

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 24 July 2024
Wā | Time: 9:00
Wāhi | Venue: Council Chambers
35 Kenrick Street
TE AROHA

Ngā Mema | Membership

Manuhuia | Mayor

Adrienne Wilcock, JP (Chair)

Koromatua Tautoko | Deputy Mayor

James Thomas

Kaunihera ā-Rohe | District Councillors

Caleb Ansell

Sarah-Jane Bourne

Sharon Dean

Bruce Dewhurst

Dayne Horne

Peter Jager

James Sainsbury

Russell Smith

Kevin Tappin

Gary Thompson

Sue Whiting

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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 Ohore Anō | Notification of Urgent/Additional Business

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

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

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

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

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

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

4 Whākī pānga | Declaration of Interest

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

5 Whakaaetanga mēneti | Confirmation of Minutes

Minutes, as circulated, of the ordinary meeting of Matamata-Piako District Council, held on 3 July 2024

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 Delegation Policy and Delegation Register

CM No.: 2873886

Te Kaupapa | Purpose

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

Rāpopotonga Matua | Executive Summary

Under the Local Government Act 2002, Council may delegate its statutory powers and its functions to Council officers. The Delegation Policy and Delegation Register provide the framework for this and illustrate all the delegations made to staff across multiple legislations.

Tūtohunga | Recommendation

That:

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

Horopaki | Background

The Local Government Act 2002

Section 48 of the Local Government Act 2002 (LGA) provides that delegations must be carried out in accordance with Part 1 of Schedule 7 of the LGA. Clause 32(1) of Part 1 to Schedule 7 of the LGA provides that, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, or member or officer of the local authority any of its responsibilities, duties, or powers excepting the powers specified under paragraphs (a)-(f) of that sub-clause.

These delegated powers fall broadly in to three categories:

- Financial
- Warranted powers
- Statutory

Ngā Take/Kōrerorero | Issues/Discussion

Delegations Policy

The Policy focuses on two policy issues:

- Efficient and effective decision making - good management practice is to encourage delegation of decision making to the lowest competent level.
- Managing risk - Council has identified the 'top five risks' which are to be considered by Council and staff when making a delegation.

The Policy contains information on:

- Powers retained by Council
- Mayoral Powers under the LGA
- Powers delegated to Council committee's under its governance structure

- Powers delegated to Council's hearing commission under its governance structure
- Financial delegations (held by finance)
- Warranted Power appointments
- Statutory delegations (delegations where the highest risk has been initially assessed have been highlighted throughout the delegations document)

Amendments made to Delegations Policy and Register 2024 include:

- Delegation Policy – wording/legislation/replacement updates. Reflect up to date staff changes.
- Organisational Review – As of 1 July the changes of the organisational review came into effect, these have been reflected in the delegations with:
 - Updates to position titles that have been amended.
 - Addition of new positions (e.g. two new Group Managers, Community Protection and Compliance Manager Etc.).
 - Removal of defunct positions.
- Financial delegations – (held and managed by the finance department)
- Statutory delegations – reviewed alongside the legislative compliance checklist. For clarity some have been separated out to show the difference in powers to issue or serve an infringement notice as different roles will undertake these.
 - Some delegations have been compared to what other Councils have done (e.g. the Dog Control Act 1996) and additional sections have been included. This will be completed for all acts within our delegations in the coming months.

Mōrearea | Risk

This is a high risk activity, due to the fact that if there is a mistake it could mean that duties undertaken by staff are not valid and potentially illegal. This risk is mitigated through the continuous ongoing review.

This is also the risk that there may be delegations that have not been included in the register. Staff help reduce this risk through regular review of the delegations and comparison to other Councils.

Ngā Whiringa | Options

Council has the option of recommending further amendments to the delegations.


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

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

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

The only financial cost related to this is staff time in preparing and maintaining the document.

Ngā Tāpiritanga | Attachments

- A.  Delegation Policy and Delegation Register - With Tracked Changes - For Council 24 July 2024

Ngā waitohu | Signatories

Author(s)	Ellie Mackintosh Legal Counsel	
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Approved by	Ally van Kuijk General Manager Growth & Regulation	
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7 Pūrongo me whakatau | Decision Reports

7.2 Manawaru Speed Limits

CM No.: 2862806

Te Kaupapa | Purpose

For Council to decide whether the existing permanent posted 50km/hr speed limit through the Manawaru village should remain in place or increase to 60km/hr as shown in Council's Speed Management Plan (SMP). Council's decision will be based on a reassessment of the community's petition against the current NZ Transport Agency Waka Kotahi guidelines (referred to hereafter as "the Agency") and suggested improvements.

Rāpopotonga Matua | Executive Summary

A mid-February 2024 petition from Manawaru residents prompted Council to re-examine the planned speed limit change for Manawaru. Council workshopped community concerns raised by the petition and staff were asked to complete a technical review of the existing posted speed limit through Manawaru village.

The last time a speed limit was set for Manawaru Road was back on 14 October 2020, using the now outdated bylaw process. The 50km/h speed limit came into force on 19 October 2020 despite Waka Kotahi NZ Transport Agency never supporting it at the time.

The Speed Management Planning work conducted by Council staff and consultant during 2022 recommended a Safe and Appropriate Speed of 60km/h - 10km/h higher than the existing 50km/hr limit. Also recommended were supporting infrastructure that might be used to keep speeds below 60km/h. The 60km/h limit would demonstrate consistency with other small settlements on the district's road network.

Speed data from count sites on Manawaru has recorded the majority of motorists aren't obeying the current speed limit of 50km/h; free flow (uninterrupted) speeds are more than 20km/h in excess of the posted limit. This poses a problem in terms of the safety for vulnerable road users (cyclists and pedestrians).

The Setting of Speed Limit (2017 Rule) was applicable to the October 2020 Council resolution. The 2022 Rule replaced it –coinciding with the Speed Management Plan. Recently out for consultation has been the (draft 2024 Rule). Consecutive rule changes reflect different approaches by governments to road safety - the result of shifting strategic priorities reflected through consecutive Government Policy Statements (GPS).

Council wants to make a decision now. This requires a decision based on the present operative 2022 Rule and Speed Management Guide: Road to Zero edition (published 28 July 2022), also intended to be replaced later this year.

Council has two options to consider. The first is to maintain the existing 50km/hr speed limit at Manawaru (as proposed by Manawaru residents through their petition) and add an extensive range of supporting infrastructure i.e. engineer the road to support the speed limit. The second is to support the introduction of the proposed 60km/hr speed limit and the recommendations in Council's certified speed management plan.

This report examines the current rule and guidelines for the setting of speed limits, enabling Council to reconsider the petition from Manawaru residents and make a final binding decision.

Tūtohunga | Recommendation

That:

1. The report be received.
2. Council increases by 10km/h the current 50km/h speed limit to reach a safe and appropriate speed limit of 60km/h, while also completing safety improvements; both as recommended in the SMP.

OR

Council maintains the current 50km/h speed limit, yet relative to the SMP significantly increases the investment in supporting infrastructure required on Manawaru Road.

3. Council continues to undertake routine speed counts on Manawaru Road to monitor the effectiveness of speed reductions.

Horopaki | Background

Council's report and resolution (14 October 2020)

Back on 14 October 2020, a report was presented to Council detailing an initial review into Manawaru speed limits, noting:

- At the time, Manawaru was the only area in the district that hadn't received proposed speed limit approval from the Agency, as the speed limit was required to match the speed environment of the area, and it didn't.
- The Agency believed it wasn't appropriate to drop the speed limit from 70km/hr to 50km/hr without suitable traffic calming (supporting infrastructure) within the village to reduce the speed environment.
- The Agency emphasised that speed limits needed to align with the speed environment set out in the *Land Transport Rule Setting of Speed Limits 2017*.
- Speed count data had been collected on Manawaru Road while temporary speed limit restrictions were in place during September 2020. It was proposed that this data could be used as a comparison with future data.
- Staff sought further information and costings for works suggested by the Agency.

Further to the above points:

- An option in the report was to delay the implementation of speed limit changes until the speed limit was agreed with the Agency.
- At that time numerous changes were underway. Importantly, when setting speed limits the development of SMPs would replace bylaw-making requirements.
- SMPs would require Road Controlling Authorities (RCAs) and Regional Transport Committees (RTCs) to consider speed management as a whole-of-network approach across districts and the region; instead of on a road-by-road basis. Likewise, consultation would be done on the entire SMP.
- The Agency strongly encouraged Council to set safe and appropriate speed (SAAS) limits, consistent with information provided; particularly ensuring national consistency in the application of the Speed Management Guide.

- If Council's decision was to apply speed limits (as proposed i.e. the 50km/hr limit) that differed from the information supplied, then the Agency would suggest council seek legal advice on its non-compliance with the Setting of Speed Limits Rule 2017; specifically its consideration of clauses 2.2(2), 2.10 and 4.2(2) of the Rule (below).

2.2(2) In carrying out its functions under 2.2(1), a road controlling authority must consider whether a speed limit for a road is safe and appropriate in accordance with this Rule.

2.10 Agency's powers to investigate and direct road controlling authority and to change or modify a speed limit

4.2(2) In reviewing a permanent, holiday, or variable speed limit or considering a new permanent, holiday, or variable speed limit, a road controlling authority must have regard to—

- (a) the information about speed management developed and maintained by the Agency; and
- (b) any relevant guidance on speed management provided by the Agency; and
- (c) the function and use of the road; and
- (d) crash risk for all road users; and
- (e) the characteristics of the road and roadsides; and
- (f) adjacent land use; and
- (g) the number of intersections and property accessways; and
- (h) traffic volume; and
- (i) any planned modification to the road; and
- (j) the views of interested persons and groups.

While cognisant of the above, Council at the time proceeded with the below resolution. It is important to note that since 19 October 2020 no traffic calming treatments have been introduced for Manawaru due to the absence of available funding and changes to policy and guidance. Therefore the effectiveness of these measures can't be monitored.

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

- 1. The information be received.**
- 2. Council provided further direction on the Manawaru speed limit matter.**
- 3. Council amends the Land Transport Bylaw to a 50km/hr limit at Manawaru to come into force 19 October 2020.**
- 4. Council approves a staged approach to the introduction of traffic calming treatments to be taken and that the effectiveness of the measures be monitored.**

Moved by: Deputy Mayor N Goodger
Seconded by: Cr S Whiting

KUA MANA | CARRIED

Council’s Speed Management Plan (SMP) Project Timeline

As the below timeline indicates a carefully managed and communicated process of Speed Management Planning was undertaken by staff and consultant over a period of about 20 months. This led Council to adopting the SMP in June 2023 and the Agency later certifying it on 24 November 2023.

Council openly consulted the community from 14 March to 14 April 2023 and then held a hearing to carefully consider all of the submissions. No submissions were received from the Manawaru community as part of this process.

As mentioned above, it wasn’t until 11 February 2024 following Manawaru community awareness of pending SMP adjustments to the speed limit at Manawaru that Council received a community-led petition requesting the speed limit remain unchanged at 50km/hr.



Project Timeline

Talking with key stakeholders
Throughout 2022

Drafting Interim Speed Management Plan
Jan-Mar 2023

Council approve draft Interim Speed Management Plan
8 March 2023

Consultation on Interim Speed Management Plan
14 March - 14 April 2023

Hearing on Interim Speed Management Plan
3 May 2023

Council consider submissions/make decisions
24 May 2023

Council adopt Interim Speed Management Plan
June 2023

We've developed a Speed Management Plan for the district that aims to make our roads safer and work towards the national road safety strategy Road to Zero.

Localised Speed Management Plans are part of changes to the way we manage speeds throughout New Zealand. Rather than looking at speed limit changes on a street-by-street basis, the draft Speed Management Plan establishes principles for speed management in our district.

What's been done so far

Throughout 2022 we spent a considerable amount of time working with schools/kura and marae to understand their challenges around speed and road safety.

We've also worked with a range of subject matter experts to understand the issues and opportunities for improvement on our road network (particularly relating to speed). These include:

- Waka Kotahi/New Zealand Transport Agency
- Consultants from Luke McCarthy Consulting
- Council's Roading Engineers
- Council's Planning team

The Manawaru community petition (11 February 2024)

Council received a community-led petition dated 11 February 2024 from Lee Love (Operations Manager: Cafe77 & Community View) and Stuart Bay (Chairman, Community View) under the title, *“Please leave our maximum road speed limit as it is now at 50 km per hour throughout Manawaru Village.”*

The submission was carefully considered by Council staff who undertook numerous communication exchanges with Mr Stuart Bay. Further information is contained below under Ngā Take/Kōrerorero | Issues/Discussion.

The posted speed limits and recorded speeds

A speed limit is the maximum legal speed that you can travel on the road under good conditions. You must drive slower than the limit if conditions make the speed limit shown unsafe, or if you’re driving a vehicle that requires you to drive at a lower speed such as heavy vehicles, which have a lower speed limit than light vehicles. Speed limit signs are displayed beside the road and usually have a red border, which means that the sign is compulsory.

The two examples below have been used as permanent speed limits in Manawaru.



70km/h speed sign

The maximum speed you can travel is 70km/h.



50 km/h speed sign

The maximum speed you can travel is 50km/h.

