

# 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 17 December 2025  
**Wā | Time:** 9:00  
**Wāhi | Venue:** Council Chambers  
35 Kenrick Street  
TE AROHA

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### NGĀ MEMA | MEMBERSHIP

**Tiamana | Chairperson:** Koromatua | Mayor  
Ash Tanner

**Mema | Members:** Koromatua Tautoko | Deputy Mayor  
James Sainsbury  
**Kaunihera ā-Rohe | District Councillors**  
Vincent Andersen  
Grace Bonnar  
Bruce Dewhurst  
Tyrel Glass  
Dayne Horne  
Greg Marshall  
Andrew McGiven  
James Thomas  
Gary Thompson  
Rewiti Vaimoso  
Sue Whiting

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**Kāinga Ipuranga | Website:** [www.mpdc.govt.nz](http://www.mpdc.govt.nz)

## **Ā-TIKANGA | PROCEDURAL**

<b>1</b>	<b>Whakatūwheratanga o te hui   Meeting Opening</b>	<b>3</b>
<b>2</b>	<b>Ngā whakapāha/Tono whakawātea   Apologies/Leave of Absence</b>	<b>3</b>
<b>3</b>	<b>Panui i Ngā Take Ohorere Anō   Notification of Urgent/Additional Business</b>	<b>3</b>
<b>4</b>	<b>Whākī pānga   Declarations of Interest</b>	<b>3</b>
<b>5</b>	<b>Whakaaentanga mēneti   Confirmation of Minutes</b>	<b>3</b>
<b>6</b>	<b>Papa ā-iwi whānui   Public Forum</b>	<b>3</b>

## **NGĀ PŪRONGO A NGĀ ĀPIHA | OFFICER REPORTS**

<b>7</b>	<b>Pūrongo me whakatau   Decision Reports</b>	
7.1	Risk and Assurance Committee Report of 9 December 2025	4
7.2	Annual Report Adoption 2024/25	5
7.3	Waharoa (Matamata) Aerodrome Committee Report of 1 December 2025	11
7.4	Te Manawhenua Forum Report of 9 December 2025	12
7.5	Adoption of Fees and Charges for Open Country Community Stadium	13
7.6	Waitoa Water community panel recommendations	23
7.7	Te Manawhenua Forum Chair's Remuneration	40
7.8	Delegation to Te Manawhenua Forum	44
7.9	Draft Land Transport Bylaw - Adoption for Public Consultation	50
7.10	Draft Local Easter Sunday Shop Trading Policy - Adoption for Public Consultation	129
7.11	Council Issues over Christmas Holiday Period 2025/26	161
7.12	Council and Committee Meetings Calendar 2026	162
7.13	Morrinsville RSA Wall	165
<b>8</b>	<b>Ngā Pūrongo Whakamārama   Information Reports</b>	
8.1	October 2025 Financial Report	166

**1 Whakatūwheratanga o te hui | Meeting Opening**

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

An apology from Councillor Rewiti Vaimoso has been received.

A notification of early departure from Deputy Mayor James Sainsbury, following Item 7.2 Annual Report Adoption 2024/25, has been received.

**3 Pānui i Ngā Take Ohorere 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 26 November 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 9 December 2025

CM No.: 3121996

### 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 9 December 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 9 December 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 <b>Kaitohu Mātāmua Kāwana   Senior Governance Advisor</b>	
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Approved by	Tamara Kingi <b>Kaiārahi Kāwana   Governance Team Leader</b>	
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## 7 Pūrongo me whakatau | Decision Reports

# 7.2 Annual Report Adoption 2024/25

CM No.: 3112620

## Te Kaupapa | Purpose

The purpose of this report is to present the Annual Report 2024/25 and Annual Report Summary 2024/25 for adoption.

## Rāpopotonga Matua | Executive Summary

The Annual Report is a key means of Council telling the community how it has delivered on what it said it would do in the Long Term Plan 2024-34. Council is required to adopt an externally audited Annual Report and Annual Report Summary each year before 31 October under the Local Government Act 2002, however due to auditing issues/delays this timeframe has not been achieved. There are no legal consequences arising from the delay.

René Van Zyl and Penica Cortez from Audit New Zealand will be in attendance to present the Audit Opinion if it is issued prior to the meeting.

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

- a. Annual Report and Annual Report Summary
- b. Warrant of Fitness for the Annual Report and Annual Report Summary
- c. Audit Opinions for the Annual Report and Annual Report Summary
- d. Letter of Representation for the Annual Report and Annual Report Summary 2024/25
- e. Audit Misstatement Schedule

## Tūtohunga | Recommendation

That:

1. The following documents are received:
  - 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 for the Annual Report and Annual Report Summary 2024/25
  - e) Audit Misstatement Schedule
2. Section 13 of the Warrant of Fitness 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. The audited Annual Report and Annual Report Summary 2024/25 are adopted.
6. Elected Members allow staff to make minor amendments following the adoption of the Annual Report and Annual Report Summary to amend any minor errors (e.g. formatting).

## Horopaki | Background

Under the Local Government Act 2002 (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.

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 New Zealand 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.

### 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. René Van Zyl and Penica Cortez from Audit New Zealand 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 New Zealand in relation to the following requirements:

- General responsibilities relating to the Council's 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.

**Timing of adoption**

Due to the local government elections on 11 October 2025, staff worked closely with Audit New Zealand to prepare the Annual Report and Summary for adoption by the outgoing Council at its final meeting on 8 October 2025.

Due to delays, the Annual Report 2024/25 could not be adopted by the 31 October statutory deadline, and the outgoing Council resolved for the incoming Council to adopt its Annual Report.

Audit New Zealand have assured staff and the Chief Executive that the late adoption will not be reflected as a risk in the Audit Opinion that is inserted into the Annual Report and Summary.

The Annual Report and Summary for 2024/25 reflects what the previous Council delivered to the community for the year ending 30 June 2025, and therefore the previous Mayor and Councillors are included in the Report.

**Audit process and types of audit report**

At the time of writing, the audit process is ongoing, and Council has not received audit clearance.

An audit report will be either standard or non-standard (sometimes called a modified opinion).

A non-standard audit report is one that contains:

- a modified opinion (discussed below); and/or
- an "emphasis of matter" or an "other matter" paragraph, this is where the auditor wishes to draw attention to a particular matter.

A modified opinion is given because of:

- a misstatement in the treatment or disclosure of a matter in the financial and/or non-financial information; or
- a limitation in scope. This may occur when the appointed auditor has been unable to obtain sufficient appropriate evidence to support, and accordingly is unable to express, an opinion on the financial or non-financial information or a part of the financial or non-financial information.

There are three types of modified opinion:

- an "adverse" opinion – the most serious type of opinion, when an auditor concludes that there are misstatements that are both material and pervasive;
- a "disclaimer of opinion" – when the auditor is unable to obtain sufficient appropriate audit evidence on which to base the opinion (a limitation in scope), and determines that the possible impact is undetected misstatements that could be both material and pervasive; and
- a "qualified opinion" – when the auditor, having obtained sufficient appropriate evidence concludes that the misstatements are material but not pervasive, or the auditor being unable to obtain sufficient appropriate audit evidence determines that the possible impact could be undetected misstatements that could be material to understanding the information, but not pervasive.

In 2023/24, of the 77 councils', one third of Councils received one or more emphasis of matter paragraphs or qualified opinions. 18 Councils missed the statutory adoption deadline. Matamata-Piako received a standard audit opinion within the required timeframe in 2023/24 and always

works to try and obtain this, that tells the reader all the information in the Report is true and correct.

## **Ngā Take/Kōrerorero | Issues/Discussion**

### **Financial performance**

For the 2024/25 financial year, Council's revenue was higher than budgeted in several key areas. Additional funding and grants, including \$503,000 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 of vested 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.

In regard to Council's expenditure, 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.

Other comprehensive revenue and expense significantly strengthened Council's balance sheet due to major asset revaluations. The value of Council's investment in Waikato Regional Airport rose by \$6 million, reflecting growth in the company's investment property portfolio. Land, roading, and three water assets were revalued at 30 June 2025, with land increasing by \$74.9 million (since the last revaluation in 2020), and roading and three water assets increasing by \$138.5 million and \$34.8 million respectively.

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:**

45 of the 57 performance measures were achieved (79%). This is a significant increase in achievement compared to last year, where Council achieved 59% of its performance measures. All the performance measures that are based on resident satisfaction were achieved. While the change in the survey satisfaction scale is the main factor for the increase in satisfaction results, the survey results also reflect general resident satisfaction with Council services.

This is the first reporting year with the new Drinking Water Standards performance measures. Previously, the water compliance measure results were either compliant or non-complaint for the overall drinking water safety of all water plants in the district.

## Mōrearea | Risk

Due to the ongoing delays in the audit process, the Annual Report 2024/25 adoption remains at risk. There are no significant reputational implications from a delayed adoption or a qualified or emphasis of matter audit opinion that would directly result from this. There is a risk the extra time required to complete the audit will result in increased audit fees.

In the past few days Council staff have identified some prior period errors in the recognition of land assets that require adjustment to Council's opening equity and a disclosure note. This may attract questions around how this situation has arisen. Audit NZ has also raised more general concerns about Council's property, plant and equipment accounting systems. While these matters are still being worked through, Audit has raised the possibility of a non-standard, qualified audit report being issued.

## 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.

## 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 Audit of the Annual Report is funded separately through general rates.

The agreed audit fees for the 2024/25 audit are \$250,567.

## Ngā Tāpiritanga | Attachments

There are no attachments for this report.

## Ngā waitohu | Signatories

Author(s)	Olivia Picard <b>Kaitohu Kaupapahere   Policy Advisor</b>	
Approved by	Niall Baker <b>Kaiārahi Tima Kaupapahere   Policy Team Leader</b>	
	Sandra Harris <b>Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships and Governance Manager</b>	
	Ken Morris <b>Mōrearea, Kai-whakahaere ā Pakihi hoki   Risk and Business Excellence Advisor</b>	

	<p>Kelly Reith</p> <p><b>Hautū Rangatōpū, Tāngata me ngā Hononga   Group Manager Corporate, People &amp; Relationships</b></p>	
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7 Pūrongo me whakatau | Decision Reports

## 7.3 Waharoa (Matamata) Aerodrome Committee Report of 1 December 2025

CM No.: 3124141

### Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update from the Waharoa (Matamata) Aerodrome Committee following its meeting on 1 December 2025.

### Rāpopotonga Matua | Executive Summary

The minutes and any recommendations from the Waharoa (Matamata) Aerodrome Committee meeting held on 1 December 2025 can be found on the Matamata-Piako District Council [website](#).

### 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	
Approved by	Tamara Kingi Kaiārahi Kāwana   Governance Team Leader	

7 Pūrongo me whakatau | Decision Reports

## 7.4 Te Manawhenua Forum Report of 9 December 2025

CM No.: 3119391

### Te Kaupapa | Purpose

The purpose of this report is to provide Council with an update from the Te Manawhenua Forum following its meeting on 9 December 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 Manawhenua Forum meeting held on 9 December 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 <b>Kaitohu Mātāmua Kāwana   Senior Governance Advisor</b>	
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Approved by	Tamara Kingi <b>Kaiārahi Kāwana   Governance Team Leader</b>	
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7 Pūrongo me whakatau | Decision Reports

## 7.5 Adoption of Fees and Charges for Open Country Community Stadium

CM No.: 3114680

### Te Kaupapa | Purpose

The purpose of this report is to seek Council adoption of the fees and charges for Open Country Community Stadium, due to open in early 2026.

### Rāpopotonga Matua | Executive Summary

Open Country Community Stadium (Stadium) is due to open from early 2026. In order to prepare the marketing and communications material, and commence bookings, Council adoption of the fees and charges for the Stadium is being sought outside of the usual Fees and Charges review process.

## Tūtohunga | Recommendation

That:

1. a) **OPTION A** – Council adopts the Open Country Community Stadium fees as proposed, which aligns the fees with the Community Venues fees and charges that are proposed for 2026/27 (as below)

Open Country Community Stadium	2 x courts, multi-function room, kitchen, community changing rooms / toilets.	
Court access	Opening time until 6pm	\$25 per court per hour
	6pm until closing time	\$35 per court per hour
Medium / Multifunction room	Non-Commercial	\$15 per hour
	Commercial	\$30 per hour
Whole facility	Non-Commercial	\$55 per hour
	Commercial	\$110 per hour

**OR**

1. b) **OPTION B** – Council adopts the Open Country Community Stadium fees in line with the current Community Venues fees and charges for the 2025/26 year.
2. Council authorises staff to insert these fees into the current Fees and Charges 2025/26.
3. Council notes that the community will have the opportunity to provide feedback on these fees as part of the consultation on the draft Fees and Charges 2026/27.

## Horopaki | Background

### Open Country Community Stadium

Open Country Community Stadium, located at Matamata College, is governed by a property sharing agreement between the Ministry of Education (Matamata College) and Council.

### **Ownership and Funding**

- The Ministry of Education (Matamata College) holds a 38.6% share, and the Council (community) holds a 61.4% share, based on respective floor areas and capital contributions.
- Project funding totals \$11,000,000, comprising:
  - Ministry of Education contribution: \$2,000,000
  - Matamata-Piako District Council (MPDC) contribution: \$3,000,000
  - Community grants and donations: \$6,000,000

- Council funded initial design and construction and will fund ongoing operating/ capital expenses in line with its ownership share; the Matamata College Board uses Ministry-provided funding for its share.
- All operating and capital expenses are shared according to these proportions, except where costs arise from neglect or improper use.

### **Facility Use and Time Allocation**

- The stadium operates 16 hours per day per court as per resource consent. A total of 224 hours per week across two courts.
- Under the proposed schedule, Matamata College receives 4,323 hours per year (38.6%), averaging 108 hours per week during the school term. The community receives 6,877 hours per year (61.4%), averaging 116 hours per week during the school term and 224 hours per week during school holidays.

It is proposed that Matamata College are not charged for their allocated time due to their paid contribution share. Outside of these allocated college hours, the community and or, college would be charged as per standard Council events fees and charges.

### **Operational Agreement and Scheduling:**

- An operational agreement between Matamata College and Council is currently being negotiated to determine the court allocation and use schedule.
- Expressions of interest have been circulated to both the community and the College, and the operational team is reviewing these submissions prior to finalising the schedule.

### **Governance:**

- A Property Committee, with representatives from both the Matamata College Board and Council, oversees stadium operation, maintenance, and compliance.
- Operational rules, including hours of use and maintenance responsibilities, are reviewed regularly to ensure fair and effective shared use.

This arrangement ensures equitable access and responsibility, with both parties contributing to maintenance and operational costs in line with their usage and ownership.

For further information refer to <https://www.mpdc.govt.nz/our-facilities/open-country-community-stadium> on the MPDC website.

### Fees and Charges review process

Council reviews and consults the community on its Fees and Charges annually as part of the Annual Plan or Long Term Plan process.

The Fees and Charges 2025/26 are currently in effect. There are currently no fees in place for Open Country Community Stadium.

Council is currently reviewing proposed changes to the Fees and Charges for 2026/27 and will consult on these in March-May 2026, with the final document adopted in June 2026.

### **Ngā Take/Kōrerorero | Issues/Discussion**

#### Open Country Community Stadium Fees and Charges

To enable the preparation of marketing and communication materials, and begin taking bookings, Council is asked to adopt the Stadium fees outside of the usual Fees and Charges review cycle.

It is proposed to align the fees for the Stadium with the fees for Council's other community venues. It is also proposed to align with the proposed fees and charges for 2026/27.

The key proposed changes for 2026/27 across the Community Venues fees and charges are to:

- a) Reduce the Non-Commercial charge for some facilities in response to user group feedback
- b) Instigate a consistent formula for charges, whereby the rate for Commercial users is set at twice the charge for Non-Commercial users

‘Commercial’ and ‘Non-Commercial’ are defined in the Notes to the Fees and Charges as follows:

- **Community Group / Non-Commercial**

A not-for-profit organisation that provides services that are of benefit to the community, including the provision, promotion or facilitation of:

- Public health or wellbeing
- Social advisory or rehabilitation services
- Sports or recreational activities
- Public amenities or recreational facilities
- Protection or enhancement of the environment
- Protection of human life
- Relief of poverty
- Advancement of education (eg schools) or religion
- Animal welfare
- Public works or services
- Efficiency of the armed forces

- **Commercial**

Any other entities not covered above.

The proposed fees and charges for the Stadium, based on the proposed Community Venues fees for 2026/27 are outlined below

**Proposed Fees and Charges for Open Country Stadium**

**Courts**

Open Country Stadium Matamata (OCSM)		Current fee	Proposed Fee 2025/26 and 2026/27
Opening time until 6pm	Hourly rate	N/A – new fee	\$20.00
6pm until closing time	Hourly rate	N/A – new fee	\$30.00

Across the venues, the Courts fees are proposed to be the same in 2026/27 as they are in 2025/26. And the Stadium court fees would be the same as for the other venues.

**Medium Room**

Open Country Stadium Matamata (OCSM) Multifunction room		Current Fee	Proposed Fee 2025/26 and 2026/27
Non-Commercial	Hourly rate	N/A – new fee	\$15.00
Commercial	Hourly rate	N/A – new fee	\$30.00

Across the venues, the Medium Room fees are proposed to be the same in 2026/27 as they are in 2025/26 for Non-Commercial, and \$10 less for Commercial to match the proposed consistent formula. The Stadium Medium Room fee would be the same as these proposed fees.

### **Whole Facility**

Open Country Stadium Matamata (OCSM)		Current fee	Proposed Fee 2025/26 and 2026/27
Non-Commercial	Hourly rate	N/A – new fee	\$55.00
Commercial	Hourly rate	N/A – new fee	\$110.00

Across the venues, the Whole Facility fees are proposed to be reduced in 2026/27 for Non-Commercial and then set at twice that new rate for Commercial. The Stadium Whole Facility fee would follow the same formula. Currently for the 2025/26 year, Silver Fern Farms Events Centre, and Morrinsville Events Centre fees are set at \$85 Non-Commercial, \$155 Commercial.

#### **Process following adoption of Stadium fees**

Following adoption, the Stadium fees will be inserted into the current 2025/26 Fees and Charges.

The community will then get the opportunity to provide feedback on these fees as part of the consultation on the draft Fees and Charges for 2026/27 in March-May 2026.

### **Mōrearea | Risk**

There is a risk that there may be community dissatisfaction with the fees for the Stadium if they are not consulted on prior to Council adoption.

This risk will be mitigated by consulting on the Stadium fees alongside the rest of the draft Fees and Charges for 2026/27, over the March-May 2026 period, with targeted consultation with user groups, and taking community feedback into account during deliberations ahead of final adoption in June 2026.

## Ngā Whiringa | Options

Options are outlined below.

### Option A – Adopt the Stadium fees as proposed, which aligns the fees with the Community Venues fees and charges that are proposed for 2026/27

#### Description of option

Council adopts the fees and charges for Open Country Community Stadium to align with the proposed Community Venues fees for 2026/27. These fees are then inserted in the 2025/26 Fees and Charges and are also consulted on for the 2026/27 year.

Open Country Community Stadium	2 x courts, multi-function room, kitchen, community changing rooms / toilets.	
Court access	Opening time until 6pm	\$20 per court per hour
	6pm until closing time	\$30 per court per hour
Medium / Multifunction room	Commercial	\$15 per hour
	Non-commercial	\$30 per hour
Whole facility	Commercial	\$55 per hour
	Non-commercial	\$110 per hour

Advantages	Disadvantages
Provides consistency and clarity for the community	Does not allow for immediate community consultation
Avoids costs associated with changing fees	

**Option B – Adopt the Stadium fees in line with the current Community Venues fees and charges for the 2025/26 year.**

**Description of option**

Council adopts the Open Country Stadium fees in line with the current Fees and Charges 2025/26

Open Country Community Stadium	2 x courts, multi-function room, kitchen, community changing rooms / toilets.	
Court access	Opening time until 6pm	\$20 per court per hour
	6pm until closing time	\$30 per court per hour
Medium / Multifunction room	Commercial	\$15 per hour
	Non-commercial	\$40 per hour
Whole facility	Commercial	\$85 per hour
	Non-commercial	\$115 per hour

**Advantages**

Allows for community consultation

**Disadvantages**

Potential confusion and/or dissatisfaction with lack of consistency and clarity

Costs associated with changing the booking system, marketing material

**Recommended option**

Option A is the recommended option.

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

**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. The issue is considered to have low significance for the wider community and medium significance to the facility users.

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	The Stadium fees will be consulted on with the community, including user groups during the consultation on the draft Fees and Charges 2026/27
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.	Fees and charges are consulted on annually.

### **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**

Key tasks are outlined below

#### **Timeframes**





Date	Task
10 December 2025	Council workshop to review proposed Fees and Charges 2026/27
17 December 2025	Council meeting to adopt fees for Open Country Community Stadium. Adopted fees inserted into current 2025/26 Fees and Charges
February / March 2026	Council meeting to adopt draft Fees and Charges 2026/27 for public consultation
March – May 2026	Public consultation, including targeted engagement with user groups
May 2026	Council meeting to consider community feedback
June 2026	Adoption of Fees and Charges for 2026/27
1 July 2026	Fees and Charges 2026/27 in effect.

### **Ngā take ā-lhinga | Consent issues**

No consent issues identified.

## 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 with people at its heart
- A place to thrive
- A place to belong and create

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

The annual review of Fees and Charges is funded within the Strategies and Plans activity.

## Ngā Tāpiritanga | Attachments

There are no attachments for this report.

## Ngā waitohu | Signatories

Author(s)	Anne Gummer <b>Kaitohu Kaupapahere Mātāmua   Senior Policy Advisor</b>	
	Jenni Cochrane <b>Hautū Wheako Kiritaki   Group Manager Customer Experience</b>	
	Sharon Bryant <b>Pou Whakahaere Taiwhanga   Facilities Operations Manager</b>	

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Approved by	Sandra Harris <b>Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships and Governance Manager</b>	
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## 7 Pūrongo me whakatau | Decision Reports

# 7.6 Waitoa Water community panel recommendations

CM No.: 3123594

## Te Kaupapa | Purpose

To present the Waitoa Water Community Panel's recommendations and seek Council's direction on next steps for addressing future water supply arrangements in Waitoa Village.

## Rāpopotonga Matua | Executive Summary

The Waitoa community has faced uncertainty about its water supply since Fonterra confirmed it would no longer provide water under the Water Services Act 2021. Council committed to a deliberative engagement process to ensure affected residents could make informed recommendations.

A 17-member Community Panel, broadly representative of those affected, met over four sessions between October and November 2025. This is an “all-in” decision: this is a decision that will apply to every affected property (i.e. there is no opting out).

The Panel considered two options—Self Supply and Council Supply—based on technical, financial, and lifestyle information provided both in writing, through comprehensive reports and in person. The Panel recommends Council supply as the preferred option, with sub-recommendations for funding, with Waitoa ratepayers contributing 15% of project costs, supported by Fonterra's \$500,000 contribution and proceeds from the Waitoa Hall sale (on a pro-rata basis). These financial contributions were pivotal in achieving consensus from the panel.

Representatives from the Panel will be in attendance to present the recommendations and answer questions from Elected Members.

If Council accepts the recommendations, next steps would include wider district consultation and engagement with Waikato Waters Ltd in the first half of 2026.

## Tūtohunga | Recommendation

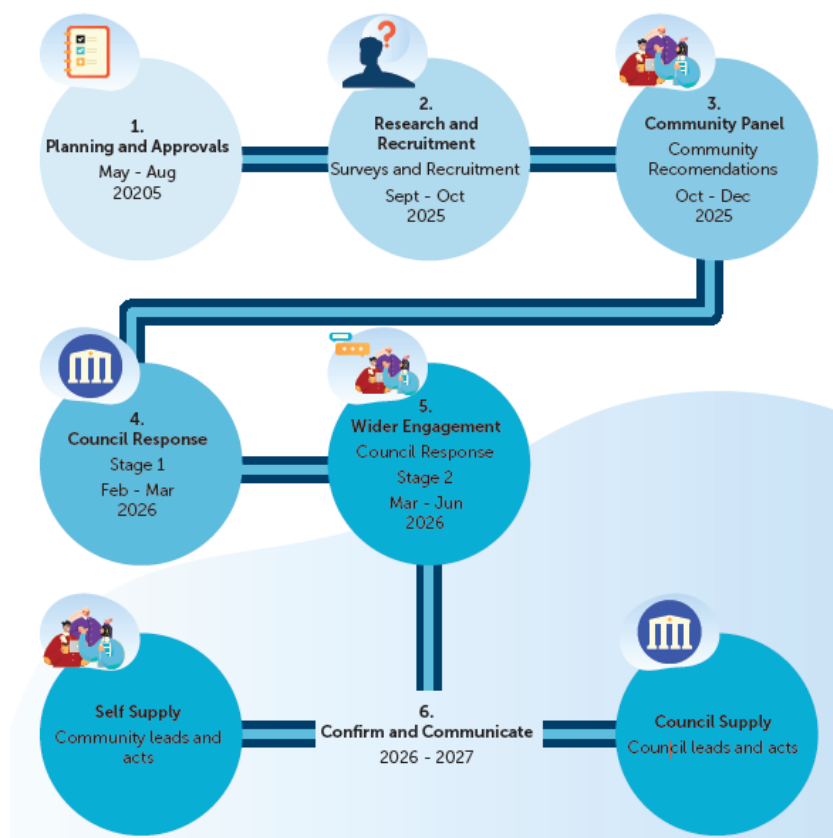
That:

1. Council receives the Waitoa Water Community Panel report.
2. Council confirms its position on the recommendations contained within the Waitoa Water Community Panel report.
3. Council provides an official response to the Waitoa Water Community Panel report, confirming its position on the recommendations, reasons for any changes, and a clear outline of next steps and timelines for the wider consultation phase.
4. Council notes that if the recommendations are accepted, wider consultation with the district and Waikato Waters Ltd will occur in 2026. Council will then consider the feedback before making its final decision on the future water supply for Waitoa.

## Horopaki | Background

Fonterra has supplied water to Waitoa for decades but will cease doing so under new regulatory requirements. Council has obligations under the Local Government Act 2002 (Section 127) and the Health Act 1956 to work collaboratively to find a solution.

In September 2024, Council endorsed a deliberative engagement approach, supported by the Strategic Engagement Plan. The process map below sets out the key steps for engaging the Waitoa community on their future water supply. It moves from early planning and community input, through deliberation and Council decision-making, to final implementation. (Refer Strategic Engagement Plan, p. 5-6.)



A Community Panel was recruited to reflect the diversity of affected Waitoa property owners and residents, creating a “mini-public” to ensure legitimacy and balanced perspectives. All affected property owners and residents were invited to participate.

The complexity of this issue was heightened by the varying water supply arrangements among approximately 130 properties. Some are completely reliant on Fonterra, others use tanks with Fonterra trickle-feed top-ups, and some have their own bores. A number of those on self-supply are satisfied with their current arrangements, while others would like to connect to Council supply. Fonterra does not have details of who is on their water supply.

If Council supply proceeds, every property owner within the defined supply area will contribute to the installation cost of Council supply (i.e. to get the water to run past their gate) —even if they currently have self-supply systems. Those who want to use the Council supply will also each need to pay to connect to the system (i.e. to get the water from the gate to their house).

In August 2025, Council committed to promises that underpin deliberative processes: transparency, access to balanced information, and a clear response to recommendations. The Strategic Engagement Plan (p.7) outlines Council's promises for the next phases:

Phase 4. Council response (Stage 1)	Council decides on the future water supply recommendations  Response to Waitoa community	Inform	<ul style="list-style-type: none"> <li>Consider the Community Panel's recommendations on the preferred water supply option.</li> <li>Provide a clear response to the community, including the reasons for its decision.</li> <li>Publicly share how the Panel recommendations are being taken forward.</li> <li>Clearly explain any legal, financial or operational factors affecting the recommendations.</li> <li>Be transparent about next steps, timelines and responsibilities.</li> <li>Report back to the community on what will happen and when.</li> </ul>
Phase 5. Wider engagement Council response (Stage 2)	Council makes future water supply decision  Response to community	Consult	<p><b>If town supply is preferred:</b></p> <ul style="list-style-type: none"> <li>Include in 26/27 draft Annual Plan, for district-wide consultation if required.</li> <li>Report back to the community on what will happen and when.</li> </ul>
Phase 6. Confirm and communicate	Implement water self-management	Empower	<ul style="list-style-type: none"> <li>Be transparent about what support is available (advice, technical, financial, logistical).</li> <li>Finalise arrangement with Fonterra.</li> </ul>
Phase 6. Confirm and communicate	Drive Council/ Waikato Waters Ltd managed water integration	Collaborate	<ul style="list-style-type: none"> <li>Drive the project in our capacity as a Shareholder of Waikato Waters Ltd.</li> <li>Ensure community concerns, aspirations and solutions are directly reflected in the strategies, policies and actions developed, to the maximum extent possible.</li> <li>If we can't incorporate relevant Panel recommendations, clearly explain why.</li> <li>Keep the community informed on progress and milestones.</li> </ul>

## Ngā Take/Kōrerorero | Issues/Discussion

The Panel considered two options:

- Self Supply** – high autonomy, but requires significant upfront investment, ongoing maintenance, space for tanks, and the ability to meet current requirements for tank and bore placement. Reliability depends on rainfall; firefighting capacity is limited.
- Council Supply** – managed by Council, provides consistent safety and compliance, firefighting capacity, and supports future growth. Lower autonomy but “set and forget” utility service.

