

---

Agenda for a meeting of the Waikato District Council (to deliberate on the 2023-24 Annual Plan Targeted Rate) to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY, 13 JUNE 2023** commencing at **9.30am**.

*Information and recommendations are included in the reports to assist the Committee in the decision making process and may not constitute Council's decision or policy until considered by the Committee.*

*The meeting will be opened with a karakia.*

**1. APOLOGIES AND LEAVE OF ABSENCE**

**2. CONFIRMATION OF STATUS OF AGENDA**

**3. DISCLOSURES OF INTEREST**

**4. REPORTS**

- 4.1 Deliberations report for the Proposed Tamahere targeted rate in  
2023-24 Annual Plan

4

**5. EXCLUSION OF THE PUBLIC**

It is anticipated to hold the deliberations in open, however Council may determine they need to exclude the public to seek legal advice prior to making a recommendation to the Council meeting on 28 June 2023 and will make a resolution to do so if required.

GJ Ion  
**CHIEF EXECUTIVE**

## TERMS OF REFERENCE

### COUNCIL

<b>Chairperson:</b>	Her Worship the Mayor
<b>Deputy Chairperson:</b>	Deputy Mayor
<b>Membership:</b>	The Mayor and all Councillors
<b>Meeting frequency:</b>	Six weekly – or as required
<b>Quorum:</b>	Half of the members (including vacancies)

### Purpose

1. To provide leadership to, and advocacy on behalf of, the people of the Waikato District.
2. To define and represent the total communities' interests, ensuring ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the communities' financial resources.

### Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan.
4. The power to adopt a Long-Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long-term Plan or developed for the purpose of the local governance statement, including the Council's Infrastructure Strategy.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members, and consider any recommendations made in relation to a complaint lodged under the Code.
10. The power to appoint and discharge:
  - a. members (including chairpersons) of Council committees and subordinate decision-making bodies, subject to the Mayor's powers under section 41A Local Government Act 2002; and
  - b. elected member representatives on external organisations.
11. The power to establish a joint committee with another local authority or other public body and appoint elected members as representatives on such committees or bodies.
12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the Ombudsman's recommendation.
13. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.

14. The power to amend or replace the delegations in Council's Delegations Register (except where expressly permitted in the Delegations Register).

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

1. To approve a proposed policy statement or plan under the Resource Management Act 1991.
2. To approve changes to boundaries of the District under the Resource Management Act 1991 or any other legislation.
3. In respect of District Plan decisions:
  - a. To appoint independent commissioners to a panel for hearings of a Proposed District Plan;
  - b. To approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change); and
  - c. To approve a proposed plan or a change to a district plan under Clause 17, Schedule 1 of the Resource Management Act 1991.
4. To adopt governance level strategies, plans and policies which advance Council's vision and strategic goals (e.g. Hamilton to Auckland rail), other than where expressly delegated to a committee.
5. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
6. To approve the Triennial Agreement.
7. To approve resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
8. To approve any changes to the nature and delegations of any Council committees or subordinate-decision making bodies.
9. To approve the Local Governance Statement.
10. To approve funding requests not allowed for within budgets, in accordance with Significance & Engagement Policy parameters.
11. To approve any additional funding decisions required for the Watercare Services contract.
12. To approve development agreements as recommended by the Development Agreements Subcommittee where infrastructure is not allowed for within the Long Term Plan.
13. To receive six-monthly reports from each Community Board on its activities and projects.

<b>To</b>	<b>Waikato District Council</b>
<b>Report title</b>	<b>Deliberations report on the proposed targeted rate for Tamahere gully network restoration</b>
Date:	13 June 2023
Report Author:	Mary Rinaldi, Corporate Planner
Authorised by:	Clive Morgan, General Manager, Community Growth Megan May, General Manager, Service Delivery

## **1. Purpose of the report**

### **Te Take moo te puurongo**

---

To assist the Council with their deliberations on the proposed targeted rate for Tamahere gully network restoration and for Council to recommend how staff should proceed.

## **2. Executive summary**

### **Whakaraapopotanga matua**

---

The proposed targeted rate for Tamahere gully network restoration was approved for consultation by Council on 5 April 2023 and was consulted on between 6 April and 25 May 2023. A total of 231 submissions were received with seven submitters requesting to speak at the Council hearing at the time this report was written.

## **3. Staff recommendations**

### **Tuutohu-aa-kaimahi**

---

**Staff recommendation:** Given the even split of the community on this matter and the comments received, staff don't have a recommendation based on any technical evidence. Staff therefore leave it to elected members to make a sound decision by weighing up all factors raised by submitters.

---

## 4. Background

### Koorero whaimaarama

---

The restoration and development of the Tamahere Gully Network was identified by the Tamahere community as a top priority through the development of Council Blueprints.

To progress the development of walkways and restore the native ecology within the Mangaone, Mangaharakeke, and Mangaonui (Tamahere) gully network, Council is proposing a joint approach with the Tamahere Mangaone Restoration Trust (the Trust).

Over the past decade, the locally run trust has been restoring and rehabilitating reserves and gullies in Tamahere. This work has been done on a voluntary basis with grants and donations covering costs, including support by Waikato District Council since 2021, when a Memorandum of Understanding was signed and funding of \$3,000 per annum for operational expenses was agreed to.

In 2022, The Tamahere Community Committee, on behalf of the Trust, requested a targeted rate of \$1 per week per property be put in place for the local community over the next five years (financial years 2023/24 to 2028/29) to fund restoration works in the Tamahere Gully area.

The funding collected via the targeted rate would fund the trust's restoration works within gullies on Council land and reserves or on land with public accessibility. Works would include gully restoration and maintenance, and community education and awareness. The Tamahere walkway project, currently funded in the 2021-2031 Long Term Plan over multiple years, would also be able to be completed earlier than anticipated.

If Council decides to proceed with the targeted rate, Terms of Reference between Council and the Trust will be developed, with appropriate accountability mechanisms in place.

This report has been prepared based on written submissions received during the consultation process. Council heard submitters who wished to speak to their submission on 8 June 2023.

