



SOUTH WAIRARAPA DISTRICT COUNCIL MEETING Agenda 10 February 2021

NOTICE OF MEETING

A meeting will be held in the Supper Room, Waihinga Centre, 62 Texas Street, Martinborough and will commence at 10.00am. The meeting will be held in public (except for any items specifically noted in the agenda as being for public exclusion).

SWDC Affirmation

We pledge that we will faithfully and impartially use our skill, wisdom and judgement throughout discussions and deliberations ahead of us today in order to make responsible and appropriate decisions for the benefit of the South Wairarapa district at large.

We commit individually and as a Council to the principles of integrity and respect, and to upholding the vision and values we have adopted in our Long Term Plan strategic document in order to energise, unify and enrich our district.

Open Section

- A1.** Apologies
- A2.** Conflicts of interest
- A3.** Acknowledgements and tributes
- A4.** Public participation
As per standing order 14.17 no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.
- A5.** Actions from public participation
- A6.** Community Board/Māori Standing Committee Report from Meetings
- A7.** Extraordinary business
- A8.** Confirmation of Minutes
Proposed Resolution: *That the minutes of the Council meeting held on 25 November 2020 are a true and correct record.*

Proposed Resolution: *That the minutes of the Council meeting held on 17 December 2020 are a true and correct record.*

Pages 8-10

Proposed Resolution: *That the minutes of the public excluded Council meeting held on 25 November 2020 be received in public.*

Proposed Resolution: *That the minutes of the public excluded Council meeting held on 25 November 2020 are a true and correct record.*

- A9.** Notices of Motion

- B. Recommendations from Committees and Community Boards**
 - B1.** Minutes of Council Committees and Community Boards Pages 11-43
 - B2.** Report from Planning and Regulatory Committee Pages 44-45

- C. Decision Reports from Chief Executive and Staff**
 - C1.** Establishment of Wellington Region Joint Committee Pages 46-81
 - C2.** Adoption of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 Pages 82-118

- D. Information Reports**
 - D1.** Action Items Report Pages 119-137

- E. Chairperson's Report**
 - E1.** Report from His Worship the Mayor Pages 138-145



**SOUTH WAIRARAPA DISTRICT COUNCIL
Minutes from 25 November 2020**

- Present:** Mayor Alex Beijen (Chair), Deputy Mayor Garrick Emms, Councillors Pam Colenso, Leigh Hay, Brian Jephson, Pip Maynard, Alistair Plimmer, and Brenda West.
- In Attendance:** Harry Wilson (Chief Executive), Russell O’Leary (Planning and Environment Group Manager), Euan Stitt (Partnerships and Operations Group Manager), Karen Yates (Policy and Governance Manager), Katrina Neems (Chief Financial Officer), Godwell Mahowa (Planning Manager), Amy Wharram (Communications Manager), and Suzanne Clark (Committee Advisor).
Bryan Patchett (Project Director – Regional Water Reform Project).
Attendance via audio-visual link: Kim Kelly (Project Director – Wellington Regional Growth Strategy).
- Conduct of Business:** The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 10:00am and 1:01pm except where expressly noted.
- Community Board Participation:** Ann Rainford (Greytown Community Board Chair).
- Public Participation:** Kim Kelly and Dianne Phelps (Cape Palliser Residents and Ratepayers Association), Lee Carter, Campbell Moon, Sharon Garrett, Jennifer Muth (on behalf of St Teresa’s School Board of Trustees), Shane Atkinson (Greytown Menz Shed).
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Open Section

Cr Jephson read the Council affirmation.

A1. Apologies

COUNCIL RESOLVED (DC2020/128) to accept apologies from Cr Ross Vickery and Cr Rebecca Fox.

(Moved Mayor Beijen/Seconded Cr Colenso)

Carried

A2. Conflicts of Interest

No conflicts of interest were declared.

A3. Acknowledgements and Tributes

There were no acknowledgements or tributes.

A4. Public Participation

Ms Phelps with support from Ms Hayes requested Ngawi coastal infrastructure improvements to help cope with summer tourism. Council were asked to address adequate provision of public toilets, commercial rubbish disposal, blocked drains and sumps, and roading issues. The association requested a speed hump be put in town to slow traffic through the village.

Mrs Carter believed the report to the Greytown Community Board (GCB) requesting a road naming decision was factually incorrect and did not meet Council policy. Mrs Carter requested Council address the out of date policy and correct inconsistencies between the Community Board Terms of Reference and the Naming of Public and Private Roads and Rights of Way Policy and asked Council to support the GCB's road name suggestion of Kowhai Road.

Mr Moon believed that Greater Wellington Regional Council had conceded that resource consent for a Featherston Quarry had been granted without following Resource Management Act protocols. The applicant had now applied to SWDC for additional concessions. Featherston residents were opposed to the application due to increased traffic and safety concerns, a negative impact to tourism, and increased road maintenance costs. Mr Moon requested that the decision be made by Council not officers.

Ms Garrett had three areas of concern regarding the lodged quarry crushing resource consent application to SWDC; these being the impact to her business, the socio-economic impacts to Featherston and the environment issues. Ms Garrett request Council decline the application as it was factually incorrect, studies to support the application had not been carried out, and ratepayer funds would be used to repair road degradation due to business activity.

Ms Muth spoke against the lodged quarry crushing resource consent application to SWDC. Of particular concern was the increased truck traffic past recreation areas frequented by children, the health risk of airborne dust particles, and the environmental impact to Donald's Creek. Donald's Creek is an ongoing environmental project undertaken by school students.