The following aspects were used to guide discussion:

- Costs – capital and ongoing
- Reliability & Safety
- Firefighting capacity
- Wastewater considerations
- Timeframe for implementation
- Property impacts and maintenance

At the meet-and-greet session, the Panel were presented with a background document providing information on both options, along with other supporting material. At Sessions 1 and 2, information

was presented by expert speakers, with further clarification on a few key points provided at Session 3.

At Session 3, the Panel wrote their recommendations, and tested them using the 5L scale: Love it, Like it, Live with it, Lament it, or Loathe it. Each person voted and where there wasn't unanimous support for a recommendation, the group entered into further discussion and repeated the process. The aim was to achieve a 'super majority' where over 80% of the Panel either Love it, Like it, or can Live with it.

Note: If that level of support couldn't be achieved, there was the option of developing a minority report to be presented alongside the Panel's report. A minority report was not needed in this case.

## **Mōrearea | Risk**

Waikato Waters transition: Council will not control prioritisation once water services transfer in October 2026. Delay increases inflation risk and cost escalation, which was a major concern for the Panel.

Community expectations: Council should clearly communicate next steps and timelines.

## **Ngā Whiringa | Options**

The Panel considered two options:

- **Self Supply** – high autonomy, but requires significant upfront investment, ongoing maintenance, space for tanks, and the ability to meet current requirements for tank and bore placement. Reliability depends on rainfall; firefighting capacity is limited.
- **Council Supply** – managed by Council, provides consistent safety and compliance, firefighting capacity, and supports future growth. Lower autonomy but “set and forget” utility service.

## **Recommended option**

The recommendation report from the Waitoa Community Panel is attached. Representatives from the panel will be in attendance to present their recommendations and answer questions from Elected Members.

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

This report and process has been prepared to reflect that principles and requirements of the following legislation and policies:

- Local Government Act 2002 (Sections 76–82, 127) – decision-making and consultation requirements.
- Health Act 1956 – obligations to protect public health.
- Consistent with Council's Significance and Engagement Policy.

## **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:

- High level of significance to the residents of Waitoa
- Medium level of significance to the wider community

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	<p>A community panel of Waitoa residents was deemed appropriate as for the most affected community members to influence the decision.</p> <p>The wider community is also deemed affected as any additional water supply/project will impact rates for all those connected to a Council water supply. It is recommended that if Council accept the panel's recommendation, further district-wide consultation takes place.</p>
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	<p>The Significance and Engagement Policy is considered above. Legal advice has also been sought.</p> <p>This issue is assessed as having a</p> <ul style="list-style-type: none"> <li>• High level of significance to the residents of Waitoa</li> <li>• Medium level of significance to the wider community</li> </ul>
Section 82 – this sets out principles of consultation.	<p>Report back to the Panel on Council's response, and share the recommendations with the Waitoa community.</p> <p>If Council accepts the panel's recommendations, wider district consultation is recommended, which can run alongside the Annual Plan in March/April 2026. Further engagement will take place with Waikato Waters Ltd to progress a commitment to the project and prioritisation of its implementation.</p>

### **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

Council's response to the Panel should include confirmation of its position on the recommendations, reasons for any changes, and a clear outline of next steps and timelines.

This will be communicated back to the Panel, and there will be opportunities for Waitoa residents to learn more about the recommendations and understand how the Panel arrived at them. This will include sharing the Panel's report and providing clear explanations of the process and rationale behind the recommendations.

If Council accepts the panel's recommendations, there should also be wider district consultation, which can be planned for in March/April 2026 alongside the Annual Plan. Further engagement will also need take place with Waikato Waters Ltd to progress a commitment to the project and prioritisation of its implementation. Taumata Arowai will be kept updated.





Note: Waitoa Water is mentioned in the Water Services Delivery Plan as a possible project, and does not need to be included in the draft 26/27 draft Annual Plan.

### Timeframes

Key Task	Dates
Council confirms its position on the Panel's recommendations.	17 December 2025
Council's (first) response communicated to the Panel.	December 2025 or February 2026 tbc
Share the recommendations and reasoning with the Waitoa property owners and residents.	February/March 2026 tbc
Consult with Waikato Waters Ltd. Council will use its position as a Shareholder to drive this project.	February-May 2026
District Wide consultation	March-April 2026 tbc
Council's (second and final) decision and next steps communicated to the Panel, Waitoa residents and wider community.	June-July 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	
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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

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

Council has not allocated funding for the Waitoa Water project. If the project was to progress, it will transfer to Waikato Waters Ltd in October 2026, and as a project happening in our district it will be paid for by ratepayers in our district.

## Ngā Tāpiritanga | Attachments

[A.1.](#) Waitoa Water community panel report 2025

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**Ngā waitohu | Signatories**

Author(s)	Andrea Durie <b>Pou Whakapā, Whai Wāhi   Communications &amp; Engagement Manager</b>	
Approved by	Jenni Cochrane <b>Hautū Wheako Kiritaki   Group Manager Customer Experience</b>	

# Waitoa Water Community Panel

Report to Matamata-Piako District Council

# Context

The Waitoa community has maintained a healthy relationship with Fonterra, the original supplier, for many decades. Fonterra has endeavoured to end this short term water supply arrangement and changes in legislation have made this a priority. Fonterra is no longer wishing to continue in this role but is wanting to support and back the community moving to a new supply.

Discussions regarding this decision have been going on for approximately 30 years with Fonterra about what the water supply would look like in Waitoa. The community has struggled throughout these meetings to come up with an unanimous decision on how this would work. This was primarily due to financial costs, which is still a clear and obvious issue in today's meetings.

With the Council now involved, a 17-person Panel from the Waitoa community was formed to deliberate on this issue. We have had 4 meetings over a 7 week period to make recommendations back to Council on how water will be supplied to Waitoa in the future. This issue affects approximately 130 residential homes.

The Panel has gone through several sources of information, including listening to speakers on the issue, as well as having the chance to question them, those speakers are experts or have strong knowledge in those fields.

Options we have looked at:

1. Self supply, which included rainwater/bores;
2. Our own community established bore supply; and
3. Council supply

From this, as a Panel, we ruled out the community established bore supply due to the significant costs and admin involved to set this up.

Which has left us with Options 1 and 3.

Part of the process involved a lot of debate regarding which option the panel would as a majority support. While many of us have raised issues in regard to the costs that would be involved to set each of these options up. The majority has come to the conclusion that would Council supply would be the best option. While we understand those that already are on self-supply may continue to do so, and do not want to be forced to pay a targeted water rate. We believe that, if all our recommendations are approved by the Council, this would look like a more futurely viable option that is beneficial for the community as a whole, not just individual homes. This includes increased firefighting capacity, increased property value, development in the community, and especially a guaranteed and safe water supply for all residents.

This recommendation relied heavily on Fonterra's contribution being applied to the 15% the Waitoa community is responsible for.

## Recommended Option

The Panel recommends Council Supply on the understanding that the Waitoa ratepayers are liable for 15% of the project cost.

The rationale:

- The option is safe and reliable
- The option provides future proofing with modern infrastructure
- The option provides firefighting capacity
- The option absolves residents of the responsibility for maintenance
- The option is the most economically viable proposal
- The option adds value to the Waitoa community
- Fonterra's contribution towards the Waitoa community is a pivotal factor for getting full Panel support for this decision and it would only apply to the Council Supply option.



## Sub-recommendation 1: Funding contributions

1. The Panel recommends that Council honour the original intent of Fonterra’s contribution by applying the \$500,000 towards the 15% contribution cost for the impacted Waitoa residents.

The rationale:

- Fonterra’s contribution has consistently been communicated by senior management as a dedicated fund to support Waitoa residents affected by the water supply issue. Council representatives have been present during these discussions and are therefore aware of the intent behind this commitment.



## Sub-recommendation 1: Funding contributions cont.

2. The Panel recommends Council allocate the pro-rata funds from the sale of the Waitoa community hall, of \$386,000 toward reducing the project costs for those households affected by the transition to Council water supply (130 out of 209 residents). Applying the funds on a clearly defined pro-rata basis—distributed only among the residents impacted by the water supply change—ensures transparency, fairness, and continuity in how historic community contributions are used

The rationale:

- The Waitoa community contributed to the former community hall through their rates, and the funds generated from its sale represent a community asset originally paid for by local residents.

Suggestion: If Council were to consider applying Fonterra's contribution to expedite the front-loaded design and preparatory works for the Waitoa water supply upgrade, the Panel recommends any expenditure of these funds in the early stages should be recognised within the total project budget and credited against the 15% community contribution required from impacted Waitoa residents. This ensures that Fonterra's contribution continues to directly benefit the affected community in a transparent and equitable manner.

## Sub-recommendation 2: Get the process moving

The Panel recommends that Council move with speed to begin the design and tendering process to reduce the effects of inflation on cost and reduce impacts from the transition to Waikato Waters Ltd.

The Panel would like Council to consider the most economic and strategic route including the benefits that the route via SH26 may provide to the wider district and the Waihou community if they were to also migrate to Council Supply.

The rationale:

- Inflation will see costs increase over time which could make contributions from the Waitoa residents unfeasible.
- Delaying the project start date will reduce the impact of fixed-dollar contributions from other parties (see sub-recommendation 1)
- Discussion on Waitoa Water has been ongoing for decades and needs to be actioned.
- The transition of water management from Matamata-Piako District Council to Waikato Waters Ltd. will cause delays; action to reduce the effects of these delays must be prioritised.



## Sub-recommendation 3: Repayment plans

The Panel recommends that 4 repayment options be available:

- Upfront (no interest);
- 3 years;
- 5 years; and
- 7 years

The Panel want it guaranteed that any interest will be fixed at a reasonable rate over the period chosen by the ratepayer and does not fluctuate with the Council's loan's interest.

The Panel recommends that the Council communicates the various options available to assist those that may have financial issues, e.g. rebates and advanced rate payments.

The rationale:

- Due to different financial circumstances of households, multiple options should be provided.



## Sub-recommendation 4: Communication to the District

The Panel recommends that Council gives clarity in the wider district council consultation process about the history and specific issues faced by the Waitoa community. This must include the original intent of the Fonterra water supply system, why the system is no longer feasible, and the challenges to obtain safe and reliable drinking water for the Waitoa community.

The rationale:

- The history of water in Waitoa is unique and complicated.
- Multiple options have been explored and the wider district should be aware of the reasoning for the recommendation.
- That Fonterra has offered support to move the Waitoa community to Council Supply.
- The wider district should be aware of the contributions being made from any other parties (see recommendation 1).
- All communities have the right to safe, reliable, and clean drinking water.



## Other options considered

The Panel explored and rejected a Self Supply/Community Bore option. Though households with self-supply systems exist, this option is not viable for the majority of households with no current self-supply. The Panel were persuaded by the benefits to the greater community of Council Supply.

The rationale:

- High initial set up cost for clean and safe water
- High maintenance cost for clean and safe water
- No guaranteed security of supply
- High cost getting water in if needed
- Bores and tanks are not viable on most Waitoa properties with regards to septic systems conflicting with regulation

## 7 Pūrongo me whakatau | Decision Reports

# 7.7 Te Manawhenua Forum Chair's Remuneration

CM No.: 3119342

## Te Kaupapa | Purpose

The purpose of this report is to seek Council's approval of the proposed remuneration of Te Manawhenua Forum Chairperson being effective from the date of appointment following local government elections.

## Rāpopotonga Matua | Executive Summary

The remuneration of Te Manawhenua Forum Chairperson has remained the same since the Forum was established in 2004. The current meeting fee is \$250 per meeting (plus vehicle kilometres), the Chairpersons meeting fee is the same amount as members of the Forum. This report recommends an increase to the remuneration to \$3,500 excl. GST per annum. This represents approximately six formal meetings/workshops per annum but this may vary depending on workload. Note where applicable, vehicle kilometres can be claimed in addition to the per annum remuneration

## Tūtohunga | Recommendation

That:

1. **Te Manawhenua Forum Chairperson remuneration is set at \$3,500 excl. GST per annum. This represents approximately six formal meetings/workshops per annum but this may vary depending on workload. Note where applicable, vehicle kilometres can be claimed in addition to the per annum remuneration.**
2. **The remuneration be effective from the date of appointment following local government elections being 5 November 2025.**

## Horopaki | Background

On 5 November 2025, Council re-established Te Manawhenua Forum mō Matamata-Piako (Forum) following the local government election in accordance with the Heads of Agreement. The purpose of the Forum is to consider any matter to promote the social, economic, environmental and cultural wellbeing of Māori communities. This may include, but is not limited to, contributing to policy development, input into special projects and reserve management processes.

Following the local government election, Hinerangi Vaimoso was appointed as Chairperson in support of the Forum's decision on 1 April 2025.

In setting an appropriate level of remuneration for the Chair considerations included:

- Effective leadership of the Forum to achieve its aims and objectives. Specifically with advancing initiatives where partnerships with mana whenua are essential:
  - The development of the District Plan and Resource Management reforms
  - Climate adaptation and resilience planning across the district
  - Co-design opportunities for cultural recognition projects within the district
  - Ongoing infrastructure planning

- Provide support and leadership to the Mayor, Council Chief Executive Officer and senior management.
- Remuneration for similar roles.

At present, the forum meet approximately six times per year, as either formal meetings or workshops. The proposed annual fee would cover all formal meeting and formal workshop preparation time, attendance at meetings and time following the meeting/workshop including any reporting to Council.

### Ngā Take/Kōrerorero | Issues/Discussion

The Heads of Agreement states that remuneration is to be provided through a meeting allowance and mileage reimbursement, with the meeting allowance set by Council. The Heads of Agreement is currently under review.

When the Forum was established in 2004, the fee for the Chairperson (and Forum members) was set at \$250 per meeting. This amount has not changed since 2004.

### Mōrearea | Risk

There is risk of not retaining a Chairperson if the role is not remunerated appropriately.

### Ngā Whiringa | Options

Option One – Increase (recommended option)
Description of option
Te Manawhenua Forum Chairperson remuneration is set at \$3,500 excl. GST per annum, this represents approximately 6 formal meetings/workshops per annum but this may vary depending on workload. Note where applicable, vehicle kilometres can be claimed in addition to the per annum remuneration.
Option Two – Status Quo
Description of option
A fee of \$250 excl. GST is paid per meeting. Note where applicable, vehicle kilometres can be claimed in addition to the meeting fee.

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

#### 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

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.

### 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

All of the above community outcomes are relevant to this report.

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

The cost of the increase is to be covered by the existing budget, with increased engagement and more members attending meetings we are reviewing the budget for 2026/27 as part of the Annual Plan process

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

## Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Kaiārahi Kāwana   Governance Team Leader</b>	
Approved by	Sandra Harris <b>Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships and Governance Manager</b>	
	Kelly Reith <b>Hautū Rangatōpū, Tāngata me ngā Hononga   Group Manager Corporate, People &amp; Relationships</b>	
	Ash Tanner <b>Mayor</b>	

## 7 Pūrongo me whakatau | Decision Reports

# 7.8 Delegation to Te Manawhenua Forum

CM No.: 3124563

## Te Kaupapa | Purpose

The purpose of this report is for Council to consider a financial delegation of \$5000 to Te Manawhenua Forum mō Matamata-Piako to support iwi-led initiatives to recognise dates of significance to Māori (e.g. Waitangi Day and Matariki).

## Rāpopotonga Matua | Executive Summary

Council is asked to consider a financial delegation of \$5,000 to Te Manawhenua Forum mō Matamata-Piako to support iwi-led initiatives that recognise dates of significance to Māori, such as Waitangi Day and Matariki.

Historically, Council partnered with the Forum to deliver Waitangi Day events, but recent cancellations and the introduction of Matariki as a public holiday have led to a reactive grant process. The Forum has indicated a preference for formalising this approach and taking responsibility for managing the funding.

Three options were considered:

1. **Delegate \$5,000 to Te Manawhenua Forum** – enables the Forum to lead and develop a grant framework. (*Recommended*)
2. **Status quo** – continue annual reviews and staff-led processes.
3. **Establish a Council-led grant policy** – formalises the process but retains Council control.

The recommended option supports iwi-led initiatives, strengthens partnerships with manawhenua, and aligns with Council's community outcomes. Funding would be reallocated from the existing Waitangi Day budget, with no additional cost to Council.

## Tūtohunga | Recommendation

That:

1. **Council give Te Manawhenua Forum mō Matamata-Piako a financial delegation of up to \$5000 to support iwi-lead events, programmes or initiatives related to Matariki or Waitangi day.**

## Ngā Take/Kōrerorero | Issues/Discussion

Historically, Council has worked alongside Te Manawhenua Forum to deliver a Waitangi Day event for the community. This event typically rotated around the district, and was a family-focussed day out, with a cultural and educational element. However, events in 2021, 2022, and 2023 were cancelled due to Covid-19 restrictions, and a severe weather event. These cancellations lead to annual discussions with the Forum on how best to proceed with recognising these dates of significance. In 2023, 2024, and 2025 the funding previously allocated to Waitangi Day was made available to Iwi organisations using a grant framework. With Matariki being made a public holiday in 2022, the same funding pool and process was also applied for Matariki.

The grant framework used was based on Council's District Events Fund (now disestablished), but reflecting some key criteria that Council had identified – for example:

- A maximum grant of \$1000
- Applications should be from members of Te Manawhenua Forum (Ngāti Hauā, Ngāti Rāhiri-Tumutumu, Raukawa, Ngāti Maru, Ngāti Whanaunga, Ngāti Pāoa, Ngāti Hinerangi and Ngāti Tamaterā), or a community group with the support of an Iwi Trust.
- Events/activities must take place within the Matamata-Piako District
- Events/activities should be open to all, and free or low cost

The grants were awarded and administered by staff – but as a reactive initiative. i.e. with the support of Te Manawhenua Forum and Council, using the best available process and framework, but no underlying policy.

At the October 2025, Te Manawhenua Forum meeting, staff workshopped with the Forum appropriate ways for Council to support key events in the calendar year. The consensus was that the Forum valued the grant process that had been implemented in recent years and would like it formalised.

This was discussed again at the 9 December Te Manawhenua Forum meeting, with the resolution passed that:

*Te Mana Whenua Forum request Council delegation of \$5000 to support iwi-lead events, programmes or initiatives related to Matariki or Waitangi day.*

The direction from the Forum was that pending Council approval of this financial delegation, they would like staff support to develop a grant policy and criteria to support Waitangi Day and Matariki events. Putting a policy in place (rather than making a grant available at short notice annually) would support better event planning and ensure funding is fairly managed and distributed.

Providing the Forum the delegation/responsibility for this funding would enable them to implement such a grant, but also allows provides the Forum the opportunity to review this annually as part of their work programme planning.

## **Ngā Whiringa | Options**

<b>Option One</b>	
<b>Delegate \$5000 to Te Manawhenua Forum</b>	
<p>Council give Te Manawhenua Forum a financial delegation of \$5000 for supporting iwi-led initiatives (e.g. Waitangi Day and Matariki).</p> <p>This is the option requested by Te Manawhenua Forum.</p>	
<b>Advantages</b>	<b>Disadvantages</b>
Supports and promotes iwi-led initiatives to recognise dates of significance to Māori	Te Manawhenua Forum may choose to allocate this funding to events or activities that Council would otherwise not have supported.
Allows the Forum to review the grant/events and make choices that strategically align with their work program. Te Manawhenua Forum would be taking the lead – rather than MPDC staff.	

Enables a Forum-led grant framework to be developed (i.e. a more rigorous funding process, developed and supported by Te Manawhenua forum)	
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## Option Two

### Status quo – review the funding and approach taken annually

Council could continue with the current approach. This involves staff taking the events discussion to Te Manawhenua Forum for direction at least once per year, and then seeking endorsement from Council on the Forum's preferred approach.

Advantages	Disadvantages
Low commitment (i.e. funding and approach can be easily reviewed)	Reliant on Council staff to take the lead in initiating conversations about Waitangi Day and Matariki with Te Manawhenua Forum
Supports and promotes iwi-led initiatives to recognise dates of significance to Māori	Limited certainty for manawhenua in what funding is available/events will be supported. Often results in short notice or incomplete grant applications.
	No established grant policy and criteria for awarding funding creates some risk for Council if challenged.

## Option Three

### Do not provide Te Manawhenua Forum delegation, but put a grant policy

If Council does not wish to provide Te Manawhenua Forum with financial delegation, a third option would be to establish a Waitangi and Matariki Grant. The Forum could provide input into the policy, process and criteria.

Advantages	Disadvantages
Supports and promotes iwi-led initiatives to recognise dates of significance to Māori	Does not give Te Manawhenua Forum flexibility to undertake other activities (e.g. deliver an event) where that would better align with their work program.
Enables a grant framework to be developed (i.e. a more rigorous funding process supported by Te Manawhenua forum). This would formalize the approach currently taken, and allow staff to be more proactive.	

## Recommended option

Option one is recommended to Council by Te Manawhenua Forum mō Matamata-Piako.

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

### 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 recommendation is for a Financial Delegation in accordance with this Act.

### 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

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.

## 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
<b>TŌ MĀTOU WHAKAKITENGA   OUR VISION</b>  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.'	
<b>TŌ MĀTOU WHĀINGA MATUA   OUR PRIORITIES (COMMUNITY OUTCOMES)</b>	

			
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 with people at its heart
  - Prioritise community grants that enhance placemaking
  - Be the connector between our community, iwi, NGOs and government agencies
- A place to belong and create
  - Genuine partnerships with manawhenua

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

There is currently \$5000 earmarked in Council's budgets for a Waitangi Day event. It is proposed that this funding be reallocated to support the recommendation in this report. This would mean the funding would shift from a Council-led 'Corporate Events' budget, to sit in the Te Manawhenua Forum budget (i.e. it is a change in responsibility for existing funds, not a request for additional funds).

It is worth noting that:

- There is no current budget provision for Matariki events.
- As of 2024, the District Event Grant was disestablished, and is no longer available as a funding source for Matariki (or other Iwi-led) events. However, Matariki events or other Iwi-led activities may still be considered through the single-year grants process, with funding rounds in February and August each year.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

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**Ngā waitohu | Signatories**

Author(s)	Jenni Cochrane <b>Hautū Wheako Kiritaki   Group Manager Customer Experience</b>	
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Approved by	Jenni Cochrane <b>Hautū Wheako Kiritaki   Group Manager Customer Experience</b>	
	Manaia Te Wiata <b>Tumu Whakarae   Chief Executive Officer</b>	

7 Pūrongo me whakatau | Decision Reports

## 7.9 Draft Land Transport Bylaw - Adoption for Public Consultation

CM No.: 3120100

### Te Kaupapa | Purpose

The purpose of this report is to seek Council's adoption of the draft Land Transport Bylaw 2026 and associated Statement of Proposal for consultation.

### Rāpopotonga Matua | Executive Summary

This report seeks Council approval to adopt the draft Land Transport Bylaw 2026 (Bylaw) and associated Statement of Proposal for public consultation in early 2026. The Bylaw has been reviewed to ensure compliance with legislation, improve clarity and enforceability, and address emerging transport issues within Matamata-Piako.

Key provisions include an updated purpose, definitions, rules for parking and road use, and measures to prevent hazards such as prohibiting the discharge of substances, including livestock effluent, onto roads.

Adoption of the draft Bylaw and Statement of Proposal will enable Council to seek community feedback through a formal consultation process, there will be an opportunity provided for persons to present their views to Council, and deliberations to be held prior to final adoption.

This represents an amendment of the existing Land Transport Bylaw 2008 (amended 2022). Because the Bylaw is being amended rather than replaced, the statutory review timeline remains at 10 years, so will be due for next review in 2036.

The following is attached for approval:

- Draft Land Transport Bylaw 2026 with changes made since the workshop discussion held on 26 November 2025 noted in red text for ease of reference and transparency.
- Draft Land Transport Bylaw 2026 – clean copy (for consultation).
- Statement of Proposal.

## Tūtohunga | Recommendation

That:

1. The report be received.
2. Council determines that in accordance with section 155(1) of the Local Government Act 2002, a Bylaw (in the form of a Land Transport Bylaw) is the most appropriate way of addressing the perceived problems.
3. Council determines that the draft Land Transport Bylaw 2026 meets the requirements of section 155 of the Local Government Act 2002, in that it:
  - i. is the most appropriate form of bylaw;
  - ii. does give rise to implications under the New Zealand Bill of Rights Act 1990 but is considered reasonable, proportionate and consistent with that Act;
4. Council approves the draft Land Transport Bylaw 2026 (clean copy) for consultation as part of a statutory review of the Land Transport Bylaw 2008 (amended 2022) in accordance with sections 158 to 160 of the Local Government Act 2002.
5. Council approves the Statement of Proposal for the draft Land Transport Bylaw 2026.
6. Council authorise staff to make any minor amendments (including the inclusion of Te Reo Māori headings) needed to the draft Land Transport Bylaw 2026 and Statement of Proposal prior to consultation.

## Horopaki | Background

### Requirement to Review

The Land Transport Bylaw 2008 (Amended 2022) is scheduled for review in 2027 in accordance with the requirements of the Local Government Act (LGA). Under section 158, a bylaw must be reviewed no later than five years after it was first made and then at least once every ten years thereafter.

This bylaw was last reviewed in 2017 and amended in 2022. However, this review has been brought forward to align resources with the upcoming Long Term Plan project.

The scope of the last review was to ensure the bylaw remained fit for purpose, aligned with best practice, and complied with the Land Transport Act 1998 and Land Transport Rule: Setting of Speed Limits 2003.

Focus areas:

- Speed limits: Designating urban traffic areas and setting enforceable speed limits.
- Technical improvements: Updating terminology, references, and definitions for clarity and consistency.
- Safety enhancements: Improving safety around schools and clarifying mobility parking provisions.

The current bylaw can be accessed here: [Land Transport Bylaw 2008 \(Amended 2022\)](#).

The objectives of the review of this bylaw are outlined below:

- Improve clarity and readability;
- Ensure legislative compliance;
- Ensure the Bylaw is fit for purpose, reflecting Council's obligations and evolving community needs/expectations;
- Address emerging trends in land transport;
- Address operational issues, enforceability, and improvements identified.

### **Review Process**

Council is undertaking a full statutory review of its Land Transport Bylaw 2008 (Amended 2022) in accordance with sections 158 to 160 of the LGA.

The review commenced in August 2025. With local body elections occurring during the review period, key matters were examined by both the previous and the incoming Council.

Below is a summary of the feedback and discussions that have informed the draft Bylaw:

<b>Date and Meeting</b>	<b>Purpose</b>	<b>Issues Discussed</b>
13 August 2026  Initial Council workshop (previous triennium)	This workshop highlighted primary issues identified (Customer request analysis and operational feedback) and options for the review.	<p>Council directed staff to undertake a streamlined review of the bylaw to improve readability and clarity and ensure compliance with legislative requirements.</p> <p>Council also provided direction to remove detail such as stock permit condition provisions for relocation to a more appropriate framework and to include a shared pathways schedule.</p> <p>Council identified risks to road and infrastructure integrity from heavy vehicles, stock, and run-off, and noted parking challenges, particularly in Morrinsville.</p>
20 August 2025  Te Manawhenua Forum mō Matamata-Piako (previous triennium)	The Forum was invited to provide feedback to inform the review.	<ul style="list-style-type: none"> <li>• Concerns raised regarding parking issues at Marae during tangihanga, particularly at Raungaiti – located on State Highway 27, with a 100km road turn off into the property.</li> <li>• Complaints received regarding shared pathways.</li> <li>• Concerns raised about parking near urupā and the dangers of fast-moving traffic.</li> </ul>
7 October 2025  Te Manawhenua Forum mō Matamata-Piako	To provide an update on review progress, and revisit feedback from the initial workshop.	<p>Key Feedback and Staff Responses:</p> <p><b>Parking at Marae during tangihanga (Raungaiti Marae)</b></p> <p>Staff noted that parking on private property is outside the scope of the bylaw review but committed to ongoing engagement with Raungaiti Marae and NZ Transport Agency</p>

Date and Meeting	Purpose	Issues Discussed
		<p>Waka Kotahi regarding speed limits and event parking needs.</p> <p><b>Recognition of Te Tiriti o Waitangi</b></p> <p>The Forum suggested including reference to Te Tiriti obligations. Staff advised that these obligations apply across Council functions under the LGA and Resource Management Act 1991. Council's existing policies and bylaws do not generally expressly mention Te Tiriti obligations – as these apply across Council functions.</p> <p><b>Shared Pathway Complaints</b></p> <p>The Forum raised concerns about shared pathways. Staff confirmed wider footpaths are being developed to address complaints received, and that the bylaw will include a schedule for shared pathways.</p> <p><b>Parking near urupā and fast-moving traffic</b></p> <p>Safety concerns were noted. Staff explained that speed limits are managed through the National Speed Limit Register (no longer set through a bylaw).</p>
<p>26 November 2025</p> <p>Council Workshop</p>	<p>Review of issues and options and draft bylaw wording.</p>	<p>Council generally supported the overall direction of the bylaw review.</p> <p><b>Stock Effluent Disposal</b></p> <p>Suggested inclusion of designated area for stock effluent disposal within the draft Bylaw. This has been included in the draft Bylaw as an explanatory note.</p> <p><b>Matamata Issue (Unsafe Parking Near School)</b></p> <p>A specific issue was raised occurring in Matamata (currently being managed by the Community Protection and Compliance Team).</p> <p><b>Parking Issues</b></p> <ul style="list-style-type: none"> <li>• Staff recommend monitoring and reporting back on timed parking issues and enforcement.</li> </ul>

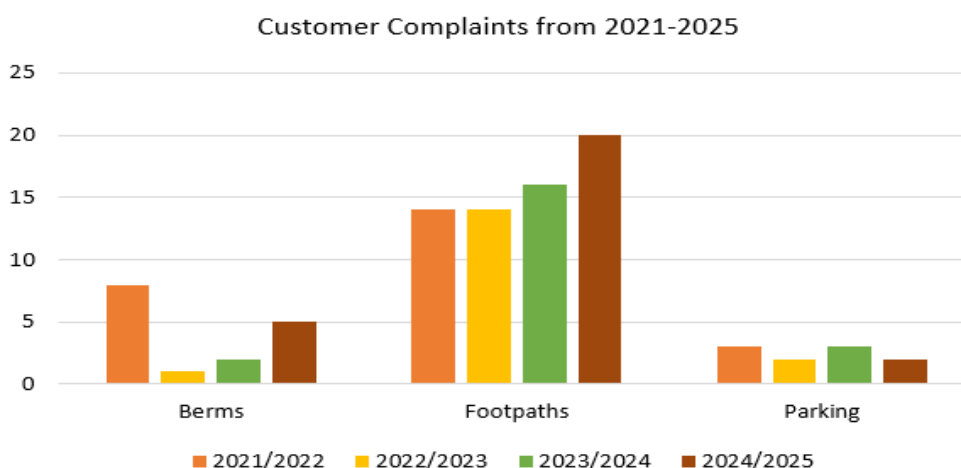
Date and Meeting	Purpose	Issues Discussed
		<ul style="list-style-type: none"> <li>Surveys will be undertaken to assess parking patterns.</li> <li>At this stage, a parking schedule is not included in the draft Bylaw.</li> <li>The current approach remains educational; however further enforcement actions can still occur under existing provisions.</li> </ul>
1 December 2025 Waharoa (Matamata) Aerodrome Committee	The Committee were invited to provide input on local transport issues.	<ul style="list-style-type: none"> <li>Operational queries regarding vegetation overgrowth on roads were raised and addressed by operational staff at the meeting.</li> <li>Concerns about traffic signage, speed, and noise were also noted. As these matters fall under NZ Transport Agency Waka Kotahi's responsibility, operational staff will liaise with Council's roading team to provide any available updates.</li> </ul>

Alongside discussion of issues raised by Council and various committees, Council staff undertook further research to support the review, including a review of customer request records and a detailed assessment of operational feedback. This analysis has been used to inform the Land Transport Bylaw review and the suggested draft changes.