## 5. Discussion and analysis

### Taataritanga me ngaa tohutohu

---

Consultation initially took place between 6 April and 7 May 2023. It was advertised on Council's Facebook page and a media release was issued. Direct letters were sent out to all properties in the proposed targeted rate area, and the Tamahere Community Committee and Tamahere-Woodlands Ward Councillors were emailed to cascade information to their networks.

Two community drop-in sessions were run by the Tamahere Mangaone Restoration Trust (these were supported but not managed by staff) during the consultation period, to provide more information to the community.

---

In the lead up to the consultation closing, it was identified that further information about the 2023/24 Annual Plan was relevant for the community to inform their submissions, including the availability of the Rating Information Database (RID), which was made available online on 12 May 2023. Consultation was then extended to 25 May 2023.

When the consultation period was extended, additional communication went out as follows:

- Email to all those that had submitted already, notifying them of the extension and the additional information; and
- Direct letters to all properties in the proposed targeted rate area, also notifying them of the extension and the additional information.

### Submissions received

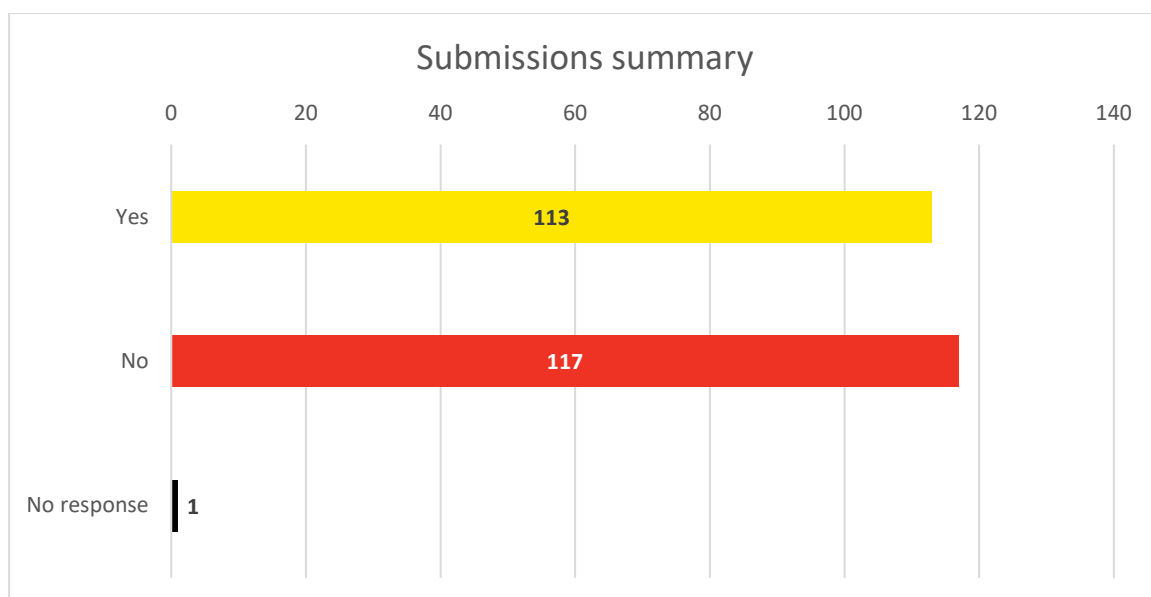
Shape Waikato is Council's main portal for engagement with the community. The Tamahere targeted rate page on Shape Waikato received 1153 views and 642 individual visitors.

A total of 231 submissions were received on the proposed targeted rate, and seven submitters were scheduled to speak at the hearings at the time this report was written. For a copy of all submissions, please refer to the [hearings report from 8 June 2023](#).

### Matters raised in submissions

The submission form asked: ***Do you support the proposed additional targeted rate increase of \$1 a week / \$52 a year to support the Tamahere Mangaone Restoration Trust work in the Tamahere Gully Network?***

A graph showing the responses is below:



Location of submitters:

225 of the 231 submissions were received from submitters within the Tamahere-Woodlands Ward. It was not possible to identify exactly how many of these were specifically in the old Tamahere Ward area which would be subject to the targeted rate due to two of the three relevant post codes spanning an area both within and outside of the old Tamahere Ward area. However, from the context of the submissions (for example many specifically referencing the letter they received) we have assumed that almost all of them are within the proposed targeted rate area.

One submitter (6126) made a comment that the rate should not be applied to the whole Tamahere-Woodlands Ward, only the old Tamahere Ward, so it is assumed that this particular submitter resides outside the targeted rate area but within the Tamahere-Woodlands Ward.

Of the 224 submitters assumed to be within the old Tamahere Ward area, 114 responded 'No' and 110 responded 'Yes'.

The submission responses that did NOT support the proposed rate included the following themes:

Theme	Number of Submissions	Examples of comments
Financial Pressure	67 (13 of these specifically commented that this work should be funded out of existing rates collected)	<p><b>6385</b> – “Paying rates on superannuation is hard enough already without paying extra. Once it is added to rates there is nothing to say it won't carry on being added to the rates after the five years are up. An option is to take it out of the hall rates.”</p> <p><b>6500</b> – “Given the economy at present and with a 7% rate increase I would not support this proposal although would be happy to contribute when the economy has returned to a more manageable position”</p> <p><b>6288</b> – “There has been lots of things we are supposedly paying for in our rates that have not yet happened i.e. the exercise equipment at the reserve but the skate park and playground. I think money would be better spent on something like a cover over the playground that is too hot to use in the summer and too wet in the winter or some proper size swings the only swings are tiny ones for little babies. Our rates are so high already out here. They include \$38.00 per year for the Tamahere Reserve already and also \$70.00 per year for the community centre, in 12 years I have never used and when I did go to use one room last year they wanted to charge me over \$300.00 to use it.”</p>

