

# Council Public Agenda - 24 September 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

24 September 2024 09:10 AM

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Workshops 11.05am (Indicative Time)  
 OPEN: Waipā Networks (30 minutes)  
 OPEN: Mercury - Arapuni Project Briefing  
 Lunch (45 minutes)  
 OPEN: Development Contributions Policy (30 minutes)

# COUNCIL AGENDA



## OPENING COMMENTS FROM HER WORSHIP THE MAYOR

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Her Worship the Mayor will provide opening comments.



# COUNCIL AGENDA



## OPENING COMMENTS FROM THE CHIEF EXECUTIVE

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Chief Executive, Steph O'Sullivan will provide opening comments.

# COUNCIL AGENDA



## APOLOGIES

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# COUNCIL AGENDA



## DISCLOSURE OF MEMBERS' INTERESTS

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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

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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

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### **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:** 24 September 2024

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## **1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA**

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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**

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

## **3 ATTACHMENT - ĀPITITANGA**

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Council Minutes – 27 August 2024. (Pre-circulated)

# COUNCIL MINUTES



**Time:** 9.10am  
**Date:** Tuesday 27 August 2024  
**Venue:** Council Chambers, Waipā District Council  
101 Bank Street, Te Awamutu

## PRESENT

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### Chairperson

Her Worship the Mayor SC O'Regan

### Members

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

*Opening Karakia – Bill Harris*

## 1 HER WORSHIP THE MAYOR OPENING COMMENTS

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Her Worship the Mayor O'Regan welcomed Steph O'Sullivan, the new Chief Executive, to Waipā District Council noting this was Ms O'Sullivan's first Council meeting.

Her Worship the Mayor noted her attendance with other Elected Members at the Local Government New Zealand Conference.

## 2 APOLOGIES

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There were no apologies.

## 3 DISCLOSURE OF MEMBERS' INTERESTS

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Nil.

## 4 LATE ITEMS

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None.

# COUNCIL MINUTES



## 5 CONFIRMATION OF ORDER OF MEETING

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**RESOLVED**

1/24/52

*That Council confirms the order of the meeting.*

Mayor O'Regan / Councillor L Brown

## 6 CONFIRMATION OF MINUTES – 25 JUNE 2024

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**RESOLVED**

1/24/53

*That the open minutes of the Waipā District Council meeting held on 25 June 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.*

Councillor St Pierre / Councillor Gordon

## 7 CONFIRMATION OF MINUTES – 19 AUGUST 2024

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**RESOLVED**

1/24/54

*That the open minutes of the Waipā District Council meeting held on 19 August 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.*

Councillor Thomas / Councillor Coles

## 8 USE OF COUNCIL SEAL AND DELEGATED AUTHORITY DURING THE INTERIM PERIOD

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Council policy and delegated authority provides for use of the Council seal prior to notification to Council in specified cases.

**RESOLVED**

1/24/55

*That the following schedule of documents to which the Common Seal of the Waipā District Council has been applied under delegated authority be received:*



# COUNCIL MINUTES



a) *Warrants as set out below:*

<b>Position for Warrant</b>	<b>Name of Staff</b>
<i>Trade Waste Officer</i>	<i>Toni McDonald</i>
<i>Trade Waster Technical Support Officer</i>	<i>Sam Elton-Walters</i>
<i>Enforcement Officer</i>	<i>Jacob Knight</i>

b) *Declaration Private Plan Change 20 – Airport Northern Precinct Extension*

c) *Termination of Licence Agreement*

***Documents signed by the Interim Chief Executive during the Interim Period:***

d) *AOG reticulated gas supply contract extension*

Councillor L Brown / Councillor Stolwyk

## 9 LOCAL GOVERNMENT (ELECTORAL LEGISLATION AND MĀORI WARDS AND MĀORI CONSTITUENCIES) AMENDMENT ACT 2024

The purpose of this report was to seek a decision from Council to either affirm or disestablish its Māori Ward, as required by the recently enacted Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024.

Her Worship the Mayor O'Regan invited the following iwi representatives to speak:

Waikato Tainui – Jackie Colliar

Ngāti Koroki Kahukura – Linda Te Aho

Ruakawa Charitable Trust – Maria Te Kanawa

Her Worship the Mayor gave each Councillor the opportunity to provide their views on retaining or disestablishing the Māori Ward. The contribution of the current Māori Ward Councillor, Cr Dale-Maree Morgan, was acknowledged.

**RESOLVED**

1/24/56

*That Council*

# COUNCIL MINUTES



- a) *Receives the report of Jo Gread, Manager Governance, titled Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 (ECM Number 11281309); and*
- b) *Pursuant to Clause 11(2) of Schedule 1 of the Local Electoral Act 2001, resolves to retain the Māori Ward it has established for electoral purposes.*

Councillor Morgan / Councillor Coles

Councillor Gordon requested his vote against be recorded.

## **10 SUMMARY OF ANNUAL REPORT TO THE ALCOHOL REGULATORY AND LICENSING AUTHORITY (ARLA) 2023/24**

[The meeting was adjourned at 10.10am and reconvened at 10.20am]

Under section 199 of the Sale and Supply of Alcohol Act 2012 (Act), within 3 months after the end of every financial year, Council is required to provide the Alcohol Regulatory and Licensing Authority (“ARLA”) with a report of its licensing committee’s proceedings and operations.

This report summarised the information to be submitted to ARLA and included additional appendices to provide supporting information to Council in a format similar to previous years. ARLA is again collecting this information via an online survey process, so the format of this report was based on that set by ARLA.

### **RESOLVED**

1/24/57

*That Council receive the report of Karl Tutty, Manager Compliance titled Summary of Annual Report to the Alcohol Regulatory and Licensing Authority (ARLA) 2023/2024 (ECM 11257217).*

Councillor Pettit / Mayor O’Regan

## **11 WAIKATO WATER DONE WELL HEADS OF AGREEMENT PROPOSAL AND LOCAL WATER DONE WELL PROJECT GOVERNANCE GROUP UPDATE**

Part A of the report was to enable Waipā District Council to consider and make informed decisions with respect to the Waikato Water Done Well recommendations.

# COUNCIL MINUTES



Part B of the report provided an updated from the Local Water Done Well Project Governance Group meeting held on the 31 July 2024.

Waikato District Council CEO, Gavin Ion, presented the Waikato District Council / Watercare Learnings to the Council and was available to answer questions.

## RESOLVED

1/24/58

*That Council*

- a) *Receives the report of Sherryn Paterson, Manager Delivery Performance, titled Waikato Water Done Well Heads of Agreement Proposal and Local Water Done Well Project Governance Group Update (document number 11268619);*
- b) **Notes** *the content and recommendations in the Waikato Technical Report August 2024 (“Report”) attached as Appendix 2;*
- c) **Delegates** *authority to the Chief Executive to negotiate, on behalf of Council, a Heads of Agreement (HoA) as outlined in the Report to bring back for Council for approval (which is anticipated to be no later than the end of October 2024), and to inform the Joint Chairs of the Waikato Joint Mayors and Chairs Forum (via the Co-Lab project team) of this delegation;*
- d) **Notes** *that whilst the negotiation of the HoA is being progressed, concurrently a Viability and Sustainability assessment will be carried out, the output of which will provide Council with an understanding of its ability to operate on a stand-alone water services basis, or if joining with others is required for financial sustainability.*

Councillor Stolwyk / Councillor Morgan

## 12 RESERVES ACT 1977 – EXERCISE OF DELEGATED MINISTERIAL POWER NEW COMMUNITY LEASE – WAIKATO ROWING CLUB INCORPORATED

The purpose of this report was 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 a proposed new community Lease to the Waikato Rowing Club Incorporated (“the Club”), in respect of part of the recreation reserve located at 106 Maungatautari Road, Karāpiro and known as the Karāpiro River Domain (“the Reserve”) and vested in Waipā District Council.

## RESOLVED

1/24/59

# COUNCIL MINUTES



## *That Council*

- a) *Receives the report of Angela McEwan, Property Advisor (Leasing) titled Reserves Act 1977 – Exercise of Delegated Ministerial Power – Waikato Rowing Club Incorporated (ECM number 11229487).*
- b) *Acting under delegation of the Minister of Conservation, consents as Minister under section 54(1) of the Reserves Act 1977 to Waipā District Council, as administering body, granting the proposed new Lease to the Waikato Rowing Club Incorporated in respect of part of the recreation reserve located at 106 Maungatautari Road, Karāpiro and known as the Karāpiro River Domain, for the purposes of rowing.*

Councillor L Brown / Councillor A Brown

## **13 COUNCIL COMMITTEE APPOINTMENTS - NEW INDEPENDENT MEMBER OF AUDIT AND RISK COMMITTEE**

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At the commencement of this triennium the committee structure and membership, as determined by the Mayor, was presented to Council. The Mayor can make changes to the committee structure during the triennium. Appendix 1 of this report, included a memorandum from the Mayor outlining changes to the committee membership for the Audit and Risk Committee.

Group Manager Business Support, Ken Morris, advised the Committee that Carol Bellette had been appointed as an independent member of the Audit and Risk Committee.

### **RESOLVED**

1/24/60

#### *That Council*

- a) *Receives the report of Ken Morris, Interim Chief Executive, titled Council Committee Appointments – New Independent Member of Audit and Risk Committee (ECM number 11264607);*
- b) *Receives the Mayor’s memorandum included as Appendix 1 of this report (ECM number 11264578) amending the Council Committee Membership pursuant to section 41A of the Local Government Act 2002.*

Councillor Gordon / Councillor St Pierre

# COUNCIL MINUTES



## 14 RESOLUTION TO EXCLUDE THE PUBLIC

### RESOLVED

1/24/61

***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:*

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
15. <i>Public Excluded Minutes – 25 June 2024</i> 16. <i>Appointment of Independent Chairperson – Airport Liaison Group</i>	<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:*

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
15	7(2)(i)	<i>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i>
15,16	7(2)(a)	<i>To protect the privacy of natural persons, including that of deceased natural persons</i>





15	7(2)(c)(i)	<i>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied.</i>
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Councillor A Brown / Councillor Thomas

The meeting went into Public Excluded session at 11.31am  
There being no further business the meeting closed at 11.34am

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**CONFIRMED AS A TRUE AND CORRECT RECORD**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

# COUNCIL REPORT



**To:** Her Worship the Mayor and Councillors  
**From:** Director Museums and Heritage  
**Subject:** **PUBLIC ART ACQUISITION – TE AWAMUTU BRIDGE ART PANELS**  
**Meeting Date:** 24 September 2024

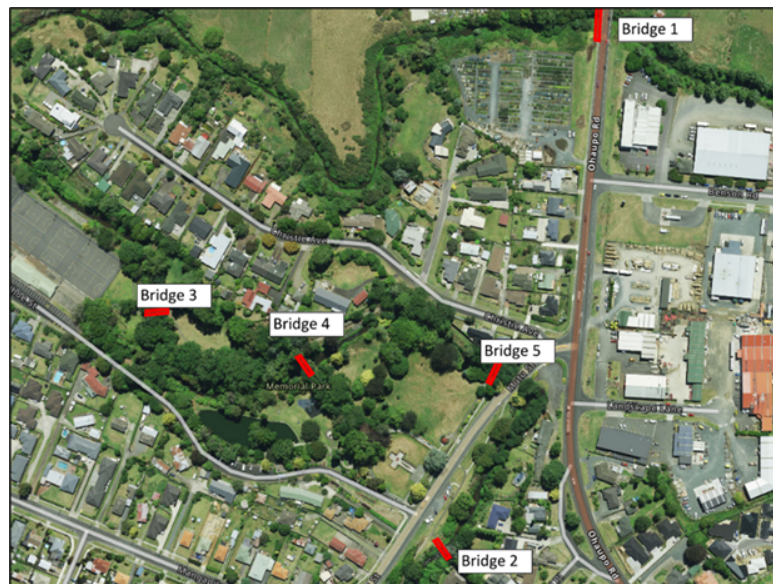
## 1 PURPOSE - TAKE

The purpose of this report is to provide information and seek approval for a public art acquisition for art panels on five walking/cycling bridges with Te Awamutu in accordance with Waipā District Council's Arts Policy (Policy) (Appendix 1).

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Design of five decorative panels – to be placed on four new and one existing bridge in Te Awamutu – commenced in 2021. The artistic panels aim to illustrate Council's values to nurture and respect our unique cultural heritage.

Three bridges were renewals of existing assets (*Figure 1*, bridges two - four) and one was a new bridge to sit beside the Mangapiko bridge on SH3 (bridge one).



*Figure 1 – Location of bridges for decorative panels*

Following initial consultation with Ngā Iwi Tōpu O Waipā (NIToW), a Cultural Advisory Group was established involving mana whenua representatives to help inform the look and narrative for the panels. The Cultural Advisory Group identified Korotangi Paki, artist and son of the late Kīngi Tūheitia, to be the designer for the panels.

The various narratives and design for each bridge panel (Appendix 2) focus on the confluence of the Mangaohoi and Mangapiko streams and the significance of Kaipaka Pā. Each bridge will have two identical panels sitting central to the stream bed, except for bridge five which will have panels on the end balustrade splays to avoid additional weight loading on this bridge.

In parallel to the artwork, the Returned Services Association (RSA) have been working on a panel for each Te Awamutu War Memorial Park (Memorial Park) bridge. As these are primarily wayfinding signage rather than artistic, they are not considered under the Public Art Policy or this report. However, for interest, one RSA panel is planned for each Memorial Park bridge (bridges three to five) and will be placed on the true left of each bridge closest to the sunken cross. These panels simply identify the bridges for their associations with the Royal New Zealand Army, Royal New Zealand Airforce and Royal New Zealand Navy.

Manufacture of bridge panels one and two began in February 2023 and now all five mana whenua designed panels are complete and ready for installation.

Due to an oversight, approval for this acquisition was not sought at the beginning of this process. Staff now seek approval in accordance with the Policy prior to any further steps being undertaken.

If approved by Council, an unveiling ceremony is being organised in partnership with mana whenua and the RSA – this is anticipated to be in mid-October.

If the artwork is not approved by Council, the artwork would be repurposed or donated to an appropriate organisation and the bridges would remain without artistic panels until such time budget became available to recommence the project.

### 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

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*That Council*

- a) *Receives the report of Anne Blyth, Director Museums & Heritage titled Public Art Acquisition – Te Awamutu Bridge Art Panels (document number 11258006);*
- b) *Approve the acquisition of the public art as set out in this report for the installation of art panels on five walking/cycling bridges within Te Awamutu – specifically;*
  - *One crossing the Mangapiko Stream on SH3*



- *One crossing the Mangaohoi Stream connecting Mutu Street and Shanel Place*
- *Three crossing the Mangaohoi Stream in Te Awamutu War Memorial Park.*

## 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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### **Bridge Construction**

In 2021, Council contracted Bridge It NZ Ltd to construct four walking/cycling bridges in Te Awamutu.

At the time, an opportunity was seen to create decorative panels on the four new bridges. Bridge five, an existing bridge within Memorial Park, was also identified as a benefactor of decorative panels. Gray Matter Ltd were procured to engage mana whenua perspective, oversee design and implement the bridge panels.

Bridges one and two were the first bridges to be designed with Waka Kotahi co-funding the projects with Council's Transportation unit. Designs for bridges three to five followed and were funded from Community Services budgets.

Several iterations in design were required to address climb-ability, strengthening and finish considerations which drew out the project timeframes. An example of a panel is in Appendix 3.

### **The Public Arts Policy**

The Policy was approved in March 2018 with a purpose to provide a framework for decision-making around public art and its acquisition. The Policy also aims to ensure residents and visitors experience thought-provoking, culturally vibrant, enjoyable, challenging, and inspiring art and public spaces that are distinctive and unique.

The Policy stipulates acceptance of artwork is governed by the Acquisition Criteria contained in Appendix 1 of the Policy. The proposed artwork has been assessed against the Public Art Acquisition Criteria (Appendix 4) where it scored 38/39, meeting the criteria for inclusion.

As this matter involves an acquisition of an asset, formal approval by Council is required. Because of an oversight following the design, approval for this artwork was not sought prior to the panels being manufactured. New processes in the project commencement phase will ensure any public art acquisition is identified early in the project so this oversight doesn't occur in the future.

## 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 is a medium level of significance. This is due to the cultural integrity of the project connecting mana whenua and their relationship with water, and the creative extensions of cultural identity. Mana whenua have been involved from the inception of the project and a mana whenua artist was engaged to design the panels.

The proposal was tabled with the Te Awamutu and Kihikihi Community Board at their 28 August 2024 meeting. The Community Board endorsed the panels and expressed their enthusiasm to see them installed.

## 6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<p><b>Option 1:</b> Do nothing</p>	<ul style="list-style-type: none"> <li>No further staff resource required to install and maintain the panels.</li> </ul>	<ul style="list-style-type: none"> <li>A site of significance will not be recognised</li> <li>An opportunity to create a sense of place and link to local history will be lost</li> <li>Manufactured panels would need to be repurposed</li> <li>Compromised mana whenua relationship by not installing art connecting to the awa and mana whenua.</li> </ul>
<p><b>Option 2:</b> Adopt the recommendation to install the art panels on the five identified bridges</p>	<ul style="list-style-type: none"> <li>A site of significance is appropriately recognised</li> <li>A sense of place and interpretative links to local history is established</li> <li>This project has illustrated Council's values to nurture and respect our unique cultural heritage.</li> </ul>	<ul style="list-style-type: none"> <li>There are no perceived disadvantages.</li> </ul>

The recommended option is Option 2. The reason for this is the art panels will mark a site of significance, create a sense of place, and provide a connection to local history.

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

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### Council’s Vision and Strategic Priorities

This project supports two of Council’s Community Outcomes:

- Socially Resilient – by ensuring Waipā is a great place to live, work, play
- Cultural Champions – by partnering with tangata whenua and championing the unique history of Waipā to promote our culture and heritage.

The project promotes two of Council’s external strategic priorities:

- Creating vibrant communities
- Nurturing and respecting our unique culture and heritage

### 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

The ten mana whenua panels cost \$36,149 and was co-funded by Transportation and Waka Kotahi for bridges one and two and Community Services for bridges three, four and five.

Ongoing maintenance costs for the panels are likely to be minimal due to the highly durable construction materials. Transportation and Community Services general maintenance budgets will be utilised when necessary to provide maintenance to the panels.

### 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

Mana whenua were engaged early in the project and the formation of a dedicated Cultural Advisory Group allowed mana whenua to have input at every stage in the process. The Advisory Group put forward artist Korotangi Paki for design of the panels and endorsed the designs.

### Climate Change – Hurihanga Āhuarangi (delete if not required)

The proposal to install art panels on five walking/cycling bridges within Te Awamutu will not influence climate change other than minor installation, and maintenance related emissions.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Confirm unveiling ceremony details and public communications.	Reserves Planner	4 October 2024

## 9 APPENDICES – ĀPITITANGA

No:	Appendix Title
1	Waipā District Council Arts Policy (document number 6856685)
2	Overview of Bridge Panel Project Placement and Design (document number 11271181)
3	Example of panel post manufacture (document number 11270849)
4	Acquisition Criteria Assessment – Art Panels Memorial Park Bridge (document number 11264939)



Anne Blyth  
**DIRECTOR MUSEUMS & HERITAGE**



Reviewed by Brad Ward  
**MANAGER COMMUNITY SERVICES**



Approved by Sally Sheedy  
**CUSTOMER AND COMMUNITY SERVICES**

## APPENDIX 1

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Waipā District Council Arts Policy (document number 6856685)

# ARTS POLICY

MAY 2018



## He mihi

Tuatahi, me wehi ki te Atua, te tīmatanga o ngā mea katoa.