Mr Atkinson spoke about the proposed development in Greytown across land occupied by the Greytown Menz Shed under license from Council. Replacement value of assets was estimated at \$200,000 and relocation would destroy the social utility. Mr Atkinson requested Council consider the possibility of the Menz Shed condensing their footprint and allowing only part of the site to be developed.

A5. Actions from public participation

Mayor Beijen made a statement on how the Quarry resource consent application would be assessed and gave assurances that stakeholders and the community would be given the opportunity to have their say before a decision was made on Greytown land options.

The following actions were made for council officers.

COUNCIL NOTED:

1. Action 634: Refer the Ngawi Ratepayers and Residents Association submission to the Assets and Services Committee; E Stitt
2. Action 635: Provide an interpretation of the Naming of Public and Private Roads and Rights of Way Policy for the Greytown Community Board; K Yates

A6. Extraordinary Business

There was no extraordinary business.

A7. Community Board/Maori Standing Committee Report from Meetings

Mrs Rainford reported that Greytown Community Board declined the road name proposal put forward by the Rapa Valley developer as there was no local significance. The Community Board had proposed the name Kowhai Road and believed the authority to name the road had been given to the Community Board.

Cr Plimmer left the meeting at 10:55am.

Cr Plimmer returned to the meeting at 11:01am.

A8. Minutes for Confirmation

COUNCIL RESOLVED (DC2020/129) that the minutes of the Council meeting held on 14 October 2020 are a true and correct record.

(Moved Cr Hay/Seconded Cr Jephson)

Carried

COUNCIL RESOLVED (DC2020/130) that the minutes of the Council meeting held on 28 October 2020 are a true and correct record.

(Moved Cr Hay/Seconded Cr Colenso)

Carried

A9. Notices of Motion

There were no notices of motion.

B Decision Reports from Chief Executive and Staff

B1. Minutes of Council Committees and Community Boards

COUNCIL RESOLVED (DC2020/131):

1. To receive the Report.

(Moved Cr West/Seconded Cr Colenso)

Carried

2. Receive the minutes of the Finance, Audit and Risk Committee meeting 21 October 2020.
3. Receive the minutes of the Māori Standing Committee meeting 27 October 2020.
4. Receive the minutes of the Greytown Community Board meeting 29 October 2020.
5. Receive the minutes of the Featherston Community Board meeting 3 November 2020.
6. Receive the minutes of the Assets and Services Committee meeting 4 November 2020.
7. Receive the minutes of the Planning and Regulatory Committee meeting 4 November 2020.
8. Receive the tabled minutes of the Martinborough Community Board meeting 5 November 2020.

(Moved Cr Plimmer/Seconded Cr Emms)

Carried

B2. Recommendations from Planning and Regulatory Committee

COUNCIL RESOLVED (DC2020/132):

1. To receive the Recommendations from the Planning and Regulatory Report.
(Moved Cr Maynard/Seconded Cr West)
2. That pursuant to Section 10A of the Dog Control Act 1996, that the Dog Control Policy and Practices for 2019/2020 be adopted.
3. That officers be authorised to publicly notify the report.

(Moved Cr Plimmer/Seconded Cr Hay)

Carried

Carried

B3. Recommendations from Wairarapa Library Services Joint Committee

Cr Colenso outlined the intention of the new policies and members queried how cash donations were handled and discussed how care of children in libraries was being provided for by the policies, and discussed the withdrawal of funding for the summer reading programme.

COUNCIL RESOLVED (DC2020/133):

1. To receive the Report from the Wairarapa Library Services Joint Committee.
(Moved Cr West/Seconded Cr Colenso)
2. That the existing seventeen Wairarapa Library Services policies are retired and replaced by the adoption of the Collection Development and Management Policy, the Donations Policy, and the Customer Service Policy
3. That the review date for the Collection Development and Management Policy, the Donations Policy and the Customer Service Policy be three years from the adoption date of these policies.

(Moved Cr Colenso/Seconded Cr Hay)

Carried

4. Action 636: Consider how cash donations should be handled and if they need to be considered within the Wairarapa Library Services policies or council finance policies and report back to the WLS on any action needed; E Stitt
5. Action 637: Advise Council how much funding Eastern and Central Community Trust provides for the Wairarapa Library Services Summer Reading Programme, whether applications to other grant funders will be prepared to cover the shortfall, and what additional amount is being budgeted for within LTP budgets; E Stitt

C Decision Reports from Chief Executive and Staff

C1. Wellington Regional Growth Framework

Members discussed the need for better public transport to towns as growth occurred and document amendments were requested.

Ms Kelly agreed to clarify the draft document with specific Wairarapa growth expectations and reference to libraries being community infrastructure essential for social wellbeing.

COUNCIL RESOLVED (DC2020/134):

1. To receive the Wellington Regional Growth Framework Report.
(Moved Cr Jephson/Seconded Cr Maynard) Carried
2. To note that the draft Framework is the result of a partnership between central government, local government, and iwi.
3. To note that the draft Framework is generally consistent in content and structure to other spatial plans developed within the urban growth partnership programme.
4. To endorse the Draft Wellington Regional Growth Framework for public consultation.
5. To note that a 'public consultation friendly' version of this Framework (smaller and more concise) will be developed for the public consultation process in 2021 and that an example of what this might look like.
(Moved Cr Emms/Seconded Cr West) Carried
6. To endorse changes to the Draft Wellington Regional Growth Framework for public consultation as discussed with Kim Kelly.
(Moved Cr Jephson/Seconded Cr Hayes) Carried

C2. Māori Standing Committee Appointment

The Mayor acknowledged the work by Terry Te Maari over the eight years he represented Kohunui Marae on the Māori Standing Committee.