Theme	Number of Submissions	Examples of comments
		<p><b>6507</b> – “This is the wrong time to ask for extra funds from rates payers when rates are due to rise expedientially over the next few years. Ask for donations instead so those who want to pay can, and those who can't afford it don't.”</p> <p><b>6493</b> – “I don't think the tax payer should have to pay for someone's self directed project when there was no mandate from the public for them to start it and I know at times it has caused significant disharmony amongst rate payers who are nearby this restoration.</p> <p>At times like these, when every dollar is making a difference to people's lives due to inflation etc you have to think extremely carefully about what you are asking the people of Waikato to pay for, and this isn't the right thing, to add insult to injury it does not enrich those people who are less well off in our Waikato area.”</p>
<p><b>Staff comment:</b> Staff acknowledge that it is a difficult financial time for many people. Council offers rates rebates and payment plan options, and the community has been made aware of how to access these services. There are currently two other targeted rates in this area of the district – one for the Tamahere Recreation Reserve which funds an increased level of service for this site. The other is for the hall which funds the maintenance and depreciation of the building. Staff are in consultation with the Hall Committee to determine if that rate could be reduced to decrease the financial pressure on ratepayers, however, if confirmed, this would not be able to be implemented until 2024/25 via the Long Term Plan.</p>		
<p>Alternative funding should be sought (19 of these submissions were also counted under financial pressure)</p>	<p>21</p>	<p><b>6457</b> – “I would much rather see the Trust behind this initiative out in the community, raising awareness of their plans and personally fundraising for the continued work involved. I am certain people who have the resources will give generously, and without having to load more financial pressures on families in the area who may already be struggling financially.”</p> <p><b>6530</b> – “The Waikato River authority have ample funding and a comprehensive strategy for all water going into the Waikato River so surely this would be funding for Tamahere gullies here if applied.”</p> <p><b>6228</b> – “Great initiative, but the Trust can source funds from a multitude of other sources.”</p> <p><b>6478</b> – “With 7% rates rise this will be a real struggle for many, the additional \$52 a year is unnecessary and poor timing to introduce. Please do not put more unnecessary costs on families could there not be fund raising events instead?”</p>



Theme	Number of Submissions	Examples of comments
		<p><b>6464</b> – “There are many ratepayers within the area who can afford this \$1 per week in addition their current and increased rates but most ratepayers are all having to 'tighten our financial belts'.</p> <p>I see this project as a choice so just like a holiday for me - if I can't afford it, then it doesn't happen or is delayed or something else is sacrificed!</p> <p>Just because the Gully project is on a 'wish list' doesn't give right to Council asking/demanding EXTRA funding from ratepayers.</p> <p>Perhaps Council needs to postpone this project to when they can afford it within existing rates or seek private investment from those that CAN afford it.</p> <p>Council needs to stay operating within budget and focus on core responsibilities not 'wish lists!!!”</p> <p><b>6391</b> – “I oppose a compulsory targeted rate for all Tamahere-Matangi ratepayers, it should be a voluntary subscription to the Trust which I would happily pay. There are many wealthy people in Tamahere and sponsorships and donations should also be considered by the Trust.”</p>
<p><b>Staff comment:</b> The Trust have been encouraged by staff to approach alternative external funders to support their aspirations. Staff have been advised by the Trust that since Covid, it has become more difficult to access funds through these sources. Staff also understand that the Trust currently accepts donations but to date they have not received enough funding to cover the costs of their aspirations.</p>		
Does not live near the gully and/or would not use at all	7	<p><b>6484</b> – “This is not close to me nor am I familiar with access points.”</p> <p><b>6300</b> – “I live nowhere near the gully and see no benefit to households in our area”</p> <p><b>6126</b> – “I believe this should be applied only to residents of Tamahere and not imposed on all ratepayers across the newly created Tamahere-Woodlands general ward, who like myself live nowhere near the Tamahere Gully Network.”</p>
<p><b>Staff comment:</b> The targeted rate area is not the whole Tamahere-Woodlands Ward but is based on the boundaries of the pre-2022 Tamahere Ward area. This area was suggested by the Trust and is based on those in the community who will most benefit from the work that is proposed.</p>		

Theme	Number of Submissions	Examples of comments
Already put time and money into gully on own property	8	<p><b>6483</b> – “We have already landscaped our gully block with ponds and plantings at our own expense and a huge amount of time. We feel we have done our bit already, from what was covered in gorse and broom when we bought it.”</p> <p><b>6486</b> – “We have extensive gully on our property and have cleared gorse and blackberries ourselves. We don’t feel the need to fund other gully restoration projects when we have our own”</p> <p><b>6518</b> – “We DO NOT support extra rates to develop the gully on our property - the rates are already a burden and we have done some planting of natives and cleared some rubbish ourselves.”</p>
<p><b>Staff comment:</b> It is proposed that the targeted rate is utilised to restore and enhance gullies that are council-owned, or publicly accessible (through legal easements). Private property owners can make applications to Waikato Regional Council to support restoration work on their own private properties.</p>		
Other		<p><b>6378</b> – “Why should a small group of residents have to pay extra rates to then have non- residents coming to walk and park on our neighbourhood streets. There are plenty of public walks, paths and cycle ways in the area where people have access to local bush and the river. Having walkways along these gullies makes our neighbourhood less safe and I am strongly opposed to it.”</p> <p><b>6352</b> – “There seems to be a headlong rush to build walkways and cycleways all over the Waikato area. Cycleways run across citizens driveways and abuse results when owners back out of their driveway and interrupt a cyclists ride.</p> <p>All these facilities - which look lovely when they are new - will get old and most probably unkempt. I dont think anyone is thinking of the long term problem of maintenance.</p> <p>There seems to be an arrogant disregard for the fact that much of the land required for these walkways is in private ownership.</p> <p>I certainly don’t want public access to the rear of my home. There has been several instances of people getting access (illegally) to several properties in the area and thefts having taken place.”</p>

Theme	Number of Submissions	Examples of comments
		<p><b>6317</b> – “The funding gathered is to restore gullies on Council land and reserves, and land with public accessibility.</p> <p>I interpret "land with public accessibility" as private land that the current owner has granted public access.</p> <p>If, after that land has been restored, the ownership of the land changes the public accessibility could be rescinded which would make that investment a waste of time and money.</p> <p>The Tamahere Mangaone Restoration Trust are known to have carried out restoration on land that they do not have permission to be on.</p> <p>This behaviour is criminal.</p> <p>What are the checks and balances to ensure that this doesn't happen again, and that the money does go where it is intended?”</p> <p><b>6262</b> – “I believe neighbours along the gully network have complained of trespass by members of the Tamahere Mangaone Restoration Trust who may have begun work removing vegetation and installing tracks without permission of private landowners. I believe Waikato District Council have had similar issues. Organisations shouldn't be rewarded for this type of behaviour if this is the case.”</p> <p><b>6345</b> – “I would consider supporting this proposal if all legal pedestrian access easements through private land were in place for the community to access these predominantly land-locked gully areas. In its current form, the proposal calls for the community to fund something that only very few will benefit from, and that the larger community does not have legal access to.</p> <p>It is my opinion that until full pedestrian easements through private land are in place to enable the community to access the council owned gully land, the current funding proposal should be placed on hold.”</p> <p><b>6360</b> – “What do landowners think about people being able to access these properties from the walkways. Safety for people using these walkways is also an issue – ease of accessing them, safety when walking there (there have already been sightings of homeless people in the area, and lighting and parking.</p>