Council’s 14 October 2020 resolution to amend the 70 km/hr speed limit by lowering it to 50km/hr was never supported by the Agency, because it never complied with the guidelines and speed Rule at that time. Since then:

- No traffic calming treatments were installed by Council to support the 50km/hr speed limit.
- The 50km/hr speed limit reduction hasn’t ever provided the intended community safety benefits i.e. speeds haven’t reduced - as verified by subsequent speed counts taken on Manawaru Road (examined below).
- Council continues to post an ineffective 50km/hr speed limit - the majority of motorists potentially breaking the law.

Below, is evidence of recorded speeds measured in 2020 and 2022 – no recent data is available due to the counting frequency currently being to a 4 yearly cycle.

Manawaru Speed Counts

	Meterige	Speed (km/h)	Meterige	Speed (km/h)
2022	3.900	70.60	4.300	75.30
2020	3.940	75.64	4.270	72.36

*Counting frequency (currently every 4 years – subject to change)



Above positions (meterage) of speed counts undertaken.

The SMP (under a different GPS, Road Safety Strategy and Rule)

The SMP commenced from early March 2022 and was prepared, approved and certified under a different Government Policy Strategy (GPS), to a different national road safety strategy (Road to Zero) and also to a different *Land Transport Rule Setting of Speed Limits 2022* to that when the speed limit was previously lowered to 50km/h.

Government policies, strategies and rules are under continuous change yet they remain the conditions under which road controlling authorities (principally Councils and the Agency) are expected to work to and abide by. There is an expectation that the RCA will abide by the Agency's guidelines unless a decision otherwise can be justified.

The Land Transport Rule Setting of Speed Limits 2022 (19 May 2022)

For the next few months, speed limits are set and governed by the 2022 Rule. A draft 2024 Rule has been out for consultation this month and a new 2024 Rule is expected later this year – so more change on the horizon for speed limits and speed management.

NB: The 2022 Rule's objectives haven't changed (yet). The objective of the Rule is to contribute to road safety by –

- a. *providing a whole-of-network approach where speed management is considered alongside investment in safety infrastructure; and*
- b. *empowering or requiring road controlling authorities to set speed limits for roads under their control; and*
- c. *setting out requirements road controlling authorities must comply with when setting speed limits.*

All existing speed limits from certified SMPs remain legally valid. Implementation can continue if a plan has been certified.

Mandatory SMP considerations

Clause 3.2 of the 2022 Rule relates to **mandatory considerations** when preparing any speed management plan. It states that **each territorial authority must have regard to:**

- the road safety aspects of the GPS on land transport and any Government road safety strategy; and
- the desirability of taking a whole-of-network approach to changing speed limits, safety cameras, and safety infrastructure, including considering a range of speed management interventions; and
- the guidance and information developed and maintained by the Agency under clauses **3.14 and 3.15 (below)**, including guidance on the use of mean operating speeds when setting speed limits.

Under 3.14

The Agency must develop and maintain guidance on speed management, including:

- guidance on the use of mean operating speed when setting speed limits
- the Agency's assessment of what is the safe and appropriate speed for a road under the control of the territorial authority
- guidance on maximum lengths between speed limit signs

Under 3.15

When developing and maintaining information about speed management for a road under the control of a territorial authority, the Agency must have regard to -

- a. the function and use of the road; and*
- b. crash and injury risks for all road users; and*
- c. the characteristics of the road and roadsides; and*
- d. adjacent land use; and*
- e. the number of intersections and property access ways; and*
- f. traffic volume; and*
- g. any planned physical changes to the road and its infrastructure; and*
- h. the mean operating speed for the road; and*
- i. the principles and outcomes of any Government road safety strategy; and*
- j. any other matter the Agency considers appropriate.*

Council's SMP was carefully reviewed by the Agency prior to certification. In the SMP's technical assessment the above aspects were examined, specific to Manawaru Road through the Manawaru village.

How are SAAS limits set?

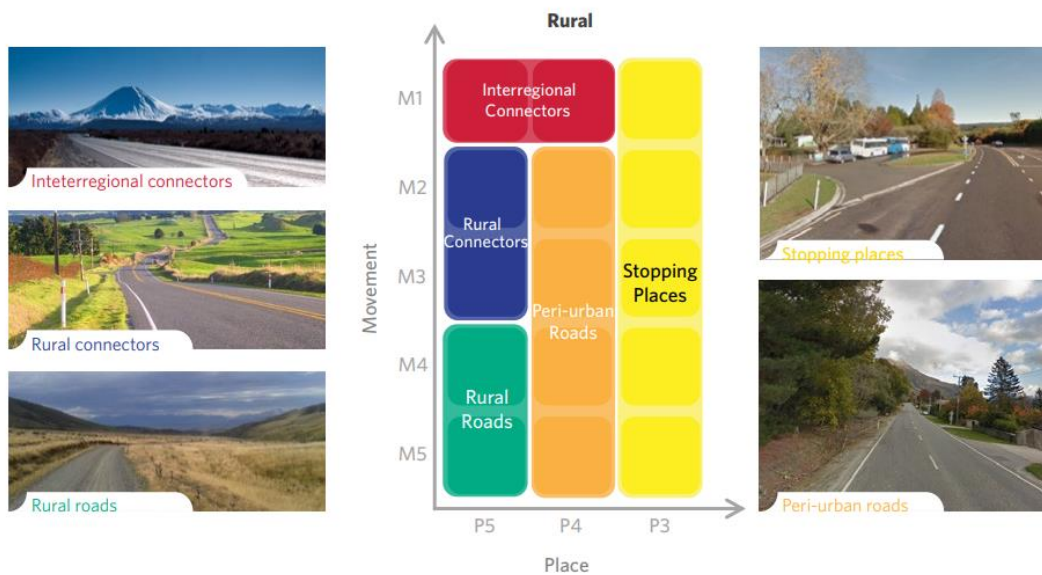
A safe and appropriate speed (SAAS) limit is: **Safe** in accordance with standards set by the Safe System approach, and **Appropriate** in terms of aligning with:

- Community and wellbeing objectives
- The movement and place function


- Design and infrastructure of the street or road

Setting a SAAS limit involves integrating and aligning the One Network Framework (ONF) street categories with SAAS ranges. And then, using criteria either manually or provided by MegaMaps to identify the safe and appropriate speed limit from within that range for the specific street or road.

Below, the rural ONF is shown with the categories represented graphically and pictorially. The ONF is a tool to bring transport and land use together. Manawaru fits the category of a Peri-urban Road (as shown on the graph in orange and as a pictorial example, bottom right). Below that are the Agency’s comments related to SAAS for Peri-urban roads (noting the baseline SAAS for peri-urban roads is 60km/h).



Peri-urban roads



WAKA KOTAHI
NZ TRANSPORT AGENCY


One Network Framework


Stopping places are rural destinations that increase activity on the roadside and directly uses the road for access. There are more people walking, cycling, and driving in these locations, including people often crossing the road.

Safe and appropriate speeds for peri-urban roads

Given the variety of areas they can be found in, there are a broad range of safe and appropriate speeds for peri-urban roads. The baseline safe and appropriate speed for peri-urban roads is 60km/h. For peri-

urban roads where formal rural land is being developed for residential properties, the safe and appropriate speed will be 50km/h. As urban land use intensifies, the levels of people walking and cycling will increase, and cycle lanes, footpaths and crossing facilities can be expected. A safe and appropriate speed of 80km/h is possible for peri-urban roads that are more rural in nature, if they have centreline markings, and either edgeline markings or edge delineation such as marker posts.





MegaMaps: Road to Zero Edition 2

The following information about MegaMaps is stated on the Agency’s website. “The second Road to Zero edition of MegaMaps calculates a safe and appropriate speed for every road in New

Zealand by applying the criteria set out in the Speed Management Framework in the Speed management guide: Road to Zero edition.

The SAAS is based on several inputs including **speed limit ranges for each of the new One Network Framework (ONF) street categories** and the **infrastructure risk rating (IRR)**.

NB: MegaMaps defaults to the lowest safe speed limit in the ONF range unless other criteria for higher speed limits are satisfied, which typically relate to the provision of Safe System infrastructure.”

MegaMaps’ provides Safe and Appropriate Speeds (SAAS) guidance for the development of speed management plans that align with Road to Zero objectives. The primary input in determining the SAAS is the ONF.

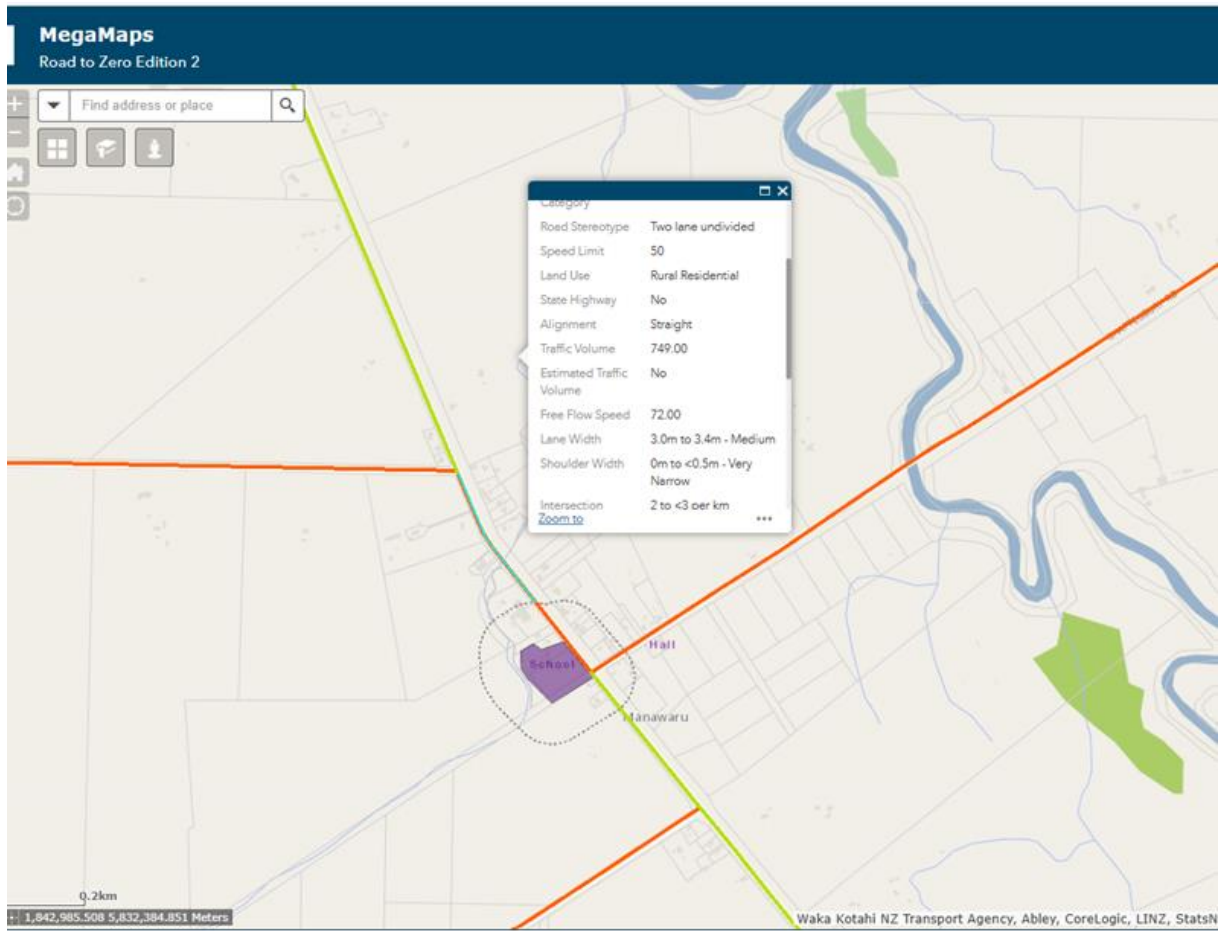
Considering the mean operating speed when considering the speed limit

