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 26 April 2023

Wā | Time: 9.00am

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

Waea | Phone: 07-884-0060

Wāhitau | Address:PO Box 266, Te Aroha 3342Īmēra | Email:governance@mpdc.govt.nz

Kāinga Ipuranga | Website: www.mpdc.govt.nz



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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 22 March 2023

6 Papa ā-iwi whānui | Public Forum

At the close of the agenda there were no speakers scheduled to the Public Forum.



7 Pūrongo me whakatau | Decision Reports

7.1 Cycle Network Petition

CM No.: 2710237

Rāpopotonga Matua | Executive Summary

Transition Matamata in attendance to present the Cycle Network Petition. The petition and associated documents are attached to the agenda.

Tūtohunga | Recommendation

That:

1. The Cycle Network Petition be received.

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

Petitions are to be received following the guidelines of <u>Standing Orders</u> Clause 17.1 and 17.2, see excerpt below:

17. Ngā Petihana | Petitions

17.1 Te āhua o ngā petihana | Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least five working days before the meeting at which they will be presented, however, this requirement may be waived by the chairperson.

Petitions must not be disrespectful, use offensive language or include malicious, inaccurate, or misleading statements (see Standing Order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

17.2 Te petihana ka whakatakotohia e te kaipetihana | Petition presented by Petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

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Ngā Tāpiritanga | Attachments

A<u>↓</u>. Transition Matamata to Kaunihera Council_1304

B<u>↓</u>. Transition Matamata - Cycle Network petition summary_1304

C. Cycle Network Petition (Under Separate Cover)

Manager

Nga waitohu	Signatories	
Author(s)	Stephanie Hutchins	
	Governance Support Officer	
Approved by	Sandra Harris	
	Placemaking and Governance Team Leader	
	Erin Bates	
	Strategic Partnerships and Governance	

Cycle Network Petition Page 5





265 Walton Rd RD1 Walton 3475

13 April 2023

Don McLeod Chief executive Matamata-Piako District Council Matamata

For Kaunihera/Council meeting of 26 April 2023

Dear Mr McLeod

Transition Matamata presents (attached) a summary of its campaign in the wake of the council's Bike Day Out and Walking and Cycling consultation. We also attach electronic copies (and can provide hard copies) of our signed petition forms in favour of a comprehensive network of bike paths and bike lanes into and around Matamata.

Our petition and discussions with members of the public on the subject were extremely positive, particularly among young adults with families, who expect their children to be lifelong cyclists, and business people, who are looking for ways to free up car parks, reduce congestion at peak times and keep their tills ringing.

Transition Matamata sees safe walking and cycling into and around town, for work, shopping, health and social visits and leisure, as an important part of the council's climate-change action. Moves we make now will be in line with many other councils aware of the imperative to work toward preventing disastrous global temperature rises. That is not to mention, the contribution local authorities can make to New Zealand's emissions reduction commitments.

Safe walking and cycling also aligns with other well-being spending, for example, on libraries, sports fields and playgrounds, including the "destination" one in the Long Term Plan.

A staged implementation plan for a comprehensive walking/cycling route is needed. Transition Matamata in 2020 submitted a route map that can be adapted, as can the Long Term Plan's existing recreation/heritage route (although it does not address residents' day-to-day access into and travel throughout Matamata). Congratulations to the council for paths provided in recent times.

We would appreciate the opportunity to speak at the meeting in support of our submissions.

Yours sincerely

Martin Louw Co-ordinator Phone 0275 145 406

Page 6 Cycle Network Petition





Cycle Network for Matamata – Petition Summary

During the month of March, while Matamata-Piako District Council was seeking feedback from the community on specifics of the bike route and crossings introduced at the 25 February Bike Day Out, Transition Matamata carried out its own information-gathering exercise. This included seeking support for a petition calling for council to move ahead without delay on a **comprehensive network of bike paths and bike lanes into and around town** (also good for those on mobility scooters, kids on skateboards, etc).

The Bike Day Out elicited genuine interest in the issue. Council staff are to be commended for their work on this and for taking time from their weekend to manage the event and gain feedback from the public. The attendance of the mayor and some councillors on the day was also appreciated.

Transition Matamata has been pushing for safe and proper infrastructure for cycling since 2019. In 2020, the group provided council a detailed map with suggested routes. The plan was endorsed by local schools, the medical community and the Chamber of Commerce. The Bike Day Out and council's 'Let's talk about Walking and Cycling in Matamata' survey period provided an opportunity for Transition Matamata to further explore community interest.

For the record

- 354 individuals signed the petition saying: "I fully support a comprehensive network of bicycle lanes and
 paths for Matamata." Support was sought in part via an online survey, but mainly by circulating a petition
 form and sharing it at the Saturday market and twice at stalls in the main streets. Volunteers devoted as
 much time to this effort as they could. They appreciated the chance to talk to the many local residents who
 care about the issue and were interested in discussing it.
- 26 businesses (93% of those contacted) voiced similar support. Businesses in Arawa Street and Broadway
 were visited while the stalls were set up to engage with the public. Although it was a limited sample, the near
 unanimous support for a full bike network without delay was heartening.

Feedback & suggestions

General feedback was positive and encouraging. When engaging with the public, opposition to such a plan was rare. The need for a 'spoke' network of lanes and paths to get safely into town from all corners of the community was understood. The role of such a network to get kids safely to school in a healthy, active way and its contribution to quieter, calmer streets were appreciated. Business owners and managers particularly saw it as a part solution to the pressing issue of parking in the CBD, which will only worsen with a growing population.

Some concern was raised around the safety of bikes locked to the new bike racks in town. More locations, easily visible from shops and cafes, were recommended (located so as not to hinder pedestrian traffic). The issue of the \$300,000-plus Hetana Street one-way trial was raised. There was a call for council to get on with actions that have a lasting effect.

There was an acknowledgement that NIMBYism was alive and well in Matamata (opposition to including Tamihana Street in the trial bike route and negative feedback on the 'speed bum' at the Centennial Drive crossing being good examples) and a hope that council would not pander to a vocal minority. A specialist working on these issues for another council advised ours that we have to pick the right routes and traffic-calming and safety measures, stick to them, and spend time educating the community as to why these options have been chosen.

Moving away from our car-centric culture will help us to reduce greenhouse gas emissions and fight climate change. Council can show leadership here by providing the much-needed infrastructure for safe walking and cycling.

Submitted by Transition Matamata, 14 April 2023

Transition Matamata is part of the worldwide Transition Town movement focusing on sustainability, care for the environment, and local self-reliance.

Cycle Network Petition Page 7



7 Pūrongo me whakatau | Decision Reports

7.2 Adoption of Annual Report 2021/22

CM No.: 2708310

Rāpopotonga Matua | Executive Summary

The Local Government Act 2002 (LGA) requires Council to adopt its Annual Report and Summary by 31 October each year. However the Annual Report for 2021/22 is being presented late for adoption due to the impacts of Covid and the workload pressures on our Auditors which has extended the Audit process.

Rene Van Zyl from Audit New Zealand in attendance to present the audit opinion for the Annual Report.

This report covers the following items, all of which will be circulated separately to this report:

- a. the Annual Report and Summary 2021/22
- b. the draft Audit Opinions for the Annual Report and Summary 2021/22
- c. the warrant of fitness for the Annual Report and Summary 2021/22
- d. the letter of representation for the Annual Report and Summary 2021/22 and staff review of representations made
- e. the misstatement schedule from the Annual Report final audit

The following reports from Audit will also be circulated separately to this report:

- the draft management report on the Annual Report 2021/22
- the Chief Executive's Reporting Certificate for the Debenture Trust Deed
- the Auditor's Independent Assurance Report for the Debenture Trust Deed
- the letter of representation for the Debenture Trust Deed

Tūtohunga | Recommendation

That:

- 1. The Annual Report and Summary 2021/22 be adopted.
- 2. The Warrant of Fitness section 13 be completed by Elected Members.
- 3. The following documents be received:
 - a. the draft Audit Opinions for the Annual Report and Summary 2021/22
 - b. the warrant of fitness for the Annual Report and Summary 2021/22
 - c. the letter of representation for the Annual Report and Summary 2021/22 and staff review of representations made
 - d. the misstatement schedule from the Annual Report final audit

Horopaki | Background

The LGA requires Council to adopt the Annual Report and Summary by 31 October each year. Due to COVID-19 there was an extension provided under legislation until 31 December 2022. Workload pressures experienced by our Auditors has also meant that the 2021/22 Annual Report is being presented late for adoption as the Audit process has been extended. The Summary must be published within one month of its adoption. The Annual Report and Summary must be audited, and an opinion on the Annual Report and Summary provided to Council and the report's readers.



Ngā Take/Korerorero | Issues/Discussion

At the time of writing this report Audit is still in the process of reviewing the revised Annual Report. All documents will be circulated as soon as possible.

The warrant of fitness (WOF) will be completed and circulated once Audit clearance has been received. The WOF has proven to be a useful tool for staff to check that significant matters have been considered in the preparation of the Annual Report. It is intended to provide some assurance to Council in this regard.

The Warrant of Fitness section 13 is to be completed by elected members.

The representation letter, circulated separately, sets out the Council's responsibilities under the LGA to report on the Council's financial position and activities; and quality of information presented in the Annual Report and Annual Report Summary.

The letter provides assurances to Audit in relation to the following requirements, which to the best of their knowledge, Council are of the opinion have been met:

- General responsibilities relating to the Councils actions
- Responsibilities for the financial statements and the statement of service performance
- Responsibilities to provide information
- Confirmation that Council is a going concern
- Responsibilities for the information presented in the Annual Report Summary
- Publication of information on our website.

To assist the Council in gaining assurance that these requirements have been met, staff have provided responses on what steps have been taken to meet the responsibilities outlined. These responses are circulated separately.

The schedule of misstatements circulated separately, sets out the errors noted by Audit and those changes identified by staff in their QA process. Staff will be in attendance to discuss these with Council. Council's auditors will also be able to provide their view on the nature of the misstatements. Council should note that all misstatements as listed have been corrected, unless stated otherwise.

Ngā Whiringa | Options

Analysis of preferred option

It is recommended that Council adopts the Annual Report and Summary.

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

There are no legal or policy issues.

The Annual Report measures our performance against the Long Term Plan 2021-31.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

The Annual Report and its Summary are set to be adopted by Council 26 April 2023. The adopted documents will be made public on the Council website within one month of adoption, and publicly notified in the local newspapers.



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

Council Vision

The Annual Report monitors progress towards all our community outcomes.

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

The production of the Annual Report and Summary has a budget of \$7,000. Annual Report audit fees have a budget of \$125,000.

ii. Funding Source

The Annual Report cost is provided for within the Strategies and Plans activity budgets. The Annual Report and audit are funded from general rates.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Christa Kurian	
	Graduate Policy Advisor	
	Larnia Rushbrooke	
	Finance and Business Services Manager	

Approved by	Niall Baker	
	Policy Team Leader	
	Erin Bates	
	Strategic Partnerships and Governance Manager	
	Manaia Te Wiata	
	Group Manager Business Support	
	Don McLeod	
	Chief Executive Officer	



7 Pūrongo me whakatau | Decision Reports

7.3 Request from Matamata Chamber of Commerce for security camera funding and ownership change

CM No.: 2697524

Rāpopotonga Matua | Executive Summary

The purpose of this report is to seek Council determination on a request from Matamata Chamber of Commerce to:

- take over the ownership of the current Matamata CBD security camera system and assign a staff member to manage the project. Should the transfer transpire, that the system be extended to include Waharoa.
- Undertake repairs to the damaged cabling in Tui St at a cost of \$21,735.00 + GST
- Develop a district-wide policy on public surveillance

A quote for the upgrade to the balance of the system is pending with the Chamber advising this is likely to be around \$200,000.

Tūtohunga | Recommendation

That:

1. Agree to the Matamata CBD security camera system transferring from the Matamata Chamber of Commerce to Council

OR

Decline Matamata Chamber of Commerce's request that Council take over the ownership of the Matamata CBD security camera system

 Council agree to fund \$21,735.00 + GST to Matamata Chamber of Commerce from the X budget for the purposes of repairing the Tui Street cable

OR

Council declines Matamata Chamber of Commerce request to grant \$21,735.00 + GST for the purposes of repairing the Tui Street cable

3. Council include the development of a district wide policy on public surveillance for consideration in the Long Term Plan 2024-34



Horopaki | Background

In Matamata, a town security camera system – Broadway/Arawa St/Hetana St - has existed since 2002. Representatives from Matamata Chamber of Commerce attended Council's public forum on 8 June 2022 seeking Council take over the ownership and management of the camera system.

The Chamber advise that the original system was funded from a range of sources; including a contribution from MPDC. They state that the system requires a major upgrade to ensure its connectivity to the Police station, and that the cost is outside what the Chamber can contribute.

The Chamber recommend that in the case of any upgrade, the system be extended to include Waharoa.

In response to Council's request for a quote for works, the Chamber has furnished a quote for \$21,735.00 + GST to undertake repairs to damaged cabling on Tui Street.

A further quote to upgrade the rest of the system is pending – with an estimate to be around \$200,000.

Ngā Take/Korerorero | Issues/Discussion

In considering this request, Council needs to consider the issues and opportunities involved in Council providing financial support or ownership/management of public facing Closed Circuit Television (CCTV) as a tool to improve public safety. There is opportunity for more work to be undertaken with key stakeholders to develop guidelines to improve the use of existing and future CCTV systems.

There is currently no funding provided within existing budgets for this activity.

<u>Issues</u>

The Matamata Chamber of Commerce has recommended that Council take ownership of the current Matamata CBD security camera system – and assign a staff member to manage the project.

Council has a Partnership Agreement with The Chamber, which details that Council will provide an Operational Grant of \$125,000 for 2021/22, and 2022/23 and 2023/24 respectively, for the delivery of activities set out in schedule of services as set out in Schedule 1 of the Agreement [refer CM 2463143]:

3) Additional services

e) Maintenance of Matamata CBD Security Cameras in conjunction with Police

Therefore the agreement already provides for the Chamber to *Maintain* Security Cameras as part of the Operational Grant Council allocates. It is understood that the issues raised by the Matamata Chamber relate to replacement of current cameras and equipment. This would fall outside the scope of 'Maintenance' per se.

Local government fund replacement of assets through a combination of depreciation reserves and loan funding. It is unknown what strategies and plans the Matamata Chamber has in place for the replacement of its assets.

Council does not currently have a policy on the use of CCTV in public spaces (other than Council owned facilities). Council's CCTV policy provides written operating procedures which apply to the

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installation, operation and management of CCTV systems within council owned or operated premises. It includes discussion on the collection of, and access to, CCTV footage; the legal issues governing an individual's right to access personal information; and issues around disclosure to third parties. The operating procedures include details on the processes for data management, storage and requests. Monitoring public places with CCTV is outside the scope of the Council's Policy.

Council does not currently have a strategic direction specifically in relation to its involvement in community safety.

It should be noted that safety in the Matamata Town Centre was not an issue widely raised as part of the Pride of Place (PoP) process, co-designed with community.

Improving safety in public places through the use of technology such as CCTV has the potential to meet both local and regional strategic priorities, where it is deployed as part of a range of measures to meet an identified need and reviewed regularly to measure effectiveness. It is one tool in the toolkit and should be considered alongside other methods such as Crime Prevention Through Environmental Design (CPTED), increasing community patrols, use of private security guards etc.

Council has no community safety targets, for example reduction in the rate of criminal offences and an increase in residents' perception of safety. CCTV systems have the potential to contribute to achieving the direction set out by the Community Outcomes/Strategic Direction although there is nothing specifically mentioned in these documents around community safety.

What we currently do

CCTV is utilised in Council owned community facilities such as the council offices, events centres and pools. We have an internal policy covering the use of CCTV and storage of the CCTV imagery etc.

What others are doing

Larger cities like Hamilton City Council and Auckland Council have dedicated teams working in the community safety space. These Council owns and operate CCTV systems in partnership with Police, and actively monitor behaviour both via CCTV and foot patrols.

For smaller Councils, the trend sees grants provided to groups such as Community Patrols; with crime prevention very much led by Police.

It should also be noted that Morrinsville Chamber recently fundraised for their new CCTV system and Te Aroha Business Association did the same a few years ago.

The request from Matamata Chamber needs to be considered around whether there is a risk of "precedent setting" and how this might be seen as equitable alongside the other town centres. Expanding the system into Waharoa will attract additional cost.

Council Involvement in Provision of CCTV

The deployment and ongoing management of CCTV systems in public places should ideally be within a strategic context that is clearly articulated, consistent and transparent. However, at present there is no Council framework or guidelines to ensure consistency in decision-making.



There is a key question to consider - is this Councils role - or should it be a Police or community function to both fund and monitor?

