

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 8 September 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	
Niall Baker	Policy and Legal Team Leader	
Susanne Kampshof	Asset Manager Strategy and Policy	7.1
Sandra Harris	Placemaking and Governance Team Leader	7.3
Ally van Kuijk	District Planner	7.4, 8.1
Kumeshni Naidu	Graduate RMA Policy Planner	7.4, 8.1
Roger Lamberth	Property and Community Projects Manager	C1
Manaia Te Wiata	Group Manager Business Support	C1

I reira | In Attendance

	Time In	Time Out
Jason Dawson – <i>Chief Executive Officer, Hamilton & Waikato Tourism</i> – Via Microsoft Teams	10.18am	10.32am

1 Whakatūwheratanga o te hui | Meeting Opening

Mayor Ash Tanner declared the meeting open at 9.07 and welcomed elected members and staff.

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

Cr Caitlin Casey provided apologies for lateness and joined the meeting at 9.22am.

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

COUNCIL RESOLUTION

That the minutes of the meeting of the Ordinary Meeting of Matamata-Piako District Council held on Wednesday, 11 August 2021, be confirmed as a true and correct record of the meeting.

Moved by: Cr D Arnold

Seconded by: Cr K Tappin

KUA MANA | CARRIED

6	Take i puta mai Public Forum	
	There were no public speakers at the meeting.	
7	<u>Ngā Pūrongo me whakatau Decision Reports</u>	
7.1	Lockerbie Playground and development of Public Open Spaces	5
7.2	SwimZone Matamata - Reroofing Indoor Pool	15
7.3	Multi and Single-Year Community Grants Policy - Minor Amendments	19
7.4	Plan Change 53 - Settlements	21
8	<u>Ngā Pūrongo Whakamārama Information Reports</u>	
8.1	Submission - Natural and Built Environments Exposure Draft	23
8.2	Hamilton and Waikato Tourism - Annual Report 2020-21	25
8.3	Mayoral Diary for August 2021	26
9	<u>Ngā Pūrongo Take Matatapu Public Excluded</u>	
C1	Request to purchase Council Land	28

7 Ngā Pūrongo me whakatau | Decision Reports

Lockerbie Playground and development of Public Open Spaces

CM No.: 2485479

Rāpopotonga Matua | Executive Summary

Lockerbie in Morrinsville are developing the residential land to the north of town. Some of the stages are now already completed and houses are being built on the developed lots.

Council previously agreed to acquire some linkage parks and a neighbourhood park to develop a community playground in the future. One reserve has already been vested with Council and two more are about to.

The Developer has put a proposal forward for Council to partner with them in developing the reserve land and the community playground. With Council funding the upgrade works and the Developer project managing the install at no cost to Council. Timing is critical for the developer though and they wish to see the infrastructure in place soon after the respective stages have been developed.

Council has agreed to consider the funding of the development work in principal at a previous Council meeting on the 11 November in 2020 but wanted staff to work further with the Developer to review some of the scope of works and costs of the proposal.

Some further work has now been completed and the final estimated development costs are as following:

	Construction start	Estimated Construction cost
A - Davies Park East	September 2021	\$78,000
B – Davies Park West	Mid to late 2021 Estimated early to mid 2022	\$100,000
C – Community Playground	February 2021 September 2021 (but 3 month lead time for equipment)	\$622,000
D – Tamihana Reserve (linkage park)	Completed - Vested in February 2021 with improvements	0
TOTAL		\$800,000

A decision on funding is now sought from Council.

COUNCIL RESOLUTION

That:

1. Council receives the Report;
2. Council approves the funding to develop Davies Park West, Davies Park East and the Community Playground to a maximum of \$880,000 as per the prices in the report and a 10% contingency applied;
3. Council agrees to provide the funding in line with the timelines provided by either moving some of the LTP funding forward, funding the upgrade works through reserves or a mixture of both.
4. Council approves the delivery of the upgrade works to be managed by the developers' representative and approves the specialised procurement for one quote for the playground equipment, two quotes for the arborist work and two quotes for the soft and hard landscaping work.
5. Local procurement is investigated where possible.

Deputy Mayor N Goodger and Cr K Tappin voted against the motion.

