the region's fleet/annum. This effort is across the region. A shortage of scientific divers is an increasing challenge.

Pathways Biosecurity for the Hauraki Gulf

On the island biosecurity front, pathways work will continue with:

- Surveillance & monitoring
- Early detection and control tools
- Incursion and incident response
- Outreach: engagement, champions, education and kaitiakitanga
- Compliance Monitoring and Enforcement (Proactive compliance)
- Pest Free Warrants



Summer 2024/25 will see an expanded biosecurity Champions programme, in part funded by MPI, to help us communicate with boaties visiting Tikapa Moana. They will be positioned in key departure points – boat ramps, wharfs, jetties and marinas. In addition, a communications campaign will be commencing to help us reach out to island visitors – both ferry or private vessel.



154 commercial operators now have attained a Pest Free Warrant, to ensure they are following good biosecurity practice in the Hauraki Gulf. A new Pest Free Partner scheme is being developed as a voluntary biosecurity code of practice for suppliers of risk goods to high value islands.



The annual combined DOC/Auckland Council biosecurity dog blitz will be undertaken before the end of the year, to canvass all the islands of the inner gulf for a range of pest species –

Item 7

Attachment A

Item 7.8

Attachment A

Item 7.8

Item 7

including mustelids, rodents, ants and skinks. This is an important biosecurity surveillance check, carried out just prior to the busy summer season every year, to confirm islands are pest free – or not!

A new ant control project is underway for a recently detected area of Argentine ants on Kawau Island – at Schoolhouse Bay. This is in addition to the highly successful Vivian Bay eradication, and Little Vivian Bay.

The proposed Kawau eradication (regeneration) project is progressing with landowner consents and funding commitments increasing. A procurement process is nearing completion to select a supplier to undertake the removal of wallabies and possums from the island.

Attachment A

Attachment A

Hauraki Gulf Forum: Revitalising the Gulf update

Released in 2021, *Revitalising the Gulf: Government action on the Sea Change Plan*, is the Government's strategy in response to the call for action made by the Sea Change Plan. The strategy provides a roadmap for delivering fisheries management and marine conservation actions to address the decline in mauri and health of the Gulf. More information on each of the workstreams and the broader *Revitalising the Gulf* strategy can be found here: <https://www.doc.govt.nz/globalassets/documents/our-work/sea-change/revitalising-the-gulf.pdf>

The Department of Conservation (DOC) and Fisheries New Zealand (FNZ) are the leading agencies and have been working to implement the actions contained in the strategy.

Department of Conservation workstreams

- DOC leads the marine protection package that will increase protection in the Hauraki Gulf from just over 6 per cent to about 18 per cent and includes 12 new high protection areas, 5 new seafloor protection areas, and extensions to the Cape Rodney – Okakari Point and Whanganui-A-Hei (Cathedral Cove) Marine Reserves.
- The Bill was introduced to the House and had its first reading last August. Submissions to the Environment Select Committee closed on 1 November; over 7,000 submissions were received. On 20 June 2024, the Committee reported back with unanimous support for the Bill to continue.
- The first half the Second Reading occurred on 14 November 2024 with the rest of the reading expected to occur 19 November 2024. Dates for the Committee of the Whole House, and Third Reading are not yet set.
- In October, the Minister of Conservation announced that the Government will pass the Bill. He also announced amendments to be progressed at the Committee of the Whole House stage. These amendments include a provision for limited ring-net fishing in two of the high protection areas.
- DOC started inventory surveys of the proposed new marine protected areas earlier this year to gain a baseline picture of the current state of ecosystems and their biodiversity. Next year we will continue this work while also learning more about the benthic (soft sediment and rocky reef) subtidal habitats present in the proposed protections and the ecologically significant features and key species that occupy these habitats.
- DOC leads the development of the Active Restoration Ecological Guidance, which we now anticipate will be ready for publication in mid-2025.
- DOC continue to lead (with the support of FNZ) the development of the overarching Monitoring and Reporting Framework for the Strategy (all actions included), as well as the prioritised Research Plan to support the monitoring. This work incorporates the outputs of the fisheries indicators, and Ahu Moana (mentioned below).
 - Monitoring and Reporting Framework - following as initial workshop in June 2024, this financial year the project will focus on identifying prioritised indicators and their respective measures and methods.
 - Research Plan – the plan will be developed this financial year and published by December 2025; including potential webpages.
- Copies of the technical report for the deep reef survey and the methods report for deep fish surveys which were undertaken this year have been provided to the Forum's Executive Officer. We are still awaiting the finalised formal report from the koura surveys.
- We are currently planning for surveys of fish (coastal and deep) and the different benthic habitats throughout the proposed protection areas over the next 12 months.
- There are no updates to report for the Protected Species workstream at this time.
- A new DOC operational team focused on Tikapa Moana, Te Moananui-ā-Toi, is being brought together in anticipation of the Bill being passed.

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- DOC recognises that individual iwi and hapū may wish to have hui or further information on various kaupapa – if this is the case please let us know by emailing revitalisingthegulf@doc.govt.nz and we will make that happen.

Fisheries New Zealand workstreams

- FNZ continues to engage with mana whenua and work with a dedicated Hauraki Gulf Fisheries Plan Advisory Group (HG-FPAG) to implement the management actions set out in the Fisheries Plan through a collaborative annual planning and review process.
- A significant and comprehensive benthic survey of the Gulf was completed August/September 2024 with over 270 video transects recorded across the marine park. Initial reports indicate the presence of a range of habitat types including embedded boulder fields with sponges, mud with burrows, bare sandflats and reefs with black corals. A voyage report is currently being drafted by NIWA and will be made publicly available soon. FNZ is currently contracting additional work to assess the imagery and use the additional data to improve predictions of habitat and biodiversity distributions.
- Consultation on proposed management measures for the Northland spiny rock lobster fishery (CRA1) to help mitigate urchin barrens went live on November 14 and will be open until Dec 15 ([Proposed management measures for the Northland spiny rock lobster fishery \(CRA 1\) to help mitigate urchin barrens | NZ Government](#)). FNZ will be consulting on management measures for the CRA2 fishery which overlaps with the Hauraki Gulf in mid-December 2024 ahead of Sustainability Round decisions April 2025.
- The first special permit to remove excess kina from identified kina barrens has been approved. The permit has been issued to Te Kohuroa Rewilding Initiative, a co-led community-based initiative made up of volunteers working with tangata whenua, other organisations and the local community to create positive outcomes for their local coastal marine environment in Te Kohuroa/Mathesons Bay within the rohe of Ngāti Manuhiri, in northern Tāmaki Makaurau.
- Reviewing the management of Northern scallop fisheries which are currently closed (SCA1 and SCA CS) continues to be a focus. Camera/AI based field surveys of these scallop fisheries were conducted in July 2024 and a dredge component was added at additional sites in October 2024. Preliminary results are currently being shared with iwi and stakeholders and dedicated collaborative scallop management workshops are being set up to discuss future management options.
- Amateur Charter Vessels (ACVs) are currently transitioning to electronic reporting to support improved information gathering on recreational fishing. It is proposed that the electronic reporting will as soon as possible also include protected species reporting in the App to enable easier ways to report current obligations under the Wildlife Act.
- Research planning for the 25/26 financial year is underway with the draft longlist currently being reviewed by iwi and stakeholders.

Other Department of Conservation updates

- DOC is currently funding surveillance in seven high priority marine reserves that are near a known incursion of exotic *Caulerpa*, have the ideal habitat/environmental conditions for potential infestation, and are at high risk of biodiversity loss if exotic *Caulerpa* did establish within them. Within the Gulf, this includes Cape Rodney-Okakari Point, Tāwharanui, Long Bay-Okura, Te Matuku and Te Whanganui o Hei / Cathedral Cove marine reserves. DOC have a trip planned at the end of the month to the Mokohinau island group to learn more about how exotic *Caulerpa* there has responded to previous removal trials. Biosecurity New Zealand is the lead agency for the overall exotic *Caulerpa* response. Agencies are working collaboratively on what effort can be directed at place. This work is ongoing.

- In conjunction with FNZ and inshore Seafood New Zealand, a Gulf wide seafloor biodiversity survey has been conducted to inform future management.
- DOC has a national research programme (started in 2019) aiming at increasing our understanding of deeper reef ecosystems (how diverse, where they are located and eventually their function and connections to shallower and deeper ecosystems). We aim to gather sufficient preliminary information to start classifying these ecosystems at different scales, just like the shallow water ones. A standardised approach through classification enables us to collectively identify habitat types suitable for management purposes. Exploratory surveys that recently occurred in the Hauraki Gulf were part of this programme. The outputs of the programme will be integrated into any relevant Revitalising the Gulf actions.
- DOC is continuing to prepare our advice to the Minister of Conservation to inform decisions on the Hākaīmangō-Matīatia (Northwest Waiheke) marine reserve application from the Friends of the Hauraki Gulf. We have completed further engagement with tangata whenua on potential management measures to inform our advice to the Minister. This standalone application is separate to the Revitalising the Gulf marine protected area proposals discussed above.

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Waikato Regional Council Constituency Report – November 2024

Key projects and workstreams which WRC is undertaking that contribute to progress of the HGF work plan are:

Coastal and Marine – monitoring and science

- WRC recently approved a \$7m LTP business case proposing to invest more in coastal and marine science from 2024/25 to 2033/34. This includes expanding coastal monitoring, additional staff and CAPEX. This will continue the large water quality monitoring programme in the Firth of Thames, maintaining the two water quality monitoring buoys and additional monthly water quality monitoring. WRC continues to monitor seven beaches and two estuarine sites (Tairua and Whangamata) in the Hauraki Gulf region are sampled weekly in the summer (Nov-March) for bacterial indicators. The LTP business case will support new areas of work including the mapping and health assessment of rocky reef ecosystems.
- WRC is progressing monitoring and investigation workstreams to provide scientific information to ensure that discharges to marine waters are managed to maintain or enhance the mauri and health of marine water and to protect ecosystem, amenity, and tāngata whenua values. A major investigation into the Waihou River dynamics and flow into the Firth of Thames was carried out in 2023/24.
- WRC supports several citizen science initiatives. Some examples include Kura Waiti Ki Kura Waitā, New Zealand Garden bird survey, NZWatercitizens, Marine meter squared, and EnviroSchools.

Policy and Planning

- The Regional Coastal Plan was notified in August 2023.¹ Expert evidence is due 8 November 2024, leading into expert conferencing late November and early December. The hearing will start mid-February 2025. The proposed plan classifies the Firth of Thames as a degraded water body and the proposed provisions restrict activities that cause further harm and recognise that the main cause of this degradation is land based activities.
- WRC has been actively involved in the development of the Hauraki Gulf/Tikapa Moana Marine Protection Bill, as well as in the development of the Fisheries Plan for the Hauraki Gulf and consultation on the bottom trawling areas. WRC has been advocating for a total ban on bottom trawling in the Gulf. Currently, staff are monitoring the trawling corridors and the HGMPB process as well as potential changes to the New Zealand Coastal Policy Statement 2010. WRC is also preparing a submission on the Biosecurity Act 1993 review.
- Appeals to Plan Change 1 – Waikato and Waipa River Catchments have been heard and a decision can be expected in late 2024/early 2025.
- An aquaculture strategy for the Waikato region was approved in April 2024.² The strategy provides guidance on both regulatory and non-regulatory mechanisms. A working group has been formed and is working on an annual plan for implementing the strategy.

Biosecurity

- WRC's marine biosecurity high risk sites and hull surveillance programme continues. WRC has completed 2023/2024 vessel hull surveillance of over 900 vessels, and the results show a high number of vessels with no more than a slime layer and barnacles present (Level of Foul

¹ [Proposed Waikato Regional Coastal Plan | Waikato Regional Council](#)

² [Aquaculture strategy | Waikato Regional Council](#)



2 or less). Results such as these are encouraging as the risk of spreading marine pests on hull biofouling is greatly reduced with regular cleaning and anti-fouling.