The identified issues are outlined below.

### **Issues Identified**

**Customer Requests** - The graph below displays the relevancy of phrases such as 'Berms', 'Footpaths' and 'Parking' in both urgent and non-urgent roading complaints from the beginning of the 2021/22 financial year, to the end of the 2024/25 financial year.



Both berms and parking have low complaint rates compared to footpaths. It should be noted that not all of the footpath complaints were relevant to the issues that may be addressed by a Bylaw. Specifically, many complaints regarding footpaths surrounded the need for repairs and maintenance. However, some footpath complaints included:

- the use of bicycles on footpaths;
- parking over footpaths – creating poor accessibility and safety concerns for mobility scooters, prams, pedestrians, etc.;
- overgrowing vegetation, parked cars and business furniture reducing footpath usability;
- requests to remove and stop creating, or encouraging further shared pathways and cycleways.

### **Problem Definition**

Key issues identified by Council and its Committees, Council staff, and analysis of relevant CRMs include:

- Damage to roads/infrastructure from heavy vehicles, stock and run-off;
- Limited timed parking enforcement and challenges with parking availability in CBDs;
- Complaints related to footpaths (as detailed above);
- Limited flexibility to respond to emerging transport needs (e.g. mobility, shared zones);
- Limited practical use of the bylaw in its current form, including difficulty enforcing compliance due to unclear or outdated provisions.

A draft Land Transport Bylaw 2026 has been prepared for Council's consideration, with the recommendation to approve the draft for consultation. The following is attached for approval:

- Draft Land Transport Bylaw 2026 with changes made since the workshop discussion held on 26 November 2025 noted in red text for ease of reference and transparency.
- Draft Land Transport Bylaw 2026 – clean copy (for consultation).
- Statement of Proposal.

### **Ngā Take/Kōrerorero | Issues/Discussion**

Council are invited to approve the draft Land Transport Bylaw 2026 and Statement of Proposal. The following provides a summary of the proposed clauses and draft changes:

#### **Summary of Key Inclusions and Changes**

The draft Bylaw aims to manage and protect roads and footpaths under Council control, ensuring safety, accessibility, and amenity.

The draft Land Transport Bylaw has been simplified to improve readability and clarity of purpose. Applicable definitions have been incorporated from Council's Introductory Bylaw 2020 so that this bylaw can operate as a standalone document, rather than forming part of the Consolidated Bylaw 2008. Explanatory notes have also been added to provide context and assist understanding; these notes do not form part of the bylaw and can be updated without formal amendment.

The following inclusions and changes are recommended to modernise the bylaw, improve clarity, and strengthen provisions to support a safe and efficient transport network.

Topic	Summary of Key Inclusions	Summary of Draft Changes
<b>Purpose</b>	<p>The purpose of the draft Bylaw has been amended to:</p> <ul style="list-style-type: none"> <li>• manage and protect the Roads and Footpaths under the control of the Council, and</li> <li>• protect the safety, accessibility and amenity of the transport network for all users.</li> </ul>	<ul style="list-style-type: none"> <li>• The purpose has been refined to focus on managing and protecting Council's roading assets and ensuring safety, accessibility, and amenity for all road users.</li> </ul>
<b>Roads and Footpaths</b>	<ul style="list-style-type: none"> <li>• Prohibiting placement of objects or hazards on roads.</li> <li>• Restrictions on leaving vehicles, repairing vehicles, or displaying goods on roads.</li> <li>• Prohibitions on activities that damage roads, with cost recovery for repairs.</li> <li>• Protection of traffic signs from damage or removal.</li> <li>• Controls on vegetation for visibility and safety.</li> </ul>	<ul style="list-style-type: none"> <li>• No placing objects on roads without Council approval.</li> <li>• Prohibits unsafe activities like repairing vehicles on roads (except where repairs are needed following an accident or breakdown), spilling materials, or discharging stock effluent.</li> <li>• Updated rules for rubbish and recycling bins – instead of a fixed 48-hour limit, bins must not stay out for an unreasonable time (as deemed by an Enforcement Officer).</li> <li>• Vehicles parked on roads or public places must be moved if asked by an authorised officer to keep traffic flowing.</li> <li>• Prohibits planting of vegetation within the road corridor without prior approval; Council may remove any unauthorised encroachments at the owner's cost.</li> <li>• Prohibits activities that cause or may cause damage to roads; Council may recover costs for repairs resulting from breaches.</li> </ul>
<b>Traffic and Parking</b>	<ul style="list-style-type: none"> <li>• Rules for parking and standing vehicles, including: <ul style="list-style-type: none"> <li>◦ Compliance with Council-imposed restrictions (signs/road</li> </ul> </li> </ul>	<p><b>Boat Launching Ramps</b></p> <ul style="list-style-type: none"> <li>• Introduces rules for boat ramps: use is restricted to launching or retrieving</li> </ul>

Topic	Summary of Key Inclusions	Summary of Draft Changes
	<p>markings).</p> <ul style="list-style-type: none"> <li>Prohibitions on parking on footpaths, berms, medians, and landscaped areas unless authorised.</li> <li>Restrictions on advertising vehicles, long-term parking of immovable vehicles, and placement of machinery or containers on roads.</li> <li>Mobility parking provisions (permit display and extended time allowances).</li> <li>One-way roads, turning restrictions, and traffic prohibitions (with schedules for future updates).</li> <li>Heavy motor vehicle parking limits in urban areas.</li> <li>Boat launching ramp use restrictions.</li> <li>Weight and load limits for bridges and culverts.</li> </ul>	<p>boats unless otherwise authorised by Council.</p> <ul style="list-style-type: none"> <li>Vehicles cannot park on ramps or approaches longer than necessary or block ramps.</li> <li>Approved locations listed in Schedule 4.</li> </ul> <p><b>Heavy Vehicles</b></p> <ul style="list-style-type: none"> <li>Schedule 3b removed and incorporated into the body of the draft Bylaw.</li> <li>Removes the requirement for accommodation operators to obtain written approval from all occupiers of properties within 30 metres of the heavy vehicle parking site.</li> </ul>
<b>Vehicle Crossings</b>	<ul style="list-style-type: none"> <li>Requirement for Council approval for construction, repair, or removal of crossings.</li> </ul>	
<b>Stock Movement</b>	<ul style="list-style-type: none"> <li>Permit requirement for moving stock on roads.</li> <li>Powers for authorised officers to intervene for safety.</li> <li>Provision for stock underpasses where movements exceed limits.</li> </ul>	<ul style="list-style-type: none"> <li>Removes detailed permit application and condition requirements from the draft Bylaw.</li> </ul>
<b>Shared Pathways</b>	<ul style="list-style-type: none"> <li>Designation and rules for shared pathways.</li> <li>Restrictions on motor vehicle use except for maintenance or authorised access.</li> <li>Council powers to set priorities and prohibit unreasonable use.</li> </ul>	<ul style="list-style-type: none"> <li>Introduces a schedule of shared pathways.</li> </ul>
<b>Offences and Enforcement</b>	<ul style="list-style-type: none"> <li>Offences for breaching bylaw provisions.</li> <li>Council powers to request vehicle movement, seize and impound property, and recover costs.</li> <li>Enforcement includes education, warnings, infringement notices, and prosecution.</li> </ul>	<ul style="list-style-type: none"> <li>Includes provisions for Council to seize and impound property used in breach of the bylaw.</li> </ul>
<b>Defences and Exempted</b>	A person is not in breach of the draft Bylaw if they can show that the act or	

Topic	Summary of Key Inclusions	Summary of Draft Changes
<b>Vehicles</b>	<p>omission:</p> <ul style="list-style-type: none"> <li>Complied with directions from an Enforcement Officer, Parking Warden, or traffic control device;</li> <li>Was necessary for an Enforcement Officer or Parking Warden to perform their duties; or</li> <li>To recover escaped stock.</li> </ul> <p>The draft Bylaw does not apply to:</p> <ul style="list-style-type: none"> <li>Emergency vehicles responding to emergencies;</li> <li>Utility provider vehicles engaged in emergency repairs;</li> <li>Council vehicles or contractors performing statutory functions;</li> <li>Any vehicle with Council permission.</li> </ul> <p>Additionally, parking restrictions and traffic prohibitions do not apply to medical practitioners (e.g., doctors, nurses, midwives) attending emergencies.</p>	
<b>Schedules</b>	<ul style="list-style-type: none"> <li>One-way roads.</li> <li>Turning restrictions and traffic prohibitions (may be added by Council in the future).</li> <li>Boat launching ramps.</li> <li>Weight restrictions for bridges and culverts.</li> <li>Shared pathways.</li> </ul>	<ul style="list-style-type: none"> <li>Schedules revised, including the removal of reference to revoked bylaws and stock movement graph.</li> </ul>

**Note that the draft Bylaw only applies to local roads under the control of Council, not State Highways (as these are managed by New Zealand Transport Agency Waka Kotahi).**

**Provisions Not Included in Draft Bylaw:**

- There are currently no provisions included in the draft Bylaw for cruising, engine braking, and detailed load measurement requirements or specific provisions for timed parking. Some provisions (e.g. property numbering, advertising displays, and pedlars) are covered within Council's Community Safety Bylaw.
- Schedules for turning restrictions and traffic prohibitions are currently placeholders (empty), however the framework exists for Council to make future updates.

## **Mōrearea | Risk**

When considering the adoption of the draft Land Transport Bylaw 2026 and Statement of Proposal for community consultation, several risks should be acknowledged.

Legal risks may arise if the draft Bylaw conflicts with existing legislation or is considered to exceed Council's authority. To mitigate this, the draft has been reviewed for legislative compliance and alignment.

There is also a risk that some members of the community may not agree with the draft Land Transport Bylaw 2026 or specific provisions within it. This could lead to negative feedback or resistance during the consultation process. However, this risk is mitigated by providing a formal opportunity for the community to have their say during public consultation and ensuring that all views are carefully considered before finalising the Bylaw. Clear communication about the purpose of the Bylaw and how feedback will influence the final version will further reduce this risk.

## **Ngā Whiringa | Options**

Section 76 of the LGA requires Council to identify all reasonably practicable options and assess their advantages and disadvantages. These options are outlined in the Statement of Proposal as attached to this report.

The preferred option following consultation is to adopt the draft Land Transport Bylaw 2026 as proposed to the community. This represents a full statutory review and amendment of the existing Bylaw, rather than the creation of a new one. Because the Bylaw is being amended rather than replaced, the statutory review timeline remains at ten years under the LGA.

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

### Bylaw-making Powers

Council has the authority to make bylaws under two key pieces of legislation:

### **Local Government Act 2002 (LGA)**

Section 145 of the LGA empowers territorial authorities to make bylaws for the purpose of:

- Protecting the public from nuisance.
- Protecting, promoting, and maintaining public health and safety.
- Regulating activities on roads and public places under Council control.

Section 146 provides specific bylaw-making powers to regulate specific activities and protect infrastructure. This includes:

- Regulating waste management and solid waste.
- Managing the keeping of animals, bees, and poultry.
- Controlling trading in public places.
- Protecting land, structures, and infrastructure from damage, misuse, or loss, including water races, land drainage, cemeteries, and reserves.

Section 155 of the LGA requires Council to determine that a bylaw is the most appropriate way of addressing the perceived problem, that the form of the bylaw is appropriate, and that it does not give rise to any implications under the New Zealand Bill of Rights Act 1990. This is discussed further in this report and included in the recommendations.

### **Land Transport Act 1998**

The Land Transport Act 1998 gives Council (as a road controlling authority) broad powers to make bylaws for managing roads under their control. Council may make bylaws for specific purposes under section 22AB as follows:

- Vehicle and road use;
- Heavy traffic;
- Parking;
- Signs and markings;
- Livestock;
- Displays, vegetation, and access;
- Weights; and
- Pedlars.

Council may also regulate for any other road-related matters to enhance or promote road safety or to protect the environment.

Bylaws under this section can apply to all roads or specified roads, to all vehicles or classes of vehicles, and at specified times.

Council may prescribe fines, not exceeding \$1,000 for the breach of a bylaw. In addition, the bylaw is enforceable under the provisions of the Local Government Act 2002 (LGA). A person convicted of an offence against the Bylaw may be liable on conviction for a fine up to \$20,000.

These powers enable Council to adopt a Land Transport Bylaw that addresses local transport and safety issues, complements national legislation, and provides enforceable rules tailored to the district's needs.

### Section 155 Local Government Act 2002 (LGA) Assessment

Before making or amending a bylaw, Council must determine the following matters:

#### **1. Whether a bylaw is the most appropriate way of addressing the perceived problem**

Council must determine whether a bylaw is the most appropriate way of addressing the perceived problems. The draft Land Transport Bylaw 2026 addresses the issues identified during the review including:

- Managing and protecting roading assets under Council control and supporting safety of the roading network.
- Regulating vehicle parking: Unsafe parking on berms and footpaths creates hazards for pedestrians and other road users.
- Encroachment into the road corridor can obstruct visibility and create traffic hazards. The draft Bylaw provides Council with clear authority to act to prevent any safety risks.

- Addressing damage to infrastructure caused by vehicles, stock, and run-off: Heavy vehicles and stock movements can cause significant wear and tear on roads, culverts, and bridges, leading to costly repairs. A Bylaw enables Council to impose conditions and recover costs where damage occurs.
- Providing clear rules for shared pathways and parking management: Increased use of shared pathways by pedestrians, cyclists, and mobility devices requires clear local rules to prevent conflicts and ensure safe use.

Relying solely on national legislation or voluntary compliance would not adequately address these issues. National rules do not provide the flexibility to manage specific local conditions, and voluntary compliance lacks enforceability and would not ensure consistent standards across the district.

Therefore, a Bylaw is considered the most appropriate mechanism to provide enforceable local controls tailored to the district's needs. It allows Council to set clear, legally binding rules, respond to operational requirements and local concerns, and maintain the safety, accessibility, and amenity of the transport network.

## **2. Whether the proposed bylaw is the most appropriate form of bylaw**

If Council determines that a bylaw is the most appropriate way to address the identified issues, it must then consider whether the proposed bylaw is in the most appropriate form.

The draft Land Transport Bylaw 2026 is considered appropriate because:

- It complies with relevant statutory requirements;
- The draft Bylaw is organised for ease of use, with defined terms, schedules, and explanatory notes;
- Includes provisions for enforcement, penalties, and delegated authority to support effective implementation;
- Provides for reasonable exemptions to accommodate emergency services and essential activities.

The form of the draft Bylaw is considered appropriate as it is comprehensive, legally robust, and user-friendly.

## **3. Whether the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990**

Section 155 of the LGA also requires Council to consider whether the proposed Bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

The draft Land Transport Bylaw 2026 has been assessed against the Bill of Rights Act 1990. While the Bylaw imposes restrictions on certain activities (such as parking, stock movement, use of boat launching ramps etc.), these limitations are considered reasonable and justified in a free and democratic society. They are necessary to protect public safety, maintain access, and manage Council's roading assets.

The draft Bylaw does not prohibit freedom of movement or expression beyond what is required to achieve its purpose. Any enforcement powers, including seizure and impounding, are proportionate and subject to the requirements of the relevant legislation.

Although the draft Land Transport Bylaw 2026 places some limitations necessary to achieve its purpose, these are determined as reasonable and proportionate. Therefore, the draft Bylaw is considered consistent with the New Zealand Bill of Rights Act 1990.

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

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. This includes any decision not to take any action.

Having regard to the decision making provisions in the LGA and Council's Significance and Engagement Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance.

Adopting the draft Bylaw and Statement of Proposal for consultation is determined as being of medium significance because:

- The draft Bylaw affects how roads, footpaths, parking, and stock movements are managed. While important for safety and infrastructure, it does not propose fundamental changes such as financial impacts on Council or ratepayers.
- Transport and parking issues are of interest to the community, but they are not typically considered "high significance" unless major changes (e.g., large-scale prohibitions or significant costs) are proposed.
- The draft Bylaw does not involve the sale or transfer of strategic assets listed in the Significance and Engagement Policy.
- Costs relate mainly to enforcement and education, not large capital expenditure.

When making, amending or revoking a bylaw, section 156 of the LGA applies. If the bylaw relates to a matter identified in Council's Significance and Engagement Policy as being of significant public interest, or if the Council considers the bylaw will have a significant impact on the public, the special consultative procedure (section 86) must be used.

In all other cases, consultation must still occur in a way that satisfies the principles of consultation as set out in section 82, ensuring persons have reasonable access to information and provided an opportunity to provide feedback. Councils may, by resolution publicly notified, make minor changes or correct errors without full consultation, provided these do not affect any person's existing rights, interests, duties, or status.

Although the test for significance is not considered to have been met - meaning the proposed changes are not expected to have a significant impact - it is proposed that Council still undertake consultation using the special consultative procedure. This approach will allow the draft Bylaw to be consulted on alongside a number of other topics, ensuring transparency and consistency in engagement.

The special consultative procedure involves:

- Preparing a Statement of Proposal that explains the draft bylaw, reasons for it, and options considered;
- Making the proposal publicly available and inviting submissions from the community;
- Allowing a minimum of one month for people to provide feedback;
- Providing an opportunity for submitters to present their views in person if they wish;

- Considering all submissions before making a final decision.

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 in the attached Statement of Proposal.
Section 78 – requires consideration of the views of Interested/affected people	Council will share the draft Bylaw with groups/individuals that it considers will be affected or who may have an interest in the relevant issues and will give due consideration to the views and preferences received through the consultation process.
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 medium level of significance.
Section 82 – this sets out principles of consultation.	Council will seek community views using the special consultative procedure set out in section 83 of the LGA and follow the principles of consultation as per section 82.

### **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 LGA or any other enactment.

### **Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement**

Consultation will be carried out using the special consultative procedure as prescribed in the LGA alongside other topics, with staged feedback opportunities and dedicated communications for each topic starting in February 2026.

Engagement will be undertaken with interested parties and key stakeholders including freight operators, public transport operators, cycling and walking groups, disability organisations, Business Associations/Chambers of Commerce, Schools, and the general public.

### **Timeframes**





The below table sets out key dates for the consultation process:

Key Task	Dates
Draft Bylaw and Statement of Proposal approved for consultation - Council meeting	17 December 2025
Public consultation/engagement period	23 February 2026 – 17 April 2026
Hearing of Submitters (or drop-in	14 May 2026

Key Task	Dates
sessions/verbal engagement during consultation period)	15 May 2026 (if required)
Deliberations/decision-making	27 May 2026
Council meeting to adopt final Bylaw (with or without amendments following consultation)	24 June 2026
Updated Bylaw comes into force	1 July 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 review of the Land Transport Bylaw supports Council's strategic direction and community outcomes by promoting safe, accessible, and well-managed transport networks. It helps maintain the quality of local infrastructure and supports economic activity through efficient movement of people and goods.

By providing clear and enforceable rules, the Bylaw contributes to a connected, thriving community and aligns with Council's vision for a vibrant and progressive district.

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

The cost of reviewing Council's policies and bylaws is funded within existing budgets through the Strategies and Plans activity as outlined in Council's Long Term Plan 2024-2034.

## Ngā Tāpiritanga | Attachments

- A↓. Draft Land Transport Bylaw For Council Approval For Consultation - Clean Copy  
B↓. Draft Land Transport Bylaw - Tracked Changes from 26 November 2025 Workshop  
C↓. Statement of Proposal - Land Transport Bylaw for Council Approval for Consultation

## Ngā waitohu | Signatories

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Approved by	Niall Baker <b>Kaiārahi Tima Kaupapahere   Policy Team Leader</b>	
	Sandra Harris <b>Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships and Governance Manager</b>	



**Te Reo Translation 2026 | Land Transport  
Bylaw 2026**

**DRAFT – FOR CONSULTATION**

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	TBC
Resolution Date	TBC
Policy/Bylaw Effective From	1 July 2026 TBC
Policy/Bylaw Supersedes	Land Transport Bylaw 2008 (Amended 2022)
Review Frequency	10 Yearly
Review Date	1 July 2036
Engagement Required	Special Consultative Procedure (Local Government Act 2002)



## Contents

Kupu Whakataki   Introduction .....	3
1. Purpose .....	3
2. Title and Commencement .....	3
3. Review .....	3
4. Application .....	3
5. Enabling Enactment .....	4
6. Delegation .....	4
7. Definitions .....	4
8. Council's Powers .....	8
9. List of Schedules .....	9
10. Explanatory Notes .....	9
<b>Te Reo Translation   Roads and Footpaths .....</b>	<b>9</b>
11. Objects and Hazards on the Road .....	9
12. Vegetation and Encroachment .....	10
13. Activities that Damage Roads .....	10
14. Costs of Repair or Reinstatement .....	11
15. Damage to Signs .....	11
<b>Te Reo Translation   Traffic and Parking .....</b>	<b>11</b>
16. Vehicle Parking .....	11
17. Mobility Parking .....	12
18. One Way Roads .....	12
19. Turning Restrictions .....	12
20. Traffic Prohibitions .....	13
21. Parking of Heavy Motor Vehicles .....	13
22. Boat Launching Ramps .....	14
23. Weights of Vehicles and Loads over Bridges and culverts .....	14
<b>Te Reo Translation   Vehicle crossings .....</b>	<b>14</b>
24. Prohibition of Crossing Construction without Council Approval .....	14
25. Approval of constructions of crossings .....	14
26. Approval of work .....	14
27. Removal of unsafe crossings .....	15
<b>Te Reo Translation   Stock Movement .....</b>	<b>15</b>
28. Prohibition of Stock Movement without a Permit .....	15
29. Stock Movement on Roads .....	15
30. Powers of Authorised Officers at Stock Movement .....	15
31. Stock Underpass .....	16
32. Shared Pathways .....	16
<b>Te Reo Translation   Offences and Enforcement .....</b>	<b>17</b>
33. Specific Offences and Penalties .....	17
34. Defences .....	17
35. Exempted Vehicles .....	17
36. Council Request to Move Vehicle .....	18
37. Seizure and Impounding .....	18
<b>Te Reo Translation   Schedule 1: One Way Roads .....</b>	<b>20</b>
<b>Te Reo Translation   Schedule 2: Turning Restrictions .....</b>	<b>21</b>
<b>Te Reo Translation   Schedule 3: Traffic Prohibitions .....</b>	<b>22</b>
<b>Te Reo Translation   Schedule 4: Boat Launching Ramps .....</b>	<b>23</b>
<b>Te Reo Translation   Schedule 5: Weight and Load Restrictions over Bridges or Culverts ..</b>	<b>24</b>
<b>Te Reo Translation   Schedule 6: Shared Pathways .....</b>	<b>25</b>

## Kupu Whakataki | Introduction

### 1. Purpose

- 1.1 The purpose of the Land Transport Bylaw 2026 (*Bylaw*) is to manage and protect the *Roads* and *Footpaths* under the control of the Matamata-Piako District Council (*Council*), and to protect the safety, accessibility and amenity of the transport network for all users.
- 1.2 To achieve the purpose in clause 1.1 this *Bylaw* regulates:
  - a) the use of local *Roads* and *Footpaths*;
  - b) *Vehicles* on local *Roads* and *Footpaths*;
  - c) animals and *Stock* on local *Roads* and *Footpaths*.

### 2. Title and Commencement

- 2.1 This *Bylaw* shall be known as the 'Matamata-Piako District Council Land Transport Bylaw 2026'.
- 2.2 This *Bylaw* comes into force on 1 July 2026.

### 3. Review

- 3.1 This *Bylaw* is a statutory review of the previous Land Transport Bylaw 2008 (Amended 2022).

### 4. Application

- 4.1 This *Bylaw* does not apply to State Highways controlled by New Zealand Transport Agency Waka Kotahi, except for the determination and management of the transport network where delegated by New Zealand Transport Agency Waka Kotahi to the *Council*, pursuant to section 62 of the Government Roding Powers Act 1989.
- 4.2 This *Bylaw* only applies to land or buildings owned or controlled by *Council*, and areas of State Highways as identified in clause 4.1 of this *Bylaw*.
- 4.3 This *Bylaw* applies to public car parks, reserves, any *Public Place* owned and controlled by *Council* and all *Roads* vested in or under the care, control and management of the *Council*, including partial management or control.
- 4.4 The *Council* may by resolution Publicly Notified rescind, amend or vary any resolution made pursuant to any section or schedule of this *Bylaw*.

#### Explanatory notes:

*Council* and New Zealand Transport Agency Waka Kotahi hold a Memorandum of Understanding, including the Delegation Agreement between both parties.

This Memorandum of Understanding clarifies the responsibility for maintenance issues on East Waikato State Highways within the Matamata-Piako District.

**5. Enabling Enactment**

5.1 This *Bylaw* is made under the Local Government Act 1974, the Local Government Act 2002, and the Land Transport Act 1998. In addition, traffic and *Parking* issues are also regulated and controlled by other enactments and regulations, including the Local Government Act 1974 and the Land Transport (Road User) Rule 2024. These should be referred to in conjunction with this Bylaw.

**6. Delegation**

6.1 Any of the powers and functions of the *Council* as detailed and set out in this *Bylaw*, may be delegated by it, to its *Chief Executive* and sub-delegated by the *Chief Executive* to any such other *Authorised Officer*.

**7. Definitions**

7.1 For the purposes of this *Bylaw* the following definitions shall apply:

Term	Definition
<i>Act</i>	means the Land Transport Act 1998.
<i>Approved or Approval</i>	means <i>Approved</i> in writing by resolution of the <i>Council</i> or by any <i>Authorised Officer</i> so authorised on behalf of the <i>Council</i> , pursuant to this <i>Bylaw</i> or any <i>Enactment</i> .
<i>Authorised Officer or Enforcement Officer</i>	means: <ul style="list-style-type: none"> <li>Any <i>Person</i> appointed or authorised by the Council to carry out duties and exercise powers under this Bylaw, including those holding a warrant under section 177 of the Local Government Act 2002 or any other relevant Act;</li> <li>Any constable or Police employee authorised by the Commissioner of Police for enforcement purposes;</li> <li>Any <i>Person</i> appointed by warrant under section 208 of the Land Transport (Road User) Rule 2004 or who holds that office by virtue of that Rule.</li> </ul>
<i>Berm</i>	includes any uncultivated margin of a <i>Road</i> adjacent to but not forming part of either the roadway or the <i>Footpath</i> (if any) <ul style="list-style-type: none"> <li>same meaning as <i>Road</i> margin in section 1.6 of the Land Transport (Road User) Rule 2004.</li> </ul>
<i>Bylaw</i>	means the Matamata-Piako District Council Land Transport Bylaw 2026 or in the context of more general terms refers to a <i>Bylaw</i> adopted by the <i>Council</i> , made under the provisions of any <i>Enactment</i> or authority enabling the <i>Council</i> to make <i>Bylaws</i> .
<i>Chief Executive</i>	means the <i>Chief Executive</i> appointed pursuant to section 42 of the Local Government Act 2002.

