

Council Public Agenda 30 April 2024

Council Chambers
101 Bank Street
Te Awamutu



Chairperson
Her Worship the Mayor SC O'Regan

Members
AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, DM Morgan, MG Montgomerie, MJ Pettit, CS St Pierre, EM Stolwyk, BS Thomas

30 April 2024 09:00 AM

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Workshop 10.50am (Indicative Time)

PUBLIC EXCLUDED: 2024-34 Long Term Plan Brief (60 minutes)

COUNCIL AGENDA



OPENING COMMENTS FROM HER WORSHIP THE MAYOR

Her Worship the Mayor will provide opening comments.

COUNCIL AGENDA



APOLOGIES

COUNCIL AGENDA



DISCLOSURE OF MEMBERS' INTERESTS

Members are reminded to declare and stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they may have.

COUNCIL AGENDA



LATE ITEMS

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.

COUNCIL AGENDA



CONFIRMATION OF ORDER OF MEETING

Recommendation

That Council confirms the order of the meeting.

COUNCIL AGENDA



To: Her Worship the Mayor and Councillors
From: Governance
Subject: **CONFIRMATION OF MINUTES**
Meeting Date: 30 April 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson’s manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the open minutes of the Waipā District Council meeting held on 27 March 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

3 ATTACHMENT - ĀPITITANGA

Council Minutes – 27 March 2024

COUNCIL MINUTES



Time: 9.00 am
Date: Wednesday 27 March 2024
Venue: Council Chambers, Waipā District Council
101 Bank Street, Te Awamutu

PRESENT

Chairperson

Her Worship the Mayor SC O'Regan

Members

AW Brown, LE Brown, PTJ Coles, ML Gower, RDB Gordon (via Zoom), DM Morgan, MG Montgomerie, MJ Pettit, CS St Pierre, EM Stolwyk, BS Thomas

Opening Karakia – Councillor Morgan

1 HER WORSHIP THE MAYOR OPENING COMMENTS

Her Worship the Mayor spoke about the Infrastructure Funding and Financing Conference she attended with Deputy Mayor Stolwyk, Deputy Chief Executive and Group Manager Business Support, Ken Morris, and Principal Engineer, Growth Development Engineering, Tony Coutts, and how insightful this conference had been particularly regarding the various funding and financing opportunities available for infrastructure long term.

2 APOLOGIES

There were no apologies.

3 DISCLOSURE OF MEMBERS' INTERESTS

None

COUNCIL MINUTES



4 LATE ITEMS

None

5 CONFIRMATION OF ORDER OF MEETING

RESOLVED

1/24/16

That Council confirms the order of the meeting.

Councillor Stolwyk / Councillor Morgan

6 CONFIRMATION OF MINUTES

RESOLVED

1/24/17

That the open minutes of the Waipā District Council meeting held on 27 February 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

Councillor St Pierre / Councillor L Brown

7 CONFIRMATION OF MINUTES

RESOLVED

1/24/18

That the open minutes of the Waipā District Council Extraordinary meeting held on 5 March 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

Councillor A Brown / Councillor Thomas

8 AUDIT AND RISK COMMITTEE MEETING – 11 MARCH 2024

Council's Audit and Risk Committee met on 11 March 2024.

This report provided a summary of the key matters discussed and the outcomes of the meeting.

COUNCIL MINUTES



RESOLVED

1/24/19

That Council receives the report of Genny Wilson, Business Resilience and Risk Advisor, titled 'Audit and Risk Committee Meeting 11 March 2024' [ECM number 11190200].

Mayor O'Regan / Councillor Coles

9 TE ARA WAI PROJECT

The purpose of this report was to gain confirmation from Council that all works on the Te Ara Wai Project be paused.

RESOLVED

1/24/20

That Council

- a) *Receives the report of Garry Dyet, Chief Executive titled Te Ara Wai Project (document number 11196582)*
- b) *Confirms the completion of current contractually committed work on the Te Ara Wai project, but all further work on the project is paused*
- c) *Confirms the discharge of the Te Ara Wai Governance Committee, noting it may be reappointed on recommencement of the project.*

Mayor O'Regan / Councillor Stolwyk

10 TEMPORARY LIQUOR BAN CAMBRIDGE RACEWAY – GRINS NIGHT OF CHAMPIONS

The purpose of this report was for Council to resolve to specify the areas surrounding the Cambridge Raceway as subject to a temporary liquor ban for the areas and times specified in Appendix 1 pursuant to the Waipā District Public Places Alcohol Control Bylaw 2015 and the Local Government Act 2002.

RESOLVED

1/24/21

That Council

- a) ***Receives the report of Maddison Berry, Licensing Inspector titled TEMPORARY LIQUOR BAN CAMBRIDGE RACEWAY – GRINS NIGHT OF CHAMPIONS, ECM Number: 11195456.***

COUNCIL MINUTES



- b) **Resolve** to specify the grassed paddock situated to the East of the Cambridge Raceway, to be used for car parking for the event, as well as Taylor Street, in front of the grassed paddock as described and outlined in the map in Appendix 1 as subject to temporary liquor ban on 12 April 2024 from 3pm – 12am (the following day) pursuant to the Waipā District Public Places Alcohol Control Bylaw 2015 and Local Government Act 2002.

Councillor Stolwyk / Councillor A Brown

11 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED

1/24/22

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of the 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 are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
12. Public Excluded Minutes – 27 February 2024	Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

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, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:

COUNCIL MINUTES



Item No.	Section	Interest
12	7(2)(i)	<i>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i>

Councillor St Pierre / Councillor Montgomerie

The meeting went into Public Excluded session at 9.39am
There being no further business the meeting closed at 9.40am

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON:

.....

DATE:

.....

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Chief Executive and Group Manager Strategy
Subject: **Anchor Institutions**
Meeting Date: 30 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek Elected Member approval of a proposed Anchor Institution Framework.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The Future for Local Government Review, in its draft and final reports, recognised the unique position of councils as anchor institutions responsible for creating public value at place. The Chief Executive has strongly advocated Council's role as an Anchor Institution and this has been further supported by the work undertaken to develop Ahu Ake, Waipā Community Spatial Plan.

For the 2023/24 year, the Chief Executive's KPIs included the following:

“(5) Establish Council as an anchor institution in our community:

a. That the CE develops and has adopted by Council by 30 June 2024 a framework for Council to become an anchor institution in our community for enabling the delivery of the four wellbeings. Note: such framework to consider elements such as a community supportive service delivery framework, partnering with other anchor institutions to deliver community outcomes, including economic development, future proofing our organisation and considering collaboration and shared services modelling and economic development.

b. CE ensures that elements of the framework scheduled for delivery in FY24 are delivered in full and on time”.

Peter McKinlay was engaged to prepare an Anchor Institution Framework for Waipā. Peter prepared a background paper and this is attached to this report as *Appendix 1*. Work has been undertaken internally to identify how the Anchor Institution Framework fits within our overall organisational Integrated Strategic Planning Framework. High level content has been developed for each of the component parts

of the Anchor Institution Framework for Waipā and is attached to this report as *Appendix 2*. Elected Members have provided feedback through workshops held on 27 February and 27 March 2024. Further detail will be developed through the various components, work programmes, projects and initiatives that follow. A draft work programme will be developed and presented to Elected Members by the end of June 2024.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Garry Dyet, Chief Executive and Kirsty Downey, Group Manager Strategy, titled ‘Anchor Institutions’, (document number 11159553);*
- b) *Approves the Anchor Institution Framework for Waipā, attached as Appendix 2 to this report, (document number 11179442).*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Anchor Institutions are large, place-based organisations that are anchored in communities. They have a long term and enduring commitment to a place, playing a vital role in communities and economies. They often combine several characteristics – they are large scale employers; major purchasers; they have control of substantial landholdings or assets; and often they are non-profit or public sector organisations. They include organisations like councils, hospitals, universities or schools.

The Future for Local Government Review in its draft and final reports, recognised the unique position of councils as anchor institutions.

Councils have a range of roles within the community to provide for social, cultural, economic and environmental wellbeing. Councils can take lead roles working with other anchor institutions for collective impact, and they can leverage local strengths to address local challenges and opportunities to enhance community wellbeing.

This is supported through the work that we’ve been undertaking to develop Ahu Ake, Waipā Community Spatial Plan. Community wellbeing is at the heart of this 30+ year blueprint for our district.

The development of an Anchor Institution Framework was prioritised as a Chief Executive KPI for the 2023/24 year, with Council adoption of the Framework required by 30 June 2024.

Elected Members have had opportunities to provide feedback on the development of the Framework through workshops held in February and March 2024. Elected Members have been clear that this is very much about ensuring we are operating effectively and efficiently, that we are able to identify and measure benefits, and that these are strongly aligned to Council’s Vision and Community Outcomes.

A proposed Anchor Institution Framework is now presented for Elected Member approval. Further detail will be developed through the various components, work programmes, projects and initiatives that follow. A draft work programme will be developed and presented to Elected Members by the end of June 2024.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matters in this report have a low level of significance. This work has been informed by community engagement processes undertaken to date, noting in particular the community engagement for Ahu Ake in February and March 2023 and the world café workshops held with a community group in September to November 2023. Implementation of the Framework will involve connections with partners, key stakeholders and the wider community.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> No staff or other Council resources required 	<ul style="list-style-type: none"> Fail to deliver on the Chief Executive's KPI We may not fully utilise opportunities to increase the effectiveness of Council as an Anchor Institution and thus enhance the wellbeing of our Waipā communities
Option 2: Approve the proposed Anchor Institution Framework	<ul style="list-style-type: none"> Successful delivery of the Chief Executive's KPI Builds on work already being undertaken across the organisation Provides opportunities to increase the effectiveness of Council as an Anchor Institution and to enhance the wellbeing of our Waipā communities 	<ul style="list-style-type: none"> None identified

The recommended option is Option 2. The reasons for this are noted above.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

Option 2 above successfully delivers on the Council’s Vision to build connected communities and the Community Outcomes which are prefaced on community wellbeing.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the recommendation to approve the Anchor Institution Framework complies with Council’s legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no financial implications directly arising from the decision to approve the Anchor Institution Framework. Implementation is to be undertaken utilising existing budgets.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

It is acknowledged that there are a number of initiatives underway and/or to be undertaken pursuant to agreements between Council and its Mana Whenua and Iwi partners.

Climate Change – Hurihanga Āhuarangi

There are no Climate Change impacts directly arising from the decision to adopt the proposed Anchor Institution Framework.

8 NEXT ACTIONS

Action	Responsibility	By When
Preparation and reporting of a Draft Work Programme to Elected Members	GM Strategy	30 June 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Waipā District Council as an Anchor Institution (document number 11178911)
2	Anchor Institution Framework for Waipā (document number 11179442)



Kirsty Downey
GROUP MANAGER STRATEGY



Approved by Garry Dyet
CHIEF EXECUTIVE

APPENDIX 1

Waipā District Council as an Anchor Institution (document number 11178911)

Waipa District Council as an Anchor Institution

Introduction

Waipa District Council (the Council) wishes to put in place a framework to become an anchor institution in its community for enabling the effective delivery of the four well-beings which will include delivering on the Vision and Community outcomes within its spatial plan, Ahu Ake.

This note covers four separate elements:

- What is an anchor institution? This is the most substantial section of this note. It traces the origin of the anchor institution concept as a new approach to local economic development; communities taking back control of their local economies in US cities gravely impacted by deindustrialisation; to being picked up in the UK by a think tank focused on local economic development; to the growing awareness that the essence of the anchor institution approach is one of councils asserting their role as the governance of their communities.
- Why the Council (a link to Ahu Ake)? This section makes the case that the Council is uniquely placed by virtue of its experience, and the relationships with its communities, to be the trailblazer for an anchor institution approach including addressing the impact of the ongoing centralisation of services and distancing of decision-making. The Council through adopting an anchor institution approach will also be well-placed to support adjoining councils in becoming anchor institutions and to demonstrate to the local government sector how to address a gap in the Local Government Act, the absence of legislative machinery specifically designed to support councils in promoting community well-being. This is a gap which has been recognised by the report of the Future for Local Government Review Panel. To address this gap, the Council is relying on the broad mandate provided by sections 10 and 11 of the Local Government Act.
- Practical tools and steps. This section suggests the Council begin with determining its priorities for the outcomes it seeks from an anchor institution approach and then focuses on three activities; developing a social procurement strategy, building on the localities planning aspect of health sector reform as a first step in addressing the four well-beings and strengthening the role of the different communities which have taken part in the development of Ahu Ake. It suggests tools for each activity and outlines the international support available for each of them.
- Implementation. This section outlines a possible approach to implementation recognising that this will be subject to the Council's priorities including the relationship between this initiative and the LTP.

What is an anchor institution?

The short answer from the Council's perspective is that becoming an anchor institution is asserting the role of the Council as the primary source of governance for its communities. This extends to a governance role beyond the responsibilities of the Council, to the service delivery activities of other entities including central government agencies, the NGO and private sectors, philanthropic funders and in partnership with Mana whenua. In most cases it will be implemented as a very light touch approach with a primary focus on ensuring other parties understand and respond to the needs, circumstances and priorities of the Council's communities.

The anchor institution approach has evolved significantly since the role was first recognised, and continues to evolve. To understand the nature of an anchor institution and its potential, it's important to understand the history and how the anchor institution practice has migrated from one jurisdiction to another.

The US - Cleveland and the Greater University Circle Initiative

The anchor institution approach began in the US typically as a response by major local institutions within a city or region undergoing economic decline as a result of deindustrialisation. The best known example is Cleveland's Greater University Circle Initiative (GUCI). This was driven by a collaboration led by the Cleveland Community Foundation and comprising a number of major educational, health and cultural institutions which were clustered in an area of Cleveland which had been declining rapidly as a result of a dramatic fall in economic activity and population. The impact on the neighbourhood in which these institutions were based was severe with the neighbourhood generally becoming much less safe and institutions finding it increasingly difficult to attract students and staff.

The Foundation took the initiative with the support of the Democracy Collaborative, a major US NGO committed to the promotion and enablement of local democracy. The immediate focus was on how the institutions within the GUCI area could act to support the local community and economy. Between them the institutions were spending in the order of \$3 billion US a year on purchasing goods and services. Their priority became how they could manage their procurement in ways which would strengthen the local economy and community.

The institutions adopted four key strategies which together made up their understanding of the role of anchor institutions:

1 Institutional Partnership.

Creating opportunities for diverse institutions to work together.

2 Physical Development.

Catalyzing transportation and real estate projects that reconnect neighborhoods.

3 Economic Inclusion.

Encouraging institutions to buy local and hire local, and empowering new and existing residents to live local.

4 Community Engagement.

Ensuring residents have authorship in the revitalization of their neighbourhoods.

One outstanding result came from the emphasis which University Hospitals placed on generating local employment opportunities. They facilitated the creation of what are known as the Evergreen Cooperatives as major suppliers - one cooperative handling hospital laundry; another becoming a major supplier of fresh produce.

For the Council, this is an illustration of how a combination of analysing supply chains - what are you procuring from where - and looking closely at a combination of focused procurement and some developmental support - can enable the emergence of viable locally owned businesses. This is especially so when you factor in the social value from building additional locally owned businesses which provide opportunities for less well-off members of the community.

Some features of the Cleveland experience reflect conditions which are specific to the American context. First, given the American understanding of the role of councils, local government is not normally seen as the natural leader of an anchor institutions approach. An evaluation of the Cleveland experience includes this explanatory comment "The need to maintain political and geographic neutrality may prevent a city government from acting as lead convener of a multi-anchor initiative."

Next the primary institutions behind the development of the anchor institution approach in the US have been large not-for-profit hospitals. A number of old established hospitals are located in areas which have become increasingly rundown and so have a strong incentive to support the local community. A quirk in the Obama health care legislation has provided an incentive for these hospitals to be proactive in strengthening the communities in which they are based.

As a consequence of these two factors, the anchor institution approach in the US has been largely led by the healthcare anchor network (<https://healthcareanchor.network/>) and its emphasis has been very much on local economic development.

England - Manchester and Preston

Interest in the anchor institution approach crossed the Atlantic from the US to England as a result of a long-standing relationship between the Democracy Collaborative in the US, which supported the Cleveland development, and the Manchester based think tank the Centre for Local Economic Strategies (CLES). CLES describes itself as "The national organisation for local economies - developing progressive economics for people, planet and place." This emphasis

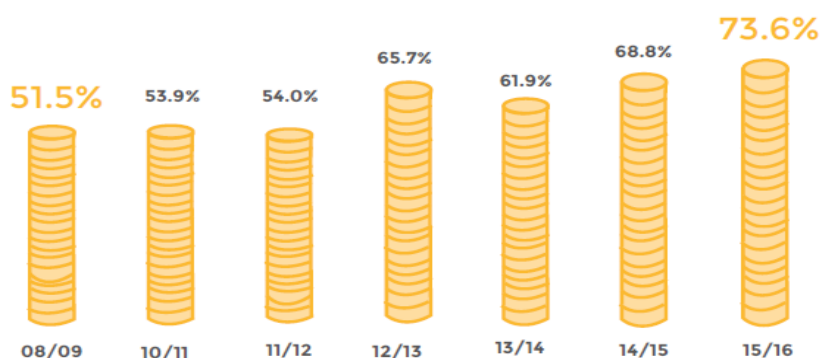
meant the anchor institutions approach began in England as a new approach to economic development. There were however differences from the approach in the US.

First, in England councils were seen as the natural leaders of local economic development in their place, something which was built into CLES's way of working - in part because it had been established by and is part funded by the Manchester City Council, in part because of the different way councils in Westminster jurisdiction countries are perceived as compared with councils in the US. Secondly the major interest in the anchor institution approach in England was driven less by deindustrialisation (although that was a factor) and more by the growing prosperity gap between London and the south-east on the one hand and the rest of England on the other driven by a market-based approach to public policy and an emphasis on building London as an international financial centre. Specifically, the emphasis of recent UK governments on a market-based approach to much of service delivery, with major outsourcing to nationwide providers to the detriment of local providers and employment, has created a strong incentive for councils to look for ways of retaking control of their local economies. It has meant the anchor institutions approach was being addressed primarily as a tool of economic development.

Manchester City Council was the first council to start adopting the anchor institutions approach, focusing on procurement and changing it from a support function distributed across the Council's different activities to a strategic function supporting the work of the Council as a whole. CLES, led by Matthew Baqueriza-Jackson who is advising the local governance think tank on anchor institutions policy and practice, worked with the Manchester City Council to develop a detailed social procurement policy. The focus was on analysing procurement of the top 300 items (goods, services) the Council was purchasing to determine where its procurement spend finally ended up.

Drawing on findings from this analysis the Council then reshaped its procurement policy to ensure local businesses, including businesses in disadvantaged areas, had a real opportunity to become providers to the Council. A detailed account of the development of social procurement in Manchester can be found at: https://cles.org.uk/wp-content/uploads/2017/02/The-Power-of-Procurement-II-the-policy-and-practice-of-Manchester-City-Council-10-years-on_web-version.pdf . Its success can be seen from the following chart:

Chart A: Proportion of total procurement spend in Manchester



The Manchester experience was still well within the local economic development paradigm rather than a more broadly based governance paradigm. The change to a new understanding began with Preston City Council which took a much more holistic approach. In a post-covid assessment of its experience with what it now calls its community wealth building approach, the Council's leader has stated "It has been a very difficult few months, but we are optimistic that this strategy can influence and guide how we move forward in a way that contributes to the wellbeing and resilience of our communities and economy leaving us better prepared not just for the threat of future pandemics but the growing threat of the climate emergency."