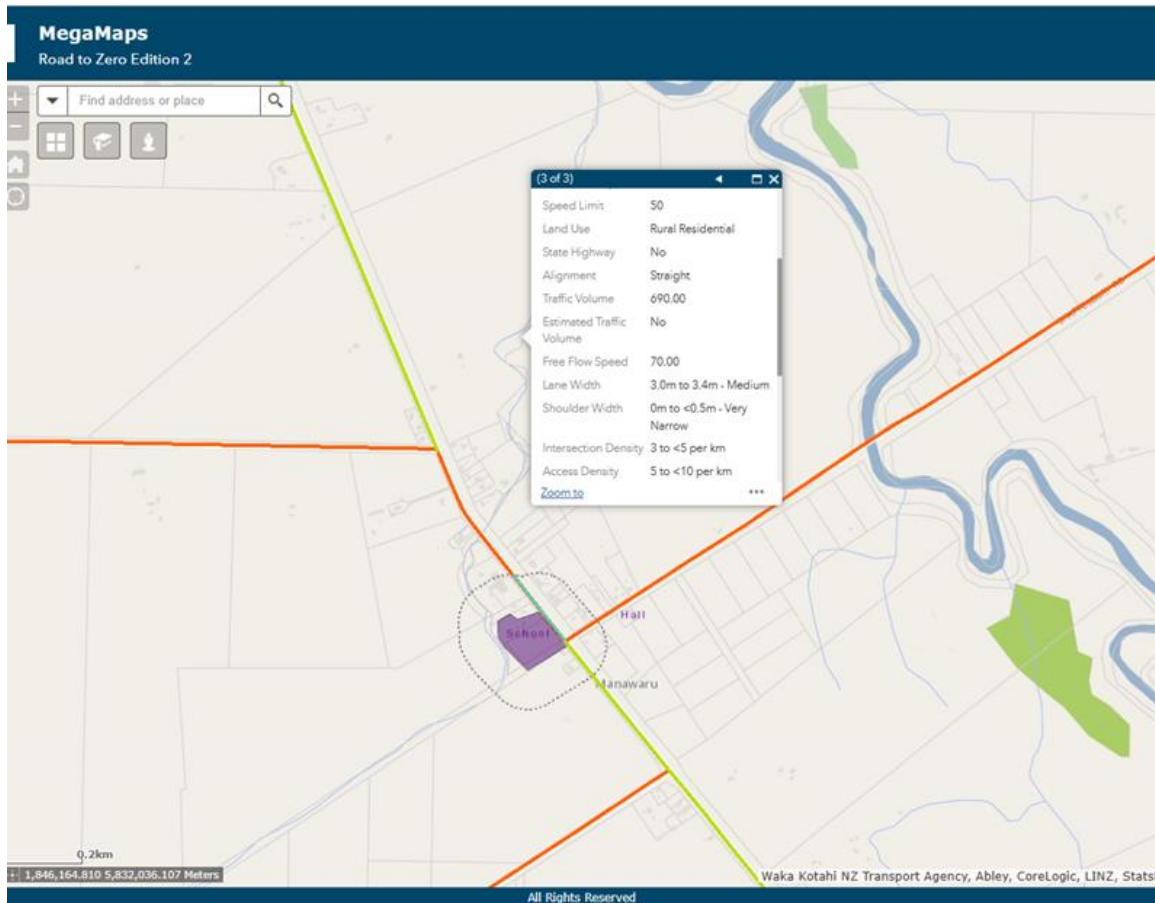
Mean operating speed is defined as, *“the average free-flow speed band for each road segment based on TomTom data.”* (TomTom traffic data or stats is a self-service product that provides direct access to the industry’s largest historical traffic database).

Mean speed information can be used to support a phased approach to speed management and to identify locations for priority investment.

Mean speeds should be monitored once speed limit changes have been made. Only then can decisions be made about locations where additional speed management tools such as communications, enforcement, and infrastructure can be implemented.

Below are two examples from MegaMaps within the village that demonstrate *free-flow* speeds, both at or in excess of 70km/h – in the first example 72km/h and the second 70km/h.





Speed management infrastructure’s impact on safe speeds

While a speed limit is the first influence on the operational speed of vehicles it is not the only influence. The difference between the speed limit and actual operating speed is important to understand and also to measure.

Operating speed is influenced by speed limits and road design. This means design features have an important role in achieving survivable impact speeds. Although serious road trauma can happen on almost any stretch of road, infrastructure measures can prevent or reduce the likelihood of conflicts and their severity.

Council has factored into the SMP at Manawaru supporting infrastructure designed to alter the current design of the road. This infrastructure helps keep speeds below 60km/hr. As present free-flow speeds are at or in excess of 70km/hr, the improvements are expected to lower speeds by at least 10km/hr.

However, there is more difficulty in applying supporting infrastructure to reduce speeds from 70km/hr down to 50km/hr. The cost aspect is also very high. Significant changes may negatively alter the road function.

It is becoming known that the coalition Government wants to see transport networks that boost productivity and economic growth and allow New Zealanders to get to where they want to go, faster and safer. On account of this a 50km/hr existing speed limit may be of future concern to the Agency. However, with the SMP already certified Council is not likely to encounter push-back from the Agency and can be sure that it’s meeting the existing 2022 Rule.

Ngā Take/Kōrerorero | Issues/Discussion

The Manawaru community appear genuinely concerned about this speed issue, pleading for Council to leave the maximum road speed limit as it is at 50 km/h throughout Manawaru. The

petition prepared by Lee Love of Café 77 and Community View and Stuart Bay, Community View Chairman raises a number of issues (see attached petition signed by approximately 200 people):

- Acknowledging past efforts (with the assistance of Mayor Ash Tanner) to lower the earlier limit from 70 km/h to 50km/h.
- Concerns with Council now planning to raise the 50km/h limit by 10km/h to 60km/h; only saving an extra 10.1 seconds when travelling through the village.
- The uniqueness of the village or settlement with 3 cycleway crossing points, community traffic, the school, churches, Café 77, homes and other community facilities.
- That a 60km/h speed limit would increase (magnify) the danger to pedestrians.
- Residents don't want our first accident.

In response:

- The community's previous efforts to lower the 70km/h speed limit are acknowledged, however also acknowledged are the Agency's concerns with no-conformance to rules and best practice guidance.
- Council's speed management planning hasn't focussed on time savings for Manawaru nor for any other parts of the road network – but it has clearly and carefully focussed on the rules and guidance for reasons of practicality, consistency and cost-effectiveness.
- Council acknowledges the uniqueness of Manawaru and the community as a whole – offering benefits to locals and visitors alike. Council respects Manawaru Road for the range of movement and place functions it provides. The road environment and community activities collectively align to the ONF classification of Peri-urban and when considered in terms of speed evidence suggest that 60km/h is a safe and appropriate maximum posted speed.
- Council's planning indicates setting a 60 km/hr maximum speed will work best for the functional use of Manawaru Road. In combination with appropriate supporting infrastructure this should lessen the danger to pedestrians.
- A history of crash statistics is used as part of the criteria for determining the *Safe and Appropriate Speed (SAAS)*. That Manawaru doesn't want to see its first accident is a sentiment shared by Council as it balances the road safety investment across the network.

Council aims through the SMP to strike a balance for both the safety and the functionality of Manawaru Road as part of an established whole-of-network approach.

Mōrearea | Risk

Road safety risk

Council's aim when increasing to a 60km/h speed limit supported by infrastructure is that motorists will better adhere to the speed limit. On this basis, road safety risks on Manawaru Road should be more effectively mitigated. Presently despite having the 50km/h speed limit in place, the majority of motorists are travelling 20km/h in excess increasing the potential road safety risk.

Financial risk

Council has budgeted for SMP implementation across the district. 51% of this is funded by NZTA. NZTA have certified the SMP – meaning that in addition to recommending good policy and practice they also have a financial interest in the outcome of this work. For Council to achieve legal conformance with the 50km/h speed limit, it would require a significant increased investment in infrastructure – at times when community affordability is a key consideration within the district.

As an indication, back in August 2020, Council's roading team prepared two cost estimates based on the earlier recommendations of Gray Matter consultants. The below cost estimates are expected to have increased considerably since then due to inflation.

- 60km/h was priced at \$162,197.00
- 50km/h was priced at \$316,659.00

More detail on these options is below under Financial Cost and Funding Source.

Reputational risk

The community's stance on this speed limit issue presents a reputational risk for Council. The community has demonstrated through the petition their resistance to a speed limit change under the SMP.

Ngā Whiringa | Options

Below two options are presented – the status quo and a case for change in line with the speed management plan.

Option One – Status Quo (maintain the 50km/h speed limit in Manawaru and complete the required improvement works.)	
Description of option	
In accordance with Council's resolution (14 October 2020) and supported by the Manawaru petition.	
Advantages	Disadvantages
Supports the wishes of community.	The Agency didn't previously supported the speed limit.
Local people will be familiar with the existing speed limit.	Costly to complete the improvement works. Speeds are likely to continue to exceed the limit unless reduced by infrastructure.
Doesn't require a National Speed Limit Register change (as the speed limit is already in place)	Would require a future update to the SMP and include the Agency's endorsement.
Option Two – Change (i.e. adopt 60km/h as the speed limit in Manawaru per the SMP)	
Description of option	
This option conforms to the technical assessment recommendations per the Speed Management Plan (SMP) that has already been certified by the Agency.	
Advantages	Disadvantages
Is arguably a more appropriate speed limit. No changes required to the speed management plan.	Might not gain community support.
Is expected to be consistent with other speed limits within small settlements in the district.	Some costs involved but considerably less supporting infrastructure.

Is more likely to be effective e.g. existing speeds can be reduced cost-effectively with suitable supporting infrastructure in place.	Local perceptions may change and be negatively received.
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Recommended: Option 2

Option 2 with a 60 km/h speed limit strikes the right balance between road safety and efficient road use under the ONF road classification.

Manawaru is more rural than urban and isn't planned for significant future growth. Manawaru Road is of relatively straight horizontal alignment with homes and business setback from the road hence the existing speed limit may appear to some motorists as out of character with the roadside environment.

Free-flow speeds in Mega Maps and Council's own speed counts conducted during 2020 and 2022 indicate that compliance with the speed limit is low. To sufficiently engineer a speed reduction for Manawaru Road would require more costly infrastructure than those programmed in the SMP.

A 60km/h speed limit provides consistency with other planned or existing speed limits for small settlements in the district – Walton, Te Aroha West and Tahuna as examples. Consistency for motorists is an important road safety consideration aiding compliance.

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

The present Land Transport Rule: Setting of Speed Limits 2022 applies to Manawaru speed limits as does the Speed management guide: Road to Zero edition.

Bylaws are no longer used as the legal instrument for setting or amending speed limits. This is now managed using the National Speed Limit Register (NSLR). If Council decides to increase the speed limit from 50km/h to 60km/h this change must be captured in the NSLR once signs are altered. The 50km/h speed limit is already in the NSLR.

Leaving the speed limit at 50km/h doesn't meet safety commitments under the present 2022 Rule (specifically the guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15; including guidance on the use of mean operating speed when setting speed limits).

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

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable	Options are addressed above in this report.

options available.	
Section 78 – requires consideration of the views of Interested/affected people	Council formally consulted the public on the speed management plan. Council has also considered Manawaru residents’ their wishes expressed through the petition - staff having made numerous efforts to engage and communicate with petitioners.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a medium level of significance.
Section 82 – this sets out principles of consultation.	Public consultation was in accordance with the 2022 Rule. Schools and Marae were contacted and visited for pre-engagement.

Policy Considerations

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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Council staff and consultant earlier visited schools in the district and marae with the assistance of the Pou Tūhono Iwi Relationship Manager, Strategic Partnerships and Governance; engaging and communicating proposed speed management planning, assessing speed issues and determining suitable speed limits.





The Agency required Council as territorial authority to consult in accordance with consultation principles specified in section 82 of the Local Government Act 2002.
 The public were consulted during the period 14 March – 14 April 2023.

Council’s resolution from this report will be communicated to the Agency and affected residents.

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

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

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

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

The community outcomes relevant to this report are as follows:

- A place with people at its heart
- A place to thrive

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

Council will incur costs to increase the existing 50km/h speed limit to 60km/h and install supporting infrastructure (per the SMP technical assessment). However the extent of Council investment directed at speed management planning is limited to a proposed budget of \$300k annually over the next NLTP period 2024-27; apportioned over multiple speed sites – including schools. This includes a co-investment of 51% from the Agency. Funding from the Agency won't be confirmed until August 2024.

Like other LTP investments, Council's investment has been carefully considered in terms of community affordability.

Back in August 2020, a cost estimate of \$316,659.00 was prepared by roading for a 50km/h speed limit. At the time this was based on carriageway widening of 4.0m, the construction of a 1m wide traffic island, traffic facilities (replacing signs and adding school zone signs) and other services e.g. surveying, design and tendering. A cost estimate of \$162,197.00 was also prepared by Roading for a 60km/h speed limit. This was based on carriageway widening of 2.0m, the construction of a 1m wide traffic island, traffic facilities (replacing signs and adding school zone signs) and other services e.g. surveying, design and tendering.

SMP recommendations are more recent (February 2023) and include a range of safety improvements based again on a 60km/h speed limit. Yet these aren't as extensive as those proposed back in 2020. They include improvements such as transverse rumble strips, threshold upgrades, and changes to variable speed limits - estimated to cost \$130k, which comprises a sizeable portion of the 2024/25 SMP allocation of \$300k.

NB: Today's cost estimates aren't directly comparable to August 2020.

The Manawaru community's petition is attached to this report.

Ngā Tāpiritanga | Attachments

[A↓](#). Manawaru Cafe 77 petition speed limit_11022024 (1)(3)



[B↓](#). Formal Petition to MPDCSave our children petition 11 Feb 2024



Ngā waitohu | Signatories

Author(s)	Barry Reid Roading Asset Engineer	
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Approved by	Susanne Kampshof Asset Manager Strategy and Policy	
-------------	--	--

	Manaia Te Wiata Group Manager Business Support	
--	--	--

Item 7.2
Attachment A

Save our children

2 Feb 2024

Petition to Matamata Piako District Council.

