

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 11 February 2026**
Wā | Time: **9:00**
Wāhi | Venue: **Council Chambers**
35 Kenrick Street
TE AROHA

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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1 Whakatūwheratanga o te hui | Meeting Opening

Chairperson to open the meeting.

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

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

3 Pānui i Ngā Take 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 17 December 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 Draft Annual Plan 2026/27 - Approval of Preliminary Budget and Decision on Consultation

CM No.: 3122818

Te Kaupapa | Purpose

The purpose of this report is

- to present the proposed variations to year three of the Long Term Plan 2024-34
- to seek Council's approval of the preliminary Draft Annual Plan budget 2026/27
- for Council to consider its obligations to formally consult on the Draft Annual Plan 2026/27 in accordance with the Local Government Act 2002.

Rāpopotonga Matua | Executive Summary

Council is required to produce an Annual Plan each year with the exception of the years when a Long Term Plan (LTP) is produced. The Annual Plan is Council's budget for the financial year 1 July 2026 to 30 June 2027. The Annual Plan 2026/27 represents year three of the LTP 2024-34.

Summary rates figures, as at the time of writing, are presented in this report. Additional detail, and any updates to these figures to be circulated separately.

The Local Government Act 2002 only requires councils to formally consult on an Annual Plan where the changes from the LTP for that year are significant or material. An assessment of significance and materiality is currently being completed and will be circulated separately.

If consultation is required a Consultation Document will be prepared. If consultation is not required an information campaign will be developed to provide transparency and accountability to ratepayers and the community.

Summary of information to be circulated separately

- Updated rates figures (if required)
- Rates impact on indicator properties
- Assessment of significance and materiality

Tūtohunga | Recommendation

That:

1. The information be received.
2. Council approves the preliminary Draft Annual Plan 2026/27 budget as presented.
3. A) Council confirms there are no significant or material differences from year three of the Long Term Plan 2024-34 and that no formal consultation on the Annual Plan 2026/27 is required. An information campaign to be developed to keep the community informed.

OR

B) Council confirms it wishes to formally consult on the Annual Plan 2026/27 and staff prepare a Consultation Document for approval at the Council meeting on 4 March 2026. Formal Consultation to occur March-May 2026.

Horopaki | Background

Local Government Planning under the Local Government Act 2002

Council has a three year planning cycle. Council produces an LTP every three years, with updates to that plan in the form of an Annual Plan in the intervening two years. 2026/27 represents year three of the LTP 2024-34.

The purpose of the Annual Plan is to communicate any changes or variances from the LTP for that year. If the proposed Annual Plan does not include significant or material differences from the content of the LTP for that year then Council is not required to consult with the community on it (as the community was consulted on the LTP).

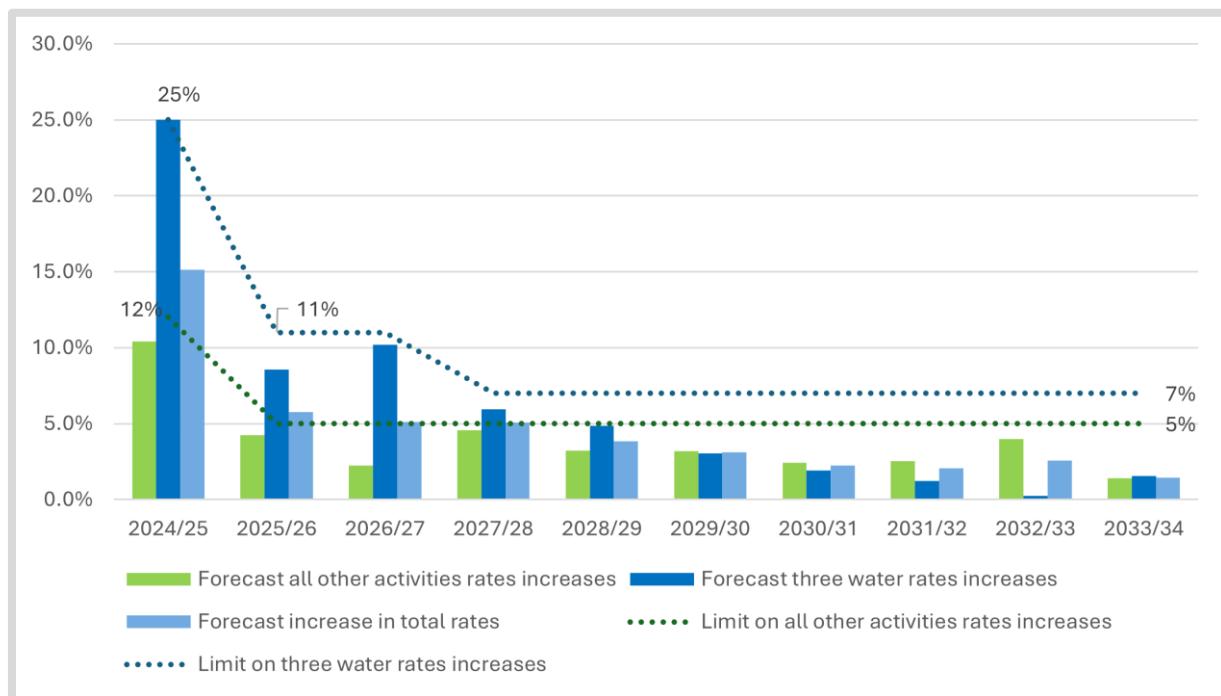
Ngā Take/Kōrerorero | Issues/Discussion

Draft budget

In the LTP 2024-34, Council forecast a total rate increase for 2026/27 of 5.1%.

The graph below, from the LTP, shows the forecast rate increases and limits for total rates, three water related rates, and rates for all other activities over the ten year period.

Long Term Plan 2024-34 Forecast Rates and Limits



The following table outlines the preliminary budget figures for the Annual Plan 2026/27, and details the forecasts and limits from year three of the LTP.

Draft Annual Plan 2026/27 rates compared to Long Term Plan forecasts and limits

	Annual Plan 26/27	LTP Forecast year 3	LTP Limit year 3
Total rates	6.05%	5.1%	-
Waters rates	11%	10%	11%
Other activity rates	3.4%	2%	5%

The above Annual Plan rates figures do not include a potential increase in revenue from fees and charges, or potential savings from project deferrals and the like. Following Council direction on these matters at the workshop on February 4th 2026 any updates to these figures will be circulated separately.

How the rates increases apply to individual properties will vary, depending on capital value and the services available. The modelling of these impacts for a range of representative properties (indicator properties) is still to be completed and will be circulated separately.

Options to reduce costs

Over a series of workshops, Council has worked to develop the draft Annual Plan budget, aiming to deliver projects and services in line with those proposed in the LTP, while keeping rates as affordable as possible for the community. This has included:

- Understanding cost pressures that are likely to be unavoidable
- Reviewing and prioritising capital projects and funding allocations
- Identifying options to increase revenue through fees and charges
- Looking for opportunities to fund work from revenue sources other than rates
- Trimming internal costs where possible

Legislative changes to consider

In 2025, the coalition government introduced a proposal for a cap on the rate increases that councils are able to make each year. The legislation is likely to be passed in 2026, and come fully into effect from 2029, with consideration of the cap required in Council decision making from 2027.

This means that the rating and funding decisions made in this year's Annual Plan will arguably have a more significant impact on future Council plans than in previous years. If rates are set as low as possible then this may constrain Council's ability to generate the revenue it needs in future years. In addition, projects that are deferred this year, may be more challenging to fund in future years, with competing demands for a smaller pool of available revenue.

Principal economist at Infometrics Brad Olsen, has modelled the scenario of a rates cap of 4% having been introduced in 2023, and how much less revenue would have been generated as a result. The results for Matamata-Piako District Council, as detailed below, show that the cap would have resulted in MPDC collecting \$18.8 million less in revenue over two years.

Estimating the cost of a rates cap on local government (\$m)

Rates (actual)		Rates (if capped)		Difference		
2023	2024	2023	2024	2023	2024	Total
42.7	49.1	35.1	37.9	-7.6	-11.2	-18.8

Link to full report: [Economic analysis of the government's rates capping proposal](#)

Transition of Water and Wastewater Services to Waikato Waters Ltd

On 1 October 2026, Council's water and wastewater services will be transferred to Waikato Waters Ltd. Stormwater services will be retained in-house.

This has several policy, budgetary and administrative implications for the Annual Plan 2026/27 including:

- Projects in the Annual Plan for water and wastewater necessarily reflect those outlined in both the Long Term Plan and the Water Services Delivery Plan (largely aligned);
- It is a legislative requirement for Council to deliver on its Water Services Delivery Plan;
- Water and Wastewater projects will continue to be delivered, as outlined in the Annual Plan, after the 1 October transfer date;
- During a transition period, Council will continue to collect water rates, and will pass these funds to Waikato Waters Ltd;
- The Shareholders Agreement, Transfer Agreement and other documentation set out the way that responsibilities for delivering, administering and charging for water and wastewater services will be managed during a transition period (1 October 2026 – 31 June 2027), and beyond;
- The Annual Plan budget contains provision for costs associated with the transition;
- The requirement under the Local Government Act 2002 to undertake an LTP amendment if there is a change to the ownership or control of a strategic asset has been amended so that changes to the ownership of waters assets does not trigger this requirement;
- Several policies related to the LTP and Annual Plan, such as the Revenue and Financing Policy and Significance and Engagement Policy are being reviewed and updated as required.

Consultation

To determine whether the threshold for consultation has been met, staff are completing an assessment of significance and materiality which will be circulated separately.

(i) Significance

Council's Significance and Engagement Policy (Policy) [link](#) is the primary tool for assessing whether the variances between the Draft Annual Plan and the corresponding year of the LTP are deemed to be significant.

The criteria from the Significance and Engagement Policy against which the Annual Plan is assessed are the:

1. Degree of change from the LTP
2. Proportion of the community affected
3. Level of public interest
4. Consequence for present and future communities
5. Cultural significance to Māori
6. Alignment with iwi aspirations
7. Financial impact
8. Reversibility
9. Flow on effect for future plans or budgets
10. Effect on level of service of significant activity
11. Support of climate adaptation and environmental wellbeing
12. Understanding of community views

(ii) Materiality

To determine materiality an assessment against the below criteria is undertaken:

1. Does the difference involve a change to the financial strategy or funding impact statement?
2. Might the difference alter a reasonable person's conclusion about the affordability of the plan?
3. Might the difference alter a reasonable person's conclusions about the levels of service contained in the plan?
4. Might the difference lead to a reasonable person deciding to make a submission on any consultation document?

It is staff's role to undertake the assessment of significance and materiality, after which it is up to Council to consider the assessment and make the final decision on whether consultation is required.

The assessment will be circulated separately.

Mōrearea | Risk

The following risks have been identified:

- Project timing and cost – there is always some risk as to whether projects are able to be completed as scheduled.
- Revenue - Overall revenue could be less than budgeted.

- Inflation – Inflation could be higher than expected, particularly affecting contract costs and the valuation and depreciation costs of infrastructure assets.
- Interest rates – There is a risk that rates could shift more than is forecast.
- Growth - Economic and other factors may result in growth being less than has been estimated.
- Legislative change - There could be legislative changes over the coming year that have an impact on Council's budgets that have not been accounted for.
- If significance and materiality are not correctly assessed there is a risk of Council not fulfilling its legislative obligations to consult.

Ngā Whiringa | Options

1) Preliminary Budget

Option One – Approve the Preliminary Annual Plan 2026/27 Budget as presented (Recommended option)	
Advantages	Disadvantages
Allows development of the Annual Plan document to progress.	Does not allow further refinement of the budget.
Keeps development of the Annual Plan on track to be adopted within legislative timeframe.	
Allows for Council decision on consultation.	

Option Two – Require further work to be done before approval of the preliminary budget	
Advantages	Disadvantages
Allows further refinement of the budget.	Holds up development of the Annual Plan document, and consultation document if needed
	Potentially takes development of the Annual Plan within legislative timeframe off track.
	Delays Council decision on consultation.

2) Decision On Consultation

Option One – Consider the assessment of significance and materiality and make a decision on consultation (Recommended option)	
Advantages	Disadvantages
Keeps development of the Annual Plan on track to be adopted within legislative timeframe.	Does not allow for more information to be used to assess significance and materiality.

Allows staff to either progress development of the consultation document or an information campaign.	
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Option Two – Require further work to be done before making a decision on consultation (Recommended option)	
Advantages	Disadvantages
Allows for more information to be used to assess significance and materiality.	Potentially takes development of the Annual Plan within legislative timeframe off track.

Recommended option

Option 1 (above) for both the Preliminary Budget and the Decision on Consultation is the recommended option.

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

Annual Plan consultation requirements of the Local Government Act 2002

Section 95 of the Local Government Act 2002 states that councils must prepare and adopt an annual plan for each financial year. It includes the requirement, to consult in a manner that gives effect to the requirements of section 82, the principles of consultation, before adopting an Annual Plan.

In 2014, the Local Government Act 2002 was changed to not requiring consultation unless the Annual Plan includes significant or material differences from the content of the LTP for that financial year. This is to be determined by reference to Council's [Significance and engagement policy](#). These amendments were designed to streamline consultation to make it more useful, practical and effective, and to introduce more flexibility and discretion for Councils.

The purpose of the Annual Plan was amended to reflect the legislative changes. It is a document which identifies variance from the LTP and provides a statutory link between the LTP and the annual setting of rates.

Inconsistent decisions

If a decision in the Annual Plan is significantly inconsistent with the LTP then Council is required, when making the decision, to clearly identify:

1. The inconsistency
2. The reason for the inconsistency
3. Any intention to amend the plan to accommodate the decision

Local Government Act 2002 Decision-making requirements

Having regard to the decision-making provisions in the Local Government Act 2002 and Councils Significance Policy, a decision in accordance with the recommendations is assessed as having a **medium (to be confirmed)** level of significance.

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to consider the reasonably practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Consideration of views forms part of the assessment of significance and materiality.
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 has been used for the assessment of significance and materiality.
Section 82 – this sets out principles of consultation.	The principles of consultation are used as part of the assessment of significance and materiality.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

Consultation (if required) to take place March - May 2026.

The Annual Plan to be adopted no later than 30 June 2026.

Council Committees including Risk and Assurance Committee, Te Manawhenua Forum and Waharoa (Matamata) Aerodrome Committee have been informed and engaged with throughout the Annual Plan process.

Date	Item
11 February 2026	Council Meeting - Approval of first cut budget. Decision on consultation.
4 March 2026	Council meeting - Draft Annual Plan adopted for public consultation. Fees and Charges adopted for public consultation.
March - May 2026	Community consultation: March – April: Written submissions open May: Hearing of oral submissions.
27 May 2026	Council meeting - Deliberations. Adoption of Animal Control Fees.
24 June 2026	Council meeting - Adoption of Annual Plan, Adoption of Fees and Charges, Setting of the Rates
1 July 2026	Annual Plan 2026/27 in force.

Key

	Confirmed step in Annual Plan process
	Step to be confirmed, pending decision on consultation

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

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

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

The community outcomes relevant to this report are as follows:

- All of the above

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

The budget for the Annual Plan preparation and associated communications is funded from the Strategies and Planning activity budget.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

Author(s)	Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor	
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Approved by	Niall Baker Kaiārahi Tīma Kaupapahere Policy Team Leader	
	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	

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

7.2 Draft Policy on Dogs and Dog Control Bylaw - Adoption for Public Consultation

CM No.: 3134901

Te Kaupapa | Purpose

The purpose of this report is to seek Council's adoption of the

- Draft Policy on Dogs 2026
- Draft Dog Control Bylaw 2026
- Statement of Proposal for public consultation.

Rāpopotonga Matua | Executive Summary

The draft Policy on Dogs and draft Dog Control Bylaw have been reviewed to meet legislative requirements and ensure they remain fit for purpose, in alignment, and responsive to community and operational needs.

As both documents are being amended rather than replaced, the statutory review timeline remains at ten years, therefore the next review will be due in 2036, note Council can review or amend earlier if desired. Investigations are currently underway for an additional dog exercise area in Morrinsville however the timing of this is outside the timeline of the current review and is subject to a separate timelines. This investigation will be referenced in communication.

Once an additional dog exercise area in Morrinsville and any subsequent changes are identified by Council these can be incorporated in a future Bylaw review and special consultative procedure when desired.

Adoption of the draft Policy, Bylaw and associated Statement of Proposal will enable Council to undertake formal public consultation. This process will invite written submissions and provide an opportunity for submitters to present their views in person to Council. Following consultation, Council will consider the feedback received and may make amendments to the documents before adopting the final versions.

Due to the timing of the Council workshop on 4 February 2026, the draft Policy and Bylaw and associated Statement of Proposal will be amended if necessary, following the workshop, and circulated to Elected Members ahead of consideration at the formal Council meeting.

Tūtohunga | Recommendation

That:

1. The information be received.
2. Council approves the draft Policy on Dogs 2026 for public consultation as part of a statutory review of the Policy on Dogs 2010 (Amended 2016) in accordance with section 10 and 10AA of the Dog Control Act 1996.
3. Council determines that in accordance with section 155(1) of the Local Government Act 2002, a Bylaw (in the form of a Dog Control Bylaw) is the most appropriate way of addressing the perceived problems.
4. Council determines that the draft Dog Control 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 not give rise to implications under the New Zealand Bill of Rights Act.
5. Council approves the draft Dog Control Bylaw 2026 for public consultation as part of a statutory review of the Dog Control Bylaw 2010 (Amended 2016) in accordance with sections 158 and 160 of the Local Government Act 2002.
6. Council approves the Statement of Proposal for the draft Policy on Dogs and Dog Control Bylaw 2026 for public consultation purposes.
7. Council authorises staff to make any minor amendments needed to the draft Policy on Dogs, draft Dog Control Bylaw and Statement of Proposal prior to public consultation.

Horopaki | Background

Council is reviewing its Policy on Dogs (Policy) and Dog Control Bylaw (Bylaw) as per the legislative requirement. This review aims to ensure both documents remain fit for purpose and are aligned with community expectations and operational needs.

Legislative Framework

The Dog Control Act 1996 (the Act) establishes the national framework for managing dogs in New Zealand. It sets out the responsibilities of dog owners and the statutory duties of territorial authorities.

Under the Act, councils must adopt a **Policy on Dogs** that outlines the overall approach to dog management in their district.

Section 10(3) of the Act sets out the mandatory content and considerations for a council's Policy on Dogs, and section 10(4) requires councils to consider a range of statutory factors relating to community safety, access to public spaces and the recreational needs of dogs and their owners.

In order to give effect to the Policy, councils must also adopt a **Dog Control Bylaw**. The Bylaw contains specific rules and enforcement mechanisms and gives legal effect to the Policy.

The two documents must be aligned, with the Policy providing the strategic direction, and the Bylaw providing a regulatory tool for enforcement.

Review Requirement

The Local Government Act 2002 (LGA) requires councils to review their bylaws every ten years. The current Bylaw is approaching this statutory review deadline. Because the Policy underpins the Bylaw, it must also be reviewed at the same time, as required by the Dog Control Act 1996.

Review Process

Council is reviewing its Policy and Bylaw. A review of the Bylaw consists of making the determinations required under section 155 of the LGA and the Policy is reviewed in line with the requirements of the Dog Control Act 1996.

As both documents are being amended rather than replaced, the statutory review timeline remains at ten years, therefore the next review will be due in 2036.

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 current Council.

A summary of the meetings, feedback, and discussions that have contributed to the review of these documents is outlined below.