COUNCIL RESOLVED (DC2020/135):

1. To receive the Māori Standing Committee Appointment Report.
(Moved Cr Colenso/Seconded Cr Plimmer) Carried

2. To make the following external appointment to the Māori Standing Committee: Suzanne Murphy (Kohunui Marae).
(*Moved Cr Jephson/Seconded Cr Maynard*) Carried
3. Action 638: Write and thank Terry Te Maari for the work and commitment to the Māori Standing Committee; Mayor Beijen

C3. Communications Plan for Council Committees

Members discussed amendments to clarify the intended stakeholders and the various communications channels that could be used for messaging. Holding a mock debate was discussed.

COUNCIL RESOLVED (DC2020/136):

1. To receive the Communications Plan for Council Committees Report.
(*Moved Cr Hay/Seconded Cr Maynard*) Carried
2. Action 639: Amend the Council Committees Communications Plan so that promotions goes to the community not just ratepayers; A Wharram

The meeting adjourned at 11:28am.

The meeting reconvened at 11:46am.

D Information Reports

D1. Three Waters Reform Update

Mr Patchett discussed with councillors the Three Waters Reform Regional Project. The project has been put together so councils can effectively respond to the Department of Internal Affairs Request for Information on a range of water related matters and to ensure the best outcome for a three waters reform.

COUNCIL RESOLVED (DC2020/137) to receive the Three Waters Reform Update – Request for Information (RFI).

(*Moved Cr West/Seconded Cr Jephson*) Carried

D2. Action Items

Members discussed the timeline and responsibility framework for withdrawing the Featherston Wastewater consent application.

COUNCIL RESOLVED (DC2020/138):

1. To receive the Action Items Report.
(*Moved Cr West/Seconded Cr Maynard*) Carried
2. Action 640: Create a timeline of what happened between the decision made to withdraw the Featherston Wastewater consent application until the withdrawal confirmation date; E Stitt

E Chairpersons Report

E1. Chairpersons Report

Mayor Beijen discussed the Youth2Work movement and potential programme support, and selection of a rangatahi for mentoring under the Tuia programme.

Cr Plimmer provided an update on the Mayor’s Taskforce for Jobs Programme, and advised that an appointment had been made to the Wairarapa Whanau Trust to support the programme.

Cr Maynard left the meeting at 12:53pm.

Cr Maynard returned to the meeting at 12:55pm.

COUNCIL RESOLVED (DC2020/139) to receive the tabled Mayor’s Report.

(Moved Cr West/Seconded Cr Plimmer)

Carried

F Public Excluded Business

F1. Confirmation of Public Excluded Minutes from 28 October 2020

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

Report/General Subject Matter	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
Confirmation of Public Excluded Minutes from 28 October 2020	Good reason to withhold exists under section 7(2)(b)(i), 7(2)(h), 7(2)(i)	Section 48(1)(a)

This resolution (*DC2020/140*) is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret	7(2)(b)(i)
The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	7(2)(i)
The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	7(2)(h)

(Moved Cr Plimmer/Seconded Cr West)

Carried

Confirmed as a true and correct record

.....(Mayor)

.....(Date)



**SOUTH WAIRARAPA DISTRICT COUNCIL
Minutes from 17 December 2020**

- Present:** Mayor Alex Beijen (Chair), Deputy Mayor Garrick Emms, Councillors Pam Colenso, Leigh Hay, Brian Jephson, Alistair Plimmer, and Brenda West.
- In Attendance:** Harry Wilson (Chief Executive), Euan Stitt (Partnerships and Operations Group Manager), Karen Yates (Policy and Governance Manager), Russell O’Leary (Planning and Environment Group Manager), Amy Wharram (Communications Manager), Godwell Mahowa (Planning Manager), Bryce Neems (Amenities and Waste Manager), Katrina Neems (Chief Financial Officer), Charly Clarke (Finance Manager), and Suzanne Clark (Committee Advisor).
Via audio-visual link: John Whittal (Audit NZ) and Kelly Vatselias (Audit NZ).
- Conduct of Business:** The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 12:30pm and 1:20pm except where expressly noted.
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Open Section

Cr Colenso read the Council affirmation.

- A1. Apologies**
COUNCIL RESOLVED (DC2020/142) to accept apologies from Cr Ross Vickery, Cr Pip Maynard, and Cr Rebecca Fox.
(Moved Mayor Beijen/Seconded Cr West) Carried
- A2. Conflicts of Interest**
No conflicts of interest were declared.
- A3. Acknowledgements and Tributes**
Cr West acknowledged the work Alan Maxwell had undertaken for the community. Mayor Beijen had also acknowledged his contribution at his farewell.
- A4. Public Participation**
There was no public participation.

A5. Actions from public participation

There were no actions from public participation.

A6. Extraordinary Business

There was no extraordinary business.

B Decision Reports from Chief Executive and Staff

B1. Adoption of Annual Report 2019/2020

Mr Whittal reported that Audit NZ had completed their audit for the current year and will issue an unmodified opinion for the financial statements and a qualified opinion on the statements of service performance. The qualified opinion was due to identification of some significant issues with the performance measures of Wellington Water of which SWDC was a joint shareholder.

Mr Whittal drew members attention to the Annual Report disclosures about performance against benchmarks and the impacts of COVID-19.

