

# Kaunihera | Council

## Māneti Wātea | Open Minutes



Minutes of an ordinary meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 14 February 2024 at 9:00.

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### Ngā Mema | Membership

#### **Manuhuia | Mayor**

Adrienne Wilcock, JP (Chair)

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

James Thomas

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

Caleb Ansell

Sarah-Jane Bourne

Sharon Dean

Bruce Dewhurst

Dayne Horne

Peter Jager

James Sainsbury

Russell Smith

Kevin Tappin

Gary Thompson

Sue Whiting

## Ngā whakapāha | Apologies

Cr Peter Jager

## Members Present on Audio/Visual Link

Name	Time In	Time Out
Cr Kevin Tappin	9.06am	11.40am

## Kaimahi i reira | Staff Present

Name	Title	Item No.
Don McLeod	Chief Executive Officer	8.3
Stephanie Hutchins	Governance Support Officer	
Kuljeet Kaur	Governance Support Officer	
Sandra Harris	Placemaking and Governance Team Leader	
Roger Lamberth	Property and Community Projects Manager	7.1
Andrea Durie	Senior Communications Officer	6, 7.1
Mark Naudé	Parks and Facilities Planning Team Leader	6, 7.1, 7.2
Manaia Te Wiata	Group Manager Business Support	6, 7.1, 7.4, 7.5
Laura Hopkins	Policy Advisor	7.3, 8.4

## I reira | In Attendance

Name	Position/Organisation	Item	Time In	Time Out
Muna Wharawhara	Raungaiti Sports Body Incorporated	6	9.00am	9.25am
Lisa Eve	Principal Consultant, Eunomia	7.3	11.09am	11.39am
Loren Molloy	Emergency Management Officer, Waikato Regional Council	8.2	11.05am	11.18am
Mark Bang	Team Leader – Partnerships, Waikato Regional Council	8.2	11.05am	11.18am

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

Mayor Adrienne Wilcock welcomed members, staff and public present and declared the meeting open at 9.00am.

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

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

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

Resolution number CO/2024/00001

Moved by: Cr R Smith

Seconded by: Cr G Thompson

**KUA MANA | CARRIED**

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

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

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

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

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

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

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

**4 Whākī pānga | Declaration of interest**

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

**5 Whakaaetanga mēneti | Confirmation of minutes**

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That the minutes of the meeting of the ordinary meeting of Matamata-Piako District Council held on Wednesday, 24 January 2024, be confirmed as a true and correct record of the meeting.

**Resolution number CO/2024/00002**

**Moved by: Cr C Ansell**

**Seconded by: Cr S Whiting**

**KUA MANA | CARRIED**

**6 Take i puta mai | Public Forum**

Name	Position/Organisation	Topic
Stuart Bay		<ul style="list-style-type: none"><li>Manawaru Village Petition</li></ul>
<b><u>Summary</u></b> <p>A petition titled Manawaru Village Petition was circulated to elected members on behalf of Stuart Bay. Due to unavailability of the petitioner, Mayor Adrienne Wilcock presented the petition to receive by Council on their behalf.</p> <p>The petition documents are attached.</p>		
<b>ATTACHMENTS</b> <p>A Formal Petition to MPDC ....Save our children petition 11 Feb 2024</p> <p>B petition head page_ signed</p> <p>C Manawaru Cafe 77 petition speed limit_11022024</p> <p>D Community View Cafe 77 petition 240211</p>		

Name	Position/Organisation	Topic
<u>Muna Wharawhara</u>	Raungaiti Sports Body Incorporated	<ul style="list-style-type: none"><li>Support for lease of Waharoa Domain to relocate building to be used as sporting facility</li></ul>
<b><u>Summary</u></b> <p>Muna Wharawhara in attendance to speak in support of item 7.2 on behalf of Raungaiti Sports Body Incorporated to lease Waharoa Domain for purposes of relocating a building (gifted by Ngati Haua Iwi Trust) to be used as a community sporting facility, not as clubrooms, but changing sheds, storage facility etc. The facility will be able to be used by the whole community.</p> <p>Mentioned in the past the Waharoa Domain was a sporting hub that connected the community before fires destroyed both the Waharoa Rugby and Athletic Club building leaving the domain with no facilities.</p> <p>Apart from the remaining concrete pad (where buildings stood) the only facilities are two community toilets which are maintained by Council.</p> <p>Muna Wharawhara concluded that he supported the recommendation for item 7.2 to grant in principle on behalf of the Raungaiti Sports Body Incorporated to lease Waharoa Domain to</p>		

relocate a building to be used as a sporting facility with changing sheds and storage.

A clarification question was raised by Cr Caleb Ansell in regards to an expectation of running council services to the building, Muna clarified that would be considered and implemented as part of the consenting process and understand that existing connections will be used.

Mayor Adrienne Wilcock thanked Muna for his time to come to speak to the Public Forum.

## 7 Pūrongo me whakatau | Decision Reports

### 7.1 Earthquake Prone Council Buildings

CM No.: 2808870

#### Te Kaupapa | Purpose

The purpose of this report is firstly, to inform Council on progress with respect to Seismic Assessment of key council buildings.

Secondly, to seek approval to commence physical changes to the Morrinsville Area Office and Library.

#### Rāpopotonga Matua | Executive Summary

This report is a summary of progress to date with respect to key council buildings. It is ongoing work. Recommendations with options will be the subject of further reports but likely to be presented to the April 2024 meeting.

It also requests consideration to proceeding with physical works in the Morrinsville Area Office and Library. This complex has been assessed as achieving a 70% National Building Standard (NBS) rating.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received
2. The Seismic Rating Assessment of 70% National Building Standard (NBS) for Morrinsville Area Office and Library is acceptable to Council.
3. Physical works can now proceed to refurbish and upgrade the Front of House area.

Resolution number CO/2024/00003

Moved by: Cr J Sainsbury

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

## 7.2 Proposal by Raungaiti Sports Body Incorporated to relocate a building to Waharoa Domain and lease part of the Reserve

CM No.: 2809309

### Te Kaupapa | Purpose

To determine whether Council, in its capacity as Administering Body of the Reserve, supports the proposal in principle. The proposal requires resource and building consents as well as a grant of a lease over reserve land. The authority to grant leases over reserves and to provide landowner approval for buildings on reserves rests with Council and is currently not delegated to staff. A Council decision is therefore required before any administrative actions can be taken regarding a potential grant of lease or exercise of consents relating to the proposal.

### Rāpopotonga Matua | Executive Summary

A community group, Raungaiti Sports Body Incorporated, would like to relocate a building onto the Waharoa Recreation Reserve (also known as Waharoa Domain). The group would ultimately like to develop the building to enable it to be used for storage, clubrooms, and changing rooms.

The Reserve is Crown Land, classified as a Recreation Reserve under the Reserves Act 1977. Council holds an appointment to 'control and manage' the Reserve under the Reserves Act 1977. While Council is the Administering Body of the Reserve under the Reserves Act there are additional legislative requirements that apply in this case because the land is Crown Land and has not been vested in Council.

The proposal would require the grant of a lease under the Reserves Act 1977 for the area occupied by the building. The delegation to decide whether to grant a new lease over reserve land currently sits with Council. If Council supports the proposal it would enable staff to initiate the public notification process for the proposed lease. Public notification of a proposed lease is required in this particular case because the Reserve is Crown Land and has not been vested in Council.

The proposal would also require resource consent under the Resource Management Act 1991 and building consent under the Building Act 2004. An applicant may only exercise a consent if the landowner has provided permission to do so.

Council is asked to consider the proposal, in its roles as Ministerial Delegate and as Administering Body of the Reserve.

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

**That:**

- 1. The report is received;**
- 2. Council provides approval in principle, subject to regulatory requirements being met, to Raungaiti Sports Body Incorporated to relocate a building to Waharoa Recreation Reserve to be used to support sports and recreation activities;**
- 3. Pursuant to an Instrument of Delegation from the Minister of Conservation dated 12 June 2013, Council exercises the functions of the Minister under section 59A of the Reserves Act 1977 and Part 3B of the Conservation Act 1987 with respect to an application for a concession over Waharoa Recreation Reserve;**
- 4. Council exercises its powers as Administering Body of the Reserve under the Reserves Act 1977 and resolves to publically notify the application for a lease concession over part of the Waharoa Recreation Reserve, pursuant to section 17SC of the Conservation Act 1987;**
- 5. Council Staff are authorised to undertake the required administrative actions to give effect to the decisions.**

**Resolution number CO/2024/00004**

**Moved by: Cr K Tappin**

**Seconded by: Cr G Thompson**

**KUA MANA | CARRIED**

## 7.3 Adoption of Solid Waste Management and Minimisation Bylaw Following Further Consultation

CM No.: 2814880

### Te Kaupapa | Purpose

The purpose of this report is to recommend that Council adopt its Solid Waste Management and Minimisation Bylaw 2024 (Bylaw). Consultation was held in March/April 2023, with further consultation held in December 2023 regarding the proposal to include a requirement for construction site waste management and minimisation plans.

This report contains a summary of feedback received. Following consideration of this feedback, and noting that there is no further indication as to planned changes to the Building Act 2004, staff recommend that the Bylaw be adopted with clause 7.36 retained.

### Rāpopotonga Matua | Executive Summary

As part of a wider review of its Consolidated Bylaw 2008, Council identified an opportunity to review the Solid Waste Management and Minimisation Bylaw. The intention of the review is to align the Bylaw with Council's [Waste Management and Minimisation Plan 2021 \(WMMP\)](#), the new kerbside collection service implemented from September 2023, and to respond to significant changes to policy and regulation at a central government level.

This report recommends that Council adopt the Bylaw as consulted on with the community with the continued inclusion of clause 7.36. Staff propose that construction site waste management and minimisation plans are required for all builds with an estimated value of \$500k and above.



## WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Note that on 8 March 2023 Council determined, pursuant to section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing the perceived problems.
3. Council determines that the proposed Solid Waste Management and Minimisation Bylaw 2024 meets the requirements of section 155 of the Local Government Act 2002, in that it:
  - i. Is the most appropriate form of bylaw;
  - ii. Does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
4. Council considers the further feedback received in December 2023 with respect to clause 7.36, and as a result resolves to include the clause in its Solid Waste Management and Minimisation Bylaw 2024 as follows:

*Any person applying for a building consent for ~~non-residential~~ all building work with an estimated value of \$500,000 or higher must also submit a construction site waste management and minimisation plan to Council for approval.*
5. Council adopts the Solid Waste Management and Minimisation Bylaw 2024.
6. Council resolves that the Solid Waste Management and Minimisation Bylaw 2024 will come into effect on 1 July 2024.
7. Council resolves that the Solid Waste Management and Minimisation Bylaw 2017 is revoked on 1 July 2024.
8. Council authorises minor editorial changes if required prior to publication of the Solid Waste Management and Minimisation Bylaw 2024.

Resolution number CO/2024/00005

Moved by: Cr D Horne  
Seconded by: Cr C Ansell

**KUA MANA | CARRIED**

## 7.4 Te Whare Whakapakari - Matamata Stadium Grant Applications

CM No.: 2820467

### Te Kaupapa | Purpose

The report seeks Council approvals in relation to grant applications for the Te Whare Whakapakari – Matamata Stadium project.

### Rāpopotonga Matua | Executive Summary

Council approvals are requested for the lodgement of grant applications for Te Whare Whakapakari – Matamata Stadium project.

The approvals are necessary to meet the requirements of the Funding bodies.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council approve the lodgement of a grant application of \$600,000 to the Four Winds grant fund for the purposes of the construction of Te Whare Whakapakari – Matamata Stadium
2. Council confirm that the lodgement of a grant application of \$300,000 by Kirstin Tye to the Grassroots grant fund for the construction of Te Whare Whakapakari – Matamata Stadium is consistent with its intent to expedite grant applications for the project as per its resolution of 8 August 2023.
3. Council retrospectively approve the grant application of \$300,000 to the Grassroots grant fund for the construction of Te Whare Whakapakari – Matamata Stadium.

Resolution number CO/2024/00006

Moved by: Cr S Whiting

Seconded by: Deputy Mayor J Thomas

**KUA MANA | CARRIED**

## 7.5 Draft Long Term Plan 2024 - Debt to Revenue Ratio for Three Waters Activities

CM No.: 2820612

### Te Kaupapa | Purpose

To provide Council with an opportunity to consider a change to the Draft Long Term Plan.

### Rāpopotonga Matua | Executive Summary

The Draft 2024 Long Term Plan has been approved by Council for submission to the auditors.

Once the audit is completed, Council will be in a position to release a consultation document to the community.

The draft Financial Strategy high-lights the significant financial impact Three Waters capital and operating expenditure has on the plan.

Staff have assessed this impact beyond what is normally undertaken. Debt-to-Revenue ratios for Three Waters have been calculated and are included in the report. The Financial strategy only includes the Debt-to-Revenue ratio for the whole of Council.

The analysis suggests that Three Waters revenue at the end of the ten year period is too low given the high level of capital investment in the plan.

Council is invited to consider whether to:

- Monitor the situation over successive plans or
- Take action to address this situation in the draft long term plan

### Tūtohunga | Recommendation

That:

1. Council take no further action and monitor the situation in preparation for the next Long Term Plan or
2. Council make a strategic decision to increase Three Waters rates beyond the level shown in the last 4 years of the draft plan to reduce the Debt-to-Revenue ratio to more prudent levels.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council make a strategic decision to increase Three Waters income beyond the level shown in the last 4 years of the draft plan to reduce the Debt-to-Revenue ratio to more prudent levels.

Resolution number CO/2024/00007

Moved by: Cr B Dewhurst

Seconded by: Cr J Sainsbury

**KUA MANA | CARRIED**

## 8 Ngā Pūrongo Whakamārama | Information Reports

### 8.1 Staff Long Service Presentation

CM No.: 2809179

#### Rāpopotonga Matua | Executive Summary

Sheree O'Brien (30 years) and Lance Gwynne (40 years) to be presented with Long Service Awards in recognition of service to Matamata-Piako District Council.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2024/00008

Moved by: Cr R Smith

Seconded by: Cr C Ansell

**KUA MANA | CARRIED**

*The meeting adjourned for morning tea at 10.43am and reconvened at 11.05am.*

## 8.2 Civil Defence and Emergency Management Quarterly Report

CM No.: 2798871

### Te Kaupapa | Purpose

To inform Council of the activity undertaken in the emergency management function during the period October to December 2023

### Rāpopotonga Matua | Executive Summary

This report is to update Council of the activity undertaken in the Matamata-Piako District Council (MPDC) emergency management function as well as significant matters relating to the Waikato CDEM Group and which affect MPDC during the period October to December 2023.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received

Resolution number CO/2024/00009

Moved by: Cr G Thompson

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

## 8.3 Chief Executive Officer's Report

CM No.: 2801172

### Te Kaupapa | Purpose

The purpose of this report is to provide Council with the Chief Executive Officer's report from the previous month. This report includes the months of December 2023 and January 2024.

### Rāpopotonga Matua | Executive Summary

The Chief Executive Officer's report for the period ending January 2024 is attached to the agenda.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2024/00010

Moved by: Cr C Ansell

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

## 8.4 Civic Financial Services Limited Statement of Intent

CM No.: 2818765

### Te Kaupapa | Purpose

The purpose of this report is to inform Council of the Civic Financial Services Limited Statement of Intent for 2024.

### Rāpopotonga Matua | Executive Summary

Civic Financial Services Limited have provided their Statement of Intent for 2024 for Council's information.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2024/00011

Moved by: Cr S-J Bourne

Seconded by: Cr J Sainsbury

**KUA MANA | CARRIED**

11.40 am

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

CONFIRMED AS A TRUE AND CORRECT RECORD  
OF THE MEETING OF KAUNIHERA | COUNCIL  
HELD ON 14 FEBRUARY 2024.

**KO TE RĀ | DATE:** .....

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