

ORDINARY AGENDA

TE MANAWHENUA FORUM MO MATAMATA PIAKO

DATE: Tuesday, 7 June 2011

TIME: 10.00 am

VENUE: Council Chambers
35 Kenrick Street
TE AROHA

MEMBERSHIP – Quorum (6)**Members:**

Mayor G W H Vercoe QSM, ED, JP
Cr J E Barnes
Mr Butch Tuhakaraina
Mrs Te Ao Marama Maaka
Mr Thomas Smith
Mr David Taipari
Mr Wati Ngamane
Mr Michael Baker
Mr Nathan Kennedy
Ms Glenice Wigg
Mr Gary Thompson
Ms Jill Taylor
Ms S Tutuki

Information and recommendations are included in the reports to assist Te Manawhenua Forum Mo Matamata Piako in the decision making process and may not constitute Te Manawhenua Forum Mo Matamata Piako's decision until considered by Te Manawhenua Forum Mo Matamata Piako.

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1 MEETING OPENING**2 KARAKIA****3 PRESENT****MEMBERS PRESENT****OFFICERS PRESENT****IN ATTENDANCE****4 APOLOGIES****MEMBERS APOLOGIES****5 NOTIFICATION OF URGENT BUSINESS**

Pursuant to clause 3.7.5 and 3.7.6 of the Standing Orders NZS 9202:2003 and Section 46A (7) of the Local Government Official Information and Meetings Act 1987, the Chairman to enquire from members whether there are any additional items for consideration which qualify as extraordinary or urgent additional business.

6 CONFIRMATION OF MINUTES

Minutes, as circulated, of the Ordinary Meeting of the Te Manawhenua Forum Mo Matamata Piako, held on 1 March 2011.

[Minutes March 01 2011 Te Manawhenua Forum Mo Matamata Piako.doc](#)

DRAFT RESOLUTION

That the Minutes of the Ordinary Meeting of the Te Manawhenua Forum Mo Matamata Piako held on 1 March 2011 be confirmed and signed as true and correct.

7 OFFICER REPORTS

7.1 CHIEF EXECUTIVE

7.1.1 HEADS OF AGREEMENT

File No: DEM0208t02
Responsible Officer: D McLeod
Chief Executive Officer
Author: N Baker
Policy Planner

EXECUTIVE SUMMARY

At the Te Manawhenua Forum Mo Matamata-Piako (Forum) meeting held on 1 March 2011 it was resolved to establish a formal working party to consider, a review of the Heads of Agreement. Mr Tuhakaraina, Mr Smith, Mr Baker, Mr Kennedy and Ms Wigg were appointed to the working party.

Members of the working party and Council staff met on 31 March 2011 to discuss the review. At that meeting it was requested Council staff raise the review of the Heads of Agreement with the Council.

Council requested that, in light of the current negotiations between the Hauraki Collective and the crown and the further settlements currently being discussed by Ngati Haua and Raukawa, a review of the Heads of Agreement be deferred until settlements have taken place.

This is because the impact of any crown agreement with iwi (for example on issues such as co-governance of natural resources) on the role of the Forum has not been assessed, and will not be fully understood until the settlement process has been completed.

OFFICER RECOMMENDATION

That the information be received.

7.1.2 DRAFT ANNUAL PLAN 2011-12 CONSULTATION

File No: 10/7360
Responsible Officer: D McLeod
 Chief Executive Officer
Author: N Baker
 Policy Planner

EXECUTIVE SUMMARY

The purpose of this report is to update Te Manawhenua Forum Mo Matamata Piako (Forum) members of the progress on the draft Annual Plan 2011/12 consultation process.

As part of this process, several other proposed documents were released for public consultation being amendments to the Land Transport and Trade Waste Bylaws, Fees and Charges, Earthquake-Prone Building Policy, and District Tree Strategy.

At the time of writing this report, Council had not held a hearing of submitters who wished to be heard and no decisions had made on submissions. Council staff will provide an update on the Annual Plan process at the Forum meeting.

This report provides an outline of the consultation process and timeframes.