This is quite explicitly a shift from a purely economic development approach to an emphasis on the governance of Preston's communities across the full spectrum of matters which impact on community well-being.

Other councils in England are also adopting this approach and it is spreading into other sectors. England's National Health Service, which has recently reorganised the management of service delivery into a series of Integrated Care Services, is encouraging ICSs to act as anchor institutions on the argument that good health outcomes are dependent on a strong economy (employment and other opportunities for example).

New Zealand

Context matters. There are three important differences between the English context for and practice of an anchor institution approach and the context in New Zealand. First, English councils have a very significant involvement with the delivery of major social services, an involvement which goes back to the 19th century. One consequence is councils have long established relationships with a wide range of NGOs and social enterprises which play an important part in the delivery of council provided services. An unintended outcome is English councils typically conflate engaging with the Voluntary Community and Social Enterprise sector with engaging with communities. Accordingly, even though an anchor institution approach points naturally to working with communities, especially communities of place, this seldom happens with English councils.

The local governance think tank has discussed this with a number of think tanks and others in the UK making the point that often the VCSE sector may be as distant from communities as councils themselves. An emphasis on well-being requires an approach to engagement which reaches the most disadvantaged and least connected members of the community. This gap in UK practice is gradually being recognised - local place planning in Scotland specifically addresses that issue as does much of the work of the Future Generations Commissioner in Wales.

The second difference is that local government in England (and the UK) has no equivalent of section 17A of the Local Government Act with its requirement that "a local authority must review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions." Instead, as a paper from Preston City Council's website, *Social Value in Procurement*, notes "The Social Value (2012) Act requires Social Value to be considered in all public sector service procurement tenders over an agreed threshold. Public authorities must have "regard to economic, social, and environmental well-being". (The paper is available at: <https://www.preston.gov.uk/article/7285/Social-Value-in-Procurement>).

In practice the major difference between the UK situation and New Zealand is that the Social Value Act provides explicit authority for an English council's social procurement policy to incorporate well-being elements whilst a New Zealand council needs to make an explicit and considered decision. This is a matter which has been considered both by the office of the Auditor-General and by SOLGM (now Taituara), in the context of section 17A, which has concluded:

- Cost-effective means the lowest cost consistent with the achievement of the objectives for providing the service. In other words, the objectives come first and the costs fall out of the objectives themselves rather than the other way around.
- In the absence of other qualifiers, it is reasonable to assume that what is cost-effective is a policy judgment for elected members to make.

The issue for the Council is the importance of avoiding any potential for someone to challenge a decision through judicial review. The OAG and SOLGM advice supports the view that so long as elected members have explicitly turned their minds to the objectives for the service under review and satisfied themselves the purpose of any well-being elements is to further the objectives of the policy, the resultant decision will be lawful.

The third difference is one of scale. The typical English local authority is an order of magnitude larger than the typical New Zealand council. First, the population of the typical equivalent of a New Zealand district or city council is around 130,000. Secondly because of the much wider range of functions for which English councils are responsible, staff numbers are very much greater.

This means it is perfectly feasible for an individual council to develop and resource its own anchor institutions strategy and implementation. In New Zealand in contrast there is a strong case for developing multi-council collaborations supported by a common staffing resource. This is a good way of building capability, making effective use of what will be a relatively scarce resource (people with the capabilities required to drive an anchor institutions strategy including social procurement as a strategic function). The emphasis on community well-being is another factor which supports a multi-council approach because of the scale of a number of the services which influence community well-being.

It's also a sensible response to maintaining capability in the event that, post-election, councils do lose major functions. Adopting an anchor institution approach can be seen as a way for the role of the Council to pivot from one which is primarily service delivery to one which is very much hands on governance with an emphasis on ensuring the Council's communities get the best possible outcomes from the activities of service deliverers whether public sector, private sector or third sector. This will have at least two significant impacts for the Council itself. First it means that, regardless of post-election changes in its service delivery role, it is likely to emerge as a more significant and influential institution within its community able to attract and retain a wide range of capable people. Secondly, and partly as a result of working more closely with its communities, the anchor institution approach should result in a combination of better use of public resources¹, and a strengthening of the local economy. It should also strengthen the ability of the Council, in a multi-council anchor institution environment, to support smaller councils in accessing requisite skills.

All of this reflects the reality governance, in the sense of shaping the way in which major services are designed, targeted and delivered, is becoming ever more important for the well-being of communities. As is very evident from the experience of recent years, this governance needs to be locally based. It is critically dependent on local knowledge and networks, something which councils naturally have as a result of their local representation and business as usual activities but something which is simply outside the purview of centralised agencies.

Summary

First, Anchor institutions are organisations locally rooted and embedded in the local community. The essence of the anchor institution approach is bringing anchors together so that, as they undertake their business as usual, they do so in ways designed to improve local economic, social, cultural and environmental outcomes.

Next the way in which the anchor institutions approach has been evolving, at least in Westminster jurisdictions, now positions the council as the lead anchor in

¹ There is good evidence from international research that bringing communities into decision-making about services and level of service decisions can result in significant savings. Reasons include being able to tap into the unique knowledge communities hold about their place, and the tendency for communities to be parsimonious when they realise it's their own money they are spending.

its district. The anchor institution approach has become a means for a council to reassert its primacy in local governance with a focus on ensuring both it and other significant organisations within the district focus on the social, cultural and environmental outcomes from their activities as well as on the economic impact.

Lastly the emphasis in New Zealand anchor institution practice on enabling and supporting the four well-beings means that empowering and supporting communities becomes a central element for this approach. This contrasts with the way the anchor institution approach has evolved in the US and the UK because of the different nature of relationships between councils and communities in those jurisdictions.

Why the Council? (a link to Ahu Ake)

First, it is clear New Zealand councils need to be the lead anchor institution for their districts. Reasons include first the fact that increasingly the anchor institution approach is about governance which is very much for the Council to lead rather than other anchors within its district. Secondly only a council has the local mandate, presence and capability to address the four well-beings with its communities. This will be further emphasised in the section on implementation below. Councils are also best placed locally to contest the ongoing emphasis on centralising services and distancing decision-making from the communities where those decisions impact. Their democratic mandate and holistic perspective of the impact on their communities makes this a natural role. In this respect it is important to recognise the mandate councils have by virtue of sections 10 and 11 of the Local Government Act. Section 10 sets the purpose of local government as enabling local democratic decision-making and action BY and on behalf of communities (emphasis added) and promoting the four well beings now and in the future. Section 11 provides the role of local government is to give effect to the purpose. It is undoubtedly the broadest mandate any local government sector in the developed world has for the promotion of local democracy.

Next, Waipa has built up a strong capability and community trust in its approach to working with its communities. The Council's experience with developing Ahu Ake gives it a massive head start over virtually any other council in the country.

The Council's involvement, over the past 2 ½ years, in exploring options for the future of local government also gives it a far greater understanding of the different options and possibilities which are integral to an anchor institution approach than most New Zealand councils. This includes the Council's awareness that although the Local government Act gives it a mandate to promote the four well beings, this is not complemented by machinery focused specifically on doing so. The anchor institutions approach, based on the mandate in sections 10 and 11, fills that gap.

Additionally, it is well-placed to act as the coordinator of an anchor institutions approach with contiguous councils. Issues of scale and available expertise place a premium on groups of councils collaborating together to develop a common anchor institutions approach across their respective jurisdictions.

Finally, demonstrating local government's capability to exercise competent governance and support its communities may prove to be time critical as an incoming government starts to develop its policy in respect of local government and local governance. The Council is far better placed than any other council in New Zealand to be an early exemplar at the level of capability which will be needed to influence a new government.

Practical tools and steps

Council priorities

As a useful first step the Council should consider what its priorities are from an anchor institutions approach. On the procurement side is it more concerned about the loss of capability within the district as national or international providers have displaced local providers, or is its primary focus on strengthening opportunities for existing and future local enterprises and perhaps as well strengthening local communities? The difference between the two is that the first approach would have the Council focused on specific activities it wanted to see resumed - for example local capability which could be drawn on in the event of adverse weather events - whilst the second approach would be more focused on creating a level playing field for present or potential local providers whether private sector or voluntary sector. This would emphasise measures such as rightsizing procurement requirements so that smaller providers would be eligible to bid, and requiring major providers to have a strong social value component focused on how they would create local opportunity - for employment and/or for strengthening of the local SME sector.

A separate area, which is more important in New Zealand than in other jurisdictions, is how to improve four well-beings outcomes. New Zealand is unique in that local government has virtually no role in the delivery of major social services. In most other jurisdictions councils have a significant social service provision role so are able themselves to influence how the design, targeting and delivery of social services impacts on individual and community well-being.

For the most part addressing this set of issues will be a matter of the Council acting as an intermediary between its communities and social service providers. Among other things this means developing ways in which individual communities' needs, preferences and circumstances can be understood and communicated to service providers.

Both for the Council, and for its communities, it will make sense to start with a single service area and focus on how well-being can be improved as a result of the way that service is managed. The standout example is localities planning in the health services for which legislation requires council involvement. Locality plans are intended to be the way in which different needs, and preferences for how they are met, are understood and incorporated in the way in which the delivery of health services is managed.

Currently localities planning is still at an experimental stage with quite different approaches being taken by Te Whatu Ora to the involvement of councils in

different parts of the country but with a consistent approach across the country of localities planning being led by iwi/Maori partnership boards. If there is a change of government, it seems virtually certain the role of those boards will be at least significantly diminished if not removed. A new Minister of health is also likely to have early ideas on how best to implement localities planning. Issues of timing and significance are likely to make working with its communities on the development of a localities plan for its district the Council's top priority for an anchor institution approach on community well-being to demonstrate to the new government the contribution local government can make to localities planning.

This is both an opportunity for communities to express their needs and concerns, and for the Council to look at the role it plays in shaping the social determinants of health 80% of which are much more under the control of whoever has the place-making responsibility (councils) than of institutions in the health sector. It is also an opportunity for the Council to ensure the voice of Tangata whenua is still part of the localities planning process.

Practical tools and steps

An obvious first step is for the Council to make a judgement, based on its knowledge of its district, about who are likely anchor institution candidates and start a dialogue with them about a joint anchor institution approach.

It is recommended that the Council (and other councils wishing to implement an anchor institutions approach) begin with a focus on two separate activities:

- Social procurement.
- Putting in place the measures needed to support the four well beings, using involvement in localities planning as the opportunity to develop and test those measures. In Waipa this should include exploring the potential for the communities involved in the development of Ahu Ake to evolve as the equivalent of self-identifying communities.

Social procurement

Every anchor institution initiative the local governance think tank has considered has begun with the development of a social procurement strategy driven by the lead anchor institution but done collaboratively with other anchors - in Westminster jurisdictions this means led by the council, in the US typically led by a hospital.

The detailed description of the Manchester City Council experience in developing its social procurement strategy, set out at: https://cles.org.uk/wp-content/uploads/2017/02/The-Power-of-Procurement-II-the-policy-and-practice-of-Manchester-City-Council-10-years-on_web-version.pdf, provides a useful starting point. Manchester's experience makes it clear developing a social procurement strategy requires a great deal of technical skill and knowledge of procurement processes and practice including how to integrate a social value

component². This means a component designed specifically to ensure providers can demonstrate and deliver on social, cultural and environmental objectives. Examples might be training and opportunities for particular groups within the population, or measurable commitments to reduction of the provider's carbon footprint.

Supporting the four well beings

Experience and research evidence both suggest the most difficult but also most important aspects of improving the four well beings need to be based on actual knowledge and understanding of the needs, circumstances and preferences of people within a council's communities. This means especially those people who are hardest to reach and least engaged with conventional processes such as community engagement, making submissions to councils and other organisations, and other standard approaches to interaction.

This points to encouraging the emergence of self-identifying communities including setting criteria for their recognition, and determining the ongoing capacity and capability support the Council would offer. Different jurisdictions and councils have developed different approaches to recognising, enabling and empowering self-identifying communities. However, regardless of the approach taken, there are some important common characteristics. They include widespread acceptance of the definition of an individual community, some structure to enable ongoing existence and, importantly, an effective means for enabling 'horizontal' conversations which work to include people whose voices are seldom heard by formal organisations. That said, there are number of very useful examples to draw on. They include:

- The experience of councils such as Portland Oregon and Wiltshire in south-east England - see webinars one and three³.
- Practice in Scotland, led by the Scottish Community Development Centre (SCDC), in supporting self-identifying communities stepping forward under Scottish community planning legislation to prepare local place plans and more generally, again under the umbrella of SCDC, the use of participatory budgeting as part of restoring 'voice choice and control to communities over decisions which affect their place' - see webinars four and five⁴.

² Matthew Baqueriza-Jackson who delivered webinar two on anchor institutions has offered to put together for use by members of the local governance think tank a package of materials including reports, evaluations, guides, training videos and other material to assist them develop a best practice approach to social procurement. He will also be available online to deliver workshops for councils who are members of the local governance think tank to provide direct input from him on the development of their social procurement policies. This service will involve a fee for Matthew for workshop development and delivery.

³ The presenters for those webinars have offered to support New Zealand councils by providing relevant background information, report guides et cetera on how their own councils worked with communities.

⁴ . The local governance think tank is currently discussing with the presenters for those two webinars the possibility of them visiting New Zealand, most likely in April or May 2024, to run workshops for interested members of the local governance think tank.

In the Council's case, encouraging the emergence of self-identifying communities should build on the development of Ahu Ake. A useful starting point would be discussions with a cross-section of existing community organisations - community boards, NGOs, mana whenua groups - to build a broad understanding of why the Council wishes to support the emergence of self-identifying communities. To do this Council will want to focus on strengthening the various communities which have participated in the development of Ahu Ake, including helping them develop some local structure, and giving them the opportunity to become involved with local place planning and participatory budgeting. Among other advantages this would enable relatively swift development of informed community voices to support community involvement in localities planning as part of the health reforms.

The why and what of self-identifying communities

Increasingly it is recognised that effective engagement with communities means ensuring that those communities are recognised by the people of the community as their place. To do this normally means finding a way in which the people of the community themselves show how they identify their community - with a place-based community typically this means among other things the people of the place identifying the boundary. Enabling this practice has become increasingly common, for example in local place planning in Scotland. It also recognises that the typical local government electoral practice of a specialist entity applying a set of criteria to determine the boundaries of a community is no assurance the people of that place themselves will identify with that community. In Waipa's case as already noted it seems likely that building on the communities involved with the development of Ahu Ake will provide the most promising option for encouraging the emergence of the equivalent of self-identifying communities.

It's important also to think about why communities would want to step forward. There are two types of incentives in particular which can be very effective. The first is providing practical support for self-identifying communities. This could include an investment in capacity and capability development, and some support for those communities to become involved in policy development helping them to express their needs and priorities.

A second is adopting participatory budgeting as a way of setting priorities for spending of designated funds within the community. In Waipa this could be done under the umbrella of Ahu Ake as a way of allocating the approximate \$1.6 million the Council makes available annually for a range of community grants.

It could be useful to link this to the Council's interest in helping shape localities planning as a 'first cab off the rank' in ensuring social services impacting on the well-being of Council's communities were based on understanding and seeking to meet the needs of individual communities. This could be strengthened by encouraging communities to undertake local place planning within the umbrella of Ahu Ake.

Implementation

This section is focused more on how to get started rather than on an end to end plan for implementation intended to result in a complete anchor institution/self-identifying communities network for Council. It reflects the view inherent in the legislative mandate for councils with its combination of enabling local democratic decision-making by and on behalf of communities, and promoting community well-being, that councils are the natural lead anchor institutions for their districts. No other entity has a mandate which is either so clearly grounded on promoting local democracy, or which has the breadth of coverage which the council mandate has in relation to well-being.

It is suggested the initial steps should be:

- Continuing to build the relationship with the Council's current LTP process. The consultation through the development of Ahu Ake means the Council already has a head start well in advance of the standard statutory requirements for LTP consultation.
- Council determining its priorities for its anchor institutions strategy - see the discussion at page 8 above.
- Council beginning dialogue with prospective anchor institutions including building local capability with adjacent councils which may be interested participants. This should include a workshop with prospective anchors to share understandings about the anchor institutions approach, the benefits for anchors collectively and individually, and for the wider community, and discussion of first steps such as developing a social procurement approach.
- Scoping the development of a social procurement strategy. This should be done/led by an individual with extensive procurement experience. It is a judgement for Council as to whether this person should be an existing employee of the council or another anchor, or whether an independent procurement professional should be engaged for this purpose. Whichever option, this scoping should be based on current international best practice which can be sourced via Matthew Baqueriza-Jackson. This scoping should be done iteratively with the Council and other anchors to reflect the Council's priorities, and to ensure that principles around issues such as social value, including what elements should be emphasised, reflect those priorities (a level playing field for SMEs to bid? Rebuilding lost capability likely to be needed for future adverse event responses? Living wage employers? Training and development? An increasing proportion of procurement spend ending up with local businesses?).
- Separately, and working with the Ahu Ake team, begin the process of socialising the concept of self-identifying communities and their role in supporting the four-well beings. This should include discussions with local community groups and community stakeholders including Tangata whenua (there is a strong argument that mana whenua should have the opportunity to step forward as self-identifying communities). As already noted, there could be very real value in working with the communities

which have participated in Ahu Ake building their capability to act as self-identifying communities including involvement in opportunities such as local place planning and participatory budgeting.

