

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 13 May 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

Waea | Phone: 07-884-0060
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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

Apologies have been received from Cr A McGiven and Cr G Thompson.

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

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

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

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

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

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

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

4 Whākī pānga | Declaration of Interest

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

5 Whakaaetanga mēneti | Confirmation of Minutes

Minutes, as circulated, of the ordinary meeting of Matamata-Piako District Council, held on 22 April 2026

6 Papa ā-iwi whānui | Public Forum

There is no scheduled public forum due to this meeting being a Council hearing.

7 Pūrongo me whakatau | Decision Reports

7.1 Council Hearing of Submitters - Policies, Bylaws and Fees and Charges

CM No.: 3158379

Te Kaupapa | Purpose

The purpose of this report is to receive and hear formal submissions from the community on the following:

- Draft Fees and Charges 2026/27
- Draft Local Easter Sunday Shop Trading Policy
- Draft Rates Remission and Postponement Policy
- Draft Land Transport Bylaw
- Draft Policy on Dogs and Draft Dog Control Bylaw

Rāpopotonga Matua | Executive Summary

Formal consultation has been undertaken on a number of key documents. Council are now required to hear those who wish to speak to their submission and to formally consider all submissions received prior to decision making and finalisation of the documents.

Consultation was open from 16 March to 19 April 2026. In total, 274 submissions were received across all topics.

The separate reports within this agenda on each topic are provided to outline options for Council's consideration and assist in deliberations and decision-making.

Attached to this report is:

Attachment A – Submissions this document contains all submissions received, plus a summary of the key themes from the submissions, and staff comment

Attachment B – Appendices a separate submission attachment document containing additional information provided by submitters

Attachment C – Schedule of those presenting in person/online any updates to the hearing schedule or other documentation will be provided at the meeting.

Attachment D – Full Submissions for Policy on Dogs on Dog Control Bylaw 2026

Tūtohunga | Recommendation

Part One: Opening of hearing

That:

1. The information be received.
2. Any late submissions circulated separately or tabled on the day be accepted.
3. Council hears all submitters who wish to be heard.

Part Two: Consideration of submissions

That:

4. Council has heard all of the submitters that were scheduled to speak and has considered all written submissions received.

Horopaki | Background

Background

Hearing Procedures

Any person who has made a submission and indicated that they wish to be heard will have the opportunity to address the Council, either in person or via another authorised representative. When submitters are presenting in person they may use New Zealand Sign Language or Te Reo Māori. There is also the option to present submissions via phone or video conference.

If a submitter requires an interpreter in order to deliver their spoken submission, Council must be advised at least one week prior to the hearing so that appropriate arrangements can be made. Alternatively, interpreters may be provided by the submitter at the hearing. During the hearing, questions may only be asked by the Mayor or Councillors.

Where further clarification or elaboration is considered helpful, the Mayor may invite a submitter to return to the table and expand on matters raised in their submission. To ensure the hearing process remains efficient and focused, the Mayor may limit speaking times or restrict multiple speakers where there is likely to be significant repetition from parties with the same interests or views.

Hearings will be held in public unless Council determines that the public should be excluded in accordance with grounds set out in the Local Government Official Information and Meetings Act 1987.

Other Principles

Full Council, as the decision-making body required by legislation to adopt the relevant documents, must comply with all statutory meeting rules and procedures. This includes compliance with Matamata-Piako District Council Standing Orders adopted on 5 November 2025, as well as sections 82 (Principles of Consultation) and 83 (Special Consultative Procedure) of the Local Government Act 2002 (LGA). The Standing Orders provide for the Mayor to exercise a casting vote if required.

All Councillors are expected to attend the hearing and hear all submissions before taking part in deliberations. Standard statutory provisions relating to conflicts of interest apply throughout the

process. Council will hear submissions only from those who have requested to be heard and have not withdrawn that request.

Council will deliberate on the submissions, and if desired may make decisions at the same meeting. Should further substantial changes or additional information be required before adoption of the final documents, decision-making will occur at the next scheduled Council meeting on 27 May 2026.

Duration of Meeting

Under clause 4.2 of the Standing Orders, a meeting may not continue beyond six hours from its commencement, or after 10.30pm. Any business on the agenda not completed within this time must be adjourned to a subsequent or extraordinary meeting, unless Council passes a resolution to continue.

The hearing is scheduled to begin at 9.00am, with submitter presentations expected to conclude by approximately 10.45am. Council will then consider all submissions and deliberate on the matters raised. Should the meeting need to continue beyond six hours, Council will be required to pass a resolution to do so.

Ngā Take/Kōrerorero | Issues/Discussion

More information on the proposed changes and options for each Policy and Bylaw are provided:

- In the separate reports for this meeting
- For quick reference at the links below:
 - o [Draft Fees and Charges 2026/27](#)
 - o [Draft Local Easter Sunday Shop Trading Policy](#)
 - o [Draft Rates Remission and Postponement Policy](#)
 - o [Draft Land Transport Bylaw](#)
 - o [Draft Policy on Dogs & Draft Dog Control Bylaw](#)

The purpose of this report is to hear from those who indicated that they wish to present their submission(s) to Council and to consider all submissions received.

In total, 274 submissions were received.

If late submissions are received after the writing of this report, these will be circulated separately or tabled on the day. Council can choose to accept these late submissions by resolution (refer recommendation 2).

Policy, Bylaw, and Fees and Charges consultation 2026	
Total number of submissions (topics) (Policies, Bylaws and Fees and Charges)	274
Number of submissions per topic	
1) Draft Fees and Charges 2026/27	33
2) Draft Local Easter Sunday Shop Trading Policy	61
3) Draft Rates Remission and Postponement Policy	5

4) Draft Land Transport Bylaw	21
5) Draft Policy on Dogs and Draft Dog Control Bylaw	154

Mōrearea | Risk

There are no specific risks to note, as the purpose of this report is for Council to hear submitters who have indicated that they would like to speak to their submission(s), and to consider all submissions received. Where specific risks have been identified, these will be outlined in the corresponding reports.

Ngā Whiringa | Options

Following consideration of all submissions, Council may choose to:

1. Adopt documents as per the draft consulted on (with or without minor amendments recommended by staff following submissions and staff input);
2. Request staff to provide further information/investigate further options and bring back for consideration at the next Council meeting on 27 May 2026. Note that if significant changes to the draft are proposed, further consultation may be required.

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

The relevant requirements are set out in the separate reports on each document consulted on and included in the respective Statements of Proposal.

The outcome of this process will result in the adoption of updated Policies, Bylaws and Fees and Charges for 2026/27. The updated documents will apply from 1 July 2026.

Local Government Act 2002 (LGA) 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.

Subpart 1 of the LGA outlines requirements for Council's planning and decision-making. In accordance with these provisions, Council must, during the decision-making process:

1. Identify all reasonably practicable options to achieve the objective of a decision;
2. Assess the options in terms of their advantages and disadvantages;
3. Where a significant decision involves land or a body of water, Council must take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.
4. Consider the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

It is the responsibility of Council to exercise its discretion in determining how best to give effect to the decision-making requirements of the LGA. Section 79 of the LGA allows Council to make judgements about the extent to which it complies with these requirements, based on the significance of the decision and the circumstances of the matter, in accordance with its Significance and Engagement Policy.

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 relevant Statements of Proposal for each topic consulted on.
Section 78 – requires consideration of the views of Interested/affected people	<p>In mid-late 2025, Council undertook a substantial programme of early engagement to support the bylaw and policy reviews to understand community perspectives. This feedback has been considered by Council in the drafting and review of the documents.</p> <p>Formal consultation has been undertaken in accordance with the prescribed special consultative procedure of the LGA. Council is required to hear those submitters who wish to speak to their submission and to consider all submissions in their decision-making.</p>
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	<p>Having regard to the provisions of the LGA and Council’s Significance and Engagement Policy, the decisions associated with this report are assessed as having a medium level of significance.</p> <p>Therefore, Council has ensured an appropriate level of analysis, engagement, and consideration of relevant factors, proportionate to the importance of the decision and the decision-making approach has been set accordingly. This includes:</p> <ul style="list-style-type: none"> • Identifying reasonably practicable options to achieve the objectives of the decision. • Assessing the advantages and disadvantages of each option. • Considering community views and preferences through the consultation process. • Ensuring the views of Māori and the relationship of Māori with ancestral land and taonga are taken into account where relevant. • Providing sufficient information to elected members to support informed decision-making.
Section 82 – this sets out principles of consultation.	Public consultation has been undertaken in accordance with LGA requirements.

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 has been undertaken as per the prepared communications plans.

Early engagement

Early engagement was undertaken to understand community views to support the review of Council’s policies and bylaws. Staff and Elected Members supported these events which included:

- Community survey (Paw and Order) and direct email/phone calls to key stakeholders.
- Attending markets in Matamata, Morrinsville and Te Aroha – where the community could talk to staff informally about the topics, ask questions and make submissions. Council also attended or hosted Business Association/Chamber of Commerce meetings.

Formal engagement

Council is required to use the special consultative procedure and principles of consultation as detailed in sections 82 and 83 of the LGA respectively. This states (amongst other requirements as detailed above), that the period of consultation must be not less than one month and Council must provide an opportunity for persons to present their views in a manner that enables spoken (or New Zealand sign language) interaction between the person and Elected Members.

The consultation period was open from 16 March to 19 April 2026. Submissions could be made electronically via the Website [Korero Mai | Lets talk](#) ~~[Korero Mai | Let's Talk](#)~~-website or alternatively, hard copies of the submission forms were available from Council libraries and offices.

Communications Statistics

Let’s Talk website page hits

Dog Policy/Bylaw	8,776
Easter Sunday	1,157
Fees and Charges	1,632
Land Transport	1,342
Rates remission	912

Consultation topics included in:

- 8 e-newsletters
- 3 Council in Focus ads (published in all three local papers on 17-19 Mar, 31 Mar-2 Apr, 14-16 Apr)

MPDC website article

825 hits

Antenno

Topic	Date	Devices reached	Impressions	Views	Thanks	Link taps
Open now	16 Mar	4,636	2,336 or 50%	990 or 21%	20 or 0.4%	246 or 5.3%
Dogs	20 Mar	5,003	4,185 or 84%	825 or 16%	22 or 21%	14 or 0.3%
Fees & Charges	25 Mar	4,978	4,140 or 83%	1,065 or 21%	14 or 0.3%	170 or 3.4%
Easter Sunday	5 Apr	4,948	4,036 or 82%	976 or 20%	21 or 0.4%	100 or 2%

Land Transport	13 Apr	4,965	3,457 or 70%	1,142 or 23%	23 or 0.5%	287 or 5.8%
Closing soon	17 Apr	4,958	2,776 or 56%	554 or 11%	15 or 0.3%	75 or 1.5%

MPDC Facebook post stats – as at 1 May

Note: Stories were also published on MPDC page

Topic	Date	Views	Interactions	Link clicks	Follows
Closing soon	17 Apr	1,369	8	4	0
Fees & Charges	7 Apr	5,904	22	8	2
Easter Sunday	5 Apr	9,041	69	8	1
Daylight Savings & Dogs	4 Apr	762	4	1	1
Land Transport	3 Apr	803	5	9	0
April Fools & Dogs	1 Apr	967	3	3	2
Fees & Charges and Dog rego	31 Mar	4,375	27	7	1
Dogs in Togs & Paw & Order	22 Mar	2,747	12	4	0
Fees & Charges	18 Mar	1,363	5	13	0
Open now	16 Mar	2,004	10	14	0

Note: every post linked to the Let's Talk site, inviting people to see what else we were consulting on.

Decisions to submitters

Following Council decision making, staff will inform all submitters of the decisions made. Each topic may have certain requirements to inform the public/key stakeholders of the decisions and implications to prepare for when the policies come into force on 1 July 2026.





Timeframes

Timing	Engagement/Description
9 December 2025	Workshop held to provide an opportunity for Te Manawhenua Form members to provide feedback on the review of the Draft Policy on Dogs and Dog Control Bylaw. The Forum endorsed the inclusion of the kurī historic significance section in the draft Policy on Dogs for consultation.
17 December 2025	Draft Land Transport Bylaw and Local Easter Sunday Shop Trading Policy approved by Council for consultation.
11 February 2026	Draft Policy on Dogs and Dog Control Bylaw approved for consultation.
4 March 2026	Draft Fees and Charges 2026/27 and draft Rates Remission and Postponement Policy approved for consultation.
Consultation period 16 March – 19 April 2026	A wide range of tools were utilised to share the messaging and to encourage our community to submit their feedback. This included: <ul style="list-style-type: none"> • Let's Talk Kōrero Mai Website <ul style="list-style-type: none"> ○ Use of a dedicated consultation website

Timing	Engagement/Description
	<p>(mpdc.nz/letstalk).</p> <ul style="list-style-type: none"> ○ Newspaper advertising (Council in Focus). ○ Email newsletters to subscribers (e.g. Business, Bylaws, Māori stakeholders etc.) and direct emails/letters to stakeholder groups, including as required by legislation – contacted all dog owners. ● Use of social media – Facebook/Antenno etc. ● Presentation/discussion of the issues at meetings e.g. Business after 5 events, and community groups. ● CBD walkabout to engage with business owners/workers. ● Attending community markets in Matamata, Morrinsville and Te Aroha. ● Rangatahi workshop held (Morrinsville)
14 April 2026	Workshop held to provide an opportunity for Te Manawhenua Form members to provide feedback.
13 May 2026	Hearing of submitters. Council may choose to adopt on 13 May 2026 following deliberations or request further changes for adoption at a later date.
27 May 2026	Date for decision-making (if required)
1 July 2026	All documents come into force.

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 policies, bylaws and documents as consulted on support the achievement of all Council's community outcomes.

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

Costs are funded via existing budgets within the Strategies and Plans activity as detailed in Councils Long Term Plan 2024-34.

Ngā Tāpiritanga | Attachments

- A.  Attachment A - Submissions *(Under Separate Cover)*
- B.  Attachment B - Appendices *(Under Separate Cover)*
- C.  Attachment C - Schedule of those presenting in person/online *(Under Separate Cover)*
- D.  Attachment D - Full submissions for Policy on Dogs and Dog Control Bylaw 2026 *(Under Separate Cover)*

Ngā waitohu | Signatories

Author(s)	Josephine Jansonius Kairuruku Ako me te Whakawhanake Policy Officer	
	Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor	

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

7 Pūrongo me whakatau | Decision Reports

7.2 Fees and Charges 2026/27 - Deliberation and Adoption

CM No.: 3165955

Te Kaupapa | Purpose

The purpose of this report is to seek direction on the adoption of the Fees and Charges 2026/27 after consideration of the recent consultation.

Rāpopotonga Matua | Executive Summary

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Fees and Charges 2026/27 from 16 March to 19 April 2026 alongside several other documents.

33 submissions were received on the draft Fees and Charges document. This report provides information on the submissions received and themes identified.

Based on feedback received it is recommended Council consider if any amendments are required to the draft Fees and Charges 2026/27 prior to adoption.

Tūtohunga | Recommendation

That:

1.

- a) The information be received.
- b) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- c) Council adopts the Fees and Charges 2026/27 as attached (with no changes arising from the consultation), to come into force 1 July 2026.
- d) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Fees and Charges 2026/27 (if required).
- e) Council authorises staff to insert the Development Contributions schedule into the Fees and Charges 2026/27, once updated with reference to the movement in the Producer Price Index.
- f) Council's decision on the Fees and Charges 2026/27 be notified to submitters and the public and be made available on Council's website.

OR

2.

- a) The information be received.
- b) Council confirms the Animal Control Fees to meet printing timeframes for dog registration notices.
- c) Council requests staff provide additional information and/or explore further options and present an amended Fees and Charges 2026/27 document to the Council meeting on 27 May 2026.
- d) Council notes that any significant changes may require further community consultation.

Horopaki | Background

Council has undertaken a review of the draft Fees and Charges for 2026/27.

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Fees and Charges 2026/27 from 16 March to 19 April 2026 alongside several other documents.

Consultation information such as the Statement of Proposal and draft Fees and Charges 2026/27 can be found [here](#).

Ngā Take/Kōrerorero | Issues/Discussion

The Council Hearing of Submitter Report, included earlier in this agenda, contains all submissions made on the draft Fees and Charges 2026/27 in full, along with a summary of the key themes identified. This report provides a brief overview of those submissions and outlines the options available for Council's consideration.

Submissions - 33 submissions were received and six submitters indicated they wished to present their views in person to the Council hearing.

Submissions summary

- Option 1: Adopt the proposed Fees and Charges - 15 submissions in support (45.5%)
- Option 2: Keep Fees and Charges at the current level - 0 submissions in support
- Option 3: Reduce or remove Fees and Charges - 7 submissions in support (21.2%)
- Option 4: Other - 11 submissions in support (33.3%)

Submissions focused primarily on dog registration fees, the user-pays principle, and concerns about affordability.

Summary staff comment

- 1) Dog registration fees - Staff acknowledge that some dog owners believe that a larger proportion of animal control costs should fall to those owners with problem dogs. Council does provide a number of rebates to encourage responsible dog ownership. These rebates can reduce the cost of registration by up to \$80. Overall, the increase to the registration fees is to ensure Council continues to cover costs and stays in line with the [Revenue and Financing Policy](#).
- 2) Building consent fees - A number of process issues were raised. Overall staff acknowledge the comments and are focused on continual improvement.
- 3) Efficiency/reasonableness of costs - Council went through a robust process to look for cost savings and opportunities to improve efficiency wherever possible. Council has kept increases to rates and fees and charges as low as possible while still retaining current levels of service and staying within the Revenue and Financing Policy. Council's recently approved Vision and Community Outcomes have a focus on improving efficiency and enablement.
- 4) User pays - Some submitters indicated a preference for fully user pays fees. Currently Council's fees are set in line with the Revenue and Financing Policy which determines what Council considers a fair balance between user fees and rates funding of activities. The Revenue and Financing Policy will be reviewed as part of the Long Term Plan and the community will have the opportunity to express their views as part of this process.

- 5) Other matters raised - other matters raised include the removal of urgent LIMs and cemetery drainage, these matters have been addressed in the Submissions Document with individual staff comment.

Addition of development contributions

The only addition required is to insert the development contributions schedule into the Fees and Charges 2026/27 once updated with reference to the movement in the Producer Price Index. Council is asked to authorise staff to complete this when the latest Producer Price Index data is available (expected late May 2026).

In accordance with section 106 of the Local Government Act 2002, the development contribution fees are to be increased by an amount not exceeding the result of multiplying together:

- i. the rate of increase (if any) in the Producer Price Index since the development contribution was last set or increased; and
- ii. the proportion of the total costs of capital expenditure to which the development contribution will be applied that does not relate to interest and other financing costs.

The rate for the Producer Price Index for construction, as at 31 March 2025 is 1.73%. The Producer Price Index rate for 2026 is expected to be available late May.

To view the full methodology demonstrating how the calculations for the development contributions are made, please see the Development Contributions Policy [here](#)

Minor amendments

In the process of reviewing and finalising the Fees and Charges, staff have made a number of minor administrative updates for accuracy and clarity.

In addition, under the Building Consents and Monitoring fees, the Building Research Association of New Zealand (BRANZ) Levy has been updated to note that GST is payable on the levy. This follows notification from MBIE at the beginning of May 2026, that GST will be payable from 1 July 2026.

Mōrearea | Risk

No specific risks have been identified.

Ngā Whiringa | Options

The options are outlined below.

Option One – Adopt the Fees and Charges 2026/27 as consulted on	
Advantages	Disadvantages
Fees and Charges adopted within legislative timeframes.	Doesn't allow for consideration of further changes.
Option Two – Request additional information from staff and/or explore further options (note Animal Control Fees are required to be adopted to meet printing timeframes)	
Advantages	Disadvantages
Allows more opportunity for further review and changes to the document.	Potentially puts meeting legislative timeframes under pressure.

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

Consultation

The requirements for consultation for the different fees and charges vary depending on their enabling legislation as set out below.

a) Fees and charges enabled through the Local Government Act 2002

Under Section 150 of the Local Government Act 2002 (LGA) Council may prescribe fees or charges either through

- a bylaw or
- public consultation (using the principles of consultation in the LGA, Section 82).

Aside from the Alcohol Licensing Fees Bylaw, Council has opted not to use bylaws to set fees and charges at this time. Therefore, public consultation has been undertaken.

For consultation under the LGA Section 82, the requirements are for Council to make publicly available:

- the proposed Fees and Charges and the reasons for the proposal
- an analysis of the reasonably practicable options including the proposal

b) Fees and charges enabled through other legislation

In addition, under other legislation such as the Resource Management Act 1991 (RMA) and Building Act 2004, Council may prescribe fees or charges relevant to certain administration purposes (such as processing resource consents) through:

- public consultation (using the special consultative procedure in the LGA, Section 83).

For consultation under the LGA Section 83, the requirements are for Council to make publicly available:

- a Statement of Proposal
- a summary of the information if necessary
- a description of how the community can present their views to Council
- a statement of the period within which views on the Fees and Charges may be provided to Council.

Council must make this information as widely available as is reasonably practicable as a basis for consultation and provide an opportunity for persons to present their views to Council.

Revenue from Fees and Charges

Fees and charges prescribed under the LGA must not provide for the local authority to recover more than the reasonable costs incurred by the local authority for the matter for which the fee is charged. (LGA, Section 150 (4)). In addition, the Revenue and Financing Policy sets out the proportion of funding that may be recovered from fees and charges for each of Council's activities, which was publicly consulted on. (LGA, Section 103).

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

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

All 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 in the Statement of Proposal, linked earlier in this report.
Section 78 – requires consideration of the views of Interested/affected people	Targeted consultation has been undertaken where needed.
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 special consultative procedure was used during the consultation and section 82 principles followed.

Policy Considerations

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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

For a full breakdown of the communications and engagement that was undertaken as part of this consultation, please see the Council Hearing of Submitters Report earlier in this agenda.





Timeframes

Key Task	Dates
Council considers the submissions for the draft Fees and Charges 2026/27.	13 May 2026
Council adopts the Fees and Charges 2026/27.	13 May 2026 (or at a later date as specified by Council)
Fees and Charges 2026/27 comes into force.	1 July 2026

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

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

MATAMATA-PIAKO TŌ MĀTOU WĀHI NOHO OUR PLACE	MATAMATA-PIAKO DISTRICT COUNCIL TE ARA RAUTAKI STRATEGIC DIRECTION
--	---

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

The community outcomes relevant to this report are as follows:

- He wāhi kaingākau ki te manawa | A place with people at its heart
- He wāhi puawaitanga | A place to thrive

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

The review of Council's Fees and Charges 2026/27 is provided for under existing budgets with the Strategies and Plans activity.

Ngā Tāpiritanga | Attachments

[A↓. FINAL Fees and Charges 2026/27 for adoption](#)



Ngā waitohu | Signatories

Author(s)	Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor	
	Josephine Jansonius Kairuruku Ako me te Whakawhanake Policy Officer	

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



Tauira Ngā Utu | Fees and Charges 2026/27

1 July 2026 – 30 June 2027

All fees and charges are inclusive of GST unless otherwise stated.
Credit Card payments are accepted at Swim Zone Te Aroha, Te Aroha Mineral Spas and Te Aroha Visitor Information Centre with no transaction fees charged back to the customer. Credit Card transactions are accepted for payment-on-line (i.e. E-services) and at Matamata, Morrinsville and Te Aroha offices with transaction fees charged to the customer.



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Animal Control		2026/27
<p>Keeping an unregistered dog may result in an infringement fee of \$300.</p> <p>Owners are legally responsible for keeping their dog under control at all times. Failure to do so is an offence under Section 53 of the Dog Control Act with a fine of up to \$3000 or an infringement fee of \$200.</p> <p>Any dog found at large can be impounded at the owner's expense.</p>		
Dog ownership fees		
*Payment after 31 July will result in a 50% penalty fee		
Full registration fee*		\$172.00
Adoption fee	For dogs under 1 year adopted from the pound. Please note, dogs over 1 year of age – standard registration fee applies.	\$40.00
Minus rebates/ bonus (below) if applicable		
<u>Note:</u> Rebate for <i>one</i> of the below:		
De-sexed dog		\$30.00
Working dog		
Breeding dog owner registered with Dogs New Zealand		
Responsible Owner Rebate		\$15.00
Bonus		
No complaints, impounding or infringements		\$35.00
Other		
Classified dangerous dog		150% of the relevant fee applies
Replacement tags		\$3.00
Dog impounding charges		
Impounding		\$100.00
Second impounding		\$200.00
Third and subsequent impounding in the same registration year		\$250.00
Daily sustenance		\$16.00
Animal control microchipping		\$50.00
Vet Microchipping		\$81.00
Disposal of unclaimed / surrendered dog		\$80.00
Stock call out fees		
During office hours		\$165.00
After hours (inclusive of mileage)	Per call out	\$230.00
Impounding fee	Per head, plus all costs	\$65.00
Daily sustenance	Per head	\$10.00
All associated costs (i.e. transport, advertising)		Actual cost

Building Consents and Monitoring		2026/27
<p>1. All amounts are inclusive of GST, unless otherwise stated.</p> <p>2. The below fees are for Building Control only. You may incur additional fees for planning/ engineering approval, and development contribution assessments (if applicable).</p> <p>3. Should any particular job significantly exceed the standard processing time an additional fee will be charged, based on the additional hours spent on the application.</p> <p>4. All fees are payable on application. An invoice will be sent to you shortly after the lodgement of your application and processing will not commence until payment has been received. Once the building consent has been granted, any additional processing time, and planning and engineering assessment charges will be payable (if applicable). Further charges may be applicable i.e. Minor Variation Fee etc.</p> <p>5. Building consent fees include the cost of the Code Compliance Certificate.</p> <p>6. Lapsed or Refused consents: Building consents lapsed prior to the first inspection being carried out or refused before the application is granted, will be refunded the charge already paid, less the cost of the work already carried out.</p> <p>7. * These fees do not include: Objective Build fees, Accreditation levy, BRANZ and MBIE levies, any additional processing time (recoverable on an actual and reasonable basis as per the Building Act 2004 s281B), compliance schedules (new or amended) or Planning/ Engineering/ Development Contribution assessment fees that may be applicable.</p> <p>8. Development Contributions: Please be aware that there could be a development contribution fee charged for your building project. Development Contributions are payable under the Local Government Act 2002 for some projects. A Code Compliance Certificate will not be issued until the Development Contributions applicable to the project are paid in full. Development Contributions are adjusted at 1 July each year in accordance with our Development Contributions Policy.</p> <p>9. Please note that any costs incurred by Waikato Waters Ltd will be in addition to those noted below and may be charged with the Building Consent</p>		
Applicant meetings		
Pre-lodgement/ Building Consent/ Building Control Technical Officer meetings		First 30 minutes free, thereafter charged at \$218/ hour
Minor works		
Inbuilt solid fuel heaters		\$675.00*
Minor plumbing or drainage		
Garden sheds (up to 20m2)		
Marquees		
Solar heating panels		
Installation of basic warning system		
Swimming Pool Fencing (Fencing only)		
Free standing solid fuel heaters		\$455.00*
Retrofit Codemarked Wall Insulation		
Standard Residential Building Works		
Carports/ Garages		\$1,310.00*
Swimming Pools		
Decks and pergolas		
Shade sails/ archgolas/ conservatories		
Retaining wall (singular)		

Building Consents and Monitoring		2026/27
Residential additions/alterations (less than 10m2)		
Structures		
Hay barns/ Implement sheds/ Bridges/ Reservoirs/ Dams/ Tanks		\$1,415.00*
Stock Underpasses		
Retaining Walls (multiple)		
Outbuildings Habitable (with no Plumbing and Drainage)		
Sleep outs/ Office/ Studio		\$2,675.00*
Outbuildings Habitable (with Plumbing and Drainage)		
Sleep outs with toilet and shower		\$3,330.00*
Dairy sheds		
Dairy sheds		\$2,335.00*
Residential Alterations		
Between 10m2 and 30m2		\$2,675.00*
Exceeding 30m2		\$3,300.00*
Dwellings		
Single Storey Dwelling (up to 250m2)		\$4,640.00*
Single Storey Dwelling (over 250m2)/Two Storey Dwelling (up to 250m2)		\$5,605.00*
Two Storey Dwelling (over 250m2)/Three Storey Dwelling		\$6,575.00*
Re-sited/transportable dwellings		\$2,445.00*
Multi Proof consents		
Dwellings		\$3,705.00*
Note: Objective Build, Accreditation, MBIE, BRANZ, planning and engineering fees will still apply		
New commercial/ Industrial buildings		
Buildings up to 100m2		\$7,430.00*
Buildings between 101m2 and 300m2		\$8,085.00*
Buildings exceeding 300 m2		\$9,830.00*
Commercial Alterations and Additions		
Commercial Alterations and Additions (Up to 100m2) and Public Toilets and Commercial Fit Outs <\$500,000		\$4,500.00*
Commercial Alterations and Additions (exceeding 100m2) and Commercial Fit Outs >\$500,000		\$4,500.00* Plus hourly rate for additional processing and inspecting
Other building related fees		

Building Consents and Monitoring		2026/27
PIM (Project Information Memorandum) only applications (planning and engineering fees are additional)		\$530.00*
Project Information Memorandum (PIM) Applications for Small Stand-alone Dwelling - also known as Granny Flats		\$965.00*
Minor variation (Minor amendments)		\$310.00*
Amendment to a Building Consent	Processing and inspection costs (per hour)	At cost + \$90.00*
Waikato Waters Ltd charge		At cost
Additional Processing time		
Additional processing time over and above what is allowed for in standard fees	Per hour	\$218.00
Additional Inspection Charges		
Additional inspections, not covered by the standard fee (for re-inspections of failed inspections)	Per hour	\$218.00
Late cancellation charge for Inspections (inspection is cancelled with less than 24 hours' notice)		
Urgent Residential CCC		
Urgent Residential Code of Compliance Certificate (CCC) By request ONLY and subject to available resources - CCC will be processed within 3 working days		\$530.00
External services		
Peer review		At cost +10%
Certificate for construction over two allotments (Section 75 Building Act 2004)		
Issue a Section 75 Certificate		At cost +10%
Notice when building on land subject to a natural hazard (Section 73 Building Act 2004)		
Process a Section 73 application		At cost +10%
Applications for Certificate of Public Use (Sections 363a and 363b Building Act 2004)		
Issue a Certificate of Public Use		\$640.00
Certificate of Acceptance (CoA)		
At cost of processing (hourly rate) plus fees that would have been charged if consent had been obtained before building work commenced.		*Cost of original consent plus per hour cost (\$218.00 per hour)
Application for Exemption from Building Consent		

Building Consents and Monitoring		2026/27
Application for Exemption from Building Consent (Schedule 1, Building Act 2004)		*\$280.00
Extension of time/ Lapsing/ Refusals		
Process an extension of time		\$120.00 set fee
Lapsing of a Building Consent		
Refusal of a Building Consent / Code Compliance Certificate		
Additional Administration Costs	Additional administration costs per hour	\$120.00
Additional Building Control Officer (BCO) Costs	Additional Building Control Officer costs per hour	\$218.00
Compliance schedules		
New Compliance Schedules (Section 102 Building Act 2004)		\$260.00 plus a charge of \$123.00 per system or feature
Amendments to existing Compliance Schedule (Section 106 and 107 Building Act 2004)		
Sale of Building Consent information		
Sale of Building Consent information	Per month	\$35.00
Application for a Building Certificate		
Sale and Supply of Alcohol Act 2012, Section 100		\$290.00
Accreditation Levy		
Payable on all building consents with an estimated value of \$20,000 and over, to cover costs of meeting criteria under the Building (Accreditation of Building Consent Authorities) Regulations 2006.		\$0.75 per \$1,000.00 of project value.
Objective Build Fees - all excluding GST For period: 01/07/2026 – 01/11/2026		
Application for a Project Information Memorandum and/or Building Consent where the value of work is less than or equal to \$124,999 - set fee (including where a Project Information Memorandum reduces the value of work)		\$80.00
Application for a Project Information Memorandum and/or Building Consent where the value of work is equal to or over \$125,000.00 capped at \$2,500,000		0.075% of the value of works
Certificate of Acceptance where the value of work is less than or equal to \$124,999 - set fee		\$80.00
Certificate of Acceptance where the value of works is equal to or more than \$125,000 - set fee		\$350.00