BACKGROUND

The draft Annual Plan consultation process is prescribed by the Local Government Act 2002 (LGA 2002). The draft Annual Plan must be publically consulted through the "Special Consultative Procedure" allowing the public to make submissions. The process and timeframes are outlined below:

Step	Process	Timeframe
1	Council approved the draft Annual Plan and other documents for public consultation	9 March 2011
2	Public consultation on the draft Annual Plan in accordance with Special Consultative Procedure of the LGA 2002	30 March – 4 May 2011
	Public consultation on the draft Tradewaste Bylaw (2 month consultation period required by LGA 2002)	30 March – 30 May 2011
3	Council to hear submissions	1 June 2011
4	Council confirm decisions on submissions (if necessary)	8 June 2011
5	Council adopt the Annual Plan and other documents (except Tradewaste Bylaw)	23 June 2011

COMMUNITY CONSULTATION

This section provides an overview of the proposals which have been subject to consultation alongside the Annual Plan process:

Annual Plan

The LGA 2002 requires that Council prepare and adopt an Annual Plan for each financial year in which no Long-Term Council Community Plan (LTCCP) is developed. The LTCCP was adopted by Council in 2009 so Council is required now to adopt its Annual Plan for the upcoming 2011/2012 financial year. This is the third and final year of the current LTCCP before a new Long-Term Plan is prepared in 2012.

The Annual Plan highlights any variances from what was identified in the LTCCP. It contains the annual budget and funding impact statement and identifies any variations for the year to which the Annual Plan relates. It essentially provides the most up-to-date information we have for year three of the LTCCP budget.

Fees and Charges

Council's fees and charges are set annually. An outline of the proposed changes is set out below:

Department / Service	Increases Proposed Y/N	Reasoning Summarised
Customer Services Records and Administration	Y	Rounding/Increased costs
Communications	N	
Legal	Y	Comparable with external solicitors
Parks and Reserves	N	
Public Amenities	Y	Increased maintenance costs
Housing and Other Properties	N	
Libraries	N	
Recreation and Culture	Y	Rounding/standardising options/comparable with other councils/ increased costs
Building Control	Y	Comparable with other councils/increased costs
Animal Control	n/a	Set in March – to be advised
Community Protection	Y	Rounding/previously adopted fees
Regulatory Planning	Y	Rounding/restructured fee
Policy	Y	Rounding/restructured fee

Bylaws

Council has been consulting on a draft Trade Waste Bylaw. Submissions are open until 30 May 2011. At the time of writing this report one submission had been received from the Ministry of Health. The Ministry suggested we amend the Trade Waste Bylaw to include "Any pharmaceutical waste" as prohibited trade wastes. The Ministry instructed Council to consult with owners / operators of pharmacies in the district and seek their views on this.

Council is also proposing to amend the Land Transport Bylaw 2008 by including variable speed zones (to 40km per hour) for Stanley Avenue School in Te Aroha and Matamata Primary School, Hohaia Street, Matamata. The purpose of this is to reduce the risk of harm to children and reducing the speed that vehicles can travel past schools is one way to improve their safety. All schools have been prioritised and it is planned to introduce these measures at other schools in the future.

Earthquake-prone, dangerous and insanitary buildings policy

Under the Building Act 2004, Council must adopt a policy on earthquake-prone, dangerous and insanitary buildings. The policy must be reviewed every five years. The existing policy was adopted in 2006 and is now due for review. The policy must state:

- the approach that Council will take in performing its functions regarding dangerous, earthquake-prone, and insanitary buildings
- its priorities in performing those functions
- how the policy will apply to heritage buildings

District Tree Strategy

Council prepared a District Tree Strategy which sets out guidelines to the care of protected trees and planting of trees in new subdivisions in our district. We have consulted with developers and arborists in the preparation of the strategy and have sought general public feedback using the Annual Plan process.

Community Board Grants

There are three Community Boards in Matamata, Morrinsville and Te Aroha which help represent the community. Each Community Board has \$5000 to distribute to community groups within each ward. Council is publicised the availability of these grants through the Annual Plan.

Significant Natural Features

Council has identified areas of significance in the District and offers support to landowners to protect these areas. This support is in the form of financial contributions towards the cost of fencing and rates remissions. Council promoted the Significant Natural Features funding through the Annual Plan.