Moved by: Cr B Dewhurst

Seconded by: Cr J Thomas

KUA MANA | CARRIED

Horopaki | Background

Lockerbie in Morrinsville are developing the residential zoned land to the north of the town. Stage 1A, Stage 1B and Stage 2 have been completed and Stage 3 is near completion. For the currently zoned land there will be around 329 residential lots created and another 163 retirement units.



A photo of Stage 2 a month or so ago.

Land further to the North is zoned future residential and there are also plans to go through the Plan Change process and develop this area in the not too near a future. This area would allow for another approximately 1,100 new residential sections.

Planning is currently underway for the future residential area. As part of this, a Master Plan for the infrastructure and Parks and Open Spaces has been developed. The plans indicate that there will likely be another neighbourhood park vested with Council in one of the future stages. The developer is looking to reduce some of the lot sizes and is looking to offset the amenity losses by providing a recreational area that will be vested in Council. The reserve will be vested in Council at no cost.

For the currently zoned Residential Land, Council agreed to purchase land for public Open Spaces as part of the subdivision of Lockerbie. A report with the details was brought to Council in November 2020. Council agreed to purchase a linkage park, a park for a community playground and also two linkage reserves where there are QEII trees present and will be preserved.

The report also included information on the cost of the playground and park developments. The proposal by the Developer was that Council paid for the upgrade works and the Developers would project manage the delivery of the infrastructure as part of the subdivision work they area already undertaking, with no supervision and tendering costs for Council. It is critical for the developer however that works are completed to the timeline that aligns with the development works of the individual stages.



	Construction start	size	Original Development cost
A - Davies Park East	September 2021	12,000m ²	\$132,836
B – Davies Park West	Mid to late 2021 Estimated early to mid 2022	14,000m ²	\$149,996
C – Community Playground	February 2021 September 2021 (but 3 month lead time for equipment)	1,148m ²	\$538,032
D – Tamihana Reserve (linkage park)	Completed - Vested in February 2021 with improvements	1,633m ²	\$ 98,692
TOTAL			\$919,556

The resolution at the time was that Council will consider fundin

g the development of the reserve in principle with staff to negotiate the costs on the development. Agreement is subject to the developer providing a copy of their plans and Council approval.

Council generally purchases the land at the time of subdivision and these are then vested with Council. The infrastructure on the parks and reserves are then installed as necessary through the Long Term Plan Funding availability. At times there may be special circumstances and reserve funding is sought if there is no allocated funding.

In the Long Term Plan Council has allocated funding for linkage park and walkway developments in the three towns, often looking for some of the funding to be topped up with some of the parks and open spaces financial contributions collected.

Parks and Open Spaces Financial Contributions are not covered in the Development Contributions Policy and allocated to specific projects, they are set on district wide per lot fee which have been in place since the district plan first become operative.

Ngā Take/Kōrerorero | Issues/Discussion

The original proposal included the following development costs:

	Development cost
A - Davies Park East	\$132,836
B – Davies Park West	\$149,996
C – Community Playground	\$538,032
D – Tamihana Reserve (linkage park)	\$ 98,692
TOTAL	\$919,556

Community Playground

A further workshop was held to discuss the playground proposal with Council. It was discussed that the proposal seemed reasonable but Council wanted staff to check some of the costs, make provision for a future public toilet in the landscape plan and remove funding for the park furniture. Council is often approached by groups and individuals wanting to donate seats etc. and Council could partner with service clubs and donors to provide the furniture.

After the workshop there was a number of discussions and meetings held with the developer, the playground provider and our playspace adviser.

A final plan has been developed which both parties are reasonably happy with. The final plan is attached to this report – Attachment 1. There has also been an updated cost proposal prepared by their contractor and playground equipment supplier of \$622,000.

It must be noted that the playground equipment costs have increased, just over the past month they have risen by 10%. There is also the issue that currently there is a three-month delay with sourcing the new equipment being due to covid delays and getting the product here.

Park Development

The first of the three linkage parks, Tamihana Reserve, has already been vested with Council. The developer has installed all of the improvements at its cost and there is no cost to Council for the development unless it wishes to see additional planting or landscaping in that reserve. It is suggested that this be monitored and if any future work is required, Council undertake this separately.