APPENDIX 2

Anchor Institution Framework for Waipā (document number 11179442)

ANCHOR INSTITUTION FRAMEWORK FOR WAIPĀ



Community Assets and Infrastructure - Providing resources (land, buildings, community facilities) and expertise to build community capacity

- This includes the utilisation of Council owned community assets and infrastructure:
 - for the provision of more affordable housing
 - for the delivery of community programmes and/or services by/or in collaboration with partners and/or community organisations
 - to support participation in arts, events and cultural connections
- It includes the introduction of regulations to ensure that there is a range of land use options available to meet community needs and to create vibrant places with community wellbeing benefits
- Minimise compliance requirements –seek to understand what would improve usability by community organisations
- It provides for the development of strong, safe, resilient, connected communities and enhanced intergenerational community wellbeing

Procurement - Directing organisational purchasing of goods and services towards local businesses

- Council’s Procurement Strategy and Policy provides for:
 - prioritisation of local spend and/or use of the local workforce
 - social procurement - the utilisation of Council’s purchasing power to generate community wellbeing impacts beyond the value of the good or service being procured
 - the inclusion of an Anchor Institution lens to Council’s Contracting Principles
- There is ongoing monitoring, analysis and reporting of Council’s spend
- Internal staff training is provided to educate and raise awareness of the importance of local spend and/or use of the local workforce
- Council will host regular ‘Meet your supplier’ and Supplier Expos where staff can engage with suppliers in a meaningful way
- Council will provide training for suppliers to assist them with the preparation of tenders
- Council will seek to improve tender processes and timeframes to better suit smaller, local-based businesses
- Council will share information and insights relating to its Procurement Strategy, Policy and practices with Iwi partners, Colab partners and other Anchor Institutions across Waipā

* It is acknowledged that significant work has been undertaken in the area of Procurement and implementation is well advanced

Employment - Creating employment opportunities for local residents

- Council will develop policies that encourage the employment of local residents within our organisation. This may also include the development of programmes for cadets and/or interns and provision of work experience opportunities
- In doing so, we will strive to be a 'High Quality Employer'
- Council will strongly advocate to other Anchor Institutions across Waipā the community wellbeing benefits of employing local residents

Workforce Development - Taking action to meet the workforce needs of our communities

- Through the work of the Economic Development Advisor, the Council will facilitate connections between education providers and industry representatives to ensure that there is a skilled workforce available to meet the demand for roles in particular industries. This may include input to the development and/or delivery of training programmes and programmes for youth
- Prioritisation will be afforded to those industries in high need, being those in developing clusters, where there are high turnover and/or vacancy rates, or where there are identified skills gaps. By determining the jobs that need to be filled and the training needed for those roles, Council and other anchors can match them against the community's education and job training systems. If there are gaps, anchors can partner with other employers and organisations on focussed education and training initiatives targeted to best preparing residents for jobs with the anchors
- A focus will be on prioritising the recruitment and retention of local residents

Cluster Anchor - Council-led initiatives to stimulate the growth of related businesses and institutions within our communities

- Building on the work undertaken as part of the development of Ahu Ake, Waipā Community Spatial Plan, and the development of Council's Economic Wellbeing Strategy, Council will explore opportunities for the development of clusters. Examples might include: e.g. horticulture; eco-tourism; cultural tourism
- Council will ensure that the district plan enables the development of land for clusters and that where possible, restrictions are minimised or removed
- Council will explore further opportunities for collaboration with Colab and partner councils through the provision of shared services and the like

Community Collaboration - Provision of enhanced community participatory processes, community wellbeing programmes, & civic learning programmes

- There is recognition of initiatives underway and/or to be undertaken pursuant to agreements between Council and its Mana Whenua and Iwi partners
- Council will build on the enhanced community participatory process utilised as part of the development of Ahu Ake, Waipā Community Spatial Plan. Community Participatory processes will become a key mechanism for engagement, as we seek to enhance relationships with partners, key stakeholders, and the community, to grow local choice, voice and control at place. This may include participatory budgeting, whereby the Council increases its impact by using community wellbeing budget processes to focus prioritisation and investment on social, cultural, economic and environmental wellbeing
- Council will lead the development of a comprehensive community wellbeing programme, which incorporates all four wellbeings and will be informed by initiatives undertaken in New Zealand and overseas*. This programme will be developed and delivered in collaboration with partners, stakeholders, other Anchor Institutions and the wider community
- Council will progress the development of a Citizens' Learning Programme directed at building a strong sense of civic responsibility and community pride
- Council may consider the exploration of a Community Investment Programme to facilitate partner investment in community projects they are passionate about
- Council will work alongside Te Whatu Ora, Mana Whenua and Iwi, health agencies and the University of Waikato, to progress the development of a localities plan for Waipā

*It is noted that this work will be informed by Council's Customer Experience and External Communications strategies

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Principal Policy Advisor
Subject: **Waipā District Council Submission on the Proposed 2024 – 2034
Waikato Regional Council Long Term Plan**
Meeting Date: 30 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek Council approval for the Waipā District Council submission on the Proposed 2024 – 2034 Waikato Regional Council Long Term Plan

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Consultation on the Proposed 2024-34 Waikato Regional Council Long Term Plan opened on 2 April 2024 and closes on 2 May 2024.

In advance of this consultation, representatives of the Waikato Regional Council made a presentation on the key consultation topics in their proposed 2024-2034 Long Term Plan to Elected Members at a workshop on 27 March 2024.

A submission has been prepared and this report seeks Council approval of the submission.

The focus of the Waipā District Council submission is on the topic of simplifying public transport investment. The submission expresses support for the Waikato Regional Council rating for public transport across the region and supports Option 1 of the two options being considered for setting a region-wide public transport rate.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) **RECEIVES** the report of David Totman, Principal Policy Advisor titled 'Waipā District Council Submission on the Proposed 2024-34 Waikato Regional Council Long Term Plan', (document number 11211834).

- b) **APPROVES** the attached Waipā District Council Submission on the Proposed 2024-34 Waikato Regional Council Long Term Plan (document number 11211833), for lodging by the due date of 2 May 2024.

4 BACKGROUND – KŌRERO WHAIMĀRAMA

The preparation of a submission is considered necessary because having access to a good public transport service is important to our Waipā communities, particularly for residents in Cambridge and Te Awamutu / Kihikihi.

A decision on how the public transport services provided by the Waikato Regional Council are funded, needs to be decided in a manner that is as fair as possible.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report have a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Prepare submission	<ul style="list-style-type: none"> Council’s views on the Proposed 2024-34 Waikato Regional Council Long Term Plan are expressed and submitted. 	<ul style="list-style-type: none"> Nothing to note.
Option 2: Don’t prepare a submission	<ul style="list-style-type: none"> Nothing to note. 	<ul style="list-style-type: none"> Council would miss an opportunity to have their opinions considered as part of the submission process.

The recommended option is Option 1.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

A Council submission would be in support of the Council’s Vision and strategic priorities for thriving and connected communities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that option 1 complies with Council’s legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no financial implications for either option.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

This submission has been prepared having regard to Iwi and Mana Whenua interests expressed through partner engagement on the development of Ahu Ake, Waipā Community Spatial Plan. Given time constraints, no direct engagement has occurred in respect of the preparation of this submission.

8 NEXT ACTIONS

The submission will be lodged with the Waikato Regional Council by the due date of 2 May 2024.

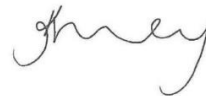
Action	Responsibility	By When
Lodging of submission to the Waikato Regional Council	Principal Policy Advisor	2 May 2024

9 APPENDIX - ĀPITITANGA

No:	Appendix Title
1	Waipā District Council Submission on the Proposed 2024-34 Waikato Regional Council Long Term Plan



DAVID TOTMAN
PRINCIPAL POLICY ADVISOR



Approved by Kirsty Downey
GROUP MANAGER STRATEGY

APPENDIX 1

Waipā District Council Submission on the Proposed Waikato Regional Council
2024-2034 Long Term Plan (document number 11211833)

Submission

**Proposed Waikato Regional Council 2024-2034
Long Term Plan**



Waipā District Council Submission on the Proposed Waikato Regional Council 2024-2034 Long Term Plan

By: Waipā District Council

Introduction

Waipā District Council (the Council) welcomes the opportunity provided by the Waikato Regional Council (the Regional Council) to provide a submission on its proposed 2024-2034 Long Term Plan.

The Council is appreciative that representatives of the Regional Council made the effort to present the key topics of consultation in their proposed 2024-2034 Long Term Plan to an elected members' workshop on 27 March 2024.

The Council appreciates the wish of the Regional Council to keep rates at an affordable level while not shying away from some of the big challenges the region faces in its proposed 2024-2034 Long Term Plan.

The Council has reviewed the five topic areas that the Regional Council is seeking feedback on has and the following comments to make.

1. Specific Comments

Simplifying public transport investments

As a territorial local authority and transport partner to the implementation of the Waikato Regional Public Transport Plan, the Council is committed to supporting improvements to ensure better public transport outcomes for our communities. We note the following submission points below:

Question 1 Support for Waikato Regional Council rating for public transport services across the region

The Council recognises that the current rating system for public transport services is too fragmented. The Regional Council rates some areas for public transport services and other areas (including Waipā District Council) use general rates.

The Council supports the proposal for the Regional Council to move to rating for public transport services across the region (including Waipā District) to enable a dedicated fund for public

transport. We understand that if approved, this change would come into effect from Year 2 (1 July 2025).

If implemented as proposed the new model would mean that Waipā District Council would no longer be required to rate for public transport services and that the total rates would remain the same.

The Council supports this proposal to improve efficiencies in planning and the administration of services, while enabling fairer cost sharing based on the proximity of services, and bus services to respond more efficiently to the needs and demands of our growing communities.

Question 2 Support for rating Option 1

The Council supports the preferred option (Option 1) to focus on those users within defined 'metro' areas (within 5km of a bus route) and where services are planned to cater for future growth with increased frequencies and services within the Hamilton-Waikato Metro Spatial area.

The Council recognises that Option A proposes 80% funding from a defined 'metro' area (5km of a bus route) and 20% from a district wide funding contribution. If this option is progressed, Council would appreciate understanding the investments required, the extent of the new 'metro' area and any implications for the Council and its residents. It is understood that this detailed work will be completed prior to proposed implementation from year 2 (2025).

The Council questions the rating method used for the public transport options proposed and the basis of using a capital value rating (per \$100,000 CV). The Council would like the Regional Council to consider alternative funding models available to more equitably distribute the financial costs amongst users of public transport services.

Additional Comments

The Waipā district is seeing strong growth in both bus and total mobility patronage with current patronage ahead of the record numbers last financial year. As of February 2024, bus patronage was up 17% and total mobility use was up 64% from the previous year (2022). Council would like to request an increase in community transport funding to enable growth in supporting total mobility services. For example: Te Awamutu Health Services which is seeing strong demand and growth for services within this area with constrained funding budgets.

Other feedback

Golden Clams

The Council notes that the Ministry for Primary Industries is working to restrict the spread of Golden Clams in the Waikato River catchment and considering trialling control methods.

Hornwort

The Council would appreciate the Regional Council continuing to contribute funding to the annual spraying of the water weed Hornwort in Lake Karapiro. While it may be considered more of a recreational hazard than a biohazard by the Regional Council, the weed is an acknowledged threat to water takes for irrigation and so therefore can have an adverse effect on agricultural production.



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COUNCIL REPORT



To: Her Worship the Mayor and Councillors

From: Manager Governance

Subject: Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill

Meeting Date: 30 April 2024

1 PURPOSE - TAKE

The purpose of this report is to consider the recent announcement of the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill which will require polls on Māori Wards and Constituencies.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Waipā District Council introduced Māori Wards for the 2022 local body elections in response to support from Iwi Authorities, Mana Whenua, Council's own Ngā Iwi Tōpū O Waipā (NITOW) and Kaumatua and other Māori organisations, plus feedback from our wider community. In response to community consultation on this matter a total of 879 pieces of feedback were received. 736 people (84%) were in support of introducing Māori wards and 143 (16%) were against.

The Government has recently announced it will be reinstating the requirement for polls on Māori Wards and Constituencies. The detail of the legislation is still being worked through. But in its current form we have been advised it will have implications for the 2025 election and our Council would be given the option to either:

- Resolve this year to disestablish Māori Wards to take effect for the 2025 elections; or
- Hold a binding poll on the question of Māori Wards at the 2025 elections to take effect at the 2028 elections.

We are anticipating the introduction of the Bill in May, when further detail will be known. Our understanding is that individual Councils will not be able to make a submission to the Select Committee, which is why this report requests authority be given to the Mayor and Chief Executive to write to the Minister of Local Government.

That letter would:

1. Express concerns with the introduction of this Bill which removes the decision on Māori Wards from our local elected members,
2. Note the strong support for a Waipā Māori ward when Council consulted on it in 2021,
3. Note this Bill appears to treat Māori Wards differently from other wards which do not require a binding poll (Rural Wards, for example),
4. Note the welcome perspective and contribution provided by the Waipā Māori ward councillor to the Waipā district as a whole,
5. Note that all Waipā Councillors, whether elected in a general ward, Rural ward or Maori ward, are charged with representing the interests of the whole district, not just one portion of the population or geographical area, and
6. Note the additional costs to Council of undertaking a binding poll in 2025.

Staff note the view of Local Government New Zealand (LGNZ) expressed in a media release on 4 April 2024 (included in Appendix 1 of the Report) not long after the Bill was announced. It is recommended that in the letter, Council also note its support for the LGNZ position.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Jo Gread, Manager Governance titled Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill (ECM Number 11211819);*
- b) *Supports the Local Government New Zealand (LGNZ) position on the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill included in Appendix 1 of this Report; and*
- c) *Delegates authority to the Mayor and Chief Executive to write to the Minister of Local Government confirming Council's position on the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill, noting the points outlined in the Executive Summary of this Report.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

In response to the introduction of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 which removed the ability for a binding poll to be held on Māori representation, the Strategic Planning and Policy Committee on 16 March 2021 resolved to:

Approve undertaking community consultation and continuing on-going discussions with Māori prior to Council making a decision on whether to establish a Māori Ward in Waipa for the 2022 triennial local government elections.

The result of this exercise was in support of establishing a Māori Ward in Waipā. Letters were received from the Iwi Authorities, Mana Whenua, Council's own Ngā Iwi Tōpū O Waipā (NITOW) and Kaumatua and other organisations listed below in support of the proposal to establish a Māori ward. Many of those organisations noted that they represent a significant number of tribal members that currently live in, or whakapapa to, the district.

- Waikato Tainui
- Maniapoto Maori Trust Board
- Raukawa Settlement Trust
- Ngati Haua Iwi Trust
- Ngati Koroki Kahukura
- NITOW
- Te Apakura Runanga Trust
- Te Runanganui o Ngati Hikairo
- Pohara Mare
- Te Kopua Marae
- Purekireki Marae
- James Keremeta (Parawera Marae)
- Maniapoto Ki Te Raki

A consultation document was also used for the purposes of consultation with the wider community. There were a total of 879 pieces of feedback received. 736 people (84%) were in support of introducing Māori wards and 143 (16%) were against.

The exercise that Council undertook in 2021 demonstrated strong support for Māori Wards in Waipā, which were introduced for the 2022 local body elections by a decision at a Council meeting on 19 May 2021.

The decision is summarised in [this media release](#), issued on May 19, 2021.

There is no reason why Māori Wards and Constituencies should not be treated like all other wards and the decisions be made around the Council table by the communities' elected representatives. As occurred at Waipā in May 2021, councils can make this decision themselves, based on feedback from their communities and iwi representatives, without the need for costly polls.

Our understanding is that individual Councils will not be able to make a submission to the Select Committee on the Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill and therefore it is recommended that delegated authority be given to the Mayor and Chief Executive to write to the Minister of Local Government to express its support of the position of LGNZ outlined in its media release of 4 April 2024 included in Appendix 1 of this report.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matter in this report has a low level of significance in that the only decision available to Council is to decide whether or not to write to the Minister of Local Government with its views on the proposed Bill.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> No staff or other Council resources required 	<ul style="list-style-type: none"> Unable to express Council view to the Minister of Local Government before the Bill becomes law.
Option 2: Write to the Minister of Local Government	<ul style="list-style-type: none"> Able to show support for LGNZ position and the retention of the issue of representation arrangements (not just Māori Wards) being decided locally by Council 	<ul style="list-style-type: none"> Nil

The recommended option is Option 2.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council's Vision and Strategic Priorities

The Council's governance structure makes important governance decisions related to the delivery of Council's vision and strategic priorities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that Option 2 complies with Council's legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no financial implications of writing to the Minister of Local Government. There will be increased costs to Council at the next election if we are required to hold a poll. Costs for a poll are not currently budgeted for. We are seeking an estimate of these costs and expect to be able to provide this at the meeting.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The matter of requiring a poll for Māori Wards and Constituencies is considered a significant matter for Iwi and Mana Whenua, which is why this report recommends writing to the Minister of Local Government.

8 NEXT ACTIONS

Action	Responsibility	By When
Letter to the Minister of Local Government	Mayor/Chief Executive	May 2024

9 APPENDIX - ĀPITITANGA

No:	Appendix Title
1	LGNZ Media Release 4 April 2024



Jo Gread
MANAGER GOVERNANCE



Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

LGNZ Media Release 4 April 2024

LGNZ is calling out the Coalition Government for complete overreach in today's decision on Māori wards and constituencies.

"The Coalition Government is removing decision-making from councils by mandating polls be run on Māori wards and constituencies alone," Sam Broughton said.

"This is a complete overreach by the government on local decision-making.

"Empowering local government to make decisions about their own communities is what this Government campaigned on and is not being delivered today.

"The Coalition Government's decision is also a complete distraction from the hard work to deliver infrastructure and the pressure on rates rises.

"We have long asked that Māori wards and constituencies be treated like all other wards and the decisions be made at the council level.

"Currently, councils can make decisions about the establishment of Māori wards and constituencies for themselves. No one is forced, it's a choice by communities' elected representatives. Councils make these decisions based on feedback from their communities and iwi representatives.

"Today's announcement is a skewed version of democracy that isn't used to determine any other wards or constituencies, just Māori ones. We say the Government needs to either apply them to all wards or none at all.

"We now have the highest representation of Māori elected members in local government ever. The Government's decision risks the mana of our Māori elected members and their rightful, elected place on councils.

"Claims that Māori wards and constituencies give Māori more votes than anyone else are wrong and politicians should think carefully before inflaming these important conversations with misinformation," Sam Broughton said.

LGNZ supported the changes to Māori wards in 2021 to make them consistent with other wards.

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Principal Strategic Planner
Subject: **AHU AKE, WAIPĀ COMMUNITY SPATIAL PLAN –
PROPOSED CHANGE TO THE WORK PROGRAMME**
Meeting Date: 30 April 2024

1 PURPOSE - TAKE

The purpose of this report is to recommend that Council approves a change to the programme for the delivery of the next phase of Ahu Ake, Waipā Community Spatial Plan.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Following the verbal update to the Strategic Planning and Policy Committee on 05 March 2024, the project team has undertaken some work to decouple the Ahu Ake Strategy and the Implementation Plan. Findings from this initial work concluded that the decoupled approach does not align with what the Council set out to achieve with the plan in providing a comprehensive strategic planning document and blueprint for our Waipā community for the next 30+ years.

Three options have been considered for the next phase of the project. The option to conduct a combined special consultative procedure (SCP) for the Strategy and the Implementation Plan in September and October 2024 is recommended for Council's approval.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Vanessa Honore, Principal Strategic Planner, titled 'Ahu Ake, Waipā Community Spatial Plan –Proposed change to the work programme' (document number 11209237);*
- b) *Approves Option 2 of this report, being a change to the work programme for Ahu Ake, Waipā Community Spatial Plan, to provide for a combined Special*

Consultative Procedure for the Strategy and the Implementation Plan, to be undertaken in September and October 2024.

4 BACKGROUND – KŌRERO WHAIMĀRAMA

On 05 March 2024, the project team verbally updated the Strategic Planning and Policy Committee on the project's progress. This update signalled an upcoming recommendation to decouple Ahu Ake's Strategy from the Implementation Plan for the purpose of the Special Consultative Procedure (SCP) to respond to the Council's decision to undertake an enhanced annual plan and defer the Long-Term Plan to 2025.

Further work has been carried out to better understand what a 'decoupled' strategy and implementation plan could look like. The findings of this initial work are as follows:

- To provide a decoupled approach, the Draft Ahu Ake, Waipā Community Spatial Plan presented at the Partner's workshop on 23 February 2024, must be split into two distinct documents: the Strategy and the Implementation Plan.
- Decoupling Ahu Ake's Strategy from its Implementation Plan means that references to implementation interventions must be 'softened'. It causes the language in the Strategy to remain aspirational and retains an 'uncommitted' tone in discussing what is set to be achieved.
- The Implementation Plan is a crucial supporting part of Ahu Ake and grounds the Strategy, its delivery, and operationalisation. It has been developed in collaboration with our Mana Whenua / Iwi partners, stakeholders, and the wider community to reflect what Ahu Ake intends to deliver on the ground.
- The Implementation Plan provides evidence to the community that the Strategy is more than an aspirational document aiming to achieve a vision.

Based on the above findings, the project team recommends further consideration of the approach to Ahu Ake Special Consultative Procedure (SCP).

Three options have been developed to explore how we deliver this final stage of the project.

These options are evaluated based on the following factors:

- The level of strategic alignment with the Long-Term Plan 2025-34.
- Community buy-in, consultation fatigue and storytelling capability.
- Level of additional work required to finalise the documents.
- Ability for Elected Members to participate in the SCP engagement process.
- The level of alignment with other relevant projects (i.e., Proposed plan changes, Future Development Strategy).

A short description of each option is provided below, along with the identified benefits and constraints in delivering each.

