

Kaunihera | Council

Mēneti Wātea | Open Minutes



Minutes of a meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 3 November 2021 at 9.00am.

Ngā Mema | Membership

Koromatua | Mayor

Ash Tanner, JP (Chair)

Koromatua Tautoko | Deputy Mayor

Neil Goodger

Kaunihera ā-Rohe | District Councillors

Donna Arnold

Caitlin Casey

Teena Cornes

Bruce Dewhurst

James Sainsbury

Russell Smith

Kevin Tappin

James Thomas

Sue Whiting

Adrienne Wilcock

Ngā whakapāha | Apologies

Kaimahi i reira | Staff Present

Name	Title	Item No.
Don McLeod	Chief Executive Officer	
Stephanie Hutchins	Governance Support Officer	
Lesley Wilson	Governance Support Officer	
Ashton Lye	Communications Officer	
Sandra Harris	Placemaking and Governance Team Leader	7.1
Laura Hopkins	Policy Advisor	7.1
Todd Makeham	Parks and Reserves Operations Manager	7.1

I reira | In Attendance

	Time In	Time Out
Bevan Goldsmith	9.00am	10.08am
Microsoft Teams Attendance:		
Rien van de Weteringh (Keep Te Aroha Beautiful) – Submitter	9.00am	9.11am
Laurens Molenaar – Submitter	9.11am	9.20am
Toni O'Regan – Submitter	9.20am	9.22am
Michael Burdon – Submitter	9.22am	9.25am
Raja Ganeshan – Submitter	9.22am	9.28am
Allan van Tiel – Submitter	9.23am	9.30am
Wilma van Orsouw – Submitter	9.30am	9.32am
Diana Bird – Submitter	9.32am	9.35am
Peter Vossen – Submitter	9.35am	9.40am
Wilma Zeedijk – Submitter	9.56am	10.05am
Mary Bremner – Submitter	9.50am	10.08am
Stewart Wadey – Submitter	10.26am	10.30am
Hilton Toung – Submitter	10.30am	10.35am
Chris Keoghan – Submitter	10.35am	10.38am
Karen Huitema – Submitter	10.38am	10.43am

1 Whakatūwheratanga o te hui | Meeting Opening

Mayor Ash Tanner welcomed elected members, staff and public present and declared the meeting open at 9.00am.

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

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

That the minutes of the meeting of the Ordinary Meeting of Matamata-Piako District Council held on Wednesday, 13 October 2021, be confirmed as a true and correct record of the meeting.

Moved by: Cr S Whiting

Seconded by: Cr A Wilcock

KUA MANA | CARRIED

6 Take i puta mai | Public Forum

No speakers were scheduled for the public forum.

7 Pūrongo me whakatau | Decision Reports

7.1 Hearing - Dog Bylaw

5

7 Pūrongo me whakatau | Decision Reports

Hearing - Dog Bylaw

CM No.: 2508133

Rāpopotonga Matua | Executive Summary

Consultation on the Dog Bylaw was open from 7 September to 10 October 2021. We received 308 submissions. At the time of writing this report three late submissions have been received and have been included. Any further late submissions received will be distributed separately.

Council now needs to hear those who identified they wished to present their submissions; consider all the submissions received and make decisions.

Attached to this report are:

- A) Hearing Schedule as at 26.10.21
- B) Submissions and Feedback
- C) Draft Bylaw for consideration

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

1. The information be received.
2. Council agrees to consider any late submissions.
3. Council hears those submitters that wished to be heard and considers all submissions received.

Moved by: Cr D Arnold
Seconded by: Cr A Wilcock

KUA MANA | CARRIED

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

4. Council approves expanding the current Spur Street Esplanade (portion near the Waihou River under the footbridge) to Schedule 3 – Dog Exercise Areas of the Dog Control Bylaw.

Moved by: Cr C Casey
Seconded by: Cr R Smith

KUA MANA | CARRIED

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

5. Council approves adding Reserve on Spur Street (portion opposite netball club and BMX track) to Schedule 3 – Dog Exercise Areas of the Dog Control Bylaw.