Building Consents and Monitoring		2026/27
Project Information Memorandum (excluding Granny Flats) - set fee		\$80.00
Exemption application from a Building Consent - set fee		\$80.00
Remote Inspection fee (per inspection) - set fee <i>Note: Not all inspections can be conducted remotely</i>		\$38.00
Application for a Project Information Memorandum (PIM) for Small Stand-alone Dwellings - also known as Granny Flats		\$250.00
Objective Build Fees – all excluding GST For period: 02/11/2026 - 30/06/2027		
Application for a Project Information Memorandum and/or Building Consent where the value of work is less than or equal to \$124,999 - set fee		\$84.00
Application for a Project Information Memorandum and/or Building Consent where the value of work is equal to or over \$125,000.00 up to and including the value of \$2,499,999.00		0.075% of the value of works
Application for a Project Information Memorandum and/or Building Consent where the value of work is equal to or over \$2,500,00.00 - set fee		\$1,970.00
Project Information Memorandum Application Only (Excluding Granny Flats) - set fee		\$84.00
Application for a Certificate of Acceptance where the value of work is less than or equal to \$124,999 - set fee		\$84.00
Application for a Certificate of Acceptance where the value of works is equal to or more than \$125,000 - set fee		\$370.00
Application for an amendment to a building consent with an amendment value of work equal to or less than \$124,999.99 - set fee Note: This fee also includes where there has been a reduction in the value of work		\$84.00
Application for an amendment to a building consent with an amendment value of work equal to or over \$125,000 up to and including \$2,499,999.99 - 0.075%		0.075% of the value of works
Application for an amendment to a building consent where the value of work is equal to or over \$2,500,00.00 - set fee		\$1,970.00
Exemption application from a Building Consent - set fee		\$84.00

Building Consents and Monitoring		2026/27
Remote Inspection fee (per inspection) - set fee Note: Not all inspections can be conducted remotely		\$38.00
Application for a Project Information Memorandum (PIM) for Small Stand-alone Dwellings - also known as Granny Flats		\$250.00
Building Research Association of New Zealand (BRANZ) Levy - set by statute		
For every building consent with an estimated value of \$20,000 and over \$1.00 per \$1,000 (x0.001) is payable. (Note: GST is applicable to this levy).		\$1.00 per \$1,000.00 of project value
Building Performance (MBIE) Levy Set by Statute		
For every building consent with an estimated value of \$65,000 and over \$1.75 per \$1,000 (x0.00175) is payable. (Note: GST is applicable to this levy). For every building consent major amendment where the original consent was issued before 1 July 2024, the levies applicable at the time of the original building consent issue will apply.		\$1.75 per \$1,000.00 of project value
Building Monitoring and Compliance		
Building Warrant of Fitness – audit of existing BWOF	Set fee per visit	\$218.00
Pool Safety Inspections	Set fee per visit	\$218.00
Issuing a Notice to Fix (Section 164 and 167 Building Act 2004)	Set fee	\$450.00
Monitoring of Building Act 2004 non-compliance	Per hour	\$185.50
Amusement Devices (statutory charge)		
Fees set by Amusement Devices Regulations 1978: regulation 11, for approval to operate.		
A. One device for up to seven days	Set by Statute	\$11.50
B. Additional device for up to seven days	Set by Statute	\$2.30
C. Each device for every seven day period after first listing	Set by Statute	\$1.15

Cemeteries		2026/27
Plot fees		
Plot fee - Adult		\$3,200.00
Plot fee - Child (under the age of 14 years)		\$1,600.00
Plot fee - Single ashes		\$850.00
Plot fee - Single ashes wall		\$750.00
Plot fee - Double ashes wall		\$1,100.00
Deposit for reserved plot		50% of plot type/ value
Interment fees		
Interment fee - Adult burial		\$2,400.00
Interment fee - Child burial (under the age of 14 years)		\$1,200.00
Interment fee – Ashes in ground		\$330.00
Interment fee – Ashes wall	Includes plaque installation	\$280.00
Late interment fee	Arrival at Cemetery more than 1 hour after specified burial time. Will be charged in addition to the relevant interment charge.	\$230.00
Disinterment fee		
Disinterment fee - Adult or child		At cost plus 30%
Disinterment fee - Ashes (wall or in-ground)		\$330.00
Matamata Cemetery only		
Matamata Cemetery - Single RSA ashes wall	Wall 3	\$680.00
Matamata Cemetery - Two adjacent single plots for a double interment RSA ashes wall		\$990.00
Matamata Cemetery - Matamata Memorial Garden		\$280.00
Piako Lawn Cemetery		
Piako Lawn Cemetery - Still born (Plaque installation only – no interment)		\$160.00
Piako Lawn Cemetery - Still born (Interment only)		\$280.00
Piako Lawn Cemetery - Still born (Plaque installation and interment)		\$330.00
Te Aroha Cemetery		
Te Aroha Cemetery - Still born (Plaque installation only – no interment)		\$160.00
Additional costs (if applicable)		
Vase Installation (Ashes Walls)		\$90.00
Plaque/Memorial Installation (Ashes Walls)		\$160.00
Breaking concrete & reinstatement	Per m3 concrete and hourly rate	At cost plus 30%

Cemeteries		2026/27
Weekend fees (burial only)		\$680.00
Weekend fees (ashes only)		\$290.00
Public holiday fee (burial only)		\$900.00
Public holiday fee (ashes only)		\$520.00
Request to change reserved plot		\$65.00
Request to change warrant		\$130.00
Request to sell back reserved plot to Council		\$60.00
Admin fee for unpaid reserved plot		\$60.00
Monument permit installation fee		\$70.00
Monument permit installation fee - RSA		No charge

Communications		2026/27
Photos		
Community Groups and other organisations, where there is a benefit to Council		Free
Commercial / Other organisation	Standard Photo	\$52.00
	Panoramic Photo	\$103.00
Filming permit		
Community Groups and other organisations, where there is a benefit to Council		\$30.00
Commercial / Other organisation		\$150.00
Filming location		
Sole use of Council property for filming. Council will issue invoice and require payment upon receipt.	During work hours 8am-5pm (maximum 9 hours)	\$1,000.00 per day
	After hours 5pm-10pm (maximum 5 hours)	\$750.00 per day

Community Venues		2026/27
<p>Definition of Casual / Regular Hirer, Alcohol Served, Commercial, Non Commercial see Notes. Information about Event Facilitator Assistance see Notes. Event Facility bookings of 3 or more consecutive days will have hourly rates capped at 10 hours per day maximum. Bond waived if making 10 or more bookings per year. These bookings/ payments must be made in a single transaction.</p> <p><u>Abbreviations for MPDC Event Centres</u> Matamata-Piako Civic and Memorial Centre (MMCC) Silver Fern Farms Event Centre (SFFEC) Morrinsville Event Centre (MEC) Headon Event Centre (HEC) Open Country Community Stadium (OCCS)</p>		
Bond		
No alcohol served (Low risk)		\$200-\$1,000

Community Venues		2026/27
Alcohol served (High risk)		
Court access		
SFFEC – Number of courts x2 MEC – Number of courts x2 HEC – Number of courts x1 OCCS – Number of courts x 2		
Opening time until 6pm	Per court per hour	\$25.00
6pm until closing time	Per court per hour	\$35.00
Changing rooms	Per changing room	\$50.00
Small meeting room		
MMCC: Te Tauihu Room MEC: Committee Room		
Non-commercial	Per room per hour	\$15.00
Commercial	Per room per hour	\$30.00
Small (under 100)		
MMCC: Tainui room (40 people, theatre style) MEC: Motumaoho room (80 people, theatre style) HEC: Rose Yorke room (20 people, theatre style) OCCS: Multifunction room (30 people, theatre style)		
Non-commercial	Per room per hour	\$20.00
Commercial	Per room per hour	\$40.00
Medium (100 – 200)		
MMCC – Te Takere Room (1/3 of Hall) (150 people, theatre style) SFFEC – Seales Winslow Room, Ballance Room (100 people each room)		
Non-commercial	Per room per hour	\$25.00
Commercial	Per room per hour	\$50.00
Large (200-300)		
MMCC – Te Taurapa Room (2/3 of Hall) (250 people theatre style) SFFEC: Seales Winslow Room and Ballance Room combined (200 people theatre style)		
Non-commercial	Per room per hour	\$30.00
Commercial	Per room per hour	\$60.00
Extra Large (300+)		
MMCC – Memorial Hall (Full hall - Te Takere and Te Taurapa Rooms, including kitchen) (350 people, theatre style)		
Non-commercial	Per room per hour	\$55.00
Commercial	Per room per hour	\$110.00

Community Venues		2026/27
Whole Facility	Minimum 2 hours	
MMCC		
Non-Commercial	Hourly rate	\$90.00
Commercial	Hourly rate	\$180.00
SFFEC Includes 2 x courts, Ballance and Seales Winslow room, toilets, kitchen (changing rooms not included)		
Non-Commercial	Hourly rate	\$105.00
Commercial	Hourly rate	\$210.00
HEC		
Non-Commercial	Hourly rate	\$45.00
Commercial	Hourly rate	\$90.00
MEC		
Non-Commercial	Hourly rate	\$85.00
Commercial	Hourly rate	\$170.00
OCCS		
Non-Commercial	Hourly rate	\$55.00
Commercial	Hourly rate	\$110.00
Domain Pavilion - Te Aroha Domain		
Non-Commercial	Hourly rate	\$20.00
Commercial	Hourly rate	\$40.00
Bond for casual hirers (no alcohol served)		\$200-\$1,000 depending on event risk
Bond for casual hirers (alcohol served)		\$200-\$1,000 depending on event risk
Additional Fees		
Security/ traffic management. Council may require large or high risk events to have additional measures in place for the event		At actual cost
Replacement/loss of access card		At cost
Damage to facility		Bond plus actual cost
Carpet clean		At cost
Call out (e.g. insecure building, fire brigade). Only charged when user is at fault		At cost
Cleaning if required, where the venue is left in an unsatisfactory condition (e.g. dishes left in kitchen, significant rubbish left behind, decorations left in place)	Actual cost per hour	At cost
Set up and pack up/ Events Facilitator assistance (if required)	Per hour	\$60.00

Community Venues		2026/27
Optional additional extras		
Tea, percolator coffee, juice	Per person	\$5.00
Tablecloths (laundry included)	Per cloth	\$20.00
Stage		\$70.00
Carpet tiles - 1 court (required for all non-sport events on the courts)		\$430.00
Carpet tiles - 2 courts (required for all non-sport events on the courts)		\$675.00
Additional rubbish bins	Per bin	\$25.00
Firth Tower Historical Reserve		
General admission to reserve grounds only		No charge
General admissions to buildings and displays for individuals (is determined by the Matamata Historical Society)		See current fees at Firth Tower
Facilitated historical activities by Firth Tower staff for groups	Per activity	\$35.00
Groups / schools (including 2 non-facilitated activities)	Per person	\$5.00
Events at Firth Tower		
Photos		\$80.00
Event venue hire (funeral or wedding ceremony, photos, buildings or reserve access)	Between 9am and 5pm	\$700.00
Set up and pack up assistance (if required)	Per hour outside of opening hours	\$50.00
Heritage room hire		
Non-commercial – hourly rate	Per hour	\$20.00
Commercial – hourly rate	Per hour	\$40.00
Campervans (unpowered)	Per campervan per night	\$20.00
Campervans (powered)	Per campervan per night	\$25.00
Waharoa (Matamata) Aerodrome		
<p>The first of any of the following types of movements are charged at landing rates: landing, touch and go, approach and go. Direct bank payments must be made within 10 days or will revert to the invoiced rate. No cash option on site.</p>		
Annual landing/ movement fee - recreational users (non-commercial)	Per year	\$203.00
Recreational operator – direct credit - per landing/movement	Per day	\$21.00
Commercial operator - direct credit - per landing/ movement per day (paid by the 10 th day of the following month)	Per landing	\$32.00

Community Venues		2026/27
Recreational and commercial operator – invoiced – per landing/ movement	Per day	\$62.00
Camping		
Public camping closed. Commercial camping only granted by permission from MPDC.		
Adults		
Un-powered site	Per person/ per day	\$15.00
Powered site	Per person/ per day	\$20.00
Soaring Centre bunk room	Per person/ per day	\$15.00
Children		
Camping (under 16 years)	Per person/ per day	\$8.00

Customer Services		2026/27
Official information charges		
Time - first hour or part there of		Free
Time - after first hour	Per half hour or part thereof	\$38.00
Pages copied - first 20 A4 (or smaller) pages free	Over 20 pages/ per page	\$0.20
A3 printing, other materials, viewing arrangements		Actual cost
Access to files		
Simple file (including property owner)		\$31.00
Complex files - e.g. business or industrial establishments (including property owner)		\$67.00
Building and resource consent files		\$26.00
Recovery of file from off-site		\$72.00
Record of Title and deposited plan search (searches are performed only to satisfy Resource Consents and Building Consents requirements, we do not do general public searches)	Per title	\$36.00
Access to register information	Per month	\$23.00
Supporting documents for search (Instruments registered against the title for example encumbrances, consents notices etc.)	Each per instrument	\$15.00
Photocopying/ GIS and mapping services		
Black and white photocopying/ printing		
External A4	Per page	\$0.50
External A3	Per page	\$1.00
Colour photocopying/ printing		

Customer Services		2026/27
External A4	Per page	\$2.00
External A3	Per page	\$4.00
GIS		
GIS charge out rate	Per page	\$69.00
	Minimum charge	\$35.00
Policies, plans, bylaws, reports, agendas and minutes		
Long Term Plan, Annual Plan, Annual Report, Bylaws and all other policies, plans, agendas and minutes	Per page	See photocopying fees above
Land Information Memorandum (electronic)		
Standard Land Information Memorandum (LIM) – Residential / Rural	(10 working days)	\$380.00
Urgent Land Information Memorandum (LIM) – Residential/Rural	(5 working days)	\$530.00
Standard business/industrial establishment Land Information Memorandum (LIM)	(10 working days)	\$580.00
Printed copy of LIM charged as per Official Information charges		Charged as per Official Information charges
Additional processing charge for Water and Wastewater information	Where required	At cost
Rates Refund		
Requests to refund credit balances on rates account at time of property settlement	This fee is for any request for refund of any credit balance on the rates account	\$50.00
See Notes for Official Information charges		

General Property		2026/27
Council boardroom facilities		
If cancellation notice is received within 7 days prior to the event – no refund. Only available during Council office hours		
Interview rooms (interview rooms in Matamata, Morrinsville and Te Aroha)	Per hour	\$10.00
Boardroom hire - not including kitchen	Per hour	\$15.00
Boardroom – including kitchen	Per day	\$65.00
Boardroom - kitchen only	Per hour	\$10.00
Lease arrangement set up cost		
Lease where annual lease payments to Council are less than \$200.00		\$295.00

General Property		2026/27
Lease where annual lease payments to Council are more than \$200.00		\$600.00
Rural Community Halls		
Fees for the hireage of rural community halls are set by each respective Rural Hall Committee. Contact details for each hall can be found here		

Engineering		2026/27
Graduate Engineer	Per hour	\$186.00
Surveyor	Per hour	\$191.00
Engineering Officer	Per hour	\$208.00
Senior/Design Engineer	Per hour	\$225.00
Team Leaders	Per hour	\$246.00
Roading Manager	Per hour	\$263.00
Group Manager Infrastructure Assets and Operations	Per hour	\$273.00

Independent Commissioner		2026/27
Engaging external commissioner/s to hear an application		Actual cost
Secretarial and administrative support	Per hour	\$120.00
Staff time in preparing, organising and holding a hearing	Per hour	\$191.00
Additional equipment, materials or meeting space required for the hearing		Actual cost

Legal		2026/27
In house services (performed by Council's legal staff)	Legal per hour	\$270.00
	Administration per hour	\$120.00
External services (performed by external legal firms)		Actual cost

Libraries		2026/27
Hot picks	Per book (2 week issue only)	\$5.00
Inter loans fee – requests outside MPDC	Plus associated fees	\$10.00
Internet and email – ½ hour per person per day		No charge
Photocopying – A4 side – black and white	Self service	\$0.20

Libraries		2026/27
Photocopying – A3 side – black and white	Self service	\$0.40
Photocopying – A4 side – colour	Self service	\$1.00
Photocopying – A3 side – colour	Self service	\$2.00
Printing- black and white - per side	Self service	\$0.20
Printing - A4 page – colour – per side	Self service	\$1.00
Talking books	From	\$2.00
Borrow non-book item		Price varies
Replacement cards		\$5.00
Withdrawn books	Prices at the library manager's discretion	Charges vary between \$0.20-\$2.00
PC scanning		Actual cost
Lost books/item – replacement cost	Charge of book plus admin charge	\$16.00
Local request delivery		Actual cost
Library Merchandise and consumables		Price varies
Membership charge for non-residents from non-reciprocal districts (exemptions can be applied on a case by case basis)	Annual membership fee	\$64.00
Meeting rooms	Per hour	\$10.00
Pop-up meeting space	Per hour	\$5.00-\$10.00

Licensing and Enforcement		2026/27
Health licences - Health Act 1956 and associated regulations		
Camping grounds		\$380.00
Funeral directors		\$140.00
Mortuaries		\$315.00
Additional inspections		\$210.00
Change of ownership		\$140.00
Penalty for all registrations if not applied and paid for, by 30 June each year for camping grounds, and by 31 May each year for funeral directors and mortuaries.		\$220.00
Food Act 2014		
Food Control Plan		
Application for new registration of template food control plan		\$280.00
Application for renewal of template food control plan		\$220.00
Application for amendment of registration of template food control plan		\$215.00
Voluntary suspension of food control plan		\$215.00

Licensing and Enforcement		2026/27
*Statutory MPI Levy fee	Payable with registration and renewal of registration	\$99.19
Statutory MPI Levy Admin fee	Payable with registration and renewal of registration	\$12.65
National Programme		
Application for new registration of a national programme*		\$280.00
Application for renewal of a national programme*		\$220.00
Application for amendment of registration of a national programme		\$215.00
Voluntary suspension of a national programme		\$212.00
*Statutory MPI Levy fee	Payable with registration and renewal of registration	\$99.19
*Statutory MPI Levy Admin fee	Payable with registration and renewal of registration	\$12.65
Processing charges		
All verification activities including pre-registration assistance, annual audit, reporting non-compliance visits and any activity not specified in the schedule above (Environmental Health Officer)	Per hour	\$210.00
Administration	Per hour	\$120.00
Copies of food control plan or national programme		\$65.00
Mobile Shops		
Mobile Shops		\$330.00
Gambling venue (Class 4 consent)		
All applications that require a deposit will be charged at actual processing cost		
Application deposit	Deposit only	\$2,000.00
Noise control		
Return of seized stereo		\$200.00
Alarm deactivation/disarming		Actual cost
Alcohol Licences		
Application fee for new licences, renewals of licences and variations to licences	See schedule in the Alcohol Fees Bylaw here	
Special licenses		
Temporary authority, temporary license		
Other fees		
Manager's certificate application	Set by statute	\$316.25

Licensing and Enforcement		2026/27
Extract of register (Alcohol Regulatory and Licensing Authority or District Licensing Committee)	See schedule in the Alcohol Licensing Fees Bylaw here	

Parks and Open Spaces		2026/27
There is no GST on bonds for parks.		
If cancellation notice is received within 7 days prior to the event - no refund.		
Definition of Community Group, Sports Park, Casual Hirer, Alcohol Served, Commercial see <i>notes at end of this document</i> .		
Standard charges – all parks		
Booking fee - required per booking or group of bookings if made at one time		\$30.00
Daily charge - <i>Sports Parks</i>		\$65.00
Daily charge - this is for all other parks and reserves that are not listed as <i>Sports Parks</i> e.g. Hetana Street Reserve (Railside / The Village Green) Howie Park, Te Aroha Domain.	Does not apply to Community Groups	\$30.00
Bond for casual hirers	Per day	\$284.00
Key bond (where applicable)	Per set of keys	\$27.00
Optional extras - all parks (all users, including community groups)		
Charge per vehicle per night for booked groups on Council parks and reserves	Per vehicle per night	\$10.00
Rubbish bins, above what is normally provided in the park	Per additional bin Daily charge	\$22.00
Wedding/ event site preparation (e.g. additional mowing prior to event)		\$106.00
Power service charge (if available)	Per day	\$80.00
Gate locking/ unlocking (if required after hours/ weekends)	Per locking/ unlocking	\$80.00
Additional toilet clean		\$100.00
Commercial activities - all parks		
Hire	Daily charge	\$800.00
Building / Facilities		
For facilities such as Event Centres and Sports Stadiums, see Community Venues section		
AR Johns Building - Boyd Park, Te Aroha		
Daily charge (daily charge rates will be pro-rated on an hourly basis for regular bookings that cover one school term or a period of three months or more)	per 1/2 day (maximum 6 hours)	\$96.00
	per day	\$148.00
Bond for casual hirers (no alcohol served)	per day	\$54.00
Bond for casual hirers (alcohol served)	per day	\$284.00

Parks and Open Spaces		2026/27
Billboard Sign - Skidmore Reserve, Te Aroha		
Billboard events sign boards (includes sign and installation)		\$80.00

Resource Consents and Monitoring		2026/27
Regulatory planning charges		
Set up fee (disbursements)	Per hour	\$120.00
Administration	Per hour	\$120.00
Graduate Consents Planner / Third Year Intern	Per hour	\$186.00
Intermediate Consents Planner / Planning Guidance Officer	Per hour	\$208.00
Senior Consents Planner	Per hour	\$225.00
Team Leader Resource Consents	Per hour	\$246.00
Planning Manager / Group Manager Growth and Regulation	Per hour	\$263.00
Monitoring	Per hour	\$186.00
Planning Officer	Per hour	\$186.00
Team Leader Consents Engineer	Per hour	\$246.00
Consents Engineer	Per hour	\$208.00
Senior Consents Engineer	Per hour	\$225.00
Legal In House: Refer legal section in fees and charges		
External consultants (e.g. processing planner/engineer)		Actual cost plus 5%
Technical reports (e.g. peer review)		
Commissioners – independent		
Commissioners – Councillors - In accordance with Remuneration Authority Act 1977		Actual cost
Venue hire		Actual cost
Reports requested by commission		Actual cost plus 5%
Pre-lodgement meetings		First 30 minutes free. Thereafter charged at the officer's hourly rate.
Sale of planning consent information	Per month	\$82.00
Consent deposits and set fees		
All applications that require a deposit will be charged at actual processing costs		
Minor subdivision 1-9 lots	Deposit	\$4,108.00

Resource Consents and Monitoring		2026/27
Major subdivision 10+ lots	Deposit	\$9,243.00
Land Use		
For breaches of development controls (such as household recreation space and site coverage)	Deposit (includes 1 hour of monitoring)	\$2,500.00
Vehicle crossing only	Deposit (includes 1 hour of monitoring)	\$1,027.00
Combined minor subdivision and land use	Deposit	\$4,108.00
Combined major subdivision and land use	Deposit	\$10,270.00
Peat hazard land use consent - including monitoring		No charge
Second hand building land use consent - including 1 hour deposit for monitoring	Set fee	\$1,310.00
Permitted boundary activities	Set fee	\$500.00
Marginal and temporary activities	Deposit	\$1,000.00
Front yard encroachment land use consent (only applies where written approval from the affected parties are submitted with the application and there are no other matters of non-compliance - includes 1 hour deposit for monitoring)	Set fee	\$1,310.00
Limited notified applications (in addition to other deposits)	Deposit	\$9,245.00
Publicly notified applications (in addition to other deposits)	Deposit	\$6,162.00
Public or limited notified applications requiring a hearing	Deposit	\$10,270.00
Boundary adjustments	Deposit	\$2,054.00
Land Transfer Plan Approval Fee (s223 RMA)	Deposit	\$515.00
Approval of consent conditions (s224 RMA)	Deposit	\$1,027.00
Extensions of time (s125 RMA)	Deposit	\$1,541.00
Variations or cancellation of a consent condition (s127 RMA)	Deposit	\$1,541.00
Variations or cancellation of a consent notice (s221 RMA)	Deposit	\$1,541.00
Release of minor works bond	Deposit	\$514.00
Cancellation or variation of easements, building line restrictions and cancellation of compulsory amalgamations conditions (s241 and s243 RMA)	Deposit	\$1,541.00
Easements not requiring subdivision consent (s348 LGA)	Deposit	\$1,541.00
Surrender of consent	Deposit	\$515.00

Resource Consents and Monitoring		2026/27
Surrender of consent as required by a condition of consent	Set fee	\$250.00
Designation or heritage order	Deposit	\$3,090.00
Alteration of designation or heritage order	Deposit	\$3,090.00
Outline plan (s176a RMA)	Deposit	\$1,545.00
Outline plan waiver	Deposit	\$515.00
Certificate of compliance (s139 RMA)	Deposit	\$1,545.00
Existing Use Rights Certificate (s139A RMA)	Deposit	\$5,135.00
Alcohol licensing certificate for a new premises	Set fee	\$415.00
Alcohol licensing certificate for an existing premises	Set fee	\$160.00
Building consent processing – refer building consents and monitoring section		Hourly rates
All other functions under the RMA – refer regulatory planning charges		Hourly rates
Vehicle entrances - see Roading		
Note: Please note that any costs incurred by Waikato Waters Ltd will be in addition to those noted below and may be charged with the Resource Consent		At cost

Roading		2026/27
Overweight/ high productivity vehicle permit application		
Note: Any fees and charges that may be applicable for new overweight licensing requirements will be addressed at the time any new requirements come into force.		
Processing of permit - no supervision	Per permit	\$130.00
Processing renewal of existing permit	Per permit	\$61.00
Additional supervision cost	Per permit	\$300.00
Non notification which includes pavement and structural investigation work		\$774.00
RAPID number		
New RAPID number		No charge
Replacement of a RAPID number		No charge
Roading events - non road closure		
Application - fundraising/ community events		\$31.00
Application - private events		\$130.00
Roading events - road closures (including advertising)		
Closures requiring calls for submissions:		
Fundraising/community events		\$534.00

Roading		2026/27
Private events		\$654.00
Closures not requiring calls for submissions:		
Private events/ utility work		\$534.00
Corridor access requests (CAR)		
Application fee		
Standard CAR		\$257.00
Works Access Permit (WAP)(TMP) / Date extension/review		\$90.00
Project work (exceeding 28 days)		\$565.00
Generic Traffic Management Plan (TMP) (multiple sites up to a period of 12 months)		\$680.00
Further inspections due to non-compliance	Per inspection	\$219.00
Non-notification cost		\$758.00
Late completion of works or failure to return sites to pre-existing conditions as per Council requirements and Utilities Code		\$200.00
Additional management and administration fees including meetings, site visits and administration work		\$200.00
Issuing Stop Works Order		\$250.00
Vehicle Crossings		
Application for a new/ upgraded vehicle crossing not part of a subdivision or building consent		\$416.00
CAR / TMP processing	Per entrance	\$128.00
Further inspections due to non-compliance	Per inspection	\$195.00
Stock underpasses (also refer building section)		
Applications (including all inspections)		\$981.00
Further inspections due to non-compliance	Per inspection	\$219.00
Fence permits		
Applications (including first inspection)		No charge
Further inspections due to non-compliance	Per inspection	\$219.00
Stock permits		
Applications (including first inspection)		No charge
Further inspections due to non-compliance	Per inspection	\$219.00
Abandoned vehicles		
Vehicles taken into custody (where owner can be identified)	For towing and storage (if required)	Actual cost
Disposal fee (where owner can be identified)	For towing and storage (if required)	Actual cost

Rubbish and Recycling		2026/27
<p>Transfer stations are located in Matamata, Morrinsville and Waihou. Charges based on weight rather than volume. All vehicles pass over a weigh bridge and fee applied according to weight of refuse or green waste. Minimum charge applied for small loads.</p>		
Replacement / delivery of bin:		
25 litre food waste bin	Included in targeted rates	Free
120 litre wheelie bin for refuse collection fortnightly	Included in targeted rates	Free
240 litre wheelie bin for recyclables	Included in targeted rates	Free
45 litre glass crate	Included in targeted rates	Free
Upon request to join kerbside collection service		
Provision of the following (including delivery)		The fee is charged at a varying rate based on 1/12th of the kerbside collection targeted rate for the current year multiplied by the number of full months to June that the service will be provided. The property will be rated for the service from the following year.
25 litre food waste bin		
120 litre wheelie bin for refuse collection		
240 litre wheelie bin for recyclables		
45 litre glass crate		
Transfer Station Fees		
Sorted and approved recyclables - Cardboard, clean glass, aluminium and tin cans, plastics (grades 1, 2 and 5, no motor oil or chemical containers).		Free
Commercial quantities will only be accepted by prior arrangement with management		Per tonne
Refuse		
Minimum charge 0-20kg		\$7.50
Charged by weight		Per tonne
Green waste		
Minimum charge 0-40kg		\$7.00
Charged by weight		Per tonne
Scrap steel		
Ute/ station wagon/ single axle trailer/ tandem axle/ high side trailer/ commercial		No charge
Electronic waste		
Desktop computer, server (box only), modem, keyboard, small peripherals		No charge

Rubbish and Recycling		2026/27
Fluorescent tubes, speakers (per unit)		\$5.00
DVD/CD/VCR player, stereo system, gaming console, laptop, small printer, scanner, fax, microwave		\$7.00
LCD Computer monitor		\$12.50
CRT Computer monitor, Plasma/LCD TV (flat screen)		\$22.50
CRT TV		\$33.00
Other recyclable charges - these apply to all three transfer stations		
Charges per type		
End of life tyres from consumers (up to 5 at a time)		Free
Car Batteries		Free
Whiteware	Additional charge for items requiring degassing will be payable as below	Free
Degassing of fridges, freezers, air conditioning units as required under the Ozone Layer Protection Act 1996 and Climate Change Response Act 2002	Per item	\$16.00
Hazardous waste - domestic quantities (0-10 litres), including solvents (original label), cleaning fluids (original label), paints, and cooking oil. Fertilisers, herbicides and pesticides may also be disposed of in a sealed container with original label.		\$22.50
Automotive Waste Oil	Up to 20 litres. Must have original labels.	Free
Weigh only		\$10.00
Public bins		
Illegal dumping - recovery and disposal		At cost

Strategies and Plans		2026/27
Private plan changes		
Private plan changes	Deposit	\$30,000.00
Administration fee	Per hour	\$120.00
Graduate RMA Policy Planner	Per hour	\$180.00
RMA Policy Planner	Per hour	\$201.00
Senior RMA Policy Planner	Per hour	\$218.00
Team Leader RMA Policy Planner		\$238.00
Planning Manager / Group Manager Growth and Regulation	Per hour	\$255.00
Consultant Planner	Per hour	Actual cost plus 5%
Legal		
In house: Refer legal section in Fees and Charges		
External consultants		Actual cost plus 5%
Commissioners – independent		Actual cost plus 5%
Commissioners – Councillors - In accordance with Remuneration Authority Act 1977		Actual cost
Venue hire		Actual cost
Reports requested by commission		Actual cost plus 5%
All photocopying and postage will be charged as per Customer Services fees and charges		

Swimming Pools		2026/27
Single entry		
Child (under 16 years)	Single swim	\$5.00
Adult (16 years +)		\$8.00
Senior (65 years +)		\$7.00
Family pass 2 adults or seniors and up to 3 children		\$25.00
Shower only		\$5.00
Spa (where facilities are available)		In addition to entry fee \$2.00
Concession cards (pool entry)		
Child (under 16 years)	10 swims	\$42.00
	20 swims	\$80.00
	30 swims	\$112.00
Adult (16 years +)	10 swims	\$68.00
	20 swims	\$128.00
	30 swims	\$180.00