Staff recommend that further work is needed to consider:

Key Issue	Sub Issue	Comment	
Governance	The separation between Council and third party responsibilities, including Chamber of Commerce and Police	It is not clear where the planning, implementation and oversight of local community safety initiatives and the responsibility for this lies.	
		However a district-wide context that clarifies purpose, quality, governance and use of information will ensure good practice and consistent compliance with all legal responsibilities.	
Funding	Levels of funding support available from council to provide financial and non- financial support for CCTV implementation, maintenance.	The Chamber of Commerce have a range of funding sources available (external funding) that could support the establishment and ongoing operation of CCTV systems.	
		It is understood Morrinsville Chamber of Commerce fundraised for their own town centre security cameras.	
		A number of communities across New Zealand have undertaken their own fundraising for CCTV.	
		The widespread use of council funding for the establishment of CCTV across Matamata-Piako is likely to be prohibitive.	
		Council could establish a dedicated community grant for this purpose, as other Councils have done.	
		Guidelines could explore the proportion, sources and level of funding support that should be made available for the establishment, renewal and ongoing operation of CCTV across Matamata-Piako or in certain areas.	



Key Issue	Sub Issue	Comment
Intervention logic	A consistent approach for Council involvement in the funding, provision, operation or use of CCTV technology for community safety purposes	Council has a responsibility to ensure that its involvement in CCTV provision is appropriate, effective and transparent. Guidelines are needed to define: • The nature and scale of problems that will qualify for council support through the provision of CCTV • The responsibility and level of support that will be required from private beneficiaries of CCTV systems • The review mechanisms to ensure effectiveness • The minimum conditions that all CCTV systems will have to meet.
Partnerships	The range of organisations that council is willing to partner with in the provision of CCTV, or the funding of it	Where funding and operational partnerships are required to establish CCTV systems, Council will have to consider the types of partner organisations that may be appropriate. Key partners are likely to include the NZ Police, Chamber of Commerce, rural groups such as Federated Farmers (in respect of boy racer issues in particular) and other Community organisations.
		Issues to consider include: • Size and capacity of the organisation • the predominant purpose of the organisation • the ability of the organisation to meet the conditions of council support.

Our legal responsibilities

Law enforcement and Crime Prevention sits largely with the NZ Police. Council is responsible, under the LGA, for promoting and supporting community wellbeing; ensuring our public spaces remain safe for our communities to use is part of supporting community wellbeing. CPTED principles are utilised when designing new facilities. Bylaws and policies are put in place where necessary, to reduce nuisance behaviour within the public space.

The nature of CCTV to monitor public places has implications for people's expectations of privacy.

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The Privacy Act 2020 guides how information can be collected, used, stored and disclosed. Council must ensure that privacy considerations are taken into account in CCTV planning and operations.

Mōrearea | Risk

Should transfer of ownership from Matamata Chamber of Commerce to Council be approved, Council will need to be cognisant of the associated privacy, health and safety and ongoing costs associated with this.

Funding of the security system creates risk of precedent setting and expectations from other parts of the district. It should be noted that as discussed, Council does not have a policy related to this matter; there is risk in making ad hoc decisions.

Ngā Whiringa | Options

In response to the request from Matamata Chamber of Commerce Council could:

- 1) Do nothing
- Agree to the transfer of the CCTV system from the Chamber to Council noting this may include additional upgrade costs
- 3) Fund (or not) \$21,735.00 plus GST to repair the Tui St cable
- 4) Include the development of a district wide policy on public surveillance for consideration in the Long Term Plan 2024-34

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

This matter gives rise to considerations under the Local Government Act 2002 and the Privacy Act 2020. Council currently has a CCTV policy that is operational (rather than strategic) in nature.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

There are no communications implications at this time.

Ngā take ā-lhinga | Consent issues

No consent issues have been raised at this time.

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

Theme: Healthy Communities

Community Outcome: Our community is safe, healthy and connected

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

There is currently no funding provided for this activity within existing budgets.

Ngā Tāpiritanga | Attachments

A. Request from Matamata Chamber of Commerce re Security Cameras March 2023

B<u>J</u>. Quote for Security Camera cable repairs March 2023





Nga waitonu Signatories				
Author(s)	Erin Bates			
	Strategic Partnerships and Governance Manager			
Approved by	Don McLeod			
	Chief Executive Officer			



Friday, March 10, 2023

MATAMATA SECURITY CAMERAS

Background

A town security camera system – Broadway/Arawa St/Hetana St - has existed in Matamata since 2002.

Owned by the Chamber, the system was funded from a variety of sources including a contribution from Matamata-Piako District Council.

The system, monitored by an operator at Matamata Police Station, is in dire need of an upgrade. It no longer meets the needs of local police.

In a submission to then Mayor Ash Tanner and the Matamata Ward Councillors in February 2021, the Chamber outlined the situation and requested council take over the ownership and management of the camera system. This is in line with other local authorities around the country including Waipa District Council.

Alongside public camera systems - defined as a system which surveys people in public places - authorities also have policy in place to protect the citizens being filmed and monitored. An example from Waipa's policy is here:

https://www.waipadc.govt.nz/repository/libraries/id:26zgz4o7s1cxbyk7hfo7/hierarchy/our-council/bylawsandpolicies/policies/documents/Closed%20Circuit%20Television%20%28CCTV%29%20for%20Community%20Safety%20in%20Public%20Places

At a liaison group meeting Iin 2022 between Council and Chamber representatives, it was recommended that updated costings on repairs to cabling in Tui St and also an upgrade of the entire system, including extending this to Waharoa, be sought by the Chamber and forwarded to Council.

A quote for the repair work in Tui St is attached, while a quote for the upgrade is awaiting information from council and Powerco relating to the power source.

The latter is likely to be in the order of \$200,000.

Chamber board member and local technology company owner Tim Hampton believes that, given the rapidly changing privacy laws and changes in technology – that it was no longer the place of incorporated societies, or charities to survey the public – and that this should now be the role of local authorities instead.

Operation

Police and security companies, supported by community group Matamata Futures, recommend an updated system include two ANPR (automatic number plate reader) cameras, linked to Safer Cities an independent CCTV and networking consultancy operation) to provide a direct integration to the police 111 operation centre, and to provide immediate access to town security feeds in response to public safety emergencies.

Not only this, the Safer Cities' feed would also provide police with live alerting of stolen vehicle number plates etc.

As discussed above, the Chamber also believes that Waharoa should become part of the Matamata security camera system and included in a district-wide policy.



Public safety, protection of property, and privacy should be the top priority of Matamata-Piako District Council.

The Chamber Board feels that, with a dramatic drop in i-site income (\$20,000 per month) chiefly through COVID and its affect on international tourism (Hobbiton Movie set in Matamata's case), the organisation can no longer manage and maintain complex town infrastructure such as the camera system due to increased complexities with doing business (including privacy, legal and health and safety considerations.

As previously discussed, the Chamber believes the need is immediate, and that Matamata-Piako District Council should take the lead role in the security camera upgrade and ownership in line with other neighbouring local authorities.

This includes repairs to damaged cabling in the existing system and extending the network to Waharoa.

Recommendations

- Council take ownership of the current Matamata CBD security camera system and assign a staff member to manage the project. This could fall under an IT department function, or other related business unit.
- In the first instance, Council undertake repairs to the damaged cabling in Tui St.
- Council develop a district-wide policy on public surveillance, in line with other councils, that
 will apply to MPDC's current cameras (that operate in public spaces), and also the
 surveillance of public spaces. This policy should also ensure that any work carried out on
 camera systems in the three towns is undertaken by licensed professional installers who
 have the appropriate policies and procedures in place

STEVE EDWARDS

General Manager Matamata Chamber of Commerce/Matamata i-SITE



As below, updated quote to repair the cabling to the cameras at skate park + broadway

Following damage to underground ducting in Tui Street, Matamata we are pleased to quote for the repair/replacement of power and fibre cabling.

The replacement ducting has been installed by Don Griffiths and does not form part of this quote.

We have repaired and made safe cabling to both the town clock cameras. These have continued to remain in operation since initial underground damage.

Power Cable

New cable to run from Police Station to O Del Emz Café.

Fibre Cable

The existing damaged fibres to the skate park and PRA cameras are no longer available. A new 6 core fibre will be run from both skatepark and PRA cameras back to the Police Station internal computer.

We have allowed for specialized termination of fibre system.

We have allowed for the following:

- Supply and install 240 vac cabling
- To test and connect
- Supply and install 6 core fibre
- Fibre terminations
- Testing and Commissioning
- Issue of Electrical Certificate of Compliance

Our price for this work including Labour and Materials is: \$21,735.00 + GST

Kind Regards

Andrew Arts | Manager | Electrico Ltd Phone: +64 078888245 | 0274 938455

Unit 1/6 Comber Street, Matamata P.O. Box 346, Matamata, 3440 Email: andrew@electrico.co.nz Web: www.electrico.co.nz



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7 Pūrongo me whakatau | Decision Reports

7.4 Morrinsville Pride of Place - Strategic and Action Plan - Endorsement

CM No.: 2698558

Rāpopotonga Matua | Executive Summary

The purpose of this report is to seek Council endorsement of the Morrinsville – Strategy and Action Plan, developed as part of the Pride of Place (POP) project.

Tūtohunga | Recommendation

That:

1. The Pride of Place Morrinsville – Strategy and Action Plan (attached) is endorsed.

Horopaki | Background

Pride of Place (POP) is a programme that aims to build vibrancy in the MPDC Town Centres, using placemaking and tactical urbanism tools. It invites the community to imagine the future of their places, and by using temporary activities and initiatives, plants the seed for this future now.

It is a district-wide project that includes Matamata, Morrinsville, Te Aroha and Waharoa. Each of the towns are currently at different stages of the project.

Town	Project phase
Matamata	The Pride of Place Matamata plan was endorsed last year and is currently being implemented.
Morrinsville	The Pride of Place Morrinsville plan is being considered for endorsement today.
Te Aroha	Pride of Place Te Aroha is currently in its engagement phase.
Waharoa	Pride of Place Waharoa is currently being planned.

Ngā Take/Korerorero | Issues/Discussion

The co-design process undertaken in developing the Pride of Place Morrinsville – Strategy and Action Plan has been aimed at building an understanding from within the community around what the town may look like in future. The intention is to enable a stronger commitment to community partnership.

A monitoring and evaluation process will be undertaken throughout to capture lessons learnt, adapt the programme as required, and inform future works.

The Action plan has been reviewed by staff across the organisation to ensure alignment with current and future programmes and work and that the programme is achievable within the given timeframes.





Mōrearea | Risk

The Morrinsville Pride of Place – Strategic and Action Plan has been developed utilising community co-design. No specific risks have been identified.

Ngā Whiringa | Options

Option 1

Endorse the attached Morrinsville Pride of Place – Strategic and Action Plan

Option 2

Reprioritise the identified work further.

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

There are no legal or policy considerations at this time.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Communication is an ongoing focus of the project with a range of mediums being utilised to keep the community connected to progress on the Pride of Place project overall.

Ngā take ā-lhinga | Consent issues

There are no consent issues to consider at this time.

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

The Pride of Place project delivers on the all of the community outcomes and the wellbeings.

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

For this project, Council allocated \$3m in capex funding across three towns over the period of the LTP. Subsequently, it added Waharoa to the schedule of towns and secured \$4.32m in operational funding as part of the Tranche 1 New Zealand Government Better Off Funding. To date, none of the Better Off Funding has been drawn down.

Kaunihera | Council 26 April 2023



As has been demonstrated in Pride of Place Matamata already with Waka Kotahi's Transport Choice funding, securing funding sources outside of Council will continue to be a priority to help deliver this project.

Ngā Tāpiritanga | Attachments

A. DRAFT - Pride of Place Morrinsville - Strategy and Action Plan (Under Separate Cover)

Ngā waitohu	Signatories	
Author(s)	Jennifer Mahon	
	Senior Advisor - Placemaking and Engagement	
Approved by	Erin Bates	
	Strategic Partnerships and Governance Manager	



7 Pūrongo me whakatau | Decision Reports

7.5 Local Government New Zealand Conference

CM No.: 2704768

Rāpopotonga Matua | Executive Summary

The purpose of this report is to confirm attendance at the Local Government New Zealand Conference to be held in Christchurch from 26-28 July 2023.

Tūtohunga	a Recommendation	
That:		
	yor, Deputy Mayor and CEO attend the 2023 Loca hurch along with Councillors	al Government Conference in
conference. Ngā Tāpirita	Background ne Mayor, Deputy Mayor, CEO and two other Counc Inga Attachments attachments for this report.	illors have attended the
Ngā waitohu	ı Signatories	
Author(s)	Sandra Harris	
	Placemaking and Governance Team Leader	
Approved by	Erin Bates	
	Strategic Partnerships and Governance Manager	
	Don McLeod	
	Chief Executive Officer	



7 Pūrongo me whakatau | Decision Reports

7.6 Public road naming within the Industrial Avenue Business Park - Avenue Rd, North, Morrinsville

CM No.: 2698026

Rāpopotonga Matua | Executive Summary

Land developers are required to apply to Council to name roads within subdivisions of size ≥ 6-lots. Avenue Business Park consists of 19 industrial lots, varying in size from approximately 2,000 m2 up to 7800m2.

The Avenue Business Park is being developed by the Steffert Family owners of the land block since the 1960s. Chris Steffert is the applicant.

Council's road naming policy requires the applicant provide, for each road:

- 1 x Preferred, and
- 2 x Alternative road names; these being back-ups should the preferred names be unsuitable.

Preferred road names Magistrate Avenue and Piki Tūranga Place below conform to Council's road naming policy.

Tūtohunga | Recommendation

That:

- 1. The report be received
- 2. Council accepts the preferred public road names (Magistrate Avenue and Piki Tūranga Place) for the Avenue Business Park development in Morrinsville.

Horopaki | Background

Road names and property numbers are used extensively by a range of individuals and organisations for accurate and efficient identification. Such forms of identification are not limited to emergency services, postal and courier services, visitors and utility providers (water, power telephone, internet) etc.

For these reasons, it is both appropriate and necessary that individual properties have a formalised and unique address from which they can be identified.

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

- Ensuring district-wide consistency for the naming or roads and access ways.
- Clarifying the meaning of access ways and rules for their naming.



 Ensuring roads are named so as to reflect the identity of local areas within the district in addition to ease of property identification.

The below road naming and numbering plan provided by Landform Surveys Ltd of Hamilton on behalf of the applicant (also supplied in full as an attachment to this report) details the proposed preferred road names and the industrial lots.



Preferred and alternative road names are listed below for Council's consideration.

Road One

Preferred: Magistrate Avenue – shown in the plan above.

Alternative 1: Heinrich Avenue Alternative 2: Carpenter Avenue

Road Two

Preferred: Piki Tūranga Place – shown in the plan above.

Alternative 1: Stipulate Place

Alternative 2: Ian Place



Ngā Take/Kōrerorero | Issues /Discussion

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

For public road naming, the applicant has referred to Council's road naming policy for guidance on consultation with Mana Whenua; obtaining information relating to the cultural identity of select locations/areas within the district. For private roads and access ways not vested in Council the same consultative requirements don't apply in terms of Mana Whenua involvement and road sign installations and maintenance remain a cost on private land owners.

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

Road 1 - Preferred: Magistrate Avenue

The name Magistrate refers to a thoroughbred race horse owned and trained by Chris Steffert's Grandfather Ian Steffert. The horse raced in the 1970's & 80's and achieved significant success in both New Zealand and Australia, winning Group 1 races in both countries. Famously, the horse won the Perth Cup in consecutive years 1980 & 1981, it also ran fourth in the 1980 Melbourne Cup. The name Magistrate is evidence that the name reflects identity of the Matamata-Piako district.

Road 1 - Alternative 1: Heinrich Avenue

A Steffert family name which dates back to Heinrich Steffert who emigrated from Germany in the 1800's. The name Heinrich is evidence that the name reflects historical significance to the Steffert family as landholders.

Road 1 - Alternative 2: Carpenter Avenue

Carpenter was the stable name for Magistrate – the thoroughbred racehorse referred to earlier. The name Carpenter is evidence that the name reflects historical significance of particular locations – in this example the stables where Magistrate was housed.

Road 2 - Preferred: Piki Tūranga Place

A name was proposed by Ngāti Hauā's cultural advisor and is evidence of cultural significance to Mana Whenua and the Steffert family.

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

Road 2 - Alternative 1: Stipulate Place

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

Road 2 - Alternative 2: Ian Place

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



Mōrearea | Risk

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

Ngā Whiringa | Options

Options are restricted to the two (2) proposed Preferred and four (4) Alternative road names.

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

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

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

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

Ngā take ā-lhinga | Consent issues

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

Ngā Tāpiritanga | Attachments

_	-	_	-
A <u>Ţ</u> .	Final	Road	Naming
Adobs			

Final Road Naming Policy Adopted 2 October 2019

B.J. Landform Surveys Limited 22106 - Avenue Road North, Morrinsville Street Numbering (All Stages) 070323 Scale 1-1500

Ngā waitohu | Signatories

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



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

- To ensure consistency in naming of roads and access ways in the district.
- 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	

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	but not limited to a Developer.				
Council	Matamata-Piako District Council.				
Culturally	Ancestral land, water, wahi tapu, valued flora and fauna, and other taonga				
significant	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	A single 'lot', right of way or a series of right-of-ways that will be occupied by a				
Ways	physical driveway, providing vehicle access to a minimum of six lots. This				
	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.