Tuarua, me whakahōnoretia tō tātou Ariki Kīngi Tūheitia me

te whare kāhui ariki whānui tonu;

Pai mārire ki a rātou.

Kia hoki ngā mahara ki ngā tini aituā; haere, haere atu rā!

Huri noa ki a tātou o te ao mārama,

Ki ngā tāngata o te rohe o Waipā, ko tēnei te mihi ki a koutou katoa.

Ko te pukapuka kaupapa here tēnei mō ngā kohinganga mahi toi o Waipā.

Nō reira, e ngā kaitiaki o ā tātou taonga me ā tātou mahi toi hoki, tēnā koutou katoa.

Āpiti hono, tātai hono; rātou kua wehi ki te pō.

Āpiti hono, tātai hono; tātou e tū ana i te ao mārama.

First, we honour the Creator, the originator of all things.

Second, we honour our King Tūhetia and his royal household;

Peace upon them all.

At this time we remember the many who have now passed on

and bid them farewell.

Let us return to the realm of light,

To the people of Waipā, here is our greeting to you.

This book of policy is for the collective artworks of Waipā.

Therefore, to the caretakers of our treasures and our artworks

we acknowledge you.

The lines are joined; those who are in spirit have departed to the night.

The lines are joined; we the living stand in the world of light.

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## Arts Policy

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### 1. Introduction

- 1.1 The Arts Policy (“the Policy”) has been prepared by Council to provide a framework for decision-making around public art and its acquisition. Art management, such as care and disposal of art, is covered in the Waipa District Council Art Collection Management Plan.

### 2. Policy purpose

- 2.1 The purpose of Waipa District Council’s Arts Policy is to ensure that residents and visitors experience thought-provoking, culturally vibrant, enjoyable, challenging and inspiring art and public spaces that are distinctive and unique.
- 2.2 Waipa’s public art needs to celebrate the district’s residents’ creativity, reflect and express our heritage, history, stunning natural landscape and character of Waipa, generate pride and belonging, transform our public places and attract additional publicity.
- 2.3 Council’s public art activities should give expression to the place-making aspirations of our communities and groups. The activities include:
- (a) Integrating art into place making.
  - (b) Considering the integration of art in infrastructure delivery.
  - (c) Encouraging the development of all community arts.
  - (d) Planning for, acquiring, maintaining, and renewing public works of art.
  - (e) Preserving the integrity and security of public art.
  - (f) Re-siting and removing or disposing of works of art.
  - (g) Developing partnership projects (including gifted works and development of joint projects).
  - (h) Strengthening arts relationships with support organisations, government and individuals who wish to deliver public art or community art activities within the district.
  - (i) Considerations of cultural integrity and significance, relevance and connection to its location.
- 2.4 This policy provides alignment and transparency in Council activities to facilitate or provide community and public art. It also helps Council to bring clarity and cohesion to public art and public space delivery, and to care for and maintain the public art collection.

- 2.5 Council's role is to facilitate the public art activity through:
- (a) The 10-year plan, District Plan, Town Concept Plans, Activity Management Plans and public space designs.
  - (b) Planning, promoting, integrating, acquiring, installing, maintaining and managing public art.
  - (c) Supporting public art and public space design activities.
  - (d) Providing venues for staging temporary public art activities.
  - (e) Providing advice and support to build capability in the arts sector.
  - (f) Supporting community arts groups through the sharing of public facilities and/or buildings when the opportunity arises.
- 2.6 The Arts Policy reflects Council's long-term commitment to developing and supporting public art activities. This policy therefore articulates:
- (a) Why and how Council is involved in community and public art.
  - (b) What we want to achieve by supporting and investing in community and public art.
  - (c) The principles that guide our actions.
  - (d) The various roles we play.
  - (e) The context within which decision-making for public art takes place.

### 3. Policy Scope

- 3.1 The scope of this policy includes:
- (a) Art works on council-owned land, or in council buildings. This is for both art owned or produced by Council or by members of the public.
- 3.2 Excluded from the scope of this policy:
- (a) Art works on land not owned or cared for by Council.
  - (b) Te Awamutu Museum Trust Board Collection, and heritage items (such as historic memorials, military artefacts, heritage plaques and historic monuments).
  - (c) Other heritage or art work collections owned by a trust or private individual.
  - (d) Sister city gifts and other corporate memorabilia.
  - (e) Private architectural features, either incorporated as part of a larger project (a building or a landscape), or standalone elements (e.g. tiles created by a designer).
  - (f) Privately owned works of art on private property that simply happen to be visible or accessible to the public (unless they have been developed through, or directly benefited from any council-controlled public art incentive schemes).

- (g) Publicly owned works of art on Crown land (e.g. New Zealand Transport Agency initiatives on its own land), unless developed in partnership with Council, or covered by a standard loan agreement or memorandum of understanding with Council.
- (h) The support of individual artists.

## 4. Definitions

4.1 For the purposes of this policy the definitions in the table below shall apply.

Term	Definition
<b>Bequeath</b>	When a person leaves art work to Waipa District Council in their will.
<b>Community art</b>	All those activities based in a community setting which involve groups of people doing creative things together while emphasising community involvement and collaboration.
<b>Council</b>	Waipa District Council
<b>Council's public art collection</b>	All visual art assets owned by Council.
<b>Deaccession</b>	The formal process to permanently remove an object from the public art collection.
<b>Gift / koha</b>	An art work that is given to Waipa District Council willingly and without expectation of payment at any time.
<b>Kaitiakitanga</b>	Guardianship. Ensuring the appropriate care, conservation and preservation.
<b>Mana whenua</b>	Customary authority exercised by an iwi or hapu in an identified area.
<b>Mātauranga Māori</b>	Literally translated Mātauranga Māori means Māori Knowledge. Mātauranga Māori is a collective, dynamic and evolving pool of knowledge drawn from the accounts of ngā atua o te pō (Māori gods) and the lived and ethereal experiences of tūpuna (Māori ancestors).
<b>Mauri</b>	The vital essence within all things that connects the spiritual to the physical.
<b>Performing art</b>	Types of art (such as music, dance, or drama) that are performed for an audience.
<b>Public art</b>	Any mural, carving, mosaic, painting, sculpture, photograph or other art medium that is owned by or on loan to Council, and is accessible to the general public.
<b>Public space</b>	A place that is under the control of Council and that is open to, or being used by, the public; whether or not there is a charge for admission.
<b>Suitably qualified staff</b>	Waipa District Council staff who have qualifications in art and/or collection management.

<b>Temporary public art</b>	Works of art intended as temporary, which may include performances, time-based sculptural installations, temporary installations of permanent works of art, light art, sound art, video projections, poster art, broadcast art and other media arts, flash mobbing and/or movable works of art.
<b>Tikanga</b>	Ensuring the appropriate process is applied to all artworks.

## 5. Our guiding principles

- 5.1 *Community art should emphasise community involvement* and collaboration and should involve some empowerment of the community members who come together to create and provide artwork/s with artists.
- 5.2 *Public art should delight, welcome, challenge and inspire.* It has a part in creating places that people recognise as their own and which reflect back to them their history, character, stories, sense of place and culture. However, art should not discriminate.
- 5.3 *Both community art and public art should generate emotions* - surprise, laughter, pride, awe or reflection. They have a role in challenging people's ideas, feelings and values. They may confront what we know, think and feel; they may create mystery or intrigue; they may engage and provoke thought and inspire debate.
- 5.4 *Community and public art should be memorable.* Whether familiar and reassuring or unexpected and challenging, it should enhance one's experience; or contribute to Waipa's attractiveness; or become a destination or place of enjoyment, and should contribute to uniqueness of the district.
- 5.5 *Artists will have access to a public space to display or perform their works.* Council will support artists as far as practicable and appropriate by providing or directing them to a public space to display or perform their works.
- 5.6 Recognise and respect the mauri held within the work and the role it plays as part of the enduring story of our district.
- 5.7 Ensuring kaitiakitanga (guardianship) is applied within the correct tikanga (process).

## 6. Policies

### 6.1 Acquiring art policies

- (a) From time to time Council may acquire gifted or bequeathed works of art, or purchase works of art. This process will be managed and recommendations made by a suitably qualified member of Council staff. Council will work carefully to ensure all offers of art gifts are considered in a fair, transparent and consistent manner (including assessment of the long term maintenance costs) in line with criteria in Appendix 2 of the Art Collection Management Plan.

- (b) Our public art commissioning process and the acceptance of art donations is governed by the Acquisition Criteria, contained in Appendix 1 of this policy and Appendix 2 of the Art Collection Management Plan.
- (c) Council does not generally acquire public works of art that are not site-specific (i.e. fixed in place), except in certain circumstances where the work of art:
  - Makes a significant contribution to Council's public art collection or a public event.
  - Is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan.

## 6.2 Deaccessioning art policies

- (a) When the retention of public art is reviewed, the retention evaluation criteria upon which a final decision is made must include consideration of whether the decision to re-site or remove it has been:
  - Supported by the artist, or their heirs or legal representatives, and by the work of art donor, lender or any other parties directly involved in the original commission.
  - Supported by directly affected Mana Whenua.

## 6.3 Supporting art policies

- (a) Council staff will support, if possible, and within existing budgets, community arts groups to establish arts installations on existing Council infrastructure or facilities if the proposed art meets this Policy. For further details, refer to section 7.3(b) of this policy.
- (b) Council funds art projects either through the Creative Communities Scheme or on an as-needs basis, with Council's decision based on recommendations made by suitably qualified staff members. Staff members will use the Acquisition Criteria which is in Appendix 2 of the Art Collection Management Plan.
- (c) Council will partner with Mana Whenua when appropriate to use public art to enhance the visibility and celebration of local stories and histories, including valuing mātauranga Māori. Council will, in particular, consult with Mana Whenua at the earliest stages of planning relevant new projects to identify and work together on areas of shared interest.
- (d) Council will endeavour to support community arts groups within the constraints of existing budgets. This may include (as and when available/appropriate):
  - Assistance to access central government funding schemes such as the Creative Communities Scheme (funding allocations from Creative NZ) and others.
  - Involvement in the design of public space, infrastructure or facilities.
  - Public space in Council buildings for artists to show / perform their work.

## 6.4 Managing Art Policies

- (a) Council will ensure that all works of public art are cared for and maintained in accordance with the artistic and cultural protocols appropriate to their origin, intended purpose and location. This will be managed by nominated Council staff who are suitably qualified to do so. For further information on Council's art management refer to the Waipa District Council Art Collection Management Plan.
- (b) Suitably qualified Council staff will carry out operational maintenance on public art works on an annual basis.

## 7. Procedures

### 7.1 Acquiring art procedures

- (a) For a public art proposal to be considered, an Acquisition Proposal Form needs to be completed (see appendix 1 of the Waipa District Council Art Collection Management Plan). The proposed art will be assessed against the Acquisition Criteria set out in Appendix 1 of this policy and Appendix 2 of the Management Plan by a suitably qualified Council staff member. The art must meet a minimum scoring threshold to be considered further for acquisition.
- (b) The business case design briefs and project briefs for all Council public place development projects and major infrastructure projects will include consideration of integrating permanent public art.
- (c) Council's place-making teams engage collaboratively with third parties at the earliest stages in order to assess the strategic potential for integrating permanent public art. These include the following types of development projects:
  - Capital works place-making projects such as town concept plans, open space/reserve developments, new local facility projects (including, but not limited to, community centres, libraries, recreational facilities, swimming pools, service centres, museums, theatres and stadiums).
  - Town and village centres and major street upgrades or development projects.
  - Infrastructure projects funded by Council (including, but not limited to, pedestrian and transport bridges, cycleways and walkways).
  - Architectural projects where public space objectives or public art outcomes can be achieved through collaborations.
  - Park and landscaping developments where public space objectives or public art outcomes can be achieved through collaborations between artists, landscape architects and community funders.
  - Greenfield and brownfield developments funded by Council or where Council is a development partner.
  - Utility structures (e.g. working with telecommunications and energy distributors).

## 7.2 Deaccessioning art procedures

- (a) Evaluation criteria for deaccessioning of art can be found in section 4.2 of the Waipa District Council Art Collection Management Plan.
- (b) Information on the deaccessioning process can be found in section 4.3 of the Waipa District Council Art Collection Management Plan.

## 7.3 Supporting art procedures

- (a) The Creative Communities Scheme grants will be administered through two funding rounds each year, closing on the last working days of April and September. Creative Community Grants will be allocated by an assessment committee made up of members of the Community Arts Councils (Te Awamutu and Cambridge) and members of the public from local community arts and cultural groups.
- (b) As available / appropriate, publicly accessible parts of Council buildings will be available for artists to showcase their work. The Museum Exhibitions Coordinator is the point of contact. Duration of exhibitions is to be agreed between Council and the artist depending on availability and exhibition costs. All costs associated with an exhibition are the responsibility of the artist. Council staff can assist by providing advice and guidance for resources associated with the exhibition. All exhibition proposals will be considered on a case-by-case basis.

## 7.4 Managing art procedures

- (a) Permanent public works of art planned by others (external to Council) and located on Council-owned land requires prior approval from Council. Best practice will be followed; this process will be managed by the nominated, appropriately qualified and experienced Council team. Further information on the management of art can be found in the Waipa District Council Art Collection Management Plan.
- (b) Procedural resources available to Council staff will be shared by listing them in Schedule 1 of this Policy.

# 8. Legal and ethical guidelines

## 8.1 Legal guidelines

- (a) Any art acquired by Council must have clear legal title, documented by the appropriate records. The rights acquired with the art must be clearly spelled out in any records documenting the transaction. Council should not acquire any art that have been acquired in, or exported from, its country of origin in violation of that country's laws.

## 8.2 Ethical guidelines

- (a) Council should only acquire art that can be catalogued, maintained, stored or displayed, as appropriate, in a proper manner. In any case where a conflict of interest develops between the needs of an individual Councillor or staff member, those of the Council would prevail. Special care must be taken in considering any art offered for sale or donation to the Council by Councillors, staff, or their families. Councillors and staff cannot compete with the Council for art, nor can they take advantage of privileged information in acquiring art.

## 9. Schedule 1

### 9.1 List of procedural resources:

- (a) Art Collection Register (*document number 16096849*)
- (b) Waipa District Council Art Collection Management Plan (*document number 16111533*)
  - Acquisitions procedure
  - Deaccessioning procedure
  - Loans
  - Art cataloguing
  - Collection care
  - Access, security and insurance
  - Conflicts of interest



## Appendix 1 - Acquisition Criteria

The following table outlines the criteria against which art acquisition proposals will be assessed. Deaccessioning of art is done on a case by case basis. This is to ensure art work is considered objectively. Art will be scored according to how well it meets each criteria point – either low (doesn't meet criteria), medium (somewhat meets criteria) or high (meets criteria).

A proposal seeking Council support must gain a score of 26 or above to be considered for acquisition.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Public art must respond to local character, including consideration of place, people and stories	Doesn't respond to local character	Somewhat responds to local character	Responds strongly to local character	
Where possible, public art is to be used to mark sites of significance and to honour our treasured memories	Doesn't mark a site of significance or link to local history	Marks a site of significance and / or has links to local history	Marks a site of significance and links strongly to local history	
Public art is to be placed where it will make the most difference to a public place, as it has a key place-making role	Lacks place-making role	Will somewhat play a place-making role	Will play a strong place-making role	
Public art ties in with capital works projects	Doesn't tie in with a capital works project	Ties in somewhat with capital works project	Ties in strongly with capital works project	
High-quality materials must be used in permanent works of art to ensure their robustness and durability	Art is made of materials unsuited to desired durability	Art is partly made of materials suited to desired durability	Art is made of materials highly suited to desired durability	
Art makes a significant contribution to Council's public art collection or a public event	Art does not make a significant contribution to Council's public art collection or public event	Art makes a contribution to Council's art collection and / or public event	Art does make a significant contribution to Council's public art collection or public event	

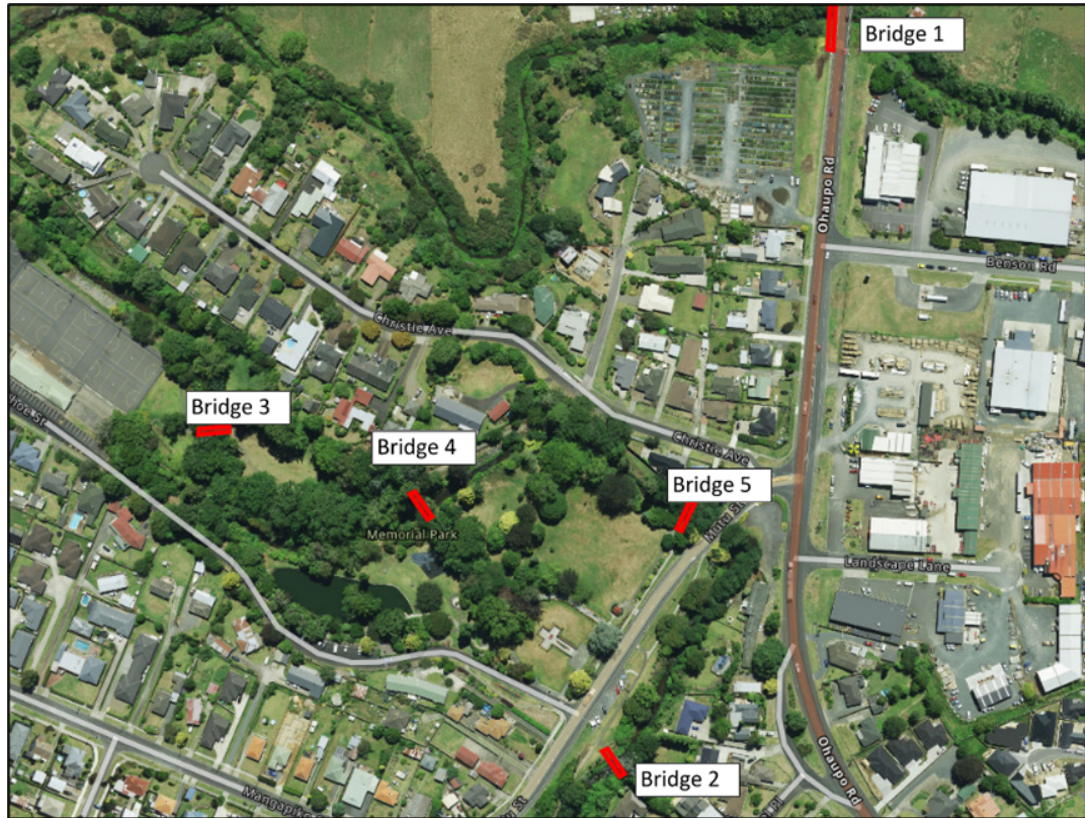
Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Art is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan	No	Possibly	Yes	
Cost – acquisition	Outside budget	Marginal	Within budget	
Cost – maintenance (per year)	Outside budget	Marginal	Within budget	
Art is a duplicate of an existing piece in Council’s collection	Yes	Possibly	No	
Art aligns with guiding principles outlined in Arts Policy (5.1 – 5.6)	Does not align with any of the guiding principles	Aligns with one or two of the guiding principles	Aligns with three or four of the guiding principles	
Art is relevant to Waipa	Art is not relevant to Waipa	Art is somewhat relevant to Waipa	Art is relevant to Waipa	
Art could be construed as offensive	Yes	Somewhat	No	
			<b>TOTAL</b>	

## APPENDIX 2

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Overview of Bridge Panel Project Placement and Design (document number 11271181)

## Overview of Bridge Panel Project Placement and Design



Meetings and discussions with the Cultural Advisory Group provided a variety of themes and ideas for exploring cultural narratives which could be represented by the bridge panels. The respective notions are outlined below, followed by the design and artist interpretation.