Option 1: Decoupled SCPs / Strategy SCP - June 2024 & Implementation SCP - March 2025

This option reflects the approach signalled at the SP&P Committee meeting on 05 March 2024. In this option, the Strategy and the Implementation Plan are fully decoupled and are presented as two separate documents taken through two distinct Special Consultative Procedures (SCPs).

The Strategy SCP would be planned for June/July 2024, while the Implementation Plan SCP would be intended to run alongside the Long-Term Plan 2025-34 consultation process in March/April 2025.

Benefits	Constraints
<ul style="list-style-type: none"> • Strategic alignment with the LTP is adequate; however, the process might confuse the community. Comprehensive communication and engagement will be required to provide a compelling, clear narrative. • Extended timeframes for the Implementation Plan SCP allow further work on the Implementation Plan, partnership management framework, and operationalisation. • The short lead in time to the next engagement phase in June 2024 (the SCP for the Strategy) provides continuity to the most recent community engagement and buy-in to the project. 	<ul style="list-style-type: none"> • Further work is required to decouple the Strategy from the Implementation Plan. • The language used in the Strategy content is less committed and reflects an aspirational tone. If the community regards this as a lack of commitment to implementing the interventions built collaboratively with them, there is a higher reputational risk. • Less opportunity for Elected Members to be involved in the Strategy SCP, which would occur in June & July 2024. • Timeframes do not allow the Strategy to be updated with the outcomes of the relevant plan changes (e.g., PC23: Papakāinga, PC26: Residential Intensification, PC20: Airport Northern Precinct Extension.) and the updates on the Future Development Strategy. • This does not fully deliver on what we set out to achieve with the plan in providing for a comprehensive strategic planning document. • Significant risk related to associating the Ahu Ake Implementation Plan consultation with the LTP statutory process. This approach potentially ties us into a legislative, bureaucratic, long-term planning processes for updates/changes to the Implementation Plan.

Option 2: Combined Strategy & Implementation SCP / September - October 2024 [Recommended]

In this option, the document is presented in a comprehensive format, and the Draft Ahu Ake, Waipā Community Spatial Plan is submitted in full for formal consultation under a special consultative procedure in September / October 2024.

Benefits	Constraints
<ul style="list-style-type: none"> • Manageable lead time to the next engagement phase in September 2024. Communication material and updates are required to be distributed as soon as possible to retain partner, stakeholder and community involvement and buy-in. • Ahu Ake SCP in September-October 2024 constitutes pre-engagement for the LTP 2025-34. The communication and narrative are strong, and due to sequencing, they deliver a robust alignment with the LTP process. • No substantial additional work is required. The content is refined, and the implementation chapter can be more detailed (particularly for short to medium-term interventions). • Good opportunity for Elected Members to participate in the consultation process during the SCP. • Language is committed, and implementation is fully integrated into the Strategy. • Timeframes allow the Draft Plan to be more aligned with the outcomes of the relevant plan changes (e.g., PC23: Papakāinga, PC26: Residential Intensification, PC20: Airport Northern Precinct Extension) and the updates on the Future Development Strategy. • Provide additional opportunities for engagement with Mana Whenua and Iwi—this may be beneficial in the current changing legislative landscape. • No risk in associating Ahu Ake SCP with the LTP statutory process as they occur separately. • The plan is sufficiently progressed to inform work on the development of the 2025-34 LTP. • We deliver on what we set out to achieve in developing a comprehensive strategic planning document. 	<ul style="list-style-type: none"> • There is a limited time allowed to work on the partnership management framework and operationalisation before the plan is approved for consultation.

Option 3: Combined Strategy & Implementation SCP / February - March 2025

Option 3 presents the document in a comprehensive format, and the Draft Ahu Ake, Waipā Community Spatial Plan is submitted in full for formal consultation under a special consultative procedure.

Ahu Ake consultation period runs in parallel with the Long-Term Plan 2025-34 SCP in March/April 2025.

Benefits	Constraints
<ul style="list-style-type: none"> • Strategic alignment with the LTP has the potential to be strong; however, the process might confuse the community. Comprehensive communication and engagement will be required to provide a compelling, straightforward narrative. • A combined approach with the LTP process can alleviate partner, stakeholder, and community consultation fatigue. • No substantial additional work is required. The content is refined, and the implementation chapter is complemented by work related to the partnership management framework and the operationalisation management case. • Timeframes allow the Draft Plan to be more aligned with the outcomes of the relevant plan changes (e.g., PC23: Papakāinga, PC26: Residential Intensification, PC20: Airport Northern Precinct Extension) and the updates on the Future Development Strategy. • Good opportunity for Elected Members to participate in the consultation process during the SCP. • Language is committed, and implementation is fully integrated into the strategy. • Provide additional opportunities for engagement with Mana Whenua and Iwi—this may be beneficial in the current changing legislative landscape. 	<ul style="list-style-type: none"> • A lengthy lead time to the next engagement phase will require clear and consistent communications with partners, stakeholders, and the community between now and the start of the SCP in March 2025. • There is a greater risk than for options 1 and 2 of external events overtaking the Strategy and Implementation Plan, meaning rework is required before they can be adopted. • If the narrative is not pitched appropriately, there is a greater risk of the community being confused by two SCPs running in parallel.

The Project Control Group (PCG) meeting scheduled for 17 April 2024, did not proceed due to a lack of attendance. However, feedback from some members of the PCG (Elected Members and Executive Team members) has indicated support in principle for the recommended approach, being **Option 2 [Combined Strategy & Implementation SCP / September - October 2024]**.

Please note also that this report is being presented to Council rather than the Strategic Planning & Policy Committee, due to time constraints and the need for certainty about the way forward.

Following approval of Option 2, the following timeframe will be worked through:

03 September	SP&P Committee approve Draft Ahu Ake, Waipā Community Spatial Plan for consultation
06 September to 06 October	Consultation period on the Draft Ahu Ake, Waipā Community Spatial Plan
30 & 31 October	Hearings (noting 31 st of October is also scheduled to be utilised if required due to the number of submitters)
14 November	Deliberations
17 December	Council approval

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matters in this report have a low significance level. This is because this report is seeking a decision on the timeframe for further engagement, prior to Ahu Ake, Waipā Community Spatial Plan being approved by Council. This by itself, is not considered to be significant. However, it is noted that Ahu Ake is of high significance.

6 OPTIONS – NGĀ KŌWHIRINGA

These are detailed in the background section above.

The recommended option is Option 2, combined Strategy & Implementation SCP in September - October 2024. This option allows for the plan to:

- deliver what we set out to achieve in developing a comprehensive strategic planning document ; and
- endorses the role of the Ahu Ake consultation process as pre-engagement for the LTP 2025-34.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

Ahu Ake will become Waipā District Council’s key strategic planning document and will drive our future prioritisation and investment with respect to our organisational planning, service and project delivery. Ahu Ake will ensure that we successfully deliver on Council’s Vision, Community Outcomes and Strategic Priorities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the recommendation complies with Council’s legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

The costs of the recommended option for the update programme can be fully met within the project budget.

Risks – Tūraru

There are no significant risks associated with the recommended option.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

Ahu Ake has been developed in partnership with Mana Whenua and Iwi Partners. Capturing and addressing Iwi and Mana Whenua interests, values, and aspirations has been at the core of one of the project workstreams with a dedicated workstream lead, Tipene Wilson.

Several hui (in-person hui and online) and partner workshops have been undertaken with Mana Whenua and Iwi representatives.

Climate Change – Hurihanga Āhuarangi

Ahu Ake takes a district-wide approach over a 30 years + planning horizon. In this regard and to support the Government’s commitment to tackle climate change, the Ahu Ake Interim Draft Plan was developed with climate change mitigation and adaptation measures, i.e. reduction in CO2 from our transport services by enabling more public transport as well as more walkable and cyclable communities when possible; and retaining current and future carbon sequestration capacity by protecting Waipā’s peat lakes.

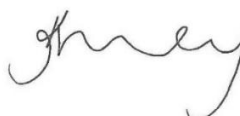
Climate change has been a strong topic discussed during the community engagement phase conducted in February and March 2023 and is integrated as a focus area in the draft plan.

8 NEXT ACTIONS

Action	Responsibility	By When
Finalise Ahu Ake, Waipā Community Spatial Plan for formal consultation	Vanessa Honore	End of July 2024
Communication and Engagement Plan to be updated with as focus on delivering the special consultative procedure in September 2024	Lisa Nairne	End of April 2024



Vanessa Honore
PRINCIPAL STRATEGIC PLANNER



Reviewed and Approved by Kirsty Downey
GROUP MANAGER STRATEGY

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Angela McEwan - Property Advisor (Leasing)
Subject: **Reserves Act 1977 – Exercise of Delegated Ministerial Power
New Community Leases**
Meeting Date: 30 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek Council approval, as the holder of a delegation from the Minister of Conservation (“the Minister”) pursuant to the Reserves Act 1977 (“the Act”) to the granting of four proposed new community leases to the following entities over land classified as recreation reserve which, in each case, is vested in Waipā District Council:

- Karāpiro Kayak Racing Club Incorporated – in respect of part of the recreation reserve located at 106 Maungatautari Road, Karāpiro, and known as the Karāpiro River Domain.
- Riding for Disabled - Cambridge Incorporated – in respect of recreation reserve located at Vogel Street, Cambridge, which forms part of the Cambridge Town Belt.
- The Cambridge Riding Club Incorporated – in respect of recreation reserve located at Carlyle Steet, Cambridge, which forms part of the Cambridge Town Belt.
- Cambridge Football Club Incorporated – in respect of recreation reserve located at John Kerkhof Park, Vogel Street, Cambridge, which forms part of the Cambridge Town Belt.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The above leasing matters were presented to the Finance and Corporate Committee meeting on 16 April 2024 and now require the approval of Council under ministerial delegation. The associated reports for each of the individual leases are appended at Appendices 1 to 4 and the relevant resolutions from the Finance and Corporate Committee are appended at Appendix 5.

The consent of Council is sought, in the exercise of its delegation of authority by the Minister under the Act, for each of the four new leases for the purpose of various sport and recreation activities as more detailed in each of the associated reports.

The Finance and Corporate Committee, acting as Administering Body of the Reserve, has agreed to the new leases, subject to Council's consent (acting as delegate of the Minister of Conservation).

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Angela McEwan, Property Advisor (Leasing), titled Reserves Act 1977 – Exercise of Delegated Ministerial Power – New Community Leases (ECM number 11212842)*
- b) *Acting under delegation of the Minister of Conservation, consents as Minister under sections 54(1)(b) and 541(c) of the Reserves Act 1977 to Waipā District Council, as administering body, granting new leases to the Karāpiro Kayak Racing Club Incorporated (under section 54(b)), Riding for Disabled - Cambridge Incorporated (under section 541(c)), The Cambridge Riding Club Incorporated (under section 541(b)) and the Cambridge Football Club Incorporated (under section 541(b)).*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

It is proposed that new Leases are granted to:

- Karāpiro Kayak Racing Club Incorporated – for the purposes of sport and recreation storage facilities for an initial term of five years with two rights of renewal of five years each.
- Riding for Disabled - Cambridge Incorporated – for the purposes of horse riding, associated horse grazing, and equestrian activities for an initial term of five years with two rights of renewal of five years each. The commencement date of the new Lease will be 1 January 2023, with final expiry 31 December 2037.
- The Cambridge Riding Club Incorporated – for the purposes of horse riding, associated horse grazing, and equestrian activities for an initial term of five years with two rights of renewal of five years each. The commencement date of the new lease will be 1 December 2023, with final expiry 30 November 2038.
- Cambridge Football Club Incorporated – for the purposes of playing fields and clubrooms for a term of five years. The commencement date of the new Lease will be 1 July 2022, with final expiry 30 June 2027.

Reference should be made to the associated reports appended at Appendices 1 to 4 of this report. Those reports recommended that Council, in the exercise of its role as Administering Body enters into new community Leases over the respective reserves.

Those reports were presented to Council's Finance and Corporate Committee Meeting on 16 April 2024 and the attached resolutions (Appendix 5) secured.

The associated reports set out the purposes of the proposed new leases, the Reserve Management Plan, the requirements of the Act, the requirements of the Public Works Act 1981 (where required), public and iwi consultation and recommends the granting of the new leases under the Act.

Council is the Administering Body of each of the Reserves under the Act through vesting. On that basis Council has the authority to grant new leases in accordance with section 54(1) of the Act subject to a requirement for the prior consent of the Minister.

Section 54(1) of the Act authorises the Minister to consent to a grant of new leases on the Reserves. The Minister has delegated this particular authority to Council to make a decision pursuant to section 54(1) by way of an instrument of Delegation for Territorial Authorities dated 12 June 2013.

This delegation of the Minister is made pursuant to section 10 of the Act. In particular, section 10(3) of the Act provides that Council may exercise those powers in the same manner and with the same effect as if they have been directly conferred on Council by the Act and not by delegation.

5 NEXT ACTIONS

Action	Responsibility	By When
Sign the Leases	Group Manager Business Support	14 May 2024

6 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Finance and Corporate Committee Report - Reserves Act 1977 – Karāpiro Kayak Racing Club Incorporated (ECM number 11202777)
2	Finance and Corporate Committee Report - Reserves Act 1977 – Riding for Disabled - Cambridge Incorporated ECM number 11202773)
3	Finance and Corporate Committee Report - Reserves Act 1977 – The Cambridge Riding Club (ECM number 11202772)
4	Finance and Corporate Committee Report - Reserves Act 1977 – Cambridge Football Club Incorporated (ECM number 11202771)
5	Resolutions 3/24/23, 3/24/24, 3/24/25 and 3/24/26



Angela McEwan
PROPERTY ADVISOR



Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Finance and Corporate Committee Report - Reserves Act 1977 – Karāpiro Kayak Racing Club Incorporated (ECM number 11202777)

COMMITTEE REPORT



To: The Chairperson and Members of the Finance and Corporate Committee

From: Property Advisor – Angela McEwan

Subject: **New Community Lease –
Karāpiro Kayak Racing Club Incorporated**

Meeting Date: 16 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek the Committee’s consent to grant a new lease to the Karāpiro Kayak Racing Club Incorporated for use of part of the Karāpiro River Domain and seek delegation from the Committee to the Group Manager Business Support to sign the lease.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report seeks the approval of the Committee in its function as an Administering Body under the Reserves Act 1977 to enter into a new lease with the Karāpiro Kayak Racing Club Incorporated (“KKRC”) in respect of part of the recreation reserve located at 106 Maungatautari Road, Karāpiro and known as the Karāpiro River Domain (“the Reserve”) for the purposes of erecting sport and recreation storage facilities. The proposed lease area is approximately 480m² and the proposed term of the lease is for an initial term of five (5) years with two (2) right of renewal of five (5) years each at an initial annual rent of \$6.00 plus GST which is calculated in accordance with Council’s current Leasing Policy. That policy provides for not-for-profit organisations to be charged a nominal rent based on the value of the land, with generous discounts applied. As the footprint of land involved is relatively small the annual rent in this case is negligible.

KKRC submitted a request for lease to Council’s staff on 4 August 2023 (appended at Appendix 1). It is intended that the proposed lease will facilitate the removal of KKRC’s existing containers located on the Reserve and those containers will be replaced with a permanent storage facility. The proposed storage facility will be funded in its entirety by KKRC through a combination of club funds, grants and private sponsorship.

Following consideration of the purpose of the lease, the Reserve Management Plan, the Reserves Act 1977 and public and iwi consultation, it is recommended that the Committee, in its function as Administering Body under the Act, approve the lease.

Pursuant to the Act, Ministerial approval of the proposed lease is also required before the lease is entered into. This power has been delegated to Council, and separate approval will be sought for this.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Finance and Corporate Committee

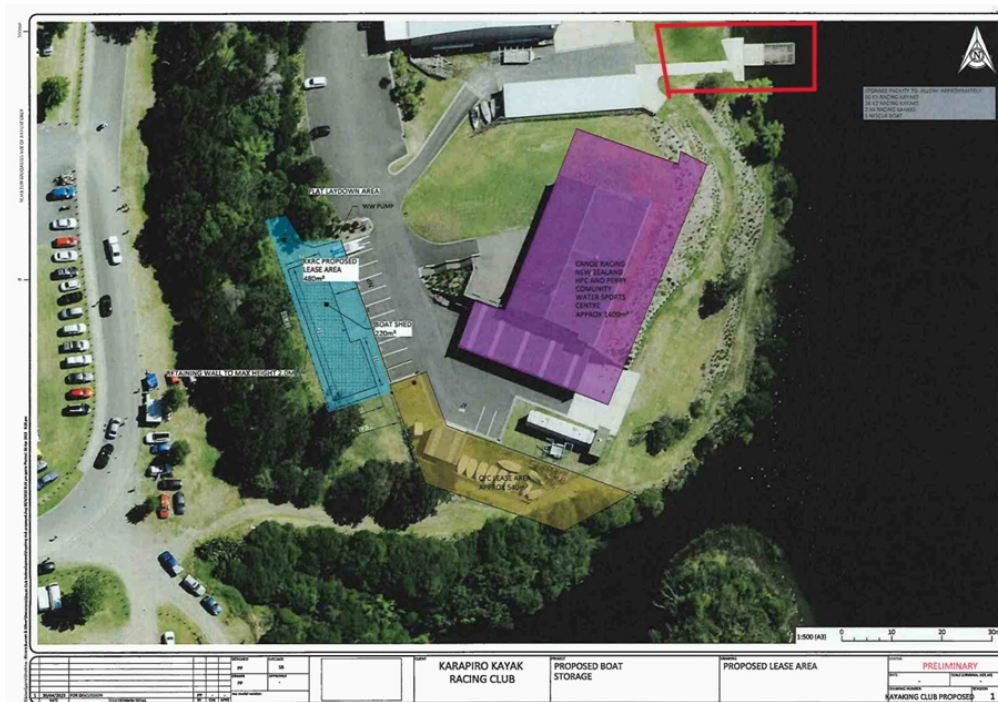
- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Karāpiro Kayak Racing Club Incorporated (ECM Number 11202777);*
- b) *Approves, pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Karāpiro River Domain recreation reserve, entering into an agreement with the Karāpiro Kayak Racing Club Incorporated for a lease over part of the Reserve for the purposes of sport and recreation storage facilities for an initial term of five (5) years with two (2) rights of renewal of five (5) years each and in all respects on the terms and conditions contained in Council’s standard community lease, subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Proposed Lease of Recreation Reserve

Council is the owner and administering body under the Reserves Act 1977 (“the Act”) of the recreation reserve located at 106 Maungatautari Road, Karāpiro known as the Karāpiro River Domain and legally described as Section 2, 5-7, 16 Block XIV Cambridge Survey District, being all the land in Identifier Title 433904, a copy of which is appended at Appendix 2 (“the Reserve”).

The proposed lease area, being approximately 480m² is highlighted in light blue on the plan below:



The proposed lease would also record that KKRC has the right to access Lake Karāpiro via the foreshore area outlined in red on the above plan.

Proposed Tenant

The Karāpiro Kayak Racing Club Incorporated (“KKRC”) was established under the Incorporated Societies Act 1908 in May 2006 and is an existing user of the Reserve. KKRC originally operated out of the Boat Shed at 21 Amber Lane before relocating to the Cambridge Yacht and Motorboat Club Incorporated (“CYC”) which is located at the Reserve, as an associate member. Council did not enter into a lease with KKRC directly and KKRC was unable to secure any internal storage space when the CYC building was demolished and the Perry Community Water Sports Centre was built in its place. Currently, KKRC has two containers located at the Reserve to store their kayaking equipment.

