

Kaunihera | Council

Kaupapataka Wātea | Open Agenda



Notice is hereby given that an ordinary meeting of Matamata-Piako District Council will be held on:

Ko te rā | Date: Wednesday 8 October 2025
Wā | Time: 9:00
Wāhi | Venue: Council Chambers
35 Kenrick Street
TE AROHA

NGĀ MEMA | MEMBERSHIP

Tiamana | Chairperson: Manuhuia | Mayor
Adrienne Wilcock

Mema | Members: Koromatua Tautoko | Deputy Mayor
James Thomas

Kaunihera ā-Rohe | District Councillors

Caleb Ansell
Sarah-Jane Bourne
Sharon Dean
Bruce Dewhurst
Dayne Horne
Peter Jager
James Sainsbury
Russell Smith
Kevin Tappin
Gary Thompson
Sue Whiting

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1 Whakatūwheratanga o te hui | Meeting Opening

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

At the close of the agenda no apologies had been received.

3 Pānui i Ngā Take Ohore Anō | Notification of Urgent/Additional Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

4 Whākī pānga | Declaration of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Whakaaetanga mēneti | Confirmation of Minutes

Minutes, as circulated, of the ordinary meeting of Matamata-Piako District Council, held on 24 September 2025

6 Papa ā-iwi whānui | Public Forum

At the close of the agenda there were no speakers scheduled to the public forum.

7 Pūrongo me whakatau | Decision Reports

7.1 Risk and Assurance Committee Report of 30 September 2025

CM No.: 3097059

Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update from the Risk and Assurance Committee following its meeting on 30 September 2025.

Rāpopotonga Matua | Executive Summary

Risk and Assurance Committee Chairperson, Jaydene Kana, in attendance to update Council on the committee business, provide an overview of the minutes and any recommendations from the Risk and Assurance Committee meeting held on 30 September 2025.

The update will be circulated separately from the agenda.

Tūtohunga | Recommendation

That:

1. The information be received.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Kaitohu Mātāmua Kāwana Senior Governance Advisor	
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Approved by	Tamara Kingi Kaiārahi Kāwana Governance Team Leader	
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7 Pūrongo me whakatau | Decision Reports

7.2 Te Mana Whenua Forum Report of 7 October 2025

CM No.: 3097071

Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update from the Te Mana Whenua Forum following its meeting on 7 October 2025.

Rāpopotonga Matua | Executive Summary

Tiamana Hinerangi Vaimoso, in attendance to update Council on the forum business, provide an overview of the minutes and any recommendations from the Te Mana Whenua Forum meeting held on 7 October 2025.

The update will be circulated separately from the agenda.

Tūtohunga | Recommendation

That:

1. The information be received.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Kaitohu Mātāmua Kāwana Senior Governance Advisor	
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Approved by	Tamara Kingi Kaiārahi Kāwana Governance Team Leader	
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7 Pūrongo me whakatau | Decision Reports

7.3 Policy Review - Liability Management Policy and Investment Policy

CM No.: 3096515

Te Kaupapa | Purpose

The purpose of this report is to present the draft Liability Management Policy and draft Investment Policy to the Council for adoption.

Rāpopotonga Matua | Executive Summary

The Liability Management policy requires an update to accommodate the impending transition of Council's Water and Wastewater services (and associated asset and liabilities) to the Waikato Waters Limited CCO entity. Both policies also require an update of responsibilities following changes to Council's structure since the last review.

At their meeting of 30 September 2025, the Risk and Assurance Committee will review the draft policies and additionally will review compliance with the policies and the effectiveness of the policies in meeting their objectives. The Committee may have additional feedback or queries from their review to be considered before the policies are adopted by Council.

The recommended changes to the policies are set out in the attachments to this report.

Tūtohunga | Recommendation

That:

1. Council receive the report
2. Council adopt the revised Liability Management Policy and the revised Investment Policy.

Horopaki | Background

Policy review

The formal reviews of Council's Liability Management Policy and Investment Policy are usually undertaken every three years (in line with the review of the Long Term Plan, (LTP), and were last reviewed in January 2024, prior to the adoption of the 2024-2034 LTP. However, on occasion there is a need to review the policies outside of this cycle. A further review is now considered necessary for two key reasons:

- To ensure Council's policies are flexible enough to accommodate the impending transition of Council's Water and Wastewater services (and associated asset and liabilities) to the Waikato Waters Limited CCO entity.
- To revise responsibilities under the policy following the restructure of the Group Managers portfolio of responsibilities.

Council's independent external advisors, PWC and staff have reviewed the existing policies and have recommended amendments to address the issues above. At their meeting of 30 September 2025, the Risk and Assurance Committee will review the draft policies and additionally will review compliance with the policies and the effectiveness of the policies in meeting their objectives. The

Committee may have additional feedback or queries from their review to be considered before the policies are adopted by Council. Any such feedback or queries will be tabled by staff at the meeting.

Ngā Take/Kōrerorero | Issues/Discussion

[Liability Management Policy – proposed amendments](#)

Transition to Waikato Waters Limited

PWC have recommended amendments to provide the flexibility required for the transition to Waikato Waters Limited, including;

- Outlining that any financial support or lending arrangement to a CCO or CCTO must be approved by Council.
- Considering the debt scenario created by the transition to Waikato Waters Limited when designing the interest rate hedging strategy.
- Highlighting the impact the agreed debt transfer mechanism may have on compliance with interest rate and funding limits, and allowing for retrospective reporting and approval by Council, giving Council flexibility to manage treasury proactively and in a timely manner over the transition period.

Counterparty credit limits

Counterparty credit limits (which are limits set across both the Investment Policy and Liability Management Policy) were a source of tension in the policy during the year, with breaches reported in September to December due to cashflow management. Over the year, Council has received a better rate of return in our call account than we do for term deposits of less than 30 days duration. This meant that leading up to the payment of our creditors on the 20th of the month, we were holding significant cash on call with our transactional bank, while still holding a significant portion of our interest rate swaps with the same bank, leading to the breach.

To help mitigate this risk, we opened a new ANZ call account during the year so that we can better manage funds between banks. We have had no breaches since doing so. We are also finalising an agreement that will allow us to transact swap transactions with ANZ, as well as our current parties, BNZ and Westpac. This will further improve our ability to manage the counterparty limits.

In the policy review, PWC have also suggested an exception to the counterparty limits, allowing a 5-business day grace period either side of the quarterly rates instalment where the credit exposure amounts can exceed the \$15m limit. This limited window will reduce pressure over this time where daily cashflows can fluctuate significantly.

Change of responsibilities and reporting requirements

As the responsibility for treasury management has shifted from the vacant Group Manager Business Support role to the Group Manager Corporate, People and Relationships, responsibilities under the policy have been updated to reflect this.

In discussion with PWC we have also taken the opportunity to better clarify the policy review and reporting requirements by more clearly splitting and defining these as well as the frequency and who the recipient of the reports will be. Other than this, PWC and staff are not proposing any further changes to the existing policy.

[Investment Policy – proposed amendments](#)

There were only minor changes suggested to the Investment Policy, with no amendments required in respect of Waikato Waters Limited. As above, some responsibilities under the policy have been shifted to the Group Manager Corporate, People and Relationships (previously undertaken by the Group Manager Business Support).

The only other minor amendment was clarifying the reporting requirements to match what/how various investments are currently reported.

The proposed draft policies are attached to this report, showing the tracked changes from the current policies, and explain the reason for these minor proposed changes.

Mōrearea | Risk

Risks relating to Council's draft policies could include adopting provisions in the policies that do not comply with the covenants of the LGFA or other lenders, or that may jeopardise Council's statutory requirement to operate in a financially prudent manner, or that do not fully address the needs of Council during the transition to Waikato Waters. To mitigate these risks, Council have sought independent professional advice in the review of these policies.

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

Sections 102 (2) (b) & (c) of the Local Government Act 2002 require Council to adopt a liability management policy and an investment policy.

Section 104 requires that the liability management policy adopted must state the local authority's policies in respect of the management of both borrowing and other liabilities, including—

- (a) Interest rate exposure; and
- (b) Liquidity; and
- (c) Credit exposure; and
- (d) Debt repayment.

Section 105 requires that the investment policy adopted must state the local authority's policies in respect of investments, including—

- (a) [Repealed]
- (b) The mix of investments; and
- (c) The acquisition of new investments; and
- (d) An outline of the procedures by which investments are managed and reported on to the local authority; and
- (e) An outline of how risks associated with investments are assessed and managed.

Proposed amendments to policies as outlined above are considered minor

Section 102(5) allows for the adoption of the investment and liability management policies without the requirement to use a special consultative procedure.


Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision-making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a low level of significance.

Policy Considerations

To the best of the writer's knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Tāpiritanga | Attachments

A.  Liability Management Policy Review - RAC Sept 2025 - TRACKED CHANGES (*Under Separate Cover*)

B.  Investment Policy Review - RAC Sept 2025 - TRACKED CHANGES



Ngā waitohu | Signatories

Author(s)	Larnia Rushbrooke Pou Pūtea, Ratonga Pakihi Finance & Business Services Manager	
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Approved by	Kelly Reith Group Manager, Corporate, People & Relationships	
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Investment Policy



Commented [LR1]: New policy template to be applied

Our vision is

To get the best return on low risk financial investments and/or to secure long-term benefits for the community through strategic investments.

Council's commitment

Council's commitment is to:

- Prudently manage Council's financial investments from low risk investments.
- Maintain a prudent level of liquidity and flexibility to meet both planned and reasonably unforeseen cash requirements.
- Invest only in approved investment instruments and securities.
- Seek to optimise investment income
- Monitor and report on risk and performance against predetermined limits and benchmarks
- Ensure operational controls and procedures are in place that protect the Council against financial loss, opportunity cost and other inefficiencies.
- Ensure that all statutory requirements related to Council's investments are adhered to.

Investment mix

Council may:

- Invest in the following assets from time to time:
 - New Zealand Local Government Funding Agency Limited
 - Investments in other companies and entities
 - Community loans and advances
 - Property investments for strategic objectives
 - Cash and treasury investments
 - Internal loans

The specific objectives and policies related to these types of investments are detailed in appendix one.

Risk management

Council is risk averse and seeks to minimise exposure from its treasury activities. Council does not allow any transactions that are speculative in nature to be entered into. Council's investment activities expose it to a variety of financial market risks including credit risk and liquidity risk.

Credit risk is managed by the Council limiting the amount of credit exposure to any one institution or organisation. Investments in other local authorities are secured by charges over rates. Other than other local authorities, Council invests funds only

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with entities that have a Standard and Poor's (or equivalent recognised agency) credit rating of at least A-1 for short term and A for long term investments.

Liquidity risk is managed by investing only in financial assets that can be liquidated through a readily available secondary market or have a short time period before maturity as articulated within the liquid investment's definition.

Council will:

- Adopt prudent risk management practices that will include:
 - Engaging appropriate expertise when major investment strategies are being developed
 - Reference to authoritative and current economic commentaries and financial market forecasts.

The appendix to this policy contains parameters and procedures which have been established to reflect Council's risk tolerance.

Acquisition of new investments

All investment acquisitions (other than treasury investments, LGFA and internal loans) will be approved by Council, and Council will:

- Assess the acquisition of any new investments having regard for the following:
 - The requirements of the Local Government Act 2002
 - Council's policy on significance
 - Council outcomes and objectives
 - The provisions of this policy.

Application of returns on investments.

Council will:

- Apply returns on investments as outlined in the LTP or the Annual Plan or as specifically determined by Council from time to time.

Delegated authority and responsibilities

Council will:

- Delegate to the Chief Executive Officer, authority to implement this policy, except where this policy expressly states that Council resolution is required.

The Chief Executive Officer will:

- Be responsible for ensuring that appropriate procedures and controls are in place to safeguard Council's assets. These procedures and controls will be documented within Council's quality assurance programme.

The [Finance & Business Services Manager](#) ~~Group Manager-Business Support~~ will:

- Ensure the administration and management of the investments is undertaken in accordance with the procedures contained within Council's quality assurance programme. This includes overseeing monthly reconciliations to the general ledger of the cash and treasury investments and other financial instruments such as LGFA borrower notes. The monthly reconciliation will be independently reviewed in accordance with the procedures contained within Council's quality assurance programme.

Reporting requirements

The Chief Executive Officer will:

- Ensure Council is provided with the following reports on investment performance:

Investment types	Frequency	Reporting
New Zealand Local Government Funding Agency Limited	Annually	Investments reported as part of the Annual Report Other financial instruments invested in the LGFA will be included in the investment report provided as part of the Chief Executive's monthly report to Council.
Investments in other companies and entities	Annually	Investment balances reported as part of the Annual Report. Performance of Council Controlled Entities that have not been exempted under section 7 of the Local Government Act 2002 will be reviewed bi-annually.
Community loans and advances	Annually	Investments reported as part of the Annual Report (if any)
Property investments	Annually	Investments reported as part of the Annual Report (if any)
Liquid and treasury investments	Monthly	Liquid and treasury investments (including reporting of compliance with approved treasury instruments and approved counterparties), will be included in the investment report provided review of compliance with Treasury Policies as part of the Chief Executive's monthly report to Council.
Internal loans	Annually	Investments reported as part of the Annual Report

Policy review

The Risk and Assurance Committee will:

- Formally review this policy at least every three years in line with the review of the Long Term Plan ~~or sooner if required.~~

Council will:

- Receive recommendations from the Risk and Assurance Committee and review and adopt this policy at least every three years in line with the review of the Long Term Plan.

Appendix one

INVESTMENT POLICY PARAMETERS

New Zealand Local Government Funding Agency Limited (LGFA)

The Council may invest in shares and other financial instruments of the LGFA, and may borrow to fund that investment.

The Council's objectives in making any such investment will be to:

- Obtain a return on the investment; and
- Ensure that the LGFA has sufficient capital to become and remain viable, meaning that it continues as a source of debt funding for Council.

Because of these dual objectives, the Council may invest in LGFA shares in circumstances in which the return on that investment is potentially lower than the return it could achieve with alternative investments. If required in connection with the investment, the Council may also subscribe for uncalled capital in the LGFA and be a Guarantor.

Investments in other companies and entities

Equity investments arise from Council owning or controlling an equity holding in another entity. In general, investments in this category have and may be acquired with the primary objective of achieving strategic, efficiency, or community outcomes.

Any purchase or disposition of equity investments requires Council approval. Council will assess the acquisition of any new investments in line with the provisions of this policy. Any profit or loss arising from the sale of these investments is to be recognised in the Statement of Comprehensive Revenue and Expense.

The proceeds from the disposition of equity investments will be used firstly to repay any debt relating to the investment and then applied to the designated purpose as determined by Council.

Council recognises that there are risks associated with holding equity investments. To minimise these risks Council, through the relevant Council-committee, monitors the performance of its equity investments in Council Controlled Entities (that have not been exempted under section 7 of the Local Government Act 2002) on a twice yearly basis to ensure that the stated objectives are being achieved. Council seeks professional advice regarding its equity investments when it considers this appropriate.

Community loans and advances

From time to time Council may provide loans and/or advances to community organisations to assist with the achievement of community outcomes. The amounts involved are typically below \$500,000 and the numbers of applications received (and/or approved) are minimal.

The purpose of such investments is to achieve community outcomes. Council will assess all applications having regard for the legislated purpose of Local Government as set out in the Local Government Act 2002, the need for prudent financial management and after assessing the risk associated with the investment and the



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security provided by the other party. All such loans/advances will only proceed by resolution of Council.

Property investments for strategic objectives

Council owns property to achieve its strategic objectives, that is, property that is expected to secure long-term benefits for the community. As a general rule Council will not maintain a property where it is not essential to the delivery of relevant services. Council reviews property ownership through assessing the benefits of continued ownership in comparison to other arrangements that could deliver the same results. This assessment is based on the most financially viable method of achieving the delivery of Council services.

All rented or leased properties will be at market rentals, except as approved by Council

Any acquisitions or disposals of strategic property require the resolution of Council and any purchased properties must be supported by a current registered valuation, substantiated by management including a fully worked, capital expenditure analysis. Any minor parcels of land purchased for the purpose of roading and utility activities will be affected under the delegation of the Chief Executive Officer.

Net proceeds from the sale of surplus property will be used to reduce borrowings where appropriate, or form part of the reserves of the District, to be reinvested in new assets or the betterment of existing assets for the benefit of the present and future residents of the District. The exception to this is endowment property or other property subject to legislative restrictions, in which case any proceeds would be applied in accordance with the provisions of the legislation.

Liquid and treasury investments

Council generally operates as a "net borrower", and aims to manage its borrowings and cash assets on this basis in order to reduce the overall net cost of borrowing. Council does not usually maintain significant cash investments. Longer term investments may be held to support the level of restricted reserves though not for the balance of Council created reserves. To achieve the aim of minimising the overall cost of funds and managing debt re-financing risks, at times it may be prudent to pre-fund, and invest any surplus in treasury investments. Cash investments are also used to maintain and manage liquidity risk. A range of treasury investment instruments may be used as outlined below to achieve the desired level of returns within acceptable risk parameters.

The following policies will apply in making any such investment:

- Council's primary objective when investing is the protection of its investment capital. Accordingly, Council may only invest in approved creditworthy counterparties.
- Council invests in approved financial instruments that are of high credit quality and liquid.
- Council's treasury investment portfolio will be arranged to provide sufficient funds for planned expenditures and allow for the payment of obligations as they fall due.
- Interest income from investments is credited to general funds, except for income from investments for restricted reserve funds and other funds where interest may be credited to the particular fund.
- For liquidity purposes treasury investments incorporate all investments which are not cash or liquid investments. Liquid investments are defined as those short term

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funds which are held for operational requirements and/or used to meet liquidity buffer requirements as per the Liability Management Policy.