The designs hold cultural narrative and place shaping opportunities, strengthening the Waipā District Council relationship with mana whenua and raising community awareness of the history of occupation by Māori.

### *Specifications:*

All mana whenua panels are a corten steel finish which provides a durable and attractive appeal. Each bridge will have two panels placed at the centre of the bridge above the bed of the stream as supported by Ngāti Apakura, with the exception of bridge five which will have panels on the end banister splays to avoid additional structural works to the bridge.

All panels are circa 1770mm in length x 1060mm in height and are designed to fit within the existing panel railings specifications.

### Bridge 1 / Mangapiko Bridge

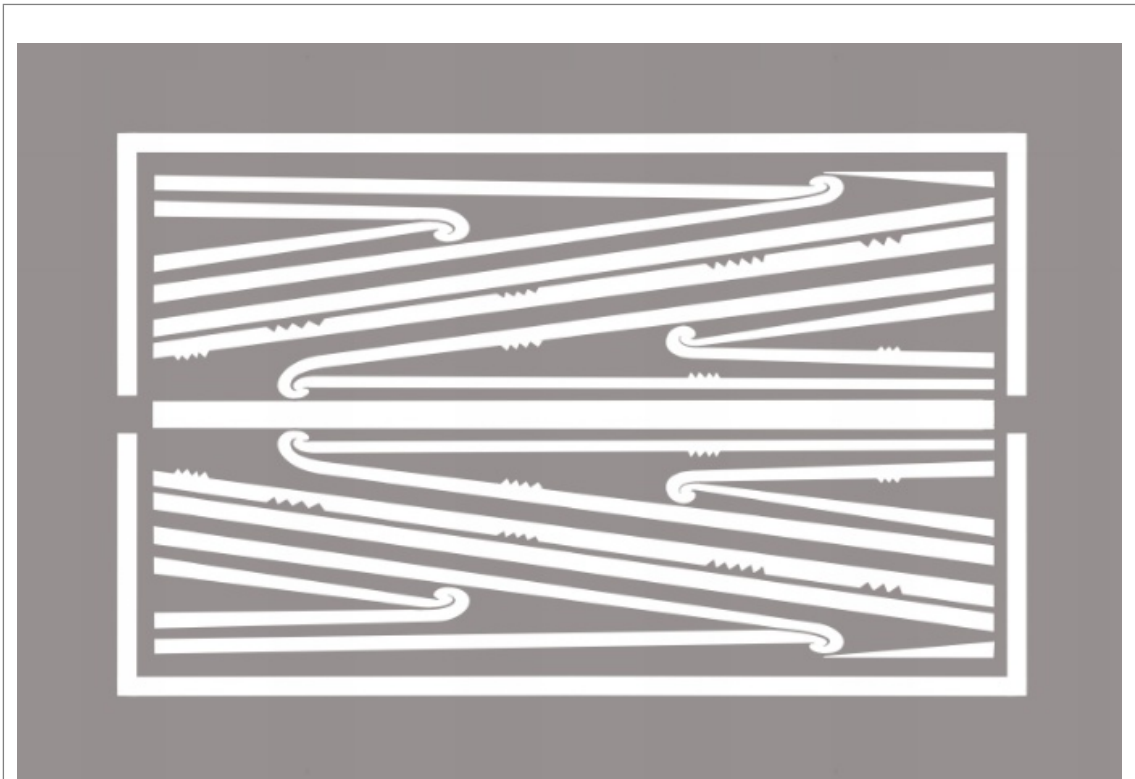
The significance of Kaipaka Pā, the Mangapiko beneath the bridge, connection with Mangaohoi and the gateway to Te Awamutu via SH3 were the key overarching features underpinning the design for this bridge. These features provided a circle of life for early Māori civilization, as is the case for Te Awamutu today. It was decided a niho was an appropriate way to depict the narrative for this area.



*“Centred is a diamond shape with Niho Taniwha designs (triangles) depicting the Mangapiko Stream. The top of the diamond (left) is the rivers source and where it begins, flowing through Te Awamutu in the very centre where the smaller diamonds are, making its way down to the bottom of the triangle (right) which is where the stream ends. The thicker lines on the outer parts of the diamond represent the different bends of the stream from start to finish. The outer Koru designs are a representation of the lifestyle and connection to the stream. The Mangapiko Stream being the life source for many hapuu and Iwi throughout its length”.*

## Bridge 2 / Shanel Bridge

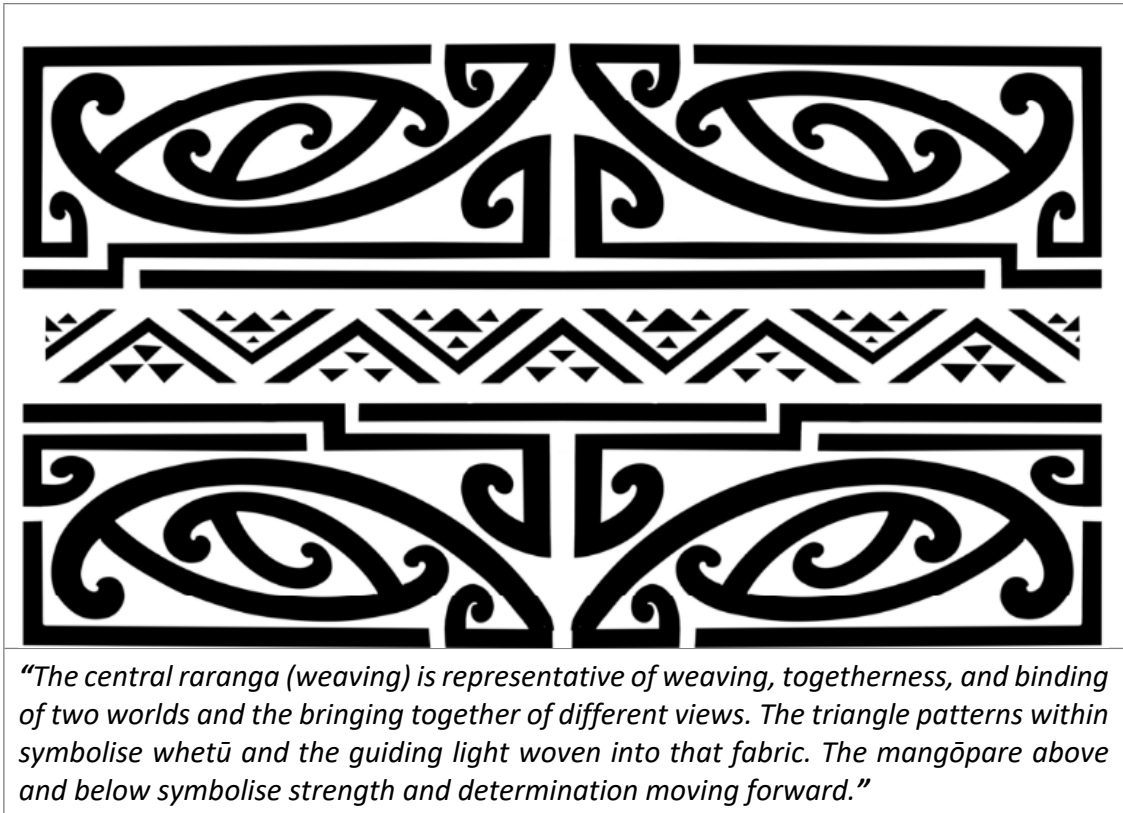
The confluence of the Mangaohoi and Mangapiko was central to this design. The significance of the Mangaohoi was also pertinent to incorporate, as the Mangaohoi originates at Maungatautari; a connection to the Parāwera whareniui and Raukawa urupā was acknowledged. The name Mangaohoi references an ear lobe. Broader narratives (beyond cultural) were not investigated for this bridge.



*“This design is based on the point where the Mangapiko and Mangaohoi Streams meet. I’ve used the Puuhoro design with small Niho patterns or Piko patterns. Puuhoro is a representation of the water flow and the small Niho or Piko are to differentiate the two streams. The Puuhoro that is facing downwards (facing right), creating a triangle shape, represents the Mangapiko Stream. Separating the two streams is the bold line that also has the Niho patterns or Piko. The Puuhoro designs that are facing upwards (facing left) are a representation of the Mangaohoi Stream. By interconnecting the two triangle shapes of the Puuhoro depicts the coming together of the Mangapiko and Mangaohoi Streams.”*

### Bridge 3 / Army Bridge

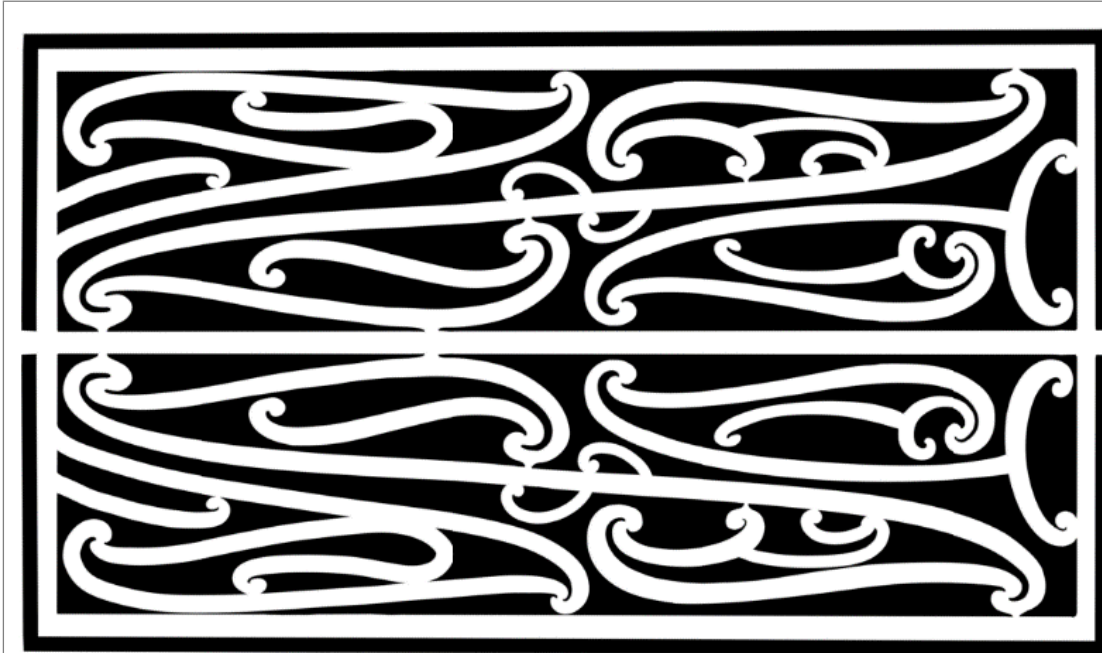
The advisory group was unified in the need to establish a new narrative; one that collectively moves the community from a relationship of mistrust to a relationship of trust. The collective story doesn't end at the visible features and historic narratives. It is a beginning, an acknowledgement to move forward. Symbolisms such as guiding light, whetū, and new beginnings were discussed.





#### Bridge 4 / Air Force bridge

Kai was acknowledged as a whakanoa (used to remove tapu). The significance of the pā tuna for providing large, fat tuna and kōura was fondly recollected. The Mangaohoi was a rich source of watercress, which has sadly become overgrown. The education opportunity around this site was acknowledged.

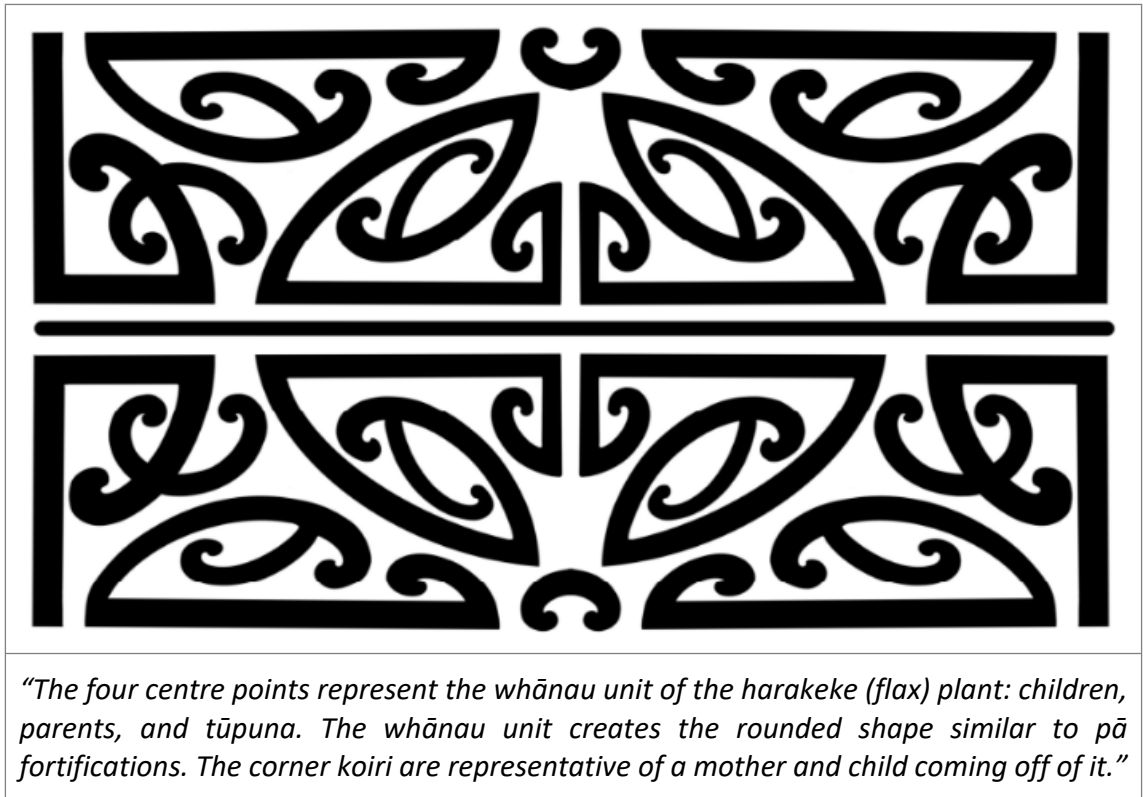


*“Puhoro and flowing patterns represent water, rivers speed, and agility. Mangatuna are used to represent the multiple tuna and koura and the strong mana whenua association with kai.”*



### Bridge 5 / Navy Bridge

Harakeke is an important part of pā life; pā rongoā, as a resource (weaving) and a metaphor (children/ whānau/ family). The role of puhi wāhine (women of high rank) in a hapū was to retain mana (e.g., to restore peace after war). The restoration of the puna, in part by the planting of harakeke is an important theme as it symbolises the life force that sustained the tribe.



## APPENDIX 3

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Example of panel post-manufacture (document number 11270849)

### Appendix 3 – Example of panels post manufacture

Example of mana whenua example



## APPENDIX 4

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Acquisition Criteria Assessment – Art Panels Memorial Park Bridge (document number 11264939)



## Acquisition Criteria – Art Panels Memorial Park Bridge

The following table outlines the criteria against which art acquisition proposals will be assessed. This is to ensure artwork is considered objectively. Art will be scored according to how well it meets each criteria point – either low (doesn't meet criteria), medium (somewhat meets criteria) or high (meets criteria).

A proposal seeking Council support must gain a score of 26 or above to be considered for acquisition.

**Assessment Panel:** Anne Blyth - Director Museums and Heritage, Sarah Dawe - Collections Manager, Henriata Nicholas – Exhibitions Coordinator. Aidan Kirkby-McLeod – Reserves Planning Team Leader, Bonnie Lewis – Reserves Planner.

**Date:** 29 July 2024

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Public art must respond to local character, including consideration of place, people and stories	Doesn't respond to local character	Somewhat responds to local character	Responds strongly to local character	<b>3</b> – the confluence of the Mangaohoi and Mangapiko streams, the significance of Kaipaka Pā are central to the design of the panels.
Where possible, public art is to be used to mark sites of significance and to honour our treasured memories	Doesn't mark a site of significance or link to local history	Marks a site of significance and / or has links to local history	Marks a site of significance and links strongly to local history	<b>3</b> – marks the significant site of the confluence of the Mangaohoi and Mangapiko streams and Kaipaka Pā. Raises community awareness of the history of occupation by Māori.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Public art is to be placed where it will make the most difference to a public place, as it has a key place-making role	Lacks place-making role	Will somewhat play a place-making role	Will play a strong place-making role	<b>3</b> – the panels will play a significant place making role in Memorial Park and be of high value both culturally and socially. The panels will be highly visible in their location on bridges that cross significant water bodies.
Public art ties in with capital works projects	Doesn't tie in with a capital works project	Ties in somewhat with capital works project	Ties in strongly with capital works project	<b>2</b> – The panels will be incorporated into the existing bridge structure.
High-quality materials must be used in permanent works of art to ensure their robustness and durability	Art is made of materials unsuited to desired durability	Art is partly made of materials suited to desired durability	Art is made of materials highly suited to desired durability	<b>3</b> – the panels will be constructed from highly durable corten steel and have been thoroughly tested for thickness to ensure details cannot be bent.



Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Art makes a significant contribution to Council's public art collection or a public event	Art does not make a significant contribution to Council's public art collection or public event	Art makes a contribution to Council's art collection and / or public event	Art does make a significant contribution to Council's public art collection or public event	<b>3</b> – the artwork is unique and depicts designs strongly associated with the site. It will help to create a sense of place and provide a connection to local history.
Art is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan	No	Possibly	Yes	<b>3</b> – meets budget
Cost – acquisition	Outside budget	Marginal	Within budget	<b>3</b> – within budget
Cost – maintenance (per year)	Outside budget	Marginal	Within budget	<b>3</b> – within budget
Art is a duplicate of an existing piece in Council's collection	Yes	Possibly	No	<b>3</b> – unique artwork
Art aligns with guiding principles outlined in Arts Policy (5.1 – 5.7)	Does not align with any of the guiding principles	Aligns with some of the guiding principles	Aligns with all or the majority of the guiding principles	<b>3</b> – aligns with 5.1, 5.2, 5.3, 5.4, 5.6, 5.7.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Art is relevant to Waipā	Art is not relevant to Waipā	Art is somewhat relevant to Waipā	Art is relevant to Waipā	<b>3</b> – the panels represent a narrative associated with the confluence of the Mangapiko stream and the Mangaohoi streams.
Art could be construed as offensive	Yes	Somewhat	No	<b>3</b> – artwork could not be construed as offensive.
			<b>TOTAL</b>	<b>38</b>



# COUNCIL REPORT



**To:** Her Worship the Mayor and Councillors  
**From:** Director Museums and Heritage  
**Subject:** **PUBLIC ART ACQUISITION (RICHARD LEWER PAINTING – THE ATROCITIES OF RANGIAOWHIA)**  
**Meeting Date:** 24 September 2024

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## 1 PURPOSE - TAKE

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The purpose of this report is to provide information and seek approval from Council for a public art acquisition in accordance with Waipā District Council's (WDC) Arts Policy (Policy) (Appendix 1).