KKRC currently has 50 members and an active committee of 9 members. Its vision is to provide an environment that promotes and supports the participation in and enjoyment of kayaking, creating a sense of belonging and community through kayaking.

The activities provided by KKRC include:

- Regular structured sessions for beginner through to advanced paddlers with volunteer coaches providing tailored support.
- 8 week long “Try, Learn, Explore” programmes which are run in association with Rowing New Zealand, which is also based at the Karāpiro River Domain
- Specific coaching programmes provided to local schools seeking to attend the AIMS Games.
- Weekly training programmes for intermediate and advanced paddlers.

- Hosting the national “Kayak Krazy” race held in August each year.

KKRC now requires additional and permanent storage space and, on 4 August 2023, KKRC put forward a proposal to lease a section of bare land at the Reserve for the purposes of erecting storage facilities (appended at Appendix 1).

Proposed New Lease

The new lease is proposed to be for a term of five (5) years with two rights of renewal of five (5) years each and will otherwise be in the form of Council’s standard community lease terms and conditions.

It is intended that the proposed lease will facilitate the removal of KKRC’s existing containers located at the Reserve and those containers will be replaced with a new permanent storage facility. It is anticipated that the new storage facility will be completed within 24 months from the commencement date of the lease and will be funded in its entirety by KKRC through a combination of club funds, grants and private sponsorship.

As provided for in the Reserves Act 1977, on termination of the lease under the termination clause of the lease or by effluxion of time, surrender, breach of conditions, or otherwise, the land, together with all improvements thereon, shall revert to the lessor without compensation payable to the lessee or otherwise.

The permitted use of the land under the proposed lease is “Sport and recreation storage facilities”.

Public Notification

Section 54(1) of the Reserves Act 1977 provides that the Administering Body may, with the prior consent of the Minister, grant a lease within the Reserve.

Section 54(2) requires that, before granting any lease under subsection (1), the Administering Body shall give public notice in accordance with section 119 and give full consideration to all objections and submissions received in accordance with the provisions of section 120.

A public notice was placed in the Cambridge News on 22 February 2023. Submissions were able to be received for one month from the date of the notices. No submissions were received.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matter in this report has a low level of significance.

This is because of the following reasons:

- a. public notification has been undertaken in accordance with the Reserves Act 1977 and no submissions were received.
- b. there are limited financial implications to Council.
- c. There is no effect on Council undertaking its role as Administering Body of the Reserve.

The level of consultation undertaken is considered to be appropriate.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<p>Option 1: Do nothing</p>	<ul style="list-style-type: none"> ▪ No staff or other Council resources required. 	<ul style="list-style-type: none"> ▪ No immediate plans would be put in place to remove the shipping containers used by the Karāpiro Kayak Racing Club Incorporated.
<p>Option 2: Enter into a new lease with Karāpiro Kayak Racing Club Incorporated on Council’s standard community lease terms and such other conditions as may be considered appropriate</p>	<ul style="list-style-type: none"> ▪ This option provides both parties with certainty, and ensures that The Karāpiro Kayak Racing Club Incorporated is able to progress plans to erect a new storage facility and continue to promote its objective, visions and priorities. ▪ The (quite unsightly) shipping containers currently used by the Karāpiro Kayak Racing Club Incorporated would be removed immediately upon completion of the new storage facility. 	<ul style="list-style-type: none"> ▪ This option would result in a reduction of the greenspace at the Reserve.

The recommended option is Option 2 for the reasons set out above.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the proposal to enter into the lease complies with Council’s legal and policy requirements.

Lease of Reserve Land

Staff consider that option 2 complies with Council's requirements under the Act. This is because s 54(1)(b) of the Act provides that with prior consent of the Minister the Administering Body may lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44, other buildings or structures already on the reserve. The proposed lease falls within this power.

Reserve Management Plan

Section 41 of the Act requires that management plans be adopted by Council in order to set policies for the administration of reserves, specific to the classification of each reserve. The Reserve is subject to the Karāpiro Reserve Management Plan (2011) ("RMP").

The RMP records the following:

"5.15.1 Objective

To grant leases of land where such leases are in accordance with the promotion of the ongoing use and development of the Domain for a wide range of sporting activities and outdoor pursuits.

5.15.2 Policies

To grant leases to community groups and sporting organizations in accordance with Council's Policy on the lease of Council Owned or Administered Land and as permitted by Section 54 of the First Schedule of the Reserves Act 1977."

The proposed new lease is consistent with the RMP's Objectives and Policies.

The RMP also notes that the Cambridge Yacht & Motor Club Incorporation ("CYC") is permitted to use its leased premises for storage & use of yachts, motorboats & other watercraft. Given that KKRC has been an associate member of the CYC, staff consider that it is appropriate that KKRC could be granted a lease on similar terms for a similar use.

Property Policy

Council's Property Policy deals with leasing. Part of that policy ("Leasing Land for Recreational Use") states:

"Where land is reserve, Council will support recreational, educational, cultural and sporting clubs by permitting use of existing reserve land at minimal cost, provided the use meets the criteria of the relevant Reserve Management Plan and the Community Leisure Plan."

Lease Terms and Conditions

Council has a standard community lease document that contains terms and conditions to protect Council's interests. Leases are generally issued for a term of five (5) years with two (2) rights of renewal (five (5) years each). The standard lease document will be utilised for the lease.

Financial Considerations – Whaiwhakaaro ā-Pūtea

Lessee groups, such as this which is the subject of this report, tend to be charged in accordance with the Community Leasing Policy, calculated on the value of the property being leased. In addition, community lessees are made responsible for the following outgoings:

- Annual administration charge
- Annual sewerage charge, if connected
- Metered water supply, based on consumption, if connected
- Utility costs (such as electricity)
- Insurance of their facilities
- Grounds maintenance

The rent on commencement on the new lease, calculated in accordance with the Community Leasing Policy, will be \$6.00 plus GST per annum plus outgoings. A new lease fee of \$612.00 inclusive of GST will be payable on signing and an annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the first anniversary of the Commencement Date.

Risks - Tūraru

There are no known significant risks associated with granting a new lease.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The administration of public reserves by local authorities requires that they give effect to the principles of the Treaty of Waitangi, pursuant to section 4 of the Conservation Act 1987.

On 26 January 2024, Iwi were informed of and invited to supply feedback on the proposed lease which was initially proposed to be for a longer term of 27 years to match the current expiry date of the Cambridge Yacht Club lease. Mana Whenua suggested a shorter-term lease. Following internal discussions Council staff now propose the lease is granted in accordance with Council's standard Leasing Policy terms for a community lease being an initial term of five (5) years with two (2) rights of renewal of five (5) years each.

8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	30 April 2024
Sign the Lease	Group Manager Business Support	14 May 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Request for Lease dated 4 August 2023 (ECM number 11190309)
2	Record of Title 433904



Angela McEwan
PROPERTY ADVISOR



Reviewed by David Varcoe
MANAGER PROPERTY SERVICES



Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Request for Lease dated 4 August 2023 (ECM number 11190309)

Request for lease

Karapiro Kayak Racing Club Inc



4 August 2023

Waipa District Council
Private Bag 2402
Te Awamutu 3840

Attn: Liz Stolwyk, Chris Ryan, and Carol Wood
Via Email

To whom it may concern,

The Karapiro Kayak Racing Club Incorporated (KKRC) is seeking a lease from the Waipa District Council (Council) at the Mighty River Domain, Lake Karapiro. The lease will facilitate the removal of the club's existing containers located on the site and their replacement with a permanent storage facility. KKRC would like to preserve its existing use of the Perry Community Water Sports Centre, if it has not been formalised already.

The proposed storage facility will be funded in its entirety by KKRC through a combination of club funds, grants and private sponsorship.

Background

KKRC was established in May 2006, with the purpose of:

- The promotion of the amateur sport of kayak racing activities for the recreation or entertainment of the general public, including but not limited to all activities falling under the auspices of Canoe Racing New Zealand.
- Anything necessary or helpful to the above purposes.

While initially operating out of the "Boat Shed" at 21 Amber Lane, the club would relocate to the Cambridge Yacht and Motorboat Club Incorporated (CYC) as its membership expanded and further equipment was secured. The club stored approximately 20 club kayaks in the basement of the CYC building, with a further 20 club and private kayaks stored in a 40-foot container located on site. All KKRC members were associate members of the CYC during this time.

The club would operate out of the CYC building until the construction of the Perry Community Water Sports Centre and Canoe Racing New Zealand High Performance Centre in 2018. An additional container would be purchased to temporarily store the equipment that was removed from the CYC building during construction.

As KKRC were associate members of the CYC, Council did not enter into a lease with KKRC directly. While the construction of the storage building for the CYC was justified as a replacement for the storage CYC was providing to KKRC, there was no requirement for CYC to allow KKRC to use it. CYC gave verbal assurances to Council that they would work with KKRC to make appropriate arrangements.

The CYC would subsequently identify that the new storage facility was better suited to the Mariners component of their membership and discussed the opportunity of KKRC utilising two bays in their existing storage facilities nearer to the waters edge. While a very attractive proposition to KKRC at the time, this did not eventuate. With KKRC being unable to secure storage facilities within the existing CRNZ High Performance Centre, the club was left with all its equipment being stored in containers on site.

With both containers now full and 50 current members, the club is unable to service its existing membership, allow for growth, or expand its offering.

Council, CRNZ, CYC and KKRC all agree that the containers are not a suitable long term solution and detract from the amenity of the area.

While KKRC have been discussing and seeking permanent facilities since the demolition of the CYC building, it would formally approach Council with a proposal to lease an area and construct a storage facility at its cost in the grassed area behind the existing carpark. This followed consultation with CRNZ, CYC and Council. KKRC also presented its intent at a 2022 Lake Users Meeting, with no parties opposed.

Vision and Priorities

KKRC's vision is to provide an environment that promotes and supports the participation in and enjoyment of kayaking, creating a sense of belonging and community through kayaking.

- **Priority 1:** Facility/Equipment: Provide members an environment with sufficient security, stability and capacity from which to participate.
- **Priority 2:** Coaching and Participation: Provide members consistent and valued opportunities to participate and improve.
- **Priority 3:** Resilience: Provide members consistent delivery of services through coaching, administration and leadership.
- **Priority 4:** Diversity/Inclusion: Minimise barriers to community participation in kayaking.

KKRC's vision and the priorities align with CRNZ's priorities of:

- Engagement
- Participation
- Performance

KKRC day to day activities

The KKRC's day to day club activities involve:

- Regular structured sessions for beginner through to advanced paddlers, with volunteer coaches providing tailored support. These range from 4 sessions a week during the winter period, to 6 sessions a week during the summer period. Additional private coaching sessions are available by arrangement.
- 8 week long "Try, Learn, Explore" programmes are run in association with CRNZ. The programme introduces people to kayaking. These are often attended by school groups.
- Specific coaching programmes are provided to local schools seeking to attend the AIMS Games.
- Comprehensive weekly training programmes are available to intermediate and advanced paddlers upon request, with an advanced paddling squad training up 10 times a week independently.
- Provision of life jackets, kayaks and paddles for all ability levels. This includes para kayaks and team boats.
- Hosts the a race as part of the national "Kayak Crazy" 10km race series in August each year. Approximately 40-50 athletes attend this event annually.
- Organised club attendance at Regional and National Sprint Regattas.

Membership

From a height of around 70 members in 2012, the club currently has 50 members and an active committee of 9 members. The drop in numbers has been the result of a loss of permanent facilities, disruption from the construction of the Perry Community Water Sports Facility and members leaving the area.

Having now achieved a continuity of presence on the site and restoration of changing facilities on site, the club is experiencing an influx of interest and members seeking to return. However, the club does not have sufficient storage capacity to cater for the growth and level of enquiry.

With the club membership having remained stagnant at 45-50 members since 2017, there is a strong correlation between the club’s inability to grow and the lack of storage facilities.

The club currently owns 40 kayaks, with 11 private kayaks stored in the containers. Club kayaks consist of beginner, intermediate, para, and team kayaks that cater to all ages and ability levels. The most able and frequent paddlers are encouraged to purchase their own kayaks to ensure availability of the club kayaks for beginner and intermediate paddlers. These are typically younger paddlers or recreational paddlers giving kayaking a go.

While the club’s proximity to the CRNZ High Performance Centre has naturally led to many elite paddlers moving to the area, the club’s primary focus remains on catering to kayakers of all abilities, ages and interests.

The Need

With KKRC having been without permanent or adequate boat/equipment storage since 2017, a permanent and sustainable solution is needed for KKRC to achieve its vision. The provision of these facilities are critical for the club to promote and support the participation and enjoyment of kayaking by the local community.

The provision of a permanent storage facility will:

- Provide members an environment with sufficient security, stability and capacity from which to participate and establish a sense of belonging and community.
- Minimise barriers to community participation in kayaking. Allowing more members of the community to participate in kayaking by improving the club’s ability to store more entry level kayaks for new-comers.
- Improve the community’s access to Lake Karapiro through an activity that is affordable and requires minimal ability/skill to participate in.

The Proposal

The KKRC proposes to lease 480m² of land to facilitate the construction of an approximately 220m² storage building. The proposed area to be leased an approximate location of the building is outlined in Figure 1 below.



FIGURE 1: LEASE PLAN

The proposed leased area and building layout has been determined with consideration to:

- Existing lease arrangements with CYC, restricting access to the north and east of the proposed site
- Minimising earthworks and retaining wall requirements
- Minimising the loss of carparks to 1 space
- Minimising the bulk of the building and providing for extensive landscaping in front of the building
- Ensuring the safe movement of people between the building, the Perry Community Water Sports Centre and the waters edge.

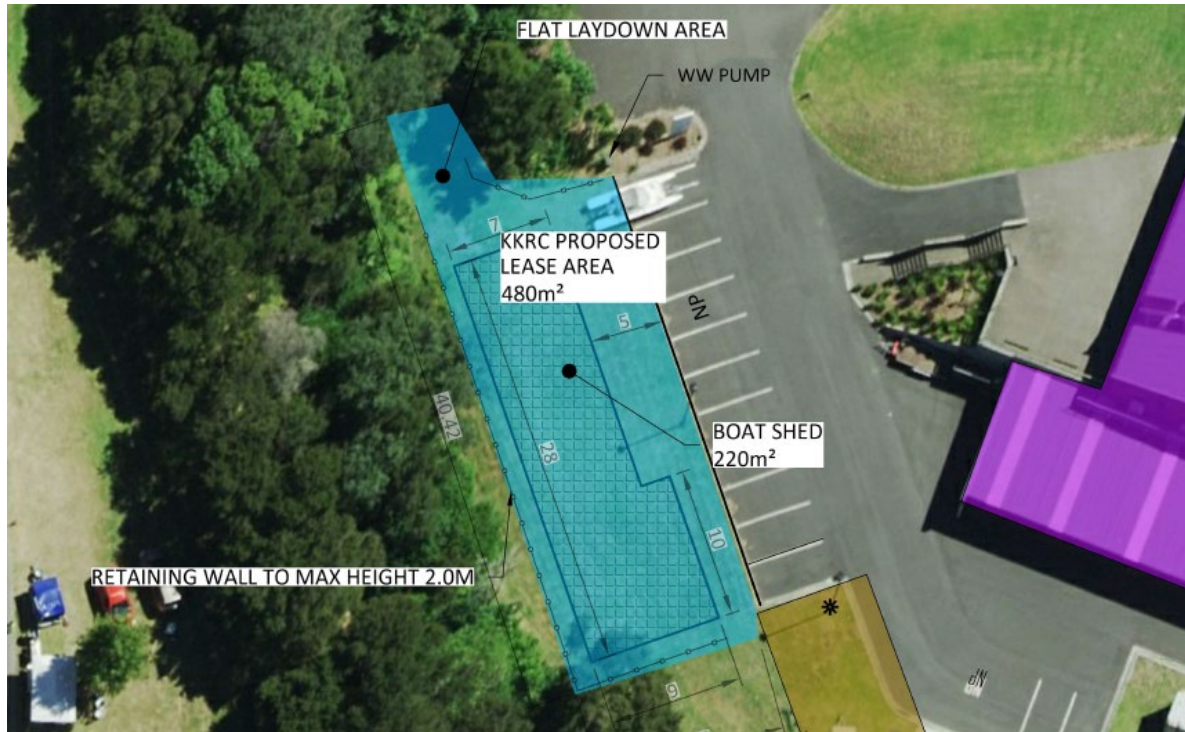


FIGURE 2: KKRC LEASE PLAN

Landform

With specific regard to landform and earthworks, we propose to limit earthworks and any retaining walls by providing for 1:3 batters on either side of the building. While a maximum retaining wall height of 2m is noted, this is likely to be reduced to 1-1.5m following further geotechnical investigations and landform design.

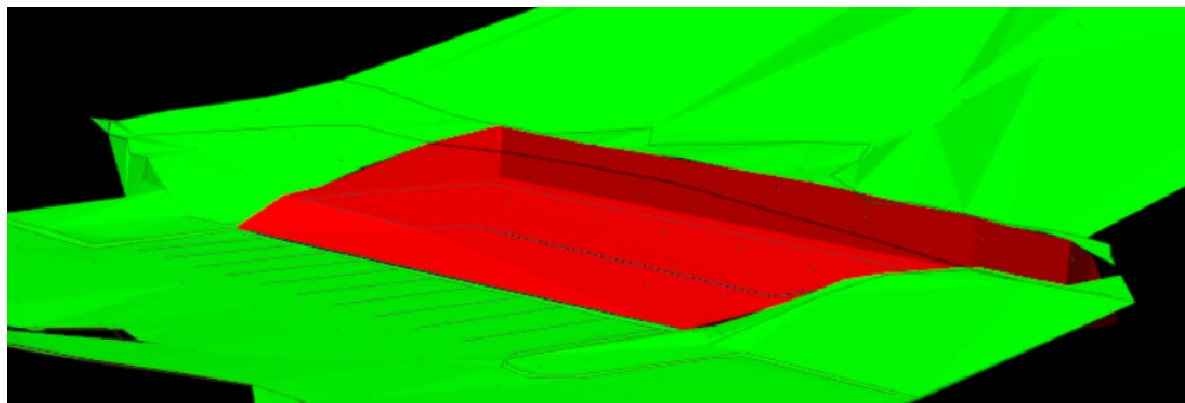


FIGURE 3: PROPOSED LANDFORM

Building

The proposed leased area and building layout will provide for the foreseeable long-term growth of the club. Specifically, it will provide enough space for approximately:

- 6 Club Para-kayaks
- 18 Club "Try, Learn, Explore" Programme kayaks (Beginner/School Kayaks)
- 10 Club Beginner Kayaks
- 10 Club Intermediate Kayaks
- 10 Club Advanced Kayaks
- 10 K2s and K4s (Team Boats)
- 40 Private kayaks
- 2 Safety boats.
- Equipment storage, including lifejackets, paddles and spare parts.

It is noted that the size of the leased area and building reflects a futureproofing approach, with the building intended to be scalable. This provides the club flexibility to scale the building in accordance with the level of funding secured. While the club may not utilise the full extent of the leased area in the first instance, it would prefer to futureproof for its long-term growth.

The building is intended to be a simple and cost effective industrial/commercial shed, with several roller doors. Each bay will be fitting with timber racking to maximise the storage of kayaks, safety boats and equipment. Figures 4 and 5 provide an indication of the scale and form of the building proposed.