Each transaction should be entered into a treasury spreadsheet and a monthly report prepared to show assessed counterparty actual exposure versus limits.

Approved investment instruments

The approved investment instruments are as follows:

Category	Instrument
Liquid investments	<ul style="list-style-type: none"> Overnight call deposits and term bank deposits no greater than 30 days Bank certificates of deposit (RCDs) less than 181 days
Treasury investments	<ul style="list-style-type: none"> Term bank deposits no greater than 12 months unless related to debt pre-funding or pre-funded capital expenditure. Bank certificates of deposit (RCDs) less than 365 days. LGFA borrower notes

All investments must be senior in ranking. The following types of investments are expressly excluded;

- Structured debt where the issuing entities are not a primary borrower/issuer
- Sub-ordinate debt (other than Borrower Notes subscribed from the LGFA), junior debt, perpetual notes and hybrid notes such as convertibles.

Interest rate management instruments are not approved instruments for investment management purposes.

Any other treasury instrument must be specifically approved by the Council on a case-by-case basis and only be applied to the one singular transaction.

Approved counterparties/issuers

Counterparty credit risk is the risk of losses (realised or unrealised) arising from a counterparty defaulting on a financial instrument where the Council is a party. Credit exposure for investments relates to funds on deposit where the counterparty is not able to pay Council interest and principal amounts owing on the due date. The credit risk to the Council in a default event will be weighted differently depending on the type of instrument entered into.

Credit risk will be regularly reviewed by the Council. Treasury related transactions would only be entered into with organisations specifically approved by the Council.

Counterparties and limits can only be approved on the basis of a long-term Standard & Poor's (S&P) credit rating (or equivalent Fitch or Moody's rating) being A and above.

The relevant counterparty limits can be found in the Liability Management Policy.



Internal loans

Council may utilise surplus funds for the purposes of internal borrowing. Internal borrowing forms a part of the overall mix of Council investments (though will only be reported to Council on an annual basis unless otherwise requested). Internal borrowing will be used wherever possible to avoid external borrowing.

Internal loans shall be managed as commercial debt, with interest applied. The interest rate shall be calculated at the start of each financial year, and year and will be based on the mid-point between the prior year's weighted average external borrowing and investment rates.

Guarantees/contingent liabilities and other financial arrangements

Council may act as guarantor to financial institutions on loans or enter into financial arrangements for organisations, clubs, Trusts, or Business Units, when the purposes of the loan are in line with Council's strategic objectives. Council approval must be sought for any guarantees or financial arrangements to organisations, clubs, Trusts, or Business Units.

Council is not allowed to guarantee loans to Council-controlled trading organisations under Section 62 of the Local Government Act.

Council will ensure that sufficient funds or available committed bank facilities exist to meet amounts guaranteed. Guarantees given will not exceed any amount agreed by Council or an appropriate Council Committee in aggregate. The Finance and Business Services Manager would be responsible for monitoring and reporting on guarantees on a quarterly basis to Council.

Foreign currency

Council may from time to time be exposed to foreign exchange risks through the occasional purchase of foreign exchange denominated services, plant and equipment etc. Significant commitments over NZ\$100,000 will be hedged using foreign exchange contracts, once expenditure is approved and legally committed. Both spot and forward foreign exchange contracts can be used by Council.

The following instruments may be used for risk management activity:

Category	Instrument
Foreign exchange risk management	Forward foreign exchange contracts Foreign currency deposits Spot foreign exchange



7 Pūrongo me whakatau | Decision Reports

7.4 Approval of short-term debt strategy and Liability Management Policy departure

CM No.: 3096687

Te Kaupapa | Purpose

To seek Council approval to raise \$7 million of new debt via a short-dated commercial paper instrument, and to approve a temporary departure from the Liability Management Policy's funding maturity limits to accommodate this strategy.

Rāpopotonga Matua | Executive Summary

In the 2025/26 Annual Plan, Council signalled an intention to borrow an additional \$38.9 million (net) over the year to fund capital projects. In October, approximately \$7 million of this will need to be raised to fund the capital work in progress. Normally, debt raised during the year within the scope of what was approved in the Annual Plan would be approved by the Chief Executive, in line with Council's Liability Management Policy, and not referred to Council for approval. However in this case, the proposed strategy for raising the debt falls outside of the parameters of the Liability Management Policy, so Council's approval is required to proceed.

Council is asked to approve a strategy proposed by Council's independent Treasury advisors, PwC, to raise this \$7 million of new debt via a 364-day commercial paper issuance to the New Zealand Local Government Funding Agency (LGFA). This short-term funding approach is recommended to maintain flexibility ahead of the anticipated transfer of water assets and debt to the new Waikato Waters entity. While the strategy temporarily exceeds the 0–3-year funding maturity limit set in Council's Liability Management Policy, the revised policy (intended to be adopted by Council prior to this report) allows for Council-approved departures in transitional circumstances.

The commercial paper offers cost-effective, low-risk funding without the need for refinancing, as the debt is expected to transfer to Waikato Waters. It also strengthens Council's liquidity position. Given the transitional context, expert advice, and policy provisions, this strategy is considered the most prudent and practical option. Approval is also sought to delegate authority to the Chief Executive to execute all necessary documentation.

Tūtohunga | Recommendation

That:

1. Council approves the strategy to raise approximately \$7 million of new debt via a 364-day commercial paper issuance to the LGFA.
2. Council approves a temporary departure from the Liability Management Policy's 0–3 year funding maturity limit to enable this strategy.
3. Council delegates authority to the Chief Executive to execute all necessary documentation to initiate the commercial paper issuance.

Horopaki | Background

Council is entering a period of significant transition in preparation for the transfer of water assets and associated debt to the multi-council owned Waikato Water CCO. While transition details are becoming clearer, key details—particularly the debt transfer mechanism—are expected to be confirmed by the end of October 2025.

In this context, Council’s funding strategy must remain flexible to accommodate potential changes in debt structure and timing.

Ngā Take/Kōrerorero | Issues/Discussion

Proposed Strategy

Following advice from PwC (attached), it is recommended that Council raise the \$7 million of new debt via a 364-day commercial paper issuance to the LGFA. This instrument offers:

- Flexibility: Can be issued outside LGFA tender dates with short notice.
- Cost-effectiveness: Priced at 90-day bank bill rate + 0.25% p.a. (compared to our most recent issue of 4 year LGFA floating rate note priced at 90-day bank bill rate + 1.03% p.a).
- Operational simplicity: No borrower note requirement.

The funds will be held on call deposit and drawn down as required.

Policy Implications

The Liability Management Policy sets funding maturity profile limits as follows:

Period	Minimum	Maximum
0–3 years	15%	60%
3–7 years	25%	85%
7+ years	0%	60%

The proposed strategy will increase the 0–3 year bucket from 58% to 62%, thereby exceeding the policy maximum.

However, the revised policy (intended for adoption prior to this report) explicitly allows for Council-approved departures where necessary to accommodate the transition to Waikato Waters. This strategy is directly aligned with that transitional need.

Rationale for Departure

- Strategic Flexibility: The short-term nature of the instrument allows Council to adjust its debt profile once the debt transfer mechanism is confirmed.
- Transitional Context: The departure is temporary and directly linked to the water reform transition.
- Liquidity Strength: Post-strategy liquidity ratio improves from 124% to 131%, well above the 110% policy minimum.
- Risk Management: The instrument is low-risk and issued through LGFA, a highly rated counterparty.

Mōrearea | Risk

Departing from Council’s funding maturity limits—specifically exceeding the 60% cap for short-term (0–3 year) debt—does carry some risks, even though the revised Liability Management Policy (intended for adoption prior to this report) allows for Council-approved exceptions in transitional circumstances like the Waikato Waters reform.

- **Refinancing Risk:** Short-term debt must be renewed or replaced within a year, exposing Council to market conditions at that time.
- **Interest Rate Risk:** Future interest rate increases could raise the cost of refinancing.
- **Liquidity Pressure:** A higher proportion of short-term debt may require more active liquidity management to meet obligations.
- **Governance Risk:** Departing from policy—even temporarily—requires clear documentation to avoid setting a precedent.
- **External Perception:** Auditors or funding agencies may scrutinize the departure, even if justified.

These risks are mitigated by Council’s strong liquidity position, the transitional nature of the strategy, and the policy’s allowance for exceptions related to the Waikato Waters transition.

Ngā Whiringa | Options

Option One – Issue short-term debt via LGFA	
Description of option	
Raise the \$7 million of new debt via a 364-day commercial paper issuance to the LGFA	
Advantages	Disadvantages
Strategic Flexibility: Short-term debt aligns with the transitional nature of the water reform and allows Council to avoid locking in long-term funding that may soon be transferred	Policy Non-Compliance: Exceeds the 0–3 year funding maturity limit (62% vs. 60%), requiring formal Council approval.
Cost Efficiency: Commercial paper offers lower borrowing costs and avoids the LGFA borrower note requirement.	Governance Risk: May set a precedent for future departures from policy if not clearly justified.
Operational Simplicity: Quick issuance process with minimal administrative burden.	External Scrutiny: Auditors or funding agencies may question the departure, even if temporary and well-reasoned.
Strong Liquidity Position: Enhances Council’s liquidity ratio to 131%, well above the 110% policy minimum.	
Policy Permissibility: The Liability Management Policy allows Council-approved departures for transitional purposes like Waikato Waters.	
Option Two – Issue longer-term debt via LGFA	
Description of option	
Raise the \$7 million through a standard LGFA bond or floating rate note with a maturity beyond 3 years.	

Advantages	Disadvantages
Complies with funding maturity limits.	Reduces flexibility ahead of the Waikato Waters debt transfer.
Reduces refinancing risk.	May incur higher interest costs or borrower note requirements.

Recommended option

The proposed strategy (option one) is the most practical and cost-effective option for Council. It provides short-term funding aligned with the expected transfer of debt to Waikato Waters, meaning refinancing is unlikely to be needed. This approach preserves flexibility, strengthens liquidity, and minimizes costs—making it the best fit for Council’s transitional needs despite a temporary policy departure.

Ngā Tāpiritanga | Attachments

[A↓.](#) PwC - Funding strategy discussion - 10 September 2025



Ngā waitohu | Signatories

Author(s)	Larnia Rushbrooke Pou Pūtea, Ratonga Pakihi Finance & Business Services Manager	
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Approved by	Kelly Reith Group Manager, Corporate, People & Relationships	
	Manaia Te Wiata Tumu Whakarae Chief Executive Officer	



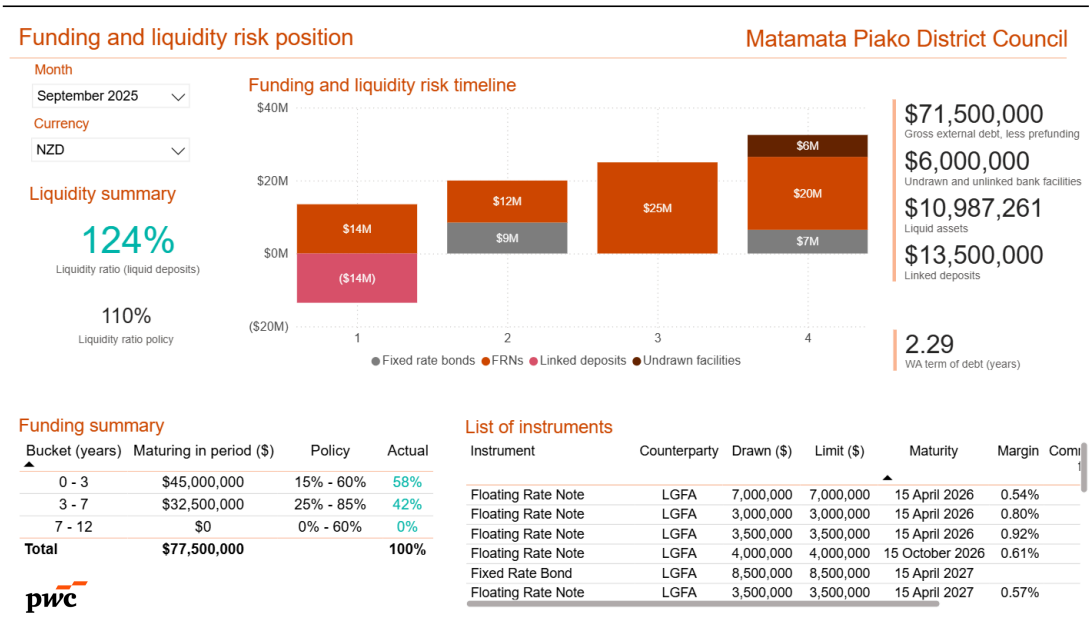
Matamata Piako District Council

To Larnia Rushbrooke
From Brett Johanson and Duncan Roff
Date 12 September 2025
Subject Funding and liquidity strategy discussion

Background

Following recent discussions, we have reviewed Matamata Piako District Council’s (Council) funding and liquidity risk position. Please find below a strategy to raise \$7 million of new debt.

We understand Council’s currently projected position, as at **30 September 2025**, to be as follows:





Council is entering a period of change as it prepares for the anticipated transfer of water assets and debt under the Local Water Done Well programme. While the overall direction of reform is becoming clearer with time, key details, particularly how debt will transfer to the proposed multi-council owned Waikato Water CCO from 1 October 2026, are still to be confirmed.

In constructing this strategy, we have sought to ensure Council retains flexibility in its debt portfolio, both in terms of structure and timing, ahead of the expected confirmation of the debt transfer mechanism - anticipated by the end of October 2025. Once the mechanism is clarified, Council's funding strategy can be adjusted to reflect the confirmed treatment of debt and assets.

Given the evolving structure of water service delivery, particularly the expected transfer of assets and debt from Council's balance sheet, we consider it appropriate for Council to preserve flexibility in its debt funding decisions.

Council's gross debt position is expected to change materially once the proposed CCO is established with external debt declining to \$13 million. Uncertainty exists around the mechanics of debt transfer from Council to the CCO. Potential debt forecast scenarios are illustrated in the Appendix.

Strategy Discussion

Given the need to preserve flexibility, we suggest the use of a short-dated debt instrument through commercial paper issued to the LGFA. Commercial paper does not need to be raised at the LGFA tender date with usually two business days notice being sufficient for the LGFA. Nevertheless, earlier notice would be preferred. Further the 5% borrower note requirement is not required.

A 364-day, \$7 million, commercial paper issuance to the LGFA is priced at 90-day BKBM plus 25 bps p.a. Pricing is based on Council being an unrated, guaranteeing member borrower of the LGFA.

Please note that this strategy moves Council out of compliance with the 0-3 year policy funding maturity limit, and would need Council approval.

The \$7 million is held on call deposit and used as required.

Post-strategy position

Following implementation of the strategy, Council's funding and liquidity risk position, as at 30 September 2025, will be as follows:



Funding and liquidity strategy considerations Matamata Piako District Council

Month
 September 2025
 Currency
 NZD

Liquidity summary

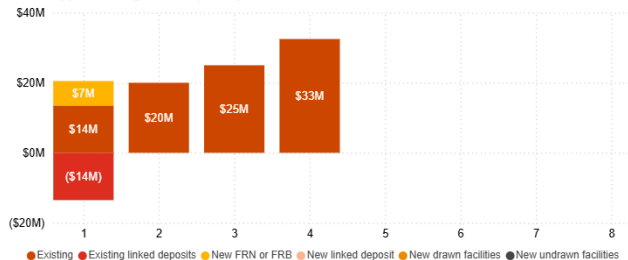
124%
Current

131%
After strategy

110%
Liquidity ratio policy



Strategy funding and liquidity risk timeline



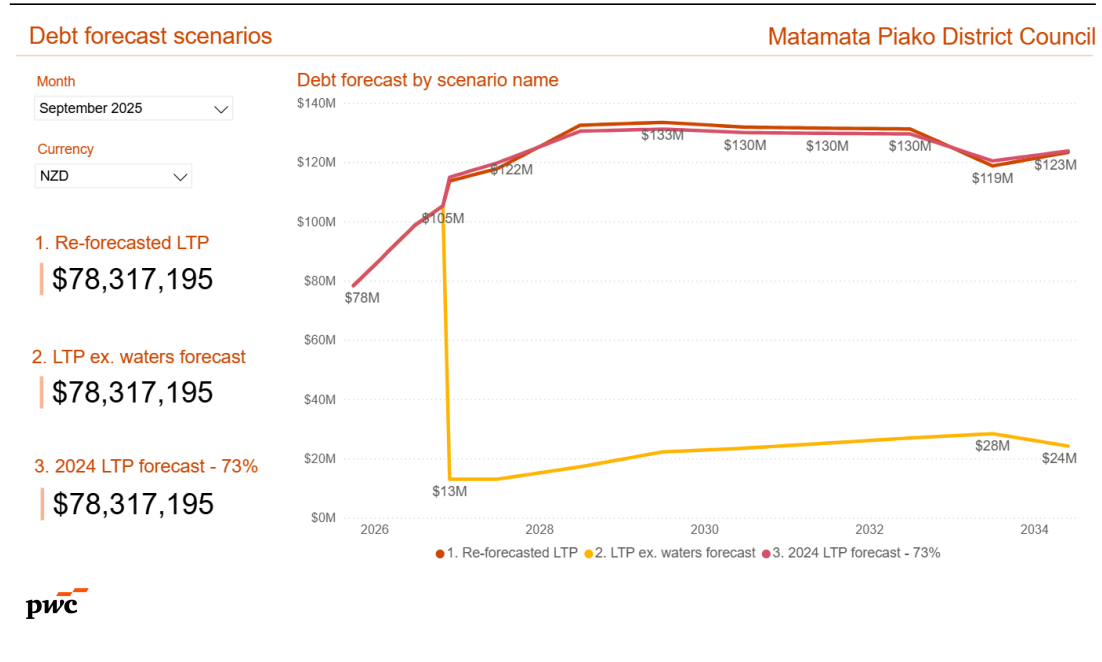
Funding Policy - impact of strategy

Bucket (years)	Bucket % Detail	Existing composition (\$)	Current (%)	Maturing after strategy (\$)	Strategy (%)
0 - 3	15% - 60%	\$45,000,000	58%	52,000,000	62%
3 - 7	25% - 85%	\$32,500,000	42%	32,500,000	38%
7 - 12	0% - 60%	\$0	0%	0	0%

\$71,500,000	Current gross debt less prefunding
\$78,500,000	Current gross debt after strategy
\$6,000,000	Current undrawn, unlinked facilities
\$6,000,000	Undrawn unlinked facilities after strategy
\$10,987,261	Current liquid deposits
\$17,987,261	Liquid deposits after strategy
\$13,500,000	Linked deposits after strategy



Appendix - current and projected debt profiles





Disclaimer

This memo is subject to the engagement letter dated 5 November 2012 and the following restrictions. It is a memo addressed to you Matamata Piako District Council.