- In addition, WRC has commissioned a review of options for marine biosecurity monitoring in the Waikato CMA. The review is assessing current monitoring efforts, possible opportunities for expansion or realignment and the development of a spatial and temporal framework.
- WRC continues to support the MPI-led response to the exotic *Caulerpa* and invasive freshwater gold clams. WRC is contributing to Biosecurity NZ and DOC's preparedness programme by providing advice and support from a regional sector perspective.
- WRC is contributing to Biosecurity NZ and DOC's preparedness programme for the collaborative approach to HPAI 'bird flu' by providing advice and support from a regional sector perspective. Once HPAI reaches New Zealand, our role will primarily be to help disseminate information and provide advice to the public. We will continue to work with the other agencies involved to determine any other support we can provide.

Māori engagement framework

- WRC is working on an audit to integrate mātauranga Māori into WRC's work programmes with a focus on understanding mātauranga Māori concepts and iwi frameworks and developing an implementation plan and gathering information with iwi partners. This multi-year project includes a tailored learning programme to support staff in understanding and incorporating mātauranga Māori into their work.

Regional Resilience Projects

- WRC is currently working with territorial authorities providing resources and support for projects looking at future risk and climate change mitigation. Examples include Wharekawa Coast 2120 and the TCDC Shoreline Management Plan.
- WRC is progressing its natural hazards strategy and implementation aiming to identify primary hazards zones and the natural hazards component of the regional plan. Staff developed the Natural Hazards Risk Assessment Methodology which is being used for natural hazards and risk identification, such as adaptation planning.

Biodiversity

- A draft biodiversity inventory has been compiled and work to validate and conduct quality control is ongoing. National Indicator work continues in conjunction with other regional councils as part of regional sector work. A regional Tier 1 biodiversity monitoring programme is being established following the recent LTP.
- WRC is finalising a biodiversity accord for the region, in collaboration with territorial authorities, iwi partners, DOC, MPI and QEII National Trust. Following the completion of the accord WRC will progress developing a biodiversity strategy for the region.

A full report of WRC workstreams aligned with HGF work plan goals can be found in Appendix 1.



Appendix 1 – Table of WRC workstreams aligned with HGF work plan goals

This table is based on the Hauraki Gulf Forum's (HGF) work plan released early 2024 and highlights WRC's projects in connection to the work plan deliverables. Please note that the table only covers deliverables that relate to WRC's functions. Therefore, some deliverables contained in the work plan are not listed in the table. In addition, other relevant work that WRC is progressing is also listed, which is not directly connected to a deliverable but relevant to the HGF. These are listed under 'work plan actions' although those are not listed in the work plan.

| Work plan goal | Work plan action | WRC aligned workstreams |
|--|---|--|
| Strategic issue - Integrated management | | |
| A healthy catchment | Advocate for a catchment-wide, ki uta ki tai approach | <ul style="list-style-type: none">• Work is underway in the Waipa and Waikato Catchments to jointly implement the provisions of Healthy Rivers Wai Ora (Proposed Plan Change 1 to the Regional Plan) with industry. We are working on developing the systems needed for landowners to meet their obligations under the Proposed Plan Change.• WRC has completed two rounds of tangata whenua and community engagement (in 2022 and 2023) for the review of the Regional Policy Statement and Regional Plan to give effect to the National Policy Statement for Freshwater Management 2020.• The region is divided into the eight catchment management zones for service delivery, and operative management plans are in place for these zones, as follows:<ol style="list-style-type: none">1. Coromandel Zone Plan (released 2012, reviewed 2017)2. Waihou Piako Zone Plan (released 2017)3. Lake Taupō Zone Plan (released 2017)4. Upper Waikato Zone Plan (released 2019)5. Central Waikato Zone Plan (released 2017)6. Lower Waikato Zone Plan (released 2018)6a. Lake Waikare and Whangamarino Wetland Catchment Management Plan (released 2018)7. Waipā Catchment Plan (released 2014)8. West Coast Zone Plan (released 2016, reviewed 2024).• Some Harbour and Catchment Management Plans (HCMP) have been developed for the Coromandel Zone.³ These are non-statutory documents. There has been limited progress on actions and the development of further HCMPs have not progressed due to realignment of priorities. |

³ <https://www.waikatoregion.govt.nz/council/policy-and-plans/hazard-and-catchment-management/cmp/coromandel-zone/>

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רפואה

אמריקה



| Work plan goal | Work plan action | WRC aligned workstreams |
|----------------|--|--|
| | | <ul style="list-style-type: none"> Regarding the Coromandel Zone, WRC staff participate in a monthly hui with Thames-Coromandel District Council (TCDC) and the Department of Conservation (DOC) staff. This helps with aligning work efforts and in identifying opportunities to work and coordinate work streams together. The work programmes align with key planning documents such as Zone Plans and HCMs. We aim to prioritise projects with opportunities for collaboration and external funding. At a catchment level, the Waikato Regional Prioritisation Framework is the spatial modelling tool used to help identify locations with high to low risk for soil conservation, water quality, or biodiversity factors. The framework provides a method to achieve integrated outcomes across resources, jurisdictional boundaries, and agency functions. Among other uses, this framework is currently used to identify priority catchments within each zone in which at least 80% of available funding must be spent. The Primary Industry Engagement section works with our primary stakeholders' partners to support our region's farmers and growers meet their obligations with Freshwater Farm Plans while improving their environmental footprint. We have developed CCCV (catchment context challenges and values) for freshwater management units (FMUs) where the Freshwater Farm Plans regs are live.⁴ Under the waste prevention portfolio, WRC coordinates a local government forum comprising representatives from the Central North Island, who discuss key waste issues and identify areas for joint work. The group will be pursuing the development of a Central North Island Waste Strategy which will enable coordinated development of projects and infrastructure. WRC also administers a community resource recovery network that comes together for education and coordinated development of local community based regional networks for resource recovery. WRC has been facilitating workshops to bring together researchers whose work relates to the management of diffuse contamination in the Hauraki area. For example, Lincoln Agritech is undertaking research on the Hauraki Plains to help understand the critical pathways for nutrients from paddock to river. WRC has published a 2022 state of environment report for the Waikato region. It includes relevant information for the Hauraki area. WRC worked through with science providers through a range of workshops looking at future landscapes for Hauraki (with Manaaki Whenua Landcare Research) to inform the freshwater planning process. |
| | Set up a taskforce to reduce land-based impacts, including sediment runoff | |
| | Other relevant WRC projects (not a work plan action) | |

¹⁴ <https://www.waikatoregion.govt.nz/environment/farmers-hub/freshwater-farm-plans/>



| Work plan goal | Work plan action | WRC aligned workstreams |
|--------------------------------|---|---|
| | | <ul style="list-style-type: none">• WRC continues a large water quality monitoring programme in the Firth of Thames.• Seven beaches and 2 estuarine sites (Tairua, Whangamata) in the Hauraki Gulf region are sampled weekly during summer (Nov-March) for bacterial indicators and the results published on Land Air Water Aotearoa (LAWA).• WRC has been actively involved in the development of the Hauraki Gulf/Tikapa Moana Marine Protection Bill, as well as in the development of the Fisheries Plan for the Hauraki Gulf and bottom trawling areas. WRC has been advocating for a total ban on bottom trawling in the Gulf. |
| At least 30% marine protection | Other relevant WRC projects (not a work plan action) | |
| A restored seafloor | Treat marine biosecurity as seriously as land biosecurity | <ul style="list-style-type: none">• WRC's latest LTP proposes to invest more in biosecurity.• WRC has commissioned a review of options for marine biosecurity monitoring in the Waikato CMA. The review is assessing current monitoring efforts, possible opportunities for expansion or realignment and the development of a spatial and temporal framework.• All new aquaculture consents require biosecurity management plans.• WRC is preparing a submission on the Biosecurity Act 1993 review.• The government worked in partnership with the Top of the North regional councils to develop a draft national pathway management plan for marine pests – the Clean Hull Plan. Work is currently on hold, waiting on further action from the Ministry for Primary Industries. Regional councils continue to work with DOC and Biosecurity New Zealand to implement a strong advocacy programme across both freshwater and marine.• The marine biosecurity high risk sites and hull surveillance programme continues, with approximately five weeks of surveillance to take place during the 2024 calendar year.• WRC has completed 2023/2024 vessel hull surveillance of over 900 vessels, and the results show a high number of vessels with no more than a slime layer and barnacles present (Level of Foul 2 or less). Results such as these are encouraging as the risk of spreading marine pests on hull biofouling is greatly reduced with regular cleaning and anti-fouling. |
| | Ensure consistent implementation of Clean Hull Plan | |
| | Enable marine restoration through regulatory frameworks | <ul style="list-style-type: none">• Proposed Waikato Regional Coastal Plan (RCP) has been notified. The RCP is our rulebook for activities in the coastal marine area and captures significant issues such as the management of marine biodiversity protection areas and provisions for aquaculture for the Waikato region. The proposed plan provides for seascapes and significant biodiversity areas among other regulatory methods for marine protection and restoration. |

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הרפורמה

המחלקה לבריאות הציבור

| Work plan goal | Work plan action | WRC aligned workstreams |
|--------------------------|--|--|
| | | <ul style="list-style-type: none"> The proposed plan was notified August 2023. Expert evidence is due 8 November 2024, leading into expert conferencing late November and early December. The hearing will start mid-February 2025. The proposed plan classifies the Firth of Thames as a degraded water body and the proposed provisions restrict activities that cause further harm and recognise that the main cause of this degradation is land based activities. WRC has been actively involved in the Sea Change spatial plan and Revitalising the Gulf. WRC staff have also been involved in the development of the Oceans Plan by the Environmental Defence Society. |
| Additional working areas | Other relevant WRC projects (not a work plan action) Enhance coordination and boost investment in marine environmental monitoring | <ul style="list-style-type: none"> WRC recently approved a \$7m LTP business case proposing to invest more in coastal and marine science across the years 2024/25 to 2033/34. This includes expanding coastal monitoring, additional staff and CAPEX. WRC are working alongside DOC, MPI and other interested parties on the development of coordinated monitoring frameworks for the Hauraki Gulf. WRC has issued a technical report to assist with determining appropriate consent monitoring: "Guidance for identifying appropriate water quality, benthic, and hydrodynamic effects monitoring for non-fed aquaculture in the Waikato region" TR 2023/14 Regional Resilience Projects: WRC is currently working with territorial authorities (including TCDC and HDC) either as an interested party, providing resources, or in governance roles for projects looking at future risk/climate change mitigation. Examples include Wharekawa Coast 2120 and the TCDC Shoreline Management Plan. Natural Hazards Strategy and Implementation: This work aims to identify primary hazards zones and the natural hazards component of the regional plan. Staff worked jointly to develop the Natural Hazards Risk Assessment Methodology in late 2018. The methodology is being used by the council and district councils working in natural hazards and risk identification, such as adaptation planning. The project is ongoing and involves work in collaboration with interested district councils across the region. In April 2019, work on the Waikato Data Portal was completed and is now business as usual. The Waikato Data Portal is a public platform that the 12 councils in the Waikato region have established to share council data with each other, industry and with the public. All 12 councils have published data to the portal now and there are currently 415 data sets in the portal with new datasets being added regularly. |