Theme	Number of Submissions	Examples of comments
		Will there be wheelchair access as the population in this area is an aging one and not everyone is able to walk or bike. Finally – what is the Regional Council doing about pest control in the area. Tamahere is now overrun by rabbits and phone calls to the regional council result in being told that it is not their responsibility.”
<p><b>Staff comment:</b></p> <p>Work will only be completed on sites which are accessible to the public. These areas will increase over time, as Council obtain public access through negotiation with property owners. This access will be permanent and not subject to owners changing their minds.</p> <p>A large majority of areas in the gully network are already owned by council and work will continue in these areas until further land is obtained. Tamahere gully walkway aspirations can be found in the 2016 Waikato District Council Trails Strategy.</p> <p>Through negotiations with property owners, fencing and security can be discussed.</p>		

The submission responses supported the proposed rate included the following main themes:

Theme	Number of Submissions	Examples of comments
General support	57	<p><b>6393</b> – “Sensible community focused project. Timeline is reasonable.”</p> <p><b>6372</b> – “This targeted rate is on vital important for the work in the gullies.”</p> <p><b>6346</b> – “This is a great initiative. We fully support it.”</p> <p><b>6315</b> – “Seems reasonable for property owners in this area.”</p>
Environmental benefit	16	<p><b>6389</b> – “I would really love to see the gullies around here cleared of invasive species and planted out with natives – and then having access to them as a member of the public would be an added bonus.”</p> <p><b>6521</b> – “Just to let you know we give our support to this very worthwhile project. It would be wonderful to have the gullies restored improving the habitat for our native flora fauna.”</p> <p><b>6522</b> – “The Gulley network throughout the Waikato region is an incredible Taonga that until recent years has been hugely forgotten and neglected. They are unique to our region and if restored would be an incredible enhancement for those who live locally as well as attracting people from afar.</p>

Theme	Number of Submissions	Examples of comments
		Above everything else it will restore a very precious but degraded ecosystem into much better health."
Public/community benefit	13	<p><b>6342</b> – "I hope that restoring the gully system is a priority for many reasons. Restored gully areas have a lot to offer the area for the benefit of people and the environment, create access and contribute to the health of waterways etc"</p> <p><b>6380</b> – "The linking of walkways through the Tamahere gully systems has been a long-held desire for the residents.</p> <p>However, it is not in the development cost in the first 5 years as much as the ongoing maintenance cost that the Council will have incur that will need to be built into the equation."</p> <p><b>6357</b> – "If for \$52 a year the project can be advanced and all the good work of the Restoration Trust volunteers can be protected and continued, that is a fantastic aspiration for our community to provide an intergenerational project of huge natural significance. The restoration and access to the gully network has been identified as a very high priority by residents in the area."</p> <p><b>6322</b> – "The opportunity now exists to create "loops" of tracks, rather than just there-and-back tracks so considerable additional amenity for locals as well as others who make their way to Tamahere on the Te Awa Cycleway.</p> <p>When complete, the gully tracks will also enable intermediate and high school age students to get to the in-zone schools of Berkeley and Hillcrest."</p> <p><b>6277</b> – "we badly need safe walkways around this area.... a few new footpaths have gone along matangi road recently which is great! Save walking on the road or thru wet grass...."</p>
General support of the Trust and their work	9	<p><b>6379</b> – "Fantastic work by the trust, helping maintain our natives and bring our community together. We live in Rosebanks Drive with a small gully, and welcome this and other developments. Fully support the targeted rate and pathway development."</p> <p><b>6377</b> – "The trust has been working hard for restoring and rehabilitating reserves and gullies in Tamahere. It would be great if they could continue to do the work which would be good for the community."</p>

Theme	Number of Submissions	Examples of comments
		<p><b>6289</b> – “The Trust has been doing great work in the gully and this will be of real benefit to support their efforts”</p>
Rate and/or scope of work should be bigger	7	<p><b>6363</b> – “With committed Trustees and committed beneficiaries of this work, I strongly support this initiative and believe the Targeted Rate should be increased to \$2/week or \$104 per year for 12 years with 4 reviews every 3 years to monitor its progress and performance.”</p> <p><b>6516</b> – “I believe that the targeted rate is too small and the scope of the proposed work too limited. I propose that restoration of the main Manganua Stream Gully and its major tributaries between Matangi Road, Airport Road and the Waikato River should be included in all long term planning for the Waikato District”</p> <p><b>6286</b> – “PFT is of the view that an ecological restoration plan be developed by appropriately qualified experts to ensure future restoration of the area results in maximum biodiversity benefits.</p> <p>As part of the gully restoration, PFT requests that Council ensures that large trees (whether exotic or native) within the gully network would remain as bat habitat and that this features in the ecological restoration plan. Additionally, PFT would like to see this restoration plan ensures that planting to increase food sources for birds is included.</p> <p>PFT considers that pest management is a critical aspect of gully restoration. PFT would like to see pest management included in the restoration plan, and would welcome the opportunity to work with Council and TMRT on this issue.”</p>
Other		<p><b>6271</b> – “We are supportive, but would suggest consideration be given to making the walkways shared paths for both cyclists and walkers. This could potentially increase the number of users and therefore increase awareness and appreciation of the project. A connection to the Te Awa walkway would also be valuable if achievable.”</p> <p><b>6291</b> – “Provided it can be shown that this money is spent as proposed I have no issue with the \$1 issue. Would be good to receive information showing how the increased funds was spent and the positive outcomes for the community.”</p>

Theme	Number of Submissions	Examples of comments
		<p><b>6320</b> - "Happy to support this targeted rate, but please don't keep coming to ratepayers with more targeted rate requests"</p> <p><b>6458</b> - "We are concerned with those big trees overhanging the road."</p> <p><b>6498</b> - "Transparency of planning and spending"</p> <p><b>6503</b> - "Happy to have this rate levied even after i have seen my new proposed property charges (2023 2024). Incidentally I found the proposed property charges tool easy to use and very clear, well done"</p>

Some submitters supported in principle but had some specific comments or suggestions to be considered. The first two listed below (6344, 6386) responded "No" to the consultation question, but provided comments on what it would take for them to support. The rest in the table below (6286, 6520, 6350, 6383, 6264, 6191, 6514, 6284, 6269, 6237, 6147, 6140, 6451) responded "Yes" to the consultation question.