Davis Park East and Davies Park West are the two QEII covenant areas. A specialised arborist report has been completed for Davies Park East, Area A. The updated cost of the arborist work, new footpath and other work associated with the development work is just under \$78,000.

An updated quote for Davis Park West has also been received. There are less trees in this area so less costs on the pruning but the footpath is longer. The updated cost of the arborist work, new footpath and other work associated with the development work is just under \$100,000.

Procurement

The benefit for Council with this arrangement is that there is no project management cost associated with this work and it also only requires very minimal Council staff resourcing to deliver the project.

Staff seek an exemption to the procurement policy and engage a direct appointment for the playground equipment supply and installation. To reduce the quotes for the arborist work (approx. \$40,000 in total) to two quotes and also two quotes for the hard landscaping work (approx. \$200,000 in total).

The reasons for this are that once the detailed design is agreed, there is very minimal work involved by council staff to deliver the playground and park development, if Council specifies that the work needs to be placed on the open market, we would have to be involved in developing or at least checking the contract, using our tender system and also the tender evaluation itself. Tendering at this stage would add at least 4-6 weeks' delay. There is a risk that equipment costs may increase again in the meantime.

The following measures have been taken to ensure value for money is still achieved.

- The playground costings have been reviewed by an independent playground specialist that Council currently uses for our annual audits. She has confirmed that these are reasonable and competitive.
- For the hard landscaping one quote has already been received by the developer to establish a reasonable quote, and the plan is to also receive a quote by the current contractor that is completing the other civil work on site, Dempsey Woods. This will then provide two quotes to compare pricing with.
- For the specialised arborist work there has already been one quote received and it is recommended another quote be requested.

The Procurement Policy also looks at local procurement and the following points can be made.

- There are no local playground equipment providers.
- There potentially could be some local providers to install the footpath, but we have been struggling to find local contracts and have not had any tenders for some other recent jobs that have been advertised. i.e. Avenue Road North footpath and Morrinsville River Walk section across the old landfill.
- We are not aware of any suitably qualified and experienced local arborists that have the resources or capacity to do the work. They also have to be approved arborists. There are no local arborists approved to do work on Council land. Local arborists tend to run small teams that focus on private, residential tree work.

Overall Funding Agreement

The total updated cost is as following:

	Original Development cost 2020	Updated Development cost
A - Davies Park East	\$132,836	\$78,000
B – Davies Park West	\$149,996	\$100,000
C – Community Playground	\$538,032	\$622,000
D – Tamihana Reserve (linkage park)	\$ 98,692	0
TOTAL	\$919,556	\$800,000

The costs have been reviewed and they are considered to be reasonable. The developer has advised that the hard landscaping cost can likely be reduced further if their current contractor that is on site can be engaged.

A funding agreement will be used to provide some legal requirements. It has been put together to include some procurement requirements, the details of the payments and responsibilities and obligations of the parties involved.

It also sets out steps on communication and approvals, detail of proposals, timing of the works, variations and changes and certifications and practical completion.

Mōrearea | Risk

Failure to deliver

There is always a risk that any private business enterprise may become insolvent or may cease to exist prior to completing a project.

Note that this risk is very low as all the lots for Stages 1 to 3 have already been sold.

Over or under delivery

There is a risk that a developer's desire to create a high quality product could result in assets that exceed the normal standard of provision (which could result in provision equity issues or increased maintenance costs). There is also a risk that delivered products might not meet expectations.

These risks have been mitigated to a large extent by Council and an independent consultant being involved in the design and approval process to ensure that the agreed outcomes are clear and fit-for-purpose.

Timing of Delivery

Some discussion on this has already been included in the main part of the report. The timeline is critical for the Developer as they want to see the parks and playground developed as the individual stages are being completed of the subdivision.

If Council staff is to manage the direct delivery of the project it would struggle to ensure the delivery milestones are met. This could be made a priority but would mean other capital work identified in the Long Term Plan would need to be moved out further.