This memo should not be reproduced or supplied to any other party without first obtaining our (PwC New Zealand) written consent. We accept no responsibility for any reliance that may be placed on our memo should it be used for any purpose other than that set out below and in any event we will accept no liability to any party other than you in respect of its contents. In the course of our work we have not verified any of the information provided to us by you, nor have we carried out anything in the nature of an audit. Accordingly, we express no opinion on the reliability, accuracy or completeness of the information provided to us and upon which we have relied. The statements and opinions contained in this memo are based on data obtained from the financial markets and are so contained in good faith and in the belief that such statements, opinions and data are not false or misleading. In preparing this memo, we have relied upon information which we believe to be reliable and accurate. We reserve the right (but will be under no obligation) to review our assessment and if we consider it necessary, to revise our opinion in the light of any information existing at the date of this memo which becomes known to us after that date. This memo must be read in its entirety. Individual sections of this memo could be misleading if considered in isolation from each other.

7 Pūrongo me whakatau | Decision Reports

7.5 Adoption of Preventing Fraud and Corruption Policy and Sensitive Expenditure Policy

CM No.: 3096211

Te Kaupapa | Purpose

This report provides an updated 'Preventing Fraud and Corruption Policy' and an updated 'Sensitive Expenditure Policy' for formal adoption by Council, noting that both documents are due to be considered by Council's Risk and Assurance Committee on 30 September 2025 with intention that the Committee will recommend their adoption by Council.

Rāpopotonga Matua | Executive Summary

This report presents updated versions of two 'cornerstone' policies for adoption by Council – the Preventing Fraud and Corruption Policy and the Sensitive Expenditure Policy. These policies are fundamental to maintaining public trust and confidence in the Council by seeking to ensure the highest standards of integrity among elected members, staff, and contractors.

The Preventing Fraud and Corruption Policy adopts a zero-tolerance approach and has been developed in accordance with the Ministry of Justice fraud and corruption policy framework. The policy aims to raise awareness of fraud and corruption indicators while establishing clear requirements for prevention, detection, and response.

The Sensitive Expenditure Policy takes a principles-based approach requiring all expenditure to withstand public scrutiny through the 'front page of the newspaper' test, ensuring among other things that spending is reasonable, moderate, and serves a justifiable business purpose consistent with Council objectives. It aligns with the comprehensive good practice guidance on sensitive expenditure issued by The Office of the Auditor-General.

Both policies have undergone Executive team review and staff consultation processes, and both policies have been reviewed by Audit New Zealand ('Audit'), who have indicated their management report items on these matters are now closed. Both policies are also due to be considered by the Risk and Assurance Committee on 30 September (after this agenda closed) with intention that the Committee will recommend their adoption by Council. Any changes sought by the Committee will be advised at the Council meeting.

Tūtohunga | Recommendation

That:

1. **Council receives this report.**
2. **Having noted the recommendation of the Risk and Assurance Committee, Council adopts the updated 'Preventing Fraud and Corruption Policy' and the updated 'Sensitive Expenditure Policy'.**

Horopaki | Background

The Preventing Fraud and Corruption Policy and the Sensitive Expenditure Policy are 'cornerstone' policies for a Council. Trust and confidence in public organisations is driven by competence, reliability, and integrity and is very quickly eroded if these elements are seriously questioned. It is crucial that Council and its elected members, staff and contractors are seen as

adhering to the highest standards of integrity and these policies seek to ensure that in setting clear standards for behaviour around sensitive expenditure and preventing fraud and corruption.

These policies are described as cornerstone policies because they are not simply administrative, they are foundational to risk management and protecting the organisation's fundamental capacity to operate.

Council's current Sensitive Expenditure Policy was last reviewed and re-adopted in July 2019 and its Fraud and Corruption Policy in February 2023, although in both cases Audit New Zealand has been highlighting the need for review and strengthening. The current review has sought to address those concerns.

Ngā Take/Kōrerorero | Issues/Discussion

The Preventing Fraud and Corruption Policy

The purpose of this policy is to raise awareness on how to recognise fraud and corruption and the behaviours and circumstances associated with it, and to set-out specific requirements for the prevention, detection and response to any suspected fraud and corruption or the red flags associated with fraud and corruption.

The policy is based on a zero-tolerance approach to fraud and corruption with the Executive management team to set the 'tone at the top'. The zero-tolerance approach promotes a culture within the organisation where fraud and corruption are considered unacceptable.

The good practice guidance for preventing fraud and corruption in New Zealand public and private sector organisations comes from a Ministry of Justice fraud and corruption policy framework. Our policy review has ensured that the updated policy aligns with this framework.

The updated policy has been through Executive team review, a staff consultation process, and has secured the approval of Audit New Zealand who have indicated that their management report item on this matter is now closed.

The Sensitive Expenditure Policy

The Sensitive Expenditure Policy is designed to ensure all of Council's expenditure is reasonable and subject to a standard that would be expected of a local authority. A key test is that all expenditure must be able to withstand public scrutiny, (the 'front page of the newspaper' test).

The policy takes a principles-based approach to making sensitive expenditure decisions, requiring that all expenditure must:

- Have a justifiable business purpose that is consistent with Council's objectives.
- Preserve impartiality.
- Be made with integrity.
- Be moderate and conservative when viewed from the standpoint of the public and given the circumstances of the spending.
- Be made transparently.
- Be made with proper authority.

The Office of the Auditor-General has issued comprehensive good practice guidance on sensitive expenditure and in reviewing this policy we have been careful to incorporate this guidance.

The updated policy has been through Executive team review, and a staff consultation process. Audit New Zealand has also reviewed the policy and indicated that it meets their expectations and that their management report item on this matter is now closed. In arriving at that conclusion Audit noted a small number of minor matters for consideration but were clear that these were not significant and did not impact their comfort on the policy generally meeting the requirements

outlined in their best practice guidelines. On this basis, the Executive team, while considering these matters, chose not to action them further.

In regard to koha, additional guidance and approval requirements are currently being developed in a separate koha approval process map. Clause 18.5 of the policy requires this. It is intended that this is completed in time for the adoption of the policy.

Risk and Assurance Committee recommendation

These policies were due to be considered by the Risk and Assurance Committee at its 30 September 2025 meeting, which falls after due date for items for this Council agenda. A recommendation from the Committee that Council adopt these policies is sought at that meeting.

With this being the last scheduled meeting of Council for the current triennium it was important that this item be on the agenda. It is intended that the Risk and Assurance Committee recommendation will be able to be brought to this Council meeting verbally. If any changes are sought by the Committee these will be advised at the Council meeting.

Council adoption of these policies

Both policies apply to elected members as well as staff and other parties, so it is appropriate that adoption sits with Council. Adoption by Council also demonstrates leadership on matters that are critical in regard to public trust and confidence, assists in demonstrating ‘tone at the top’, and aligns well with the Local Government Act 2002 which requires local government to operate in a financially prudent manner.

Mōrearea | Risk

As noted in the Background section of this report these are cornerstone policies that are fundamental to ensuring public trust and confidence in the Council. Audit New Zealand has been raising concerns around the policies not being fully compliant with good practice expectations. The review has addressed those concerns. In adopting the updated policies and ensuring induction and regular refresher education on the provisions of these policies (as the policies require), Council is managing a key aspect of risk for the organisation.

Ngā Tāpiritanga | Attachments

A. Preventing Fraud and Corruption Policy for Council adoption



B. Sensitive Expenditure Policy for Council adoption



Ngā waitohu | Signatories

Author(s)	Ken Morris Kaitohutohu Mōrearea, Kai-whakahaere ā Pahihi hoki Consultant Risk and Business Excellence Advisor	
Approved by	Kelly Reith Group Manager, Corporate, People & Relationships	



Matamata-Piako District Council

Preventing Fraud and Corruption Policy 2025

Department	Finance and Business Services
Policy Type	Internal
Approved by Exec Team	12 August 2025
Endorsed by Risk and Assurance Committee	30 September 2025
Adopted by Council	Expected on 8 October 2025
Review Frequency	Three-yearly
Next Review Date	October 2028
Policy Supersedes	Preventing Fraud and Corruption Policy, February 2023

35 Kenrick Street - PO Box 266 - Te Aroha 3342 - www.mpdc.govt.nz
Morrinsville & Te Aroha 07 884 0060 - Matamata 07 881 90 50

Preventing Fraud and Corruption Policy

Purpose

The **purpose** of this policy is to:

- Raise awareness on how to recognise fraud and corruption and the behaviours and circumstances known to be associated with it
- Set-out specific requirements for staff ('you') for the prevention, detection and response to fraud and corruption incidents within or involving Matamata-Piako District Council (MPDC, Council, 'we' or 'our').

Policy Objectives and Our Commitment

This policy seeks to:

- **Prevent** fraud and corruption through robust controls
- **Detect** incidents at the earliest opportunity
- **Respond** appropriately to investigations and recovery
- **Align** with Council values.

At MPDC, our vision and values are part of everyday life. This policy directly aligns with our value of "we do it right". The policy also aligns to the 'Standards of Integrity and Conduct' of the New Zealand State Services Commission, which requires public servants to be "fair, impartial, responsible and trustworthy".¹

We are committed to maintaining a culture that prevents fraud and corruption from occurring at MPDC. We will adopt a **zero-tolerance** approach to suspected, detected or identified instances of fraud or corruption. The same principles will apply in all situations, that is low level incidents will be treated in the same way as high level incidents.

To achieve this, we will:

- Promote a staff culture where fraud and corruption are unacceptable
- Inform you of the penalties that can be faced if convicted of fraud or corruption offences
- Educate you on what fraud and corruption is and what to do if you suspect fraud or corruption
- Develop and maintain effective ways (controls) to prevent fraud and corruption
- If fraud or corruption occurs:
 - Ensure a full investigation takes place
 - Take disciplinary and/or legal action where appropriate
 - Review systems and procedures to prevent similar instances occurring
 - Investigate whether there has been a failure in supervision or failure to report and take disciplinary action if appropriate
 - Record and report all discovered cases.

¹ While these do not directly apply to local government they are of equal relevance to both local and central government, and the standards that the public expects of public servants it also expects of us.

Coverage

Fraud and corruption may occur due to the actions of employees, suppliers or other persons that we have dealings with. This could be an individual or a group of individuals, companies, partnerships, trusts or other entities.

This policy applies to all fraud or corruption incidents, **whether suspected, alleged or proven**, that are either:

- Committed against MPDC by any person; or
- Committed by our employees against any third party.

This policy applies to all our employees. **For the purposes of this policy, the following are also included in the definition of 'employee' or 'staff':**

- Elected members and appointed committee members;
- Former employees and former elected members;
- Persons seconded to MPDC;
- Volunteers who work without reward;
- Consultants and contractors (individuals, contractor staff, sub-contractors or persons affiliated with third parties).

Definitions and other Context²

Fraud

The term 'Fraud' refers to the **deliberate practice of deception** in order to receive unfair, unjustified or unlawful gain; or to unjustly cause loss to another person.

Keeping this definition in mind, examples of fraud may include, but are not limited to:

- Knowingly providing false, incomplete or misleading information for gain (financial or otherwise), and/or any other dishonest purpose
- Unauthorised possession, use or misappropriation of funds or assets, whether ours or a third party's
- Deliberate mishandling of or misreporting money or financial transactions
- Unauthorised access and misuse of our systems and information for unfair, unjustified or unlawful gain
- Destruction, removal, or inappropriate use of records, furniture, fixtures, or equipment for unlawful gain
- Deliberate misuse of our resources (including work time, internet, mobile phones, photocopiers, computers, vehicles or mail services)
- Forgery or unauthorised alteration of any document or computer file or record belonging to Council.

Corruption

'Corruption' is the **abuse of entrusted power for private gain**. It can include the giving or receiving of bribes, coercion, inappropriate disclosure of records, or any similar or related inappropriate conduct.

Examples of corrupt conduct include, but are not limited to:

² The definitions of 'Fraud' and 'Corruption' are carried forward from earlier adopted versions of this policy. They are consistent with the various legal and governance standards in New Zealand including documents published by the Ministry of Justice, the Office of the Auditor General and the Serious Fraud Office.

- The improper use of knowledge, power or resources for personal gain or the advantage of others
- Providing false, misleading, incomplete or fictitious information to circumvent our procurement processes
- Disclosing private, confidential or commercially sensitive information to outside parties without consent
- Accepting or seeking anything of 'significant value' from contractors, vendors, or persons providing services or materials to Council, noting that Council's Gifts Policy provides specific thresholds in regard to the acceptance of gifts and those thresholds are a good reference point for what constitutes 'significant value'.

Other policies

Integrity-related policies are often closely aligned and may overlap. If you are unsure as to which policy applies, contact the People, Safety and Wellness (PSW) Team.

Recognising fraud and corruption risks

Generally, there are three particular conditions often associated with fraud and corruption:

- **Incentives/pressures:** management, other employees or external parties have an incentive or are under pressure, which motivates them to commit fraud or wrongdoing (for example, personal financial trouble)
- **Opportunities:** circumstances exist that allow employees to commit fraud or corruption, such as an organisation not having appropriate fraud and corruption controls in place, or employees are able to get around or override ineffective controls (for example, managers being able to approve and authorise their own sensitive expenditure)
- **Attitudes:** employees are able to rationalise committing fraud (for example, holding attitudes or beliefs such as "everybody else is doing it nowadays" or "they made it so easy for me").

Policy

Reporting a suspected fraud or corrupt act

Any person who suspects that a fraudulent or corrupt act is occurring or has occurred, **must** report this **immediately**.

Notification, either in writing or verbally, should be made to one of the following:

- The Chief Executive
- A Group Manager, or
- The PSW Manager.

Provided they are not implicated, it is the Chief Executive that will initiate any investigation action and approach so they must be advised immediately by whoever the matter has been reported to.

If you have a concern about reporting suspected fraud or corruption to any of the people listed above, then the case may be reported to any of the following:

- Mayor
- Deputy Mayor, or
- Chair of the Risk and Assurance Committee.

Reports should provide as much detail as possible, including information about the events or acts constituting the suspected fraud or corrupt act, dates, times and persons alleged to be involved, together with any documentary evidence or facts that support the allegation.

All suspected fraud, or corrupt acts, must also be immediately reported to the Chair of the Risk and Assurance Committee and our appointed external Audit Director, and insurers (where appropriate). This would normally be done by the Chief Executive directly, or by a nominee on the instruction of the Chief Executive.

All information about suspected fraud or corruption will be treated **confidentially**.

All reports of possible fraud or corruption will be treated confidentially, insofar as they will be disclosed only to those individuals and/or agencies who need to be aware of them in order to ensure that they are appropriately investigated and addressed.

However, the identity of the person making the report will need to be disclosed to any individuals that allegations are made against as part of undertaking a fair and proper investigation aligned with the principles of natural justice. We will consult (where applicable) with the person making the report about this before their identity is disclosed.

See the below section regarding Protected Disclosures, for information about protections available to employees reporting serious wrongdoing.

Protected Disclosures

Employees who report '**serious wrongdoing**' in the workplace may be protected by the Protected Disclosures (Protection of Whistleblowers) Act 2022. Any report of suspected fraud or corruption would likely meet the definition of "serious wrongdoing", particularly where it involves the improper use of public funds or resources. Refer to the 'Protected Disclosures – Whistleblower Policy' for further details, including the procedure for making a protected disclosure and the protections provided to employees who make a protected disclosure.

Investigating a suspected fraud or corrupt act

After reviewing a complaint and undertaking any initial investigations as necessary, the Chief Executive will determine if and how an allegation will be investigated and will appoint a Council officer or external party to head the investigation.

The person appointed to head the investigation should have the appropriate levels of independence, objectivity and investigative skill. That person will be responsible for ensuring all evidential and criminal file management requirements are met including ensuring all evidence obtained during the investigation process is protected, and all reasonable steps are taken to ensure it is not altered, contaminated, lost, or destroyed. It is to be managed appropriately to support the confidentiality and the integrity of the investigation.

If the Chief Executive is implicated in the allegation, the Mayor will be responsible for determining if/how the allegation will be investigated.

A senior member of the People and Wellness team will be included in the establishment of an investigation team where the allegation relates to staff, unless

they are implicated in the allegation. The People and Wellness staff member will also provide advice on employment matters.

We do not tolerate fraudulent or corrupt behaviour and have a **zero tolerance** policy to identified behaviour or incidents involving fraud and corruption.