| Work plan goal | Work plan action | WRC aligned workstreams |
|---|---|---|
| | | <ul style="list-style-type: none"> • Collaboration/working with district councils to identify opportunities for proactive engagement with plan changes, which includes sharing of technical information, like ecological reports and natural hazards modelling, and designating relationship managers for each district. • WRC continues to build an environmental data hub where people can view water quality information for sites that we monitor. |
| Strategic issue - Healthy Environments | | |
| A healthy catchment | Riparian planting of all waterways in the catchment | <ul style="list-style-type: none"> • WRC received funding from MFE's Public Waterways and Ecosystems Restoration Fund as part of the Jobs for Nature programme, as well as from One Billion Trees, Te Uru Rākau, MPI, and has completed several Shovel Ready projects which had environmental benefits in the Hauraki Gulf area. These include: <ul style="list-style-type: none"> ○ Clean Streams 2020 - enabled eligible landowners who permanently retired a stream, wetland or seep from grazing, to have that retired area planted in native plants ○ Upper Waikomou habitat enhancement – restored riparian margin, removed or managed pest plants, and planted a native corridor. 47.6 km of fencing has been completed and 225,344 plants planted. • Piako River Green Corridor also received funding as a Shovel Ready Project to reconnect the Kopuatai wetland to the Firth of Thames. To date, 27km of fencing has been completed and 252,800 native plants have been planted. Work is progressing with the remaining planting sites along the Piako River. • WRC, NZ Landcare Trust, and community members constitute the Piako Catchment Forum (PCF) committee. PCF is a community group in Matamata Piako and Hauraki Plains focused on the restoration of the Piako Catchment and its local communities. • Funding Boost for river stabilisation and removal of storm affected vegetation in Coromandel Peninsula: WRC has been awarded \$2.286m from the Local Government Flood Resilience Co-investment Fund towards three projects to improve the resilience of communities impacted by Cyclone Hale and Cyclone Gabrielle in 2023.⁵ The funding includes: <ul style="list-style-type: none"> ○ \$940,000 towards river management within the Waihou Valley scheme, with a focus on gravel management and stabilisation/revetment works in the Kauaeranga River, Kirikiri Stream, Puriri River, Omahu Stream, Hikutaia River, Komata River and Ohinemuri river ○ \$704,000 towards mitigating future flood risk in the Waipā, lower Waikato and west coast catchments by removing waterway obstructions and constructing at least 85 in-stream erosion control structures |
| | Stem flows of sediment, microplastic, nutrients, sewage, pollution. | |

⁵ Funding boost to improve flood resilience of communities affected by 2023 cyclones | Waikato Regional Council

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מגמת אדריכלות



Waikato
REGIONAL COUNCIL
Kaitiaki o Te Waikato



| Work plan goal | Work plan action | WRC aligned workstreams |
|----------------|--|---|
| | Support for pest control and forest health | <ul style="list-style-type: none">• Groups such as the Thames Coromandel pest trapping, Kiwi Care, and river catchment, harbour and beach restoration groups have received almost \$2m from WRC in the last 3 years to boost their programmes.• WRC allocated \$250,000 in FY21/22 to support koi initiatives in the Waikato region. The delivery included writing the Waikato High Priority Infrastructure Review and commencing investigations into remaining sites where barriers could be installed; continued eDNA surveillance including a new programme tying in with existing monitoring; and undertaking net trials and drone and electric fishing at Lake Waahi to trial a potential new method for biomass estimates of koi.• Biodiversity staff and catchment management officers are working to develop biodiversity plans with individual landowners and providing contestable funding and support through our Natural Heritage Partnership Programme to community groups. This is part of the council's ongoing work programme.• A draft biodiversity inventory has been compiled and work to validate and conduct quality control is ongoing. National Indicator work continues in conjunction with other regional councils as part of regional sector work. A regional Tier 1 biodiversity monitoring programme is being established following the recent LTP.• WRC carries out ongoing investigation and monitoring of soil quality. The main aim is to use research to maintain or enhance the life supporting capacity of the soil resource, minimise contaminants in soils and manage the adverse effects of activities resulting from use and development of peat soils.• WRPS biodiversity objectives are met in part through the Waikato Region Pest Management Plan (WRPMP). WRC reviewed the WRPMP to ensure consistency with the latest National Policy Direction for Pest Management and the council's strategic direction. The council approved the Waikato Biosecurity Strategy and WRPMP 2022-2032 in April 2022 and resolved to make it operative on 4 July 2022. Implementation of the Biosecurity Strategy and WRPMP is carried out as part of the council's ongoing work programme. The RPMP Operational Plan Annual Report 2023-24 has been published⁶. |
| | Other relevant WRC projects (not a work plan action) | <ul style="list-style-type: none">• In terms of the WRC freshwater review (NPS-FM), appeals to Plan Change 1 – Waikato and Waipa River Catchments have been heard and a decision can be expected in late 2024/early 2025. The decisions (when final) will be incorporated into the freshwater policy review process. WRC staff have developed a revised freshwater policy review programme in light of the changed legislative landscape including possible timeframes around key milestones, which the council approved in June 2024. A joint working group, comprising staff from River |

⁶ <https://waikatoregion.govt.nz/assets/WRC/RPMPAnnualReport.pdf>

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| Work plan goal | Work plan action | WRC aligned workstreams |
|--------------------------------|--|--|
| | | <p>Settlement Iwi and the council, is in the formative stages of establishment. Once formally established the Joint Working Group will collectively develop the process to recommend the freshwater plan review through our respective entities, and ultimately through the co-governance decision making process. A revised communication programme will keep partners and key stakeholders informed of the project's progress with a more phased approach to the wider community and general public.</p> <ul style="list-style-type: none"> • The efficient use of freshwater is an ongoing programme of work made up of the following components: The council's Land Management Advisory Service which collaborates with the dairy industry water group to promote water conservation; WRC's resource use directorate (RUD), through resource consent processing; and through advocacy and support for the uptake and encouragement of water efficiency through district plan reviews, plan changes and development (land use and subdivision) consents. Within RUD there are educational activities such as Enviroschools, (including the WaiRestoration Programme), the Kura Waiti Ki Kura Waitā Programme, and the Secondary Schools Employer Partnership Programme which all have a focus on growing connection and positive actions related to rivers and freshwater. The Primary Industry Engagement section works with our primary stakeholders' partners to promote good farming practice. • An aquaculture strategy for the Waikato region⁷ was released in April 2024. The strategy provides guidance on both regulatory and non-regulatory mechanisms. A working group has been formed and is working on an annual plan to implement the strategy. • The Firth of Thames has been classified as a degraded water body in the proposed Coastal Plan. WRC policies will require water quality to be improved and restricts activities that cause further harm. Recent LTP investment will support the comprehensive monthly water quality monitoring programme and the two water quality monitoring buoys. • The recently granted fish farm consent for the Coromandel Marine Farming zone includes requirements for a staged development coupled with benthic and water quality monitoring. • WRC is making great efforts to understand climate change risks and options for mitigation. In September 2023 WRC released an updated Climate Action Roadmap⁸ for the region. This is an update of our first Climate Action Roadmap published in 2020. It has been updated to incorporate international, national and council directions, |
| At least 30% marine protection | Other relevant WRC projects (not a work plan action) | |
| A restored seafloor | Address heavily degraded water bodies like the Waitemata and Firth of Thames | |
| Additional work areas | Other relevant WRC projects (not a work plan action) | |

Aquaculture strategy | Waikato Regional Council

³ Climate-Roadmap.pdf



| Work plan goal | Work plan action | WRC aligned workstreams |
|-------------------------------------|---|--|
| | a work plan action) | including the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report published in March 2023, changes in New Zealand legislation, the National Adaptation Plan and the Emissions Reduction Plan, and our own council's strategic direction 2023-2025 ⁹ . It signals how WRC will work with others to support the transition to a climate-resilient, low emissions society that's less vulnerable to disruption, more affordable and better for health and wellbeing. In addition, since 2016/2017, WRC has developed an annual Emissions Inventory Report (EIR) to quantify and understand its corporate greenhouse gas emissions. It also reviews and updates its Emissions Management and Reduction Plan (EMRP). For the last financial year (2023/2024), WRC reduced its emissions by 29% compared with baseline. WRC is on track to reach its 68% emissions reduction against baseline by 2030. <ul style="list-style-type: none">• WRC operates a tide gauge network to measure tidal and extreme sea levels in the Waikato region. The network was reviewed, and a report was produced in December 2021 with recommendations to ensure WRC operates a tide network that is scientifically robust and provides resource management and climate adaptation data into the future.• Work continues on the Wharekawa Coast (Kaiaua) River and Catchment Scheme Establishment project (part of WRC's commitment to the Wharekawa Coast 2120 community Plan. This project will engage with affected landowners, iwi and others about developing and implementing a rating classification for a river and catchment management programme for the Wharekawa Coast). |
| Strategic issue - Marine ecosystems | | |
| A healthy catchment | Use all available tools: legislation, regulation, mātauranga Māori. | <ul style="list-style-type: none">• The Proposed Waikato Regional Coastal Plan has been notified. Hearings processes are expected to start in late 2024 with hearings of submissions to start in February 2025. The RCP is our rulebook for activities in the coastal marine area and captures significant issues such as the management of marine biodiversity protection areas and provisions for aquaculture for the Waikato region.• WRC staff are working on an audit to integrate mātauranga Māori into WRC's work programmes, using a phased approach: phase one focused on understanding mātauranga Māori concepts and iwi frameworks, while phase two involves developing an implementation plan and gathering information with iwi partners. This multi-year project includes a tailored learning programme to support staff in understanding and incorporating mātauranga Māori into their work, using current business-as-usual projects to develop necessary tools, gain confidence, and seek further iwi integration opportunities. Recognising that effective iwi Māori engagement is essential, operational |

⁹ [Strategic-Direction-2023-2025.pdf](#)

Item 7.8

Attachment A

רפ"ד

אגודת חסידי חב"ד

| Work plan goal | Work plan action | WRC aligned workstreams |
|--------------------------------|---|--|
| | | <p>staff look to embed mātauranga Māori in project design to build supportive relationships with local tangata whenua as knowledge holders.</p> <ul style="list-style-type: none"> • The Māori engagement framework has also been integrated into the engagement hub part of WRC's intranet. Work continues to ensure its use is embedded in council operations by working with teams that have work that requires engagement with iwi and Māori communities. WRC also establishes committees comprised of iwi representatives from the region and council members to provide more involved and robust engagement for planning and policy development purposes. • WRC has established five Joint Management Agreements (JMA) and one co-management agreement for Waikato River related lands (CMARRL) with Waikato River iwi, namely Tūwharetoa Māori Trust Board, Te Arawa River Iwi Trust, Maniapoto Māori Trust Board, Raukawa Charitable Trust and Waikato Raupatu River Trust. The JMAs outline various provisions, such as activities related to resource consent applications, monitoring and enforcement. They also cover preparing, reviewing, modifying or altering RMA (Resource Management Act) planning documents for the Waikato and Waipā River Catchments, and Taupō waters. • WRC undertakes the 'Your Environment – What Matters?' survey every three years. The survey is designed to measure Waikato residents' environmental awareness, attitudes, knowledge, and behaviour. The information from this survey is used to: <ul style="list-style-type: none"> • help the council to gain a better understanding of the views of residents regarding the environment • understand residents' awareness of the impacts and effects of people on the natural environment. • gather public opinion on environmental issues that contribute to policy development. • evaluate current policies and programmes and anticipate public responses to new environmental policies and programmes. |
| At least 30% marine protection | Pass the Hauraki Gulf / Tikapa Moana Marine Protection Bill | <p>The last survey was released in 2022,¹⁰ and we are preparing a new survey to be released in 2025.</p> <ul style="list-style-type: none"> • WRC has been actively involved in the development of the Hauraki Gulf/Tikapa Moana Marine Protection Bill, having prepared written and oral submissions. |