Mayor Beijen queried whether Audit NZ was taking a fair and accommodating view of Wellington Water measures noting Wellington Water had a differing opinion to Audit NZ. Mr Whittal advised that what was required in terms of evidence and guidelines was standard across all councils and all Wellington Water shareholder councils were affected.

The Summary of Information was not available, and as its adoption was not required by legislation, the recommendation to adopt the document was removed by the Chief Executive.

COUNCIL RESOLVED (DC2020/143):

1. To receive the Report.
(Moved Cr Jephson/Seconded Cr Hay) Carried
2. To adopt the tabled 2019/20 Annual Report.
(Moved Cr Hay/Seconded Cr Emms) Carried
3. To delegate to the Mayor and Chief Executive to correct minor grammatical and other errors.
(Moved Mayor Beijen/Seconded Cr Hay) Carried
4. To delegate to the Mayor and Chief Executive authority to sign this report.
(Moved Cr Jephson/Seconded Cr Emms) Carried

B2. Externally Funded Projects – Approval to Proceed

Members discussed regular project monitoring and oversight, contingency planning, the benefit to the South Wairarapa, project cessation if the tender outcome was not favourable, and the background of the application being made with members.

COUNCIL RESOLVED (DC2020/144):

1. To receive the Externally Funded Projects – Approval to Proceed Report.
(Moved Cr Colenso/Seconded Cr Emms) Carried

2. To note the potential financial risk for Council with the Tauherenikau Cycle Bridge and Hau Ariki Marae projects.
3. To delegate authority to the Chief Executive to enter into the contracts for the projects.

(Moved Cr Jephson/Seconded Cr Colenso)

Carried

B3. Increase of Service – Martinborough Transfer Station

Members discussed the financial implications, undertaking changes to service in a measured way, whether the recommendation was urgent enough to bypass the committee structure, public requests for increased transfer station service, and whether consideration should be given to a wider service or waste review with officers.

Officers did not believe the request was material or required consultation and there was merit in providing increased services by January 2021.

COUNCIL RESOLVED (DC2020/145):

1. To receive the Increase of Service – Martinborough Transfer Station

(Moved Cr Colenso/Seconded Cr Plimmer)

Carried

2. To approve an increase in service of the Martinborough Transfer Station.

(Moved Cr Jephson/Seconded Cr Hay)

Carried

Cr West voted against the motion.

Confirmed as a true and correct record

.....(Mayor)

.....(Date)

SOUTH WAIRARAPA DISTRICT COUNCIL

10 FEBRUARY 2021

AGENDA ITEM B1

MINUTES OF COUNCIL COMMITTEES AND COMMUNITY BOARDS

Purpose of Report

To present Council with reports and minutes of Council committees and community boards.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *Receive the minutes of the Māori Standing Committee meeting 8 December 2020.*
3. *Receive the minutes of the Greytown Community Board meeting 9 December 2020.*
4. *Note the recommendation from the Greytown Community Board to review the funding criteria of the Grants Policy.*
5. *Receive the minutes of the Featherston Community Board meeting 15 December 2020.*
6. *Receive the minutes of the Assets and Services Committee meeting 16 December 2020.*
7. *Receive the minutes of the Planning and Regulatory Committee meeting 16 December 2020.*
8. *Receive the minutes of the Martinborough Community Board meeting 17 December 2020.*

1. Executive Summary

Minutes of recent meetings are presented to Council for information. The Chair may ask for comment on the content, but no comment can be received in this forum with regards to the accuracy of the minutes.

1.1 Meeting cancellations

The following meetings were cancelled:

- Finance, Audit and Risk Committee meeting of the 16 December 2020
- Wairarapa COVID-19 Recovery Committee of the 30 November 2020

1.2 Recommendation from Greytown Community Board

Greytown Community Board made the following recommendation to Council at their meeting on the 16 December 2020.

To request Council, through a review of its Grants Policy, considers how to prioritise funding support for Cobblestones Museum and future development of Papawai Marae in favour of disproportionately funding Wairarapa regional museums.

The public will be consulted on a proposal to amend the Grants Policy at the same time as consultation is being sought on the 21/31 Long Term Plan. Community board chairs will have the opportunity to input into the proposed revised Grants Policy that is released for public consultation.

Officers recommend that Council note a recommendation to acknowledge the request.

2. Appendices

Appendix 1 - Māori Standing Committee meeting 8 December 2020
Greytown Community Board meeting 9 December 2020
Featherston Community Board meeting 15 December 2020
Assets and Services Committee meeting 16 December 2020
Planning and Regulatory Committee meeting 16 December 2020
Martinborough Community Board meeting 17 December 2020

Contact Officer: Suzanne Clark, Committee Advisor

Reviewed By: Karen Yates, Policy and Governance Manager

Appendix 1

- Māori Standing Committee meeting 8 December 2020
- Greytown Community Board meeting 9 December 2020
- Featherston Community Board meeting 15 December 2020
- Assets and Services Committee meeting 16 December 2020
- Planning and Regulatory Committee meeting 16 December 2020
- Martinborough Community Board meeting 17 December 2020



MĀORI STANDING COMMITTEE Minutes from 8 December 2020

Present:	Narida Hooper (Chair), Karen Mikaera, Teresa Aporo, Toni Kerr (from 6.04pm via audio-visual conference), Nathan Maynard, Suzanne Murphy, Mayor Alex Beijen (to 7.44pm via audio-visual conference), Councillor Garrick Emms, Councillor Pip Maynard and Councillor Brian Jephson.
In Attendance:	Euan Stitt (Group Manager Partnerships and Operations) Karen Yates (Policy and Governance Manager) and Steph Dorne (Committee Advisor).
Also in Attendance:	Lee Carter, Haami Te Whaiti, Shane Atkinson (Greytown Trails Trust), and John Bushnell (Greytown Trails Trust).
Conduct of Business:	The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough. The meeting was conducted in public between 6:00pm and 8.19pm.