Date and Meeting	Purpose	Issues Raised/Discussed
20 August 2025 Initial Council workshop (previous triennium)	This workshop provided Elected Members with an overview of current dog control activities, key issues, and emerging community concerns.	Initial direction emphasised the need for community engagement on key areas and long-standing rules including the consideration of targeted refinements such as reviewing prohibited areas and off-leash dog exercise areas.
20 August 2025 Te Manawhenua Forum mō Matamata-Piako (previous triennium)	The Forum was invited to provide initial feedback to inform the review.	<p>The Forum emphasised the cultural and historical significance of kurī to Māori, describing them as taonga and valued companions of ancestors.</p> <p>The Forum recommended that the Policy include a clear acknowledgement of the cultural significance of kurī, either as a contextual statement or reframed objective.</p> <p>Additional feedback included support for engaging marae in the consultation process, questions about how the bylaw interacts with marae charters (particularly regarding wāhi tapu), and queries about rebates.</p>
7 October 2025 Te Manawhenua Forum mō Matamata-Piako	To provide an update on review progress, and revisit feedback from the initial workshop.	Feedback emphasised the cultural significance of kurī to Māori and the importance of respecting marae protocols, wāhi tapu, and culturally significant sites, with a request to amend proposed wording around this.
Early Engagement October-	Early engagement on the review included a survey to gather	<ul style="list-style-type: none">Strong support for allowing dogs in the CBD, provided they are on a leash, under control, and supported by responsible

Date and Meeting	Purpose	Issues Raised/Discussed
November 2025: <ul style="list-style-type: none"> Community Meetings, e.g. Business Association; local committees Markets (held in three towns) and Kiwanis One Day Fun Day (Morrinsville) CBD walkabouts Paw and Order online campaign 	community views, discussions with key stakeholders, consideration of previous community and operational feedback, and input from staff, all of which helped shape the development of the draft Policy and Bylaw.	<p>ownership and suitable infrastructure.</p> <ul style="list-style-type: none"> Concerns about Centennial Drive and Tom Grant Drive as off leash areas, with community feedback emphasising that: <ul style="list-style-type: none"> the area is used by elderly people, school children, and regular vehicle traffic, making off-leash use unsuitable; off-leash dogs increase the likelihood of dog waste not being picked up; the availability of a dedicated off-leash area elsewhere means these areas may no longer appropriate for off-leash use; complaints and incidents mean some residents are now avoiding the area; proximity to play equipment (Tom Grant Drive). Market feedback reflected: <ul style="list-style-type: none"> strong support for dogs in CBDs if leashed and under control, noting current rules are generally not well-known; some safety concerns, especially around unpredictable dogs and high-traffic spaces, but the majority supported a more permissive approach rather than a full ban; consistent emphasis on responsible ownership, including leash use, waste disposal, and the need for more bins; general support for existing dog exercise areas (with requests for additional areas particularly in Morrinsville), with suggestions for fencing, maintenance, signage, weed control, and amenities such as agility equipment; recognition that larger, well-designed exercise areas help reduce conflict; requests for clearer communication and education about dog rules. Feedback from walk-about in the CBDs of Matamata, Morrinsville, and Te Aroha highlighted: <ul style="list-style-type: none"> broad support for allowing leashed

Date and Meeting	Purpose	Issues Raised/Discussed
		<p>dogs in CBDs (at all times);</p> <ul style="list-style-type: none"> ○ many people were unaware of current restrictions, noting that dogs are already present (and some businesses encourage them) with few issues; ○ dogs are seen as part of everyday life, especially for older residents, campers, and café users; ○ there is a need to ensure town centres remain safe and welcoming (especially for those fearful of dogs); ○ support for a balanced approach combining leash requirements, responsible ownership, and improved communication and enforcement, rather than maintaining daytime prohibitions.
3 November 2025	Rangatahi workshop – A targeted engagement workshop involving Morrinsville youth.	<ul style="list-style-type: none"> ● Rangatahi feedback prioritised safety, clear rules, and responsible dog ownership, with strong support for all dogs being on leash, mandatory registration and owner education, capped registration fees for affordability, and strong consequences for aggression/attacks and dog fouling. ● There was unanimous support for keeping dogs away from playgrounds/play equipment due to high safety risks. ● Views on dogs in town were mixed, reflecting tension between convenience for owners and concerns about fear and safety risks. ● Support for clear rules, education, and enforcement with compassion and whakawhanaungatanga (building and maintaining meaningful relationships) when working with families.
26 November 2025 Council Workshop	Review of community feedback (including Paw and Order survey), CRMs, prior submissions/comments, staff input, and identified issues and options to inform	<ul style="list-style-type: none"> ● CBD's: Workshop feedback suggested exploring on-leash dog access at all times, with trialling recommended to manage risk and assess any community and operational impacts. ● Hauraki Rail Trail: Discussion around maintaining the status quo for the Te Aroha - Matamata section of the Hauraki

Date and Meeting	Purpose	Issues Raised/Discussed
	potential Policy and Bylaw changes.	<p>Rail Trail, while exploring an on-leash approach within the Te Aroha town boundary.</p> <p>A trial period was supported for the above proposed changes.</p> <ul style="list-style-type: none"> • Centennial Drive and Tom Grant Drive (Matamata): consideration was given to shifting these areas from off-leash dog exercise areas to leash control areas, in response to longstanding issues raised and themes emerging from early engagement. • Community feedback highlighted a desire for a stronger Animal Control presence/enforcement. As this issue relates to service levels rather than bylaw provisions, it falls outside the scope of the current review and can be considered as part of future Long Term Plan discussions.
1 December 2025 Waharoa (Matamata) Aerodrome Committee	The Committee were invited to provide input on local issues to contribute to the review, noting that the Waharoa (Matamata) Aerodrome is currently a leash control area.	<ul style="list-style-type: none"> • Feedback supported continued engagement with marae through the iwi liaison team, acknowledged that dog roaming remains an issue, and supported keeping the Aerodrome as a leash control area, with the Committee noting that while issues were previously experienced, they have reduced in recent times.
Staff/Operational Feedback (Animal Control, Kaimai Valley Services, Parks and Reserves)	To gather operational insights and identify opportunities for improvement based on on-the-ground experience.	<ul style="list-style-type: none"> • Staff feedback highlighted the need for clearer and more precise bylaw settings, including clearer terminology, and improved alignment with enforcement and current practices. • In discussing the potential for changes to dog-access rules in the CBDs, staff outlined several operational issues for consideration such as the potential for increased costs, additional resourcing, health and safety considerations, and the implications for waste management. Concerns were also noted about providing dog-waste bags and bins in the CBD – as to the effectiveness, environmental sustainability, and financial viability. • From an asset and strategic perspective, staff noted the importance of aligning any

Date and Meeting	Purpose	Issues Raised/Discussed
		changes to service provision (e.g. provision of bins and bags, additional amenities for dog exercise areas) with the Long Term Plan funding constraints, levels of service decisions, and wider parks and open spaces planning.

- An issues and options paper was drafted following early engagement undertaken with the community in October-November 2025 and has been updated following Council consideration of the issues at workshops. This document is circulated separately.
- 'Paw and Order' survey results can be found [here](#) with a summary of themes included in the issues and options paper.

Ngā Take/Kōrerorero | Issues/Discussion

Extensive information has been analysed to help inform the review of the Policy and Bylaw. This includes strong early engagement received through the 'Paw and Order' campaign, including a community survey which generated more than 1,000 responses.

Additional insights were drawn from previous community feedback, customer complaints and comments recorded through Council's customer management system, in person events (markets and CBD walkabouts), operational staff insights and suggestions, and feedback from Elected Members and Council committees. Collectively, this represents a significant body of information and feedback that has shaped the revised drafts for community consultation.

The updated documents will be circulated for review following the Council workshop on 4 February 2026.

Summary of Key Inclusions and Changes

Note that this reflects the draft changes as at the time of writing this report. Further direction may be received at the Council workshop on 4 February 2026 whereby the documents will be updated if required and circulated ahead of the Council meeting for adoption.

A summary of key changes proposed to the draft documents in response to feedback and direction provided by Elected Members is outlined below:

1. Policy on Dogs

The proposed changes reflect key themes raised through community engagement, including the areas that the community would like Council to focus on and the concerns highlighted around achieving safe and healthy public places.

- **General streamlining of the Policy** - inclusion of a Policy purpose, removal of duplicated information in the Act. Strengthening of enforcement provisions and addition of a monitoring and review section as well as minor changes to the dog classification guidelines (to reflect operational practice).
- **Refinement of Policy objectives** - these objectives set the overarching direction for dog management in the district. The proposed changes aim to improve clarity, strengthen outcome focus, and make the objectives easier for the community to understand. Key amendments include:
 - responsibilities that were previously spread across multiple sections - such as education, enforcement, and dog-owner obligations, are now consolidated under a new objective promoting responsible dog ownership;

- making it clear that all dogs must be under control at all times in public places and on leash in specified leash control areas;
- criteria for prohibited areas has been refined to more explicitly consider vulnerable groups, reserve status, ecological protection, and user feedback;
- a new objective has been added to support public confidence and safety in public places, with an emphasis on education about dog control rules, including the use of signage and maps;
- provisions relating to dog fouling are strengthened with broader expectations for waste removal across all land outside the dog owner's property;
- the previous policy statement that 'exclusive dog exercise areas will not be provided' has been removed. Council does provide fenced dog exercise areas, and the updated Policy supports maintaining and improving these spaces;
- the previous standalone acknowledgement of kuri (dog) as an objective is not included in the draft objectives and has instead been added and expanded on in the Policy itself. The wording has been developed in partnership with, and formally endorsed by, Te Manawhenua Forum mō Matamata-Piako.
- **Focus on responsible dog ownership** - A section has been added to the draft Policy to provide clear information about Council's role in managing dogs, and to outline the responsibilities of dog owners. It also aligns with the community's consistent message that supporting responsible dog ownership should be a central focus of Council.
- Note: Section 10(3) of the Dog Control Act 1996 sets out the legislative requirements for the Policy. All matters required to be addressed within the Policy have been incorporated, with one exception. The provisions relating to the neutering of menacing dogs - both those classified by Matamata Piako District Council and those classified as menacing by another territorial authority - have not yet been finalised. This is to be discussed at a Council workshop on 4 February 2026 and the draft Policy/Bylaw will be updated.

2. Dog Control Bylaw

The draft updates to the Bylaw seek to improve clarity, support public understanding, and strengthen the framework for safe and responsible dog management. The changes include clearer rule provisions, updates to reflect community feedback, and structural amendments to improve the organisation and navigability of the Bylaw, including the addition of sections and explanatory notes.

The following summarises the key proposed changes around dog access:

Dog Access Rules

Note: red text = areas proposed to change

Area	Current Rules	Draft Proposed Changes
Prohibited Areas	<p><u>District-wide</u></p> <ul style="list-style-type: none">● Within 15 metres of any children's play area or individual item of play equipment. <p><u>Matamata</u></p> <ul style="list-style-type: none">● CBD area (between the hours of 8.00am to 6.00pm);● Firth Tower Reserve/Museum Site (excluding the carpark and camping/campervan area);	<p><u>Remove Areas</u></p> <p>Removal of CBD areas as prohibited areas between 8.00am and 6.00pm (amend to a leash control area at all times).</p> <p>Removal of Hauraki Rail Trail (section between Stirling Street and Farmer Street in Te Aroha). Amend to a leash control area.</p>

Area	Current Rules	Draft Proposed Changes
	<ul style="list-style-type: none"> • Kowhai Street Reserve <p>Morrinsville</p> <ul style="list-style-type: none"> • CBD area (between the hours of 8.00am to 6.00pm); • Thomas Park <p>Te Aroha</p> <ul style="list-style-type: none"> • CBD area (between the hours of 8.00am to 6.00pm); • Kennedy Street Reserve; • Section of Hauraki Rail Trail from Stirling Street to Farmer Street. 	<p><u>Add Areas</u></p> <p>Addition of Farmer Street Reserve (Te Aroha) due to the planned playground upgrade and associated increase in the footprint of the playground.</p>
Leash Control Areas	<ul style="list-style-type: none"> • The Urban Area; • Prohibited areas outside the period specified that dogs are prohibited from entering; • All of the area known as and Occupied by the Waharoa (Matamata) Aerodrome; • The Matamata, Maukoro, Old Morrinsville, Piako Lawn, Te Aroha and Waharoa Cemeteries; • Te Miro Forest (Waterworks Road Reserve); • The Te Aroha Domain and associated track network; • All Parks except those that have been listed either as Prohibited Areas under Schedule 1 or as Dog Exercise Areas under Schedule 3; • All walking and cycling tracks managed by Council except those listed either as Prohibited Areas under Schedule 1 or as Dog Exercise Areas under Schedule 3. 	<p><u>Remove Areas</u></p> <p>The draft Bylaw no longer includes time-restricted dog prohibition periods. Accordingly, the existing provision “Prohibited areas outside the period specified that dogs are prohibited from entering” is proposed to be deleted, as it no longer reflects the proposed access framework. Note: the removal of this wording is subject to a trial period of six months (proposed changes to CBD and Hauraki Rail Trial dog access).</p> <p><u>Add Areas</u></p> <p>Addition of Centennial Drive and Tom Grant Drive (Matamata) as leash control areas.</p> <p>Addition of the section of the Hauraki Rail Trail from Stirling Street to Princess Street as a leash control area (Te Aroha).</p> <p>Clarification that the Urban Area includes CBD areas.</p>
Dog Exercise Areas <i>*Note: Council is</i>	<p>Matamata</p> <p>a) Centennial Drive from Tainui Street to Broadway;</p>	<p><u>Remove Areas</u></p> <p>Removal of Centennial Drive and Tom Grant Drive</p>

Area	Current Rules	Draft Proposed Changes
<i>currently investigating an alternative dog exercise area in Morrinsville. This work is outside the timeline of the current review and is subject to a separate timeline, but will be referenced in communications.</i>	<p>b) Tom Grant Drive from Rawhiti Avenue to Tawari Street;</p> <p>c) Furness Reserve;</p> <p>d) Founders Park;</p> <p>e) Peria Road Reserve (portion excluding memorial plantings and pathway).</p> <p>Morrinsville</p> <p>a) Murray Oaks Reserve – State Highway 26;</p> <p>b) The Morrinsville Recreation Grounds Polo Field area only at times when there is no Horse or Sports Activity;</p> <p>c) Holmwood Park (lower portion near the Piako River).</p> <p>Te Aroha</p> <p>a) Spur Street Esplanade (portion near the Waihou River under the footbridge);</p> <p>b) Reserve on Spur Street (portion opposite netball club and bmx track).</p>	<p>(Matamata) as dog exercise areas and amend to leash control areas.</p> <p><u>Minor amendments</u></p> <p>Minor amendment to update the description of the location (Morrinsville Recreation Ground):</p> <p>Replace “The Morrinsville Recreation Grounds Polo Field area only at times when there is no Horse or Sports Activity” with:</p> <p>“Former polo fields at the Avenue Road South end of the Park – only at times when there is no organised sports activity or community event in progress.”</p>

What's proposed to stay the same?

Dog limits: The current limit is proposed to remain unchanged - owners in urban areas may have up to two dogs before a permit is required, while no limit applies in rural areas.

Minimum accommodation requirements: Owners must continue to provide appropriate shelter (with shade, warmth, and enough space for the dog to move freely), ensure shelters are at least two metres from property boundaries, and provide adequate food, water, exercise, and veterinary care as required.

Mōrearea | Risk

This review has been informed by extensive early engagement with the community (including community markets, CBD walk-about, targeted engagement with key stakeholders, and engagement through the Paw and Order Survey, (resulting in over 1,000 survey responses), workshops with Elected Members, and input from staff and Council committees). Formal public consultation will follow to test proposed options with key stakeholders and the wider community.

The following risks have been identified through this review:

Risk	Description	Mitigation
Legal and procedural	Elements of the draft Policy/Bylaw may conflict with enabling legislation or be viewed	Drafting has been reviewed for legislative alignment. The proposal will be consulted on using the

Risk	Description	Mitigation
	as exceeding Council's powers, or may not follow the legislative requirements including use of the special consultative procedure (LGA).	special consultative procedure, with clear community input into decision making, decision records and reasons.
Cultural and protocol considerations	Provisions may not adequately recognise the cultural significance of kurī and tikanga (e.g., wāhi tapu, marae protocols).	Early engagement with Te Manawhenua Forum mō Matamata-Piako has informed problem framing, options and solutions (e.g., acknowledging kurī as taonga, site-specific sensitivities). Further targeted engagement will occur alongside public consultation.
Community acceptance and reputation	Divergent views (e.g., dogs in CBDs, off-leash areas) could lead to negative feedback.	The Statement of Proposal presents clear options, trade-offs, and rationales grounded in early engagement. Consultation materials will show what we heard and how it shaped options. A feedback loop will explain how submissions influence final decisions. Emphasise that we want to hear from everyone, regardless of their viewpoint, and that all submissions will be considered before the documents are finalised.
Safety, amenity and inclusivity	Changes to access rules (e.g., on/off-leash areas) may affect perceived and actual safety for tamariki and rangatahi (children and young people), kaumātua (elders), and those fearful of dogs.	This risk is reduced through the application of existing dog control measures, such as leash-only requirements, signage, and enforcement under the Dog Control Act 1996, and public education. These measures help ensure dogs remain appropriately and safely managed in shared spaces.
Compliance and enforceability	Rules that are complex, inconsistent, or poorly communicated can be hard to enforce and reduce confidence in Council's response.	Preference for simple, clearly signposted rules, a communications plan (pre and post-adoption), and alignment with Animal Control operations. Trials allow adjustment before permanent change.
Operational, cost and staff health and safety	Allowing dogs in additional areas may increase the volume of dog waste not picked up by owners. This may create additional operational pressures (including costs and resourcing) for staff who must manage higher levels of maintenance and waste removal. Increased direct	While early estimates indicated the potential for financial impacts, the actual costs remain unknown. A trial period will record any impacts prior to Council making long term changes. Existing health and safety protocols for staff handling waste remain in

Risk	Description	Mitigation
	handling of dog waste also presents health and safety risks to staff.	place, and service levels or budgets may need to be reviewed if increased workloads require operational adjustments.
Implementation and transition	Rapid changes without transition could confuse the public and increase non-compliance.	Use trial periods, phased implementation, and clear “go-live” dates, supported by education, temporary signage, business outreach, and updated web/maps/signage.
Community Dissatisfaction	Changes to long-standing dog exercise areas may lead to dissatisfaction from dog owners who are accustomed to using these spaces for off-leash exercise. This may result in complaints, and perceived loss of amenity.	This can be mitigated through clear communication about the reasons for change, providing options for alternative exercise areas, and engaging with affected communities throughout the engagement period and implementation to support a smooth transition.
Trial period	<p>The proposed changes to dog access in the CBDs and along the Hauraki Rail Trail are intended to be adopted as permanent amendments to the Bylaw, (dependent on community consultation on the draft changes) but will in effect operate as a trial period because Council will be able to assess the impacts of the changes in practice.</p> <p>If, following completion of the trial period, the changes are found to be unsuccessful and Council wishes to return to the current rules, a further amendment to the Policy and Bylaw using the special consultative procedure will be required. This involves a formal one-month consultation process.</p> <p>There is a risk of community confusion during and after the trial. Once the amended rules come into force, many people may assume the change is permanent and may continue to follow the trial settings even if Council decides to revert to the existing rules. Note however that feedback indicates that the current rules are not generally</p>	<p>Clear and proactive communication will be essential both during the consultation period, following adoption of the draft Bylaw and throughout the trial period.</p> <p>Communications will ensure the community understands:</p> <ul style="list-style-type: none"> the changes are being implemented as a trial; to ensure they are the right approach for the community, allowing Council to assess real-world impacts before confirming the longer term direction; the criteria Council will use to assess its success or otherwise; and that the rules may change again following the trial outcome.

Risk	Description	Mitigation
	well known/complied with.	
Additional Morrinsville Dog Exercise Area	Investigations are currently underway for an additional dog exercise area in Morrinsville however the timing of this is outside the timeline of the current review and is subject to a separate timeline.	This investigation will be referenced in communication. Once an additional dog exercise area in Morrinsville and any subsequent changes are identified by Council these can be incorporated in a future Bylaw review and special consultative procedure.

Overall, early engagement across the community, staff, elected members, and Council committees has reduced key risks up front by refining the problem definition and shaping practical options in response to feedback.

Formal consultation will test these options with the wider community before any final Policy or Bylaw changes are adopted.

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 for the draft Policy and Bylaw.

This represents a full statutory review and amendment of the existing Policy and 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, with the Policy required to be reviewed alongside.

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

Dog Control Act 1996

The Dog Control Act 1996 provides the primary statutory framework for dog management in New Zealand. Under the Act, Council is required to adopt a Policy on Dogs, which sets the strategic direction for dog control within the district.

The Act enables Council to give effect to the Policy on Dogs through a bylaw.

Section 20 of the Dog Control Act 1996 allows for councils to make bylaws for all or any of the following purposes:

- a) prohibiting dogs, whether under control or not, from specified public places;
- b) requiring dogs, other than working dogs, to be controlled on a leash in specified public places, or in public places in specified areas or parts of the district;
- c) regulating and controlling dogs in any other public place;
- d) designating specified areas as dog exercise areas;
- e) prescribing minimum standards for the accommodation of dogs;
- f) limiting the number of dogs that may be kept on any land or premises;
- g) requiring dogs in its district to be tied up or otherwise confined during a specified period commencing not earlier than half an hour after sunset, and ending not later than half an hour before sunrise;

- h) requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
- i) requiring any bitch to be confined but adequately exercised while in season;
- j) providing for the impounding of dogs, whether or not they are wearing a collar having the proper label or disc attached, that are found at large in breach of any bylaw made by the territorial authority under this or any other Act;
- k) requiring the owner of any dog (being a dog that, on a number of occasions, has not been kept under control) to cause that dog to be neutered (whether or not the owner of the dog has been convicted of an offence against section 53);
- l) any other purpose that from time to time is, in the opinion of the territorial authority, necessary or desirable to further the control of dogs.

Local Government Act 2002 (LGA)

While the Dog Control Act 1996 sets the substantive framework for the management of dogs, bylaws authorised by the Act must be made in accordance with the LGA and are deemed to have been made under that Act.

The Dog Control Bylaw sits alongside the Policy on Dogs and provides enforceable rules that support the policy intent.

Specific legislative considerations for the Policy on Dogs

In adopting a Policy on Dogs, Council is required under section 10(4) of the Dog Control Act 1996 to have regard to four specific matters. The following outlines how the draft Policy addresses these requirements:

a) The need to minimise danger, distress, and nuisance to the community generally

The Policy sets out clear expectations for responsible dog ownership, reinforces requirements for dogs to be under control at all times, and supports targeted restrictions in areas where risks are higher.

It includes measures to prevent nuisance (such as roaming and fouling) and provides for an enforcement approach that focuses on education but escalates where necessary. Through these settings, the Policy aims to reduce the likelihood of dog attacks, intimidating behaviour, noise, and hygiene issues.

The Policy prioritises responsible dog ownership as a key measure to prevent incidents before they occur.

b) The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;

The Policy recognises that children are especially vulnerable and that areas like playgrounds and other high-use family spaces require stronger controls. It supports the use of prohibited or leash-control status in these areas to reduce safety risks and avoid uncontrolled dog interactions.

c) The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs;

The Policy seeks to ensure that the community can confidently use public spaces. The Policy includes the objective 'to enable public confidence in public places'. Measures supporting this include:

- clear and consistent dog-access rules, improving predictability for both dog owners and non-owners;
- leash-control requirements in busy, shared spaces including all urban areas. This helps to ensure that all members of the public - including those who may be anxious around dogs, can use parks, reserves, footpaths, and other shared spaces safely and comfortably;
- enforcement mechanisms to address threatening behaviour or non-compliance.

d) The exercise and recreational needs of dogs and their owners.