Zero tolerance within Council means:

- **All instances of suspected fraud or corruption** will be investigated thoroughly with appropriate action taken
- **All confirmed fraudulent or corrupt activities** will be treated as **serious misconduct** in accordance with our 'Substandard Performance, Misconduct and Disciplinary Policy' and will be **promptly** referred by the person heading the investigation (in collaboration with the Chief Executive or Mayor as appropriate) to the New Zealand Police, Serious Fraud Office, or other appropriate enforcement agency where legislation may have been breached, for prosecution consideration. Those same agencies will be **promptly** notified even where there is '**credible suspicion**', but not necessarily confirmation, that fraud or corruption has occurred
- We will take all appropriate measures, including potentially legal action, to **recover** any loss or expenditure attributable to fraudulent or corrupt behaviour. This includes, but is not limited to, recovery of intellectual property, physical assets, money, third party expenses incurred and investigation costs.

We will act in accordance with our legal obligations to act fairly, honestly and in good faith when conducting investigations. This will be a key consideration in the investigation process.

You must cooperate with and not impede any investigation of suspected fraud or corruption. Free and unrestricted access must be granted to the investigation team to access and review our records and premises, including any of our records held on electronic devices used for work purposes.

You will not undertake investigations into suspected fraud or corruption unless specifically assigned to do this by the person charged with heading the investigation.

At the conclusion of an investigation the person heading the investigation and the Chief Executive will report the outcome of the investigation to the Mayor, the Chair of the Risk and Assurance Committee, our appointed external Audit Director, and any other reporting requirements will be determined.

Refer to the Process Manager 'Reporting and Investigating Fraud and Corruption' process map of the investigation process.

Roles and responsibilities

We will proactively take all reasonable steps to prevent fraud and corruption by developing and maintaining a policy framework that sets out clearly the procedures, processes and expectations of employee behaviour and promotes robust internal controls for business delivery including the protection of assets, procurement, purchasing, payroll, treasury and cash management.

This will include, but is not limited to:

- Regular anti-fraud and corruption training and awareness initiatives for employees³ to support them in complying with this Policy
- Our Substandard Performance, Misconduct and Disciplinary Policy, as well as our values, that clearly set out the expectations for employee behaviour
- Pre-employment screening that includes checking for criminal convictions for appropriate staff (for example, those with financial or procurement responsibilities)
- Ensuring that staff appointed to positions of responsibility are appropriately qualified, experienced and aware of their obligations in regard to fraud and the protection of our assets
- Induction processes for new staff that include fraud awareness and training on our 'Substandard Performance, Misconduct and Disciplinary Policy'
- Segregation of duties in accordance with best practice
- Appropriately robust and regular reporting that provides information about results against budget, benchmarks and expected key performance indicators;
- Robust confirmation of new suppliers
- Proper utilisation of a Centralised Contract Register
- Planned programming of internal audit work to be carried out by either internal or external parties
- A safe, documented and widely available process for employees to report suspected fraud and corruption.

Chief Executive / Executive Management Responsibilities

A key responsibility of the Executive Management team is to set the '**tone at the top**'. This is crucial to promoting a staff culture where fraud and corruption are unacceptable.

Chair of the Risk and Assurance Committee

The Chair of the Risk and Assurance Committee will support the Executive Management team in setting the '**tone at the top**'.

Elsewhere in this policy there is requirement to advise the Chair of the Risk and Assurance Committee of any instance of suspected fraud or corruption and the outcome of any investigation. The Chair will determine whether and how such matters will be reported to the full Risk and Assurance Committee.

The Risk and Assurance Committee is also charged with monitoring the effectiveness of this policy annually, aided by a report from the Chief Executive. The Chair will support and encourage this committee oversight.

Finance and Business Services Manager

The Finance and Business Services Manager will be responsible for publicising the policy and ensuring that staff are aware of and understand their obligations. This will be achieved through raising awareness of our fraud and corruption framework on a regular basis (but at least twice a year). Potential awareness raising

³ Noting in regard to training and awareness initiatives that the definition of employees set out in the Coverage/Scope section of this document needs to be limited to a more specific focus on MPDC staff due to the practical difficulties of reaching groups included in the wider definition. That said, where it is practical, any anti-fraud and corruption training and awareness that can be delivered on a wider basis is encouraged.

measures include staff training, the weekly staff newsletter, and intranet links. The intention is to help embed a fraud and corruption-free culture.

The Finance and Business Services Manager is the owner of this policy and will also be responsible for undertaking regular fraud risk assessment reviews of transactions, activities or locations that may be susceptible to fraud. These reviews should take place at least annually.

People, Safety and Wellness Manager

The People, Safety and Wellness Manager is responsible for:

- Pre-employment screening that includes checking for criminal convictions for appropriate staff (for example, those with financial or procurement responsibilities)
- Induction processes for new staff that includes fraud awareness and education on our 'Preventing Fraud and Corruption Policy' and our 'Substandard Performance, Misconduct and Disciplinary Policy'.

Managers' Responsibilities

The day to day responsibility for the prevention and detection of fraud and corruption and other inappropriate conduct rests with Managers. Managers are responsible for:

- Demonstrating the highest standards of ethical behaviour
- Ensuring that staff appointed to positions of responsibility in their area of the business are appropriately qualified, experienced and aware of their obligations in regard to fraud, corruption, and the protection of our assets
- Identifying the risks to which systems, operations and procedures are exposed
- Developing and maintaining effective internal controls to ensure effective stewardship of funds and to prevent and detect fraud or corruption
- Ensuring these internal controls are being complied with
- Strictly adhering to delegations of authority (including the 'one up' approval principle and the amount they can authorise)
- Ensuring compliance with all our policies, procedures and guidelines
- Maintaining an awareness and sense of responsibility for the types of impropriety that may occur within their respective areas and being alert for any indication of irregularity
- Being vigilant to 'red flag' and other fraud and corruption risks, which may necessitate further due diligence and/or process change (examples of 'red flags' or situations where fraud, bribery or corruption risk may arise are outlined in Appendix 1 of this Policy)
- Ensuring employees are supported when making allegations of fraud or corruption.

Employee's Responsibilities

[Noting in this the wider definition of 'employees' set out in the Coverage/Scope section of this document]

All employees are responsible for:

- Being fair and honest in their Council activities and dealings with contractors, suppliers or customers
- Taking reasonable steps to safeguard our funds and assets against fraud, theft, unauthorised use and misappropriation
- Strictly adhering to all system security measures, segregation of duties and delegations

- In line with this policy, immediately reporting if they suspect or believe that there is evidence of irregular or improper behaviour or that fraud or corruption may have been committed
- Cooperating with and, if required, assisting in the investigation of any suspected fraud or corruption.

Effects and Risks

This policy provides assurance to employees, our elected members, auditors and the community that we have robust measures in place to prevent, detect and respond to fraud and corruption.

The Policy is designed to mitigate risks associated with:

- A less than optimal fraud and corruption prevention culture
- Poor fraud or corruption recognition by staff
- A failure to report suspicious activities
- Inconsistent handling of suspected fraud or corruption
- Evidence mismanagement
- Delayed law enforcement reporting.

Failure to follow this policy could result in financial loss, damage to our reputation and legal action.

Any person convicted of fraud or corruption charges could face severe penalties under the Crimes Act 1961 or the Secret Commissions Act 1910. The penalties can range from fines to fourteen years' imprisonment.

Monitoring, Measurement and Review

This policy will be reviewed every three years unless there is a change to related legislation in which case the review will be brought forward. The review will be reported to the Risk and Assurance Committee.

The Risk and Assurance Committee will monitor the effectiveness of this policy annually which will include a summary report from the Finance and Business Services Manager on the operation of the policy and procedures, including all initiatives undertaken by Council to increase staff awareness and support compliance with this policy.

Relevant Information

Relevant Legislation

- Local Government Act 2002
- Employment Relations Act 2000
- Human Rights Act 1993
- Privacy Act 2020
- Protected Disclosures (Protection of Whistleblowers) Act 2022
- Crimes Act 1961
- Secret Commissions Act 1910

Related Policies, Strategies or Guidelines

- Protected Disclosures - Whistleblower Policy
- Sensitive Expenditure Policy
- Gifts Policy

- Managing Conflicts of Interest Policy
- Procurement Policy and Manual
- Risk Management Framework
- Declarations of Interest (forms completed by staff)
- Substandard Performance, Misconduct and Disciplinary Policy
- Reporting and Investigating Fraud and Corruption Process Map

APPENDIX ONE: RECOGNISING FRAUD AND CORRUPTION 'RED FLAGS'

There are a number of scenarios or activities ('red flags') that may indicate a heightened risk for the potential for fraud and corruption, and require further investigation to ensure no wrongdoing has been committed. Individuals who encounter any of these red flags (depending on what seems most appropriate in the circumstances), should either:

- Report them promptly in the same manner that a suspected fraud or corrupt act would be reported under this policy, or
- At a minimum, the concern should be reported confidentially (either in writing or verbally) to the PSW Manager, who can then determine the appropriate course of action.

For clarity, if fraud or corruption is suspected then the "Reporting a suspected fraud or corrupt act" section of this policy must be followed.

FRAUD 'RED FLAGS'

These include, but are not limited to:

- An inability to account for missing assets and/ or inventory
- Orders for inventory that exceed 'normal' business use
- Purchases made outside of standard centralised processes and oversight
- Receiving an invoice or payment request that is non-standard or customised, lacks key information or is 'last minute and urgent'
- A failure to maintain a clear 'paper trail' including an absence of emails, written agreements, business documentation or record keeping
- An employee exerting an unusual degree of control over a work process, procedure or system, or being unwilling to share duties or business information (including a refusal to take leave)
- Unusual spikes in expenditure, invoice volume, financial adjustments (including 'rounded payments') and fee waivers, or the number and timing of service transactions – above and beyond business averages and trends
- A lack of segregation of key system, financial or business access, process/duties and authority (including the ability to approve personal expenditure or manage critical financial transactions end-to-end)
- A 'wheeler dealer' approach to business and disregard for process controls and business discipline.

CORRUPTION 'RED FLAGS'

These include, but are not limited to:

- A third party having a reputation for having a "special relationship" with MPDC including instances of open-ended ('evergreen') contracts or informal work agreements
- An employee or third party that has previously engaged in, or been accused of improper business practices
- An employee or third party who insists on receiving a commission or fee payment before committing to a contract or carrying out a service
- An employee or third party requesting payment be made in cash or to an unverified account (including at a different location or offshore)
- An employee or third party refusing to provide an invoice or receipt for a payment made
- An employee or third party requesting that a payment is made to 'overlook' potential legal or performance violations

- An employee or third party insisting on the use of side letters, refusing to put terms agreed in writing, or requiring the use of an agent or intermediary that is not known to MPDC
- An employee or third party requesting/being offered entertainment or gifts before commencing contract negotiations or services
- An employee receiving an invoice or making a payment that appears large given the services provided
- Unreported payments made to third parties on our behalf
- An employee having an unusually close relationships with third party vendors or customers, including an unwillingness to delegate management of a client relationship (services or portfolio)
- An employee providing/offering unauthorised access to privileged information to a third party vendor or customer
- A refusal by employees or third party vendors to complete Conflict of Interest documentation or certify compliance with our policy.



Matamata-Piako District Council

Sensitive Expenditure Policy 2025

Department	Finance and Business Services
Policy Type	Internal
Approved by Exec Team	18 September 2025
Endorsed by Risk and Assurance Committee	30 September 2025
Adopted by Council	Expected on 8 October 2025
Review Frequency	Three-yearly
Next Review Date	October 2028
Policy Supersedes	Sensitive Expenditure Policy, July 2019

35 Kenrick Street - PO Box 266 - Te Aroha 3342 - www.mpd.govt.nz
Morrinsville & Te Aroha 07 884 0060 - Matamata 07 881 90 50

7 Pūrongo me whakataurua | Decision Reports

7.6 Annual Report and Annual Report Summary 2024/25

CM No.: 3095334

Te Kaupapa | Purpose

The purpose of this report is to:

- provide an update on the Annual Report and Annual Report Summary 2024/25
- present the Annual Report and Annual Report Summary 2024/25 for review and adoption if the Audit Opinion is issued prior to the meeting OR
- present the Annual Report and Annual Report Summary 2024/25 for review and recommendation to the incoming Council following the local election on 11 October 2025.

Rāpopotonga Matua | Executive Summary

Summary of timing

Council is required under the Local Government Act 2002 (LGA) to adopt an Annual Report and Annual Report summary each year by 31 October. Staff and Audit New Zealand (Audit NZ) have been working closely to complete the Annual Report for 2024/25 prior to the local elections taking place on 11 October 2025 to allow the current Council to adopt it.

Rene Van Zyl from Audit NZ will be in attendance to present the audit opinion for the Annual Report, if the audit has concluded in time for this meeting.

Due to some delays in the process, adoption before the local election is at risk, it is possible adoption will be delayed until after the local election and possibly after the statutory deadline of 31 October 2025. At the time of writing Council staff are discussing timing with the Audit NZ team.

It is noted that while adoption after 31 October will be a technical breach of the LGA, this will have no impact on the audit opinion nor is there any legal penalty.

The following documents will be circulated separately, once/if available:

- Annual Report and Annual Report Summary
- Warrant of Fitness for the Annual Report and Annual Report Summary
- Audit Opinions for the Annual Report and Annual Report Summary
- Letter of Representation
- Audit Misstatement Schedule

Summary of Annual Report

This year, Council achieved 80% of its performance measures that were set in the 2024-34 Long Term Plan. This is a significant improvement from the previous Annual Report, which had an overall achievement of 58%. A number of these measures are based on a community survey, it should be noted that the survey scale changed this year to remove the 'neither/nor' option. This has resulted in some measures being significantly higher than previous years.

For the 2024/25 financial year, Council's revenue was higher than budgeted in several key areas. Additional funding and grants, including \$1.3 million in Better-off funding and \$460,000 in Waste Levy subsidies, boosted income. Development contributions also exceeded expectations with major projects in Morrinsville and Matamata, and Council received \$8.9 million invested assets from subdivision developments. Other revenue included \$1.35 million in donations towards the

Matamata Open Country Stadium. Interest revenue was also higher than planned due to Council holding additional funds on term deposit from debt that was borrowed in advance.

Overall, Council's balance sheet remains healthy. Higher asset values strengthen the district's long-term position but also highlight the rising costs of maintaining and renewing critical infrastructure. Careful financial planning will be required to manage these future costs while balancing the impact on rates.

Tūtohunga | Recommendation

That:

OPTION 1 – ADOPTION

- 1. Council receives the following:**
 - a. Annual Report and Annual Report Summary 2024/25**
 - b. Warrant of Fitness for the Annual Report and Annual Report Summary 2024/25**
 - c. Audit Opinions for the Annual Report and Annual Report Summary 2024/25**
 - d. Letter of Representation**
 - e. Audit Misstatement Schedule**
- 2. The Warrant of Fitness section 13 is completed by Elected Members.**
- 3. Council authorises the Mayor and Chief Executive to sign the Statement of Compliance and Responsibility on behalf of Council.**
- 4. Council authorises the Mayor and Chief Executive to sign the Letter of Representation to the Auditor on behalf of Council.**
- 5. Council adopts the audited Annual Report and Annual Report Summary 2024/25.**

OPTION 2 – DEFERRAL TO INCOMING COUNCIL

- 1. The information be received.**
- 2. Council recommend the incoming Council adopt the Annual Report and Annual Report Summary 2024/25 following the local elections.**
- 3. Council acknowledges the Annual Report 2024/25 and Annual Report Summary 2024/25 may be adopted after the statutory deadline of 31 October 2025.**

Horopaki | Background

Background context

Under the LGA, Council is required to:

- Complete and adopt its Annual Report, containing audited financial statements, within four months after the end of the financial year i.e. by 31 October each year.
- Make its Annual Report and Annual Report Summary publicly available within one month of adopting it; and

The Annual Report and Summary must be audited, and an opinion on the Annual Report and Summary provided to Council and the report's readers.

The Annual Report provides information on the activities that the Council undertakes and is part of the accountability framework through which the community can assess the Council's performance.

Audit NZ has been appointed as the Council's Auditor and is responsible for undertaking the annual audit. The independent audit report prepared by the Auditor reports on whether the Annual Report presents fairly the Council's financial and non-financial performance for the year.

At the time of writing this report the Risk and Assurance Committee is scheduled to consider the Draft Annual Report at its meeting 30 September 2025 and may have feedback on the documents.

Timing of Annual Report adoption

Council staff and Audit NZ have been working closely to complete the Annual Report prior to the local elections taking place on 11 October 2025.

At the time of writing this report, the Annual Report is progressing through the audit process. Due to some delays in the process, adoption prior to the local election is at risk. Staff are discussing timing with the Audit NZ team.

With the upcoming elections it is possible adoption may be delayed after the statutory deadline of 31 October 2025. It is noted that while adoption after 31 October will be a statutory breach of the LGA, this will have no impact on the audit opinion nor is there any legal penalty.

The Office of the Auditor General has reported that in 2023/24, 18 councils adopted their Annual Reports after the statutory deadline for a range of reasons. Staff understand several Councils in the Waikato region are planning to have their Annual Reports adopted by their incoming Councils. Some will also adopt after the statutory deadline of 31 October 2025.

a. Annual Report and Annual Report Summary 2024/25

See documents circulated separately.

b. Warrant of Fitness for the Annual Report and Annual Report Summary 2024/25

The Warrant of Fitness has proven to be a useful tool for staff to check that significant matters have been considered in the preparation of the Annual Report. It is intended to provide some assurance to Council in this regard. Section 13 is to be completed by elected members.

c. Audit Opinions for the Annual Report and Annual Report Summary 2024/25

Under the LGA Council is required to obtain an audit of its Annual Report and Summary. Rene Van Zyl from Audit NZ will be in attendance to provide details about the audit and the Audit Opinion, if ready in time for this meeting.

d. Letter of Representation

The representation letter sets out Council's responsibilities under the LGA to report on the Council's financial position and activities; and quality of information presented in the Annual Report and Annual Report Summary.