FIGURE 4: INDICATIVE BUILDING FRONT ELEVATION

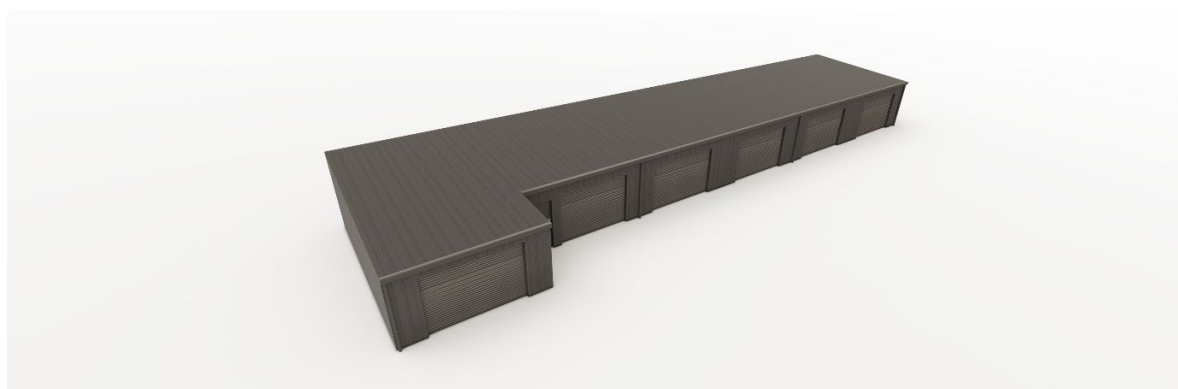


FIGURE 5: INDICATIVE BUILDING AERIAL

Staging and Cost

	Completion	Cost Estimate (excl. GST)
Stage 1: Secure Lease	Late 2023 (6 months)	Nil.
Stage 2: Consenting	Late 2024 (8 months)	\$25,000
Stage 3: Bulk Earthworks & Retaining	Late 2024 (3 months)	\$100,000
Stage 4: Construction	Mid 2025 (6 months)	\$300,000
Total	24 months	\$425,000

Funding

We have already approached several organisations to determine levels of funding support available for the proposed project.

We are confident in our ability to secure sufficient funds for the project without seeking any financial support from Council. We only request that a “peppercorn” rent is sought from the club is securing a lease over this piece of land.

Next Steps

We welcome the opportunity to meet with Council to discuss the above proposal and make any refinements required.

Prior to investing significant funds in design and consenting, we request that a lease agreement or heads of agreement are entered into in the first instance.

Yours faithfully,



President
For and on behalf of **KKRC**

Appended Documents

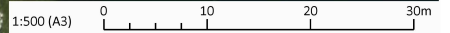
1. Proposed Lease Area



STORAGE FACILITY TO ALLOW APPROXIMATELY:
 56 K1 RACING KAYAKS
 36 K2 RACING KAYAKS
 2 K4 RACING KAYAKS
 1 RESCUE BOAT



100mm
 SCALE FOR VALIDATING SIZE OF A3 PLOT ONLY
 0
 C:\Users\jgavin\OneDrive - Resource Management & Other Documents\Kayak Club\Reserves\K1-K4\K1-K4.mxd, 30/04/2023 3:25:38 pm, User: jgavin, Plotter: A3, 08/03/2024 9:56 am



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				KARAPIRO KAYAK RACING CLUB	PROPOSED BOAT STORAGE	PROPOSED LEASE AREA	PRELIMINARY																				
1 30/04/2023 FOR DISCUSSION ISSUE/REVISION DETAIL							DATE																				
							SCALE (ORIGINAL SIZE A3)																				
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							KAYAKING CLUB PROPOSED																				

APPENDIX 2

Record of Title 433904

Emtel Title Preview

Information as at Sunday 3rd March 2024

RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



Search Copy

[View Historic Copy](#)

Identifier 433904
Land Registration District South Auckland
Date Issued 15 July 2008

Prior References

H391602 12756 H259203

Estate Fee Simple
Area 18.2646 hectares
Legal Description Section 2, 5-7, 16 Block XIV
 Cambridge Survey District

Registered Owners

[Waipa District Council](#)

Interests

Subject to the Reserves Act 1977

Subject to a right (in gross) to convey electricity over part Section 2 Block XIV Cambridge Survey District marked K on DP 576580 in favour of Powerco Limited created by Easement Instrument [12677592.5](#) - 23.6.2023 at 4:13 pm
 The easements created by Easement Instrument [12677592.5](#) are subject to Section 243 (a) Resource Management Act 1991

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APPENDIX 2

Finance and Corporate Committee Report - Reserves Act 1977 – Riding for Disabled - Cambridge Incorporated ECM number 11202773)

COMMITTEE REPORT



To: The Chairperson and Members of the Finance and Corporate Committee

From: Property Advisor – Angela McEwan

Subject: **New Community Lease – Riding for Disabled - Cambridge Incorporated**

Meeting Date: 16 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek the Committee's consent to grant a new lease to the Riding for Disabled – Cambridge Incorporated for use of part of the Cambridge Town Belt and seek delegation from the Committee to the Group Manager Business Support to sign the lease.

The new lease agreement will also incorporate the lease of a parcel of freehold land owned by Council and will include a licence to occupy the unformed road which bounds the Reserve for the purposes of horse grazing only.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report seeks the approval of the Committee in its function as an Administering Body under the Reserves Act 1977 ("the Act") to enter into a new lease with the Riding for Disabled – Cambridge Incorporated ("the RDA") in respect of land being a recreation reserve located at Vogel Street, Cambridge and which forms part of the Cambridge Town Belt ("the Reserve").

The new lease will incorporate an adjacent freehold parcel of land and a licence to occupy part of the unformed legal road which bounds the Reserve. The proposed lease is for a maximum term of 15 years at an initial annual rent of \$863.00 plus GST.

The RDA is the existing tenant of the Reserve and their current lease records a final expiry date of 31 December 2022. The RDA has expressed a desire to enter into a new lease in accordance with Council's Community Leasing Policy.

Following consideration of the purpose of the lease, the Reserve Management Plan, the Reserves Act 1977, the provisions of the Public Works Act 1981 and public and iwi

consultation, it is recommended that the Council, in its function as Administering Body under the Act, approve the lease.

A lease plan identifying the various parcels of land is appended at Appendix 2.

Pursuant to the Act, Ministerial approval of the proposed lease is also required before it may be entered into. This power has been delegated to Council, and separate approval will be sought for this.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Riding for Disabled – Cambridge Incorporated (ECM Number 11202773);*
- b) *Approves, pursuant to section 54(1)(c) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with the Riding for the Disabled Incorporated for:

 - i) *a lease over part of the Reserve for the purposes of horse riding, associated horse grazing and equestrian activities, and*
 - ii) *a licence to occupy part of the unformed road which bounds the leased area, on the terms and conditions substantially set out in Appendix 1 to this report (ECM number 11188522), subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977;**
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Proposed Lease of Recreation Reserve and Freehold Land

Council is the owner and administering body under the Reserves Act 1977 (“the Act”) for the recreation reserve located at Vogel Street which forms part of the Cambridge Town Belt and is legally described as Allotments 1 to 4 and Section 1 SO 362382 Cambridge Town Belt (as denoted as areas A, B & C on the plan appended at Appendix 2) and contained in Record of Title 451548, a copy of which is appended at Appendix 3 (“the Reserve”).

The proposed leased area also includes the parcel of land held in fee simple by Council (as denoted as area D on the plan appended at Appendix 2) and legally described as part Lot 4 Deposited Plan 338342 contained in Record of Title 157605, a copy of which is appended at Appendix 4.

Licensed Area included in Proposed Lease

The Reserve is bounded by unformed legal road. Part of the unformed road has been used for horse grazing by the RDA in conjunction with the use of the adjoining land for the purposes of horse grazing (as denoted as area E on the plan appended at Appendix 2).

Proposed New Lease

Council has leased part of the Reserve, the freehold land and the Licensed Area to the RDA for the past 24 years. The lease expired on 31 December 2022 and the RDA wishes to enter into a new lease.

The proposed new lease would be for a term of five (5) years with two (2) rights of renewal of five (5) years each and be in the form of Council's standard community lease terms and conditions. The commencement date of the Lease would be 1 January 2023, with the final expiry being 31 December 2037.

The total area recorded in the proposed lease is approximately 4.70ha.

Proposed Tenant

The RDA was incorporated under the Incorporated Societies Act 1908 in November 1983 and has been registered as a charity on the Charities Register since June 2008.

The buildings on the site, which include an arena, stables and office space, are owned and maintained by the RDA. The RDA has invested a substantial amount of money on erecting the arena and related buildings.

The main objectives of the RDA are as follows:

- To provide therapeutic riding opportunities to benefit and challenge persons with physical, intellectual and/or psychological disabilities.
- To provide instruction in riding and horse-mastership within the Waikato area in the safest possible environment.
- To provide a safe working place for staff and volunteers.

The RDA has 55 volunteers who support 65 riders every week. There is a waiting list for new riders who wish to participate in the activities offered.

The RDA's arena is also used by the wider equestrian community for various activities including specialist clinics often run by out-of-town facilitators, practice sessions and pony club events when they need to have an undercover area out of the weather.

The arena is well used over the winter months by individuals to exercise their horses on firmer ground. The arena is fitted with LED lights and it is popular in the winter evenings.

The arena is a standard dressage size so can be used to practice for competitions and events.

The permitted use of the land under the proposed lease is “Horse riding, associated horse grazing and equestrian activities”.

Public Notification

Section 54(1) of the Reserves Act 1977 provides that the Administering Body may, with the prior consent of the Minister, grant a lease within the Reserve.

Section 54(2) requires that, before granting any lease under subsection (1), the Administering Body shall give public notice in accordance with section 119 and give full consideration to all objections and submissions received in accordance with the provisions of section 120.

A public notice was placed in the Cambridge News on 22 February 2023. Submissions were able to be received for one month from the date of the notices. No submissions were received.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matter in this report has a low level of significance.

This is because of the following reasons:

- a. limited public interest given it is a well-established activity on the Reserve.
- b. there are limited financial implications to Council.
- c. there is no effect on Council undertaking its role as Administering Body of the Reserve.
- d. there is no effect on Council granting a licence to occupy the unformed road.
- d. the effects on the potential future use of the Reserve are less than minor.

As such, the level of consultation undertaken is considered to be appropriate.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> ▪ No staff or other Council resources required. 	<ul style="list-style-type: none"> ▪ This option does not provide either party with any certainty of tenure. ▪ RDA have invested in substantial improvements on the land and will have no legal right to access.

Option	Advantages	Disadvantages
<p>Option 2: Enter into a new lease with the RDA on Council's standard community lease terms and such other conditions as may be considered appropriate</p>	<ul style="list-style-type: none"> ▪ This option provides both parties with certainty, and ensures that the RDA is able to continue to work to promote its objectives as set out in this report. 	<ul style="list-style-type: none"> ▪ None identified.

The recommended option is Option 2 for the reasons set out above.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the proposal to enter into the Lease complies with Council's legal and policy requirements.

Lease of Reserve Land

Staff confirm that the lease component of option 2, complies with Council's requirements under the Act. This is because section 54(1)(c) of the Act provides that with prior consent of the Minister the Administering Body may lease to any voluntary organisation the whole or part of the reserve for the playing of any outdoor sport, games, or other recreational activity where the preparation and maintenance of the area for such sport, games, or other recreational activity requires the voluntary organisation to spend a sum of money that in the opinion of the administering body is substantial. The proposed lease falls within this power.

Licence of Unformed Road

Staff confirm that the licence component of option 2 also complies with Council's requirements under the Act. This is because, as owner of the unformed road, Council may issue licences to occupy, as also confirmed by the licensing power under section 45 of the Public Works Act 1981.

Reserve Management Plan

Section 41 of the Act requires that management plans be adopted by Council in order to set policies for the administration of reserves, specific to the classification of each reserve. The Reserve is subject to the Cambridge Town Belt Reserve Management Plan (30 June 2012) ("RMP"). The existing Lease is recorded in the RMP and the proposed Lease is consistent with the RMP.

Property Policy

Council's Property Policy deals with leasing. Part of that policy ("Leasing Land for Recreational Use") states:

"Where land is reserve, Council will support recreational, educational, cultural and sporting clubs by permitting use of existing reserve land at minimal cost, provided the use meets the criteria of the relevant Reserve Management Plan and the Community Leisure Plan."

Lease Terms and Conditions

Council has a standard community lease document that contains terms and conditions to protect Council's interests. Leases are generally issued for a term of five (5) years with two (2) rights of renewal (five (5) years each). The standard lease document (including term) will be utilised for the proposed lease.

Financial Considerations – Whaiwhakaaro ā-Pūtea

Lessee groups, such as this which is the subject of this report, tend to be charged in accordance with the Community Leasing Policy, calculated on the value of the property being leased. In addition, community lessees are made responsible for the following outgoings:

- Annual administration charge
- Annual sewerage charge, if connected
- Metered water supply, based on consumption, if connected
- Utility costs (such as electricity)
- Insurance of their facilities
- Grounds maintenance

The rent on commencement on the new Lease, calculated in accordance with the Community Leasing Policy, will be \$863.00 plus GST per annum plus outgoings. A new Lease fee of \$612.00 inclusive of GST will be payable on signing and an annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the first anniversary of the Commencement Date.

Risks - Tūraru

There are no known significant risks associated with granting a new Lease.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The administration of public reserves by local authorities requires that they give effect to the principles of the Treaty of Waitangi, pursuant to section 4 of the Conservation Act 1987.

On 26 January 2024, iwi were informed of and invited to supply feedback on the proposed lease. No concerns were raised in relation to the proposed new lease.

8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	30 April 2024
Sign the Lease	Group Manager Business Support	14 May 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Proposed New Lease (ECM number 11188522)
2	Plan of Leased Area
3	Record of Title 451548
4	Record of Title 157605

Angela McEwan
PROPERTY ADVISOR

Reviewed by David Varcoe
MANAGER PROPERTY SERVICES

Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Proposed New Lease (ECM number 11188522)

Lease to Sports Club / Community Group

DATE: 2023

LANDLORD: **WAIPĀ DISTRICT COUNCIL** (the “Lessor”)

TENANT: **RIDING FOR DISABLED – CAMBRIDGE INCORPORATED** (the “Lessee”)

The Lessor leases to the Lessee and the Lessee takes on the Leased Premises, together with the non-exclusive right to graze the Licensed Premises , for the rent and other payments (each subject to review if applicable) and on the terms and conditions set out in Schedules 1 and 2 and otherwise in this Lease.

In respect of that part of the Premises subject to the Reserves Act 1977, this Lease is granted pursuant to section 54(1)(c) of that Act.

The Lessee acknowledges that it has had the opportunity to take legal advice before signing this Lease.

SIGNED by the Lessor)
WAIPĀ DISTRICT COUNCIL)
in the presence of:) _____
Group Manager Business Support

Witness Signature

Witness Name

Witness Occupation

Witness Address

SIGNED by the Lessee)
RIDING FOR DISABLED –)
CAMBRIDGE INCORPORATED)
in the presence of:)

Member / Trustee Signature

Witness Signature

Print Full Name and Office Held

Witness Name

Member / Trustee Signature

Witness Occupation

Print Full Name and Office Held

Witness Address

SCHEDULE 1**Leased Premises:** means

- a) Part of the Cambridge Town Belt being a recreation reserve subject to the Reserves Act 1977 incorporating Allotments 1 to 4 and Section 1 SO 362382, Cambridge Town Belt contained in Record of Title 451548 and denoted as areas A, B and C on the attached lease plan;
- b) Part of Lot 4 DP 338342 contained in Record of Title 157605 and denoted as area D on the attached lease plan,

being approximately 4.70 hectares and includes all buildings and improvements on that land, whether such buildings and improvements are the property of the Lessor or the Lessee and whether such buildings and improvements have been erected before or after the commencement date.

Licensed Premises: means part of the unformed road at Vogel Place as denoted as area E on the attached lease plan.

Premises: means the Leased Premises and the Licensed Premises

Term: Five (5) years

Commencement Date: 1 January 2023

Rights of Renewal: Two (2) rights of renewal of five (5) years each

Renewal Dates: 1 January 2028, 1 January 2033

Final Expiry Date: 31 December 2037

Rent and Payments to be made:

Rent: \$863.00 plus GST per annum payable in one instalment on signing this Lease and then annually on the anniversary of the Commencement Date, as such amount may be increased annually by the Lessor providing notice to the Lessee following the Lessor's review of the Rent and Administration Fee (*see clause 2.1*)

New Lease Fee: \$612.00 including GST payable on signing this Lease.

Administration Fee: \$357.00 including GST per annum payable annually from the first anniversary of the Commencement Date (*see clause 2.1*), as such amount may be increased annually by the Lessor providing notice to the Lessee following the Lessor's review of the Rent and Administration Fee.

Services:	Water	As per consumption, payable quarterly as invoiced in arrears
	Sewerage	Assessed annually, payable annually as invoiced

The Rent has been calculated as follows –

Underlying rateable land value	\$ 2,157,964.48
x 6%	\$129,477.87
Less ⅓	<u>\$43,159.29</u>
Less 98% subsidy	<u>\$863.19</u>
Rent (to nearest dollar)	<u>\$863.00</u>

By way of explanation:

- The 6% of Premises value represents a commercial rate for rent.
- The ⅓ reduction on the commercial rate reflects restrictions on use of community land.
- The 98% subsidy reflects the benefits gained from community and sporting activities across the District.

Rent and Administration Fee Review:

- The Rent and Administration Fee will be reviewed annually in accordance with the Lessor’s prevailing policy and Fees and Charges.

Permitted Use of Premises:

Leased Premises: Horse riding, associated horse grazing and equestrian activities.

Licensed Premises: Horse Grazing.

Note:

- (1) *The Lessee is reminded that any recreation area which is a Reserve must by law be available to the public at times when the Lessee is not actually using it.*
- (2) *The Lessee may from time to time, licence the Premises to any individual person, group or organisation on a casual or regular basis for meetings, social functions and similar activities but not for any commercial purposes or private profit or gain.*

Liquor Licence: ~~Yes~~ / No

Registration: The Lessee is registered under the Incorporated Societies Act 1908 or Incorporated Societies Act 2022 and is registered as a charity on the Charities Register.

Address for Notices:

Lessor:

Waipā District Council
101 Bank Street
Private Bag 2402
Te Awamutu 3840

Lessee:

Riding for Disabled – Cambridge
Incorporated
PO Box 368
Cambridge 3450

Lessee contact persons:

(two names, addresses & telephone numbers) (see clause 12)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

SCHEDULE 2

INDEX OF TERMS AND CONDITIONS

Clause	Content
1	Definitions
2	Lessee's Obligations
2.1	Payments
2.2	Use of Property
2.3	Care and Maintenance of Land and Buildings
2.4	New Buildings or Building Alterations
2.5	Statutory Matters
2.6	Signs
2.7	No Smoking or Vaping
2.8	Insurance
2.9	Assignment
2.10	Power of Entry
2.11	Indemnity
2.12	Registration
3	Building Ownership
4	Renewal of Lease
5	Default
6	Lack of Use
7	Reserves Act
8	Lessor's Obligations
9	Regulatory Role of the Lessor
10	Notices
11	Counterparts
12	Statutory References
13	Arbitration
14	Lease of Premises Only

TERMS AND CONDITIONS OF THE LEASE

1. Definitions

“Outgoings” means all utility charges and fees including all connection, disconnection service and administration fees incurred and utilised by the Lessee at and for the Premises.

“Sign” means any advertising material, sponsorship material, banner, hoarding, placard, poster or sign which advertises or promotes any product or service or commercial organisation.