The Policy supports the exercise and recreational needs of dogs and their owners by providing for designated dog exercise areas where dogs can be off-leash but still under control.

Leash controls ensure that responsible dog owners can continue to meet their dogs' wellbeing needs while respecting the rights and safety of other public space users.

Specific legislative considerations for the Dog Control Bylaw

Local Government Act 2002 (LGA) Section 155 Assessment

Section 155 requires the Council to determine the following matters prior to the making of a bylaw:

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

Council must determine, in accordance with section 155 of the LGA, whether a bylaw is the most appropriate way to address the issues identified through the review of the Policy on Dogs and Dog Control Bylaw. A bylaw remains an effective and enforceable mechanism for managing dog-related nuisances and risks in the district.

The proposed Dog Control Bylaw addresses a range of issues identified through extensive early engagement with the community, staff, elected members, and Council committees, including:

- Public safety risks associated with dogs in high-use public places, such as town centres, shared paths, parks, and reserves;
- Conflicts between dog owners and other users, particularly where dogs are off-leash in mixed-use environments;
- Nuisance issues, including roaming dogs, dog fouling, and aggressive behaviour;
- The need for clear, consistent, and enforceable rules to support responsible dog ownership; and
- Operational challenges arising from rules that may be unclear, poorly understood, inconsistently applied, or difficult to enforce.

While the Dog Control Act 1996 provides the overarching statutory framework for dog management, it does not on its own provide sufficient local specificity to manage dog access, leash requirements, and controls in specific locations. Council therefore requires a bylaw to give effect to its policy decisions in a manner tailored to district-specific needs.

To assist in problem definition, Council was provided with an analysis of dog complaints at a Council workshop on 26 November 2025. This included reports of wandering dogs, barking, aggressive behaviour and dog bites. In developing a dog control policy, Council must consider not only incidents of harm or nuisance but also the community's general level of comfort with dogs and their inclusion in public places. The Dog Control Act 1996 refers to minimising "*danger, distress, and nuisance to the community generally*" and to the public being able to access "*streets and public amenities without fear of attack or intimidation by dogs*". This relates to the general acceptance the community has for dogs in public places.

Community sentiment, including through the Paw and Order survey, has provided insight into this issue and informed how best to balance public safety with access and dog owner expectations.

An alternative would be to rely only on the Act and have as little regulation as possible in the required Policy. This is not a viable option because of the high number of dogs in the district and the wide range of areas where protections have been identified as necessary.

Relying solely on education or voluntary compliance would not adequately address the safety, nuisance, and amenity issues identified, as these approaches lack enforceability and consistency.

As Council has a regulatory obligation relating to dog control, and have had a bylaw for decades, it is not possible to know what dog-related issues we would have in our district without the current regulatory controls. It is open for Council choose the extent of the regulatory controls in the bylaw. Education is the main approach in the absence of regulation. It is also part of any enforcement strategy, so is a key component, whether we regulate or not (or the extent of regulation).

An alternative to specifying areas where dogs are prohibited or must be leashed would be to require leashing in all public places by default. This is the approach that some councils take. This has the advantage of making dog regulation very simple, but comes with disadvantages, including far fewer areas for dogs to be exercised off leash.

Council's approach – allowing dogs to be exercised off leash under effective control unless rules specify otherwise, (areas specified as prohibited or leash control) enables much greater freedoms for dogs.

Our approach	Apply dog rules in specified areas	Allow dogs to be exercised off-leash in any area not specified.
Alternative approach	Require leashing in all areas Specify prohibited areas	Allow dogs to be exercised off-leash only in specified areas.

As more areas are specified as leashed or prohibited in the Bylaw, the regulation becomes more complex. However, the interactive online map provided by Council means people can look for the dog rules in any area they wish to visit with their dog to understand what they need to comply with.

Additionally, signs are installed in many areas to help communicate the rules.

A bylaw enables Council to:

- Give effect to its Policy on Dogs through legally enforceable local rules;
- Respond to district-specific issues and environments;
- Provide clarity to dog owners and the wider community; and
- Support consistent enforcement and compliance.

Accordingly, it is considered that a bylaw is the most appropriate mechanism to address the identified problems.

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

If a bylaw is considered the most appropriate way to address the issues, Council must then determine whether the proposed bylaw is in the most appropriate form.

The proposed Dog Control Bylaw is considered appropriate because:

- It aligns with and supports the Policy on Dogs adopted under the Dog Control Act 1996;

- It is structured clearly, with defined terms and schedules that identify dog control access and control requirements;
- It focuses on clear, place-based rules that are easy for the dog owners and the public to understand and comply with;
- It provides appropriate enforcement provisions to support effective implementation; and
- It allows for reasonable flexibility, including exemptions where appropriate (e.g. disability assist dogs).

The draft Bylaw is designed to be clear, accessible, and practical. For these reasons, the proposed form of the draft Dog Control Bylaw is considered appropriate.

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

Section 155 of the LGA requires Council to consider whether the draft Bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA).

The proposed Bylaw has been assessed for consistency with NZBORA. While the Bylaw regulates where dogs may be taken - including through prohibited and leash-control areas - these controls are directed at the management of dogs rather than restricting the rights of individuals. Any effect on a person's ability to move through public spaces with a dog is indirect and minimal, and is not considered to amount to a substantive limitation on the freedom of movement protected under section 18 of NZBORA (freedom of movement).

Even if these controls were interpreted as indirectly limiting freedom of movement to enter certain public places when accompanied by their dog, any such limitation would be reasonable, prescribed by law, and demonstrably justified in a free and democratic society. The Dog Control Act 1996 expressly empowers territorial authorities to specify prohibited, leash-control, and dog-exercise areas for the purposes of public safety, nuisance prevention, and effective animal management. Given that these restrictions are permitted, a corresponding restriction on freedom of movement (if any) can be understood as a reasonable limit on the right that can be justified in a free and democratic society.

The restrictions proposed in the draft Bylaw:

- apply only to specific, high-risk locations (e.g., playgrounds);
- leave the majority of public spaces accessible to dogs (with controls in place for safety);
- are proportionate to the identified safety and nuisance risks;
- are accompanied by alternative areas for dog exercise.

In any case, arguably, people still have the right to move freely through those public places and the restriction is on the dog, not on the dog owner when the dog is not with them.

These measures are the least restrictive means necessary to achieve the objectives of the Act and ensure safe, shared use of public spaces.

Accordingly, it is considered that the draft Dog Control Bylaw 2026 does not give rise to any implications under the New Zealand Bill of Rights Act 1990, and that any indirect effects on freedoms are lawful, necessary, and proportionate.

This section 155 assessment will be revisited following public feedback and any further amendments to the Policy and Bylaw, to confirm whether any changes affect this analysis and conclusion.

Bylaw Review Timeframes

In order to satisfy the requirements to review the Bylaw, Council must make the determinations required under section 155 of the LGA.

Under section 160, once the section 155 review is completed, Council must decide whether the bylaw should continue without amendment, be amended, revoked, or revoked and replaced. If the outcome is an amendment, as is proposed, the next review will be due no later than 10 years after the last review (the date Council made the section 155 determinations). If Council revokes and replaces the bylaw (i.e., makes a new bylaw), that new bylaw must be reviewed within five years of being made, before moving to the ten year cycle.

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**.

This significance assessment reflects that:

- The proposed Policy and Bylaw relate to the management and control of dogs in public places, including leash requirements, dog access rules, and enforcement provisions. While these may have some operational implications, they do not fundamentally alter Council's financial position or functions;
- Dog control is a community interest issue and has generated high interest and varying views, however the proposed approach generally reflects community feedback received during early engagement;
- Although there are significant changes proposed, the proposals do not involve the sale, transfer, or reclassification of strategic assets; and
- Any anticipated costs are primarily operational in nature (e.g. signage, education, enforcement, and maintenance), rather than significant capital expenditure.

When making, amending, or revoking a bylaw, section 156 of the LGA applies. Where a bylaw relates to a matter identified as being of significant public interest under Council's Significance and Engagement Policy, or where Council considers the bylaw is likely to have a significant impact on the public, section 86 notes that the special consultative procedure must be used. The steps required to follow the special consultative procedure are outlined in section 83.

In all other cases, consultation must still be undertaken in accordance with the principles of consultation detailed in section 82 of the LGA, ensuring that affected persons are provided with access to relevant information and a reasonable opportunity to present their views.

Although the threshold for high significance is not considered to be met, Council proposes to use the special consultative procedure for this review, as the special consultative procedure is required to be used for the review of the Policy (under the Dog Control Act 1996). This will meet the requirements of section 82 as well.

This approach reflects the high level of public interest in dog management issues, the breadth of early engagement already undertaken with the community, staff, elected members, and Council committees, and the desire for transparency and consistency. Using the special consultative

procedure also enables the Policy and Bylaw to be consulted on together and alongside other policies/bylaws.

The special consultative procedure will involve:

- Preparing a Statement of Proposal that outlines the draft Policy and Bylaw, the reasons for the proposals, and the options considered;
- Publicly notifying and making the proposal available for community feedback;
- Providing a minimum of one month for submissions;
- Offering submitters the opportunity to be heard in person; and
- Considering all submissions before any final decisions are made on the Policy and Bylaw.

The consultation period is scheduled from 23 February 2026 to 19 April 2026 with an opportunity for submitters to present their views to Council to take place at a Council meeting on 12/13 May 2026. This is dependent on the number of people who wish to take up this opportunity. If only one day is required, the meeting will be held on Wednesday 13 May 2026.

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 Statement of Proposal.
Section 78 – requires consideration of the views of Interested/affected people	Council will share the draft Policy and Bylaw with the public and individuals/groups 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. Council will comply with its statutory obligation under the Dog Control Act 1996 to provide notice of the draft Policy to all dog owners in the district.
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 outlined in 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 widely with the public (e.g. attendance at markets, Facebook campaigns), with interested parties and key stakeholders including dog groups, businesses and residents nearby the Hauraki Rail Trail.

All dog owners will be informed of the draft Policy as required by legislation.

Timeframes

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

Key Task	Dates
Draft Policy, Draft Bylaw and Statement of Proposal approved for consultation - Council meeting	11 February 2026
Public consultation/engagement period	23 February 2026 – 19 April 2026
Hearing of Submitters/opportunity to hear oral submissions	13 May 2026 (12 May may also be used depending on the number of submitters who wish to be heard)
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
Proposed trial period (for dog access in the CBDs and Te Aroha section of the Hauraki Rail Trail)	July – December 2026
Final decisions made: 1. Formal resolution to continue with the Bylaw provisions in place, or; 2. Further amendment and consultation to revert to previous dog access provisions.	Timeframe dependent on the outcome of the trial.

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 Policy and Bylaw supports Council's strategic direction and community outcomes by promoting responsible dog ownership while ensuring public safety, amenity, and wellbeing. It provides a framework for managing dogs in public places in a way that balances the needs of dog owners, non-dog owners, and the wider community.

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

There are no attachments for this report.

Ngā waitohu | Signatories

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Approved by	Niall Baker Kaiārahi Tīma Kaupapahere Policy Team Leader	
	Sandra Harris Pou Kaupapahere, Rāngai Mahitahi me te Kāwana Policy, Partnerships and Governance Manager	
	Kelly Reith Hautū Rangatōpū, Tāngata me ngā Hononga Group Manager Corporate, People &	

Relationships	
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7 Pūrongo me whakatau | Decision Reports

7.3 Review of Council's Local Governance Statement

CM No.: 3121358

Te Kaupapa | Purpose

The purpose of this report is to seek Council adoption of the attached draft Local Governance Statement.

Rāpopotonga Matua | Executive Summary

The Local Government Act 2002 requires Council to prepare and make publicly available a Local Governance Statement within six months after each triennial election. This report contains the Draft Local Governance Statement for Council's consideration.

Tūtohunga | Recommendation

That:

1. The report be received.
2. Council adopt and make publicly available the Local Governance Statement in accordance with Section 40 of the Local Government Act 2002.
3. Staff are authorised to make minor amendments, such as the inclusion of Te Reo Māori headings.

Horopaki | Background

In accordance with the Local Government Act 2002, every Council is required to prepare and make publicly available a Local Governance Statement within six months following each triennial election. The purpose of the Local Governance Statement is to enhance local democracy by providing clear and accessible information to the community about the Council's governance structures, decision-making processes, and the avenues available for public participation.

A Draft Local Governance Statement has been prepared and attached to this report for Council's review. The draft document outlines the key processes through which Council engages with the community, describes how decisions are made, and explains the mechanisms through which individuals and groups can influence those processes. The Local Governance Statement supports the overall purposes of local government by promoting openness, transparency, and accountability.

The Local Governance Statement functions as a high-level summary of Council's roles, functions, responsibilities, and existing policies. It is intended to draw together information that is otherwise presented across a range of policies and operational practices. It does not establish new policy or alter existing Council decision-making frameworks.

Ngā Whiringa | Options

1. Council adopt and make publicly available the Local Governance Statement in accordance with Section 40 of the Local Government Act 2002.

OR

2. Council requests amendments to the Local Governance Statement and then adopt and make publicly available the Local Governance Statement in accordance with Section 40 of the Local Government Act 2002.

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

Pursuant to Section 40 of the Local Government Act 2002, a Local Governance Statement must include information on:

- (a) the functions, responsibilities, and activities of the local authority; and
- (b) any local legislation that confers powers on the local authority; and
- (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under [section 158](#) or [159](#); and
- (c) the electoral system and the opportunity to change it; and
- (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and
- (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
- (f) governance structures and processes, membership, and delegations; and
- (g) meeting processes (with specific reference to the applicable provisions of the [Local Government Official Information and Meetings Act 1987](#) and standing orders); and
- (h) consultation policies; and
- (i) policies for liaising with, and memoranda or agreements with, Māori; and
- (j) the management structure and the relationship between management and elected members; and
- (ja) the remuneration and employment policy, if adopted; and
- (k) equal employment opportunities policy; and
- (l) key approved planning and policy documents and the process for their development and review; and
- (m) systems for public access to it and its elected members; and
- (n) processes for requests for official information.

Local Government Act 2002 Decision-making requirements

Having regard to the decision making provisions in the Local Government Act 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.

Ngā Tāpiritanga | Attachments

 A  Matamata-Piako District Council Local Governance Statement (draft for adoption February 2026)

Ngā waitohu | Signatories

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

Draft to be adopted 11 February 2026



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1. Kupu Whakataki | Introduction

1.1 The Local Government Act 2002

The Local Government Act 2002 is the primary piece of legislation that governs Local Authorities. Section 40 of the Local Government Act 2002 ("the Act") requires each Local Authority to prepare and make publicly available a Local Governance Statement within six months of each triennial election.

The Local Governance Statement must contain information on the following subjects:

- the functions, responsibilities and activities of the local authority;
- any local legislation that confers powers on the local authority;
- the bylaws of the local authority including for each bylaw, its title, a general description, when it was made and when it was last reviewed;
- the electoral system and how to change it;
- representation arrangements including the option of establishing Māori wards or constituencies, and how to change them;
- members' roles and conduct (with specific reference to the applicable statutory requirements and the Code of Conduct);
- governance structures, processes, membership and delegations;
- meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and Standing Orders);
- consultation policies;
- policies for liaising with, memoranda or agreements with Māori;
- the management structure and the relationship between management and elected members;
- the Remuneration and Employment Policy, if adopted;
- Council's Equal Employment Opportunities Policy, if adopted;
- key approved planning and policy documents and the process for their development and review;
- systems for public access to the Local Authority and its Elected Representatives;
- processes for requesting official information from the Local Authority.

1.2 The Matamata-Piako District Council Local Governance Statement

The Matamata-Piako District Council (Council) Local Governance Statement is a collection of information about the processes through which Council engages with the community, how decisions are made, and how the community can influence these processes. It helps support the purposes of local government by promoting local democracy. It does this by providing the community with information on the ways to influence the local democratic processes.

This document refers to various Acts of Parliament. All Acts can be viewed on the Government's website www.legislation.govt.nz. Other websites relating to local government:

- www.lgnz.co.nz (Local Government New Zealand)
- www.dia.govt.nz (Department of Internal Affairs)
- <http://www.oag.govt.nz/reports/local-government> (Office of the Auditor General)

2. Te Reo | Community access to Council

2.1 Contacting Council

For Matamata-Piako District Council enquiries, please contact our Customer Services Team.

Council office opening hours are Monday to Friday from 9.00am until 4pm, excluding statutory holidays and the Christmas period.

You can also contact Council anytime after-hours on the phone numbers listed below.

Phone: 07 884 0060
or 0800 746 467

Postal Address:
PO Box 266
TE AROHA 3342

Physical Address:

Main Office: Te Aroha

Area Office: Morrinsville

Area Office: Matamata

35 Kenrick Street
Te Aroha

56 Canada Street
Morrinsville

11 Tainui Street
Matamata

Internet Access:

Enquiries through our Customer Services Team can also be made via email and additional information about Council can be found on our website.

Email: info@mpdc.govt.nz
Website: www.mpdc.govt.nz

Antenno:

Antenno is a mobile app that sends you alerts and notifications, about places and topics you care about. There are two ways you can use Antenno; receive notifications from Council about the places you have marked as important to you, or reporting back to Council on issues or feedback.

Find out more about Antenno at <https://www.mpdc.govt.nz/contact-us/antenno>.

2.2 Contacting your elected representatives

Council's elected representatives have many roles, one of which is to act as an advocate for the community and to bring individual and community issues and concerns to the Council. The Mayor and Councillors can be contacted using the details provided on our [website](#). Please send any written correspondence care of Matamata-Piako District Council.

3. Te Reo | Council's purpose, responsibilities and activities

3.1 Purpose

The Council is a body corporate with perpetual succession. It has full capacity to carry on or undertake any activity provided that it is not inconsistent with the Local Government Act 2002 or any other Act of Parliament.

Council's purpose is:

- to enable democratic local decision making and action by, and on behalf of its communities;
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

3.2 Responsibilities

Effective local governance relies on a positive and professional relationship between elected members and executive management. This relationship is underpinned by mutual respect, trust, and a shared commitment to serving the community.

Elected members provide leadership, vision, and policy direction, while management is responsible for delivering services and implementing decisions. Regular communication and a clear separation of roles support strong decision-making and accountability.

3.3 Principles relating to Local Authorities

The Local Government Act 2002 (Part 2, section 14) sets out principles guiding local authorities in the way that they perform their roles.

The Local Government Act 2002 states:

- 1) *In performing its role, a local authority must act in accordance with the following principles:*
 - A local authority should:*
 - Conduct its business in an open, transparent and democratically accountable manner; and*
 - Give effect to its identified priorities and desired outcomes in an efficient and effective manner.*
 - A local authority should make itself aware of, and should have regard to, the views of all of its communities;*
 - When making a decision a local authority should take account of—*
 - The diversity of the community and the community's interests, within its district or region; and*
 - The interests of future as well as current communities; and*
 - The likely impact of any decision on each aspect of well-being referred to in section 10 [of the Act]*
 - A local authority should provide opportunities for Māori to contribute to its decision-making processes.*
 - A local authority should actively seek to collaborate and co-operate with other local authorities and bodies to improve the effectiveness with which it achieves its identified priorities and desired outcomes; and*
 - A local authority should undertake any commercial transactions in accordance with sound business practice;*

- (g) A local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and
- (h) In taking a sustainable development approach, a local authority should take into account—
 - i. the social, economic, and cultural well-being of people and communities; and
 - ii. The need to maintain and enhance the quality of the environment; and
 - iii. The reasonably foreseeable needs of future generations;

2) If any of these principles, or any aspects of well being referred in section 10, are in conflict in any particular case, the local authority should resolve the conflict in accordance with the principle in subsection 1(a)(i). This principle is to "conduct its business in an open, transparent and democratically accountable manner."

It is also required to follow the detailed decision making processes outlined in the Local Government Act 2002 when carrying out its obligations.

3.4 Council activities

Council is responsible for and carries out a number of activities within the community. These activities fall into four categories:

3.4.1 Community facilities and property

Community facilities and property is about providing parks, open spaces and built facilities for sport, recreation, social and cultural activities as well as buildings that enable us to provide a range of services to the community, including affordable housing for elderly people. The activities responsible for this are: Cemeteries, Housing and property, Libraries, Parks and open spaces, Pools and spas, Public toilets, and Community venues.

3.4.2 Strategy and engagement

Strategy and engagement supports our community to get involved in the democratic process, and provides the strategic direction needed to ensure our community thrives and is prosperous. The activities responsible for this are Emergency management, Communications and events, Community leadership, and Strategies and plans.

3.4.3 Roading

Our transport network consists of 967km of sealed roads, and 55km of unsealed roads. It also includes 377 bridges, street lights, road markings, signs and road drainage assets. In addition to providing access to properties, the road corridor is also where utilities are usually located (e.g. gas, power, telecommunications, water, sewer and stormwater).

3.4.4 Rubish and recycling

Our Rubbish and recycling activity (which is sometimes referred to as our Solid Waste activity) currently provides kerbside rubbish and recycling collection services to approximately 10,000 households across the district, as well as operating three transfer stations located at Matamata, Morrinsville and Waihou. We provide waste minimisation and sustainability education to schools across the district. We also have three closed landfills at Matamata, Morrinsville and Te Aroha that we monitor under the terms of their resource consents to ensure they do not endanger the environment or public health.

3.4.5 *Stormwater*

We have Stormwater discharge consents to collect and dispose Stormwater from urban areas of Matamata, Morrinsville, Te Aroha and Waharoa. Stormwater from these urban areas are collected and treated appropriately to comply with discharge consents before discharging into surface water bodies or ground. We ensure Stormwater discharge from new developments is complying with our resource consent conditions. We work collaboratively with Waikato Regional Council and our roading team as they also own, manage and maintain parts of the drainage system. Some drains of the urban Stormwater network are situated in private properties. Maintenance of these drains are the responsibility of the property owners. We liaise with the property owners on matters related to these drains. Maintaining all of our assets involves undertaking scheduled and unscheduled maintenance and repair work. We have renewal strategies to allow for the progressive replacement of assets as they are required.