Dear Madam Mayor & Councillors

Manawaru fought hard with the help of then Mayor Ash Tanner to reduce our speed limit from 70 to 50 km per hour because of the identified traffic risks. (See Stuff article 15 Sept 2020 under "Maverick Mayor")

Now Council have planned under the cover of the holidays to lift it to 60 kphr " because traffic are exceeding the limits" so they wish to let them go faster still, an extra 10k saving only another 10.1 seconds travelling through the village.

Our village is unique with 3 crossings, and community traffic to school, 2 churches, Cafe 77, numerous Communityview events with the climbing wall, Play Centre and the Public Hall not forgetting the homes who also have to deal with the noise and the speed.

A 60K speed limit would add more danger to our families, children, visitors, cyclists and pedestrians, as trucks, motorbikes and vehicles will still exceed the speed limit by going even faster, and we don't want our **first** accident.

Your family doesn't want to be first, no family does, so once again former mayor Ash is willing to chair a public meeting with the TV News present if we need to go that far, so watch this space.

Please support us by signing below or giving a thumbs up or "like" on social media to represent your household if you too **reject** this proposal and **like us** want to keep the 50 kph limit as it is.

Thank you for helping to keep our community, our children and families safe.

Cafe77 & Communityview

NAME	Signature	Phone Number
Riley Toogood	<i>[Signature]</i>	0275970856
Brooke Dalton	B.M. Dalton	02041534516
Lee Bromby	<i>[Signature]</i>	0279024930 0212482531
Lee Love	<i>[Signature]</i>	
Richard Davis	<i>[Signature]</i>	0272602443
Justin Thompson	<i>[Signature]</i>	0275825497
Dianne Paterson	<i>[Signature]</i>	0210380974
Joanne Kingsford	<i>[Signature]</i>	021478807
Garry Paterson	<i>[Signature]</i>	0212333683
M.K. Johns	M.K. Johns	078886307
Jenny McVeigh	<i>[Signature]</i>	0272311802
Athenice McLeod	JTM	0211199070
Grant Kingsford	<i>[Signature]</i>	021-478804
John Bryan	<i>[Signature]</i>	0273574820

Save our children

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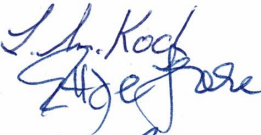








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Cafe77 & Communityview

NAME	Signature	Phone Number
Koch Geoffrey		027 2915396 021 975897
W. F. PARK.		027 256 7526
Lisa Adams		027 233400
Robert B		07 8549528
Olivia Tams		027 8640513
Carolyn Gama		027 8150411
Jon Chinn		0274360247
Mike Chinn		0272305353
Kelley Bishop		027 8443766

Attachment A
Item 7.2

Save our children

2 Feb 2024

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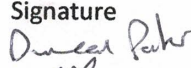









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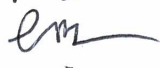
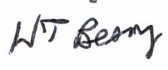









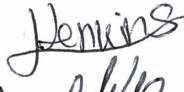
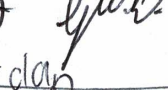
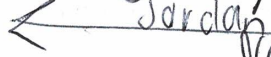
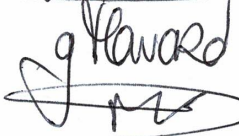

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Cafe77 & Communityview




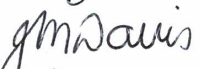


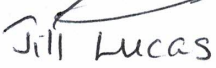
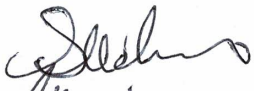





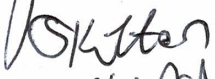


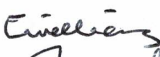


NAME	Signature	Phone Number
DUNCAN PARKER		0279633465
Stuart Bay		021738571
Beth Bay		0274738531
Rosemary Parker		0273253992
Gina Montague		0273111827
THELMA EUSTON		02102781351
MARK WILKINSON		N/A.
Neva Shagold		0274301418
AMANDA GRAY		0274270204
ANDREW LINTON		02102670186
liene Joule		027-674-3818
Joanne Butler		02102624613

NAME	Signature	Phone Number
Kelly H		02102602520
Simon H		0212570442
Stephanie Bish		02758606407
Cushla Muir		0274731745
Wayne Berry		0272801444
Selien Berry		0275686963
Kaner Sales		0274717807
Denise Westgate		021514401
Lorraine Austin		0273034465
Serena Pilmore-Evans		0276105898
Grant Evans		0292014088
Vandy Cauder		0211830364
Ann Rogers		0272866711
Emily White		" " "
Reegan Mead		0220606228
Steve Ferric		021928704
Alan Anderson		0274787657
Tanni Anderson		0274772240
Jorgi Jonkins		021063493
Braham Wright		021750191
Joe		0210242405
Gillian Howard		021301551
MARTIN FRED		021366501

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Item 7.2

Attachment A

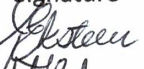






NAME	Signature	Phone Number
? HASKEW		021 1157939
Thingy		021 02285505
Sarah Jane		
Julie Davis		021 1721329
Jane Davis		027 2332674
flora subgrove		027 2940307
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J. P. Papan.	Jill Lucas	0212511143
keve Whittle		0273163858
Robin Collins		0274989610
Chris Collins		0274989610
Samuel McIntosh	Sam	021456807
Irene Collins		0273730271
Rian Gray		0212612853
Lucy Weenink		02102938717
Live Skilton		0278251250
Michael Ward		0279254344
Lacey Collins		0273025015
Ma Williams		022 027 0175
Julie Smythe		0210389520
Lucrecia Binns		0226545137

21

NAME	Signature	Phone Number
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Michelle Smart	[Signature]	0220465106
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Catherine Typow	[Signature]	0210535823
Ben Jacobs	[Signature]	0278941785
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Sophie Smylie	[Signature]	0277728844
Crystal Adlow	[Signature]	0273276404
Will Barbrook	[Signature]	0275914989
Emma Thompson	[Signature]	0274851905
Donnella Henrikson	[Signature]	021 706744
Keoni Bukonis	[Signature]	0274365105
Caleb Dean	[Signature]	0273704591
Janiki Claassen	[Signature]	021 292 4834
Alex Koch	[Signature]	027434161
Bailey Koch	[Signature]	0272753670
Matt Liddle	[Signature]	0224112939
Danielle Liddle	[Signature]	0226818394
Judysay Oldham	[Signature]	02102305716
Abby Mein	[Signature]	027 467 0376
Ryan Johnson	[Signature]	0274986860
Maurice Koch	[Signature]	078846760
E. A. McBride	[Signature]	025481498
Gordon Wood	[Signature]	022084915

Item 7.2

Attachment A

NAME	Signature	Phone Number
Jorina Eksteen		021 201 4499
EON EKSTEEN		021 069 3636
Adey Collins		0273025045
Zamara Barry	CP Barry	0274 457942
Loy Wallace	L Wallace	0274 518920
IAVONNE PARKER		021 050 8471
EWART MORFESSON		021 259 6245
ian Scott	Edward Scott	027 291 5161
Heather Hume	Heather Hume	021 166 4573
Scott Hule	Scott Hule	
Margayn Hepe	M Hepe	021 881 805
		027 495 3377
Shaun walker	S. Walker	02041373668
Heather Craver	HEATHER	0274 770 603
J. Twelftree	MJT	0064 7731897968

1. Manawaru Village Petition to Matamata Piako District Council - 11 Feb 2024.

“Please leave our maximum road speed limit as it is now at 50 km per hour throughout Manawaru Village.”

Our February petition to our community said:

Please support us by signing below or giving a thumbs up or “like” on social media to represent your household if you too **reject** this (*ie Council’s*) proposal and **like us** want to keep the 50 kph limit as it is.

Thank you for helping to keep our community, our children and families safe.
Cafe77 & Community View

2. Petitioners’ Statement to Council – 11 Feb 2024

Dear Madam Mayor & Councillors

Manawaru Village fought hard with the help of then Mayor Ash Tanner to reduce our speed limit from 70 to 50 km per hour because of the identified traffic risks. (See Stuff article 15 Sept 2020 under “Maverick Mayor”)

Council has planned to raise our speed limit by late February 2024 to 60 kph “ because traffic are exceeding the current limits” allowing them to go even faster; the extra 10kph would only save an extra 10.1 seconds when travelling through the village.

Our village is **unique** with 3 cycleway crossings, and 7 days per week connector road and community traffic, including to school, 2 churches, Cafe 77, numerous Community View events with the climbing wall, Play Centre and a Public Hall, not forgetting the homes, several with children who also have to deal with the noise and the speed.

A 60K speed limit would magnify the danger to our families, children, visitors, cyclists and pedestrians, as trucks, motorbikes and vehicles will still exceed the speed limit by going even faster, and we don’t want our first accident.

To support our case, information from National Statistics and an expert witness Tara Hills, has been previously provided to Councillors & Management.

Thank you Madam Mayor for allowing this petition to be presented to Council this week.

On behalf all the petitioners
Lee Love, Operations Manager: Cafe77 & Community View
Stuart Bay, Chairman, Community View

3. Number of signatures

Approximately 200.

Please see the supporting documents provided with the pages signed at Community View and of those who registered on line.

Before petitioners signed they read the introductory note under the heading **“Save our children”** which was provided to give context to the wording of the above petition.

7 Pūrongo me whakatau | Decision Reports

7.3 Former Polo Buildings at Morrinsville Recreation Ground - Proposal by Yankee Haulers

CM No.: 2878399

Te Kaupapa | Purpose

To consider the proposal by Yankee Haulers to take over operation and maintenance of the former polo club buildings at the Morrinsville Recreation Ground. If Council grants approval in principle, staff can work on a Memorandum of Understanding with Yankee Haulers to clarify respective duties and responsibilities of the parties.

Rāpopotonga Matua | Executive Summary

Yankee Haulers Inc. have proposed to operate and maintain the former polo club buildings at the Morrinsville Recreation Ground. The purpose of this report is to understand Council's future intent for these buildings. If Council grants approval in principle, staff can work on a Memorandum of Understanding with the Yankee Haulers to clarify respective duties and responsibilities of the parties.

Tūtohunga | Recommendation

That:

1. The report be received.
2. Council provides approval in principle for Yankee Haulers to operate and maintain the former polo buildings at Morrinsville Recreation Ground for a period of up to five years;
3. Council staff are authorised to negotiate a memorandum of understanding between Council and Yankee Haulers to clarify duties and responsibilities of the parties.

Horopaki | Background

About the Reserve:

- Morrinsville Recreation Ground is not currently held as a Reserve under the Reserves Act 1977 though gazetted as Recreation Reserve is anticipated in the reserve management plan.
- The land currently meets the definition of a 'park' under Section 138(2) of the Local Government Act 2002.
- Further information about legislation and policies are covered in the Legal and policy Considerations section.

About the Polo buildings:

- The buildings were previously used as club rooms by the polo club until their lease terminated in September 2023.
- At the moment, they can be booked by our Customer Services team.
- 2 out of the 3 buildings (the 'kitchen' and the 'tower') are available to be booked through Customer Services. They have previously been used by the Yankee Haulers. The Lawnmower club are using the shed.



Figure 1: Three buildings Yankee Haulers Inc are interested in occupying and maintaining. From Left to Right- Tower, Kitchen and Storage Shed.

About the Yankee Haulers:

- The Yankee Haulers Inc. are a community group have been organising the Morrinsville Motorama since 2007. The Motorama has been recognised as a significant and important event at the Morrinsville Recreation Ground in the Framework Plan.
- The Yankee Haulers Inc. have used the old Polo Club changing rooms for their events. They have also been maintaining the buildings, including- paying for electricity, emptying and tidying the buildings and ensuring the buildings are safe for use (electrical wiring checks) functioning.

Currently not in use unless booked by Yankee Haulers for their events.

Ngā Take/Kōrerorero | Issues/Discussion

The Yankee Haulers are interested in managing and occupying the buildings on the southern side of the Morrinsville Recreation Ground. They do not want it for exclusive use and are keen on managing it and letting other community groups use when they aren't.

While the Framework Plan anticipates potential future uses of this space it **does not** mean that buildings cannot be used in the interim.

If Council grants approval in principle, staff can work on a Memorandum of Understanding with Yankee Haulers to clarify respective duties and responsibilities of the parties.

Mōrearea | Risk

Risks are discussed in the impact assessment for each of the options below.