<i>Class of Vehicle</i>	means the same as <i>Vehicle</i> types as defined by New Zealand Transport Agency Waka Kotahi and includes, but is not limited to: a) care and passenger <i>Vehicles</i> ; b) <i>Heavy motor Vehicles</i> ; c) heavy trailers; d) light goods <i>Vehicles</i> ; e) buses and taxis; f) boats; g) motorhomes, caravans and light trailers; h) electric <i>Vehicles</i> ; i) low powered <i>Vehicles</i> such as e-scooters, e-bikes and power assisted scooters; j) mobility scooters; k) automated and autonomous <i>Vehicles</i> ; l) cycles; m) motorbikes; n) quads and all-terrain <i>Vehicles</i> ; o) specialist <i>Vehicles</i> ; p) agricultural <i>Vehicles</i> and forklifts; and q) scooters and skateboards.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any <i>Person</i> delegated to act on its behalf.
<i>Cycle Lane</i>	means part of a roadway allocated specifically for cycle use, but which may occasionally be used for motor <i>Vehicles</i> .
<i>Cycle Path</i>	means an off-Road path for cycles to which motor <i>Vehicles</i> do not have access – it can be an exclusive <i>Cycle Path</i> , a shared use path or a separated path.
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the Matamata-Piako District Council.
<i>District Plan</i>	means the Matamata-Piako District Council <i>District Plan</i> .
<i>Emergency Vehicle</i>	means a <i>Vehicle</i> used for attendance at emergencies and operated: a) by an <i>Enforcement Officer</i> ; b) by an ambulance service; c) as a fire service <i>Vehicle</i> ; d) as a civil defence <i>Emergency Vehicle</i> ; e) as a defence force <i>Emergency Vehicle</i> .
<i>Footpath</i>	means a path or way principally designed for, and used by, <i>Pedestrians</i> ; and includes a footbridge.
<i>Freight Container</i>	means an article of transport equipment that is: a) of a permanent character and strong enough to be suitable for repeated use; and b) specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and c) designed to be secured and readily handled having fittings for this purpose.

<i>Heavy Motor Vehicle</i>	means a motor <i>Vehicle</i> that has a gross <i>Vehicle</i> mass exceeding 3500kg.
<i>Hours of Darkness</i>	means any period of time: a) between half an hour after sunset on one day and half an hour before sunrise on the next day; or b) when there is not sufficient daylight to render clearly visible a <i>Person</i> or <i>Vehicle</i> at a distance of 100 metres.
<i>Mobile Billboard</i>	includes any panel for display of advertisement in a <i>Public Place</i> that can be moved.
<i>Mobility Parking Permit</i>	means a disabled <i>Person's</i> <i>Parking</i> permit or <i>Mobility Parking Permit</i> – a) issued by CCS Disability Action Incorporated or Sommerville Centre for Special Needs Whanganui Incorporated; or b) <i>Approved</i> by the territorial authority having control of the <i>Parking</i> area.
<i>Mobility Parking Space</i>	means a <i>Parking</i> space set aside by signs or marking by <i>Council</i> for exclusive use by holders of a valid <i>Mobility Parking Permit</i> or concession from CCS Disability Action Incorporated or Sommerville Disability Support Services.
<i>Offence</i>	includes any act or omission in relation to any <i>Bylaw</i> or any part for which any <i>Person</i> can be punished either on indictment or by summary process.
<i>Owner or Occupier</i>	in relation to any property or premises, means the inhabitant <i>Occupier</i> of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the <i>Owner</i> .
<i>Park/Parking/Parked</i>	means: a) in relation to any portion of a <i>Road</i> where <i>Parking</i> is for the time being governed by the location of <i>Parking</i> meters placed pursuant to a bylaw of a local authority, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> for any period exceeding 5 minutes. b) in relation to any other portion of a <i>Road</i> , the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> .
<i>Parking Warden</i>	means a <i>Person</i> appointed to hold the office of <i>Parking Warden</i> under section 128D of the <i>Act</i> .
<i>Passenger Service and Passenger Service Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Pedestrian</i>	means any <i>Person</i> on foot.
<i>Person</i>	includes a corporation sole and a body of <i>Persons</i> , whether corporate or unincorporated.
<i>Public Place</i>	means:

	<p>a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any <i>Owner</i> or <i>Occupier</i> of the place is lawfully entitled to exclude or eject any <i>Person</i> from it; but</p> <p>b) does not include licenced premises.</p>
<i>Reserved Parking Place</i>	means any <i>Parking Space</i> which has been reserved by the <i>Council</i> for allocation to any <i>Person</i> or category of <i>Persons</i> for <i>Reserved Parking</i> and which is clearly marked by a sign, notice or number or otherwise as being not available for public <i>Parking</i> .
<i>Road</i>	<p>includes –</p> <p>a) a street; and</p> <p>b) a motorway; and</p> <p>c) a beach; and</p> <p>d) a place to which the public have access, whether as of right or no; and</p> <p>e) all bridges, culverts, ferries and fords forming part of a <i>Road</i> or street or motorway, or a place referred to in paragraph (d); and</p> <p>f) all sites at which <i>Vehicles</i> may be weighed for the purpose of the <i>Act</i> or any other enactment.</p> <p>This does not include state highways controlled by New Zealand Transport Agency Waka Kotahi.</p>
<i>Shared Pathway</i>	means a part of the <i>Road</i> that is physically separated from the carriageway that is intended for the use of both cyclists, <i>Pedestrians</i> , mobility aids and skating devices except where restricted under the Matamata-Piako District Council Community Safety Bylaw 2025.
<i>Speed Limit</i>	<p>has the same meaning as Part 2 of the <i>Act</i>.</p> <p>For further information please refer to Land Transport Rule – Setting of Speed Limits 2024.</p>
<i>Stock</i>	means live farm animals, including, but not limited any cow, ox, heifer, steer, calf, sheep, ram, lamb, goat, kid, boar, sow and pig of any kind.
<i>Stock Movement</i>	means to drive, muster, lead or herd <i>Stock</i> along or across the <i>Road</i> reserve.
<i>Vehicle</i>	<p>means –</p> <p>a) a contrivance equipped with wheels, tracks or revolving runners on which it moves or is moved; and</p> <p>b) includes a hovercraft, a skateboard, in-line skates and roller skates; but</p> <p>c) does not include –</p> <p>i. a perambulator or pushchair:</p>

	<ul style="list-style-type: none"> <li>ii. a shopping or sporting trundler not propelled by mechanical power:</li> <li>iii. a wheelbarrow or hand-trolley:</li> <li>iv. a <i>Pedestrian</i>-controlled lawnmower:</li> <li>v. a <i>Pedestrian</i>-controlled agricultural machine not propelled by mechanical power:</li> <li>vi. an article of furniture:</li> <li>vii. a wheelchair not propelled by mechanical power:</li> <li>viii. any other contrivance specified by the rules not to be a <i>Vehicle</i> for the purposes of this definition:</li> <li>ix. any rail <i>Vehicle</i>.</li> </ul>
<i>Vehicle Crossing</i>	means a place where <i>Vehicles</i> are being taken or, in the opinion of the <i>Council</i> , are likely to be taken, on to or from any land across any <i>Footpath</i> , on any <i>Road</i> or any water channel on or adjoining any <i>Road</i> .

## 8. Council's Powers

- 8.1 The *Council* may from time to time, by resolution Publicly Notified:
- a) prohibit or restrict the stopping, standing, or *Parking* of *Vehicles* on:
    - i. any *Road*, or
    - ii. any land *Owned* or *Occupied* by the *Council*, including any *Parking Place*; and/or
  - b) set aside, designate or reserve any *Road* or any land *Owned* or *Occupied* by the *Council*, which is not defined as a *Road*, as:
    - i. stopping places or stands for a specified class, classes or types of *Vehicles*, including bus stops, taxi stands and loading zones; and/or
    - ii. *Parking Places*; and/or
    - iii. reserved *Parking Areas*; and/or
    - iv. *Cycle Paths* and *Cycle Lanes*; and/or
    - v. *Shared Pathways*; and/or
    - vi. *Footpaths*; and/or
    - vii. clearways; and/or
    - viii. one-way streets; and/or
    - ix. *Stock* underpasses; and/or
    - x. lanes for *Passenger Service Vehicles*, or *Vehicles* of any other specified classes; and/or
    - xi. lanes for *Vehicles* carrying specified classes of loads or not less than specified number of occupants.
  - c) prohibit or restrict:
    - i. U-turns; and/or
    - ii. left or right turns; and/or

- iii. use of lanes or turning movements to be made by *Passenger Service Vehicles*, or *Vehicles* of other specified classes or *Vehicles* carrying specified loads or not less than a specified number of occupants; and/or
- iv. weights of *Vehicles* or loads that may pass over bridges or culverts; and/or
- v. any specified class of traffic, or any motor *Vehicle* or class of motor *Vehicle* which, by reason of its size, nature, or the nature of the goods carried is unsuitable for the use on any *Road* or *Roads*; and/or
- vi. the *Parking of Heavy Motor Vehicles*, or any specified class or description of *Heavy Motor Vehicles*, on any specified *Road* during such hours or exceeding such periods as may be specified.

8.2 The *Council* shall mark *Roads* and/or erect signs on any *Road*, or any land *Owned* or *Occupied* by the *Council* to give effect to any resolution made pursuant to clause 8.1.

8.3 The *Council* or any *Authorised Officer* who acted in good faith shall not be liable for damages due to the exercise of the above powers.

## 9. List of Schedules

9.1 The following schedules are adopted and form part of this Bylaw:

Schedule 1	One Way Roads
Schedule 2	Turning Restrictions
Schedule 3	Traffic Prohibitions
Schedule 4	Boat Launching Ramps
Schedule 5	Weight and Load Restrictions over Bridges and Culverts
Schedule 6	Shared Pathways

## 10. Explanatory Notes

10.1 Sections headed 'Explanatory notes' in this *Bylaw* are for information purposes only, and:

- a) they do not form part of this *Bylaw*; and
- b) cannot be considered in the interpretation or application of a provision of this *Bylaw*; and
- c) may be inserted, amended or removed without any formality.

## Te Reo Translation | Roads and Footpaths

### 11. Objects and Hazards on the Road

11.1 No *Person*, without the consent of *Council*, or in accordance with the provisions of this *Bylaw*, place or leave any object or thing on any *Road* other than a lawfully *Parked Vehicle*.

11.2 Without limiting the generality of clause 10.1, no *Person* shall:

- a) on any *Road* construct, rebuild, repair or make alterations to any *Vehicle*, except for repairs rendered necessary by reason of accident or breakdown; or

- b) display any article or articles whatsoever outside any shop, shop window or doorway or in any other place so as to encroach on any *Road* or *Footpath*; except as provided for in Schedule 2 – Trading in a Public Place of the Community Safety Bylaw; or.
  - c) place, pack or unpack any goods on any *Road*; or
  - d) erect any scaffolding, fence or structure of any kind on or over any *Road*; or
  - e) use any hoist or crane on or above any *Road*; or
  - f) erect or install or cause to be erected or installed any gates or doors capable of being swung over or across any *Roads*; or
  - g) being a *Person* in charge of a *Vehicle* or machine, permit any clay, gravel or other material to be carried on to any *Road*; or
  - h) permit or suffer anything to fall from any *Vehicle* onto the *Road* or having so fallen to remain on the *Road*.
  - i) discharge *Stock* effluent or similar material onto any *Road*.
- 11.3 If anything is placed on the *Road* in breach of section 10, the Council may give notice to the *Person* who put it there, or anyone responsible for or connected to it, requiring that it be removed within the timeframe stated in the notice.

**Explanatory notes:**

A *Stock* effluent disposal site is available at the Morrinsville Saleyards on Anderson Street.

**12. Vegetation and Encroachment**

- 12.1 No *Person* may, without the prior written *Approval* of the *Council*, plant or erect any tree, shrub, hedge, scrub, or other growth within any part of the *Road* corridor.
- 12.2 No *Person* may, without the prior written *Approval* of the *Council*, place, erect, or allow any structure, object, vegetation, or other item on, over, or under any part of the *Road* corridor. Any unauthorised encroachment may be removed by the Council at the *Owner's* cost.

**13. Activities that Damage Roads**

- 13.1 No *Person* shall undertake any activity that causes or may cause incidental damage to any *Road*.
- 13.2 Without limiting the generality of clause 12.1, no *Person* shall:
  - a) mix any concrete or other material of any kind on the surface of any *Road*.
  - b) cause or permit any concrete, mortar, or material of a similar nature to be swept, washed, hosed or sluiced into any *Road* or into any drain connected with any part of the *Council's* drainage or sewerage system.
  - c) use any *Vehicle* whose wheels or tracks cause or may cause damage to the surface or any part of any *Road*.

- d) drag or trail anything whether on a sledge or skids or otherwise so as to damage any *Road*.

**14. Costs of Repair or Reinstatement**

- 14.1 Without limiting any other remedies available, where a breach of this *Bylaw* results in damage to a *Road*, *Council* may carry out the necessary repairs and recover all costs incurred and associated with the repair from the *Person* responsible for the damage or any individual who committed the breach in connection with that damage.

**15. Damage to Signs**

- 15.1 No *Person* shall interfere with, damage or remove any traffic control sign.

**Te Reo Translation | Traffic and Parking**

**16. Vehicle Parking**

- 16.1 Limits on *Parking* and standing of *Vehicles* include:
  - a) no *Person* shall stop, stand, or *Park* a *Vehicle* on any car *Park*, *Public Place*, *Road*, *Reserve*, *Reserved Parking Place* or other places controlled by the *Council* which has a restriction imposed by the *Council* and evidenced by appropriate signs and/or *Road* marks.
  - b) an *Authorised Officer*, subject to such conditions as appropriate in the circumstances, may authorise the stopping, standing or *Parking* of specified *Vehicles*.
  - c) Unless authorised by an *Authorised Officer* of the *Council*, no *Person* shall stop, stand, or *Park* a *Vehicle* on any *Footpath*, *Berm*, flowerbed, shrubbery, median strip, traffic island, or ornamental verge or plot within the transport corridor, in a manner that obstructs or restricts *Pedestrian* or *Vehicle* movement, creates a nuisance, or may present a safety hazard in the opinion of an *Authorised Officer*,  
except:
    - i. with the prior written consent of the *Council*; or
    - ii. in accordance with a public notification issued by the *Council*.
  - d) in breach of any provision of any other *Council* Bylaws; or in a manner that causes damage to property or creates a nuisance or causes danger to *Road* users.
- 16.2 *Parking*, storage, and advertising restrictions state that no *Person* shall, without the prior written permission of the *Council*:
  - a) *Park* a *Vehicle* or trailer displaying advertisement or sales material on any *Road*, or any land *Owned* or *Occupied* by the *Council* including any *Parking Place*. This restriction includes *Vehicles* and trailers displayed for sale and *Mobile Billboards*.
  - b) *Park* a *Vehicle* on any *Road*, or any land *Owned* or *Occupied* by the *Council*, for any period exceeding 7 days if that *Vehicle* cannot easily be moved on at the request of an *Authorised Officer*, or if it cannot be safely driven.

- c) *Park* or place any machinery, equipment, materials, waste disposal bins or *Freight Containers* on any *Road* or *Public Place*, further conditions may be required.
- i. does not apply to those containers that are used solely for the purpose of domestic refuse or recycling as authorised by the *Council* provided that such containers are not left on any *Road* or *Public Place* for a period deemed excessive in the opinion of an *Enforcement Officer*.

**Explanatory notes:**

The regulation of *Road* use and *Parking* is primarily established under national legislation, with additional provisions made by the *Council* to address local conditions.

The applicable *Parking* and *Road* use requirements are set out in the following legislation:

- [New Zealand Road Code](#)
- [Land Transport \(Road User\) Rule 2004](#)
- [Land Transport Act 1998](#)

**17. Mobility Parking**

- 17.1 Where the *Council* has *Reserved Parking Places* operating as a *Mobility Parking Space*, the *Mobility Parking Permit* shall be displayed so that it is visible and legible through the front windscreen or on the *Vehicle* if no windscreen is fitted.
- 17.2 Any *Vehicle* displaying a valid *Mobility Parking Permit* will be permitted to *Park* in a time-restricted place for twice the time specified by *Council*, providing that the *Mobility Parking Place* is being used for the benefit of the permit holder.

**18. One Way Roads**

- 18.1 A *Person* may only drive a *Vehicle* along the *Roads* listed in Schedule 1 of this *Bylaw*, in the direction specified.

**19. Turning Restrictions**

- 19.1 Subject to erection of prescribed signs, no *Person* shall drive a *Vehicle* contrary to any turning restriction listed in Schedule 2 of this *Bylaw*.
- 19.2 The *Council* may amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to prohibit, subject to erection of prescribed signs:
- a) *Vehicles* on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (no 'U-turns'); or
  - b) *Vehicles*, or specified classes of *Vehicles*, from turning to the right or left, or from proceeding in any other direction; or
  - c) to remove a turning restriction.

**20. Traffic Prohibitions**

- 20.1 No *Person* shall drive or permit the driving of any class of motor *Vehicle* that is prohibited on specified *Roads* during restricted hours, as set out in Schedule 3 of this *Bylaw*.
- a) except for the purpose of loading/unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- 20.2 No *Person* shall *Park* or allow to *Park* any *Class of Vehicle* that is prohibited on specified *Roads*, as set out in Schedule 3 of this *Bylaw*.
- a) except for the purpose of loading/unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.

**21. Parking of Heavy Motor Vehicles**

- 21.1 No *Person* may stop, stand, or *Park* a *Heavy Motor Vehicle* for more than one hour on any *Road* in an urban area with a *Speed Limit* of 50km/h or 70km/h (as listed in the National Speed Limit Register), unless the area is located in an urban area as designated under the Matamata-Piako *District Plan*. This rule does not apply if the *Person* has *Approval* from an *Authorised Officer*.
- 21.2 It is not an *Offence* to stop, stand, or *Park* a *Heavy Motor Vehicle* on such a *Road* for the time reasonably needed to load or unload the *Vehicle*, if loading or unloading is actively taking place.
- 21.3 *Parking of Heavy Motor Vehicles* on the frontage adjacent to business or industrial zones is only permitted if, in the opinion of an *Authorised Officer*, the *Heavy Motor Vehicle* meets the following conditions:
- b) is not *Parked* within the shop specified frontage as depicted in the *District Plan*; and
- c) does not compromise the traffic safety of all *Road* users, specifically site visibility and *Pedestrian* safety; and
- d) does not block or impede access to other property; and
- e) is *Parked* fully within the formed *Road* carriageway.
- 21.4 Notwithstanding the above, *Heavy Motor Vehicles* may *Park* near hotels, motels, or other facilities offering temporary accommodation, regardless of the zone under the *District Plan*, if the *Parking* complies with the following conditions:
- a) the *Heavy Motor Vehicle* does not affect the safety of other *Road* users, including:
- i. visibility for drivers; and
- ii. *Pedestrian* safety; and
- b) the *Heavy Motor Vehicle* does not block or restrict access to any property; and
- c) the *Heavy Motor Vehicle* must be *Parked* fully within the formed *Road* carriageway.
- 21.5 *Council* may, from time to time, by resolution Publicly Notified:
- a) prohibit any heavy traffic on any maintained or unmaintained *Road* or *Roads* within the *District*; or
- b) rescind, amend or vary any such prohibition.

**22. Boat Launching Ramps**

- 22.1 Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.
- 22.2 No *Person* shall:
- a) *Park* or stop a *Vehicle* on any *Park* on a launching ramp or its approach for longer than is reasonably necessary to launch or retrieve a boat.
  - b) Drive or position a *Vehicle* on a launching ramp to retrieve a boat before the boat is ready for collection.
- 22.3 The boat launching ramps permitted under clause 21~~0~~ shall be contained in Schedule 4 of this *Bylaw*.

**23. Weights of Vehicles and Loads over Bridges and culverts**

- 23.1 The weights of *Vehicles* and loads that may pass over bridges and culverts permitted under section 21 shall be contained in Schedule 5 of this *Bylaw*.

**Te Reo Translation | Vehicle crossings**

**24. Prohibition of Crossing Construction without Council Approval**

- 24.1 Except with the permission of an *Authorised Officer*, no *Person* shall drive, ride, propel, or wheel any motor *Vehicle* across any *Footpath*, *Shared Pathway*, *Berm* or water channel in a *Public Place* otherwise than by means of a *Crossing* (whether permanent or temporary) constructed in accordance with the *Bylaws* of the *Council*.

**25. Approval of constructions of crossings**

- 25.1 Except with the prior written permission of the *Council*, no *Person* shall construct any crossing (permanent or temporary), double crossing or additional crossing, across:
- a) any *Footpath* or *Shared Pathway* on any *Road*; or
  - b) across any water channel on or adjoining any *Road*; or
  - c) repair, reconstruct or renew any existing crossing.
- 26. Approval of work**
- 26.1 Any *Person* designing the construction, repair, reconstruction, or renewal of any crossing (permanent or temporary), shall make application in writing to the *Council*, who may:
- a) consent to the applicant, to standards that the *Council* may determine; and
  - b) ensure that such work is carried out to such standards that the *Council* may determine; and
  - c) require the applicant to provide a bond for an amount specified by the *Council*, on terms and conditions determined by the *Council*, for the estimated cost of the proposed work; or

- d) refuse to carry out/permit such work to be carried out if the existence of any such crossing causes or may be likely to cause any danger or obstruction in any *Public Place*.

**27. Removal of unsafe crossings**

- 27.1 If the *Council* deem any crossing (permanent or temporary) is in an unsafe state of repair, is incorrectly located or constructed, then the *Council* may:
  - a) by notice in writing, require the *Owner* or *Occupier* of the *Premises* to provide access to the crossing to undertake necessary work in the opinion of the *Council* to remove or upgrade the crossing to suit determined standards.
- 27.2 *Council* hold the power to charge the *Owner* or *Occupier* for the cost of repair if *Council* are required to carry out necessary work to remove or upgrade the crossing.

**Te Reo Translation | Stock Movement**

**28. Prohibition of Stock Movement without a Permit**

- 28.1 No *Person* shall move any *Stock* on any *Road* in the *District* unless a valid *Permit* is held and the *Stock Movement* takes place in compliance with the *Permit*.

**29. Stock Movement on Roads**

- 29.1 The following are standard conditions for *Stock Movement* on *Roads*:
  - a) *Stock* shall always move at a rate of progress of not less than 1 kilometre per hour. This provision does not apply during *Stock* rest or overnight periods.
  - b) *Stock* shall be controlled at all times during the movement and shall give way to *Vehicles* travelling along the *Road*.
  - c) The *Permit* holder must indemnify the *Council* against any liability for damage to the *Road*, nearby property, or any other loss caused directly or indirectly by the movement of the *Stock*.
    - i. The *Council* may require proof of suitable public liability insurance or another acceptable form of indemnity.
    - ii. If the *Council* does not request this or set a specific liability amount, it does not waive or limit its right to be indemnified.
  - d) The *Permit* holder shall comply with the applicable requirements of the relevant Manuals or Codes of Practice of the New Zealand Transport Agency adopted by the *Council*, at the time of issuing of a *Permit* and which are imposed on the *Permit* as a specific condition of the *Permit*.
  - e) No *Stock* shall be driven during the *Hours of Darkness*, except for the purpose of returning escaped *Stock* to the nearest secure area.

**30. Powers of Authorised Officers at Stock Movement**

- 30.1 If an *Authorised Officer* is present during *Stock Movement* and concludes that actions taken to comply with a *Permit* requirement instead creates or exacerbates unsafe conditions or are impractical/unreasonable, a temporary dispensation may be granted.

- 30.2 When the *Stock Movement* may create or exacerbate conditions that threaten life, health or the safety of *Persons*; or has the potential to cause serious damage to property, an *Authorised Officer* who is present, may:
- a) refuse to allow the *Stock Movement* to proceed to avert the risk; or
  - b) direct the *Permit* holder to take all necessary steps to minimise the risk.
- 30.3 An *Authorised Officer* who has acted in terms of clause 29.2 shall report this to the *Council* in writing as soon as practicable, where the *Council*, shall consider the possible revocation of the *Permit* or amendment to its conditions.
- 31. Stock Underpass**
- 31.1 Where *Stock Movement* across a *Road* will be in excess of the limits, *Council* may require the applicant to construct an *Approved Stock* underpass that meet the requirements of the *Council*.
- 32. Shared Pathways**
- 32.1 The *Council* may from time to time, by resolution Publicly Notified:
- a) the length, route and/or location of a *Shared Pathway*; and
  - b) the priority for users on a *Shared Pathway*; and
  - c) that no person may use a *Shared Pathway* in a manner deemed unreasonable or inappropriate by the *Council*.
- 32.2 All pathways will be deemed to be *Shared Pathways*, as defined under clause 7 of the *Bylaw*, if identified by official Matamata-Piako District Council Shared Pathway signage and shall be treated as such 24 hours a day, 7 days a week.
- 32.3 Where any land has been designated or reserved as a *Shared Pathway* any *Person* using that *Shared Pathway* shall have full regard for other users.
- 32.4 No *Person* shall operate any motor *Vehicle* (not including mobility aids) on any *Shared Pathway* except where a motor *Vehicle* is driven:
- a) into a vehicular entrance over a *Shared Pathway*; or
  - b) for the purpose of maintaining any land or infrastructural or network utility, adjacent to or within the *Shared Pathway*; or
  - c) with permission of an *Authorised Officer*, no reasonable alternative access is available, and due consideration is given to periodical access for *Pedestrians* and/or cyclists; or
- 32.5 The *Shared Pathways* permitted under clause 31 shall be contained in Schedule 6 of this *Bylaw*.

**Explanatory notes:**

*Classes of Vehicles* are included in restrictions and prohibitions within this section of *Shared Pathways* and the entire *Bylaw* unless specifically exempt.

Certain Low-powered *Vehicles* do not require registration or a driver licence

<https://www.nzta.govt.nz/vehicles/vehicle-types/low-powered-vehicles>

**Te Reo Translation | Offences and Enforcement**

**33. Specific Offences and Penalties**

- 33.1 A *Person* commits an *Offence* against this *Bylaw* and is liable on summary conviction to the penalty set out in the Local Government Act 2002, who:
- a) fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by any *Road* or traffic signs/markings placed by the *Council* pursuant to any of the provisions made under this *Bylaw*; or
  - b) fails to comply with any condition, duty, or obligation imposed by this *Bylaw* or any resolution made under it; or
  - c) breach any prohibition or restriction set out in this *Bylaw* or any resolution made under it.

**Explanatory notes:**

*Council* may enforce any breaches or *Offences* under the Land Transport Act 1998, in accordance with section 113 of the *Act*.

**34. Defences**

- 34.1 A *Person* is not in breach of this *Bylaw* if that *Person* proves that the act or omission complained of:
- a) took place in compliance with the directions of an *Enforcement Officer*, a *Parking Warden* or a traffic control device; or
  - b) if the act or omission was necessary for an *Enforcement Officer* or a *Parking Warden*, to complete that *Person's* duty; or
  - c) in the case of *Stock Movement*, was necessary in response to an emergency or the escape of the *Stock*.

**35. Exempted Vehicles**

- 35.1 This *Bylaw* shall not apply to the following:
- a) *Emergency Vehicles* being used in an emergency;
  - b) *Vehicles* operated by Utility providers whilst engaged in emergency repair work to a public utility service;
  - c) *Vehicles* operated by the *Council* or for the *Council* during the necessary fulfilment of *Council's* statutory functions, duties or powers;
  - d) Any *Vehicle* that has permission from the *Council*.
- 35.2 Clauses 15.1 and 19 of this *Bylaw* shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.

**36. Council Request to Move Vehicle**

- 36.1 The *Owner* or *Person* in charge of any *Vehicle*, *Parked* on any maintained *Road* or *Public Place*, whether attended or unattended, shall upon request of any *Parking Warden*, fire warden, police officer, or other *Authorised Officer*, move such *Vehicles* as directed for the purpose of facilitating traffic movement or public works.

**Explanatory notes:**

*Council* can remove *Vehicles* left on public *Roads*. This includes issuing a notice, notifying Police, towing and storing or disposing of the *Vehicle*, and recovering costs from the *Owner*.

**37. Seizure and Impounding**

- 37.1 An *Enforcement Officer* may seize and impound any property used in a manner that breaches this *Bylaw* if:
- a) the property is materially involved in the commission of an *Offence*; and
  - b) it is reasonable in the circumstances to seize and impound the property; and
  - c) before sizing and impounding the property, the *Enforcement Officer*:
    - i. directed, orally or in writing, the *Person* committing the *Offence* to stop committing the *Offence*; and
    - ii. has advised, orally or in writing, the *Person* committing the *Offence* that, if the *Person/s* do not stop committing the *Offence*, the *Enforcement Officer*, has power to seize and impound the property; and
    - iii. provided the *Person* with a reasonable opportunity to stop committing the *Offence*.
- 37.2 After seizing and impounding the property, as soon as practicable, an *Enforcement Officer* must give a notice in the prescribed form:
- a) To the *Person* in possession of the property at the time it was seized and impounded; or
  - b) By sending it, or a copy of it, via post to any *Person* who the *Enforcement Officer* can ensure is the *Owner* of or has an interest in the property at the *Persons* last known place of residence, postal address or business address.

- 37.3 Council may require the *Vehicle Owner* to pay Council's costs in seizing, impounding, transporting and storing the property.

**Explanatory notes:**

Our approach to ensuring compliance with legislative requirements includes the following:

- Education on the responsibilities of the *Person/entity* and the reasons for those obligations as well as providing understanding of our enforcement process and what can be expected when contraventions occur; and
- Enforcement using any of the number of enforcement tools that can be applied to people who have committed breaches:
  - Formal warning,
  - Abatement Notice,
  - Notice to Fix,
  - Infringement Notice,
  - Impounding,
  - Cancellation of Licences/Trading,
  - Prosecution.