3.4.6 *Wastewater*

We supply wastewater services to the urban areas of Matamata, Morrinsville, Te Aroha, Waihou, Tahuna, Rukumoana, Raungaiti and Waharoa by collecting the wastewater from these communities and treating it through five treatment plants. The treatment plants are situated in Matamata (which also treats wastewater from Waharoa and Raungaiti), Morrinsville (which also treats wastewater from Rukumoana), Te Aroha, Tahuna and Waihou. The Morrinsville treatment plant also treats and disposes of rural septic tank waste. Approximately 50% of the wastewater treated in Morrinsville is from local industry. Industrial and commercial wastewater is regulated through tradewaste agreements and our Tradewaste Bylaw 2011. Under our tradewaste agreements, companies pay for the cost of processing their waste. The efficient operation and maintenance of our wastewater network is achieved by providing adequate backup facilities, equipment, machinery and staff to handle any break down of the service. Corrective and preventative maintenance programmes are in place to ensure our systems remain in good condition.

3.4.7 *Water*

We own and operate six water supply schemes in the district - in Matamata (including Waharoa and Raungaiti), Morrinsville, Te Aroha (including Te Aroha West) and three small schemes in Te Poi, Tahuna, and Hinuera. Each area has one or more treatment plants, and the district has a total of 410 km of pipes (excluding service lines). We provide water 24 hours a day, seven days a week, which means operating and maintaining equipment, machinery and backup facilities, and training staff to respond rapidly in the event of a problem. We have corrective and preventative maintenance programmes in place to ensure our systems remain in good condition. We also monitor the lifecycles of our assets (such as water mains) and renew them when necessary.

3.4.8 *Consent and licensing*

Consents and licensing is about carrying out our regulatory functions that we have an obligation to perform under legislation. The functions that fall within this activity group are Animal control, Building consents and monitoring, Licensing and enforcement and Resource consents and monitoring.

3.4.9 *Support services*

Support Services are an essential part of ensuring Council operates in an effective and efficient manner, meeting its statutory obligations, and is able to work towards the achievement of community outcomes. These activities are internally focused and do not have a direct output to the community, rather they are internal support systems for those activities that do.

The support services activities include customer services, finance and business services, , legal, risk, people, safety and wellness, and information services.

4. **Te Reo | Members' role and conduct**

4.1 *The role of elected members*

Elected members, acting as the Council are responsible for:

- representing the interests of the residents and ratepayers of the Matamata-Piako District;
- enabling democratic decision-making on behalf of communities by being aware of and having regard to the views of the community;
- meeting the current and future needs of Matamata-Piako communities for good-quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- the prudent stewardship of Council resources;
- the development and adoption of Council objectives and policies. Elected members should give effect to identified priorities and desired outcomes in an efficient and effective manner;
- monitoring the performance of the Council against its stated objectives and policies;
- employment of the Chief Executive Officer.

4.2 *The role of the Mayor*

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities and must follow the same rules as the other elected members of Council.

The Mayor also has the following roles as an advocate on behalf of the community. This role may involve promoting the community and representing its interests:

- as the ceremonial head of Council;
- to provide leadership and feedback to other elected members on teamwork and chairmanship of committees;
- as the presiding member at Council meetings, ensuring the orderly conduct of business during meetings (as determined in Standing Orders);
- as a spokesperson for the Council. As a consequence, the Mayor is often expected to meet with individuals, community groups and sector representatives.

The Mayor also has the following powers:

- appointment of the Deputy Mayor;
- establishment of committees and to appoint the chairperson of each committee established;

- leading the development of Council's plans (including the Long Term Plan and the Annual Plan), policies and budgets for consideration by the elected members;
- membership of each committee.

4.3 The role of the Deputy Mayor

The Deputy Mayor must be appointed by the Mayor at the first meeting of Council. The Deputy Mayor exercises the same roles as other elected members and, if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties of the Mayor. The Deputy Mayor may be removed from office by resolution of the Council.

4.4 The Code of Conduct

Clause 15 of Schedule 7 to the Local Government Act 2002 requires each Local Authority to adopt a Code of Conduct for the elected members of Council.

Once adopted, all elected members are required to comply with the Code of Conduct; however, a breach of the Code of Conduct is not an offence under the Act. Council may amend or replace its Code of Conduct but it may not revoke it without a replacement, all changes to the Code of Conduct require a supporting vote of not less than 75% of the members present.

The Matamata-Piako District Code of Conduct sets out the understandings and expectations adopted by Council about the manner in which elected members may conduct themselves while acting in their capacity as elected members. This includes behaviour towards one another, staff, and the public and the disclosure of information. The Code of Conduct can be found on the Council website at: <https://www.mpdc.govt.nz/filelink/fileman-files/CouncilDocuments/Policies/CodeofPractice/CodeOfConduct.pdf>

4.5 Laws that apply to elected members

The following explanations are provided solely as a guide, elected members and the public should seek independent legal advice if they need further information.

4.5.1 The Local Government Act 2002 (the Act)

This Act is the primary piece of legislation that governs Local Authorities. While elected members must have regard for the whole Act, the provisions on indemnity, liability and disqualification of elected members are explained below.

Indemnity of Elected Members:

In certain cases, under Section 43 of the Act, members (both elected under the Local Electoral Act 2001 and appointed by the local authority) are indemnified by the Local Authority. In general, the indemnity can cover costs and damages for civil action and any successfully defended criminal action of a member in their capacity as a member. This indemnity does not extend to directors of Council Controlled Organisations, nor does this indemnity extend to liability for loss under Section 46 of the Act.

Liability of Elected Members:

Sections 44, 45 and 46 of the Act allow for certain losses of the Local Authority to be recovered as a debt due to the Crown from each member of the Local Authority jointly and severally.

In general, this covers the unlawful disposal of money or other assets, liabilities that have been unlawfully incurred or loss through failure by the Local Authority to collect money it was lawfully entitled to receive. The Act also provides statutory defences for members to such proceedings.

Section 47 of the Act prohibits the payment of costs in a proceeding commenced by the Attorney-General out of the general revenues of a Local Authority. The costs must be paid, by order of the Court, by the members of the Local Authority who assented to the acts concerned.

In general, this section applies to proceedings where the Local Authority has dealt with any of its property wrongfully or permitted its property or the reserves to be used for unlawful purposes.

Disqualification of Members from Office:

Schedule 7 of the Act provides that elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector (see section 80 of the Electoral Act 1993) or for certain breaches of the Local Authorities (Members' Interests) Act 1968.

4.5.2 The Local Government Official Information and Meetings Act 1987 (LGOIMA)

LGOIMA contains rules relating to the disclosure of information held by a Local Authority to the public. The obligations of LGOIMA are binding on elected members and apply to the disclosure of information held by an elected member, in his or her capacity as an elected member, to a member of the public as well as to information held by Council.

LGOIMA also sets out the procedural requirements for meetings of Local Authorities, the publication of agendas, excluding the public from meetings and access by the public to the agendas and minutes of meetings. For more detailed information please refer below on Requesting Information from Council and on Council's Meetings Process.

4.5.3 Public Records Act 2005

The Public Records Act's purpose is to provide a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained and accessible. The Public Records Act 2005 provides for the continuity of the National Archives and the role of the Chief Archivist. This Act enables accountability by ensuring that full and accurate records of the affairs of local government are created and maintained. It also provides a framework within which local authorities create and maintain their records and has a role in enhancing public confidence in the integrity of local authority records.

The definition of a record includes information, whether in its original form or otherwise, and is not limited to just written information. The definition also includes (but is not limited to) a signature, a seal, text, images, sound, speech or data in any medium and recorded or stored by any electronic device or process.

In carrying out their duties as elected members, they may receive information directly, for example from constituents. Members will need to consider whether that information meets the definition of a local authority record and if so will need to ensure it is included in the Council's records.

4.5.4 The Local Authorities (Members' Interests) Act: Conflicts of Interest

The Local Authorities (Members' Interests) Act 1968 provides that an Elected Member is disqualified from office or from election to office, if that member is concerned or interested in contracts or sub-contracts under which payments made by the Local Authority exceed \$25,000 in any financial year, unless prior approval has been obtained from the Auditor General.

Elected members are also prohibited from participating in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the elected member's spouse is concerned. Members must declare their interests at Council meetings where matters in which they have a pecuniary interest arise. Elected members can contact the Office of the Auditor General for guidance and to seek an exemption under the Local Authorities (Members' Interests) Act 1968.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could invalidate the particular decision made by Council. Failure to observe these requirements could also leave the Elected Member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction, the elected member can be disqualified from office.

4.5.5 Common Law – Non-Pecuniary Conflicts of Interest

Elected members should be familiar with the common law concerning non-pecuniary conflicts of interest. This includes issues of predetermination and bias (whether real or perceived) on the part of elected members when making a decision as a member of Council.

The Office of the Auditor General provides guidance for elected members on the law on conflicts of interest, this is available at <http://www.oag.govt.nz/2010/lamia>.

4.5.6 Financial Markets Conduct Act 2013

The Financial Markets Conduct Act 2013 essentially places elected members in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equity securities). Elected members may be personally liable if documents that are registered under this Act such as a product disclosure statement contain false or misleading statements. Elected members may also be liable if the requirements of this Act are not met in relation to offers of financial products.

4.5.7 The Crimes Act 1961

Under the Crimes Act 1961 it is unlawful for an Elected Member to accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council. It is also unlawful to use information gained in the course of their duties for their, or another person's, monetary gain or advantage. These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will also be automatically disqualified from office.

4.5.8 The Secret Commissions Act 1910

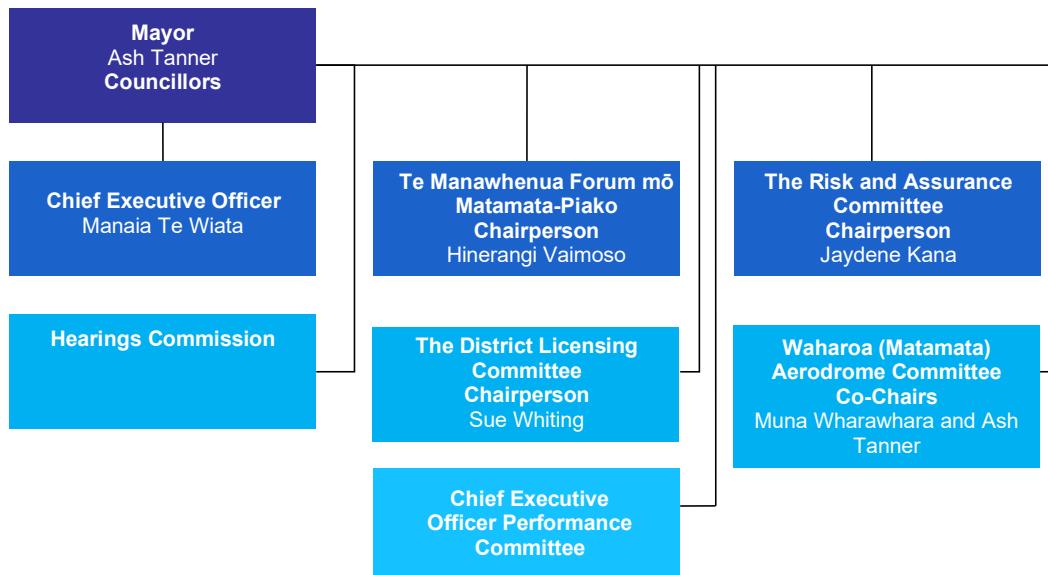
Under the Secret Commissions Act 1910 it is unlawful for an Elected Member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act, a person can be imprisoned for up to two years, fined up to \$1,000 or both. Elected members convicted of these offences will also be automatically disqualified from office.

5. Te Reo | Governance structures

5.1 Governance

- Matamata-Piako District Council (Council)
- Te Manawhenua Forum mō Matamata-Piako
- The District Licensing Committee
- The Risk and Assurance Committee
- Hearings Commission
- Waharoa (Matamata) Aerodrome Committee
- Chief Executive Officer Performance Committee



5.2 Delegated authority

An important part of Council's governance structure is the delegation of authority; this is to allow for the effective and efficient conduct of Council business. Clause 32 of Schedule 7 to the Local Government Act 2002 is the primary legislative authority that empowers Council to

make delegations. From time to time, Council will delegate authority to committees, sub-committees and to Council staff as it decides is appropriate.

Council has adopted a Delegation Policy and Delegation Register. The objectives of this Policy are twofold - to provide a framework which:

- provides for the delegation of powers to create efficient and effective decision-making within Council;
- allows Council to concentrate on the delegations (or the decision not to delegate) of greatest magnitude and risk.

The above objectives will enable Council to consistently determine all delegations that it makes.

Some principles of delegation are that the delegator:

- does not part with the function, duty or power being delegated. This means that the delegator retains the ability to exercise the responsibility, power or duty that has been delegated;
- retains ultimate accountability even though the delegate may have immediate responsibility;
- retains an obligation to monitor the performance of the delegate;
- may withdraw or suspended the delegation at any time up until, but not after, any decision is made or power is exercised under the delegation;
- may (or may not) include the powers of sub-delegation within the delegation;
- should delegate authority to "the lowest competent level", this means by the lowest position within the Council hierarchy that has adequate skills to undertake the delegated powers, duties or responsibilities.

Council is not permitted to delegate authority in certain instances. In general terms, Council may delegate any of its powers except:

- the power to make a rate;
- the power to make a bylaw;
- the power to borrow money, or purchase or dispose of assets other than in accordance with the Long Term Plan;
- the power to adopt a Long Term Plan, Annual Plan or Annual Report;
- the power to appoint a Chief Executive Officer;
- the power to adopt policies required to be adopted and consulted on under this Act in association with the Long Term Plan or developed for the purpose of the Local Governance Statement;
- the power to adopt a Remuneration and Employment Policy.

5.3 Council Committees and Commissioners

5.3.1 The Hearings Commission

In general, the Hearings Commission has delegated authority to hear and determine all applications that are within Council's functions duties and powers under the:

- Resource Management Act 1991 except:
 - the approval of or change to policy statements and plans; and
 - the hearing of applications where there is a conflict of interest
- Objections under the Dog Control Act 1996

- Building Act (Pool regulation waivers)
- Gambling Act 2003

5.3.2 Te Manawhenua Forum mō Matamata-Piako (the Forum)

The forum comprises membership from Council, Ngāti Hauā, Ngāti Rahiri-Tumutumu, Raukawa, Ngāti Maru, Ngāti Whanaunga, Ngāti Paoa, Ngāti Hinerangi and Ngāti Tamatera. The forum is scheduled to meet six times a year. A schedule of those meetings is available from Council. The forum operates under a Heads of Agreement.

The purpose of the forum is to facilitate Tangata Whenua contribution to Council's decision-making. It will consider any matter to promote the social, economic, environmental and cultural well-being of the Māori communities for today and for the future taking a sustainable approach. See <https://www.mpdc.govt.nz/our-council/te-manawhenua-forum> for more information.

5.3.3 District Licensing Committee

The District Licensing Committee is required to consider and determine applications under the Sale and Supply of Alcohol Act 2012. The District Licensing Committee's functions as set out in Section 187 of the Sale and Supply of Alcohol Act 2012:

Section 187 functions of licensing committees

A licensing committee's functions are—

- a) *to consider and determine applications for licences and manager's certificates; and*
- b) *to consider and determine applications for renewal of licences and manager's certificates; and*
- c) *to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and*
- d) *to consider and determine applications for the variation, suspension or cancellation of special licences; and*
- e) *to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and*
- f) *with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and*
- g) *to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and*
- h) *any other functions conferred on licensing committees by or under this Act or any other enactment.*

The composition of a District Licensing Committee set out in Section 189 of the Sale and Supply of Alcohol Act 2012, is to consist of three members appointed by Council. The Chairperson must be an Elected Member. The other two members must be appointed from Council's list of approved persons as set out under Section 192 of the Sale and Supply of Alcohol Act 2012.

5.3.4 The Risk and Assurance Committee

The Risk and Assurance Committee was recommended by the Office of the Auditor General and our auditors, Audit New Zealand. The purpose of the Risk and Assurance Committee is

to ensure Council has appropriate risk management and internal and financial control systems. The Risk and Assurance Committee comprises of the Mayor, the deputy Mayor, three elected members and an independent Chairperson.

5.3.5 Waharoa (Matamata) Aerodrome Committee

The Waharoa (Matamata) Aerodrome Committee comprises of three members appointed by the Ngāti Hauā trustees, one Council appointed member, the Mayor and Deputy Mayor. The functions of the committee are:

- to make recommendations to the Council in relation to any aspect of the administration of the Council's Waharoa Aerodrome land and the Waharoa Aerodrome land.
- to make final decisions on access and parking arrangements for the Waharoa Aerodrome land and Council's Waharoa Aerodrome land that affect Raungaiti Marae.
- to perform the functions of the administering body under section 41 of the Reserves Act 1977 in relation to any review of the reserve management plan (except for the functions of initiating any review or approving any management plan, which remain functions of the Council unless delegated to the committee).
- to perform any other functions delegated to the committee by the Council.

On 23 August 2023 Council approved delegation of the following functions and powers to the Waharoa (Matamata) Aerodrome Committee in alignment with section 89(1)(d) of the Ngāti Hauā Claims Settlement Act 2014:

- all of the functions and powers associated with the review, amendment and approval of a Reserve Management Plan for the Waharoa (Matamata) Aerodrome under section 41 of the Reserves Act 1977, including initiation of a review, conducting any hearings, decision[1]making and approval of a Reserve Management Plan, including sub-delegating the power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013, to approve a reserve management plan for the Waharoa (Matamata) Aerodrome pursuant to section 41(1) of the Reserves Act 1977;
- the authority to develop a draft masterplan for Waharoa (Matamata) Aerodrome, to carry out community consultation and/or engagement in accordance with Council's Significance and Engagement Policy, to make decisions in respect of the draft masterplan, and any ancillary powers necessary to enable it to carry out these functions;
- in respect of Section 72 Block XIII Wairere SD, the Council delegates to the Waharoa (Matamata) Aerodrome Committee its power to classify the land under section 16(1) of the Reserves Act 1977 according to its principal or primary purpose, and subdelegates its power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013 to gazette the reserve classification under section 16(1) of the Reserves Act 1977; and
- in respect of Matamata North E Block and Matamata North F Block, Part Lot 1 DPPM 29064 and Part Section 71 Block XIII Wairere SD, the Council delegates to the Waharoa (Matamata) Aerodrome Committee its decision-making powers to declare the land as reserve under 14(1) of the Reserves Act, including the power to notify the proposed declaration, to consider any submissions and to hold hearings as necessary and subdelegates its power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013 to gazette any resolution made under section 14(1), pursuant to section 14(4) of the Reserves Act 1977

5.3.6 Chief Executive Officer Performance Committee

The Chief Executive Officer Performance Committee comprises of the Mayor, Deputy Mayor and five Councillors. This committee was established to undertake a formal review of the Chief Executive Officer's performance.

5.4 Subcommittees

The Council from time to time may establish subcommittees to consider a particular issue or issues. These subcommittees report directly to Council.

5.5 Representation on other Committees

From time to time Council appoints representatives to other Committees. Some appointments are required by statute, others are made because Council considers it appropriate to do so.

5.6 The Chief Executive Officer (CEO)

Council must appoint a CEO in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. In turn, the CEO is responsible for employing staff on behalf of Council.

The CEO implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under section 42 of the Local Government Act 2002, the responsibilities of the CEO are to:

- implement the decisions of the Council;
- provide advice to the Council;
- ensure that all responsibilities, duties and powers delegated to the CEO or to any person employed by the CEO, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;
- manage the activities of the Council effectively and efficiently;
- maintain systems to enable effective planning and accurate reporting of financial and service performance to Council;
- provide leadership for the staff of the Council;
- employ staff (including negotiation of employment contracts).

5.7 Council division structure

Council staff are managed by the CEO and organised into four divisions, these are

- Customer Experience
- Corporate, People and Relationships
- Infrastructure, Assets and Operations
- Growth and Regulation.

6. Te Reo | Key Council Policies and Plans

The Council has overall responsibility for the proper direction and control of the Council's activities in pursuit of community outcomes. This responsibility includes formulating:

- the Long-Term Plan (LTP);
- the District Plan;
- the Annual Plan
- the Annual Report; and
- other Council Policies.

The Local Government Act 2002 sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. They are designed to raise community awareness of issues and activities the Council is involved in, as well as to strengthen the relationships between the Council, the community and other community focused agencies.

Significance and Engagement Policy

Council is committed to engaging with the community to ensure our decisions reflect the aims of the community. Council's Significance and Engagement Policy helps Council to determine what the really important ('significant') issues are to the community, and how we will go about involving the community in making those decisions ('engagement').

This policy outlines actions and decisions on which the Council has identified as necessary for them to engage with the community. It is recognised that situations may arise where the Council wishes to engage with the community where it is not required as a matter of significance, but instead, reflects a spirit of community partnership and co-operation.

A copy of the Policy can be found at

[Matamata-Piako District Council Significance and Engagement Policy 2023](#)

6.1 Long Term Plan (LTP)



Under the Local Government Act 2002, Council is required to develop a LTP in consultation with the community. LTPs are required to set out Council activities, describe community outcomes, provide integrated decision-making and co-ordination of Council resources and provide a long term focus for the decisions and activities of Council. The community has the opportunity to be involved in the process as well as have the ability to make submissions through the Special Consultative Process.