⁰ TR202248.pdf (waikatoregion.govt.nz)



| Work plan goal | Work plan action | WRC aligned workstreams |
|---------------------|---|--|
| A restored seafloor | Implementation of Revitalising the Gulf | <ul style="list-style-type: none"> WRC has been actively involved in the development of the Hauraki Gulf/Tikapa Moana Marine Protection Bill, as well as in the development of the Fisheries Plan for the Hauraki Gulf and bottom trawling areas, which are outputs from Revitalising the Gulf. WRC has been advocating for a total ban on bottom trawling in the Gulf. Currently, staff are keeping an eye on trawling corridors and HGMPB processes. WRC has formed a working group looking at an annual plan for implementing WRC's aquaculture strategy, endorsed by the council in April 2024. The strategy provides guidance on both regulatory and non-regulatory mechanisms. This strategy was developed in consultation with iwi, territorial authorities and industry stakeholders to recognise the existing and future contribution of aquaculture to the region. The aquaculture strategy will form part of the wider Coastal Marine Strategy. WRC continues to support the MPI-led response to the exotic Caulerpa incursion at Ahuahu. It is anticipated that the results of the control trials at Bay of Islands and at Aotea will be made available during 2024 and lessons learnt from these will help inform long term management. MPI is expected to initiate conversations with stakeholders on roles and responsibilities for long term management in the near future. WRC has been involved in the development of the bottom trawling areas, having lodged a submission on MPI's consultation on proposed options for bottom fishing access zones (trawl corridors) in the Hauraki Gulf. WRC has been advocating for a total ban on bottom trawling in the Gulf. |
| | Other relevant WRC projects (not a work plan action) | <ul style="list-style-type: none"> WRC is connected with Fisheries NZ and DOC as part of a quarterly regional council catchup, this includes discussions around marine ecosystems and the production of a newsletter. The allocated LTP funding will increase WRC's capacity to map subtidal rocky reef ecosystems, including kina barrens, which will collect baseline data on their extent. This has already been undertaken for the Mercury Islands. |
| | Reduce, remove and eradicate Caulerpa | <ul style="list-style-type: none"> WRC works with communities to survey shellfish beds in two Coromandel estuaries: Wharekawa (Opoutere) and Whitianga. |
| | Remove fishing methods that damage the seafloor | <ul style="list-style-type: none"> New shellfish beds have been developed at the mouth of the Kauaeranga River and around the lower Firth of Thames |
| | Address kina barrens, including achieving 50% biomass targets for predators of kina | <ul style="list-style-type: none"> WRC is supporting a community group (Repo Ki Pūkorokoro Reserve Trust) who are exploring the retirement of marginal farmland and restoration of coastal wetlands, including blue carbon storage potential (also supported by The Nature Conservancy (TNC)). |
| | Restore 1000sqkm of shellfish beds and reefs | |
| | Mitigate climate change through kelp forest | |

Item 7

Attachment C

Item 7.8


Attachment A

Item 7.8

Attachment A

הרפורמה

המחלקה לבריאות הציבור

|  Waikato <small>REGIONAL COUNCIL</small> <small>A Partnership for Progress</small> | | Work plan goal | Work plan action | WRC aligned workstreams |
|---|--|--|------------------|---|
| Additional work areas | | restoration and blue carbon pilots | | <ul style="list-style-type: none"> • Ecosystems services projects: The activities in this workstream during 2023/24 involved integrated evaluation of ecosystem services and trade-offs in the Waikato region. This evaluation is useful for decision makers to assess trade-offs and identify areas where investment in natural capital can enhance human development. |
| | | Pursue ecosystem-based fisheries management | | <ul style="list-style-type: none"> • Through collective management actions within remit (water quality, managed activities), WRC will support the sustainability of marine species populations, some of which are valued as kaimoana. |
| | | Ensure localised abundance of kaimoana | | <ul style="list-style-type: none"> • Collaborative approach to HPAL 'bird flu'. WRC is contributing to Biosecurity NZ and DOC's preparedness programme by providing advice and support from a regional sector perspective. Once HPAL reaches New Zealand, our role will primarily be to help disseminate information and provide advice to the public. We will continue to work with the other agencies involved to determine any other support we can provide. • Last summer WRC was involved in a campaign to protect birds in the East Coromandel Recreational Fishing and Seabird Summer Programme. |
| | | Promote citizen-science initiatives | | <ul style="list-style-type: none"> • Staff support several citizen science initiatives. The education team work on several programmes that help promote environmental learning, teaching about climate change, biodiversity and biosecurity, water, mātauranga Māori, and getting people involved in monitoring and restoration work. Some examples include Kura Waiti Ki Kura Waitā, New Zealand Garden bird survey, NZWatercitizens, Marine meter squared, and Enviro schools. |
| | | Other relevant WRC projects (not a work plan action) | | <ul style="list-style-type: none"> • WRC continues to support the MPI-led response to the corbicula (invasive freshwater gold clams). |

Hauraki Gulf Tikapa Moana Marine Protection Bill Discussion

File No.: CP2024/17805

Te take mō te pūrongo Purpose of the report

1. To update the Hauraki Gulf Forum (HGF) on the Hauraki Gulf Tikapa Moana Marine Protection Bill and to agree a collective position for the Forum.
2. To invite the HGF to consider our collective approach to forthcoming legislative changes and proposed legislation with respect to the Hauraki Gulf.

Whakarāpopototanga matua Executive summary

3. The Hauraki Gulf Forum (HGF) has the goal of 30% marine protection by 2030.
4. The HGF has strongly advocated for the Tikapa Moana Marine Protection Bill (the Bill), which was introduced into Parliament in August 2023.
5. The Bill built on the aspirations of *SeaChange Tai Timu Tai Pari*, the product of over a decade of intense work by mana whenua, community, industry, councils and other stakeholders.
6. The Bill proposed a significant increase in the protection of the Hauraki Gulf from 0.3% to 6% in terms of full protection through the extension of the two existing marine reserves, and from 6 to 18% conferred a degree of protection. This includes:
 - 2 marine reserves; extending from the existing reserves Te Whanganui-o-Hei/Cathedral Cove Marine Reserve and Cape Rodney – Okakari Point (Goat Island)
 - 12 high protection areas (HPAs) – these areas protect and restore marine habitats and ecosystems. They also provide for the customary practices of tangata whenua
 - 5 seafloor protection areas (SPAs) – these areas protect seafloor habitats. But they still allow for activities that do not damage them, such as non-bottom contacting fishing.
7. The Environment Select Committee unanimously supported the passage of the Bill in July 2024.
8. On 12 October, Minister of Conservation Tama Potaka announced that the Bill would proceed to its second reading. He also announced a departure from the Select Committee draft, with an amendment that would permit commercial fishing in two of the new HPAs.
9. The amendment is restricted to ring-net fishing targeting mullet, trevally and kahawai in two of the new HPAs, one in Kāwau Bay and one off Motutapu Island. It is restricted to up to five existing operators, at night, across the winter months.
10. The HGF Co-Chairs led a media response, strongly objecting to the proposed amendment as the proposal to allow commercial fishing in protected areas defeats the purpose, undermining the integrity of the Bill and the principles of marine protection.
11. Other responses varied widely. For the Environmental Defence Society (EDS), the Bill is a critically important step forward even in its amended form, as it represents a major increase in protection, but that the detail of any exemption must be carefully specified¹. Professors Thrush and Pilditch pointed out that this Bill is about marine *protection*, not fishing, which is managed under the Fisheries Act, and that New Zealand has signed up for 30% marine protection by 2030². Councillor Mike Lee drew attention to the limited definition of

¹ <https://newsroom.co.nz/2024/10/17/hauraki-gulf-protections-perfect-can-be-enemy-of-the-good/>

² <https://www.auckland.ac.nz/en/news/2024/10/19/Beware-the-snags-in-hauraki-gulf-protections.html>

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- 'protection'³, while Forest and Bird observed the risk that allowing commercial fishing in a highly protected area risks creating a precedent⁴.
12. While far short of ideal, the 18% total protected area proposed in the Bill is a crucial step toward the HGF goal of a minimum 30% of the Gulf as Marine Protected Areas, and in line with New Zealand's international commitments.
 13. It is also notable that the 12 October 2024 announcement of the amendments occurred 4 months after the Select Committee Report unanimously supported the passing of the Bill.
 14. The Bill was presented for its second reading on 14 November 2024, and the debate is to be concluded around 19 November 2024.
 15. The date for the final reading at the Committee for the Whole has yet to be confirmed, and it is only then that the changes will be made public.
 16. In the interim, it is important to clarify the collective position of the HGF to enable further advocacy.
 17. **Proposed advocacy position:** consistent with its commitment to protecting 30% of the Hauraki Gulf, the HGF calls for the Government to discard the proposed amendments to allow commercial fishing in Highly Protected Areas, and to pass the Hauraki Gulf Tikapa Moana Bill in the form recommended by the Select Committee.
 18. Other proposed legislation changes may have implications for the Hauraki Gulf Marine Park Act and the Hauraki Gulf Marine Protection Bill. These include the Treaty Principles Bill and Treaty clauses review, the review of the Conservation Act, and the review of the Biosecurity Act. The HGF could consider evaluating the potential impact of legislative change, in addition to the submissions being prepared by each agency individually.

**Ngā tūtohunga
Recommendation/s**

That the Hauraki Gulf Forum (HGF):

- a) consider the implications of the Marine Protection Bill and next steps
- b) endorse the position that the Forum calls for the Government to discard the proposed amendments and pass the Hauraki Gulf Tikapa Moana Bill in the form recommended by the Select Committee
- c) consider the Forum's collective approach to responding to legislative change with implications for the Hauraki Gulf.

**Ngā tāpirihanga
Attachments**

There are no attachments for this report.

**Ngā kaihaina
Signatories**

| | |
|------------|---|
| Author | Lucy Baragwanath - Executive Officer Hauraki Gulf Forum |
| Authoriser | Sam Hill - General Manager Environmental Services |

³ <https://www.mikelee.co.nz/its-time-we-were-honest-about-what-we-really-mean-by-marine-protection/>
⁴ <https://thespinoff.co.nz/politics/16-10-2024/why-last-minute-changes-to-the-hauraki-gulf-protection-bill-are-stirring-up-a-stink>

Schedule of Meetings 2025

File No.: CP2024/17796

Te take mō te pūrongo Purpose of the report

1. To confirm the Forum's schedule of meetings for 2025.

Whakarāpopototanga matua Executive summary

2. Local Government elections will take place in Q4 2025. With over half of Forum members coming from Local Government, by tradition there will be no fourth quarter meeting in 2025.
3. Given that, the following three dates are recommended:
 - Q1 - Monday 3 March 2025, hosted by Waikato Regional Council
 - Q2 - Monday 19 May 2025 – **request for host**
 - Q3 - Monday 25 August 2025 – **request for host**
4. It is recommended that the Forum maintain:
 - Start time of 1pm
 - Option for a workshop in the morning prior to the meeting
 - In-person meetings as a first preference, with fallback to MS Teams if COVID or other impacts intervene
 - A split between meetings in the Waikato and Auckland regions.

Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

- a) confirm the schedule of meetings
- b) request volunteers to host the May and August meetings.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

| | |
|------------|---|
| Author | Lucy Baragwanath - Executive Officer Hauraki Gulf Forum |
| Authoriser | Sam Hill - General Manager Environmental Services |

Executive Officer Report

File No.: CP2024/17785

Te take mō te pūrongo Purpose of the report

1. To provide an update from the Forum's Executive Officer.

Whakarāpopototanga matua Executive summary

2. My first quarter as the Executive Officer (EO) of the Forum has involved rapid ascent up a steep learning curve. Since starting in the role in July, I have listened and learned a lot and have started to build relationships with Hauraki Gulf Forum (HGF) members and key external stakeholders to understand opportunities, challenges and priorities, and to identify where the HGF can advocate, influence and collaborate.
3. The five top priorities from the Workplan were confirmed by HGF members at the August 2024 meeting. Each has been progressed, as detailed below. In several instances, progress on the priorities requires clear mandate to proceed as EO and/or confirmed HGF or Co-Chair support.
4. I have reflected on the pressures facing the Gulf, current legislative changes, upcoming milestones for the HGF and opportunities to advance our priorities. I have also identified some opportunities to improve our operational effectiveness.