PUBLIC BUSINESS

Members opened with a karakia.

1. APOLOGIES

MSC RESOLVED (MSC 2020/46) to receive apologies from Andrea Rutene and Carlene Te Tau.

(Moved Cr Maynard/Seconded Aporo)

Carried

2. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

3. ACKNOWLEDGMENTS AND TRIBUTES

There were no acknowledgments or tributes.

4. PUBLIC PARTICIPATION

4.1 Shane Atkinson and John Bushnell - Tauherenikau trail and bridge project

Mr Atkinson and Mr Bushnell updated members on progress made on the Tauherenikau trail and bridge project since last meeting with the committee in 2019, thanked members for their support, and requested assistance in progressing the idea of a pou at either side of the river.

Toni Kerr joined the meeting at 6.04pm.

4.2 Lee Carter and Haami Te Whaiti – Preserving the mana and history of Moiki in relation to the Rapa Valley subdivision

Mrs Carter and Mr Te Whaiti expressed the view that recent media articles highlighted an issue of cultural appropriation with the naming of the subdivision at Moiki Road and requested the committee supports the subdivision being renamed from Rapa Valley to Manukawiri. Mr Te Whaiti outlined the history of the area, its historical and cultural significance, the importance of place names, and the impact that supporting the name and accepting the position of mana whenua could have on relationships.

5. ACTIONS FROM PUBLIC PARTICIPATION

5.1 Shane Atkinson and John Bushnell - Tauherenikau trail and bridge project

MSC NOTED:

Action 651: Discuss the idea of a pou at either side of the Tauherenikau River crossing with Greytown Trails Trust in mid-January 2021, MSC.

5.2 Lee Carter and Haami Te Whaiti – Preserving the mana and history of Moiki in relation to the Rapa Valley subdivision

MSC NOTED:

Action 652: Write a letter in support of the submission to the developer to change the name of the subdivision at Moiki Road from Rapa Valley to Manukawiri, N Hooper.

6. MINUTES FOR CONFIRMATION

6.1 Māori Standing Committee – 27 October 2020

MSC RESOLVED (MSC 2020/47) that the minutes of the Māori Standing Committee meeting held on 27 October 2020 be confirmed as a true and correct record subject to the correction of the spelling of Clive's surname from Patten to Paton.

(Moved Cr Jephson/Seconded Murphy)

Carried

7. OPERATIONAL REPORTS – COUNCIL OFFICERS

7.1 Officers' Report

Mr Stitt updated members on progress of the Eco Reef trial at Cape Palliser Bay and responded to questions on water consumption levels, water tank funding, water conservation initiatives and the Lake Ferry wastewater treatment plant drip line upgrade.

MSC RESOLVED (MSC 2020/48) to receive the Officer's Report.

(Moved Cr Emms/Seconded Cr Maynard)

Carried

7.2 Action Items Report

Members discussed the items and noted further updates.

MSC RESOLVED (MSC 2020/49) to receive the Action Items Report.

(Moved Murphy/Seconded Cr Jephson)

Carried

7.3 Income and Expenditure Report

MSC NOTED:

Action 653: Meet with officers to discuss the presentation of the Māori Standing Committee Income and Expenditure Statement, N Hooper.

MSC RESOLVED (MSC 2020/50) to receive the Income and Expenditure Statement for the period 1 July 2020 – 31 October 2020.

(Moved Mikaera/Seconded Aporo)

Carried

7.4 Longwood Water Race Consent Renewal Report

Mr Stitt provided a brief summary of the report and responded to questions on the uses of the water race.

MSC RESOLVED (MSC 2020/51) to receive the Longwood Water Race Consent Renewal Report.

(Moved Cr Jephson/Seconded Cr Maynard)

Carried

7.5 Featherston Wastewater Treatment Plant – Consent Process Update

Mr Stitt provided a brief update on the consent process, the desire to engage the committee in the process and responded to questions on the high-level ideas that have been developed for the wastewater treatment.

Members discussed protecting the Wairarapa Moana, ability to reduce water usage through reuse, and costs associated with the project.

Members discussed the need to determine what is culturally acceptable and undertook to arrange a workshop to consider the desired end result for the environment.

Action 654: Arrange a workshop on Thursday 21 January 2021 to discuss ideas for the treatment of Featherston’s wastewater, MSC.

MSC RESOLVED (MSC 2020/52) to receive the Featherston Wastewater Treatment Plant – Consent Process Update

(Moved Cr Maynard/Seconded N Maynard)

Carried

Mayor Beijen left the meeting at 7.44pm

7.6 Considine Park User Group Nomination Report

Councillor Maynard provided background information to the Martinborough Community Board’s request for a nomination and members undertook to consider potential nominees.

MSC NOTED:

Action 655: Consider potential nominees to represent the interests of tangata whenua on the Considine Park User Group and report back to the Martinborough Community Board, MSC.

MSC RESOLVED (MSC 2020/53) to receive the Considine Park User Group Nomination Report.

(Moved Cr Maynard/Seconded Mikaera) Carried

7.7 Schedule Of Ordinary Meetings For 2021 Report

MSC RESOLVED (MSC 2020/54) to:

1. Receive the Schedule Of Ordinary Meetings For 2021 Report.

(Moved Aporo/Seconded Mikaera) Carried

2. Note the 2021 schedule of ordinary meetings for Council and Committees and that Council has adopted an eight-weekly meeting cycle for all Council and committee meetings.