Moved by: Cr C Casey
Seconded by: Cr R Smith

KUA MANA | CARRIED

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

6. Council approves removing the area adjacent to the Waihou River and known as Te Aroha Boat Ramp area from Schedule 3 – Dog Exercise Areas of the Dog Control

Bylaw. This shifts this area to an on-leash dog area and does not affect the ability for dogs to swim in the Waihou River.

**Moved by: Cr T Cornes
Seconded by: Cr J Sainsbury**

KUA MANA | CARRIED

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

- 7. Council approves adding Peria Road Reserve, Matamata (portion excluding memorial plantings and pathway) to Schedule 3 – Dog Exercise Areas of the Dog Control Bylaw.**

**Moved by: Cr S Whiting
Seconded by: Cr A Wilcock**

KUA MANA | CARRIED

WHAKATUANGA A TE KAUNIHERA | COUNCIL RESOLUTION

- 8. Council approves up to \$16,000 capital expenditure from parks bulk funding for the purposes of fencing, earthworks and signage.**
- 9. Council approves up to \$12,000 operational expenditure for mowing and boundary spraying to be added to the 2022/23 Annual Plan budget.**
- 10. Council confirms amendments will come into effect on 1 December 2021.**

**Moved by: Cr J Thomas
Seconded by: Cr J Sainsbury**

KUA MANA | CARRIED

Horopaki | Background

Council approved budget of \$200,000 in its 2021-31 Long Term Plan (the Plan) for the purposes of establishing dog exercise areas around the district. This budget is to become available in Year 3 of the Plan.

Pre-emptive to this timeframe, on 25 August 2021 Council approved some proposed changes to the Dog Exercise Areas under our Dog Control Bylaw for public consultation. The proposed changes are detailed below.

Te Aroha

In 2019, Council consulted on changes to the Dog Control Bylaw to add the reserve on Spur Street and remove the area known as Te Aroha Boat Ramp. However, it was decided to allow the Motor Caravan association a portion of the Reserve on Spur Street during this time and on 15 May 2019, Council resolved “*Staff to come back with more information on the Dog Control Bylaw proposed exercise area*”. This was then workshopped with Council and it was decided to look elsewhere in Te Aroha for an additional space. Through the Long Term Plan 2021-31 consultation, Council consulted on using a portion of Tui Park Te Aroha. On 12/13 May 2021 following consultation, Council resolved “*Staff are to investigate options for a dog park in Te Aroha in a different location.*”

Council received a request from a community group, K9 Club Te Aroha, to expand the current Spur Street Esplanade Area. The group offered to take responsibility for the upkeep of this area if Council allow it to be an off-leash area. This can be actioned through a Memorandum of Understanding. The group requested that the remaining portion of the reserve on Spur Street

(portion opposite the netball club and BMX track) be considered for an off-leash area again as this would provide good connectivity. The K9 club advised they had informally consulted with all neighbours of the Reserve on Spur Street area and indicated a positive reception.

Mayor Tanner and Council staff met with a K9 club representative and a local resident on 28 June, to walk the area and discuss logistics.



Removal of the Boat Ramp Area has been discussed by Council many times since the Hauraki Rail Trail was extended through the area. Discussion has centred around dogs off-leash and bicycles not being a good mix in the same area. It should also be noted the area is also highly prone to flooding. Addition and expansion of the areas on the other side of the river would hopefully provide adequate areas for off-leash exercise.



Matamata

In July 2020, Council asked the community for ideas on how to make Matamata-Piako the place of choice. Submitted ideas could be voted on. Creating a dog exercise area at Swap Park, Matamata was one of the top three ideas as voted by the community. A brief business case was developed for this and consulted on alongside the Long Term Plan 2021-31 consultation.