Workplan Progress Update

5. Hauraki Gulf/Tikapa Moana Marine Protection Bill
 - a) Wide-ranging advocacy with Hauraki Gulf-connected National MPs including Grant McCallum, Simon Watts, Tama Potaka, Erica Stanford, and Cameron Brewer to advocate for our priorities. Met with Lan Pham and Steve Abel from the Green Party and Jamie Arbuckle, environment spokesperson for NZ First.
 - b) The Co-Chairs, Ngāti Manuhiri Chair Mook Hohneck and I met Minister Tama Potaka on 12 September to discuss the Bill.
 - c) On 12 October the Minister announced the Government's support for the Bill with an amendment to include commercial fishing in two of the Highly Protected Areas.
 - d) Co-Chair Nicola MacDonald fronted the initial media response on behalf of the HGF and contracted Awhi to manage related media engagement.
 - e) On 14 November the Bill was presented for its second reading, which is likely to be completed around 19 November.
 - f) Status: In progress.
 - g) Next steps: Confirm HGF position on the Bill and support effective communication of this.
6. Stopping destructive fishing
 - a) I attended the HG Fisheries Plan advisory group hui and noted that we need to confirm the HGF's position of zero commercial trawling in the Hauraki Gulf. This is not one of the options that was consulted on by Fisheries NZ in the HG Fisheries Plan.
 - b) For perspective, the NZIER 2023 report notes that commercial fishing nets \$30 million per annum in the Hauraki Gulf. This return is a small fraction of the economic value of the Gulf overall, particularly given the risk of further diminishing the ecological systems of the Gulf.

- c) Status: In progress.
 - d) Next steps: Confirm HGF position with respect to HG Fisheries Plan options.
7. Exotic caulerpa
- a) In an ex officio capacity, I have attended the governance meetings of the Ngāti Paoa-led joint preparation of a Better Business Case for Caulerpa being prepared by Martin Jenkins, co-funded by several Councils. The business case is due to be completed by the end of November 2024.
 - b) I presented the HGF's 2024 NZIER report on the economic impact of Caulerpa to the Caulerpa Community Forum.
 - c) The HGF's position on exotic caulerpa has been threefold:
 - i. Sustained management, ongoing funding and a coordinated strategy involving all stakeholders
 - ii. Diverse responses suited to different environments
 - iii. Community education and awareness to enable rapid responses.
 - d) The HGF could consider expanding this approach to include other marine biosecurity threats.
 - e) The HGF could consider supporting the clean vessel approach being developed by Auckland Council and Northland Regional Council to limit the transmission of exotic marine pests (see Auckland Council Constituent Party Report).
 - f) Status: In progress.
 - g) Next steps: Confirm HGF position on caulerpa and marine pests, and appetite to advocate for the clean vessel plan.
8. RMS Niagara investigation
- a) Following our joint letter to the Minister of Transport from the Mayor of Auckland, Chair of Northland Regional Council and HGF Co-Chairs we received a response from Associate Minister Matt Doocey to say that the Maritime NZ estimate of the cost of an investigation was \$13.9 million. Minister Doocey declined the opportunity to speak with us and confirmed that an investigation is not a priority for Government.
 - b) To progress this initiative, I connected with two major philanthropists with an interest in the Niagara and surrounds and in marine surveillance. One expressed interest in undertaking an investigation, subject to confidentiality.
 - c) In September, Co-Chair Nicola MacDonald and Ngāti Manuhiri Chair Mook Hohneck met the entity involved.
 - d) Status: Paused
 - e) Next steps: Confirm priority of this initiative for the HGF and whether further advocacy is needed.
9. Reducing land-based inputs to the Hauraki Gulf
- a) The Workplan includes the establishment of a taskforce to reduce land-based impacts including sediment and nutrient runoff, sewage, nutrients, plastics and other forms of pollution.
 - b) I have met with Councils, scientists, ecologists and community action groups to discuss how the HGF might add value.
 - c) I propose to establish a cross-disciplinary taskforce to define the problem, identifying what activity is under way and to share best practice and identify potential initiatives for

- remediation and restoration (e.g. Auckland Council strategic approach to sediment and strategic approach to planting, Matamata-Piako riparian planting, Waikato Region farm plans, lessons from Kaipara Moana).
- d) Status: not yet started.
 - e) Next steps: Confirm priority of this initiative for the HGF and if there is support to progress with cross-disciplinary taskforce.
10. High Pathogenicity Avian Influenza (Avian Flu)
- a) Not yet detected in New Zealand.
 - b) Current guidance from MPI is that if you find an unusual number of dead or sick birds (three or more), please call the Biosecurity NZ hotline on 0800 80 99 66. Do not touch/handle the birds.
 - c) More information is available on MPI's website (mpi.govt.nz/hpai).
 - d) As EO, I am connected into Auckland Council's early preparedness activities through the host relationship.
 - e) Status: Maintaining watch
 - f) Next steps: I will keep the HGF updated on central government messages and guidance.
11. Opportunities identified to advance HGF priorities
- a) 25 years of the Hauraki Gulf Marine Park
 - i. February 2025 is the 25th anniversary of the Marine Park. We have been offered the use of the Viaduct Events Centre on 20 February 2025 during the Moana Festival for a symposium. I developed a draft programme with input from Technical Officers with the proposed theme 'celebrating transitions', focusing on restoration, economic value, and reducing land-based inputs.
 - ii. In past years, HGF symposiums have been extremely well-received, and it is two years since the last one. While this seems like a timely opportunity, I want to test the appetite for such an event with HGF members.
 - iii. Status: Awaiting endorsement
 - iv. Next steps: Confirm if this event is a priority for the HGF and if there is support to deliver it.
 - b) Widening the support base through advocacy around the economic value of the Hauraki Gulf
 - i. The 2023 and 2024 NZIER reports are a platform to boost our advocacy for preservation and restoration to influence government, alongside science and conservation. The narrative is that \$5.14 billion is derived from the Gulf at its current state of degradation. Not only is this at risk through ongoing deterioration of the environment, so is the future economic value derived from the Gulf, either through the loss of export markets; or through the opportunity cost of the potential returns of the blue economy which requires a healthy ecosystem; or both.
 - ii. The quality of the environment is at the heart of New Zealand's competitive advantage directly and through reputation. A [Chapman Tripp/Aotearoa Circle report](#) earlier this year revealed pressure on New Zealand (NZ) exporters to keep up with international expectations on sustainability with more than 80% of NZ's exports by value going to countries with mandatory climate-related disclosures.
 - iii. A key part of the story is creating the conditions for NZ to maximise its potential through a sustainable blue economy to revitalise oceans and create health and

wealth through blue carbon, aquaculture, tourism, recreation and so forth. This includes the value to international consumers of sustainably-caught fish, restoring the seafloor and kelp forests, in conjunction with marine protection areas, enabling seafloor and fish stocks to recover.

- iv. To this end I have met a range of business and innovation leaders from a variety of organisations including Beca, Westpac, Auckland Business Chamber, NZ Story, the University of Auckland and the Lever Room to broaden the support base.
 - v. Status: In progress
 - vi. Next steps: EO to continue to progress engagement and advocacy in relation to the economic value of the Hauraki Gulf.
- c) Auckland Business Chamber webinar
- i. We have been invited to present to the Business Chamber's members. This is an opportunity to widen the support base using the narrative being developed around the economy.
 - ii. Status: In progress
 - iii. Next steps: EO to progress opportunity.
- d) Increasing community funding to boost partnerships that serve HGF goals
- i. The \$25,000 that we disburse to community partners is well-received and delivers tangible outcomes aligned to the priorities of the HGF. Given the cessation of the government's Jobs for Nature funding, the constrained grant opportunities in the wider environmental system, the return on investment from supporting community-led initiatives and the healthy balance of the HGF accounts, I suggest that we double this to \$50,000 p.a.
 - ii. Status: Under consideration
 - iii. Next steps: Seeking HGF endorsement to double the HGF's community funding to \$50,000 p.a.
12. Increasing the impact of the Forum
- a) Across my first quarter as EO with responsibility to manage all aspects of the HGF's strategy and operations including policy, comms, engagement and finance, I have observed that some aspects of the Forum's processes are not as effective as they might be.
 - b) The workplan includes a commitment to improve the accountability and visibility of the Forum in member institutions; and specifically asks members to pursue options to empower the Co-Chairs and EO for a more impactful Forum.
 - c) There is an opportunity to harness the capability and profile of our members to boost HGF advocacy in relation to our shared priorities.
 - d) Cr Fletcher has approached the Co-Chairs requesting regular meetings to caucus AC members and ensure good communication flow between Forum members and operations, and we are working on this.
 - e) As EO, with the stated responsibilities, I propose to review some of the operational aspects of the HGF to establish how we might better collaborate to advance the integrated management of the Gulf and achieve our shared goals. This includes clarification of roles and information flows between the members, the Technical Officers, the EO and the Co-Chairs.

- f) One specific issue is that there is no formal delegated authority to the EO. I request the Forum's endorsement of a delegated financial authority of \$50,000 to the EO to expedite the work programme.
- g) Status: Under consideration
- h) Next steps:
 - i. Seeking endorsement for the EO to engage an external advisor to support the EO to review the operations of the HGF to identify how it could be more effective.
 - ii. Seeking HGF endorsement to approve the EO delegated authority of \$50,000.
- 13. The financial report for the quarter to September 2024 is attached, showing a robust financial position with spending tracking well (Attachment A).
- 14. Attached is the Q3 ship speed report from Port of Auckland (Attachment B). It is encouraging to see that all monthly averages sat below 10 knots, and no vessel was recorded as travelling faster than 16 knots.
- 15. The Technical Officers' Group convened and shared updates on each organisation's work in relation to the Forum priorities, also attached (Attachment C).
- 16. I'd like to take the opportunity to thank HGF members for welcoming me, and to wish you all a peaceful summer.

Ngā tūtohunga Recommendation/s

That the Hauraki Gulf Forum:

| | | |
|----|--|-----|
| a) | receive the Report | HGF |
| b) | receive the Financial Statement (Attachment A), Quarterly Ship Speed report (Attachment B) and Technical Officers Meeting Note (Attachment C) | HGF |
| c) | confirm HGF position on the Hauraki Gulf/Tikapa Moana Marine Protection Bill and support effective communication of this | HGF |
| d) | confirm HGF position with respect to HG Fisheries Plan options | HGF |
| e) | confirm HGF position on caulerpa and marine pests, and appetite to advocate for the clean vessel plan | HGF |
| f) | confirm priority of the RMS Niagara initiative for the HGF and whether further advocacy is needed | HGF |
| g) | confirm priority of the initiative of reducing land-based inputs to the Hauraki Gulf for the HGF and if there is support to progress with cross-disciplinary taskforce | HGF |
| h) | note that EO will keep the Forum updated on central government messages and guidance | |
| i) | confirm if a symposium is a priority for the HGF and if there is support to deliver it | HGF |
| j) | note EO to continue to progress engagement and advocacy on the economic value of the Hauraki Gulf | |
| k) | note EO will progress Business Chamber webinar opportunity | |
| l) | endorse doubling the HGF's community funding to \$50,000 p.a. | HGF |
| m) | endorse engagement of an external advisor to support EO to review the operations of the HGF to identify how it could be more effective | HGF |

| | | |
|----|---|-----|
| n) | endorse proposed delegated authority to the EO of \$50,000. | HGF |
|----|---|-----|

Ngā tāpirihanga
Attachments

| No. | Title | Page |
|-----|--|------|
| A | HGF Financial Report to September 2024 | 57 |
| B | Quarterly Ship Speed Report | 59 |
| C | HGF Technical Officers Meeting Note | 61 |

Ngā kaihaina
Signatories

| | |
|------------|---|
| Author | Lucy Baragwanath - Executive Officer Hauraki Gulf Forum |
| Authoriser | Sam Hill - General Manager Environmental Services |