- 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.
- 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".
- 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.
- I. 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'.
- 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:

- 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 Polices 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.

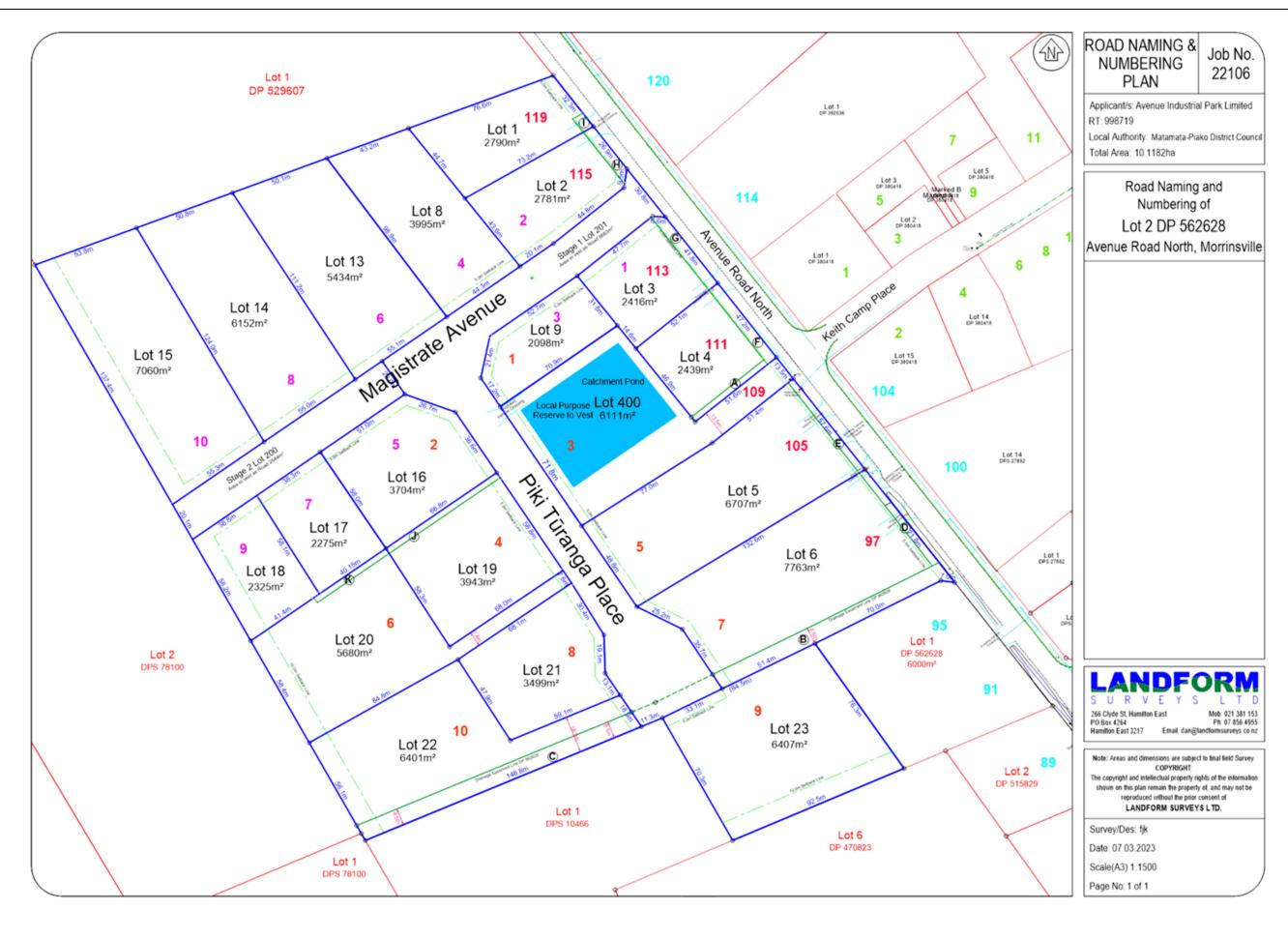
³ Delegations will be made by Council resolution and recorded in Council's delegations register.



Schedule 1

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







7 Pūrongo me whakatau | Decision Reports

7.7 Proposed Matamata Sports Stadium - Grant Applications

CM No.: 2709900

Rāpopotonga Matua | Executive Summary

The Matamata Indoor Sports and Recreation Hub Charitable Trust continues to raise funds for the proposed Matamata Stadium.

In some cases Council consent will be required to lodge funding applications.

Council is requested to delegate authority to the Chief Executive Officer to authorise applications where necessary.

The delegation of authority can present some risk. It is considered that Council's delegation guidance and the legal requirements applying to the Chief Executive, mitigate the risks.

Council can also decline to accept a grant if it considers any grant conditions are unacceptable.

Tūtohunga | Recommendation

That:

1. Council delegate the authority to the Chief Executive Officer to approve funding applications for the proposed Matamata Sports Stadium where Council approval is required.

Horopaki | Background

The Matamata Indoor Sports and Recreation Hub Charitable Trust continues to raise funds for the proposed Matamata Stadium.

As Council is a party to the project and will own and operate the stadium, Council consent may be required for some funding applications.

Ngā Take/Korerorero | Issues/Discussion

Administrative efficiency and timeliness

Delegating authority to the Chief Executive officer to approve funding applications will be more efficient and timely than referring applications to Council for approval.

Any delegation of authority presents some risk and this is addressed under the Risk section.

In the unlikely situation that a grant has conditions that Council is not prepared to accept, Council can decline to receive the funding.

Note that it could be debated that the Chief Executive can already approve funding applications within the powers specified in Section 42 of the Local Government Act 2002 (the Act) - refer to Legal Issues below.



A specific resolution to delegate the authority removes any doubt.

Mōrearea | Risk

The delegation of authority presents some risk. The following provisions relate to the register of Council delegations and provide context for the exercise of delegated powers.

Managing risk

Delegations do not remove from the Council or management ultimate accountability for the affairs of the Council. Poor decision making can expose Council to significant risks. Council has identified the following 'top five risks' which are to be considered by Council and staff when making a delegation:

- whether the delegation could allow a decision that would be significantly inconsistent with the Long Term Plan, Annual Plan or other legislative requirements;
- whether the delegation would allow a decision that involves a governance matter, for example setting of external policies and plans for the organisation;
- whether there is a risk of significant additional unbudgeted costs to Council (for example in excess of agreed contractual obligations);
- whether there is a significant risk associated with litigation (either exposure to or commencement of on);
- whether there is a significant risk of controversy or reputational damage to the organisation.

Council's policy is to retain or restrict the delegation of decision making on matters where it considers the above to be a real risk to the organisation.

Guidance

When making delegations to give effect to this Policy, Council and staff will give consideration to the following matters:

Efficient and effective decision making

- When making a delegation, the delegator must give consideration to the nature of the decisions to be made, or powers or duties to be undertaken under the delegation.
- It is expected that matters of governance, including the development and approval of external policy will sit at a governance level.
- The lowest competent level means the lowest position within the Council hierarchy that has adequate skills to undertake the delegated powers, duties or responsibilities.
- The assessment of the adequacy of skills will be made by the Executive Team or Third
 Tier Manager in association with the proposed delegate and will include the assessment of
 the knowledge, skills, understanding of any relevant legislation, attitude and experience of
 the holder of the office of the proposed delegate.
- It is the responsibility of the Executive Team or Third Tier Manager to ensure that the holder of the office with the delegation has the competencies required for the delegation.

Managing risk

- Delegations should distinguish between those necessary to facilitate ordinary operations in the district and matters that are extraordinary or carry high risk.
- Matters that should be considered extraordinary or as carrying high risk in particular are those identified in this policy, however this is not an exhaustive list, and matters should also be considered in light of Council's Risk Management Policy.
- In general, matters relating to civil litigation will not be delegated by Council.



- In general matters relating to litigation associated with the enforcement of regulatory matters should be restricted to the Chief Executive and relevant Executive Team member(s).
- Delegations which carry a higher risk should be clearly identified in the delegation tables.

Clause 32 of Schedule 7 of the Act includes the following provision in relation to delegations:

(7)To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

Ngā Whiringa | Options

Option 1 – Delegate the authority to the Chief Executive Office to approve funding applications when this is necessary.

Option 2 – Accept that the Chief Executive Officer already has the authority to approve funding applications.

Option 3 – Refer all funding applications to Council for approval.

Option 1 is favoured as it is has the least risk.

Note this delegation will cease with the end of the project.

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

Section 48 of the Act 2002 (LGA) provides the authority and scope for Council to delegate powers.

Section 42 of the Act provides as follows:

42 Chief Executive

- (1) A local authority must, in accordance with <u>clauses 33</u> and <u>34</u> of Schedule 7, appoint a chief executive.
- (2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—
 - (a) implementing the decisions of the local authority; and
 - (b) providing advice to members of the local authority and to its community boards, if any; and
 - (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
 - (d) ensuring the effective and efficient management of the activities of the local authority; and

These provisions provide clear direction on the responsibilities of the chief executive and will apply to the exercise of delegated powers.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Manaia Te Wiata	
	Group Manager Business Support	



Approved by	Manaia Te Wiata	
	Group Manager Business Support	



7 Pūrongo me whakatau | Decision Reports

7.8 Staff Long Service Presentation

CM No.: 2684172

Rāpopotonga Matua | Executive Summary

Ross Hall and Donna Guilford to be presented with a Long Service Award in recognition of 20 years' 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)	Stephanie Hutchins	
	Governance Support Officer	
Approved by	Sandra Harris	
	Placemaking and Governance Team Leader	



7 Pūrongo me whakatau | Decision Reports

7.9 Special Assessment Criteria for Non-Residential Developments

CM No.: 2691339

Rāpopotonga Matua | Executive Summary

Staff and Elected members have received some requests to review non-residential Transportation Development Contributions that have been issued.

Council has a Development Contribution policy that sets the methodology for calculating Development Contributions. The Purpose of the policy is to ensure everyone pays a fair share for the cost of providing additional infrastructure or increase capacity for existing infrastructure to service the growth.

The Policy allows for special assessments to be entered into to waiver or reduce Development Contributions for individual applications. Council has entered into a number of special assessment with developers/property owners based on the development not readily fitting in with the specified development categories or where the infrastructure demands created by the development differs significantly form the averages upon which the Policy is based on.

The options are to not make any changes to the current special assessment criteria, to look at introducing a reduced HEU for warehousing in the industrial and some retail areas or to waiver all non – residential Development Contributions associated with the Building consent process.

For each options the risks around financial, legal and Council reputation need to be considered and what the approach is for considering previous applications.

The purpose of this report is to seek direction from Council on whether it wishes to make changes to the current special assessment criteria to allow for changes on how it charges Transport Development Contributions for non-residential building consents.

Tūtohunga | Recommendation

That:

1. Approval is sought to amend the special assessment criteria for non-residential Transport Development contributions to reduce or waive the Development Contributions at Building consent stage by either waiving the Transport Development Contributions entirely OR introducing a reduced HEU of .25 for Warehousing activities for the Transport Development Contributions.

Horopaki | Background

Council has a Development Contribution Policy which was adopted in 2021.

https://www.mpdc.govt.nz/policies-a-bylaws/2014-07-01-00-08-35

Council reviews its growth projections and the Development Contributions Policy every three years, with the next review progressing shortly with a 1 July 2024 implementation.

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Our district continues to experience steady growth in number of additional residential and non-residential commercial/industrial or business dwellings. In response, we must expand our infrastructure networks to support increased use of essential services, such as water, wastewater, stormwater and roads and footpaths. The cost of expanding these networks is typically high, and how these developments are funded is an important issue. Using rates to fund these works can be perceived as unfair, because existing ratepayers neither caused them, nor do they directly benefit from them. Therefore, we must consider alternative funding options, such as development contributions.

The Policy has been developed taken into account the following key principals:

- development contributions should only be required if the effects or cumulative effects of developments will create or have created a requirement for Council to provide or to have provided new or additional assets or assets of increased capacity;
- development contributions should be determined in a manner that is generally consistent
 with the capacity life of the assets for which they are intended to be used and in a way that
 avoids over-recovery of costs allocated to development contribution funding;
- cost allocations used to establish development contributions should be determined according to, and be proportional to, the persons who will benefit from the assets to be provided (including the community as a whole) as well as those who create the need for those assets;
- development contributions must be used: for or towards the purpose of the activity or the group of activities for which the contributions were required; and o for the benefit of the district or the part of the district that is identified in our Policy in which the development contributions were required;
- we should make sufficient information available to demonstrate what development contributions are being used for and why they are being used;
- development contributions should be predictable and be consistent with the methodology and schedules of our Policy;

The creation of allotments via subdivision provides scope for new dwellings, and therefore attracts development contributions at a rate of one Household Equivalent Unit per additional allotment.

Any resource consent application that creates the potential to build additional independent dwelling units will also attract development contributions at a rate of one Household Equivalent Unit for each independent dwelling unit.

For non-residential activities it is slightly more complicated. Non-residential subdivisions will attract development contributions on each additional allotment created. If the intended land use is unknown at the time of subdivision, each allotment will be charged a development contribution equal to one Household Equivalent Unit. The balance will then be assessed at the time a building consent, land use consent or service connection application is lodged (at which time the land use will be considered known).

The following activities are specified in the policy.



Table 7 Household Equivalent Units for different development categories

Development Category	Roading	Stormwater (per 100m² ISA)	Wastewater	Water
Retail (per 100m ² GFA)	1.60	0.30	0.30	0.30
Industrial (per 100m ² GFA)	0.40	0.26	0.26	0.26
Commercial (per 100m² GFA)	0.80	0.30	0.30	0.30
Residential Units within Retirement Village	0.40	0.60	0.50	0.50
Retirement Village components (other than units)	Special Assessi	ment		
Kaumātua housing units	0.40	0.60	0.50	0.50
Dependent person's dwelling	0.50	0.50	0.50	0.50
Tiny/Minor residential dwelling (GFA no more than 70m²)	0.50	0.50	0.50	0.50
Pāpākainga development	Special Assessment		•	

Ngā Take/Kōrerorero | Issues/Discussion

Current evaluation - General Assessment

The purpose of the Development Contribution policy is

- To ensure developers pay a fair share of the cost of providing additional infrastructure or increase capacity for existing infrastructure to service growth demand.
- To provide a fair and consistent approach to how the funding is calculated and allocated.

The methodology of charging for Residential Development Contributions does not appear to cause an issue. The charge is being applied consistently within the 3 wards, one Household Equivalent Unit (HEU) per additional allotment. The policy has been improved and now includes individual HEU ratios for retirement units, Kaumatua housing units, dependent person's dwellings and tiny/minor residential dwellings.

For non-residential development there are more discrepencies as there are number of different activities with different demand on infrastructure. The policy splits the charge into retail, industrial and commercial.

It must be noted that the Development Contribution is not broken down into an individual effects based, i.e. a traffic assessment completed for each individual proposal, but a means of charging based on the high level use of the building or parts of the building. The policy and charging mechanism within the policy is generalised and HEU's are used as a basis.

Current evaluation - Special Assessment

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7.4.2 of the Development Contribution Policy

Council's Policy is based on the average infrastructure demands of a wide range of residential and non-residential developments. However, there may be instances where a development does not readily fit within the specified development categories, or where the infrastructure demands created by the development differ significantly from the averages upon which the Policy is based. In these circumstances, we may undertake a special assessment at our sole discretion.

The policy allows for Council to enter into special assessments with developers or property owners. Council has done this for a number of developments but has ensured it has kept the decisions consistent. It does not want to get into a situation where Development Contributions are not charged fairly and consistently.

Currently special assessments are based on the below criteria, using the argument that the infrastructure demands created by these development differs significantly from the averages upon which the policy is based on.

Utilities

Where no water or waste services are required to the building these are waivered or reduced to be applicable to the area where services are required. Eg. In a workshop where no water or waste is required no DC's for that Gross floor area are applicable. But if if there is an office or kitchen set up, the GFA for that area has the Development Contribution's calculated for that area.

Transport

Development contributions have tended to be waived where the applicant has submitted that the development will improve the adjoining roading network. This could be as a result of improvements made on the wider roading network as part of the consent or by the re-configuration of the site. Development Contribution's have generally been upheld where the building has the potential to increase traffic in the future as a complying activity as there is no trigger point for collecting Development Contribution's at any other time.

Issues

There are still some complaints and requests for Council to consider additional reductions in the Transport area. Particularly where site coverages are very large and there is not much traffic proposed to be generated with the new or amended activity. Another issue highlighted is where extensions to existing buildings and business are proposed, but they are not proposing to increase the traffic or tend to be minor.

For the water and waste there appears to be less controversies so it is not recommended to make any changes to criteria used for agreeing to enter into special assessments with developers or property owners.

Mōrearea | Risk

The risks for each option are noted in the section below. When Making Changes to the Development Contribution Special Assessment Criteria there are three key risks.