Following consultation, on 12/13 May 2021, Council resolved to “*Create a dog park in Matamata, but this will not be located at Swap Park. Council staff are to investigate options for a dog park in Matamata in a different location. Having regard to the submissions received, Council has decided Swap Park is not a suitable location for a dog park due to competing uses, including sports, the helipad, BMX track and the current amenity of the Park.*”

Council then looked at various available options for other dog exercise areas in Matamata and indicated Peria Road Reserve as a preference to be investigated. Mayor Tanner, Cr Sue Whiting and staff met with a community member who had initiated the discussion about a dog exercise area at Swap Park on Thursday 12 August. This community member has indicated support of the proposal for Peria Road Reserve, and Rotary Club aspirations to undertake ‘custodians of the park’ roles, including contributing towards its beautification and improvements over time.



General

Council indicated it would improve fencing for the Peria Road Reserve, Matamata and the Reserve on Spur Street, Te Aroha, as well as take over responsibility for the maintenance of these areas in terms of mowing, spraying etc. Maintenance for the expansion of the Spur Street Esplanade is proposed to lie with the K9 Club Te Aroha under a Memorandum of Understanding.

It should be noted that the fencing cost quoted is for single wire fencing only – essentially demarcating the space rather than it being “dog proof” for larger or smaller sized dogs.

Ngā Take/Kōrerorero | Issues/Discussion

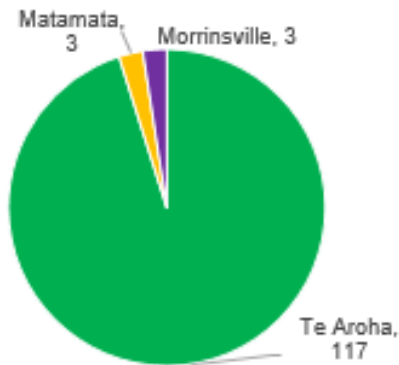
Consultation was open from 7 September to 10 October 2021 and we received 308 submissions as well as general feedback. At the time of writing this report three late submissions have been received and have been included. Any further late submissions received will be distributed separately. Submissions and feedback are detailed in the attachment.

Please note the following statistics are based on submissions. Some submissions are on behalf of a number of submitters and these statistics do not represent the number of submitters. The following statistics should be read in conjunction with all submissions and feedback.