Submitter point	Staff comment
<p><b>#6344</b> - "I fully support the restoration of the Tamahere gully system. However, I have grave concerns about the ability of this organization on the following basis: the ability of this organization to manage what in effect, are donations from local residents; the organization requires vastly enhanced processes and systems to ensure that the community has confidence in the use of these funds; there is no obvious succession; this organization has paid little heed to the presence of bats in these gullies. I believe that the TMRT should merge with Predator Free Tamahere to provide a more cohesive approach and so that funds provided meet the requirements of both organizations. There needs to be oversight by a specialist ecologist."</p>	<p>All funds will be managed in accordance with an annual work programme which will detail the areas of focus within the gully network.</p> <p>Contractors will be paid directly by WDC and any remaining funds paid to the trust will be subject to annual financial reporting. The Council will ensure the Wildlife Act is adhered to in terms of effects on bat habitat and partnerships with DOC, Hamilton City Council and associated community groups such as Predator Free Tamahere will be a key component of this project moving forward.</p> <p>If the targeted rate it supported, WDC will encourage the Trust to consider succession planning and working with other volunteer groups in the community.</p>

Submitter point	Staff comment
<p><b>#6386</b> - I would [support] a targeted rate subject to the following:</p> <ol style="list-style-type: none"> <li>1. The funds raised to establish a fund administered by the Waikato District Council.</li> <li>2. All Rate payers in the Tamahere Ward owning a gully may apply for funds to assist with the purchase of plants or chemicals.</li> <li>3. Applicants must establish to the council's satisfaction their ability to undertake their proposal.</li> <li>4. Approval of funds to be applied to the further Enhancement of Council owned gullies should not be used by Council to reduce normal funding from Council Rates.</li> </ol>	<p>It is not proposed that the funds are to be utilised for private property and therefore would not be available for chemicals or plants to be used on this land.</p> <p>Private property owners can make applications to Waikato Regional Council to support restoration work on their own private properties.</p>
<p><b>#6286</b> – “PFT is supportive in principle of a targeted rate to continue the restoration of gullies in Tamahere. However, PFT considers that there is not enough detail currently provided regarding the governance and accountability to provide unconditional support for the proposed targeted rate.</p> <p>In particular, PFT expects that additional information be provided to the community on the following issues on the proposed targeted rate before Council makes a decision:</p> <ul style="list-style-type: none"> <li>• Will the targeted rate funds be held by Council, the Tamahere Community Committee or the TRMT?</li> <li>• What is the governance structure for managing the targeted rate? If contracted services are required, who will let the contract and manage its completion?</li> <li>• What are the accountability mechanisms in place for reporting on spending and progress on the restoration outcomes? How often will this reporting be undertaken?</li> <li>• What long-term protection mechanisms (such as covenants) will be implemented to protect the restoration once it is completed?</li> <li>• How will the restoration of a gully network (which includes land in both private and Council ownership) be managed to ensure good process and information for private land owners?</li> <li>• What is the succession plan for TRMT?</li> </ul>	<p>If supported, the targeted rate will be held by WDC and paid to the Trust three times per year. Any costs incurred by the Trust in the period since the previous payment will be deducted from the Trust's payment. It is not proposed for any funds to be held by the Tamahere Community Committee (TCC) but the Trust is required to report on their activities to this group.</p> <p>WDC will engage, manage, and pay all contractors. Maintenance work will be completed by existing WDC contractors.</p> <p>The frequency of financial reporting is yet to be determined but is proposed to be specified within the Terms of Reference. This will be reported to both WDC and the TCC.</p> <p>Covenants will not be required as work is only being completed on WDC owned and publicly accessible land.</p>



Submitter point	Staff comment
<p><i>Treaty obligations/responsibility to engage with mana whenua</i></p> <p>The expanded restoration of the Tamahere gully network presents an ideal opportunity to work with mana whenua on improving te taiao (the environment). PFT notes that the Vision and Strategy (Schedule 2, Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010) is the primary direction setting document for the Waikato River (including all its tributaries). Council has a range of legal obligations to engage with Māori, whether it be on decision-making or the management of environmental resources.</p> <p>There are a number of the objectives and strategies in the Vision and Strategy for the Waikato River which are relevant to the restoration of Tamahere gullies. In addition, there are a iwi and hapū environmental management plans which detail the aspirations of Māori to improve te taiao.</p> <p>It is unclear from the current information provided on the proposed targeted rate as to how Council and the TMRT will work with mana whenua to restore the Tamahere gullies.</p> <p>PFT expects that, should they choose to be, mana whenua will be involved in all governance, planning and operational aspects of the restoration of the Tamahere gullies. Weaving together Te Ao Māori (the Māori world) and European values regarding ecological restoration in the Tamahere gully network presents an opportunity to create a richer, more diverse story about our history and our future.</p> <p><i>Landowner issues</i></p> <p>What does education and community awareness mean in practice?</p> <p>How will landowner concerns be managed?</p> <p><i>The walkway project</i></p> <p>The current information provided on the proposed targeted rate notes that 'the Tamahere walkway project, funded in the 2021-2031 Long Term Plan over multiple years, would also be able to be completed earlier than anticipated'. PFT would like clarification if the proposed targeted rate will be used to fund the completion of the walkways. If this is the case, this will potentially negatively impact on the pace at which the ecological restoration of the Tamahere gully network can be completed."</p>	<p><i>Treaty obligations/responsibility to engage with mana whenua</i></p> <p>The Trust have indicated they conducted early engagement with mana whenua who have shown support for the work and aspirations of the Trust.</p> <p>Any physical works proposed to be completed will be done so by WDC, and mana whenua will be included in projects when appropriate.</p> <p><i>Landowner Issues</i></p> <p>Negotiations with landowners will occur directly between WDC and landowners.</p> <p>Staff understand that education is proposed to be completed by the Trust through various channels including online, school visits and story boards.</p> <p>It is not proposed for the targeted rate to be utilised to fund Council's work on the Tamahere Walkway project, which was funded through the 2021-2031 Long Term Plan. The Trust, through volunteers, have already supported this project by clearing tracks and removing pest plants in the area, which is why their continued work in this area would contribute to this project being able to be completed earlier than anticipated.</p>