Cost

There is a risk that allowing a third party to develop the land may cost more than if Council did it. The cost estimates provided by the developer appear to be reasonable. Council staff currently have limited capacity to undertake the work and if Council wished to develop the parkland itself, it is highly likely that Council would need to engage external consultants/project managers to undertake this work, which would add to the costs. This cost is generally in the order of 15% of the total project cost.

The developer has offered to waiver project management and supervision costs for these park developments, saving at least 15% of the cost we would generally incur.

Project Cost overrun

There is a risk, like with any project that the final project costs could be above the estimates provided due to a number of circumstances that can occur. There are things such as poor ground conditions, material supply issues, creek in scope of works etc. which could influence the final cost.

Council generally places a 10% contingency on projects to allow for some of these issues to be dealt with if they arise.

It is therefore recommended that Council applies a 10% contingency to the proposed project cost and allows a reasonable budget for the project manager and Council staff to deliver the project and not have to come back to Council with any small variations.

Any major variations which are above the 10% overall contingency, would need to be discussed with Council prior to proceeding.

Council input

There is a risk that Staff won't be managing the project and have not been intensely involved with the design or completed any public engagement specifically with the new playground. Staff have been involved in reviewing the playground proposal but have let the developer drive the project and will rely on them to deliver this.

It is in the developer's interest to deliver a good product.

It is suggested that Council work on some communication with the Morrinsville community on this project and explain to them some of the benefits for Council by partnering with the developer to deliver the project.

Ngā Whiringa | Options

Council can agree to fund the development work and partner with the Developer to deliver the work. This will require Council to bring some allocated funding forward or find additional funding for the works.

Or Council can decline to work with the developer and leave the parks undeveloped. The down side to this is that the lots or sold so as they are being built on there is no infrastructure in place for the residents to utilise the park land and land reserved for a playground.

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

There is currently no policy that prohibits Council allowing a private developer to develop parkland on its behalf.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

If Council agrees to the developer's proposal, a communications plan is proposed to be developed and a detailed timeline for implementation.

Ngā take ā-lhinga | Consent issues

There are no consent issues as the parks are already gazetted.

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

Theme: Connected Infrastructure

Community Outcome: Infrastructure and services are fit for purpose and affordable now and in the future

Community Outcome: Quality infrastructure is provided to support community wellbeing

Community Outcome: We have positive partnerships with external providers of infrastructure in our district

Theme: Healthy Communities

Community Outcome: Our community is safe, health and connected

Community Outcome: We encourage community engagement and provide sound and visionary decision-making

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

The Developer pays a parks financial contribution under the RMA which is \$1,381.95 (incl. GST) per lot.

	Number of lots	Status / estimated timing of 224 – DC payment
Stage 1A	85	Paid April 2021
Stage 1B	38	Expected October 2021
Stage 2	66	Expected December 2021
Stage 3A	45	Expected July 2022
Stage 3B	95	Expected July 2022
Retirement Village	163	Expected 2022-2024
Plan Change Area	1100	Expected 2023-2030

Taking the figures above, Council will collect approximately 1,600 financial contributions over the life of the development, a total of around \$1,900,000 (exclusive of GST). It must be noted that the plan change for the 1,100 new lots still needs to go through a formal decision process before being zoned residential, there are no guarantees that the plan change will be adopted.

The 2021 LTP has the following funding currently allocated which could potentially be used for the park development:

- Funding Source 1: MV Playgrounds
 - \$300,000 in 2023/24
- Funding Source 2: Destination Playgrounds
 - \$1,000,000 in 2024/25, 2025/26 and 2026/27 – \$3,000,000 in total
- Funding Source: MV Linkage Parks & Walkways
 - \$270,000 in 2023/24
 - \$320,000 in 2027/28

As most of the funding is in future years, funding would need to be brought forward if Council wishes to fund the works with budgeted capital funding.

Council could also look at using a mixture of capital and reserve funding.

Ngā Tāpiritanga | Attachments

A. Lockerbie Playground Plan

Ngā waitohu | Signatories

Author(s)	Susanne Kampshof Asset Manager Strategy and Policy	
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Approved by	Manaia Te Wiata Group Manager Business Support	
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SwimZone Matamata - Reroofing Indoor Pool

CM No.: 2487682

Rāpopotonga Matua | Executive Summary

The roof structure of the Matamata Swim Zone indoor pool is to be removed because it is an earthquake risk.