The letter provides assurances from Council to Audit NZ in relation to the following requirements:

- General responsibilities relating to the Councils actions
- Responsibilities for the financial statements and the statement of service performance
- Responsibilities to provide information

- Confirmation that Council is a going concern
- Responsibilities for the information presented in the summary
- Publication of information on our website.

Council is required to confirm that to the best of their knowledge these requirements have been met. To give Council that assurance staff have provided responses on what steps have been taken to meet the responsibilities outlined.

e. Audit Misstatement Schedule

The schedule of misstatements sets out the errors noted by Audit and those changes identified by staff in their QA process. This will be circulated separately if available.

Ngā Take/Kōrerorero | Issues/Discussion

Statement of Financial performance

The following summary is based on the unaudited financials as at the time of writing.

For the 2024/25 financial year, Council's revenue was higher than budgeted in several key areas. Additional funding and grants, including \$1.3 million in Better-off funding and \$460,000 in Waste Levy subsidies, boosted income. Development contributions also exceeded expectations with major projects in Morrinsville and Matamata, and Council received \$8.9 million invested assets from subdivision developments. Other revenue included \$1.35 million in donations towards the Matamata Open Country Stadium. Interest revenue was also higher than planned due to Council holding additional funds on term deposit from debt that was borrowed in advance.

On the other hand, some revenue sources were lower than expected. Fees and charges fell short in pools and spas, rental income, and wastewater trade agreements, though this was partly offset by higher building and consent activity. While rates revenue was slightly higher than budgeted, the main increase came from penalties and metered water rates.

Council's expenditure was mixed. Personnel costs were lower due to staff vacancies and some positions not being filled, though this was partly offset by higher annual leave provisions. Finance costs were also below budget because key wastewater projects were delayed, resulting in less borrowing than planned. However, other expenses were significantly higher, including increased costs for rubbish and recycling contracts, insurance premiums, aquatic facilities and building maintenance, and a loss on disposal of assets. A \$1.67 million accounting loss was also recorded on Council's interest rate swap portfolio due to falling swap rates.

Overall, Council's balance sheet remains healthy. Higher asset values strengthen the district's long-term position but also highlight the rising costs of maintaining and renewing critical infrastructure. Careful financial planning will be required to manage these future costs while balancing the impact on rates.

Non-financial performance measures and levels of service

The following summary is based on the unaudited non-financial performance as at the time of writing.

The Council achieved 80% of its performance measures for the year, compared with 58% in 2024. The increase noted in community satisfaction is largely due to the change in survey scale, with removing the 'neither/nor' option in the survey scale. This change has resulted in some measures being significantly higher than previous years.

There are new Drinking Water Standards performance measures that were introduced by the Department of Internal Affairs following the adoption of the Long Term Plan. These measures break down bacteriological and protozoal compliance in each of Council's main towns. Overall,

compliance was high. The instances where non-compliance was recorded was largely due to insufficient data. The new measure helps us show the community that our drinking water supply is safe.

Mōrearea | Risk

The audit work carried out by Audit NZ provides added assurance regarding the accuracy of Council's financial statements. At the time of preparing the report, the audit was not finalised. There have been no significant matters arising from the audit to date and therefore it is expected an unmodified opinion will be issued by Audit NZ. Staff are awaiting further confirmation.

Recommended option

It is recommended that Council adopts the Annual Report and Annual Report Summary 2024/25 if the audit opinion is available.

In the event, the audit opinion is not available for this meeting it is recommended that the current Council recommends to the incoming Council to adopt the Annual Report and Summary Annual Report 2024/25.

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

The Annual Report cost is provided for within the Strategies and Plans activity budgets. The Annual Report and audit are funded from general rates.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Olivia Picard Kaitohu Kaupapahere Policy Advisor	
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Approved by	Niall Baker Kaiārahi Tima Kaupapahere Policy Team Leader	
	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	
	Kelly Reith Group Manager, Corporate, People & Relationships	

7 Pūrongo me whakatau | Decision Reports

7.7 Draft Climate Resilience Strategy

CM No.: 3082884

Te Kaupapa | Purpose

The purpose of this report is to present the draft *Manaaki Whenua, Manaaki Tangata Matamata-Piako Climate Resilience Strategy 2026-2036* (Strategy) to Council for review, and to seek Council's endorsement of the Strategy to the incoming Council.

Rāpopotonga Matua | Executive Summary

A draft *Manaaki Whenua, Manaaki Tangata Matamata-Piako Climate Resilience Strategy 2026-2036* (Strategy) has been developed jointly with Council, staff and Te Manawhenua Forum members over the last few months. Staff now seek Council's endorsement of the Strategy to the incoming Council, after which the draft can be reviewed and adopted for public consultation.

Tūtohunga | Recommendation

That:

1. Council receives the report
2. Council endorses the draft *Manaaki Whenua Manaaki Tangata, Matamata-Piako Climate Resilience Strategy 2026-2036* and recommends it to the incoming Council for review and adoption for public consultation.

Horopaki | Background

Climate Change Rivermap

As part of the Long Term Plan, Council developed a Climate Change Rivermap which outlines key actions Council is taking across its activities to prepare for climate impacts. The Rivermap has five streams of work: Strategy, Waste, Water, Wastewater and Stormwater. Within the Strategy workstream one of the actions is to develop a Climate Strategy.

Working Group

A working group has provided detailed review and input to the Strategy at key points in its development. The working group is made up of representatives from Council, Te Manawhenua Forum and staff.

Community Feedback

To inform development of the Strategy, community views were sought through engagement at community events, through an online feedback survey and through a question in our Residents' Survey conducted by Key Research. The results are included in the strategy.

Organisational Climate Risk Assessment

An Organisational Climate Risk Assessment has been undertaken which identifies key risks to Council's assets, services and operations, from climate-related hazards, and highlights adaptation

options. The Risk Assessment has informed the development of the Strategy, and its focus on increasing Council's resilience. This was presented to Council on 24 September 2025.

Strategy Development Timeline

An overview of the process for developing the Strategy is outlined below:

Timeline	Stage
October 2024 – June 2025	Community views gathered
June – July 2025	First draft of Strategy prepared with reference to community views and with input from staff across the organisation
24 July	Working group review of first draft
20 August	Te Manawhenua Forum review and input to first draft
20 August	Council workshop review and input to first draft
1 September	Working group review of second draft
10 September	Council workshop review of second draft and direction on next steps
23 September	Te Manawhenua Forum online hui to gather additional feedback
24 September	Council discussion to consider feedback from Te Manawhenua Forum
30 September	Risk and Assurance Committee overview of draft Strategy as part of Deep Dive into Climate Change Top Risk
7 October	Te Manawhenua Forum review – to endorse draft Strategy
8 October	Council meeting – to endorse to the incoming Council
December 2025 – February 2026	Draft finalised and adopted for consultation
March – April	Community consultation (alongside other documents)
June 2026	Council meeting to adopt final Climate Resilience Strategy
July 2026 onwards	Implementation and actions considered during budget discussions for Long Term Plan 2027-37
The strategy has also been reviewed by the staff climate change group and the Executive Team at key points in its development.	

Ngā Take/Kōrerorero | Issues/Discussion

Strategic approach

The strategic framework for the strategy is set out below:

Vision

Working together to increase our climate resilience and protect the people, places, taonga and ways of life we care most about, now and for the future.

Goal

Thriving, informed, climate-resilient communities in Matamata-Piako supported by a, prepared and responsive Council.

Guiding Principles

Te Taiao | Our environment is central to our wellbeing

Kotahitanga | Working together gets us further

Mātauranga | We value knowledge and learning

Whakatakatū | Getting ready now ensures we're prepared for whatever the future holds

Oranga Tonutanga | Our aim is thriving communities into the future.

Purpose of the strategy

This strategy sets out our overall approach and key areas of focus. Its purpose is to guide present and future decision-making and help us take action and respond to climate risks in a coordinated way.

Focus Areas

The Strategy has three focus areas:

1) Council resilience

- Understanding local climate impacts
- Building resilient assets and services
- Strengthening Council as an organisation

2) Community adaptation and preparedness

- Keeping communities out of harm's way 'Avoiding the risk'
- Working with communities to plan for the future 'Adapting to the risk'
- Supporting people to be prepared and make informed decisions 'Preparing for risks when they happen'

3) Council and community sustainability

- Supporting people's connection and care for te taiao | the environment
- Reducing the community's impact
- Reducing Council's impact

Costs and capacity

A statement has been included in the Strategy acknowledging the ongoing challenge of balancing resilience measures with cost and capacity constraints. This emphasis on doing this work in a cost-effective way is reflected in the Focus Areas through the Strategy.

Mōrearea | Risk

An overview of the risks to Council from climate hazards is outlined in the Strategy.

Ngā Whiringa | Options

There are two principal options as outlined below:

Option One – Council endorse the Strategy to the incoming Council for review and adoption for public consultation	
Description of option	
Advantages	Disadvantages
Indicates to the incoming Council that Council supports the draft Strategy	

Option Two – Council provides further feedback on changes it would like made to the Strategy	
Description of option	
Advantages	Disadvantages
Allows for further revision	

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

The Policy context is outlined in the Strategy

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a low/medium level of significance.

All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Community views have been sought to inform the Strategy and public consultation is planned.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low/medium level of significance.
Section 82 – this sets out principles of	

consultation.	Public consultation is planned
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Policy Considerations

1. To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement
 Public consultation is planned for March – April 2026

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata-Piako District Council’s Community Outcomes are set out below:


MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE		MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION	
TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. ‘The heart of our community is our people, and the people are the heart of our community.			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create

The community outcomes relevant to this report are as follows:

- All of the above

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source
 Climate work is funded within the Strategy and Engagement activity.

Ngā Tāpiritanga | Attachments

- A.  Draft Manaaki Whenua Manaaki Tangata Matamata-Piako Climate Resilience Strategy 2026-2036 (*Under Separate Cover*)

Ngā waitohu | Signatories

Author(s)	Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor	
Approved by	Niall Baker Kaiārahi Tima Kaupapahere Policy Team Leader	
	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	
	Kelly Reith Group Manager, Corporate, People & Relationships	

7 Pūrongo me whakatau | Decision Reports

7.8 Decision on Plan Change 61 National Planning Standards and Other Matter and Approval for Plan Stop Exemption applications

CM No.: 3088933

Te Kaupapa | Purpose

The purpose of the report is to seek Council approval on whether to proceed with the notification of the National Planning Standards and Other Matters plan change (PC61) following the recent amendments made to the Resource Management Act 1991 (RMA). Endorsement is also sought for two exemption applications because of the moratorium on Council driven plan changes.

Rāpopotonga Matua | Executive Summary

The recent amendments to the RMA place a prohibition on council-initiated plan changes. The Government has explained the main reason for this is to not waste time and resources on plan changes when wholesale reform of the current resource management system is planned. This includes suspending the requirements to implement the National Planning Standards and undertake full plan reviews. The implications of the recent amendments are that Council cannot notify PC61 National Planning Standards and Other Matters. Additionally, under the new legislation if the Council chooses to proceed with a plan change during this time, the plan change must either be automatically exempt or approved by the Minister before it can be notified. Because of these changes, it is recommended the Council does not notify PC61. It is also recommended the Council endorse exemption applications for PC49 Wahaora and a new plan change relating to Minor Technical Matters (PC65).

Tūtohunga | Recommendation

That:

1. Council does not notify PC 61 National Planning Standards and Other Matters.
2. Council endorses the preparation and lodgement of an exemption application to Minister responsible for Resource Management Reform for PC 49 Wahaora.
3. Council endorses the preparation and lodgement of an exemption application to Minister responsible for Resource Management Reform for PC 65 Minor Technical Matters.
4. Council delegates to the Chief Executive the approval of the final exemption applications.
5. Council endorses additional minor matters being added to the exemption application for PC65 that rectify issues with the district plan.

Horopaki | Background

Under the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (here after referred to as the 'RMA Amendment Act 2025') councils are now no longer able to notify plan changes unless they are automatically exempt or the Minister grants an exemption. The intent of the changes is to stop councils using staff time and other resources on plan changes in advance of the new planning system. It includes the suspension of councils mandatory RMA requirements to undertake district plan reviews and the requirement to implement the National Planning Standards. The provisions are in effect until 31 December 2027. The changes known as 'plan stop' do not apply to private plan changes.

By way of background, Section 80U of the RMA Amendment Act 2025 contains the matters that are automatically exempt from the 'plan stop' provisions. The automatic exemptions provide for certain planning processes to continue without the need for an application or a Ministerial decision. Except for plan changes related to natural hazards, the matters effectively relate to those that have ministerial direction already or are part of other agreements such as those related to Treaty Settlements. The matters are:

- plan changes that are using the streamlined planning process or the intensification streamlined planning process.
- a draft planning instrument that implements a national planning statement where it is a requirement of the national policy statement to implement it before the 31 December 2027.
- a plan change that is using the freshwater planning process.
- plan changes that are directed by the Minister or called in as a matter of national significance.
- plan changes that relate to natural hazards; and
- plan changes that give effect to treaty settlements or the Marine and Coastal Area Act.

Section 80V provides for a council to apply in writing to the Minister for an exemption. The application must include a detailed copy of the proposed planning instrument, or if the council is seeking to notify a draft planning instrument, a detailed summary. The Minister may grant the application if it meets the criteria set out in Section 80W. If the Minister is not satisfied it meets the criteria, the application may be declined in whole or part.

The criteria in Section 80W are:

- Better enable a council to provide for services in accordance with the Water Services Act
- Rectify provisions that are having unintended consequences or are unworkable or have led to inefficient outcomes
- Respond to changes made to this Act
- Better enable climate change to be managed
- Support the transition of high-risk land to better manage the risk of erosion
- Better enable any relevant Treaty of Waitangi Settlement to be upheld
- Enable a response to be made to a recommendation from the Environment Court
- Enable work to be progressed for any other reason the Minister considers to be appropriate.

MPDC has two plan changes that are affected by the 'plan stop' provisions. These are PC61 and PC49. The Council had decided to notify PC61 at its meeting on 30 April 2025. As at the 20 August 2025 when the 'plan stop' provisions were enacted, PC61 had not been notified. Whilst background work has been completed on PC49, it has not been notified. Because neither plan change had been notified PC49 and PC61 are draft planning instruments under the new plan stop provisions.

It is recommended that the Council does not notify PC61. Section 58JA of the RMA Amendment Act 2025 suspends the obligations of councils to amend their plans to incorporate the National Planning Standards and the associated timeframes. The key reason for this is the Government

does not want work to continue on matters that are likely to change again with the broader reform work that is underway. Staff understand this includes nationally standardised zones and while the detail of the zones is not known it will affect the structure and format of district plans.

It is also recommended that the Council apply to the Minister for exemptions for two draft planning instruments. The planning instruments are PC49 and a new plan change that addresses a series of technical matters in the existing District Plan. Some of the technical matters were already included as 'other matters' in PC61.

Additionally, Section 80Y of the RMA Amendment Act 2025 says that public notice be given of the status of any proposed planning instrument within 90 days of this legislation's enactment. This means that public notice be given no later than 15 January 2026. A proposed planning instrument is one that has already been publicly notified for submissions. This provision does not apply to MPDC as the planning instruments affected had not been notified at the time the RMA Amendment Act 2025 was enacted. Although it is not required to publicly notify the status of Council's planning instruments, staff recommend this occur anyway as it would be good practise to inform the community of the Council's decision. This will assist in providing certainty for people in relation to these plan changes. It is proposed to have an article in the 'Council in Focus' publication.

Ngā Take/Kōrerorero | Issues/Discussion

In light of the Plan Stop changes as part of the RMA Amendment Act 2025, the Council had decided to pause work on PC61 and PC49 until staff had an opportunity to review the legislation and its implications. Staff have now reviewed the legislation and had initial discussions with Ministry for the Environment (MfE) staff. From the discussions with MfE, we learnt any changes to rectify plan provisions need to be supported by clear evidence and any application needs to demonstrate a strong linkage to Government priorities. It is suggested that Council can now decide on these issues, and it is important a decision is made to provide as much certainty as possible to the community as to the status of the plan changes. Decisions are required on two matters:

1. Should PC61 National Planning Standards and Other Matters be notified?
2. Does the Council support an exemption application to the Minister for PC49 and PC65 Minor Technical Matters?

PC61 National Planning Standards and Other Matters

The intention of PC61 National Planning Standards and other Matters was to restructure and reformat the Plan so it complied with the National Planning Standards. Under the RMA Amendment Act 2025, the obligation to comply with the National Planning Standards ceases to apply until 31 December 2027. The Government's intention is the RMA will no longer be in force at this time and will be replaced by the two new Planning Acts.

New Section 58JA stops both the mandatory and discretionary directions of the National Planning Standards. Irrespective of the requirement to cease applying the National Planning Standards, the Council could decide that it wanted to pursue PC61. However, to proceed with notifying a draft planning instrument the Council would need to apply to the Minister. It is the opinion of staff that approval to proceed will not be given. If the Council decided to proceed notifying PC61 and not seek an exemption from the Minister, then the Minister could intervene. Staff believe that it is now

not possible to notify PC61. For this reason, it is recommended Council does not proceed with notifying PC61.

Exemption applications for PC49 Waharoa and PC65 Minor Technical Matters

Staff are seeking endorsement for exemption applications to be made to the Minister for two draft planning instruments.