Submitter point	Staff comment
<p><b>#6520</b> – “I have no problem with a targeted rate to restore gullies in Tamahere.</p> <p>I do however find it somewhat incongruous that the idea is to enhance the opportunity for public to experience the gully system via walking access.</p> <p>However (and typically) there are no plans showing where the gullies are, presumably assuming that the public know by the gully name.”</p>	<p>All proposed gully walkways are shown in the WDC 2016 Trails Strategy.</p> <p>This can be accessed on Council’s website here:  <a href="https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/strategies">https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/strategies</a></p>
<p><b>#6350</b> – “1. Supportive of this targeted rate in principal but cautious because of issues around existing Tamahere targeted rates, especially the community hall rate of \$70 pa which has been collected for longer than was originally suggested, with lack of accountability, transparency or any ongoing community consultation. What safeguards are in place to prevent similar issues occurring again? Why not redirect part of the hall rate towards gully restoration?</p> <p>2. Succession planning - the project appears to rely heavily on a small group of older volunteers; who will take over ongoing maintenance?</p> <p>3. What is the plan for protecting taonga species such as bats while clearing exotic weeds &amp; trees?”</p>	<p>The hall targeted rate was consulted on with no end date specified and therefore is reliant on the Hall Committee determining what level of funding is needed. Staff cannot reallocate this funding.</p> <p>The proposed targeted rate for the gully restoration would be in place for five years if supported. After this time, it would either stop, or, if supported through additional public consultation, continue.</p> <p>Staff will continue to encourage the Trust to welcome a wider range of members to support succession planning.</p> <p>Staff will work with the Trust to ensure the wildlife act is adhered to.</p>
<p><b>#6383</b> – “Yes, provided:</p> <ul style="list-style-type: none"> <li>• The targeted rate is applied to the old Tamahere Ward and not just specific properties.</li> <li>• The targeted rate is reviewed at the end of the 5 years and not set in perpetuity.</li> <li>• The targeted rate is for reforestation of the gully system which will help with the gradual reappearance of native birds, bats and aquatic species. This being in line with the introduction of SNA’s and government environmental policies.</li> <li>• Cycles of any size or shape will not be allowed on the walkways.</li> <li>• WDC to work with Hamilton City to ensure routes join up.</li> <li>• WDC’s Parks and Reserves Strategy to confirm the ongoing maintenance/support for these gully developments.</li> <li>• WDC will engage with properties adjacent to any walkway to resolve any issues.</li> </ul>	<p>Staff confirm that the targeted rate would be applied to the pre-2022 Tamahere ward area.</p> <p>The targeted rate would be in place for five years. If there is support to continue after this period, additional public consultation will occur.</p> <p>Most walkways through the gully will not be suitable for cyclists of motorbikes. As work progresses, this may change.</p> <p>WDC are already working with Hamilton City Council on connectivity between both districts.</p> <p>It is proposed that the gullies will be restored in a way which requires minimum maintenance after five years.</p>

Submitter point	Staff comment
<p><b>#6264</b> – “Is there consultation / recognition with/of mana whenua? The blueprint document talks about building a strong identity based on the river corridor and unique qualities of the local area. The existing hall rate of \$70 - the loan part has now been paid. What is the justification for keeping it at the same amount? Can part of this go towards the gully restoration? Is there any oversight by restoration experts? Is the rate paying for the walkways as well? What is the trusts succession plan? What does 'education and community awareness' translate to? Bats - are they being considered when trees are felled? Has consideration been given to a portion of the rate supporting pest control?”</p>	<p>The Trust has indicated early engagement with mana whenua who have shown support for the work and aspirations of the trust.</p> <p>Any physical works proposed to be completed will be done so by WDC, and mana whenua will be included in projects when appropriate.</p> <p>The hall targeted rate was consulted on with no end date specified and therefore is reliant on the Hall Committee determining what level of funding is needed. Staff cannot reallocate this funding.</p> <p>It is not proposed for the targeted rate to be utilised to fund Council’s work on the Tamahere Walkway project funded through the 2021-2031 Long Term Plan. The trust, through volunteers, have already supported this project by clearing tracks and removing pest plants in the area. Their continued work in this area will contribute to the project being able to be completed earlier than anticipated.</p> <p>Staff understand that education is proposed to be completed by the Trust through various channels including online, school visits and story boards.</p> <p>Staff will work with the Trust to ensure the wildlife act is adhered to. Staff support the use of targeted rate funds for pest management.</p>
<p><b>#6191</b> – “Happy to pay a rate to restore gullies if covers all gullies in ward, and not just a few. Eg mangaonua stream gully. Council rate is to pay other targeted rates (eg drains) but then leave us residents to bear cost ourselves- want to restore our gully’s too!”</p>	<p>All proposed gully walkways are shown in the WDC 2016 Trails Strategy.</p> <p>This can be accessed on Council’s website here:  <a href="https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/strategies">https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/strategies</a></p>