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

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Hamilton born artist Richard Lewer (Appendix 2) researched and created an exhibition of artworks titled 'What they didn't teach me at school: Richard Lewer – The Waikato Wars' which was held at the New Zealand Portrait Gallery February – May 2024.

A philanthropist in the Te Awamutu Community, who wishes to remain anonymous, has purchased one of the artworks from the exhibition entitled 'The Atrocities of Rangiaowhia' (Appendix 3), and wishes to gift the work to the WDC Public Art Collection.

Noting the artwork is related to Rangiaowhia, the donor wanted to ensure it remained in the Waipā district. Staff undertook an assessment of the artwork against the Public Art Acquisition Criteria (Appendix 4) where it scored 28/39, meeting the criteria for inclusion.

Initially, the artwork is proposed to be hung adjacent to the Mayor's office so staff can view and learn about the stories associated with the art.

### 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

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*That Council*

- a) *Receives the report of Anne Blyth, Director Museums and Heritage titled Public Art Acquisition (Richard Lewer painting – The Atrocities of Rangiaowhia) (document number 11249968);*
- b) *Approves the acquisition of the artwork described in the Description of Artwork – The Atrocities of Rangiaowhia included as Appendix 3 (document number 11259035) to the Council Public Art Collection.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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A philanthropist in the Te Awamutu Community has purchased a piece of art ('The Atrocities of Rangiaowhia') from an exhibition of artworks titled 'What they didn't teach me at school: Richard Lewer – The Waikato Wars', which was held at the New Zealand Portrait Gallery between February and May 2024. They wish to gift the work to the WDC Public Art Collection.

Hamilton born artist, Richard Lewer, began researching and making the body of work for his exhibition as he wasn't taught about the New Zealand or Waikato wars when he went through school in Hamilton in the 1980s. His research included podcasts, books, documentaries and conversations with author Vincent O'Malley and Dr Tom Roa (Ngāti Maniapoto, Waikato), a Tainui leader and Manukura/Professor in the University of Waikato's Te Pua Wananga ki te Ao - Faculty of Māori and Indigenous Studies. Richard's work frequently investigates difficult subjects. He felt it was important to acknowledge and explore the local wars to help him better understand New Zealand's complex colonising history.

The Atrocities of Rangiaowhia is a contemporary artwork created by a pākehā artist, interpreting a significant and sensitive event in Māori history. The addition of this work to the Council Art Collection will provide a challenging and thought-provoking piece regarding a key event in the history of Waipā.

The Policy was approved in March 2018 with the purpose of providing a framework for decision-making around public art and its acquisition. The Policy also aims to ensure residents and visitors experience thought-provoking, culturally vibrant, enjoyable, challenging, and inspiring art and public spaces that are distinctive and unique.

The Policy stipulates that acceptance of art donations is governed by the Acquisition Criteria contained in Appendix 1 of the Policy. The proposed artwork has been assessed against the Public Art Acquisition Criteria (Appendix 4) where it scored 28/39, meeting the criteria for inclusion.

As this matter involves an acquisition of an asset, Council's approval is required for the final acquisition, as such acquisition decisions cannot be delegated unless provided for in the Long Term Plan, pursuant to clause 32 of Schedule 7 to the Local Government Act 2002.

Following best practices of art management, the artwork will need to be rested from display periodically to maintain its integrity. Due to the size of the artwork and minimal space in the Museum storage units, there is some low risk of extra handling while in the confined location.

## 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 the matter in this report has a low level of significance.

## 6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<p><b>Option 1:</b> Do nothing</p>	<ul style="list-style-type: none"> <li>No further staff resources required to display, store, and maintain the artwork.</li> </ul>	<ul style="list-style-type: none"> <li>An opportunity to acquire an artwork at not cost for Council's Public Art Collection will be lost.</li> <li>An educational opportunity regarding a key event in local history will be lost</li> <li>An opportunity to create a sense of place and link to local history will be lost.</li> </ul>
<p><b>Option 2:</b> Acquire the artwork 'The Atrocities of Rangiaowhia'</p>	<ul style="list-style-type: none"> <li>A challenging and thought-provoking artwork regarding a key event in the history of Waipā will be added at no cost to the Council Art Collection.</li> <li>A site of significance is recognised</li> <li>The artwork can be used to teach staff and the community of the significant event in local history.</li> <li>A sense of place and interpretative links to local history is established.</li> </ul>	<ul style="list-style-type: none"> <li>When the art work is required to be rested, it will be stored in confined storage.</li> </ul>

The recommended option is Option 2. The reason for this is a challenging and thought-provoking artwork regarding a key event in the history of the Waipā by a respected artist will be added to the Council Art Collection, at no cost. The minor disadvantage of confined storage can be handled through staff management.

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

### Council’s Vision and Strategic Priorities

This project supports one of Council’s Community Outcomes:

- Cultural Champions – by partnering with tangata whenua and championing the unique history of Waipā to promote our culture and heritage.

### 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

- The artwork is being gifted to Council, therefore there are no costs associated with its acquisition.
- Ongoing maintenance costs for the artwork are likely to be minimal and will be covered by the Council Collections Budget.

### 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 Chairperson of Ngāti Apakura Runanga Trust was consulted regarding the artwork and is supportive of the work being acquired for the Council’s Public Art Collection.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Undertake the process to bring the artwork into the Council Public Art Collection.	Museum Collections Manager	October 2024
Confirm location of suitable place to display the artwork in the Council Bank Street Office Building.	Museum Collections Manager	October 2024
Co-ordinate the process to install the artwork.	Museum & Heritage Director	October/November 2024

## 9 APPENDICES - ĀPITITANGA

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No:	Appendix Title
1	Waipā District Council Arts Policy ( <i>document number 6856685</i> )
2	Artist Biography – Richard Lewer ( <i>document number 11259005</i> )
3	Description of Artwork – The Atrocities of Rangiaowhia ( <i>document number 11259035</i> )
4	Acquisition Criteria Assessment – Richard Lewer Painting – The Atrocities of Rangiaowhia ( <i>document number 11195881</i> )

Anne Blyth  
**MUSEUMS AND HERITAGE DIRECTOR**

Reviewed by Brad Ward  
**MANAGER COMMUNITY SERVICES**

Approved by Sally Sheedy  
**GROUP MANAGER CUSTOMER AND COMMUNITY SERVICES**

## APPENDIX 1

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Waipā District Council Arts Policy (*document number 6856685*)

# ARTS POLICY

MAY 2018



## He mihi

Tuatahi, me wehi ki te Atua, te tīmatanga o ngā mea katoa.

Tuarua, me whakahōnoretia tō tātou Ariki Kīngi Tūheitia me

te whare kāhui ariki whānui tonu;

Pai mārire ki a rātou.

Kia hoki ngā mahara ki ngā tini aituā; haere, haere atu rā!

Huri noa ki a tātou o te ao mārama,

Ki ngā tāngata o te rohe o Waipā, ko tēnei te mihi ki a koutou katoa.

Ko te pukapuka kaupapa here tēnei mō ngā kohinganga mahi toi o Waipā.

Nō reira, e ngā kaitiaki o ā tātou taonga me ā tātou mahi toi hoki, tēnā koutou katoa.

Āpiti hono, tātai hono; rātou kua wehi ki te pō.

Āpiti hono, tātai hono; tātou e tū ana i te ao mārama.

First, we honour the Creator, the originator of all things.

Second, we honour our King Tūhetia and his royal household;

Peace upon them all.

At this time we remember the many who have now passed on

and bid them farewell.

Let us return to the realm of light,

To the people of Waipā, here is our greeting to you.

This book of policy is for the collective artworks of Waipā.

Therefore, to the caretakers of our treasures and our artworks

we acknowledge you.

The lines are joined; those who are in spirit have departed to the night.

The lines are joined; we the living stand in the world of light.



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## Arts Policy

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### 1. Introduction

- 1.1 The Arts Policy (“the Policy”) has been prepared by Council to provide a framework for decision-making around public art and its acquisition. Art management, such as care and disposal of art, is covered in the Waipa District Council Art Collection Management Plan.

### 2. Policy purpose

- 2.1 The purpose of Waipa District Council’s Arts Policy is to ensure that residents and visitors experience thought-provoking, culturally vibrant, enjoyable, challenging and inspiring art and public spaces that are distinctive and unique.
- 2.2 Waipa’s public art needs to celebrate the district’s residents’ creativity, reflect and express our heritage, history, stunning natural landscape and character of Waipa, generate pride and belonging, transform our public places and attract additional publicity.
- 2.3 Council’s public art activities should give expression to the place-making aspirations of our communities and groups. The activities include:
- (a) Integrating art into place making.
  - (b) Considering the integration of art in infrastructure delivery.
  - (c) Encouraging the development of all community arts.
  - (d) Planning for, acquiring, maintaining, and renewing public works of art.
  - (e) Preserving the integrity and security of public art.
  - (f) Re-siting and removing or disposing of works of art.
  - (g) Developing partnership projects (including gifted works and development of joint projects).
  - (h) Strengthening arts relationships with support organisations, government and individuals who wish to deliver public art or community art activities within the district.
  - (i) Considerations of cultural integrity and significance, relevance and connection to its location.
- 2.4 This policy provides alignment and transparency in Council activities to facilitate or provide community and public art. It also helps Council to bring clarity and cohesion to public art and public space delivery, and to care for and maintain the public art collection.

- 2.5 Council's role is to facilitate the public art activity through:
- (a) The 10-year plan, District Plan, Town Concept Plans, Activity Management Plans and public space designs.
  - (b) Planning, promoting, integrating, acquiring, installing, maintaining and managing public art.
  - (c) Supporting public art and public space design activities.
  - (d) Providing venues for staging temporary public art activities.
  - (e) Providing advice and support to build capability in the arts sector.
  - (f) Supporting community arts groups through the sharing of public facilities and/or buildings when the opportunity arises.
- 2.6 The Arts Policy reflects Council's long-term commitment to developing and supporting public art activities. This policy therefore articulates:
- (a) Why and how Council is involved in community and public art.
  - (b) What we want to achieve by supporting and investing in community and public art.
  - (c) The principles that guide our actions.
  - (d) The various roles we play.
  - (e) The context within which decision-making for public art takes place.

### **3. Policy Scope**

- 3.1 The scope of this policy includes:
- (a) Art works on council-owned land, or in council buildings. This is for both art owned or produced by Council or by members of the public.
- 3.2 Excluded from the scope of this policy:
- (a) Art works on land not owned or cared for by Council.
  - (b) Te Awamutu Museum Trust Board Collection, and heritage items (such as historic memorials, military artefacts, heritage plaques and historic monuments).
  - (c) Other heritage or art work collections owned by a trust or private individual.
  - (d) Sister city gifts and other corporate memorabilia.
  - (e) Private architectural features, either incorporated as part of a larger project (a building or a landscape), or standalone elements (e.g. tiles created by a designer).
  - (f) Privately owned works of art on private property that simply happen to be visible or accessible to the public (unless they have been developed through, or directly benefited from any council-controlled public art incentive schemes).

- (g) Publicly owned works of art on Crown land (e.g. New Zealand Transport Agency initiatives on its own land), unless developed in partnership with Council, or covered by a standard loan agreement or memorandum of understanding with Council.
- (h) The support of individual artists.

## 4. Definitions

4.1 For the purposes of this policy the definitions in the table below shall apply.

Term	Definition
<b>Bequeath</b>	When a person leaves art work to Waipa District Council in their will.
<b>Community art</b>	All those activities based in a community setting which involve groups of people doing creative things together while emphasising community involvement and collaboration.
<b>Council</b>	Waipa District Council
<b>Council's public art collection</b>	All visual art assets owned by Council.
<b>Deaccession</b>	The formal process to permanently remove an object from the public art collection.
<b>Gift / koha</b>	An art work that is given to Waipa District Council willingly and without expectation of payment at any time.
<b>Kaitiakitanga</b>	Guardianship. Ensuring the appropriate care, conservation and preservation.
<b>Mana whenua</b>	Customary authority exercised by an iwi or hapu in an identified area.
<b>Mātauranga Māori</b>	Literally translated Mātauranga Māori means Māori Knowledge. Mātauranga Māori is a collective, dynamic and evolving pool of knowledge drawn from the accounts of ngā atua o te pō (Māori gods) and the lived and ethereal experiences of tūpuna (Māori ancestors).
<b>Mauri</b>	The vital essence within all things that connects the spiritual to the physical.
<b>Performing art</b>	Types of art (such as music, dance, or drama) that are performed for an audience.
<b>Public art</b>	Any mural, carving, mosaic, painting, sculpture, photograph or other art medium that is owned by or on loan to Council, and is accessible to the general public.
<b>Public space</b>	A place that is under the control of Council and that is open to, or being used by, the public; whether or not there is a charge for admission.
<b>Suitably qualified staff</b>	Waipa District Council staff who have qualifications in art and/or collection management.

<b>Temporary public art</b>	Works of art intended as temporary, which may include performances, time-based sculptural installations, temporary installations of permanent works of art, light art, sound art, video projections, poster art, broadcast art and other media arts, flash mobbing and/or movable works of art.
<b>Tikanga</b>	Ensuring the appropriate process is applied to all artworks.

## 5. Our guiding principles

- 5.1 *Community art should emphasise community involvement* and collaboration and should involve some empowerment of the community members who come together to create and provide artwork/s with artists.
- 5.2 *Public art should delight, welcome, challenge and inspire.* It has a part in creating places that people recognise as their own and which reflect back to them their history, character, stories, sense of place and culture. However, art should not discriminate.
- 5.3 *Both community art and public art should generate emotions* - surprise, laughter, pride, awe or reflection. They have a role in challenging people's ideas, feelings and values. They may confront what we know, think and feel; they may create mystery or intrigue; they may engage and provoke thought and inspire debate.
- 5.4 *Community and public art should be memorable.* Whether familiar and reassuring or unexpected and challenging, it should enhance one's experience; or contribute to Waipa's attractiveness; or become a destination or place of enjoyment, and should contribute to uniqueness of the district.
- 5.5 *Artists will have access to a public space to display or perform their works.* Council will support artists as far as practicable and appropriate by providing or directing them to a public space to display or perform their works.
- 5.6 Recognise and respect the mauri held within the work and the role it plays as part of the enduring story of our district.
- 5.7 Ensuring kaitiakitanga (guardianship) is applied within the correct tikanga (process).

## 6. Policies

### 6.1 Acquiring art policies

- (a) From time to time Council may acquire gifted or bequeathed works of art, or purchase works of art. This process will be managed and recommendations made by a suitably qualified member of Council staff. Council will work carefully to ensure all offers of art gifts are considered in a fair, transparent and consistent manner (including assessment of the long term maintenance costs) in line with criteria in Appendix 2 of the Art Collection Management Plan.

- (b) Our public art commissioning process and the acceptance of art donations is governed by the Acquisition Criteria, contained in Appendix 1 of this policy and Appendix 2 of the Art Collection Management Plan.
- (c) Council does not generally acquire public works of art that are not site-specific (i.e. fixed in place), except in certain circumstances where the work of art:
  - Makes a significant contribution to Council's public art collection or a public event.
  - Is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan.

## 6.2 Deaccessioning art policies

- (a) When the retention of public art is reviewed, the retention evaluation criteria upon which a final decision is made must include consideration of whether the decision to re-site or remove it has been:
  - Supported by the artist, or their heirs or legal representatives, and by the work of art donor, lender or any other parties directly involved in the original commission.
  - Supported by directly affected Mana Whenua.

## 6.3 Supporting art policies

- (a) Council staff will support, if possible, and within existing budgets, community arts groups to establish arts installations on existing Council infrastructure or facilities if the proposed art meets this Policy. For further details, refer to section 7.3(b) of this policy.
- (b) Council funds art projects either through the Creative Communities Scheme or on an as-needs basis, with Council's decision based on recommendations made by suitably qualified staff members. Staff members will use the Acquisition Criteria which is in Appendix 2 of the Art Collection Management Plan.
- (c) Council will partner with Mana Whenua when appropriate to use public art to enhance the visibility and celebration of local stories and histories, including valuing mātauranga Māori. Council will, in particular, consult with Mana Whenua at the earliest stages of planning relevant new projects to identify and work together on areas of shared interest.
- (d) Council will endeavour to support community arts groups within the constraints of existing budgets. This may include (as and when available/appropriate):
  - Assistance to access central government funding schemes such as the Creative Communities Scheme (funding allocations from Creative NZ) and others.
  - Involvement in the design of public space, infrastructure or facilities.
  - Public space in Council buildings for artists to show / perform their work.

## 6.4 Managing Art Policies

- (a) Council will ensure that all works of public art are cared for and maintained in accordance with the artistic and cultural protocols appropriate to their origin, intended purpose and location. This will be managed by nominated Council staff who are suitably qualified to do so. For further information on Council's art management refer to the Waipa District Council Art Collection Management Plan.
- (b) Suitably qualified Council staff will carry out operational maintenance on public art works on an annual basis.

## 7. Procedures

### 7.1 Acquiring art procedures

- (a) For a public art proposal to be considered, an Acquisition Proposal Form needs to be completed (see appendix 1 of the Waipa District Council Art Collection Management Plan). The proposed art will be assessed against the Acquisition Criteria set out in Appendix 1 of this policy and Appendix 2 of the Management Plan by a suitably qualified Council staff member. The art must meet a minimum scoring threshold to be considered further for acquisition.
- (b) The business case design briefs and project briefs for all Council public place development projects and major infrastructure projects will include consideration of integrating permanent public art.
- (c) Council's place-making teams engage collaboratively with third parties at the earliest stages in order to assess the strategic potential for integrating permanent public art. These include the following types of development projects:
  - Capital works place-making projects such as town concept plans, open space/reserve developments, new local facility projects (including, but not limited to, community centres, libraries, recreational facilities, swimming pools, service centres, museums, theatres and stadiums).
  - Town and village centres and major street upgrades or development projects.
  - Infrastructure projects funded by Council (including, but not limited to, pedestrian and transport bridges, cycleways and walkways).
  - Architectural projects where public space objectives or public art outcomes can be achieved through collaborations.
  - Park and landscaping developments where public space objectives or public art outcomes can be achieved through collaborations between artists, landscape architects and community funders.
  - Greenfield and brownfield developments funded by Council or where Council is a development partner.
  - Utility structures (e.g. working with telecommunications and energy distributors).

## 7.2 Deaccessioning art procedures

- (a) Evaluation criteria for deaccessioning of art can be found in section 4.2 of the Waipa District Council Art Collection Management Plan.
- (b) Information on the deaccessioning process can be found in section 4.3 of the Waipa District Council Art Collection Management Plan.

## 7.3 Supporting art procedures

- (a) The Creative Communities Scheme grants will be administered through two funding rounds each year, closing on the last working days of April and September. Creative Community Grants will be allocated by an assessment committee made up of members of the Community Arts Councils (Te Awamutu and Cambridge) and members of the public from local community arts and cultural groups.
- (b) As available / appropriate, publicly accessible parts of Council buildings will be available for artists to showcase their work. The Museum Exhibitions Coordinator is the point of contact. Duration of exhibitions is to be agreed between Council and the artist depending on availability and exhibition costs. All costs associated with an exhibition are the responsibility of the artist. Council staff can assist by providing advice and guidance for resources associated with the exhibition. All exhibition proposals will be considered on a case-by-case basis.