The LTP identifies the communities' outcomes and provides information on Council's policies and actions for a ten year period from the date of its publication and it will be reviewed and updated every three years. Each LTP will provide the basis for the Annual Plan each year a LTP is not produced.

A copy of the LTP is available at <https://www.mpdc.govt.nz/plans/long-term-plan>

6.2 The Annual Plan

The Annual Plan provides information on Council's funding and activities that are to be undertaken over the coming financial year. Any significant or material changes from the LTP will be identified. If there are significant or material changes then the community will have the opportunity to have their say on these.

A copy of the Annual Plan is available at <https://www.mpdc.govt.nz/plans/annual-plan>

6.3 The Annual Report

After the end of the financial year Council publishes an Annual Report. The purpose of the Annual Report is to:

- compare the actual activities with the actual performance set out in the LTP or Annual Plan for that year;
- promote Council's accountability to the community for the decisions made throughout the year.

The Annual Report must be produced within four months of the end of the financial year and be made publicly available one month after its adoption.

A copy of the Annual Report is available at <https://www.mpdc.govt.nz/reports/annual-report>

6.4 Iwi engagement

Te Manawhenua Forum mō Matamata-Piako:

Council has established a formal process of representation for Māori within the district. Through discussions with Iwi nominated representatives, a preferred structure was developed and Te Manawhenua Forum mō Matamata-Piako was established as a standing committee of Council.

The heads of agreement statement for the forum outlines the purpose of Te Manawhenua Forum mō Matamata-Piako as, *"To facilitate mana whenua contribution to Council's decision making."* The forum will consider any matter to sustainably promote the social, economic, environmental and cultural wellbeing of Māori communities for today and for the future.

Forum membership includes representatives from Ngāti Hauā, Ngāti Maru, Ngāti Paoa, Raukawa, Ngāti Rahiri Tumutumu, Ngāti Whanaunga, Ngāti Hinerangi, Ngāti Tamaterā the Mayor, Deputy Mayor and one other elected member. The forum may agree to additional

members in the future. More information on the Forum can be found at <https://www.mpdc.govt.nz/our-council/te-manawhenua-forum>

The Long Term Plan (LTP) and Annual Plan recognise the requirements of the Local Government Act 2002 in relation to Māori. They also recognise the status and purpose of the Te Manawhenua Forum mō Matamata-Piako. Several issues which impact on Māori have been identified within the LTP and Annual Plan.

The District Plan must take into consideration the relationship between Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. The District Plan recognises the need for greater Māori involvement in local control and decision making processes and the protection of Māori heritage.

Council's Resource Consent process ensures that the Iwi issues and concerns are appropriately dealt with at the level of individual Resource Consents. This is set out in a Protocol with Iwi for Resource Consent applications under the Resource Management Act 1991.

Council also has Tangata Whenua Engagement Guideline and Protocols which were developed in conjunction with Te Manawhenua Forum mō Matamata-Piako. The guideline provides a range of tools and advice to help plan effective engagement while the protocols provide practical information about use of Te Reo/Māori (the language of Iwi/Māori), Marae protocols etc. The aim is to ensure that engagement is meaningful and leads to positive outcomes for Iwi/Māori, Council and the wider community.

6.5 The Matamata-Piako Operative District Plan

The Resource Management Act 1991 requires Council to have a District Plan. The purpose of the District Plan is to encourage the sustainable use of the districts natural and physical resources in a way which provides for the social, cultural and economic well being of the community. The District Plan governs the management and mitigation of the effects of land use in the district. Land subdivision, environmental noise and activities on the surface of the water are also controlled through the plan.

The Matamata-Piako District Plan became operative in 2005 and must be reviewed every ten years. The community can apply to Council to make changes to the District Plan at any time. Proposed changes must be publicly notified for consultation and submissions can be made on them.

A copy of the Operative District Plan and information on proposed plan changes can be found at <https://www.mpdc.govt.nz/plans/district-plan>

7. Te Reo | Requesting information from Council

Under the Local Government Official Information and Meetings Act 1987 ("LGOIMA") any person may request official information from the Council. You do not have to say you are making a request under LGOIMA as all requests for information automatically come under LGOIMA.

The term "Official Information" refers to all information (with a few exceptions) held by a local authority. The underlying principle of LGOIMA is that information should be made available unless there is good reason to withhold it. The purpose of LGOIMA is to promote democracy and transparency in Local Government by making information freely available.

Requesting information:

- requests can be made in any form (e.g. by email, in person or over the phone) however making a request in writing is recommended, especially for complex requests for information;
- requests must be made with “due particularity” (rather than asking for all files about a general topic) this will also help the Council staff who are looking for the information for you;
- it is the duty of Council to give reasonable assistance to people making requests;
- information in documents may be made available by providing an opportunity for reading it or by providing a copy of it or by providing a summary or excerpt; however, it should be made available in the way preferred by the requestor unless there are reasons for not doing so;
- you cannot make requests for “why” information. This means that while you can ask for information on a topic, you cannot ask for an opinion on that information under LGOIMA;
- the Council must provide you with a decision on whether to grant your request within 20 working days (although there are certain circumstances where this time-frame may be extended);
- LGOIMA allows for charges to be set to cover costs of collating information. The Council’s charges are based on the guidelines of the Ministry of Justice.

A request may be refused if:

- there is good reason to withhold it under section 6 or 7 of LGOIMA;
- the information will soon be publicly available;
- the information requested is Library, museum or exhibition material;
- the local authority does not actually hold the information;
- the information cannot be made available without substantial collation or research;
- the request is frivolous or vexatious;
- the information requested is correspondence with the Ombudsman;
- the information is held or more closely associated with another public office (in which case Council must transfer your request to that office);

Where a request is refused the Council must give its reasons and advise the requestor that there they have a right to have the decision reviewed by the Ombudsman. Further information can be found at <http://www.ombudsman.govt.nz>.

In general, Sections 6 & 7 of LGOIMA provides the following reasons for withholding information:

- making it available would be likely to prejudice the maintenance of the law, or endanger safety;
- when balanced against public interest, withholding the information is necessary to:
 - protect the privacy of natural persons;
 - protect information where its release would disclose a trade secret or would prejudice the commercial position of the person who supplied, or who is the subject of, the information;
 - avoid offence to tikanga Māori or avoid disclosure of wāhi tapu locations;
 - protect an obligation of confidentiality where making it available would affect the future supply of information or would otherwise damage the public interest;
 - maintain free and frank discussion or protect officers and members from harassment;
 - maintain litigation or legal professional privilege;
 - enable the council to carry out without prejudice or disadvantage commercial activities or negotiations;
 - prevent the use of information for improper gain.

Requests can be made by email to info@mpdc.govt.nz

8. Te Reo | Council's meeting process

Council meetings take place each month (excluding January) and a schedule of this and other Committee meetings can be found at <https://www.mpdc.govt.nz/our-council/meeting-schedule>

There are three types of formal meetings:

- the initial meetings of Council, which occur immediately after the triennial elections, where all members are sworn in;
- ordinary meetings of Council and Committees. These are the scheduled meetings and are typically monthly;
- extraordinary meetings of Council and Committees. These are unscheduled meetings for which there is insufficient time to give the notice that is required for ordinary meetings.

In addition to formal meetings, the Council may meet informally from time to time for workshops. Council decisions cannot be made at workshops or any other informal meeting.

The Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA) set out the legal requirements for Council meetings.

8.1 The Local Government Act 2002

The Local Government Act 2002 provides that a local authority must hold the meetings that are necessary for the good governance of its district. The Local Government Act 2002 also provides for:

- the requirements of the first meeting after a triennial election;
- the notification of ordinary meetings to members;
- the notification of extraordinary meetings to members;
- the adoption of standing orders.

8.2 Local Government Official Information and Meetings Act 1987 (LGOIMA)

One of the purposes of LGOIMA is to promote the open and public transaction of business at meetings by elected members and Council staff and encourage public participation in local government. LGOIMA applies to all formal meetings of Council including committee meetings.

LGOIMA provides that (subject to some statutory exceptions):

- meetings must be publicly notified within a certain timeframe;
- agendas must be publicly available;
- every meeting is open to the public, including the news media;
- members of the public do not have speaking rights unless prior arrangements are made with Council;
- minutes of meetings must be publicly available;
- resolutions of extraordinary meetings must be publicly notified;
- the publication of any defamatory matter included in the agenda or in the further statements or particulars or in the minutes shall be privileged;

- any oral statement made at any meeting shall be privileged.

LGOIMA contains a list of the circumstances where Council may consider items on its agenda with the public excluded; this provision also applies to the requirement to make meeting minutes publicly available.

Where the public are excluded, the reason for passing the resolution should be stated in brief. The resolution may allow for one or more persons to remain (e.g. officers and legal adviser), provided it states that the knowledge possessed by those persons will be of assistance to the local authority.

The grounds for excluding the public from a meeting are similar to those for withholding official information, these relate to protection of personal privacy, professionally privileged or commercially sensitive information and the maintenance of public health, safety and order. There are two exceptions, firstly the ground of maintaining free and frank expression of opinions by members does not apply to enable exclusion of the public from meetings. Secondly the public may be excluded where a local authority wishes to deliberate in private on a decision against which a right of appeal lies to any court or tribunal.

The Mayor or committee chairperson is responsible for maintaining order at meetings and powers are given to that person to maintain order at the meeting, and to exclude a person causing prejudice to the orderly conduct of the meeting.

8.3 Standing Orders

All councils are required by the Local Government Act 2002 to adopt a set of Standing Orders. Standing Orders are a set of rules of debate that provide greater formality in the way that a council conducts its meetings. They are also a means of recording the Council's agreed principles of behaviour within meetings.

Standing Orders help to regulate Council meetings by:

- allowing structured discussion of topics;
- ensuring respect for the opinions of others;
- ensuring tact and appropriate language is used in resolving conflict;
- promoting the use of persuasion and influencing skills to gain a team outcome.

The Standing Orders must not contravene the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 or any other Act. After the adoption of the first Standing Orders, an amendment or the adoption of a new set of Standing Orders requires a vote of not less than 75% of the members present.

The Council or Committee may temporarily suspend Standing Orders during a meeting by a vote of not less than 75% of the members present, the reason for the suspension must be stated in the resolution of suspension.

9. Te Reo | The Electoral System

9.1 First Past the Post (FPP) and Single Transferable Vote (STV)

The Local Electoral Act 2001 permits two options for electoral systems. Council currently operates its elections under the "First Past the Post" (FPP) system. Under the FPP system electors vote by indicating their preferred candidate(s) and the candidate(s) that receives the most votes are successful regardless of the proportion of votes that candidate obtained.

The second option is the Single Transferable Vote (STV) system; Under the STV system electors rank the candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all the vacancies is achieved:

- first by the counting of electors first preferences;
- then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota;
- then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with the voters second preferences.

9.2 *Changing the Electoral System*

Under the Local Electoral Act 2001 there are three ways to initiate a change of the electoral system:

- Council can resolve to change the electoral system to be used at the next two elections. This must be done not later than 12 September in the year that is two years before the year in which the next triennial general election is to be held;
- 5% or more of Electors can at any time demand that a binding poll be held on a proposal by those electors that a specified electoral system be used at the elections of the local authority and its community boards;
- Council can resolve that a poll be held on a proposal that a specified electoral system be used for the elections of the local authority. This must be done no later than 11 December in the year that is two years before the year in which the next triennial general election is to be held.

Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. the electoral system cannot be changed for one election and then changed back for the next election. Council currently operates its elections under the FPP system. This system was last changed after the 2004 elections where the STV system was used. Council could elect to change its system for the 2028 elections. A resolution to change this would have to be made prior to 12 September 2026.

9.3 *Representation arrangements*

The Council currently has 12 Councillors elected via a Ward System. There are four representatives for each of the Matamata and Morrinsville Wards, three for the Te Aroha Ward and one for the Māori Ward. A Mayor is elected at large throughout the district.

Under the Local Electoral Act 2001 Council is required to review its representation arrangements at least once every six years. The Council last conducted a review in 2021. It is legally required to review representation again in 2027.

This review must include the following:

- the number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor);
- whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation;
- if election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward;
- whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

With the recent binding poll to remove the Māori ward in the 2025 local election, a Māori ward is not able to be considered as part of the next review.

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The Local Electoral Act 2001 gives electors the right to make a written submission to the Council, and the right to be heard in support of that submission. In determining all matters relating to representation, Council must ensure that the election of members will provide fair and effective representation of communities within the District.

People also have the right to appeal any decisions on the above to the Local Government Commission which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001 and at <https://www.mpdc.govt.nz/elections/representation>

9.4 Māori wards

The Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 (Amendment Act), was enacted into law and became effective 31 July 2024.

Matamata-Piako District Council established a Māori Ward ahead of the 2022 local elections, in accordance with the law of that time. Under the Amendment Act, Matamata-Piako District Council were required to resolve to either:

Option 1 – Disestablish the Māori Ward and complete a shortened representation review to come into effect in 2025.

Option 2 – Retain the Māori Ward and hold a binding poll alongside the 2025 local elections with the outcome to come into effect in 2028.

On 28 August 2024, Council passed the following resolution:

WHAKATAUNGA A TE KAUNIHERA | COUNCIL RESOLUTION

That:

- Council retains the Māori Ward, Te Toa Horopū ā Matamata-Piako, and undertakes a binding poll alongside the 2025 triennial elections on whether, the district should be divided into 1 or more Māori Wards. The results of the poll will be effective for the 2028 and 2031 triennial elections, with Council undertaking a full representation review by 2027/28 as planned.**

Resolution number CO/2024/00003

Moved by: Cr G Thompson

Seconded by: Cr S Whiting

KUA MANA | CARRIED

The result of the binding poll, held alongside the 2025 election, was to remove the Māori ward. This will apply for the 2028 and 2031 elections.

9.5 The reorganisation process

The Local Government Act 2002 sets out procedures which must be followed during proposals to:

- make changes to the boundaries of the district;
- create a new district or combine districts or regions;
- create a unitary authority, i.e. combine the functions of a Regional Council with a District Council;
- transfer a particular function or functions to another Council;
- the establishment of a joint committee/s with delegations
 - the establishment of a local board.

The Commission considers and makes decisions on reorganisations. Further information on these requirements can be found in the Local Government Act 2002. The Commission has also prepared guidelines on procedures for local government reorganisation.

An overview of the reorganisation process is set out below:

The process for changing local government structures, boundaries and functions involves a number of distinct steps. There is a requirement that requests can only be initiated by ten per cent of the electors of an affected area, by Council itself or the Minister.

After receiving a reorganisation request the Commission decides whether to undertake an investigation or not. If the request was submitted by a group of electors, the Commission will confirm if the group comprises at least 10% of electors in the affected area and notify the group accordingly.

When deciding whether to undertake a reorganisation investigation the Commission must have regard to:

- the purpose of reorganisation set out in the Act;
- the potential scale and scope of improvements to local governance and services that might result from the investigation; and
- the potential costs, disruption, and other negative effects on affected local authorities and their communities that may be caused by the investigation; and
- any time or other constraints that apply to the opportunity to achieve potential improvements to local governance and services; and
- the need for urgent resolution of any problem identified by the Commission, or in the investigation request or reorganisation initiative; and
- the resources available to the Commission to undertake the investigation in a timely manner; and
- the likelihood of significant community opposition to any reorganisation that might result from the investigation.

Before making this decision the Commission must consult the Council that would be affected by the reorganisation initiative or the requested investigation.

The Commission may adopt a reorganisation plan, and notify this to those that have an interest in the plan.

A poll of electors on the reorganisation plan must be held in the affected area.

Councils can also develop and publicly consult on a reorganisation plan and can submit the reorganisation plan to the Commission for review and approval.

10. Te Reo | Legislation

10.1 Acts of Parliament

There are a number of Acts of Parliament which apply to Council or which are administered by Council.

The principal Acts are as follows:

A
Accident Compensation Act 2001
Airport Authorities Act 1966
Animal Welfare Act 1999
Arts Council of New Zealand Toi Aotearoa Act 2014
Auctioneers Act 2013
B
Biosecurity Act 1993
Building Act 2004
Building Research Levy Act 1969
Burial and Cremation Act 1964
Bylaws Act 1910
C
Civil Defence Emergency Management Act 2002
Conservation Act 1987
Crimes Act 1961
D
Dog Control Act 1996
E
Electricity Act 1992
Employment Relations Act 2000
F
Fencing Act 1978
Financial Markets Conduct Act 2013
Food Act 2014
G
Gambling Act 2003
Gas Act 1992
H
Hauraki Gulf Marine Park Act 2000
Hazardous Substances and New Organisms Act 1996
Health Act 1956
Health and Safety at Work Act 2015
Heritage New Zealand Pouhere Taonga Act 2014
Holidays Act 2003
Housing Act 1955
I
Impounding Act 1955
K
KiwiSaver Act 2006
L
Land Act 1948
Land Drainage Act 1908
Land Transfer Act 2017
Land Transport Act 1998

Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Local Electoral Act 2001
Local Government Act 1974
Local Government Act 2002
Local Government (Rating) Act 2002
Local Government Official Information and Meetings Act 1987
N
New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008
New Zealand Library Association Act 1939
Ngāti Hauā Claims Settlement Act 2014
Ngāti Hinerangi Claims Settlement Act 2021
Ngāti Pāoa Claims Settlement Act 2025
P
Postal Services Act 1998
Privacy Act 2020
Property Law Act 2007
Prostitution Reform Act 2003
Public Bodies Leases Act 1969 – prior to the Local Government Act 2002
Public Records Act 2005
Public Works Act 1981
Q
Queen Elizabeth the Second National Trust Act 1977
R
Rates Rebate Act 1973
Rating Valuations Act 1998
Raukawa Claims Settlement Act 2014
Reserves Act 1977
Residential Tenancies Act 1986
Resource Management Act 1991
S
Sale and Supply of Alcohol Act 2012
Secret Commissions Act 1910
Smoke-free Environments Act 1990
Soil Conservation and Rivers Control Act 1941
T
Telecommunications Act 2001
Trespass Act 1980
U
Unit Titles Act 2010
W
Waste Minimisation Act 2008
Wild Animal Control Act 1977
Wildlife Act 1953

10.2 Local Legislation

In addition to the legislation that applies to all local authorities, the Matamata-Piako District Council is also bound by Acts of local legislation (Acts that only apply within the Matamata-Piako District). While these Acts are historical they have not been repealed by Parliament and are included below for completeness.

Local Legislation
Local Legislation Act 1935
Local Legislation Act 1938
Local Legislation Act 1950
Local Legislation Act 1952
Local Legislation Act 1954
Local Legislation Act 1970
Local Legislation Act 1979
Local Legislation Act 1976
Reserves and other Land Disposal Act 1929
Reserves and other Land Disposal Act 1952
Reserves and Other Land Disposal and Public Bodies Empowering Act 1915
Reserves and Other Land Disposal and Public Bodies Empowering Act 1919
Reserves and Other Land Disposal and Public Bodies Empowering Act 1924

10.3 Bylaws

Below is a list of all of Council's current Bylaws. All of these bylaws are available from the Council website and Council offices. Bylaws must be reviewed within five years after the date upon which they are initially made. Any subsequent review must be carried out within ten years after the date of the preceding review.

Title	Date Adopted	General Purpose of the Bylaw
Consolidated Bylaw	2008	The Consolidated Bylaw contains a number of bylaws.
Introductory Bylaw	2020	The purpose of this bylaw is to identify and clearly interpret the terms and expressions that are used throughout the Consolidated Bylaw.
Land Transport Bylaw	2008 (Amended 2022)	This purpose of this bylaw is to provide for the regulation or roads, footpaths, bridges and culverts within the control of Council.
Wastewater Bylaw	2008 (Amended 2019)	This section is for the control of private on-site wastewater disposal and wastewater drainage from both domestic and trade premises to a Wastewater Authority.
Water Supply Bylaw	2008 (Amended 2017)	This section enables Council to provide for the supply of water to its customers.
Stormwater Management Bylaw	2009 (Amended 2017)	This bylaw enables Council to manage stormwater within the district so as to protect people, property and the environment by minimising the impact of flooding, erosion and environmental pollution.
Trade Waste Bylaw	2020	This bylaw enables Council to regulate the discharge of Trade Waste in to the district's sewerage system.
Dog Control Bylaw	2010 (Amended 2016)	This bylaw enables Council to balance the needs of dogs and their owners against the need to ensure danger, distress and nuisance from dogs and their behaviour is minimised.
Solid Waste Management and Minimisation Bylaw	2024	This bylaw enables Council to support the promotion and delivery of effective and efficient waste management and minimisation in Matamata-Piako District, implement Council's waste management and minimisation plans while adhering to regulations and protection of public health in MPDC.

Freedom Camping Bylaw	2023	This bylaw enables Council to manage Freedom Camping appropriately within the district.
Alcohol Licensing Fees Bylaw	2025	This bylaw enables Council to set fees for Alcohol licensing to recover the actual associated costs.
Cemeteries Bylaw	2025	This bylaw enables Council to facilitate the safe, orderly and efficient management of Cemeteries under the ownership or control of Council.
Community Safety Bylaw	2025	This bylaw sets acceptable standards of convenience, safety, visual amenity and civic values are maintained for safety and enjoyment.

7 Pūrongo me whakatau | Decision Reports

7.4 Plunket requests approval to build an additional structure at Thomas Park in Morrinsville

CM No.: 3127334

Te Kaupapa | Purpose

To determine whether Council, as the administering body of Thomas Park, supports Plunket's proposal in principle to install an additional relocatable building within their leased area.

The proposal requires amendments to the existing ground lease, resource consent, building consent, and landowner approval, for which the authority rests with Council.