Financial Risk - Need to ensure that any decision made is understood clearly and financial implications are transparent and identified.

Legal Risk – Need to ensure we are clear on Council's legal responsibilities and ensuring the Development Contribution policy is adhered to, otherwise Council is leaving itself open to a legal challenge.

Council reputation – Need to ensure we are being fair, consistent and transparent.

Ngā Whiringa | Options

The Following options have been identified that could be applied to industrial and retail

Development Contribu	tions for Transport.		
Option	Impact	Pros	Cons
Option 1 Status Quo	Continue to charge as per relevant Development Contribution policy and consider future potential use of the buildings. Retail per 100m2 GFA = 1.60HEU Industrial per 100m2 GFA = 0.4HEU Commercial per 100m2 GFA = 0.8HEU	Complies with the policy and policy intent. Makes an allowance for future use of the building and activity.	Will not address the issues highlighted by developers/property owners for industrial and retail areas around the Development Contribution.
Option 2 Amend Special Assessment Criteria and apply a reduced HEU ratio for warehousing	Applying an additional HEU ratio for warehousing which will apply to some industrial and some retail builds. Aligning with the special assessment definition that these activities do not readily fit into the category of the definitions of the current policy. Current Industrial per 100m2 GFA = 0.4HEU Proposed additional category Warehousing per 100m2 GFA = .25HEU* *based on the following: Research report - Trips and parking related to land use November 2011	Will Comply with the policy around special assessment compliant activities and given the additional HEU ratio is fair, it will be able to be consistently applied. Makes an allowance for future use of the building and activity.	
	Will have to address how previously charged similar developments/builds are treated. Some have been assessed under the relevant policies and not yet paid, others have already been paid and Code of Compliance have been issued. There is a processing time associated with reviewing previous applications. There will be some financial		



	implications depending on how we process existing and historic assessments but likely to be less than Option 3 as there will still be some costs incurred by Industrial developments and others are less likely to have to carry the financial burden. May not address existing concerns with the Development Contribution charges as there still will be some Development Contributions applicable.		
Option 3 Amend the special assessment criteria to Waiver all non — residential development Contributions at building consent time	No Development Contributions will be waivered for all any non- residential builds.	Consistent approach for all non-residential builds as these are all waivered. Could question the compliance with the special assessment definition that these activities do not readily fit into the category of the definitions of the current policy.	Will have to address how previously charged similar developments/builds are treated. Noting at Dec 2022 there have been approximately 34 paid non-residential DCs since the 2018 policy was adopted and more that have been issued as part of the consents but have not had their Code of Compliance issued and hence not been paid for yet. Potentially some discrepencies whether it meets the Special Assessment definition under the policy which refers to a special assessment being applied to activities that do not readily fit into a the category of the definitions of the current policy, which may not apply to all non-residential activities.

The review updating the Development Contribution Policy and making changes to the HEU ratio or not including Development Contributions in the policy are not seen as an option by staff as the issues that been brought to our attention by developers and property owners around some of the non-residential charges are under the current 2021 Policy or previous policies. Development contributions are assessed at the time of the consent application and the relevant Development Contribution policy at the time is applied.



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

As mentioned in the option part of the report, if Council decides to amend its policy and not require Development Contributions for certain activities, this would ordinarily not apply retrospectively because section 198(2A) of the LGA02 makes it clear that the policy that must be applied by Council is the one that was in force at the time the application for consent that gives rise to the DC requirement was lodged. Hence, a review of the policy is not recommended as an option, but rather a review of the special assessment criteria, which is allowed for under the policy.

Staff have sought some advice on what options it has around reviewing previous Development Contributions under the same policy that would meet the amended special assessment criteria. The feedback has been that there are no direct directive to reimburse but that it needs to be fair and consistent otherwise Council opens itself up for legal challenge, a judicial review could be sought by applicants. Council must be consistent and if changes are proposed to the way it assesses non-residential or industrial Development Contributions, any developments already charged under the policy that would meet the same criteria would need to be reviewed.

The Policy also allows for an applicant who is required to make a development contribution to lodge an objection to the development contributions assessed to an Independent 21 Commissioner in accordance with sections 199A-D and schedule 13A of the Local Government Act 2002.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

The decision will be communicated to the developers that have requested council review their Development Contributions. Councils process going forward will also be amended and applications that meet the criteria for special assessment will be notified at the time of application processing that they may warrant a special assessment to be completed.

Ngā take ā-lhinga | Consent issues

There are no consent issues. Development Contributions are part of resource and land use consents, any changes to the special assessment criteria will be reflected in the process and application of the policy.

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

Theme: Connected Infrastructure, Economic Opportunities

Community Outcome: Quality infrastructure is provided to support community wellbeing, Infrastructure and services are fit for purpose and affordable, now and in the future. Our future planning enables sustainable growth in our district.

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

Since 2018 there have been approximately \$103,000 collected for non-residential building consents development contributions. The contributions issued through Resource Consents and building consent but not yet completed and contributions collected are much higher than that again. Noting that Development Contributions are required to be paid at the end of the process, prior to section 224c or Code of Compliance Certificates are issued.

Council needs to consider the financial implications if the funding methodology for the cost of the infrastructure improvements identified in the Policy are changed. If Development Contributions are reduced for non-residential or industrial builds, the costs may rise in the future for the other contributing components like the subdivisions. (Residential and non-residential subdivisions)



Ngā Tāpiritanga | Attachments
There are no attachments for this report.

Ngā waitohu	ı Signatories	
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	Asset Manager Strategy and Policy	
Approved by	Manaia Te Wiata	
	Group Manager Business Support	



7 Pūrongo me whakatau | Decision Reports

7.10 Water Connections to Rural-residential Subdivision at Everad Avenue

CM No.: 2708810

Rāpopotonga Matua | Executive Summary

Council has received a resource consent application to develop a 9 lot subdivision at 85 Everad Avenue. The developer is requesting to connect the new lots in the subdivision to Council's water system.

The subject property is situated in the rural residential zone of the District Plan. The current Council policy is to allow water or wastewater service connections to properties in the rural residential zones in the District Plan only in special circumstances.

At present, we are in the process of developing a water masterplan for Matamata taking into account future demand, level of service and resilience. The masterplan will also define a future water boundary within which Council can supply water to customers without restrictions. The development of the masterplan will be completed within the next 3 months.

When the water masterplan is developed, Council has the opportunity to review the current policy on supplying water to rural residential properties and make an informed decision on whether to provide water to rural residential properties situated within the water boundary area.

The staff recommendation is to defer the decision on providing water to the new subdivision at 85 Everad Avenue until water masterplan is developed in 3 months' time.

Tūtohunga | Recommendation

That:

- 1. Council receives the report,
- 2. Council defers the decision on providing Council's water to new subdivision at 85 Everad Avenue until the water masterplan is completed and Council reviewed the current policy of supplying water to rural residential properties within the water boundary of the masterplan.

Horopaki | Background

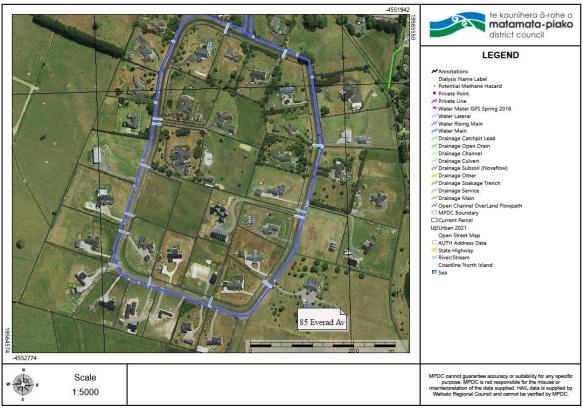
There is a proposal for a 10 lot subdivision at 85 Everad Avenue in Matamata. The subdivision is situated in the rural residential zone.

At present, there is a 100mm water pipe running along Everad Road and James Avenue supplying water to properties along these roads. There is one water connection given to the subject property at 85 Everad Road. During pre-application meetings and subsequent communications, the developer has made a request from Council to provide a connection from Council's supply to the subdivision. Council's current policy does not allow any new water or wastewater connections in rural or rural residential zones except for special circumstances.



Ngā Take/Korerorero | Issues/Discussion

All the properties at Everad Road have separate water connections and are paying water rates including the property at 85 Everad Road. The layout plan of the water pipe in the area is shown in the following map.



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Date: 05/04

The properties connected to the Council's water reticulation at Everad Avenue and James Avenue receive the same level of service as other properties in the urban zone in Matamata in terms of water flow and pressure. However, these properties do not receive the required fire flow in accordance with the standards for firefighting services. Existing properties along Everad Avenue have installed alternative arrangements for firefighting such as water tanks connected to roof water.

At present, an up-to-date and calibrated water hydraulic model is available for Matamata. This model has been used to assess the effects of providing an additional 9 connections to the proposed subdivision. The modelling results reveal that the new properties can be provided water without affecting other properties in the area. However, firefighting flow to the subdivision cannot be achieved all the time. Providing water to a new subdivision without firefighting capabilities could be a risk to the Council.

Council is currently developing a water masterplan for Matamata which will include a work programme to meet future demand, improve current level of service and the resilience of supply. The masterplan will provide information on current and future supply constrains and potential solutions to those.

Through the water masterplan process, we will also develop Council's future water boundary for Matamata. The future water boundary will be developed considering future



growth and level of service and may include some of the rural residential properties which can be serviced without affecting the urban customers.

The water masterplan is expected to be completed within next 3 months. When the water masterplan is completed, Council has the opportunity to review the current policy on servicing Council's water to rural residential properties in Matamata and consider whether it wishes to change its policy to enable supply of water to rural residential area within the water boundary.

The layout plan of the subdivision is given below.





Mōrearea | Risk

Council has a few options to consider. The advantages, disadvantages and risks of these options are provided in the options section below.

Ngā Whiringa | Options

Option1 – Decline the request for new water connections to any of the new lots in the subdivision. The existing connection to the existing dwelling will remain.

Option 2 – Council accepts the request for new connections to all lots in the subdivision and provide water only for domestic consumption. The purpose of this option is to minimise public health risk to the residents. With this option, Council will not guarantee firefighting capacity. The residents should have their own arrangement for firefighting.

Option 3 – Defer Council's decision on providing water to the new subdivision until the water masterplan is developed. The staff will make a recommendation to Council to adopt a water boundary for Matamata based on outcome of the masterplan i.e. changing the current policy to allow providing water to properties within the water boundary. If there is a change in policy and if the subject property is within the future water boundary, water to the proposed subdivision can be supplied form the Council's system.

These options have their own advantages and disadvantages/risks. These are summarised in the following table.

Option	Advantages	Disadvantages/risks
Option 1	Consistent with the existing policy	Potential health risk to the occupants of the new dwellings due to not properly managing their self-supply drinking water.
		There could be some unhappy residents in the new subdivision for not getting Council supplied water when all the other surrounding dwellings are supplied with Council's water for domestic consumption.
Option 2	Having safe drinking water which meets drinking water standards is a long term benefit for the residents in the subdivision. There are no adverse effects on	This does not comply with current Council policy and could be a precedence for other developers in the rural and rural residential zones to request for connections to Council's water supply.
	the current level of service provided to other customers in the area due to supply of water to new dwellings. There is no need to extend or upgrade the existing water infrastructure.	Since water is supplied to lifestyle blocks, the risk of water contamination will be high. Installing backflow preventers on connections at the property boundary will minimise this risk. The property owners have to install storage tanks for firefighting purposes. It is a high risk for Council to supply water to a new subdivision without firefighting capabilities.



Option 3	The decision on providing water to the new subdivision will be straightforward, if the Council decides to change the policy to provide water to properties within the water boundary developed through the master planning process. The decision will be based on sound analysis of present and future circumstances.	The developer at 85 Everad Avenue has to wait another approximately 3 months to know whether their subdivision will get Council water.
	sound analysis of present and	

After considering the advantages, disadvantages and risks of both options, the preferred option is, option 3. This option will provide a basis for an informed decision and can be easily defended if challenged.

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

If we supply water to the proposed subdivision, it would also set a precedent and Council should consider changing its policy to be consistent with its decision.

When the water masterplan is developed and water boundary is defined, Council has the opportunity to make a decision to change the current policy and allow properties within the water boundary to be connected if the property owners wish so.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes Not applicable.

Ngā take ā-lhinga | Consent issues

If Council approves option 3, there will not be any consent issues.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision Community Outcome: The decision to provide/not provide Council's water to the subdivision is relevant with Community Outcome of "Our community is safe, healthy and connected".

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source Not applicable.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

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Ngā waitohu	ı Signatories	
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Approved by	Susanne Kampshof	
	Asset Manager Strategy and Policy	
	Manaia Te Wiata	
	Group Manager Business Support	



7 Pūrongo me whakatau | Decision Reports

7.11 Future Proof Public Transport Subcommittee

CM No.: 2707020

Rāpopotonga Matua | Executive Summary

Future proof, at its meeting held on 9 March 2023 resolved (FP23/10) to establish a subcommittee to achieve collaborative alignment in the governance of public transport and infrastructure in the Future proof Sub-Region.

The original Future Proof Implementation Committee Agreement has also been amended by moving the membership and quorum details to the updated Terms of Reference so that any future changes can be managed without having to have the agreement resigned by all parties.

Council is now required to execute the updated Future Proof agreement "Future Proof Agreement 2023' and to appoint a member and alternate to the Public Transport subcommittee.

Tūtohunga | Recommendation

That:

- 1. The report 'Future Proof Public Transport Sub Committee' be received.
- 2. Matamata-Piako District Council approves the amended Future Proof Implementation Committee Agreement and agrees to execute the updated Agreement which will give effect to the updated Terms of Reference.
- 3. Matamata-Piako District Council appoint (*Member*) to be the Council's representative on the Future Proof Public Transport Subcommittee.
- 4. Matamata-Piako District Council appoint (*Member*) to be an alternate for that subcommittee.

Horopaki | Background

Future Proof, at its meeting held on 9 March 2023, resolved (FP23/10) to establish a Future Proof Public Transport Subcommittee for the purposes of providing an effective vehicle to achieve collaborative alignment in the governance of public transport services and infrastructure in the Future Proof Sub-Region. This would achieve more than would otherwise be possible where responsibilities for providing services, infrastructure and funding are separately legislated.

The creation of the subcommittee reflects the trust and confidence in Future Proof as an appropriate entity for joint governance of an operational programme – in this case relevant aspects of public transport services and the next steps in Metropolitan Transport Programme Business Case.

The terms of Reference for the subcommittee (attached) provides the following in the Future Proof Sub-Region:

- a) Oversight of public transport performance
- b) Oversight of the implementation of the Regional Public Transport Plan

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- Oversight of the implementation of the Metro Spatial Plan Transport Programme Business Case
- d) Power to approve adjustments to public transport services that are not significant
- e) Power to recommend policy, programmes, and investment requirements to relevant authorities, including to the Regional Transport Committee.

Membership of the subcommittee has been set as:

- a) An independent Chair.
- b) Two voting members appointed by Waikato Regional Council, one of whom will be the deputy Chair reflecting Waikato Regional Council's role as the public transport authority.
- c) Two voting members appointed by Hamilton City Council reflecting the significant proportion of total public transport services and high degree of inter-dependence between services and infrastructure in the Hamilton City area.
- d) One voting member from each other of Future Proof's local government partners who fund public transport service and infrastructure,
- e) One member from Ngā Karu Atua o te Waka.
- f) Non-voting membership of:
 - I. Waka Kotahi NZ Transport Agency while a funding partner they would also receive funding applications recommended or endorsed by the subcommittee.
 - II. KiwiRail as the delivery partner for the Te Huia passenger rail service
 - III. Disability Sector recognising the importance of a disability voice in the planning and delivery of public transport services and infrastructure.

The subcommittee is scheduled to meet quarterly.

While the *Future Proof Public Transport Sub Committee* undertakes transportation oversight within the Future Proof Sub-Region (Hamilton City, Waikato, Waipā and Matamata-Piako District), the Regional Transport Committee oversees the remainder. A close working relationship and knowledge between the two committees is essential.

The member(s) appointed to this subcommittee should present the following attributes:

- a) Have a strong interest in the subcommittee's work, particularly the achievement of the transport goals as set out in the subcommittee's terms of reference (Appendix One).
- b) Be a member of the Future Proof Implementation Committee, noting that the other member is already a member of the Regional Transport Committee.
- c) Be a constituency councillor from within the Future Proof Sub-Region.

The Future Proof Implementation Committee at its meeting on 9 March also agreed to amend the original Future Proof Agreement by moving the membership and quorum details to the updated Terms of Reference so that any future changes can be managed without having to have the agreement resigned by all parties. This will require Council to accept and execute the new Future Proof Implementation Committee Agreement.

Ngā Take/Kōrerorero | Issues/Discussion

The establishment of a subcommittee focused on public transport for the sub region and oversight of delivery of related business cases and strategies is a major step forward in strengthening collaboration and governance oversight of Future Proof implementation and providing confidence to partners that the outcomes sought by Future Proof are being achieved. Future Proof has endorsed the establishment of this subcommittee and commends it to the Council partners for adoption and appointment of members.