2. Lessee’s Obligations

The Lessee agrees with the Lessor as follows –

2.1 Payments

- a) To pay the Rent, the New Lease Fee and the Administration Fee as set out in Schedule 1 in the manner and at the times specified therein.
- b) To pay all Outgoings arising out of the Lessee’s use of the Premises.
- c) To pay a Services Fee for water consumption and sewerage as set out in Schedule 1 in the manner and at the times specified therein.

2.2 Use of Property

- a) Unless otherwise agreed by the Lessor in writing to use the Premises only for the Permitted Use and for no other purpose, and in particular not to permit the Premises to be used:
 - (i) for any commercial purpose or for the private profit or gain of any member or members of the Lessee, or any other occupant or user; or
 - (ii) for any residential purpose; or
 - (iii) for any unlawful purpose.
- b) If the Premises includes a common or shared area or has access to a common or shared driveway, to ensure that at all times this area or driveway is kept clean and tidy and free of obstructions so that other permitted users may enjoy their rights of use.
- c) The Premises includes the Licensed Premises. The Lessee acknowledges and accepts the right of public access across the Licensed Premises.
- d) Not do or permit to be done on the Premises anything which is or may become a nuisance or annoyance either to the Lessor or to other

Lessees or to the owners or occupiers of any other property in the vicinity of the Premises.

- e) Not to keep on the Premises any mares close to foaling or stallions or colts over the age of six months without the prior consent of the Lessor.
- f) To keep any animals on the Premises maintained in good health in line with good animal welfare standards, including continuous access to water and veterinarian treatment if sick or injured.

2.3 Care and Maintenance of Land and Buildings

- a) To keep the Premises clean and tidy and not to deposit or allow to be deposited any waste material on the Premises.
- b) To keep the Premises free from litter and refuse and ensure that all litter and refuse is placed in appropriate receptacles which are emptied regularly so that they do not become a nuisance or attract flies or vermin.
- c) To keep the Premises properly maintained and in a suitable condition to enable the Permitted Use as set out in Schedule 1 to be properly carried on but the Lessee shall not be liable for maintenance which the Lessor is responsible to undertake.
- d) To maintain the Lessee's buildings on the Premises in good order and repair and weatherproof and to keep the interior and exterior of all buildings and other improvements on the Premises properly painted, cleaned and maintained.
- e) To keep all drains on the Premises properly cleaned and free from obstruction of any kind.
- f) To keep all fences on the Premises in a good state of repair.
- g) At the end or sooner determination of this Lease to return the Premises to the Lessor in the same condition as at commencement.
- h) Not without the prior written consent of the Lessor to cut down any tree or shrub growing on the Premises but to carry out any pruning reasonably required to maintain such trees or shrubs in a healthy condition.
- i) Not without the prior written consent of the Lessor to plant any trees or shrubs and then only in accordance with a planting plan agreed in writing with the Lessor.

- j) To keep the Premises free from all noxious plants, rabbits and other noxious vermin and to comply with the provisions of the Biosecurity Act 1993.
- k) To keep all carparks and driveways within the Premises clean and tidy and free of obstructions so that other permitted users may enjoy their rights of use and to maintain and to carry out minor re-sealing works where such carparks and driveways are sealed to such carparks and driveways when reasonably so required.
- l) To keep any grounds, yards and surfaced areas in a clean and tidy condition and maintain any garden or lawn in a tidy and cared for condition.

2.4 New Buildings or Building Alterations

- a) Not to build or alter or add to any buildings or other improvements on the Premises without first obtaining the Lessor's written consent to the plans and specifications of such buildings, alterations or additions.

In granting such consent the Lessor may impose such conditions as it considers appropriate in the circumstances including but not limited to conditions as to:-

- (i) The materials to be used.
 - (ii) The manner in which the work is to be carried out.
 - (iii) The supervision of such work.
 - (iv) The contractors to be employed by the Lessee.
 - (v) Any other matters as determined by the Lessor.
- b) Not to install any structure, including floodlighting of any kind, without the prior written consent of the Lessor. If such consent is given, or if such structures are on the Premises at the commencement of the Lease term, then they shall be maintained in a safe and useable condition at the expense of the Lessee.
 - c) In all respects any such works carried out by the Lessee pursuant to this clause 2.4 must be carried out in compliance with all requisite consents and approvals of any relevant authority for the particular works.
 - d) The Lessor is not obliged to consent to any requests of the Lessee to authorise the Lessee to carry out any works which the Lessee proposes pursuant to this clause 2.4.
 - e) No buildings or other improvements will be permitted on the Licensed Premises.

2.5 **Statutory Matters**

- a) In respect of the use of the Premises to comply fully and in all respects with all Acts, Regulations, Bylaws and the Waipā District Plan.
- b) To require all members of the Lessee and all other persons using the Premises to adopt safe practises on the Premises in accordance and compliance with the provisions of the Building Act 2004 and the Health and Safety at Work Act 2015.
- c) To notify the Lessor immediately of any hazard of which it becomes aware, on or in connection with the Premises, and which the Lessee considers is outside the Lessee's control or responsibility.

2.6 **Signs**

- a) Except as permitted in clause 2.6 b) not to display or permit to be displayed any Sign of any description on any part of the Premises unless the Sign complies with the relevant Reserve Management Plan (if any) and the District Plan.
- b) This condition will not apply to any Sign placed on the Leased Premises for the duration of or for 24 hours before or after a particular event.

2.7 **No Smoking or Vaping**

Not to smoke or vape, or allow any person to smoke or vape, anywhere on the Premises.

2.8 **Insurance**

- a) The Lessee is to insure any buildings and other improvements on the Premises against loss or damage by fire and other risks to the full insurable value, and to keep all such policies of insurance in force for the duration of the Lease and to provide the Lessor with the details of such insurance policies when so required by the Lessor.
- b) In the event of loss or damage to apply all insurance moneys received from such policy towards the repair, reinstatement or rebuilding of any building damaged or destroyed except where any necessary permit or consent is not obtainable or the insurance moneys as received are insufficient for such repair reinstatement or rebuilding. In any such circumstance, this Lease shall terminate by written notice from either party to the other with immediate effect but without prejudice to any antecedent breach by either party.

- c) To reimburse the Lessor on demand any insurance premiums paid by the Lessor for insurance policies effecting cover of any buildings and other improvements on the Premises.

2.9 **Assignment**

Not to assign or transfer, mortgage, sublet or part with possession of the Premises or any part of it or of the estate or interest of the Lessee in the Premises.

2.10 **Power of Entry**

To permit the Lessor by its agents and employees at all reasonable times to enter upon the Premises to view the state of repair and compliance by the Lessee with the Lessee's obligations.

If the Lessor serves upon the Lessee notice in writing of any defect of repair or non-compliance with the Lessee's obligations, to make good at the Lessee's expense, such defect or non-compliance as soon as reasonably practicable after receipt of such notice.

In default of so doing to permit the Lessor or its agents or employees to do what the Lessor considers necessary to make good such defect or non-compliance and to reimburse to the Lessor its costs of so doing together with interest on such costs at the rate of 15% per annum. Such sum shall be recoverable in the same way as if it were arrears of Rent under this Lease.

2.11 **Indemnity**

To indemnify the Lessor from all costs, claims and demands arising out of the Lessee's use of the Premises including claims for loss or damage to personal property.

2.12 **Registration**

- a) If the Lessee is registered as an incorporated society under the Incorporated Societies Act 1908 or Incorporated Societies Act 2022 to maintain that registration during the term of this Lease.
- b) If the Lessee is registered as a charitable trust pursuant to the Charitable Trusts Act 1957 to maintain that registration during the term of this Lease.
- c) To provide to the Lessor when called on evidence of such registration.

d) To provide to the Lessor on signing this Lease the names and addresses of all officers of the Lessee.

e) To provide to the Lessor details of any changes to those officers within 30 days of such change being made.

3. Building Ownership

Prior to the expiration or termination of this , the Lessee will remove any buildings or improvements on the Premises and make good at the Lessee's expense any resulting damage from such removal. In the event the buildings and improvements remain on the Premises at the expiration or termination of this Lease, then the Premises together with such buildings and improvements will revert to the Lessor without any compensation whatsoever being payable to the Lessee by the Lessor.

4. Renewal of Lease

If this Lease provides in Schedule 1 for the Lessee to have a right of renewal of this Lease then the following provisions will apply –

4.1 At least three months prior to the expiry of the term of this Lease the Lessee shall give the Lessor written notice if it wishes to renew this Lease.

4.2 Provided that the Lessee has complied with all the terms and conditions of this Lease then where the Lessee gives written notice of its exercise of its right of renewal pursuant to clause 4.1, the Lessor will grant to the Lessee a renewal of this Lease for the term set out in Schedule 1.

5. Default

It is agreed as follows –

5.1 If the Lessee:

a) fails to pay any of the moneys due under clause 2.1 for a period of twenty (20) working days after they have become due and the Lessee has failed to remedy that breach within 10 working days after service of a notice in accordance with section 245 of the Property Law Act 2007; or

b) is in breach of any of the terms of this Lease (other than the covenant to pay rent) and has failed to remedy such breach within the period specified in a notice served on the Lessee in accordance with section 246 of the Property Law Act 2007 of notice having been given to it to do so; or

- c) if the Lessee, where registered, shall cease to be registered under the Charitable Trusts Act 1957 or the Incorporated Societies Act 1908 as the case may be,

then, and in any such case the Lessor may (in addition to the Lessor's right to apply to the Court for an order for possession) cancel the Lease by re-entering the Premises and determine the estate and interest of the Lessee in this Lease. This will not however discharge the Lessee from liability for Rent due or accruing due or for any other breach of this Lease occurring prior to such re-entry and determination of the Lease.

6. Lack of Use

If during the term of this Lease the Lessor is of the opinion that the Premises is not being used, or not sufficiently used, for the purposes for which this Lease was entered into then, after making such enquiries as it thinks fit and giving the Lessee an opportunity to explain the usage of the Premises, the Lessor may terminate this Lease, and the Premises together with all improvements (if any) will then revert to the Lessor without compensation being payable to the Lessee.

7. Reserves Act

Part of the Premises forms part of a reserve under the Reserves Act 1977, and this Lease is intended to take effect as a lease of that reserve under the provisions of the Reserves Act 1977. The provisions of such legislation and of any Reserve Management Plan applicable to this Lease will be binding in all respects upon the parties to this Lease in the same manner as if such provisions had been fully set out. These provisions include the rights of the public to have access to the reserve at times when the Lessee is not actually using it.

8. Lessor's Obligations

Subject to the terms of this Lease, the Lessor will permit the Lessee to occupy the Premises free from interruption provided that the Lessee complies with the terms and its obligations of this Lease.

9. The Regulatory Role of the Lessor

The Lessee acknowledges that the Lessor enters into this Lease in its capacity as a property owner. Nothing in this Lease is to affect or prejudice the role, obligations and responsibilities of the Lessor as a regulatory authority.

10. Notices

Any notices to be given under this Lease shall:

- 10.1 Be adequately served on the Lessee if handed personally to a Committee Member or sent by ordinary post to the Lessee's registered office or by email and acknowledged by the addressee orally or by return email or otherwise in writing except that return emails generated automatically shall not constitute an acknowledgement; and
- 10.2 Be adequately served on the Lessor if personally delivered or sent by ordinary post to the Lessor's office as set out in Schedule 1 or by email and acknowledged by the addressee orally or by return email or otherwise in writing except that return emails generated automatically shall not constitute an acknowledgement.

11. Counterparts

This Lease may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same Lease. A signed copy of this Lease delivered by email shall be deemed to have the same legal effect as delivery of an original signed copy of this Lease.

12. Statutory References

All reference in this Lease to provisions of statutory enactment shall be deemed to apply to and include corresponding provisions of enactments passed in amendment or substitution.

13. Arbitration

In the event of any dispute or difference arising between the parties then the parties shall first attempt to resolve such dispute or difference by agreement, and in the event that agreement is not reached within a reasonable time, then by mediation. If mediation does not resolve the dispute or difference it may be resolved by either party referring the dispute to the arbitration of a single arbitrator appointed, in default of agreement, by the President for the time being of the Waikato / Bay of Plenty branch of the New Zealand Law Society and the decision of such arbitrator shall be final and binding on both parties.

14. Lease of Leased Premises Only

- a) This Lease relates only to the Premises, and the Lessor shall at all times be entitled to use, occupy and deal with the remainder of the surrounding property, including the Licensed Premises, without reference to the Lessee and the Lessee has no rights in relation to it other than the rights of use under this Lease. The Lessor shall not be responsible to the Lessee for any act or default or neglect of any other Lessee of the surrounding property.

- b) The granting of the licence for the Licensed Premises under this Lease does not create a lease or an interest in land relating to the Licensed Premises or otherwise confer on the Lessee any rights of exclusive possession of the Licensed Premises.

Riding for Disabled - Cambridge Incorporated – Lease Area



APPENDIX 2

Plan of Leased Area



APPENDIX 3

Certificate of Title 451548

Emtel Title Preview

Information as at Sunday 3rd March 2024

RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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[View Historic Copy](#)

Identifier	451548		
Land Registration District	South Auckland		
Date Issued	03 November 2008		
Prior References	SA67/104	SA56/248	H549492
	SA56/249	266998	S351867
Estate	Fee Simple		
Area	163.8039 hectares		
Legal Description	Lot 1-2 Deposited Plan South Auckland 13572 and Lot 1 Deposited Plan South Auckland 10007 and Section 1 Survey Office Plan 362382 and Allotment 1-4 Cambridge Town Belt and Part Allotment 5-6 Cambridge Town Belt and Allotment 6A, 7A, 7 Cambridge Town Belt and Part Allotment 8 Cambridge Town Belt and Allotment 9-14 Cambridge Town Belt and Part Allotment 15-17 Cambridge Town Belt and Allotment 17A, 18A, 18-37 Cambridge Town Belt and Part Allotment 38 Cambridge Town Belt and Allotment 39-44 Cambridge Town Belt and Part Allotment 45-46 Cambridge Town Belt and Allotment 47-48 Cambridge Town Belt and Part Allotment 49 Cambridge Town Belt and Allotment 50 Cambridge Town Belt and Part Allotment 51-52 Cambridge Town Belt and Part Allotment 365-366, 368 Town of Cambridge East and Allotment 370 Town of Cambridge East		

Registered Owners
[Waipa District Council](#)

Interests

SUBJECT TO SECTION 11 WAIKATO RAUPATU CLAIMS SETTLEMENT ACT 1995 (WHICH PROVIDES FOR RESIDUAL CROWN LAND TO BE OFFERED FOR PURCHASE TO A LAND HOLDING TRUST FOR WAIKATO IN CERTAIN CIRCUMSTANCES) - SEE CERTIFICATE [6829799.1](#) - 18.4.2006 at 9:00 am (AFFECTS SECTION 1 SO 362382)

Subject to the Reserves Act 1977

Subject to a right of way over part Allotment 5 Cambridge Town Belt over parts marked A & L and over part Allotment 4 Cambridge Town Belt over parts marked B & K and a right of way (designated car park area) over part Allotment 5 Cambridge Town Belt over parts marked C, E, F, I & J and over part Allotment 4 Cambridge Town Belt over parts marked D, G & H and a right to convey electricity, telecommunications and computer media, water and gas and a right to drain water and sewage over part allotment 4 Cambridge Town Belt over parts marked K & H and over part Allotment 5 Cambridge Town Belt over parts marked I, J & L on SO 452968 created by Easement Instrument [9062292.1](#) - 5.6.2012 at 11:23 am

[9568608.1](#) Surrender of the right of way (designated car park area) over part Allotment 5 Cambridge Town Belt marked C, E, F, I & J on SO 452968 and a right to convey electricity, telecommunications and computer media, water and gas and a right to drain water and sewage over part Allotment 4 Cambridge Town Belt marked K & H on SO 452968 created by Easement Instrument 9062292.1 as appurtenant to Lot 1 DP 436998 - 12.12.2013 at 2:51 pm

Subject to a right to convey electricity, water, gas, telecommunications and computer media and a right to drain sewage and water over part Allotment 5, Cambridge Town Belt over part marked A and over Allotment 4, Cambridge Town Belt over part marked B all on SO 477928 created by Easement Instrument [9858063.1](#) - 8.10.2014 at 9:06 am

Subject to a right (in gross) to right of way over part marked R on DP 475226 in favour of Waipa District Council created by Easement Instrument [10030254.1](#) - 14.4.2015 at 2:48 pm

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APPENDIX 4

Certificate of Title 157605

Emtel Title Preview

Information as at Sunday 25th February 2024

RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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Identifier 157605
Land Registration District South Auckland
Date Issued 14 December 2004

Prior References

[SA48/30](#)

Estate Fee Simple
Area 3950 square metres
Legal Description Lot 4 Deposited Plan 338342

Registered Owners

[Waipa District Council](#)

Interests

[6188341.2](#) Consent Notice pursuant to Section 221 Resource Management Act 1991 - produced 20.10.2004 at 9:00 am and entered 14.12.2004 at 9:00 am

Subject to an electricity easement over parts marked P, N and Q on DP 338342 created by Easement Instrument [6188341.6](#) - produced 20.10.2004 at 9:00 am and entered 14.12.2004 at 9:00 am

Appurtenant hereto is an electricity easement created by Easement Instrument [6188341.6](#) - produced 20.10.2004 at 9:00 am and entered 14.12.2004 at 9:00 am

The easements created by Easement Instrument [6188341.6](#) are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to drain water over part marked F and to a right (in gross) to drain sewage over parts marked M, N and O on DP 338342 in favour of Waipa District Council created by Easement Instrument [6188341.7](#) - produced 20.10.2004 at 9:00 am and entered 14.12.2004 at 9:00 am

The easements created by Easement Instrument [6188341.7](#) are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to drain sewage over part marked D, E and F on SO 510703 in favour of Waipa District Council created by Easement Instrument [10935685.2](#) - 18.1.2018 at 9:55 am

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This report is not a substitute for a certificate of title. The data is updated every Sunday evening. At any time, the data may be superseded and may be up to six days old.

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APPENDIX 3

Finance and Corporate Committee Report - Reserves Act 1977 – The Cambridge Riding Club (ECM number 11202772)

COMMITTEE REPORT



To: The Chairperson and Members of the Finance and Corporate Committee

From: Property Advisor – Angela McEwan

Subject: **New Community Lease –
The Cambridge Riding Club Incorporated**

Meeting Date: 16 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek the Committee’s consent to grant a new lease to The Cambridge Riding Club Incorporated for use of part of the Cambridge Town Belt and seek delegation from the Committee to the Group Manager Business Support to sign the lease.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report seeks the approval of the Committee in its function as an Administering Body under the Reserves Act 1977 (“the Act”) to enter into a new lease with The Cambridge Riding Club Incorporated (“the Club”) in respect of land being a recreation reserve located at Carlyle Street, Cambridge and which forms part of the Cambridge Town Belt (“the Reserve”). The proposed lease is for a maximum term of 15 years at an initial annual rent of \$658.00 plus GST.

The Club is the existing tenant of the Reserve and their current lease records a final expiry date of 1 July 2015. The Club has remained in occupation of the Reserve since that date and has expressed a desire to enter into a new lease in accordance with Council’s Community Leasing Policy.

Following consideration of the purpose of the lease, the Reserve Management Plan, the Reserves Act 1977 and public and iwi consultation, it is recommended that the Council, in its function as Administering Body under the Act, approve the lease.

A lease plan identifying the proposed lease area is appended at Appendix 1 (outlined in red).