The pool will be made good for the Summer Season.

Council asked that staff report back on the request to provide for a “temporary roof” and outline ways this could be achieved.

In considering this proposal it was identified that the project could involve a joint Community / Council working party facilitated by an external Consultant.

It is suggested to manage the risk of unintended consequences Council asks the Working Party to prepare a Business Case on identified options for Council to consider its preferred approach and for that to be further assessed in detail by the Working Party.

COUNCIL RESOLUTION

That:

1. **A Working Party of Community and Council representatives be established.**
2. **A suitably qualified Consultant be appointed to facilitate the Working Party deliberations.**
3. **A Business Case be prepared with the Working Party for reporting to Council on the options for roof replacement for Swim Zone Matamata.**
4. **A budget of \$30,000 be provided for the initial work of the Consultant and Working Party.**
5. **A budget for any further work be determined on consideration of the Business Case.**

Moved by: Cr J Sainsbury

Seconded by: Cr D Arnold

KUA MANA | CARRIED

Horopaki | Background

An earthquake assessment, for Swim Zone Matamata identified that the Indoor Pool support structure, Gymnasium area and Squash Courts did not meet the required minimum of 33% of Earthquake Code loading.

For public safety purposes, Council agreed that the Indoor Pool roof would be removed and the periphery made good and make the facility available for the summer season.

In addition, we commissioned a peer review of the earthquake rating for the rest of the buildings with a view of identifying what options we have for their future.

This assessment will be available by the meeting date.

Informal discussions with parties associated with the facility acknowledge that a short term focus on getting the facility open for summer is appropriate.

However what of the future?

A presentation in the public session of the Council meeting on 11 August 2021, proposed that Council look to install a temporary roof with a suggestion that this will provide time for a longer term view.

Council asked this proposal be reported on. That is the purpose of this report.

Ngā Take/Kōrerorero | Issues/Discussion

The Matamata Swim Zone has been a Learn to Swim and swim training facility with both a heated indoor pool and a heated outdoor pool, for many years.

The roof structure built for the indoor pool was a separately constructed portal frame building, installed in the late '80's.

Plans were underway to replace the timber-laminated beams forming the roof to the Indoor Pool. As part of the preparation for the work, it was prudent to assess the earthquake capacity of the supporting columns and foundations.

These were deficient. Given the public use of the building, the earthquake assessment was extended to looking at the balance of the building.

The other areas of the facility were also found to be less than the code minimums (33%) and the users were immediately advised.

The Gymnasium relocated to another premises, the Learn to Swim program relocated to an outdoor pool and the Squash Club extended their use to the end of the squash season. , whilst a peer review of the earthquake ratings was undertaken.

Given this situation with little time in which to take any significant action, the decision was to completely remove the roof of the indoor pool and make good, in readiness for summer opening.

This work is to be done in November.

At this time, no further work is committed. Nor is there any commitment for significant capital development for the complex in our current LTP

On 11 August 2021, a public submission was given to a recent Council meeting, putting the case that whilst the longer-term review of the facility would likely take some years, it was considered important to replace the roof of the indoor pool in the short/medium term.

Council requested that staff consider how this could be achieved and it be formally reported on.

In reflecting on how best to approach this situation it was identified that short term actions can lead to long term consequences and / or lead to outcomes that weren't envisaged.

If there are decisions to be made it was suggested that a way to approach this was for Council to establish a working party, made up of Council and Community representatives

As to how this can be approached the Working Party could be asked to consider one option or a number of options, namely;

- 1) Not replacing the roof
- 2) Replacing the roof with a temporary structure either on the current indoor pool or the current outdoor pool
- 3) Replacing the roof on either the current indoor pool or outdoor pool with a permanent solution
- 4) A mix of 2 or 3.

Option 2 could infer the possibility of a future substantive redevelopment of the current complex (outside of simple pool renewal or remodelling in their current position). The period for a full redevelopment would, based on current LTP projections and commitments, be a number of years away.

Option 3 infers that the current facilities will remain substantively the same, as is the case in the current LTP forward plans, accepting renewals and remodelling of pools is still possible.