The first is the endorsement of a new plan change which makes some minor technical amendments to the district plan. Some of the suggested amendments were included as 'other matters' as part of PC61. Other amendments have been recently identified by the Resource Consents team as matters that are causing implementation issues. To date, seven matters have been identified, and more matters may be identified prior to the exemption application being submitted to the Minister. For this reason, the recommendations seek for similar matters to be added to the application prior to the application being submitted. To reduce costs and the time associated with the plan change it is only proposed to include amendments that do not need zone or district wide notification. Examples of the types of amendments are:

- Circumstances where heritage buildings have been removed from a site, but the heritage notification is still included within the district plan. More specifically, at three sites within the district scheduled heritage buildings have either been demolished or relocated via a resource consent process. However, while a resource consent can grant permission for buildings to be demolished or relocated, it cannot remove a heritage scheduling from the district plan. This can only occur through a plan change process. If the heritage item is retained in the district plan schedule consideration must be given to heritage matters as part any resource consent process on those sites. The situation for each of the sites is slightly different, with one site vacant with a contract with a potential purchaser, another site vacant with an unknown situation and the other site recently redeveloped.
- The removal of the development concept plans for two sites in Morrinsville that used to be used for mushroom growing. The removal of the development concept plans where activities have been discontinued on the site will provide increased community certainty as to the activities that can occur on the site.
- The removal of a rule in the Surface of Water chapter of the plan that controls the speed of motorised vessels within 5m of the banks of the Waihou River. It is not necessary for the Council to control the speed of motorised vessel. This is a matter that is covered by the Navigation Safety Bylaw which is managed and enforced by the Waikato Regional Council.
- Amending development control standard 3.1.4(ii) which relates to the size of living courts for accommodation facilities in the Residential Zone. The standard is considered unworkable due to a geometric miscalculation involving the area of a 6m diameter circle and the designated living court space. Therefore, this standard does not make practical sense to apply in its current form.
- Amending rule 9.1.2(ix)(b) and 9.1.2(ix)(c) which relates to garages and carports within 5m of a site's front boundary in the Residential Zone. Further clarification has revealed that the rules specifically relate to corner sites within the Residential Zone, where property owners may choose between a 3m or 5m yard setback. This distinction is not clearly articulated in the existing rule, leading to confusion among planners.

Staff consider there are benefits in moving forward with this plan change. The amendments provide clarity and certainty for the community and landowners. For those landowners where heritage buildings have been removed but the heritage notation remains on the planning maps and the schedule it will provide confidence to move ahead with development / projects. The plan change will also assist in the consistent administration of the Plan. The scope of the amendments is limited and whilst there is always potential for submissions it is considered it is unlikely the matters will attract a significant number of submissions.

The second exemption application is for the continuation of PC49. PC49 seeks to review the zoning and development controls of Waharoa. In association with the plan change improvements to the transport environment and other public spaces have been identified. These improvements do not form part of the plan change. The project has been carried out in partnership with Ngāti Hauā. The intention of the plan change is to reflect the aspirations of the communities in Waharoa. To date, it has involved the establishment of a Governance Group and a panel of local champions. Community consultation has occurred; a draft spatial plan has been produced as well as an issues and options report. Technical work on transportation and urban design has been undertaken. A high-level summary of the types of key changes that are being investigated include:

- Providing for increased opportunities for residential development through applying the medium density zone to most of the existing residential zone,
- Rezoning Te Hauora O Ngāti Hauā Trust medical clinic to business zone,
- Rezoning the Mowatt Street industrial subdivision to industrial zone with bespoke rules,
- Rezoning other areas of land to reflect their current land uses,
- Provisions that promote increased access to the Waitoa River.

PC49 is not automatically exempt under Section 80U Automatic Exemptions. For this reason, a decision from the Minister is required to continue with the plan change. Section 80W sets out the criteria the Minister can consider when deciding to approve or decline an application. Relevant to PC49 is criterion (h) enable work to be progressed that, for any other reason, the Minister considers appropriate.

Council staff have reviewed the criterion and consider as the plan change provides for an enabling regulatory framework it promotes the Government's Going for Housing Growth program. In general, the plan change promotes Pillar 1 of the program as it frees up land for development. The change from the residential zone to the medium density residential zone means different housing typologies will be permitted. Reducing regulatory barriers for new housing is one way the Council can assist in addressing the housing issues the community has identified. These issues include poor quality housing and a degraded built environment. Ngāti Hauā are already moving forward to address these issues through the Cadman Street housing resource consent application. Medium density residential zoning will reduce the regulatory barriers for similar applications in the future.

The issues and options report for Waharoa considered the option of maintaining the status quo, applying bespoke rules, or mix of residential zone and medium density residential zone. A mix of residential zone and medium density residential zone was recommended. A medium density residential zone permits one dwelling per 325m² compared with one dwelling per 450m² in the residential zone. The medium density residential zone also provides for duplex dwellings with a minimum area of 400m² (200m² per dwelling).

Other potential options for rezoning are also being explored including rezoning the Mowatt Street subdivision to industrial zone and options for providing increased protection to the Waitoa River through the extension of the kaitiaki conservation zone. Council Staff have received confirmation from Lisa Gardiner that Ngāti Hauā support the plan exemption application and will write a letter of support to be included with the application. Further engagement with the engagement with Governance Group is intended prior to submitting the exemption application.

Mōrearea | Risk

It is considered there is a legal and regulatory risk if the Council decides to notify PC61. The reason for this is the RMA Amendment Act 2025 suspends the requirements to implement the National Planning Standards. The Government has been clear it does not want Council staff spending any time on plan changes when the broader resource management system is being reformed. As part of the reform, the Government is introducing a new concept of national standardised zones. It is not known whether the National Planning Standards will form part of the

new national standardised zones. If they do (or some variant of them) then the work associated with PC61 can be restarted at that time

Applying for the two exemption applications is considered to have a low legal and regulatory risk. The application if approved enables the Council to decide to notify Council initiated plan changes. Without an approved exemption application, the Council has no lawful basis to decide to notify a Council initiated plan change.

Ngā Whiringa | Options

No options have been identified in relation to the PC 61 decision. The reason for this is the law has changed to suspend the requirements. Staff consider there are no other practicable options. Two options have been identified for each Plan Change; PC 49 Waharoa and PC 65 Minor Technical Matters:

- Apply for exemptions
- Do not apply for exemptions

Option One – Apply for exemption for PC 49 Waharoa	
Description of option	
The Council applies for an exemption for PC49 Waharoa	
Advantages	Disadvantages
The plan change, a joint project between Ngāti Hauā and the MPDC will give effect to documented community aspirations.	Processing the plan change will incur time and costs for MPDC.
The Plan change proposal to convert the existing residential zone to a medium density housing zone will increase the housing flexibility in Waharoa.	The opportunities provided by the plan change may not be taken up.
The plan change proposal will increase the level of protective zoning adjacent to the Waitoa River.	The increased protective zoning may not be sufficient to resolve the issues related to the degraded river.
The proposed industrial zone for the Mowatt Street subdivision will provide increased certainty for industries and businesses in this location.	Retaining the status quo could result in ongoing issues at the time of sale and purchase.
The proposed business zone for the Te Hauora Centre will provide increased potential to further extend the services provided on this site.	Additional services may not be enabled if the business zone cannot go ahead.
Option Two – Do not apply for exemption or PC 49 Waharoa	
Description of option	
The Council does not apply for an exemption for PC49 Waharoa	
Advantages	Disadvantages
The time and costs to the MPDC of processing the plan change would be removed.	The community aspirations sought through the plan change process would not be fulfilled.

Option Three – Apply for exemption for PC65 Minor Technical Matters	
Description of option	
The Council applies for an exemption for PC65 Minor Technical Matters	
Advantages	Disadvantages
Removes barriers for prospective buyers to use and develop former heritage sites.	Processing the plan change will incur time and costs for MPDC.
Provides certainty to the community over the intended environmental outcomes and future land use at those DCP sites.	The proposals provided by the plan change may not be taken up.
Allows rectification of unworkable provisions in the plan, which would otherwise continue to create confusion and uncertainty for users of the plan.	Having provisions of the plan that are unworkable and cannot be implemented.

Option Four – Do not apply for exemption for PC65 Minor Technical Matters	
Description of option	
The Council does not apply for an exemption for PC65 Minor Technical Matters	
Advantages	Disadvantages
The time and costs to the MPDC of processing the plan change would be removed.	A plan change could not be notified until the moratorium expired on 31 December 2027. This would mean the matters identified would not be rectified and would cause continued concern for landowners.
	There would be continued issues with the administration of the district plan.
	For sites affected by the heritage notation development may not occur because the uncertainty the notation causes.

Recommended option

Options 1 and 3 to apply for exemptions for both plan changes are the recommended options. This will enable an exemption application to be made to the Minister for Resource Management Reform. If the exemption applications are approved, the Council will have the legal and results basis to decide to notify a plan change.

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

The 'plan stop' provisions are part of the Resource Management Amendment Act 2025.

The key clauses are summarised below

Section 58JA stops the obligations councils have under *58I Local authority recognition of national planning standards* until 31 December 2027. Clause 58JA stops the mandatory and discretionary directions in the National Planning Standards. The purpose of the amendment is to suspend the requirements to implement the National Planning Standards because of wider resource management reform.

Section 80P prohibits a Council from notifying a draft planning instrument until 31 December 2027 unless an exemption applies under Section 80U or the Minister grants an exception application under Section 80V. The new planning acts are intended to be in place by this date.

The automatic exemptions under Section 80U provide a limited set of circumstances. These include where the streamlined planning process, intensification streamlined planning process, or freshwater planning process is being used. Where directed to by a national planning instrument and the instrument requires implementation by 31 December 2027, or being directed to by the Minister, or where required by a Treaty Settlement. The only other circumstance where there is an automatic exemption is where the plan change relates to natural hazards.

Section 80V provides for an application to be made to the Minister. The application provides for exemptions to the prohibition of notifying draft planning instruments under Section 80P. The Minister may approve, approve in part or decline the application. In making this decision the Minister is required to apply the criteria in Section 80W.

The criteria in Section 80W are:

- (a) better enable the local authority to provide, operate, or maintain municipal drinking water, stormwater, or wastewater in accordance with the Water Services Act 2021:
- (b) rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes:
- (c) respond to changes made to this Act:
- (d) better enable climate change to be managed:
- (e) support the transition of high risk land to better manage the risk of erosion:
- (f) better enable any relevant Treaty of Waitangi settlement Act or deed of settlement, and the Crown's obligations under that settlement, to be upheld:
- (g) enable a response to be made to a recommendation from the Environment Court:
- (h) enable work to be progressed that, for any other reason, the Minister considers appropriate.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Whilst it is not required under the RMA Amendment Act 2025 it is suggested following the Council decision on this matter with an article be prepared for the Council in Focus publication informing people of the Council's decision. As part of preparing the exemption application for PC49 Waharoa it is proposed to meet with the Governance Group.

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

The work for the new PC65 can be carried out within the existing planning budget. To reduce costs the work will be carried out by Council staff. Whilst it is always difficult to predict costs associated with plan changes the costs are likely to be under \$50K if there are no submissions. If there are submissions and a hearing is required, then the costs could be around \$100K.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Carolyn McAlley Kaiwhakamahere Rautaki RMA Matua Senior RMA Policy Planner	
	Fiona Hill Kaiwhakamahere Rautaki RMA Matua Team Leader RMA Policy	
	Jayshree Kanji Kaiwhakamahere Rautaki RMA Paetahi Graduate RMA Policy Planner	

Approved by	Nathan Sutherland Pou Whakamahere Planning Manager	
	Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation	

7 Pūrongo me whakatau | Decision Reports

7.9 Road Naming for a Private Access Way at 130 Waterworks Road, Kiwitahi, Morrinsville

CM No.: 3096589

Te Kaupapa | Purpose

Council is responsible and has the power under sections 319, 319A and 319B of the Local Government Act 1974 to name formed roads, including private access ways, that are intended for the use of the public generally, and for the numbering of land and buildings.

Rāpopotonga Matua | Executive Summary

Council staff received an application from Guy McLean of Impact (Advisory) Limited to name a single new private access way as part of a new rural residential subdivision at 130 Waterworks Road, Kiwitahi, Morrinsville.

Guy McLean is representing his client the landowners/developers Paul and Jo Bodle trading as Enex Limited. The rural residential development consists of six lots. The Bodle's farm about 300 Ha of dairy and beef which is currently split over 6 land titles.

Whenever rural or urban subdivisions of six or more lots are created, decisions on road naming are made in Council consistent with the attached policy - *Numbering of Properties, Naming of Roads, Access Ways and Open Spaces - 02 October 2019*.

It is recommended that Council accept the preferred private access way name **Whakapai Lane** that corresponds to the access (shown as lot 8 of the plan below), under Background.

Tūtohunga | Recommendation

That:

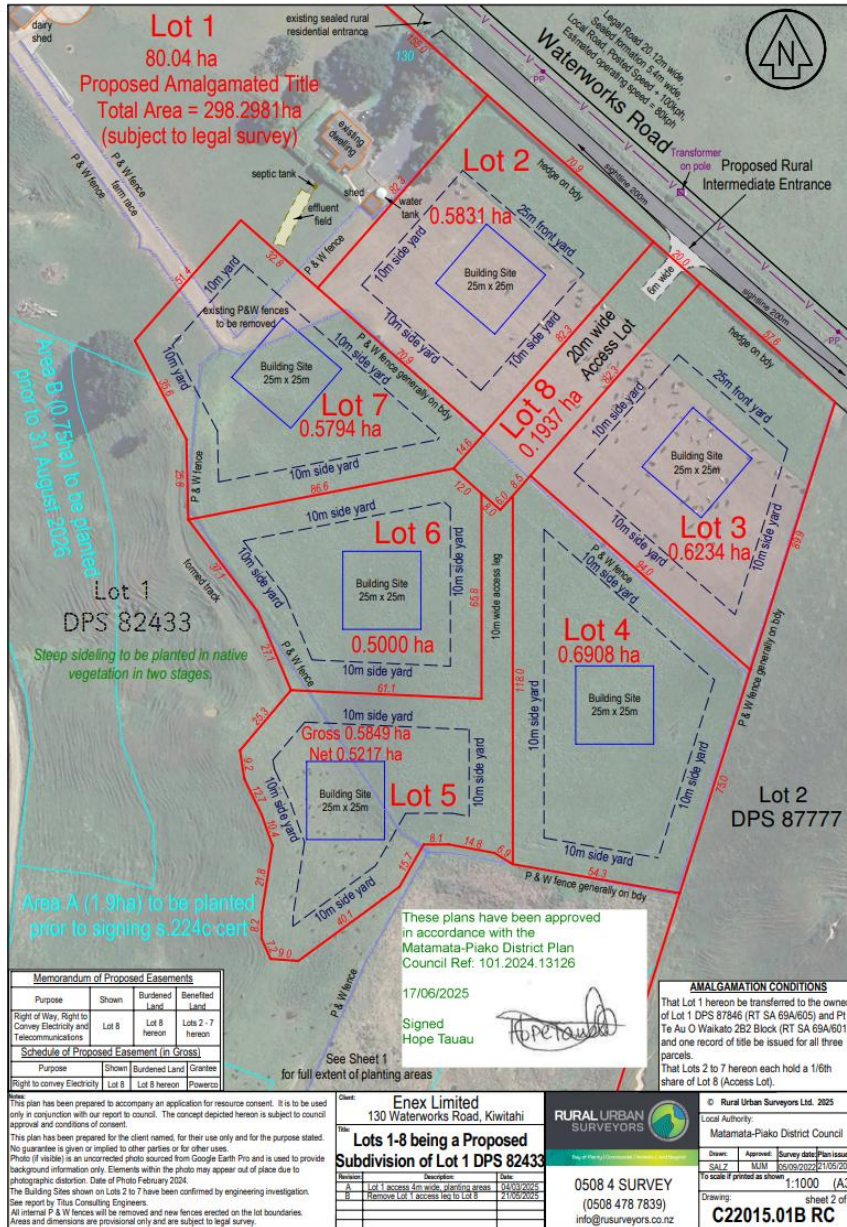
1. Council approves the preferred private access way **Whakapai Lane** for this 6-lot rural development, located at 130 Waterworks Road, Kiwitahi, Morrinsville.