Mōrearea | Risk

There is low risk to Council in executing the new Future Proof Implementation Committee Agreement and in appointing members to the Future Proof Public Transport Subcommittee.

Ngā Whiringa | Options

Council's options are to:

- Execute the new Future Proof Implementation Committee Agreement and appoint a 1. member and alternate to the Future Proof Public Transport Subcommittee.
- Not agree to execute the new Future Proof Implementation Committee Agreement 2. or appoint members to the Future Proof Public Transport Subcommittee and request that Council's Future Proof member raise the issues of concern at the next Future Proof Implementation Committee.

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

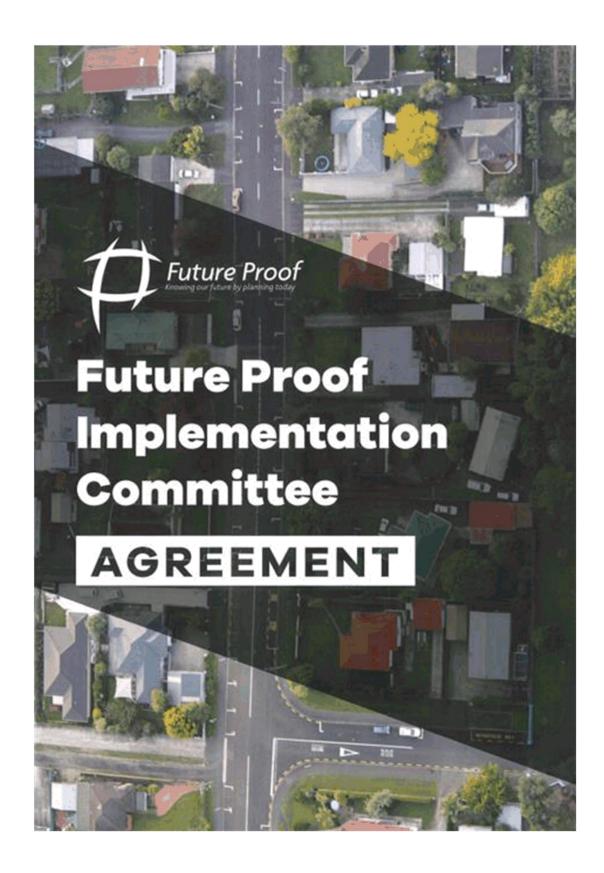
There are no financial implications with executing the new agreement and appointing members.

Ngā Tāpiritanga Attachments		
A <u>↓</u> .	Future Proof Agreement 2023	
Adebe		
B <u>↓</u> .	Future Proof Implementation Committee TOR	
POF	•	

CŢ. Future Proof Transport Subcommittee TOR

Ngā waitohu Signatories		
Author(s)	Dennis Bellamy	
	Group Manager Community Development	
Approved by	Dennis Bellamy	
	Group Manager Community Development	





Doc # 25707716



Future Proof Implementation Committee - Agreement

Background

On 15 August 2019, an agreement (Original Agreement) was entered into pursuant to clause 30(A) of Schedule 7 of the Local Government Act 2002 to enable the appointment of the Future Proof Implementation Committee (Committee) as a joint committee of the member entities. Changes are required to the Original Agreement to reflect changes to the Committee. These changes are reflected in this agreement (Agreement) which replaces the Original Agreement.

Parties

- Hamilton City Council, Waikato District Council, Waipā District Council, Waikato Regional Council, Matamata-Piako District Council (together referred to as the Waikato local authorities)
- 2. His Majesty the King acting by and through his Ministers appointed from time to time to the Committee (the Crown)
- 3. Tainui Waka Alliance
- 4. Waikato-Tainui
- 5. Ngā Karu Atua o te Waka
- 6. Auckland Council
- 7. Auckland Mana Whenua Kaitiaki Forum

Operative part

- 1. The parties agree that this Agreement replaces the Original Agreement from the date it is singed by all parties.
- The parties agree that the Future Proof Implementation Committee was appointed, and continues to be appointed, pursuant to clause 30A, Schedule 7 of the Local Government Act 2002 (LGA).
- 3. That the objectives, responsibilities, powers, and membership of the Committee are included in the *Term of Reference* attached to this Agreement. The *Terms of Reference* also sets out quorum and voting requirements, amongst other things.
- 4. As a matter of convenience, the Future Proof Implementation Committee will operate in accordance Waikato Regional Council's *Standing Orders* as current from time to time.
- 5. The Crown and Auckland Council's participation in the Committee does not constitute endorsement its initiatives. All financial, policy and other decisions require approval by the Crown, Auckland Council or any Auckland Council-controlled organisation boards.



Signed by the parties by their representative

Hamilton City Council		
	Signature	
	Printed name and position	
	Date	
Matamata Piako District Council		
	Signature	•
	Printed name and position	
Waikato District Council		
	Signature	•
	Printed name and position	
	Date	•
Waipā District Council		
	Signature	•
	Printed name and position	
	Date	•
Waikato Regional Council		
	Signature	
	Printed name and position	•
	Date	•



The Crown		
	Signature	-
	Printed name and position	•
	Date	
Tainui Waka Alliance		
	Signature	•
	Printed name and position	
	Date	
Waikato-Tainui		
	Signature	
	Printed name and position	
Ngā Karu Atua o te Waka		
	Signature	
	Printed name and position	-
Auckland Council		
	Signature	•
	Drinted name and position	
	Printed name and position	
	 Date	•



Auckland Mana Whenua	
Kaitiaki Forum	
	Signature
	Printed name and position
	Date



Future Proof Implementation Committee, Draft Terms of Reference

Future Proof Implementation Committee

Terms of Reference / Ngā Tikanga Whakahaere

1. Mana ā-Ture / Status

This Committee was created by Hamilton City Council, Matamata-Piako District Council, Waikato District Council, Waikato Regional Council and Waipā District Council (Waikato local authorities); pursuant to clause 30A of Schedule 7 of the Local Government Act 2002. It was established by way of agreement between the participants and is a joint committee. The Committee is not discharged at the end of the triennial period pursuant to clause 30(7) of Schedule 7 of the Local Government Act 2002. The Waikato Regional Council *Standing Orders*, current from time to time, apply to the Committee subject to any amendments necessary to accommodate the joint nature of the Committee.

2. Ngā Kawenga / Responsibilities

This Committee is responsible for implementing the Future Proof Strategy and executing the implementation plan (refer Knowing our future by planning today – Future Proof) including:

- 2.1 Providing leadership on growth management and spatial planning in the territorial areas of the Hamilton City Council, Matamata-Piako, Waikato and Waipā District Councils (Future Proof Sub-region).
- 2.2 Overseeing the implementation of the *Future Proof Strategy* and undertaking reviews and updates, including adopting any draft strategies for public consultation.
- 2.3 Monitoring the Future Proof Strategy and ensuring a joined-up approach to implementation, this includes monitoring and reporting progress against milestones.
- 2.5 Reviewing and recommending adjustments to the Strategy if circumstances change.
- 2.6 Addressing cross-boundary matters within the Future Proof Sub-region, as well as with other neighbouring areas and regions that are consistent with the agreed settlement patterns, while working with other growth management/spatial planning partnerships as appropriate
- 2.7 Approving submissions to local authorities, central Government and other agencies on Future Proof related matters.
- 2.8 Identifying and resolving any consultation inconsistencies between the Future Proof Strategy and subsequent public consultation processes of Hamilton City Council, Matamata-Piako, Waikato and Waipā District Councils (Partner Councils).
- 2.9 Facilitating consultation with the community.
- 2.10 Implementing any memorandum of understanding or similar documents to provide and maintain relationships between the Partner Councils.
- 2.11 Championing integration and implementation through Partner Council strategies, programmes, plans and policy instruments and through partnerships with other sectors such as health, education and business.
- 2.12 Advocating relevant Future Proof growth management matters to central Government and other organisations.
- 2.13 Addressing cross-boundary matters between Auckland and the Waikato, and within the Future Proof Sub-region, as well as with other neighbouring regions.
- 2.14 Ensuring alignment with existing council plans, strategies and policies, and with existing evidence.
- 2.15 Ensuring alignment with initiatives already underway.
- 2.16 Facilitating consultation with the Partner Councils and the wider community where relevant.

Doc # 25693295



Future Proof Implementation Committee, Draft Terms of Reference

- 2.17 Adopting non-significant variations to the Regional Public Transport Plan that only affect the Future Proof Sub-region in line with the significance policy in that Plan. This delegation is provided to the Committee only for the purpose of sub-delegation to the Metro Public Transport Subcommittee to be appointed by the Committee, the delegation being ineffective in the hands of the Committee except to that extent.
- 2.18 Appoint subcommittees with relevant delegations in accordance with clause 30 of the Local Government Act 2002.

3. Ngā Apatono / Powers

All powers necessary to perform its responsibilities.

4. Tokamatua / Quorum

Six voting members pursuant to clause 30A(6)(b) and clause 30A (6)(c)(iii) of Schedule 7 of the Local Government Act 2002. The quorum has been set recognising that final decisions on substantive matters are referred back to member organisations rather than being made by the Committee.

5. Ngā Tikanga Pōti / Voting

Decisions of the Committee are made by majority vote of members present and voting. In the case of equality of votes, the Chair or any other person presiding at the meeting does have a casting vote. Refer to clause 24 of Schedule 7 of the Local Government Act and *Standing Orders*.

6. Ngā Tūranga/ Membership

6.1 Ngā Mema / Members

The committee has 22 voting members, and three non-voting members as follows:

- a. Two elected member representatives appointed by each of the contributing authorities (Hamilton City Council, Matamata-Piako District Council, Waikato District Council, Waikato Regional Council and Waipā District Council), including the Mayors and Regional Council Chair.
- b. Three Ministers of the Crown, appointed by the Crown.
- c. One representative appointed by the Auckland Council Governing Body.
- d. One representative appointed by the Franklin Local Board.
- e. Three representatives appointed by Waikato tāngata whenua one from the Tainui Waka Alliance, one from Waikato Tainui and one from Ngā Karu Atua o te Waka.
- Three representatives appointed by and from the Auckland Mana Whenua Kaitiaki Forum.
- g. One independent Chair appointed by the Committee.
- One non-voting member appointed by Waka Kotahi New Zealand Transport Agency being its Director of Regional Relationships or equivalent.
- i. One non-voting member appointed by Te Whatu Ora.
- j. One non-voting member appointed by Entity-B (the regional organisation responsible for the delivery of three waters services).
- k. The Committee may invite a maximum of four additional non-voting experts to assist the Committee in its development and implementation of the *Future Proof Strategy*.

6.2 Ūpoko me te Ūpoko Tuarua / Chair and Deputy Chair

The Chair is independent and appointed by the Committee. The Deputy Chair of the Committee is appointed by the Committee from the existing voting membership, by way of election pursuant to clause 25 of Schedule 7 of the Local Government Act 2002.

6.3 Ngā Kairīwhi / Alternates

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Future Proof Implementation Committee, Draft Terms of Reference

Any appointing agency or organisation may appoint one alternate member. Where the member appointed by the agency or organisation concerned is absent, the alternate will have full voting rights in the place of the absent member (where that member had those same rights).

7. Ngā Hui i te Tau / Frequency of meetings Bi-monthly or as required.



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Terms of Reference, Waikato Regional Council, 2022-2025 triennium

Future Proof Public Transport Subcommittee

Terms of Reference / Ngā ture tohutoro

1. Mana ā Ture / Status

This is a subcommittee of the Future Proof Implementation Committee and was created by, and at the discretion of that Committee pursuant to clause 30(1)(a) of Schedule 7 of the Local Government Act 2002. It may be discharged or reconstituted by resolution of the Future Proof Implementation Committee pursuant to clause 30(5)(a) and (b) of Schedule 7 of the Local Government Act 2002.

Whāinga / Objective

The objective of the subcommittee is to enhance the wellbeing of communities in Hamilton City, Matamata-Piako, Waikato and Waipā Districts (Future Proof Sub-region) through the achievement of the transport goals set out in the Future Proof Strategy; the Hamilton to Auckland Corridor Study; the Hamilton - Metro Spatial Plan, the Hamilton - Waikato Metro Spatial Plan Transport Programme Business Case (MSPTPBC), the Regional Land Transport Plan; the Access Hamilton Transport Strategy and the transport strategies of the subcommittee member organisations.

3. Ngā Kawenga / Responsibilities

The subcommittee is responsible for considering and making recommendations on:

- 3.1 Matters relevant to the implementation and monitoring of the MSPTPBC and *Regional Public Transport Plan* including the Te Huia passenger rail service.
- 3.2 Transport policy and investment in the Future Proof Sub-region, including the *Regional Land Transport Plan*, the *Regional Public Transport Plan* and *Long Term Plans* of the relevant authorities.

Ngā Apatono / Powers

The subcommittee has all powers necessary to perform its responsibilities including:

- 4.1 Receiving regular monitoring reports and presentations on relevant matters.
- 4.2 Preparing recommendations on transport policy, programmes and investment requirements to the relevant authorities including for the Regional Transport Committee on the Regional Land Transport Plan and Regional Public Transport Plan.
- 4.3 Adopting non-significant variations to the *Regional Public Transport Plan* that only affect the Future Proof Sub-region in accordance with, and as defined, in the significance policy as set out in that Plan
- 4.4 Preparing recommendations on the implementation and monitoring of the *Regional Public Transport Plan, MSPTPBC* and *Regional Land Transport Plan* for the Future Proof Implementation Committee, Regional Transport Committee and Hamilton City, Matamata-Piako, Waikato and Waipā Districts for decision-making.

5. Tokamatua / Quorum

Four voting members, pursuant to clause 23(3)(b) of Schedule 7 of the Local Government Act 2002.

6. Ngā Tikanga Pōti / Voting

Decisions of the subcommittee are made by majority vote of members present and voting. In the case of equality of votes, the Chair or any person presiding at the meeting has a casting vote. Refer to clause 24 of Schedule 7 of the Local Government Act and *Standing Orders*.

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Terms of Reference, Waikato Regional Council, 2022-2025 triennium

7. Ngā Tūranga / Membership

7.1 Ngā Mema / Members

The subcommittee has nine voting members, and four non-voting members as follows:

- The independent Chair of the Future Proof Implementation committee who is the Chair of the subcommittee.
- b. Two member[/s] appointed by Hamilton City Council.
- c. One member[/s] appointed by Matamata-Piako District Council.
- d. One member[/s] appointed by Waikato District Council.
- Two member[/s] appointed by Waikato Regional Council, one of which shall be the Deputy Chair of the subcommittee.
- f. One member[/s] appointed by Waipā District Council.
- g. One member[/s] appointed by Ngā Karu Atua o te Waka.
- h. One non-voting member appointed by the Auckland Council Governing Body.
- i. One non-voting member appointed by Waka Kotahi NZ Transport Agency.
- j. One non-voting member appointed by KiwiRail.
- One non-voting member appointed by CCS Disability Action Waikato (to represent the access and mobility sector).

7.2 Ūpoko me te Ūpoko Tuarua / Chair and Deputy Chair

- The Chair of the subcommittee is the independent Chair of the Future Proof Implementation Committee.
- b. The Deputy Chair is appointed by the Waikato Regional Council from one of their appointed subcommittee voting members. This appointment is made recognising that Waikato Regional Council is the delegating public transport authority.

7.3 Ngā Kairīwhi / Alternates

Any appointing agency or organisation may appoint one alternate member. Where the member appointed by the agency or organisation concerned is absent, the alternate will have full voting rights in the place of the absent member (where that member had those same rights).

8. Ngā Hui i te Tau / Frequency of meetings

Every second month or as required.



7 Pūrongo me whakatau | Decision Reports

7.12 District Licensing Committee

CM No.: 2709161

Rāpopotonga Matua | Executive Summary

The Sale and Supply of Alcohol Act 2012 (Act) requires Council to have a District Licensing Committee to consider and determine new and renewals of licences and managers certificates, temporary authorities, special licences and various other matters under the Act.

This report seeks the inclusion of Mr Alan Sciascia as an additional list member on our District Licensing Committee in accordance with Section 192 of the Act.

Tūtohunga | Recommendation

That:

1. That in accordance with section 192 of the Sale and Supply of Alcohol Act 2012 Council approves Alan Sciascia to be a list member of the Matamata-Piako District Licensing Committee.

Horopaki | Background

The Sale and Supply of Alcohol Act 2012 requires each council to establish a District Licensing Committee and to appoint a member of that territorial authority as the Chairperson. Council appointed Councillor Sue Whiting as Chair of the Licensing Committee and Councillor Russell Smith as her Deputy should she be unavailable.

When the licensing committee is required, the committee must consist of three members and the territorial authority must maintain an approved list of people that can be appointed to act as the other two members of the committee. People approved to be included on the list must have experience relevant to alcohol licensing matters.

Council has previously approved the following people to be list members of the Matamata-Piako District Licensing Committee:

Ross Murphy

Dennis Taylor

Neil Goodger

Mr Neil Goodger agreed to remain a list member following stepping down as a Councillor until additional members could be sought.