Swimming Pools		2026/27
Senior (65 years +)	10 swims	\$59.00
	20 swims	\$112.00
	30 swims	\$157.00
Membership (pool entry)		
Child (under 16 years)	3 month	\$117.00
	6 month	\$182.00
	12 month	\$286.00
Adult (16 years +)	3 month	\$187.00
	6 month	\$291.00
	12 month	\$458.00
Senior (65 years +)	3 month	\$164.00
	6 month	\$255.00
	12 month	\$400.00
Swimzone Morrinsville 4 month membership	Child	\$140.00
	Adult	\$255.00
	Senior	\$220.00
SZTA No.2 Bath House		
Public session*	Per person	\$8.00
Private session*	Per person	\$20.00
SZTA No.2 Bath House (public sessions*) and pool/ outdoor spa combo		
Child (under 16 years)		\$13.00
Adult (16 years +)		\$16.00
Senior (65 years +) and Active Health		\$15.00
Family pass 2 adults or seniors and up to 3 children		\$57.00
No. 2 bath house sessions (30 minutes, minimum 2 - maximum 10 persons per session)		
School groups		
All schools within the district	Per child/swim	\$3.00
Out of district schools	Per child/swim	\$4.50
Amateur swimming clubs		
Squad member (pool entry) 6 months (school aged only)		\$155
Squad member (pool entry) 12 months (school aged only)	Valid only during squad training session times	\$243
Hire (bookings essential)		
Lane hire	Per lane per hour	\$20.00
Inflatable hire for private bookings (Includes additional lifeguard)	Hire per hour where available	\$50.00
Barbeque hire	Per hour	\$20.00

Swimming Pools		2026/27
Full pool hire	Per hour per pool	\$100.00
Customer & lifeguard numbers will be calculated by the level of risk and approved by Swim Zone management. Lifeguard ratios are 1:40. An additional lifeguard is required if ratios are exceeded.	Over the 1:40 ratio additional lifeguard per hour	\$35.00
Aqua Group Fitness		
Per session		\$8.50
Concession card	10 sessions	\$72.00
	20 sessions	\$136.00
	30 sessions	\$191.00
Active Health club rehabilitation (access to exercise equipment and staff assistance)		
Child (under 16 years) Includes spa	Restricted hours of use and current medical certificate apply	\$4.00
Adult (16 years +) Includes spa		\$7.00
Senior (65 years +) Includes spa		\$6.00
Summer Swim Card (school aged children)	6 weeks of summer school holiday	\$65.00
Little Swimmer sessions	Children under 5 years	\$5 per child, one adult 16+ years swims free
Active Health concession rates		
Child (under 16 years)	General	\$4.00
	10 sessions	\$34.00
	20 sessions	\$64.00
	30 sessions	\$90.00
Adult	General	\$7.00
	10 sessions	\$59.00
	20 sessions	\$112.00
	30 sessions	\$158.00
Senior	General	\$6.00
	10 sessions	\$51.00
	20 sessions	\$96.00
	30 sessions	\$135.00

Wastewater		2026/27
These fees and charges will be set and collected by Council. From 1 October 2026 the funds collected will be transferred to Waikato Waters Ltd.		
Trade Waste application fees		
Permitted/ Controlled Discharge	per application	\$312.00
Conditional Consent (covering first 6 hours work)	per application	\$937.00
Hourly rate for applications, additional hours (per hour)	per hour	\$156.00
Temporary Discharge	per application	\$312.00
Renewal Fee for permitted or conditional Trade Waste Consents (plus any inspection costs)	per application	\$156.00
Variation / Change of Details Request for Trade Waste consents (plus additional hourly rate for more than 30 minutes time noting that site inspection charges may also apply)		\$78.00
Special trade waste agreements, variations or renewals. Actual costs recovered including but not limited to consultant or legal fees		Actual cost
Site inspection fees		
Permitted/Controlled Discharge - Site Inspection/Audit	per site visit	\$234.00
Conditional Consent - Site Inspection/Audit	per site visit	\$312.00
Temporary Discharge - Site Inspection/Audit	per site visit	\$312.00
Non-Compliance - Site Inspection/Audit	per site visit	\$468.00
Annual fees		
Permitted		No charge
Permitted Audited		\$156.00
Special		As per tradewaste agreement
Conditional/Special - Risk Class 2	Cost of any independent monitoring (sampling and analysis) is recovered through a separate fee	\$1,495.00
Conditional/ Special - Risk Class 3	Cost of any independent monitoring (sampling and analysis) is recovered through a separate fee	\$2,465.00
Tankered Waste administrative charge		\$957.00
Other fees		
Temporary discharge	Cost of any independent monitoring (sampling and analysis) is recovered through a separate fee.	\$277.00

Wastewater		2026/27
Independent Monitoring	per sample collection	\$289.00
Tankered waste	The fixed tankered waste charge shall be calculated using a set fee per cubic metre	\$47.00 per m3
Other tradewaste charges are as per individual tradewaste agreements		

Water		2026/27
These fees and charges will be set and collected by Council. From 1 October 2026 the funds collected will be transferred to Waikato Waters Ltd.		
District wide tanker fill points	Per M ³	\$8.00
	Initial registration	\$415.00
	Annual review	\$140.00
Backflow maintenance and annual testing		Actual cost plus admin fee of 10%
Meter administration fees		
Re-connection fee		At cost
Disconnection fee		At cost
Connection/installation fee		At cost

Note: the fees below reflect the previous year and will be updated following the adoption of the new fees separately.

Development and Financial Contributions		2026/27
<u>Development Contributions</u>		
<p>In accordance with section 106 of the Local Government Act 2002, the development contribution fees for 2025/26 set out below have been increased by an amount not exceeding the result of multiplying together:</p> <ul style="list-style-type: none"> (i) the rate of increase (if any) in the PPI since the development contribution was last set or increased; and (ii) the proportion of the total costs of capital expenditure to which the development contribution will be applied that does not relate to interest and other financing costs. <p>The rate for the Producer Price Index for construction (PPI), as at 31 March 2025 is 1.73%</p> <p>To view the full methodology demonstrating how the calculations for the development contributions were made, please see our Development Contributions Policy here</p>		
<u>Financial Contributions</u>		
<p>Financial contributions have been increased by PPI of 1.73%</p> <p>To view the provisions of the District Plan that relate to financial contributions, please see the District Plan, Part B Section 7 here</p>		
Matamata		
<u>Development contributions</u>		
Time Period / Relevant Policy	Activity	Fee
2024 to 2027 LTP 2024-34 Development Contributions Policy	Roading	\$1,916.24
	Stormwater	\$ -
	Wastewater	\$11,739.38
	Water	\$359.88
2021 to 2024 LTP 2021-31 Development Contributions Policy	Roading	\$7,802.41
	Stormwater	\$780.50
	Wastewater	\$13,294.00
	Water	\$6,637.88
2018 to 2021 LTP 2018-28 Development Contributions Policy	Roading	\$5,353.96
	Stormwater	\$610.60
	Wastewater	\$9,741.70
	Water	\$5,209.70
2015 to 2018 LTP 2015-25 Development Contributions Policy	Roading	\$2,723.40
	Stormwater	\$3,097.83
	Wastewater	\$6,423.17
	Water	\$4,629.02
2012 to 2015 LTP 2012-22 Development Contributions Policy	Roading	\$2,818.55
	Stormwater	\$2,821.58

	Wastewater	\$5,579.54
	Water	\$4,503.83
Financial contributions		
Relevant Document	Activity	Fee
District Plan Part B, Section 7	Parks/reserves	\$1,717.74
Morrinsville		
Development contributions		
Time Period / Relevant Policy	Activity	Fee
2024 to 2027 LTP 2024-34 Development Contributions Policy	Roading	\$1,111.69
	Stormwater	\$ -
	Wastewater	\$13,432.96
	Water	\$2,281.36
2021 to 2024 LTP 2021-31 Development Contributions Policy	Roading	\$2,671.11
	Stormwater	\$ -
	Wastewater	\$9,210.38
	Water	\$7,122.86
2018 to 2021 LTP 2018-28 Development Contributions Policy	Roading	\$2,316.52
	Stormwater	\$ -
	Wastewater	\$7,821.70
	Water	\$4,938.85
2015 to 2018 LTP 2015-25 Development Contributions Policy	Roading	\$3,537.63
	Stormwater	\$428.61
	Wastewater	\$4,275.26
	Water	\$3,619.90
2012 to 2015 LTP 2012-22 Development Contributions Policy	Roading	\$2,971.18
	Stormwater	\$2,014.49
	Wastewater	\$8,727.32
	Water	\$2,059.37
Financial contributions		
Relevant Document	Activity	Fee
District Plan Part B, Section 7	Parks/reserves	\$1,717.74
Te Aroha		
Development contributions		
Time Period / Relevant Policy	Activity	Fee
2024 to 2027 LTP 2024-34 Development Contributions Policy	Roading	\$58.22
	Stormwater	\$ -

	Wastewater	\$116.43
	Water	\$359.88
2021 to 2024 LTP 2021-31 Development Contributions Policy	Roading	\$1,284.21
	Stormwater	\$ -
	Wastewater	\$1,664.96
	Water	\$31.44
2018 to 2021 LTP 2018-28 Development Contributions Policy	Roading	\$1,134.33
	Stormwater	\$ -
	Wastewater	\$3,821.66
	Water	\$38.39
2015 to 2018 LTP 2015-25 Development Contributions Policy	Roading	\$826.05
	Stormwater	\$2,559.57
	Wastewater	\$4,843.78
	Water	\$2,743.42
2012 to 2015 LTP 2012-22 Development Contributions Policy	Roading	\$2,927.43
	Stormwater	\$4,670.66
	Wastewater	\$7,626.52
	Water	\$3,769.53
Financial contributions		
Relevant Document	Activity	Fee
District Plan Part B, Section 7	Parks/reserves	\$1,717.74

Notes	
Alcohol served	Serving alcohol at Council facilities is subject to licensing requirements under the Sale and Supply of Alcohol Act 2012 and/ or obtaining permission from Council.
Casual/ regular hirers	Regular hirers are those who make regular bookings that cover one school term or a period of three months or more. Regular hirers are not required to pay a bond. All other hirers are classified as casual hirers.
Commercial	Any other entities not covered above
Community Group/ Non Commercial	A not for profit organisation that provides services that are of benefit to the community, including the provision, promotion or facilitation of: <ul style="list-style-type: none"> - public health or wellbeing, - social advisory or rehabilitation services, - sports or recreational activities, - public amenities or recreational facilities, - the protection or enhancement of the environment, - the protection of human life, - the relief of poverty, - the advancement of education (e.g. schools) or religion, - animal welfare, - public works or services, - the efficiency of the armed forces
Event Facilitator assistance	Available during events. Please contact the Events and Promotions Coordinator to discuss your requirements and rates. Rates depend on the size of the event and set up requirements.
Sports Parks	The following parks are classified as sports parks: <ul style="list-style-type: none"> - Matamata: Matamata Domain, Pohlen Park, Swap Park - Morrinsville: Morrinsville Recreation Ground, Wiseley Reserve - Te Aroha: Boyd Park, Herries Park, Waihou Recreation Reserve
Official Information Charges	<p>The Local Government Official Information and Meetings Act 1987 (Act) requires us to make available certain information which we hold. The Act also makes provision for us to make a charge for the information supplied but this charge must be reasonable and is for the cost of labour and materials involved in making the information available. If the request expresses urgency, then the Council may have to use additional resources to gather the information promptly and the Act permits the Council to charge for these extra resources. If there is a charge for information we will advise you of the likely charges before we commence processing the request and will give you the opportunity to decide whether or not to proceed with the request. In such cases we may also require that the whole or part of any charge be paid in advance before commencing to process the request. If the time taken to process the information and/or the number of copies supplied is only a small margin over the 'free' allowance, we may use our discretion as to whether any charge should be made.</p> <p>Where repeated requests are made by the same person or group in respect of a common subject over intervals of up to eight weeks we will aggregate these requests for charging purposes. This means that the second and subsequent requests will not be subject to one hour of free time and 20 free standard A4 (or smaller) photocopies.</p>

Notes	
	<p>The charge represents a reasonable fee for the cost of providing information. It may include (but is not limited to) time spent:</p> <ul style="list-style-type: none"> • in searching an index to establish the location of the information • in locating and extracting the information from the place where it is held • in reading or reviewing the information • in supervising the access to the information. <p>Under the Act we are not permitted to charge for:</p> <ul style="list-style-type: none"> • locating and retrieving information which is not where it ought to be • time spent deciding whether or not access should be allowed, and in what form. <p>The liability to pay any charge may be modified or waived at the discretion of the delegated officer receiving the request. Such decisions should have regard to the circumstances of each request. However, it would be appropriate to consider:</p> <ul style="list-style-type: none"> • whether payment might cause the applicant hardship • whether remission or reduction of the charge would facilitate good relations with the public or assist the department in its work • whether remission or reduction of the charge would be in the public interest because it is likely to contribute significantly to public understanding of, or effective participation in, the operations or activities of the government, and the disclosure of the information is not primarily in the commercial interest of the requester. <p>Charges are set in accordance with Ministry of Justice, Charging Guidelines for Official Information Act 1982 Requests (2002) and the Ombudsman's guide to charging for official information under the OIA and LGOIMA released June 2016. If an identifiable natural person seeks access to personal information about that person then the request is governed by the Privacy Act 2020 and these charges do not apply. Information that is already publicly available (for example at our libraries and offices or on our website is not subject to the Act, and normal charges apply to the supply of this information. A person who makes a request for information under the Act may make a complaint to the Office of the Ombudsmen regarding our decision regarding supply of that information.</p>

7 Pūrongo me whakatau | Decision Reports

7.3 Local Easter Sunday Shop Trading Policy - Deliberations and Adoption

CM No.: 3158383

Te Kaupapa | Purpose

The purpose of this report is to seek direction on the adoption of the updated Local Easter Sunday Shop Trading Policy after consideration of the recent consultation.

Rāpopotonga Matua | Executive Summary

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Local Easter Sunday Shop Trading Policy (Policy) from 16 March to 19 April 2026 alongside several other documents.

61 submissions were received on the draft Local Easter Sunday Shop Trading Policy. This report provides information on the submissions received and themes identified.

Based on feedback received it is recommended Council consider if any amendments are required to the draft Local Easter Sunday Shop Trading Policy prior to adoption.

Tūtohunga | Recommendation

That:

1.

- a) The information be received.
- b) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- c) Council adopts the Local Easter Sunday Shop Trading Policy 2026 as attached (with no changes arising from the consultation) including an updated map, to come into force 1 July 2026.
- d) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Local Easter Sunday Shop Trading Policy 2026 (if required).
- e) Council's decision on the Local Easter Sunday Shop Trading Policy 2026 be notified to submitters and the public and be made available on Council's website.

OR

2.

- a) The information be received.
- b) Council requests staff provide additional information and/or explore further options and present an amended Local Easter Sunday Shop Trading Policy 2026 document to the Council meeting on 27 May 2026.
- c) Council notes that any significant changes may require further community consultation.

Horopaki | Background

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

In 2016, the Shop Trading Hours Act was amended through the Shop Trading Hours Amendment Act 2016 to allow territorial authorities to adopt a local policy to permit shops in their district (or parts of the district) to open on Easter Sunday. A policy can be developed which determines whether to allow shop trading on Easter Sunday across the entire district or in certain towns/areas and must include a map of the area within the policy.

Review

The Policy is required to be reviewed every five years using the special consultative procedure under the Local Government Act 2002 (LGA). Although the last review occurred in 2022 and the next is not due until 2027, the review has been brought forward due to the upcoming Long Term Plan project, to optimise the use of staff resources by reducing competing priorities during that process.

Consultation

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Policy from 16 March to 19 April 2026 alongside several other documents.

Consultation information such as the Statement of Proposal and draft Local Easter Sunday Shop Trading Policy 2026 can be found [here](#).

Ngā Take/Kōrerorero | Issues/Discussion

The options presented to the community were:

Option 1: Adopt the draft Local Easter Sunday Shop Trading Policy 2026 as proposed to the community (**this is Council's preferred option**). The Policy would be amended as proposed to reflect minor amendments and businesses would continue to choose whether or not to open on Easter Sunday.

Option 2: Amend the Policy to apply to only parts of the district. Easter Sunday trading would be permitted only in specific areas (these would need to be determined).

Option 3: Revoke the current Policy. The district would revert to the default position under the Shop Trading Hours Act 1990, which prohibits shops from opening on Easter Sunday unless they fall under specific statutory exemptions (e.g. dairies, service stations, pharmacies, garden centres).

Option 4: Other.

Summary of Decision-Making Pathway

In reaching its preferred position, Council has considered the cultural, social, economic and employment implications of Easter Sunday shop trading, alongside community feedback received over prior consultation rounds. Easter Sunday holds cultural and religious significance for many residents, while also representing an important trading period for local businesses, tourism and hospitality. Employee protections under employment legislation have remained a key consideration throughout, recognising both the legal right to refuse work and the potential for perceived pressure in practice.

Council has consulted the community on Easter Sunday trading on two occasions. Initial district-wide consultation in 2017/18 resulted in the adoption of the current policy allowing trading, reflecting divided but broadly balanced community views. A subsequent review in 2022 showed a

clearer majority of submitters supporting the continuation of trading, emphasising business choice, worker rights, and the district’s increasingly diverse and secular character, while still acknowledging concerns about religious observance, family time and worker wellbeing. Taken together, this feedback demonstrates consistent engagement with the community over time and has informed Council’s preferred option as a balanced response to varying values and interests within the district.

Submission Themes

The Council Hearing of Submitter Report, included earlier in this agenda contains all submissions received in full.

This report provides a brief overview of those submissions and the options available for Council’s consideration.

61 submissions were received and one submitter indicated they want to be heard at the Hearing.

Overall feedback received was as follows:

- Option 1: Adopt the draft Policy (allowing shops to choose whether to open) – 37 submissions in support (61%)
- Option 2: Retain the status quo – 0 submissions in support
- Option 3: Revoke the Policy – 20 submissions in support (33%)
- Option 4: Other – 4 submissions in support (6%)

Submissions focused on business choice and flexibility, as well as religious observance, family time, and employee wellbeing. The public preferred option is Option 1: adopt the draft Policy.

Amendments

The only minor amendment made is an updated map of the District to be clearer/more readable.

Mōrearea | Risk

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

Ngā Whiringa | Options

The options are outlined below.

Option One – Adopt the Local Easter Sunday Shop Trading Policy 2026/27 as consulted on with an updated map (recommended)	
Advantages	Disadvantages
Local Easter Sunday Shop Trading Policy adopted within the legislative timeframe for review.	May continue to be viewed by some in the community as inconsistent with the cultural and religious significance of Easter Sunday.
Reflects consultation feedback and provides continuity with the existing policy, which has been in place since 2018.	The issue remains divisive, and adopting the policy may not satisfy all community viewpoints.
Provides certainty and clarity for businesses,	

employees, and consumers.	
Supports business flexibility and the local economy during a peak visitor period while retaining employee rights.	

Option Two – Request additional information from staff and/or explore further options	
Advantages	Disadvantages
Allows more opportunity for further amendments to the Local Easter Sunday Shop Trading Policy.	None identified.

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

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

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

- a) amend the policy; or
- b) revoke the policy; or
- c) replace the policy; or
- d) continue the policy without amendment.

Case Law

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

- It failed to properly engage with affected stakeholders.
- It did not provide enough information for meaningful feedback.

Key implications include:

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

Mitigations:

The following was undertaken to mitigate implications raised by this case:

- Sufficient time was allowed for submissions including being mindful of the Easter period (the Easter period fell within the consultation dates as scheduled). However, the consultation was open longer than the minimum statutory period and communications over the Easter period helped to promote the opportunity to provide feedback.
- Proactively engaged with key stakeholders (employees, unions, churches, community groups, businesses) using multiple channels.

- Provided balanced information on economic benefits and social impacts, including workers’ choice provisions.
- Documented all outreach efforts and responses to demonstrate compliance with LGA consultation principles (section 82).

Local Government Act 2002 (LGA) Decision-making requirements

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

- The proposed changes are minor, and the policy position hasn’t changed (i.e. to allow all shops to open if they choose on Easter Sunday), however there are polarised views and high public interest.
- The Policy affects a wide range of businesses and employees across the district (and also customers).
- Case law establishes that Council must give due consideration to engaging with affected parties and following due process.
- Engagement is important to maintain transparency and trust.

Regardless of significance, consultation is mandatory under the Shop Trading Hours Act 1990 using the Special Consultative Procedure in the Local Government Act 2002 and has been undertaken in accordance with the legislation.

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed in the Statement of Proposal, linked earlier in this report.
Section 78 – requires consideration of the views of Interested/affected people	Targeted consultation has been undertaken, e.g. faith-based groups, unions, business association/Chambers.
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.	The special consultative procedure was used during the consultation and section 82 principles followed.

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





For a full breakdown of the communications and engagement that was undertaken as part of this consultation, please see the Council Hearing of Submitters Report earlier in this agenda.

Timeframes

Key Task	Dates
Council considers the submissions for the draft Local Easter Sunday Shop Trading Policy 2026.	13 May 2026
Council adopts the Local Easter Sunday Shop Trading Policy 2026.	13 May 2026 (or at a later date as specified by Council)
Local Easter Sunday Shop Trading Policy comes into force.	1 July 2026

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

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

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

The community outcome relevant to this report is as follows:

- He wāhi puawaitanga | A place to thrive.

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

The review of Council's Local Easter Sunday Shop Trading Policy is provided for under existing budgets within the Strategies and Plans activity.

Ngā Tāpiritanga | Attachments

[A↓](#). Draft Local Easter Sunday Shop Trading Policy - for Adoption (13 May 2026)



Ngā waitohu | Signatories

Author(s)	Josephine Jansonius Kairuruku Ako me te Whakawhanake Policy Officer	
	Anne Gummer Kaitohu Kaupapahere Mātāmua Senior Policy Advisor	

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	



Te kaupapahere o te Wā Hokohoko o Te Aranga 2026 | Local Easter Sunday Shop Trading Policy 2026

DRAFT – FOR ADOPTION

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	3164251
Resolution Date	TBC
Policy Effective From	1 July 2026 TBC
Policy Supersedes	Local Easter Sunday Shop Trading Policy 2022
Review Frequency	Five-yearly or as required by Council or legislative changes.
Review Date	1 July 2031 TBC
Engagement Required	Special Consultative Procedure (Local Government Act 2002)



1. Te Kaupapa | Purpose

- 1.1 The purpose of the Local Easter Sunday Shop Trading Policy (Policy) is to enable *Shops* to trade on Easter Sunday if they choose to.
- 1.2 This Policy aims to meet demand for *Goods* and services from visitors and residents in the *Matamata-Piako District* during the Easter Holiday weekend.

2. Te marau me te tīmatanga | Title and Commencement

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

3. Horopaki | Background

- 3.1 The *Act* provides for restricted trading days, including Easter Sunday. The *Act* allows *Shops* selling certain types of *Goods* to remain open on the restricted trading days.
- 3.2 Types of *Shops* that can remain open on the restricted trading days include:
 - a) Dairies;
 - b) Service stations;
 - c) Pharmacies;
 - d) Take away bars;
 - e) Restaurants;
 - f) Cafes;
 - g) Souvenir stores; and
 - h) Garden centres.
- 3.3 *Shops* that are already permitted to trade on restricted trading days under Section 4 of the *Act* may continue to do so. This Policy additionally permits all other *Shops* in the *Matamata-Piako District* to open on Easter Sunday.

4. Te whakamana o te whakaturetanga | Enabling Enactments

- 4.1 This Policy is made under Part 2 (Subpart 1) of the *Act*, which allows councils to adopt a local policy permitting *Shops* to open on Easter Sunday.

5. Raupapa mahi | Scope

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

that this decision does not result in any disadvantage or repercussions for the employee's employment relationship.

- 5.3 This Policy neither requires *Shops* to open, nor individuals to browse or purchase *Goods* on Easter Sunday.
- 5.4 Enforcement of Easter Sunday *Shop* trading is undertaken by central government, currently by the Ministry of Business, Innovation and Employment (MBIE), under the *Act*. *Council* does not have enforcement powers under this Policy.

6. Kaupapahere I Policy

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

7. Te Arotakenga I Review

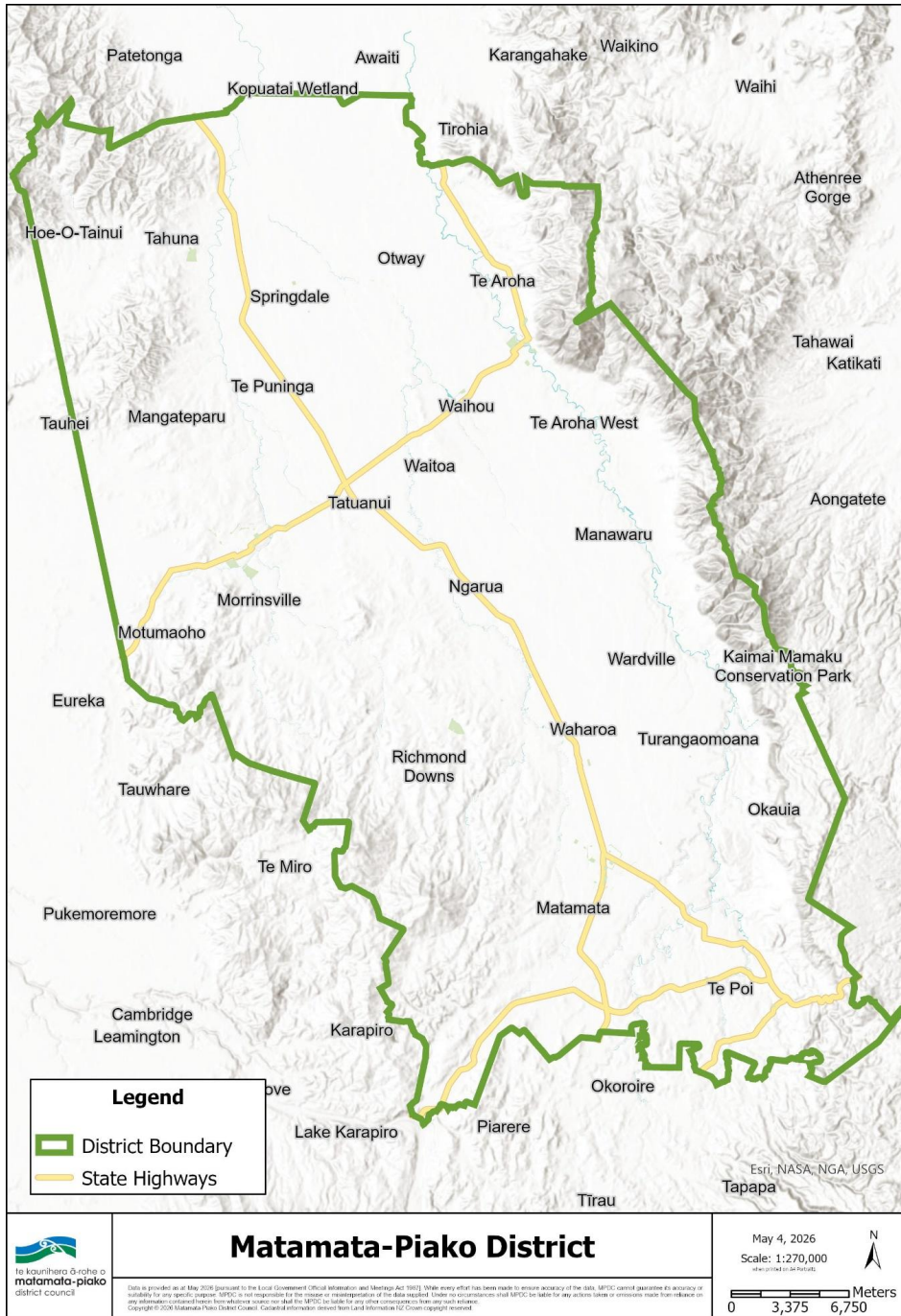
- 7.1 This Policy is a statutory review of the Local Easter Sunday Trading Policy 2022.
- 7.2 The *Act* requires that the Local Easter Sunday Shop Trading Policy must be reviewed no later than five years after the date on which it is adopted. Section 5C(4) of the *Act* requires the use of the Special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

8. Ngā Tautuhinga I Definitions

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

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

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



7 Pūrongo me whakatau | Decision Reports

7.4 Rates Remission and Postponement Policy - Deliberations and Adoption

CM No.: 3158385

Te Kaupapa | Purpose

The purpose of this report is to seek direction on the adoption of the Rates Remission and Postponement Policy after consideration of the recent consultation.

Rāpopotonga Matua | Executive Summary

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Rates Remission and Postponement Policy (Policy) from 16 March to 19 April 2026 alongside several other documents.

Five submissions were received on the draft Policy. This report provides information on the submissions received and themes identified.

Based on feedback received it is recommended Council consider if any amendments are required to the draft Rates Remission and Postponement Policy prior to adoption.

Tūtohunga | Recommendation

That:

1.

- a) The information be received.
- b) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- c) Council adopts the Rates Remission and Postponement Policy as attached (with no changes arising from the consultation), to come into force 1 July 2026.
- d) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Rates Remission and Postponement Policy (if required).
- e) Council's decision on the Rates Remission and Postponement Policy be notified to submitters and the public and be made available on Council's website.

OR

2.

- a) The information be received.
- b) Council requests staff provide additional information and/or explore further options and present an amended Rates Remission and Postponement Policy document to the Council meeting on 27 May 2026.
- c) Council notes that any significant changes may require further community consultation.

Horopaki | Background

Council's Rates Remission and Postponement Policy sets out when and how Council may reduce (remit) or delay (postpone) the payment of rates. Council may only remit rates if it has adopted a policy under section 85 of the Local Government (Rating) Act 2002.

In general, all ratepayers are expected to pay their rates, and most land is rateable. However, Council recognises that some ratepayers may face financial hardship or other special circumstances that make it difficult to meet their rates obligations. Rates remission and postponement policies allow Council to provide support in these circumstances where it is fair and reasonable to do so.

When considering remissions, it is important to recognise that any rates remitted must be funded by other ratepayers. For this reason, Council must balance providing support to those in need with fairness to the wider community.

The Policy sets out the objectives, eligibility criteria, and conditions under which different types of rates remission or postponement may be granted. These criteria vary depending on the type of remission and are detailed in the relevant sections of the Policy.

Following recent legislative changes and the Waikato Waters Limited transition date, the proposed policy changes were consulted on with the community in accordance with section 82 of the Local Government Act 2002, with public feedback invited from 16 March to 19 April 2026 alongside other consultation documents.

Consultation information such as the Statement of Proposal and draft Rates Remission and Postponement Policy can be found [here](#).

Ngā Take/Kōrerorero | Issues/Discussion

The options presented to the community were:

Option 1: Adopt the draft Policy (**this is Council's preferred option**): The Policy would be adopted as proposed to reflect proposed amendments.

Option 2: Adopt the draft Policy with changes after community consultation: The Policy would be updated to reflect community consultation.

Option 3: Revoke the Policy: Council would revoke all or some of the Policy.

Option 4: Other.

Summary of Changes Proposed

Council is required to review the Policy at least every six years. This review was initiated in response to an unintended consequence arising from recent Government changes related to small stand-alone dwellings (commonly known as granny flats).

Additional remission for small stand-alone dwellings

A key proposed change is the introduction of a new remission for kerbside collection targeted rates where a small stand-alone dwelling is added to a property but does not result in increased demand on the kerbside collection service. Under the current policy, an additional dwelling triggers an additional kerbside targeted rate. The proposed change would allow this additional rate to be remitted where no extra refuse or recycling bins are requested. If additional bins are requested at any point in the future, the targeted rate would be applied on a pro-rata basis from the date the additional service is provided.