**Te Reo Translation | Schedule 1: One Way Roads**

The *Roads* or areas described in this schedule or as shown on a map referenced in this schedule are declared to be one-way streets for vehicular traffic.

Road Name	Start	End	Distance
Part of Peria Road	State Highway 27	Smith Street	158 metres
Peria Road North	Smith Street	State Highway 27	162 metres



**Te Reo Translation | Schedule 2: Turning Restrictions**

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of turning restriction additions to this Schedule and *Bylaw*.

Location	Description

**Te Reo Translation | Schedule 3: Traffic Prohibitions**

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of traffic prohibition additions to this Schedule and *Bylaw*.

Location	Description

**Te Reo Translation | Schedule 4: Boat Launching Ramps**

Pursuant to the Land Transport Act 1998 and the Local Government Act 2002, *Council* declares the use of the following boat launching ramps is restricted to specific usage.

**Types of Restriction**

Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.

Location	Description
Off Lawrence Ave/Terminus St, alongside the Coulter Bridge	Home to Te Aroha's motorhome dump station, a <i>Parking</i> area, and a ramp for launching boats. The Te Aroha to Paeroa leg of the Hauraki Rail Trail also passes through the reserve.

**Te Reo Translation | Schedule 5: Weight and Load Restrictions over Bridges or Culverts**

The Bridges described in this schedule have the following maximum weight and *Speed Limits* for *Heavy Motor Vehicles* pursuant to section 3 of the Heavy Motor Vehicle Regulations 1974:

Bridge ID	Road Name	Length	Weight Restriction	Speed Restriction
No. 92	Mace Road	56	80 % of Class I	--
No. 236	Herries Street	11	30 % of Class I	30 km/hr
No. 93	Wairakau Road	11	60 % of Class I	--
No. 52	Haumia Road	72	44,000 kg	--
No. 72	Rawhiti Road	9	44,000kg	--
No. 94	Wairakau Road	14	44,000kg	--
No. 96	Wairakau Road	14	44,000kg	--
No. 97	Wairakau Road	10	44,000kg	--
No. 131	Kereone Road	31	44,000kg	--
No. 132	Kereone Road	31	44,000kg	--
No. 133	Kuranui Road	31	44,000kg	--
No. 135	Kuranui Road	28	44,000kg	--
No. 138	Avenue Road South	31	44,000kg	--
No. 140	Harbottle Road	31	44,000kg	--
No. 153	Hutchinson Road	31	44,000kg	--
No. 166	Rohe Road	12	44,000kg	--
No. 192	Tower Road	38	44,000kg	--
No. 194	Okauia Springs Road	53	44,000kg	--
No. 213	Old Te Aroha Road	31	44,000kg	--

**Te Reo Translation | Schedule 6: Shared Pathways**

Road Name	Start	End	Side	Position	Length	Width	Total Area
Burwood Road	1169	1462	Right	Middle	257	2.5	642.5
Burwood Road	1409		Left		12	2.5	30
Harp Street	243	249	Left	Middle	5	3	15
Harp Street	246	252	Right	Middle	5	3	15
Howie Street	251	257	Left	Middle	4	3.7	14.8
Lockerbie Street	439	444	Left	Middle	4	3	12
Lockerbie Street	445	450	Right	Middle	7	3	21
Marsh Avenue	2	31	Right	Middle	27	3	81
Marsh Avenue	52	96	Right	Middle	44	3	132
Marsh Avenue	111	157	Right	Middle	47	3	141
Marsh Avenue	171	233	Right	Middle	61	3	183
Marsh Avenue	258	331	Right	Middle	70	3	210
Marsh Avenue	343	416	Right	Middle	71	3	213
Marsh Avenue	430	499	Right	Middle	68	3	204
Marsh Avenue	517	589	Right	Middle	72	3	216
Morrin Street	235	240	Left	Middle	4	3	12
Morrin Street	238	243	Right	Middle	6	3	18
Morrinsville Rec. Ground	0	957	Centre	Loop	960	3	2880
Waharoa Road East	33	66	Right	Boundary	33	3	99
Waharoa Road East	66	112	Right	Middle	46	3	138
Waharoa Road East	112	244	Right	Boundary	133	3	399
Waharoa Road East	303	465	Right	Boundary	162	3	486
Werewere Street	144	260	Left	Middle	113	3	339
Werewere Street	281	304	Left	Middle	24	3	72
Werewere Street	283	302	Right	Middle	22	3	66
Hauraki Rail Trail	Te Aroha to Matamata Section: The shared pathway extending from the intersection of Rewi Street and Boundary Street in Te Aroha to the intersection of Broadway and Tainui Street in Matamata.						





**Te Reo Translation 2026 | Land Transport  
Bylaw 2026**

**DRAFT – FOR CONSULTATION**

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	TBC
Resolution Date	TBC
Policy/Bylaw Effective From	1 July 2026 TBC
Policy/Bylaw Supersedes	Land Transport Bylaw 2008 (Amended 2022)
Review Frequency	10 Yearly
Review Date	1 July 2036
Engagement Required	Special Consultative Procedure (Local Government Act 2002)



## Contents

Kupu Whakataki   Introduction .....	3
1. Purpose .....	3
2. Title and Commencement .....	3
3. Review .....	3
4. Application .....	3
5. Enabling Enactment .....	4
6. Delegation .....	4
7. Definitions .....	4
8. Council's Powers .....	9
9. List of Schedules .....	10
10. Explanatory Notes .....	10
<b>Te Reo Translation   Roads and Footpaths .....</b>	<b>10</b>
11. Objects and Hazards on the Road .....	10
12. Vegetation and Encroachment .....	11
13. Activities that Damage Roads .....	11
14. Costs of Repair or Reinstatement .....	12
15. Damage to Signs .....	12
<b>Te Reo Translation   Traffic and Parking .....</b>	<b>12</b>
16. Vehicle Parking .....	12
17. Mobility Parking .....	13
18. One Way Roads .....	13
19. Turning Restrictions .....	13
20. Traffic Prohibitions .....	14
21. Parking of Heavy Motor Vehicles .....	14
22. Boat Launching Ramps .....	15
23. Weights of Vehicles and Loads over Bridges and culverts .....	15
<b>Te Reo Translation   Vehicle crossings .....</b>	<b>15</b>
24. Prohibition of Crossing Construction without Council Approval .....	15
25. Approval of constructions of crossings .....	16
26. Approval of work .....	16
27. Removal of unsafe crossings .....	16
<b>Te Reo Translation   Stock Movement .....</b>	<b>16</b>
28. Prohibition of Stock Movement without a Permit .....	16
29. Stock Movement on Roads .....	16
30. Powers of Authorised Officers at Stock Movement .....	17
31. Stock Underpass .....	17
32. Shared Pathways .....	17
<b>Te Reo Translation   Offences and Enforcement .....</b>	<b>18</b>
33. Specific Offences and Penalties .....	18
34. Defences .....	18
35. Exempted Vehicles .....	19
36. Council Request to Move Vehicle .....	19
37. Seizure and Impounding .....	19
<b>Te Reo Translation   Schedule 1: One Way Roads .....</b>	<b>21</b>
<b>Te Reo Translation   Schedule 2: Turning Restrictions .....</b>	<b>22</b>
<b>Te Reo Translation   Schedule 3: Traffic Prohibitions .....</b>	<b>23</b>
<b>Te Reo Translation   Schedule 4: Boat Launching Ramps .....</b>	<b>24</b>
<b>Te Reo Translation   Schedule 5: Weight and Load Restrictions over Bridges or Culverts ..</b>	<b>25</b>
<b>Te Reo Translation   Schedule 6: Shared Pathways .....</b>	<b>26</b>

## Kupu Whakataki | Introduction

### 1. Purpose

- 1.1 The purpose of the Land Transport Bylaw 2026 (*Bylaw*) is to manage and protect the *Roads* and *Footpaths* under the control of the Matamata-Piako District Council (*Council*), and to protect the safety, accessibility and amenity of the transport network for all users.
- 1.2 To achieve the purpose in clause 1.1 this *Bylaw* regulates:
  - a) the use of local *Roads* and *Footpaths*;
  - b) *Vehicles* on local *Roads* and *Footpaths*;
  - c) animals and *Stock* on local *Roads* and *Footpaths*.

### 2. Title and Commencement

- 2.1 This *Bylaw* shall be known as the 'Matamata-Piako District Council Land Transport Bylaw 2026'.
- 2.2 This *Bylaw* comes into force on 1 July 2026.

### 3. Review

- 3.1 This *Bylaw* is a statutory review of the previous Land Transport Bylaw 2008 (Amended 2022).

### 4. Application

- 4.1 This *Bylaw* does not apply to State Highways controlled by New Zealand Transport Agency Waka Kotahi, except for the determination and management of the transport network where delegated by New Zealand Transport Agency Waka Kotahi to the *Council*, pursuant to section 62 of the Government Roding Powers Act 1989.
- 4.2 This *Bylaw* only applies to land or buildings owned or controlled by *Council*, and areas of State Highways as identified in clause 4.1 of this *Bylaw*.
- 4.3 This *Bylaw* applies to public car parks, reserves, any *Public Place* owned and controlled by *Council* and all *Roads* vested in or under the care, control and management of the *Council*, including partial management or control.
- 4.4 The *Council* may by resolution Publicly Notified rescind, amend or vary any resolution made pursuant to any section or schedule of this *Bylaw*.

#### Explanatory notes:

*Council* and New Zealand Transport Agency Waka Kotahi hold a Memorandum of Understanding, including the Delegation Agreement between both parties.

This Memorandum of Understanding clarifies the responsibility for maintenance issues on East Waikato State Highways within the Matamata-Piako District.

## 5. Enabling Enactment

- ~~5.1 This Bylaw is made in pursuant and subject to the Local Government Act 2002, the Land Transport Act 1998, Land Transport Management Act 2003, and the Land Transport (Road User) Rule 2004.~~
- ~~5.2 Nothing in this Bylaw detracts from any provision of, or the necessity for, compliance with all applicable Acts, regulations, Bylaws, and the Matamata-Piako District Plan, including all but not limited to:~~
- ~~a) Local Government Act 1974; and~~
  - ~~b) Local Government Act 2002; and~~
  - ~~c) Land Transport Act 1962; and~~
  - ~~d) Land Transport Act 1998; and~~
  - ~~e) Land Transport Management Act 2003; and~~
  - ~~f) Land Transport (Road User) Rule 2004.~~
- 5.1 This Bylaw is made under the Local Government Act 1974, the Local Government Act 2002, and the Land Transport Act 1998. In addition, traffic and *Parking* issues are also regulated and controlled by other enactments and regulations, including the Local Government Act 1974 and the Land Transport (Road User) Rule 2024. These should be referred to in conjunction with this Bylaw.

## 6. Delegation

- 6.1 Any of the powers and functions of the *Council* as detailed and set out in this *Bylaw*, may be delegated by it, to its *Chief Executive* and sub-delegated by the *Chief Executive* to any such other *Authorised Officer*.

## 7. Definitions

- 7.1 For the purposes of this *Bylaw* the following definitions shall apply:

Term	Definition
<i>Act</i>	means the Land Transport Act 1998.
<i>Approved or Approval</i>	means <i>Approved</i> in writing by resolution of the <i>Council</i> or by any <i>Authorised Officer</i> so authorised on behalf of the <i>Council</i> , pursuant to this <i>Bylaw</i> or any <i>Enactment</i> .
<i>Authorised Officer or Enforcement Officer</i>	<p><del><i>Authorised Officer</i> means:</del></p> <ul style="list-style-type: none"> <li><del>a) any <i>Person</i> appointed or authorised by the <i>Council</i> to carry out duties and exercise powers under this <i>Bylaw</i>; and</del></li> <li><del>b) any <i>Person</i> appointed by the <i>Council</i> to enforce the provisions of any <i>Council Bylaw</i> and who holds a warrant under section 177 of the Local Government Act 2002 or an appropriate section of any other Act.</del></li> </ul> <p><del><i>Enforcement Officer</i> means:</del></p> <ul style="list-style-type: none"> <li><del>a) a constable:</del></li> </ul>

	<p><del>b) a Police employee who is not a constable who is authorised for the purpose by the Commissioner of Police;</del></p> <p><del>a Person who is appointed to that office by warrant under section 208 of the Land Transport (Road User) Rule 2004 or who holds that office by virtue of the Land Transport (Road User) Rule 2004.</del></p> <p>means:</p> <ul style="list-style-type: none"> <li>Any Person appointed or authorised by the Council to carry out duties and exercise powers under this Bylaw, including those holding a warrant under section 177 of the Local Government Act 2002 or any other relevant Act;</li> <li>Any constable or Police employee authorised by the Commissioner of Police for enforcement purposes;</li> <li>Any Person appointed by warrant under section 208 of the Land Transport (Road User) Rule 2004 or who holds that office by virtue of that Rule.</li> </ul>
<i>Berm</i>	<p>includes any uncultivated margin of a <i>Road</i> adjacent to but not forming part of either the roadway or the <i>Footpath</i> (if any)</p> <ul style="list-style-type: none"> <li>same meaning as <i>Road</i> margin in section 1.6 of the Land Transport (Road User) Rule 2004.</li> </ul>
<i>Bylaw</i>	<p>means the Matamata-Piako District Council Land Transport Bylaw 2026 or in the context of more general terms refers to a <i>Bylaw</i> adopted by the <i>Council</i>, made under the provisions of any <i>Enactment</i> or authority enabling the <i>Council</i> to make <i>Bylaws</i>.</p>
<i>Chief Executive</i>	<p>means the <i>Chief Executive</i> appointed pursuant to section 42 of the Local Government Act 2002.</p>
<i>Class of Vehicle</i>	<p>means the same as <i>Vehicle</i> types as defined by New Zealand Transport Agency Waka Kotahi and includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) care and passenger <i>Vehicles</i>;</li> <li>b) <i>Heavy motor Vehicles</i>;</li> <li>c) heavy trailers;</li> <li>d) light goods <i>Vehicles</i>;</li> <li>e) buses and taxis;</li> <li>f) boats;</li> <li>g) motorhomes, caravans and light trailers;</li> <li>h) electric <i>Vehicles</i>;</li> <li>i) low powered <i>Vehicles</i> such as e-scooters, e-bikes and power assisted scooters;</li> <li>j) mobility scooters;</li> <li>k) automated and autonomous <i>Vehicles</i>;</li> <li>l) cycles;</li> <li>m) motorbikes;</li> </ul>

	n) quads and all-terrain <i>Vehicles</i> ; o) specialist <i>Vehicles</i> ; p) agricultural <i>Vehicles</i> and forklifts; and q) scooters and skateboards.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any <i>Person</i> delegated to act on its behalf.
<i>Cycle Lane</i>	means part of a roadway allocated specifically for cycle use, but which may occasionally be used for motor <i>Vehicles</i> .
<i>Cycle Path</i>	means an off- <i>Road</i> path for cycles to which motor <i>Vehicles</i> do not have access – it can be an exclusive <i>Cycle Path</i> , a shared use path or a separated path.
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the Matamata-Piako District Council.
<i>District Plan</i>	means the Matamata-Piako District Council <i>District Plan</i> .
<i>Emergency Vehicle</i>	means a <i>Vehicle</i> used for attendance at emergencies and operated: a) by an <i>Enforcement Officer</i> ; b) by an ambulance service; c) as a fire service <i>Vehicle</i> ; d) as a civil defence <i>Emergency Vehicle</i> ; e) as a defence force <i>Emergency Vehicle</i> .
<i>Footpath</i>	means a path or way principally designed for, and used by, <i>Pedestrians</i> ; and includes a footbridge.
<i>Freight Container</i>	means an article of transport equipment that is: a) of a permanent character and strong enough to be suitable for repeated use; and b) specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and c) designed to be secured and readily handled having fittings for this purpose.
<del><i>Goods Service Vehicle</i></del>	<del>means: a) a motor <i>Vehicle</i> used or capable of being used in a goods service for the carriage of goods; but b) does not include a <i>Vehicle</i> specified as an exempt goods service <i>Vehicle</i> in the regulations or the rules.</del>
<i>Heavy Motor Vehicle</i>	means a motor <i>Vehicle</i> that has a gross <i>Vehicle</i> mass exceeding 3500kg.
<i>Hours of Darkness</i>	means any period of time: a) between half an hour after sunset on one day and half an hour before sunrise on the next day; or b) when there is not sufficient daylight to render clearly visible a <i>Person</i> or <i>Vehicle</i> at a distance of 100 metres.

<i>Mobile Billboard</i>	includes any panel for display of advertisement in a <i>Public Place</i> that can be moved.
<i>Mobility Parking Permit</i>	means a disabled <i>Person's Parking</i> permit or <i>Mobility Parking Permit</i> – a) issued by CCS Disability Action Incorporated or Sommerville Centre for Special Needs Whanganui Incorporated; or b) <i>Approved</i> by the territorial <b>authority</b> having control of the <i>Parking</i> area.
<i>Mobility Parking Space</i>	means a <i>Parking</i> space set aside by signs or marking by <i>Council</i> for exclusive use by holders of a valid <i>Mobility Parking Permit</i> or concession from CCS Disability Action Incorporated or Sommerville Disability Support Services.
<del><i>Network Utility Operator</i></del>	<del>means the same as section 166 of the Resource Management Act 1991.</del>
<i>Offence</i>	includes any act or omission in relation to any <i>Bylaw</i> or any part for which any <i>Person</i> can be punished either on indictment or by summary process.
<i>Owner or Occupier</i>	in relation to any property or premises, means the inhabitant <i>Occupier</i> of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the <i>Owner</i> .
<i>Park/Parking/Parked</i>	means: a) in relation to any portion of a <i>Road</i> where <i>Parking</i> is for the time being governed by the location of <i>Parking</i> meters placed pursuant to a bylaw of a local authority, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> for any period exceeding 5 minutes. b) in relation to any other portion of a <i>Road</i> , the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> .
<i>Parking Warden</i>	means a <i>Person</i> appointed to hold the office of <i>Parking Warden</i> under section 128D of the <i>Act</i> .
<i>Passenger Service and Passenger Service Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Pedestrian</i>	means any <i>Person</i> on foot.
<del><i>Permit</i></del>	<del>means a <i>Permit to Park a Vehicle on a Road or Parking space</i> supplied by the <i>Council</i>, under this <i>Bylaw</i>.</del>
<i>Person</i>	includes a corporation sole and a body of <i>Persons</i> , whether corporate or unincorporated.
<i>Public Place</i>	means: a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any <i>Owner</i> or <i>Occupier</i> of the

	place is lawfully entitled to exclude or eject any <i>Person</i> from it; but b) does not include licenced premises.
<i>Reserved Parking Place</i>	means any <i>Parking Space</i> which has been reserved by the <i>Council</i> for allocation to any <i>Person</i> or category of <i>Persons</i> for <i>Reserved Parking</i> and which is clearly marked by a sign, notice or number or otherwise as being not available for public <i>Parking</i> .
<i>Road</i>	includes – a) a street; and b) a motorway; and c) a beach; and d) a place to which the public have access, whether as of right or no; and e) all bridges, culverts, ferries and fords forming part of a <i>Road</i> or street or motorway, or a place referred to in paragraph (d); and f) all sites at which <i>Vehicles</i> may be weighed for the purpose of the <i>Act</i> or any other enactment.  This does not include state highways controlled by New Zealand Transport Agency Waka Kotahi.
<i>Shared Pathway</i>	means a part of the <i>Road</i> that is physically separated from the carriageway that is intended for the use of both cyclists, <i>Pedestrians</i> , mobility aids and skating devices except where restricted under the Matamata-Piako District Council Community Safety Bylaw 2025.
<i>Speed Limit</i>	<del>means the applicable <i>Speed Limit</i> for a <i>Road</i> at any given time is –</del> <del>a) the <i>Speed Limit</i> for the <i>Road</i> in the National Speed Limit Register and that is in force at the time; or</del> <del>b) if paragraphs (a) does not apply, a permanent <i>Speed Limit</i> of 100km/h.</del>  has the same meaning as Part 2 of the <i>Act</i> .  For further information please refer to Land Transport Rule – Setting of Speed Limits 2024.
<i>Stock</i>	means live farm animals, including, but not limited any cow, ox, heifer, steer, calf, sheep, ram, lamb, goat, kid, boar, sow and pig of any kind.
<i>Stock Movement</i>	means to drive, muster, lead or herd <i>Stock</i> along or across the <i>Road</i> reserve.
<del><i>Stock Vehicle</i></del>	<del>means a <i>Vehicle</i> that is carrying <i>Stock</i>.</del>
<i>Vehicle</i>	means –

	<ul style="list-style-type: none"> <li>a) a contrivance equipped with wheels, tracks or revolving runners on which it moves or is moved; and</li> <li>b) includes a hovercraft, a skateboard, in-line skates and roller skates; but</li> <li>c) does not include – <ul style="list-style-type: none"> <li>i. a perambulator or pushchair:</li> <li>ii. a shopping or sporting trundler not propelled by mechanical power:</li> <li>iii. a wheelbarrow or hand-trolley:</li> <li>iv. a <i>Pedestrian</i>-controlled lawnmower:</li> <li>v. a <i>Pedestrian</i>-controlled agricultural machine not propelled by mechanical power:</li> <li>vi. an article of furniture:</li> <li>vii. a wheelchair not propelled by mechanical power:</li> <li>viii. any other contrivance specified by the rules not to be a <i>Vehicle</i> for the purposes of this definition:</li> <li>ix. any rail <i>Vehicle</i>.</li> </ul> </li> </ul>
<i>Vehicle Crossing</i>	means a place where <i>Vehicles</i> are being taken or, in the opinion of the <i>Council</i> , are likely to be taken, on to or from any land across any <i>Footpath</i> , on any <i>Road</i> or any water channel on or adjoining any <i>Road</i> .

## 8. Council's Powers

- 8.1 The *Council* may from time to time, by resolution Publicly Notified:
- a) prohibit or restrict the stopping, standing, or *Parking* of *Vehicles* on:
    - i. any *Road*, or
    - ii. any land *Owned* or *Occupied* by the *Council*, including any *Parking Place*; and/or
  - b) set aside, designate or reserve any *Road* or any land *Owned* or *Occupied* by the *Council*, which is not defined as a *Road*, as:
    - i. stopping places or stands for a specified class, classes or types of *Vehicles*, including bus stops, taxi stands and loading zones; and/or
    - ii. *Parking Places*; and/or
    - iii. reserved *Parking Areas*; and/or
    - iv. *Cycle Paths* and *Cycle Lanes*; and/or
    - v. *Shared Pathways*; and/or
    - vi. *Footpaths*; and/or
    - vii. clearways; and/or
    - viii. one-way streets; and/or
    - ix. *Stock* underpasses; and/or
    - x. lanes for *Passenger Service Vehicles*, or *Vehicles* of any other specified classes; and/or

- xi. lanes for *Vehicles* carrying specified classes of loads or not less than specified number of occupants.
- c) prohibit or restrict:
  - i. U-turns; and/or
  - ii. left or right turns; and/or
  - iii. use of lanes or turning movements to be made by *Passenger Service Vehicles*, or *Vehicles* of other specified classes or *Vehicles* carrying specified loads or not less than a specified number of occupants; and/or
  - iv. weights of *Vehicles* or loads that may pass over bridges or culverts; and/or
  - v. any specified class of traffic, or any motor *Vehicle* or class of motor *Vehicle* which, by reason of its size, nature, or the nature of the goods carried is unsuitable for the use on any *Road* or *Roads*; and/or
  - vi. the *Parking of Heavy Motor Vehicles*, or any specified class or description of *Heavy Motor Vehicles*, on any specified *Road* during such hours or exceeding such periods as may be specified.
- 8.2 The *Council* shall mark *Roads* and/or erect signs on any *Road*, or any land *Owned* or *Occupied* by the *Council* to give effect to any resolution made pursuant to clause 8.1.
- 8.3 The *Council* or any *Authorised Officer* who acted in good faith shall not be liable for damages due to the exercise of the above powers.

## 9. List of Schedules

### 9.1 The following schedules are adopted and form part of this Bylaw:

Schedule 1	One Way Roads
Schedule 2	Turning Restrictions
Schedule 3	Traffic Prohibitions
Schedule 4	Boat Launching Ramps
Schedule 5	Weight and Load Restrictions over Bridges and Culverts
Schedule 6	Shared Pathways

## 10. Explanatory Notes

### 10.1 Sections headed 'Explanatory notes' in this *Bylaw* are for information purposes only, and:

- a) they do not form part of this *Bylaw*; and
- b) cannot be considered in the interpretation or application of a provision of this *Bylaw*; and
- c) may be inserted, amended or removed without any formality.

## Te Reo Translation | Roads and Footpaths

### 11. Objects and Hazards on the Road

- 11.1 No *Person*, without the consent of *Council*, or in accordance with the provisions of this *Bylaw*, place or leave any object or thing on any *Road* other than a lawfully *Parked Vehicle*.

11.2 Without limiting the generality of clause 910.1, no *Person* shall:

- ~~a) leave on any Road for any period greater than eight hours any Vehicle which is not in complete and working order; or~~
- a) on any *Road* construct, rebuild, repair or make alterations to any *Vehicle*, except for repairs rendered necessary by reason of accident or breakdown; or
  - b) display any article or articles whatsoever outside any shop, shop window or doorway or in any other place so as to encroach on any *Road* or *Footpath*; ~~or~~ except as provided for in Schedule 2 – Trading in a Public Place of the Community Safety Bylaw; ~~or~~.
  - c) place, pack or unpack any goods on any *Road*; or
  - d) erect any scaffolding, fence or structure of any kind on or over any *Road*; or
  - e) use any hoist or crane on or above any *Road*; or
  - f) erect or install or cause to be erected or installed any gates or doors capable of being swung over or across any *Roads*; or
  - g) being a *Person* in charge of a *Vehicle* or machine, permit any clay, gravel or other material to be carried on to any *Road*; or
  - h) permit or suffer anything to fall from any *Vehicle* onto the *Road* or having so fallen to remain on the *Road*.
  - i) ~~discharge Stock effluent or similar material onto any Road.~~

11.3 If anything is placed on the *Road* in breach of section 910, the Council may give notice to the *Person* who put it there, or anyone responsible for or connected to it, requiring that it be removed within the timeframe stated in the notice.

**Explanatory notes:**

A *Stock* effluent disposal site is available at the Morrinsville Saleyards on Anderson Street.

**12. Vegetation and Encroachment**

- 12.1 No *Person* may, without the prior written *Approval* of the *Council*, plant or erect any tree, shrub, hedge, scrub, or other growth within ~~any part of the Road corridor.5 metres of any corner, bend, or intersection where, in the opinion of the Council, it constitutes or is likely to constitute a nuisance or danger to traffic.~~
- 12.2 No *Person* may, without the prior written *Approval* of the *Council*, place, erect, or allow any structure, object, vegetation, or other item on, over, or under any part of the *Road* corridor. Any unauthorised encroachment may be removed by the Council at the *Owner's* cost.

**13. Activities that Damage Roads**

- 13.1 No *Person* shall undertake any activity that causes or may cause incidental damage to any *Road*.
- 13.2 Without limiting the generality of clause 12.1, no *Person* shall:
- a) mix any concrete or other material of any kind on the surface of any *Road*.

- b) cause or permit any concrete, mortar, or material of a similar nature to be swept, washed, hosed or sluiced into any *Road* or into any drain connected with any part of the *Council's* drainage or sewerage system.
- c) use any *Vehicle* whose wheels or tracks cause or may cause damage to the surface or any part of any *Road*.
- d) drag or trail anything whether on a sledge or skids or otherwise so as to damage any *Road*.

#### 14. Costs of Repair or Reinstatement

- 14.1 Without limiting any other remedies available, where a breach of this *Bylaw* results in damage to a *Road*, *Council* may carry out the necessary repairs and recover all costs incurred and associated with the repair from the *Person* responsible for the damage or any individual who committed the breach in connection with that damage.

#### 15. Damage to Signs

- 15.1 No *Person* shall interfere with, damage or remove any traffic control sign.

### Te Reo Translation | Traffic and Parking

#### 16. Vehicle Parking

- 16.1 Limits on *Parking* and standing of *Vehicles* include:
  - a) no *Person* shall stop, stand, or *Park* a *Vehicle* on any car *Park*, *Public Place*, *Road*, *Reserve*, *Reserved Parking Place* or other places controlled by the *Council* which has a restriction imposed by the *Council* and evidenced by appropriate signs and/or *Road* marks.
  - b) an *Authorised Officer*, subject to such conditions as appropriate in the circumstances, may authorise the stopping, standing or *Parking* of specified *Vehicles*.
  - c) Unless authorised by an *Authorised Officer* of the *Council*, no *Person* shall stop, stand, or *Park* a *Vehicle* on any *Footpath*, *Berm*, flowerbed, shrubbery, median strip, traffic island, or ornamental verge or plot ~~within any street, Road, or Public Place~~ within the transport corridor, in a manner that obstructs or restricts *Pedestrian* or *Vehicle* movement, ~~creates a nuisance, or may present a safety hazard in the opinion of an Authorised Officer,~~ except:
    - i. ~~on a Berm that is not separated from the roadway by a kerb and channel, provided the Vehicle is Parked so that the driver's side wheels remain on the roadway, a clear Pedestrian passage of at least 1.2 metres is maintained between the Vehicle and any fence, shrub, or other obstruction, and the Vehicle is not Parked on any Footpath or in contravention of section 14 of this Bylaw;~~
    - ii. with the prior written consent of the *Council*; or
    - iii. in accordance with a public notification issued by the *Council*.
  - d) in breach of any provision of any other *Council* Bylaws; or in a manner that causes damage to property or creates a nuisance or causes danger to *Road* users.