Submitter point	Staff comment
<p><b>#6514</b> – “The Tamahere Mangaone Restoration Trust are doing great voluntary work in restoring Tamahere gullies and I am supportive of a special rate to fund the work the Trust does. My support is subject to:</p> <ul style="list-style-type: none"> <li>• The special rate is fixed for five years. Any additional funding required to cover expenses will need to be found by the Trust from other sources.</li> <li>• All funding provided by the special rate should be allocated to the Trust. Council needs to fund its work associated with the Tamahere gullies from its own resources. The special rate should not be taken as a “licence” for Council to pull back from its normal resourcing.</li> <li>• A report should be provided to ratepayers each year giving an account of how the money was spent and what has been achieved.</li> <li>• Ecological restoration requires an ongoing commitment so the work won’t stop after five years. Any intention to extend the rate for a further period will require public consultation at that time. It should not be assumed that the rate can be automatically rolled over.”</li> </ul>	<p>The targeted rate would be in place for five years. If there is support for the targeted rate to continue after this period for further work to be undertaken, additional public consultation will occur.</p> <p>It is not proposed for the targeted rate to be utilised to fund Council’s work on the Tamahere Walkway project funded through the 2021-2031 Long Term Plan. The trust, through volunteers, have already supported this project by clearing tracks and removing pest plants in the area. Their continued work in this area will contribute to the project being able to be completed earlier than anticipated.</p> <p>Reporting will be required at least once per year from the Trust. This will be presented to the Tamahere Community Committee and to WDC. This can be made available on our website for all residents to access.</p>
<p><b>Concerns about the rate funding work on private land and/or lack of public accessibility</b></p> <p><b>#6284</b> – “I’m happy to pay this as long as the work is in areas accessible to the public. I’ve use a lot of the tracks in the gully network, but I’ve also seen a lot of work has been on private land that we can’t use.”</p> <p><b>#6269</b> – “I would like to know what I and other members of the public will get for the rate hike. I totally agree with improving the gully’s but with so much owned privately access is very limited.</p> <p><b>#6237</b> – “Would like to see more extensive walkways in the gully systems, however skeptical this can all be achieved on council land? Access to our local gully is currently restricted by private landowners and I think a targeted rate is a waste of money if many of these gullies cannot be accessed.”</p>	<p>A large majority of the gully areas are already owned by Council but are not yet accessible. The walkway project funded in the 2021-2031 Long Term Plan is proposed to create walkways in these areas to provide access.</p> <p>The targeted rate, if supported, will enhance these areas through restoration in areas wider than the walkway.</p> <p>WDC will continue negotiations with property owners to increase the public accessibility of the gully network.</p>
<p><b>#6147</b> – “Love the idea, even though our property is far from the gullies. Only request is to make sure a pest management program is in place.”</p>	<p>Staff support pest management being included in the work proposed by the trust.</p>

Submitter point	Staff comment
<p><b>#6140</b> – “Be great to see this project supported locally and every dollar raised through this matched by Council given the wider benefit such amenity provides.”</p>	<p>All Council funds are derived from ratepayers and therefore, any additional funding would result in an increased general rate.</p>
<p><b>#6451</b> – “Most of the WDC owned (and private) gully areas are weed-strewn ruins, choked with willow, honeysuckle and many other smothering weeds. Many of the streams are partially blocked by weeds which results in flooding and erosion. We are disappointed that the WDC is not more proactive in restoring these areas to their original native forests - to leave this to volunteers is unbelievable.</p> <p>The source of funding for this is challenging. We would contribute half of the suggested \$1/ week if the WDC made an equal contribution. This would surely be more acceptable to the rate payers and would give a clear indication that the WDC is environmentally responsible.”</p>	<p>WDC own a significant number of land parcels throughout the district which have been acquired for future use. Some of these are not maintained due to lack of ratepayers in the area or competing priorities.</p> <p>All Council funds are derived from ratepayers and therefore, any additional funding would result in an increased general rate.</p>

Waikato Regional Council (WRC) (#6535) did not directly support or oppose the targeted rate but did want to communicate their support for restoration work being undertaken in the Tamahere gully system as this work directly supports biodiversity improvement in the gullies and surrounding landscape. WRC note that predator control is also an important component to improving biodiversity outcomes in the gullies, and this is currently being undertaken by Predator Free Tamahere.

WRC would prefer to see a targeted rate that is linked to specific restoration activities, and guided by a peer reviewed management plan, rather than funding one community group directly. They also note that all restoration activities should follow best practice techniques.

This sentiment was echoed by several submitters (6506, 6354, 6312, 6286, 6344) who supported restoration of the Tamahere gully network but felt that the funds collected from the targeted rate should also fund other groups/organisations such as Predator Free Tamahere, or the funds be available for individual landowners to access for gullies on other properties in the area.

## Other comments

Submitter point	Staff Response
<p><b>#6365</b> – “I would rather see our money spent on a path down Woodcock Road or Koppens road. These are already well used for walking and running and could be made safer.”</p>	<p>Footpaths within road reserve are managed by the WDC Transportation team and are funded separately with subsidy from Waka Kotahi. This suggestion has been provided to the Transportation team to be considered in the next Long Term Plan</p>
<p><b>#6540</b> - “I do not agree with this proposed rate. If the lawns around footpaths etc were regularly mowed and the place looked after by WDC I would agree with this, but this is not the case.”</p>	<p>As per the WDC Grass Verge Policy, maintenance of lawns, grass verges and berms outside private properties in urban areas are the responsibility of the adjacent property owner/resident.</p> <p>If the area of concern is in regard to a park or open space area, we encourage members of the public to raise a service request so that the issue can be resolved.</p>
<p><b>Concerns about the process</b></p> <p><b>#6286</b> – “PFT is concerned that there is a low level of awareness on the proposed targeted rate consultation in the Tamahere community. While information has been provided on Council’s website, PFT notes that, to date, there has not been any correspondence with the Tamahere households to inform them about the potential targeted rate.”</p> <p><b>#6383</b> – The flyer from WDC was not delivered soon enough, it did not contain the time of the drop-in session on 3 May, neither was it clearly defined which properties the targeted rate would apply to.</p> <p>The maps at the drop-in session were out of date and the scale was insufficient for property owners to clearly understand any impact of possible walkways adjacent to private properties.</p> <p>There is a lack of clarity and communication to the residents around restoration, improvement of the ecological corridor and enhancement of flora and fauna in line with SNA’s as part of Government’s legislation.</p> <p><b>#6524</b> – The proposal has not provided an adequate business case to assess its desirability.</p>	<p>All households were contacted at least twice during the consultation period via either physical letter or email. In addition to this, there were two drop-in sessions plus social media posts.</p> <p>The flyer was created, printed and supplied by the Trust.</p> <p>The drop-in sessions were an initiative by the Trust which were supported by WDC staff.</p> <p>The level of support from within the community is being determined through consultation.</p> <p>Maintenance of walkways is currently funded through districtwide rates. The Long Term Plan project for walkways in Tamahere is also funded by the whole district. The work proposed to be completed by the Trust, funded by the proposed targeted rate, is an increased level of service for this part of the district, therefore it is proposed to be funded by those who reside there.</p>