STATUTORY ISSUES

The Local Government Act 2002 requires that the development of the Annual Plan must follow the Special Consultative Procedure before it is adopted by Council. Council must adopt the Annual Plan by July 2011. Consultation on the other documents listed above occurred conjunction with the draft Annual Plan process.

POLICY AND BYLAW ISSUES

The outcome of this process may result in new bylaws and policy.

COMMUNICATION AND CONSULTATION ISSUES

The special consultative procedure whereby the public is invited to make submissions has been undertaken for the draft Annual Plan 2011/12 as per the Local Government Act 2002. The Hearings on 1 June 2011 will conclude the public

submission phase of the special consultative procedure for the draft Annual Plan 2011/12.

Public submissions were invited and a variety of submissions have been received. Council is required to hear those who have identified that they wish to be heard, and must consider all the submissions that have been received.

SUBMISSIONS

In terms of the formal draft Annual Plan 2010/11 submissions process, the Council received approximately 86 submissions. The submissions cover a range of Council activities and themes. 828 submissions were received in support of the Home of Cycling project (a proposed cycling centre near Cambridge).

The Forum may be interested to note a submission was received from Raukawa Charitable Trust (Jenni Fitzgerald, Senior Advisor - Kaitohutohu te Taiao, Environmental Group). The submission and Council officer comments are set out below:

Submission	Staff comments
<p>Iwi/Maraes/Water Management Plan/District Plan</p> <p>Thank you for your letter dated 30 March 2011 offering the opportunity to review and comment on the Matamata-Piako District Council's Draft Annual Plan 2011/2012. Unfortunately due to capacity issues we have been unable to comprehensively review the draft plan and make a submission before the 4 May deadline. However, we make the following comments and hope they may be taken into account in the Council's decision making:</p> <ul style="list-style-type: none"> • We seek that sufficient resources are provided to enable development of a water management plan. • We seek support for papakainga and marae development within the district. • We seek to ensure capacity funding for iwi is available. • We support ongoing commitment to partnership and relationship building with iwi. • We support the planned district plan review and look forward to inputting in this process. 	<p><u>Water Management Plans</u> - Council is required to put in place Water Management Plans as part of its Resource Consents for take and use of water for the district. Overall management of water resources is the responsibility of the Waikato Regional Council.</p> <p><u>Papakainga/Marae Development</u> - The District Plan currently allows for this type of development.</p> <p><u>Partnership</u> - Council has the Te Manawhenua Forum (Forum) to facilitate tangata whenua contribution to Councils decision-making. The Forum is a standing committee of Council with membership of local iwi representatives. We note Ngati Raukawa is represented on the Forum.</p> <p>Council is proposing to undertake a 'rolling review' of its district Plan to meet its legal requirements under the Resource Management Act. Iwi will be involved in the District Plan review which will include consideration of papakainga and marae development. We welcome Raukawa's involvement in this process.</p>

Thank you again for your letter, we look forward to engaging with you again in the future. Nga mihi	
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LONG TERM COUNCIL COMMUNITY PLAN**COUNCIL ACTIVITIES**

The Annual Plan relates to all Council activities described in the LTCCP.

COMMUNITY OUTCOMES

The Annual Plan relates to all community outcomes.

OFFICER RECOMMENDATION/COMMITTEE RESOLUTION

That the information be received.

7.1.3 TE MANAWHENUA FORUM SATISFACTION SURVEY

File No: DEM0208T02
Attachments: [Satisfaction Survey](#)
Responsible Officer: D McLeod
Chief Executive Officer
Author: R Marshall
Senior Policy Planner

EXECUTIVE SUMMARY

In April 2011 Te Manawhenua Forum members were posted a copy of the annual satisfaction survey. This report requests that forum members who have not yet completed the survey do so and return it to Council at the 7 June meeting.

A copy of the satisfaction survey is attached to this report.

BACKGROUND

Questions in this survey were chosen by members of Te Manawhenua Forum at a workshop in August 2007. The survey is carried out annually and results are used to monitor progress towards some of Matamata-Piako's existing Community Outcomes.

OFFICER RECOMMENDATION

That the information be received.