## 7.4 Managing art procedures

- (a) Permanent public works of art planned by others (external to Council) and located on Council-owned land requires prior approval from Council. Best practice will be followed; this process will be managed by the nominated, appropriately qualified and experienced Council team. Further information on the management of art can be found in the Waipa District Council Art Collection Management Plan.
- (b) Procedural resources available to Council staff will be shared by listing them in Schedule 1 of this Policy.

# 8. Legal and ethical guidelines

## 8.1 Legal guidelines

- (a) Any art acquired by Council must have clear legal title, documented by the appropriate records. The rights acquired with the art must be clearly spelled out in any records documenting the transaction. Council should not acquire any art that have been acquired in, or exported from, its country of origin in violation of that country's laws.

## 8.2 Ethical guidelines



- (a) Council should only acquire art that can be catalogued, maintained, stored or displayed, as appropriate, in a proper manner. In any case where a conflict of interest develops between the needs of an individual Councillor or staff member, those of the Council would prevail. Special care must be taken in considering any art offered for sale or donation to the Council by Councillors, staff, or their families. Councillors and staff cannot compete with the Council for art, nor can they take advantage of privileged information in acquiring art.

## 9. Schedule 1

### 9.1 List of procedural resources:

- (a) Art Collection Register (*document number 16096849*)
- (b) Waipa District Council Art Collection Management Plan (*document number 16111533*)
  - Acquisitions procedure
  - Deaccessioning procedure
  - Loans
  - Art cataloguing
  - Collection care
  - Access, security and insurance
  - Conflicts of interest

## Appendix 1 - Acquisition Criteria

The following table outlines the criteria against which art acquisition proposals will be assessed. Deaccessioning of art is done on a case by case basis. This is to ensure art work is considered objectively. Art will be scored according to how well it meets each criteria point – either low (doesn't meet criteria), medium (somewhat meets criteria) or high (meets criteria).

A proposal seeking Council support must gain a score of 26 or above to be considered for acquisition.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Public art must respond to local character, including consideration of place, people and stories	Doesn't respond to local character	Somewhat responds to local character	Responds strongly to local character	
Where possible, public art is to be used to mark sites of significance and to honour our treasured memories	Doesn't mark a site of significance or link to local history	Marks a site of significance and / or has links to local history	Marks a site of significance and links strongly to local history	
Public art is to be placed where it will make the most difference to a public place, as it has a key place-making role	Lacks place-making role	Will somewhat play a place-making role	Will play a strong place-making role	
Public art ties in with capital works projects	Doesn't tie in with a capital works project	Ties in somewhat with capital works project	Ties in strongly with capital works project	
High-quality materials must be used in permanent works of art to ensure their robustness and durability	Art is made of materials unsuited to desired durability	Art is partly made of materials suited to desired durability	Art is made of materials highly suited to desired durability	
Art makes a significant contribution to Council's public art collection or a public event	Art does not make a significant contribution to Council's public art collection or public event	Art makes a contribution to Council's art collection and / or public event	Art does make a significant contribution to Council's public art collection or public event	

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Art is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan	No	Possibly	Yes	
Cost – acquisition	Outside budget	Marginal	Within budget	
Cost – maintenance (per year)	Outside budget	Marginal	Within budget	
Art is a duplicate of an existing piece in Council’s collection	Yes	Possibly	No	
Art aligns with guiding principles outlined in Arts Policy (5.1 – 5.6)	Does not align with any of the guiding principles	Aligns with one or two of the guiding principles	Aligns with three or four of the guiding principles	
Art is relevant to Waipa	Art is not relevant to Waipa	Art is somewhat relevant to Waipa	Art is relevant to Waipa	
Art could be construed as offensive	Yes	Somewhat	No	
			<b>TOTAL</b>	

## APPENDIX 2

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Artist Biography – Richard Lewer (*document number 11259005*)

## RICHARD LEWER

‘My influences are the people that I meet, whether it’s an exorcist priest, or a criminal or a fortune teller or an Aboriginal elder. It really is those interactions with those people that give me the desire to make the work.’



Hamilton-born artist Richard Lewer works and lives in Melbourne, Australia. In 1992 Richard earned his Bachelor of Fine Art from Elam School of Fine Art, Auckland University, and in 2000, his Master of Visual Arts from Victoria College of the Arts, University of Melbourne. Among the few trans-Tasman artists with a significant practice in New Zealand as well as Australia, Richard exhibits regularly, has taken up residencies and received numerous awards in both countries.

Working across a range of mediums, his art explores the intimate, though at times uncomfortable, terrain of his own personal history, as well as the history of his adopted country Australia. His works speak to what is familiar and relatable about human connection and experience, resonating in their portrayal of family, friends, sport mates, childhood scenes and recent family developments.

At once simplified and stylised, figures and settings convey their own narratives with compassion and humour that are distinctly his own. Lewer describes himself as a social realist - though with a contemporary idiolect - and explores the idiosyncratic, marginal tales of unlikely real-life. His stripped-back, candid depictions lay bare, without artifice, what is beautiful and sinister about society, without the hindrance of a moralising or politicising tone.

Richard is the recipient of many awards and prizes. Most recently, he was selected among nine artists commissioned by the Art Gallery of New South Wales to create a major new work for the art museum campus. This will be the largest commissioning program since the public institution opened 150 years ago.

## APPENDIX 3

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Description of Artwork – The Atrocities of Rangiaowhia (*document number 11259035*)

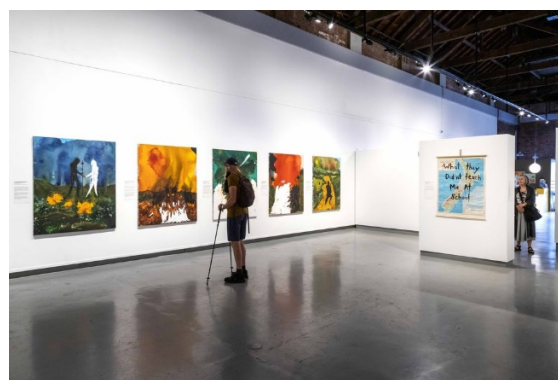
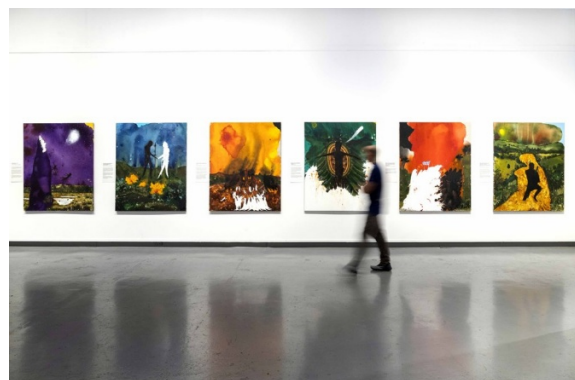
## What they didn't teach me at school

### Richard Lewer – The Waikato Wars

#### The atrocities of Rangiaowhia 2023

**Acrylic on canvas (1550x1220mm)**

Rangiaowhia was the economic hub of the Waikato, with the largest settlement. It was critical to supply the Kīngitanga war effort. It was also the place they'd told the British, through Bishop Selwyn, that they'd sent their women, children, elderly and disabled. In March 1864 Cameron ordered his troops to march around defences at the stronghold of Pāterangi and on to Rangiaowhia. Their arrival caused panic and terror amongst the residents. There are contradictory accounts of what happened, but from what I can gather, there was an attack on some people who had sheltered, defending themselves, in a whare. It caught alight, either deliberately or by accident, and any Māori who emerged to surrender or escape the flames were shot dead. Several people burnt to death inside, including two children.





## APPENDIX 4

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Acquisition Criteria Assessment – Richard Lower Painting – The Atrocities of Rangiaowhia (*document number 11195881*)



## Appendix 2. Acquisition Criteria – Richard Lower Painting - The atrocities of Rangiaowhia

The following table outlines the criteria against which art acquisition proposals will be assessed. This is to ensure artwork is considered objectively. Art will be scored according to how well it meets each criteria point – either low (doesn't meet criteria), medium (somewhat meets criteria) or high (meets criteria).

A proposal seeking Council support must gain a score of **26** or above to be considered for acquisition.

**Staff Assessment Panel:** Anne Blyth- Director Museums and Heritage, Henriata Nicholas – Exhibitions Coordinator, Sarah Dawe – Collections Manager. 2<sup>nd</sup> July 2024.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Public art must respond to local character, including consideration of place, people and stories	Doesn't respond to local character	Somewhat responds to local character	Responds strongly to local character	<b>2</b> – somewhat responds to local character, a contemporary artwork by a pākehā artist interpreting a significant and sensitive event in Māori history.
Where possible, public art is to be used to mark sites of significance and to honour our treasured memories	Doesn't mark a site of significance or link to local history	Marks a site of significance and / or has links to local history	Marks a site of significance and links strongly to local history	<b>3</b> - marks a site of significance and has strong links to local history.
Public art is to be placed where it will make the most difference to a public place, as it has a key place-making role	Lacks place-making role	Will somewhat play a place-making role	Will play a strong place-making role	<b>2</b> – A suitable place to display the work in an appropriate context will need to be identified and an appropriate

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
				connection to Rangiaowhia made.
Public art ties in with capital works projects	Doesn't tie in with a capital works project	Ties in somewhat with capital works project	Ties in strongly with capital works project	<b>1</b> – Does not tie in with a capital works project.
High-quality materials must be used in permanent works of art to ensure their robustness and durability	Art is made of materials unsuited to desired durability	Art is partly made of materials suited to desired durability	Art is made of materials highly suited to desired durability	<b>2</b> – Artwork is large and made of materials which would require a controlled and secure display environment.
Art makes a significant contribution to Council's public art collection or a public event	Art does not make a significant contribution to Council's public art collection or public event	Art makes a contribution to Council's art collection and / or public event	Art does make a significant contribution to Council's public art collection or public event.	<b>2</b> – This is a contemporary artwork by a pākehā artist interpreting a significant and sensitive event in Māori history.
Art is able to be installed and subsequently cared for and maintained within available resources for the duration of its intended lifespan	No	Possibly	Yes	<b>2</b> – Due to the size and medium used there is currently no suitable storage available to house the artwork when not on display. Due to the size, medium used and the subject matter careful

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
				consideration will need to be given to identifying a suitable space to display the work within a secure environment and a suitable context.
Cost – acquisition	Outside budget	Marginal	Within budget	<b>3</b> – Within budget as artwork would be gifted by a donor.
Cost – maintenance (per year)	Outside budget	Marginal	Within budget	<b>2</b> – Artwork will require suitable storage and display environments.
Art is a duplicate of an existing piece in Council’s collection	Yes	Possibly	No	<b>3</b> – Artwork is not a duplicate.
Art aligns with guiding principles outlined in Arts Policy (5.1 – 5.7)	Does not align with any of the guiding principles	Aligns with some of the guiding principles	Aligns with all or the majority of the guiding principles	<b>2</b> 5.2 – partially 5.3 – partially 5.4 - partially
Art is relevant to Waipa	Art is not relevant to Waipa	Art is somewhat relevant to Waipa	Art is relevant to Waipa	<b>2</b> - This is a contemporary artwork by a pākehā artist interpreting a significant and sensitive event in Māori history.

Criteria	Low (1 point each)	Medium (2 points each)	High (3 points each)	Score & Justification
Art could be construed as offensive	Yes	Somewhat	No	2 – Somewhat possible that the artwork could be viewed as offensive by mana whenua.
			<b>TOTAL</b>	<b>28</b>



# COUNCIL REPORT



**To:** Her Worship the Mayor and Councillors  
**From:** Angela McEwan - Property Advisor (Leasing)  
**Subject:** **Reserves Act 1977 – Exercise of Delegated Ministerial Power Easement for Groundwater Take - Moana Roa Reserve**  
**Meeting Date:** 24 September 2024

## 1 PURPOSE - TAKE

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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 an easement to Waka Kotahi NZ Transport Agency (“NZTA”), in respect of part of the recreation reserve located at 1506 Tirau Road, Cambridge and known as the Moana Roa Reserve (“the Reserve”) and vested in Waipā District Council.

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

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This matter was presented to the Finance and Corporate Committee meeting on 20 August 2024 and now requires the approval of Council under ministerial delegation. Resolution 3/24/56 from the Finance and Corporate Committee is appended at Appendix 1.

The consent of Council is sought, in the exercise of its delegation of authority by the Minister under the Act, to grant an easement for the purposes of testing a methodology to remove gold clam from water taken from Lake Karāpiro. If this is successful, the next step would be to take groundwater from the Reserve to support the construction of the SH1 Cambridge to Piarere Project. The proposed easement would be granted for a maximum term of eight (8) years.

It is not proposed that any fees are charged to NZTA for the easement. However, NZTA will be responsible for all statutory and administration costs incurred by Council in relation to the easement.

The Finance and Corporate Committee, acting as Administering Body of the Reserve, has agreed that it is appropriate to grant the easement, subject to Council’s consent (acting as delegate of the Minister of Conservation).



### 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

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*That Council*

- a) *Receives the report of Angela McEwan, Property Advisor (Leasing) titled Reserves Act 1977 – Exercise of Delegated Ministerial Power - Easement for Groundwater Take - Moana Roa Reserve (ECM number 11287543);*
- b) *Acting under delegation of the Minister of Conservation, consents as Minister under section 48(1) of the Reserves Act 1977 to Waipā District Council, as administering body of the Moana Roa Recreation Reserve (“Reserve”), granting an easement to Waka Kotahi NZ Transport Agency over part of the Reserve to enable the installation, maintenance, monitoring and repair of equipment and other installations as necessary for the purposes of testing a methodology to remove gold clam from water taken from Lake Karāpiro and, if successful, to take groundwater from the Reserve to support the construction of the SH1 Cambridge to Piarere Project and associated infrastructure and construction for a maximum term of eight (8) years.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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It is proposed that an easement be granted to NZTA for the purposes of testing a methodology to remove gold clam from water taken from Lake Karāpiro. If this is successful, the next step would be to take groundwater from the Reserve to support the construction of the SH1 Cambridge to Piarere Project. The proposed easement would be granted for a maximum term of eight (8) years

Reference should be made to the associated report “Reserves Act 1977 – Moana Roa Reserve – Easement for Groundwater Take” which recommended that Council, in the exercise of its role as Administering Body of the Reserve grants the easement over part of the Reserve. That report was presented to Council’s Finance and Corporate Committee Meeting on 20 August 2024 (appended at Appendix 2) and the attached Resolution secured.

That associated report sets out the purpose of the proposed easement, the Reserve Management Plan, the requirements of the Act, public and iwi consultation and recommends the granting of easement under the Act.

The Reserve is legally described as Section 149, Block XVI Cambridge Survey District, being all the land in Record of Title SA24B/936. The Reserve is classified as a Recreation Reserve under the Act.

Council is the owner and Administering Body of the Reserve under the Act. On that basis Council has the authority to grant an easement in accordance with section 48(1)(a) of the Act subject to a requirement for the prior consent of the Minister.

Section 48(1) of the Act authorises the Minister to consent to a grant an easement on the Reserve. The Minister has delegated this particular authority to Council to make a decision pursuant to section 48(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 Easement documentation	Group Manager Business Support	30 September 2024

## 9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Resolution No. 3/24/56
2	Finance and Corporate Committee Report - Reserves Act 1977 – Moana Roa Reserve – Easement for Groundwater Take (ECM number 11267984)



Angela McEwan  
**PROPERTY ADVISOR**



David Varcoe  
**MANAGER PROPERTY SERVICES**



Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**

## APPENDIX 1

Resolution No. 3/24/56



### 10 PROPOSED EASEMENT SOUGHT BY NZTA FOR GROUNDWATER TAKE AT MOANA ROA RESERVE

Property Advisor, Angela McEwan sought approval from the Committee to grant an easement to Waka Kotahi NZ Transport Agency (NZTA) and sought delegation from the Committee to the Group Manager Business Support to finalise and sign the easement document.

Waka Kotahi NZ Transport Agency representatives, Mike Wood and Yana Averianova were available to answer questions from the Committee.

#### RESOLVED

3/24/56

*That the Finance and Corporate Committee*

- a) *Receives the report of Angela McEwan, Property Advisor, titled Proposed easement sought by NZTA for groundwater take at Moana Roa Reserve (ECM 11267984)*
- b) *Approves, pursuant to section 48(1)(a) of the Reserves Act 1977, as administering body over the Moana Roa Recreation Reserve ("the Reserve"), the grant of an easement to Waka Kotahi NZ Transport Agency over part of the Reserve to enable the installation, maintenance, monitoring and repair of equipment and other installations as necessary for the purposes of testing a methodology to remove gold clam from water taken from Lake Karāpiro and, if successful, to take groundwater from the Reserve to support the construction of the SH1 Cambridge to Piarere Project and associated infrastructure and construction for a maximum term of eight (8) years, subject to Ministerial approval of the easement pursuant to section 48(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 action necessary to enable implementation of recommendation b) subject to Ministerial approval of the easement pursuant to section 48(1) of the Reserves Act 1977.*

Councillor Stolwyk / Councillor L Brown

## **APPENDIX 2**

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Finance and Corporate Committee Report - Reserves Act 1977 – Moana Roa Reserve – Easement for Groundwater Take (ECM number 11267984)

# COMMITTEE REPORT



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

**From:** Angela McEwan - Property Advisor (Leasing)

**Subject:** **Proposed easement sought by NZTA for groundwater take at Moana Roa Reserve**

**Meeting Date:** 20 August 2024

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## 1 PURPOSE - TAKE

The purpose of this report is to seek approval from the Finance and Corporate Committee (“the Committee”) to grant an easement to Waka Kotahi NZ Transport Agency (“NZTA”) and to seek delegation from the Committee to the Group Manager Business Support to finalise and sign the easement document.

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## 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 grant an easement to NZTA over part of Moana Roa Recreation Reserve at 1506 Tirau Road (“the Reserve”). The purpose of the easement is to enable NZTA to test a methodology to take water from Lake Karāpiro in a manner that ensures gold clam is filtered out. If successful, NZTA would continue to seek to take water in this manner in order to support the construction of the SH1 Cambridge to Piarere Project. The proposed easement would be granted for a maximum term of eight (8) years.

It is not proposed that any fees are charged to NZTA for the easement. However, NZTA will be responsible for all statutory and administration costs incurred by Council in relation to the easement.

Pursuant to the Act, Ministerial approval of the proposed easement 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 Proposed easement sought by NZTA for groundwater take at Moana Roa Reserve (ECM 11267984)*
- b) *Approves, pursuant to section 48(1)(a) of the Reserves Act 1977, as administering body over the Moana Roa Recreation Reserve (“ the Reserve”), the grant of an easement to Waka Kotahi NZ Transport Agency over part of the Reserve to enable the installation, maintenance, monitoring and repair of equipment and other installations as necessary for the purposes of testing a methodology to remove gold clam from water taken from Lake Karāpiro and, if successful, to take groundwater from the Reserve to support the construction of the SH1 Cambridge to Piarere Project and associated infrastructure and construction for a maximum term of eight (8) years, subject to Ministerial approval of the easement pursuant to section 48(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 action necessary to enable implementation of recommendation b) subject to Ministerial approval of the easement pursuant to section 48(1) of the Reserves Act 1977.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

#### **Proposed Easement on Recreation Reserve**

Council is the owner and administering body of the Reserve under the Act. The Reserve is legally described as Section 149, Block XVI Cambridge Survey District, being all the land in Record of Title SA24B/936, a copy of which is appended at Appendix 1.