Pursuant to the Act, Ministerial approval of the proposed lease is also required before it may be entered into. This power has been delegated to Council, and separate approval will be sought for this.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Cambridge Riding Club Incorporated (ECM Number 11202772);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with The Cambridge Riding Club Incorporated for a lease for the purposes of horse riding, associated horse grazing and equestrian activities and otherwise on the terms and conditions contained in Council’s standard community lease;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Proposed Lease of Recreation Reserve

Council is the owner and administering body under the Reserves Act 1977 (“the Act”) of the recreation reserve located at Carlyle Street which forms part of the Cambridge Town Belt and is legally described as Allotments 63 and 64 Cambridge Town Belt and contained in Record of Title 483210, a copy of which is appended at Appendix 2 (“the Reserve”).

Proposed New Lease

Council has leased part of the Reserve to The Cambridge Riding Club Incorporated (“the Club”) to the Club since the Club was incorporated in 1990. The lease expired on 1 July 2015 and the Club wishes to enter into a new lease.

The proposed new lease would be for a term of five (5) years with two (2) rights of renewal of five (5) years each and be in the form of Council’s standard community lease terms and conditions. The commencement date of the new lease would be 1 December 2023, with the final expiry being 30 November 2038.

The total area recorded in the proposed lease is approximately 4.079ha.

Proposed Tenant

The Club was incorporated under the Incorporated Societies Act 1908 in 1990.

The Club caters for riders aged 18 years and over and its objectives are to foster a safe and supportive environment to ensure that their members enjoy the riding activities that the Club provides. Their aim is to encourage riding as a sport and recreation, to promote good fellowship amongst riders and to improve and maintain the standard of riding and horsemanship.

The buildings and chattels on the site, which include clubrooms and tractor shed, toilets and a water tank, are owned and maintained by the Club.

The riding facilities include a sand arena, grass dressage arena, grass riding paddock, jumping course and other paddocks for riding/grazing. The sand arena is bookable to members via an online booking system.

During the summer months a weekly rally is held every Sunday and every second Tuesday. The rallies continue to be held during the winter months when weather permits. The Club also host social treks, ribbon days, show jumping days and derby cross country events. These events are held to provide adult riders a safe and fun environment to enjoy.

The permitted use of the land under the proposed lease is “Horse riding, associated horse grazing and equestrian activities”.

Public Notification

Section 54(1) of the Reserves Act 1977 provides that the Administering Body may, with the prior consent of the Minister, grant a lease within the Reserve.

Section 54(2) requires that, before granting any lease under subsection (1), the Administering Body shall give public notice in accordance with section 119 and give full consideration to all objections and submissions received in accordance with the provisions of section 120.

A public notice was placed in the Cambridge News on 22 February 2023. Submissions were able to be received for one month from the date of the notices. No submissions were received.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter in this report has a low level of significance.

This is because of the following reasons:

- a. limited public interest given it is a well-established activity on the Reserve.
- b. there are limited financial implications to Council.

- c. there is no effect on Council undertaking its role as Administering Body of the Reserve.
- d. the effects on the potential future use of the Reserve are less than minor.

As such, the level of consultation undertaken is considered to be appropriate.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> ▪ No staff or other Council resources required. 	<ul style="list-style-type: none"> ▪ This option does not provide either party with any certainty of tenure.
Option 2: Enter into a new lease with The Cambridge Riding Club Incorporated on Council's standard community lease terms and such other conditions as may be considered appropriate	<ul style="list-style-type: none"> ▪ This option provides both parties with certainty, and ensures that The Cambridge Riding Club Incorporated is able to continue to work to promote its objectives as set out in this report. 	<ul style="list-style-type: none"> ▪ None identified.

The recommended option is Option 2 for the reasons set out above.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the proposal to enter into the lease complies with Council's legal and policy requirements.

Lease of Reserve Land

Staff confirm that option 2 complies with Council's requirements under the Act. This is because Section 54(1)(b) of the Act provides that with prior consent of the Minister the Administering Body may lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44, other buildings or structures already on the reserve. The proposed lease falls within this power.

Reserve Management Plan

Section 41 of the Act requires that management plans be adopted by Council in order to set policies for the administration of reserves, specific to the classification of each reserve. The Reserve is subject to the Cambridge Town Belt Reserve Management Plan

(30 June 2012) (“RMP”). The existing lease is recorded in the RMP and the proposed lease is consistent with the RMP.

Property Policy

Council’s Property Policy deals with leasing. Part of that policy (“Leasing Land for Recreational Use”) states:

“Where land is reserve, Council will support recreational, educational, cultural and sporting clubs by permitting use of existing reserve land at minimal cost, provided the use meets the criteria of the relevant Reserve Management Plan and the Community Leisure Plan.”

Lease Terms and Conditions

Council has a standard community lease document that contains terms and conditions to protect Council’s interests. Leases are generally issued for a term of five (5) years with two (2) rights of renewal (five (5) years each). The standard lease document (including term) will be utilised for the proposed lease.

Financial Considerations – Whaiwhakaaro ā-Pūtea

Lessee groups, such as this which is the subject of this report, tend to be charged in accordance with the Community Leasing Policy, calculated on the value of the property being leased. In addition, community lessees are made responsible for the following outgoings:

- Annual administration charge
- Annual sewerage charge, if connected
- Metered water supply, based on consumption, if connected
- Utility costs (such as electricity)
- Insurance of their facilities
- Grounds maintenance

The rent on commencement on the new lease, calculated in accordance with the Community Leasing Policy, will be \$658.00 plus GST per annum plus outgoings. A new lease fee of \$612.00 inclusive of GST will be payable on signing and an annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the first anniversary of the Commencement Date.

Risks - Tūraru

There are no known significant risks associated with granting a new lease.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The administration of public reserves by local authorities requires that they give effect to the principles of the Treaty of Waitangi, pursuant to section 4 of the Conservation Act 1987.

On 26 January 2024, iwi were informed of and invited to supply feedback on the proposed lease. Mana whenua have suggested that a shorter-term lease should be considered. However, the proposed new lease is in accordance with Council’s current Community Leasing Policy and staff consider that the term of the proposed lease is appropriate.

8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	30 April 2024
Sign the Lease	Group Manager Business Support	14 May 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Plan of Leased Area
2	Record of Title 483210



Angela McEwan
PROPERTY ADVISOR



Reviewed by David Varcoe
MANAGER PROPERTY SERVICES



Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Plan of Leased Area



APPENDIX 2

Certificate of Title 483210

Emtel Title Preview

Information as at Sunday 25th February 2024

RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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Identifier 483210
Land Registration District South Auckland
Date Issued 07 July 2009

Prior References

[SA13C/438](#) [451549](#)

Estate	Fee Simple
Area	119.4525 hectares
Legal Description	Allotment 53 Cambridge Town Belt and Part Allotment 54 Cambridge Town Belt and Allotment 56-67 Cambridge Town Belt and Part Allotment 68 Cambridge Town Belt and Allotment 69-89 Cambridge Town Belt and Part Allotment 90 Cambridge Town Belt and Allotment 91-94, 98 Cambridge Town Belt

Registered Owners

[Waipa District Council](#)

Interests

Subject to the Reserves Act 1977

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APPENDIX 4

Finance and Corporate Committee Report - Reserves Act 1977 – Cambridge
Football Club Incorporated (ECM number 11202771)

COMMITTEE REPORT



To: The Chairperson and Members of the Finance and Corporate Committee

From: Property Advisor – Angela McEwan

Subject: **New Community Lease – Cambridge Football Club Incorporated**

Meeting Date: 16 April 2024

1 PURPOSE - TAKE

The purpose of this report is to seek the Committee’s consent to grant a new lease to the Cambridge Football Club Incorporated for use of part of the Cambridge Town Belt and seek delegation from the Committee to the Group Manager Business Support to sign the lease.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report seeks the approval of the Committee in its function as an Administering Body under the Reserves Act 1977 (“the Act”) to enter into a new lease with The Cambridge Football Club Incorporated (“the Club”) in respect of land being a recreation reserve located at John Kerkhof Park, Vogel Street, Cambridge which forms part of the Cambridge Town Belt (“the Reserve”). The proposed lease is for a term of five years at an initial annual rent of \$1,613.00 plus GST.

The Club is the existing tenant of the Reserve and their current lease records a final expiry date of 30 June 2022. The Club has expressed a desire to enter into a new lease in accordance with Council’s Community Leasing Policy.

Following consideration of the purpose of the lease, the Reserve Management Plan, the Reserves Act 1977 and public and iwi consultation, it is recommended that the Council, in its function as Administering Body under the Act, approve the lease.

A lease plan identifying the proposed lease area is appended at Appendix 1 (outlined in red).

Pursuant to the Act, Ministerial approval of the proposed lease is also required before it may be entered into. This power has been delegated to Council, and separate approval will be sought for this.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Cambridge Football Club Incorporated (ECM Number 11202771);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with The Cambridge Football Club Incorporated for a lease for a term of five (5) years for the purposes of playing fields and clubrooms and otherwise on the terms and conditions contained in Council’s standard community lease;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Proposed Lease of Recreation Reserve

Council is the owner and administering body under the Reserves Act 1977 (“the Act”) of the recreation reserve located at John Kerkhof Park, Vogel Street, Cambridge which forms part of the Cambridge Town Belt and is legally described as Allotments 9, 10, 11, 12, 13 & 14 Cambridge Town Belt and contained in Record of Title 483210, a copy of which is appended at Appendix 2 (“the Reserve”).

Proposed New Lease

Council has leased part of the Reserve to the Cambridge Football Club Incorporated (“the Club”) since 1948. The lease expired on 30 June 2022 and the Club wishes to enter into a new lease.

The proposed new lease would be for a term of five (5) years with no rights of renewal. Council’s standard community lease terms provides for an initial term of five (5) years with two (2) rights of renewal of five (5) years each. The reason for the shorter term of this lease is because of the work Council’s Community Services are in the process of undertaking following a sports field lease model review. The review indicated a change to the way sports fields are managed with, over time, publicly owned sports fields being managed by Council on behalf of the wider community. Staff will be working with clubs to understand the needs of existing and future lessees, and the wider community. Following the outcome of that work, there will be more certainty as to the structure and the terms and conditions to be proposed in a longer-term lease.

The Club have been heavily involved in those discussions and have agreed to a shorter-term lease in the interim while the outcome of the lease model review is finalised.

It is proposed that the new lease will otherwise be in the form of Council's standard community lease terms and conditions. The commencement date of the new lease would be 1 July 2022, with the final expiry being 30 June 2027.

The total area recorded in the proposed lease is approximately 12.7ha.

Proposed Tenant

The Club is an incorporated society under the Incorporated Societies Act 1908 and has occupied the Reserve since 1948.

The Club has a dedicated Committee and currently has 170 senior members and approximately 750 junior members and the Club continues to grow. The grounds are used for football 50 weeks of the year to host winter games and 5 aside games during the summer. The Ricki Herbert Football Academy use the grounds from March to October for junior/federation players as well as out of town academy players during the school terms.

The Cambridge Junior Cricket Club use part of the grounds from October to March in each year.

The Club has invested a considerable amount of money into the development of two of the existing football fields and Council have also invested funds into laying two new fields. The playing fields, including the new fields provided by Council, are maintained in part by Council and in part by the Club.

The Club owns all buildings on the site, which include clubrooms, changing rooms and toilets. The Club has invested a significant amount of money into the clubrooms during the last 7 years in an extension to the existing main clubroom building.

The clubrooms are hired to a group of quilters and knitters every Wednesday and the Athletics Club also use the clubrooms to host their AGM each year.

The permitted use of the land under the proposed lease is "Playing fields and clubrooms".

Public Notification

Section 54(1) of the Reserves Act 1977 provides that the Administering Body may, with the prior consent of the Minister, grant a lease within the Reserve.

Section 54(2) requires that, before granting any lease under subsection (1), the Administering Body shall give public notice in accordance with section 119 and give full consideration to all objections and submissions received in accordance with the provisions of section 120.

A public notice was placed in the Cambridge News on 22 February 2023. Submissions were able to be received for one month from the date of the notices. No submissions were received.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matter in this report has a low level of significance.

This is because of the following reasons:

- a. limited public interest given it is a well-established activity on the Reserve.
- b. there are limited financial implications to Council.
- c. there is no effect on Council undertaking its role as Administering Body of the Reserve.
- d. the effects on the potential future use of the Reserve are less than minor.

As such, the level of consultation undertaken is considered to be appropriate.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> ▪ No staff or other Council resources required. 	<ul style="list-style-type: none"> ▪ This option does not provide either party with any certainty of tenure.
Option 2: Enter into a new lease with Cambridge Football Club Incorporated for a term of 5 years and otherwise on Council's standard community lease terms and such other conditions as may be considered appropriate	<ul style="list-style-type: none"> ▪ This option provides both parties with certainty, and ensures that Cambridge Football Club Incorporated is able to continue to work to promote its objectives as set out in this report. 	<ul style="list-style-type: none"> ▪ None identified.

The recommended option is Option 2 for the reasons set out above.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the proposal to enter into the lease complies with Council's legal and policy requirements.

Lease of Reserve Land

Staff confirm that option 2 complies with Council’s requirements under the Act. This is because Section 54(1)(b) of the Act provides that with prior consent of the Minister the Administering Body may lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to sections 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44, other buildings or structures already on the reserve. The proposed lease falls within this power.

Reserve Management Plan

Section 41 of the Act requires that management plans be adopted by Council in order to set policies for the administration of reserves, specific to the classification of each reserve. The Reserve is subject to the Cambridge Town Belt Reserve Management Plan (30 June 2012) (“RMP”). The existing lease is recorded in the RMP and the proposed lease is consistent with the RMP.

Property Policy

Council’s Property Policy deals with leasing. Part of that policy (“Leasing Land for Recreational Use”) states:

“Where land is reserve, Council will support recreational, educational, cultural and sporting clubs by permitting use of existing reserve land at minimal cost, provided the use meets the criteria of the relevant Reserve Management Plan and the Community Leisure Plan.”

Lease Terms and Conditions

Council has a standard community lease document that contains terms and conditions to protect Council’s interests. Leases are generally issued for a term of five (5) years with two (2) rights of renewal (five (5) years each), however, this lease is proposed to be for a term of five (5) years with no rights of renewal for the reasons outlined in section 4 of this report. The standard lease document (with a variation to the term) will be utilised for the proposed lease.

Financial Considerations – Whaiwhakaaro ā-Pūtea

Lessee groups, such as this which is the subject of this report, tend to be charged in accordance with the Community Leasing Policy, calculated on the value of the property being leased. In addition, community lessees are made responsible for the following outgoings:

- Annual administration charge
- Annual sewerage charge, if connected
- Metered water supply, based on consumption, if connected
- Utility costs (such as electricity)
- Insurance of their facilities
- Grounds maintenance

The rent on commencement on the new lease, calculated in accordance with the Community Leasing Policy, will be \$1,613.00 plus GST per annum plus outgoings. A new lease fee of \$612.00 inclusive of GST will be payable on signing and an annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the first anniversary of the Commencement Date.

Risks - Tūraru

There are no known significant risks associated with granting a new Lease.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The administration of public reserves by local authorities requires that they give effect to the principles of the Treaty of Waitangi, pursuant to section 4 of the Conservation Act 1987.

On 26 January 2024, iwi were informed of and invited to supply feedback on the proposed lease. No concerns were raised.

8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	30 April 2024
Sign the Lease	Group Manager Business Support	14 May 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Plan of Leased Area
2	Record of Title 483210



Angela McEwan
PROPERTY ADVISOR



Reviewed by David Varcoe
MANAGER PROPERTY SERVICES



Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Plan of Leased Area



APPENDIX 2

Certificate of Title 483210

Emtel Title Preview

Information as at Sunday 25th February 2024

RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



Search Copy

[View Historic Copy](#)

Identifier 483210
Land Registration District South Auckland
Date Issued 07 July 2009

Prior References

[SA13C/438](#) [451549](#)

Estate	Fee Simple
Area	119.4525 hectares
Legal Description	Allotment 53 Cambridge Town Belt and Part Allotment 54 Cambridge Town Belt and Allotment 56-67 Cambridge Town Belt and Part Allotment 68 Cambridge Town Belt and Allotment 69-89 Cambridge Town Belt and Part Allotment 90 Cambridge Town Belt and Allotment 91-94, 98 Cambridge Town Belt

Registered Owners

[Waipa District Council](#)

Interests

Subject to the Reserves Act 1977

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APPENDIX 5

Resolutions 3/24/23, 3/24/24, 3/24/25 and 3/24/26

APPENDIX 5

Resolutions 3/24/23, 3/24/24, 3/24/25 and 3/24/26

8 NEW CAMBRIDGE LEASE – CAMBRIDGE FOOTBALL CLUB INCORPORATED

RESOLVED

3/24/23

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Cambridge Football Club Incorporated (ECM Number 11202771);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with The Cambridge Football Club Incorporated for a lease for a term of five (5) years for the purposes of playing fields and clubrooms and otherwise on the terms and conditions contained in Council's standard community lease;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

Councillor Stolwyk / Councillor Morgan

9 NEW COMMUNITY LEASE – KĀRAPIRO KAYAK RACING CLUB INCORPORATED

RESOLVED

3/24/24

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Karāpiro Kayak Racing Club Incorporated (ECM Number 11202777);*
- b) *Approves, pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Karāpiro River Domain recreation reserve, entering into an agreement with the Karāpiro Kayak Racing Club Incorporated for a lease over part of the Reserve for the purposes of sport and recreation storage facilities for an initial term of five (5) years with two (2) rights of renewal of five (5) years each and in all respects on the terms and conditions contained in Council's standard community lease, subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

Councillor L Brown / Councillor Thomas

10 NEW COMMUNITY LEASE – THE CAMBRIDGE RIDING CLUB INCORPORATED

RESOLVED

3/24/25

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Cambridge Riding Club Incorporated (ECM Number 11202772);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with The Cambridge Riding Club Incorporated for a lease for the purposes of horse riding, associated horse grazing and equestrian activities and otherwise on the terms and conditions contained in Council's standard community lease;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

Councillor Morgan/ Councillor L Brown

11 NEW COMMUNITY LEASE – RIDING FOR THE DISABLED - CLUB INCORPORATED

RESOLVED

3/24/26

That the Finance and Corporate Committee

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Riding for Disabled – Cambridge Incorporated (ECM Number 11202773);*
- b) *Approves, pursuant to section 54(1)(c) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering into an agreement with the Riding for the Disabled Incorporated for:*
 - i) *a lease over part of the Reserve for the purposes of horse riding, associated horse grazing and equestrian activities, and*
 - ii) *a licence to occupy part of the unformed road which bounds the leased area, on the terms and conditions substantially set out in Appendix 1 to this report (ECM number 11188522), subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977;*
- c) *Delegates to the Group Manager Business Support the authority to finalise negotiations, sign such documentation, and undertake any remaining actions necessary to enable implementation of recommendation b) subject to Ministerial approval of the lease pursuant to section 54(1) of the Reserves Act 1977.*

Councillor St Pierre / Councillor Morgan

COUNCIL AGENDA



To: Her Worship the Mayor and Councillors
From: Governance
Subject: RESOLUTION TO EXCLUDE THE PUBLIC
Meeting Date: 30 April 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

A local Authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting under section 48(1) of the Local Government Official Information and Meetings Act 1987.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of the 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 are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
13. Public Excluded Minutes – 27 March 2024 14. Lease of Housing for the Elderly Complex 15. Disposal of Assets	<i>Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987</i>	<i>Section 48(1)(a)</i>

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, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:

Item No.	Section	Interest
13,15	7(2)(i)	<i>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i>
14	7(2)(h)	<i>To enable the council to carry out, without prejudice or disadvantage, commercial activities.</i>