Ngā Take/Korerorero | Issues/Discussion

Council has recently advertised inviting expressions of interest to be a list member on our District Licensing Committee and did not receive any applications. However, following our advert we received Alan Sciascia's expression of interest and CV (attached).

On the 13 April, Councillor Sue Whiting alongside alcohol staff met with Mr Sciascia to gauge his relevant experience in alcohol matters. Following this interview, it was unanimously decided to recommend him as a list member for our District Licensing Committee.



Mōrearea | Risk

There are two key risks associated with this activity. The first being that we do not have enough list members on our District Licensing Committee to successfully have a panel of three members. This can be resolved with the inclusion of Mr Alan Sciascia as recommended. The second risk is whether Mr Alan Sciascia has enough experience to meet the legislative requirements. Through the interview and as outlined in his CV, Alan Sciascia has had an extensive alcohol related career and already sits on Whakatane District Council's DLC, therefore mitigating this risk.

Ngā Whiringa | Options

- 1. Approve Alan Sciascia as a list member of the Matamata-Piako District Licensing Committee.
- 2. Seek and approve other persons to be list members of the Matamata-Piako District Licensing Committee.

Analysis of preferred option

Option 1 – Mr Alan Sciascia has experience in alcohol licensing matters and has acted as a member on other Council's District Licensing Committee. If he is not approved as a list member then additional people will need to be sourced as soon as possible to ensure that we have a sufficient List Members to form a Committee.

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

The following is the relevant sections of the Sale and Supply of Alcohol Act which is relevant to District Licensing Committees and appointing list members:

Section 189 states:

- (1) Each licensing committee consists of 3 members appointed by the territorial authority for that territorial authority's district.
- (2) A territorial authority must appoint 1 member as the chairperson and that person must be a member of that territorial authority or a commissioner appointed to the licensing committee.
- (3) A territorial authority may appoint a member of that territorial authority to be deputy chairperson, and act in place of the chairperson if the chairperson is unable to act because of illness or absence from New Zealand, or for other sufficient reason.
- (4) While acting in place of the chairperson, the deputy chairperson is a member of the committee and has all the powers and duties of the chairperson.
- (5) No act done by the deputy chairperson serving as acting chairperson in the chairperson's absence, and no acts done by the committee while the deputy chairperson is so serving, can in any proceedings be questioned on the ground that the occasion for his or her so serving had not arisen or had ceased.
- (6) The other 2 members of each licensing committee must be appointed from the territorial authority's list maintained under section 192.
- (7) For the purposes of subsection (2), a member of a territorial authority means an elected member of a territorial authority and, in relation to the Auckland Council, includes a member of the governing body (as defined in section 4 of the Local Government (Auckland Council) Act 2009) or a member of a local board established under section 10 of that Act.

Section 192 states:

(1) A territorial authority must either—



- (a) establish, maintain, and publish its own list of persons approved to be members of the territorial authority's licensing committee or committees; or
- (b) together with 1 or more other territorial authorities, establish, maintain, and publish a combined list of persons jointly approved by those authorities to be members of the territorial authorities' licensing committees.
- (2) A territorial authority must not approve a person to be included on the list unless that person has experience relevant to alcohol licensing matters.
- A person may be approved for inclusion on the list for a period of up to 5 years and may be approved for any 1 or more further periods of up to 5 years.
- The name of a person must be removed from the list— (4)
 - (a) when 5 years have elapsed since the territorial authority approved the person's name on the list unless the approval is renewed under subsection (3); or
 - (b) if the person resigns or is removed under section 194.
- (5)

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

No additional funding source is required.

Ngā Tāpiritanga | Attachments

A.Ū.

A.Sciascia CV



Naž waitobu I Signatorios

nga waitonu Signatories		
Author(s)	Ally van Kuijk	
	District Planner	
Approved by	Dennis Bellamy	
	Group Manager Community Development	



Alan Sciascia Curriculum Vitae

Contact Details Alan Sciascia

Tauranga
Bay of Plenty

Cell

Personal Profile

I am a New Zealander born in 1954, happily married, proud parent of three and also grandparent of five. I have a strong family focus and take pride in the achievements of my children who are now independent and with families of their own.

Ambitions

I am available to participate on a District Licensing Committee. Since July 2021 I am no longer actively involved in the hospitality industry. However I believe my long experience in the industry and my knowledge of legislation and regulations will be of advantage to any DLC.

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Career	High	liahts

ourcer ingringrits		
1974-1979	Lion Nathan	Management Trainee
1979-1980	Lion Nathan	Manager of Bellevue Gardens Hotel
1980-1985	Lion Nathan	Internal Auditor
1986-1987	Lion Nathan	Internal Audit Manager (Southern NZ)
1988-1995	Lion Nathan	Management Accountant
1996-2007	HASL	Director of private company
2007-2008	First National	Financial Controller
2008-2021	Hospitality NZ	Regional Manager
2022-Current	Whakatane District	DLC Commissioner and Member
2022-Current	DLC Advisory Group	Member of ten-person panel

Work Experience

My time with Lion Nathan as a Hotel Manager and later as Internal Auditor taught me valuable skills in human relationships, efficient time management along with proper and effective control procedures for stock and cash. When my role grew to Internal Audit Manager and later as Management Accountant I acquired further skills in people management, setting of budgets, monitoring achievements and the importance of regular and reliable financial reporting. The role of Management Accountant included my being responsible for the regular monthly financial reporting of fifty managed hotels and taverns (individually and in consolidated format).

As Managing Director of my own company Hospitality Accounting Systems Limited (HASL) I coordinated the provision of an accounting service (pre-taxation) to businesses operating in the hospitality sector (hotels, bars and restaurants). Latterly HASL contracted to the Lion Foundation, one of New Zealand's largest charitable organisations operating gaming machines.

In 2007 I accepted the role of Financial Controller of First National Real Estate responsible for monitoring and reporting the financial performance of the master franchise based in Tauranga.

In 2008 I accepted the role of Regional Manager for Hospitality NZ, a national support organisation providing business support for hospitality businesses. As Regional Manager for Waikato and Bay of Plenty I supported 400+ businesses in a consultancy role with a strong focus on alcohol licensing, compliance, employment matters, health and safety plus general operational support. The role also involved advocacy and PR including regular contact with city and district council officials, other regulatory authorities as well as fielding regular calls from media (local and national).

In 2020 my advisory role extended to providing telephone support to hospitality businesses throughout New Zealand as National Member Advisor for Hospitality NZ.

My long involvement in hospitality and in particular as Regional Manager for Hospitality NZ means I am very familiar with legislation and regulations with which licensees must comply.

Page 1 of 3



In 2022 I was appointed to the Whakatane District Council DLC as a list member. Later that year I was appointed as a Commissioner on that committee although to date I have not yet acted as commissioner.

Late 2022 I was appointed to the DLC Advisory Group which is made up of ten DLC members from around New Zealand. This group is chaired by Karen Hunt of Rotorua and meets virtually to discuss legislative matters and also make recommendations to the Ministry of Justice. In February 2023 the group convened, discussed and compiled a submission to MOJ on the bill currently before parliament.

Skills

Legislation: I have an in-depth knowledge of alcohol licensing legislation and employment law. My role with Hospitality NZ had a very strong focus on licensee responsibilities which meant that many of the businesses I supported would contact me for appropriate legal advice (most business lawyers have a scant knowledge of the laws surrounding alcohol). I would therefore advise and direct the business owners on their legal obligations.

In regard to alcohol licensing, as well as advising licensees I have attended many hearings held to consider licence applications and objections. I have personally attended hearings chaired by Judges Unwin, Hole, Weir and Kelly plus numerous DLC hearings chaired by various commissioners. I am therefore aware of the processes followed in such hearings and the considerations made by the applicable authorities

Employment: My role with Hospitality NZ required me to be very familiar with employment legislation. I would regularly advise and direct the business owners in proper HR process in order to minimise the risk of personal grievance. Part of that role included mediating and resolving employment disputes as they arose.

Business KPIs: I am very familiar with accrual accounting, gross margins and the absolute necessity to adequately and accurately monitor key performance indicators such as income, trading stock, margin and labour cost (the key variables of most businesses). I am very conversant in gaming machine matters having previously specialised in that field.

Computers: I am very proficient with Microsoft Office and have used spreadsheets since the mid 1980s. I am also very familiar with computers in general particularly the Microsoft Windows environment and have been a user of email since the mid 1990s.

Communication: I am an effective communicator both verbal and written and have experience in preparing and presenting formal financial reports at commercial board level and presenting submissions to local government. I am very comfortable dealing with business owners, middle management and floor staff and equally comfortable speaking with media representatives plus regulatory authorities and elected representatives (central and local government).

Analysis: My analytical skills are also very strong as is evidenced by my long term involvement in the audit field where it was necessary to analyse reported results, compare them to expected results and make an informed and accurate response.

Teamwork: My time with Lion Nathan, as Director of HASL and more recently with Hospitality NZ has exposed me to the importance of effective teamwork. I am very aware of the need for all parties to pull in the same direction and I believe that good leadership will see a strong unified response. This teamwork ethic is just as important within a working group as it is within the wider business entity and also the industry at large.

Qualifications

Accounting: Although I am not CA qualified I do have very good pass marks on eight accounting papers taken at Manukau Tech in the early 1990s. I also have a very good background in accounting procedures and reporting of results.

Page 2 of 3



Personal Interests

Like many New Zealanders, I have a mixed cultural heritage and am very proud of my forebears who helped to develop New Zealand. My whakapapa links me to Ngati Raukawa ki te Tonga (Horowhenua) and my Iwi is Ngati Takihiku. I was until recently an elected Trustee of Koputaroa Marae, a position I proudly held from 2015 until 2022 and follows a long tradition of trustee positions held by my late Uncle and also late Grandfather. On my father's side I have heritage back to NZ Maori, Italy, England and Scotland and on my mother's side I have heritage back to England, Czechoslovakia and Denmark.

Since my recent retirement I have had more time to dedicate to woodworking, something I have dabbled in for a number of years. I recently held the position of Secretary of the Tauranga Woodcrafters Guild.

With a long interest in motorcycling, I served one term as National Vice President of Ulysses NZ, two terms as National Committee member and one term as Magazine Editor. I also have an active interest in photography and music and maintaining a strong relationship with my immediate and extended family.

Referees

I am very happy to provide references on request.

Page 3 of 3



7 Pūrongo me whakatau | Decision Reports

7.13 Submission on the Resource Management Reform

CM No.: 2709152

Rāpopotonga Matua | Executive Summary

The purpose of this report is to seek Council retrospective approval of the submissions on the Resource Management Reform (Natural and Built Environment Bill and the Spatial Planning Bill) which were required to be lodged no later than 4 February 2023.

Tūtohunga | Recommendation

That:

1. That the submissions on the Resource Management Reform (Natural and Built Environment Bill and the Spatial Planning Bill) attached are retrospectively endorsed.

Horopaki | Background

How did the review come about?

Our current legislation, the RMA was introduced in 1991 and now thirty years later there is widespread agreement that it is not achieving what it set out to do. Issues with the current system include:

- (a) The environment is not receiving adequate protection. Ecosystems are degraded, our waterways are in major decline and biodiversity is diminishing.
- (b) At the same time, urban development hasn't kept up with population growth.
- (c) The lack of deliberate, strategic, and considered approach to resource allocation has led to inefficient and inequitable allocation of resources such as water
- (d) The cumulative environmental effects of multiple consents aren't addressed
- (e) The interests of hapu, iwi and Māori are not adequately recognised
- (f) The resource management system needs to be better aligned with work to adapt to the impacts of climate change and reduce greenhouse gas emissions.

Expert Review

In 2019, the Government appointed an expert panel led by Hon. Tony Randerson KC to review the RMA and the reforms are based on the review's recommendations. These included the following key findings:

- (a) Our natural environment is under pressure
- (b) Urban areas are struggling to keep pace with population growth
- (c) There is an urgent need to reduce carbon emissions and adapt to climate change
- (d) Maori must play an effective role in the system consistent with Te Tiriti principles

The panel made 140 recommendations and recommended that the RMA be repealed, and new legislation enacted, and that any future system should:

- (a) shift its focus from minimising the negative effects of resource use and development to achieving positive outcomes for the natural and built environments
- (b) make greater use of more consistent national direction by central government
- (c) have a more streamlined process for council plan-making and a more efficient resource consent process
- (d) give effect to the principles of Te Tiriti and provide a stronger role for mana whenua in decision making.



Based on these recommendations, the Government announced in February 2021 that it would repeal the RMA and enact new legislation.

The Governments Resource Management Reform Objectives

The Government's reform of the RM system is guided by five key objectives.

- (a) Protect and where necessary restore the natural environment, including its capacity to provide for the wellbeing of present and future generations.
- (b) Better enable development within environmental biophysical limits including a significant improvement in housing supply, affordability and choice, and timely provision of appropriate infrastructure, including social infrastructure.
- (c) Give effect to the principles of Te Tiriti o Waitangi to provide greater recognition of te ao Māori, including mātauranga Māori.
- (d) Better prepare for adapting to climate change and risks from natural hazards as well as mitigating the emissions that contribute to climate change.
- (e) Improve system efficiency and effectiveness, and reduce complexity, while retaining appropriate local democratic input.

Exposure Draft

In June 2021, an Exposure Draft for the Natural and Built Environments Act (NBE) being the primary replacement for the RMA was released to provide the public the opportunity to make submissions on the exposure draft. This provided for an early say in the Bill, however it did not cover the whole Bill. It provided an early look at key aspects of this legislation including:

- (a) The purpose of the NBE (including Te Tiriti o Waitangi clause) and related provisions
- (b) The National Planning Framework
- (c) The Natural and Built Environments Plans

In February 2022 Council made a submission on the above in relation to the following topics:

- (a) National Planning Framework and the need to prioritise eg urban development verses high quality soils or biodiversity verses development
- (b) Regional Spatial Strategies –Implementation agreements to commit partners to deliver and incorporation of local issues
- (c) Natural and Built Environments Act opportunity to include local plan making
- (d) RSS and NBE Joint Committees ability to set up sub-regional committees
- (e) Consenting difficulty in understanding if the system will be more certain and efficient
- (f) Compliance, Monitoring and Enforcement supportive
- (g) Roles and Responsibilities supported Council retain core land use and subdivision
- (h) Role of Hapu/lwi/Māori supports continued use of lwi Management Plans and more resources for involvement
- (i) Role of Central Government supports funding across taxpayers, ratepayers and individuals and supports the principal of public verses private good
- (j) Local Government Feedback supported
 - Provide an update for Māori, local government and sector stakeholders on where the
 - Government is up to in the reform of the resource management system and on next steps in the reform.
 - Present a fuller view of the main components of the system designed to date, including the role of Māori and local government within the future resource management system, from the national to the local level.
 - Respond to and build on feedback received to date.
 - Provide a general overview of RM reform to audiences who have a limited understanding or limited engagement to date, and support preparation for submissions on the full Bill to a select committee in 2022.



Ngā Take/Kōrerorero | Issues/Discussion

The RMA is to be replaced by three separate pieces of legislation. The NBE Act, the SP Act, and the Climate Adaption Act (CAA). The NBE and SP Bills have been released and submissions were invited, whilst the CAA is anticipated to be released mid 2023. A workshop was held with Councillors on the 1 February 2023 to explore and seek feedback on what was proposed in the two Bills. Confirmation was received from Council to draft a submission and be part of this substantial change.

The attached submission "Submission on the Natural and Built Environments Bill" covers the following topics:

- 1. General
- 2. Timing
- 3. Local Voice
- 4. National Planning Framework
- 5. Regional Planning Committee
- 6. Increased monitoring, reporting and enforcement
- 7. Funding

The attached submission "Submission on the Spatial Planning Bill" covers the following topics:

- 1. General
- Timing
- 3. Local Voice
- 4. Regional Planning Committee
- 5. Funding

Mōrearea | Risk

The Resource Management Reform will change the function and responsibilities of Council in relation to resource management. The legislation is such a high level document and while the proposed framework is clear, the detail at this stage is not. This uncertainty creates risk and makes it hard to forward plan and budget.

Ngā Whiringa | Options

Option 1. Retrospectively endorse one or both of the submissions.

Option 2. Do not endorse one or both of the submissions and direct Council to withdraw the submission/s.

Recommendation: Option 1. The Resource Management Reform will have a massive impact on Council's function and responsibilities in the resource management space and as a result we have a duty to our community to be part of the process and influence where we can.

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

• The Natural and Built Environments Bill and the Spatial Planning Bill will change Council's function and responsibility in the resource management sphere as it will introduce new legislation. This will have a flow on effects and require changes to policies and plans.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Submissions on the draft bills closed on the 4 February 2023. Submissions are being considered and heard through April / May with a final report from the panel due end of May 2023. The existing Government have sent clear signals that they intend to pass these Bills into legislation within this term of Government.