(Moved Cr Jephson/Seconded Aporo) Carried

3. Agree that the Māori Standing Committee meeting start time for 2021 will be 6.00pm.

(Moved Mikaera/Seconded Aporo) Carried

4. Delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Chair as required.

(Moved Cr Jephson/Seconded Cr Emms) Carried

8. CHAIRPERSON REPORT

8.1 Chairperson Report

Ms Hooper spoke to matters as outlined in her Chairperson Report.

Members discussed a potential candidate for the TUIA mentor programme, acknowledged the property owner at Moiki for reaching out for advice on a property name, and discussed the need for a process around naming and supporting resources.

Members discussed that they were unable to support the use of the name Manukawiri for an individual property as they had agreed to support the use of this name for the whole subdivision but undertook to offer alternative suggestions linked to the two ponds for the owner's consideration.

Ms Hooper acknowledged Ms Aporo for her work on SWDC resource consents.

MSC NOTED:

Action 656: Write a letter to the owners seeking advice on a name for their property at Moiki Road informing them that the committee is unable to support the use of the name Manukawiri for their individual property and offer alternative suggestions for their consideration, T Kerr and N Maynard.

MSC RESOLVED (MSC 2020/55) to receive the Chairperson Report.

(Moved Cr Maynard/Seconded Murphy) Carried

Councillor Jephson shared a personal whakapapa and members closed with a karakia.

The meeting closed at 8.19pm.

Confirmed as a true and correct record

.....Chairperson

.....Date



- Present:** Ann Rainford (Chair), Graeme Gray, Shelley Symes, Simone Baker, Councillor Alistair Plimmer and Aimee Clouston (youth representative).
- In Attendance:** Russell O’Leary (Group Manager Planning and Environment) Karen Yates (Policy and Governance Manager), and Steph Dorne (Committee Advisor).
- Also in Attendance:** Ray Lilley, John Bushnell (Greytown Trails Trust), Richard Kershaw, Lee Carter and Sid Kempton.
- Conduct of Business:** The meeting was conducted in public in the WBS Room, Greytown Town Centre on 9 December 2020 between 7:00pm and 9.12pm.

1. EXTRAORDINARY BUSINESS

Mrs Rainford advised that two late reports had been received and asked the Board to consider the reports as additional agenda items.

GCB RESOLVED (GCB 2020/54):

1. To consider the Naming of New Road at Moiki Road Report as agenda item 9.6; the report was not on the agenda due to competing work priorities but a number of the lots on this new road have been sold and the addressing for the subdivision is dependent on the road being named.

(Moved Cr Plimmer/Seconded Baker)

Carried

2. To consider the Approval of Additional Expenditure Report as agenda item 9.7; the report was not on the agenda as the invoices had not yet been received but payment is due prior to the Board’s next meeting in February 2021.

(Moved Cr Plimmer/Seconded Baker)

Carried

Mrs Rainford tabled a revised version of the Greytown Community Board Three Year as Appendix 1 in agenda item 10.1 as an earlier version was submitted in error.

Mrs Rainford explained that Shelley Symes would table a member report on civil defence related matters as agenda item 12.1 and provide feedback from a recent Greytown Community Board community drop-in session as part agenda item 10.1, the Chairperson Report.

2. APOLOGIES

*GCB RESOLVED (GCB 2020/55) to receive apologies from Councillor Fox.
(Moved Rainford/Seconded Gray)*

Carried

3. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

4. ACKNOWLEDGMENTS AND TRIBUTES

There were no acknowledgments or tributes.

5. PUBLIC PARTICIPATION

5.1 Ray Lilley – Tree Planting on Highways

Mr Lilley spoke of his idea of establishing tree avenues on the highways connecting the three South Wairarapa towns. Mr Lilley outlined the benefits of planting, examples of towns with tree avenues, types of trees for planting, and challenges to overcome.

5.2 John Bushnell – Tauherenikau Trail and Bridge Project

Mr Bushnell updated members on the Tauherenikau Trail and Bridge project, including expected timeframes for construction and the work being undertaken to incorporate Te Reo Māori into the project. Mr Bushnell thanked the Board and Council for their support.

5.3 Richard Kershaw – Naming of a New Road at Moiki Road

Mr Kershaw stated the developer of the subdivision at Moiki Road made a commitment when the land was sold to meet to discuss the naming of the road and requested additional time so interested parties could meet. Mr Kershaw provided an overview of the history of Moiki, stated it is known as 'Manukawiri' rather than 'Rapa Valley,' and requested the Board preserves local history when naming new roads and supports the placing of signage explaining historical events.

5.4 Lee Carter - Naming of a New Road at Moiki Road

Mrs Carter spoke of her request for the new road name at Moiki Road to reflect the Māori history of Moiki and requested time be taken to select a name that honours the history rather than resolving it with urgency. Mrs Carter believed that Major Archer Hosking's connection was to Masterton rather than Moiki and requested the applicant be asked to work with lot owners and Iwi to come up with an alternative name.

5.5 Sid Kempton – Greytown Wheels Park

Mr Kempton updated members of a quote obtained for design services for a Greytown Wheels Park on Pierce Street and requested a letter of support from the Board that could be submitted to South Wairarapa District Council (SWDC) alongside the quote for consideration as part of the Long Term Plan.