16.2 *Parking*, storage, and advertising restrictions state that no *Person* shall, without the prior written permission of the *Council*:

- a) *Park* a *Vehicle* or trailer displaying advertisement or sales material on any *Road*, or any land *Owned* or *Occupied* by the *Council* including any *Parking Place*. This restriction includes *Vehicles* and trailers displayed for sale and *Mobile Billboards*.
- b) *Park* a *Vehicle* on any *Road*, or any land *Owned* or *Occupied* by the *Council*, for any period exceeding 7 days if that *Vehicle* cannot easily be moved on at the request of an *Authorised Officer*, or if it cannot be safely driven.
- c) *Park* or place any machinery, equipment, materials, waste disposal bins or *Freight Containers* on any *Road* or *Public Place*, further conditions may be required.
  - i. does not apply to those containers that are used solely for the purpose of domestic refuse or recycling as authorised by the *Council* provided that such containers are not left on any *Road* or *Public Place* for a period deemed excessive in the opinion of an *Enforcement Officer*.

**Explanatory notes:**

The regulation of *Road* use and *Parking* is primarily established under national legislation, with additional provisions made by the *Council* to address local conditions.

The applicable *Parking* and *Road* use requirements are set out in the following legislation:

- [New Zealand Road Code](#)
- [Land Transport \(Road User\) Rule 2004](#)
- [Land Transport Act 1998](#)

**17. Mobility Parking**

- 17.1 Where the *Council* has *Reserved Parking Places* operating as a *Mobility Parking Space*, the *Mobility Parking Permit* shall be displayed so that it is visible and legible through the front windscreen or on the *Vehicle* if no windscreen is fitted.
- 17.2 Any *Vehicle* displaying a valid *Mobility Parking Permit* will be permitted to *Park* in a time-restricted place for twice the time specified by *Council*, providing that the *Mobility Parking Place* is being used for the benefit of the permit holder.

**18. One Way Roads**

- 18.1 A *Person* may only drive a *Vehicle* along the *Roads* listed in Schedule 1 of this *Bylaw*, in the direction specified.

**19. Turning Restrictions**

- 19.1 Subject to erection of prescribed signs, no *Person* shall drive a *Vehicle* contrary to any turning restriction listed in Schedule 2 of this *Bylaw*.

- 19.2 The *Council* may amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to prohibit, subject to erection of prescribed signs:
- Vehicles* on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (no 'U-turns'); or
  - Vehicles*, or specified classes of *Vehicles*, from turning to the right or left, or from proceeding in any other direction; or
  - to remove a turning restriction.

## 20. Traffic Prohibitions

- 20.1 No *Person* shall drive or permit the driving of any class of motor *Vehicle* that is prohibited on specified *Roads* during restricted hours, as set out in Schedule 3 of this *Bylaw*.
- except for the purpose of loading/unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- 20.2 No *Person* shall *Park* or allow to *Park* any *Class of Vehicle* that is prohibited on specified *Roads*, as set out in Schedule 3 of this *Bylaw*.
- except for the purpose of loading/unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- ~~20.3 The prohibitions set out in clauses 19.1 and 19.2 do not apply to:~~
- ~~a *Network Utility Operator*, its authorised agent or contractor engaged in the provision of, or maintenance of a network utility operation; or~~
  - ~~a *Emergency Vehicle* used at the time to save or protect life or health, or prevent injury or serious damage to property; or~~
  - ~~medical practitioners such as doctors, district nurses and midwives who are attending an emergency; or~~
  - ~~a *Vehicle* used in an official capacity at the time by a law enforcement agency; or~~
  - ~~any *Vehicle* that has permission from *Council*.~~

## 21. Parking of Heavy Motor Vehicles

- 21.1 No *Person* may stop, stand, or *Park* a *Heavy Motor Vehicle* for more than one hour on any *Road* in an urban area with a *Speed Limit* of 50km/h or 70km/h (as listed in the National Speed Limit Register), unless the area is located in an urban area as designated under the Matamata-Piako *District Plan*. This rule does not apply if the *Person* has *Approval* from an *Authorised Officer*.
- 21.2 It is not an *Offence* to stop, stand, or *Park* a *Heavy Motor Vehicle* on such a *Road* for the time reasonably needed to load or unload the *Vehicle*, if loading or unloading is actively taking place.
- 21.3 *Parking of Heavy Motor Vehicles* on the frontage adjacent to business or industrial zones is only permitted if, in the opinion of an *Authorised Officer*, the *Heavy Motor Vehicle* meets the following conditions:
- is not *Parked* within the shop specified frontage as depicted in the *District Plan*; and

- b) does not compromise the traffic safety of all *Road* users, specifically site visibility and *Pedestrian* safety; and
  - c) does not block or impede access to other property; and
  - d) is *Parked* fully within the formed *Road* carriageway.
- 21.4 Notwithstanding the above, *Heavy Motor Vehicles* may *Park* near hotels, motels, or other facilities offering temporary accommodation, regardless of the zone under the *District Plan*, if the *Parking* complies with the following conditions:
  - a) the *Heavy Motor Vehicle* does not affect the safety of other *Road* users, including:
    - i. visibility for drivers; and
    - ii. *Pedestrian* safety; and
  - b) the *Heavy Motor Vehicle* does not block or restrict access to any property; and
  - c) the *Heavy Motor Vehicle* must be *Parked* fully within the formed *Road* carriageway.
- 21.5 *Council* may, from time to time, by resolution Publicly Notified:
  - a) prohibit any heavy traffic on any maintained or unmaintained *Road* or *Roads* within the *District*; or
  - b) rescind, amend or vary any such prohibition.
- 22. Boat Launching Ramps**
- 22.1 Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.
- 22.2 No *Person* shall:
  - a) *Park* or stop a *Vehicle* on any *Park* on a launching ramp or its approach for longer than is reasonably necessary to launch or retrieve a boat.
  - b) Drive or position a *Vehicle* on a launching ramp to retrieve a boat before the boat is ready for collection.
- 22.3 The boat launching ramps permitted under clause 21~~0~~ shall be contained in Schedule 4 of this *Bylaw*.
- 23. Weights of Vehicles and Loads over Bridges and culverts**
- 23.1 The weights of *Vehicles* and loads that may pass over bridges and culverts permitted under section 21 shall be contained in Schedule 5 of this *Bylaw*.

**Te Reo Translation | Vehicle crossings**

- 24. Prohibition of Crossing Construction without Council Approval**
- 24.1 Except with the permission of an *Authorised Officer*, no *Person* shall drive, ride, propel, or wheel any motor *Vehicle* across any *Footpath*, *Shared Pathway*, *Berm* or water channel in a *Public Place* otherwise than by means of a *Crossing* (whether permanent or temporary) constructed in accordance with the *Bylaws* of the *Council*.

**25. Approval of constructions of crossings**

- 25.1 Except with the prior written permission of the *Council*, no *Person* shall construct any crossing (permanent or temporary), double crossing or additional crossing, across:
- a) any *Footpath* or *Shared Pathway* on any *Road*; or
  - b) across any water channel on or adjoining any *Road*; or
  - c) repair, reconstruct or renew any existing crossing.

**26. Approval of work**

- 26.1 Any *Person* designing the construction, repair, reconstruction, or renewal of any crossing (permanent or temporary), shall make application in writing to the *Council*, who may:
- a) consent to the applicant, to standards that the *Council* may determine; and
  - b) ensure that such work is carried out to such standards that the *Council* may determine; and
  - c) require the applicant to provide a bond for an amount specified by the *Council*, on terms and conditions determined by the *Council*, for the estimated cost of the proposed work; or
  - d) refuse to carry out/permit such work to be carried out if the existence of any such crossing causes or may be likely to cause any danger or obstruction in any *Public Place*.

**27. Removal of unsafe crossings**

- 27.1 If the *Council* deem any crossing (permanent or temporary) is in an unsafe state of repair, is incorrectly located or constructed, then the *Council* may:
- a) by notice in writing, require the *Owner* or *Occupier* of the *Premises* to provide access to the crossing to undertake necessary work in the opinion of the *Council* to remove or upgrade the crossing to suit determined standards.
- 27.2 *Council* hold the power to charge the *Owner* or *Occupier* for the cost of repair if *Council* are required to carry out necessary work to remove or upgrade the crossing.

**Te Reo Translation | Stock Movement**

**28. Prohibition of Stock Movement without a Permit**

- 28.1 No *Person* shall move any *Stock* on any *Road* in the *District* unless a valid *Permit* is held and the *Stock Movement* takes place in compliance with the *Permit*.
- ~~a) For further Stock permit information, please refer to XXXXXX.~~

**29. Stock Movement on Roads**

- 29.1 The following are standard conditions for *Stock Movement* on *Roads*:
- a) *Stock* shall always move at a rate of progress of not less than 1 kilometre per hour. This provision does not apply during *Stock* rest or overnight periods.
  - b) *Stock* shall be controlled at all times during the movement and shall give way to *Vehicles* travelling along the *Road*.

- c) The *Permit* holder must indemnify the *Council* against any liability for damage to the *Road*, nearby property, or any other loss caused directly or indirectly by the movement of the *Stock*.
  - i. The *Council* may require proof of suitable public liability insurance or another acceptable form of indemnity.
  - ii. If the *Council* does not request this or set a specific liability amount, it does not waive or limit its right to be indemnified.
- d) The *Permit* holder shall comply with the applicable requirements of the relevant Manuals or Codes of Practice of the New Zealand Transport Agency adopted by the *Council*, at the time of issuing of a *Permit* and which are imposed on the *Permit* as a specific condition of the *Permit*.
- e) No *Stock* shall be driven during the *Hours of Darkness*, except for the purpose of returning escaped *Stock* to the nearest secure area.

### 30. Powers of Authorised Officers at Stock Movement

- 30.1 If an *Authorised Officer* is present during *Stock Movement* and concludes that actions taken to comply with a *Permit* requirement instead creates or exacerbates unsafe conditions or are impractical/unreasonable, a temporary dispensation may be granted.
- 30.2 When the *Stock Movement* may create or exacerbate conditions that threaten life, health or the safety of *Persons*; or has the potential to cause serious damage to property, an *Authorised Officer* who is present, may:
  - a) refuse to allow the *Stock Movement* to proceed to avert the risk; or
  - b) direct the *Permit* holder to take all necessary steps to minimise the risk.
- 30.3 An *Authorised Officer* who has acted in terms of clause ~~29~~2 shall report this to the *Council* in writing as soon as practicable, where the *Council*, shall consider the possible revocation of the *Permit* or amendment to its conditions.

### 31. Stock Underpass

- 31.1 Where *Stock Movement* across a *Road* will be in excess of the limits, *Council* may require the applicant to construct an *Approved Stock* underpass that meet the requirements of the *Council*.

### 32. Shared Pathways

- 32.1 The *Council* may from time to time, by resolution Publicly Notified:
  - a) the length, route and/or location of a *Shared Pathway*; and
  - b) the priority for users on a *Shared Pathway*; and
  - c) that no person may use a *Shared Pathway* in a manner deemed unreasonable or inappropriate by the *Council*.
- 32.2 All pathways will be deemed to be *Shared Pathways*, as defined under clause 7 of the *Bylaw*, if identified by official Matamata-Piako District Council Shared Pathway signage and shall be treated as such 24 hours a day, 7 days a week.

- 32.3 Where any land has been designated or reserved as a *Shared Pathway* any *Person* using that *Shared Pathway* shall have full regard for other users.
- 32.4 No *Person* shall operate any motor *Vehicle* (not including mobility aids) on any *Shared Pathway* except where a motor *Vehicle* is driven:
- into a vehicular entrance over a *Shared Pathway*; or
  - for the purpose of maintaining any land or infrastructural or network utility, adjacent to or within the *Shared Pathway*; or
  - with permission of an *Authorised Officer*, no reasonable alternative access is available, and due consideration is given to periodical access for *Pedestrians* and/or cyclists; or
  - ~~is exempt where the activity is undertaken as part of Council operations, such as work carried out by Kaimai Valley Services.~~
- 32.5 The *Shared Pathways* permitted under clause 3126 shall be contained in Schedule 6 of this *Bylaw*.

**Explanatory notes:**

*Classes of Vehicles* are included in restrictions and prohibitions within this section of *Shared Pathways* and the entire *Bylaw* unless specifically exempt.

Certain Low-powered *Vehicles* do not require registration or a driver licence

<https://www.nzta.govt.nz/vehicles/vehicle-types/low-powered-vehicles>

**Te Reo Translation | Offences and Enforcement**

**33. Specific Offences and Penalties**

- 33.1 A *Person* commits an *Offence* against this *Bylaw* and is liable on summary conviction to the penalty set out in the Local Government Act 2002, who:
- fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by any *Road* or traffic signs/markings placed by the *Council* pursuant to any of the provisions made under this *Bylaw*; or
  - fails to comply with any condition, duty, or obligation imposed by this *Bylaw* or any resolution made under it; or
  - breach any prohibition or restriction set out in this *Bylaw* or any resolution made under it.

**Explanatory notes:**

*Council* may enforce any breaches or *Offences* under the Land Transport Act 1998, in accordance with section 113 of the *Act*.

**34. Defences**

- 34.1 A *Person* is not in breach of this *Bylaw* if that *Person* proves that the act or omission complained of:
- took place in compliance with the directions of an *Enforcement Officer*, a *Parking Warden* or a traffic control device; or

- b) if the act or omission was necessary for an *Enforcement Officer* or a *Parking Warden*, to complete that *Person's* duty; or
- c) in the case of *Stock Movement*, was necessary in response to an emergency or the escape of the *Stock*.

**35. Exempted Vehicles**

35.1 This *Bylaw* shall not apply to the following:

- a) *Emergency Vehicles* being used in an emergency;
- b) *Vehicles* operated by Utility providers whilst engaged in emergency repair work to a public utility service;
- c) *Vehicles* operated by the *Council* or for the *Council* during the necessary fulfilment of *Council's* statutory functions, duties or powers;
- d) Any *Vehicle* that has permission from the *Council*.

35.2 Clauses 15.1 and 19 of this *Bylaw* shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.

**36. Council Request to Move Vehicle**

36.1 The *Owner* or *Person* in charge of any *Vehicle*, *Parked* on any maintained *Road* or *Public Place*, whether attended or unattended, shall upon request of any *Parking Warden*, fire warden, police officer, or other *Authorised Officer*, move such *Vehicles* as directed for the purpose of facilitating traffic movement or public works.

**Explanatory notes:**

*Council* can remove *Vehicles* left on public *Roads*. This includes issuing a notice, notifying Police, towing and storing or disposing of the *Vehicle*, and recovering costs from the *Owner*.

**37. Seizure and Impounding**

37.1 An *Enforcement Officer* may seize and impound any property used in a manner that breaches this *Bylaw* if:

- a) the property is materially involved in the commission of an *Offence*; and
- b) it is reasonable in the circumstances to seize and impound the property; and
- c) before sizing and impounding the property, the *Enforcement Officer*:
  - i. directed, orally or in writing, the *Person* committing the *Offence* to stop committing the *Offence*; and
  - ii. has advised, orally or in writing, the *Person* committing the *Offence* that, if the *Person/s* do not stop committing the *Offence*, the *Enforcement Officer*, has power to seize and impound the property; and
  - iii. provided the *Person* with a reasonable opportunity to stop committing the *Offence*.

- 37.2 After seizing and impounding the property, as soon as practicable, an *Enforcement Officer* must give a notice in the prescribed form:
- To the *Person* in possession of the property at the time it was seized and impounded; or
  - By sending it, or a copy of it, via post to any *Person* who the *Enforcement Officer* can ensure is the *Owner* of or has an interest in the property at the *Persons* last known place of residence, postal address or business address.
- 37.3 *Council* may require the *Vehicle Owner* to pay *Council's* costs in seizing, impounding, transporting and storing the property.

**Explanatory notes:**

~~*Council has a 'spectrum' approach to encouraging positive behaviour change and ensuring the highest levels of compliance possible.*~~

Our approach to ensuring compliance with ~~their~~ legislative requirements includes the following:

- Education on the responsibilities of the *Person*/entity and the reasons for those obligations as well as providing understanding of our enforcement process and what can be expected when contraventions occur; and
- Enforcement using any of the number of enforcement tools that can be applied to people who have committed breaches:
  - Formal warning,
  - Abatement Notice,
  - Notice to Fix,
  - Infringement Notice,
  - Impounding,
  - Cancellation of Licences/Trading,
  - Prosecution.

**Explanatory notes:**

Other bylaws that *Council* maintain and relate to this *Bylaw* include:

- Community Safety Bylaw 2025.
- Freedom Camping Bylaw 2023.

**Te Reo Translation | Schedule 1: One Way Roads**

The *Roads* or areas described in this schedule or as shown on a map referenced in this schedule are declared to be one-way streets for vehicular traffic.

Road Name	Start	End	Distance
Part of Peria Road	State Highway 27	Smith Street	158 metres
Peria Road North	Smith Street	State Highway 27	162 metres

**Te Reo Translation | Schedule 2: Turning Restrictions**

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of turning restriction additions to this Schedule and *Bylaw*.

Location	Description

**Te Reo Translation | Schedule 3: Traffic Prohibitions**

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of traffic prohibition additions to this Schedule and *Bylaw*.

Location	Description

**Te Reo Translation | Schedule 4: Boat Launching Ramps**

Pursuant to the Land Transport Act 1998 and the Local Government Act 2002, *Council* declares the use of the following boat launching ramps is restricted to specific usage.

**Types of Restriction**

Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.

Location	Description
Off Lawrence Ave/Terminus St, alongside the Coulter Bridge	Home to Te Aroha's motorhome dump station, a <i>Parking</i> area, and a ramp for launching boats. The Te Aroha to Paeroa leg of the Hauraki Rail Trail also passes through the reserve.

**Te Reo Translation | Schedule 5: Weight and Load Restrictions over Bridges or Culverts**

The Bridges described in this schedule have the following maximum weight and *Speed Limits* for *Heavy Motor Vehicles* pursuant to section 3 of the Heavy Motor Vehicle Regulations 1974:

Bridge ID	Road Name	Length	Weight Restriction	Speed Restriction
No. 92	Mace Road	56	80 % of Class I	--
No. 236	Herries Street	11	30 % of Class I	30 km/hr
No. 93	Wairakau Road	11	60 % of Class I	--
No. 52	Haumia Road	72	44,000 kg	--
No. 72	Rawhiti Road	9	44,000kg	--
No. 94	Wairakau Road	14	44,000kg	--
No. 96	Wairakau Road	14	44,000kg	--
No. 97	Wairakau Road	10	44,000kg	--
No. 131	Kereone Road	31	44,000kg	--
No. 132	Kereone Road	31	44,000kg	--
No. 133	Kuranui Road	31	44,000kg	--
No. 135	Kuranui Road	28	44,000kg	--
No. 138	Avenue Road South	31	44,000kg	--
No. 140	Harbottle Road	31	44,000kg	--
No. 153	Hutchinson Road	31	44,000kg	--
No. 166	Rohe Road	12	44,000kg	--
No. 192	Tower Road	38	44,000kg	--
No. 194	Okauia Springs Road	53	44,000kg	--
No. 213	Old Te Aroha Road	31	44,000kg	--

**Te Reo Translation** | Schedule 6: Shared Pathways

Road Name	Start	End	Side	Position	Length	Width	Total Area
Burwood Road	1169	1462	Right	Middle	257	2.5	642.5
Burwood Road	1409		Left		12	2.5	30
Harp Street	243	249	Left	Middle	5	3	15
Harp Street	246	252	Right	Middle	5	3	15
Howie Street	251	257	Left	Middle	4	3.7	14.8
Lockerbie Street	439	444	Left	Middle	4	3	12
Lockerbie Street	445	450	Right	Middle	7	3	21
Marsh Avenue	2	31	Right	Middle	27	3	81
Marsh Avenue	52	96	Right	Middle	44	3	132
Marsh Avenue	111	157	Right	Middle	47	3	141
Marsh Avenue	171	233	Right	Middle	61	3	183
Marsh Avenue	258	331	Right	Middle	70	3	210
Marsh Avenue	343	416	Right	Middle	71	3	213
Marsh Avenue	430	499	Right	Middle	68	3	204
Marsh Avenue	517	589	Right	Middle	72	3	216
Morrin Street	235	240	Left	Middle	4	3	12
Morrin Street	238	243	Right	Middle	6	3	18
Morrinsville Rec. Ground	0	957	Centre	Loop	960	3	2880
Waharoa Road East	33	66	Right	Boundary	33	3	99
Waharoa Road East	66	112	Right	Middle	46	3	138
Waharoa Road East	112	244	Right	Boundary	133	3	399
Waharoa Road East	303	465	Right	Boundary	162	3	486
Werewere Street	144	260	Left	Middle	113	3	339
Werewere Street	281	304	Left	Middle	24	3	72
Werewere Street	283	302	Right	Middle	22	3	66
Hauraki Rail Trail	Te Aroha to Matamata Section: The shared pathway extending from the intersection of Rewi Street and Boundary Street in Te Aroha to the intersection of Broadway and Tainui Street in Matamata.						



## **Te Reo Translation 2026 | Land Transport Bylaw 2026**

**Tauākī Tūtohu | Statement of Proposal**

**Te Reo Translation | For Consultation - 23 February  
to 17 April 2025**

## Kupu Whakataki | Introduction

We're reviewing the Land Transport Bylaw 2008 (last updated in 2022) to make it clearer, easier to use, and better suited to managing our roads. This bylaw applies to local roads under Council's control, not State Highways (managed by Waka Kotahi NZ Transport Agency).

Although a review isn't legally required until 2027, we're doing it early to align with long-term planning and make the most of resources.

We want your feedback on the draft Land Transport Bylaw 2026. Tell us how we can make our roads safer, easier to use, and better for everyone.

## Ngā Take mō te Tūtohutanga | Reasons for the Proposal

We're proposing updates to the bylaw to provide clear, practical rules that set expectations for how people use the transport network and outline Council's powers for managing and enforcing these rules. A well-defined bylaw helps keep everyone safe and gives the community transparency about what's acceptable.

Key issues we're addressing:

- Damage to roads and infrastructure from heavy vehicles, stock, and run-off
- Limited flexibility to meet emerging transport needs (e.g., mobility, shared zones)
- Current bylaw is hard to apply in practice
- Customer complaints about transport-related matters, including footpath accessibility.

## Te mānuka e kawea ake ana | What we're proposing

The current bylaw can be accessed here: [Land Transport Bylaw 2008 \(Amended 2022\)](#). It is proposed to amend this bylaw to modernise its provisions, improve clarity, and incorporate updates that reflect current legislation and community feedback

We are proposing changes to improve safety, protect infrastructure, and make the bylaw easier to understand. Here's what's new:

**Key changes include:**

- **Simpler wording and clearer purpose** – making the bylaw easier to read and understand.
- **Applicable definitions** have been added/amended from the Council's Introductory Bylaw 2020 to ensure this Bylaw can 'stand alone' – as the current Land Transport Bylaw sits within Council's Consolidated Bylaw.
- **Explanatory notes added** to assist in understanding and to provide context to the reader. They do not form part of the Bylaw and can be updated at any time without formality.
- **Objects and hazards on roads** – rules to keep roads clear and safe, including:
  - No placing objects on roads without Council approval.
  - Banning unsafe activities like repairing vehicles on roads (except where repairs are needed following an accident or breakdown), spilling materials, or discharging stock effluent.
  - Updating rules for rubbish and recycling bins – instead of a fixed 48-hour limit, bins must not stay out for an unreasonable time (decided by an Enforcement Officer).

- Vehicles parked on roads or public places must be moved if asked by an authorised officer to keep traffic flowing.
- **Vegetation and encroachment controls** – prohibiting planting or placing structures in the road corridor without approval, with Council able to remove unauthorised encroachments at the owner's cost.
- **Protection of roads and cost recovery** – banning activities that damage roads and allowing Council to recover repair costs.
- **Heavy vehicle parking rules** – removing outdated requirements and incorporating clear conditions into the body of the bylaw.
- **Boat launching ramps** – introducing rules for safe use and listing approved locations.
- **Shared pathways** – adding a schedule of shared pathways with clear rules for multi-use.
- **Stock movement** – removal of detailed permit conditions. These are better placed within an operational document.
- **Enforcement powers** – adding provisions for Council to seize and impound property used in breach of the bylaw.
- **Updated schedules** – removing references to revoked bylaws and stock movement graph.

**What's not included and why:**

The draft bylaw does not include rules for cruising, engine braking, or detailed load measurement. Although these provisions are allowed under the Land Transport Act 1998, Council has chosen not to include them because these matters are not noted as a priority at this time, but the bylaw framework allows Council to add them later if needed.

Council has also not included a schedule for timed parking enforcement at this stage. However, any time limits shown on official signage can still be enforced under the bylaw.

Some activities, such as property numbering, advertising displays, and pedlars, are already covered by Council's Community Safety Bylaw, so they are not repeated here.

Schedules for turning restrictions and traffic prohibitions are currently empty. This means no specific restrictions are proposed at this stage, but the framework is in place so Council can add them in the future if needed.

**Overall:**

These changes aim to make the bylaw clearer, more practical, and better suited to managing the local roading network.

**Option 1: Adopt the draft Land Transport Bylaw 2026 as proposed to the community**

**This is Council’s preferred option**

This option means Council would adopt the draft bylaw as proposed following community consultation. This review represents a full statutory review and amendment of the existing Land Transport Bylaw, rather than the creation of a new bylaw. Because the bylaw is being amended rather than replaced, the statutory review period remains at 10 years in accordance with the Local Government Act 2002.

The draft bylaw provides clear rules for managing land transport activities, sets expectations for safe and responsible use of the transport network, and gives Council and enforcement agencies the tools needed to address issues consistently. Adopting the bylaw ensures the framework is in place to protect roads and infrastructure, respond to emerging transport needs, and maintain safety across the district.

Advantages +	Disadvantages -
Provides clear and updated rules for managing land transport activities and supports safety and efficiency across the district’s roading network.	Some community members may prefer alternative approaches or fewer restrictions.
Clauses have been amended to reflect community concerns, protect Council’s assets and enforcement needs.	Does not immediately address all potential transport issues (e.g., timed parking schedules), which may need future amendments.
Aligns with Council’s transport strategies and infrastructure plans.	
Gives Council the tools to address issues consistently and fairly.	
Creates transparency for the community about acceptable behaviours and activities.	
Establishes a flexible framework that can be updated as transport needs change.	

## Ētahi atu kōwhiringa me whakaaro ake | Other options we could consider

### Option 2: Status Quo – Keep the existing Land Transport Bylaw as is without any amendments

This option means Council would retain the current bylaw in its existing form and make no changes. The current bylaw would continue to apply as it is today, without updates to address identified issues or emerging transport needs.

Advantages +	Disadvantages -
The existing Land Transport Bylaw is already in place and some may be familiar with the current provisions.	The existing Bylaw does not reflect the proposed updates made to reflect legislation and current issues.
Avoids potential concerns about new/revised rules.	Missed opportunity to clarify and modernise rules for consistency and transparency.
	May lead to ongoing customer complaints and enforcement difficulties.

### Option 3: Adopt the draft Land Transport Bylaw 2026 with further amendments.

*Note that further community consultation may be required if the changes are significant.*

Advantages +	Disadvantages -
The draft Land Transport Bylaw 2026 can be updated as proposed with further amendments following formal consultation.	No disadvantages identified.

### Option 4: Revoke the current Land Transport Bylaw and do not adopt the draft Land Transport Bylaw 2026 as proposed to the community

This option means Council would remove the current bylaw the draft bylaw would not be updated. There would be no bylaw in place, and Council would rely solely on national legislation and other regulatory tools to manage transport-related issues.

Advantages +	Disadvantages -
Removes the need for ongoing maintenance and review of a local bylaw.	Loss of a key tool for addressing local transport issues and enforcing rules specific to the district.
Reduces administrative and enforcement costs associated with managing a bylaw.	May result in more complaints and less clarity for the community about acceptable behaviours.

May simplify regulatory framework by relying on national legislation only.	May lead to increased damage to roads and infrastructure and ongoing safety risks.
	Reduces Council's ability to respond to nuisances, safety risks, and infrastructure damage on local roads.
	Limits Council's ability to recover costs for damage.

### Ngā Whakaarotanga ā-Ture | Legal Considerations

The Local Government Act 2002 (LGA) empowers Council to make bylaws on a diverse range of subjects. Section 22AB of the Land Transport Act 2008 authorises road controlling authorities, (including councils), to make bylaws relating to a range of road related matters.

These powers enable Council to adopt a Land Transport Bylaw that addresses local transport and safety issues, complements national legislation, and provides enforceable rules tailored to the district's needs.

The LGA prescribes a procedure for making and reviewing bylaws. Under section 155 of the LGA, the Council must determine whether a bylaw:

- is the most appropriate way of addressing the perceived problem;
- is the most appropriate form of the bylaw; and
- gives rise to any implications under the New Zealand Bill of Rights Act 1990.

These considerations are addressed below:

#### Is a Bylaw the appropriate means of addressing the perceived problem?

A bylaw is the most appropriate way of addressing the perceived problems related to safety of residents and visitors. The draft Land Transport Bylaw 2026 provides clear and concise expectations for behaviours when engaging with land transport, as well as the powers that Council hold in regards to controlling land transport rules and enforcement.

A clearly defined Bylaw provides Council with the necessary tools to address safety concerns consistently and fairly.