Other minor policy amendments

Several minor amendments were also proposed to improve clarity, fairness, and administrative practicality. These include:

- Adding a Purpose and Scope section to provide context and improve readability.
- Allowing delegated staff limited discretion to remit rates penalties in exceptional or compassionate circumstances not otherwise provided for in the Policy.
- Updating the value thresholds for remitting rates on very low-value properties to better reflect current property valuations.
- Including provisions to clarify transitional arrangements with Waikato Waters Limited, including Council’s role in setting and collecting water-related rates until service delivery transitions, and the point at which Council remissions would no longer apply once Waikato Waters Limited assumes responsibility for charging and customer support.

Submission Themes

The Council Hearing of Submitter Report, included earlier in this agenda, contains all submissions received on the draft Rates Remission and Postponement Policy in full, along with a summary of the key themes identified.

This report provides a brief overview of those submissions and outlines the options available for Council’s consideration.

Submissions

Five submissions were received on the draft Rates Remission and Postponement Policy.

One submitter chose to present their views in person to the Council hearing.

Overall position: General support for adopting the draft Policy

Detailed submission comments and officer responses are addressed in the Hearing of Submitter Report.

Mōrearea | Risk

No specific risks have been identified.

Ngā Whiringa | Options

The options are outlined below.

Option One –Adopt the Rates Remission and Postponement Policy as consulted on (with minor corrections and amendments as outlined in the attachment (recommended))	
Advantages	Disadvantages
Updates the Policy to address unintended outcomes of recent legislative and policy changes.	Some ratepayers may remain ineligible for remission or postponement and feel their individual circumstances are not fully addressed.
Improves fairness by addressing the unintended rating impact of small stand-alone dwellings where no additional kerbside services are required.	

Provides greater clarity, transparency, and administrative flexibility for both ratepayers and staff.	
Ensures the policy remains fit-for-purpose and aligned with upcoming water and wastewater service transitions.	

Option Two – Request additional information from staff and/or explore further options	
Advantages	Disadvantages
Provides additional time to refine policy settings or explore alternative approaches.	Delays certainty for ratepayers affected by the proposed changes.
Allows further analysis of financial or operational impacts.	May result in additional staff time and administrative costs.

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

Council can only remit rates if they have adopted a rates remission policy under section 85 of the Local Government (Rating) Act 2002. Other legislation that applies is:

Section 102 provides for Council to consult on a draft policy or amend an existing policy in accordance with section 82 of the LGA. Consultation is required in a manner that gives effect to the requirements of section 82.

- Policy on the remission of rates: other categories - *Section 20 of the Local Government (Rating) Act 2002 states that Council must treat two or more rating units as one if they are owned by the same person(s), used as one unit, are contiguous or separated only by road, rail, drain, water race, river, or stream.*
- Policy on the remission of rates on Māori freehold land - *Statutory requirement under section 114 of the Local Government (Rating) Act 2002.*
- Policy on the postponement of rates on Māori freehold land - *Statutory requirement under section 115 of the Local Government (Rating) Act 2002.*

The Local Government (Rating of Whenua Māori) Amendment Act 2021

The Local Government (Rating of Whenua Māori) Amendment Act 2021 came into force in 2021. Among other things it:

- a) expanded the purpose of the Local Government (Rating) Act 2002 to include facilitating the administration of rates in a manner that supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993;
- b) expanded non-rateability to unused rating units of Māori freehold land;
- c) introduced a statutory remission for Māori freehold land under development;
- d) requires a council's policy on the remission and postponement of rates on Māori freehold land to support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993, by 1 July 2022.

The principles in the preamble are wide ranging. The most relevant to local government are: *“And whereas it is desirable to recognise that land is a taonga tuku iho of special significance to Māori people and, for that reason, to promote the retention of that land in the hands of its owners, their whanau, and their hapu, and to protect wahi tapu: and to facilitate the occupation, development, and utilisation of that land for the benefit of its owners, their whanau, and their hapu”.*

The inclusion of a policy on the remission and postponement of rates on Māori freehold land was included in Council’s Rates Remission and Postponement Policy following consultation undertaken in May 2023.

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

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

The changes consulted on were generally minor and targeted and the number of submissions received was low.

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed in the Statement of Proposal, linked earlier in this report.
Section 78 – requires consideration of the views of Interested/affected people	The opportunity to provide feedback was shared widely, via social media, in person events and newspaper advertising (Council in Focus).
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a low/medium level of significance.
Section 82 – this sets out principles of consultation.	The special consultative procedure was used during the consultation and section 82 principles followed.

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

For a full breakdown of the communications and engagement that was undertaken as part of this consultation, please see the Council Hearing of Submitters Report earlier in this agenda.





Timeframes

Key Task	Dates
Council considers the submissions for the draft Rates Remission and Postponement Policy.	13 May 2026

Council adopts the Rates Remission and Postponement Policy.	13 May 2026 (or at a later date as specified by Council)
Rates Remission and Postponement Policy comes into force.	1 July 2026

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

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

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

The community outcome relevant to this report is as follows:

- He wāhi puawaitanga | A place to thrive

The Policy supports economic wellbeing of communities by providing opportunities for rates remissions and postponement in certain circumstances. The overall objective is to provide rates relief in situations to support both the fairness and equity of the rating system, and the overall wellbeing of the community.

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

The review of Council’s Rates Remission and Postponement Policy is provided for under existing budgets within the Strategies and Plans activity.

Ngā Tāpiritanga | Attachments

[A↓. Draft Rates Remission and Postponement Policy - for Adoption \(13 May 2026\)](#)



Ngā waitohu | Signatories

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Rates Remission and Postponement Policy 2024-2034 (Amended 2026)

DRAFT – FOR ADOPTION

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	3164242
Resolution Date	TBC
Policy Effective From	1 July 2026 TBC
Policy Supersedes	Policies on the Remission and Postponement of Rates 2023-2031
Review Frequency	Every six years
Review Date	2030 Note: Council may amend the policy at any time after consulting in a manner that gives effect to s82 (Local Government Act 2002)
Engagement Required	Section 82 (Local Government Act 2002)



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DRAFT FOR ADOPTION



Purpose

The purpose of the Rates Remission and Postponement Policy (Policy) is to guide Matamata-Piako District Council (Council) decisions on rates remissions and rates postponements.

Scope

This Policy applies to all ratepayers in the district and outlines the specific categories of remissions Council may consider - including situations such as financial hardship, community or not-for-profit use, unused or marginal land, and circumstances where rating legislation allows or anticipates a remission.

The Policy does not replace the requirements of the Local Government Act 2002 or the Local Government (Rating) Act 2002. Instead, it works alongside this legislation to guide how Council exercises its discretion when considering requests for rates remissions and rates postponements.

Application of this Policy (Waikato Waters Limited)

Council will continue to set and assess all water-related rates for the 2026/27 rating year under the Local Government (Rating) Act 2002.

On 1 October 2026, Waikato Waters Limited (WWL) will assume responsibility for the service delivery of water and wastewater services across the district.

From 1 July 2027, water-related charges will be set and assessed by WWL. Water-related charges may continue to be invoiced and collected by Council and transferred to WWL. In this case, Council's role will be limited to acting as WWL's billing agent.

Once WWL has adopted its own waiver policy (under the Local Government (Water Services) Act 2025), the rates remission and postponement provisions in this Policy will no longer apply to any water or wastewater charges set or billed by WWL. Water and Wastewater customers seeking financial support for WWL-issued charges will need to apply directly to WWL under its own policies.

Part 1 – Remission of rates on land protected for conservation purposes

This part of the Policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

This part is required to provide the legislative authority to grant rates remissions to landowners who have protected land for conservation purposes in perpetuity.

Objectives

The objectives are to:

- help landowners who have voluntarily protected areas of significance; and
- ensure that these areas remain protected.

Criteria and conditions

Sites that will qualify for remissions must be identified in at least one of the following:

- a. District Plan - Schedule 3 - Outstanding or Significant Natural Features and Trees and Other Protected Items.
- b. District Plan – Planning Maps – Kaitiaki Zone.
- c. Our register of Significant Natural Features.
- d. Any area that has any other type of formal protection method in place (e.g. a covenant under the Queen Elizabeth the Second National Trust Act 1977 on the title).

We will determine the amount of any remission at our discretion and will be guided by:

- the remission methods specified in the previous Significant Natural Features Policy; and
- the funding available through the Long Term Plan and/or the Annual Plan.

Part 2 - Remission of penalties on unpaid rates

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objectives are to provide an efficient, transparent and fair framework for the remission of penalties, taking account of:

- the specific circumstances of the individual; and
- the interests of all ratepayers.

Criteria and conditions

Penalties on unpaid rates may be remitted where:

- a. we have not issued a rates assessment and/or invoice as required under the Local Government (Rating) Act 2002; or
- b. it can be substantiated that a ratepayer has been disadvantaged in the delivery of a rates assessment and/or invoice. Substantiation shall consist of some form of tangible evidence such as undelivered mail being returned to Council; or
- c. the ratepayer pays the rates through electronic banking and makes an error in the transaction; or
- d. a formalised and approved rate payment arrangement (e.g. direct debit) has been complied with. Only those penalty charges incurred since commencement of the arrangement will be considered for remission; or
- e. those who wish to pay their rates in full, and do so within one month of the issue date of the first instalment penalty charge notice; or
- f. the ratepayer:
 - provides a written or verbal explanation why payment could not be made by the due date; and
 - the explanation is considered reasonable; and
 - the ratepayer has not received a rates remission within the last three years; and
 - there are no overdue rates outstanding (excluding the penalty remission application).
- g. In circumstances where a ratepayer's situation does not strictly meet the criteria above, the Rates Team Leader (or higher delegated officer) may exercise discretion to remit a penalty where exceptional, compassionate, or otherwise compelling circumstances exist, and where remission is considered fair, reasonable, and consistent with the intent of this policy.

When exercising this discretion, the delegated officer must ensure:

- the circumstances are genuine and evidenced; and
- the outcome is fair to both the applicant and the wider community of ratepayers.

No further applications under this part of the policy will be considered within the next three years, except on extraordinary grounds.

Applicants that are declined a remission under delegated authority may submit an appeal to Council.

Part 3 – Remission of rates – other categories

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objectives are to provide Council with the ability to grant rates relief for land (except service charges) that qualifies for:

- a statutory rates remission;
- has a capital value of less than \$6,000 (inclusive of GST if applicable); or
- has a land value of greater than \$1 and less than \$1,000 (inclusive of GST if applicable); or
- is a cemetery that exceeds two hectares (cemeteries less than two hectares are non-rateable).

Criteria and conditions

Service Charges

Council may remit rates for service charges (i.e. water supply, sewage and refuse disposal, and stormwater) where the application meets the following criteria:

- a. the rates are for land that is owned or used by a society or association of persons for games or sports (excluding galloping races, harness races and greyhound races) except for rates due for any area covered by an alcohol license
- b. the rates are for land owned or used by a society incorporated under the Agricultural and Pastoral Societies Act 1908 as a showground or place of meeting
- c. the rates are for land owned or used by a society or association of persons (whether incorporated or not) for the purpose of any branch of the arts
- d. half service charges for Council owned land which is non rateable under section 8 and schedule 1 of the Local Government (Rating) Act 2002 and where no services (as defined above) are provided or contemplated.

In the case of clauses a) to c) above, a maximum remission of 50% is available and in the case of clause d) above, a full remission is available.

Properties that are eligible for a full remission of rates

- a. Properties with a capital value of less than \$6,000 (inclusive of GST)
- b. has a land value of greater than \$1 and less than \$1,000 (inclusive of GST if applicable). These are generally small areas of land used for utility purposes or similar.
- c. Land used or set aside for cemetery purposes that has an area greater than two hectares.

Part 4 – Remission of small rates balances

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objective is to save the costs of collecting rates of uneconomic value.

Criteria and conditions

To qualify for remission under this part of the policy, the rating unit must have a balance of less than one dollar (\$1.00) (inclusive of GST) owing at the time of assessing or invoicing a rate.

Process

Council will at its discretion remit any outstanding rates balance of less than one dollar (\$1.00) (inclusive of GST) on a quarterly basis.

DRAFT FOR ADOPTION



Part 5 – Remission of rates on Māori freehold land

This part of the policy is prepared pursuant to sections 102 and 108 of the Local Government Act 2002 and section 114 of the Local Government (Rating) Act 2002.

We have considered the matters set out in Schedule 11 of the Local Government Act 2002 and how this policy supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993.

Māori freehold land is defined in the Local Government (Rating) Act 2002 as land whose beneficial ownership has been determined by the Māori Land Court by freehold order. Only land that is the subject of such an order may qualify for remission under this part of the policy.

Objectives

The objectives are:

- to contribute to the fair and equitable collection of rates from all sectors of the community. We recognise that certain Māori lands have particular conditions or circumstances which make it appropriate to provide relief from rates
- to put in place a means of providing relief on rating for Māori land pursuant to section 108 of the Local Government Act 2002 by way of rate remission
- to recognise situations where a person or owner is only gaining an economic or financial benefit from part of the land
- to recognise matters related to the physical accessibility of the land
- to recognise and take account of the presence of wahi tapu that may affect the use of the land for other purposes
- To recognise and take account of the importance of the land in providing economic and infrastructure support for marae and associated papakainga housing.

Note that application of the Mangatu decision to discount values will likely provide some relief also.

Principles

The principles used in establishing this part of the policy are:

- a. that as defined in section 91 of the Local Government (Rating) Act 2002, Māori freehold land is liable for rates in the same manner as general land
- b. we are required to consider whether our policy on remission of rates on Māori freehold land will provide for the remission of rates.
- c. Those set out in the Preamble to Te Ture Whenua Māori Act 1993.
- d. the community benefits through the efficient collection of rates and the removal of rating debt that is non collectable
- e. that applications for relief meet the criteria in this policy
- f. that the policy does not provide for the permanent remission or postponement of rates on the property concerned.

Conditions and criteria

We will maintain a register called the 'Māori freehold land rates relief register' (the register).

This will record properties that have had rates remitted under this part of the policy. Applications for land to be added to the register should be made in writing prior to commencement of the next rating year. Applications made after commencement of the rating year may be accepted at our discretion.

Owners or trustees making application should include the following information in their applications:

- details of the property
- the objectives that will be achieved by providing a remission
- documentation proving that the subject land is Māori freehold land.

We will review the register annually (or on a more regular basis at our discretion). We may, at our discretion, add properties to the register where Council makes an application on the owners or trustees behalf and we consider that the conditions and criteria of the policy are met.

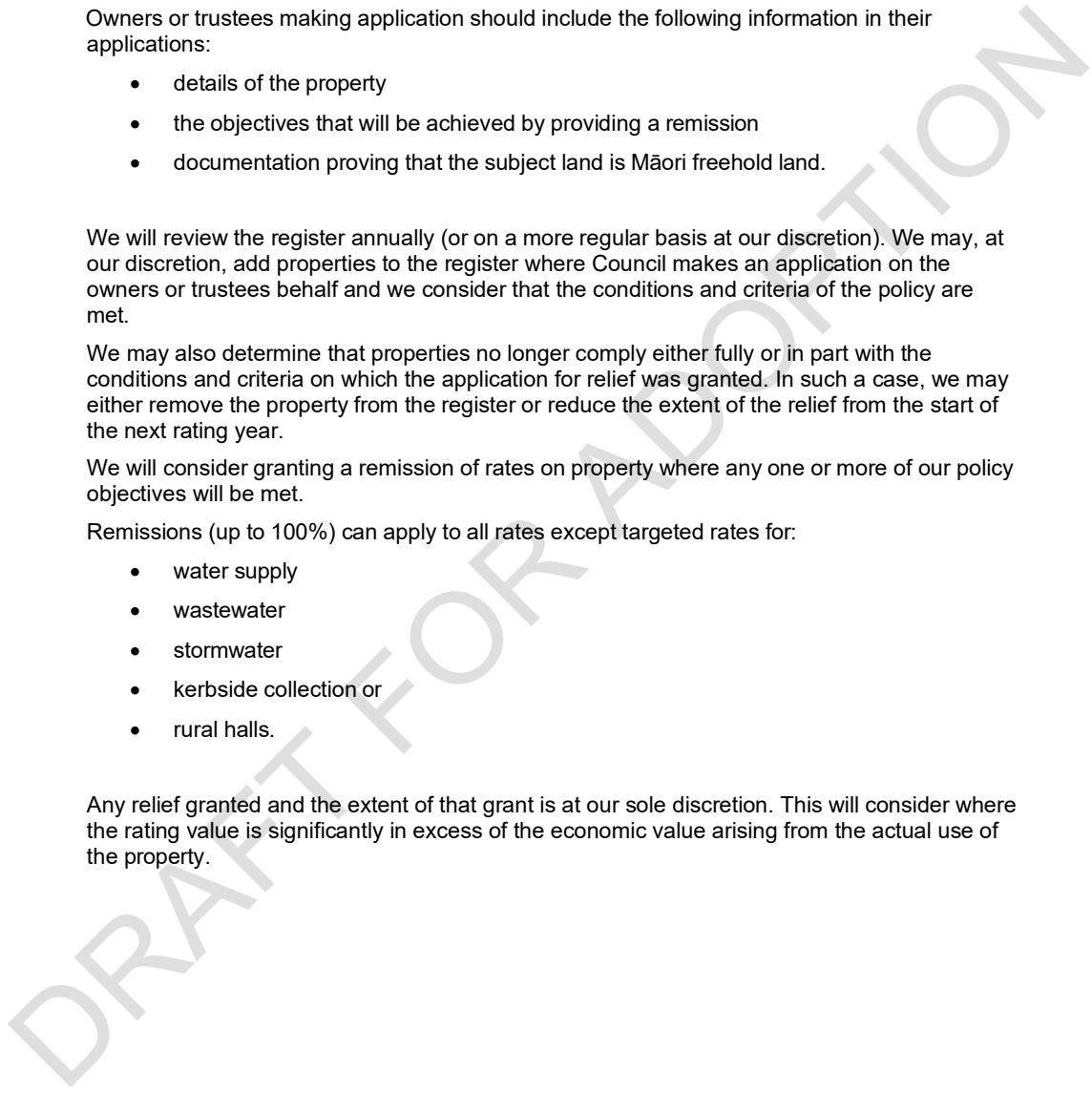
We may also determine that properties no longer comply either fully or in part with the conditions and criteria on which the application for relief was granted. In such a case, we may either remove the property from the register or reduce the extent of the relief from the start of the next rating year.

We will consider granting a remission of rates on property where any one or more of our policy objectives will be met.

Remissions (up to 100%) can apply to all rates except targeted rates for:

- water supply
- wastewater
- stormwater
- kerbside collection or
- rural halls.

Any relief granted and the extent of that grant is at our sole discretion. This will consider where the rating value is significantly in excess of the economic value arising from the actual use of the property.



Part 6 – Postponement of rates on Māori freehold land

This part of the policy is prepared pursuant to sections 102 and 108 of the Local Government Act 2002 (LGA) and section 115 of the Local Government (Rating) Act 2002 and how this policy supports the principles set out in the Preamble to Te Ture Whenua Māori Act 1993.

Council has considered the matters set out in Schedule 11 of the LGA.

Māori freehold land is defined in the Local Government (Rating) Act 2002 as land whose beneficial ownership has been determined by the Māori Land Court by freehold order. Only land that is the subject of such an order may qualify for postponement under this part of the policy.

Objectives

The objectives are:

- to contribute to the fair and equitable collection of rates from all sectors of the community. We recognise that certain Māori lands have particular conditions or circumstances that make it appropriate to postpone rates; and
- to put in place a means of providing relief on rating for Māori land pursuant to section 108 of the Local Government Act 2002 by way of postponement of rates; and
- encourage the economic development of the land by a new occupier, where there are rate arrears that are, in the Council's opinion, recoverable; and
- facilitate the development and economic use of land where it is considered that utilisation would be uneconomic if full rates are required to be paid during the period in which plans for development are being actively prepared.

Principles

The principles used in establishing this part of the policy are:

- a. that as defined in section 91 of the Local Government (Rating) Act 2002, Māori freehold land is liable for rates in the same manner as general land
- b. we are required to consider whether our policy on the postponement of rates on Māori freehold land will provide for the postponement of rates
- c. those set out in the Preamble to Te Ture Whenua Māori Act 1993
- d. that applications for postponement meet the criteria we have set
- e. that the policy does not provide for the permanent postponement of rates on the property concerned.

Conditions and criteria

Applications for postponement of rates should be made in writing prior to commencement of the next rating year. Applications made after commencement of the rating year may be accepted at our discretion.

Owners or trustees should include the following information in their application:

- details of the property
- the objectives that will be achieved by providing a remission
- documentation proving that the subject land is Māori freehold land.

Any postponement granted and the extent of the grant is at our sole discretion.

No postponement will be granted on targeted rates for:

- water supply
- wastewater
- stormwater
- kerbside collection or
- rural halls.

DRAFT FOR ADOPTION

Part 7 – Remission of metered water leaks

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objective is to allow Council to provide some relief to metered water users from extraordinarily high charges as a result of a water leak when there is evidence that the required repairs have been carried out within thirty (30) days of written notification of the high water consumption to the owner.

Principles

The principles used in establishing this part of the policy are:

- that the responsibility of water leaks between the water outlet (e.g. house, trough) and the water meter is ultimately the owners' and any water rates remitted will be a cost to other water users
- that property owners should take action within a reasonable period of time to avoid wasting our water resource.

Conditions and criteria

We may consider granting relief where:

- a. we have received satisfactory evidence that there has been a water leak; and
- b. the property owner has repaired the leak within the policy timeframe; and
- c. we have received written application for relief. The request must be accompanied by a registered plumber's invoice or other suitable evidence that a significant leak was discovered (minimal amounts will not be considered), where the leak was located, and that it has been fully rectified.

We will calculate the volume of water lost based on the total water consumption for the particular period less the average period water consumption over the previous two years.

The relief for water leakage (excluding normal consumption) will be 50% of the water rates attributable to the leakage.

Any relief granted under this part of the policy is limited to one application within any three-year period for any particular meter.

Transitional Note

This remission applies only while Council continues to set and assesses the relevant water-related rate. It does not apply to any water or wastewater charges set or billed by Waikato Waters Limited (WWL) once WWL assumes responsibility for charging and/or remission functions.

From 1 October 2026, WWL will assume responsibility for the delivery of water and wastewater services. Under legislation, Council may continue to set and assess water related rates on behalf of WWL during the transition period, until 30 June 2027, while WWL's own charging systems are being established. During this time this remission only applies while Council is still issuing water-related rates (including those issued on WWL's behalf).

From 1 July 2027, water related charges will be set and assessed by WWL. Once WWL has adopted its own waiver policy under the Local Government (Water Services) Act 2025 and its charging systems are live, the rates remission and postponement provisions in this Policy will no longer apply to any water or wastewater charges issued by WWL. Customers seeking financial support for WWL issued charges will need to apply directly to WWL under its own policies.

DRAFT FOR ADOPTION

Part 8 – Remission of pan charge targeted rates based on water use

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objective is to provide a transparent, fair and more effective user pays targeted rate for wastewater, taking account of:

- the specific circumstances of the rateable property; and
- the interests of all ratepayers.

Principles

The principles used in establishing this part of the policy are:

- a. we have applied a targeted rate to all rateable properties connected to the wastewater supply based on the number of pans in each rating unit
- b. pursuant to clause 12, schedule 3, of the Local Government (Rating) Act 2002 all single residential rateable properties can only be charged for one pan
- c. we recognise the number of pans may not necessarily equate to the volume of discharge to the wastewater network
- d. we recognise a correlation between the consumption of water and volume of wastewater discharged
- e. currently the average water consumption per single residential rateable property is deemed to be 252 cubic metres of water per annum. This is a Household Equivalent Unit (HEU)
- f. the most accurate way to measure water consumption is by a water meter, however not all properties currently have a meter installed
- g. despite the number of pans, some properties are considered to have a low-impact on the wastewater network. To avoid the unnecessary expense of installing a water meter to these ratepayers, we will assess the number of HEUs applicable per rating unit by comparing them to similar properties that have a water meter
- h. in assessing the number of HEUs, the number will be rounded up to the next whole unit
- i. the HEU may be periodically reviewed
- j. this remission does not apply to schools or educational establishments. See the separate policy on remissions of pan charge targeted rates for educational establishments that follows.

Conditions and criteria

Properties with an existing water meter

- a. The rateable property must have six months (or more) of historical water consumption information to enable assessment of HEUs.
- b. The remission will be the difference between the actual number of pans and the number of HEUs based on historical water consumption
- c. The HEU will be reassessed annually based on the consumption for the year and an adjusted remission will be applied from 1 July one calendar year later.

For the avoidance of doubt, rateable properties with a meter cannot elect to be assessed for a remission on the same basis as a rateable property without a water meter.

Properties without an existing water meter

- a. We will assess the number of HEUs applicable per rateable property by comparing the current use of this property with a metered property of similar use.
- b. The remission will be the difference between the actual number of pans and the assessed HEU.
- c. Alternatively, to a and b above, the ratepayer can apply to have a water meter installed. Installation must be completed before 1 October in any rating year, so as to allow six months of consumption data to reassess the remission during the final quarter. The cost of the water meter and its installation will be at the applicant's expense.
- d. Any amended remission as a result of the water meter data will be processed during the final quarter of the rating year.

For the avoidance of doubt, rateable properties once fitted with a meter cannot then elect to be assessed for a remission on the same basis as a rateable property without a water meter.

Transitional Note

This remission applies only while Council continues to set and assesses the relevant water-related rate. It does not apply to any water or wastewater charges set or billed by Waikato Waters Limited (WWL) once WWL assumes responsibility for charging and/or remission functions.

From 1 October 2026, WWL will assume responsibility for the delivery of water and wastewater services. Under legislation, Council may continue to set and assess water related rates on behalf of WWL during the transition period, until 30 June 2027, while WWL's own charging systems are being established. During this time this remission only applies while Council is still issuing water-related rates (including those issued on WWL's behalf).

From 1 July 2027, water related charges will be set and assessed by WWL. Once WWL has adopted its own waiver policy under the Local Government (Water Services) Act 2025 and its charging systems are live, the rates remission and postponement provisions in this Policy will no longer apply to any water or wastewater charges issued by WWL. Customers seeking financial support for WWL issued charges will need to apply directly to WWL under its own policies.

Part 9 – Remission of pan charge targeted rates for educational establishments

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Objectives

The objective is to provide a transparent, fair and more effective user pays targeted rate for wastewater, taking account of the specific circumstances of educational establishments.

Principles

The principles used in establishing this part of the policy are:

- This policy applies to schools and educational establishments as defined in Schedule 1, Part 1, clause 6(b) of the Local Government (Rating) Act 2002. It specifically excludes schools and early childhood centres that operate for profit.
- We consider the nationally used 'Donnelly Formula' (one pan per twenty students/staff) as a fair basis for providing remission to educational establishments.
- We have applied a targeted rate to all educational establishments connected to the wastewater supply based on the number of pans calculated using the 'Donnelly Formula'.
- We recognise the number of pans may not necessarily equate to the volume of discharge to the wastewater network.
- We recognise a correlation between the consumption of water and volume of wastewater discharged.
- Currently the average water consumption per single residential rateable property is deemed to be 252 cubic metres of water per annum. This is a Household Equivalent Unit (HEU).
- The most accurate way to measure water consumption is by a water meter, however not all educational establishments currently have a meter installed.
- Despite the number of pans calculated using the 'Donnelly Formula', some educational establishments are considered to have a low impact on the wastewater network. To avoid the unnecessary expense of installing a water meter to these, we will assess the number of HEUs applicable per rateable property by comparing them to other educational establishments with a similar roll/staff numbers.
- The school roll used to calculate the 'Donnelly Formula' will be as advised annually by the Ministry of Education and will be applied from the following 1 July.
- In assessing the number of HEUs, the number will be rounded up to the next whole unit.
- The HEU may be periodically reviewed.

Conditions and criteria

Educational establishments with an existing water meter

- a. The rateable property must have six months or more historical water consumption information to enable assessment of HEUs.
- b. The remission will be the difference between the number of pans assessed using the Donnelly Formula and the HEU based on historical water consumption.

- c. The HEU will be reassessed annually based on the consumption for the year and an adjusted remission will be applied from 1 July one calendar year later.
- d. For the avoidance of doubt, rateable properties with a meter cannot elect to be assessed for a remission on the same basis as a rateable property without a water meter.

Educational establishments without an existing water meter

- a. We will assess the number of HEUs applicable per rateable property by comparing the current use of this property with a metered property of similar use.
- b. The remission will be the difference between the number of pans calculated using the Donnelly Formula and the assessed HEU.
- c. Alternatively, to a and b above, the educational establishment can apply to have a water meter installed. Installation must be completed before 1 October in any rating year, so as to allow six months of consumption data to reassess the remission during the final quarter. The cost of the water meter and its installation will be at the applicant's expense. Any amended remission as a result of the water meter data will be processed during the final quarter of the rating year.
- d. For the avoidance of doubt, rateable properties once fitted with a meter cannot then elect to be assessed for a remission on the same basis as a rateable property without a water meter.

Transitional Note

This remission applies only while Council continues to set and assesses the relevant water-related rate. It does not apply to any water or wastewater charges set or billed by Waikato Waters Limited (WWL) once WWL assumes responsibility for charging and/or remission functions.

From 1 October 2026, WWL will assume responsibility for the delivery of water and wastewater services. Under legislation, Council may continue to set and assess water related rates on behalf of WWL during the transition period, until 30 June 2027, while WWL's own charging systems are being established. During this time this remission only applies while Council is still issuing water-related rates (including those issued on WWL's behalf).

From 1 July 2027, water related charges will be set and assessed by WWL. Once WWL has adopted its own waiver policy under the Local Government (Water Services) Act 2025 and its charging systems are live, the rates remission and postponement provisions in this Policy will no longer apply to any water or wastewater charges issued by WWL. Customers seeking financial support for WWL issued charges will need to apply directly to WWL under its own policies.

Part 10 – Remission of rates on abandoned land

Objectives

The objective is to enable administration costs to be avoided where it is unlikely that rates assessed on an abandoned rating unit will ever be collected.

Conditions and criteria

Where any rating unit meets the definition of abandoned land as prescribed in section 77(1) of the Local Government (Rating) Act 2002 and that land is unable to be sold using the authority provided in sections 77-83, then all rates will be remitted on an annual basis.

DRAFT FOR ADOPTION



Part 11 – Remission and postponement of rates for natural disasters and emergencies

Objectives

In the event of a natural disaster or other type of emergency affecting the capacity of one or more rating units to be used for an extended period of time, Council may remit or postpone all or part of any rate or charge where it considers it fair to do so.

Conditions and criteria

The Council may, on written application from the ratepayer of a rating unit affected by a natural disaster or emergency, remit or postpone all or part of any rate or charge levied where:

- A natural disaster or emergency affects one or more rating units' capacity to be inhabited, used or otherwise occupied for an extended period of time; and
- The Council considers it is fair to grant a remission in the circumstances.

At its sole discretion, Council will determine by resolution whether a specific event constitutes a natural disaster or emergency for the purposes of applying this policy. Council will determine the criteria for the remission or postponement at the time of the resolution, and those criteria may change depending on the nature and severity of the event and available funding at the time.

Each application will be considered on its merits and remission or postponement of all or parts of the rates payable may be granted where it is considered just and equitable to do so. Remissions or postponements approved under this policy do not set a precedent and will be applied for each specific event and only to properties directly affected by the event.

Part 12 – Remission of kerbside collection targeted rate for an additional minor residential unit not requiring extra kerbside bins.

This part of the policy is prepared pursuant to sections 102 and 109 of the Local Government Act 2002 and section 85 of the Local Government (Rating) Act 2002.