6. ACTIONS FROM PUBLIC PARTICIPATION

6.1 Ray Lilley – Tree Planting on Highways

Mr Lilley was encouraged to discuss the tree avenue proposal with the Greytown Tree Advisory Group and Mrs Rainford requested Councillor Plimmer discuss the idea with Mayor Beijen and report back to the Board.

Councillor Plimmer left the meeting at 7.42pm.

6.2 John Bushnell – Tauherenikau Trail and Bridge Project

There were no actions recorded.

6.3 Richard Kershaw – Naming of a New Road at Moiki Road

The matters raised would be considered under agenda item 9.6, the Naming of a New Road at Moiki Road Report.

6.4 Lee Carter - Naming of a New Road at Moiki Road

The matters raised would be considered under agenda item 9.6, the Naming of a New Road at Moiki Road Report.

6.5 Sid Kempton – Greytown Wheels Park

Members explained a Wheels Park is one of the proposals currently being considered for inclusion in the SWDC Long Term Plan and that Mr Kempton has the support of the Board for the proposal.

7. COMMUNITY BOARD MINUTES

7.1 Greytown Community Board Minutes – 28 October 2020

GCB RESOLVED (GCB 2020/56) that the minutes of the Greytown Community Board meeting held on 28 October 2020 be confirmed as a true and correct record.

(Moved Symes/Seconded Gray)

Carried

8. REPORT FROM COMMITTEES

8.1 Tree Advisory Group

There was no update from the Greytown Tree Advisory Group.

9. CHIEF EXECUTIVE AND STAFF REPORTS

9.1 Officers' Report

GCB RESOLVED (GCB 2020/57) to receive the Officers' Report.

(Moved Symes/Seconded Baker)

Carried

Councillor Plimmer returned to the meeting at 7.46pm.

9.2 Adoption of 2021 Meeting Schedule Report

Ms Yates provided a brief outline of the report. Members discussed timely decision making, utilisation of workshops to prepare for meetings, synchronisation of the meeting cycle with Council, public access to elected members, community engagement, utilisation of community drop-in sessions, and the process for communicating matters raised by the community with officers.

GCB NOTED:

Action 667: Schedule a reoccurring Greytown Community Board workshop in each month between the Board's ordinary meetings, K Yates.

GCB RESOLVED (GCB 2020/58):

1. To receive the Adoption of 2021 Meeting Schedule Report.
(Moved Symes/Seconded Gray) Carried
2. To adopt a six-weekly meeting cycle for the Greytown Community Board.
(Moved Baker/Seconded Rainford) Not Carried
3. To adopt an eight-weekly meeting cycle for the Greytown Community Board and the accompanying 2021 schedule of ordinary meetings for the Greytown Community Board.
(Moved Cr Plimmer/Seconded Gray) Carried
4. To delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Community Board Chair as required.
(Moved Cr Plimmer/Seconded Symes) Carried
5. To delegate to the Chief Executive the authority to update clause 9.1.4 'Timing and Frequency' of the Greytown Community Board Terms of Reference.
(Moved Cr Plimmer/Seconded Symes) Carried
6. To agree that the 2021 Greytown Community Board meeting start time will be 6.00pm.
(Moved Cr Plimmer/Seconded Symes) Carried

9.3 **Action Items Report**

GCB RESOLVED (GCB 2020/59) to receive the Action Items Report.
(Moved Gray/Seconded Symes)

Carried

9.4 **Income and Expenditure Report**

GCB NOTED:

Action 668: Request the \$1,000 committed to Greytown Trials Trust for promotion and maintenance of the rail trail be transferred to the beautification fund, K Neems.

GCB RESOLVED (GCB 2020/60) to receive the Income and Expenditure Statement for the period 1 July 2020 – 31 October 2020.

(Moved Gray/Seconded Symes)

Carried

9.5 **Applications for Financial Assistance**

GCB RESOLVED (GCB 2020/61):

1. To receive the Application for Financial Assistance Report.

(Moved Symes/Seconded Gray)

Carried

2. To defer granting South Wairarapa Rotary Club funding to contribute to the costs of the 2020 Greytown Christmas Parade pending receipt of the Club's latest financial statements.

(Moved Rainford/Seconded Symes)

Carried

9.6 **Naming of a New Road at Moiki Road, in Greytown**

Ms Yates provided a brief summary of the report. Members considered Major Archer Hosking's family had already been appropriately recognised through the naming of two roads in Masterton. Members requested officers ask the applicant to consult with interested parties on appropriate names. Ms Yates clarified that the applicant cannot be required to consult but may choose to do so if he wishes. The applicant would be invited to submit a new application.

GCB RESOLVED (GCB 2020/62):

1. To receive the proposed naming of the proposed private road at Moiki Road Greytown report.

(Moved Cr Plimmer/Seconded Baker)

Carried

2. To decline the name "Archers Way" for the proposed private road at Moiki Road, Greytown.

(Moved Baker/Seconded Symes)

Carried

3. To suggest the developer consults with interested parties on proposed names for the proposed private road at Moiki Road, Greytown.

(Moved Gray/Seconded Symes)

Carried

4. To note that the Policy on Naming Public Roads, Private Roads and Rights-of-Way will be reviewed by council.

(Moved Baker/Seconded Gray)

Carried

9.7 Approval of Additional Expenditure Report

GCB RESOLVED (GCB 2020/63):

1. To receive the Approval of Additional Expenditure Report.
2. To approve \$100 be paid to Grand Illusions for the installation of Christmas decorations at the Greytown Town Centre, to be funded from the beautification fund.