Ngā Whiringa | Options

Option One – Council Approves Yankee Hauler’s Proposal									
Impact assessment									
Legal Implications	<ul style="list-style-type: none"> While the proposed activity is taking place on a reserve, this is a MoU and not an actual lease. The framework plan is a non-statutory document. But gives a high-level understanding of the future intent of the park. 								
Risk	<table border="1"> <thead> <tr> <th>Risk</th> <th>Response</th> </tr> </thead> <tbody> <tr> <td>Lack of clarity on who is responsible</td> <td>Can be clarified through a MoU and staff training</td> </tr> <tr> <td>Other community groups may not be happy</td> <td>Ensure we communicate well enough with other users of the rec ground.</td> </tr> <tr> <td>Allowing Yankee Haulers to lease can impact future development</td> <td>Can be mitigated by having a MoU for 5 years.</td> </tr> </tbody> </table>	Risk	Response	Lack of clarity on who is responsible	Can be clarified through a MoU and staff training	Other community groups may not be happy	Ensure we communicate well enough with other users of the rec ground.	Allowing Yankee Haulers to lease can impact future development	Can be mitigated by having a MoU for 5 years.
	Risk	Response							
	Lack of clarity on who is responsible	Can be clarified through a MoU and staff training							
	Other community groups may not be happy	Ensure we communicate well enough with other users of the rec ground.							
Allowing Yankee Haulers to lease can impact future development	Can be mitigated by having a MoU for 5 years.								
Policy Implications / Strategic Links	<p>The Parks and Open Spaces Strategy 2021-51 categorised the Morrinsville Recreation Ground as a ‘Sport and Recreation Park’. The proposal is appropriate for this park management category.</p> <p>The General Policies Reserve Management Plan 2019 regulates the occupying of buildings on reserves. Specific objectives and policies are covered in the Legal Policies and Considerations section.</p> <p>While the Framework Plan anticipates potential future uses of this space it does not mean that buildings cannot be used in the interim.</p>								
Costs and benefits	<p>Costs:</p> <ul style="list-style-type: none"> (social) Other groups not happy- fear that it might impede on their use of the rec ground. <p>Benefits:</p> <ul style="list-style-type: none"> (social) Opportunity for community groups to host more events (economic) Opex for building could potentially be saved if Yankee Haulers if they occupy the building. 								
Financial	Opex for building could potentially be saved if Yankee Haulers if they								

Implications	occupy the building.
Annual Plan / LTP Implications	None.
Community Outcomes	<p>This project contributes to the community outcome- A place to belong and create.</p> <p>It does so by:</p> <ul style="list-style-type: none"> • Supporting a local community group project • Provide locals and visitors with memories and experiences that keep people entertained and wanting more
Community Views	Brought up in an event organized by Council on the 12th of June. No concerns brought up by other regular users of the Rec Ground.
Customer impact	Extra space for community groups to use at the rec ground other than the MV Sports Centre.

Option Two – Council doesn't approve Yankee Hauler's Proposal	
Impact assessment	
Legal Implications	None.
Risk	<ul style="list-style-type: none"> • Risk of anti social behavior/ vandalism
Policy Implications / Strategic Links	<p>Declining the proposal (without a valid reason) could be considered contrary to current strategies and policies.</p> <p>The Parks and Open Spaces Strategy 2021-51 categorised the Morrinsville Recreation Ground as a 'Sport and Recreation Park'. The proposal is appropriate for this park management category.</p>
Costs and benefits	<p>Costs:</p> <ul style="list-style-type: none"> • (economic) Opex to maintain or demolish the buildings • (social) Risk of antisocial behavior/ vandalism <p>Benefits:</p> <ul style="list-style-type: none"> • none
Financial Implications	Depends on Council's future intent with buildings- potentially be OPEX to demolish the buildings if required.
Annual Plan / LTP Implications	None.
Community Outcomes	None
Community Views	<p>Community groups may be less likely to approach Council for similar projects in the future.</p> <p>There may be a perception that some community groups / park user groups are considered to be more important than others.</p>
Customer impact	No extra facility for community groups to use.

Recommended option

Option 1; Council approves Yankee Hauler's proposal in principle.

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

Parks and Open Spaces Strategy:

The Parks and Open Spaces Strategy 2021-51 categorised the Morrinsville Recreation Ground as a 'Sport and Recreation Park'. The proposal is appropriate for this park management category.

Framework plan:

The Framework Plan was adopted on 22nd September 2022 . It is a non statutory, spatial plan to help guide future use and development of the park. While the Framework Plan anticipates potential future uses of this space it **does not** mean that buildings cannot be used in the interim.

Reserve Management Plans:

RMP	Section	Objectives	Policies	How does this align with Yankee Hauler's Proposal?
General Policies	7.2	[C] To Optimise the use of existing buildings where practicable	<p>7.2.1.2: “Where practicable existing buildings should be utilised.”</p>	<p>Yankee Haulers are interested in occupying and maintaining already existing buildings on the reserve.</p>
			<p>7.2.1.9 “Existing buildings that have become surplus to requirements shall, where practicable, be removed from the reserve prior to the construction of new buildings.”</p>	<p>After the polo club folded, the buildings were considered surplus. However they are bookable, and Yankee Haulers are interested in occupying and maintaining the buildings as well as managing the bookings. If Council approves the Yankee hauler's proposal in principle, the buildings will no longer be considered surplus.</p> <p>The Framework plan for the Rec Ground anticipates a new toilet in the area where the buildings are located. There is currently no timing for the new toilets. The current buildings require to be removed, prior to new toilets being installed.</p>
			<p>7.2.1.10 “Buildings that are occupied or intended to be occupied by third parties shall be subject to an appropriate occupation agreement (see Occupation section).”</p>	<p>MoU between Council and Yankee Haulers will act as an occupation agreement.</p>
	9	[B] To avoid, mitigate or minimise any adverse effects of reserve occupation	-	MoU will clarify who is responsible for the occupation and management of the buildings.
		[C] To permit occupation arrangements that align with the objectives of the relevant reserve management plan, Council strategies,	-	The Parks & Open Spaces Strategy 2021 allocates the park to the Sport & Recreation Park management category. The proposal aligns with this category.

		policies and bylaws		
Active RMP	4.3.1	<i>Management Intent</i>	Where possible, existing buildings will be fully utilised by current and future users before considering erecting any new buildings on to the site	Yankee Hauler's proposal aligns with the management intent. They would like to use an existing building.
		<i>Management Intent</i>	"That ancillary facilities are shared wherever possible, or added only of required"	The buildings are bookable spaces. The Lawn Mower Club used to store equipment uses the shed. Yankee Hauler's proposal mentions that they are willing to share the building with other community groups. Details of this will be clarified through the MoU.

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

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	As noted in the report, views of interested and affected parties were sought at a recent stakeholder meeting.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	No further consultation is legally required however Council may choose to consult further if it so desires.

Policy Considerations

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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement




- Council staff met with user groups of the Morrinsville Recreation Ground on 12 June 2024 where proposal was shared with other users. No major concerns were raised.
- This is an approval in principle. If Council approves the proposal, Staff can work with the applicant to minimise impacts on other users and ensure that users of the recreation ground are aware of any developments or changes.

Ngā take ā-lhinga | Consent issues

No consent required.

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

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

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

The community outcomes relevant to this report are as follows:

- A place to belong and create.

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

There are no financial implications from this proposal.

Ngā Tāpiritanga | Attachments

A.  Yankee Haulers Proposal (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Mark Naudé Parks & Facilities Planning Team Leader	
	Arshia Tayal Parks & Facilities Advisor	

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

7 Pūrongo me whakatau | Decision Reports

7.4 Te Whare Whakapakari - Matamata Indoor Stadium - Grant applications

CM No.: 2886255

Te Kaupapa | Purpose

The purpose of the report is to provide an update on the Stadium project and to obtain Council approval to apply for grant funds for the project.

Rāpopotonga Matua | Executive Summary

The Indoor stadium project is progressing with a number of milestones to occur over the next two months.

This includes:

- The selection of contractors for the physical works
- The resource consent hearing
- Lodgement of grant applications to a number of funders.

The contracts for physical works are due to be signed by the end of September 2024.

Once signed, Council will be responsible for any short-fall in funding.

There will be a number of funding sources that will be unconfirmed when the contracts are scheduled to be signed. This matter is flagged to Council to allow it to give any direction to the Project Team before a decision has to be made in September.

At this stage the only decisions required from Council are for resolutions to be passed to allow grant applications to be lodged.

This procedural step is a requirement of the listed funders.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **Council authorise a grant application of \$750,000 to the Lotteries Community Facilities fund for the Te Whare Whakapakari – Matamata Indoor Stadium.**
3. **Council authorise a grant application of \$300,000 to the New Zealand Community Trust for the Te Whare Whakapakari – Matamata Indoor Stadium.**
4. **Council authorise a grant application of \$200,000 to the Four Winds Grant Fund for the Te Whare Whakapakari – Matamata Indoor Stadium.**
5. **Council authorise a grant application of \$250,000 to the Grassroots Grant fund for the Te Whare Whakapakari – Matamata Indoor Stadium.**

Horopaki | Background

Council made the decision in March 2023 to take over responsibility for building and operating the proposed stadium.

A Project Steering Group (PSG) is providing governance oversight of the project. The Group is Chaired by Deputy Mayor James and includes the following representation:

- Matamata Indoor Sports and Recreation Hub Charitable Trust
- Matamata College Board of Trustees and Staff
- Ministry of Education
- Sports Waikato

A budget of \$11.44 million has been set for the project.

At this stage, donations paid and pledged and institutional grants and funding allocated total approximately \$8.997 million.

Grant funding applications are planned to be lodged as follows:

Lotteries Community Facilities fund \$0.75 million

NZCT \$0.3 million

Four Winds \$0.4 million (two grants of \$0.2million over 2 years)

Grassroots Trust \$0.25 million

A grant application to the Lion Foundation for \$0.6 million has been on-hold pending the provision of information on project pricing and consents.

In addition, the Matamata College Board of Trustees has offered to contribute funds from the sale of staff houses to the project. A provision of \$440,000 has been allowed.

Resource Consent

The hearing date for the resource consent is 1 August 2024.

Ngā Take/Kōrerorero | Issues/Discussion

Grants to be lodged

Funders require a specific resolution of the applicant body authorising the lodgement of the grant application (including the amount).

The decision on the Lotteries Community Facilities fund application will not be known until December 2024.

We would hope the decisions from other grant applications will be known before the date scheduled for contracts to be signed.

Contract tenders

There are two tenders that were issued for the physical works:

- Design and Build of the stadium
- Enabling civil works (includes access, car-parks and demolition).

Both tenders have closed and we expect to have concluded the selection process by the second week of August. This will also allow the Project team to review the project budget.

Sale of School houses

The following was reported to Council in 2023:

The Matamata College Board of Trustees has signalled a willingness to contribute proceeds from the sale of staff houses to the project. MPDC and MOE staff met recently and the application of the sale of school houses was explained.

The following is a summary based on those discussions:

- *The disposal process could take 24+ months*
- *The proceeds of the sale will not go to the MOE and instead Treasury will be the recipient government department*
- *The MOE incentivises schools to sell school houses. There is a process for the sale proceeds to be applied to the school. The funds must be applied to Priority 1 items (that threaten to close the school) or Priority 2 items (eg infrastructure). If the school has neither of these items then Priority 3 items can be considered. Priority 3 are improvements to the school and the new stadium falls into this category.*
- *The MOE representatives are unable to give any assurance that the sale proceeds can be applied for this project.*

An allowance of \$440,000 has been included in the funding plan from this funding source.

Project Timetable

The project timetable allows for contracts to be awarded by the end of September. This assumes we will have received a positive outcome to the resource consent application by then.

Physical works are scheduled to start mid to late October.

There was a desire by the PSG to tender the work as soon as possible to avoid further cost increases.

It was an expectation of the project team that the timing of our procurement process would take advantage of favourable market conditions.

There are a number of new risks that arise if the contract award date is delayed.

These are noted under the risk section below.

Mōrearea | Risk

If Council does not approve the lodgement of the grant applications as proposed, the project will be halted. The funding sought is essential to achieve funding targets.

If the current project time-table is followed, contracts for physical works would be awarded before all funding sources have been confirmed. As a minimum, this is likely to be:

- \$440,000 from the sale of school houses

- \$750,000 from the Lotteries Board Community Facilities Fund

Council would then be responsible for any short-fall.

Delaying the contract award date to any great extent will expose the project to:

- Cost escalations
- Potential loss of a contractor
- Possible loss of some approved or pledged funding sources

Ngā Whiringa | Options

<Insert text>

Option One – Approve the lodgement of the grant applications	
Description of option	
Council approve the lodgement of the grant applications as listed in the report.	
Advantages	Disadvantages
Applications can be lodged as proposed to meet the funding targets for the project.	The project will be halted unless Council meets the funding short-fall.

Recommended option

That Council approve the lodgement of the grant applications as listed in the report.

The alternative option is not to lodge the applications.

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

There are not considered to be any legal or policy issues that preclude the lodgement of the grants.

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

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable	Options are addressed above in this report.

options available.	
Section 78 – requires consideration of the views of Interested/affected people	There are not considered to be any views of interested/affected people beyond the project group.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	Not considered necessary.

Policy Considerations

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

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

There are no additional costs to lodge the grants.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

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

7.5 Better Off Funding Confirmation

CM No.: 2878002

Te Kaupapa | Purpose

The purpose of this report is for Council to formally confirm the allocation of Better Off Funding in light of recent communication from the Minister of Local Government and the Department of Internal Affairs.

Rāpopotonga Matua | Executive Summary

Council had previously confirmed allocation of Better Off Funding as detailed further in this report. In light of recent communication from the Minister of Local Government and the Department of Internal Affairs Council is now requested to formally confirm the re-allocation as detailed within this report. This reallocation has been previously discussed with Council at an open workshop on 29 May 2024. The reallocation has been submitted to and largely approved by Department of Internal Affairs (DIA) and we have submitted a claim on two projects.