It also means that a roof will be 12 to 18 months away at best.

Unless there is a commitment to a temporary roof with the decision to do a permanent roof without further pool redevelopment.

Undertaking a Business Case approach that considers options, consequences, risks etc would help give clarity and inform Council who would determine what option to take and what constraints to establish in a project brief.

Mōrearea | Risk

If the indoor pool roof isn't replaced in the medium term, in some form, there is a risk that the Learn to Swim program will not continue – at least for all times of the year. The reasons for this is are the cool air temperatures in the winter in particular put people off using the facility despite the heated water.

It was argued that the Learn To Swim program provided for Te Aroha and Morrinsville residents, given that there are no winter and less active swim programs available in these towns.

On the other hand replacing the roof with a substantive long life structure would obviously limit opportunities for other development options in the future.

While a medium term life structure increases operating expense in the short term and provides time for future direction of the facility.

However there is a risk that in progressing a single option of a “temporary” roof structure there is a natural inclination of scope creep. In other words the intention at looking at a temporary structure may move into looking at something more permanent or give rise to downstream outcomes that Council may not want to commit to.

To minimise the risk Council could request for a Business Case be prepared by the Working Party to provide clarity as to the pros / cons, consequences, risk for a number of options.

Ngā Whiringa | Options

The options are

- 1) Council determine the direction it wants to take now and determines that the solution or limited solutions it wants looked at by a working party.
- 2) Council request a Business Case considering various options that can be identified and for Council to decide the preferred direction after that.

Irrespective the suggested approach is;

- 1) Council establish a Working Party made up of Community and Council representatives
- 2) Appoint a suitably qualified Consultant to ;
 - a. Prepare a Business Case with input from the Working Party for various options to be assessed and reported back to Council.
 - b. Facilitate a Community/ Council working party to consider Councils preferred option(s)
 - c. Makes recommendations appropriately

An Architect would offer the most appropriate skills sets and if agreed we could identify providers and their availability.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

It would be appropriate given the high profile of this project to prepare a Communications Plan and have a communications as part of the project process.

Ngā take ā-lhinga | Consent issues

A Building Consent will be required.

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

The project costs will be in two parts

- 1) A initial sum of \$30 k to engage the Consultant and manage the Working Party
- 2) A construction budget of an estimated \$500 k to complete the work if a temporary roof is committed to.

The initial cost is an operating expense and the second phase would be primarily a renewal / capital costs that would be funded over the assessed life of the replacement option and be depreciated against the facilities operating expense.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Don McLeod Chief Executive Officer	
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Approved by	Don McLeod Chief Executive Officer	
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Multi and Single-Year Community Grants Policy - Minor Amendments

CM No.: 2488908

Rāpopotonga Matua | Executive Summary

In August 2020 Council approved the new Multi and Single-Year Community Grants Policy as part of the Long Term Plan project. Our first Single-Year Community Grants funding round (previously known as the Community Ward Grants) is currently open and closes on Wednesday 8 September.

Staff have had a number of calls from potential applicants so far this funding round regarding some of the criteria and guidelines. To address some issues raised in these calls minor amendments to the attached policy have been drafted and highlighted in red for Councils consideration. Staff would like to clarify some of the proposed amendments prior to making decisions on the current funding round.

COUNCIL RESOLUTION

That:

1. **The information be received.**
2. **Council approve the amended Multi and Single-Year Community Grants Policy as attached.**

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

KUA MANA | CARRIED

Horopaki | Background

There are five criteria/guidelines suggested for discussion and amendment.

- 1) What must accompany the application – inclusion of “The applicant’s latest bank statement for all accounts. These need to be no greater than three months old.”
This is to allow community groups who do not have full annual accounts to still be eligible to apply for funding. Would then also add “The applicant’s most recent annual financial accounts if available.” to the current requirement.
- 2) Removal of the need for “A printed bank deposit slip with the name and account details of the applicant group.” This is already covered by the criteria “Current proof of bank account in the name of the applicant group.”
- 3) Removal of minimum amount requirement for application, “Minimum grant amount of **\$1,000** per application”. A number of groups have expressed concern with this minimum amount as they regularly request smaller amounts but these smaller amounts are very important to their groups.
- 4) Changing the current requirement of one funding round per year back to the previous two funding rounds per year. Under the current policy groups are required to uplift funds within three months and if there is only one funding round per year this would exclude a number of groups applying for the funding due to timing.
- 5) Extending the time limit of funds being uplifted from three months to six months as per previous policy. This requirement again may exclude a number of groups applying for the fund due to timing. Six months allows a reasonable time to uplift funds and if it is anticipated to be longer than six months they could apply to the following funding round if it moves back to twice per year.