Background

The targeted rate for kerbside collection services is charged on a uniform basis per separately used or inhabited part of a rating unit (SUIP) to which the service is available. The addition of a minor residential unit to a property under our current policy will trigger an additional targeted rate for kerbside collection.

Objectives

The objectives of this remission are to:

- Ensure ratepayers that have a minor residential unit on their property (as defined below) are only charged an additional kerbside collection targeted rate where they create additional demand on the kerbside collection service (i.e. they request additional refuse and recycling bins);
- Provide a fair and consistent approach to applying kerbside collection charges when the creation of a SUIP (separately used or inhabited part) would otherwise automatically trigger an additional kerbside collection targeted rate;
- Enable Council staff to remit charges where the criteria of this policy are met;
- Maintain transparency and equity in the application of the kerbside targeted rate system while supporting sensible waste service use for minor residential units.

Criteria

A remission may be granted when:

- a. A subsequent kerbside collection targeted rate has been applied to a rating unit due to the identification of a new SUIP created by the addition of a minor residential unit; and
- b. Council records confirm that the owner has not requested any additional kerbside bins at the time the rates are set (1 July annually).

Conditions & Process

- The remission will be applied automatically by the Rates Team following internal verification that no additional kerbside bins have been requested or delivered.
- No application from the ratepayer is required.
- The remission will remove only the additional kerbside collection targeted rate applied to the minor residential unit.
- If the ratepayer subsequently requests additional kerbside bins in respect of the minor residential unit:
 - The kerbside collection targeted rate will be applied pro-rata from the date the additional service is supplied, in accordance with Council fees and charges; and
 - The remission will no longer apply from the date service delivery commences.
- For the purposes of this policy, a minor residential unit is defined as:
 - A small stand-alone dwelling as defined in Schedule 1A of the Building Act 2004; and/or

- A detached minor residential unit as defined in the Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025; and/or
 - A small residential unit of less than or equal to 70m² (whether attached to or detached from the principal dwelling)
- Only one remission under this policy can apply per rating unit.
- This remission does not apply once additional kerbside bins have been supplied to the property.

Part 13 – Delegations

Council delegates the authority to implement this policy to the Chief Executive Officer. The Chief Executive Officer may sub-delegate this role to any other council officer.

DRAFT FOR ADOPTION



7 Pūrongo me whakatau | Decision Reports

7.5 Land Transport Bylaw - Deliberations and Adoption

CM No.: 3158382

Te Kaupapa | Purpose

The purpose of this report is to seek direction on the adoption of the Land Transport Bylaw 2008 (Amended 2026) after consideration of the recent consultation.

Rāpopotonga Matua | Executive Summary

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Land Transport Bylaw 2008 (Amended 2026) from 16 March to 19 April 2026 alongside several other documents.

21 submissions were received on the draft Land Transport Bylaw 2008 (Amended 2026). This report provides information on the submissions received and themes identified.

Based on feedback received it is recommended Council consider if any amendments are required to the draft Land Transport Bylaw 2008 (Amended 2026) prior to adoption. Staff recommend minor Bylaw amendments to the definition of Road, Schedule 4 regarding boat launching ramps and Schedule 5 regarding bridge weight restrictions.

Tūtohunga | Recommendation

That:

1.

- a) The information be received.
- b) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- c) Council determines that in accordance with section 155(1) of the Local Government Act 2002, a Bylaw (in the form of a Land Transport Bylaw) is the most appropriate way of addressing the perceived problems.
- d) Council determines that the Land Transport Bylaw 2008 (Amended 2026) meets the requirements of section 155 of the Local Government Act 2002, in that it:
 - i. is the most appropriate form of bylaw;
 - ii. does give rise to implications under the New Zealand Bill of Rights Act 1990 but is considered reasonable, proportionate and consistent with that Act;
- e) Council adopts the Land Transport Bylaw 2008 (Amended 2026) as consulted on with minor corrections and amendments as outlined in the attachment, to come into force 1 July 2026.
- f) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Land Transport Bylaw 2008 (Amended 2026) (if required).
- g) Council's decision on the Land Transport Bylaw 2008 (Amended 2026) be notified to submitters and the public and be made available on Council's website.

OR

2.

- a) The information be received.
- b) Council requests staff provide additional information and/or explore further options and present an amended Land Transport Bylaw 2008 (Amended 2026) document to the Council meeting on 27 May 2026.
- c) Council notes that any significant changes may require further community consultation.

Horopaki | Background

The Land Transport Bylaw 2008 (Amended 2022) was scheduled for review in 2027 in accordance with the requirements of the Local Government Act 2002. Under section 158, a bylaw must be reviewed no later than five years after it was first made and then at least once every ten years thereafter.

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

Consultation

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Bylaw from 16 March to 19 April 2026 alongside several other documents.

Consultation information such as the Statement of Proposal and draft Land Transport Bylaw 2008 (Amended 2026) can be found [here](#)

Ngā Take/Kōrerorero | Issues/Discussion

The options presented to the community were:

Option 1: Adopt the draft Land Transport Bylaw 2008 (Amended 2026) as proposed to the community (**this is Council’s preferred option**): The Bylaw would be adopted as proposed to reflect current issues.⁷

Option 2: Keep the existing Land Transport Bylaw: Keep the current Land Transport Bylaw 2008 (Amended 2022) as is without any amendments.

Option 3: Adopt the draft Land Transport Bylaw 2008 (Amended 2026) with further amendments: Adopt the Bylaw as proposed to the community with further changes suggested by submitters.

Option 4: Revoke the existing Land Transport Bylaw and do not adopt the draft Land Transport Bylaw 2008 (Amended 2026).

Option 5: Other.

Summary of Review Process

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

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

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

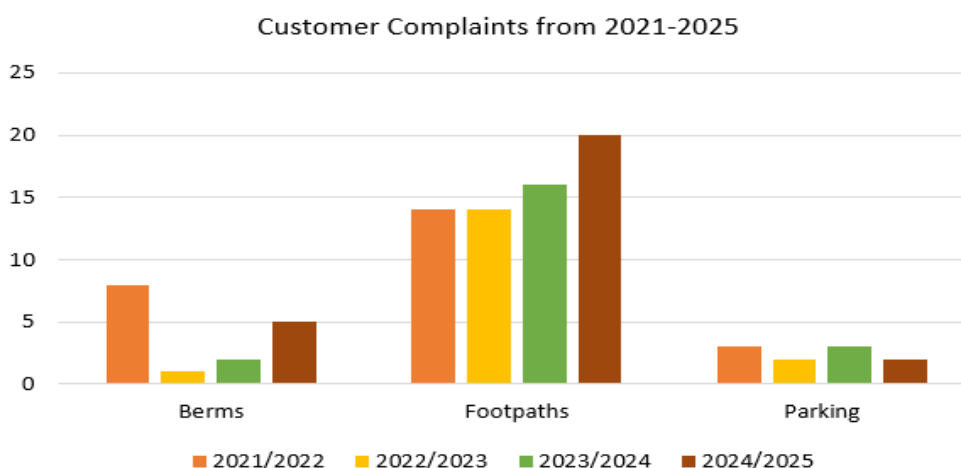
Date and Meeting	Purpose	Issues Discussed
<p>triennium)</p> <p>7 October 2025</p> <p>Te Manawhenua Forum mō Matamata-Piako</p>	<p>To provide an update on review progress, and revisit feedback from the initial workshop.</p>	<p>Key Feedback and Staff Responses:</p> <p>Parking at Marae during tangihanga (Raungaiti Marae)</p> <p>Staff noted that parking on private property is outside the scope of the bylaw review but committed to ongoing engagement with Raungaiti Marae and New Zealand Transport Agency Waka Kotahi regarding speed limits and event parking needs.</p> <p>Recognition of Te Tiriti o Waitangi</p> <p>The Forum suggested including reference to Te Tiriti obligations. Staff advised that these obligations apply across Council functions under the Local Government Act 2002 and Resource Management Act 1991. Council’s existing policies and bylaws do not generally expressly mention Te Tiriti obligations – as these apply across Council functions.</p> <p>Shared Pathway Complaints</p> <p>The Forum raised concerns about shared pathways. Staff confirmed wider footpaths are being developed to address complaints received, and that the bylaw will include a schedule for shared pathways.</p> <p>Parking near urupā and fast-moving traffic</p> <p>Safety concerns were noted. Staff explained that speed limits are managed through the National Speed Limit Register (no longer set through a bylaw).</p>
<p>26 November 2025</p> <p>Council Workshop</p>	<p>Review of issues and options and draft bylaw wording.</p>	<p>Council generally supported the overall direction of the bylaw review.</p> <p>Stock Effluent Disposal</p> <p>Suggested inclusion of designated area for stock effluent disposal within the draft Bylaw. This has been included in the draft Bylaw as an explanatory note.</p> <p>Matamata Issue (Unsafe Parking Near School)</p> <p>A specific issue was raised occurring in Matamata (currently being managed by the Community Protection and Compliance Team).</p>

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

Alongside discussion of issues raised by Council and various committees, Council staff undertook further research to support the review, including a review of customer request records and a detailed assessment of operational feedback. This analysis informed the Land Transport Bylaw review and the suggested draft changes. The identified issues are outlined below.

Issues Identified

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



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

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

Problem Definition

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

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

Submissions 21 submissions were received and 3 submitters indicated they want to be heard at the Hearing.

Submissions summary

Option 1: Adopt the draft Land Transport Bylaw – 10 submissions in support (47.6%)
Option 2: Retain the existing Bylaw – 1 submission in support (4.8%)
Option 3: Adopt the draft Bylaw with amendments – 3 submissions in support (14.3%)
Option 4: Revoke the Bylaw – 0 submissions in support
Option 5: Other – 4 submissions in support (19.0%)
No option selected – 3 submissions (14.3%)

Submissions raised issues including heavy vehicle traffic, horse rider safety, cycling behaviour, and enforcement. The public preferred option is Option 1: adopt the draft Land Transport Bylaw.

Amendments

The following minor amendments are recommended by staff:

1. Expansion to the definition of Road to ensure it is clear that paper roads are included.
2. The references to Schedule 5 (Stock Movement) in clause 31 has been removed as it was incorrect (schedule 5 relates to weight limits on bridges). An explanatory note has been added (as part of clause 28) to reference the Development Manual and Stock Control Strategy where further detail on the stock movement permits and conditions can be found.

3. Schedule 4: change simplifies and clarifies the wording by confirming that boat launching ramps are restricted to launching and retrieving boats from trailers, unless the Council expressly authorises another use.
4. Schedule 5: change from percentage to actual weight restriction in kilograms.

Mōrearea | Risk

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

There is also a risk that some members of the community may not agree with the draft Land Transport Bylaw 2008 (Amended 2026) or specific provisions within it. This risk has been mitigated by providing a formal opportunity for the community to have their say during public consultation and ensuring that all views are carefully considered before finalising.

Ngā Whiringa | Options

The options are outlined below.

Option One – Adopt the Land Transport Bylaw as consulted on (with minor corrections and amendments as outlined in the attachment (recommended))	
Advantages	Disadvantages
Land Transport Bylaw adopted within the legislative timeframe for review.	The Land Transport Bylaw may not fully address all localised concerns or site-specific issues raised during consultation.
Provides continuity with the existing regulatory framework.	
Provides clarity and certainty for road users, operators, and enforcement staff.	
Supports public safety and effective management of the roading network across the district.	
Includes minor amendment identified by staff and community.	
Option Two – Request additional information from staff and/or explore further options	
Advantages	Disadvantages
Allows additional time to explore alternatives or refine specific aspects of the Land Transport Bylaw.	Creates uncertainty for road users and enforcement until a final decision is made.
Provides opportunity to seek further stakeholder input or technical clarification.	May result in additional staff time and costs.

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

Bylaw-making Powers

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

Local Government Act 2002 (LGA)

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

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

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

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

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

Land Transport Act 1998

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

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

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

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

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

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

Section 155 LGA Assessment

In adopting the draft Bylaw for consultation (December 2025), Council considered the requirements of section 155 of the LGA. When adopting the final Bylaw and approving the proposed minor change, Council must review these determinations prior to adoption.

Staff have reviewed and amended the assessment below and determined that **the proposed minor amendment does not alter the matters previously assessed, and the assessment remains appropriate.**

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

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

Council must determine whether a bylaw is the most appropriate way of addressing the perceived problems. The draft Land Transport Bylaw 2008 (amended 2026) addresses the issues identified during the review including:

- Managing and protecting roading assets under Council control and supporting safety of the roading network.
- Regulating vehicle parking: Unsafe parking on berms and footpaths creates hazards for pedestrians and other road users.
- Encroachment into the road corridor can obstruct visibility and create traffic hazards. The draft Bylaw provides Council with clear authority to act to prevent any safety risks.
- Addressing damage to infrastructure caused by vehicles, stock, and run-off: Heavy vehicles and stock movements can cause significant wear and tear on roads, culverts, and bridges, leading to costly repairs. A bylaw enables Council to impose conditions and recover costs where damage occurs.
- Providing clear rules for shared pathways and parking management: Increased use of shared pathways by pedestrians, cyclists, and mobility devices requires clear local rules to prevent conflicts and ensure safe use.

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

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

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

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

Following consultation, the draft Land Transport Bylaw 2008 (amended 2026) is considered appropriate because:

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

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

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

Section 155 of the LGA also requires Council to consider whether the proposed Bylaw gives rise to any implications under the NZBORA.

Following consultation, the draft Land Transport Bylaw 2008 (amended 2026) has been assessed against the NZBORA. While the Bylaw imposes restrictions on certain activities (such as parking, stock movement, use of boat launching ramps etc.), these limitations are considered reasonable and justified in a free and democratic society. They are necessary to protect public safety, maintain access, and manage Council's roading assets.

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

Although the draft Land Transport Bylaw 2008 (amended 2026) places some limitations necessary to achieve its purpose, these are determined as reasonable and proportionate. Therefore, the draft Bylaw is considered consistent with the New Zealand Bill of Rights Act 1990 (including minor amendments).

Local Government Act 2002 (LGA) Decision-making requirements

Having regard to the decision-making provisions in the LGA and Council's Significance and Engagement Policy, a decision in accordance with the recommendations is assessed as having a medium level of significance. Adopting the draft Bylaw is determined as being of medium significance because:

- The draft Bylaw affects how roads, footpaths, parking, and stock movements are managed. While important for safety and infrastructure, it does not propose fundamental changes such as financial impacts on Council or ratepayers.
- Transport and parking issues are of interest to the community, but they are not typically considered "high significance" unless major changes (e.g., large-scale prohibitions or significant costs) are proposed.

- The draft Bylaw does not involve the sale or transfer of strategic assets listed in the Significance and Engagement Policy.
- Costs relate mainly to enforcement and education, not large capital expenditure.
- Consultation has been undertaken in accordance with the relevant legislation.

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed in the Statement of Proposal, linked earlier in this report.
Section 78 – requires consideration of the views of Interested/affected people	Targeted consultation has been undertaken, e.g. New Zealand Transport Agency Waka Kotahi, freight operators.
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.	The special consultative procedure was used during the consultation and section 82 principles followed.

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





For a full breakdown of the communications and engagement that was undertaken as part of this consultation, please see the Council Hearing of Submitters Report earlier in this agenda.

Timeframes

Key Task	Dates
Council considers the submissions for the draft Land Transport Bylaw 2008 (amended 2026).	13 May 2026
Council adopts the draft Land Transport Bylaw 2008 (amended 2026).	13 May 2026 (or at a later date as specified by Council)
Land Transport Bylaw 2008 (amended 2026) comes into force.	1 July 2026

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

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

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

The review of the Bylaw supports Council's strategic direction and community outcomes by promoting safe, accessible, and well-managed transport networks. It helps maintain the quality of local infrastructure and supports economic activity through efficient movement of people and goods. By providing clear and enforceable rules, the Bylaw contributes to a connected, thriving community and aligns with Council's vision for a vibrant and progressive district.

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

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

Ngā Tāpiritanga | Attachments

[A↓](#). Land Transport Bylaw For Adoption (13 May 2026)



Ngā waitohu | Signatories

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	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	



Ture ā-Rohe mō ngā waka ā whenua 2008 (i whakahounga i 2026) | Land Transport Bylaw 2008 (Amended 2026)

DRAFT – FOR ADOPTION

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	3164227
Resolution Date	TBC
Bylaw Effective From	1 July 2026 TBC
Bylaw Supersedes	Land Transport Bylaw 2008 (Amended 2022)
Review Frequency	10 Yearly
Review Date	1 July 2036 TBC
Engagement Required	Must meet the requirements of the Local Government Act 2002, which may involve the Special Consultative Procedure or other consultation in accordance with section 82.



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Kupu Whakataki | Introduction

1. Purpose

- 1.1 The purpose of this *Bylaw* is to manage and protect the *Roads* and *Footpaths* under the control of the *Council*, and to protect the safety, accessibility and amenity of the transport network for all users.
- 1.2 To achieve the purpose in clause 1.1 this *Bylaw* establishes standards for activities within the *Road Reserve* and general control of vehicular or other traffic.

2. Title and Commencement

- 2.1 This *Bylaw* shall be known as the 'Matamata-Piako District Council Land Transport Bylaw 2008 (Amended 2026)'.
- 2.2 This *Bylaw* comes into force on 1 July 2026.

3. Review

- 3.1 This *Bylaw* is a statutory review of the Land Transport Bylaw 2008 (Amended 2022), which formed part of the Matamata-Piako District Council Consolidated Bylaw 2008.

4. Application

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

Explanatory notes:

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

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

5. Enabling Enactments

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

6. Delegation

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

7. Definitions

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

Term	Definition
<i>Act</i>	means the Land Transport Act 1998.
<i>Approved or Approval</i>	means <i>Approved</i> in writing by resolution of the <i>Council</i> or by any <i>Authorised Officer</i> so authorised on behalf of the <i>Council</i> , pursuant to this <i>Bylaw</i> or any <i>Enactment</i> .
<i>Authorised Officer</i>	Means any <i>Person</i> delegated, appointed or authorised in writing by the <i>Council</i> to act on its behalf.
<i>Berm</i>	includes any uncultivated margin of a <i>Road</i> adjacent to but not forming part of either the roadway or the <i>Footpath</i> (if any) - Has the same meaning as <i>Road</i> margin in section 1.6 of the Land Transport (Road User) Rule 2004.
<i>Bylaw</i>	means the Matamata-Piako District Council Land Transport Bylaw 2008 (Amended 2026), or in the context of more general terms refers to a <i>Bylaw</i> adopted by the <i>Council</i> , made under the provisions of any <i>Enactment</i> or authority enabling the <i>Council</i> to make <i>Bylaws</i> .
<i>Chief Executive</i>	means the <i>Chief Executive</i> appointed pursuant to section 42 of the Local Government Act 2002.
<i>Class of Vehicle</i>	means the <i>Vehicle</i> classes set out in Table A: Vehicle classes of the Land Transport Rule: Vehicle Standards Compliance 2002, as amended from time to time.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any <i>Person</i> delegated to act on its behalf.
<i>Cycle Lane</i>	means the same as section 1.6 of the Land Transport (Road User) Rule 2004.
<i>Cycle Path</i>	means the same as section 1.6 of the Land Transport (Road User) Rule 2004.
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the Matamata-Piako District Council.
<i>District Plan</i>	means the Matamata-Piako District Council <i>District Plan</i> .
<i>Emergency Vehicle</i>	means a <i>Vehicle</i> used for attendance at emergencies and operated: a) by an <i>Enforcement Officer</i> ; b) by an ambulance service; c) as a fire service <i>Vehicle</i> ; d) as a civil defence <i>Emergency Vehicle</i> ; or e) as a defence force <i>Emergency Vehicle</i> .
<i>Enforcement Officer</i>	means the same as section 2(1) of the <i>Act</i> .

Term	Definition
<i>Footpath</i>	means a path or way principally designed for, and used by, <i>Pedestrians</i> ; and includes a footbridge.
<i>Freight Container</i>	means an article of transport equipment that is: <ol style="list-style-type: none"> of a permanent character and strong enough to be suitable for repeated use; and specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and designed to be secured and readily handled having fittings for this purpose.
<i>Heavy Motor Vehicle</i>	means a motor <i>Vehicle</i> that has a gross <i>Vehicle</i> mass exceeding 3500kg.
<i>Hours of Darkness</i>	means any period of time: <ol style="list-style-type: none"> between half an hour after sunset on one day and half an hour before sunrise on the next day; or when there is not sufficient daylight to render clearly visible a <i>Person</i> or <i>Vehicle</i> at a distance of 100 metres.
<i>Mobile Billboard</i>	includes any panel for display of advertisement in a <i>Public Place</i> that can be moved.
<i>Mobility Parking Permit</i>	means the same as Approved Disabled Person's Parking Permit in the Land Transport (Road User) Rule 2004.
<i>Mobility Parking Space</i>	means a <i>Reserved Parking Place</i> set aside for use by people who hold a <i>Mobility Parking Permit</i> .
<i>Offence</i>	means any act or omission that breaches this <i>Bylaw</i> , including any infringement offence arising from such a breach.
<i>Owner or Occupier</i>	in relation to any property or premises, means the inhabitant <i>Occupier</i> of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the <i>Owner</i> .
<i>Park/Parking/Parked</i>	means: <ol style="list-style-type: none"> in relation to any portion of a <i>Road</i> where <i>Parking</i> is for the time being governed by the location of <i>Parking</i> meters placed pursuant to a <i>Bylaw</i> of a local authority, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> for any period exceeding 5 minutes; and in relation to any other portion of a <i>Road</i>, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i>.
<i>Parking Warden</i>	means a <i>Person</i> appointed to hold the office of <i>Parking Warden</i> under section 128D of the <i>Act</i> .
<i>Passenger Service and Passenger Service Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Pedestrian</i>	means any <i>Person</i> on foot.

Term	Definition
<i>Person</i>	includes a corporation sole and a body of <i>Persons</i> , whether corporate or unincorporated.
<i>Public Place</i>	means: a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any <i>Owner</i> or <i>Occupier</i> of the place is lawfully entitled to exclude or eject any <i>Person</i> from it; but b) does not include licenced premises.
<i>Reserved Parking Place</i>	means any <i>Parking Space</i> which has been reserved by the <i>Council</i> for allocation to any <i>Person</i> or category of <i>Persons</i> for <i>Reserved Parking</i> and which is clearly marked by a sign, notice or number or otherwise as being not available for public <i>Parking</i> .
<i>Road</i>	includes: a) a street; and b) a motorway; and c) a beach; and d) a place to which the public have access, whether as of right or not; and e) all bridges, culverts, ferries and fords forming part of a <i>Road</i> or street or motorway, or a place referred to in paragraph (d); and f) all sites at which <i>Vehicles</i> may be weighed for the purpose of the <i>Act</i> or any other enactment. This does not include state highways controlled by New Zealand Transport Agency Waka Kotahi. <u>For the avoidance of doubt, 'Road' includes all formed and unformed legal roads, including paper roads, that are vested in or under the control of the Council, whether or not they are constructed or maintained.</u>
<i>Road Corridor</i>	includes all parts of the legal <i>Road</i> , including the carriageway, <i>Berm</i> and <i>Footpath</i> .
<i>Road Reserve</i>	Has the same meaning as described in section 111 of the Reserves Act 1977.
<i>Shared Pathway</i>	means the same as described in section 11.1A of the Land Transport (Road User) Rule 2004.
<i>Speed Limit</i>	has the same meaning as Part 2 of the <i>Act</i> . For further information please refer to the Land Transport Rule – Setting of Speed Limits 2024.
<i>Stock</i>	means live farm animals, including, but not limited to cattle (cows, heifers, steers, calves), sheep (rams, lambs), goats (kids), and pigs (boars, sows).
<i>Stock Movement</i>	means to drive, muster, lead or herd <i>Stock</i> along or across the <i>Road Reserve</i> .
<i>Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Vehicle Crossing</i>	means a place where <i>Vehicles</i> are being taken or, in the opinion of the <i>Council</i> , are likely to be taken, on to or from any land across any

Term	Definition
	<i>Footpath</i> , on any <i>Road</i> or any water channel on or adjoining any <i>Road</i> .

8. Council's Powers

- 8.1 The *Council* may from time to time, by resolution Publicly Notified:
- a) prohibit or otherwise restrict the stopping, standing, or *Parking* of *Vehicles* on:
 - i. any *Road*, or
 - ii. any land *Owned* or *Occupied* by the *Council* and not being a *Road* or part of a *Road*, including any *Parking Place*; and/or
 - b) set aside, designate or reserve any *Road* or any land *Owned* or *Occupied* by the *Council*, which is not defined as a *Road*, as:
 - i. stopping places or stands for a specified class, classes or types of *Vehicles*, including bus stops, taxi stands and loading zones; and/or
 - ii. *Parking Places*; and/or
 - iii. reserved *Parking Areas*; and/or
 - iv. *Cycle Paths* and *Cycle Lanes*; and/or
 - v. *Shared Pathways*; and/or
 - vi. *Footpaths*; and/or
 - vii. clearways; and/or
 - viii. one-way *Roads*; and/or
 - ix. *Stock* underpasses; and/or
 - x. lanes for *Passenger Service Vehicles*, or *Vehicles* of any other specified classes; and/or
 - xi. lanes for *Vehicles* carrying specified classes of loads or not less than specified number of occupants.
 - c) prohibit or restrict:
 - i. u-turns; and/or
 - ii. left or right turns; and/or
 - iii. use of lanes or turning movements to be made by *Passenger Service Vehicles*, or *Vehicles* of other specified classes or *Vehicles* carrying specified loads or not less than a specified number of occupants; and/or
 - iv. weights of *Vehicles* or loads that may pass over bridges or culverts; and/or
 - v. any specified class of traffic, or any motor *Vehicle* or class of motor *Vehicle* which, by reason of its size, nature, or the nature of the goods carried is unsuitable for the use on any *Road* or *Roads*; and/or
 - vi. the *Parking* of *Heavy Motor Vehicles*, or any specified class or description of *Heavy Motor Vehicles*, on any specified *Road* during such hours or exceeding such period as may be specified.
- 8.2 The *Council* shall mark *Roads* and/or erect signs on any *Road*, or any land *Owned* or *Occupied* by the *Council* to give effect to any resolution made pursuant to clause 8.1 and as required under applicable national standards.
- 8.3 Any resolution made under clause 8.1 must be for the purpose of achieving the objectives of this *Bylaw* and the purposes of the Local Government Act 2002 and the Land Transport Act 1998, and only to the extent necessary and proportionate to address the issue being regulated. Nothing in this clause authorises a resolution that is inconsistent with any enactment, Land Transport Rule, or requirements for prescribed traffic control devices.



9. List of Schedules

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

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

10. Explanatory Notes

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

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

DRAFT - FOR ADOPTION



Ngā Rori me ngā ara hīkoi | Roads and Footpaths

11. Objects and Hazards on the Road

- 11.1 No *Person* may, without the prior *Approval* of the *Council*, place or leave any object or thing on any *Road* other than a lawfully *Parked Vehicle*.
- 11.2 Without limiting the generality of clause 11.1, no *Person* shall:
- a) on any *Road* construct, rebuild, repair or make alterations to any *Vehicle*, except for repairs rendered necessary by reason of accident or breakdown; or
 - b) display any article or articles whatsoever outside any shop, shop window or doorway or in any other place so as to encroach on any *Road* or *Footpath*; except as provided for in *Council's* Community Safety Bylaw; or
 - c) place, pack or unpack any goods on any *Road*; or
 - d) erect any scaffolding, fence or structure of any kind on or over any *Road*; or
 - e) use any hoist or crane on or above any *Road*; or
 - f) erect or install or cause to be erected or installed any gates or doors capable of being swung over or across any *Roads*; or
 - g) being a *Person* in charge of a *Vehicle* or machine, permit any clay, gravel or other material to be carried on to any *Road*; or
 - h) permit or allow any object to fall from any *Vehicle* onto the *Road* or having fallen, to remain on the *Road*.
 - i) discharge *Stock* effluent or similar material onto any *Road*.
- 11.3 If anything is placed on the *Road* in breach of clause 11, the *Council* may give notice to the *Person* who put it there, or anyone responsible for or connected to it, requiring that it be removed within the timeframe stated in the notice.

Explanatory notes:

Objects placed on *Roads* can create safety hazards by obstructing traffic, blocking sightlines, or causing damage to *Vehicles* and infrastructure. This clause ensures *Roads* remain safe and accessible for all users at all times. A *Stock* effluent disposal site is available at the Morrinsville Saleyards on Anderson Street for safe and responsible disposal.

12. Vegetation and Encroachment

- 12.1 No *Person* may, without the prior *Approval* of the *Council*, place, erect, or allow any building, structure, object, vegetation, or other item on, over, or under any part of the *Road Corridor*. This includes any permanent or semi-permanent encroachment that may obstruct, endanger, or otherwise interfere with the safe use, maintenance or operation of the *Road Corridor*.
- 12.2 The *Owner* or *Occupier* of property adjoining the *Road Corridor* is responsible for pruning and trimming vegetation to ensure it does not encroach onto or over the *Road Corridor*.
- 12.3 If any vegetation or object encroaches onto or over any *Public Place* so as to obstruct or interfere with the free movement of *Persons* using that *Public Place* and without the permission of *Council*, the *Council* may by written notice, require the

Owner or Person responsible to remove or trim the item within the timeframe specified.

- 12.4 *Council* may require trees or hedges to be removed, lowered, or trimmed:
- a) when work is required on the *Road* to repair damage to the *Road* as a result of trees on adjoining land,
 - b) where overhanging vegetation is obstructing visibility at intersections or *Road* corners or obstructing signs and street lights,
 - c) it is of an age or condition that significant branches or the tree may fall onto the *Road Corridor*.
- 13. Activities that Damage Roads**
- 13.1 No *Person* shall undertake any activity that causes or may cause incidental damage to any *Road*.
- 13.2 Without limiting the generality of clause 13.1, no *Person* shall:
- a) mix any concrete or other material of any kind on the surface of any *Road*;
 - b) cause or permit any concrete, mortar, or material of a similar nature to be swept, washed, hosed or sluiced into any *Road* or into any drain connected with any part of the *Council's* drainage or sewerage system;
 - c) use any *Vehicle* whose wheels or tracks cause or may cause damage to the surface or any part of any *Road*; or
 - d) drag or trail anything whether on a sledge or skids or otherwise so as to damage any *Road*.
- 14. Costs of Repair or Reinstatement**
- 14.1 Without limiting any other remedies available, if a breach of this *Bylaw* causes or contributes to damage to any part of the *Road*, the *Council* may undertake any necessary repair or reinstatement and recover from the *Person* who caused the damage, or any *Person* responsible for the breach, all costs reasonably incurred in carrying out that work.
- 15. Damage to Signs**
- 15.1 No *Person* shall interfere with, damage or remove any traffic control sign.

Ngā ara waka me ngā Tūnga waka | Traffic and Parking

16. Vehicle Parking

16.1 The following applies to the *Parking of Vehicles*:

- a) no *Person* shall stop, stand, or *Park a Vehicle* on any carpark, *Public Place*, *Road*, *Reserve*, *Reserved Parking Place* or other places controlled by the *Council* which has a restriction imposed by the *Council* and evidenced by appropriate signs and/or *Road* marks.
- b) despite subclause a), an *Authorised Officer*, subject to such conditions as appropriate in the circumstances, may authorise the stopping, standing or *Parking* of specified *Vehicles*.
- c) no *Person* shall stop, stand, or *Park a Vehicle* on any *Footpath*, *Berm*, flowerbed, shrubbery, median strip, traffic island, or ornamental verge or plot within the *Road Corridor*, in a manner that obstructs or restricts *Pedestrian* or *Vehicle* movement, creates a nuisance, or may present a safety hazard in the opinion of an *Authorised Officer*, except:
 - i. with the prior *Approval* of the *Council*; or
 - ii. authorised by and *Authorised Officer* of *Council*; or
 - iii. in accordance with a public notification issued by the *Council*.
- d) no *Person* shall stop, stand, or *Park a Vehicle*:
 - i. in breach of any provision of any *Council Bylaw*; or
 - ii. in a manner that causes damage to property, creates a nuisance or causes danger to *Road* users.