Rāpopotonga Matua | Executive Summary

Plunket currently leases part of Thomas Park in Morrinsville and wishes to install an additional relocatable building to use as a clinic. The proposal requires resource and building consents, as well as an amendment to the current lease. These consents can only be exercised if Council grants landowner approval. As this authority is not delegated to staff, a Council decision is required.

Staff have assessed the proposal and identified no significant impacts on the wider park or playground area. The proposal aligns with the Reserve Management Plans applying to Thomas Park. This report outlines the proposal and seeks Council direction.

The Plunket Society currently lease a portion of Thomas Park in Morrinsville.

Tūtohunga | Recommendation

That:

1. The report is received;
2. Council provides landowner approval in principle for the Plunket Society to relocate and install an additional building on Thomas Park, subject to all relevant statutory, regulatory, and consent requirements being satisfied; or Council declines to provide landowner approval for the Plunket Society to relocate and install an additional building on Thomas Park.
3. Council approves an amendment to the existing ground lease with the Plunket Society to formally incorporate the additional building, subject to final legal terms being agreed.
4. Council delegates authority to the Chief Executive (or their delegated representative) to undertake all necessary administrative and legal actions to give effect to these resolutions.

Horopaki | Background

Thomas Park consists of two land parcels, with part leased to Plunket and the remainder operating as a community park and playground. Plunket has leased the site since 2018, with a current lease expiring in 2027 and the option to extend to 2032.

Plunket proposes placing a new relocatable clinic building within their lease area, specifically on the existing carport slab. The proposal aligns with the site-specific Passive Reserve Management Plan, which anticipates Plunket rooms remaining at the park.



Figure 1: Locality map

The Proposal

Plunket seeks approval to install a relocatable building within their leased area (Attachment A). The building will be used to support their clinical services. The intended location is the existing carport pad.



Figure 2: Proposed building design

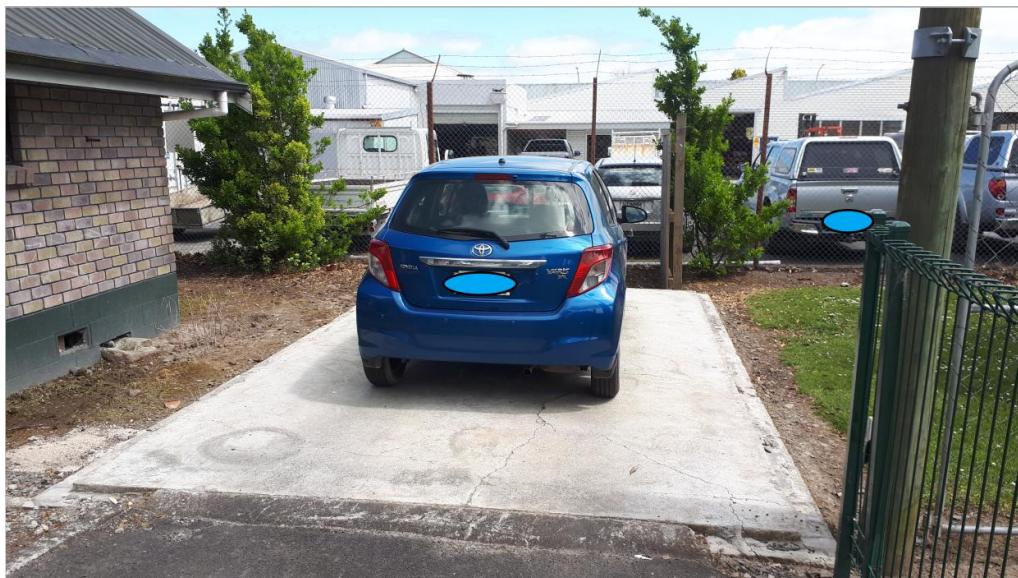


Figure 3: Existing carport area proposed for building site

Ngā Take/Kōrerorero | Issues/Discussion

Land Status

Thomas Park meets the definition of a 'Park' under section 138 of the Local Government Act 2002. The park is subject to the General Policies Reserve Management Plan 2019 and the

Passive Reserve Management Plan 2009. The latter plan anticipates part of the land being leased to Plunket.

This park is identified as a 'public reserve' under the Operational District Plan.

Leasing matters

Plunket has leased the land from Council since 2018. The current lease is set to expire in 2027, with an option for extension to 2032. Should Council grant landowner approval for the construction of a building on the leased site, the lease should be amended accordingly to reflect this change. As the proposed amendment will not alter the existing lease footprint nor substantially change its intended use, public notification is not considered necessary.

Updating the lease to reference the new building and any pertinent consents will establish a clear record of ownership and responsibilities going forward.

Regulatory matters

Under the District Plan, relocated buildings, and a building on a public reserve are Discretionary Activities and therefore require resource consent under the Resource Management Act 1991.

Building consent is required under the Building Act 2004.

To give effect to any consents, permission is required from Council as the landowner.

Effects of the proposal

The resource consent process will consider effects of the proposal on the environment. The Parks and Facilities Planning Team Staff have assessed the proposal in terms of potential impacts on the community park/playground and have not identified any significant concerns.

Mōrearea | Risk

Legal Risk

There is a legal risk if the Council does not manage the reserve consistently with the intent of the Reserve Management Plan (RMP) or does not adhere to regulatory requirements.

The site-specific policies for Thomas Park state that the Plunket Rooms should continue to be located on the park. The risk of legal challenge appears low as the proposal aligns with use by Plunket as anticipated in the management plan.

Resource and building consent processes will ensure regulatory requirements are met

Reputational Risk

Declining a proposal that supports Plunket's community services may create a perception that Council is not supporting community wellbeing.

Ngā Whiringa | Options

Option One – Status Quo
Description of option
Council declines Plunket's Proposal to place a building on land

Advantages	Disadvantages
No further administrative costs to Council.	Plunket is unable to provide some services to the community.

Option Two – Provide approval in principle	
Description of option	
Council provides approval in principle to Plunket to place a building in the leased area	
Advantages	Disadvantages
Plunket can provide additional services to the community.	Some administrative costs to Council.

Recommended option

Option 2- Provide approval in principle.

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

Parks and Open Spaces Strategy 2021-51

Thomas Park is categorised as a community park. The primary purpose of this park is “used for informal recreation and sporting activities, play and family centred activities”. The majority of the park is used for this purpose. The proposal does not alter the proportion of park available for this purpose.

General Policies Reserve Management Plan (2019)

The General Policies Reserve Management Plan 2019 (GP-RMP) is the overarching policy document for reserves managed by MPDC. Its objectives and policies apply to all Parks and Reserves unless a site-specific RMP differs on an issue. The GP-RMP outlines objectives and policies Council has adopted concerning buildings on Reserves (see Attachment B). The proposal aligns with the requirements of the GP-RMP.

Passive Reserve Management Plan

The Passive Reserve Management Plan 2009 contains the site-specific policies for Thomas Park:

- That Plunket rooms continue to be located at Thomas Park

The proposal aligns with the plan.

Building Act

The proposed structure is a building in terms of the Building Act 2004 and building consent will be required.

Resource Management Act

Any buildings on public reserves require resource consent under the operative District Plan.

Reserves Act

The Passive Reserves Management Plan 2009 suggests that Thomas Park should be designated as a Local Purpose Reserve under the Reserves Act 1977. However, since most of the park is

used as a community park with a playground, it would align better with the Act to classify the main area as a Recreation Reserve, while the section leased to Plunket could remain as a Local Purpose Reserve.

According to Section 16 (b) of the Reserves Act, different parts of a reserve can be classified for separate purposes. Therefore, staff recommend classifying the playground area as a Recreation Reserve and designating the portion leased to Plunket as a Local Purpose (Community Purposes) Reserve.



Figure 4 A proposed reserve classification of Thomas Park

Vesting and classification of reserves necessitate public notification and consultation. Currently, this process is not prioritized for Thomas Park due to staff workload and competing project demands.

Thomas Park is among several parks within Council's land portfolio that have yet to be declared or classified under the Reserves Act 1977. Staff have conducted an audit of the portfolio, identifying other parcels that remain undeclared as reserves and/or unclassified, and have proposed potentially suitable classifications. Planned reserve management plan reviews over the next 12 to 18 months may further identify lands requiring classification or reclassification. Rather than pursuing the formal process on a park-by-park or ad hoc basis, staff consider it more efficient and effective to address multiple parks collectively at a future time.

While proper protection and classification under the Reserves Act is an important legal matter that should be considered going forward, it is not critical to resolve at this stage. The land retains a degree of protection as a park pursuant to Section 138 of the Local Government Act 2002, even without the added safeguards of the Reserves Act 1977. The absence of reserve status and classification does not impact Council's authority to approve the current proposal under consideration.

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

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	Views on Plunket Rooms in Thomas Park were obtained as a part of the consultation process for the site specific reserve management plan under the Passive Reserve Management Plan (2009). Affected parties will also be considered under the resource consent 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 low level of significance.
Section 82 – this sets out principles of consultation.	The Passive Reserve Management Plan 2009 anticipates use of the land by Plunket. No further consultation is proposed.

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

Should the construction affect access to the adjacent playground, a communication plan will be developed to communicate with immediate neighbours and the public.

Ngā take ā-Ihinga | Consent issues

Resource consent and building consent are required for this proposal. This has been covered in *Regulatory Matters* under the *Discussion* section of the report.

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	
<p>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.'</p>	
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

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

There is not financial cost for this proposal except staff time. The applicant is required to pay for any necessary consents.

Ngā Tāpiritanga | Attachments

A  A. Plunket Proposal for Clinic at Thomas Park



B  B. Buildings Extract from GP-RMP



Ngā waitohu | Signatories

Author(s)	Arshia Tayal Kaitohu Paparēhia me ngā Taiwhanga Parks & Facilities Advisor	
	Mark Naudé Kaiārahi Mahere Paparēhia me ngā Taiwhanga Parks & Facilities Planning Team	

	Leader	
--	---------------	--

Approved by	<p>Susanne Kampshof Pou Rawa me ngā Kaupapa Assets and Projects Manager</p>	
	<p>Fiona Vessey Hautū Hanganga Rawa me ngā Whakahaere Group Manager Infrastructure, Assets & Operations</p>	



whānau āwhina
plunket

Proposed New Clinic

125 Anderson Street
Morrinsville

THE COMMERCIAL TEAM PROPERTY SERVICES 

Project Overview – Plunket Morrinsville Assessment Clinic

This project involves the construction and supply of a brand-new **Plunket Assessment Clinic** in Morrinsville. The new facility will be a **22m² purpose-built structure**, designed to provide a comfortable and functional space for community health assessments.

The building will be constructed using **Structural Insulated Panels (SIP)**, offering superior thermal performance, strength, and speed of construction. The layout will include a dedicated **clinic room** and a **small waiting area**, designed to meet Plunket's operational requirements and provide a welcoming environment for families.

The new clinic will be **positioned at the rear of the existing site**, replacing the former garage structure. As the building is **pre-fabricated off-site and delivered complete**, on-site construction time will be minimal. This approach ensures:

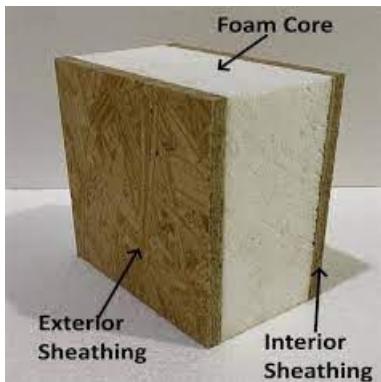
- **Ease of construction** with reduced build time
- **Enhanced safety** through controlled off-site manufacturing
- **Minimal disruption** to Plunket's ongoing services and site users

Overall, the project provides a modern, efficient, and low-impact solution that supports Plunket's continued delivery of essential community health services in Morrinsville.

SIP Panel Construction and Benefits

The clinic will be built using **Structural Insulated Panels (SIPs)** — a modern, high-performance building system that combines strength, energy efficiency, and speed of installation. SIPs consist of an **insulating foam core** (typically **expanded polystyrene or polyurethane**) sandwiched between two structural facings, usually **Oriented Strand Board (OSB)**. This composite structure creates a strong, lightweight, and highly insulated panel that replaces traditional framing and insulation.

SIP buildings achieve excellent **thermal performance**, typically with **R-values between R3.0 and R6.0**, depending on panel thickness, significantly reducing heating and cooling demands. The panels also offer **superior airtightness**, minimizing drafts and improving indoor comfort. Structurally, SIPs are known for their **high load-bearing capacity** and **resistance to warping or settling**, ensuring long-term durability. As panels are pre-cut and fabricated in a factory-controlled environment, on-site waste is reduced, and installation is faster and safer.



Standard construction :
SIP Panels
10mm tri-board
100mm polystyrene core
10mm tri-board
Building paper
Cavity Batten
Exterior cladding (options available)

Construction and Delivery Process

The Plunket Morrinsville clinic will be **constructed off-site at a specialist factory in Cambridge**, using high-quality **SIP panel construction**. The process is managed by **Licensed Building Practitioners (LBPs)** and adheres fully to **New Zealand Building Code and construction standards**. Over a 6–8 week lead time, the building is precision-manufactured in a controlled environment, ensuring consistent quality, weather protection, and efficient assembly. Once completed, the clinic is **transported to site as a pre-finished unit**, minimizing on-site construction time and disruption. Upon installation, all required **electrical and compliance certifications** are provided, delivering a fully compliant, ready-to-use facility that meets Plunket's operational needs with speed, safety, and reliability.

Foundation System – Screw Piles

The clinic will be installed on a **screw pile foundation system** supplied and installed by **Stop Digging New Zealand**. Screw piles are **galvanised steel ground anchors** that are mechanically screwed into the soil, creating a strong, stable, and level foundation without the need for excavation or concrete. This system is **CodeMark certified**, meaning it meets all relevant **New Zealand Building Code** requirements and can be used without the need for site-specific **geotechnical testing** in most standard ground conditions. Key benefits include **rapid installation, immediate load-bearing capacity, and minimal site disruption**, making it ideal for developed sites such as the Plunket property. The piles are also **environmentally friendly**—requiring no soil removal or curing time—and can be easily removed or reused if the structure is relocated. This provides a **durable, compliant, and sustainable** foundation solution that complements the off-site SIP panel construction method.



StopDigging NZ + Codemark

Our ground screw foundation system has received CodeMark™ and now certifies the ground screw and the foundation system, method of design, and installation. This brings a new, straightforward way of foundations to the market and significantly saves money and time building. CodeMark™ certification is the highest level of product compliance available in New Zealand.



Product Certificate



STOPDIGGING! Ground Screw Foundation System

THE COMMERCIAL TEAM
PROPERTY SERVICES

Delivery with Redman Hiab's Ltd.

The Home Team Limited will manage all coordination with Redman Hiab's Ltd to ensure a smooth and stress-free delivery. While in transit and during delivery, the cabin remains under the care of Super Sub Limited (Manufacturer) and is fully covered by their insurance. Insurance cover ends once the cabin is safely placed onsite.

Placement for a cabin this size and with the access available will take approx. 60min.



Ventilation System

Included and installed is a Mitsubishi Lossnay Energy Recover System. We highly recommend these.

The wall-mounted VL100 Lossnay Fresh Air Energy Recovery Single Room Ventilation unit provides energy efficient ventilation to ensure individual rooms have a constant supply of healthy, fresh air. And because the unit is ductless in design, it means the system is ideal for homes and buildings where there is no roof space to install a heat exchanger.



Proposed Unit; Approx 22sqm



Features:

- Partition wall and internal door separating the office and waiting area.
- Slider door for convenient access with pushchairs and car seats.
- Windows positioned for privacy and natural light, including a slim window at head height and a viewing window toward the park.
- Eave over entry (minimum 1200 mm) providing weather protection for visitors and space for pushchairs to be left outside.
- Electrical fit-out to allow for standard power requirements; ventilation system and future installation of a heat pump. Lossnay on wall, ventilation system
- Colour Steel Cladding, but can be changed to weatherboard look and / or cedar feature front as needed (quoted as extra below)
- 2 Windows in large room Head Height (narrow, long) 1916 W x 615 H
- 1 window 915 H x 1615 W
- 1 ranch slider in entrance
- Ramped deck / landing
- Floor coverings
- Window furnishings
- Storm water connection at rear.

THE COMMERCIAL TEAM PROPERTY SERVICES 

Estimate / Pricing



Estimate (*includes PC sums for third party works)

Building and delivery

Includes internal finishing, Lossnay System and delivery to site

Subtotal \$75,900 (ex GST)

Third Party Services (PC Sums)

Foundations / Screw Piles \$6,000

Electrical \$4,000

Plumbing \$2,500

Decking \$4,000

Subtotal \$16,500 (ex GST)

Subtotal \$92,400 (ex GST)

Excludes:

- Council consents Optional Upgrade
- Site preparation (removal of garage foundations)
- Traffic Management (if required, unlikely)
- No plumbing connections
- Optional weatherboard upgrade (\$5,000 approx)



7.2 Buildings and structures

It is important to ensure that buildings and structures do not compromise the recreational or open space values of the reserve, unless the provision of buildings and structures supports the use and enjoyment of the reserve.

The District Plan regulates buildings on public reserves and should be consulted if a building or structure is contemplated. Buildings are also regulated by the Building Act. Structures that are not buildings may or may not require resource or building consent depending on the nature and scale of the structure.

Objectives

- A To ensure that the design and scale of any new buildings or structures are appropriate to the character and purpose of the reserve.
- B To facilitate public recreation and enjoyment in keeping with the purpose of the reserve.
- C To optimise the use of existing buildings where practicable.

Policies

7.2.1 Buildings and structures in general

1. Buildings may be provided for the specific proven needs of the users where this does not detrimentally affect the appearance or utilisation of the park.
2. Where practicable existing buildings should be utilised.
3. New buildings will only be allowed if it is not practicable or suitable to use an existing building; modify an existing building; or share existing facilities with other users.
4. New buildings should only be located where:
 - a. The new building (and any associated car parking) does not unduly restrict use of the remaining area for outdoor recreation.
 - b. The new building does not obstruct entrances or exits to the reserve.
 - c. The new building does not detract from the open nature of the park, especially as seen from surrounding properties and roads.

5. The design of all buildings and structures proposed to be erected shall be referred to Council or its delegated representative for approval prior to construction.
6. All new buildings and structures shall be of a size and design that:
 - a. Is appropriate to the purpose of the reserve;
 - b. Is appropriate to the character of the reserve; and
 - c. Is of an appropriate architectural standard for a public building or structure.
7. Structures which do not require resource or building consent shall only be installed if they have been approved in writing by the Asset Manager (or their delegated representative).
8. Buildings shall be designed or modified to facilitate multi-purpose use and adaptation wherever practicable.
9. Existing buildings that have become surplus to requirements shall, where practicable, be removed from the reserve prior to the construction of new buildings.
10. Buildings that are occupied or intended to be occupied by third parties shall be subject to an appropriate occupation agreement (see Occupation section).

7.2.2 Donated or memorial structures

See 11.6 *Donated assets and memorials*

8 Ngā Pūrongo Whakamārama | Information Reports

8.1 District Plan & RMA Update

CM No.: 3132082

Te Kaupapa | Purpose

The purpose of this report is to provide the Council with an update on the rolling review of the Matamata-Piako District Plan (MPDP). This also includes an update on the RMA reform including exemption applications, Private Plan Change 62 Calcutta, and the progress on the receipt of six Mana Whakahono ā Rohe invitations.

Rāpopotonga Matua | Executive Summary

A District Plan and Resource Management Reform summary is provided below. The update specifically refers to Plan Change Exemption Applications, Calcutta (PPC62), the proposed MPDC Growth Strategy, Resource Management Act Reform (RMA Reform), Future Proof, and the progress on the receipt of six Mana Whakahono ā Rohe invitations. Jayshree Kanji and Fiona Hill are available to deliver the update and answer any questions.

Tūtohunga | Recommendation

That:

1. The report be received.

Ngā Take/Kōrerorero | Issues/Discussion

Plan Change Exemption Applications

In August 2025, the Government introduced new legislation as part of the [Resource Management \(Consenting and Other System Changes\) Amendment Act 2025](#).

A key part of this legislation is called [Plan Stop](#).

Under the Plan Stop rules, councils can ask the Minister responsible for Resource Management Reform for permission to keep working on a plan change if it meets the criteria in section 80W of the Resource Management Act.

As a consequence of these changes, on 8 October 2025, the Council decided not to notify PC61 National Planning Standards and Other Matters and to proceed with lodging two exemption applications.

PC65 Minor Matters - Exemption application

Staff have prepared an exemption application to rectify a number of matters with the MPDP. This plan change aims to fix several issues that have caused inefficiencies, unintended outcomes or challenges in applying the rules. Some of these issues were originally part of PC61 such as amending or deleting some heritage sites e.g. removing McDonald Cottage from the maps and the heritage schedule because the building is no longer there, removing the former NZ Mushroom DCP sites as the activity is no longer occurring on the site, adding and amending standards related to terrace housing in PREC1 Lockerbie.

On 19 December 2025, Staff submitted the exemption application to the Minister responsible for RMA reform, Chris Bishop. The exemption application has also been published on the MPDC [Plan Stop](#) webpage. A verbal update on any further developments will be provided at the time of the meeting.

PC49 Waharoa - Exemption application

On 8 October 2025, Council agreed to support the preparation and submission of an exemption application for PC49 to the Minister responsible for Resource Management Reform. This plan change aims to improve job opportunities and enable more flexible living options in Waharoa.