Tūtohunga | Recommendation

That:

1. The report be received.
2. Council approve the reallocation of Better Off Funding as detailed within this report.

Horopaki | Background

On 13 December 2023 Council approved the repackaged Place Plans for Matamata, Morrinsville and Te Aroha and confirmed Better Off Funding to deliver the plans including prioritised capital projects.

On 24 January 2024 Council approved the Community-Led Initiatives Grant Policy (funded using Better Off Funding) and it was open for applications from 1 February 2024.

On 5 April 2024, Council received a letter from the Minister of Local Government stating that cabinet had agreed to continue with the Better Off Funding scheme for Councils but it also requested that parties work together to direct unspent funding to increase investment in water infrastructure or help establish new water service delivery organisations.

On 18 April 2024 Council received a letter from Department of Internal Affairs (DIA) outlining that it would like to work with Council on reprioritising the funding that had not yet been allocated to water infrastructure where possible.

On 13 May 2024 Council staff met with the DIA via Teams, we discussed the \$800,000 to offset the water costs in 2023/24 (as approved by Council on 7 June 2023 as part of the Annual Plan 2023/24 Hearing), DIA indicated verbally that they were in agreement with this. We also discussed a number of other possible water related items that we could include such as the development of Water Service Delivery Plans as required under legislation and currently unbudgeted. DIA staff verbally agreed with some redirection of funding toward water related projects and the remainder proceeding as planned and approved by Council on 13 December 2023. Council staff told DIA that we would confirm these priorities with our Council and come back to them with confirmation of any redirection.

On 29 May 2024 Council held an open workshop where the reallocation as stated further in this report was discussed and direction was provided to submit amendments to DIA for confirmation. The reallocation has been submitted to and largely approved by DIA and we have submitted a claim on two further projects.

Ngā Take/Kōrerorero | Issues/Discussion

Council staff prepared a list of reprioritised projects for Council consideration and these were discussed at the open workshop on 29 May 2024. We now seek formal confirmation of your discussion.

Item	Current allocation	Reprioritised allocation	Difference	Financial Year
Offset water costs for 2023/24	\$800,000	\$800,000	-	2023/24
<p>Community-Led Initiatives Grant</p> <p>Community-Led Initiatives Grant supports the community to deliver their own small scale initiatives that contribute to an even better district to live, play, work and learn in.</p> <p>*reduction to three years based on expending the funding by June 2027</p>	\$120,000 (\$30,000 over four years)	\$90,000 (\$30,000 over three years)	-\$30,000	2024-2027
<p>Resourcing</p> <p>Operational funding to deliver the projects within the Place Plans</p> <p>*reduction due to staff having reviewed how we will deliver these projects</p>	\$584,000 (over four years)	\$292,000 (over three years)	-\$292,000	2024-2027
<p>Matamata - Matamata Inner Green route implementation on Hetana Street Reserve</p> <p>Connect existing parks and reserves closest to the town centre, to create an 'inner green' walk and bike route for the community. This contributes to our place goal of making our town centre safe and easy to access on foot, bike and scooter for all ages and abilities.</p> <p>*Reduction based on potential community group assistance with this project</p>	\$400,000	\$322,000	-\$78,000	2025/26
<p>Matamata - Enhance Matamata connectivity project</p> <p>Additional infrastructure to provide better walking and cycling connectivity within the Matamata CBD. Feedback received from the community indicated a need to provide additional pedestrian crossings, shared paths and speed calming measures to various locations throughout the CBD.</p>	\$450,000	\$450,000	-	2024/25

<p>Matamata - Matamata Accessibility Improvements</p> <p>Street accessibility audits of the main town centres have identified infrastructure upgrades required to improve accessibility for all users. These urgent improvements will further enhance the safety and enjoyment of pedestrians and those on micro-mobility devices travelling through the town centres.</p>	\$250,000	\$250,000	-	2024/25
<p>Morrinsville - Continuation of Avenue Rd and Snell Street Footpath</p> <p>Connect existing footpaths to allow for a town centre that is easily accessible to all members of the community</p>	\$250,000	\$250,000	-	2025/26
<p>Morrinsville - State Highway Crossing near Lorne Street</p> <p>To install a safe crossing on the State Highway. This will provide a safe crossing point for all users and improve the connection between the town centre and the new shared path at the Recreation Ground. This will contribute to the place goal of the town centre being easily accessible to all.</p>	\$150,000	\$150,000	-	2025/26
<p>Morrinsville - Morrinsville Accessibility Improvements</p> <p>Street accessibility audits of the main town centres have identified infrastructure upgrades required to improve accessibility for all users. These urgent improvements will further enhance the safety and enjoyment of pedestrians and those on micro-mobility devices travelling through the town centres.</p>	\$600,000	\$600,000	-	2024/25
<p>Te Aroha - Town Centre lighting upgrade</p> <p>Upgrade all amenity lights in the town centre to ensure Te Aroha is safe and welcoming at all hours, day and night.</p>	\$350,000	\$350,000	-	2025/26
<p>Te Aroha - Spur St - wetlands connection</p> <p>To connect the Te Aroha wetlands and spur street path to Stanley Ave. This is a key linkage for school children, residents and recreational users. The Te Aroha wetlands are an extremely well utilised green space very close to the town centre, Spur Street is a bustling hub of sports and recreational activities so connecting these two areas would ensure Te Aroha nature recreation is well-used and celebrated.</p> <p>*Reduction based on potential community group assistance with this project</p>	\$150,000	\$50,000	-\$100,000	2025/26

Te Aroha – Te Aroha Accessibility Improvements Street accessibility audits of the main town centres have identified infrastructure upgrades required to improve accessibility for all users. These urgent improvements will further enhance the safety and enjoyment of pedestrians and those on micro-mobility devices travelling through the town centres.	\$216,000	\$216,000	-	2025/26
Water Services Delivery Plan Plans required under legislation	-	\$100,000	+\$100,000	2024/25
Waters Asset Data Improvement Improve asset data to better inform delivery planning	-	\$200,000	+\$200,000	2024/25
Waitoa Water consultation planning Develop high level planning to inform consultation and complete consultation requirements.	-	\$200,000	+\$200,000	2024/25
Total (Better Off Funding = \$4,320,000)	\$4,320,000	\$4,320,000	-	

Transition Funding

DIA have confirmed our transition funding can be used to assess new water service delivery organisations so we have not included this in the above list of projects for the Better Off Funding.





Mōrearea | Risk

The project list above includes Transport Choices projects that lost funding but still have contracts ready for tender. Some projects are already underway and the projects are highly likely to be completed within the specified timeframe.

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

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

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

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

The projects details within this report add to all community outcomes.

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

Detailed elsewhere in this report. These projects will be funded by Better Off Funding.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

<p>Author(s)</p>	<p>Sandra Harris Strategic Partnerships and Governance Manager</p>	
	<p>Susanne Kampshof Assets and Projects Manager</p>	
<p>Approved by</p>	<p>Kelly Reith Group Manager People, Governance & Relationships</p>	

7 Pūrongo me whakatau | Decision Reports

7.6 Board appointment and remuneration policy - For adoption

CM No.: 2863961

Te Kaupapa | Purpose

The purpose of this report is to present the Board Appointment and Remuneration Policy to Council for consideration and adoption.

Rāpopotonga Matua | Executive Summary

A Board Appointment and Remuneration Policy (Policy) is a requirement under Section 57 of the Local Government Act 2002. The Policy pertains to Council's processes for the appointment and remuneration of the Directors of Council Organisations in which Council has a shareholding. The purpose of the Policy is to establish an objective and transparent process for these processes. The draft Policy is attached.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **Council adopts the Board Appointment and Remuneration Policy**
3. **Council authorises staff to make any minor amendments needed for clarity, consistency or accuracy.**

Horopaki | Background

A Board Appointment and Remuneration Policy (Policy) is a requirement under Section 57 of the Local Government Act 2002. The Policy pertains to Council's processes for the appointment and remuneration of the Directors of Council Organisations in which Council has a shareholding. The purpose of the Policy is to establish an objective and transparent process for these processes.

The Policy applies to the appointment and remuneration of Directors of Council Organisations, Council Controlled Organisations, and Council Controlled Trading Organisations as defined below:

Definition	Detail
Council Organisation (CO)	A CO is an organisation in which Council has a voting interest and/or the right to appoint a director, trustee or manager.
Council Controlled Organisation (CCO)	A CCO is a CO in which one or more local authorities control, directly or indirectly, 50 percent or more of the voting rights and/or have the right, directly or indirectly, to appoint 50 percent or more of the directors, trustees or managers.
Council Controlled Trading Organisation (CCTO)	A CCTO is a CCO which operates a trading undertaking for which making a profit is one of its purposes.
Director	A director includes company directors, trustees, members,

	managers, and office holders of an organisation.
--	--

Council currently has shareholdings in four entities, which fall under the remit of this Policy.

Organisation	Type of organisation
Waikato Local Authority Shared Services Ltd trading as Co-Lab (WLASS).	Council controlled organisation
Waikato Regional Airport Ltd (WRAL) and its subsidiaries Hamilton and Waikato Tourism Limited, Titanium Park Limited and Waikato Regional Airport Hotel Limited.	Council controlled organisation
Hauraki Rail Trail Charitable Trust (In accordance with Section 6(4)(i) LGA 2002 due to exemption granted under Section 7 LGA 2002)	Council organisation
Civic Financial Services Ltd	Council organisation

Ngā Take/Kōrerorero | Issues/Discussion

Development of Policy

Following an open Council workshop on the draft Policy held 29 May 2024 amendments have been made to the Policy to reflect Council’s guidance.

Staff also sought feedback from the CCO’s in which Council has a shareholding. A summary of the feedback received, and the amendments made in response, is attached.

The updated draft Policy is attached.

The Policy in practice

The Policy sets out principles for best practice processes to follow for the appointment and remuneration of Council Organisation Directors, however, as acknowledged in the Policy, for current Council Organisations, these processes are largely dictated in practice by the processes set out in the governance documents of those organisations.

Furthermore, given that Council Organisations, including those that MPDC currently has shareholdings in, come in a wide variety of forms, the Policy is necessarily broad in its approach.

Water Reforms

The Local Government (Water Services Preliminary Arrangements) Bill provides for Councils to combine to prepare a joint water services delivery plan.

The future arrangement may be in the form of a joint water services CCO or other arrangement under Section 137 Local Government Act. It remains to be confirmed if this Policy would apply if the entity formed is a CCO.

Policy review

This Policy is scheduled to be reviewed at least every five years, but may be reviewed whenever necessary, including in response to changes or additions to the COs in which Council has a shareholding.

Mōrearea | Risk

No significant risks have been identified.

Ngā Whiringa | Options

There are two main options – Council can adopt the policy as proposed or make further amendments before adopting it.

Option One	
Adopt the policy as presented	
Adopt the draft Policy as presented, or with minor amendments as determined at this meeting.	
Advantages	Disadvantages
Allows the Policy to come into effect	No opportunity for further amendments
Option Two	
Request further changes to the Policy before adoption	
Request further changes to the Policy before adoption	
Advantages	Disadvantages
Allows for opportunity to make further changes to the Policy	Delays adoption of the Policy

Recommended option

Option One is the recommended option.

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

This Policy is required under Section 57 of the Local Government Act 2002.

The relevant section of the Act is below:

57 Appointment of directors

- (1) A local authority must adopt a policy that sets out an objective and transparent process for—
 - (a) the identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and
 - (b) the appointment of directors to a council organisation; and
 - (c) the remuneration of directors of a council organisation.
- (2) A local authority may appoint a person to be a director of a council organisation only if the person has, in the opinion of the local authority, the skills, knowledge, or experience to—
 - (a) guide the organisation, given the nature and scope of its activities; and
 - (b) contribute to the achievement of the objectives of the organisation.

- (3) When identifying the skills, knowledge, and experience required of directors of a council-controlled organisation, the local authority must consider whether knowledge of tikanga Māori may be relevant to the governance of that council-controlled organisation.

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

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Feedback was sought, and has been received from the COs in which Council has a shareholding
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	The process for developing this Process is line with the LGA

Policy Considerations

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





Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The development of the Policy followed the timeline below

Draft Policy developed	Jan – May 2024
Open Council Workshop	29 May 2024
Feedback received from CCOs	June 2024
Policy adoption	24 July 2024 TBC
Policy in force	24 July 2024 TBC
Policy review	At least by July 2029, or before as needed

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

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



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

- This is an internal policy and as such does not directly relate to the Community Outcomes. Our Council Organisations can help to deliver on our Community Outcomes e.g. making the district a place to thrive through tourism and economic development.

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

This Policy was developed within the existing resource of the Policy team.

Ngā Tāpiritanga | Attachments

-  Board Appointment and Remuneration Policy for Adoption 24 07 24 (*Under Separate Cover*)
-  Summary of Policy Feedback Received from Council Organisations (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Anne Gummer Policy Advisor	
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Approved by	Niall Baker Policy Team Leader	
	Sandra Harris Strategic Partnerships and Governance Manager	
	Kelly Reith Group Manager People, Governance & Relationships	

7 Pūrongo me whakatau | Decision Reports

7.7 Private Plan Change 58 - Avenue Business Park Operative Date

CM No.: 2878616

Te Kaupapa | Purpose

The purpose of this report is seek approval from the Council to make Private Plan Change 58 – Avenue Business Park operative.