By establishing legally binding rules and providing a framework for enforcement, the draft Bylaw ensures that safety standards are consistently maintained and respected across the community. It also allows for flexible, tailored solutions to address local safety concerns, while balancing individual freedoms with the collective good.

Relying solely on national legislation or voluntary compliance would not adequately address these issues. National rules do not provide the flexibility to manage specific local conditions, and voluntary compliance lacks enforceability and would not ensure consistent standards across the district.

Therefore, a bylaw is considered the most appropriate mechanism to provide enforceable local controls tailored to the district's needs. It allows Council to set clear, legally binding rules, respond to operational requirements and local concerns, and maintain the safety, accessibility, and amenity of the transport network.

### Is the draft Bylaw the most appropriate form of Bylaw?

The draft Land Transport Bylaw 2026 is the most appropriate form of bylaw for the following reasons, as it:

- Complies with relevant statutory requirements;
- The draft Bylaw is organised for ease of use, with defined terms, schedules, and explanatory notes;
- Includes provisions for enforcement, penalties, and delegated authority to support effective implementation;
- Provides for reasonable exemptions to accommodate emergency services and essential activities.

### Is the draft Bylaw consistent with the New Zealand Bill of Rights Act 1990?

The draft Land Transport Bylaw 2026 has been assessed against the Bill of Rights Act. While the Bylaw imposes restrictions on certain activities (such as parking, stock movement, use of boat launching ramps etc.), these limitations are considered reasonable and justified in a free and democratic society. They are necessary to protect public safety, maintain access, and manage Council's roading assets.

The draft Bylaw does not prohibit freedom of movement or expression beyond what is required to achieve its purpose. Any enforcement powers, including seizure and impounding, are proportionate and subject to statutory safeguards.

Therefore, it is considered that the draft Land Transport Bylaw 2026 is consistent with the New Zealand Bill of Rights Act 1990.

### Ētahi atu mōhiohio | More information

For more information about this proposal, and to see what else we are seeking feedback on go to [mpdc.nz/letstalk](https://mpdc.nz/letstalk)

### He kōrero whakahoki | Feedback

Whether you agree, oppose or you have suggestions on things we want to hear from you!

*Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.*

### Me pēhea te tuku urupare | How to give your feedback

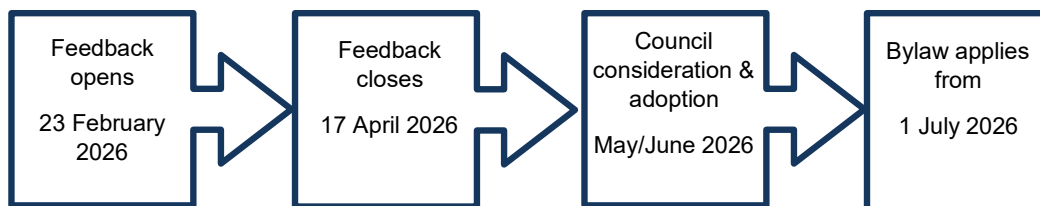
🖨 Online: Go to [mpdc.nz/letstalk](https://mpdc.nz/letstalk) to fill out the online form.

✉ Mail to: Matamata-Piako District Council, PO Box 266, Te Aroha 3342

✉ Email: [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz)

🗳 In person: You can drop your feedback form into any of our Council offices or libraries.

**Ngā Rā Matua | Key dates**



### Puka whakahoki kōrero | Feedback form – Draft Land Transport Bylaw 2026

Please provide your feedback by 17 April 2026

Name/Organisation: \_\_\_\_\_

*For individuals please simply write name/names, for organisations please write the full organisation name*

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Town: ☐ Matamata ☐ Morrinsville ☐ Te Aroha ☐ Other: \_\_\_\_\_

Age: ☐ Under 18 ☐ 18–24 ☐ 25–34 ☐ 35–44 ☐ 45–64 ☐ 65–74 ☐ 75+

Would you like to speak to the Mayor and Councillors about your feedback?

*If you would like to speak to your submission, Council will provide an opportunity to do so. Details about how and when this will happen will be confirmed after consultation closes.*

☐ Yes ☐ No

**Privacy statement:** Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

#### Draft Land Transport Bylaw 2026:

Which of these options do you support?

☐ Option 1: Proposed option: Adopt the draft Land Transport Bylaw 2026 as proposed to the community

☐ The Bylaw would be adopted as proposed to reflect current issues.

☐ Option 2: Status Quo: Keep the existing Land Transport Bylaw

☐ Keep the current Land Transport Bylaw 2008 (Amended 2022) as is without any amendments.

☐ Option 3: Adopt the draft Land Transport Bylaw 2026 with further amendments.

☐ Adopt the Bylaw as proposed to the community with further changes suggested by submitters.

☐ Option 4: Revoke the existing Land Transport Bylaw and do not adopt the draft Land Transport Bylaw 2026

☐ Revoke the existing Land Transport Bylaw and do not adopt the draft Land Transport Bylaw 2026 as proposed to the community.

☐ Option 5: Other

You may like to suggest a different option. Tell us what you think would work best.

Additional Comments to support the option chosen above:

\_\_\_\_\_



Is there anything else you would like us to consider as part of this Bylaw review?

Please provide any further comments below

Please provide your feedback by 17 April 2026

## 7 Pūrongo me whakatau | Decision Reports

# 7.10 Draft Local Easter Sunday Shop Trading Policy - Adoption for Public Consultation

CM No.: 3120096

## Te Kaupapa | Purpose

The purpose of this report is to seek Council's adoption of the draft Local Easter Sunday Shop Trading Policy and associated Statement of Proposal for consultation.

## Rāpopotonga Matua | Executive Summary

Under the Shop Trading Hours Act 1990 (Act), most shops in New Zealand must remain closed on Easter Sunday, as it is one of four restricted trading days each year (alongside Christmas Day, Good Friday, and Anzac Day until 1 pm). Opening on these days is an offence, however certain shops may open (e.g. dairies, service stations, pharmacies, restaurants, garden centres)

In 2016, Parliament amended the Act to allow councils to adopt local policies permitting shops in all or part of their district to open on Easter Sunday. These policies are limited in scope: they cannot set trading hours, restrict shop types, or impose conditions - they simply allow trading in a defined area. Employees retain statutory protections, including the right to refuse Easter Sunday work.

The recommendation is to continue with the current approach - district-wide permission for shops to choose whether to open - while making minor amendments to improve clarity, and alignment with legislation. In accordance with the Act, Council will consult the community using the Special Consultative Procedure under the Local Government Act 2002 (LGA).

## Tūtohunga | Recommendation

That:

1. The information be received.
2. Council adopts the draft Local Easter Sunday Shop Trading Policy 2026 for consultation (both the clean copy and copy with tracked changes).
3. Council adopts the Statement of Proposal for the draft Local Easter Sunday Shop Trading Policy 2026 for consultation.
4. Council authorise staff to make any minor amendments (including the inclusion of Te Reo Māori headings) needed to the draft Local Easter Sunday Shop Trading Policy 2026 and Statement of Proposal prior to consultation.

## Horopaki | Background

Under the Shop Trading Hours Act 1990 (Act), most shops must close on Easter Sunday unless exempt (e.g. dairies, service stations, pharmacies, restaurants, and garden centres). The occupier of a shop that is not closed in accordance with the Act commits an offence and is liable on conviction to a fine not exceeding \$1,000 (section 5).

In 2016, the Act was amended through the Shop Trading Hours Amendment Act 2016 to allow territorial authorities to adopt a local policy to permit shops in their district (or parts of the district)

to open on Easter Sunday. A policy can be developed which determines whether to allow shop trading on Easter Sunday across the entire district or in certain towns/areas and must include a map of the area within the policy.

Key Points:

- A local policy can apply to the entire district or specific areas.
- A policy cannot be developed which:
  - Permits shops to open only for some purposes.
  - Permits only some types of shops to open.
  - Specifies times at which shops may or may not open.
  - Includes any other conditions as the circumstances in which shops in the area may open.
- Employees have the legal right to refuse to work on Easter Sunday without repercussions.
- Enforcement of trading restrictions remains with central government (Ministry of Business, Innovation and Employment).

Current Policy:

The current Policy can be found on Council's website: <https://www.mpd.govt.nz/filelink/filemanager/CouncilDocuments/Policies/ADOPTEDLocalEasterSundayShopTradingPolicy.PDF>

- Council's existing Local Easter Sunday Shop Trading Policy (Policy) permits trading across the district on Easter Sunday. The policy position is:  
*Any Shop is permitted to open on Easter Sunday throughout the Matamata-Piako District.*
- The current Policy means that individual businesses can decide if they would like to open or not.
- The Policy was adopted in 2017 following the amendment to the Act that allowed councils to have a Policy should they choose to do so.
- The Policy is required to be reviewed every five years using the special consultative procedure under the Local Government Act 2002 (LGA). Although the last review occurred in 2022 and the next is not due until 2027, the review has been brought forward due to the upcoming Long Term Plan project, to optimise the use of staff resources by reducing competing priorities during that process.

Sale and Supply of Alcohol (Sales on Anzac Day Morning, Good Friday, Easter Sunday, and Christmas Day) Amendment Bill

The above Amendment Bill is currently before Parliament. If enacted, the bill would repeal sections 47 and 48 of the Sale and Supply of Alcohol Act 2012, allowing licensed businesses already permitted to open on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day to sell alcohol under their usual licence conditions.

Council's Policy relates solely to shop trading hours, and does not govern alcohol licensing. This bill does not override local authority powers under the Shop Trading Hours Act 1990, so Council retains control over whether shops can open on Easter Sunday.

Other Council Positions

A review of policies across the Waikato region shows that most councils permit trading across their entire districts as detailed in the table below:

Council	Last Reviewed	Policy Position
Ōtorohanga	2023	<b>Yes</b> - Allow across the district
Waitomo	2022	<b>Yes</b> - Allow across the district
Waikato	2022	<b>Yes</b> - Allow across the district
Rotorua Lakes	2022	<b>Yes</b> - Allow across the district
Taupō	2022	<b>Yes</b> - Allow across the district
Hauraki	2021	<b>Yes</b> - Allow across the district
Thames-Coromandel	2021	<b>Yes</b> - Allow across the district
South Waikato	2018	<b>Yes</b> - Allow across the district
Hamilton City	2017	<b>No</b> – The Act applies
Waipa	2017	<b>No</b> – The Act applies

#### Hamilton City Council:

Hamilton City does not currently have a Local Easter Sunday Shop Trading Policy, meaning the default provisions of the Act apply (most shops must close unless exempt).

Following the 2016 legislative amendment, Hamilton City Council consulted on a proposed policy. 71% of submitters opposed adopting the policy. Key reasons included:

- Maintaining Easter Sunday as a day for religious recognition.
- Preserving Easter Sunday as a day of rest and family time.
- Concerns about workers' rights, particularly for vulnerable employees who may feel pressured to work.

#### Waipa District Council:

Waipa considered introducing a policy and sought initial feedback; however, formal consultation and policy adoption did not proceed. As a result, Waipa also defaults to the national legislation.

#### National Context:

In 2022, it was reported<sup>1</sup> that approximately two-thirds of councils in New Zealand (43 councils) had adopted a Local Easter Sunday Shop Trading Policy. This represents significant geographic coverage across the country (as detailed in the map below). However, these 43 council areas accounted for only around 32% of New Zealand's population, as the four largest metropolitan centres - Auckland, Christchurch, Wellington, and Hamilton - do not have a policy in place and therefore default to the national provisions under the Act.

<sup>1</sup> Infometrics (2022). Two-thirds of New Zealand areas have local Easter trading policies. Retrieved from <https://economics.infometrics.co.nz/article/2022-04-two-thirds-nz-local-easter-trading> on 1 December 2025.

■ No policy, so default "no trade" prevails ■ Policy in place, allowing some kind of Easter Sunday trade



## Ngā Take/Kōrerorero | Issues/Discussion

### Decision-making Considerations

Council must consider whether to amend, revoke, replace, or continue the Policy without amendment. The following considerations have been identified to assist Council in its decision-making:

- **Cultural and Religious Significance**  
Easter is a significant event in the Christian faith, making decisions about Easter Sunday trading particularly sensitive. Many people expect Easter to be a time for family and religious observance. In the 2023 Census, 30.9% of Matamata-Piako residents identified as Christian, highlighting the importance of considering cultural and religious observance in decision-making.
- **Economic Factors**  
Easter weekend represents a major opportunity for the business, tourism and hospitality sectors, which often advocate for flexibility to meet visitor demand and sustain income.
- **Employee Rights**  
Easter Sunday remains a significant day in New Zealand, and employees have a statutory right to refuse work on this day without providing a reason. Employers wishing staff to work must give written notice 4–8 weeks prior to Easter Sunday (or as soon as practicable for new employees hired within four weeks). Employees must respond in writing within 14 days of receiving notice.

Employers cannot compel employees to work or treat them adversely for refusing. Any disputes are subject to the Employment Relations Act 2000. Easter Sunday is a restricted trading day, not a public holiday; payment for non-work depends on individual employment agreements. Good Friday and Easter Monday remain public holidays under the Holidays Act 2003.

- **Diverse Community Views:**

Perspectives are diverse. Religious groups typically support maintaining the sanctity of Easter, while businesses may prefer the ability to open to meet demand. Employees' views are also important - although workers have the legal right to refuse Easter Sunday work, some may feel pressured due to loyalty or concerns about career implications.

#### Recent Review

When the Policy was last reviewed in 2022, Council received 31 submissions; with 74% supporting the proposal for Council to continue allowing trading on Easter Sunday.

Supporters generally felt that businesses should have the freedom to decide whether or not to open, and employees should retain the right to choose whether or not to work. Many submitters also noted that New Zealand is a multicultural society and businesses should have flexibility to meet demand.

Those opposed to the proposal highlighted the religious significance of Easter Sunday, arguing that trading should not occur on this day. Other reasons included the view that Easter Sunday should be a paid day off and reserved for family time.

Additional considerations raised during the review included the economic impact on local businesses and tourism, and the importance of employee rights.

#### 2017 Consultation

In 2018, Council consulted the community on a draft Easter Sunday Shop Trading Policy (following the Amendment of the Act) proposing to allow trading across the district. A total of 79 submissions were received. Following consideration of feedback, Council adopted the policy, meaning Easter Sunday shop trading has been permitted throughout the district since Easter 2018.

Of the 79 submissions, 36 supported the proposal and 34 opposed with 2 'other' comments and 7 were not marked.

In **support** of the policy, some of the reasons given in submissions were:

- The decision to trade on this day should be up to the individual business (a matter of personal choice) which the policy provides for.
- It is inappropriate to have others' beliefs imposed simply because they feel strongly about those beliefs (customers can also decide to shop based on their own beliefs and requirements).
- Easter is a popular time for tourist and leisure activities, particularly outdoor activities such as the cycle trail. Local business should be able to open to service the needs of tourists and residents in an increasingly secular and diverse society.
- Businesses should be allowed to open on Easter Sunday particularly with it not being a statutory public holiday. Question why dairies and other convenience stores are allowed to trade but not supermarkets.
- Tourism is a major growth opportunity and this policy will support business.
- It is no business of either Central or Local Government as to when shops can open.
- Whatever religious holidays are observed is up to the employer and their employees.
- Easter Sunday is not a problem as long as shops are closed on Good Friday.

- There are many important religious days; the majority of the population isn't religious so there should be the freedom to choose if shops open or not.

In **opposition** of the policy, some of the reasons given in submissions were:

- Staff may also feel pressure to work Easter Sunday despite legislative provisions. Officially employees don't have to work but many of businesses are small and so have few staff to choose from. Choosing not to work at Easter may very easily prevent people from gaining a position and employees often lack bargaining power.
- Easter Sunday is a time for families as it falls within the school holiday period. The proposal will come at a social cost to family, rest and recreational time.
- It should be a day of reflection and family time/chance to honour what was set in place in history.
- Shops are open most of the time so there is no need to change it - there are already 363 days a year to conduct business.
- There is a need to honour Christian heritage. Easter Sunday is a sacred day.
- The suggestion that this policy will promote economic development is not dependent on this specific day of trading.
- Suggestion that trading be allowed from 1 pm on Easter Sunday similar to Anzac day.

Given all of the above factors, robust consultation is critical prior to adopting a final policy. Council must engage widely with stakeholders, including faith-based groups, businesses, unions, and the general public, to ensure decisions are legally sound and socially acceptable.

#### Proposed Recommendation and Changes

At a Council workshop held on 26 November 2025, Council indicated a preference to continue with the current policy position; that is shops can choose to open on Easter Sunday (across the entire district). Therefore, a draft Policy for consultation is attached to this report alongside a Statement of Proposal.

If Council decides to progress with this option, staff are proposing minor amendments for clarity, these are set out in the attached draft. The tracked changes copy indicates the addition of text in red and deleted text is red and struck through.

### **Mōrearea | Risk**

The Gwynn v Napier City Council High Court judgment (2018) highlighted significant risks for councils when consulting on Easter Trading policies. The Court found that Napier City Council's process failed to meet the principles of fair consultation under the Local Government Act and the Shop Trading Hours Act. Further analysis is detailed in the Legal and Policy Considerations section of this report.

### **Ngā Whiringa | Options**

The following options have been identified for Council's consideration. It is not recommended to continue the Policy without amendment due to the minor changes suggested to improve clarity, ensure accuracy, and maintain alignment with legislation.

### Option One – Status Quo (recommended option)

#### Continue the Policy with minor amendments proposed

Under this option, Council would continue with the current policy position to allow trading in the district on Easter Sunday and individual businesses could continue to choose whether to open or not with employee rights not to work protected by legislation. If Council chooses this option, staff are suggesting minor amendments for clarity.

Advantages	Disadvantages
Maintains certainty for businesses, employees and customers.	Some community members may view Easter Sunday trading as undermining its cultural or religious significance.
Supports economic activity and tourism.	Despite legal protections, employees may feel an obligation to work on Easter Sunday.
Individual retailers retain the freedom to decide whether to open, supporting autonomy and responsiveness to customer demand.	Ongoing need for employers to comply with notice requirements and inform staff of their rights, which can create compliance challenges.
Legislative safeguards remain in place, ensuring employees can refuse Easter Sunday work without repercussions.	
Allows the opportunity for minor amendments for clarity.	
Opportunity to add Te Reo Māori headings.	
Under this option, workers have the option to earn extra income by working on Easter Sunday, which they otherwise wouldn't receive under trading restrictions.	

### Option Two – Amend the Policy

#### Amend the Policy to apply to only parts of the district.

This option would change the current district-wide approach so that Easter Sunday trading is permitted only in specific areas (these would need to be determined).

Advantages	Disadvantages
Opportunity for Council to change its approach.	May add complexity and create confusion for businesses, employees, customers and enforcement agencies.
Targets trading to areas with higher economic or visitor activity.	Retailers outside designated zones would lose the option to open, which may be perceived as inequitable.
May address concerns from groups who prefer limited trading on Easter Sunday.	Restricting trading to certain areas may reduce overall economic opportunities compared to a district-wide approach.

### Option Three – Revoke the Policy

### Revoke the existing Policy and revert to the statutory provision.

This option would revoke the Council's Local Easter Sunday Shop Trading Policy entirely. If revoked, the district would revert to the default position under the Shop Trading Hours Act 1990, which prohibits shops from opening on Easter Sunday unless they fall under specific statutory exemptions (e.g., dairies, service stations, pharmacies, garden centres).

Advantages	Disadvantages
Simplifies regulatory environment (reverts to national law).	Limits trading opportunities for businesses.
Reallocates resources that would otherwise be dedicated to the statutory five-year review process.	Potential negative impact on tourism and the local economy.
May align with the views of those who consider Easter Sunday a significant cultural or religious day and prefer restricted trading.	May not align with the preferences of retailers and customers.
	Change to the current situation - Shops that have previously opened under the local policy would no longer be permitted to trade, reducing flexibility for businesses and shoppers.

### Recommended option

The recommended option is option one: to retain the current policy position. This permits Easter Sunday trading across the district, with minor amendments suggested to improve clarity, accuracy, and alignment with legislation. This approach maintains flexibility for businesses to decide whether or not to open while ensuring employee rights under the Act remain fully protected.

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

The Shop Trading Hours Amendment Act 2016 amended the principal act (Shop Trading Hours Act 1990) enabling territorial authorities to have a policy that allows shop trading on Easter Sunday.

Section 5C requires Council to review its policy every five years. Section 5C(4) of the Act requires that Council must consult using the special consultative procedure of the LGA to decide whether to:

- amend the policy; or
- revoke the policy; or
- replace the policy; or
- continue the policy without amendment.

### Case Law

The Gwynn v Napier City Council (2018) case highlights the importance of meeting statutory consultation obligations under the LGA. In this case, the High Court found that Napier City Council's consultation process was insufficient when adopting an Easter Sunday trading policy because:

- It failed to properly engage with affected stakeholders.

- It did not provide enough information for meaningful feedback.

Key implications include:

- Consultation during holiday periods (e.g., Christmas/New Year) can limit stakeholder participation and expose the process to judicial review.
- Failure to engage with affected groups - such as employees, unions, and faith-based organisations - was a critical flaw.
- Processes that appear to favour business interests over social considerations undermine public confidence and legal defensibility.
- Removing one of the few guaranteed days off for workers is a significant societal issue requiring robust, inclusive consultation.

Mitigation Strategies for Upcoming Review:

- Allow sufficient time for submissions and be mindful of the Easter period (note that the Easter period falls within the consultation dates as currently scheduled. However, consultation is due to open much earlier (23 February 2026) to allow sufficient time for submissions from interested parties. Also note that any changes would not come into force until 1 July 2026.
- Proactively engage with key stakeholders (employees, unions, churches, community groups, businesses) using multiple channels.
- Provide balanced information on economic benefits and social impacts, including workers' choice provisions.
- Document all outreach efforts and responses to demonstrate compliance with LGA consultation principles (section 82).

Failure to meet these standards could result in legal challenge and reputational damage as demonstrated in this case.

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

Having regard to the decision making provisions in the LGA and Council's Significance and Engagement Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance due to the following:

- The proposed changes are minor, but the subject matter may be contentious, there are polarised views and there is high public interest.
- The policy affects a wide range of businesses and employees across the district (and also customers).
- Case law establishes that Council must give due consideration to engaging with affective parties and following due process.
- Engagement is important to maintain transparency and trust.

Regardless of significance, consultation is mandatory under the Shop Trading Hours Act 1990 using the Special Consultative Procedure in the Local Government Act 2002.

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. 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	Council will share the draft Policy with groups/individuals that it considers will be affected or who may have an interest in the relevant issues and will give due consideration to the views and preferences received through the consultation process.
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 medium level of significance.
Section 82 – this sets out principles of consultation.	Council is required to seek community views using the special consultative procedure set out in section 83 of the LGA and to follow the principles of consultation as per section 82.

### **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 LGA or any other enactment.

### **Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement**

It is proposed to inform the following groups of the opportunity to provide Council with feedback on this draft Policy:

- Retail businesses, business associations and chambers of commerce
- Employees and unions representing retail workers
- Community groups and residents with an interest in Easter trading
- Iwi and Māori organisations
- Faith-based organisations
- Tourism and hospitality operators
- General public through Council's usual engagement channels (website, social media, public notices)

Council will use several communication tools to encourage the community to take part in the consultative process including:

- Facebook and Antenno
- Contacting key stakeholders (as above)
- Attending in-person events (e.g. markets, BA5's)
- Direct notice to ratepayers
- Newspapers (Council in Focus)





## Timeframes

The below table sets out key dates for the consultation process:

Key Task	Dates
Draft Policy and Statement of Proposal approved for consultation - Council meeting	17 December 2025
Public consultation/engagement period	23 February – 17 April 2026
Hearing of Submitters (or drop in sessions)	14 May 2026 15 May 2026 (if required)
Deliberations/decision-making	27 May 2026
Council meeting to formalise decision – formally adopt Policy (with or without amendments following consultation, or revoke Policy)	24 June 2026
Updated Policy comes into force	1 July 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 review of Council's Easter Sunday Shop Trading Policy supports Council's Community Outcomes by promoting a balanced approach that considers people, economic wellbeing, cultural and religious values, and inclusivity. It ensures decisions reflect community priorities, enable local businesses to thrive, respect traditions, and provide choice for residents and businesses, contributing to a vibrant and connected district.

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

The cost of reviewing Council's policies and bylaws is funded within existing budgets through the Strategies and Plans activity as outlined in Council's Long Term Plan 2024-2034.

## Ngā Tāpiritanga | Attachments

- A. [Draft Statement of Proposal - Local Easter Sunday Shop Trading Policy 2026 For Council Approval for Consultation](#)
- B. [Draft Local Easter Sunday Shop Trading Policy \(Clean Copy\) - For Council Approval for Consultation](#)
- C. [Draft Local Easter Sunday Shop Trading Policy \(Tracked Changes\) - For Council Approval for Consultation](#)

## Ngā waitohu | Signatories

Author(s)	Laura Hopkins <b>Kaitohu Kaupapahere Mātāmua   Senior Policy Advisor</b>	
Approved by	Niall Baker <b>Kaiārahi Tima Kaupapahere   Policy Team Leader</b>	
	Sandra Harris <b>Pou Kaupapahere, Rāngai Mahitahi me te Kāwana   Policy, Partnerships and Governance Manager</b>	

# Te Reo Translation 2026 | Local Easter Sunday Shop Trading Policy 2026

**Tauākī Tūtohu | Statement of Proposal**

**Te Reo Translation** | For Consultation - 23 February  
to 17 April 2025

## Kupu Whakataki | Introduction

Matamata-Piako District Council (Council) is reviewing its Local Easter Sunday Shop Trading Policy (Policy) in accordance with the Shop Trading Hours Act 1990 (the Act) and the Local Government Act 2002 (LGA). Consultation is being undertaken so we can understand community views on the proposal and consider any changes to the Policy based on submissions received.

The current Policy, last reviewed in 2022, permits shops across the district to open on Easter Sunday if they choose. Council first adopted this Policy in 2017 following an amendment to the Act that allowed councils to introduce a local policy enabling Easter Sunday trading.

Under the Act, the Policy must be reviewed at least once every five years. When reviewing the Policy, Council is required to consult with its communities using the Special Consultative Procedure set out in section 83 of the LGA.

Council are proposing to retain the current district-wide approach, which permits Easter Sunday trading throughout the district, with some minor amendments to improve clarity. The draft Policy allows businesses to choose whether or not to open on Easter Sunday.

## Te mānuka e kawea ake ana | What we're proposing

Council has reviewed the Policy and approved a draft for public consultation. We are proposing to keep the current approach, which allows shops across the whole district to open on Easter Sunday if they choose.

When reviewing the Policy, Council looked at other options, such as:

- Removing the Policy completely (which would mean most shops could not open on Easter Sunday unless exempt under the Act), or
- Allowing Easter Sunday trading only in certain parts of the district.

After considering these options, Council is proposing to maintain the status quo with a consistent approach across the district.

We are also suggesting some minor changes to make the policy clearer and easier to read, and to add Te Reo Māori headings in alignment with our Ko te Kaupapahere Reo Māori | Māori Language Policy.

**This consultation is your chance to have your say.** We want to know whether you:

- a) Agree with having a policy that allows shops across the whole district to open on Easter Sunday (if they choose);
- b) Prefer a policy that only allows shops in certain areas to open;
- c) Support removing the Policy, which would mean most shops could not open on Easter Sunday unless exempt under the Act.

## Ngā Take mō te Tūtohutanga | Reasons for the Proposal

Council is required to review its Local Easter Sunday Shop Trading Policy at least every five years. In doing so, we must consider whether to keep the Policy as it is, make changes, or revoke it altogether. Our proposal to continue allowing shops across the district to open on Easter Sunday is based on several key considerations:

### Cultural and Religious Significance

Easter Sunday is an important day of observance for many people, particularly within the Christian faith. In the 2023 Census, 30.9% of Matamata-Piako residents identified as

Christian. Council acknowledges that Easter Sunday is a time for worship, reflection, and family for many in our community, and that these values are an important part of our district's cultural and spiritual life.

#### Economic Factors

Easter weekend is a busy period for tourism, hospitality, and retail. Allowing shops to open provides flexibility for businesses to meet visitor demand and can help support local economic activity during a busy time of the year.

#### Employee Rights

Easter Sunday is a restricted trading day under the Shop Trading Hours Act 1990, but it is not a public holiday. Employees have a legal right to refuse work on Easter Sunday without giving a reason, and employers must follow strict notice requirements. These protections are designed to ensure that staff are not compelled to work if they do not wish to.

#### Community Views

Feedback from previous consultations shows that opinions are divided. Some people value Easter Sunday as a day for family and religious observance, while others believe businesses should have the freedom to choose whether to open. In the last review (2022), 74% of submitters supported continuing the current policy. Supporters highlighted personal choice, economic benefits, and New Zealand's multicultural society. Those opposed raised concerns about family time, religious significance, and potential pressure on employees to work (despite the legal protections).

In summary: Council is proposing to keep the current policy because it provides flexibility for businesses while respecting employee rights. We also recognise the religious and cultural significance of Easter Sunday as a sacred day for many in our community. Our approach aims to balance these considerations by allowing choice for businesses and employees, while acknowledging the importance of this day for worship, reflection, and family time.

We are also propose minor changes to improve clarity overall. This consultation gives the community an opportunity to share views before any final decision is made.