Staff are currently preparing the PC49 exemption application. In December, a meeting was held with the Governance Group. Since this time, staff have prepared the application which is currently being reviewed. Staff will also send the application to Ngāti Hauā to review. Its intended the application will be lodged with the Minister by the end of February 2026. The exemption application will be published on the MPDC [Plan Stop](#) webpage once it is submitted to the Minister.

Private Plan Change 62 – Calcutta

On 3 July 2025, the Council received a request for Private Plan Change 62 - Calcutta. This plan change seeks to rezone approximately 20ha of rural land along the southern side of Tauranga Road, Matamata to Industrial Zone. This is in the same location as Private Plan Change 57, however Private Plan Change 62 has a smaller footprint. Staff are reviewing the application and have issued a further information request to the applicant.

MPDC Growth Strategy

Council has given support for staff to progress this work. The Council has now received the WISE projections. A review of this information will provide direction on how much land needs to be provided in the district to accommodate future growth and where this should be provided. Work has also begun on understanding the existing capacity in the district and needs to be updated with the WISE projections.

Resource Management Act Reform (RMA Reform)

In March 2024, the Government made an announcement regarding its proposed RMA reform processes, which is occurring in three phases. The status of the phases is outlined below.

Phase	Status
1 Repealed Existing RMA Reform	COMPLETE
2 Stage 1 Freshwater and Other Matters Bill	COMPLETE
2 Stage 2 Resource Management Consenting and Other Matters Act and national policy changes	PARTIALLY COMPLETE Act passed into law. 10 national policy direction instruments came into force on 15 January 2026.
3 New Planning Act and Natural Environment Act	Bills were introduced on 9 December 2025. Submissions due 13 February.

Recent updates

On 15 January 2026, a package of 10 national direction instruments came into force, with more anticipated later in 2026. Of these 10 instruments, seven are amended and three are newly introduced.

These instruments are:

- [National Environmental Standards for Detached Minor Residential Units](#) - This NES aims to make it easier to build new detached minor residential units (granny flats) up to 70 square metres without needing resource consent, provided certain requirements are met.

- [National Policy Statement for Natural Hazards](#) – This NPS introduces a consistent approach for managing natural hazard risk in New Zealand. A new risk-consequence matrix must be used which ensures local authorities take a risk-based approach when managing natural hazards and respond proportionately to that risk in decision making for new development.
- [Amendment to National Policy Statement for Highly Productive Land](#) – The changes remove Class 3 soils from highly productive land restrictions other than for rural lifestyle. This means more land can be developed for housing while keeping protection on the most productive land for primary production (Class 1 and 2 soils).
- [Amendment to New Zealand Coastal Policy Statement](#) - The changes aim to enable priority activities in the coastal environment (ie, infrastructure, including renewable electricity generation and electricity transmission, aquaculture activities, and resource extraction), while still protecting the coastal environment.
- [Amendment to National Environmental Standards for Freshwater](#), [Amendment to National Policy Statement for Freshwater Management](#) and [Amendment to National Policy Statement for Indigenous Biodiversity](#) - The changes to these three instruments aim to better enable quarrying and mining activities affecting natural inland wetlands, significant natural areas and highly productive land.
- [National Policy Statement for Infrastructure](#) – This new national policy statement guides and enables the development, operation, and upgrade of infrastructure.
- [Amendment to National Policy Statement for Renewable Electricity Generation](#) - The changes aim to better enable development of renewable electricity projects, including small-scale and community-scale initiatives.
- [Amendment to National Policy Statement for Electricity Networks](#) - The changes provide enabling objectives and policies to enable electricity network activities, which include those relating to distribution networks (local lines companies). The changes also intend to lower costs and streamline the consent process, particularly for routine maintenance and upgrade activities.

Those national direction instruments still to come later in 2026, include:

- National Environmental Standards for Papakāinga
- Amendment to National Environmental Standards for Telecommunication Facilities
- Amendment to National Environmental Standards for Electricity Transmission Activities
- Amendment to National Environmental Standards for Commercial Forestry
- Amendment to National Environmental Standards for Marine Aquaculture
- Amendment to Resource Management Stock Exclusion Regulations

MPDC RMA Webpage updates

Staff have developed and published a [Granny Flats \(small stand-alone dwellings\)](#) webpage to assist the public and developers in understanding the requirements for building a granny flat in the Matamata-Piako District.

Staff are also developing a webpage to help the public understand the scope of these new NPS and NES national direction instruments.

Phase 3 – Replacement of the RMA

The new [Planning Bill](#) and [Natural Environment Bill](#) replacing RMA legislation were released in December 2025. The closing date for submission on the Bills is 13 February 2026. At the same time, the Government has released a proposal for consultation which replaces development contributions with development levies. Staff are currently preparing a submission on the Bills and a submission on Development Levies, which closes on 20 February 2026.

Mana Whakahono ā Rohe invitations

The Council has received six Mana Whakahono ā Rohe invitations. A Mana Whakahono ā Rohe is a binding statutory arrangement that provides for a more structured relationship under the RMA between local authorities and iwi authorities. Their intent is to improve the working relationship between tangata whenua and local authorities as well as enhancing Māori participation in resource management and its associated decision-making processes.

Council staff and elected representatives had an initial hui at the end of November and a further meeting in January. As a result, a technical working group has been established who will be meeting fortnightly to progress the drafting of the Mana Whakahono ā Rohe. The first task of the technical working group will be to produce a project management plan. A key task in the plan will be to schedule regular workshops with elected members and the Boards of the respective iwi. [Future Proof](#)

There are several projects currently being driven by Future Proof, which affect Matamata-Piako. The first is the Hamilton to Tauranga (H2T) spatial corridor project. The aim of this project is to ensure that future economic growth along this corridor is well-coordinated, and that the necessary transport infrastructure decisions are made with a clear understanding of a potential growth area's unique needs and opportunities. The study will provide a high-level conceptual overview of the H2T which will be used to inform the review of the Future Proof Future Development Strategy in 2026. The study will provide a 30-year vision for potential development without delving into the specifics of a masterplan or Structure Plan. The completion date for this project is early in 2026.

The second project is looking to assess the current and predicted demand for retirement villages in terms of locality, type, and price point within the Future Proof sub-region over the next 30 years. This is expected to help Future Proof partners understand retirement living preferences and needs of the aging population, determine the suitable locations for retirement living, identify specialised requirements for retirement living within the Future Proof Strategy and identify any implications for public infrastructure and services. A final report providing strategic recommendations for Future Proof's role in planning and supporting retirement village developments was presented to the Future Proof Implementation Committee in December. Its anticipated it will be added to the Future Proof website shortly.

Ngā Tāpiritanga | Attachments

There are no attachments for this report.

Ngā waitohu | Signatories

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

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

8 Ngā Pūrongo Whakamārama | Information Reports

8.2 November 2025 Financial Report

CM No.: 3136061

Te Kaupapa | Purpose

To provide an overview and information on the financial performance of the Matamata-Piako District Council for the period ending 30 November 2025.

Rāpopotonga Matua | Executive Summary

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

Tūtohunga | Recommendation

That:

1. The November 2025 financial report be received.

Ngā Tāpiritanga | Attachments

A  November 2025 Finance Report

Ngā waitohu | Signatories

Author(s)	Ajay Kumar Kaitiaki Whakahaere Pūtea Management Accountant	
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Approved by	Kelly Reith Hautū Rangatōpū, Tāngata me ngā Hononga Group Manager Corporate, People & Relationships	
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Monthly Report - November 2025

Council-Wide Funding Impact Statement - November 2025

	Annual Budget \$000	YTD Budget \$000	YTD Actual \$000	Variance \$000	Notes
Sources of operating funding					
General rates, uniform annual general charges, rates penalties	37,559	15,650	15,674	25 Favourable	
Targeted rates (includes metered water)	24,691	10,288	9,994	(294) Unfavourable	1
Subsidies and grants for operating purposes	3,923	1,635	1,463	(172) Unfavourable	2
Fees and charges	11,848	4,937	5,994	1,057 Favourable	3
Interest and dividends from investments	531	221	271	50 Favourable	4
Local authorities fuel tax, fines, infringement fees, and other receipts	254	106	123	17 Favourable	
Total operating funding	78,806	32,836	33,519	683 Favourable	
<i>Less budgeted depreciation that is funded from rates and used to fund capital</i>	(17,609)	(7,337)	(7,337)	-	
<i>Less reserve funding that comes from rates</i>	(1,423)	(593)	(593)	-	
Cash available to fund operating	59,774	24,906	25,589	683 Favourable	
Applications of operating funding					
Payments to staff and suppliers	61,276	25,532	24,362	1,170 Favourable	5
Finance costs	3,369	1,404	1,264	140 Favourable	6
Other operating funding applications	-	-	-	-	
Total applications of operating funding	64,645	26,935	25,626	1,310 Favourable	
<i>Less operating expenditure funded from reserves</i>	(1,480)	(617)	(346)	(270)	
Cash used to fund operating	63,165	26,319	25,280	1,039 Favourable	
Cash surplus/(deficit) from operating (A)	(3,391)	(1,413)	309	1,722 Favourable	7
Sources of capital funding					
Subsidies and grants for capital expenditure	4,143	1,726	2,139	413 Favourable	8
Development and financial contributions	2,202	918	500	(417) Unfavourable	9
<i>Add budgeted depreciation that is funded from rates and used to fund capital</i>	17,609	7,337	7,337	-	
<i>Add any operating cash surplus available to fund capital (A)</i>	-	-	309	309 Favourable	
Cash available to fund assets	23,954	9,981	10,286	305 Favourable	
<i>Less Financial contributions transferred to reserves</i>	(56)	(23)	(119)	(96) Unfavourable	
Cash available to fund capital	23,898	9,958	10,167	209 Favourable	
Applications of capital funding					
Capital expenditure					
—to meet additional demand	8,306	3,461	-	3,461 Underspend	10
—to improve the level of service	27,367	11,403	12,089	(686) Overspend	10
—to replace existing assets	23,100	9,625	5,671	3,954 Underspend	10
Cash used to fund assets	58,773	24,489	17,760	6,729 Underspend	
<i>Less capex funded from reserves</i>	(511)	(213)	(47)	(166) Overspend	
Cash used to fund capex	58,262	24,276	17,713	6,563 Underspend	
<i>Remaining cash from capital available to reduce debt OR (debt funding of capital required)</i>	(34,364)	(14,318)	(7,546)	6,772 Favourable	11
<i>Add any operating cash deficit that needs to be funded from debt (A)</i>	(3,391)	(1,413)	-	1,413 Favourable	
Total (increase)/decrease in internal/external debt	(37,755)	(15,731)	(7,546)	8,185 Favourable	12
Total (increase)/decrease in reserves	512	213	(319)	532	

Item 8.2

Attachment A

Notes

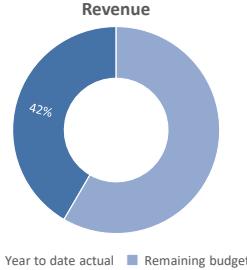
- 1 Metered water income is \$300k or 19% lower than budget at this point.
- 2 Waste minimisation subsidy received to date is \$80k more than budget. This is offset by NZTA Subsidies received \$213k lower than budget which is a normal seasonal variation with more works undertaken during the summer period and external funding for the Pride of Place Community-Led Initiative grant is waiting for approval.
- 3 Spas and Pools income is tracking behind budget. Te Aroha Mineral Spas income was \$115k lower than budget, Domain House Beauty income were \$11k lower and income from Pools across the district were \$41k lower than budget. Visitor numbers at pools & spas are low at the end of November with more marketing planned to increase patronage over summer months when all pools are fully open and operational. In addition, revenue from fees and charges in Building Consents are \$312k higher than budget, Resource Consents \$324k higher, Licensing and enforcement \$157k higher and Dog registrations fees are \$270k higher than budget with registrations processed at the start of the financial year and expected to balance out as the year progresses. Furthermore, income from refuse transfer stations is \$59k higher than budget, mainly from scrap metal. These are offset by trade waste charges that are \$167k lower than budget. Increased trade waste rates for agreements with two large industrial users have been applied and at this point look to be on track to meet the budget over the year.
- 4 Interest & investment income is \$50k higher than budget in November.
- 5 Payments to staff and suppliers are \$1.2m lower than budget overall as at end of November 2025. Expenditure are higher than budget on buyback of 'own your own' properties for resale, wastewater reticulation and treatment contracts, mechanical maintenance service at water & wastewater treatment plants, election costs as expected being a triennium nature of cost, software licenses, grant payments at the beginning of the financial year and professional services used for processing resource consents offset by income on-charged and collected from applications. These are offset by an underspend in roading maintenance costs due to inclement weather particularly affecting sealed pavement maintenance, routine drainage, structures maintenance, chemical costs, external lab analysis cost, water reticulation and treatment plant contract, water plant operating costs, and staff salaries due to vacancies.
- 6 Interest costs are lower than budgeted as capital works to be funded from borrowing have not progressed as quickly as planned.
- 7 From a cash position, the operating result is \$1.7m higher than the YTD budget due to a number of seasonal variations in both costs and income at this point.
- 8 Favourable variance at this point mainly due to grant received from Trust Waikato for the Open Country Stadium at Matamata. Offset partially due to timing of when roading works occur and subsidy claimed from NZTA. Furthermore, anticipate external funding for the district accessibility improvements & connectivity projects to be received in due course.
- 9 Development and financial contributions are above budget for parks & reserves and roading, but water and wastewater is behind.
- 10 Capital and renewal works include \$4.4m spent at Open Country Stadium Matamata (with the budget of \$7.9m carried forward from last year), \$140k for new Exe-loo at Davies Park Morrinsville, \$44k on street furniture in Morrinsville, \$234k for installing membrane liner at the Matamata pools, \$46k for replacing street furniture, \$70k at Te Aroha EPH, \$44k at Matamata EPH, \$103k on building & facilities renewal works and \$90k on renewal works at pools. Offset by projects that are behind which include the Matamata wastewater treatment plant upgrade project \$5.7m spent to date against the 2025/26 annual budget of \$24.5m plus \$17.8m budget carried forward budget from 2024/25 year. For other wastewater capital projects, the total spent is \$1.7m against a total 2025/26 budget of \$7.1m, installation of UV at the Morrinsville water treatment plant and water reticulation renewals program has commenced for the reporting year. Furthermore, roading capital expenditure is tracking below budget, partially as a result of the seasonal nature of the work with more works occur in the warmer months of the year and renewal programme behind schedule as a result of inclement weather, upgrade works at the Morrinsville Refuse Transfer Station is being scoped, and District Wide stormwater upgrade project is being evaluated with options and budget.
- 11 Lower capital spending resulted in less requirement to borrow funds compared to the level budgeted.
- 12 Overall the lower capital spend on activities resulted in less requirement to borrow funds as planned.

SUMMARY FINANCIALS BY ACTIVITY

At the end of November, we are 42% of the way through the 2025/26 financial year. The graphs below show how our operating and capital budgets are tracking at this point per activity.

Community Facilities

OPERATING



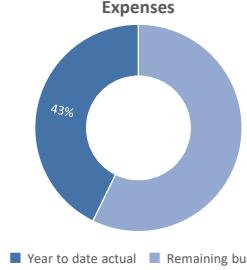
Actual \$8.3m **Budget \$8.4m**

Spas, Beauty and Pools income is tracking slightly behind budget at this point. Te Aroha Mineral Spas income is \$115k lower than budget, Domain House Beauty income is \$11k lower and income from Pools across the district is \$41k lower than budget.

Visitor numbers are low at the end of November. Matamata pools recorded a 15% drop in admission due to pool liner installation project currently underway, whilst Morrinsville pool recorded 9% drop in numbers and Te Aroha pool recorded 6% drop in admission.

Staff are working towards limiting operational spend. Marketing of pools, spas and event centres is anticipated to increase bookings over summer months when all pools are fully open and operational.

Compared to this time last year, Te Aroha Mineral Spas income is 1% higher. Similarly, Domain House Beauty sales are 10% higher compared to the same period last year. However, pools income are 8% lower than the same period last year.



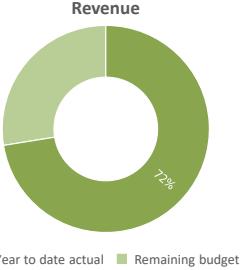
Actual \$7.4m **Budget \$7.2m**

Overall, payments to staff and suppliers are \$191k higher than budget.

This variance is primarily driven by:

- The unbudgeted purchase of two 'own your own' properties for \$808k, which will be on-sold in due course.
- This is partially offset by employee costs being \$140k lower than budget, mainly because not all pools were fully operational.
- Interest costs are \$111k higher due to opening debt for Community Facilities being higher than budgeted.
- Internal charges and overhead costs are \$390k lower than budgeted at this point.

CAPITAL



Actual \$2m **Budget \$1.2m**

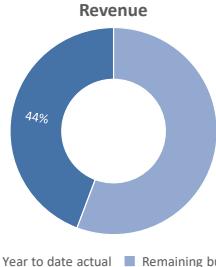
A \$960k grant was received from Trust Waikato for the Open Country Stadium at Matamata, and financial contributions received for parks and reserves are \$96k more than budgeted.



Actual \$5.4m **Budget \$1m**

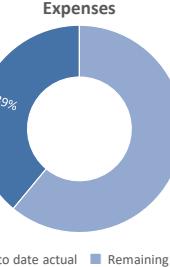
\$4.4m has been spent to date on the Open Country Stadium in Matamata, (with the budget of \$7.9m carried forward from last year). \$140k spent on new Exe-loo at Davies Park in Morrinsville, \$256k for the Morrinsville office refurbishment, and \$44k on street furniture in Morrinsville.

Renewal projects delivered to date include \$234k for installing the membrane liner at the Matamata pools, \$46k for replacing street furniture, \$70k at the Te Aroha EPH facility, \$44k at the Matamata EPH, \$103k on building and facilities renewals, and \$90k on pool renewal works.

Rubbish and Recycling**OPERATING**

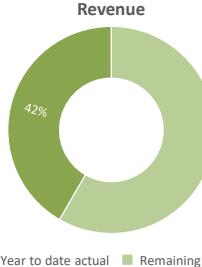
Actual \$2.4m **Budget \$2.3m**

The waste minimisation subsidy received from the Ministry for the Environment for Qtr 1 2026 was higher than budgeted. Revenue from refuse transfer stations were ahead of budget by \$70k, particularly from scrap metal.



Actual \$2.1m **Budget \$2.2m**

The three Refuse Transfer Stations (RTS) are currently tracking \$74k below budget, while the kerbside contract is \$43k under budget.

CAPITAL

Actual \$0.3m **Budget \$0.1m**

Tracking to budget

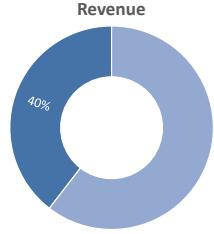


Actual \$0.01m **Budget \$0.7m**

Upgrade works at the Morrinsville Refuse Transfer Station are expected to commence in quarter 3 of the 2025/26 financial year.

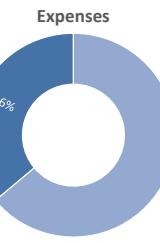
Roading

OPERATING



Actual \$5.3m Budget \$5.6m

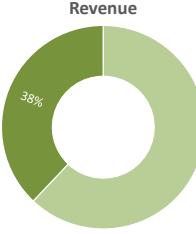
NZTA subsidies received are lower than budgeted at this point which is a normal seasonal variation.



Actual \$3.5m Budget \$4.1m

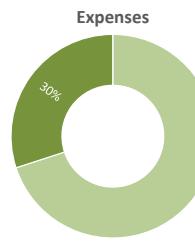
Subsidised roading costs are currently \$238k below budget. The maintenance programme is behind schedule due to inclement weather, particularly affecting sealed pavement, routine drainage, and structures maintenance. These delays are expected to balance out as the construction period progresses.

CAPITAL



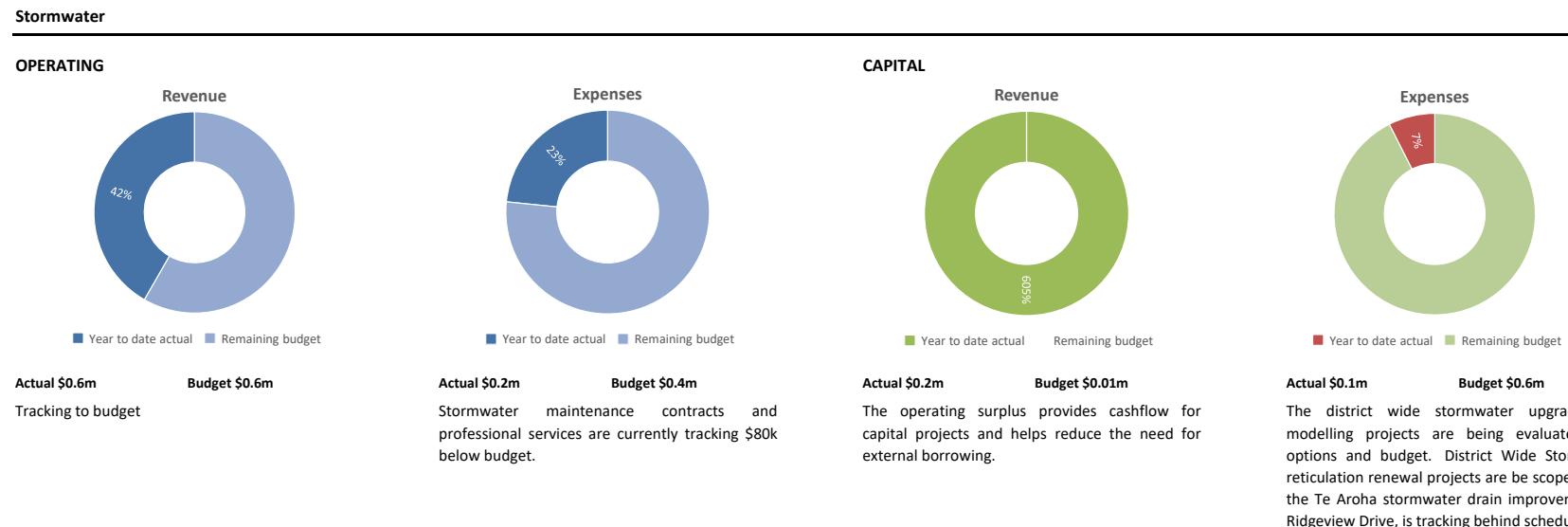
Actual \$4.6m Budget \$5.1m

The unfavourable variance at this point is partially due to timing of when works occur and subsidy claimed from NZTA. This is offset by \$330k in external funding received for district accessibility improvements and connectivity projects.