Hauraki Gulf Forum Financial Report
For 3 months to 30 September 2024

| | | |
|---|------------------|--------------------------|
| Accumulated funds as at 30 June 2024 | | \$430,067 |
| Expenditure | Budget | Actuals to Sep 24 |
| <i>Communications and Coordination</i> | \$95,000 | \$10,255 |
| <i>Legislative Requirements</i> | \$85,000 | \$3,878 |
| <i>Training and Travel expenses (includes representation)</i> | \$10,000 | \$2,233 |
| HR and Administration (subtotal) | \$185,000 | \$54,497 |
| Total expenditure | \$375,000 | \$70,862 |
| Revenue | Budget | Actuals to Sep 24 |
| Constituent Party Contributions FY25 | \$375,000 | \$207,269 |
| Total revenue | \$375,000 | \$207,269 |
| Revenue less expenditure FY25 | \$0 | \$136,407 |
| Net position as at 30 September 2024 | | \$566,474 |

All costs are presented exclusive of GST

| FY25 Expenditure | | |
|--|------------------|-------------------|
| | Budget (\$) | Actuals to Sep 24 |
| Communications | \$95,000 | \$10,255 |
| Legislative Requirements | \$85,000 | \$3,878 |
| Training and travel expenses (Communications & Coordination) | \$10,000 | \$2,233 |
| HR and Administration | \$185,000 | \$54,497 |
| Total Expenditure | \$375,000 | \$70,862 |
| FY25 Revenue | | |
| | Budget (\$) | Actuals to Sep 24 |
| Constituent Party contributions | \$206,859 | \$165,234 |
| Auckland Council contribution | \$168,141 | \$42,035 |
| Total Revenue | \$375,000 | \$207,269 |
| Revenue less expenditure | \$0 | \$136,407 |
| Accumulated surplus balance as at 30 June 2024 | | \$430,067 |
| Revenue less expenditure year to date FY25 | | \$136,407 |
| Accumulated surplus balance as at 30 September 2024 | | \$566,474 |

Accumulated surplus includes :

| | |
|--------------------------|------------------|
| DOC Necropsies funding | \$10,000 |
| Other revenue in advance | \$556,474 |
| | \$566,474 |



Port of Auckland
Limited

1 Sunderland St
Mechanics Bay,
Auckland

PO Box 1281
Auckland 1140
New Zealand

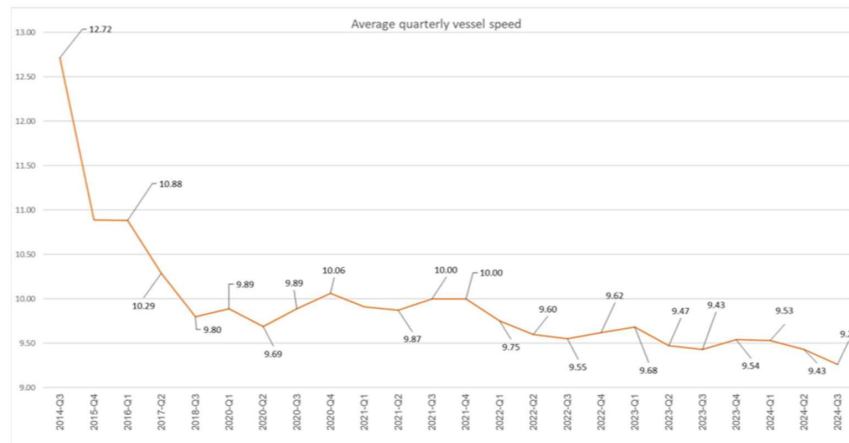
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W www.poal.co.nz

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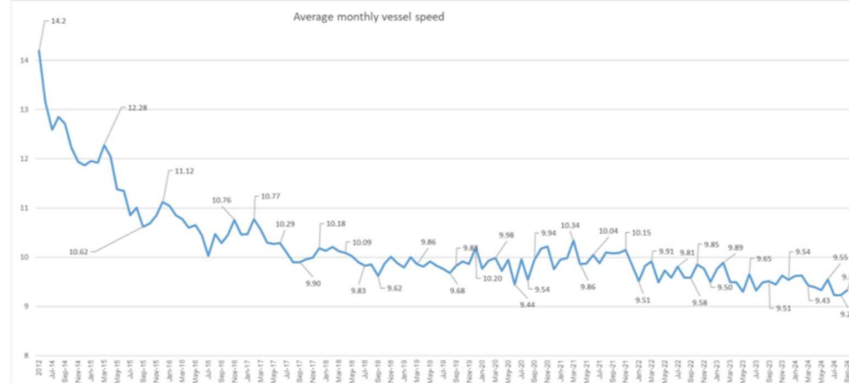
Item 7.8

Quarterly Ship Speed Report July – September 2024

The average quarterly speed in Q3 2024 was 9.26 knots. The quarterly average continues to sit below the 10.0 knot protocol speed and has continued the trend of decreasing each quarter of 2024. The percentage of vessels travelling 10 knots or less also increased to 82%.



The monthly averages between July and September 2024 ranged from 9.23 to 9.36 knots. A positive trend to see all monthly averages sitting below 10 knots. No vessels were recorded as travelling more than 16 knots.



Attachment B

Attachment A



Hauraki Gulf Forum Technical Officers Group Meeting Note

30 September 2024 1 – 1.45pm

Members and Technical Officers

| Member | Technical Officer |
|--|---|
| Auckland Council Cr. Christine Fletcher Cr. Mike Lee Cr. Kerrin Leoni Cr. Wayne Walker Cr. John Watson Bianca Ranson (Waiheke Local Board) Chris Ollivier (Aotea Local Board) | Dave Allen Dave.Allen@aucklandcouncil.govt.nz; Liz Brooks liz.brooks@aucklandcouncil.govt.nz Megan Carbines megan.carbines@aucklandcouncil.govt.nz |
| Waikato Regional Council Cr. Warren Maher | Joao Paulo Silva JoaoPaulo.Silva@waikatoregion.govt.nz Sarah Knott Sarah.Knott@waikatoregion.govt.nz |
| Matamata Piako District Council Cr. James Sainsbury | Carolyn McAlley cmcalley@mpdc.govt.nz; |
| Thames-Coromandel District Council Mayor Len Salt | Leslie Vyfhuis leslie.vyfhuis@tcdc.govt.nz Katherine Quinn Katherine.quinn@tcdc.govt.nz Cathy O'Callaghan Cathy.Ocallaghan@tcdc.govt.nz |
| Hauraki District Council Mayor Toby Adams | Katie McLaren Katie.McLaren@hauraki-dc.govt.nz |
| Waikato District Council Cr Paaniora Matatahi-Poutapu | James Fuller James.Fuller@waidc.govt.nz |
| Terrence (Mook) Hohneck | Clint Rickards tukotahi@hotmail.com |
| Tom Irvine | Not yet advised |
| Nicola MacDonald | Delma O'Kane d.okane@ngatimanuhiri.iwi.nz |
| Charmaine Bailie | Mike Wyatt mikewyattnz@gmail.com |
| Minister of Fisheries Jacob Hore | Kathryn Lister Kathryn.Lister@mpi.govt.nz |
| Minister of Conservation Alex Rogers | John Galilee jgalilee@doc.govt.nz |
| Te Puni Kōkiri | Moana Waa |

Item 7.8

Attachment A

| | |
|--------------------|--|
| Martin Mariassouce | moana.waahgf@gmail.com |
| Dean Ogilvie | Not yet advised |
| Joe Davis | Wyn Osborne wyn.osborne@ngatihei.iwi.nz |

1. **Attendees:** Sarah Knott, JP Silva, Liz Brooks, Megan Carbines, Carolyn McAlley, James Fuller, John Galilee, Lucy Baragwanath

Apologies: Dave Allen, Katie McLaren, Mike Wyatt, Kathryn Lister, Leslie Vyfhuis, Katherine Quinn

2. Round table update

Liz Brooks, Auckland Council

- Gearing up for summer biosecurity programme
- Caulerpa – AC represented on National Advisory Group and Better Business Case initiative.

Megan Carbines, Auckland Council

- Gearing up for summer research
- State of the Environment report will be delivered early in August 2025 to assist with election cycle.

Carolyn McAlley, Matamata Piako DC

- Working on big plan changes but not related to the Gulf.

Sarah Knott and Joao Paulo Silva, Waikato RC

- Working on Resource Management Reform
- Waiting for Trawl Corridors update
- Working group on aquaculture strategy
- Involved in Caulerpa NAG
- Ohinemuri incident – weekly sampling by NIWA ramping up for summer
- Central government consulting on the review of the Biosecurity Act. Any interest in sharing draft submissions?

John Galilee, DoC

- Waiting for confirmation of second reading of the Marine Protection Bill
- Alex is involved in the Caulerpa NAG - waiting for next steps
- Juvenile pygmy blue whale rescued from Kawau jetty
- Hawksbill turtle found on Aotea is at Auckland Zoo [Post meeting update – the Zoo advised that the turtle died from pneumonia]
- Preparing for summer – Fairy Tern rangers deployed

- Background work for meeting between the Minister of Conservation and the HGF Co-Chairs
- 6th Tangata Whenua representative appointed – Joe Davis of Ngāti Hei
- Moana Tamaariki-Pohe has been appointed the new Pou Tairangahau at DOC, Auckland.

Lucy Baragwanath, Executive Officer

- Meeting with Minister of Conservation and Minister of Climate Change at National Bluegreens launch
- Meeting with Minister of Conservation in Wellington with Co-Chairs
- No indication of when the next reading of the Marine Protection Bill is likely
- Meetings with Gulf MPs and advocacy to support progression of the Bill
- Working with technical officers as appropriate on each of the priority areas to identify where the Forum can add value.

Kathryn Lister, Fisheries (unable to attend but sent the following update)

- The Sustainability Review decisions are out. Of indirect relevance to the Gulf is SNA8.
- Video based surveys of key scallop beds are now complete and some additional dredge-based surveying is planned to start in October 2024 in the Coromandel Scallops (SCA SC) fishery. This additional work will provide further information on Bay of Plenty beds not covered by the camera-based survey, as well as strengthen confidence in the results of the camera surveys through intercalibration at Colville and Coromandel beds. The results of the survey will inform discussion around whether the fishery should remain closed, or if there is an opportunity for some level of utilisation. FNZ will not consider opening SCA CS without information showing that scallop harvest can occur sustainably. Any decision to reopen the fishery will require full consultation with Treaty partners and stakeholders.
- We have met with Minister Jones to further discuss the trawl corridors proposals. He is considering the options.
- The 2022 CRA 2 stock assessment is currently being updated to include recent information and will be presented to the Plenary Working Group for independent review in early November. While all indications are that the CRA 2 stock is currently well above the BMSY reference target level (the biomass that can support maximum yield from the fishery) it should be noted that this assessment is almost entirely based on data collected outside of the inner Hauraki Gulf (south of a line between Cape Rodney to Port Jackson) and does not therefore indicate stock status for that area. A more comprehensive assessment will be undertaken in 2025.
- The long anticipated benthic biodiversity survey has wrapped up very successfully (blurb below):

Investigating soft sediment habitats

NIWA have recently completed a survey of the seabed in the Hauraki Gulf Marine Park for Fisheries New Zealand, the Department of Conservation and Seafood New Zealand. Over 250 video transects were recorded using a SwathCam (a towed camera recording 10m wide swaths) with a live feed to the ship. The transects were conducted at depths of between 30m and 200m, in both trawled and untrawled areas. Areas that had previously been surveyed were revisited and large regions that had never before been sampled were surveyed for the first time. Initial reports from the research scientists onboard the research vessel (Kaharoa II) indicate the presence of a range of habitat types including embedded boulder fields with sponges, mud with burrows, bare sandflats and reefs with black corals. Fisheries New Zealand will be contracting additional work to assess the imagery and then use that data to improve predictions of habitat and biodiversity distributions. The data will form a baseline for future monitoring in the Gulf and will be useful for furthering our understanding of fishery impacts and recovery of benthic habitats. A voyage report is being drafted by NIWA and will be made available as soon as possible. Once the imagery has been assessed the data will also be made publicly available.