NZTA have approached Council staff with a proposal to undertake field investigation to test the feasibility of using an onshore well to supply enough construction water free from gold clam juveniles for the Cambridge to Piarere Project. Pumping water from the well on land, near the lake at the Reserve, would draw water from the groundwater level. It is expected that soils will act as a filter before water reaches the well and could filter out the gold clam larvae.

NZTA have considered four separate locations to install the wells and pump container and the preferred location is shown as Location No 3 on the plan below. This location is preferred as it will not impact on the ability of visitors to the Reserve to access the lakefront or utilise the open spaces within the Reserve.





**Phase 1 – Site Investigation**

NZTA expect it will take around three weeks to drill water supply wells and undertake pump and gold clam testing and monitoring. Gold clam juveniles may only be present during certain seasons (and when water temperature exceeds 15 degrees Celsius) and for that reason the testing for gold clam larvae must be undertaken during the spring season (commencing mid-October). The initial testing phase is expected to be completed by the end of 2024.

If the initial testing is unsuccessful the project would be concluded and NZTA would return the Reserve to its original state. NZTA would be solely responsible for all costs involved in making good any damage resulting from the testing phase of the project.

**Phase 2 – Long-Term Water Take Arrangement**

If the initial testing is successful, the well would be used during construction of the remaining infrastructure (with any additional wells in alternative locations if required). A shed/container would sleeve the wells/pump and a water pipe would be installed that would transfer the water to the project site. The water pipes would be a hybrid approach of both below ground and above ground piping.

NZTA expect that the infrastructure required for the water take would need to be in place for up to eight years.

On completion of the project NZTA would be solely responsible for all costs involved in making good any damage resulting from the water take project.

NZTA have provided details of the proposed project activities and expected timeframes for both Phase 1 and Phase 2 in the document appended to this report at Appendix 2. However, these timeframes may change due to foreseen and unforeseen circumstances. In the case of Phase 1, NZTA may need to adjust the testing dates

during the summer season, but would minimise disturbance to the summer reserve users insofar as possible.

### **Public Consultation**

Under section 48(3) of the Act, public consultation on an easement is not required if:

- a) The reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and
- b) The rights of the public in respect of the reserve are not likely to be permanently affected.

The proposal would only be for a temporary period and will not materially affect the public's use of the Reserve. Given this, and that the Reserve is owned by Council, public consultation is not required under the Act for this proposal.

Despite this, NZTA have contacted the Chair of the Cambridge Community Board and Council's Governance Advisor (Committees and Community Boards), to brief them on the proposal. No concerns were raised during those initial discussions, however, it was suggested that NZTA should collaborate with Council to let the public and community know about the investigation works when they are close to the commencement date. NZTA have also been asked to present the proposal at the next Community Board meeting on 21 August 2024. NZTA have agreed to this. In addition, mana whenua have been contacted about this proposal (as detailed further below).

## **5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA**

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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 has a low level of significance. Given this, and that no public consultation is required under section 48(3) of the Act, no public consultation is required for this proposal.

This is because of the following reasons:

- a. The proposed activity will have minimal impact on users of the Reserve.
- b. The proposed testing methodology has been supported in principle by Ngāti Korokī Kahukura and Ngāti Hauā. NZTA will continue to consult with these iwi groups throughout the project. In addition, NZTA will continue to consult with Raukawa and Waikato-Tainui.
- c. The proposed testing methodology has been supported in principle by the Ministry for Primary Industries (MPI). MPI have confirmed their confidence that there is a high probability that the proposed water filtration will successfully remove the gold clam larvae.
- d. There is no effect on Council undertaking its role as administering body of the Reserve.



## 6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<b>Option 1:</b> Do nothing	<ul style="list-style-type: none"> <li>No staff or other Council resources required</li> </ul>	<ul style="list-style-type: none"> <li>NZTA are not enabled to carry out the site investigation or take water to assist with the construction of the SH1 Cambridge to Piarere Project .</li> </ul>
<b>Option 2:</b> Grant the Easement	<ul style="list-style-type: none"> <li>NZTA are enabled to carry out the site investigation and, if the investigation is successful, take water to assist with the construction of the SH1 Cambridge to Piarere Project.</li> </ul>	<ul style="list-style-type: none"> <li>Temporary occupation of a small portion of the Reserve with infrastructure associated with site investigation and groundwater take. The current location was selected to avoid impacts on reserve users as much as possible.</li> </ul>

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

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

### Council’s Vision and Strategic Priorities

The proposal aligns with Council’s vision on working collaboratively with other government agencies. The proposed project would contribute towards Council’s vision of building connecting communities.

### Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the proposal to grant the easement complies with Council’s legal and policy requirements.

Staff consider that granting the easement of option 2 complies with Council’s requirements under the Act. This is because Section 48(1)(a) of the Act provides that with prior consent of the Minister the administering body may grant rights of way and other easements over any part of the reserve for any public purpose. The proposed easement falls within this power.

### Financial Considerations – Whaiwhakaaro ā-Pūtea

The proposal does not have any financial implications on Council. NZTA will be solely responsible all statutory and administration costs incurred by Council in relation to the easement.

### 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 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.

The proposed testing methodology has been supported in principle by Ngāti Korokī Kahukura and Ngāti Hauā . NZTA will consult further with these parties throughout the project.

### Climate Change – Hurihanga Āhuarangi

Staff do not consider that there are any direct climate change implications associated with the proposed grant of easement.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Seek ministerial consent to the Easement	Council	24.09.2024
Sign the Easement	Group Manager Business Support	01.10.2024

## 9 APPENDICES - ĀPITITANGA

No:	Appendix Title	ECM No.
1	Record of Title SA24B/936	
2	Proposal from Waka Kotahi NZ Transport Agency	
3	NZ Transport Agency Waka Kotahi – Investigation Drilling Layout	11267959
4	NZ Transport Agency Waka Kotahi – Long-term water take arrangement	11267963



Angela McEwan  
**PROPERTY ADVISOR (LEASING)**



Reviewed by David Varcoe  
**MANAGER PROPERTY SERVICES**



Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**

## APPENDIX 1

Record of Title SA24B/936

### Emtel Title Preview

Information as at Sunday 14th July 2024

#### RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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**Identifier** SA24B/936  
**Land Registration District** South Auckland  
**Date Issued** 07 September 1978  
**Prior References**  
 GN H196448

**Estate** Fee Simple  
**Area** 2.4653 hectares  
**Legal Description** Section 149 Block XVI Cambridge  
 Survey District

**Registered Owners**  
[Waipa District Council](#)

#### Interests

SUBJECT TO THE RESERVES ACT 1977

[H076149](#) Gazette Notice declaring the adjoining State Highway No.1 to be a limited access road - 5.4.1976 at 10.14 am

Subject to a right of way over part created by Transfer [H227818](#) - 18.4.1979 at 9.10 am

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## APPENDIX 2

### Waka Kotahi NZ Transport Agency – Proposal

**To** Waipā District Council

**Cc** Jason Harrison, Mike Wood NZ Transport Agency Waka Kotahi (NZTA)

**From** Yana Averianova, NZTA

**Date** 22 July 2024

**Subject** SH1 Cambridge to Piarere (NZTA) Project – Water testing and water take activities at Moana Roa Reserve

#### 1. Purpose

1.1 The purpose of this memo is to provide details of the proposed project activities required to be undertaken at the Moana Roa Reserve to:

- i. test a methodology to remove the golden clam from water taken from Lake Kapāprio and, if successful;
- ii. take water from this location (via a well/pump/water pipes) to support the construction of the SH1 Cambridge to Piarere Project (C2P). This information is being provided to support a NZTA request to Waipā District Council (DC) for an easement to use a part of the Moana Roa Reserve for both these phases.

1.2 For the site investigation and long-term water allocation, NZTA will need to obtain an easement from Waipā DC for a period of eight years. If the C2P construction takes longer than currently estimated, NZTA will have to apply for an extension.

#### 2. Background

2.1 The C2P project requires water for various construction activities such as:

- earthworks (cut and fill operations, and chemical stabilisation of engineered fill materials);
- road construction (e.g. compaction of road layers);
- dust suppression (e.g. stockpiles, haul roads, crushing);
- cleaning/washdown of plant and equipment;
- landscape watering;
- concrete batching and curing; and,
- water for staff amenities (not for drinking).

2.2 The water requirements for the C2P project are expected to be up to 2100 cubic metres per day, based on experience from other projects of similar scale.

2.3 The gold clam was found in the Waikato River in May 2023. It is an unwanted organism under the Biosecurity Act. Lake Kārapiro, which is located in close proximity to the C2P project, can provide the water required for

construction activities. However, there are concerns from Ngāti Koroki Kahukura and Ngāti Hauā (project partners) and NZTA that the invasive gold clam could be inadvertently spread to nearby streams and wetlands (in different catchments where the clam has not been found to date) during the C2P construction phase, if construction water is sourced from the lake directly.

- 2.4 An engineering desktop assessment and an evaluation of water supply options have been completed. This was based on factors such as cost, risks, property constraints, and cultural considerations in order to determine a cost-effective option that avoids encountering gold clam juveniles in the water used for the C2P project construction and minimizes the risk of spreading freshwater gold clam to adjacent catchments. Also the Moana Roa Reserve was selected due to its strategic location being at the mid-point of the proposed road alignment offering multiple water pipe options plus being on public land creating benefits for a public good.
- 2.5 The preferred option requires a pump station that would draw water from a water supply well located at the Moana Roa Reserve and approximately 6.5km of pipeline mainly installed along the northern side of SH1 (within the verge and above ground) from the proposed water storage facility at the project site (off Tunakawa Road) to the pump station. A short section of the pipeline is proposed to be installed along the access road within the Moana Roa reserve (refer to Appendix 4).
- 2.6 To confirm the feasibility of the preferred option, the project team needs to undertake site investigations at the Moana Roa Reserve. This includes checking if there is enough water supply from the water supply well, and confirming that the natural soil filtration can effectively remove gold clam larvae.
- 2.7 Installing a 'traditional' water supply well on the banks of the lake would mean that filtration through soil passage would occur, but the yield of the well may be slightly lower in comparison with direct water take. Risks associated with the proposed works and potential alternative solutions if any of the risks occurred, is described in Section 5. The proposed testing methodology has been supported in principle by Ngāti Koroki Kahukura and Ngāti Hauā, Raukawa and Waikato-Tainui and Ministry for Primary Industries (MPI) confirmed their confidence that there is a high probability the proposed water filtration will successfully remove the gold clam larvae.
- 2.8 The project activities proposed at the Moana Roa Reserve are split into two phases described in detail below.

### 3 Phase 1 – Site investigation

- 3.1 The site investigations programme includes the following:

Step No	Activity Description	Timeframes
1	Engage with project stakeholders (WRC, WDC Park & Reserves and Property, MPI, LINZ, Mercury, Raukawa, Waikato-Tainui, Waikato River Authority) and project partners (Ngāti Koroki Kahukura and Ngāti Hauā) to socialise the proposed testing plans and obtain feedback.	June – July 2024
2	Obtain property and statutory consents/permits for investigation works.	August – September 2024
3	Install a monitoring well and undertake hydraulic-testing and monitoring.	October 2024

4	Install a water supply well and undertake pump test, and determine if there is sufficient water supply volumes and follow up with gold clam larvae testing at the same time or undertake gold clam testing at a different time when gold clam larvae are prevalent.	November – December 2024
	Christmas Break	End December – Early January 2025
5	Undertake further gold clam larvae testing if required, and analyse testing results and decide on the next phase.	January – March 2025

3.2 Site investigations can be undertaken as soon as the statutory consents (incl. permits), and licences are obtained. The testing for the presence of gold clam larvae within the well water will need to be undertaken at a time the gold clam larvae are potentially present in the lake water (when water temperature exceeds 15 Degrees Celcius). This testing will occur as a second stage of the monitoring and the intention is to complete Steps 1 to 4 before Christmas.

3.3 Step 3 includes an installation of a monitoring well (MW100) which consists of a 50mm diameter PVC standpipe, and then conduct hydraulic testing. The installation of the monitoring well will be the first step, and the area required for the well installation may be larger than indicated in the drawings due to the size of the machinery. However, the installation will only take place during working hours; not at night, the area will be secured with temporary fencing, and the drilling machinery will be parked either within the reserve or off-site. We anticipate that the installation may take 2-3 working days, and the soil recovered from the drilling will be disposed of off-site. Subsequently, we will carry out the hydraulic testing, which may take one or two days. Refer to Image 5 of Appendix 3 for the MW location and a visual representation of the installation of the MW100.

3.4 There will be a three-week hold period during which we will analyse the results of the hydraulic tests. During this time, the reserve area occupied by the site investigation works will be very minimal and will be limited to the installed MW100 well. The well will have a cap plug flush with the ground level.

3.5 Step 4 commences from the installation of the water supply well (PW1), which has a 200mm diameter bore, and installation of an internal pump within the bore casing. The well installation will take about 5 days to install, and we need to block one of the internal accessways during the installation of the well. Refer to Image 4 Appendix 3 which shows the installation of the PW1.

3.6 Pumping and gold clam testing of the water supply well will be undertaken as soon as the PW1 well is installed. The testing will take about 11 days and will be undertaken during normal working hours. The area will be fenced off during the operations and secured overnight.

3.7 It is proposed to discharge the testing water directly into the lake via a temporary overland pipe. The pumped water will be piped away from the well and into a settling tank to ensure sediment is removed prior to discharge. This discharge will occur over the period of testing and will cease upon completion. The overland pipe will be assembled and disassembled at the beginning and end of each testing day. Refer to Images 2 and 3 for a visual representation of the pumping test and overnight.

3.8 Vehicles can still access the reserve even if the accessway is blocked. A drilling contractor will oversee site access during the installation and minimize disruption to reserve users.

3.9 Step 5 is the time taken to analyse the testing results, communicate with relevant stakeholders and Ngāti Koroki Kahukura and Ngāti Hau prior to confirming the next steps.

#### 4 Phase 2 – Long-term water take arrangement

4.1 An indicative Phase 2 programme includes the following steps:

Step No	Activity Description	Indicative timeframe *
1	Update Ngāti Koroki Kahukura and Ngāti Haua Waipā DC and others on the Phase 2 programme	March 2025
2	Install a security fencing for the PW1 to prevent public access to the water supply well. Refer to Image 2 Appendix 3 for a visual representation of a security fencing.	Mid 2025
3	Develop detailed plans and obtain associated statutory consents, permits and licences.	Mid to End 2025
4	A hold period until a preferred Contactor is appointed. During this period, we are not planning to do any works and the reserve area occupied by the project will be limited to the installed MW100 and PW1. Refer to Sections 3.4 and 3.5 respectively.	End 2025 to End 2026
5	Install water take equipment (incl. replacing a temporary cover with a shipping container with filtering and pumping equipment inside) and lay a pipeline above ground along the fence line towards SH1 and underground to get across of internal accessway and SH1. Refer to Appendix 4 for a visual representation of the potential water take set-up and pipeline.	Late 2026
6	Water take from well, monitoring and maintenance of the water take equipment	Late 2026 to Late 2032
7	Disestablishment and reinstatement of the occupied reserve area	Late 2032

\* The timeframes may change to accommodate the construction programme.

4.2 The timeframes and steps outlined for Phase 2 are high-level and are subject to change based on the results of site investigations and the construction delivery timeline for the C2P project, which is currently in the development stage. We will update Waipā DC after the analysis of investigation results, at which point we may have a more definitive delivery programme for the C2P project.

#### 5 Known risks and potential additional requirements

5.1 There are two key risks associated with the proposed project activities at the Moana Roa Reserve that may cause changes to the Phase 2 programme outlined above:

- a. The PW1 well may not be able to provide sufficient water volumes.
- b. Gold clam larvae may be present in the water from the well.

5.2 If any of the above risks were to occur, we would need to consider alternative water supply options, including but not limited to:

- using a surface water supply with a water filter treatment device that could potentially be located at the edge of the Moana Roa Reserve [at the western boundary side];
- identifying additional water-take locations along the proposed C2P alignment (e.g. Bob's Landing).

5.3 The risks will be reassessed once the investigation testing results are fully analysed. Step 1 of Phase 2 will provide an opportunity for the project team to update Waipā DC on the testing results, next steps and associated risks, and discuss any additional licence requirements if required.



## APPENDIX 3

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NZ Transport Agency Waka Kotahi – Investigation Drilling Layout (ECM number 11267959)



REVISION	AMENDMENT	APPROVED	DATE
0A	ISSUED FOR INFORMATION	R.U	2024-07-18



**wsp**  
Christchurch Office  
+64 3 363 5400  
PO Box 1482  
Christchurch 8140  
New Zealand

CIVIL

SCALES	AS SHOWN	ORIGINAL SIZE			
DRAWN	S. KRISHNA	DESIGNED	R. LUNKA	APPROVED	2024-07-18
DRAWING VERIFIED		DESIGN VERIFIED		APPROVED DATE	

RESOURCE CONSENT

PROJECT  
NZ TRANSPORT AGENCY  
MOANA ROA RESERVE, LAKE KARAPIRO, SH1 CAMBRIDGE  
C2P WATERTAKE INVESTIGATIONS  
TITLE  
INVESTIGATION DRILLING- STAGES  
LAYOUT PLAN  
WSP PROJECT NO. (SUB-PROJECT)  
2-A0012.04

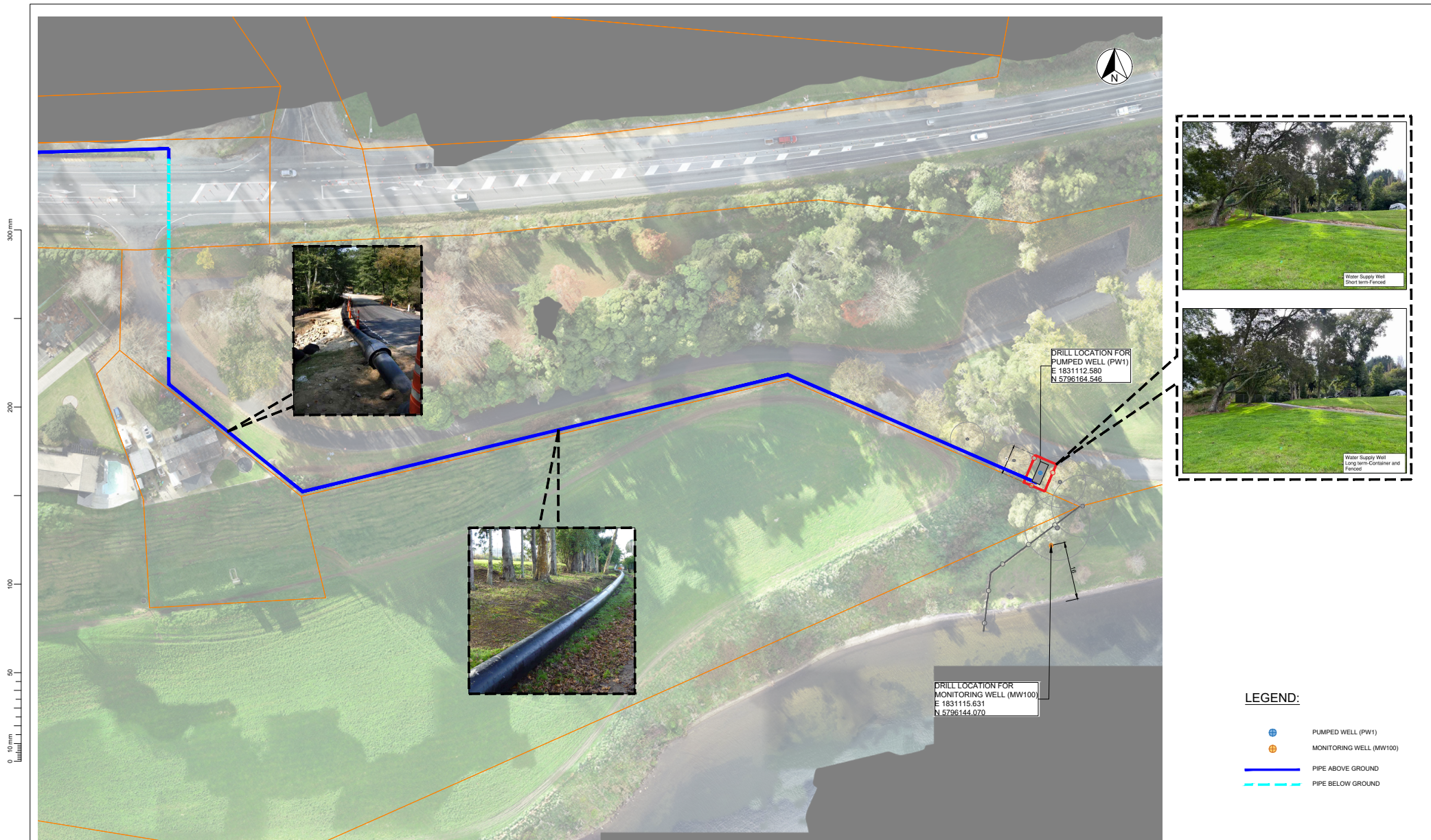
SHEET NO.  
C274

REVISION  
0A

## APPENDIX 4

NZ Transport Agency Waka Kotahi – Long-term water take arrangement (ECM number 11267963)





300mm  
200  
100  
50  
0 10mm



DRILL LOCATION FOR  
PUMPED WELL (PW1)  
E 1831112.580  
N 5796164.546

DRILL LOCATION FOR  
MONITORING WELL (MW100)  
E 1831115.631  
N 5796144.070

- LEGEND:**
- PUMPED WELL (PW1)
  - MONITORING WELL (MW100)
  - PIPE ABOVE GROUND
  - PIPE BELOW GROUND

**SITE PLAN**  
SCALE 1:200(A1), 1:400(A3)

1:200@ A1  
1:400@ A3

REVISION	AMENDMENT	APPROVED	DATE
0A	ISSUED FOR INFORMATION	R.U	2024-07-18



**wsp**  
Christchurch Office  
+64 3 363 5400  
PO Box 1482  
Christchurch 8140  
New Zealand

CIVIL

SCALES		ORIGINAL SIZE
AS SHOWN		A1
DRAWN	DESIGNED	APPROVED
S.KRISHNA	-	R.UNKA
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE
-	-	2024-07-18

RESOURCE CONSENT

PROJECT  
NZ TRANSPORT AGENCY  
MOANA ROA RESERVE, LAKE KARAPIRO, SH1 CAMBRIDGE  
C2P WATERTAKE INVESTIGATIONS  
TITLE  
PROPOSED WATER TAKE PIPELINE  
WSP PROJECT NO. (SUB-PROJECT)  
2-A0012.04  
SHEET NO.  
C273  
REVISION  
0A

# 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:** 24 September 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 Waipā District Council, as owner and Administering Body, granting of four new community leases to the following entities over land classified as recreation reserve:

- Te Awamutu Netball Center Incorporated – in respect of part of the recreation reserve located at 153 Mangahoe Street, Te Awamutu.
- Te Awamutu Brass Band Incorporated – in respect of part of the recreation reserve known as Albert Park and located at 420 Albert Park Drive, Te Awamutu.
- Hautapu Rugby Sports Club Incorporated – in respect of the recreation reserve known as Memorial Park and located on the corner of Laurent Road and Taylor Street, Cambridge, which forms part of the Cambridge Town Belt.
- Cambridge Dog Obedience Club Incorporated – in respect of part of the recreation reserve located at Taylor Street, Cambridge, which forms part of the Cambridge Town Belt.

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

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The above leasing matters were presented to the Finance and Corporate Committee meeting on 17 September 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 3 and the relevant resolutions from the Finance and Corporate Committee are appended at Appendix 4.

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

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*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 11269657)*
- b) *Acting under delegation of the Minister of Conservation, consents as Minister under section 54(1)(b) of the Reserves Act 1977 to Waipā District Council, as administering body, granting new leases to:*
  - i) *the Te Awamutu Netball Center Incorporated, as further detailed in appendix 1 to the report;*
  - ii) *the Te Awamutu Brass Band Incorporated, as further detailed in appendix 2 of the report;*
  - iii) *the Cambridge Dog Obedience Club Incorporated and the Hautapu Rugby Sports Club Incorporated, as further detailed in appendix 3 of the report.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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It is proposed that new Leases are granted to:

- Te Awamutu Netball Center Incorporated – for the purposes of netball and related 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 September 2023, with final expiry on 31 August 2038.
- Te Awamutu Brass Band Incorporated - for the purposes of band rooms 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 30 August 2023, with final expiry 30 August 2038.
- Cambridge Dog Obedience Club Incorporated and The Hautapu Rugby Sports Incorporated – for the purposes of sport and recreation grounds for a term of five years commencing on 1 October 2024, with final expiry on 30 September 2029.

Reference should be made to the associated reports appended at Appendices 1 to 3 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 17 September 2024 and the attached resolutions (Appendix 4) secured.

The associated reports set out the purposes of the proposed new leases, the respective Reserve Management Plans (if applicable), the requirements of the Act, public and iwi consultation and recommends the granting of the new leases under the Act.

Council is the owner and Administering Body of each of the Reserves under the Act. 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	7 October 2024

## 6 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Finance and Corporate Committee Report - Reserves Act 1977 – Te Awamutu Netball Centre Incorporated (ECM number 11269547)
2	Finance and Corporate Committee Report - Reserves Act 1977 – Te Awamutu Brass Band Incorporated (ECM number 11269577)
3	Finance and Corporate Committee Report - Reserves Act 1977 – Cambridge Dog Obedience Club and Hautapu Rugby Sports Club Incorporated (ECM number 11269608)
4	Resolutions 3/24/65, 3/24/67, and 3/24/67



Angela McEwan  
**PROPERTY ADVISOR**



Reviewed by David Varcoe  
**MANAGER PROPERTY SERVICES**



Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**



## **APPENDIX 1**

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Finance and Corporate Committee Report - Reserves Act 1977 – Te Awamutu  
Netball Centre Incorporated (ECM number 11269547)

# COMMITTEE REPORT



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

**From:** Property Advisor – Angela McEwan

**Subject:** **New Community Lease –  
Te Awamutu Netball Center Incorporated**

**Meeting Date:** 17 September 2024

## 1 PURPOSE - TAKE

The purpose of this report is to seek consent from the Finance & Corporate Committee (“the Committee”) to grant a new lease to the Te Awamutu Netball Center Incorporated (“the Club”) for use of part of the land and buildings located at 153 Mangahoe Street, Te Awamutu and to 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 Te Awamutu Netball Center Incorporated in respect of part of the recreation reserve located at 153 Mangahoe Street, Te Awamutu (“the Reserve”).

The Club is the existing tenant of the Reserve and their current lease records a final expiry date of 31 August 2023. The Club expressed a desire to enter into a new lease in accordance with Council’s Community Leasing Policy. The proposed lease is for a term of five years with two rights of renewal of five years each. Council’s Community Leasing Policy provides that not-for-profit organisations are to be charged a nominal rent based on the value of the land, with generous discounts applied and on that basis the initial annual rent is calculated to be \$73.00 plus GST.

Following consideration of the purpose of the lease, 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 yellow).

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 – Te Awamutu Netball Center Incorporated (ECM Number 11269547);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the recreation reserve located at 153 Mangahoe Street, Te Awamutu, entering into a lease with the Te Awamutu Netball Center Incorporated of the land outlined in yellow on the plan annexed at Appendix 1 of this report for an initial term of five (5) years with two (2) rights of renewal of five (5) years each for the purposes of netball and related 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 Act of the Reserve, legally described as Part Section 2 Teasdale Settlement and contained in Record of Title SA7C/1378, a copy of which is appended at **Appendix 2**.

#### **Proposed New Lease**

Council has leased part of the Reserve to the Te Awamutu Netball Center Incorporated (“the Club”) and the Club was established in the early 1930s. The lease expired on 31 August 2023 and the Club wishes to enter into a new lease.

The proposed new lease would be for an initial term of five (5) years with two (2) rights of renewal of five (5) years each and will be in the form of Council’s standard community lease terms and conditions. The commencement date of the new lease would be 1 September 2023, with the final expiry being 31 August 2038.

The total area recorded in the proposed lease is approximately 0.7ha.

## Proposed Tenant

The Club is an incorporated society under the Incorporated Societies Act 1908 and is a longstanding tenant of the Reserve.

The Club currently has in excess of 700 associated members and provides opportunities for all ages, from primary school age through to adults. There are seven courts located at the site that are used for Saturday competitions, ranging from A grade netball to beginner grades. The premier and premier reserves grade competitions are held at the Te Awamutu Events Centre on Tuesday and Wednesday evenings each week.

The Club provides ongoing opportunities for players, coaches, managers and umpires. A successful Umpires Coaching programme is in place and this has been one of their largest projects which was implemented approximately two years ago.

The Club is affiliated to Waikato/Bay of Plenty Zone. Netball is considered to be the number one participant sport played by women and girls in New Zealand and is now attracting large audiences with an increasing amount of exposure through media interest and publicity. The Club believes that netball encourages positive social attitudes and attracts a diverse range of players.

The Club owns all buildings and improvements on the site, which include clubrooms, lights, fences, court surfaces, goal posts and seating. The Club is responsible for maintaining all buildings and improvements on the leased land.

The permitted use of the land under the proposed lease is “Netball and related 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 Te Awamutu News on 1 August 2024. 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
<b>Option 1:</b> Do nothing	<ul style="list-style-type: none"> <li>▪ No staff or other Council resources required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ This option does not provide either party with any certainty of tenure.</li> </ul>
<b>Option 2:</b> Enter into a new lease with the Te Awamutu Netball Center Incorporated for an initial term of 5 years with 2 rights of renewal of 5 years each on Council's standard community lease terms and such other conditions as may be considered appropriate	<ul style="list-style-type: none"> <li>▪ This option provides both parties with certainty, and ensures that the Te Awamutu Netball Center Incorporated is able to continue to work to promote its objectives as set out in this report.</li> </ul>	<ul style="list-style-type: none"> <li>▪ None identified.</li> </ul>

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 of 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. Although the Reserve is not specifically referred to the Urban Reserves Management Plan Volume 1 (Te Awamutu & Cambridge) (2006) (“RMP”), we would expect that this Reserve is administered in a similar way to those reserves referred to in that document and staff consider that this activity is consistent with that 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 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 \$73.00 plus GST per annum plus outgoings. An annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the Commencement Date of the Lease.

### 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 23 July 2024, iwi were informed of and invited to supply feedback on the proposed lease. No feedback or concerns have been raised.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	24 September 2024
Sign the Lease	Group Manager Business Support	7 October 2024

## 9 APPENDICES - ĀPITITANGA

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



Angela McEwan  
**PROPERTY ADVISOR**



David Varcoe  
**MANAGER PROPERTY SERVICES**

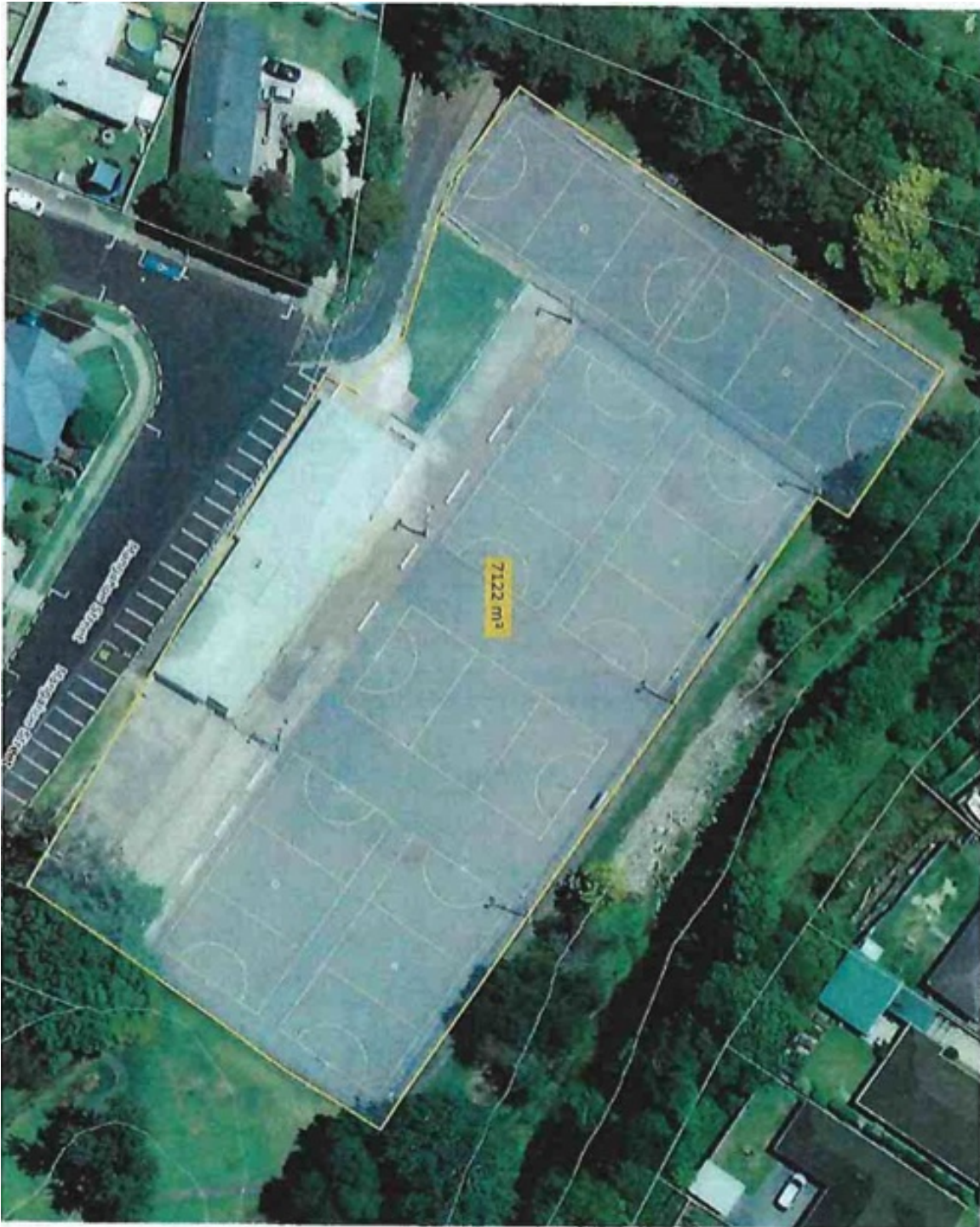


Approved by Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**



## APPENDIX 1

### Plan of Leased Area



## APPENDIX 2

Record 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](#)

<b>Estate</b>	Fee Simple
<b>Area</b>	119.4525 hectares
<b>Legal Description</b>	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 2**

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Finance and Corporate Committee Report - Reserves Act 1977 – Te Awamutu Brass Band Incorporated (ECM number 11269577)

# COMMITTEE REPORT



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

**From:** Property Advisor – Angela McEwan

**Subject:** **New Community Lease –  
Te Awamutu Brass Band Incorporated**

**Meeting Date:** 17 September 2024

---

## 1 PURPOSE - TAKE

The purpose of this report is to seek consent from the Finance & Corporate Committee (“the Committee”) to grant a new lease to the Te Awamutu Brass Band Incorporated (“the Club”) for use of part of the land and buildings located at 420 Albert Park Drive, Te Awamutu (“the Reserve”) and to 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 Club in respect of the Reserve.

The Club is the existing tenant of the Reserve and its current lease records a final expiry date of 30 August 2023. The Club expressed a desire to enter into a new lease in accordance with Council’s Community Leasing Policy.

The proposed lease is for a term of five years with two rights of renewal of five years each. Council’s Community Leasing Policy provides that not-for-profit organisations are to be charged a nominal rent based on the value of the land, with generous discounts applied and on that basis the initial annual rent is calculated to be \$27.00 plus GST.

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

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 – Te Awamutu Brass Band Incorporated (ECM Number 11269577);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the recreation reserve located at 420 Albert Park Drive, Te Awamutu, entering into a lease with the Te Awamutu Brass Band Incorporated of the area outlined in yellow on the plan annexed at Appendix 1 of this report for an initial term of five (5) years with two (2) rights of renewal of five (5) years each for the purposes of band rooms 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 Act of the Reserve which is legally described as Sections 1-3 Survey Office Plan 423469 contained in Record of Title 610909, a copy of which is appended at **Appendix 2** (“the Reserve”).

#### **Proposed New Lease**

Council has leased part of the Reserve to the Te Awamutu Brass Band Incorporated (“the Club”) since 1973. The lease expired on 30 August 2023 and the Club wishes to enter into a new lease.

The proposed new lease would be for an initial term of five (5) years with two (2) rights of renewal of five (5) years each and will be in the form of Council’s standard community lease terms and conditions. The commencement date of the new lease would be 31 August 2023, with the final expiry being 30 August 2038.

The total area recorded in the proposed lease is approximately 356m<sup>2</sup>.



## Proposed Tenant

The Club was registered as an incorporated society under the Incorporated Societies Act 1908 in 1916 and has occupied the site since the construction of the band rooms in 1973.

The Club currently comprises a membership of 38 individuals, including a learners' group and an active and representative committee. The Club owns the band room building on the site and is responsible for all maintenance in respect of that building.

The Club perform regularly in the community and also represent Te Awamutu in national and regional contests. The Club has invested significant funds and energy into renovating the band room, namely new bathrooms and replacing old gas heaters with heat pumps. The Club is aware of the age and changing condition of the band rooms and they strive to continue to maintain and update the band rooms when financially viable.

The band rooms are also used by the Te Awamutu College band and the Club is always open to assisting other community groups with a suitable space.

The permitted use of the land under the proposed lease is "Band rooms".

## 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 Te Awamutu News on 1 August 2024. 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
<b>Option 1:</b> Do nothing	<ul style="list-style-type: none"> <li>▪ No staff or other Council resources required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ This option does not provide either party with any certainty of tenure.</li> </ul>
<b>Option 2:</b> Enter into a new lease with the Te Awamutu Brass Band Incorporated for an initial term of 5 years with 2 rights of renewal of 5 years each on Council's standard community lease terms and such other conditions as may be considered appropriate	<ul style="list-style-type: none"> <li>▪ This option provides both parties with certainty, and ensures that the Te Awamutu Brass Band Incorporated is able to continue to work to promote its objectives as set out in this report.</li> </ul>	<ul style="list-style-type: none"> <li>▪ None identified.</li> </ul>

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 of 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 Urban Reserves Management Plan Volume 1 (Te Awamutu & Cambridge) (2006) (“RMP”). 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 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 \$27.00 plus GST per annum plus outgoings. An annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable annually from the Commencement Date of the Lease.

### **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 23 July 2024, iwi were informed of and invited to supply feedback on the proposed lease. No feedback or concerns have been raised.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Lease	Council	24 September 2024
Sign the Lease	Group Manager Business Support	7 October 2024

## 9 APPENDICES - ĀPITITANGA

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



Angela McEwan  
**PROPERTY ADVISOR**



David Varcoe  
**MANAGER PROPERTY SERVICES**



Approved by Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**

## APPENDIX 1

### Plan of Leased Area

---



## APPENDIX 2

### Record of Title

## Emtel Title Preview

Information as at Sunday 21st July 2024

### RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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**Identifier** 610909  
**Land Registration District** South Auckland  
**Date Issued** 05 March 2013  
**Prior References**  
[SA25/73](#) GN H264667 GN 9330210.2 GN 9330210.3 [SA1094/206](#) GN 9330210.1

**Estate** Fee Simple  
**Area** 7.9653 hectares  
**Legal Description** Section 1-3 Survey Office Plan  
 423469

**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 [8570671.1](#) - 18.8.2010 at 7:00 am (AFFECTS SECTION 3 SO 423469 BEING FORMERLY ALLOTMENT 22 VILLAGE OF TE AWAMUTU)  
 Subject to the Reserves Act 1977

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## **APPENDIX 3**

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New Community Leases – Cambridge Dog Obedience Club Incorporated and Hautapu Sports and Recreation Club (Incorporated) (ECM number 11269608)

# COMMITTEE REPORT



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

**From:** Property Advisor – Angela McEwan

**Subject:** **New Community Leases – Cambridge Dog Obedience Club Incorporated and Hautapu Sports and Recreation Club (Incorporated)**

**Meeting Date:** 17 September 2024

## 1 PURPOSE - TAKE

The purpose of this report is to seek the consent of the Finance & Corporate Committee (“the Committee”) to grant a new lease to the Cambridge Dog Obedience Club Incorporated (“the CB Dog Obedience”) and a new lease to the Hautapu Sports and Recreation Club (Incorporated) (“Hautapu Sports”) (together referred to as “the Clubs”) for use of parts of the recreation reserve located on Taylor Street, Cambridge which forms part of the Cambridge Town Belt and seek delegation from the Committee to the Group Manager Business Support to sign the leases.

## 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 new leases with the CB Dog Obedience and Hautapu Sports in respect of part of the recreation reserve located on Taylor Street, Cambridge which forms part of the Cambridge Town Belt (“the Reserve”). The proposed leases are each for a term of five years at an initial annual rent of:

- The CB Dog Obedience - \$377.00 plus GST
- Hautapu Sports - \$873.00 plus GST

Each of the Clubs is the existing tenant of the respective parts of the Reserve and their current leases reached their final expiry dates in 2016 and 2018 respectively. Negotiations for renewals of the leases were delayed at that time as proposals were being considered in relation to a Master Plan being implemented in relation to those parts of the Reserve. Those plans have been put on hold in the interim and the Clubs have expressed a desire to enter into new leases in accordance with Council’s

Community Leasing Policy. In the meantime, the leases have been holding over on the existing terms.

Following consideration of the purpose of the leases, 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 areas is appended at **Appendix 1**.

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

### 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

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*That the Finance and Corporate Committee*

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Leases – Cambridge Dog Obedience Club Incorporated and Hautapu Sports and Recreation Club (Incorporated) (ECM Number 11269608)*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering:
 
  - i) *into a lease of five (5) years with the Cambridge Dog Obedience Club Incorporated over the land outlined in red in the plan in Appendix 1 to this report for the purpose of dog obedience activities; and*
  - ii) *a lease of five (5) years with Hautapu Sports and Recreation Club (Incorporated) over the land outlined in yellow in the plan in Appendix 1 to this report for the purpose of sport and recreation grounds,**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 leases pursuant to section 54(1) of the Reserves Act 1977.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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#### **Proposed Lease of Recreation Reserve**

Council is the owner and administering body under the Act of the recreation reserve located on Taylor Street, Cambridge which forms part of the Cambridge Town Belt and is legally described as Allotments 18, 18A, 19, 20 and Allotment 23 Cambridge Town Belt contained in Record of Title 451548, a copy of which is appended at **Appendix 2** (“the Reserve”).



## Proposed New Leases

Council's records record that the CB Dog Obedience has leased part of the Reserve since 1991. The lease expired on 19 June 2016. Council has also leased part of the Reserve to the Hautapu Sports immediately following the end of World War II. The Clubs wish to enter into new leases over the respective parts of the Reserve.

The proposed new leases 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 these leases 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 longer term leases.

It is proposed that the new leases will otherwise be in the form of Council's standard community lease terms and conditions.

The total area recorded in the proposed lease to the CB Dog Obedience is approximately 2.1950ha and total area recorded in the proposed lease to Hautapu Sports is approximately 6.9ha.

## Proposed Tenant

### CB Dog Obedience

CB Dog Obedience is an incorporated society under the Incorporated Societies Act 1908 and has occupied the Reserve since 1991.

It is a small club offering domestic dog obedience classes and agility training classes with active club members competing in both agility and obedience competitions. They run weekly agility classes and regular domestic training sessions.

The club also hosts numerous events during the summer months which bring competitors in from all over the country. Many of those visitors use the leased area to camp overnight during the events.

CB Dog Obedience own the building on the site and is responsible for all maintenance and outgoings in relation to the building and any improvements.

The permitted use of the land under the proposed lease is "Dog obedience activities".

## Hautapu Sports

Hautapu Sports is an Incorporated Society under the Incorporated Societies Act 2022 and is managed by a dedicated elected committee which also oversees the management and maintenance of the Reserve and facilities. It has been domiciled at the Reserve immediately following the end of World War II, which instigated the naming of the reserve as 'Memorial Park'.

Hautapu Sports commits significant financial resources on an annual basis to the Reserve grounds: current financial year \$14,451 and \$21,076 for the 2022/23 financial year. This ensures the grounds are maintained to a high standard through weed control, fertilising, scarification, and aeration. The fields are also irrigated to improve summer usage through its own water bore and irrigation system owned by the Hautapu Sports.

Hautapu Sports has grown rapidly over the past few years to be a major community orientated club in both Waipa, and the wider Waikato Region. It is home to 1,566 registered players participating in 151 teams across senior and junior sports including rugby, hockey, netball and summer touch. These sports are supported by 103 registered volunteers in established roles (e.g. coaching & managers, committee, grounds & facilities).

Numerous rugby and other sports players of all ages use the grounds, including primary and high schools, representative and international teams, regional tournaments, summer touch and schools' cross-country.

Community links promoting the use of the grounds have also been established for the Lions Club, Rural Schools Ag Days, Rural Farmers Support Days and other visiting community events. The Club has forged strong links with the wider community with formal community arrangements for shared facility use with the IHC IDEA (Management and Kapa Haka), and Interlock Disability Group which sees the disabled using the club and grounds daily.

Hautapu Sports owns all buildings on the site, which include clubrooms, changing rooms, toilets, grandstand, scoreboard tower and ticket office. The is responsible for all maintenance and outgoings in relation to those improvements.

The permitted use of the land under the proposed lease is "Sport and recreation grounds".

### **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 for each of the two proposed leases was placed in the Cambridge News on 1 August 2024. 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
<p><b>Option 1:</b> Do nothing</p>	<ul style="list-style-type: none"> <li>▪ No staff or other Council resources required.</li> </ul>	<ul style="list-style-type: none"> <li>▪ This option does not provide any of the parties with any certainty of tenure.</li> </ul>
<p><b>Option 2:</b> Enter into a new lease with Cambridge Dog Obedience Club Incorporated and a new lease with the Hautapu Sports and Recreation Club (Incorporated) for a term of 5 year and otherwise on Council's standard community lease terms and such other conditions as may be considered appropriate</p>	<ul style="list-style-type: none"> <li>▪ This option provides all parties with certainty, and ensures that Cambridge Dog Obedience Club Incorporated and Hautapu Sports and Recreation Club (Incorporated) are able to continue to work to promote its respective objectives as set out in this report.</li> </ul>	<ul style="list-style-type: none"> <li>▪ None identified.</li> </ul>

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 leases of option 2 comply 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 leases fall 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 leases are recorded in the RMP and the proposed leases are 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, the leases are 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 leases.

## 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 of the new leases, calculated in accordance with the Community Leasing Policy, will be \$377.00 plus GST per annum (CB Dog Obedience) and \$873.00 plus GST per annum (Hautapu Sports) plus outgoings and, in each case, an annual administration fee (currently \$357.00 inclusive of GST per annum) will be payable from the Commencement Date of the lease.

## Risks - Tūraru

There are no known significant risks associated with granting the leases.

## 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 25 July 2024 iwi were informed of and invited to supply feedback on the proposed leases. No feedback or concerns have been received.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Ministerial consent to the Leases	Council	24 September 2024
Sign the Leases	Group Manager Business Support	7 October 2024

## 9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Plan of Leased Areas
2	Record of Title 451548



Angela McEwan  
**PROPERTY ADVISOR**



David Varcoe  
**MANAGER PROPERTY SERVICES**



Approved by Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**



# APPENDIX 1

## Plan of Leased Areas

### CB Dog Obedience (outlined in red)



### Hautapu Sports (outlined in yellow)



## APPENDIX 2

### Certificate of Title 451548

#### Emtel Title Preview

Information as at Sunday 21st July 2024

#### RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



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<b>Identifier</b>	451548		
<b>Land Registration District</b>	South Auckland		
<b>Date Issued</b>	03 November 2008		
<b>Prior References</b>	<a href="#">SA67/104</a> <a href="#">SA36/248</a>	<a href="#">SA56/248</a> <a href="#">266998</a>	<a href="#">H549492</a> <a href="#">S351867</a>
<b>Estate</b>	Fee Simple		
<b>Area</b>	163.8039 hectares		
<b>Legal Description</b>	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		
<b>Registered Owners</b>	<a href="#">Waipa District Council</a>		

#### 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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Report to Finance & Corporate Committee – 17 September 2024



New Community Leases - Cambridge Dog Obedience Club Inc & Hautapu Sports and Recreation (Inc)



## APPENDIX 4

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Resolutions 3/24/65, 3/24/67, and 3/24/67

### RESOLVED

3/24/65

*That the Finance and Corporate Committee*

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Leases – Cambridge Dog Obedience Club Incorporated and Hautapu Sports and Recreation Club (Incorporated) (ECM Number 11269608)*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the Cambridge Town Belt recreation reserve, entering:
  - i) *into a lease of five (5) years with the Cambridge Dog Obedience Club Incorporated over the land outlined in red in the plan in Appendix 1 to this report for the purpose of dog obedience activities; and*
  - ii) *a lease of five (5) years with Hautapu Sports and Recreation Club (Incorporated) over the land outlined in yellow in the plan in Appendix 1 to this report for the purpose of sport and recreation grounds, 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 leases pursuant to section 54(1) of the Reserves Act 1977.*

Councillor St Pierre /

Councillor L Brown

### RESOLVED

3/24/66

*That the Finance and Corporate Committee*

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Te Awamutu Netball Center Incorporated (ECM Number 11269547);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the recreation reserve located at 153 Mangahoe Street, Te Awamutu, entering into a lease with the Te Awamutu Netball Center Incorporated of the land outlined in yellow on the plan annexed at Appendix 1 of this report for an initial term of five (5) years with two (2) rights of renewal of five (5) years each for the purposes of netball and related 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 L Brown / Councillor St Pierre

**RESOLVED**

3/24/67

*That the Finance and Corporate Committee*

- a) *Receives the report of Angela McEwan, Property Advisor, titled New Community Lease – Te Awamutu Brass Band Incorporated (ECM Number 11269577);*
- b) *Approves pursuant to section 54(1)(b) of the Reserves Act 1977, as administering body over the recreation reserve located at 420 Albert Park Drive, Te Awamutu, entering into a lease with the Te Awamutu Brass Band Incorporated of the area outlined in yellow on the plan annexed at Appendix 1 of this report for an initial term of five (5) years with two (2) rights of renewal of five (5) years each for the purposes of band rooms 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 St Pierre / Councillor Pettit



# COUNCIL REPORT



**To:** Her Worship the Mayor and Councillors  
**From:** Manager Governance  
**Subject:** Council Committee Appointments  
**Meeting Date:** 24 September 2024

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## 1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

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At the commencement of this triennium the Mayor’s committee structure and membership was presented to Council. The Mayor can make changes to the committee structure during the triennium. Appendix 1 of this report, includes a memorandum from the Mayor appointing the Department of Conservation representative to the Maungatautari Reserve Committee; a position which has been vacant this triennium.

## 2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

---

*That Council*

- a) *Receives the report of Jo Gread, Manager Governance, titled Council Committee Appointments (ECM number 11300093);*
- b) *Receives the Mayor’s memorandum included as Appendix 1 of this report (ECM number 11298287) amending the Council Committee Membership pursuant to section 41A of the Local Government Act 2002.*

## 3 COMMENTARY – KŌRERO

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Section 41A of the Local Government Act 2002 gives the Mayor the power to establish committees of the Council and to appoint their Chairs and Deputy Chairs. At the commencement of this triennium the Mayor’s committee structure and membership was presented to Council. The Mayor can make changes to the committee structure during the triennium. Appendix 1 of this report, includes a memorandum from the Mayor appointing the Department of Conservation representative to the Maungatautari Reserve Committee, which is a position that has been vacant this triennium.

Section 41A does not limit or prevent the Council from discharging or reconstituting a committee established by the Mayor; appointing more committees in addition to any established by the Mayor; or discharging the appointment of the chairpersons. In addition, a committee may appoint subcommittees it considers appropriate unless it is prohibited from doing so by the local authority. If Council resolves to take any of these actions they must follow the process as set out in Schedule 7 of the Local Government Act 2002.

#### 4 APPENDIX - ĀPITITANGA

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No:	Appendix Title
1	Mayoral Committee Appointments (ECM number 11298287)



Jo Gread  
**MANAGER GOVERNANCE**



Approved by Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**

## **APPENDIX 1**

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Mayoral Committee Appointments (ECM number 11298287)

10 September 2024

To: The Council

From: The Mayor

**Subject: Council Committee Membership**

This memorandum is to confirm I am making a further exercise of my powers under Section 41A of the Local Government Act 2002 to make the amendments shown as track changes below to committee membership:

<b>Maungatautari Reserve Committee</b>	<p><b>Membership:</b> <i>Councillor Montgomerie, Councillor Gordon, Councillor Coles, Councillor Morgan, Te Hiiri Taute (Pohara Marae representative), Poto Davies (Maungatautari Marae representative), one representative from Ngati Haua (vacant), Geoff Canham (Consultant), Helen Hughes (Maungatautari Ecological Island Trust representative), <del>Niwha Jones -one representative from the</del> (Department of Conservation <u>representative</u>) <del>(vacant)</del> and Bruce Clarkson (representative from the Waikato Regional Council). [Landowners to be appointed once available]</i></p> <p><b>Chair:</b> <i>Councillor Montgomerie</i></p> <p><b>Purpose:</b> <i>To facilitate Council’s role in relation to the administration and management, including co-governance and management of the Maungatautari Reserve in accordance with the requirements of the Reserves Act 1977, reserve management issues as they relate to the reserve and to the ecological island project, and to oversee the services of MEIT for day-to day management of the enclosures and to oversee the Reserve Management Plan for the reserve.</i></p>
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Susan O’Regan

Mayor

# COUNCIL REPORT



**To:** Her Worship the Mayor and Councillors  
**From:** Acting Group Manager Business Support  
**Subject:** **Waipā Networks Trust Triennial Election of Trustees**  
**Meeting Date:** 24 September 2024

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## 1 PURPOSE - TAKE

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The purpose of this report is to seek approval to delegate to Her Worship the Mayor and the Chief Executive to jointly exercise all of Council's votes in the 2024 triennial election of trustees of the Waipa Networks Trust.

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

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The three-yearly elections for the Waipa Networks Trust (the Trust) are open for voting until 1<sup>st</sup> October 2024.

The Trust fully owns all the shares of Waipa Networks Limited (the Company). As such, it plays a crucial role on behalf of our community in the direction setting and oversight of the company's performance in owning and managing an essential community infrastructure network.

With this being the case, in the view of Council officers, it is important that Council exercises its ability to vote in an effort to ensure good candidates are elected.

For practicality and privacy reasons and in the interests of avoiding conflicts of interest or the seeking of improper advantage, it is recommended Council give delegated authority to Her Worship The Mayor and the Chief Executive to jointly exercise all of Council's votes on Council's behalf. They will do this with due regard to the skill and experience of the candidates, and the likelihood of the candidate to act in the interests of both Council and the Waipa community as a whole.

### 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

*That Council*

- a) *The information contained in the ‘Waipā Networks Trust Triennial Election of Trustees’ report (ECM number 11301907), of Georgina Knapp, Acting Group Manager Business Support, be received; and*
- b) *Authority be delegated to Her Worship The Mayor and the Chief Executive to jointly exercise all of Council’s votes in the 2024 triennial election of trustees of the Waipā Networks Trust.*

### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

There are eight candidates standing for six trustee positions. A vote is allocated for every ICP power connection to the Waipā Networks network. Council has around 230 connections and therefore has a large number of votes. Voting can be done either electronically or by mail.

### 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 has a low level of significance.

### 6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<b>Option 1:</b> Do nothing	<ul style="list-style-type: none"> <li>▪ <i>None identified.</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>The Mayor and Chief Executive does not have appropriate delegations leading to the inefficient exercise of Council functions.</i></li> <li>▪ <i>Council cannot exercise its ability to vote in an effort to ensure good candidates are elected.</i></li> </ul>
<b>Option 2:</b>	<ul style="list-style-type: none"> <li>▪ <i>The Mayor and Chief Executive has appropriate delegations to enable Council functions to be exercised efficiently.</i></li> <li>▪ <i>Council exercises its ability to vote in an effort to ensure good candidates are elected.</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ <i>None identified.</i></li> </ul>

The recommended option is Option 2. The recommended option is Option 2 to ensure that Council functions can be exercised most efficiently by the most appropriate Committee/person.

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

### Council’s Vision and Strategic Priorities

Staff confirm that option 2 is consistent with Council’s vision and strategic priorities.

### Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the option 2 complies with Council’s legal and policy requirements.

### Financial Considerations – Whaiwhakaaro ā-Pūtea

This proposal has no identified financial implications.

### 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

There are no known Iwi and Mana Whenua considerations for option 2.

### Climate Change – Hurihanga Āhuarangi (delete if not required)

There are no known climate change considerations for option 2.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Her Worship the Mayor and the Chief Executive to jointly exercise all of Council’s votes in the 2024 triennial election of trustees of the Waipa Networks Trust.	The Mayor and Chief Executive	By 1 <sup>st</sup> October 2024



Georgina Knapp  
**ACTING GROUP MANAGER BUSINESS SUPPORT**



# COUNCIL AGENDA



**To:** Her Worship the Mayor and Councillors  
**From:** Governance  
**Subject:** RESOLUTION TO EXCLUDE THE PUBLIC  
**Meeting Date:** 24 September 2024

## 1 EXECUTIVE SUMMARY – WHAKARĀPOPOTANGA 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:*

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
15. Public Excluded Minutes – 27 August June 2024 16. Disposal of Residential Land Kihikihi 17. Block Land Disposal Te Awamutu 18. Te Awamutu Walk of Fame	<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:*

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
16,17	7(2)(i)	<i>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</i>
15,18	7(2)(a)	<i>To protect the privacy of natural persons, including that of deceased natural persons</i>