Horopaki | Background

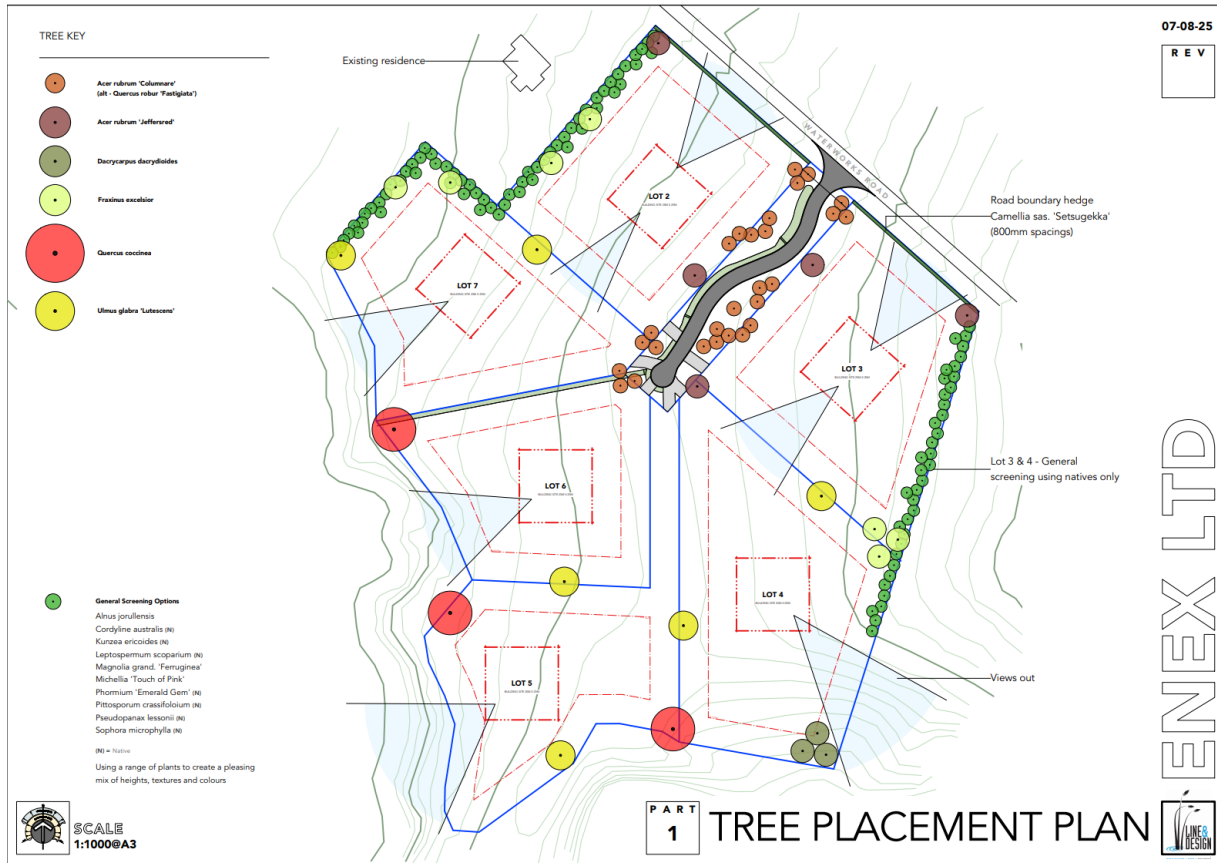
Road names and property numbers are used extensively by a range of individuals and organisations for accurate and efficient identification. Such forms of identification are not limited to emergency services, postal and courier services, visitors, and utility providers e.g. water, power, telephone and internet. For these reasons, it is both appropriate and necessary that individual properties have a formalised and unique address from which they can be identified. Important road naming objectives include:

- Ensuring district-wide consistency for the naming of public roads and private access ways.
- Clarifying the meaning of private access ways and rules for their naming.
- Ensuring roads are named to reflect the identity of local areas within the district in addition to the ease of property identification.

Below is a survey plan of the proposed private rural subdivision and below that is a tree planting plan that perhaps better indicates the private access way. The survey plan indicates that a portion of the original Lot 1 has been subdivided to form the newly created residential Lots 2, 3, 4, 5, 6 and 7 – as well as the access Lot 8 at centre.



The tree placement plan below better illustrates how the private access way is expected to look.



Ngā Take/Kōrerorero | Issues/Discussion

Council staff received the initial request for road naming from Guy McLean then checked his application including chosen *preferred* and *alternative* road names against the street register and road naming policy. Once satisfied, Council staff requested that LINZ perform their database checks. This two-step process ensures a quality result and that proposed road names conform to policy criteria - specifically, that throughout our district and neighbouring districts road names aren't duplicated or preferably don't sound like existing road names.

Council staff encourage applicants to review policy guidance for the correct consultation procedures with Mana Whenua and for road sign installation processes. Policy states:

- **Public road names to be vested in council:** Applicants are encouraged to obtain information about the cultural identity of select locations/areas within the district.
- **Private access way names (not vested in Council):** The process differs, in that the same consultative requirements don't apply in terms of Mana Whenua's involvement – developers/applicants aren't required to consult.

- **Public road names to be vested in Council:** The road name signs become Council's cost in terms of road name sign installations and their subsequent maintenance.
- **Private access ways (not vested in Council):** The road name signs are a private landowner cost in terms of road name sign installations and their subsequent maintenance.

Mōrearea | Risk

The applicant's efforts to select road names presents little if any reputational risk to Council. This is because Council's initial street register check and the subsequent LINZ database check of *Preferred* and *Alternative* names are seen as careful and deliberate risk mitigation steps.

Ngā Whiringa | Options

'Preferred' and Alternative Public Road names	
Description of option	
<p>Below is access way names forwarded by the applicant/developer.</p> <ul style="list-style-type: none"> • The preferred name is Whakapai Lane • The first alternative name is Haki Lane • The second alternative name is Jack Lane <p>The abovementioned names were explained by Norm Hill, Director of Te Hira Consultant Ltd, who is representing the local Iwi Ngati Haua.</p> <ul style="list-style-type: none"> • Whakapai (was selected by the Bodle's as landowners as they wanted to maintain a theme established by their adjoining farm, named Whakanui. Whakapai means to "enhance or make better"). • Haki (is Māori for Jack and flags the Mana Whenua connection to the land). • Jack (was a prior owner of the farm – the location was previously referred to as Jack's Landing or similar). 	
Advantages	Disadvantages
Names are unique to the Matamata-Piako District i.e. <u>not</u> duplicated.	
All names are single words avoiding cartographic problems.	
All names are easy to spell and pronounce.	
All names are short, being no longer than 12 characters.	

Recommended option

Option 1 (above) is the recommended option, with *Preferred* and *Alternative* names listed for simplicity and advantages and disadvantages noted.

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

To the best of the writer’s knowledge, this recommendation is not significantly inconsistent with, nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision-making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a [**low**] level of significance.

All of Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to consider the reasonably practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	The views of interested parties wishing to purchase land as part of this rural residential subdivision have been considered. Mana Whenua have been involved despite the policy not requiring this for private subdivisions.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy are considered above. This issue is assessed as having a low level of significance.
Section 82 – this sets out principles of consultation.	There was no requirement to consult, however as mentioned this has been undertaken with Mana Whenua representation.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement





As soon as reasonably possible after the meeting, Council staff will phone or email the applicant to notify them of Council’s resolution, enabling them to progress orders for road signage etc. Later, upon the release of Council’s minutes, Council staff will prepare the “*Official Group Email Notification of Committee Resolution for New Road Names*”, which is a group email to numerous contacts e.g. to LINZ, NZ Post, Core Logic NZ Ltd, internal staff and other relevant parties.

Ngā take ā-lhinga | Consent issues

Road naming approval is a Council requirement prior to the issuing of 223/224 resource consent completion certificates.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

Matamata Piako District Council's Community Outcomes are set out below:

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE		MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION	
TŌ MĀTOU WHAKAKITENGA OUR VISION			
Matamata-Piako District is vibrant, passionate, progressive, where opportunity abounds. 'The heart of our community is our people, and the people are the heart of our community.'			
TŌ MĀTOU WHĀINGA MATUA OUR PRIORITIES (COMMUNITY OUTCOMES)			
			
He wāhi kaingākau ki te manawa A place with people at its heart	He wāhi puawaitanga A place to thrive	He wāhi e poipoi ai tō tātou taiao A place that embraces our environment	He wāhi whakapapa, he wāhi hangahanga A place to belong and create


The community outcomes relevant to this report are as follows:

- A place to thrive
- A place that embraces our environment

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

The single private access way is a cost to the private developer only, in terms of road signage purchase, installation and maintenance.

Ngā Tāpiritanga | Attachments

A.  Guy's survey plan for Council 8 October 2025



B.  Final Road Naming Policy Adopted 2 October 2019



Ngā waitohu | Signatories

Author(s)	Barry Reid Pūkenga Rawa Rori Roding Asset Engineer	
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Approved by	Susanne Kampshof Pou Rawa me ngā Kaupapa Assets and Projects Manager	
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7 Pūrongo me whakatau | Decision Reports

7.10 Dog Control Annual Report 2024/25

CM No.: 3096839

Te Kaupapa | Purpose

The purpose of this report is to adopt the 2024/25 Annual Dog Control Report.

Rāpopotonga Matua | Executive Summary

The Dog Control Act 1996 requires a territorial authority to report annually on its dog control operations.

The attached report includes all the information required under section 10A(2) of the Act for the 2024/25 financial year

Tūtohunga | Recommendation

That:

1. The Annual Dog Control Report 2024/25 be adopted and publicly notified.

Horopaki | Background

Section 10A of the Dog Control Act 1996 requires a territorial authority to report annually on the administration of:

- a) Its dog control policy adopted under section 10, and
- b) Its dog control practices.

The Act sets out the information that must be included in the report and further requires the authority to give public notice of where the report can be obtained.

Ngā Take/Kōrerorero | Issues/Discussion

The attached 2024/25 report includes all the required information as well as other information about the animal control operation that may be of interest to the public. A copy of the report once adopted will be placed on Council's website.

Mōrearea | Risk

There is no risk associated with this report.

Ngā Whiringa | Options

The options in respect to this report are:

1. That the attached report be adopted and publicly notified
2. That the report be further considered or amended before being adopted and publicly notified.

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

The attached report is required by section 10A of the Dog Control Act1996.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The Act requires public notification to be given of where the report can be viewed or obtained

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

This report has no unexpected financial implications.

Ngā Tāpiritanga | Attachments

[A↓](#). Annual Report Animal Control 24/25



Ngā waitohu | Signatories

Author(s)	Ryan Johnston Pou Whakamaru Hapori, Tūtohu Community Protection and Compliance Manager	
Approved by	Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation	

7 Pūrongo me whakatau | Decision Reports

7.11 End of Triennium Arrangements

CM No.: 3081056

Te Kaupapa | Purpose

The purpose of this report is to confirm the arrangements related to the transition between the outgoing Council and the incoming Council at the end of the triennium.

Rāpopotonga Matua | Executive Summary

The Local Elections will be held on Saturday 11 October 2025. The outgoing Council exits office on the day the declaration of results is publicly notified on our website, which is expected no later than Thursday 16 October 2025.

Before the incoming Council can make any decisions as elected members, they are required to be sworn into office and sign a declaration. This is scheduled for Tuesday 28 October 2025.

This means that there is a period of approximately 12 days when neither the outgoing nor the incoming Council is authorised to make any decisions as elected members.

Tūtohunga | Recommendation

That:

1. The information is received.
2. From the day following the Electoral Officer's declaration being 16 October 2025, until the new Council is sworn in 28 October 2025, the Chief Executive is authorised to make decisions in respect of urgent matters, in consultation with the Mayor elect. All decisions made under this delegation will be reported to the first ordinary meeting of the new Council, currently scheduled for 5 November 2025.
3. Council considers whether to appoint Mrs Adrienne Wilcock, Mr Kevin Tappin, Ms Sarah-Jane Bourne and Ms Sue Whiting as independent commissioners and delegate powers accordingly for the purposes of the Dog Control Act 1996, Building Act 2004, and Gambling Act 2003, for the period 16 October to 5 November 2025.
4. Council considers whether to recommend to the Tumu Whakahaere | Chief Executive to appoint Ms Sue Whiting as an independent Commissioner and Mr Russell Smith as an independent deputy Commissioner for the District Licensing Committee for the period 16 October to 5 November 2025.

Horopaki | Background

The Local Elections will be held on 11 October 2025. The outgoing Council exits office on the day the declaration of results is publicly notified on our website, which is expected no later than Thursday, 16 October 2025.

Before the incoming Council can make any decisions as elected members, they are required to be sworn into office and sign a declaration. This is scheduled for Tuesday, 28 October 2025. This means that there is a period of approximately 12 days when neither the outgoing nor the incoming Council is authorised to make any decisions as elected members.

Ngā Take/Kōrerorero | Issues/Discussion

Delegations to the Chief Executive

It is recommended that the Council delegate to the Chief Executive all of its responsibilities, duties and powers for the election period, except those set out in paragraphs (a) to (h) of clause 32 (1) of Schedule 7 of the LGA 2002.

This delegation is over and above the existing delegations to the Chief Executive. It will ensure that the Chief Executive has the authority to operate the Council effectively and efficiently and is able to respond to any unforeseen or emergency circumstances that may arise during the interim period.

The delegation is for a limited time period, anticipated to be from 16 October 2025 to 28 October 2025. However, these may be subject to change, depending on the timing of the declaration and whether there is any challenge to the election result.

It is also recommended that the delegation is subject to a number of conditions;

- the Chief Executive may only act after consultation with the person elected to the position of Mayor;
- the Chief Executive may only attend to those matters that cannot reasonably wait until the first meeting of the new Council;
- the Chief Executive is required to report any decisions to the first ordinary meeting of the new Council currently scheduled for 5 November 2025.

Discharge of committees

Under Schedule 7 of the Local Government Act, all standing committees of Council are deemed to be discharged on Election Day unless Council resolves otherwise (Clause 30(7) of Schedule 7 of the LGA). This includes committees of Waikato Regional Council that Council have a representative on.

The following committees of Council, established under clause 30(7) of Schedule 7 of the LGA will be discharged on Election Day - 11 October 2025, unless resolved otherwise;

- **Te Manawhenua Forum mō Matamata-Piako;** no special arrangements required.
- **Risk and Assurance Committee;** no special arrangements required.
- **Chief Executive Performance Committee;** no special arrangements required.
- **Hearings Commission;** The Hearings Commission has delegation to hear and determine matters relating to the Resource Management Act 1991 (RMA), the Building Act 2004 and the Gambling Act 2003. The Hearings Commission is also responsible for hearing and determining objections under the Dog Control Act 1996.

Elected members appointed to the Commission cease to be members of the Commission on the day of declaration of results. New appointments will be made at the Council meeting currently scheduled for 5 November 2025.

Council may wish to consider whether to resolve to maintain the Hearings Commission during the interim for the Building and Gambling Acts, and whether Mrs Wilcock, Mr Tappin, Ms Bourne and Ms Whiting as independent members should be appointed for this

period. For RMA matters, our delegation already provides for the appointment of independent commissioners appointed by our Executive Team.

Committees not discharged

Certain committees and joint committees are established by virtue of legislation which ensures that these committees and joint committees are not discharged at election.

Elected members appointed to these committees will cease to be an appointed member at the time of the outgoing Council exiting office 16 October 2025, unless the person is appointed as an independent member of committee from 16 October until new appointments are made on 5 November 2025.

These committees are;

- **Waikato Civil Defence Emergency Management Group** (Joint Committee) established under the Civil Defence and Emergency Management Act. The Waikato CDEM Group is not discharged as a consequence of the triennial local government election process. The incumbent Mayor (alternate Russell Smith) remains a member of this Committee until 16 October when the Mayor-elect will be the member from Matamata-Piako District Council on this committee.
- **Waikato Regional Transport Committee** established under the Land Transport Management Act 2003. The incumbent Mayor remains a member of this Committee until 16 October when the Mayor-elect will be the member from Matamata-Piako District Council on this committee.
- **District Licensing Committee (DLC)**, established under the Sale and Supply of Alcohol Act 2012 (SSAA), and required to continue under clause 30(7) of Schedule 7 of the LGA. The DLC is currently chaired by Councillor Sue Whiting, with Councillor Russell Smith being the deputy chair.

Under section 194(2) of the SSAA, if the chair ceases to be an elected member he/she cannot remain as the chair of the DLC. Section 193 of the SSAA states the Chief Executive can appoint a commissioner or commissioners on the recommendation of the Council. Council may wish to consider recommending the appointment of Ms Whiting as an independent chair and Mr Russell Smith as an independent deputy chair for the period 16 October to 5 November 2025 when new appointments are scheduled to be made.

Processing of applications made under the SSAA can be managed to some degree by ensuring all applications lodged with Council prior to election day are completed and processed by sitting District Licensing Committee prior to election day.

- **Waharoa (Matamata) Aerodrome Committee**, established under the Ngāti Hauā Claims Settlement Act 2014. The Mayor and Deputy Mayor are members of this Committee by legislation. The incumbent Mayor remains a member of this Committee until 16 October, when the Mayor-elect will be the member from Matamata-Piako District Council on this committee. The incumbent Deputy Mayor will remain the alternate member until 16 October, and the new Deputy Mayor will become member following their appointment as Deputy Mayor on 5 November 2025. A third representative of Council will be appointed at the Council meeting 5 November 2025.
- **Hauraki Gulf Forum**, established under the Hauraki Gulf Marine Park Act 2000; Section 16 of that Act requires representatives of the local authorities to be members of that local authority elected in accordance with the Local Electoral Act 2001. Councillor James

Sainsbury is currently the appointed representative on the Forum. A new representative can be appointed after the election.

End of Triennium signing of minutes

Section 28.4 of the Standing Orders reads

The chief executive and the relevant chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

This means that the following minutes of meetings must be signed before 16 October;

- Risk and Assurance Committee meeting, 30 September
- Te Manawhenua Forum mō Matamata-Piako meeting, 7 October
- Council, 8 October

It is proposed that minutes of meetings are circulated via email to Council and Committee members, and members provide feedback to the relevant Chairperson via email. The Governance team will liaise directly with the Chairpersons to arrange for the signing of minutes no later than Friday 10 October 2025.

Mōrearea | Risk

If no prior arrangements relating to delegations of authority is made in advance of the Local Elections on 11 October 2025, Council will be unable to make any decisions until the incoming Council has been sworn into office on 28 October 2025. This may cause delay to service delivery or decision-making in relation to resource consent hearings, alcohol licensing applications and dog control hearings.

Based on current information available, staff are not anticipating that any RMA hearings will be required during the interim period.

If no special arrangements are made for the DLC, there is a risk that the processing and decisions on applications made during the interim will be delayed. It is noted that there is no legal timeframe for processing of these applications, and applications made during the interim can be dealt with by the DLC following new appointments 5 November 2025.

Ngā Whiringa | Options

Council can choose whether or not to make special arrangements for the interim period as set out in this report.

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

Relevant sections and clauses of legislation are referenced throughout this report.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

The interim period, when neither the outgoing nor the incoming Council is authorised to make decisions as elected members goes from the day of the public notice of the declaration of official results being Thursday, 16 October 2025, to the swearing in of the incoming Council being Tuesday, 28 October 2025.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Kaitohu Mātāmua Kāwana Senior Governance Advisor	
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Approved by	Tamara Kingi Kaiārahi Kāwana Governance Team Leader	
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	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.1 LGOIMA Request Summary 2024/25

CM No.: 3094985

Te Kaupapa | Purpose

The purpose of this report is to outline Council's obligation in regards to the LGOIMA Act and how Council is meeting these obligations.