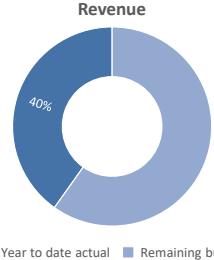
Actual \$2.6m Budget \$3.6m

Capital expenditure is currently tracking behind budget, primarily due to the seasonal nature of the work, with more activities scheduled for the warmer months. Additionally, the renewal programme is behind schedule as a result of inclement weather.



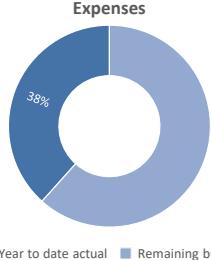
Wastewater

OPERATING



Actual \$4.6m **Budget \$4.8m**

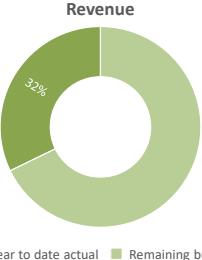
Trade waste charges are currently \$167k below budget. Increased trade waste rates for agreements with two major industrial users have been applied and at this point look to be on track to meet the budget over the year.



Actual \$2.7m **Budget \$3m**

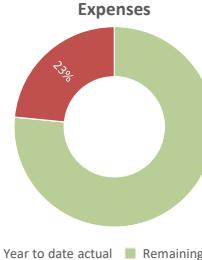
There are a number of areas that are both over and underspent. Areas over budget include reticulation and treatment contracts \$169k, and mechanical maintenance services \$170k. These costs are offset by areas under budget, including material purchases \$94k and sub-contractors \$52k, and savings in interest costs \$241k and internal charges and overheads at this point are \$210k lower than budgeted.

CAPITAL



Actual \$1.8m **Budget \$2.3m**

Development contributions are currently \$582k below budget at this stage.



Actual \$7.4m **Budget \$13.2m**

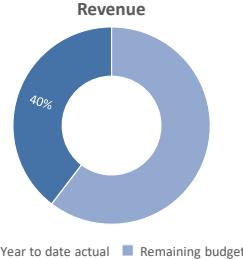
Wastewater capital works are currently tracking behind budget. The largest expenditure relates to the Matamata Wastewater Treatment Plant (WWTP) upgrade, with \$5.7m spent to this year to date compared to the 2025/26 annual budget of \$24.5m, plus \$17.8m of this project's budget carried forward from the 2024/25 year.

For other wastewater capital projects, total spend to date is \$1.7m compared to the 2025/26 budget of \$7.1 million. Key projects include:

- Wastewater reticulation renewals: \$584k spent vs. \$2.2m budget
- Te Aroha WWTP inlet screening & grit system: \$476k spent vs. \$707k carry-forward budget
- Wastewater plant renewals: \$330k spent vs. \$2.64m budget
- Unplanned wastewater line relocation (Morrinsville): \$191k spent vs. \$220k budget
- Te Aroha plant fencing: \$115k spent vs. \$162k carry-forward budget
- Waharoa East SPS renewal: \$26k spent vs. \$815k budget.

Water

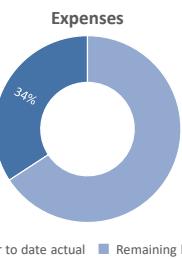
OPERATING



Actual \$4.7m **Budget \$5m**

Metered water income is \$300k or 19% lower than budget at this point. Some of decrease at this point is due to the new staggered approach to reading water meters between the three wards that was introduced this year. We have also seen lower consumption from one of our larger industrial customers, which is a normal seasonal variation for them. So at this stage, it is possible the income could be made up as the year progresses, but it is largely dependent on industrial consumption that can vary depending on a range of factors.

CAPITAL



Actual \$2.8m **Budget \$3.4m**

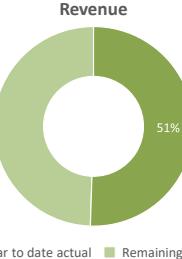
Finance costs are \$150k higher than budget, primarily due to higher opening debt in this activity than budgeted. Payments to suppliers are currently tracking \$325k below budget overall, although there are both overspends and underspends within this category.

Key overspends include:

- Taumata Arowai water services levy: \$58k
- Mechanical maintenance works: \$124k

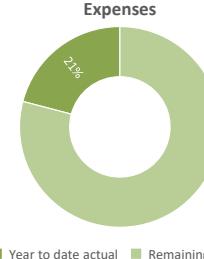
These are offset by underspends in:

- Chemical costs: \$117k
- External lab analysis: \$68k
- Materials purchased: \$59k
- Power costs: \$34k
- Reticulation & treatment plant charges: \$166k
- Plant operating costs: \$62k



Actual \$2m **Budget \$1.6m**

Development contributions were \$22k below budget. This shortfall is offset by the operating surplus, which provides cashflow for capital projects and helps reduce the need for external borrowing.

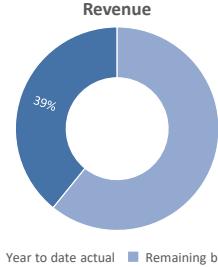


Actual \$1.7m **Budget \$3.4m**

Water capital works are currently tracking behind budget. To date, \$270k has been spent on water plant renewals against an annual budget of \$1.3m, and \$734k has been spent on water reticulation renewals compared to the \$3.6m annual budget. Expenditure is expected to catch up as the year progresses.

Strategies and Engagement

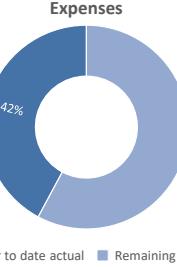
OPERATING



■ Year to date actual ■ Remaining budget

Actual \$3.4m **Budget \$3.7m**

Subsidy income is behind budget \$81k. A progress claim for the Pride of Place Community-Led Initiative project under the Better off Funding package is waiting for approval. Furthermore, internal recoveries are also lower than budget \$103k.

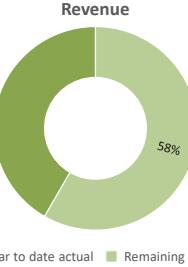


■ Year to date actual ■ Remaining budget

Actual \$4.2m **Budget \$4.2m**

Payments to suppliers and staff are higher than budget mainly with election costs \$151k, M365 license \$176k (funded from reserves), Grants paid at the start of the financial year \$189k; offset by net finance costs \$187k lower than budget, staff salaries are lower than budget \$97k due to vacancy and overhead costs are \$183k lower than budget.

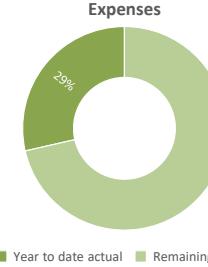
CAPITAL



■ Year to date actual ■ Remaining budget

Actual \$0.001m **Budget \$0.001m**

Tracking to budget



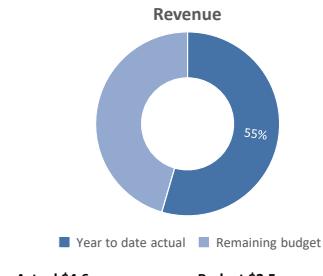
■ Year to date actual ■ Remaining budget

Actual \$0.5m **Budget \$0.7m**

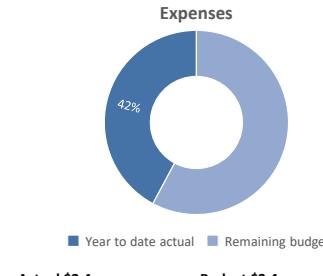
\$248k spent on Plant (Motor Vehicle & Machinery), \$187k on IT equipment and \$33k on furniture and fittings with further plant expenditure to occur as the financial year progresses.

Consents and Licensing

OPERATING



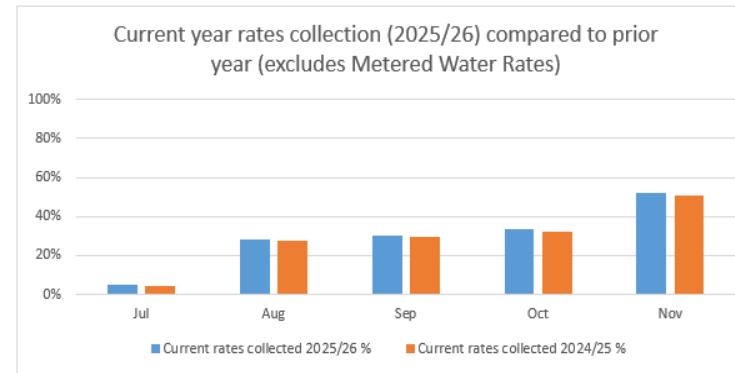
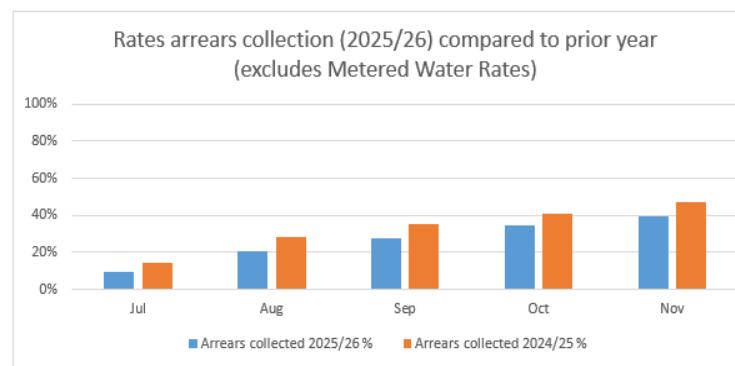
Revenue from fees and charges are \$1.1m ahead of budget as at November 2025. The main variances are in Building Consent income \$312k higher than budget, Resource Consent \$324k higher, Licensing and enforcement \$157k higher and Dog registrations fees are \$270k higher than budget with registrations processed at the start of the financial year and expected to balance out as the year progresses.



Payments to staff and suppliers are \$131k higher than budget in professional services used for processing resource consents, which is offset by income on-charged and collected from applicants offset by overhead costs are \$90k lower than budget.

Monthly RATES REPORT 2025/26

	Jul-25 8%	Aug-25 17%	Sept-25 25%	Oct-25 33%	Nov-25 42%
Rate Arrears					
Opening arrears	1,664,660	1,509,958	1,322,020	1,201,458	1,085,824
Closing arrears	1,509,958	1,322,020	1,201,458	1,085,824	1,010,234
Arrears collected this month \$	154,702	187,938	120,562	115,634	75,590
Arrears collected YTD \$	154,702	342,640	463,202	578,836	654,426
Arrears collected YTD %	9.3% ✚	20.6%	27.8%	34.8%	39.3%
Previous year arrears collected %	14.4%	28.5%	35.2%	41.2%	47.1%
Current Rates					
Opening current rates	66,900,415	63,734,603	48,527,009	46,840,733	44,933,379
Additional rates levied	-	152,281	(3,267)	(8,695)	(12,686)
Closing current rates	63,734,603	48,527,009	46,840,733	44,933,379	32,472,025
Current rates collected this month \$	3,165,812	15,359,875	1,683,009	1,898,660	12,448,667
Current rates collected YTD \$	3,165,812	18,525,687	20,208,696	22,107,356	34,556,023
Current rates collected YTD %	4.7%	27.9%	30.4%	33.3%	51.8%
Previous year current rates collected	4.3%	27.3%	29.5%	32.2%	50.8%
Rates received in advance					
Overpayments	(36,891)	(66,090)	(80,994)	(96,407)	(123,584)



TREASURY MANAGEMENT - REVIEW OF COMPLIANCE WITH TREASURY POLICIES

Treasury summary - positions and compliance

Matamata Piako District Council

Month	Currency	1. Re-forecasted LTP	2. LTP ex. waters forecast	3. 2024 LTP forecast - 73%
November 2025	NZD			

Interest rate risk



Interest rate risk is defined as the risk of Council's cost of funds increasing due to adverse movements in wholesale interest rates that Council pays on its external debt and would potentially pay on forecast debt.

Counterparty credit limits

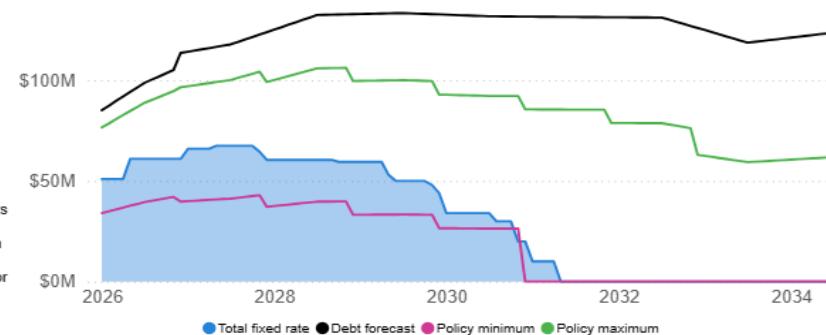
Counterparty	Compliant?
ANZ	✓
ASB	✓
BNZ	✓
Westpac	✓

Counterparty credit limits refer to the Policy defined limits associated with Council's current bank counterparties (i.e. the maximum \$ amount of exposure Council can have with each of its bank counterparties). The compliance tick indicates Council's exposure is below the maximum limit for that counterparty.

The counterparties above are those Council currently has treasury exposure, such as investments (e.g. bank and term deposits) or derivatives (e.g. interest rate swaps), with.

There is risk those counterparties may default and Council loses the term deposit amount or to replace the financial arrangement (i.e swap). To manage this risk, Council is only able to enter treasury transactions with approved counterparties and the counterparty credit limits are imposed to enforce spreading across the banks and avoid concentration of credit exposure.

Interest rate risk profile



The interest rate risk profile demonstrates Council's amount of fixed rate debt against the fixed/floating interest rate risk control limits defined by Policy.

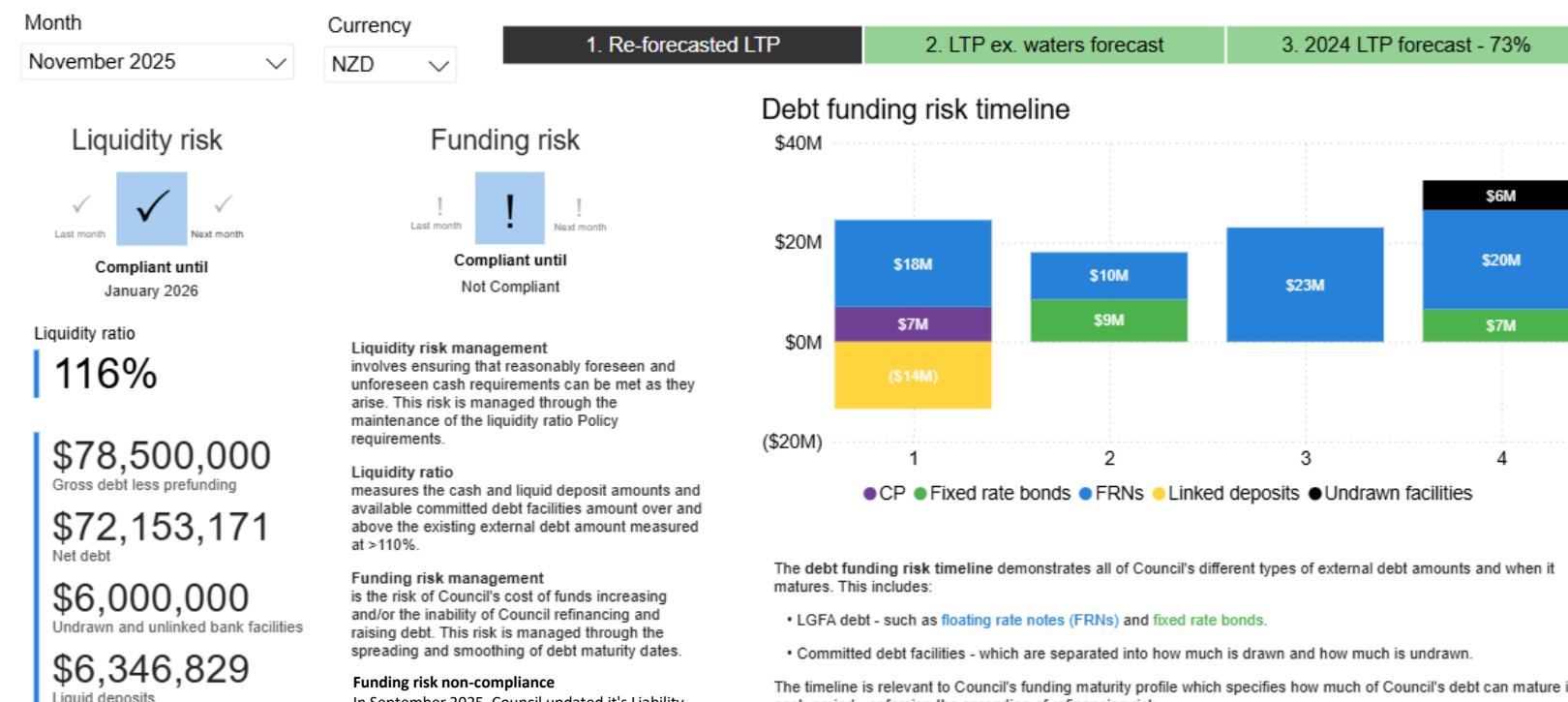
- **Debt forecast** - Council's gross external debt forecast. This excludes any debt that has been pre-funded.
- **Total fixed rate (shaded area)** - illustrates all forecast debt amounts where interest rate obligations are known (i.e. the interest rate is fixed and does not change from the commencement date to maturity date). Fixing may be achieved via fixed rate borrowing (e.g. fixed rate bonds) or hedging instruments (e.g. interest rate swaps) which convert floating interest rate obligations into fixed rate obligations.
- **Policy minimum** - illustrates the minimum fixed rate debt amount Council must have across time each period.
- **Policy maximum** - illustrates the maximum fixed rate debt amount Council can have across each time period.

The area between "Total fixed rate" and the debt forecast is Council's floating rate exposure assuming forecast debt is ultimately drawn debt.



Treasury summary - positions and compliance

Matamata Piako District Council



Loans and deposits by reporting date Matamata Piako District Council

Reporting date	Instrument	Counterparty						
Instrument type	CounterParty	Start date	Maturity date	Drawn amount	Limit	InterestRate	Margin_Float	CommitmentFee
Call Account	BNZ	29 Feb 24	01 Jan 26	\$6,346,829	\$6,346,829			
Call Account	ANZ	01 Aug 25	01 Jan 26	\$0	\$0			
Linked Deposit (pre-funding)	ASB	28 May 25	14 Apr 26	\$13,500,000	\$13,500,000	4.04%		
Floating Rate Note	LGFA	30 Apr 19	15 Apr 26	\$3,000,000	\$3,000,000		0.80%	
Floating Rate Note	LGFA	15 Aug 20	15 Apr 26	\$3,500,000	\$3,500,000		0.92%	
Floating Rate Note	LGFA	14 Aug 23	15 Apr 26	\$7,000,000	\$7,000,000		0.54%	
Floating Rate Note	LGFA	16 May 22	15 Oct 26	\$4,000,000	\$4,000,000		0.61%	
Commercial Paper (non bank-linked)	LGFA	17 Oct 25	16 Oct 26	\$7,000,000	\$7,000,000		0.25%	
Floating Rate Note	LGFA	30 Apr 19	15 Apr 27	\$2,500,000	\$2,500,000		0.90%	
Floating Rate Note	LGFA	12 Jul 21	15 Apr 27	\$3,500,000	\$3,500,000		0.57%	
Floating Rate Note	LGFA	17 Oct 22	15 Apr 27	\$1,500,000	\$1,500,000		0.84%	
Fixed Rate Bond	LGFA	30 Jan 24	15 Apr 27	\$8,500,000	\$8,500,000	5.32%		
Floating Rate Note	LGFA	14 Dec 22	15 Oct 27	\$2,000,000	\$2,000,000		0.76%	
Floating Rate Note	LGFA	14 Mar 22	15 May 28	\$4,000,000	\$4,000,000		0.72%	
Floating Rate Note	LGFA	14 Dec 22	15 May 28	\$2,000,000	\$2,000,000		0.78%	
Floating Rate Note	LGFA	15 Apr 24	15 May 28	\$5,500,000	\$5,500,000			
Floating Rate Note	LGFA	07 Oct 24	15 May 28	\$3,500,000	\$3,500,000		0.94%	
Floating Rate Note	LGFA	16 Dec 24	15 May 28	\$8,000,000	\$8,000,000		0.93%	
Fixed Rate Bond	LGFA	04 Jun 24	20 Apr 29	\$6,500,000	\$6,500,000	5.55%		
Floating Rate Note	LGFA	15 Apr 25	20 Apr 29	\$6,500,000	\$6,500,000		1.05%	
Floating Rate Note	LGFA	12 May 25	20 Apr 29	\$13,500,000	\$13,500,000		1.03%	

pwc

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Guarantee Arrangements for Waikato Waters Debt

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
Negotiations.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). .	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.