## Te mānuka e kawea ake ana | What we're proposing

While Council is proposing to keep the current policy approach (allowing shops across the district to open on Easter Sunday), we are open to hearing your views on other possible approaches. These include:

### Option 1: Status Quo – Continue the Policy with minor amendments proposed

#### This is Council's preferred option

Under this option, Council would continue with the current policy position to allow trading in the district on Easter Sunday and individual businesses could continue to choose whether to open or not with employee rights not to work protected by legislation.

We are also suggesting minor amendments for clarity.

Advantages +	Disadvantages -
Maintains certainty for businesses, employees and customers.	Some community members may view Easter Sunday trading as undermining its cultural or religious significance.
Supports economic activity and tourism.	Despite legal protections, employees may feel an obligation to work on Easter Sunday.
Individual retailers retain the freedom to decide whether to open, supporting autonomy and responsiveness to customer demand.	Ongoing need for employers to comply with notice requirements and inform staff of their rights, which can create compliance challenges.
Legislative safeguards remain in place, ensuring employees can refuse Easter Sunday work without repercussions.	
Allows the opportunity for Council to make minor amendments for clarity and add Te Reo Māori headings.	
Under this option, workers have the option to earn extra income by working on Easter Sunday, which they otherwise wouldn't receive under trading restrictions.	

## Ētahi atu kōwhiringa me whakaaro ake | Other options we could consider

### Option 2: Amend the Policy to apply to only parts of the district

Council could amend the current district-wide approach so that Easter Sunday trading is permitted only in specific areas (these would need to be determined).

Advantages +	Disadvantages -
Targets trading to areas with higher economic or visitor activity.	May add complexity and create confusion for businesses, employees, customers and enforcement agencies.
May address concerns from groups who prefer limited trading on Easter Sunday.	Retailers outside designated zones would lose the option to open, which may be perceived as inequitable.
	Restricting trading to certain areas may reduce overall economic opportunities compared to a district-wide approach.

### Option 3: Revoke the Policy

Council could revoke the Local Easter Sunday Shop Trading Policy entirely. If revoked, the district would revert to the default position under the Shop Trading Hours Act 1990, which prohibits shops from opening on Easter Sunday unless they fall under specific statutory exemptions (e.g., dairies, service stations, pharmacies, garden centres).

Advantages +	Disadvantages -
Simplifies regulatory environment (reverts to national law).	Limits trading opportunities for businesses.
Reallocates resources that would otherwise be dedicated to the statutory five-year review process.	Potential negative impact on tourism and the local economy.
May align with the views of those who consider Easter Sunday a significant cultural or religious day and prefer restricted trading.	May not align with the preferences of retailers and customers.
	Change to the current situation - Shops that have previously opened under the local policy would no longer be permitted to trade, reducing flexibility for businesses and shoppers.

## Ngā Whakaarotanga ā-Ture | Legal Considerations

The Shop Trading Hours Act was amended in 2016 to allow councils to adopt a local policy to enable trading on Easter Sunday. Before this change, only certain types of shops (such as dairies, service stations and garden centres) were permitted to trade.

Under the Act:

- Councils *may* adopt a Local Easter Sunday Shop Trading Policy.

The Act does not:

- Require shops to open.
- Set trading hours or restrict shop types.
- Affect employee rights - employees retain the legal right to refuse Easter Sunday work without giving a reason.

A Local Easter Sunday Shop Trading Policy cannot:

- Permit shops to open only for certain purposes.
- Permit only some types of shops to open.
- Specify trading hours.
- Include any other conditions about when shops may open.
- Override trading provisions in other legislation (e.g., alcohol licensing laws).

### Enforcement

Council does not enforce this Policy. Enforcement responsibilities sit with the Ministry of Business, Innovation and Employment (MBIE) under the Act.

### Review Requirements

The Policy must be reviewed at least every five years. When reviewing, Council must use the Special Consultative Procedure under section 83 of the Local Government Act 2002, which includes public consultation before any changes are made.

## Ētahi atu mōhiohio | More information

For more information about this proposal, and to see what else we are seeking feedback on go to [mpdc.nz/letstalk](https://mpdc.nz/letstalk)

## He kōrero whakahoki | Feedback

Whether you agree, disagree or you have suggestions we want to hear from you!

*Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.*


You can drop your feedback form into any of our Council offices or libraries.

## Me pēhea te tuku urupare | How to give your feedback

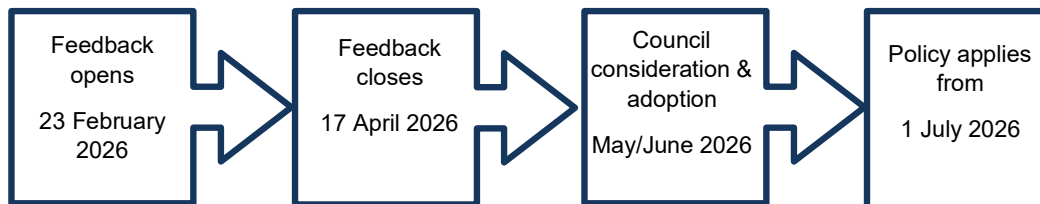
🖨 Online: To fill out the online form click [here](#).

✉ Mail to: Matamata-Piako District Council, PO Box 266, Te Aroha 3342

✉ Email: [info@mpdc.govt.nz](mailto:info@mpdc.govt.nz)

 In-person: You can drop your feedback form into any of our Council offices or libraries.

#### Ngā Rā Matua | Key dates



**Puka whakahoki kōrero | Feedback form – Draft Local Easter Sunday Shop  
Trading Policy 2026**

**Please provide your feedback by 17 April 2026**

**Name/Organisation:** \_\_\_\_\_

*For individuals please simply write name/names, for organisations please write the full organisation name*

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Town:** ☐ Matamata ☐ Morrinsville ☐ Te Aroha ☐ Other: \_\_\_\_\_

**Age:** ☐ Under 18 ☐ 18–24 ☐ 25–34 ☐ 35–44 ☐ 45–64 ☐ 65–74 ☐ 75+

**Would you like to speak to the Mayor and Councillors about your feedback?**

*If you would like to speak to your submission, Council will provide an opportunity to do so. Details about how and when this will happen will be confirmed after consultation closes.*

☐ Yes ☐ No

**Privacy statement:** Please be aware that feedback made to Council is public information. Your feedback will be used and reproduced for purposes such as reports to Elected Members, which are made available to the public.

**Draft Local Easter Sunday Shop Trading Policy:**

**Which of these options do you support?**

☐ **Option 1: Proposed option: Adopt the draft Local Easter Sunday Shop Trading Policy 2026**

- ☐ The Policy would be amended as proposed to reflect minor amendments and businesses would continue to choose whether or not to open on Easter Sunday.

☐ **Option 2: Amend the Policy to apply to only parts of the district**

- ☐ Easter Sunday trading would be permitted only in specific areas (these would need to be determined).

☐ **Option 3: Revoke the current Policy**

- ☐ The district would revert to the default position under the Shop Trading Hours Act 1990, which prohibits shops from opening on Easter Sunday unless they fall under specific statutory exemptions (e.g., dairies, service stations, pharmacies, garden centres).

☐ **Option 4: Other**

You may like to suggest a different option. Tell us what you think would work best.

**Additional Comments to support the option chosen above:**

\_\_\_\_\_  
\_\_\_\_\_

Is there anything else you'd like us to consider as part of this Policy review?

Please provide any further comments below

Please provide your feedback by 17 April 2026



## Te Reo Translation 2026 | Local Easter Sunday Shop Trading Policy 2026

**DRAFT – FOR CONSULTATION**

<b>Department</b>	Policy, Partnerships and Governance
<b>Policy Type</b>	External
<b>CM Reference</b>	TBC
<b>Resolution Date</b>	TBC
<b>Policy/Bylaw Effective From</b>	1 July 2026 (TBC)
<b>Policy/Bylaw Supersedes</b>	Local Easter Sunday Shop Trading Policy 2022
<b>Review Frequency</b>	Five-yearly or as required by Council or legislative changes.
<b>Review Date</b>	1 July 2031 (TBC)
<b>Engagement Required</b>	Special Consultative Procedure (Local Government Act 2002)



**1. Te Kaupapa | Purpose**

- 1.1 The purpose of the Local Easter Sunday Shop Trading Policy (Policy) is to enable *shops* to trade on Easter Sunday if they wish to. This Policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 (*the Act*) which provides *Council* with the ability to establish a local policy to enable *shop* trading on Easter Sunday.
- 1.2 This Policy aims to meet demand for *goods* and services from visitors and residents in the *Matamata-Piako District* during the Easter Holiday weekend.

**2. Te Reo Translation | Title and Commencement**

- 2.1 This Policy shall be known as the 'Matamata-Piako District Local Easter Sunday Shop Trading Policy 2026'.
- 2.2 This Policy comes into force on 1 July 2026.

**3. Horopaki | Background**

- 3.1 *The Act* provides for restricted trading days, including Easter Sunday. *The Act* allows *shops* selling certain types of *goods* to remain open on the restricted trading days.
- 3.2 Types of *shops* that can remain open on the restricted trading days include:
  - a) Dairies;
  - b) Service stations;
  - c) Pharmacies;
  - d) Take away bars;
  - e) Restaurants;
  - f) Cafes;
  - g) Souvenir stores;
  - h) Garden centres.

**4. Te Reo Translation | Enabling Enactments**

- 4.1 This Policy is made in pursuant and subject to the Local Government Act 2002 and *the Act*.

**5. Raupapa mahi | Scope**

- 5.1 This Policy applies to *shops* trading across the entire *Matamata-Piako District* (refer to Schedule 1 for a map of the *Matamata-Piako District*).
- 5.2 This Policy does not:
  - a) Apply to any day other than Easter Sunday.
  - b) Control the types of *shops* that may open, or their opening hours.
  - c) Limit *Council's* ability to undertake its duties, powers or functions under any other Act.
  - d) Apply to the sale and supply of alcohol.
    - i. this is regulated under the Sale and Supply of Alcohol Act 2012.
  - e) Address *shop* employee rights, which are governed by the requirements of *the Act*. For clarity, all *shop* employees have the ability to refuse to work on Easter Sunday without providing a reason to their employer.

- i. Within *the Act*, there are “right to refuse” provisions, meaning that all employees have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.
- 5.3 This Policy neither requires *shops* to open, nor individuals to browse or purchase *goods* on Easter Sunday.
- 5.4 *Council* is not responsible for the enforcement of this Policy. Enforcement is undertaken by the central government department that is responsible for administration of *the Act*.
- 6. Kaupapahere I Policy**
- 6.1 Any *shop* is permitted to open on Easter Sunday throughout the Matamata-Piako District.
- 7. Te Arotakenga I Review**
- 7.1 This Policy is a statutory review of the previous Local Easter Sunday Trading Policy 2022.
- 7.2 *The Act* requires that the Local Easter Sunday Shop Trading Policy must be reviewed no later than five years after the date on which it is adopted. Section 5C(4) of *the Act* requires the use of the Special Consultative Procedure when undertaking a review and determining whether to amend, revoke, replace or continue the policy. *Council* cannot delegate the power to make the final decision on whether to adopt, amend or revoke the policy.
- 8. Ngā Tautuhinga I Definitions**
- 8.1 For the purposes of this Policy the following definitions shall apply:

Term	Definition
<i>The Act</i>	means the Shop Trading Hours Act 1990.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any person delegated to act on its behalf.
<i>Goods</i>	includes all personal chattels other than alcohol (within the meaning of the Sale and Supply of Alcohol Act 2012), money, and things in action.
<i>Matamata-Piako District</i>	means the area of jurisdiction of the Matamata-Piako District Council.
<i>Shop</i>	Means a building, place, or part of a building or place, where <i>goods</i> are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include – <ol style="list-style-type: none"><li>a) A private home where the owner or occupier’s effects are being sold (by auction or otherwise)</li><li>b) A building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them</li><li>c) A building or place where the only business carried on is that of selling <i>goods</i> to people who are dealers, and buy the <i>goods</i> to sell them again.</li></ol>

**Whakaritenga 1 | Schedule 1 – Description and Map of Matamata-Piako District  
where Shop Trading on Easter Sunday is permitted.**

**Item 7.10**

**Attachment B**







## **Te Reo Translation 2026 | Local Easter Sunday Shop Trading Policy 2026**

**DRAFT – FOR CONSULTATION**

<b>Department</b>	Policy, Partnerships and Governance
<b>Policy Type</b>	External
<b>CM Reference</b>	TBC
<b>Resolution Date</b>	TBC
<b>Policy/Bylaw Effective From</b>	1 July 2026 (TBC)
<b>Policy/Bylaw Supersedes</b>	Local Easter Sunday Shop Trading Policy 2022
<b>Review Frequency</b>	Five-yearly or as required by Council or legislative changes.
<b>Review Date</b>	1 July 2031 (TBC)
<b>Engagement Required</b>	Special Consultative Procedure (Local Government Act 2002)



**1. Te Kaupapa | Purpose**

- 1.1 The purpose of the Local Easter Sunday Shop Trading Policy (Policy) is to enable *shops* to trade on Easter Sunday if they wish to. ~~The Policy neither requires shops to open, or individuals to shop on Easter Sunday.~~ This Policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 (*the Act*) which provides *Council* with the ability to establish a local policy to enable *shop* trading on Easter Sunday.
- 1.2 This Policy aims to meet demand for *goods* and services from visitors and residents in the *Matamata-Piako District* during the Easter Holiday weekend.

**2. Te Reo Translation | Title and Commencement**

- 2.1 This Policy shall be known as the 'Matamata-Piako District Local Easter Sunday Shop Trading Policy 2026'.
- 2.2 This Policy comes into force on 1 July 2026.

**3. Horopaki | Background**

~~This Policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 ("the Act") which provides Council with the ability to establish a local policy to permit shops to open on Easter Sunday.~~

- 3.1 *The Act* provides for restricted trading days, including Easter Sunday. *The Act* allows *shops* selling certain types of *goods* to remain open on the restricted trading days.
- 3.2 Types of *shops* that can remain open on the restricted trading days include:
- a) Dairies;
  - b) Service stations;
  - c) Pharmacies;
  - d) Take away bars;
  - e) Restaurants;
  - f) Cafes;
  - g) Souvenir stores;
  - h) Garden centres.

**4. Te Reo Translation | Enabling Enactments**

- 4.1 This Policy is made in pursuant and subject to the Local Government Act 2002 and *the Act*.

**5. Raupapa mahi | Scope**

- 5.1 This Policy applies to *shops* trading across the entire *Matamata-Piako District* (refer to Schedule 1 for a map of the *Matamata-Piako District*).
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- a) Apply to any day other than Easter Sunday.
  - b) Control the types of *shops* that may open, or their opening hours.
  - c) Limit *Council's* ability to undertake its duties, powers or functions under any other Act.
  - d) Apply to the sale and supply of alcohol ~~which~~

- i. ~~this~~ is regulated under the Sale and Supply of Alcohol Act 2012.
- e) Address *shop* employee rights, which are governed by the requirements of *the Act*. For clarity, all *shop* employees have the ability to refuse to work on Easter Sunday without providing a reason to their employer.
  - i. Within *the Act*, there are “right to refuse” provisions, meaning that all employees have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.
- 5.3 This Policy neither requires *shops* to open, nor individuals to browse or purchase *goods* on Easter Sunday.
- 5.4 Council is not responsible for the enforcement of this Policy. Enforcement is undertaken by the central government department that is responsible for administration of *the Act*.

## 6 Kaupapahere I Policy

- 6.1 Any *shop* is permitted to open on Easter Sunday throughout the Matamata-Piako District.

### ~~6. Relevant Legislation~~

~~The Shop Trading Hours Act 1990 is the relevant legislation.~~

### ~~7. Related Policies, Strategies or Guidelines~~

~~There are no related Council Policies, Strategies or Guidelines.~~

### ~~8. Measurement and Review~~

~~This policy will be reviewed after five years or as required.~~

## 7. Te Arotakenga I Review

- 7.1 This Policy is a statutory review of the previous Local Easter Sunday Trading Policy 2022.
- 7.2 *The Act* requires that the Local Easter Sunday Shop Trading Policy must be reviewed no later than five years after the date on which it is adopted. Section 5C(4) of *the Act* requires the use of the Special Consultative Procedure when undertaking a review and determining whether to amend, revoke, replace or continue the policy. Council cannot delegate the power to make the final decision on whether to adopt, amend or revoke the policy.

## 8. Ngā Tautuhinga I Definitions

- 8.1 For the purposes of this Policy the following definitions shall apply:

Term	Definition
<i>The Act</i>	means the Shop Trading Hours Act 1990.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any person delegated to act on its behalf.
<i>Goods</i>	includes all personal chattels other than alcohol (within the meaning of the Sale and Supply of Alcohol Act 2012), money, and things in action.
<i>Matamata-Piako District</i>	means the area of jurisdiction of the Matamata-Piako District Council.

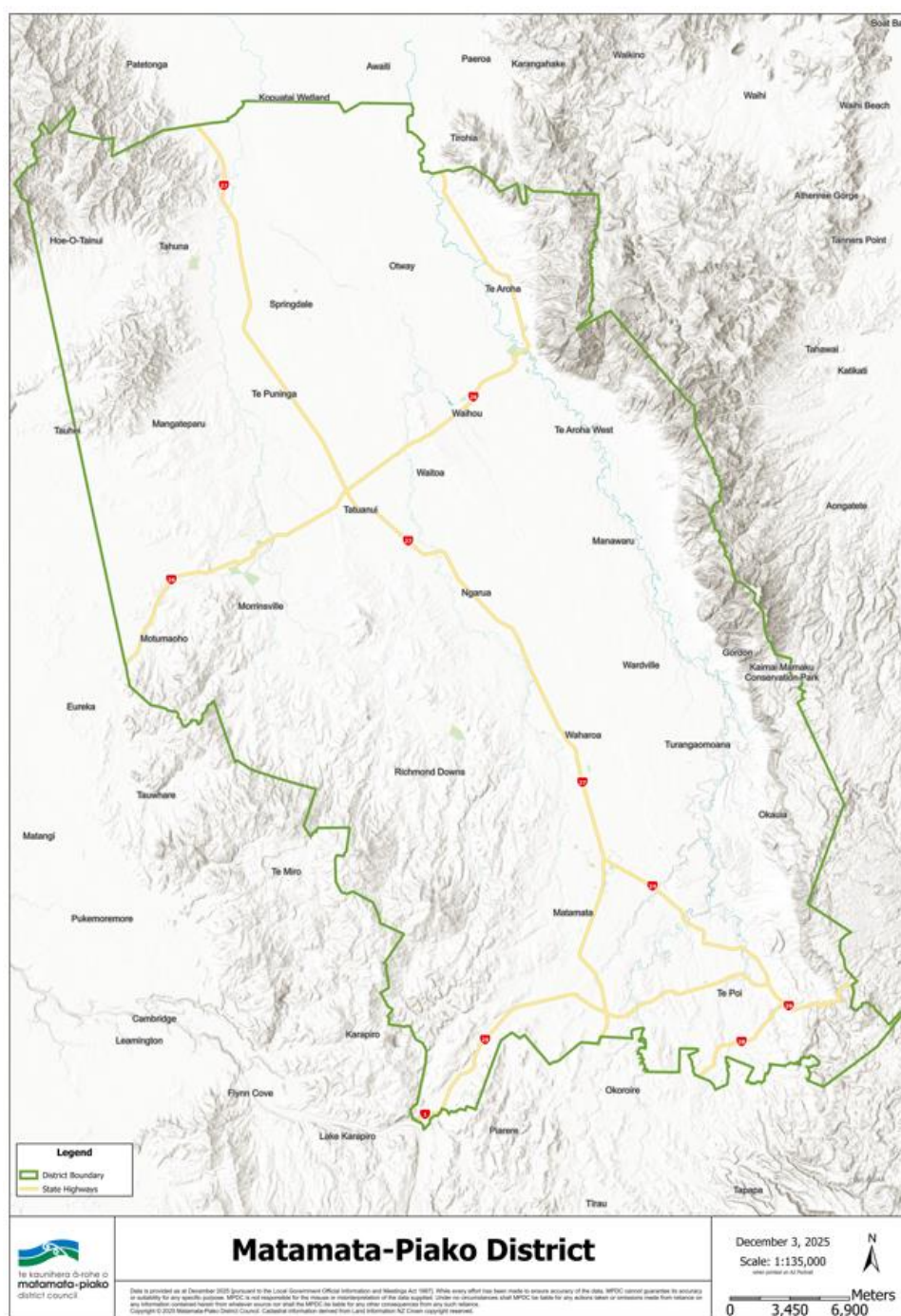
Shop	<p>Means a building, place, or part of a building or place, where <i>goods</i> are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include –</p> <ul style="list-style-type: none"><li>a) A private home where the owner or occupier's effects are being sold (by auction or otherwise)</li><li>b) A building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them</li><li>c) A building or place where the only business carried on is that of selling <i>goods</i> to people who are dealers, and buy the <i>goods</i> to sell them again.</li></ul>
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**Whakaritenga 1 | Schedule 1 – Description and Map of Matamata-Piako District  
where Shop Trading on Easter Sunday is permitted.**

**Item 7.10**

**Attachment C**





7 Pūrongo me whakatau | Decision Reports

## 7.11 Council Issues over Christmas Holiday Period 2025/26

CM No.: 3123411

### Te Kaupapa | Purpose

The purpose of this report is to determine the process of any urgent decisions required over the Christmas holiday period.

### Rāpopotonga Matua | Executive Summary

Council to discuss and determine the process required regarding urgent decisions that may need to be made during the Christmas holiday period.

### Tūtohunga | Recommendation

That:

1. The information be received.
2. Any urgent issues arising during the 2025/26 Christmas holiday period be emailed to all Councillors with delegation to the Mayor and Chief Executive to act on receipt of support from a majority of Councillors.

### Horopaki | Background

It is suggested that the Mayor and Chief Executive email all Councillors and act accordingly based on responses received, provided a majority are in agreement with the decision. Councillors will then give formal approval to the decision at the next meeting if required. Councillors should note that this does not affect current delegations to staff.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Stephanie Hutchins Kaitohu Mātāmua Kāwana   Senior Governance Advisor	
Approved by	Tamara Kingi Kaiārahi Kāwana   Governance Team Leader	

7 Pūrongo me whakatau | Decision Reports

## 7.12 Council and Committee Meetings Calendar 2026

CM No.: 3124152

### Te Kaupapa | Purpose

The purpose of this report is to seek confirmation of the attached 2026 meeting schedule for Council meetings / workshops.

### Rāpopotonga Matua | Executive Summary

Council is asked to confirm their schedule for 2026. Other committees including Te Manawhenua Forum mō Matamata-Piako, Risk and Assurance and Waharoa (Matamata) Aerodrome Committee have confirmed their relevant meeting dates. A full calendar is attached for information.

### Tūtohunga | Recommendation

That:

1. The information be received.
2. Council confirms the meeting schedule for 2026.

### Horopaki | Background

Generally meetings are scheduled according to the following, with amendments made for particular projects:





- Council meet the 4<sup>th</sup> Wednesday of the month.
- Council workshops every 1<sup>st</sup> and 2<sup>nd</sup> Wednesday of the month, with the 3<sup>rd</sup> Wednesday booked as tentative dates depending on projects.
- Te Manawhenua Forum mō Matamata-Piako meet every two months on the 1<sup>st</sup> Tuesday of the relevant month.
- Risk and Assurance Committee meet quarterly on the Tuesday one week prior to Council.
- Waharoa (Matamata) Aerodrome Committee meet two-three times a year on the 3<sup>rd</sup> or 4<sup>th</sup> Thursday of a month.

### Ngā Take/Kōrerorero | Issues/Discussion

Other committees of Council including Te Manawhenua Forum mō Matamata-Piako, Risk and Assurance and the Waharoa (Matamata) Aerodrome Committee have confirmed their relevant meeting dates, subject to Council approval.

## 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

All of the above community outcomes are relevant to this report.

## Ngā Tāpiritanga | Attachments

[A↓](#). 2026 Meeting Planner updated 9.12.25

## Ngā waitohu | Signatories

Author(s)	Tamara Kingi <b>Kaiārahi Kāwana   Governance Team Leader</b>	
Approved by	Tamara Kingi <b>Kaiārahi Kāwana   Governance Team Leader</b>	

MPDC Meeting Planner 2026

Adopted:

	January	February	March	April	May	June	July	August	September	October	November	December	
SUN													SUN
MON													MON
TUES									1			1	TUES
WED				1	Workshop		1	Workshop	2	Workshop		2	WED
THURS	1	New Year's Day		2	T1 ends		2		3		1	3	THURS
FRI	2	Day after New Year's Day		3	Good Friday	1	3	T2 ends	4		2	4	FRI
SAT	3			4		2	4		5		3	5	SAT
SUN	4		1	5		3	5		6		4	6	SUN
MON	5		2	6	Easter Monday	4	6		7		5	7	MON
TUES	6		3	7	RAC "contingency date"	5	7		8	TMF Workshop	6	8	TUES
WED	7		4	8	Council	6	8	Workshop	9	Workshop	7	9	WED
THURS	8		5	9		7	9		10		8	10	THURS
FRI	9		6	10		8	10	Matariki	11		9	11	FRI
SAT	10		7	11		9	11		12		10	12	SAT
SUN	11		8	12		10	12		13		11	13	SUN
MON	12		9	13	22Apr agenda closes	11	13	22Jul agenda closes (CEPC inc)	14	23Sept agenda closes	12	14	MON
TUES	13		10	14	TMF Workshop	12	14		15	24Sept agenda closes	13	15	TUES
WED	14		11	15	Workshop	13	15	Workshop	16	Workshop	14	16	WED
THURS	15		12	16		14	16		17		15	17	THURS
FRI	16		13	17		15	17		18		16	18	FRI
SAT	17		14	18		16	18		19		17	19	SAT
SUN	18		15	19		17	19		20		18	20	SUN
MON	19		16	20	25Mar agenda closes	18	20	24June agenda closes	21		19	21	MON
TUES	20		17	21		19	21	RAC	22		20	22	TUES
WED	21		18	22	Workshop	20	22	Council	23	Council	21	23	WED
THURS	22		19	23	Workshop TBC	21	23	Workshop TBC	24	Workshop	22	24	THURS
FRI	23		20	24	Council	22	24		25	T3 Ends	23	25	FRI
SAT	24		21	25		23	25		26		24	26	SAT
SUN	25		22	26		24	26		27		25	27	SUN
MON	26	Auckland Anniversary	23	27	ANZAC Day observed	25	27		28		26	28	MON
TUES	27		24	28		26	28	4Aug agenda closes	29		27	29	TUES
WED	28	Workshop TBC	25	29	Council	27	29		30	13Oct agenda closes	28	30	WED
THURS	29		26	30		28	30		31		29	31	THURS
FRI	30	11Feb agenda closes	27			29	31				27		FRI
SAT	31		28			30					28		SAT
SUN			29			31					29		SUN
MON			30								30		MON
TUES			31										TUES
	January	February	March	April	May	June	July	August	September	October	November	December	

Key	Public Holidays	Workshop Frequency: 1st and 2nd Wednesday per month *3rd Wednesday is TBC	Council Generally: 4th Wednesday of every month	CEPC Chief Executive Performance Committee Frequency: Annual *Informal as required	IME Te Manawhenua Forum Frequency: bi-monthly per annum / alternate with TMF workshops	TMF Workshop Te Manawhenua Forum Frequency: bi-monthly per annum / alternate with TMF meetings	RAC Risk and Assurance Committee Frequency: Quarterly per annum	WMAC Waharoa (Matamata) Aerodrome Committee Frequency: 2-3 meetings per annum
Agenda Close dates		5 working days before workshop	7 working days before meeting	7 working days before meeting	7 working days before meeting	5 working days before workshop	7 working days before meeting	7 working days before meeting

7 Pūrongo me whakatau | Decision Reports

## 7.13 Morrinsville RSA Wall

CM No.: 3125042

### Te Kaupapa | Purpose

To seek Council's direction on the next steps for the Morrinsville RSA Wall, following recent discussion.

### Rāpopotonga Matua | Executive Summary

The Morrinsville RSA Wall has been identified as requiring attention. Council is asked to consider options for its future. Further details and supporting information will be circulated to Councillors ahead of the meeting to assist with informed decision-making.

### Tūtohunga | Recommendation

That:

1. Council receives the report.
2. Council provides staff with feedback to inform the next steps for the progression of the Morrinsville RSA Wall work.

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Susanne Kampshof <b>Pou Rawa me ngā Kaupapa   Assets and Projects Manager</b>	
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Approved by	Fiona Vessey <b>Hautū Hanganga Rawa me ngā Whakahaere   Group Manager Infrastructure, Assets &amp; Operations</b>	
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8 Ngā Pūrongo Whakamārama | Information Reports

## 8.1 October 2025 Financial Report

CM No.: 3124663

### Te Kaupapa | Purpose

To provide an overview and information on the financial performance of the Matamata-Piako District Council for the period ending 31 October 2025.

### Rāpopotonga Matua | Executive Summary

The October 2025 financial report is attached and presented for Council's information.

### Tūtohunga | Recommendation

That:

1. The October 2025 financial report be received

### Ngā Tāpiritanga | Attachments

There are no attachments for this report.

### Ngā waitohu | Signatories

Author(s)	Ajay Kumar Kaitiaki Whakahaere Pūtea   Management Accountant	
Approved by	Larnia Rushbrooke Pou Pūtea, Ratonga Pakihi   Finance & Business Services Manager	
	Kelly Reith Hautū Rangatōpū, Tāngata me ngā Hononga   Group Manager Corporate, People & Relationships	