Explanatory notes:

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

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

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

16.2 No *Person* shall, without the prior *Approval* of the *Council*:

- a) *Park a Vehicle* or trailer on any *Road*, or any land owned or occupied by the *Council* for the primary purpose of advertising, including *Vehicles* or trailers displayed for sale and *Mobile Billboards*.
- b) *Park a Vehicle* on any *Road*, or any land *Owned* or *Occupied* by the *Council*, for any period exceeding 7 days if that *Vehicle* cannot be easily moved at the request of an *Authorised Officer*, or if it cannot be safely driven.
- c) *Park* or place any machinery, equipment, materials, *Freight Containers*, or waste disposal bins on any *Road* or *Public Place*, except where permitted by this *Bylaw* or an *Approval* granted by the *Council*. Any permission granted may be subject to conditions imposed by the *Council*.

16.3 Subclause 16.2 (a) does not apply to *Vehicles* that display business signage or advertising incidental to their ordinary use and that are not *Parked* for the primary purpose of advertising.

- 16.4 Subclause 16.2 (c) does not apply to refuse or recycling containers placed on the roadside for collection in accordance with the *Council's* Solid Waste Management and Minimisation Bylaw or any *Approved* private waste collection service; provided the container/s are placed out only for the required collection period and are removed as soon as reasonable practicable after collection.
- 17. Mobility Parking**
- 17.1 Where the *Council* has *Reserved Parking Places* operating as a *Mobility Parking Space*, the *Mobility Parking Permit* shall be displayed so that it is visible and legible through the front windscreen or on the *Vehicle* if no windscreen is fitted.
- 17.2 Any *Vehicle* displaying a valid *Mobility Parking Permit* will be permitted to *Park* in a time-restricted place for twice the time specified by *Council*, providing that the *Mobility Parking Place* is being used for the benefit of the permit holder.
- 18. One Way Roads**
- 18.1 A *Person* may only drive a *Vehicle* along the *Roads* listed in Schedule 1 of this *Bylaw*, in the direction specified.
- 19. Turning Restrictions**
- 19.1 Subject to erection of prescribed signs, no *Person* shall drive a *Vehicle* contrary to any turning restriction listed in Schedule 2 of this *Bylaw*.
- 19.2 The *Council* may amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to prohibit, subject to erection of prescribed signs:
- Vehicles* on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (no 'u-turns'); or
 - Vehicles*, or specified *Classes of Vehicles*, from turning to the right or left, or from proceeding in any other direction; or
- 19.3 The *Council* from time to time amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to provide that a turning restriction be removed.
- 20. Traffic Prohibitions**
- 20.1 No *Person* shall drive or permit to be driven any *Class of Vehicle* that is prohibited on specified *Roads* during restricted hours, as set out in Schedule 3 of this *Bylaw* except for the purpose of loading or unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- 20.2 No *Person* shall *Park* or allow to be *Parked* any *Class of Vehicle* that is prohibited on specified *Roads*, as set out in Schedule 3 of this *Bylaw* except for the purpose of loading or unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- 21. Parking of Heavy Motor Vehicles**
- 21.1 No *Person* may stop, stand, or *Park* a *Heavy Motor Vehicle* for more than one hour on any *Road* in an urban area or any part of a *Road* with a *Speed Limit* of 50km/h

- or 70km/h (as listed in the National Speed Limit Register), unless otherwise *Approved* by an *Authorised Officer*. This restriction does not apply to the frontage adjacent to business and industrial zones under the *District Plan*.
- 21.2 It is not an *Offence* to stop, stand, or *Park* a *Heavy Motor Vehicle* on such a *Road* for the time reasonably needed to load or unload the *Vehicle*, if loading or unloading is actively taking place.
- 21.3 *Parking of Heavy Motor Vehicles* on the frontage adjacent to business or industrial zones is only permitted if, in the opinion of an *Authorised Officer*, the *Heavy Motor Vehicle* meets the following conditions:
- a) is not *Parked* within the shop specified frontage as depicted in *the District Plan*;
 - b) does not compromise traffic safety of all *Road* users, including visibility and *Pedestrian* safety;
 - c) does not block or impede access to other property; and
 - d) is *Parked* fully within the formed *Road* carriageway.
- 21.4 Notwithstanding the above, *Heavy Motor Vehicles* may *Park* near hotels, motels, or other facilities offering temporary accommodation, regardless of the zone under the *District Plan*, if the *Parking* complies with the following conditions:
- a) is not *Parked* within the shop specified frontage as depicted in *the District Plan*;
 - b) does not compromise traffic safety of all *Road* users, including visibility and *Pedestrian* safety;
 - c) does not block or impede access to other property; and
 - d) is *Parked* fully within the formed *Road* carriageway.
- 21.5 *Council* may, from time to time, by resolution Publicly Notified:
- a) prohibit any heavy traffic on any maintained or unmaintained *Road* or *Roads* within the *District*; or
 - b) rescind, amend or vary any such prohibition.
- 22. Boat Launching Ramps**
- 22.1 Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.
- 22.2 No *Person* shall:
- a) *Park* or stop a *Vehicle* on any *Park* on a boat launching ramp or its approach for longer than is reasonably necessary to launch or retrieve a boat.
 - b) drive or position a *Vehicle* on a boat launching ramp to retrieve a boat before the boat is ready for collection.
- 22.3 The boat launching ramps permitted under clause 22 shall be contained in Schedule 4 of this *Bylaw*.
- 23. Weights of Vehicles and Loads over Bridges and Culverts**
- 23.1 The *Council* may from time to time determine by resolution Publicly Notified the weights of *Vehicles* or loads that may pass over bridges and culverts.

- 23.2 The weights of *Vehicles* and loads that may pass over bridges and culverts permitted under clause 23.1 shall be contained in Schedule 5 of this *Bylaw*.
- 23.3 The *Council* may from time to time amend by resolution Publicly Notified schedule 4 of this *Bylaw*.

Te wāhi whakawhitinga o ngā waka | Vehicle crossings

24. Prohibition of Crossing Construction without Council Approval

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

25. Approval of constructions of crossings

- 25.1 Except with the prior *Approval* of the *Council*, no *Person* shall:
- construct any crossing (including a temporary crossing) across any *Footpath*, *Shared Pathway*, or any water channel on or adjoining any *Road*; or
 - construct any double crossing or additional crossing to a single Premises across any *Footpath*, *Shared Pathway*, or any water channel on or adjoining any *Road*; or
 - repair, reconstruct, renew or carry out any work in connection with any existing any double crossing or additional crossing to any single premises.

26. Approval of work

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

27. Removal of unsafe crossings

- 27.1 If the *Council* considers that any crossing (including a temporary crossing) is in an unsafe state of repair, or is incorrectly located or constructed, the *Council* may by notice in writing, require the *Owner* or *Occupier* of the premises served by the crossing to carry out the necessary work to remove, upgrade, or repair the crossing to the standards specified by the *Council*.
- 27.2 If the *Owner* or *Occupier* fails to comply with a notice issued under clause 27.1, the *Council* may carry out the required work to remove, upgrade, or repair the crossing,

and recover the actual costs from the *Owner* or *Occupier* of the premises served by the crossing.

Te nekehanga o ngā kararehe | Stock Movement

28. Prohibition of Stock Movement without a Permit

- 28.1 No *Person* shall move any *Stock* on any *Road* in the *District* unless a valid permit is held and the *Stock Movement* takes place in compliance with the permit.
- 28.2 Upon timely application by a *Person*, the *Council* may issue a permit for the movement of *Stock* along or across one or more *Roads* within the *District*, subject to such conditions as it may determine.

Explanatory notes:

Further detail for Stock movement on Roads is contained in section 3.23 of Council's Development Manual. The Stock Control Strategy sets out Council's permit regime and conditions.

- [Stock Control Strategy](#)
- [Development Manual \(Part 3 - Road Works\)](#)

29. Stock Movement on Roads

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

30. Powers of Authorised Officers at Stock Movement

- 30.1 If an *Authorised Officer* present during a *Stock Movement* determines that complying with a permit requirement would create or worsen unsafe conditions, or is impractical or unreasonable in the circumstances, the *Authorised Officer* may grant a temporary

dispensation. Any dispensation may include conditions the *Authorised Officer* considers appropriate.

- 30.2 An *Authorised Officer* may refuse to permit a *Stock Movement* only where, in exceptional circumstances, the movement may or has the potential to, pose a significant and immediate risk to public safety. Any refusal must be reasonable and proportionate to the risk identified.
- 30.3 An *Authorised Officer* who has acted in accordance with clause 30.2 shall report this to the *Council* in writing as soon as practicable, where the *Council*, shall consider the possible revocation of the permit or amendment to its conditions.
- 30.4 The *Council* or any *Authorised Officer* who acted in good faith shall not be liable for damages due to the exercise of the above powers.
- 31. Stock Underpass**
- 31.1 Where *Stock Movement* across a *Road* will be in excess of the limits specified in the relevant document/s published by Council for this purpose in schedule 5 of this Bylaw, *Council* may require the applicant to construct an *Approved Stock* underpass that meets the requirements of the *Council*.
- 32. Shared Pathways**
- 32.1 The *Council* may from time to time, by resolution Publicly Notified determine:
- the length, route and/or location of a *Shared Pathway*; and
 - the priority for users on a *Shared Pathway*; and
 - any restrictions on the use of a *Shared Pathway* including prohibiting use in a manner considered unreasonable or inappropriate by the *Council*.
- 32.2 All pathways will be deemed to be *Shared Pathways*, as defined under clause 7 of the *Bylaw*, if identified by official *Council Shared Pathway* signage and shall be treated as such 24 hours a day, 7 days a week.
- 32.3 Where any land has been set aside, designated or otherwise reserved as a *Shared Pathway*, any *Person* using that *Shared Pathway* shall have full regard for other users.
- 32.4 No *Person* shall operate any motor *Vehicle* (not including mobility aids) on any *Shared Pathway* except where a motor *Vehicle* is driven:
- into a vehicular entrance over a *Shared Pathway*; or
 - for the purpose of maintaining any land or infrastructural or network utility, adjacent to or within the *Shared Pathway*; or
 - with permission of an *Authorised Officer*, where no reasonable alternative access is available, and provided that due consideration is given to allow periodic access for *Pedestrians* and/or cyclists.
- 32.5 *Shared Pathways* permitted under clause 32 shall be contained in Schedule 6 of this *Bylaw*.

Te uruhitanga me ngā hara | Offences and Enforcement

33. Specific Offences and Penalties

- 33.1 Every *Person* commits an *Offence* against this *Bylaw* and is liable to the penalties prescribed in the relevant Acts if that *Person*:
- fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by any lines, markings, traffic signs and other signs placed by the *Council* pursuant to any of the provisions of or any resolution made under this *Bylaw*; or
 - fails to comply with any condition, duty, or obligation imposed by this *Bylaw* or any resolution made under it; or
 - breaches any prohibition or restriction set out in this *Bylaw* or by any resolution made under it.

34. Defences

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

35. Exempted Vehicles

- 35.1 This *Bylaw* shall not apply to the following:
- Emergency Vehicles* being used in an emergency; or
 - Vehicles* operated by utility providers whilst engaged in emergency repair work to a public utility service; or
 - Vehicles* operated by the *Council* or for the *Council* during the necessary fulfilment of *Council's* statutory functions, duties or powers; or
 - Any *Vehicle* that has permission from the *Council*.
- 35.2 Clauses 16.1 and 20 of this *Bylaw* shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.

36. Council Request to Move Vehicle

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

Explanatory notes:

Council may remove a *Vehicle* left or abandoned on a public *Road*. This process can include issuing a notice, notifying Police before removal, towing and storing the *Vehicle*, or disposing of it if unclaimed, and recovering all associated costs from the *Owner*.

37. Seizure and Impounding

- 37.1 An *Authorised Officer* may seize and impound any property that is materially involved in a breach of this *Bylaw*, in accordance with the applicable provisions of the Local Government Act 2002.
- 37.2 Before seizing and impounding property, an *Authorised Officer* must:
- a) direct the *Person* to stop committing the *Offence*; and
 - b) advise that the property may be seized if they do not comply; and
 - c) give the *Person* a reasonable opportunity to comply.
- 37.3 As soon as practicable after seizing and impounding property, an *Authorised Officer* must give a notice to the *Person* from whom the property was seized, or to the *Owner*, in the manner required by the Local Government Act 2002.
- 37.4 *Council* may recover all reasonable costs of seizing, impounding, transporting, storing, and (if required) disposing of the property, in accordance with the Local Government Act 2002.

Explanatory notes:

Council's compliance approach

Council's first priority is to help people understand the rules and why they matter. We focus on supporting voluntary compliance first, and then only take further action when necessary.

Information and support:

We provide clear information about responsibilities, why the rules exist, and what happens if a breach occurs.

Fair and appropriate action:

Where necessary, *Council* may use tools available under this *Bylaw*, the Local Government Act 2002 (LGA), and Land Transport legislation, including:

- giving a formal warning;
- issuing an infringement notice (where authorised under land transport legislation);
- removing or fixing work or structures constructed in breach of the *Bylaw* (LGA s163);
- seizing and impounding property not on private land (LGA s164);
- seizing and impounding property from private land under warrant (LGA s165).
 - Applications for warrants must follow the Search and Surveillance Act 2012 process (LGA s165(2)).
 - A warrant issued under s165 is treated as a search warrant under Part 4 of the Search and Surveillance Act (LGA s165(4)).
- taking prosecution action if appropriate.

Note: LGA s165 requires an issuing officer (as defined in the Search and Surveillance Act 2012) to issue the warrant; elected members and *Council* employees cannot act as issuing officers.

This *Bylaw* was made pursuant to a resolution passed by Matamata-Piako District Council on [TBC], resolution number [TBC].

38. Record of Bylaw Review and Amendments

Activity	Date
Full statutory review undertaken and <i>Bylaw</i> Approved by Council	[TBC]
Next review required by:	[TBC]

DRAFT - FOR ADOPTION

Rārangi 1: Ngā rori ahutahi | Schedule 1: One Way Roads

The *Roads* or areas described in this schedule are declared to be one-way *Roads* for vehicular traffic.

Road Name	Start	End	Distance
Peria Road (Westbound)	State Highway 27	Smith Street	158 metres
Peria Road (Eastbound)	Smith Street	State Highway 27	162 metres

DRAFT - FOR ADOPTION



Rārangi 2: Ngā here o te huringa | Schedule 2: Turning Restrictions

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

DRAFT - FOR ADOPTION

Rārangi 3: Te turaki o ngā waka | Schedule 3: Traffic Prohibitions

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

DRAFT - FOR ADOPTION

Rārangi 4: Ngā Papa Rōnaki mō te Poti | Schedule 4: Boat Launching Ramps

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

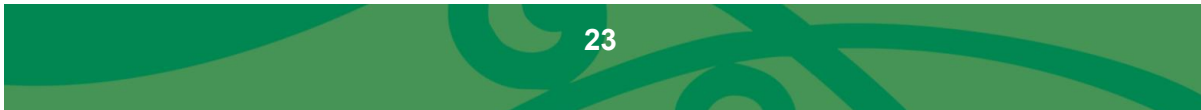
Types of Restriction

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

Persons may only use a boat launching ramp to launch a boat from a trailer or to retrieve a boat onto a trailer, unless authorised by the *Council* for another purpose.

Location	Description
Off Lawrence Avenue/Terminus Street, alongside the Coulter Bridge (Te Aroha)	This area includes the motorhome dump station for Te Aroha, a <i>Parking</i> area, and a boat-launching ramp. It is also part of the Te Aroha to Paeroa section of the Hauraki Rail Trail.

DRAFT - FOR ADOPTION



**Rārangi 5: Te turaki i te toimaha i runga i ngā arawhiti, karawata rānei | Schedule 5:
Weight and Load Restrictions over Bridges or Culverts**

The bridges described in this Schedule have the following maximum weight and *Speed Limits* for *Heavy Motor Vehicles* pursuant to clause 11(3) of the Heavy Motor Vehicle Regulations 1974.

Bridge ID	Road Name	Length	Weight Restriction	Speed Restriction
No. 92	Mace Road	56	80% of Class 1 35,000kg	--
No. 236	Herries Street	11	30% of Class 1 13,200kg	30 km/hr
No. 93	Wairakau Road	11	60% of Class 1 26,400kg	--
No. 52	Haumia Road	72	44,000 kg	--
No. 72	Rawhiti Road	9	44,000kg	--
No. 94	Wairakau Road	14	44,000kg	--
No. 96	Wairakau Road	14	44,000kg	--
No. 97	Wairakau Road	10	44,000kg	--
No. 131	Kereone Road	31	44,000kg	--
No. 132	Kereone Road	31	44,000kg	--
No. 133	Kuranui Road	31	44,000kg	--
No. 135	Kuranui Road	28	44,000kg	--
No. 138	Avenue Road South	31	44,000kg	--
No. 140	Harbottle Road	31	44,000kg	--
No. 153	Hutchinson Road	31	44,000kg	--
No. 166	Rohe Road	12	44,000kg	--
No. 192	Tower Road	38	44,000kg	--
No. 194	Okauia Springs Road	53	44,000kg	--
No. 213	Old Te Aroha Road	31	44,000kg	--

Rārangi 6: Nga ara tohatoha | Schedule 6: Shared Pathways

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

7 Pūrongo me whakatau | Decision Reports

7.6 Policy on Dogs and Dog Control Bylaw - Deliberations and Adoption

CM No.: 3158381

Te Kaupapa | Purpose

The purpose of this report is to seek direction on the adoption of the Policy on Dogs 2010 (Amended 2026) (Policy) and Dog Control Bylaw 2010 (amended 2026) (Bylaw) after consideration of the recent consultation.

Rāpopotonga Matua | Executive Summary

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Policy on Dogs 2010 (Amended 2026) and Dog Control Bylaw 2010 (amended 2026) from 16 March to 19 April 2026 alongside several other documents.

154 submissions were received on the draft Policy and Bylaw. This report provides information on the submissions received and themes identified.

The submissions show broad alignment with the overall direction of the draft Policy and Bylaw, particularly the clearer structure, clearer expectations for responsible ownership, and retention of existing welfare standards. Most submitters agree with the need for updated policy settings and improved clarity.

There is general acceptance of allowing dogs in Central Business Districts and on the Hauraki Rail Trail when dogs are on leash and under control, with many submissions noting that effective implementation will rely on signage, waste management and enforcement. The most contested issue raised through submissions relates to proposed changes to off-leash exercise areas in Matamata, particularly Centennial Drive and Tom Grant Drive.

Feedback on this issue is divided, with submitters raising a range of reasons both for and against change, and frequent references to the availability, accessibility and distribution of alternative off-leash areas.

Across submissions, enforcement and roaming dogs are repeatedly identified as key operational concerns. Many submitters note that compliance outcomes are seen as dependent on enforcement capacity rather than policy wording.

Overall, submissions reflect support for the policy framework and mixed views on specific Matamata off-leash area changes, with consistent emphasis on implementation, enforcement and practical impacts. Based on feedback received it is recommended Council consider if any amendments are required to the draft Policy and Bylaw prior to adoption.

Tūtohunga | Recommendation

That:

1.

- a) The information be received.

Dog Control Bylaw

- b) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- c) 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.
- d) Council determines that the Dog Control Bylaw 2010 (Amended 2026) meets the requirements of section 155 of the Local Government Act 2002, in that it:
 - i. is the most appropriate form of bylaw;
 - ii. does give rise to implications under the New Zealand Bill of Rights Act 1990 but is considered reasonable, proportionate and consistent with that Act;
- e) Council adopts the Dog Control Bylaw 2010 (Amended 2026) as attached (with no changes arising from the consultation), to come into force 1 July 2026, with removal of references to schedule 4 – maps.
- f) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Dog Control Bylaw 2010 (Amended 2026) (if required).
- g) Council's decision on the Dog Control Bylaw 2010 (Amended 2026) be notified to submitters and the public and be made available on Council's website.

Policy on Dogs

- h) Council confirms all decisions and reasons as per 'Attachment A – Submissions' (circulated separately).
- i) Council adopts the Policy on Dogs 2010 (Amended 2026) attached (with no changes arising from the consultation), to come into force 1 July 2026.
- j) Staff be given delegation to make minor proofing and grammatical changes prior to publishing the Policy on Dogs 2010 (Amended 2026) (if required).
- k) Council's decision on the Policy on Dogs 2010 (Amended 2026) be notified to submitters and the public and be made available on Council's website.

OR

2.

- | | |
|----|--|
| a) | The information be received. |
| b) | Council requests staff provide additional information and/or explore further options and present an amended Dog Control Bylaw 2010 (Amended 2026) and amended Policy on Dogs 2010 (Amended 2026) documents to the Council meeting on 27 May 2026. |
| c) | Council notes that any significant changes may require further community consultation. |

Horopaki | Background

Council has undertaken a review of 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 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 Dog Control Act 1996 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.

Prior Updates and Amendments

The current [Policy on Dogs](#) and [Dog Control Bylaw](#) were last reviewed in 2016.

The 2016 review updated the Dog Control Policy and Bylaw by clarifying definitions and aligning them with best practice. Changes included revisions to areas prohibited to dogs, such as the removal of Hawes Bush (Waharoa) and the addition of Kowhai Street Reserve (Matamata), Thomas Park (Morrinsville) and Kennedy Street Reserve (Te Aroha), as the entire parks fall within 15 metres of play equipment. Amendments were also made to leash control areas to provide further clarity.

The review acknowledged community demand for additional dog exercise areas, particularly in Te Aroha and Morrinsville and proposed seeking public feedback on this during consultation. A new clause was introduced requiring owners to keep dogs under control in all public places.

The review further clarified permit requirements for keeping multiple dogs, introduced a formal fees and charges clause, and retained Council's discretion regarding the neutering of menacing dogs. Temporary access for dogs to events was to be managed through enforcement discretion rather than bylaw amendments.

Since 2016, there have been some further amendments (e.g. new dog exercise areas added in Matamata and Te Aroha in 2021 as a result of community group requests and partnering).

Demand has continued to grow for:

- More/alternative dog exercise areas (especially in Morrinsville).

- Management of barking and roaming dogs.
- Stronger enforcement and clearer rules.

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

The review of the Bylaw involves making the determinations required under section 155 of the Local Government Act 2002. The associated Policy is reviewed in accordance 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.

Engagement has included:

- A community survey with over 1,000 responses
- Staff feedback and operational insights
- Council workshops to identify priority areas
- Te Manawhenua Forum engagement to incorporate cultural perspectives
- Direct communication with all registered dog owners
- In-person engagement through markets, a youth workshop in Morrinsville, CBD walkabouts and business association feedback.

Key themes raised during engagement included strong support for allowing leashed dogs in town centres, concerns about the suitability of certain off-leash areas, the importance of responsible dog ownership and clear rules, requests for improved communication and education, and recognition of the cultural significance of kurī to Māori, including respect for marae protocols and wāhi tapu. Operational feedback also informed the review, highlighting the need for clearer bylaw provisions, alignment with enforcement practices, and consideration of service level and funding implications.

This feedback was progressively considered by Council through workshops and updates, informing the review of the draft Policy and Bylaw and the refinements now presented for adoption. The changes proposed reflect a balanced response to community views, cultural considerations, and operational practicality.

Full survey results are also available via the website at: [Paw and Order](#)

Although the 2024/25 consultation on the Community Safety Bylaw wasn't focussed on dog control, dogs were one of the most frequently mentioned topics and this information was used to inform the review. The overall sentiment was support for more visible enforcement of existing rules, especially around off-leash behaviour, barking, and roaming dogs.

Complaint Trends (2019-2024)

A workshop held in August 2025 with the previous Council focused on presenting initial findings (customer requests and Animal Control team feedback). Some key information is replicated below:

Issue	Trend	Notes
Wandering dogs	▲ Rising district-wide (an increase of 45% over five	This is the biggest and fastest growing complaint, especially in

	years	Matamata and Morrinsville.
Barking dogs	▲ Slightly decreased but still remains high (and increasing in Te Aroha)	Complaints peaked at 183 (2022/23), then slightly declined to 154 (2023/24). This is still higher than earlier years.
Aggressive dogs	▲ Increasing over time.	Increased steadily from 37 (2019/20) to 51 (2023/24), peaking at 57 in 2021/22.
Dog bites	▲ Peaked in 2021/22 & 2022/23, slightly decreased in 2023/24	Complaints climbed from 11 (2019/20) to a high of 25 (2021/22 & 2022/23), then slightly decreased to 21 in 2023/24. Numbers are rising in Morrinsville and improving in Te Aroha.
Unregistered dogs	↓ Complaints remain stable and low across all towns	Between 0-4 complaints are received per year across the district.
Animal welfare	↓ Improving	Across the district, decreased from 33 (2019/20) to 26 (2023/24). Most towns show a downward trend, apart from Te Aroha.
Fouling	↓ Minimal complaints received	0-3 complaints received per year. This may reflect underreporting.
Bylaw breaches	↓ Trending downward	Complaints remain low but trending downward, from nine (2019/20) to five (2023/24) district-wide.

Feedback - Operational Feedback (Animal Control Staff)

Animal Control staff identified the following key areas of concern and provided suggestions for improvement.

- Review appropriateness and enforcement of current prohibited areas, including CBD bans.
- Resolve conflicts in multi-use exercise areas (Centennial Drive, Morrinsville Recreation Ground).
- Clarify rules on dogs inside shops, especially in Te Aroha.
- Explore options for holding impounded dogs longer for de-sexing. It is noted that this cannot be included in the bylaw. The Dog Control Act 1996 states that territorial authorities may only impound dogs for reasons specified in the Dog Control Act 1996 - such as roaming, attacks, or non-registration, and cannot impose additional detention periods for elective procedures like de-sexing without owner consent.

Consultation in 2026

The consultation process whereby the public is invited to submit their feedback has been undertaken on the draft Bylaw from 16 March to 19 April 2026 alongside several other documents.

Consultation information such as the Statement of Proposal and draft Policy on Dogs 2010 (amended 2026) and Dog Control Bylaw 2019 (amended 2026) can be found [here](#).

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 shaped the revised drafts for community consultation.

Summary of Key Inclusions and Changes

A summary of key changes made 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 kurī (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.

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 = current areas proposed to change

Area	Current Rules	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); • Kowhai Street Reserve <p><u>Morrinsville</u></p> <ul style="list-style-type: none"> • CBD area (between the hours of 8.00am to 6.00pm); • Thomas Park <p><u>Te Aroha</u></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>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> <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 	<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</p>

Area	Current Rules	Proposed Changes
	<p>(Matamata) Aerodrome;</p> <ul style="list-style-type: none"> • 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>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 Trail 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>
<p>Dog Exercise Areas</p> <p><i>*Note: Council is 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>	<p>Matamata</p> <ul style="list-style-type: none"> a) Centennial Drive from Tainui Street to Broadway; b) Tom Grant Drive from Rawhiti Avenue to Tawari Street; c) Furness Reserve; d) Founders Park; e) Peria Road Reserve (portion excluding memorial plantings and pathway). <p>Morrinsville</p> <ul style="list-style-type: none"> a) Murray Oaks Reserve – State Highway 26; b) The Morrinsville Recreation Grounds Polo Field area only at times when there is no Horse or Sports Activity; c) Holmwood Park (lower portion near the Piako River). <p>Te Aroha</p>	<p><u>Remove Areas</u></p> <p>Removal of Centennial Drive and Tom Grant Drive (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>

Area	Current Rules	Proposed Changes
	<ul style="list-style-type: none"> a) Spur Street Esplanade (portion near the Waihou River under the footbridge); b) Reserve on Spur Street (portion opposite netball club and bmx track). 	

What was 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.

Submissions

154 submissions were received on the draft Policy and Bylaw.

10 submitters have indicated they would like to present their views in person to the Council hearing.

Submissions summary

Below is a summary of the submissions received

Preferred overall option	Count	Percentage
Option 1: Adopt Policy on Dogs and Dog Control Bylaw	49	31.8%
Option 2: Keep existing Policy and Bylaw	22	14.3%
Option 3: Adopt with amendments	33	21.4%
Option 4: Revoke current Bylaw	5	3.2%
Option 5: Other	18	11.7%
No response	28	18.1%

Responses to specific questions asked

Draft Policy on Dogs	Percentage of agreement
<u>Proposed changes - prohibited areas</u>	93.8%
Question 2: Do you agree with the clearer layout of the policy, and the stronger focus on responsible dog ownership?	
Question 3: Do you agree with the updated policy objectives?	85.7%

Draft Dog Control Bylaw	Percentage
<u>Proposed changes - prohibited areas</u> Question 4: Do you support adding Farmer Street Reserve (Te Aroha) as a prohibited area?	72.3%
<u>Proposed changes - leash control areas</u> Question 5: Do you support dogs being allowed in the Central Business Districts (CBDs) at any time, as long as they are on a leash and under control?	81.0%
Question 6: Do you support allowing dogs on the Hauraki Rail Trail area in Te Aroha and through to Matamata, as long as they are on a leash and under control?	91.0%
Question 7: If the community agrees, the above changes to the CBD and Hauraki Rail Trail areas could run as a six-month trial. Do you support trying them out first?	76.2%
Question 8: Do you support changing Centennial Drive and Tom Grant Drive in Matamata from off-leash areas to on-leash areas?	48.2%
<u>Rules proposed to remain the same</u> Question 9: Do you support the rule of having up to two dogs in town areas (before needing a permit) stay the same?	87.1%
Question 10: Do you support keeping the current minimum standards for how dogs must be housed and cared for?	94.4%

Summary staff comment

The submissions show broad alignment with the overall direction of the proposed Policy on Dogs and Dog Control Bylaw, particularly the clearer structure, clearer expectations for responsible ownership, and retention of existing welfare standards. Most submitters agree with the need for updated policy settings and improved clarity.

There is general acceptance of allowing dogs in Central Business Districts and on the Hauraki Rail Trail when dogs are on leash and under control, with many submissions noting that effective implementation will rely on signage, waste management and enforcement. The most contested issue raised through submissions relates to proposed changes to off-leash exercise areas in Matamata, particularly Centennial Drive and Tom Grant Drive.

Feedback on this issue is divided, with submitters raising a range of reasons both for and against change, and frequent references to the availability, accessibility and distribution of alternative off-leash areas.

Across submissions, enforcement and roaming dogs are repeatedly identified as key operational concerns. Many submitters note that compliance outcomes are seen as dependent on enforcement capacity rather than policy wording.

Overall, submissions reflect support for the policy framework and mixed views on specific Matamata off leash changes, with consistent emphasis on implementation, enforcement and practical impacts.

Corrections and Amendments

Staff recommend minor amendments to the Bylaw to remove references to the maps contained within the Bylaw, as interactive maps are provided on the Council website and can be viewed [here](#). These maps will be updated to reflect Council decisions on the Bylaw.