Rāpopotonga Matua | Executive Summary

Private Plan Change 58 – Avenue Business Park sought to rezone approximately 14ha of rural land on the western outskirts of Morrinsville into Industrial Zone. The proposal brought with it a new zone, being the General Industrial Zone and a new set of bespoke provisions. The plan change request was granted and the decision publicly notified on 9 May 2024. The 30-day appeal period following this notification has since lapsed and no appeals were lodged. Consequently, this report seeks Council's resolution to seal the plan change and make it operative. Nathan Sutherland is available to answer any questions.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **Pursuant to Clause 17 of Schedule 1 of the Resource Management Act 1991, Private Plan Change 58 is approved, sealed with the seal of the Council and signed by the Mayor and Chief Executive Officer; and**
3. **Pursuant to Clause 20 of Schedule 1 of the Resource Management Act 1991, Private Plan Change 58 becomes operative on 30 August 2024.**

Horopaki | Background

On 22 December 2022, Warwick and Marion Steffert lodged a plan change request with the Council to rezone approximately 14ha of rural land on the western outskirts of Morrinsville into General Industrial Zone (GIZ). This request was titled Private Plan Change 58 – Avenue Business Park (PPC58). The purpose of the plan change was to provide additional land supply to assist in meeting the identified shortfall of industrial land in the area, and to enable the efficient use and development of the site. It was anticipated that the plan change area would accommodate a range of industrial and non-industrial businesses, with the latter intended to support or at least be compatible with industrial activities. The plan change also introduced an Avenue Business Park Development Area Plan, which would guide the future development of the site.

The plan change request was accepted by Council on 24 May 2023 and publicly notified on 15 June 2023. Fourteen submissions, including one late submission were received in response to the notification. Following this, the submissions were summarised and notified on 17 August 2023. One further submission was received during this time. A hearing to decide the submissions was

held on 26 February 2024 and was overseen by independent commissioners David Hill (Chair) and James Whetu on behalf of the Council. Their final decision was released publicly on 9 May 2024. A copy of the decision and the final District Plan provisions are attached under separate cover.

Clause 29 of Schedule 1 of the Resource Management Act 1991 (RMA) gives the plan change requester and the relevant submitters 30-working days following its notification, to appeal the Council's decision.

Ngā Take/Kōrerorero | Issues/Discussion

The appeal period finished on 21 June 2024, with no appeals being lodged. Given there were no appeals, the final step in the process is to make the plan change operative. Clause 17 of Schedule 1 of the RMA allows a council to approve all or part of a plan when it is beyond challenge by submission or appeal. It "gives effect" to this approval by affixing the seal of the Council to the plan change. Following this approval, Clause 20 of Schedule 1 of the RMA says that the Council shall publicly notify the date on which a plan becomes operative at least five working days prior to this occurring.

Determining an operative date can be in iterative process and can depend on a range of factors, including the time taken to prepare and review an operative version of the plan, the ability to finalise District Plan maps and deadlines for newspaper advertisements. Based on these factors, staff have recommended an operative date of 30 August 2024. A timeline to make PPC58 operative is attached under a separate cover.

Mōrearea | Risk

In adopting the recommendations of this report, it is considered that the decision to make PPC58 operative would constitute as a low risk. The Council's Risk Policy provides an expectation that the organisation will comply with all relevant legislative requirements in the conduct of its business. Making a plan change operative in accordance with the relevant provisions of the RMA is an expectation of that piece of legislation.

Ngā Whiringa | Options

There are two main options. The first option is to make PPC58 operative on 30 August 2024 (or an alternative date). The second option is to not make PPC58 operative at all. These options are discussed below.

Option 1: To make Private Plan Change 58 – Avenue Industrial Park operative

Section 84 of the RMA says that while a District Plan is operative, then the Council shall observe and enforce the provisions of this plan. Making PPC58 operative will enable the Council to enforce the provisions associated with it, and in the process provide for industrial growth in Morrinsville.

Option 2: To not make Private Plan Change 58 – Avenue Industrial Park operative

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

The submissions on PPC58 have been decided upon and the decisions released 9 May 2024. No appeals were lodged within the specified 30-working day period, meaning that the proposed provisions have legal effect in accordance with section 86B of the RMA. However, not making the

plan change operative would add significant complexity to the site as any current operative plan does not become inoperative until the newly proposed plan becomes operative. This would mean that two sets of potentially conflicting provisions would apply to the PPC58 area.

Recommended option

Option 1 is recommended in this instance. Making PPC58 operative is the final step in the plan change process and it would enable the Council to observe and enforce (solely) the District Plan provisions that have decided on by the independent hearing commissioners (on behalf of the Council).




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

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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The RMA requires the operative date of a proposed plan to be publicly notified. This will be achieved by sending notification emails/letters to the plan change requestor, the submitters and the relevant parties outlined in Clause 20 of the RMA. A public notice will also be placed in the Morrinsville News for 1 August 2024 publication.

Ngā Tāpiritanga | Attachments

- A.  PPC58 Avenue Business Park - Commissioners' Decision *(Under Separate Cover)*
- B.  PPC58 Avenue Business Park - Provisions Commissioners' decision version *(Under Separate Cover)*
- C.  PPC58 Timeline to become operative *(Under Separate Cover)*

Ngā waitohu | Signatories

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

7 Pūrongo me whakatau | Decision Reports

7.8 Future Proof Strategy - Adoption

CM No.: 2883648

Te Kaupapa | Purpose

The purpose of this report is to present the Future Proof Strategy – Future Development Strategy Update 2024 – 2054 to the Council for adoption.

Rāpopotonga Matua | Executive Summary

The Future Proof partnership was established to manage growth across the Hamilton City, Waikato District, Waipa District and Matamata-Piako District sub-region. This is largely achieved through the Future Proof Strategy, which is a 30-year growth management plan. The Strategy has been recently updated to comply with the legislative requirements of the National Policy Statement on Urban Development 2020 (NPS-UD), in particular the requirement for a future development strategy. The latest iteration of the Strategy has also incorporated the Matamata-Piako District, acknowledging the strong connections between it and the rest of the sub-region and the link with Tauranga.

The Strategy has been through a special consultative procedure under the Local Government Act 2002 (LGA). The Hearings Subcommittee considered the submissions received and made recommendations to the Future Proof Implementation Committee (FPIC), which were accepted. FPIC endorsed the Strategy on 7 June 2024 and resolved to recommend the Strategy to the Future Proof partners for adoption.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **The Council adopt the Future Proof Strategy – Future Development Strategy Update 2024 – 2054.**

Horopaki | Background

Matamata-Piako District Council joined the Future Proof partnership in November 2021. This partnership was set up to consider how the sub-region should develop in the future. The Future Proof Strategy has stemmed from this partnership, consisting of a 30-year growth management plan that has been successful in providing a strategic, integrated approach to long-term planning and growth management. A key aspect of the Strategy is to identify spatial locations in which residential and business activities will be provided for in the long term. Additionally, the Future Proof Strategy has a particular focus on achieving a more compact and concentrated urban form amongst the sub-region's existing urban settlements.

The Strategy incorporates values and aspirations in relation to urban development identified by hapū and iwi input through the Future Proof partnership via Nga Karu Atua o te Waka and Waikato-Tainui. In terms of iterations, the Future Proof Strategy was substantially updated in 2022 with the incorporation of the Auckland Corridor Plan and the Hamilton-Waikato Metro Spatial plan. This resulted in changes to the settlement pattern, the process for considering unanticipated

development and other general updates. This revised version also informed Plan Change 1 to the Waikato Regional Policy Statement.

Ngā Take/Kōrerorero | Issues/Discussion

More recently, the Future Proof Strategy has been updated to comply with the legislative requirements of the National Policy Statement for Urban Development (NPS-UD), particularly the requirement for a future development strategy (FDS). Under clause 3.12 of the NPS-UD, every tier 1 and 2 local authority must prepare and make publicly available an FDS every six years. Tier 3 local authorities like Matamata-Piako are also encouraged to produce an FDS to promote planning for well-function urban environments. An FDS is intended to be a long-term planning document that spatially identifies the locations where development capacity will be provided over the long term and describes the infrastructure required to support that capacity.

The update was about refining the existing Strategy to make sure that it meets the NPS-UD's requirements for an FDS, clearly articulating the growth challenges for the sub-region, strengthening direction on affordable housing and aligning the Strategy with the work on the transport and water business cases that have progressed since the last version. More importantly from a Matamata-Piako context, the Strategy also needed to reflect district's inclusion into the partnership, by including this district into the Strategy and reflecting the strong connections between it and the rest of the sub-region and the link with Tauranga.

Using a LGA special consultative process, the Strategy was publicly notified on 15 January 2024 for a five-week period. Forty-nine submissions were received during this period. Of these submitters, 33 presented at the hearings on 20 and 21 March 2024. The Hearing Subcommittee deliberations were held on 1 May 2024, where the Subcommittee considered the submissions received and made recommendations to FPIC in relation to the responses to submitters and to changes to the Strategy.

FPIC accepted all the recommendations of the Hearing Subcommittee and endorsed the strategy on 7 June 2024. FPIC resolved to recommend the strategy to the Future Proof partners for adoption. The Strategy is attached under separate cover. The other partner councils are each in the process of adopting the strategy to formally complete the update process.

Once endorsed by FPIC and adopted by the relevant partners, the Future Proof Strategy will serve as an FDS for the tier 1 local authorities (Waipa and Waikato Districts, Hamilton City and Waikato Region) and as a high level strategic planning document for Matamata-Piako District. However, the intention is that the next iteration of the Future Proof Strategy will also serve as an FDS for Matamata-Piako. Under the NPS-UD, an FDS must be reviewed regularly and the review must be done in time to inform the next long-term plan (i.e. every three years). This FDS will also be supported by an Implementation Plan, which will identify those projects or pieces of infrastructure that are crucial to the delivery of the Strategy, as well as setting out the overall work programme for the Future Proof partnership. The Implementation Plan is scheduled for adoption by FPIC in September 2024.

Mōrearea | Risk

It is considered that a decision to adopt the Future Proof Strategy would constitute as a low risk. The Council's Risk Policy provides an expectation that the organisation will comply with all relevant legislative requirements in the conduct of its business. As a tier 3 local authority, Matamata-Piako District Council is not obligated to produce an FDS and the strategy specifically notes (pg. 43) that the "*Future Proof Strategy is not considered a full FDS for Matamata-Piako district*". Therefore, the Council is not subject to the same requirements and scrutiny under the NPS-UD that the other Future Proof council partners are. For Matamata-Piako, at this stage the Strategy simply provides an acknowledgement of the district's inclusion in the sub-region and it would serve as a high-level strategic planning document, signalling a broad direction for future urban growth within the district.

Ngā Whiringa | Options

There are two main options available to the Council. It can either adopt the Future Proof Strategy – Future Development Strategy Update 2024 – 2054, or it can refuse to adopt it. These options have been discussed below.

Option 1: Adopt the Future Proof Strategy

Matamata-Piako District joined the Future Proof partnership late in 2021. This is the first iteration of the Future Proof Strategy that acknowledges the district's incorporation into the wider sub-region. Adopting the Strategy would cement the place of the Matamata-Piako District in the partnership. It would also be consistent with the Council's approach to the Strategy to date, given that it had representation on the Hearing Subcommittee and that there was unanimous Hearing Subcommittee recommendations to the Future Proof Implementation Committee (FPIC). FPIC (which also has MPDC representation) provided unanimous endorsement of the Strategy.

Option 2: Do not adopt the Future Proof Strategy

Choosing this option is likely to undermine the Future Proof partnership. It would also be inconsistent with the Council's involvement in the development of the Strategy to date. It has had input into the Strategy through staff involvement, elected member representation on the Hearing Subcommittee and FPIC. Any issues with the Strategy could and arguably should have been raised at any of these points. Not adopting the Strategy may also put its implementation at risk, which would have greater implications for the other partnering councils

Recommended option

Option 1 is the recommended option for several reasons. Firstly, it would acknowledge the place of Matamata-Piako District within the Future Proof partnership. Secondly, it would be aligned with the actions of the Council thus far. Both staff and elected members have participated in the development of the latest Strategy and have not raised any outstanding issues with the final document through this participation. Lastly, it would ensure that the Future Proof Strategy – Future Development Strategy Update 2024 – 2054 can be fully implemented.

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

The National Policy Statement on Urban Development 2020 (prepared under the Resource Management Act 1991) requires tier 1 and 2 local authorities prepare a future development strategy in time to inform their next long term plans. This Future Proof Strategy – Future Development Strategy Update 2024 – 2054 is intended to meet those requirements for the Hamilton City, Waikato District, Waikato Regional and Waipa District partners. However, the FDS does not constitute as an FDS for Matamata-Piako District. Instead, it might be more accurately described as an "*other strategic planning document*", which broadly influences Council's decisions regarding development. This will serve as a temporary measure, with the next version of the Future Proof Strategy intended form an FDS for Matamata-Piako as well as the tier 1 local authorities.