3. Update on the Hauraki Gulf Tikapa Moana Marine Protection Bill

- The Leader of the House manages Government business in the House (Parliament), including when the Bill gets its second reading
- DoC has implemented a new Marine District pending the Bill's enactment led by Kirsty Prior
- DOC is planning for cadastral surveys of the MPAs to be undertaken of areas involved, and doing other preparatory work
- Officers noted that Auckland Council's submission on the Bill included an objection to the potential for a dual consenting regime because of duplication with the RMA.

4. 2 December HGF Meeting Agenda – Constituent Party Reports

- Dave Allen has agreed to provide a Constituent Party Report on the Strategic Approach to Sediment and the Strategic Approach to Planting
- Sarah and JP did a stocktake of the workplan actions against the WRC workplan to identify where work is being undertaken
- Dave did the same exercise for AC with respect to revitalising the gulf – could explore an equivalent report.

5. 25th birthday of the Hauraki Gulf Marine Park – proposed symposium

- In February 2025 the Hauraki Gulf Marine Park turns 25
- Tātaki Auckland Unlimited have offered us the chance to hold a Forum as part of the Moana Festival from 19-24 February 2025
- Follows Sail GP so eyes on the Gulf
- The proposed theme is 'Celebrating Transitions' – inviting presentations on initiatives that are exemplars of positive transformation in the Gulf. Ideas include:
 - o Fishing e.g. seabird smart fishing
 - o Restoration of wetlands e.g. Kaipara Moana

- Port of Auckland healthy harbour initiative
 - Eke Panuku Te Ara Tukutuku initiative
 - Other ideas?
 - Tying in to groups doing great things in the Gulf
 - Presentations could accompany family-friendly activities such as Leigh Marine Lab touch-tanks and education initiatives to draw in the next generation
 - The formal part of the day could be followed by a celebration event
 - Any ideas are welcome – please contact Lucy.
- 6. Other business**
- Checking in on the operating model to see how engagement with Technical Officers and Forum members might be enhanced
 - EO to contact each of the Technical Officers for feedback
 - EO has contacted all members of the Forum who don't currently have a Technical Officer to invite them to appoint one
 - Terms of Reference: the Governance Statement notes that:
 - Members are encouraged to have Technical Officers to provide them and the Forum with expert support and advice.
 - Technical Officers will work with their Members, the Executive Officer and each other to progress the Forum's resolutions, as appropriate.
 - There is an opportunity to re-set the role of the Technical Officers Group to encourage their advice and views and to ensure that the Forum members are well-supported to progress the Forum's work.

Item 40

Attachment C

Item 7.8

Attachment A

7 Pūrongo me whakataua | Decision Reports

7.9 Waikato Region - Regional Deal Application

CM No.: 2988427

Te Kaupapa | Purpose

The purpose of the report is to get authority for the Mayor to approve a Regional Deals application.

Rāpopotonga Matua | Executive Summary

The Government announced the Regional Deals programme in August 2024.

The Waikato Mayoral Forum requested Chief Executives to develop an application for the region.

Final applications must be lodged by 28 February and the Waikato Region application will not be finalised until closer to that date.

Delegating authority to the Mayor to approve the application on Council's behalf will avoid the need for a special Council meeting.

Tūtohunga | Recommendation

That:

1. Council delegate authority to the Mayor to approve the Waikato Region's Regional Deals application.

Horopaki | Background

The Government announced the Regional Deals programme in August 2024.

The following is a an AI generated summary of the Regional Deals Framework

The Regional Deals Strategic Framework establishes a new model for central and local government collaboration focused on delivering infrastructure and economic growth. The framework is structured around long-term planning, with deals based on a 30-year vision supported by negotiated 10-year strategic plans.

Key Components and Requirements:

Core Elements

Each Regional Deal must include:

- A defined economic/geographic area
- A 10-year strategic plan with clear outcomes and actions

-
- Decision-making arrangements and delivery timeframes
 - Specified capital and operational investments
 - Performance metrics with monitoring requirements
 - Regulatory and institutional settings to support implementation

Priority Objectives

Regional Deals must demonstrate commitment to:

- Building economic growth
- Delivering connected and resilient infrastructure
- Improving the supply of affordable and quality housing

Selection Criteria

Councils seeking to participate must demonstrate:

- Alignment with the strategic framework
- Clear growth potential
- Commitment to regional spatial planning
- Capability and capacity to deliver
- Commitment to fiscal prudence
- Adherence to regulatory standards

Implementation Process

The framework sets out a four-stage process:

1. Initial proposal submission following Ministerial invitation
2. Proposal assessment against framework criteria
3. Memorandum of Understanding development
4. Final deal negotiation and agreement

Governance and Oversight

Once established, each deal will require:

- An oversight body with independent chair

- Senior partner representatives from central and local government
- Regular monitoring and reporting against agreed metrics
- Clear accountability measures
- Integration with existing planning and funding cycles

The first wave will involve up to five regions, with the initial deal targeted for completion in 2025. Proposals are expected to be concise and focused on demonstrating how regions meet the framework criteria. Successful deals will unlock access to funding and financing tools, regulatory relief mechanisms, and improved central-local government coordination.

This is intended to present a significant opportunity for councils to establish enduring partnerships with central government while accessing new tools and mechanisms to support regional development and infrastructure delivery.

AI Summary ends

The Waikato Mayoral Forum requested Chief Executives to advance a regional proposal. A Working party was formed and has been developing the application.

Final proposals are due to be submitted to the Department of Internal Affairs on 28 February 2025.

Ngā Take/Kōrerorero | Issues/Discussion

A draft proposal will be available for Council's review in early February. This will provide information on the key priorities for the application.

The draft information will be presented to a February workshop.

The application won't be finalised until late February. There are no scheduled meetings that will allow the full Council to review and approve the application.

The timetable for the application is tight and the information requirements are extensive.

It is expected that the final application will contain the key priorities from the draft. Council is requested to delegate authority to the Mayor to approve the final document.

This will make the approval process administratively efficient and will provide flexibility if there is any delay in completing the final application.

Mōrearea | Risk

All Mayors of the region and the Waikato Regional Council are supporting the development of the application. With this level of scrutiny and review, it is considered that delegating authority to the Mayor to approve the application has low risk.

Ngā Whiringa | Options

<Insert text>

Option One – Delegate Authority to the Mayor

Description of option

The Mayor will be authorized to approve the Regional Deals application

Advantages

Administratively efficient process

Provides flexibility if there are any delays in the producing the final application.

Disadvantages

Council will not see the final application before it is approved.

Option Two – Hold a special Council meeting

Description of option

A special Council meeting will be convened to allow the application to be approved by Council.

Advantages

Council will approve the final application

Disadvantages

Will require extra administration

May be problematic if there is any delay with the final application.

Recommended option

Option one is the preferred option as it is administratively efficient and provides more flexibility given the tight time-frames.

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

There are no legal or policy issues.

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 are addressed above in this report. |

| | |
|--|--|
| options available. | |
| Section 78 – requires consideration of the views of Interested/affected people | The time-frames required to submit the application do not allow time for normal engagement processes to be undertaken. |
| 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. | Consultation is not 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.

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

Council is not required to fund any aspect of the application. Some staff time will be required to assist with the application.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

| | | |
|-------------|--|--|
| Author(s) | Manaia Te Wiata Tumu Whakarae Chief Executive Officer | |
| Approved by | | |

8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Mayoral Diary for October 2024 - December 2024

CM No.: 2948176

Te Kaupapa | Purpose

The purpose of this report is to present the Mayoral Diary from the previous few months.

Rāpopotonga Matua | Executive Summary

A summary of the Mayoral diary is attached for the months of October 2024 – December 2024.

Tūtohunga | Recommendation

That:

1. The information is received.

Ngā Tāpiritanga | Attachments

[A↓](#). Mayoral Diary October to December 2024

Ngā waitohu | Signatories

| | | |
|-------------|---|--|
| Author(s) | Debbie Burge Kaiārahi Tautoko i te Koromatua me te Tumu Whakarae Executive Assistant to the Mayor & CEO | |
| Approved by | Adrienne Wilcock Manuhuia Mayor | |

Mayoral Diary October 2024



Item 8.1

Attachment A

| | |
|--------------------------------|---|
| Tuesday 1 October | <p>Meeting with staff Discussion about upcoming meetings and workshop agendas.</p> <p>Meeting with Te Aroha resident Discussion about alternate education programme in Te Aroha</p> <p>Meeting with Morrinsville resident We met to discuss an operational matter adjacent to his property.</p> |
| Wednesday 2 October | Council workshop |
| Thursday 3 October | <p>Matamata Country Club open day I attended with councillor Sue Whiting, the club opened their doors to the public and I had a worthwhile conversation with the developer.</p> |
| Saturday 4 October | <p>Aroha Cruise In I was a judge for the pageant on the day, there were plenty of entries in the pageant and the weather played ball! The Cruise In was well attended</p> |
| Sunday 5 October | <p>Lions Luncheon I attended the lone diner's luncheon held at the Rotary Community Centre in Morrinsville. It was extremely well attended as previous years had been affected by Covid pandemic.</p> |
| Monday 7 October | <p>Mayor's Taskforce for Jobs (MTFJ) online meeting We heard from the two candidates who were standing for Chair of MTFJ Online voting resulted in Mayor Alex Walker being elected as Chair.</p> |
| Tuesday 8 October | <p>Future Proof meeting An online briefing regarding the pending visit by MPs.</p> <p>Meeting with Te Aroha residents Met with two local residents expressing their concerns, much of which is central government policy.</p> |
| Wednesday 9 October | <p>Future Proof meeting A very productive meeting was had with Ministers Bishop and Hamilton at the Waikato Regional Council offices</p> <p>Community focus group Council staff held a series of sessions across our towns highlighting policies under review, namely the Public Safety and Amenities bylaws. I attended the Matamata session with councillors Whiting, Sainsbury and Ansell.</p> |
| Thursday 10 October | <p>Meeting with Te Aroha resident This was to discuss job opportunities for school leavers in Te Aroha.</p> <p>Hauraki Rail Trail (HRT) event I attended the opening of the HRT shelters constructed by Rotary club</p> |

| | | |
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| | <p>members across the Thames Valley area. Morrinsville were part of this project even though they don't have the rail trail on their doorstep.</p> <p>Coromandel MP Scott Simpson was also in attendance.</p> <p>CEO recruitment meeting Discussion with the consultant assisting in the recruitment process.</p> | |
| <p>Friday 11 October</p> | <p>Regional Growth Summit Regional Development Minister Hon Shane Jones, Iwi, sector, local government, and business representatives gathered at Zealong Tea Estate to hear about the Regional Infrastructure Fund (RIF) and discuss Waikato economic growth priorities, challenges, and opportunities</p>  <p>Morrinsville Bowls event I attended the opening dinner for the annual Clinico Spring Classic bowls tournament being held that weekend.</p> | |
| <p>Saturday 12 October</p> | <p>Matamata A and P show I went along to the show. It was well supported, despite the windy weather conditions.</p>  <p>Clinico Bowls tournament I called in as play was ending for the first day, and the draw for the playoffs was being finalised. A number of local teams featured. The wind was a factor but at least it wasn't raining like it did the previous</p> | |


| | |
|---------------------------------------|---|
| Monday 14 October | CEO recruitment Long list interviews began this week, a full day of interviews. |
| Tuesday 15 October | Te Manawhenua Forum Meeting with staff With our governance team regarding upcoming agendas and meetings. BNO meeting The events team and I had an online meeting with James Laughlin, who will be the guest speaker for the evening on 22 October. CEO recruitment An additional Long list interview. |
| Wednesday 16 October | Council workshop Matamata BA5 Hosted by Centigrade. |
| Thursday 17 October | CEO recruitment Long list interview. |
| Friday 18 October | Mayoral catch up Quarterly I meeting with my neighbouring mayors from TCDC, HDC and Western BOP. My EA Debbie joined me and connected with fellow colleagues EA's. CEO recruitment Long list interview. |
| Saturday 19 October | Morrinsville Kiwanis fun day Held at Campbell Park, a really well supported day, a big effort by volunteers involved in organising this. Council staff had a stall bringing awareness to Emergency Management, and bylaws up for review. Thames Valley Rugby finals Warwick and I were guests at the Heartland Final between Thames Valley and Mid Canterbury, held at Boyd Park in Te Aroha. Te Aroha turned it on for a spectacular showcase, the grounds were in exceptional order and the backdrop of Mt Te Aroha was stunning. Congratulations to the Swamp Foxes for their win, it was a great match. |

| | | |
|---------------------------------|--|--|
| |  | |
| Sunday 20 October | Morrinsville Art Gallery event I attended the opening of the volunteer exhibition. | |
| Monday 21 October | CEO recruitment Final long list interview and further discussion with the consultant on the next steps. | |
| Tuesday 22 October | <p>Meeting with staff Held online, about the upcoming council workshop and meeting agendas.</p> <p>Business Night Out James Thomas and I met prior to the evening to go through the run sheet followed by meeting guest speaker James Laughlin at a local café. He was an insightful speaker at the event and a positive evening enjoyed by all.</p> <p>Congratulations to all the winners and thanks to everyone who entered.</p>  | |
| Wednesday 23 October | Council workshop | |
| Thursday 24 October | Meeting with Matamata community organisation With regard to how water rates apply to their property. | |