Council Considerations

Proposed changes to prohibited areas

Issue 1 - Prohibit dogs from Farmer Street Reserve in Te Aroha

Current Rule	Proposed Change / Staff Comment
<p>Dogs are not allowed within 15 metres of any children’s play area or individual item of play equipment.</p>	<p>Dogs would not be allowed at the Farmer Street Reserve in Te Aroha.</p> <p>With the planned playground upgrade, most of the park will fall within the 15-metre buffer zone where dogs are already prohibited. To provide a clear and consistent rule, we are proposing to classify the entire area as a prohibited area, similar to our approach in other areas such as Thomas Park (Morrinsville), Kowhai Street Reserve (Matamata), and Kennedy Street Reserve (Te Aroha).</p> <p>The 15-metre buffer zone around playgrounds and play equipment will remain in place.</p> <p>Staff comment:</p> <p>72.3% of submissions support this change. The proposed prohibition is consistent with the approach applied in other locations where playgrounds occupy the majority of the reserve, and where the 15-metre buffer zone around the playground results in the entire/majority of the park area falling within a prohibited zone.</p>

Proposed changes to leash control areas

Issue 2 - Allow dogs in the CBD areas at all times (on leash)

Current Rule	Proposed Change / Staff Comment
<p>Dogs are currently prohibited from the Central Business Districts (CBDs) of Matamata, Morrinsville and Te Aroha between 8.00am and 6.00pm, seven days a week. Outside these hours,</p>	<p>Dogs would be permitted in the Central Business Districts (CBDs) of Matamata, Morrinsville and Te Aroha at all times provided they are on a leash and under control.</p> <p>This proposed change reflects strong community support during the pre-consultation phase for dog-friendly spaces and aligns with practices in other towns and cities.</p> <p>Staff comment: The submissions indicate strong community support (81%) for this change. Full bans in CBDs are generally uncommon (Rotorua Lakes Council and New Plymouth District Council include CBD bans). Following a six-month trial to allow</p>

Current Rule	Proposed Change / Staff Comment
<p>dogs may enter the CBDs but must be on-leash and under control.</p>	<p>dogs in the areas of Ōamaru, the Council agreed to permanent changes. Most councils allow dogs on leash in town centres, with prohibitions limited to sensitive areas (playgrounds, sports fields, environmental concerns). In general, Councils place an emphasis on leash control, signage, and owner responsibility rather than outright prohibition.</p> <p>Dogs are already present in CBDs; the current rule appears to be widely unknown. There are social and economic benefits - dog-friendly policies could boost local business. Some businesses rely on dog-friendly culture, and are dog friendly, for example - put out water bowls.</p> <p>Council should also consider the safety aspects of dogs in the CBDs, fear of aggressive dogs, intimidation of children and elderly, cultural sensitivities (some people fear dogs, even when leashed and not displaying aggression). There is also potential for increased dog waste causing mess and odour, need for bins and clean-up.</p>

Issue 3 – Allow Dogs on some parts of the Hauraki Rail Trail (on leash) (from Stirling Street, through Te Aroha and out to Matamata)

Current Rule	Proposed Change / Staff Comment
<p>Dogs are currently prohibited from the area of the Hauraki Rail Trail from Stirling Street to Farmer Street (Te Aroha).</p>	<p>Dogs would be allowed on the Hauraki Rail Trail section through the Te Aroha township and out to Matamata provided they are on a leash and under control.</p> <p>This supports recreational opportunities for dog owners while maintaining safety for all trail users.</p> <p><i>Note: The section from Stirling Street in Te Aroha to the Hauraki District Council boundary will remain a no-dog area due to existing restrictions (a designation is in place).</i></p> <p>Staff comment: The submissions indicate strong community support (91%) for this change. The proposal allows shared use of trail for dog walkers and cyclists. The current rule is not widely known and therefore appears to be ignored and therefore presents enforcement challenges.</p> <p>Pre-consultation feedback indicates that some dog walkers regularly use this area and consider it an important recreational space. Conversely, feedback from cyclists' highlights concerns about safety - particularly the risk of collisions, and hygiene issues related to dog waste.</p> <p>Allowing dogs on-leash in this section appears to be in line with neighbouring councils, such as Hauraki and Thames-Coromandel, which generally permit dogs on-leash on trail sections that run through the urban area.</p> <p>Parks planning staff note that dogs and bikes are not an ideal mix, particularly given the predominance of e-bikes on the trail, which</p>

Current Rule	Proposed Change / Staff Comment
	<p>travel at higher speeds and reduce reaction time. Dogs on long, thin leads can create hazards for cyclists, increasing the risk of accidents. Parks planning also advise against providing dog waste bags and bins along the trail, as these are often misused and are generally only provided at designated dog exercise areas.</p> <p>Council should give consideration of operational and health and safety risks, including potential conflicts between dogs and cyclists, enforcement challenges, and hygiene concerns related to dog waste.</p>

Issue 4 – Should Council trial CBD and Hauraki Rail Trail changes as a trial?

Current Rule	Proposed Change / Staff Comment
<p>Dogs are currently prohibited from the area of the Hauraki Rail Trail from Stirling Street to Farmer Street (Te Aroha).</p> <p>Dogs are currently prohibited from the Central Business Districts (CBDs) of Matamata, Morrinsville and Te Aroha between 8.00am and 6.00pm, seven days a week.</p> <p>Outside these hours, dogs may enter the CBDs but must be on-leash and under control.</p>	<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>Council may choose to trial the proposed dog access changes in the CBDs and on the Hauraki Rail Trail for six months after adopting the final bylaw. The purpose of a potential trial would be to monitor impacts and determine whether the approach is suitable for long-term implementation.</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>Staff comment: Submissions demonstrate strong support for a trial run of the proposed changes (76.2%), including allowing dogs on-leash in the CBDs and on the Hauraki Rail Trail. A trial run provides Council with a practical and low-risk way to test how increased dog access operates in practice, particularly in busy CBD environments and a shared-use trail. Refer to Risks and Mitigations below.</p>

Issue 5 – Changing Centennial Drive and Tom Grant Drive (Matamata) from off-leash to on-leash areas.

Current Rule	Proposed Change / Staff Comment
<p>Tom Grant Drive and Centennial Drive in Matamata are dog exercise areas which means</p>	<p>These areas would be removed as areas where dogs can be exercised off-leash and would instead require dogs to be on-leash areas.</p> <p>Staff comment: This change was proposed to address safety concerns raised in feedback, including conflicts between dogs and</p>

Current Rule	Proposed Change / Staff Comment
<p>dogs are allowed to be exercised off-leash.</p>	<p>other users and the proximity of a playground (in Tom Grant Drive). These areas are noted as being popular with walkers, cyclists and children. There are also reports of dog attacks, intimidation and dog waste being left behind by dogs off leash.</p> <p>In the review of the Bylaw, community concerns were received about Centennial Drive and Tom Grant Drive as off leash areas, with feedback emphasising that:</p> <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 be 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).

Rules proposed to remain the same

Issue 6 – Continue with rule of maximum two dogs in urban areas

Current Rule	Proposed Change / Staff Comment
<p>The draft Bylaw proposes to retain the current limit of two dogs in urban areas (over three months of age) before a permit is required, with no limit applying in rural areas.</p>	<p>The draft Bylaw proposes no changes.</p> <p>Staff comment: This received a high level of support in submissions (87.1%). It is considered the current two-dog limit remains appropriate and consistent with best practice across New Zealand.</p> <p>Councils typically aim to balance animal welfare, public safety, and neighbourhood amenity by limiting dog numbers in residential areas and requiring permits for higher numbers. This approach helps reduce noise, roaming, and conflict while supporting responsible ownership.</p> <p>The permit system allows for exceptions depending on circumstances.</p>

Issue 7 – Continue with minimum standards for accommodation and care?

Current Rule	Proposed Change / Staff Comment
<p>Dogs must be provided with suitable shelter with shade, warmth, and enough space for the dog to move comfortably. The shelter must be at least two metres</p>	<p>The draft Bylaw proposes no changes.</p>

Current Rule	Proposed Change / Staff Comment
from the property boundary, and dogs must receive proper care, including food, water, exercise, and veterinary treatment when required.	

Kōrerorero | Discussion

Letter from Minister of Local Government

The attached letter from the Minister (received 21 March 2026) provides the latest on the Government action regarding Dog Control legislation. The Government is confirming they will undertake a comprehensive review of the Dog Control Act 1996 with stakeholder consultation. Of note, the letter states:

In the meantime, I encourage councils to continue using the powers available to them under the Act. I am particularly keen to see all councils specify in their dog control policy that menacing dogs must be neutered¹. If this is not already the case with your council, I recommend you consider taking this step at your next policy review. Alongside this, determining if your dog bylaw is still fit-for-purpose could be a valuable exercise.

The draft Policy (as consulted on) states that all dogs classified as menacing must be neutered. It does allow for exemptions in limited circumstances, which Council staff consider remains appropriate.

The next steps are that a working group has been established to review the [enforcement guidelines](#) (made up of animal management staff, Taituarā and Local Government New Zealand) and stakeholders will be asked to provide feedback in mid-2026. This work will provide a basis for informing future legislative change.

Staff are of the view that the current tools in the Dog Control Act 1996 are generally adequate; the real challenge is resourcing, and larger councils particularly appear to face more complex issues. When the opportunity for consultation arises, Council intends to consider the submission prepared by the regional animal control group, supplementing it with any additional feedback relevant to our district.

Mōrearea | Risk

Legal risks - may arise if the Bylaw and Policy conflict with existing legislation or are considered to exceed Council's authority. To mitigate this, the draft Bylaw and Policy were reviewed for legislative compliance and alignment.

There is also a risk that some members of the community may not agree with the Policy or Bylaw or specific provisions within it. This risk has been mitigated by providing a formal opportunity for the community to have their say during public consultation and ensuring that all views are carefully considered before finalising.

This review has been informed by extensive early engagement with the community (including community markets, CBD walk-about, targeted engagement with all registered dog owners 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, including Te Manawhenua Forum).

Formal public consultation has been undertaken 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 as exceeding Council's powers, or may not follow the legislative requirements including use of the special consultative procedure (LGA).	Drafting has been reviewed for legislative alignment. The proposal has been consulted on using the 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 occurred 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 presented clear options, trade-offs, and rationales grounded in early engagement. Consultation materials showed what we heard and how it shaped options. A feedback loop will explain how submissions influence final decisions.
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	The Actual costs remain unknown, any impacts will be recorded during the trial period and reported to Council for consideration. to Council making long term changes. Existing health and safety protocols for staff handling waste remain in

Risk	Description	Mitigation
	of maintenance and waste removal. Increased direct 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 increased enforcement activity.	This can be mitigated through clear communication about the reasons for change, providing options for alternative exercise areas, and affected communities have been engaged throughout the consultation period and will be informed ahead of 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</p>	<p>Clear and proactive communication will be essential 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
	feedback indicates that the current rules are not generally 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.

Council can now consider the views of those who have submitted before the 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.

Detailed options are discussed above. The overall options are outlined below.

Option One – Adopt the draft Policy on Dogs 2010 (Amended 2026) and Dog Control Bylaw 2010 (Amended 2026) as proposed to the community with removal of references to schedule 4 – maps

Advantages	Disadvantages
Reflects strong community feedback from the Paw and Order survey, ensuring the Policy and Bylaw align with current expectations.	Some dog owners may perceive the removal of off leash areas as too restrictive (Tom Grant Drive and Centennial Drive in Matamata)
There is the option to trial key changes around dog access (e.g. CBD areas and the Hauraki Rail Trail) for six months to ensure any change works for the community.	Additional signage and communication will be required to inform the public of the changes (additional cost).
Provides clarity and consistency for dog owners, the public, and Council enforcement.	Expanded dog access may increase risk of incidents in busy areas like the CBDs and the Hauraki Rail Trail.
Supports public safety by including leash requirements in high use areas.	More dogs in public spaces could lead to hygiene issues if owners do not comply with rules.
Dog owners are able to take their dogs to more	

places with them (for exercise and socialisation).	
The Policy objectives reflect community feedback.	
The draft Bylaw includes some further restrictions to dog access to reflect concerns raised and to support safety for all users of public places.	

Option two - Status Quo – Keep the existing Policy on Dogs and Dog Control Bylaw as is without any amendments

Advantages +	Disadvantages -
Familiarity for dog owners who may be accustomed to current rules.	The existing Policy and Bylaw do not reflect the proposed updates made to reflect local issues and what the community told us.
No immediate cost to update signage or communications.	Feedback indicates that some of the current rules are not well understood, and limited awareness may be causing ongoing frustration for the public. This lack of clarity increases the risk of non-compliance, creates ongoing challenges for enforcement, and undermines Council's ability to achieve safe, healthy, and well-managed public spaces.
The current restrictions around dogs in the CBDs and Hauraki Rail Trail may provide a sense of safety for all users of these spaces, including those who may have a fear of dogs.	Safety concerns have been identified in areas proposed for restricted access in Matamata (Tom Grant Drive and Centennial Drive). If no changes are made, this may present an ongoing risk of further incidents.

Option three - Adopt the draft Policy on Dogs 2010 (Amended 2026) and Dog Control Bylaw 2010 (Amended 2026) with further amendments.

Advantages +	Disadvantages -
Allows for refinement based on feedback received during formal consultation.	May delay implementation if significant changes require additional consultation.
Provides flexibility to address further emerging issues or community suggestions.	Additional consultation would involve further costs and resources.
This option allows Council to adopt the changes as proposed to the community, but incorporate additional refinements based on feedback received during this consultation process.	

Option 4: Revoke the current Dog Control Bylaw and do not adopt the draft Dog Control Bylaw 2010 (Amended 2026) as proposed to the community.

Advantages +	Disadvantages -
Removes the need for ongoing maintenance and review of a local bylaw. This may result in a cost saving by reducing administrative and enforcement costs associated with managing a bylaw.	There would be no legally enforceable rules to support the Policy, making it difficult to achieve its objectives.
May simplify the regulatory framework by relying on national legislation only.	There would be no local rules around dog access/leash requirements etc. - potentially leading to more incidents and higher risks to the community.
	May result in more complaints and less clarity for the community about dog access rules and acceptable behaviours.
	Council would lose an important enforcement tool for managing dog-related issues such as safety risks and nuisance.
	Could be perceived as a reduction in service quality and commitment to public safety and amenity.
	Leaves Council out of step with other local authorities that maintain dog control bylaws, potentially creating confusion for residents and visitors.

Recommended option

Option 1 was set out as Council’s preferred option.

This option involves adopting the amended Policy and Bylaw with all proposed changes, including allowing dogs (on-leash) in the CBDs and on some areas of the Hauraki Rail Trail, and changing Centennial Drive and Tom Grant Drive in Matamata from off-leash to on-leash areas.

Based on the consultation feedback, Council may wish to make amendments to the Bylaw, particularly where community views are divided such as the proposed changes to Centennial and Tom Grant Drive, Matamata. **(Option 3)**.

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 Dog Control Act 1996, Council is required to adopt a Policy on Dogs, which sets the strategic direction for dog control within the district.

The Dog Control Act 1996 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 Dog Control Act 1996 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 Dog Control Act 1996 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 to 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 freedom for dogs.

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.

The proposed Bylaw has been assessed for consistency with New Zealand Bill of Rights Act 1990. 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 New Zealand Bill of Rights Act 1990 (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 Dog Control Act 1996 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 has been revisited following public feedback and any further amendments to the Policy and Bylaw, to confirm whether any changes affect this analysis and conclusion.

Local Government Act 2002 (LGA) Decision-making requirements

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

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

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report.
Section 78 – requires consideration of the views of Interested/affected people	The opportunity to provide feedback was shared widely, via social media, in person events and newspaper advertising (Council in Focus).
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.	The special consultative procedure was used during the consultation and section 82 principles followed.

Policy Considerations

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

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement

For a full breakdown of the communications and engagement that was undertaken as part of this consultation, please see the Council Hearing of Submitters Report earlier in this agenda.





Timeframes

Key Task	Dates
Council considers the submissions for the	13 May 2026

draft Policy on Dogs, and Dog Control Bylaw	
Council adopts the Policy on Dogs, and Dog Control Bylaw	13 May 2026 (or at a later date as specified by Council)
Policy on Dogs and Dog Control Bylaw comes into force.	1 July 2026

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

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

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

The review of the 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

[A](#)  Update on Government action regarding Dog Control



[B](#)  Draft Policy on Dogs for Adoption (13 May 2026)



[C](#)  Draft Dog Control Bylaw for Adoption (13 May 2026)



Ngā waitohu | Signatories

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Hon Simon Watts

Minister of Climate Change
Minister for Energy
Minister of Local Government
Minister of Revenue



MIN097

Dear Mayors, Chairs and Chief Executives

Update on Government Action regarding Dog Control

I understand that councils are working hard to enforce the Dog Control Act 1996 and I appreciate your tremendous efforts in this challenging area of work. I am aware that the Act is no longer fit for purpose and needs significant change. Therefore, the Government will undertake a comprehensive review of the Act with stakeholder consultation.

In the meantime, I encourage councils to continue using the powers available to them under the Act. I am particularly keen to see all councils specify in their dog control policy that menacing dogs must be neutered¹. If this is not already the case with your council, I recommend you consider taking this step at your next policy review. Alongside this, determining if your dog bylaw is still fit-for-purpose could be a valuable exercise.

I am aware that non-compliant owners pose a challenge for many councils. I encourage using all the tools available to support compliance and responsible dog ownership, including working with other agencies where possible.

An area councils could focus on is increased monitoring of probationary and disqualified owners². Where conditions are not being met, following through with actions such as fines (or, in the case of disqualified owners, seizing a dog) may be effective.

The current enforcement guidelines provide a range of good practice examples for encouraging and enforcing compliance. I am pleased to report that a review and refresh of these guidelines is well underway. The refreshed guidelines will provide dog control officers with a practical tool to refer to in the course of their work. They will address current dog control concerns through identifying enforcement pathways available and will be supported with enhanced good practice examples, decision flow charts and more. Alongside this, the reporting of dog control data under the Act is being standardised. Accurate and consistent data is crucial for assessing dog control activities and trends nationwide.

¹ Section 10(3)(ea) of the Dog Control Act

² Sections 21-29 of the Dog Control Act

Officials are engaging with a working group composed of animal management staff from councils throughout the country, along with Taituarā and Local Government New Zealand. The review and refresh of the guidelines considers a range of stakeholder feedback and there will be an opportunity for stakeholders to provide feedback on the draft guidelines before they are released in mid-2026.

The guidelines and data reporting work provide a basis for informing future legislative change. Current stakeholder engagement and feedback, along with research, is invaluable in helping inform the review of the Act.

Again, thank you for your hard work. I look forward to continuing the efforts to improve dog control in New Zealand.

Yours sincerely



Hon Simon Watts
Minister of Local Government



Te Kaupapahere o ngā Kurī 2010 (i whakahounga i 2026) | Policy on Dogs 2010 (Amended 2026)

DRAFT – FOR ADOPTION

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	3164238
Resolution Date	TBC
Policy Effective From	1 July 2026 TBC
Policy Supersedes	Policy on Dogs 2010 (Amended 2016)
Review Frequency	Alongside Dog Control Bylaw (Not less than once every five to ten years as required by the Local Government Act 2002).
Review Date	1 July 2036 [TBC]
Engagement Required	Special Consultative Procedure (Local Government Act 2002)



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Part 1 Kupu Whakataki | Introduction

1. Background

- 1.1 Dogs are an important part of many households in the Matamata-Piako District, and most *Owners* take their responsibilities seriously. Dogs can provide companionship, security, and opportunities for recreation. However, when dogs are not properly cared for or controlled, they can create safety risks, cause distress, and create nuisance in the community.
- 1.2 *Council* seeks to balance the benefits of dog ownership with the community's right to enjoy *Public Places* safely. This *Policy* sets out *Council's* approach to managing dogs in a way that promotes responsible ownership, and protects people, property, and wildlife.
- 1.3 This *Policy* has been prepared in accordance with section 10 of the *Act*. In adopting this *Policy*, *Council* has had regard to:
 - a) the need to minimise danger, distress, and nuisance to the community generally; and
 - 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; and
 - 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; and
 - d) the exercise and recreational needs of dogs and their *Owners*.

2. Purpose

- 2.1 The *Act* requires all councils to adopt a policy on dogs.
- 2.2 This *Policy* provides the framework for dog management in the *District* and sets out how *Council* will fulfil its statutory duties under the *Act*.

3. Nature and Application of Bylaw

- 3.1 This *Policy* is given effect through the *Council's Bylaw* which establishes enforceable rules for dog management in the *District*.
- 3.2 The *Bylaw* includes provisions that:
 - prohibit dogs from specified *Public Places*;
 - require dogs to be on a *Leash* in identified areas;
 - designate *Dog Exercise Areas* where off-*Leash* activity is permitted.
- 3.3 This *Policy* should be read in conjunction with the *Act* and the *Bylaw*.

4. Scope

- 4.1 This *Policy* applies to:
 - all dogs in the *District* (whether registered or unregistered), their *Owners*, and any person in charge of a dog;
 - all *Public Places* and private ways within the *District* unless otherwise stated.

5. Council's Role

- 5.1 *Council* is responsible for implementing the *Act* and managing dog-related activities in the *District* to promote public safety, support responsible ownership, and reflect community values. This includes maintaining dog registration records, undertaking enforcement, providing education, and regularly reviewing dog control practices.

6. Owner Obligations and Responsibilities

- 6.1 Every *Owner* of a dog must comply with the *Act*, the *Bylaw*, and this *Policy* as well as all other applicable legislation, including the Animal Welfare Act 1999 and any rules applying to specific areas (e.g. including Department of Conservation land).
- 6.2 Responsible dog ownership includes:
- registering dogs annually;
 - keeping dogs under control at all times;
 - preventing nuisance or danger to people, animals or property;
 - removing dog faeces from any location outside the *Owner's* property, including all *Public Places*;
 - respecting *Prohibited Areas* and *Leash* control requirements;
 - ensuring dogs receive appropriate care, including adequate food, water, shelter, exercise, and veterinary attention;
 - meeting identification (e.g., microchipping) and *Neutering* requirements where applicable; and
 - complying with any limits on the number of dogs permitted under the *Council's Bylaw*.

7. Cultural Context

- 7.1 *Council* acknowledges the cultural importance of kurī (dogs) to Māori communities. Kurī have traditionally been companions, guardians, and hunting partners, and are part of Māori stories and traditions.
- 7.2 *Council* will seek to reflect this connection in its approach to dog management, while working with tangata whenua to ensure practices are respectful and consider tikanga (customs) and culturally significant places (wāhi tapu).
- 7.3 *Council* acknowledges that areas of cultural significance to Māori, including wāhi tapu, may have their own tikanga and access protocols. The *Owner* or any person in charge of any dog are expected to comply with any rules and avoid taking dogs into such areas unless expressly permitted.

8. Definitions

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

Term	Definition
<i>Act</i>	means the Dog Control Act 1996.
<i>Bylaw</i>	means the Matamata-Piako District Council Dog Control Bylaw 2010 (Amended 2026).
<i>Council</i>	means the governing body of the Matamata-Piako District Council and includes any person delegated to act on its behalf.
<i>Dangerous Dog</i>	means any dog classified as <i>Dangerous</i> under the <i>Act</i> .
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the <i>Council</i> .
<i>Dog Exercise Area</i>	means a designated ¹ area identified by <i>Council</i> where dogs may be exercised off- <i>Leash</i> , provided that the <i>Owner</i> or the person in charge remains present and the dog is kept <i>Under Control</i> at all times.
<i>Leash</i>	means a length of cord, chain, or other material that can be attached to a dog at one end and securely held by a person at the other end, and includes retractable <i>Leashes</i> .
<i>Leash Control Area</i>	means an area identified by <i>Council</i> where dogs must be kept on a <i>Leash</i> at all times.
<i>Menacing Dog</i>	means any dog classified as <i>Menacing</i> under the <i>Act</i> .
<i>Neuter/Neutered</i>	means the same as in section 2 of the <i>Act</i> .
<i>Owner</i>	means the same as in section 2 of the <i>Act</i> .
<i>Park</i>	means land owned or controlled by the <i>Council</i> that is acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes that is not held as a <i>Reserve</i> under the Reserves Act 1977.
<i>Policy</i>	means the Matamata-Piako District Council Policy on Dogs 2010 (Amended 2026) (this document).
<i>Prohibited Area</i>	means an area where dogs are not permitted as specified in the <i>Bylaw</i> .
<i>Public Place</i>	means the same as in section 2 of the <i>Act</i> .
<i>Reserve</i>	means the same as in section 2(1) of the Reserves Act 1977.
<i>Under Control</i>	means that the dog is not causing a nuisance, distress, danger, injury, to any person, domestic animal, stock, poultry or protected wildlife, or causing any property damage and; the <i>Owner</i> or the person in charge of a dog has the dog under continuous surveillance and is able to obtain an immediate and desired response from the dog by use of a <i>Leash</i> , voice commands, hand signals, whistles, or other effective means.

¹ For clarity, designate means to formally identify an area via a bylaw as a dog exercise area in which dogs may be exercised at large, in accordance with the Act. Designation under the Bylaw relates solely to the management of dog access and is separate from designations under the Resource Management Act 1991.



Part 2 Ngā Whāinga o te Kaupapahere | Policy Objectives

9. Objectives

- 9.1 The objectives of this *Policy* set out what *Council* seeks to achieve in managing dogs within the *District*. They provide clear direction for promoting public safety, responsible dog ownership, and reducing risks such as attacks, nuisance and hygiene issues. These objectives guide decision-making, enforcement, and education initiatives under this *Policy* and the *Bylaw*.
- 9.2 The following table outlines the objectives – representing the outcomes *Council* seeks to achieve, and the policies that establish the approach for achieving these objectives.

Objective (Outcomes Sought)	Policies (Actions to Achieve the Objectives)	
1. Promote responsible dog ownership across the District.	1.1	Promote available education programmes to enhance responsible dog ownership, improve community awareness, and the prevention of dog attacks.
	1.2	Use media campaigns to raise awareness about: <ul style="list-style-type: none"> a) dog registration requirements; b) <i>Council's</i> Policy on Dogs and Dog Control Bylaw; c) <i>Owner</i> responsibilities under the <i>Act</i>; and d) the use of enforcement tools, including infringement notices.
	1.3	Encourage <i>Owners</i> to attend an approved dog training course where available.
	1.4	Encourage eligible <i>Owners</i> to apply for the <i>Council's</i> Responsible Owner Rebate.
2. Minimise the danger, distress and nuisance caused by dogs to the community.	2.1	Require dogs in <i>Public Places</i> to be kept <i>Under Control</i> at all times.
	2.2	Require dogs in to be on a <i>Leash</i> at all times in specified <i>Leash Control Areas</i> .
	2.3	Prohibit dogs in specified areas under the <i>Bylaw</i> based on: <ul style="list-style-type: none"> a) the intensity, type and frequency of public use; b) any identified health and safety risks – especially for vulnerable groups including children, older people, and people with disabilities; c) any ecological values identified; d) the expectations, experiences and feedback of <i>Park/Reserve</i> users; and e) consideration of the <i>Reserve</i> status under the Reserves Act 1977.
	2.4	Address noise-related nuisance, including persistent or excessive barking through education and support for <i>Owners</i> , and where necessary, using the enforcement powers provided in the <i>Act</i> (such as barking abatement notices and other compliance actions).
	2.5	Follow an enforcement approach consistent with <i>Council's</i> Enforcement Policy that emphasises compliance with the <i>Act</i> and the <i>Bylaw</i> by prioritising education and support for

Objective (Outcomes Sought)		Policies (Actions to Achieve the Objectives)	
			<i>Owners</i> , while retaining statutory powers to issue infringement notices and to seize and impound dogs when necessary.
3.	Enable public confidence in <i>Public Places</i> .	3.1	Support safe and accessible <i>Public Places</i> by requiring effective dog control and restricting access where necessary.
		3.2	Ensure <i>Prohibited Areas</i> , <i>Leash Control Areas</i> , and designated <i>Dog Exercise Areas</i> are clearly communicated and identifiable, including (but not limited to) signage, maps, and other appropriate communication tools.
4.	Maintain the amenity and hygiene of <i>Public Places</i> .	4.1	Require the <i>Owner</i> or any person in charge of any dog to remove any faeces desposited by that dog from any location outside their property, including <i>Parks</i> , footpaths, <i>Public Places</i> , and private property.
		4.2	Encourage the <i>Owner</i> or any person in charge of any a dog to carry dog waste bags and dispose of them properly.
5.	Provide <i>Dog Exercise Areas</i> to enable opportunities for dogs and their <i>Owners</i> to meet exercise and recreational needs.	5.1	Designate <i>Dog Exercise Areas</i> where dogs can be exercised off- <i>Leash</i> provided that the <i>Owner</i> or any person in charge of any dog remains present and keeps the dog <i>Under Control</i> .
		5.2	Provide <i>Dog Exercise Areas</i> that are well-maintained, and fenced where appropriate.
6.	Ensure sustainable funding for dog control activities.	6.1	Fees and charges will be reviewed periodically and set by <i>Council</i> resolution, in compliance with <i>Council's</i> Revenue and Financing Policy. <i>Council</i> will consult with the community to enable feedback prior to adoption.
		6.2	Levels of service will be outlined in the Long Term Plan.
		6.3	Dog registration fees, infringements, and any fines imposed will be allocated to the funding of dog control activities.



Part 3 Te pou tarāwaho o te Kaupapahere | Policy Framework

10. Regulation and Control of Dogs

10.1 Control of Dogs

10.1.1 The *Bylaw* outlines the following requirements to support responsible dog management:

- a) Dogs must not roam at large or gain uncontrolled access to private property, *Public Places* or private ways;
- b) Dogs must be kept on a *Leash* in all urban areas (apart from any areas designated as *Dog Exercise Areas*). The person holding the *Leash* must be capable of physically restraining the dog at all times;
- c) The *Owner* or any person in charge of any dog must remove and dispose of any faeces deposited by that dog from any location outside their property, including *Parks*, footpaths, *Public Places*, and private property.

10.2 Dog Access

10.2.1 The areas subject to dog access rules are identified in Schedules 1–3 of the *Bylaw*, which specify:

- **Prohibited Areas** – dogs are not permitted in these areas unless an exemption applies;
- **Leash Control Areas** – dogs must be on-*Leash* at all times, and the *Owner* or any person in charge of any dog must be capable of physically restraining the dog.
- **Dog Exercise Areas** – dogs may be off-*Leash* but must remain *Under Control* at all times. This means the dog is continuously supervised, responds immediately to the *Owner* or any person in charge of any dog, and does not cause nuisance, danger, injury, or damage.

10.2.2 Any *Public Places* not listed as *Prohibited Areas*, *Leash Control Areas*, or *Dog Exercise Areas* are considered general access areas where dogs are permitted, provided they remain *Under Control*.

10.2.3 *Prohibited Areas*, *Leash Control Areas* and designated *Dog Exercise Areas* will be clearly communicated and identifiable, including (but not limited to) signage, maps, and other appropriate communication tools.

10.3 Controlled Dog Areas and Open Dog Areas

10.3.1 There is no land within the *District* that is included in a controlled dog area or open dog area under section 26ZS of the Conservation Act 1987, nor any land that is a national park constituted under the National Parks Act 1980; or part of Te Urewera, as defined in section 7 of the Te Urewera Act 2014.

11. Dangerous and Menacing Dogs

11.1 Under the *Act*, the *Council* may classify dogs as *Dangerous* or *Menacing*, either by mandatory designation (e.g., specific breeds) or at the *Council's* discretion.

11.2 Dogs may be classified based on reasons such as attacking a person or animal, rushing or behaving in a threatening manner, showing repeated uncontrolled or aggressive behaviour, or where the *Owner* has been convicted of an offence involving the dog. These classifications are behaviour-based and support public safety and responsible dog ownership.

11.3 Once a dog is classified, *Owners* must strictly comply with additional obligations (e.g. confinement, muzzling requirements).