This recommendation is not considered significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Tāpiritanga | Attachments

A.  Future Development Strategy Update_2024_full version (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Nathan Sutherland Team Leader RMA Policy	
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Approved by	Ally van Kuijk General Manager Growth & Regulation	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Hauraki Gulf Forum Meeting 10 June 2024

CM No.: 2886637

Te Kaupapa | Purpose

The purpose of this report is to present the minutes of the Hauraki Gulf Forum (HGF or “the Forum”) meeting from 10 June 2024.

Rāpopotonga Matua | Executive Summary

The HGF is a statutory body, which promotes and facilitates integrated management and the protection and enhancement of the Hauraki Gulf, under the Hauraki Gulf Marine Park Act 2000. In addition to the representation from Matamata-Piako District Council, the Forum has representation on behalf of tangata whenua of the Hauraki Gulf and its Islands, the Ministers of Conservation, Fisheries and Maori Development, and elected representatives from Auckland Council, Waikato Regional Council, and the Waikato, Hauraki and Thames –Coromandel District Councils. Councillor James Sainsbury is the Matamata-Piako District Council’s representative on the Forum. Cr Sainsbury and/or Nathan Sutherland are available to speak to the minutes and answer any questions.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

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

1. Improving integrated management through collaborative planning, informed decision-making and action.
2. Restoring water quality values by addressing land use activities that degrade those values.

3. Recognising those critical marine values and ecosystems through advocating for protection, restoration and enhancement.

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

Ngā Take/Kōrerorero | Issues/Discussion

The June 2024 HGF meeting included, as part of the public forum, presentations on the Kawau Island multi species pest eradication project, and Kina removal and its potential use for kelp restoration.

Click here to access the presentations [Auckland Council Website](#)

The Co-Chairs report emphasised the continuing need to engage with the new government, with the Forum being invited to provide feedback on several consultations by the Ministry for Primary Industries (MPI) and Fisheries' NZ and to meet the Parliamentary Under-Secretary to the Minister of Oceans and Fisheries-MP Jenny Marcroft. The Co-Chairs advised that the spread of Exotic Caulerpa continued to dominate their landscape and its spread is outstripping everyone's best efforts.

The meeting also had the Constituent party reports, the purpose of which is to brief Forum members on key priorities and work programmes occurring among the Forum's Constituent parties. This included presentations from Biosecurity New Zealand, the Aotea Caulerpa Response Team (Aotea / Great Barrier Local Board), and Dr Leigh Tait (NIWA) on various aspects related to the spread of Exotic Caulerpa. Auckland Council also presented on research and monitoring in the Hauraki Gulf.

The Department of Conservation, and Fisheries NZ provided a brief oral update to their written report on progress under Revitalising the Gulf. The Co-Chairs acknowledged the five years' service by the former Executive Officer, Alex Rogers, and presented him with a gift on behalf of the Forum.


Member Nicola MacDonald will continue as the Forum's Interim Co-Chairperson Tangata Whenua until the full complement of Tangata Whenua members is confirmed by the Minister of Conservation and the Tangata Whenua members can convene to discuss and select a Co-Chairperson Tangata Whenua.

The Co-Chairs announced the appointment of Lucy Baragwanath to the role of Executive Officer, replacing Alex Rogers starting on 15 July 2024. They also welcomed Tom Irvine, Tangata Whenua and Alex Rogers, in his new role at the Department of Conservation, as newly appointed members of the Forum.

The Forum also approved the 2024-2026 HGF work plan, discussed at the previous Forum and the budget for 2024-2025 year.

The minutes and the open minute item attachments (which includes the items presented to the Forum) from this meeting is available under separate cover.

Ngā Tāpiritanga | Attachments

- A.  Hauraki Gulf Forum Minutes 10 June 2024 - Minutes of Hauraki Gulf Forum - Monday, 10 June 2024 (*Under Separate Cover*)

Ngā waitohu | Signatories

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

8 Ngā Pūrongo Whakamārama | Information Reports

8.2 May 2024 Financial Report

CM No.: 2885900

Te Kaupapa | Purpose

A summary of the financial performance of activities against budget to the end of May 2024 is presented, included operating and capital expenditure, as well as a review of compliance with treasury policies and a listing of current treasury instruments.

Rāpopotonga Matua | Executive Summary

At the end of May 2024, we are 92% of the way through the 2023/24 financial year. The attached report outlines how our operating and capital budgets are tracking at this point per activity, and highlights areas of pressure.

Tūtohunga | Recommendation

That:

1. The report be received.
2. The May 2024 Financial Report be received

Ngā Tāpiritanga | Attachments

- A.  2024 May Financial Report (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Larnia Rushbrooke Finance & Business Services Manager	
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Approved by	Manaia Te Wiata Group Manager Business Support	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.3 CCO Performance Monitoring - Final Statement of Intent Waikato Regional Airport Limited (WRAL) Group

CM No.: 2883482

Te Kaupapa | Purpose

The purpose of this report is for Council to receive the Waikato Regional Airport Limited (WRAL) Group final Statement of Intent 2024/25.

Rāpopotonga Matua | Executive Summary

Council Controlled Organisations (CCO's) are required by the Local Government Act 2002 (LGA) (subject to certain exemptions) to prepare and publish an annual Statement of Intent.

A Statement of Intent must include:

- a) the objectives of the group; and
- b) a statement of the board's approach to the governance of the group; and
- c) the nature and scope of the activities to be undertaken by the group; and
- d) the non-financial performance targets and other measures by which the performance of the group may be judged in relation to its objectives; and
- e) any additional information that is required to be included in the statement of intent.

Council received WRAL Group's draft Statement of Intent on 24 April 2024 and were invited to provide feedback on the document prior to its finalisation. Council resolved to approve the document.

Council has now been provided with the final Statement of Intent 2024/25 for information.

Tūtohunga | Recommendation

That:

1. **The report be received.**
2. **The Waikato Regional Airport Limited Group final Statement of Intent 2024/25 be received.**

Horopaki | Background

Council Controlled Organisation (CCO) Reporting Requirements

Council Controlled Organisations (CCO's) are required by the Local Government Act 2002 (LGA) (subject to certain exemptions) to prepare and publish an annual Statement of Intent, and produce a bi-annual report for shareholders on the entity's operations during the half year.

Council received the Waikato Regional Airport Limited (WRAL) Group Statement of Intent 2024/25 and half-yearly report to 31 December 2023 at its meeting on 24 April 2024.

Waikato Regional Airport Limited (WRAL) Group

WRAL Group is a CCO owned by five Waikato councils, with Matamata-Piako's shareholding at 15.6%. The Group comprises the following entities:

- Waikato Regional Airport Limited (trading as Hamilton Airport) - is the Group's parent company, and the owner and operator of Hamilton Airport.
- Titanium Park Limited - has a goal to develop and optimise land holdings to generate long-term income streams from a diversified property portfolio.
- Waikato Regional Airport Hotel Limited - has an intent to provide non-aeronautical earnings to the Group through the operation of a Qualmark 4 Star hotel and conference centre facility at Hamilton Airport.
- Hamilton & Waikato Tourism Limited - the Regional Tourism Organisation markets the Hamilton and Waikato region as a visitor and business events destination, and to assist in growing the visitor economy through tourism development and destination management.

WRAL has identified its core purposes under its ten-year strategic plan to be:

- An enabler of air services to the region;
- A supporter and developer of aviation through investment in, and provision of, airport infrastructure and support services for both general aviation and commercial airline activities;
- The operator of a first class, safe, sustainable and compliant airport that connects the Mighty Waikato to New Zealand.
- To strategically position the Group to enhance capital value and be financially self-sustaining through an income diversification strategy.

Their key objectives are:

1. Operate an efficient and compliant airport.
2. Enhance the traveller experience.
3. Maintain a viable aeronautical business.
4. Future-proof the airport as an international airport.
5. Maximise revenue diversification through non-aeronautical business opportunities.
6. People
7. Sustainability
8. Develop and optimise the land holdings of the Group to generate a long-term income from a diversified property portfolio.
9. Operate the airport hotel to return to (or exceed) its investment business case growth targets and customer satisfaction targets following the disruptions to its growth strategy from the pandemic.
10. Subject to the finalisation of funding under the Council LTP process, assist in the development and marketing of the Hamilton and Waikato region as a visitor destination to domestic and international visitors.
11. Te Tiriti and Te Ao Māori.

Ngā Take/Kōrerorero | Issues/Discussion

Council received WRAL's draft Statement of Intent on 24 April 2024 and were invited to provide feedback on the document prior to its finalisation. Council resolved to approve the document.

Council has now been provided with the final Statement of Intent 2024/25 for information. Minor updates have been made and reflected in the final Statement of Intent.

New Objective Added:

Future-proof the airport as an international airport

- Continue active engagement with prospective international airlines.
- Ensure the airport has the necessary infrastructure and border agencies to support any future international services.

Key performance targets

These have been amended based on the final FY25 budget.

Draft Statement of Intent:

	2025	2026	2027
EBITDA excl Land Sales	\$6.0m	\$7.0m	\$8.0m
EBITDA incl Land Sales	\$9.0m	\$20.0m	\$20.0m
NPBT no less than	\$2.6m	\$13.0m	\$14.0m
Net Operating Cash Flow	\$4.0m	\$5.0m	\$6.0m
Total Debt excl Design Buildings (max)	\$39m	\$50m	\$50m
Percentage of non-landing charge revenue	60%	60%	60%
Land Sales	\$4m	\$20m	\$20m
Interest Coverage	3.0x	3.0x	3.0x

Final Statement of Intent:

	2025	2026	2027
EBITDA excl Land Sales	\$4.8m	\$6.8m	\$8.0m
EBITDA incl Land Sales	\$8.5m	\$20.0m	\$20.0m
NPBT no less than	\$2.0m	\$2.0m	\$14.0m
Net Operating Cash Flow	\$4.0m	\$5.0m	\$6.0m
Total Debt excl Design Buildings (max)	\$39m	\$54m	\$54m
Percentage of non-landing charge revenue	60%	60%	60%
Land Sales	\$4m	\$3m	\$20m
Free Cash Flow	\$1.4m	(\$4.8m)	\$16.3m

Minor update to non-financial performance targets:

The non-financial performance targets remain unchanged apart from the addition of one sentence in regards to dividends (additional sentence added is noted in bold below):

The Directors recognise the importance of dividend payments to shareholders. The Directors will review the performance and outlook for the Group annually in accordance with the Group’s dividend policy before declaring any dividends.

Mōrearea | Risk

No risks have been identified.

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

The LGA requires CCOs to prepare and publish an annual Statement of Intent. The purpose of a Statement of Intent is to:

- a) State publicly the activities and intentions of the CCO for the year and the objectives to which those activities will contribute; and
- b) Provide an opportunity for shareholders to influence the direction of the organisation; and
- c) Provide a basis for the accountability of the directors to their shareholders for the performance of the organisation.

CCOs are required to present a draft Statement of Intent to each local authority for feedback on or before 1 March in the year preceding the financial year to which the draft Statement of Intent relates. The local authority then has two months from receiving the draft Statement of Intent, to respond to the CCO with feedback. A final Statement of Intent is to be provided to the shareholders before the commencement of the financial year to which it relates.

WRAL provided its draft and final Statement of Intent within these timeframes.

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

Having regard to the decision making provisions in the LGA and Council’s Significance and Engagement Policy 2023, a decision in accordance with the recommendations is assessed as having a low level of significance.

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	This report addresses a statutory requirement and the final statement of Intent is to be received by Council.
Section 78 – requires consideration of the views of Interested/affected people	No engagement is required, however the final Statement of Intent will be published on Council’s website as per the LGA requirement.

Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	Council's Significance and Engagement Policy has been considered. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	Public consultation is not required.

Policy Considerations





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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The LGA requires Council to publish the final Statement of Intent on its website within one month of adoption and maintain the document on the website for a period of no less than 7 years.

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

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

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

The activities of the WRAL Group supports the achievement of all Council's community outcomes.

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

The current and proposed activities of WRAL are fully funded by the participating local authorities, within existing budgets.

Ngā Tāpiritanga | Attachments

A.  FINAL WRAL 2024/25 Statement of Intent (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Laura Hopkins Senior Policy Advisor	
Approved by	Niall Baker Policy Team Leader	
	Sandra Harris Policy, Partnerships and Governance Manager	

8 Ngā Pūrongo Whakamārama | Information Reports

8.4 2024 LGNZ Conference Attendance

CM No.: 2879745

Rāpopotonga Matua | Executive Summary

The purpose of this report is to confirm attendance at the Local Government New Zealand Conference to be held in Wellington from 21-23 August 2024.

Tūtohunga | Recommendation

That:

1. The report be received.
2. The Mayor, Deputy Mayor and CEO attend the 2024 Local Government Conference in Wellington along with Councillors Jager and Horne.

Horopaki | Background

Traditionally the Mayor, Deputy Mayor, CEO and two other Councillors have attended the conference.

Council had previously agreed that all newly elected Councillors in this triennium will have the opportunity to attend a conference within this three year period.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Debbie Burge Executive Assistant to the Mayor & CEO	
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Approved by	Kelly Reith Group Manager People, Governance & Relationships	
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