Ngā Take/Kōrerorero | Issues/Discussion

With the introduction of the Maori Ward Councillor following the 2022 elections Council is encouraged to give some thought as to how this will impact the Single-Year Community Grants Policy moving forward. If there are potential budget impacts of this moving forward Council will need to capture these in budget discussions for the 2022/23 Annual Plan.

Ngā Whiringa | Options

- Council approve the attached Multi and Single-Year Community Grants Policy

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

This could result in minor amendments to the Multi and Single-Year Community Grants Policy.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

We would like to clarify some of the proposed amendments prior to making decisions on the current funding round.

Ngā Tāpiritanga | Attachments

- A. Minor amendments to Multi and Single-Year Community Grants Policy

Ngā waitohu | Signatories

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

The meeting adjourned for morning tea at 10.05am and returned at 10.18am.

Plan Change 53 - Settlements

CM No.: 2489908

Rāpopotonga Matua | Executive Summary

Settlements Plan Change 53 seeks to introduce new provisions for our settlements under the Matamata-Piako District Plan.

No appeals have been received on Council's decision in regards to Plan Change 53. Therefore, this reports seeks Council's resolution to seal the plan change and set an operative date.

A copy of Plan Change 53 has been pre-circulated prior to the Council meeting.

COUNCIL RESOLUTION

That:

1. Pursuant to Clause 17 of Schedule 1 of the Resource Management Act 1991, Plan Change 53 is approved, sealed with the seal of Council, and signed by the Mayor and Chief Executive Officer; and
2. Pursuant to Clause 20 of Schedule 1 of the Resource Management Act 1991, Plan Change 53 become operative on 29 September 2021.

Moved by: Cr R Smith
Seconded by: Cr J Thomas

KUA MANA | CARRIED

Horopaki | Background

Plan Change 53 – Settlements, was initiated to invoke planning rules that support rural settlements, small rural house lots and communities. The purpose of PC53 is to provide a new Settlement Zone which is tailored to the nature and type of activities taking place in the community, as well as ensuring cohesion and character of a settlement.

Plan Change 53 has worked through the consultation process set out in Schedule 1 of the Resource Management Act 1991 ('The Act'). The proposed plan change was publicly advertised inviting submissions on 18 November 2020. Further submissions were invited from 3 February 2021, following by a hearing which was held on Monday 17 May 2021. Council accepted the plan change (with modifications) on 30 June 2021 and the decision was publically notified on 7 July 2021. The appeal period closed on 18 August 2021 and no appeals were received.

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

Under Clause 17 of Schedule 1 of the Resource Management Act 1991, Council is required to approve the plan change and this is given effect to by affixing the seal of the Council to the proposed plan change.

Once the plan change is operative the District Plan will be amended to reflect the proposed changes. The rules of the plan change are already being treated as operative in accordance with the provisions of the Act because there were no appeals.

Under clause 20 of Schedule 1 of the Resource Management Act 1991, Council is required to publicly notify the date on which the plan change will become operative. This will be in the *Piako Post* and the *Matamata Chronicle*.

**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: Planning rules that support rural settlements and small rural house

Community Outcome: By changing the district plan provisions, this Plan Change meets community desires to enable settlements to continue to grow and develop.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Kumeshni Naidu Graduate RMA Policy Planner	
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Approved by	Ally van Kuijk District Planner	
	Dennis Bellamy Group Manager Community Development	

*Item 7.4 – Plan Change 53 – Settlements taken out of order and considered after item 8.2 -
Hamilton and Waikato Tourism Annual Report 2020/21*

8 Ngā Pūrongo Whakamārama | Information Reports

Submission - Natural and Built Environments Exposure Draft

CM No.: 2489835

Rāpopotonga Matua | Executive Summary

The purpose of this item is to seek Council's approval to retrospectively endorse the submission in regards to the Natural and Built Environments Exposure Draft.