- 11.4 All dogs classified as a *Dangerous Dog* must be *Neutered*, including those previously classified by another territorial authority and later registered in the Matamata-Piako District.
- 11.5 Dogs registered within the *District* and classified as *Menacing* must be *Neutered*. *Council* may grant an exemption in limited circumstances. In considering whether an exemption is appropriate, *Council* may take into account factors such as:
- the seriousness and circumstances of the incident that resulted in the *Menacing* classification;
 - the *Owner's* willingness to take proactive steps to reduce risk (such as voluntarily *Neutering* the dog);
 - the availability of support to enable compliance (for example, access to *Neutering* vouchers or financial assistance); and
 - whether adequate measures are in place to prevent the dog from causing further harm, such as secure fencing, containment, use of a run, proof of prior *Neutering*, or owner-initiated surrender where appropriate.
- 11.6 Where a dog has been classified as *Menacing* by another territorial authority, the same *Neutering* requirements and exemption criteria set out in this *Policy* apply when the dog is registered within the *District*.
- 12. Owner Classification**
- 12.1 The *Act* allows *Council* to classify *Owners* as probationary *Owners* or disqualify people from owning a dog where an offence has been committed against the *Act* or any other dog-related *Act*. These classifications will be applied at the discretion of *Council*, except where classification is mandatory under the *Act*.
- 13. Disqualified Owners**
- 13.1 *Owners* will be disqualified from owning a dog if they have been convicted of an offence against the *Act* or any other dog-related *Act*, or if they have committed three or more infringement offences within a continuous period of two years.
- 13.2 Unless there are unusual circumstances in any particular case, the disqualified *Owner* classification will apply for a period of five years.
- 13.3 *Council* may decide not to disqualify an *Owner* if it is satisfied that the circumstances of the offence mean disqualification is not justified, in which case it will classify the person as a probationary *Owner*.
- 14. Probationary Owners**
- 14.1 A person may be classified as a probationary *Owner* if they have been convicted of an offence against the *Act* or any other dog-related *Act*, or if they have committed three or more infringement offences within a continuous period of two years.
- 14.2 *Council* may classify a person as a probationary *Owner* if it is satisfied that the circumstances of the offence so not warrant disqualification as an *Owner*.
- 14.3 Unless there are unusual circumstances in any particular case, the probationary *Owner* classification will apply for a period of two years.

15. Destruction of Dogs

- 15.1 Under the *Act*, destruction of a dog may be ordered by the District Court following serious incidents such as attacks, rushing, or worrying stock.
- 15.2 Council may destroy a dog only in situations where a dog is impounded, remains unclaimed after the statutory period, or is surrendered. Where a dog is impounded, Council will take reasonable steps to return the dog to its *Owner* or identify appropriate re-homing options.

16. Funding

- 16.1 Dog registration fees will be set to reflect the actual costs associated with the management of dogs and in compliance with *Council's* Revenue and Financing Policy.
- 16.2 Fines and infringement fees for dog control offences will be credited to the dog control account.
- 16.3 *Council* operates a voluntary Responsible Owner's Rebate scheme that incentivises responsible dog ownership by offering reduced registration fees to eligible *Owners*.
- 16.4 *Owners* are automatically eligible for reduced dog registration fees if:
 - a) they have not been the subject of justified complaints and have not been prosecuted for dog control offences within the previous registration year; and
 - b) they have not had dogs impounded within the previous registration year; and
 - c) they have not kept an unregistered dog within the previous registration year.
- 16.5 Dog registration fees paid by *Owners* of *Dangerous Dogs* will be 50% above the normal rate.

Part 4 Te Whakahaere i te Kaupapahere | Administration of Policy

17. Enforcement

- 17.1 The *Act* and the *Bylaw* provides for the enforcement of matters outlined in this *Policy*.
- 17.2 *Council* will enforce the provisions of the *Act* and the *Bylaw* to protect public safety, maintain amenity, and promote responsible dog ownership.
- 17.3 *Council* will apply a fair, proportionate, and risk-based enforcement approach consistent with its Enforcement Policy that prioritises education and voluntary compliance, escalating to formal enforcement where necessary to address serious or repeated breaches.
- 17.4 Education will be the first step in achieving compliance where appropriate, but immediate action will be taken where there is risk to public safety, animals, or property.
- 17.5 Unless immediate action is required for safety reasons or continuous non-compliance, enforcement will generally follow a staged process: education and advice, warning, infringement notice, impounding or seizure, and prosecution for serious or persistent non-compliance.
- 17.6 Infringement notices will be issued under the *Act* at the discretion of *Council* for offences listed in Schedule 1 of the *Act*.
- 17.7 Unless there are unusual circumstances in any particular case, infringement notices will not be waived.
- 17.8 *Council* retains all statutory powers under the *Act* and may issue warnings, infringement notices, seize and impound dogs, classify dogs as *Menacing* or *Dangerous*, classify *Owners* as probationary or disqualified, and prosecute for serious offences.
- 17.9 The *Act* and the *Bylaw* will generally be enforced by *Council's* Animal Control Officers.

18. Monitoring and Review

- 18.1 *Council* will monitor this *Policy* annually using data from the section 10A annual report as required by the *Act* (e.g., number of complaints by category and location, enforcement activity, and registration trends). The section 10A report will be publicly notified and published each year and used to identify trends and operational improvements.
- 18.2 *Council* will formally review this *Policy* at least once every 10 years consistent with the *Bylaw*. An interim review may be initiated where annual monitoring identifies a material adverse trend (e.g., a sustained increase in complaints in a specific location).

Rārangi 1 - Ngā Aratohu o te kōmakatanga Kurī | Schedule 1 – Dog Classification Guidelines²

Scale	Attack Circumstances	Injury	Victim Impact	Action Taken
1.	Victim ³ rushed at, no physical contact made. Dog aggressive and menacing.	No injury to victim.	Low	Verbal/written warning
			High	Written warning
2.	Victim rushed at, physical contact made. Dog aggressive and menacing.	Minor or no bite marks to victim, bruising, minor laceration. There may be bite marks and swelling to bite area.	Low	Written warning
			High	Written warning Menacing dog classification
3.	Victim rushed at, physical contact made. Dog aggressive and dangerous.	Injury to victim, bite marks, laceration and swelling to bite area.	Low	Dangerous Dog classification
			High	Dangerous dog classification Possible prosecution
4.	Victim attacked, physical contact made. Dog very aggressive and dangerous.	Limited injury to victim that required medical care.	High	Dangerous dog classification Possible prosecution
5.	Victim attacked, physical contact made. Dog very aggressive and dangerous.	Limited injury to victim that required surgery, serious lacerations requiring medical intervention.	High	Dangerous dog classification Prosecution
6.	Victim attacked, physical contact made. Dog very aggressive and dangerous.	Severe injury to victim that required hospitalisation.	High	Prosecution

² The above table shows examples of the types of attack possible. Not all factors may or need to be present or observed for a classification to be achieved. An Attack Rating Report may be used to assist animal control staff with determining the above classifications and the action required to be taken.

³ Victim refers to any individual - human or animal - who is the target of the dog's aggressive or menacing behaviour. This may include:

- a person;
- another dog;
- livestock or other domestic animals;
- wildlife.



Ture ā-Rohe mō Te Whakahaere Kurī 2010 (i whakahounga i 2026) | Dog Control Bylaw 2010 (Amended 2026)

DRAFT – FOR ADOPTION

Department	Policy, Partnerships and Governance
Policy Type	External
CM Reference	3164235
Resolution Date	[TBC]
Bylaw Effective From	1 July 2026 [TBC]
Bylaw Supersedes	Dog Control Bylaw 2010 (Amended 2016)
Review Frequency	Not less than once every five to ten years as required by the Local Government Act 2002.
Review Date	1 July 2036 [TBC]
Engagement Required	Must meet the requirements of the Local Government Act 2002, which may involve the Special Consultative Procedure or other consultation in accordance with section 82.



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Part 1 Kupu Whakataki | Introduction

1. Purpose

1.1 The purpose of this *Bylaw* is to:

- a) promote responsible dog ownership and protect the community's safety and enjoyment of *Public Places*. It aims to balance the benefits of dog ownership against the need to ensure that the danger, distress, and *Nuisance* of dogs and dog behaviour to the community is minimised and;
- b) give effect to the *Council's* Policy on Dogs adopted under section 10 of the *Act*.

2. Title and Commencement

- 2.1 This *Bylaw* is the Matamata-Piako District Council Dog Control Bylaw 2010 (Amended 2026).
- 2.2 This *Bylaw* comes into force on 1 July 2026.

3. Review and Revocation

- 3.1 This *Bylaw* is a review and amendment of the Dog Control Bylaw 2010 (Amended 2016), which formed part of the Matamata-Piako District Council Consolidated Bylaw 2008.
- 3.2 On commencement, this *Bylaw* revokes the Dog Control Bylaw 2010 (Amended 2016).
- 3.3 *Council* will review this *Bylaw* in accordance with applicable legislation.

4. Scope

- 4.1 This *Bylaw* applies to:
 - a) all dogs in the *District* (whether registered or unregistered), their *Owners*, and any *Person in Charge* of a dog; and
 - b) all *Public Places* and *Private Ways* within the *District* unless otherwise stated.
- 4.2 This *Bylaw* applies alongside other rules that may govern dog access, including:
 - a) Public conservation land administered by the Department of Conservation, which may have separate requirements; and
 - b) areas of cultural significance to Māori, including wāhi tapu where tikanga (customs) and access protocols may apply; and
 - c) Privately-owned land, where other applicable rules or permissions may govern access.

Explanatory notes:

Council's District Plan identifies certain wāhi tapu and other culturally significant sites; however, there may also be additional areas of cultural significance identified by mana whenua or the administering authority.

The Owner or any Person in Charge of any dog is expected to respect tikanga and access protocols, follow posted signs or directions from authorised personnel, and avoid taking dogs into wāhi tapu or other culturally significant areas unless expressly permitted by the relevant mana whenua or administering authority.

5. Enabling Enactments

- 5.1 This *Bylaw* is made pursuant and subject to the Local Government Act 2002, the Dog Control Act 1996 and the Reserves Act 1977 as applicable.
- 5.2 Nothing in this *Bylaw* detracts from any provision of, or the necessity for compliance with, all applicable Acts, regulations, other *Bylaws*, or the Matamata-Piako District Council District Plan.
- 5.3 For the avoidance of doubt, nothing in this *Bylaw* limits the *Council's* powers under the *Act* or any other applicable enactment.

6. List of Schedules

- 6.1 The following schedules are adopted and form part of this *Bylaw*:

- Schedule 1 Prohibited Areas
- Schedule 2 Leash Control Areas
- Schedule 3 Dog Exercise Areas

~~Schedule 4 Maps~~

7. Explanatory Notes

- 7.1 Text headed 'Explanatory notes' in this *Bylaw* are for information purposes only, and:
 - a) They do not form part of this *Bylaw*; and
 - b) cannot be considered in the interpretation or application of a provision of this *Bylaw*; and
 - c) may be inserted, amended or removed without any formality.

8. Definitions

8.1 For the purposes of this *Bylaw*, unless the context otherwise requires, the following definitions shall apply:

Term	Definition
<i>Act</i>	means the Dog Control Act 1996.
<i>Animal Control Officer</i>	has the same meaning as dog control officer, or dog ranger in the <i>Act</i> .
<i>At Large</i>	means a dog that is free, or at liberty in a <i>Public Place</i> , without any physical restraint by a <i>Person</i> . It does not include a dog that is <i>Under Control</i> of a <i>Person</i> in a designated <i>Dog Exercise Area</i> .
<i>Bylaw</i>	means the Matamata-Piako District Council Dog Control Bylaw 2010 (Amended 2026) (this document).
<i>Confined/Confinement</i>	means keeping a dog securely within a building or enclosed area on a property, or by another method that prevents the dog from leaving that property. <i>Note that tethering may be used only in accordance with the Animal Welfare Act 1999 and associated regulations, and must not be used as the primary or long-term means of confinement.</i>
<i>Council</i>	means the governing body of the Matamata-Piako District Council and includes any <i>Person</i> delegated to act on its behalf.
<i>Dangerous Dog</i>	means any dog classified as <i>Dangerous</i> under the <i>Act</i> .
<i>Disability Assist Dog</i>	means a dog certified by one of the organisations listed in Schedule 5 of the <i>Act</i> as being a dog that has been trained (or is being trained) to assist a <i>Person</i> with a disability.
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the <i>Council</i> .
<i>Dog Exercise Area</i>	means a designated ¹ area identified by <i>Council</i> where dogs may be exercised off- <i>Leash</i> , provided that the <i>Owner</i> or the <i>Person in Charge</i> remains present and the dog is kept <i>Under Control</i> at all times.
<i>Leash</i>	means a length of cord, chain, or other material that can be attached to a dog at one end and securely held by a <i>Person</i> at the other end, and includes retractable <i>Leashes</i> .
<i>Leash Control Area</i>	means an area identified by <i>Council</i> where dogs must be kept on a <i>Leash</i> at all times.
<i>Menacing Dog</i>	means any dog classified as <i>Menacing</i> under the <i>Act</i> .
<i>Neuter/Neutered</i>	means the same as in section 2 of the <i>Act</i> .
<i>Nuisance</i>	means any unreasonable interference with a <i>Person</i> or property, and includes a statutory <i>Nuisance</i> as defined in section 29 of the Health Act 1956.
<i>Owner</i>	means the same as in section 2 of the <i>Act</i> .

¹ For clarity, designate means to formally identify an area via a bylaw as a dog exercise area in which dogs may be exercised at large, in accordance with the Act. Designation under this Bylaw relates solely to the management of dog access and is separate from designations under the Resource Management Act 1991.



Term	Definition
<i>Park</i>	means land owned or controlled by the <i>Council</i> that is acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes that is not held as a <i>Reserve</i> under the Reserves Act 1977.
<i>Person</i>	means a natural <i>Person</i> and includes a corporation sole, a body corporate, and an unincorporated body.
<i>Person in Charge</i>	means a <i>Person</i> (other than the <i>Owner</i>) who has possession, custody, or control of a dog at the relevant time.
<i>Play area</i>	means an outdoor area intended for play activities that includes play equipment or surfaces intended for play, such as playgrounds, skate parks, obstacle courses and the like.
<i>Private Way</i>	has the same meaning as defined in section 315(1) of the Local Government Act 1974.
<i>Prohibited Area</i>	means an area where dogs are not permitted as specified in this <i>Bylaw</i> .
<i>Public Place</i>	means the same as in section 2 of the <i>Act</i> .
<i>Reserve</i>	means the same as in section 2(1) of the Reserves Act 1977.
<i>Under Control</i>	means that the dog is not causing a <i>Nuisance</i> , distress, danger, injury, to any <i>Person</i> , domestic animal, stock, poultry or protected wildlife, or causing any property damage and; the <i>Owner</i> or <i>Person in Charge</i> of a dog has the dog under continuous surveillance and is able to obtain an immediate and desired response from the dog by use of a <i>Leash</i> , voice commands, hand signals, whistles, or other effective means.
<i>Urban Area</i>	includes: <ol style="list-style-type: none"> a) all areas zoned as Residential or Business, under the Matamata-Piako District Plan; and b) all areas zoned as settlements under the Matamata-Piako District Plan; and c) any area where five or more dwellings are constructed within a 250 metre radius. Note: <ul style="list-style-type: none"> • If the naming or classification of these zones changes in the District Plan, this definition will apply to the equivalent new zones; • includes any subsequent amendments to, or replacement of, the operative District Plan.
<i>Working Dog</i>	means the same as in section 2 of the <i>Act</i> .

Part 2 Te Whakahaere me te waeture o ngā Kuri | Regulation and Control of Dogs

Section A: Control Requirements

9. Confinement and General Control

- 9.1 No *Owner* or *Person in Charge* of a dog shall keep, or allow the dog to be kept, unless effective means are provided and used to *Confine* the dog to the property on which it is lawfully kept, and to prevent the dog from having uncontrolled access to any other property, *Public Place* or *Private Way*.
- 9.2 The *Owner* or any *Person in Charge* of any dog, must ensure that the dog is kept *Under Control* at all times in any *Public Place* or *Private Way*.
- 9.3 The *Owner* or any *Person in Charge* of any dog must ensure that the dog is on a *Leash* at all times in the *Urban Area* and in any *Leash Control Area*.
- 9.4 Even in areas where off-*Leash* dogs are permitted, the *Owner* or *Person in Charge* of any dog must place the dog on a *Leash* immediately if they cannot maintain the requirements of being *Under Control* as defined in this *Bylaw*.

Explanatory notes:

Dogs must be kept contained on their property, and Under Control in all Public Places. In Urban Areas and Leash Control Areas, dogs must be on a Leash at all times.

Even in locations where Leash requirements do not apply, a dog must still be Leashed if the Owner or any Person in Charge of the dog cannot maintain effective control of the dog.

For example, a dog should be on-Leash if:

- *It does not reliably respond to recall commands.*
- *It is easily distracted or prone to running up to other people or animals.*
- *It becomes excited, nervous, or reactive around wildlife, children, cyclists, or other dogs.*

10. Fouling in Public Places

- 10.1 The *Owner* or any *Person in Charge* of any dog that defecates in any *Public Place*, *Private Way*, or land or premises other than that occupied by the *Owner* must immediately remove the faeces deposited by that dog and dispose of it in an appropriate and hygienic manner.

Section B: Access Requirements

11. Prohibited Areas

- 11.1 Dogs are prohibited from entering or remaining in any *Public Place* listed in Schedule 1 of this *Bylaw*.

12. Leash Control Areas

- 12.1 Dogs must be kept on a *Leash* at all times in a *Leash Control Area* listed in Schedule 2 of this *Bylaw*.
- 12.2 The *Owner* or any *Person in Charge* of any dog must be physically capable of restraining the dog.

- 12.3 The *Owner* or any *Person in Charge* of any dog must ensure that the dog is kept *Under Control* at all times in a *Leash Control Area*.
- 12.4 Dogs may accompany their *Owner* or any *Person in Charge* in outdoor dining areas within a *Leash Control Area*, provided that:
- the dog does not create a *Nuisance* or pose a risk to people, animals, or property; and
 - the operator of the premises permits dogs in the relevant outdoor dining area.

13. Dog Exercise Areas

- 13.1 Dogs may be exercised off-*Leash* in any designated *Dog Exercise Area* listed in Schedule 3 of this *Bylaw*, provided they remain under the supervision of a *Person* who can physically restrain the dog and the dog is *Under Control* at all times.

Explanatory notes:

- Dogs are not allowed in any Public Place listed as a prohibited area in Schedule 1.*
- In Leash Control Areas (Schedule 2), dogs may enter only if they are on a Leash and controlled by someone who can physically restrain them. These areas do not override Prohibited Areas - dogs cannot enter Prohibited Areas at any time.*
- In designated Dog Exercise Areas (Schedule 3), dogs may be off-Leash, but they must be controlled by someone who can physically restrain them and remain Under Control. This means the dog is not causing Nuisance, distress, danger, injury, or damage, and the Owner or Person in Charge can constantly monitor the dog and ensure it responds immediately to their direction (whether by Leash, voice, hand signals, whistle, or other effective means).*

14. Signage

- 14.1 Where appropriate, *Council* will install signage to assist the public to identify areas where dogs are allowed, restricted, or prohibited.
- 14.2 The absence of signage does not limit, restrict, or otherwise affect the enforceability of this *Bylaw*.

Explanatory notes:

Signage is one of several tools Council may use to communicate dog access rules. Dog access areas may also be identified through maps, Council publications, digital platforms, or other appropriate communication methods. The absence, damage, or removal of signage does not alter the legal status of an area as set out in this Bylaw and its schedules.

Section C: Dog Management and Welfare Requirements

15. Duty to Avoid Nuisances

15.1 No *Person* shall keep a dog on any land or premise if:

- a) the dog creates a demonstrable *Nuisance*; or
- b) the dog poses a significant risk to the health or safety of others; or
- c) the dog rushes at or intimidates any *Person* lawfully on public or private land.

15.2 No *Person* shall cause or permit a bitch in season to enter or remain in a *Public Place* or on any land or premises other than the land or premises of the *Owner* of the dog, without the consent of the occupier or *Person* in charge of that land or premises.

15.3 No *Person* shall cause or permit a dog suffering from mange or other infectious diseases to enter or remain in a *Public Place* or on any land or premises, other than the land or premises of the *Owner* of the dog or a registered veterinary clinic.

15.4 Every dog described under subclauses 15.2 and 15.3 shall be *Confined*, and provided with proper care and sufficient food, water and veterinary care, and adequately exercised during that period of *Confinement*.

16. Minimum Standards for Accommodation and Care

16.1 The *Owner* or any *Person in Charge* of any dog must provide:

- a) adequate kennelling or other housing sited to ensure adequate shade, warmth and dry conditions, and of a sufficient size to allow the dog to move freely, stretch out, stand up or recline.
 - i. any kennel or means of *Confinement* shall be so situated as to ensure that the dog shall not, while in its kennel or otherwise *Confined*, be within two metres of the boundary of the *Owner's* property.
- b) proper care and attention;
- c) sufficient food and water;
- d) adequate exercise; and
- e) veterinary care when required.

Explanatory notes:

The Act allows councils to classify dog Owners as either probationary or disqualified when they have committed offences under the Act or other dog-related legislation. Disqualification generally applies where more serious or repeated offending has occurred, while probationary status may be used where the circumstances do not justify disqualification. These classifications apply for set periods unless exceptional circumstances exist.

Further detail on Council's approach to applying these classifications is provided in the Council's Policy on Dogs.

17. Limit on Number of Dogs to be Kept (Urban Area)

- 17.1 No occupier of a property within the *Urban Area* shall keep or permit to be kept on each separate premises more than two dogs of a greater age than three months without obtaining a permit under this clause.
- 17.2 Every application for a permit shall be accompanied by any fee set by *Council* resolution and issued subject to such terms and conditions required to ensure that a *Nuisance* does not occur.
- 17.3 The applicant must seek the consent of the adjacent property owner(s) or occupier(s) most likely to be affected by the application. Such consent may be withdrawn at any time if there is a valid reason for doing so.
- 17.4 *Council* may cancel a permit where the holder fails to comply with any of the terms or conditions.

18. Requirement to Neuter

- 18.1 If a dog has been found to be *At Large* on more than one occasion within a continuous period of 12 months, *Council* may require the *Owner* to have the dog *Neutered*.
- 18.2 Within one month of receiving the requirement, the *Owner* must produce a veterinary certificate confirming that the dog has been *Neutered* or is unfit until a specified date, followed by a further certificate confirming that *Neutering* has been undertaken.
- 18.3 The *Owner* may object in writing within 14 days and has the right to be heard. *Council* may uphold or rescind the requirement, following the consideration of evidence and relevant matters.

19. Impounding of Dogs

- 19.1 Any dog found *At Large* in any *Public Place* in breach of this *Bylaw* or on any other land or premises without the consent of the occupier, or *Person* in charge of that land or premise, may be seized by an *Animal Control Officer* and impounded.
- 19.2 The owner, occupier or *Person* in charge of the land, premise or *Public Place* may seize the dog and deliver it into the custody of an *Animal Control Officer* for impounding.
- 19.3 Any dog impounded in accordance with this *Bylaw* shall not be released until the impounding fees set by resolution of *Council* have been paid, including the full registration fee if the dog is unregistered.
- 19.4 If a dog, impounded in accordance with this *Bylaw* is not claimed and the fees payable have not been paid within seven days after the *Owner* has received written notice in accordance with section 69 of the *Act*, that dog may be destroyed, sold or otherwise disposed of by or on behalf of the *Council*.
- 19.5 If the *Owner* of a dog so impounded is not known and cannot be identified from the dog registration label or by any other means, the *Council* may, after the expiration of seven days after the date of seizure of the dog, destroy, sell or otherwise dispose of the dog.

Explanatory notes:

Under the Act, Council can classify a dog as either Dangerous or Menacing.

A dog may be classified as Dangerous if it has attacked or seriously threatened someone, or if the owner admits it poses a risk.

A dog may be classified as Menacing if it has shown aggressive behaviour or if it belongs to one of the breeds or types listed in the Act.

Once a dog is classified, the law requires the owner to follow stricter rules, such as keeping the dog muzzled and on a leash in public, ensuring it is Neutered and microchipped, and keeping it securely contained on their property.

More detail about how Council applies these classifications and what is expected of owners is explained in Council's Policy on Dogs.

DRAFT FOR ADOPTION

Part 3 Te Whakahaere I te Ture ā-Rohe | Administration of Bylaw

20. Fees and charges

- 20.1 The *Council* may, in accordance with applicable legislation, set fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by the *Council* under this *Bylaw*.
- 20.2 Rebates may be applied at the *Council's* discretion.

21. Serving of Notices and Orders

- 21.1 Any notice, order or other document which is required by this *Bylaw* to be served or given or sent to any *Person* shall be deemed to have been duly served if delivered to such *Person* or left at their residence or workplace or posted to such *Person* at their last known address.

22. Offences and Penalties

- 22.1 Every *Person* who fails to comply with this *Bylaw* commits an offence and is liable on summary conviction to a fine not exceeding \$20,000 or to an infringement fee prescribed under the Local Government Act 2002.
- 22.2 The *Council* may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a *Person* from committing a breach of this *Bylaw*.
- 22.3 *Council* retains all statutory powers under the *Act* and may issue warnings, infringement notices, seize and impound dogs, classify dogs as *Menacing* or *Dangerous*, classify *Owners* as probationary or disqualified, and prosecute for serious offences.

Explanatory notes:

Operational dog control powers - such as the seizing or impounding of dogs, issuing infringement notices, and enforcing classification requirements - are exercised under the Act. General bylaw enforcement powers are derived from the Local Government Act 2002.

23. Enforcement

- 23.1 *Council* will apply a fair, proportionate, and risk-based enforcement approach consistent with its Enforcement Policy that prioritises education and voluntary compliance, escalating to formal enforcement where necessary to address serious or repeated breaches.
- 23.2 If, in the opinion of an *Animal Control Officer*, any dog or dogs or the keeping of any dogs is creating or likely to create a *Nuisance* or a breach of this *Bylaw*, the *Animal Control Officer* may issue a written notice requiring actions to remove the *Nuisance* or comply with this *Bylaw*.
- 23.4 Any *Person* who is issued with a written notice under subclause 23.2 of this *Bylaw* shall comply with the notice within the timeframe specified in the notice.
- 23.5 Without limiting subclauses 23.1 to 23.4, *Council* may take any enforcement action available under any relevant legislation.

24. Exemptions

- 24.1 Clauses 11 and 12 shall not apply to a *Disability Assist Dog* or to any *Working Dog* while the dog is working.
- 24.2 Clause 11 shall not apply where *Council* is satisfied that the *Owner* or any *Person in Charge* of any dog, has permitted that dog to enter or remain in a prohibited area for the purpose of attending a veterinary clinic, in which case that dog must be *Under Control*.
- 24.3 Clause 17 shall not apply to any lawfully established boarding kennel, dog day care facility, veterinary clinic or animal hospital, provided the activity is permitted on the site under the Matamata-Piako District Council District Plan or authorised by a resource consent.

This *Bylaw* was made pursuant to a resolution passed by Matamata-Piako District Council on [TBC], resolution number [TBC].

25. Record of Bylaw Review and Amendments

Activity	Date
Full statutory review undertaken and <i>Bylaw</i> approved by <i>Council</i>	[TBC]
Next review required by:	[TBC]

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Part 4 Whakaritenga | Schedules

Rārangi 1 - Ngā wāhi turaki | Schedule 1 – Prohibited Areas

The *Owner* or any *Person in Charge* of any dog shall not permit that dog to enter or remain in any of the *Prohibited Areas* listed below except as provided for in clause 24 (Exemptions).

Area Name	Description
District-wide	
Within 15 metres of any children’s <i>Play area</i> or individual item of play equipment	
Matamata	
Firth Tower Historical Reserve/Museum Site	All areas excluding the carpark and camping/campervan area.
Kowhai Street Reserve	Kowhai Street, south-western Matamata.
Morrinsville	
Thomas Park	Corner of Anderson Street and Moorhouse Street, central Morrinsville.
Te Aroha	
Section of Hauraki Rail Trail <i>The Hauraki Rail Trail is defined as being the formed Hauraki Rail Trail track including any area between any fences on either side of the formed track and includes any bridges, underpasses and farm access tracks.</i>	From Stirling Street (Te Aroha) to the Matamata-Piako District Council/Hauraki District Council boundary. <i>Note: this part of the trail is managed under a designation.</i>
Kennedy Street Reserve	Kennedy Street, Te Aroha.
Farmer Street Reserve	Corner of Farmer Street and Shakespeare Street, Te Aroha

Explanatory notes:

Dog access rules apply along the Hauraki Rail Trail within the Matamata-Piako District as follows:

- *Stirling Street in Te Aroha to the Hauraki District Council boundary: this section is a Dog Prohibited Area (dogs are not permitted).*
- *Stirling Street (Te Aroha) to Matamata: Dogs must be on-Leash.*

Part of the trail is managed under a designation (a designation is a planning tool that gives the organisation responsible for the trail the authority to use and manage the land for the trail’s purposes). Because of this, our dog access rules align with and support the rules established under the designation. Outside the Matamata-Piako District, dog access rules are set by the relevant council.

Explanatory notes:

This Bylaw does not apply to land administered by the Department of Conservation (DOC). Dog access is governed under conservation legislation (including the Conservation Act 1987, National Parks Act 1980 and Wildlife Act 1953). Areas may be subject to restrictions, including any identified “controlled” or “open” dog areas. These restrictions are in place to protect sensitive environments and wildlife.

Owners are advised to consult with DOC before entering any DOC-administered land.

Rārangi 2 - Ngā wāhi whakahaere here | Schedule 2 – Leash Control Areas

The *Owner* or any *Person in Charge* of any dog shall not take that dog into any of the *Leash Control Areas* listed below unless the dog is controlled on a *Leash* by a *Person* capable of physically restraining the dog, except as provided for in clause 24 (Exemptions).

These areas exclude *Prohibited Areas* (Schedule 1) and *Dog Exercise Areas* (Schedule 3).

Area Name	Description
District-wide	
The <i>Urban Area</i>	Including all CBD areas in Matamata, Morrinsville and Te Aroha.
Cemeteries	The Matamata, Maukoro, Old Morrinsville, Piako Lawn, Te Aroha and Waharoa Cemeteries.
All <i>Parks and Reserves</i>	Except those that have been listed as either <i>Prohibited Areas</i> (Schedule 1) or <i>Dog Exercise Areas</i> (Schedule 3).
All walking and cycling tracks managed by <i>Council</i>	Except those that have been listed as either <i>Prohibited Areas</i> (Schedule 1) or <i>Dog Exercise Areas</i> (Schedule 3).
Section of Hauraki Rail Trail <i>The Hauraki Rail Trail is defined as being the formed Hauraki Rail Trail track including any area between any fences on either side of the formed track and includes any bridges, underpasses and farm access tracks.</i>	From Stirling Street (Te Aroha) to the intersection of Broadway and Tainui Street in Matamata.
Matamata Ward	
Waharoa (Matamata) Aerodrome	All of the area known as and occupied by the Waharoa (Matamata) Aerodrome.
Centennial Drive	From Tainui Street to Broadway, Matamata
Tom Grant Drive	From Rawhiti Avenue to Tawari Street, Matamata
Morrinsville Ward	
Te Miro Forest (Waterworks Road Reserve)	Waterworks Road, between Kiwitahi and Te Miro.
Te Aroha Ward	
The Te Aroha Domain and associated track network.	This includes Council controlled and managed tracks.

Rārangi 3 - Wāhi whakaharatau kurī | Schedule 3 – Dog Exercise Areas

A dog may be exercised off-*Leash* in any of the following areas, provided that it is *Under Control* and the *Owner* or any *Person in Charge* is capable of physically restraining the dog.

Area Name	Description
Matamata Ward	
Furness Reserve	Off Everad Avenue, Matamata
Founders Park	Rawhiti Avenue, Matamata
Peria Road Reserve	Portion excluding memorial plantings and pathway.
Morrinsville Ward	
Murray Oaks Reserve	State Highway 26
Morrinsville Recreation Ground	Former polo fields at the Avenue Road South end of the <i>Park</i> - only at times when there is no organised sports activity or community event in progress.
Holmwood Park	Lower portion near the Piako River.
Te Aroha Ward	
Spur Street Esplanade	Portion near the Waihou River under the footbridge.
Reserve on Spur Street	Portion opposite the netball club and bmx track.

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Rārangi 4 – Ngā Mahere | Schedule 4 – Maps

To be added following consultation.

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