Kaunihera | Council 26 April 2023



Ngā Tāpiritanga | Attachments

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Submission on the Spatial Planning Bill - MPDC

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Submission on Natural and Built Environments Bill - MPDC

Ngā waitohu	ı Signatories	
Author(s)	Ally van Kuijk	
	District Planner	
_		
Approved by	Dennis Bellamy	
	Group Manager Community Development	





Matamata-Piako District Council

Submission on the Spatial Planning Bill

5 February 2022





Committee Staff Environment Committee Parliament Buildings Wellington

Name of Submitter:

Matamata-Piako District Council C/- The Chief Executive PO Box 266 Te Aroha 3342

Contact details: Ally van Kuijk Email: AvanKuijk@mpdc.govt.nz

Phone: 07 884 0060

Submission:

This is a submission by the Matamata-Piako District Council on the Spatial Planning Bill. The content of this submission follows overleaf.

Council appreciates the opportunity to provide comments on the Bill.

Signed:

Don McLeod

Matamata-Piako District Council



Introduction

This submission is presented on behalf of the Matamata-Piako District Council (MPDC) being a District within the Waikato Region. The Waikato Region comprises of eleven Districts of which Matamata-Piako comprises of approximately 175,000 hectares and is bounded by the Kaimai Ranges to the east and is well known for its dairy farming heritage and thoroughbred racing industry.

The district encompasses many diverse environments ranging from the Kaimai-Mamaku Forest Park to the 10,200 ha Kopuatai Peat Dome, a globally unique wetland, and as at 1995 15% of the district was in indigenous vegetation.

The five leading employers in the district are manufacturing, agriculture, construction, retail trade, education and training.

The District has a total population of 34,404 with an urban population of approximately 58% within the towns of Matamata, Morrinsville and Te Aroha. Over the last census period Matamata increased in population by 24%, Morrinsville by 18% and Te Aroha by 21%. The remainder of the population (42%) is within the rural area.

Submission

MPDC responds to the matters raised in the Bill as follows:

1. General

Generally Council is supportive of the of the Spatial Planning Bill but is concerned about the timing of the Bill, inclusion of local voice, Regional Planning Committees and Funding.

2. Timing

Council is concerned at the timing of the NBE Bill as there are other reforms in the pipeline that affect Local Government. For example, the Climate Adaptation Act hasn't been developed in alignment with the NBE Bill or the Spatial Planning Bill and it is considered these are an integral part of the reforms. It is also of concern that Local Government reform and Three Waters are not aligned and that these should be undertaken before the Bills are put in place so that there is alignment and the



opportunity for workability under any new regime of Local Government. Both these reforms will be reliant on the new legislations for their business.

Recommendation

 That consideration be given to deferring the Bills until such time as the Climate Adaptation Bill is ready and Local Government reforms along with Three Waters is in place.

3. Local Voice

The loss of democratic input by Local Government is a concern. The Bill reduces the role of local government expertise in plan making and has diluted local government representation in decision-making when formulating plans as outlined in the Bill.

The development of the National Planning Framework is an example where it does not provide for local input, and should provide a framework that is enabling, flexible and responsive to specific issues on the ground.

There is insufficient opportunity for communities to provide meaningful input into the Regional Spatial Strategies and lay submitters will be discouraged from participating in the process with such large, regionally based plans.

Recommendation

- That local government be provided with the opportunity to participate in the development of the National Planning Framework so that specific issues can be catered for and considered as part of the Regional Spatial Strategies.
- That central government consider tools and mechanisms to preserve and protect local voice, by giving statutory weighting to the RMA within the transition period to take into account local spatial plans, growth strategies and strategic plans that are focused on place making to provide for quality built environments. A requirement is also recommended to be included for the RSS to take into account local spatial plans, growth strategies and strategic plans that are also focused on



place making and in particular The Future Proof Growth Strategy which is a subregional growth strategy.

 That the community be given the opportunity to submit and be heard through the development of the Regional Spatial Strategies

4. Regional Planning Committees

Regional Planning Committees (RPC) have a huge amount of power under the NBE Bill as under cl100 it has the responsibility for developing both the Regional Spatial Strategies (RSS) as required under the Spatial Planning Bill as well as the Natural and Built Environments Plans required under the NBE Bill.

There is currently a lack of clarity around the process for appointment of members to the Regional Planning Committees. This will be a regionally led process and while it does appear that each Council in the region will have input into the composition of this separate legal standing group, it is not clear that ongoing membership is certain, or whether they are to be democratically elected or otherwise. No accountability exists of the RPC back to the community.

Within the Waikato Region there are twelve territorial authorities (11 District and one Region). There are also 40 plus lwi and 180 plus hapu which will be challenging. There are many differences in the Districts of the Waikato Region and consideration should be given to aligning areas of commonality. Experience within the Waikato Region through Future Proof has identified that for collaborative approaches to planning there is an optimal number and mix of parties. Too few parties risks key participants not being involved and supportive of the outcomes. The more agencies involved, the more diverse the interests and more difficult getting focus on priority issues. For this reason it is supported that sub-regional spatial strategies be provided for. This is also supported on the basis that Council is a member of Future Proof where the six urban growth partnerships along with key crown agencies and iwi representatives has proven to be a successful model being the most advanced of New Zealand's collaborative spatial planning approach.



Recommendation

- That sub-regional spatial strategies be provided for
- That the development of sub-committees are supported as provided for in Schedule 8.
- Clarity be provided on the linkage of existing co-governance committees, subcatchment committees and the like.
- Existing collaborative spatial plans are taken into consideration.

5. Funding

Each region must develop an implementation plan to accompany a RSS in consultation with the relevant local authorities. This is a mechanism for priority projects to be identified by the Regional Planning Committee to be funded in Long Term Plans and/or through other agencies. It is not clear how much influence or input the local territorial authority will have into the Implementation Plan even though the Regional Planning Committee must consult with the local authority and obtain agreement from persons having the responsibility assigned to them, noting that any implementation agreements are not enforceable (see clauses 52-57 SP Bill)

Council is also concerned about the lack of funding for implementation as follows:

- (a) Lack of clarification of resourcing requirements for the Regional Planning Committee to develop the Regional Spatial Strategies
- (b) The lack of funding mechanisms provided for under the Local Government Act 2002
- (c) Time taken and costs needed to ensure lwi, hapu and Māori participation is optimised, need realistic, right-sized and ongoing support from central government

Recommendation

 That local and central government investment decisions be linked to the RSS strategies to provide for increased planning and investment certainty.



- Provide greater funding mechanisms under the Local Government Act 2002 or other legislation to fund RPC, RSS and NBE Plans.
- The Government to provide ongoing support and funding to lwi, hapu and Māori so that participation is ongoing.





Matamata-Piako District Council

Submission on Natural and Built Environments Bill

5 February 2022





Committee Staff Environment Committee Parliament Buildings Wellington

Name of Submitter:

Matamata-Piako District Council C/- The Chief Executive PO Box 266 Te Aroha 3342

Contact details: Ally van Kuijk Email: AvanKuijk@mpdc.govt.nz

Phone: 07 884 0060

Submission:

This is a submission by the Matamata-Piako District Council on the Natural and Built Environments Bill. The content of this submission follows overleaf.

Council appreciates the opportunity to provide comments on the Bill.

Signed:

Don McLeod

Matamata-Piako District Council



Introduction

This submission is presented on behalf of the Matamata-Piako District Council (MPDC) being a District within the Waikato Region. The Waikato Region comprises of eleven Districts of which Matamata-Piako comprises of approximately 175,000 hectares and is bounded by the Kaimai Ranges to the east and is well known for its dairy farming heritage and thoroughbred racing industry.

The district encompasses many diverse environments ranging from the Kaimai-Mamaku Forest Park to the 10,200 ha Kopuatai Peat Dome, a globally unique wetland, and as at 1995 15% of the district was in indigenous vegetation.

The five leading employers in the district are manufacturing, agriculture, construction, retail trade, education and training.

The District has a total population of 34,404 with an urban population of approximately 58% within the towns of Matamata, Morrinsville and Te Aroha. Over the last census period Matamata increased in population by 24%, Morrinsville by 18% and Te Aroha by 21%. The remainder of the population (42%) is within the rural area.

Submission

MPDC responds to the matters raised in the Bill as follows:

1. General

Generally Council is supportive of the of the Natural and Built Environments (NBE) Bill but is concerned about the timing of the Bill, the inclusion of local voice within the process of developing Natural and Built Environment Plans, the national planning framework, regional planning committees, the cost of additional work generated by increased monitoring, reporting and enforcement, and funding.

2. Timing

Council is concerned at the timing of the NBE Bill as there are other reforms in the pipeline that affect Local Government. For example, the Climate Adaptation Act hasn't been developed in alignment with the NBE Bill or the Spatial Planning Bill and it is considered these are an integral part of the reforms. It is also of concern that Local Government reform and Three Waters are not aligned and that these should



be undertaken before the Bills are put in place so that there is alignment and the opportunity for workability under any new regime of Local Government. Both these reforms will be reliant on the new legislations for their business.

Recommendation

 That consideration be given to deferring the Bills until such time as the Climate Adaptation Bill is ready and Local Government reforms along with Three Waters is in place.

3. Local Voice

The loss of democratic input by Local Government is a concern. The Bill reduces the role of local government expertise in plan making and has diluted local government representation in decision-making when formulating plans as outlined in the Bill.

The development of the National Planning Framework is an example where it does not provide for local input, and should provide a framework that is enabling, flexible and responsive to specific issues on the ground.

There is insufficient opportunity for communities to provide meaningful input into the NBE Plans and lay submitters will be discouraged from participating in the process with such large, regionally based plans.

Recommendation

- That local government be provided with the opportunity to participate in the development of the National Planning Framework so that specific issues can be catered for.
- That central government consider tools and mechanisms to preserve and protect local voice, by giving statutory weighting to the RMA within the transition period to take into account local spatial plans, growth strategies and strategic plans that are focused on place making to provide for quality built environments. A requirement is also recommended to be included for the RSS to take into account



local spatial plans, growth strategies and strategic plans that are also focused on place making.

4. National Planning Framework

Council is supportive of the National Planning Framework, however it is concerned it does not have the opportunity to review the framework. It is difficult to provide any specific feedback on this issue as the detail and certainty as to how this is prepared is not available.

There must be clear guidance and direction on how limits and targets will be prepared which will relate to the prioritisation of the outcomes and the ability to provide direction through plans.

Recommendation

- That local government be provided with the opportunity to participate in the development of the National Planning Framework so that specific issues can be catered for.
- Provide clear guidance and direction on how limits and targets are to be set.

5. Regional Planning Committees

Regional Planning Committees (RPC) have a huge amount of power under the NBE Bill as under cl100 it has the responsibility for developing both the Regional Spatial Strategies (RSS) as required under the Spatial Planning Bill as well as the Natural and Built Environments Plans required under the NBE Bill.

There is currently a lack of clarity around the process for appointment of members to the Regional Planning Committees. This will be a regionally led process and while it does appear that each Council in the region will have input into the composition of this separate legal standing group, it is not clear that ongoing membership is certain, or whether they are to be democratically elected or otherwise. No accountability exists of the RPC back to the community.



Through Regional Planning Committees (as these will operate independently of Councils) the Council <u>may</u> have only one sole representative on a planning committee that prepares and makes decisions on plans applying to the District along with 11 other territorial authorities (11 District and 1 Regional). This local government representation is not elected members therefore the provision for democratic decision-making does not fit well with the intention of the legislation. This could severely limit Councils ability to provide for the well-being of its communities as the Region is of such a size that the plan is likely to be developed on a Regional basis without any real consideration of local communities. There are also 40 plus lwi and 180 plus hapu which will be challenging. There are many differences in the Districts of the Waikato Region and consideration should be given to aligning areas of commonality.

Within the Waikato Region there are numerous joint committees, sub-catchment committees, and co-governance committees. At this stage it is very unclear in terms of how these will be linked into the future regime.

Recommendation

- That provision not only be made for Sub-Regional Strategies but also subregional Natural and Built Environment Plans
- That the development of sub-committees are supported as provided for in Schedule 8.
- Clarity be provided on the linkage of existing co-governance committees, subcatchment committees and the like.

6. Increased monitoring, reporting and enforcement

Whilst it is identified that Councils functions and responsibilities are similar to those under the Resource Management Act, the intent of the reforms is to provide more certainty for the development community and reduce costs. However, the Bill looks to shift costs from consent processing to more of monitoring, reporting and enforcement and we question whether this is achieving the desired result.



While modelling suggests that there are cost efficiencies to be gained by moving to a resource management system that requires less consenting, it is unclear whether this modelling took into account the increased staffing costs that will be generated by shifting the focus of the system to increased monitoring, reporting and enforcement. The cost to ensure that local government meets its increased requirements in this area will ultimately be passed on to ratepayers.

Recommendation

That more analysis is undertaken to quantify the likely costs incurred by the increased expectations in this area, who pays (develop vs ratepayer) and that central government consider alternative funding for this that does not rely on increased rating.

7. Funding

Council is concerned about the lack of funding for the implementation of the Bill as follows:

- (a) Lack of clarification of resourcing requirements for the Regional Planning Committee.
- (b) The lack of funding mechanisms provided for under the Local Government Act 2002
- (c) There is no ability to instruct Councils to implement the Regional Spatial Strategies, nor any means to instruct how the plans are to be funded
- (d) Time taken and costs needed to ensure lwi, hapu and Māori participation is optimised, need realistic, right-sized and ongoing support from central government

Recommendation

- Government to fund the establishment and transition costs for the Regional Planning Committee
- Provide greater funding mechanisms under the Local Government Act 2002 or other legislation to fund the RPC, RSS and NBE plans.



- Provide a means to enable the instruction of funding required to implement the Regional Spatial Strategies (also stated in Spatial Planning Bill) and this shouldn't fall solely on the Ratepayers
- The Government to provide ongoing support and funding to lwi, hapu and Māori so that participation is ongoing



8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Quarterly Reporting - Civil Defence Emergency Management

CM No.: 2708687

Rāpopotonga Matua | Executive Summary

The purpose of the report is to inform Council of the activity undertaken in the emergency management MPDC function since 1 July 2022 as well as significant matters relating to the Waikato CDEM Group.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

Matamata-Piako District Council (MPDC) entered into a service level agreement with Waikato Regional Council to meet its obligations under the Civil Defence and Emergency Management Act 2002. The service is delivered through the Group Emergency Management Office (GEMO) and this arrangement was established in August 2019

The last quarterly report was in December 2022.

Ngā Take/Kōrerorero | Issues/Discussion

Staffing - MPDC

The service level agreement provides a full time Emergency Management Officer and a 0.2 FTE Business Support Officer dedicated to MPDC.

Since both staff began their roles in December 2022 there has been significant time spent in response which has meant whilst getting familiar and effective in their respective business as usual roles has been a priority it has been challenging to fully focus on the "business as usual" work plan.

MPDC Work plan:

The work programme for the 2022/2023 financial year has been structured to incorporate and align the actions and recommendations of the:

- a. MPDC monitoring and evaluation report recommendations (2019 & 2022)
- b. Waikato CDEM Group₁ Plan actions prioritised by Coordinating Executive Group (CEG)₂
- c. COVID-19 after action report recommendations (2020) prioritised by CEG

The Waikato CDEM Group has overall responsibility for the governance of CDEM including establishment and oversight of the CEG and GEMO. The CDEM Group (-Joint Committee) functions and general powers are covered in the CDEM Act 2002 s17 & 18.

² The CEG is responsible to the CDEM Group for functions detailed in <u>CDEM Act 2002 s20 (2)</u>

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All actions in the plan have been prioritised as High, Medium or Low. The GEMO³ and MPDC's priority is on high priority actions and these work areas focus on response and recovery capability. Below is an aggregated report on those work areas.

The plan identifies where Council units other than "emergency management" take a lead or support activities. Through this a "whole of council" approach to emergency management will develop.

Key:

Status	Description
Green	On track
Orange	Off track in respect of timing and / or scope. No risk to the work area
Red	Off track in respect of timing and / or scope. Help needed or has been requested

Most work areas are shown orange status due to the vacancy of the Emergency Management Officer role.