7.1.4 UPDATE ON TUI MINE REMEDIATION PROJECT

File No: RMR202201
Responsible Officer: D McLeod
Chief Executive Officer
Author: N Baker
Policy Planner

EXECUTIVE SUMMARY

Presentation time: 11.00 am

Mr Ghassan Basheer from Environment Waikato will be in attendance to provide an update on the Tui Mine Remediation Project.

POLICY AND BYLAW ISSUES

There are no other Policy or Bylaw issues in relation to this matter.

OFFICER RECOMMENDATION

That the information be received.

Report

File No: Z23 S503 01
Date: 24 May 2011
To: Manawhenua Forum - MPDC
From: Ghassan Basheer
Subject: **Tui Mine Remediation - Project Update**

1. Background

The Tui mine remediation project started in July 2007 with Government allocation of initiative funding to remediate the abandoned mine site on Mount Te Aroha. The project was divided into two phases, phase 1 of which included the investigation, design, monitoring, consents for the project and the remediation of the underground workings. Phase 2 covers the remediation of the tailings impoundment area.

The project is managed by the Waikato Regional Council within a management structure including a governance group and steering group. Members of the groups include representatives from Ministry for Environment, the Regional Council, the District Council, the Department of Conservation and an Iwi Advisory Group representative.

The project implementation timeline has been progressed as follows:

- | | |
|---|------------------------|
| • Project establishment - | July 2007 – June 2008 |
| • Initial investigations and selection of preferred option- | July 2008 – June 2009 |
| • Detailed investigations and design trials - | July 2009 – Feb. 2010 |
| • Baseline Environmental Monitoring- | Sept. 2009 – Jan. 2010 |
| • Consents applications - | Feb. 2010 – Sept. 2010 |
| • Detailed design and procurement of Phase 1 Works- | Feb. 2010 – Aug. 2010 |
| • Construction of Phase 1 Works- | Oct. 2010 – Aug. 2011 |
| • Detailed design and procurement of Phase 2 Works- | Jan. 2011 – July 2011 |
| • Construction of Phase 2 Works- | Sept. 2011 – Dec. 2013 |

The project team have regularly updated the Manawhenua Forum of progress on the project. This report provides an update on progress made over the last quarter and activities scheduled for the next period.

2. Phase 1 Update

- The construction works on site have been practically completed. These included installation of 90 tonnes of lime chip bunds into level 5, concrete bulkhead, construction of water intake and hydraulic control weirs and mine discharge outlet structure at level 4, as well as treating the waste rock at level 4.

- Some minor tidy up work on the road and waste rock stacks remains to be completed over the next month.
- The lime slurry injection continues at a rate of 10 tonnes a week, and is expected to be completed by August 2011.

3. Phase 2 Update

- The procurement of contractor for Phase 2 Works is currently underway.
- The funding for Phase 2 has been confirmed by the Ministry for Environment.
- Detailed planning for Phase 2 is currently underway.
- During the next period, the contract will be let and all detailed project control plans and schedules approved by the Governance Group for implementation.
- Actual work on site is expected to start between mid and end of September.

4. Iwi Advisory Group

The Iwi advisory group have been meeting monthly to discuss the project progress, consider Steering Group and Governance Group meeting agendas, and discuss the development of the cultural monitoring plan. Representatives from the Group have been attending the Steering and Governance Groups meeting, as well as providing cultural advice to the project team.

5. Recommendation

That this report titled “Tui Mine Remediation - Project Update” (docs# 1980588 dated 24 May 2011) be received for information.

Ghassan Basheer
Project Manager – Tui Mine Remediation

7.1.5 REPRESENTATIVE FOR THE CYCLEWAY COMMITTEE

File No: PRE520416
Responsible Officer: D McLeod
Chief Executive Officer
Author: C Hubbard
Committee Secretary

EXECUTIVE SUMMARY

Mr D Taipari will raise discussion regarding selecting a representative for the Joint Council committee to be established for the Hauraki Cycleway.

POLICY AND BYLAW ISSUES

There are no policy or bylaw issues.

OFFICER RECOMMENDATION

That the information be received

8 URGENT ADDITIONAL BUSINESS

9 EXCLUSION FROM THE PUBLIC

10 CLOSURE