Rāpopotonga Matua | Executive Summary

The Local Government Official Information and Meetings Act 1987 (LGOIMA) is the relevant legislation for requests for information. Council are required to respond to LGOIMA requests as soon as reasonably practicable and (except in some specific instances) within 20 working days.

This report sets out Council's compliance with these requirements. The comments from the Risk and Assurance Committee will be provided in person.

Tūtohunga | Recommendation

That:

1. The information be received, and
2. The Council provide feedback on how LGOIMAs are to be presented going forward.

Horopaki | Background

In 2016, the Audit and Risk Committee requested staff review the way in which LGOIMA requests were handled by Council including the potential for recovering costs associated with the time spent in responding.

This report has now evolved into identifying how staff have managed and responded to LGOIMAs and Ombudsman complaints.

Ngā Take/Kōrerorero | Issues/Discussion

Providing information to requestors that meets their expectations, within a reasonable timeframe can be challenging. There is also the matter of when and how much Council should charge to recover its costs in responding to these requests.

These matters need to be considered in light of the purpose of the legislation in relation to releasing information which is:

- “(a) to increase progressively the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order—
- (i) to enable more effective participation by the public in the actions and decisions of local authorities; and
 - (ii) to promote the accountability of local authority members and officials,—
- and thereby to enhance respect for the law and to promote good local government in New Zealand:
- (b) to provide for proper access by each person to official information relating to that person.”

Requests

Financial Year	# of Requests	Average Response Time	% Within 20 Day Timeframe	Reason for Non-Compliance
2021/22	73	8.06 days	98.63% (72/73)	Human error
2022/23	95	10.04 days	92% (87/95)	Six - human error Two - an extension of time was notified
2023/24 (to May 2024)	99	6.5 days	93.94% (93/99)	Five - human error One - an extension of time was notified
2024/2025	94	9.8 days	98.94 (93/94)	The only one not completed with 20 days had an extension added in accordance with LGOIMA.

The department that usually receives the most requests is Planning and general Council enquiries including requests that covered multiple departments.

Council's internal process was amended in 2021 to make sure that teams are working together to have the details for all LGOIMAs captured in one place so that there is no longer a separation between requests from media and public. There is now one register where LGOIMAs are recorded and containers are created to keep all the information together and making it easier to collate information.

Charging

Council has set the following charges and guidance for charging for requests, this has been in place since 2016/17.

Official information charges		
Time - first hour or part thereof		Free
Time - after first hour	Per half hour or part thereof	\$38.00
Pages copied - first 20 A4 (or smaller) pages free	Over 20 pages/per page	\$0.20
Cost of CDs, video, tapes, printing larger than A4 and other materials or viewing arrangements requested		Actual cost

The Local Government Official Information and Meetings Act 1987 (Act) makes provision for Council to make a charge for the information supplied but this charge must be reasonable and is for the cost of labour and materials involved in making the information available.

The charge represents a reasonable fee for the cost of providing information. It may include (but is not limited to) time spent:

- *in searching an index to establish the location of the information*
- *in locating and extracting the information from the place where it is held*
- *in reading or reviewing the information*
- *in supervising the access to the information.*

Under the Act Council is not permitted to charge for:

- *locating and retrieving information which is not where it ought to be*

- *time spent deciding whether or not access should be allowed, and in what form.*

Five requestors in the 2024/25 year were informed that their requests would incur a charge. To avoid this, they all either refined the request to make it more manageable or withdrew the request entirely.

For charging Council follows the Ombudsman's guide, which can found online at the [Ombudsman's Website](#).

Mōrearea | Risk

There is always a risk that a requestor will complain to the Ombudsman about a response provided. We had not received any complaints from the Ombudsman for LGOIMA related issues within the 2024/25 financial year.

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

All request for information received by Council needs to be managed in accordance with the Local Government Official Information and Meetings Act 1987.

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

The actual cost to Council in responding to requests is variable, depending on the seniority of the responder, and could range from \$45 per hour to \$180 or more. Fees are set as per Ombudsman guidelines.

Staff utilise some discretion around charging. Reasons not to charge have included:

- The team responsible decided not to charge.
- The information was requested by media. Staff endeavour to not charge as they hold a high public interest threshold.
- The information should have already been available/stored in Council's digitised information system and was not. In this situation staff do not charge for the process of getting it digitised.
- The information was already collated before the collator of the request was made aware of the time it had taken.
- The information was collected through multiple teams.
- If there was a strong belief other people would be wanting the same information, for fairness did not want to charge the first requestor the administrative costs and then allow any subsequent people to have the same information for free.
- Council receives a benefit in providing the information without charging.

The cost of responding is currently absorbed into salary budgets within each team tasked with responding.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Ellie Mackintosh Rōia Legal Counsel	
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Approved by	Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.2 Legislative Compliance Register

CM No.: 3095053

Te Kaupapa | Purpose

The purpose of this report is to seek feedback from Council and pass on feedback from the Risk and Assurance Committee on the Legislative Compliance Register. This Legislative Compliance Register is one way of ensuring that Council is undertaking its activities in accordance with legislation.

Rāpopotonga Matua | Executive Summary

The Legislative Compliance Register is completed annually by staff alongside the Annual Report, to ensure that Council is meeting its legal obligations. A copy of this register has been attached for review. Feedback from the Risk and Assurance Committee will be provided in person.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

Council members should note that all changes from the 2023/24 year to the 2024/25 year have been left tracked in the document. The key points for 2024/25 are noted below.

What is the Legislative Compliance Register?

The Council's Legislative Compliance Register describes how the Council ensures its activities are undertaken within the law. In line with other Council frameworks (e.g. Delegations, Risk Management and Procurement) managers (Legislation Owners) have been assigned responsibilities to ensure Council compliance with relevant New Zealand legislation and associated regulations.

Why do we need a Legislative Compliance Register?

The Council could face severe penalties for failing to comply with legislation. Consequences can include:

- loss of reputation
- loss of accreditation
- civil and criminal proceedings
- investigation and censure from monitoring bodies
- breaches of banking and other key covenants

Who is a Legislation Owner and what are their duties?

A Legislation Owner:

- is usually a member of the Management Team, sometimes junior staff are included as they hold the information required and deal with it more on a day to day basis
- is accountable for ensuring that requirements under legislation are met
- reviews changes to legislation and informs staff of any impact of these changes
- is responsible for reporting to Executive Team on an annual basis or when a serious breach is identified

- is someone who ensures that, on a day to day basis, compliance is achieved and has processes in place that enables regular monitoring to occur
- providing access to training for key staff
- ensuring that inspections have been conducted and situations assessed as appropriate
- reports of instances of breaches including the outcomes of any such instance, what steps have been taken to prevent further breaches, and where there are on-going compliance issues

The Legislative Compliance Register sets out:

- The key Acts and other legal obligations or requirements
- The general elements which have a duty or compliance requirement
- The member of staff responsible for each element, any delegations under legislation.
- What the relevant Promapp process is.
- Whether Council complies with the requirements or not and comments on this are provided.

For reporting on compliance, legislation has been grouped by the major functions of the Council. The reference to any Statute includes all relevant amendments.

Every effort has been made to identify the legislation which staff and others are likely to encounter in the normal course of their employment. It is imperative to note that the Council, its staff, agents and contractors must comply with all New Zealand statute law and common law obligations.

The list of statutes and other obligations set out in this Legislative Compliance cannot hope to be exhaustive. If staff and others learn of legislation (including new statutes or regulations) of relevance to their roles within the Council, such legislation should be referred to the Legal Counsel, for review and possible inclusion in this document.

Ngā Take/Kōrerorero | Issues/Discussion

Positive changes since 2023/24

- Local Government Official Information and Meetings Act 1987 - In 2023/24, five LGOIMAs were responded to past the 20 day deadline without justification. In 2024/25 there were no requests responded to past the 20 day timeframe without justification. There was one request that had an extension of time in accordance with legislation.
- Building Act – In 2023/24, 728 building consents were processed, 655 (90%) were completed within the statutory timeframe. For 2024/25 staff processed 738 building consents. 689 of these were processed within the statutory timeframes, a positive improvement to 93.4%.
- Resource Management Act 1991 –
 - During the 2023/24 financial year, Council received 280 consents of those 239 (85%), 41 outside the timeframe. In 2024/25, Council received 295 consents of those 272 (92%) were processed with the timeframe, a decrease to 23 outside of the timeframe.
 - Under the Resource (Consenting and Other System Changes) Management Amendment Act 2025, the obligation to undertake a review of the District Plan every 10 years has recently been removed and the Council is prohibited from notifying draft planning instruments, with some exceptions. Before this Council undertook a rolling review.
 - For 2024/25 Council did not receive any new abatement notices, infringement notices, enforcement orders, or convictions for our wastewater and stormwater.
- Biosecurity (National PA Pest Management Plan) Order 2022 – Are now compliant with this after work from staff in relation to Kauri trees.

- Search and Surveillance Act 2012, Health Act 1956, Council Bylaws - An Enforcement Policy was adopted by Council removing the underway response to these three Acts.

Under Review/Underway

Council is in the process of obtaining compliance or reviewing the process to see if/how it can be better addressed.

- Vulnerable Children Act 2014 – This policy review has been reprioritised for 2025/26 due to other priorities taking precedence. This is not a legislative requirement.

Not Compliant

There are other areas where Council is aware they are:

- (a) not compliant, OR
- (b) are majority compliant for the reasons outlined below.

The areas where Council are non-compliant are:

- Building Act – Although the positive improvement, this is still non-compliant. For 2024/25 staff processed 738 building consents. 689 of these were processed within statutory timeframes (93.4%).
- Resource Management Act 1991 – Resource Consent Applications – During 2024/25 Council received 295 consents of those 272 (92%) were processed with timeframe and 23 processed outside the timeframe.
- Ngāti Hinerangi Claims Settlement Act 2021 - The District Plan is in the process of being updated to record the statutory acknowledgements included in the Ngāti Hinerangi Claims Settlement Act 2021. While this should have been in the District plan as an amendment, Council staff were aware of the Settlement Legislation.
- Health Act 1956 – During 2024/25, the Te Aroha plant was not 100% compliant due to fluctuating results at the outlet of the contact. Tawari Street in Matamata, was non-compliant for one day in the compliance period, and was reported to the Water Service Authority. Council is taking a proactive stance towards full compliance.

Repetitive Non-Compliances

The following pieces of legislation are noted every year as being non-compliant and this is unlikely to change for the reasons noted below.

- Public Bodies Leases Act 1969 - A significant portion of the land Council owns is not put out for public tender every time a lease ends as Section 8 requires. This is mostly due to the costly process that would be involved for each piece of land.
- Public Records Act 2005 - Council are working towards complying with this Act by capturing logs on the MPDC website of who made changes, when, and what the changes were. Council storage of hardcopy documentation onsite does not comply (this is the situation for most councils across the country) with the above legislation. In a step towards compliance, there is now an archiving solution that manages our social media and Council website.
- Walking Access Act 2008 - There are numerous paper roads within the district. There is currently no enforcement of the requirements under this legislation and council deals with compliance on a one off basis where complaints have been received.

Mōrearea | Risk

The key risk is legislative non-compliance which could have an impact(s) of:

- loss of reputation
- loss of accreditation
- civil and criminal proceedings
- investigation and censure from monitoring bodies
- breaches of banking and other key covenants

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

For reporting on compliance, legislation has been grouped per the major functions of the Council. The reference to any statute includes all relevant amendments.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Ellie Mackintosh Rōia Legal Counsel	
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Approved by	Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.3 Delegation Policy and Delegation Register Amendments

CM No.: 3096566

Te Kaupapa | Purpose

The purpose of this report is to provide Council feedback on the amendments made to the Delegation Policy and Delegation Register 2025 and receive any Council suggestions. Through this report we would also like to highlight that we are currently implementing a new dedicated system for delegations, and intend to workshop this with Council and Risk and Assurance in the new year prior to implementation.

Rāpopotonga Matua | Executive Summary

Under the Local Government Act 2002, Council may delegate its statutory powers and functions to Council officers and Committees. The Delegation Policy and Delegation Register provides the framework for this and illustrate all the delegations made to staff across multiple legislations. This report is to highlight all the changes that have been made over the past 12 months.

Tūtohunga | Recommendation

That:

1. The information be received.

Horopaki | Background

The Local Government Act 2002

Section 48 of the Local Government Act 2002 (LGA) provides that delegations must be carried out in accordance with Part 1 of Schedule 7 of the LGA. Clause 32(1) of Part 1 to Schedule 7 of the LGA provides that, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, or member or officer of the local authority any of its responsibilities, duties, or powers excepting the powers specified under paragraphs (a)-(f) of that sub-clause.

These delegated powers fall broadly into three categories:

- Financial
- Warranted powers
- Statutory

The Policy focuses on two policy issues:

- Efficient and effective decision making - good management practice is to encourage delegation of decision making to the lowest competent level.
- Managing risk - Council has identified the 'top five risks' which are to be considered by Council and staff when making a delegation.

The Register contains information on:

- Powers retained by Council
- Mayoral powers under the LGA
- Powers delegated to Council committee's under its governance structure
- Powers delegated to Council's hearing commission under its governance structure
- Financial delegations (held by finance)
- Warranted appointments

- Statutory delegations (delegations where the highest risk has been initially assessed have been highlighted throughout the delegations document)

In the report to Risk and Assurance and Council in 2024, the Committee/Council were informed that staff would be undertaking the delegation amendments slightly differently from prior years. Previously staff would track changes into the documents and provide Risk and Assurance/Council with the whole document even when only some small changes has been made. Now staff have been tracking changes using a spreadsheet, which outlines the changes, notes the reasons and who the delegation was approved by (either CEO or Council).

The CEO is free to delegate any powers that are already noted in the register. Any new pieces of legislation not previously included in the delegation Policy and Register need to be delegated by Council to the CEO who then can sub-delegates to staff, except where expressly stipulated.

The tracking spreadsheet is attached. Council is welcome to view the register in its entirety at any time.

Ngā Take/Kōrerorero | Issues/Discussion

Amendments made to Delegations Policy and Register since November 2024 included:

- Three reports to Council for the Water Services Act, Land Transport Act, Resource Management Act, Natural and Built Environment Act 2023, Fast-track Approvals Act 2024 and Riskpool delegations.
- The remaining were CEO sub-delegations to staff which have all had emails provided by the CEO confirming approval of these changes.
- There have also been title changes as notified by the People and Wellness department.

New System:

Council has purchased a new system to improve our delegations policy and register and provide reports of amendments made. Staff are in the process of finishing the inputting of data, then staff will begin initiating the action plan for implementing it with Council.

Staff suspect, this system may show some areas where improvements could be made, but this will be presented to Risk and Assurance and Council in the new year with a fleshed out action plan of what has been noted and also what the next steps are for this, along with a risk assessment.

Loco-Delegations allows for the maintenance and tracking of Council's delegations for both statutory and warranted powers. There is a six month review of the legislation completed by an external law firm to confirm that the legislation is up to date and all necessary legislation is included.

Mōrearea | Risk

This is a high risk activity, due to the fact that if there is a mistake it could mean that duties undertaken by staff are not valid and potentially illegal.

This risk is mitigated through the continuous ongoing review and yearly reporting to the Risk and Assurance Committee and Council.

The implementation of Loco-Delegation will improve our legal compliance, identified as a top 11 risk.

Ngā Tāpiritanga | Attachments

[A↓](#). Tracking Table for Delegations Register Updates - November 2024 onwards



Ngā waitohu | Signatories

Author(s)	Ellie Mackintosh Rōia Legal Counsel	
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Approved by	Ally van Kuijk Hautū Tipu me te Whakamatua General Manager Growth & Regulation	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.4 Mayoral Diary for September 2025

CM No.: 2991713

Te Kaupapa | Purpose

The purpose of this report is to present the Mayoral Diary from the previous few months.

Rāpopotonga Matua | Executive Summary

A summary of the Mayoral diary is attached for the month of September 2025.

Tūtohunga | Recommendation

That:

1. The information is received.

Ngā Tāpiritanga | Attachments

[A↓](#) Mayoral diary for September 2025



Ngā waitohu | Signatories

Author(s)	Debbie Burge Kaiārahi Tautoko i te Koromatua me te Tumu Whakarae Executive Assistant to the Mayor & CEO	
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Approved by	Adrienne Wilcock Manuhuia Mayor	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.5 Recognition of Service for Outgoing Councillors

CM No.: 3081060

Te Kaupapa | Purpose

The purpose of this report is to acknowledge and formally farewell outgoing Councillors for their service and contributions.

Rāpopotonga Matua | Executive Summary

Ms Sarah-Jane Bourne, Mr Peter Jager and Mr Russell Smith are not re-standing as Elected Members of the Matamata-Piako District Council in the 2025 Election.

Ms Sarah-Jane Bourne has been an Elected Member for three years (2022-2025). Mr Peter Jager has been an Elected Member for three years (2022-2025) and was an Elected Member for twelve years prior to that (2007-2019). Mr Russell Smith has been an Elected Member for six years (2019-2025).

A presentation will be held in recognition of their dedication and outstanding service to the Matamata-Piako District.

Tūtohunga | Recommendation

That:

1. The report be received.
2. **Ms Sarah-Jane Bourne, Mr Peter Jager and Mr Russell Smith, be formally recognised for their outstanding service as Elected Members to the Matamata-Piako District.**

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Tamara Kingi Kaiārahi Kāwana Governance Team Leader	
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Approved by	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	
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