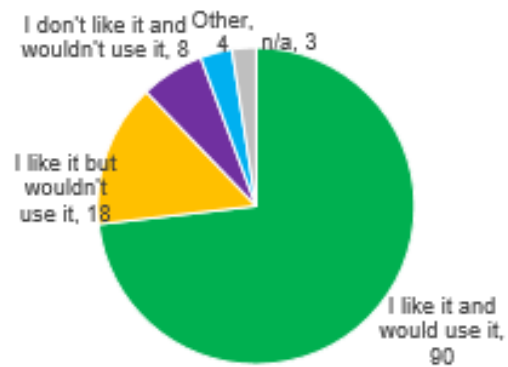
Submission Statistics

Te Aroha – Total submissions = 123

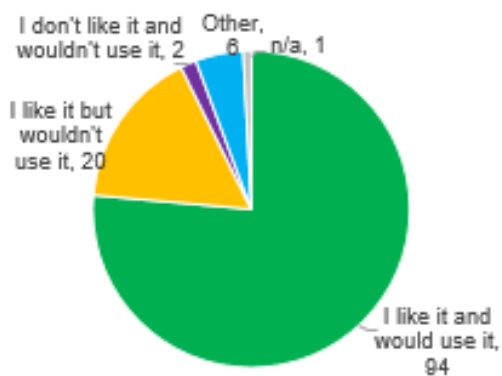
Submissions by ward



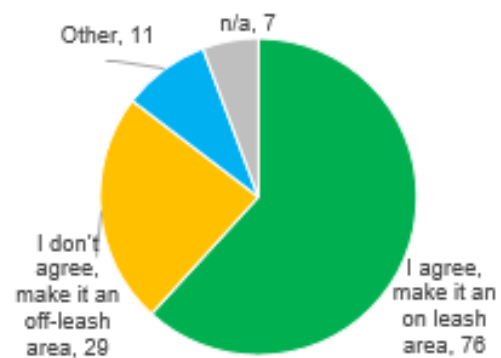
Spur Street Esplanade



Reserve on Spur Street



Te Aroha boat ramp

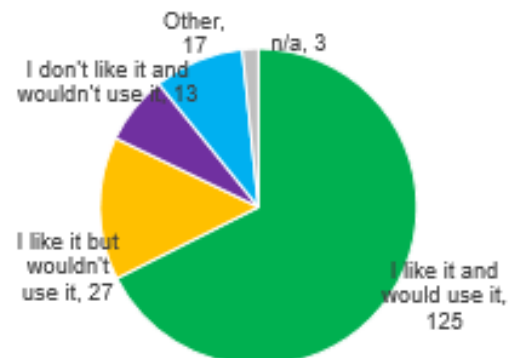


Matamata – Total submissions = 185

Submissions by ward



Peria Road Reserve



Mōrearea | Risk

Spur Street Esplanade (portion near the Waihou River under the footbridge)

The proposed expansion of this area would mean that the K9 Club Te Aroha would be responsible for maintaining this area with this being documented via a Memorandum of Understanding. This group is currently in the process of registering as an incorporated society.

There is a risk that this group at some stage in the future may wish to stop maintaining the area. Should this occur, Council will be left with this area as a dog exercise area in the bylaw and maintenance may fall on Council.

KiwiRail have agreed to using the relevant KiwiRail land in Te Aroha as a dog exercise area.

Ngā Whiringa | Options

Council can consider whether to approve or decline the various proposals based on public consultation

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

Council have met the legal requirements set out in the Local Government Act in terms of process and consultation.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Council consulted the community via a number of methods detailed below.

- Website, newspapers, Facebook, emails/letters to dog owners and neighbouring property owners, e-newsletters, Antenna;
- Signage with codes to scan at proposed or nearby areas (e.g. Boyd Park);
- Originally direct consultation with current users of areas and nearby areas was proposed, however this was unable to occur due to Covid-19 level 2. In response, additional newspaper ads and facebook posts were utilised.

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

Theme: Healthy Communities

Community Outcome: Our community is safe, healthy and connected. We encourage community engagement and provide sound and visionary decision making.

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

Utu | Costs

The proposed pieces of land are not currently leased. Approximate costs to improve areas are detailed below (noting no cost for the expansion of the Spur Street Esplanade other than a dog exercise area sign):

Reserve on Spur Street	Costs are approximate
<u>One off costs</u>	
Fencing upgrade – basic single wire fencing only	\$5,000
Earthworks (to allow mower access)	\$4,000
Signage	\$180
One off total	\$9,180
Ongoing annual costs	
Mowing (approx. fortnightly)	\$5,460

Boundary spraying	\$400
Ongoing total	\$5,860

Peria Road Reserve	Costs are approximate
<u>One off costs</u>	
Fencing upgrade – basic single wire fencing only	\$5,000
Signage	\$180
One off total	\$5,180
<u>Ongoing annual costs</u>	
Mowing (approx. fortnightly)	\$5,460
Boundary spraying	\$400
Ongoing total	\$5,860

It should be noted that both the one off and ongoing costs are currently unbudgeted expenditure.

Optionals

Council have previously indicated that it did not wish to add bins and doggie bags to the proposal. It should be noted that these elements were picked up by some submitters. Bins cost \$1800 each plus \$2 per empty (approximately \$104 per year). A dog dispenser is \$500 including installation it would cost \$100 annually for doggie bags.

ii. Puna pūtea | Funding Source

The source of the funding needs to be decided on by Council as it is currently unbudgeted.

Ngā Tāpiritanga | Attachments

- A. Hearing Schedule version 1 as at 26.10.21
- B. Submissions and Feedback
- C. Draft Dog Bylaw - Tracked changes version for Council consideration

Ngā waitohu | Signatories

Author(s)	Sandra Harris Placemaking and Governance Team Leader	
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Approved by	Erin Bates Strategic Partnerships and Governance Manager	
	Don McLeod Chief Executive Officer	

The meeting adjourned for morning tea at 10.08am and reconvened at 10.25am

12.20pm

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 3 NOVEMBER 2021

KO TE RĀ | DATE:

TIAMANA | CHAIRPERSON: