

Waharoa (Matamata) Aerodrome Committee

Mēneti Wātea | Open Minutes

Minutes of an ordinary meeting of Waharoa (Matamata) Aerodrome Committee held in the Te Takere Room, Matamata-Piako Civic and Memorial Centre, 11 Tainui Street, MATAMATA on Thursday 21 September 2023 at 10.00 am.

Ngā Mema | Membership

Ngāti Hauā

Mr Mokoro Gillett (Co-Chairperson)

Mrs Rangitionga Kaukau

Mr Deacon Paul

Matamata-Piako District Council

Mayor Adrienne Wilcock, JP (Co-Chairperson)

Deputy Mayor James Thomas

Cr Kevin Tappin



Ngā whakapāha | Apologies

Mokoro Gillett

Kaimahi i reira | Staff Present

Name	Title	Item No.
Sandra Harris	Placemaking and Governance Team Leader	7.1, 7.2, 7.3, 8.2, 8.3, 8.6
Kuljeet Kaur	Governance Support Officer	
Manaia Te Wiata	Group Manager Business Support	8.4,
Olivia Picard	Graduate Policy Advisor	7.1
Mark Naudé	Parks and Facilities Planning Team Leader	8.1
Kumeshni Burr	Graduate RMA Policy Planner	8.5

I reira | In Attendance

1 Whakatūwheratanga o te hui | Meeting Opening

Mayor Adrienne Wilcock welcomed committee members, staff and the public and declared meeting open at 10.07 am.

2 Karakia

Manaia Te Wiata performed the opening Karakia.

**3 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence
WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION**

That the apology from Mr Mokoro Gillett be accepted and leave of absence from the meeting be granted.

Resolution number /2023/00001

Moved by: Cr K Tappin

Seconded by: Deputy Mayor J Thomas

KUA MANA | CARRIED

4 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
- (b) 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.”

5 Whakaaetanga mēneti | Confirmation of Minutes

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That the minutes of the meeting of the Ordinary meeting of Waharoa (Matamata) Aerodrome Committee held on Thursday, 1 June 2023, be confirmed as a true and correct record of the meeting.

Resolution number /2023/00002

Moved by: R Kaukau

Seconded by: Deputy Mayor J Thomas

KUA MANA | CARRIED

6 Papa ā-iwi whānui | Public Forum

There is no speaker to the public forum.

NGĀ PŪRONGO O NGĀ ĀPIHA | OFFICER REPORTS

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7 Pūrongo me whakatau | Decision Reports

7.1 Proposed Freedom Camping Bylaw

CM No.: 2769356

Te Kaupapa | Purpose

The purpose of this report is to seek the Committee's feedback for the proposed Freedom Camping Bylaw (Bylaw), and the proposal to prohibit Freedom Camping at the Aerodrome.

Rāpopotonga Matua | Executive Summary

On 23 August 2023 Council resolved to consult the community on a proposed Freedom Camping Bylaw and concurrently seek feedback on the proposal to alter Reserve Management Plans to ensure consistency.

Council has consulted Iwi through Te Manawhenua Forum throughout the drafting of the proposed Bylaw. Consultation is open from 18 September – 18 October 2023.

Within the Bylaw we are proposing to prohibit freedom camping from the Aerodrome Reserve. Whilst we are proposing to prohibit freedom camping this has no impact on any paid camping within the Aerodrome Reserve.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. Information is received
2. The Committee provides feedback on the Proposed Freedom Camping Bylaw

Resolution number /2023/00003

Moved by: Cr K Tappin

Seconded by: R Kaukau

KUA MANA | CARRIED

Horopaki | Background

Council does not currently have a Freedom Camping Bylaw, and the activity is managed by a range of different regulatory mechanisms which are difficult to enforce. A new Freedom Camping Bylaw will consolidate and clarify the Council's position on freedom camping.

The Proposed Bylaw will enable Council to regulate and enforce how and where freedom camping occurs in local authority areas within the District. Camping as an activity is managed through a range of other plans and legislation. Council does not currently have a Freedom Camping Bylaw, and as a result, cannot effectively regulate or enforce rules relating to freedom camping at any parks or other Council land that is not gazetted Reserve.

The Freedom Camping Act 2011 is permissive by default, and a bylaw will enable Council to apply some protections to areas within the District that Council controls and manages. This includes protecting an area, protecting the health and safety of the people who may visit an area, and to protect access to an area. This review has been timed to enable Council to respond to the recent changes to the Freedom Camping Act 2011.

Within the Bylaw we are proposing to prohibit freedom camping from the Aerodrome Reserve. Whilst we are proposing to prohibit freedom camping this has no impact on any paid camping within the Aerodrome Reserve.

Freedom camping legislation

Freedom camping has a long history in Aotearoa New Zealand, but at times has received mixed levels of support from different communities. As the number of freedom campers has steadily grown, so has their cumulative impact on the environment and the communities hosting them.

The Freedom Camping Act 2011 (the Act) is the national legislation regulating freedom camping. The Act is permissive by default, which means its starting point is to allow freedom camping on all public land. The Act does recognise that some areas may not be suitable for freedom camping. Freedom camping bylaws can identify areas where freedom camping is prohibited and restricted to manage how and where freedom camping can occur.

The Act defines freedom camping as camping within 200 m of an area accessible by motor vehicle or within 200 m of the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using either or both of the following:

- a) a tent or other temporary structure:
- b) a motor vehicle

It does not include staying at a camping ground, temporary or short-term parking of a motor vehicle, day trips, resting or sleeping at the roadside to avoid driver fatigue, or people who are homeless and as a result need to sleep in their vehicle.

Changes to the legislation

The Self-contained Motor Vehicles Legislation Act 2023 came into force in June 2023. This legislation makes several amendments to the Freedom Camping Act 2011. The changes include:

- the requirement for vehicle-based freedom campers to use a certified self-contained vehicle when they stay on council land, unless a council designates the site as suitable for non-self-contained vehicles
- a new regulated system for the certification and registration of self-contained vehicles
- the requirement for vehicles to have a fixed toilet to be certified as self-contained
- strengthening of the infringement system with the introduction of a new tiered penalty system which entered into force in July 2023

The Ministry of Business, Innovation and Employment (MBIE) keeps their freedom camping website up to date with the most recent developments: <https://www.mbie.govt.nz/freedomcamping>

Freedom Camping in the Matamata-Piako District

During the 2019 calendar year, 18,000 responsible camping nights were recorded by MBIE in the Matamata-Piako District. The Council website promotes self-contained motorhome camping in a number of locations within the District and Matamata, Te Aroha and Morrinsville are also promoted as 'motorhome-friendly-towns' by the New Zealand Motor Caravan Association Inc.

Complaints related to freedom camping in the District mostly involve people in non-self-contained vehicles disposing of waste at parks. The Council does not currently have a Freedom Camping

Bylaw and does not have an effective tool to manage freedom camping in the District. The activity is managed by a range of different regulatory mechanisms which are difficult to enforce. Council has a responsibility to protect the areas it manages within the District. This includes protecting access to those areas, and the health and safety of people who may visit those areas.

Pre consultation

Information was presented to Te Manawhenua Forum at their March and May meetings. Specific guidance was received regarding preferred engagement with Iwi and Māori and feedback was received on key areas in the District where freedom camping should be prohibited or restricted.

After the August Council workshop, key stakeholders were contacted seeking any additional feedback in relation to freedom camping within the District, as well as local interest groups associated with specific areas. In particular, Council staff heard from a representative from the New Zealand Motor Caravan Association (NZMCA) who gave an indication of their preferences and noted they would formally submit on the Proposed Bylaw to ensure Council were aware of their views and could formally take them into account through the consultation process.

This information collected through pre consultation has been considered and incorporated where appropriate into the Proposed Bylaw.

Council approval

On 23 August 2023 Council resolved to consult the community on a proposed Freedom Camping Bylaw and concurrently seek feedback on the proposal to alter Reserve Management Plans to ensure consistency.

Ngā Take/Kōrerorero | Issues/Discussion

Bylaw Scope

When considering a bylaw to address freedom camping, the Act requires the Council:

- not to ban (or effectively ban) freedom camping on all council owned or managed land (known as a blanket ban).
- to be satisfied that any prohibitions or restrictions are the most appropriate and proportionate response to freedom camping demand in the area, and the problems it would cause if allowed.
- to make a bylaw that is consistent with the New Zealand Bill of Rights Act 1990.
- to have considered other ways to manage the problem, other than through a bylaw.
- to map or clearly describe each area covered by prohibitions or restrictions, so freedom campers have certainty about what rules apply.

A freedom camping bylaw generally does not duplicate rules that are relevant to freedom camping if they are already set out in other laws or bylaws. The instruments relevant in Matamata Piako District Council area as follows:

- [Freedom Camping Act 2011](#), which allows people to freedom camp on any land controlled or managed by the Council unless a Freedom Camping Bylaw made under the Act, or another enactment (such as the [Reserves Act 1977](#)) prohibits or restricts it. The Freedom Camping Act also requires all freedom camping vehicles to be certified self-contained, but allows Council to identify areas where freedom camping vehicles that are not self-contained can freedom camp through a Bylaw.
- Council's [Reserve Management Plans](#) are made under the Reserves Act 1977 and under this Act, freedom camping is prohibited on gazetted reserves unless the area has been identified in a Reserve Management Plan as being suitable for camping. This default

prohibition across reserve land is the opposite approach to the Freedom Camping Act 2011, which is permissive by default. Camping on gazetted reserves is prohibited under section 44 of the Reserves Act unless provided for in an individual Reserve Management Plan. Matamata-Piako District Council currently has four reserves that allow freedom camping within their reserve management plans: Te Aroha Domain, Pohlen Park, Morrinsville Recreation Ground and Boyd Park (Spur Street).

- Council's [General Policies Reserve Management Plan 2019](#) which provides generic policies for consistent management practices across all the reserves administered by the Matamata-Piako District Council. It specifically sets out a process for public notification Council can follow if it wishes to alter a Reserve Management Plan in relation to camping (clause 8.4.2).
- Council's [Public Amenities Bylaw 2014](#), which prohibits camping in Public Amenity areas (such as cemeteries) not set aside for that purpose.
- [Land Transport \(Road User\) Rule 2004](#) made under the [Land Transport Act 1998](#) restricts places a person can park a vehicle (and therefore freedom camp) as follows:
 - Under rule 6.1 a driver must not park a vehicle on a road, without due care or without reasonable consideration for other road users.
 - Rule 6.2(1) states vehicles must not be parked on a roadway (portion of the road used for vehicular traffic) if it can be parked on the road margin (adjacent to, but not forming part of, either the roadway or the footpath) without damaging ornamental grass plots, shrubs, or flower beds on the margin.
 - Parking on, or close to, a corner, bend, rise, dip, traffic island, or intersection is prohibited under rule 6.3, if the parking will obstruct (or be likely to obstruct) other traffic or any view of the roadway to the driver of a vehicle approaching that corner, bend, rise, dip, traffic island, or intersection.
 - Parking that obstructs entry to, or exit from, any driveway is prohibited under rule 6.9.
- Council's [Land Transport Bylaw 2008](#) (Amended 2022), which manages parking on roads in most towns or settlements in the District and in some of the off-street car parks in the District. The Land Transport Bylaw also prohibits heavy motor vehicles from parking for more than one hour in urban areas and areas where the speed limit is 50km/hour or 70km/hour, which would apply to some larger freedom camping vehicles. A person cannot freedom camp by parking a vehicle in a location or manner that breaches the Land Transport Bylaw.
- [Camping-Grounds Regulations 1985](#), which provides a regulatory framework for paid campgrounds (outside the defined scope of freedom camping).
- [Fire and Emergency NZ Act 2017](#) which controls the lighting of fires, administered by Fire and Emergency New Zealand (FENZ)
- Council's [Local Alcohol Policy 2017](#) which prohibits alcohol in some public areas. (The Policy is currently [under review](#).)
- Council's [Dog Control Bylaw 2016](#) which regulates where dogs are allowed.
- [Litter Act 1979](#) provides infringement mechanisms for littering.

Assessment against the criteria in the Act

The Act states that councils can only prohibit or restrict freedom camping in an area using a bylaw if it is necessary to:

1. protect the area e.g. to protect areas that are: environmentally or culturally sensitive.
2. protect health and safety to keep freedom campers and other visitors to an area safe.

3. protect access to the area where the presence of freedom campers would block access or could damage infrastructure

An assessment tool was used to evaluate sites against the three criteria specified in the Act. This tool is considered best practice by the sector and has been used by many New Zealand councils for the same purpose. The assessment tool applies the criteria in a transparent and standardised manner to ensure the proposed prohibitions and restrictions are consistent with the Act.

Sites included in this summary site assessment document were identified through early engagement and the outcome of these assessments informs the specific area prohibitions and restrictions outlined in the Statement of Proposal document which is attached to this report as **Attachment A** and includes the Proposed Bylaw. A map of each area is included in Appendix 1 of the Proposed Bylaw and is attached to this report as **Attachment B**.

Proposed Bylaw

The Proposed Bylaw has been informed by the model Freedom Camping Bylaw developed by Local Government New Zealand (LGNZ) as well as by those councils with more established freedom camping bylaws. Changes have been made to ensure consistency with the amended legislation, especially in relation to defined terms. Where possible, the terms directly link back to the Act to limit any potential inconsistencies.

District-wide regulations

The Proposed Bylaw restricts freedom camping in all Local Authority Areas, which are areas under the control and management of Council. The restrictions that are proposed to apply to freedom camping District-wide are:

- A certified Self-contained motor vehicle must be used to freedom camp. This means if a person wishes to use a motor vehicle which is not certified Self-contained or a tent to camp, they need to stay in a campground or another area appropriate for this activity. This is an extension of the nation-wide rule that if someone is using a vehicle to freedom camp on local authority areas, they must be self-contained.
- A vehicle must not stay in any one area for more than four consecutive nights in any one-month period.
- A vehicle must not Freedom Camp within 500 metres of an area in which it has already been Freedom Camping for up to four consecutive nights in any one-month period.

These restrictions ensure short stays that will not adversely impact on any one location within the District and provides for turn-over at highly sought after freedom camping areas. It also means freedom camping is undertaken in vehicles with facilities onboard to ensure waste is dealt with appropriately.

The four night maximum is consistent with the approach already taken on reserves which provide for freedom camping as detailed in the General Policies Reserve Management Plan.

Specific area restrictions

As a result of the assessments, the Proposed Bylaw includes the following prohibitions and restrictions, grouped by ward.

Matamata Ward - Prohibited

- Banks Road Reserve and adjacent roadside
- Centennial Drive Reserve
- Tom Grant Drive
- Hawes Bush
- Waharoa (Matamata) Aerodrome
- Matamata Domain
- Rapurapu Reserve

- Swap Park
- Bruce Clothier Memorial Reserve and Waharoa Rest Area

Matamata Ward – Restricted

- Hetana Street Reserve
Restricted to 6 vehicles within the 6 “back-in” car parking spaces located on the reserve across from the intersection of Arawa Street and Hetana Street, south of the public toilets.
- Pohlen Park
Restricted to 3 vehicles in the south east corner of the car park.
- Wairere Falls Car Park
Restricted to 11 vehicles within the 11 large car parking spaces at the far south side of the car park.

Morrinsville Ward – Prohibited

- Davies Park
- Holmwood Park and adjacent roadside
- Murray Oaks Scenic Reserve
- Thomas Park and adjacent roadside

Morrinsville Ward – Restricted

- Morrinsville Recreation Ground
Restricted to 6 vehicles within the formed car park area accessed from Cureton Street.
- Waterworks Road Reserve (Te Miro Forest)
Restricted to 2 vehicles on the southern edge of the main car park

Te Aroha Ward – Prohibited

- Boat Ramp
- Council office car park
- Seddon Street Reserve
- Skidmore Reserve
- Te Aroha Domain and roadside parking

Te Aroha Ward – Restricted

- Boyd Park
Restricted to 6 vehicles in the north west corner of the existing formed car park between the netball courts and Boyd Park.
- Herries Memorial Park
Freedom Camping vehicles must only park between 7pm and 7am Monday – Friday, any time on weekends and public holidays.
- Waihou Recreation Reserve
Restricted to 3 vehicles in centre row of car park spaces within the section of car park near the rugby fields, accessed opposite 16 Ngutumanga Road.
- Waitoa Railway Reserve
Restricted to 2 vehicles within the car park.
- Waorongomai Car Park, Te Aroha
Restricted to 4 vehicles within the car park.

All cemeteries and their associated car parks

The Proposed Bylaw also includes a prohibition of freedom camping within all cemeteries and their car parks, as follows:

- Matamata Cemetery, 155 Peria Road, Matamata
- Waharoa Cemetery, Dunlop Road, Waharoa
- Morrinsville Historic Cemetery, 412 Thames Road, Morrinsville

- Piako Cemetery, 3 Seales Road, Morrinsville
- Maukoro Cemetery, 253 Old Hill Road, RD 3, Morrinsville
- Te Aroha Cemetery, Stanley Road South, Te Aroha

Freedom camping for vehicles that are not self-contained

Three locations were identified within the District where there are 24-hour toilet facilities available as options for further investigation and assessment (Herries Park toilets in Te Aroha, Hetana Street Reserve, Matamata and Studholme Street Toilets, Morrinsville).

These options were presented to Elected Members at the August Workshop. While none of the areas were considered suitable, the Proposed Bylaw still includes *Schedule 3: areas where a person can freedom camping in a vehicle that is not self-contained* (which does not currently identify any areas) to allow for easy incorporation of such areas into the Proposed Bylaw in future, if and when appropriate facilities and areas come available.

Reserve Management Plans

Some of the proposed restricted areas are on reserve land, some of which do not currently provide for camping activities. In order to ensure consistency across Council regulation, it is recommended that Council seeks public feedback concurrently on those Reserve Management Plans (RMPs) which require amendment to be consistent with the Proposed Bylaw. This such amendment is provided for within the General Policies RMP in section 8.4.2.4 as follows:

8.4.2 Self-contained campervans

4. If Council wishes to alter or remove an area set aside for camping by certified self-contained campervans the following process shall be followed:

- a. A Council Decision is made to potentially remove or alter an area set aside for camping in self-contained campervans.*
- b. Notice is placed on Council's website and in a newspaper circulating in the town or District where the reserve is located. The notice should:*
 - 1) identify the reserve or part of the reserve by name;*
 - 2) describe the proposed removal or alteration of the area set aside for camping in self-contained campervans; and*
 - 3) specify a reasonable period in which Council shall receive and consider public submissions.*
- c. A Council Decision is made to retain, remove or alter the area set aside for camping in self-contained campervans having given consideration to the submissions received.*
- d. Relevant reserve management plans are updated to reflect any changes as a result of this process.*

This process is consistent with the requirements in the Reserves Act 1977. Section 44 (9) allows Councils to make changes that does not involve a comprehensive review of a Reserve Management Plan without following a complete formal review under section 44 (5) and 44 (6) of the Reserves Act 1977, if it thinks fit.

As per the process outlined above, the following changes are recommended to the Active RMP and the Passive RMP. These changes are reflected in the Statement of Proposal in **Attachment B**.

Passive Reserve Management Plan

- Amend the Hetana Street Reserve RMP to allow for vehicles to self-contained freedom camping on the reserve as per the restrictions within the Proposed Bylaw.
- Amend the Waitoa Railway Reserve RMP to allow for vehicles to self-contained freedom camping on the reserve as per the restrictions within the Proposed Bylaw.

Active Reserve Management Plan

- Amend the Herries Memorial Park RMP to allow for vehicles to self-contained freedom camping on the reserve (in the Council Car Park) as per the restrictions within the Proposed Bylaw.
- Amend the Waihou Recreation Reserve RMP to allow for vehicles to self-contained freedom camping on the reserve as per the restrictions within the Proposed Bylaw.

- Appendix E of the Active RMP currently notes the Te Aroha Domain as a location which may be appropriate for camping. The Proposed Bylaw includes this reserve as prohibited for freedom camping, so it is recommended that this appendix be amended to remove the Te Aroha Domain from this list, for the avoidance of doubt.

Mōrearea | Risk

Having a Freedom Camping Bylaw helps manage environmental risk to sensitive areas which require protection. It also responds to health and safety concerns in certain areas, whether it be protecting the health and safety of other users of an area, or the health and safety of freedom campers. It gives Council a tool to work with Iwi to protect areas of cultural significance.

Having a bylaw to respond to issues relating to freedom camping reduces the risk of reputational damage as it gives Council an effective tool to respond to problems promptly and appropriately.

Recently, other Freedom Camping Bylaws have been legally challenged (Marlborough District Council was successfully challenged in 2021 and Queenstown Lakes District Council is currently undergoing litigation). Broadly, these challenges were based on the bylaws being outside the scope of the Act and being overly restrictive. This risk has been mitigated by conducting early consultation with key stakeholders and maintaining a clear line of sight between the criteria in section 11(2) of the Act and any prohibition or restriction, to ensure the bylaw is within the scope of the Act.

Ngā Whiringa | Options

Option 1 - The Committee can provide feedback through a formal committee resolution for this report.

Option 2 – The Committee can provide feedback through the formal consultation process which is open from 18 September to 18 October 2023.

Option 3 – The Committee can provide no further feedback.

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

Freedom Camping Act 2011

Section 11(1)(a) of the Act gives Council the power to make a bylaw where it is necessary for one or more of the following purposes:

- i. to protect the area:
- ii. to protect the health and safety of people who may visit the area:
- iii. to protect access to the area.

The inclusion of prohibited and restricted areas in the Proposed Bylaw which have been assessed against these purposes above demonstrates compliance with section 11(1)(a)

Section 11(2)(b) of the Act requires Council to determine that any bylaw made under the Act is the most appropriate and proportionate way of addressing the perceived problem in relation to that area.

Other options for managing freedom camping which rely on other instruments to regulate the perceived problem of freedom camping in specific areas have been considered. Application of the criteria via the assessment tool enabled Council staff to focus on those areas which require additional protection through the Act and these are recommended to Council for adoption for public consultation via the Statement of Proposal and the Proposed Bylaw in **Attachment A**.

It is recommended that other non-regulatory tools such as education and signage are used to manage areas which fall outside of the scope or threshold of the Act. The process taken, and the associated outcome in the Proposed Bylaw, demonstrates that the Proposed Bylaw is appropriate and proportionate.

Section 11(c) of the Act requires Council to determine that any bylaw made under the Act is not inconsistent with the [New Zealand Bill of Rights Act 1990](#) (NZBORA).

Part 2 of the NZBORA sets out rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society. The proposed Freedom Camping Bylaw may give rise to implications for the following rights under the NZBORA:

- Right to freedom of peaceful assembly (section 16 of the NZBORA)
- Right to freedom of movement (section 18 of the NZBORA)

A full assessment against the NZBORA will be completed before Council adopts a final bylaw, after public consultation. The preliminary assessment on the Proposed Bylaw is that its provisions are justified because they only limit the rights of individuals to the extent it is reasonable to do so to for other people's rights and freedoms to be maintained.

Section 11(5) of the Act requires councils to use the special consultative procedure in section 86 of the Local Government Act 2002 (LGA) when making Freedom Camping Bylaws. Section 86(2) of the LGA requires a Statement of Proposal for a Bylaw to include:

- a draft of the bylaw as proposed to be made; and
- the reasons for the proposal.

The Statement of Proposal in **Attachment A** which includes the Proposed Bylaw complies with these requirements.

Legislation Act 2019

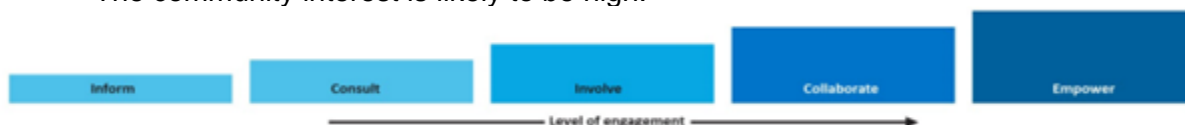
The definition of 'certified self-contained vehicle' in the Proposed Bylaw incorporates by reference the New Zealand Standard 5465:2001 ('the NZ Standard'). This is done under the authority of section 64 of the Legislation Act 2019. Section 65 and Schedule 24 of the Legislation Act 2019 require any proposed reference to a Standard in this manner must be publicly notified and people given the opportunity to comment about the proposed reference. The Statement of Proposal in **Attachment A** of this report complies with this requirement.

Significance and Engagement Determination

Staff have assessed the significance of this matter under the Council's Significance and Engagement Policy and the definition of significance in the LGA.

The following criteria are relevant in determining the level of significance and the appropriate level of engagement for this matter:

- There is a legal requirement to engage with the community.
- The proposal or decision will affect a large portion of the community.
- The likely impact on present and future interests of the community, recognising Māori cultural values and their relationship to land and water through whakapapa.
- The community interest is likely to be high.



It is proposed that Council consults with the community on the Proposed Bylaw. Staff confirm that the decision to consult on a Proposed Bylaw complies with the Council's legal and policy requirements.

Special Consultative Procedure

Section 156 of the LGA sets out that when making amending or revoking a bylaw under the LGA, Council must use the special consultative procedure (SCP) if:

- the Bylaw concerns a matter identified in Council's significance and engagement policy as being of significant interest to the public; or
- Council considers that there is, or is likely to be, a significant impact on the public due to the Proposed Bylaw or changes to, or revocation of, the Bylaw;

Sustainability Policy

The decisions sought by, and matters covered in, this report are consistent with the Council's [Sustainability Policy](#). The Proposed Bylaw supports the balance of the four wellbeings by protecting environmentally and culturally sensitive areas from damage while also taking into consideration the potential health and safety risks for freedom campers and other users of the areas, as well as the broader needs of the community.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga |

Communications and engagement

The proposed consultation process includes the following key actions to meet the legislative requirements:

- A Statement of Proposal, including the Proposed Bylaw, is prepared and adopted by Council for consultation (attached to this report as **Attachment A**);
- Council gives public notice of the proposal, including the changes proposed to the Passive and Active RMPs in local newspapers and invites submissions;
- The Statement of Proposal will be made available on Council's website, Council offices (via Kiosks) and at public libraries at Matamata, Morrinsville and Te Aroha;
- The consultation period will run for no less than one month with the submission period scheduled from 18 September 2023 to 18 October 2023;
- Key stakeholders (including Te Manawhenua Forum) will be advised directly of the consultation process;
- A hearing is scheduled for 8 November 2023 to provide an opportunity for persons to speak to their submissions;
- Council will consider the submissions received, any further comments from those submitters who wish to be heard at the hearing, and any other comment or advice sought from staff or other subject matter experts at a deliberation meeting to be held on 22 November 2023. The final Bylaw will be adopted by Council at its meeting on 22 November 2023, with the new Bylaw expected to be operative on 20 December 2023.

Timeline

Milestone	Date
Workshop with Elected Members – discussion of draft Proposed Bylaw prior to consultation	2 August 2023
Documents approved by Council to consult including Statement of Proposal and Proposed Bylaw	23 August 2023
Consultation Period	18 September – 18 October 2023
Hearing Date	8 November 2023
Deliberations and adoption of final bylaw	22 November 2023

Bylaw operational

20 December 2023

Ngā take ā-lhinga | Consent issues

Freedom camping is permitted on reserve land under the District Plan if provided for in a Reserve Management Plan. Therefore, the Proposed Bylaw and subsequent proposed changes to the Passive and Active Reserve Management Plan does not give rise to any consent issues on reserves.

In addition, the Act provides a permissive approach for freedom camping in local authority areas and explicitly states that Councils must not enforce blanket bans on freedom camping across the District, so the Act would prevail if there was an inconsistency between the Act and the District Plan.

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

The relevant Community Outcomes are set out below:

Healthy communities	We encourage community engagement and provide sound and visionary decision making.
Environmental Sustainability	We engage with our regional and national partners to ensure positive environmental outcomes for our community.
Vibrant Cultural values	We value and encourage strong relationships with Iwi and other cultures, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.

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

There are no material financial considerations associated with the recommendations of this report. All matters are met within existing budgets. Council received funding from the MBIE Freedom Camping Transition Fund for the purpose of developing a bylaw.

Ngā Tāpiritanga | Attachments

- A. Statement of Proposal for MPDC Freedom Camping Bylaw
- B. Maps for MPDC Freedom Camping Bylaw 2023

Ngā waitohu | Signatories

Author(s)	Olivia Picard Graduate Policy Advisor	
Approved by	Sandra Harris Placemaking and Governance Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

7 Pūrongo me whakatau | Decision Reports

7.2 Schedule of Meetings 2024

CM No.: 2766578

Te Kaupapa | Purpose

The purpose of this report is to provide the committee with proposed meeting dates for 2024.

Rāpopotonga Matua | Executive Summary

Annually, Council is required to confirm its dates for meetings as part of the committee structure confirmed at the first ordinary meeting (9 November 2022) of the triennium period 2022-2025. This report outlines the established committees and their identified dates for confirmation. The full proposed Meeting Planner for 2024 is attached (Attachment A).

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.
2. The Committee confirms the schedule of meetings for 2024.

Resolution number /2023/00004

Moved by: Deputy Mayor J Thomas

Seconded by: D Paul

KUA MANA | CARRIED

Horopaki | Background

At the first ordinary meeting (9 November 2022) of the 2022-2025 triennium, Council confirmed its meeting structure. As a result the frequency of Council and Committee meetings is proposed as:

Council

- Meet monthly, every fourth Wednesday with extra meetings for hearings and adoption of documents as required.

Risk and Assurance Committee

- Meet quarterly on Tuesday, based on Council meeting dates.

Te Manawhenua Forum Mo Matamata-Piako

- Meet every two months, on the first Tuesday of the relevant month.

Waharoa (Matamata) Aerodrome Committee

- Meet two or three times a year, on the third or fourth Thursday of a month.

Workshops

- All are indicative dates – first and second Wednesday of the month are scheduled and the third Wednesday if needed in addition. Workshops will be confirmed closer to each identified date.

Using the above frequency as a guide, the meeting dates for 2024 are proposed as:

Name of Committee	Frequency	Dates
Council	4 th Wednesday of every month.	14 Feb 6 March 27 March 24 April 8 May (<i>Council Hearing</i>) 9 May (<i>Council Hearing</i>) 22 May 26 June (LTP) 24 July 28 August 25 September 23 October 27 November 11 December <i>*final meeting of 2024</i>
Risk and Assurance Committee	Tuesday, quarterly per annum.	12 March 18 June 10 September 22 October 3 December <i>*following Te Manawhenua Forum mo Matamata-Piako</i>
Te Manawhenua Forum mo Matamata-Piako	1 st Tuesday, bi-monthly per annum.	13 February 9 April 11 June 6 August 1 October 3 December <i>*prior to Risk and Assurance Committee</i>
Waharoa (Matamata) Aerodrome Committee	3 rd or 4 th Thursday, 2-3 per annum.	4 April 24 October

The committees identified above will have a similar report to consider at their respective meetings in 2023.

Ngā Tāpiritanga | Attachments

A. Draft Meeting Planner 2024

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Governance Support Officer	
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Approved by	Sandra Harris Placemaking and Governance Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

7 Pūrongo me whakatau | Decision Reports

7.3 Waharoa (Matamata) Aerodrome Committee Work Programme 2024

CM No.: 2770789

Te Kaupapa | Purpose

The purpose of this report is to present the committee with the draft work programme for 2024.

Rāpopotonga Matua | Executive Summary

This report outlines the draft work programme 2024 for the Waharoa (Matamata) Aerodrome Committee. The Committee may wish to suggest amendments or additions to the programme.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.
2. The Committee approve the Draft Work Programme 2024 with;
 - no amendments required.

Resolution number /2023/00005

Moved by: R Kaukau

Seconded by: Cr K Tappin

KUA MANA | CARRIED

Horopaki | Background

Prior to the commencement of each calendar year the Committee sets a work programme. While priorities can shift during the year as unexpected issues arise, the work programme is a useful tool to enable Committee members to set their direction and to allow staff to understand the work priorities that need to be achieved.

Ngā Take/Kōrerorero | Issues/Discussion

The attached draft work programme is proposed for discussion by the Committee. The work programme has been developed and reviewed on an annual basis as a suggested base work programme. There may be other matters that the Committee may wish to consider for inclusion or replacement in the work programme.

Ngā Tāpiritanga | Attachments

- A. Draft Work Programme 2024 - Waharoa (Matamata) Aerodrome Committee

Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Governance Support Officer	
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Approved by	Erin Bates Strategic Partnerships and Governance Manager	
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8 Ngā Pūrongo Whakamārama | Information Reports

8.1 Reserve Management Plan Review, Proposed Masterplan, and Delegations to the Committee

CM No.: 2770171

Te Kaupapa | Purpose

The purpose of the report is to inform the Committee of recent Council decisions affecting the reserve management plan review, proposed masterplan, and additional delegations to the Committee under the Reserves Act 1977 and the Ngāti Hauā Claims Settlement Act 2014.

Rāpopotonga Matua | Executive Summary

On 1 June 2023, the Waharoa (Matamata) Aerodrome Committee made recommendations requesting that Council confirm its intention to review the reserve management plan for the aerodrome, to develop a masterplan to guide development, and to delegate additional powers to the Committee related to the management plan and reserve classifications. Council was also asked to confirm funding towards the management plan and masterplan processes.

On 23 August 2023, Council resolved to proceed with the management plan review, to develop a masterplan, and to delegate additional powers to the Committee. Funding for the work was allocated from the Community Purposes Reserve Fund.

Staff in attendance to provide an update on the process and proposed timeframe.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The report is received.

Resolution number /2023/00006

Moved by: Cr K Tappin

Seconded by: R Kaukau

KUA MANA | CARRIED

Horopaki | Background

On 1 June 2023, the Waharoa (Matamata) Aerodrome Committee made recommendations requesting that Council confirm its intention to review the reserve management plan for the aerodrome, to develop a masterplan to guide development, and to delegate additional powers to the Committee related to the management plan and reserve classifications. Council was to consider funding towards the management plan and masterplan processes.

On 23 August 2023, Council resolved to proceed with the management plan review, to develop a masterplan, and to delegate additional powers to the Committee. Funding for this work was allocated from the Community Purposes Reserve Fund.

Staff in attendance to provide an update on the process and proposed timeframe.

Ngā Take/Kōrerorero | Issues/Discussion

Delegations

Council has delegated additional powers to the Committee as detailed in the Council resolution on 23 August 2023. The additional delegations will reduce duplication of process between the Committee and Council by authorising the Committee to approve the reserve management plan, to develop the masterplan, and to exercise powers in relation to reserve classifications.

Funding

Council has allocated funding from the Community Purposes Reserve Fund towards the proposed workstreams.

Timeframes

Council Staff and Xyst Staff reviewed the proposed timeframes. A revised indicative timeline is to be presented and discussed at the meeting.

It is desirable to have at least one additional workshop with the Committee this calendar year in order to progress within the desired timeframes and to enable early engagement with stakeholders such as the Matamata Aerodrome User Group.

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

The relevant Community Outcomes are set out below:

Connected Infrastructure	Infrastructure and services are fit for purpose and affordable, now and in the future.	Quality infrastructure is provided to support community wellbeing.	
Healthy communities		We encourage the use and development of our facilities.	We encourage community engagement and provide sound and visionary decision making.
Environmental Sustainability		Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs	
Vibrant Cultural values		We value and encourage strong relationships with Iwi and other cultures, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.	Tangata Whenua with Mana whenua status (those with authority over the land under Māori lore) have meaningful involvement in decision making.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Mark Naudé Parks and Facilities Planning Team Leader	
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Approved by	Susanne Kampshof Asset Manager Strategy and Policy	
	Manaia Te Wiata Group Manager Business Support	

8 Ngā Pūrongo Whakamārama | Information Reports

8.2 Raungaiti Marae entranceway

CM No.: 2770204

Te Kaupapa | Purpose

The purpose of this report is to inform the committee of any updates regarding the Raungaiti Marae entranceway.

Rāpopotonga Matua | Executive Summary

In 2022 Waka Kotahi announced a Draft Interim State Highway Speed Management Plan which included potential changes to the speed limit outside the Raungaiti Marae. This committee made a submission to this process in general support of the changes.

Following this consultation, Government announced policy changes to speed management early 2023. Waka Kotahi are reviewing this plan to give effect to Cabinets recommendations to focus on the top one percent most dangerous state highways, schools, marae, townships, and where local communities support change. The Plan is proposed to be finalised late 2023.

At recent meetings Co-Chairperson Mokoro Gillett advised that he has had discussions with Waka Kotahi regarding potential safety improvements in relation to the Raungaiti Marae entranceway. Waka Kotahi advised they would look into short term options and come back to the Marae with an update. Co-Chairperson to provide an update on those discussions if any.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.

Resolution number /2023/00007

Moved by: Deputy Mayor J Thomas

Seconded by: Cr K Tappin

KUA MANA | CARRIED

Horopaki | Background

The issue of the Raungaiti Marae Entranceway has been discussed at each of the Committee meetings since its inception in 2014. For a summary of discussions, please see the minutes from 1 June 2023, <https://www.mpd.govt.nz/our-council/minutes>.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Kuljeet Kaur Governance Support Officer	
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Approved by	Sandra Harris Placemaking and Governance Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

8 Ngā Pūrongo Whakamārama | Information Reports

8.3 Long Term Plan and Policy/Bylaw Update

CM No.: 2769512

Te Kaupapa | Purpose

The purpose of this report is to provide the Waharoa (Matamata) Aerodrome Committee (the Committee) with an update on Matamata-Piako District Council's (Council) policy work programme.

Decisions have been made in respect to some key Council policies/documents, whilst others are in progress.

Rāpopotonga Matua | Executive Summary

Council is required to regularly review its policies and bylaws. Legislation requires councils to review bylaws five years after they are made, and then every 10 years after that. The review times for statutory policies are set out in the relevant legislation.

Council's work programme for 2023/24 includes the following:

- Long-Term Plan 2024-34 – currently in development
- Annual Report 2022/23 – to be adopted by Council before 31 October 2023
- Fees and Charges 2024/25 – this will be consulted on in March/April 2024, alongside the Long-Term Plan
- Local Alcohol Policy (LAP) – adopted and brought into force on 11 September 2023
- Significance and Engagement Policy (SEP) - adopted on 23 August 2023
- Solid Waste Management and Minimisation Bylaw – further targeted consultation planned for October/November 2023
- Freedom Camping Bylaw – Council is consulting on a draft bylaw in September/October 2023. A separate report is provided to the Committee.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The report be received.
2. Waharoa (Matamata) Aerodrome Committee members provide feedback to staff on the consultation process to improve future community engagement.

Resolution number /2023/00008

Moved by: R Kaukau

Seconded by: Deputy Mayor J Thomas

KUA MANA | CARRIED

Horopaki | Background

Long-Term Plan 2024-34

Under the Local Government Act (LGA), Council is required to prepare and adopt a Long-Term Plan (LTP). The LTP sets out the activities, budgets, Financial Strategy and key financial policies of the Council for the next 10 years, and the Infrastructure Strategy for the next 30 years. The LTP

is required to be updated every three years, with the last LTP being approved in 2021 (available online <https://www.mpdcc.govt.nz/plans/long-term-plan>).

The LTP:

- describes the type of district our communities have told us they want – our community outcomes;
- identifies the key projects that will take place over the next 10 years;
- provides an overview of each activity we will carry out and the services we will provide for the next ten years, determines how much this will cost, and how it will be funded.

In completing the plan, Council are required to do a number of things, including:

- take a sustainable development approach and promote community interests;
- carry out our business in a clear, transparent and accountable manner;
- operate in an efficient and effective manner, using sound business practices;
- take into account community views by offering clear information and the opportunity to present views;
- provide opportunities for Māori to contribute to decision making;
- collaborate and co-operate with other agencies and councils to achieve desired outcomes.

Annual Report 2022/23

The purpose of the Annual Report is to compare activities provided/completed with those planned in the annual plan. Council's Annual Report provides information to its community to assist in assessing the performance of Council for the relevant financial year.

The LGA requires Council to adopt an Annual Report and Summary by 31 October each year. The Summary must be published within one month of its adoption.

Fees and Charges 2024/25

Council's Fees and Charges cover everything from swimming pool entry fees to resource and building consents and everything in between.

Under Section 150 of the LGA, Council may prescribe fees or charges in the form of a bylaw made under the LGA or separately using the principles of consultation. In addition, other legislation such as the Resource Management Act 1991 and the Building Act 2004 delegates Council with the ability to fix fees or charges relevant to certain administration purposes (such as processing resource consents).

Each year, Council reviews its fees and charges and consults on any proposed changes with the community alongside the LTP, Annual Plan and/or any other relevant Council documents. This ensures that Council's fees and charges are kept up to date, reflect actual and reasonable costs and that any additional processes and new costs are fully covered.

Local Alcohol Policy

The Sale and Supply of Alcohol Act 2012 enables councils to develop a Local Alcohol Policy (LAP) for its district, and sets requirements for the development of the policy and what it may include. The policy can influence the location, number and opening hours of on-licences (cafes, bars and taverns), off-licences (bottle stores and supermarkets), club licences (RSA's, Workingmen's and sports clubs) and special licences (special events).

It is not mandatory to have a LAP, however having such a policy enables our communities to have a say about how alcohol is sold and supplied in their area.

When a LAP is in place, the District Licensing Committee and the Alcohol Regulatory and Licensing Authority must have regard to it when making decisions on licence applications. The

LAP is intended to be used as a reference document for the District Licensing Committee, and is not a document that binds licensing decisions.

Council first adopted a LAP in 2017, and therefore became due for review in 2023 as per the statutory requirements.

Significance and Engagement Policy

Council is required to have a Significance and Engagement Policy (SEP). The purpose of this policy is to provide the community with information about how and when they can expect Council to engage with them. The SEP also provides guidance to staff and is a key part of Council's decision-making framework.

The LGA provides for Council to amend its SEP from time to time. To ensure the Policy remains relevant to our community, it is generally reviewed in line with the LTP project. Staff reviewed the SEP, seeking feedback from Elected Members, staff who regularly use the Policy, and Te Manawhenua Forum members.

Solid Waste Management and Minimisation Bylaw

Bylaws are local rules that affect the way we live, work and play. Council's bylaws are in place to help ensure our district is a safe and healthy place.

The Waste Minimisation Act 2008 provides for Council to make a bylaw for the regulation of waste. The Act provides for a bylaw to license persons who carry out the collection and transportation of waste, and to set conditions for licensees. A bylaw must not be inconsistent with the Council's waste management and minimisation plan.

Council's Solid Waste Management and Minimisation Bylaw is intended to support:

- the promotion and delivery of effective and efficient waste management and minimisation in the Matamata-Piako District as required under the Waste Minimisation Act 2008;
- the implementation of Council's waste management and minimisation plans;
- the purpose of the Waste Minimisation Act and the goals in the New Zealand Waste Strategy;
- the regulation of the collection, transport, and processing of waste;
- the protection of the health and safety of waste collectors, waste operators and the public; and
- the management of litter and nuisance in public places.

Council's current bylaw came into force in 2017 (having revoked the previous solid waste bylaw (2008)) and forms part of Council's consolidated bylaw. Although there is no requirement to review this bylaw, Council identified the opportunity to review its Bylaw to ensure it is fit for purpose in relation to Council's new waste and recycling service delivery, and to align with changing government rules and regulations.

Ngā Take/Kōrerorero | Issues/Discussion

Updates on the various policies/plans/bylaws are provided below.

Completed

Local Alcohol Policy

Consultation with the community was undertaken from 14 March to 14 April 2023. Due to the timing of the Business after 5 events in Morrinsville and Matamata, Council extended the deadline to 21 April 2023 for these groups.

45 submissions on the draft LAP were received. Six submitters chose to present their submissions to Council at the Hearing held on 3 May 2023.

Council held deliberations and decision-making on 24 May 2023. Following the feedback received, Council produced a provisional policy which was publically advertised. At this stage, anyone who made a submission on the draft LAP could appeal any element of the provisional policy.

Section 87 of the Act states that if no appeals are received against any element of a provisional LAP, then the policy is adopted 30 days after its public notification. This means that the LAP was automatically adopted on 13 July 2023. At its meeting on 23 August 2023, Council resolved to bring the policy into force on 11 September 2023.

The LAP has generally been streamlined to provide clearer guidance for applicants, licence holders and the District Licensing Committee. The following is a summary of key provisions for each licence type:

On-Licences

- The updated LAP states Council's preference for new on-licences to be located in Business Zones in the district. On-licences can be located in other areas (subject to District Plan requirements), however the applicant must be able to demonstrate that the operations will not impact the amenity and good order of the neighbourhood.
- The updated Policy encourages the District Licensing Committee to consider a one-way door policy, if appropriate.
- The maximum trading hours for on-licences have not changed. They are from 7am to 1am the following day.*

Off-Licences

- The Policy extends the distance that off-licences can be located from a sensitive site (e.g. schools, places of worship, marae, playgrounds etc.) from 50 metres to 100 metres. This excludes supermarkets and grocery stores.
- A new condition has been included that enables the District Licensing Committee to apply restrictions to the types of alcohol to be sold, for example to limit single sales.
- Following feedback on its draft LAP where Council proposed to change the maximum trading hours for off-licences, Council decided to continue with the existing maximum trading hours of 7am to 9pm the same day.*

Club Licences

- The permitted time for RSAs who hold club licences to trade from on Anzac Day has been updated to 4am to align with the Act.
- Other provisions have not changed, including the maximum trading hours of 7am to 1am the following day.*

*Council's has added a note to its LAP stating that its policy position on maximum trading hours is not intended to set an expectation that the District Licensing Committee should issue every licence with the full extent of the maximum hours. The District Licensing Committee may issue licences with more restrictive hours than the maximum trading hours specified in the LAP.

Special Licences

- The maximum number of events under special licence that can be applied for in any six-month period has been increased from 15 to 18.
- Maximum trading hours will be set by the District Licensing Committee on a case-by-case basis.

Significance and Engagement Policy

The following updates have been made to the SEP to reflect Council's developing engagement with iwi and the community, and to incorporate a number of best practice changes:

- Minor updates to Council's Strategic Assets list;
- An updated significance criteria - shifting to a spectrum of significance, of low, medium and high significance. These criteria are intended to promote consistent significance assessments and recognise that issues and decisions can have different levels of significance rather than being significant or not (a binary approach).
- Inclusion of schedules for Council and staff to refer to when considering the degree of significance of a proposal/decision and the engagement that may be required.
- Recognising Council's responsibilities to uphold the principles of Te Tiriti and its obligations to Māori as required by the provisions in the LGA.

At its meeting on 23 August 2023, Council resolved not to consult on the updated SEP and considered on reasonable grounds that they had sufficient information about community interests and preferences to enable the purpose of the policy to be achieved. This included recent consultation processes including the Annual Plan 2023/24, which provided Elected Members with an understanding of community views.

In Progress

Long-Term Plan

Council is progressing with the Long-Term Plan project as planned. The timeline for the project centres on key dates for completion of the draft documents in December 2023 for Council approval, with auditing to occur in January/February 2024 and consultation with the community in March/April 2024.

Fees and Charges 2024/25

Fees and Charges for the 2024/25 year will be consulted on in March/April 2024, alongside the LTP.

Annual Report

Work on the Annual Report is progressing as planned. At the time of writing this report, a draft Annual Report had been prepared.

There are a total of 58 performance measure targets which Council reports on to provide transparency and accountability to its community in the Annual Report. Of these, Council has achieved its target performance for 37 of these. Council partially achieved its target on one measure, and did not achieve its target on 19 measures.

Two measurement results are pending, with one performance measure not yet measured - the footpath level of service which is measured by an assessment due in 2023/24.

Solid Waste Management and Minimisation Bylaw

Earlier this year, Council proposed to introduce a standalone bylaw and to revoke the current Solid Waste Management and Minimisation Bylaw that forms part of the Consolidated Bylaw 2008. A number of changes were proposed including:

- Requirements around the removal of uncollected waste;
- The ability for Council to introduce a licensing system for waste collection;
- Requirement for waste operators to secure any waste that is being transported to prevent any waste falling or otherwise escaping.

Council also proposed to add new clauses to facilitate a reduction in waste including:

- The ability for Council to require an event waste management and minimisation plan for major events;
- Requirement for construction site waste management and minimisation plans to be submitted when applying for a building consent for non-residential building work with an estimated value of \$500,000 or higher;
- Rules around the delivery of unaddressed mail or advertising material.

Consultation with the community was undertaken from 14 March to 14 April 2023. Due to the timing of the Business after 5 events in Morrinsville and Matamata, Council extended the deadline to 21 April 2023 for these groups.

13 submissions on the draft bylaw were received. Four submitters chose to present their submissions to Council at the Hearing held on 3 May 2023.

From the submissions, it was clear that there was some concern about the proposed requirement for site waste management and minimisation plans. Due to this concern, and following deliberations held on 24 May 2023, Council decided to undertake further consultation with the sector around the proposal to require waste minimisation plans. Council expressed a preference for the continued inclusion of this clause, with discussions held around the following:

- The Government plans to introduce amendments to the Building Act 2004 that will make it mandatory for a waste minimisation plan to be prepared for building or demolition work (unless exempted);
- Including this clause in our bylaw will bring our Council into alignment with other councils nationally;
- What is an appropriate threshold to set around this clause? e.g. for residential builds, commercial builds or both? And should we include a financial threshold?
- There are potential savings and efficiencies for the sector, and waste minimisation plans may result in a reduction of construction waste to landfill;
- If Council were to include this clause in its bylaw, we would take an educative approach and work with the sector to introduce the requirement in a phased manner.

Targeted consultation with the sector is planned for October/November 2023.

Mōrearea | Risk

General risks of legislative non-compliance apply, including the risk of policies/bylaws lapsing if not reviewed according to the relevant timeframes.

There is a risk that if the community are not engaged in the review of Council's policies/bylaws/plans, the relevant documents may not be effective in achieving/supporting community wellbeing, and the Council's strategic objectives. To mitigate this risk, Council seeks early engagement with key stakeholders to promote active and meaningful engagement in Council's review processes.

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

The legislative requirements are detailed throughout this report.

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

Each topic has been considered in accordance with Council's Significance and Engagement Policy, with consultation and decision-making requirements documented and determined accordingly in reports to Council.

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.	Council have considered the options for each topic accordingly.
Section 78 – requires consideration of the views of Interested/affected people	Consultation was undertaken/is planned according to each topic and interested/affected individuals/groups identified.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	This is considered and reported on to Council.
Section 82 – this sets out principles of consultation.	Consultation has been undertaken as per the requirements of the LGA and in accordance with Council's Significance and Engagement Policy.

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 Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Each topic has its own communications plan to assess the communication and engagement requirements on a case-by-case basis.

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

The relevant Community Outcomes are set out below. Review of policies/bylaws/plans support all of Council's community outcomes.

Connected Infrastructure	Infrastructure and services are fit for purpose and affordable, now and in the future.	Quality infrastructure is provided to support community wellbeing.	We have positive partnerships with external providers of infrastructure to our communities.
Economic opportunities	We are a business friendly Council	Our future planning enables sustainable growth in our District.	We provide leadership and advocacy is provided to enable our communities to grow.

Healthy communities	Our community is safe, healthy and connected.	We encourage the use and development of our facilities.	We encourage community engagement and provide sound and visionary decision making.
Environmental Sustainability	We support environmentally friendly practices and technologies.	Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs	We engage with our regional and national partners to ensure positive environmental outcomes for our community.
Vibrant Cultural values	We promote and protect our arts, culture, historic, and natural resources	We value and encourage strong relationships with Iwi and other cultures, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.	Tangata Whenua with Mana whenua status (those with authority over the land under Māori lore) have meaningful involvement in decision making.

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

This work plan is funded from the Strategies and Plans operational budget, apart from the review of the Solid Waste Management and Minimisation Bylaw, which is funded through the solid waste budget.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Laura Hopkins Policy Advisor	
Approved by	Niall Baker Policy Team Leader	
	Erin Bates Strategic Partnerships and Governance Manager	

8 Ngā Pūrongo Whakamārama | Information Reports

8.4 Community Facilities Operations Update

CM No.: 2770209

Te Kaupapa | Purpose

The purpose of this report is to provide an update on the community facilities operations.

Rāpopotonga Matua | Executive Summary

Please see attached Community Facilities Operations Update.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.

Resolution number /2023/00009

Moved by: R Kaukau

Seconded by: D Paul

KUA MANA | CARRIED

Ngā Tāpiritanga | Attachments

- A. Aerodrome governance report Sept 2023

Ngā waitohu | Signatories

Author(s)	Sharon Bryant Community Facilities Operations Manager	
Approved by	Manaia Te Wiata Group Manager Business Support	

8 Ngā Pūrongo Whakamārama | Information Reports

8.5 District Plan Update

CM No.: 2769919

Te Kaupapa | Purpose

The purpose of this report is to update the Waharoa Aerodrome Committee with a summary on the rolling review of the District Plan and changes around Resource Management matters that are relevant to the Waharoa Aerodrome.

Rāpopotonga Matua | Executive Summary

Information to be received on the District Plan Update, specifically related to Plan Change 54 – Papakāinga, Plan Change 49 – Waharoa, Plan Change 57 – Calcutta, The National Planning Standards (NPS) and the latest update from the Hauraki Gulf Forum.

Kumesh Burr is present to deliver the update and receive any questions.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.

Resolution number /2023/00010

Moved by: Cr K Tappin

Seconded by: R Kaukau

KUA MANA | CARRIED

Ngā Take/Kōrerorero | Issues/Discussion

Plan Change 54 – “Papakāinga”

Matamata-Piako District Council is preparing a plan change to the District Plan, which seeks to update the District Plan provisions for papakāinga development (PC54). The aim is to ensure that the District Plan provides an enabling framework for quality papakāinga development that supports the social, cultural and economic wellbeing of tangata whenua. This plan change was originally raised by Te Manawhenua Forum and recommended to Council as a priority. Council took on this recommendation and initiated a plan change. The Māori Purpose Zone (Precinct 1 – Papakāinga Tahī) will provide the most enabling provisions for papakāinga by increasing housing density in comparison to the Rural Zone and enabling the establishment of home businesses and small-scale community facilities, education facilities and healthcare facilities. Sites that are proposed to be rezoned as Māori Purpose Zone (Precinct 2 - Papakāinga Rua) have existing papakāinga. In addition to the Māori Purpose Zone, the plan change proposes general provisions in the rural and rural-residential zones enabling papakāinga development on Māori Freehold Land, General Land owned by Māori (if it can be demonstrated there is an ancestral connection and a legal mechanism in place to ensure the land is maintained in whanau ownership in perpetuity), and Treaty Settlement Land. We re-notified for public submissions on 21 December 2022, and closed for submissions on 13 February 2023. Our further submission phase closed on 26th April. In total there were 52 submissions received and 3 further submissions. A summary of submissions and further submissions are available on our website. Where necessary, we have engaged with submitters, to clarify any issues raised in their submissions. We have also engaged with the Iwi

Working Group to nominate commissioners for the panel as well as provide feedback on the MPDC toolkit which will sit alongside the plan change as a non-statutory document. We are hoping to finalise the submission points during September which will enable us to set a hearing date.

Plan Change 49 – “Waharoa”

This plan change seeks to review the zoning and development controls of Waharoa. To date, a preliminary community Hui was held in partnership with Ngāti Hauā to understand the invited stakeholder's aspirations for the town. Following this, a Working Group was established that consists of Matamata-Piako elected members and Ngāti Hauā representatives as governance members along with a number of support staff. On 30 November 2022, Matamata-Piako and Ngāti Hauā held a community consultation event at Te Kura O Waharoa in order to understand if the initial spatial plan that was developed meets the communities' aspirations and needs for Waharoa. As part of this consultation, an online survey where you could share your thoughts on the initial spatial plan was also available following the consultation event for those that could not attend. In total a 150 participants completed the online survey and there were around 30 participants at the community event. A report that summarises the outcomes of the consultation is available to view on the Council's website. In addition, Warren Gumbly consultants have been engaged to undertake an archaeology assessment of the plan change area and this work is currently underway. The Council is also in the process of reviewing the community's aspirations and considering how these may be enabled by the District Plan's provisions.

Plan Change 57 – “Calcutta”

On 3 July 2022, the Matamata-Piako District Council received an application for Private Plan Change 57 – Calcutta. This plan change seeks to rezone approximately 41ha of rural land to General Industrial Zoned land along the southern side of Tauranga Road, Matamata. This plan change proposes to introduce a new General Industrial Zone into the District Plan in accordance with the National Planning Standards. On 11 October 2022, submissions opened for the Calcutta private plan change and closed at 4:30pm on Wednesday 9 October 2022. Matamata-Piako District Council received 28 submissions in total. The Council has summarised the submissions received and opened for further submissions on the 7 March 2022 with a closing date of 21 March 2022. During this submission phase, a further 20 submissions were received. Council and the applicant are currently finalising a hearing date for later this year.

National Planning Standards (NPS)

We have commenced work on reformatting our District Plan to comply with the National Planning Standards (NPS). The purpose of the standards is to make council plans and policy statements easier to prepare, understand and comply with. They do this by improving the consistency of the format and content across all resource management documents throughout New Zealand. Any proposed changes that are simply reformatting the District Plan into the new format do not require a plan change however, there will be some changes that will be required to be notified. We are working to have this completed and notified by April 2024 in accordance with the relevant NPS legislation.

Hauraki Gulf Forum (HGF)

The Hauraki Gulf Forum (HGF) is a statutory body, which promotes and facilitates an integrated approach to the management and protection of the Hauraki Gulf, under the Hauraki Gulf Marine Park Act 2000. The Forum's current focus is on three priorities which are to improve integrated management through collaborative planning, restoring water quality values by addressing land use

activities that degrade those values and lastly recognising those critical marine values and ecosystems through advocating for protection, restoration and enhancement. As part of its advocacy, the forum used last year's surplus funds to carry out Natural Capital Valuations on the marine park which is now complete. This report and the annual State of the Gulf Report have now been published on the Forum's webpage: <https://gulfjournal.org.nz/>. During the last meeting on 12 June 2023, Mayor Toby Adams of Hauraki District Council was elected for the Council Representation Co-Chair position and members confirmed Member Nicola MacDonald to continue as the Forum's Co-Chair Tangata Whenua until end of March 2024. During the meeting, we received presentations on the Proposed Alternate Waitemata Harbour Crossing and the role of Tuna Tiaki (Eel) in our waterways. The Auckland Yacht and Boating Association also shared issues around reduced boat hull cleaning facilities, and we viewed the proposed budget for the Forum (1 July 2023 – 30 June 2024). The threats of Caulerpa and the RMS Niagara wreck on the Gulf were also discussed. The next meeting is due to take place on Monday 11 September 2023.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Kumeshni Burr Graduate RMA Policy Planner	
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Approved by	Nathan Sutherland Team Leader RMA Policy	
	Ally van Kuijk District Planner	
	Dennis Bellamy Group Manager Community Development	

8 Ngā Pūrongo Whakamārama | Information Reports

8.6 Waharoa (Matamata) Aerodrome Committee Work Programme 2023 - Update September

CM No.: 2770189

Te Kaupapa | Purpose

The purpose of this report is to provide the committee with an update of the work programme 2023.

Rāpopotonga Matua | Executive Summary

The Work Programme for the Committee is attached. It is intended this is a standing item for each Committee meeting.

WHAKATAUNGA Ā-KOMITI | COMMITTEE RESOLUTION

That:

1. The information be received.

Resolution number /2023/00011

Moved by: D Paul

Seconded by: R Kaukau

KUA MANA | CARRIED

Ngā Tāpiritanga | Attachments

- A. Waharoa (Matamata) Aerodrome Committee - Work Programme 2023 - Update September

Ngā waitohu | Signatories

Author(s)	Kuljeet Kaur Governance Support Officer	
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Approved by	Erin Bates Strategic Partnerships and Governance Manager	
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11.25 am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
OF THE MEETING OF WAHAROA (MATAMATA)
AERODROME COMMITTEE HELD ON 21
SEPTEMBER 2023.

DATE:.....

CHAIRPERSON:.....