Submitter point	Staff Response
<p>Nor am I convinced that governance and accountability issues have been addressed to our satisfaction. If WDC feel supportive then it is a district wide cost for district wise benefits.</p> <p><b>#6352</b> – Very little time has been allowed since we received advice 2 days ago. At the information gathering at Tamahere Centre there was very little information available and what was there were maps dated 2016 showing access routes that actually don't exist.</p>	

## 5.1 Options

### Ngaa koowhiringa

There are two reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (see paragraph 6.1) and Council's legislative requirements. The options are set out below.

**Option 1.** Council approves a targeted rate of \$1 per week per property for the pre-2022 Tamahere Ward for the next five years (2023/24 – 2028/29).

If Option 1 is selected, there will be an ongoing resourcing implication for Council to manage and maintain the work programme in conjunction with the Trust. Staff estimate that roughly a quarter of an individual staff members time is spent in liaison with the Trust currently and that this is likely to increase slightly.

The resourcing requirements comes from activities such as preparing and making variations to contracts, responding to requests and queries, checking compliance of work undertaken, monitoring and review and contract compliance and checking health and safety requirements.

**Option 2.** Council does not approve a targeted rate of \$1 per week per property for the pre-2022 Tamahere Ward for the next five years (2023/24 – 2028/29).

If Option 2 is selected, the existing \$3000 per annum funding and Memorandum of Understanding between WDC and the Trust will continue for 2023/24.

**Staff recommendation:** Given the even split of the community on this matter and the comments received, staff don't have a recommendation based on any technical evidence. Staff therefore leave it to elected members to make a sound decision by weighing up all factors raised by submitters.

## **5.2 Financial considerations**

### **Whaiwhakaaro puutea**

There are no material financial considerations associated with the recommendations of this report, however there is a resourcing requirement if the targeted rate is put in place which is discussed in the options section of this report.

## **5.3 Legal considerations**

### **Whaiwhakaaro-aa-ture**

Staff confirm that the options included in this report comply with the Council's legal and policy requirements. Consultation has been undertaken in accordance with section 82 of the Local Government Act 2001. Council is required to provide an opportunity to persons interested to present their views to the local authority.

As mentioned in the report, consultation was extended, and additional information was provided to those impacted by the targeted rate, to ensure they had information about the 7 per cent general rate increase for 2023/24. This was done to ensure all obligations under section 82 were met.

## **5.4 Strategy and policy considerations**

### **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and options are consistent with the Council's policies, plans and prior decisions.

## **5.5 Maaori and cultural considerations**

### **Whaiwhakaaro Maaori me oona tikanga**

The proposed targeted rate is likely to impact Maaori cultural values as the restoration activities will improve the natural habitat and biodiversity in the Tamahere gully network, and this is likely to have a subsequent positive impact on water quality.

Staff understand that the Trust have engaged with mana whenua and have their support for the Trust's aspirations.

As the Trust's work complements the Tamahere Walkway projects identified in the 2021-2031 Long Term Plan, WDC will consult with mana whenua as these projects progress.

## **5.6 Climate response and resilience considerations**

### **Whaiwhakaaro-aa-taiao**

The matters in this report will have an impact on climate resilience as the restoration activities will improve the natural habitat and biodiversity in the Tamahere gully network, leading to improved environmental outcomes.

---



## 5.7 Risks

### Tuuraru

Prior to consultation on this targeted rate, staff completed a detailed risk assessment on the establishment, administration, and management of the funds, if the introduction of the targeted rate was successful.

The risks identified included, but were not limited to, dis-establishment of the Trust, a breakdown in the relationship between the Trust and WDC, financial implications, and misalignment of priorities. Each risk has been assessed and appropriate controls and mitigations identified which will reduce the risks identified.

To ensure both parties are aware of these risks and obligations to manage them, it is proposed a Terms of Reference will be utilised to document these details.

## 6. Significance and engagement assessment

### Aromatawai paahekoheko

---

### 6.1 Significance

#### Te Hiranga

The decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy.

The following criteria are particularly relevant in determining the level of significance for this matter:

- There is no legal requirement to consult using the Special Consultative Procedure (SCP) in accordance with the Local Government Act 2002 (LGA), as Council's Revenue and Financing Policy allows for targeted rates to be collected in relation to the parks and reserves activity. Section 82 of the LGA was used for targeted consultation with the affected community.
- The proposed targeted rate is low and does not meet the 10 per cent threshold for higher significance.
- Some community views on the proposals are already known, however it is important to provide the whole Tamahere community with the opportunity to express their views.

### 6.2 Engagement

#### Te Whakatuutakitaki

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The community and stakeholders were consulted in accordance with section 82 of the Local Government Act 2002.					

---

External stakeholders that have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	✓	Internal
<input type="checkbox"/>	<input type="checkbox"/>	✓	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Affected Businesses

## 7. Next steps Ahu whakamua

If the proposed targeted rate is approved, it will be included in the 2023/24 Annual Plan and be in place from 1 July 2023. If the proposed targeted rate is not approved, it will need to be removed from the draft 2023/24 Annual Plan financials before the Annual Plan is adopted. All submitters will be contacted to advise of the outcome of the consultation.

## 8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages ( <i>Section 5.1</i> ).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy ( <i>Section 6.1</i> ).	Low
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance ( <i>Section 6.2</i> ).	Confirmed

---

The report considers impact on Maaori ( <i>Section 5.5</i> )	Confirmed
The report and recommendations are consistent with Council's plans and policies ( <i>Section 5.4</i> ).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities ( <i>Section 5.3</i> ).	Confirmed

---

## 9. Attachments Ngaa taapirihanga

---

There are no attachments to this report.

---