Waharoa Aerodrome meeting

| | |
|---------------------------------|---|
| | <p>Long service afternoon tea An afternoon tea was held for Henry Smith to recognise his 20 years of service to Swim Zone Matamata. His whanau and friends were present to support him.</p> |
| Friday 25 October | <p>Meeting with staff The governance team for the upcoming council meeting being held the following week.</p> |
| Tuesdays 29 October | <p>CEO recruitment Short list interviews were held with the Recruitment panel.</p> |
| Wednesday 30 October | <p>Council meeting and workshop A full day in the chamber, following on from the mornings meeting, WRC presented on Climate Change strategy, and public transport after lunch.</p> <p>Morrinsville College Senior Prize Giving I attended the annual prize giving and presented awards</p> |
| Thursday 31 October | <p>Meeting with Stuff I met with a reporter and photographer in Morrinsville about an article about the town.</p> <p>Te Aroha College Senior Prize Giving I attended the annual prize giving and presented awards.</p> |
| Friday 1 November | <p>Future proof meeting Public transport subcommittee meeting, with a focus predominantly on Hamilton's Public Transport.</p> |
| Saturday 2 November | <p>NZCMA – Boyd Park Te Aroha I called in and saw the highland games and entertainment. Organisers were very complimentary of council staff. The grounds and facilities looked great. A big event for Te Aroha, with 1,000 caravans and campervans in town.</p> <p>Pohlen hospital fundraiser I attended the successful night run by the foundation trust with valuable funds raised.</p> |
| Sunday 3 November | <p>Arts Under the Mountain Congratulations to the TA Bus. Assn for a successful event. Holding it to coincide with the campervan event certainly enhances the vibrancy of our community.</p> |
| Monday 4 November | <p>Pōwhiri for Hauraki District Council CEO Our GM Business Support, Manaia Te Wiata and I attended the welcome for new CEO David Spiers held in Paeroa.</p> |
| Tuesday | <p>Meeting with council staff</p> |

To go over upcoming meeting agenda and requests.

| | |
|----------------------------------|---|
| Thursday 7 November | <p>Morrinsville Probus I attended their anniversary celebration of 17 years for the group, held at the Rotary Rooms and I got to help cut the cake.</p> <p>Waikato Regional Airport Ltd Annual General Meeting As a shareholding council, I attended the AGM held at the airport.</p> |
| Friday 8 November | <p>Future Proof meeting Topics discussed included:</p> <ul style="list-style-type: none"> • Energy Inventory WRC presentation • Energy sector leaders • Update on Regional Deals • General matters |
| Saturday 9 November | <p>Te Aroha Agricultural and Pastoral Show Held at Boyd Park, the event was very successful, I presented a calf club trophy.</p>  |
| Monday 11 November | <p>Armistice Day I attended the joint district service hosted by the Matamata RSA where MP Tim Van De Molen was the guest speaker. I laid a wreath on behalf of council to commemorate those who fought in the world war.</p> |
| Tuesday 12 November | <p>NZ Airports Assn Hui I attended one of the morning sessions held at Claudelands alongside Mayor Paula and Mayor Jacqui.</p> <p>Online meeting with Mayor I had a catch up with Mayor Nick Smith with regard to Local Government NZ topics.</p> |
| Wednesday 13 November | <p>Council workshop</p> |
| Thursday 14 November | <p>Meeting I met with Cathy who is the CEO of the Morrinsville chamber. We discussed matters of interest.</p> |

Webinar – AI

Presented by Zoom, to help build my understanding of technology

**Friday
15 November**

Zone 2 meeting

Held at the Hamilton Gardens. We had updates from Minister Simeon Brown, LGNZ, DIA, Infrastructure NZ and the Hon Louise Upston.

Heavy rain spoiled the opportunity to view the gardens, but we did walk to Peacock's Bridge that was recently opened.

**Saturday
16 November**

Matamata Fire Brigade fundraiser

I supported a local business who was raising money for the brigade, and had gathered auction items from other businesses in town, with approx. \$13k raised

17 November

Zion Motorhome Golf Tournament opening

I attended the opening night of the tournament at the Te Aroha course, which sees competitors play over three courses in the district, Te Aroha, Matamata and Walton. Approximately 70 plus player's in their Motorhomes participated.



**Tuesday
19 November**

Council Risk and Assurance meeting

**Wednesday
20 November**

Council workshop

Chorus end of year event

I attended the function in Wellington which was an excellent networking opportunity. It coincided with the sector meetings.


**Thursday
21 and Friday
22 November**

Combined Sector meeting and Rural & Provincial meetings

Held in Wellington, this was the last meeting of this group for the year.

At the Combined Sector meeting, Mayors, Chairs, Chief Executives and elected members discussed practical ways to deliver more with less. We

| | |
|---|---|
| | <p>heard from Regional Development Minister Shane Jones, DIA's Chief Executive Paul James, Auckland Mayor Wayne Brown, representatives from New South Wales (where rates capping has been implemented), and Labour's Finance and Infrastructure spokesperson, Barbara Edmonds.</p> <p>At the Rural and Provincial meeting, key topics included the current energy crisis and the Government's water reform including government levy proposal from the commerce commission, who will be the Economic regulator.</p> |
| <p>Monday 25 November</p> | <p>Waikato Mayoral Forum Held at the AGP event space in Cambridge. Agenda items included regional deals and Local Water Done Well, and had a presentation from a coms and marketing business.</p> <p>At the conclusion of the meeting, iwi chairs joined for a forum.</p> <p>We took a tour of the AGP site. The scale of the operation and use of technology was very interesting.</p> <p>Citizenship Ceremony Held at the Matamata Civic and Memorial Centre, we officially welcomed 30 new citizens to the district.</p> |
| <p>Tuesday 26 November</p> | <p>Meeting with council staff To discuss meeting requests and queries from residents, and upcoming council meeting agendas.</p> <p>Meeting with land owners I met with land owners and planning staff to discuss a planning matter in relation to their application</p> <p>LGNZ roundtable zoom Regarding the electoral reform and the future of local democracy.</p> |
| <p>Wednesday 27 November</p> | <p>Council meeting</p> |
| <p>Thursday 28 November</p> | <p>Rural Support Trust 20 year celebration This year marks the 20th anniversary of the Waikato Hauraki Coromandel Rural Support Trust. To honour this significant milestone, a celebration evening was held at Mystery Creek with local MP's, Mayors and rural leaders present.</p> |
| <p>Saturday 30 November</p> | <p>ATC Prize giving I attended the annual event held at the RSA in Morrinsville.</p> |
| <p>Sunday 1 December</p> | <p>Te Aroha Christmas Parade The event was changed up this year, moving to Boyd Park. It coincided with the monthly markets and the day was well attended.</p> |

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| Monday 2 December | Smartgrowth/Future Proof meeting I hosted this sub-regional meeting between the two groups. It was held at the Matamata Civic and Memorial Centre which was centrally located for the attendees. | |
| Tuesday 3 December | Te Manawhenua Forum (TMF) Meeting with Staff To discuss meeting requests and queries from residents. Waipa District Council function And end of year event hosted by Mayor Susan O'Regan. Another good networking opportunity to discuss matters pertinent to our district. | |
| Wednesday 4 December | Council workshop Meeting with council staff To prepare some messaging for our online platforms. Future Proof mayors meeting Preparation for an upcoming scheduled meeting with minister Brown. | |
| Thursday 5 December | Future Proof Implementation Committee meeting Held at the Waikato Regional Council offices in Hamilton, unfortunately the minister cancelled and was unable to join us. Matamata College Prizegiving The final awards ceremony for our colleges, a time to acknowledge the academic achievements of the youth in our community. | |
| Friday 6 December | Regional Transport Committee meeting The final meeting for the year. The first meeting for the new regional manager of NZTA Andrew Corkill. | |
| Saturday 7 December | Matamata Christmas parade A large parade, fine day and the new route worked well. | |

Monday

9 December

Water services regulators' levies webinar

An informative session on councils facing being levied. Levies are proposed to come in on 1 July 2025, the cost to the ratepayer is yet to be confirmed.

Tuesday

10 December

Meeting with staff

Re matters of governance etc.

Lord of the Rings Movie Premier

The premier of the anime movie titled "The War of the Rohirrim" was held at Te Awa and then we travelled to Hobbiton to celebrate the launch.

Wednesday

11 December

Council meeting

Our final meeting of the year, we were joined by past Mayors Jan Barnes and Ash Tanner for lunch to acknowledge our CEO Don's retirement.

Laneway opening

I cut the ribbon for the opening of the laneway that has a mural along the building wall with haiku. The winners of the competition attended.

The new table and social seating outside the old post office, was also unveiled. Thanks to Mens Shed and Starfish for their input into the project.



Thursday

12 December

Matamata Stadium blessing and sod turning

Manawhenua led the blessing and sod turning, attended by stakeholders including naming right sponsor Open Country Dairy.



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| | <p>Meeting with Matamata Community Health Shuttle trustees To discuss vehicle garaging.</p> <p>Jetstar promotion. With the pending international flights kicking off this year out of Hamilton, Jetstar held a Christmas cracker promotion in some of the regional towns including Morrinsville, giving away things like vouchers for flights, Jet Plane lollies and travel accessories. The winning cracker was opened in Raglan the next day.</p> <p>Christmas extravaganza Held at the Matamata library, staff lead this community event where Christmas crafts were a hit with the kids. The Matamata Choir, Brass Band and Santa also entertained.</p> | |
| <p>Friday 13 December</p> | <p>End of year staff event Held at Morrinsville Swim Zone, this was an excellent opportunity to farewell our CEO Don who is retiring from Council.</p> | |
| <p>Saturday 14 December</p> | <p>Morrinsville Christmas parade I was one of judges for the annual float parade. Weather was excellent and it was not easy selecting winners for the different categories. A lot of effort goes into creating the floats.</p> <p>Choir Christmas event Held at the Te Aroha Senior Citizens rooms, the Morrinsville choir entertained a large crowd. I needed to leave early for the next event I was attending at Firth Tower.</p> <p>Christmas at firth tower A relaxed setting on the lawn on a lovely summer evening, held in front of the homestead where we were entertained by the Matamata Brass Band and Matamata Choir, and MC's by staff member Vicky Kelly. The reserve looked a picture, credit to our staff.</p> | |
| <p>16th</p> | <p>New development sod turning Maea Fields officially commenced work at their site in Matamata.</p> <div data-bbox="480 1303 911 1704" data-label="Image"> </div> <div data-bbox="948 1303 1294 1704" data-label="Image"> </div> <p>Matamata community stadium - trust meeting</p> | |