COUNCIL RESOLUTION

That:

1. For Council to retrospectively endorse the submission.

Moved by: Cr K Tappin
Seconded by: Cr A Wilcock

KUA MANA | CARRIED

Horopaki | Background

Natural and Built Environments Exposure Draft (NBA – ED)

Once enacted, the Natural and Built Environments Act (NBA) will be the main replacement for the Resource Management Act (RMA).

Central government has released NBA – ED which provides early insight into key aspects of the legislation including the purpose of the NBA, the National Planning Framework and the Natural and Built Environments plans.

A workshop with Council was held on 28 July 2021 to provide background to and seek Council's feedback on, the NBA – ED. Following the workshop, Council engaged Paula Rolfe as a consultant to produce a submission on the matter. The Submission was lodged on 4 August 2021.

Components of the legislation that were not developed for the NBA – ED, will be considered in the remainder of 2021 before being included in the full bill. The second opportunity for feedback will be at the introduction of the full NBA bill, to Parliament in early 2022.

Ngā Take/Kōrerorero | Issues/Discussion

The submission on the NBA – ED outlines concerns around:

- Further development and drafting of objectives needed
- Diminished local government ability to deliver a variety of statutory functions
- The NBA could be a complicated resource management system leading to legal uncertainty
- The need for regional specific limits allowing flexibility
- Resourcing Iwi participation

Ngā Whiringa | Options

Option 1:

- For Council to retrospectively endorse the submission.

Option 2:

- For Council to withdraw the submission.

Recommended:

Option 1.

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

Section 75 (3) of the Resource Management Act 1991; District Plans must give effect to national policy statements and regional policy statements.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Kumeshni Naidu Graduate RMA Policy Planner	
Approved by	Ally van Kuijk District Planner	
	Dennis Bellamy Group Manager Community Development	

Hamilton and Waikato Tourism - Annual Report 2020-21

CM No.: 2489025

Rāpopotonga Matua | Executive Summary

Jason Dawson, Chief Executive of Hamilton and Waikato Tourism, in attendance to present Hamilton Waikato Tourism's Annual Report 2020-21 which is attached to the agenda.

COUNCIL RESOLUTION

That:

1. The information be received.

Moved by: Cr A Wilcock

Seconded by: Cr S Whiting

KUA MANA | CARRIED

Ngā Tāpiritanga | Attachments

- A. HWT annual report 20/21

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Governance Support Officer	
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Approved by	Sandra Harris Placemaking and Governance Team Leader	
	Don McLeod Chief Executive Officer	

Item 8.2 - Hamilton and Waikato Tourism Annual Report 2020/21 taken out of order and considered before Item 7.3 – Multi and Single-Year Community Grants Policy – Minor Amendments

Mayoral Diary for August 2021

CM No.: 2491424

Rāpopotonga Matua | Executive Summary

The Mayoral Diary for the period 1 – 31 August 2021, is attached to the agenda.

COUNCIL RESOLUTION

That:

1. The information be received.

Moved by: Mayor A Tanner

Seconded by: Cr D Arnold

KUA MANA | CARRIED

Ngā Tāpiritanga | Attachments

- A. Mayoral Diary August 2021

Ngā waitohu | Signatories

Author(s)	Debbie Burge Executive Assistant to the Mayor & CEO	
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Approved by	Ash Tanner Mayor	
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9 Take Matatapu | Public Excluded
C1 Request to purchase Council Land

10.57am The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

10 Mōtini hei aukati i te iwi whānui | Procedural motion to exclude the public

COUNCIL RESOLUTION

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Request to purchase Council Land

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	<p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

Moved by: Cr J Sainsbury

Seconded by: Cr D Arnold

KUA MANA | CARRIED

11.28am

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 8 SEPTEMBER 2021

KO TE RĀ | DATE:

TIAMANA | CHAIRPERSON:
Mayor Ash Tanner, JP