

# Kaunihera | Council

## Mēneti Wātea | Open Minutes



Minutes of an ordinary meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 5 February 2025 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

**Present online:**

Cr Sarah-Jane Bourne

**Kaimahi i reira | Staff Present**

<b>Name</b>	<b>Title</b>	<b>Item No.</b>
Manaia Te Wiata	Tumu Whakarae   Chief Executive Officer	
Sandra Harris	Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships & Governance Manager	
Marsha McMillan Samantha Oosthoek	Kaitohu Kāwana   Governance Advisor Kaiwhakarite Kaupapa, Whai Wāhi   Project and Engagements Administrator	
Arshia Tayal	Kaitohu Paparēhia me ngā Taiwhanga   Parks & Facilities Advisor	7.1
Anne Gummer	Kaitohu Kaupapahere Mātāmua   Senior Policy Advisor	7.2
Charlotte Walker	Kaitohu Kaupapahere Paetahi   Graduate Policy Advisor	7.3, 7.4
Peter Challis	Āpiha Kai me te Aroturuki   Food and Monitoring Officer	7.5
Ryan Johnston	Pou Whakamaru Hapori, Tūtohu   Community Protection and Compliance Manager	7.5
Barry Reid	Pūkenga Rawa Rori   Roding Asset Engineer	7.6
Carolyn McAlley	Kaiwhakamahere Rautaki RMA Matua   Senior RMA Policy Planner	7.7, 7.8
Nathan Sutherland Debbie Burge	Pou Whakamahere   Planning Manager Kaiārahi Tautoko i te Koromatua me te Tumu Whakarae   Executive Assistant to the Mayor & CEO	7.7, 7.8 8.1

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

The Mayor declared the meeting open at 9:00am and welcomed members of the public, media and staff.

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

There were no apologies. No leave of absence was requested.

**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, 11 December 2024, be confirmed as a true and correct record of the meeting.

**Resolution number CO/2025/00001**

**Moved by: Cr C Ansell**

**Seconded by: Cr S Whiting**

**KUA MANA | CARRIED**

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

There were no public forum items.

## 7 Pūrongo me whakatau | Decision Reports

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

CM No.: 2980804

#### Te Kaupapa | Purpose

The purpose of this report is to:

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

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

#### Rāpopotonga Matua | Executive Summary

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

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

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

## Tūtohunga | Recommendation

That:

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

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The Report be received;
2. Council gives consideration to all submissions received;

Resolution number CO/2025/00002

Moved by: Cr J Sainsbury

Seconded by: Cr G Thompson

**KUA MANA | CARRIED**

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

3. Pursuant to section 59A, Reserves Act 1977, and Part 3B, Conservation Act 1987, Council resolves to grant a concession, in the form of a ground lease over portion of the Waharoa Recreation Reserve, to Kaitiaki Trap N Train Trust;
4. Council Staff are authorised to undertake the necessary administrative actions to give effect to Council's decision.

Resolution number CO/2025/00003

Moved by: Cr S Whiting

Seconded by: Cr J Sainsbury

**KUA MANA | CARRIED**

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

CM No.: 2977573

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

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

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

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

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

Resolution number CO/2025/00004

Moved by: Cr K Tappin

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

*Meeting adjourned at 9.10am and reconvened at 9.12am*

## 7.3 Draft Dangerous and Insanitary Buildings Policy - Approval for Consultation

CM No.: 2980976

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

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

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

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

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

Resolution number CO/2025/00005

Moved by: Cr C Ansell

Seconded by: Cr J Sainsbury

**KUA MANA | CARRIED**

## 7.4 Draft Alcohol Licensing Fees Bylaw - Approval for Consultation

CM No.: 2980983

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

In regards to Alcohol Licencing Fees Council has two options;

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

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

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

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



**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

**That:**

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

**Resolution number CO/2025/00006**

**Moved by: Cr S Whiting**

**Seconded by: Cr C Ansell**

**KUA MANA | CARRIED**

## 7.5 Staff Long Service Presentation

CM No.: 2980012

### Rāpopotonga Matua | Executive Summary

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

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.

Resolution number CO/2025/00007

Moved by: Cr J Sainsbury

Seconded by: Cr K Tappin

**KUA MANA | CARRIED**

*Item 7.5 was taken out of order and considered after item 8.5*

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

CM No.: 2949326

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

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

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

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

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

Resolution number CO/2025/00008

Moved by: Cr S Whiting

Seconded by: Cr R Smith

**KUA MANA | CARRIED**

*Item 7.6 was taken out of order and considered after item 7.8*

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

CM No.: 2983769

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

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

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

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

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

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

Resolution number CO/2025/00009

Moved by: Cr J Sainsbury

Seconded by: Cr D Horne

**KUA MANA | CARRIED**

*Item 7.7 taken out of order and considered after item 7.9*

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

CM No.: 2987938

### Te Kaupapa | Purpose

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

### Rāpopotonga Matua | Executive Summary

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

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

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

*"That the Hauraki Gulf Forum (HGF):*

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

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

<sup>1</sup> Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 48

<sup>2</sup> Agenda of the Hauraki Gulf Forum, 3 December 2024, Page 48

**WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION**

That:

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

Resolution number CO/2025/00010

Moved by: Cr C Ansell

Seconded by: Cr D Horne

**KUA MANA | CARRIED**

## 7.9 Waikato Region - Regional Deal Application

CM No.: 2988427

### Te Kaupapa | Purpose

The purpose of the report is to get authority for the Mayor to approve a Regional Deals application.

### Rāpopotonga Matua | Executive Summary

The Government announced the Regional Deals programme in August 2024.

The Waikato Mayoral Forum requested Chief Executives to develop an application for the region.

Final applications must be lodged by 28 February and the Waikato Region application will not be finalised until closer to that date.

Delegating authority to the Mayor to approve the application on Council's behalf will avoid the need for a special Council meeting.

### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. Council delegate authority to the Mayor to approve the Waikato Region's Regional Deals application.

Resolution number CO/2025/00011

Moved by: Cr K Tappin

Seconded by: Cr C Ansell

**KUA MANA | CARRIED**

*Meeting adjourned at 9.53am and reconvened at 9.55am  
Item 7.9 taken out of order and considered before item 7.4*

## 8 Ngā Pūrongo Whakamārama | Information Reports

### 8.1 Mayoral Diary for October 2024 - January 2025

CM No.: 2948176

#### Te Kaupapa | Purpose

The purpose of this report is to present the Mayoral Diary from the previous few months.

#### Rāpopotonga Matua | Executive Summary

A summary of the Mayoral diary is attached for the months of October 2024 – January 2025.

#### WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information is received.

Resolution number CO/2025/00012

Moved by: Mayor A Wilcock

Seconded by: Cr S Dean

**KUA MANA | CARRIED**

*Item 8.1 was taken out of order and considered before item 7.6*



10:03am

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 5 FEBRUARY 2025.

**KO TE RĀ | DATE:** 5 March 2025

**TIAMANA | CHAIRPERSON:** .....  
Mayor Adrienne Wilcock