LTP Measures	Status	Comments	
The evaluation of annual exercise as a measure of effectiveness of training.		 The annual exercise was being planned for May 23 and then we had the EOC activated in response to Cyclone Gabrielle. It has been agreed to assess the EOC activation to assess the MPDC capability and recommend any improvement opportunities and this will fulfil the LTP measure. 	
Work area	Status	Comments	
Welfare		 MPDC has a current welfare business plan which is in alignment with the Group Welfare Plan. 	
		Next steps:	
		develop an Animal Welfare Plan	
		 ongoing development for alternate Welfare Manager 	
		 provide training to welfare teams. 	
		Current state:	
		The combination of staff vacancy and response requirements to weather events for the first quarter of the year has meant there has been limited progress in this area and the focus areas remain.	
Training & exercising		 MPDC new staff members continue to be provided a CDEM induction and do the basic "Foundation" course and assessment. This is managed through the HR department. 	
		 The Group training and exercise program continues and MPDC staff have been taking part in courses 	

 $^{^{3}}$ The GEMO supports the delivery of the Waikato CDEM Group strategy and work programme (Group Plan p82)



	 Next stone	
	Next steps	
	 Identify ongoing training focus areas from outcomes of exercise Tahi and recent EOC activation. 	
	 Continue to make the 2023 training calendar available to selected staff. 	
	 Develop a program of local drills and activity to add to the Group training delivered to staff 	
Recovery	A Group wide recovery work plan has been agreed by Recovery Managers. This will share the load and make the planning for recovery consistent around the Waikato.	
	Next steps	
	 Recommend the staff member identified as alternate Recovery Manager to Joint Committee for appointment. Their appointment interview has been scheduled. 	
Operational readiness (staff, facilities & functions)	A local debrief post Cyclone Gabrielle has been conducted. A Group wide debrief will be independently facilitated. The key lessons learnt will be incorporated into the MPDC workplan	
	Next steps:	
	 Increase depth of staff trained and available to operate the emergency operations centre on an ongoing basis. 	
	 Activation planning to clarify understanding of the four levels of activation and what functions and staffing resources are required for each. 	
Communications / ICT	 Again the local debrief has highlighted some opportunities for improvement in the ICT and communications space. 	
	Next steps:	
	Work with the IT team in implementing system recommendations from the recent activation debrief.	
	 Decide alternate communication solutions in collaboration with a Group wide radio communications project and lessons learnt from recent weather events. 	

Group matters of significance:

The response to Cyclone Gabrielle is included in a separate report.

New Zealand Response Team (NZRT):

CEG asked the Emergency Service Coordination Committee (ESCC) to conduct a needs assessment for accredited NZRT in the Group area.

On 29 March a workshop was held to assess the needs between both Waikato CDEM Group and Emergency Management Bay of Plenty. This was a multi-agency workshop and the results of the needs analysis will be reported to CEG by the ESCC. We will continue to collaborate with our Bay of Plenty neighbours as they develop a business case for their existing NZRT in Tauranga.



The timing of the workshop on the heels of multiple storm events which have seen activation of NZRTs from around the country couldn't have been better.

CDEM Trifecta & Waikato CDEM Group Plan

The review of the CDEM Act, National CDEM Plan and creation of a National Disaster Resilience Strategy Road Map is colloquially known as the "trifecta".

- 1. The Group Manager has been advised that it is unlikely that the new Emergency Management Bill will be introduced to Parliament before the election. Its progress has been severely hampered by the responses to weather events this year by NEMA.
- 2. Likewise there will not be a review of the National Plan completed in 2023.
- Progress will continue on the risk and impact analysis for Group level hazards and then
 pause. Despite the Group Plan being beyond its due date for review (May 2023) it will
 continue to have effect.

The Group made submissions on the Natural and Built Environment Bill, Spatial Planning Bill and Review into the Future for Local Government. These submissions are available in the Joint Committee Agenda for their 27 March meeting.

GEMO workplan delivery

The GEMO has supported multiple activations both within the region and to other Group areas. Multiple staff from both GEMO and local councils have been deployed and often this has involved the Emergency Management Professionals from the region. Current focus is on management and leadership of the regional recovery organisation, and this involves several of the GEMO team.

Like local work planning the response and recovery work has seen an impact on our BAU work plan delivery (and continues to do so). On the plus side we learn so much from response and recovery that feeds into the quality outcomes of our work plan that the benefits cannot be overstated (especially in readiness, response and recovery work).

Delivery of CDEM training is back in full swing and MPDC staff continue to make up good numbers of attendees on courses.

Coordinating and Executive Group

The CEG are the executive group who oversee the work of the GEMO and local authorities and recommend policy decisions to Joint Committee. Dennis Bellamy is the MPDC member (delegated by the CEO).

CEG met on 10 March and amongst other matters elected a new Chair. The departing Chair is Gareth Green who is CEO of Taupō District Council and who has resigned to move to New Plymouth. The Chair elected is Susan Law, CEO of South Waikato District. Her election has meant that CEG member for SWDC, Sharon Robinson's long service has come to an end.

CEG recommended to the Joint Committee that they have workshops with Iwi Chairs to co-design a strategic work programme that sits outside the current Group plan. In this proposal, Iwi Chairs would have the opportunity to sit on Joint Committee to provide governance and oversight to the agreed Groupwide strategic work programme. CEG acknowledged the work programme in the current Group Plan is out of date and is not inclusive of Māori.



CDEM Group Joint Committee

The last meeting of JC was 27 March and the agenda and unconfirmed minutes (and meeting recording) can be found here: Waikato CDEM Joint Committee | Waikato civil defence and emergency group (waikatoregioncdemg.govt.nz)

The Chair of the JC is Councilor Anna Park from Taupō District Council and the MPDC representative is Councillor Smith (delegated by the Mayor).

Mōrearea | Risk

This for information and therefore there is no risk to Council

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu	ı Signatories	
Author(s)	Mark Bang	
	Team Leader - Partnerships	
Approved by	Dennis Bellamy	
	Group Manager Community Development	



8 Ngā Pūrongo Whakamārama | Information Reports

8.2 Cyclone Gabrielle Civil Defence Response

CM No.: 2709672

Rāpopotonga Matua | Executive Summary

The Matamata-Piako District Council (MPDC) Incident Management Team (IMT) was activated in monitoring mode on Friday 10 February 2023 in preparation for Cyclone Gabrielle that was tracking towards New Zealand as a category 3 cyclone.

On Monday 13 February an Emergency Operating Centre was established in Te Aroha to respond to the impact of Cyclone Gabrielle.

Cyclone Gabrielle resulted in several properties and roads in Te Aroha being flooded with one dwelling being partially inundated and a number of garages / basements being inundated, loss of power to many homes and a number of rural properties for some time, significant rural flooding on properties and roads, significant tree damage and waste water services were compromised in one area in Te Aroha.

The purpose of this report is to provide a summary of the event, including both response and recovery perspectives and to highlight next steps.

Tūtohunga | Recommendation

That:

1. The information be received.

Ngā Take/Korerorero | Issues/Discussion

The New Zealand integrated approach to civil defence emergency management can be described by the four areas of activity, known as the '4 Rs'; Reduction, readiness, response and recovery.

Readiness and Response

Readiness and Response is "Developing operational systems and capabilities before a civil defence emergency happens; including self-help and response programmes for the general public, and specific programmes for emergency services, lifeline utilities and other agencies. Actions taken immediately before, during or directly after a civil defence emergency to save lives and protect property, and to help communities recover."

MPDC has a dedicated Emergency Management Officer, as well as a Service Level Agreement with the Waikato Group Emergency Management Office (GEMO) who provide support and coordinate at a group level.

A work plan with a focus on readiness (Council and Community) is in place as outlined in the quarterly civil defence report. Ongoing training of staff and preparedness through regular emergency management team meetings during 'peace time' ensure the team is ready to respond when needed.

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Cyclone Gabrielle was the fifth event this year for the MPDC Incident Management Team (IMT). During Cyclone Hale and the Auckland Anniversary Severe Weather Event the MPDC IMT was in monitoring mode. The IMT also coordinated MPDC's response to two strong earthquakes in Te Aroha in January.

Cyclone Gabrielle

Matamata-Piako Incident Management Team (IMT)

The MPDC IMT activated and an Emergency Operating Centre was established to respond to Cyclone Gabrielle.

Most functions were activated as per the Coordinated Incident Management System (CIMS) structure – such as Intelligence, Planning, Operations, Logistics, Public Information, Iwi Liaison, Response, Recovery, Welfare and Safety. The Operations team in particular coordinates with BAU teams such as Three Waters, KVS, Roading and Property.

A summary of events follows:

The Incident Management Team (IMT) was activated in monitoring mode on Friday 10 February 2023 in preparation for Cyclone Gabrielle that was tracking towards New Zealand as a category 3 cyclone.

The team along with business as usual (BAU) teams undertook readiness activities including the following:

- Checked stormwater systems
- Water and Waste Water Treatment plant preparations including sucker trucks on standby in Te Aroha
- Arbor Care on standby
- Roading contractor on standby
- Staff preparation
- Preparedness messaging to the community

On Saturday 11 February, a MetService heavy rain warning (red) and wind warning (orange) for Coromandel Peninsula was in place. It was uncertain what this would mean for our district. The IMT continued to undertake readiness activities including the following:

- to prepare for similar levels of river flooding as recently experienced in the Auckland Anniversary severe weather event, properties that had been affected were visited and provided information to inform and prepare them. This included identifying residents that didn't have friends or family to evacuate to
- contacted Tui Pa Marae and confirmed they were a Community Lead Centre (CLC) somewhere evacuees could go if needed
- planning for a Community Defence Centre (CDC) at Silver Fern Farms Events Centre
- preparedness messaging to the community continued

On Sunday 12 February, an orange wind warning and heavy rain watch for the Waikato was issued. Waikato Regional Council river modelling suggested we would see the Waihou River rise to similar levels as the recent Auckland Anniversary weather event in coming days (a slow burn event). IMT and BAU staff continued preparation work, such as ensuring sand was available to the Te Aroha community for sand bag preparation (due to the concerns about the Waihou River in coming days) and preparation for sand to be delivered to sites in Matamata and Morrinsville the following day. Late on Sunday things ramped up due to strong winds and areas in the Te Aroha



township lost power due to trees damaging power lines.

On Monday 13 February the Emergency Operation Centre (EOC) was established in Te Aroha Council Office.

Over the next couple of days the following response activities were undertaken:

- plans for CDCs in each main town were in place, including staffing availability
- regular contact with emergency services
- contact was made with accommodation providers to determine availability
- local lwi were contacted
- continued community messaging such as latest updates, road closures, support services, who to call
- CDC in Te Aroha (Silver Fern Farms Event Centre) was opened on Tuesday 14 February at 10am and was open until 7.30pm – a couple of people visited to shower and get water due to loss of power. It was open again the following day
- Pooles Road, Grattan Road, Clarke Ave and Aroha View areas were affected by loss of waste water service due to pump station inundation. Affected residents were visited and provided information on minimising water use, advised of the CDC at Silver Fern Farms Event Centre where they could shower and portaloos were located within the street
- welfare support (calls about flooding concerns, insurance, access to water/food)
- contact with support services such as Rural Support Trust

Fortunately, the Waihou River did not rise to the levels that were anticipated. The MPDC Emergency Operating Centre was deactivated on 15 February.

Overall the main impacts of Cyclone Gabrielle to our district were:

- Significant rain which resulted in:
 - several properties and roads in Te Aroha were flooded with one dwelling being partially inundated and a number of garages / basements being inundated
 - o significant rural flooding on properties and roads
 - Loss of power to many homes, some of which were without power for some time (rural properties in particular)
 - Loss of power to some water treatment plants, but they all have generators so were able to continue functioning, but at limited capacity at some plants
 - Loss of power to some waste water plants and there are no generators at Tahuna or Te Aroha Waste Water plants, but they were able to manage
 - Infiltration of the wastewater network by overland stormwater around the Pooles Road area in Te Aroha
 - Some debris from the Maunga coming through the town in close proximity to dwelling and businesses
- Significant wind which resulted in:
 - o Widespread trees falling affecting power lines and roads



 Murray Oaks, Morrinsville River Walk, Mountain Bike Tracks and other parks and reserves were affected

Waikato Group Emergency Management Coordination Centre

The Group Emergency Coordination Centre was also activated during Cyclone Hale and the Auckland Anniversary floods and provided support to the wider Waikato area as needed – the attached infographic highlights the response to these events.

In February the Group Emergency Coordination Centre also activated for Cyclone Gabrielle, and a Group State of Emergency was declared, which meant the Group were coordinating a Waikato Led response to ensure services and supplies to the region were prioritised. The MPDC IMT team reported to the Group Controller during the Group and National State of Emergency Declarations. The infographic also summarises the response to Cyclone Gabrielle from a Waikato Group and MPDC perspective.

Learnings

There have been many learnings from Cyclone Gabrielle in particular, such as the need to increase the number of staff trained in emergency management to ensure resilience if needing to respond to a large scale event and for a long period of time. We have recently sought interest from staff and a number of additional staff have volunteered, and they will be trained as soon as possible.

Of concern is that none of our CDC potential sites have generators and we are concerned about loss of communication and how we would respond – these issues are currently being reviewed.

The need to continue to plan and be prepared is once again highlighted.

Recovery

Recovery "is the co-ordinated efforts and processes used to bring about immediate, medium and long term holistic regeneration and enhancement of community following an emergency". It is more than simply building back infrastructure and houses, it is a managed, comprehensive and participatory process inclusive of all people and organisations that also supports restoring the social, economic, natural and cultural fabric of affected communities. It is also scalable depending on the impact to that community/ies.

Recovery should:

- Support cultural and physical well-being of individuals and communities
- Minimise the escalation of the consequences of the disaster
- Reduce future exposure to hazards and their associate risks i.e. build resilience
- Take opportunities to regenerate and enhance communities in ways that will meet future needs (across the social, economic, natural and built environments).

How well we recover from events will depend on how well we have prepared to recover.

Cyclone Gabrielle

Following on from our immediate response to Cyclone Gabrielle, our recovery team has been undertaking a number of actions including:

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- Setting up a system (Register / GIS) to identify those properties that were affected by these weather events. This will assist in:
 - o understanding the scale / impacts of an event,
 - o preparing for events,
 - o planning / consenting future development
- Liaising with our three waters team to raise the profile of infrastructure upgrades in certain areas.
- Supporting where we can, the continuation of our Flood and Stormwater modelling projects.
- Ensuring that we have a programme to undertake emergency management education to increase our communities understanding and resilience.
- Investigating, understanding and completing our LIM responsibilities.
- Promoting the financial and well-being support that is available to our communities and making connections where possible.
- Understanding what critical infrastructure (Council and emergency management) in our communities require power/portable generators and promoting that these assets are resilient.
- Understanding and documenting the potential and actual recovery costs of these events.
- Liaising with key parties/organisations to raise the profile and seek solutions to reduce the risk / likelihood of repeat issues.
- Debrief on what we can do better in the response phase to assist us in the recovery phase.

The team has made progress on all of the above actions however some of them will take time to fully resolve. From these events, there has been a lot of learnings in recovery and our aim is to build on these as we continue to expand our understanding, knowledge and relationships.

NEMA (National Emergency Management Agency) has allocated a sum of \$500,000 to the four Districts (Waikato, Thames-Coromandel, Hauraki and Matamata-Piako) to respond to requests for assistance. This fund has been allocated to the councils based on greatest need with Matamata-Piako being allocated \$50,000. Any unused funds will need to be returned within 6 months.

Council currently has one application and this will be considered once Council has adopted a Mayoral Relief and Mayoral Disaster Relief Fund policy.

Reduction

Reduction is "Identifying and analysing long-term risks to human life and property from hazards; taking steps to eliminate these risks if practicable, and, if not, reducing the magnitude of their impact and the likelihood of their occurring." Reduction has been taken into consideration as part of the outcome of our incident debriefs and as part of our actions above.

Mōrearea | Risk

Readiness/Response – as recently seen with Hawkes Bay communication issues are a risk. This will be discussed at Group level. We have also identified that our small civil defence team is a risk should a significant event take place – we will continue to work on recruiting and training more staff in the civil defence space, noting these roles are voluntary. Buildings we would most likely use as a civil defence centre in an emergency do not have generators – with power outages and people displaced this would be a risk and we are currently continuing to investigate options.



Recovery/Reduction - while the recovery team can promote certain actions / solutions it is often up to the individual teams / organisation of BAU (Business as Usual) to prioritise and fund these actions. As a result, not all of the solutions identified will be undertaken and this poses a potential risk to our community that a like event will have the same outcome.

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

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

The Public Information Management team (Communications) ensure the community is informed throughout an event. Through the Recovery phase we utilise our BAU Communication Team.

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

The Civil Defence function contributes to the majority if not all of our community outcomes.

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

Staff cost involved in the EOC alone was at least \$23,000. This does not include the cost of staff undertaking additional work due to Cyclone Gabrielle within their BAU roles – water/waste water, parks and reserves, roading etc or the cost of Recovery work.

Recovery cost – the amount shown on the Infographic was an earlier estimation and only covered the following matters:

Site name / Location / Asset type	Estimated Cost of Repairs (\$)	Brief details of damage sustained
Hauraki Rail Trail – Walking and Cycling network	\$100,000 but this is an estimate as full costs won't be known until assessment and designs are completed.	Slip affecting the embankment that the track is located on and has left the culvert and wingwall exposed
Roading network	Total cost of \$75,000 however seeking half of this through Waka Kotahi minor events funding \$37,500	Our roads were significantly impacted due to fallen trees and debris and surface flooding.
Horseman's Track / Walking Track	\$50,000 but this is an estimate as full costs won't be known until assessment and designs are completed.	Underscoring of staircase and slip where track may need to be rerouted

Not covered in the above cost estimation is the time spent by staff and resources used. This is an evolving number as we are still working through our recovery actions above.

Ngā Tāpiritanga | Attachments



CDEM Cyclone Gabrielle infographic



Nga waitohu Signatories			
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