(Moved Cr Plimmer/Seconded Gray)

Carried

3. To approve \$6.72 be paid to Greater Wellington Regional Council for the purchase of native trees by the Greytown Tree Advisory Group, to be funded from the beautification fund.

(Moved Cr Plimmer/Seconded Symes)

Carried

4. To release the funds of \$640.04 committed to the Greytown Tree Advisory for planting at the Lions Nature Trail North Street back to beautification fund and invite the Greytown Tree Advisory Group to reapply next year.

(Moved Symes/Seconded Baker)

Carried

10. CHAIRPERSON REPORT

10.1 Chairperson Report

Mrs Rainford spoke to matters as outlined in her Chairperson Report. Ms Symes updated members of health and safety matters raised at the community drop-in sessions on 5 December 2020 including maintenance of verges on Wood Street, footpaths on North Street, suggested facilities for toddlers at Colliers Reserve, and water conservation measures.

GCB NOTED:

Action 669: Forward the health and safety matters raised by the community at the Greytown Community Board drop-in session on 5 December to relevant officers.

GCB RESOLVED (GCB 2020/64):

1. To receive the Chairperson Report
2. To meet with the Board of Papawai Marae in early 2021 to discuss progress on the signs for Papawai Marae and other proposals outlined in the Board's Three Year Plan.

(Moved Baker/Seconded Gray)

Carried

3. To defer considering the request to approve funds of \$3,000 to commission Gina Jones to provide artworks for the third set of Main Street flags and for two new Welcome to Greytown signs consisting of wording in English and Te Reo with an image of a Gum and Totara tree pending receipt of a quote.

(Moved Rainford/Seconded Gray)

Carried

4. To adopt the Greytown Community Board Three Year Plan for the 2019-2022 triennium.

(Moved Baker/Seconded Symes)

Carried

5. To request Council, through a review of its Grants Policy, considers how to prioritise funding support for Cobblestones Museum and future development of Papawai Marae in favour of disproportionately funding regional Wairarapa museums.

(Moved Cr Plimmer/Seconded Baker)

Carried

6. To request the new SWDC Community Development Coordinator addresses the Greytown Community Board once appointed.

(Moved Gray/Seconded Symes)

Carried

7. To advertise for volunteers for the Greytown Information Centre in the December 2020 issue of the Grapevine

(Moved Gray/Seconded Baker)

Carried

11. NOTICES OF MOTION

There were no notices of motion.

12. MEMBER REPORTS (INFORMATION)

12.1 Member Report

Ms Symes spoke to matters as outlined in her tabled report and queried potential resourcing and funding of a minute taker for meetings attended in her capacity as the Greytown Community Board WREMO/civil defence liaison. Mrs Rainford acknowledged Ms Symes on behalf of the Board for the hard work she has done as the liaison.

GCB RESOLVED (GCB 2020/65) to receive the Member Report.

(Moved Rainford/Seconded Gray)

Carried

13. CORRESPONDENCE

There was no correspondence.

The meeting closed at 9.12pm.

Confirmed as a true and correct record

.....Chairperson

.....Date



Minutes – 15 December 2020

- Present:** Mark Shepherd (Chair), Claire Bleakley, Sophronia Smith, Jayson Tahinurua, and youth representative Ana Souto (from 7.03pm).
- In Attendance:** Mayor Alex Beijen, Russell O’Leary (Group Manager Planning and Environment) and Steph Dorne (Committee Advisor).
- Conduct of Business:** The meeting was conducted in public in Kiwi Hall, 62 Bell Street, Featherston between 7:00pm and 8.52pm.
- Also in Attendance:** Ray Lilley, Shane Atkinson (Greytown Trails Trust), John Bushnell (Greytown Trails Trust), Jennifer Grey, Grant Crosland (XLanding Limited), Aileen Saba and Katherine Riwaka.

1. EXTRAORDINARY BUSINESS

FCB RESOLVED (FCB 2020/57) to consider the Adoption of the 2021 Schedule of Ordinary Meetings Report as agenda item 8.9; the report was not on the agenda due to an administrative error but it cannot be deferred as the local authority is legally required to hold meetings for the good government of its region or district.

(Moved Bleakley/Seconded Baker)

Carried

2. APOLOGIES

FCB RESOLVED (FCB 2020/58) to receive apologies from councillors Garrick Emms and Ross Vickery.

(Moved Tahinurua/Seconded Bleakley)

Carried

3. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

4. ACKNOWLEDGMENTS AND TRIBUTES

Mrs Bleakley acknowledged Alan Maxwell for the work he had done with the community and wished him well with his future endeavours.

5. PUBLIC PARTICIPATION

5.1 Ray Lilley and Mayor Alex Beijen – Tree Planting on Highways

Mr Lilley spoke of his idea of establishing avenues of introduced and native trees on farmland along the highways connecting the three South Wairarapa towns. Mr Lilley spoke of the benefits, challenges to overcome and provided examples of towns with tree avenues. Mayor Beijen requested the Board support the proposal and consider entering into a Memorandum of Understanding to contribute ongoing funding support.

5.2 Jennifer Grey – Community Website for Featherston

Ms Grey informed members of a new community website for Featherston, signalled she would be seeking funding support at the next meeting, and requested the Board help facilitate the involvement of community groups.

5.3 John Bushnell and Shane Atkinson – Tauherenikau Trail and Bridge Project

Mr Bushnell and Mr Atkinson updated members on the Tauherenikau Trail and Bridge project, including expected timeframes for construction and the intention to incorporate Te Reo Māori into the project. Mr Bushnell thanked the Board and Council for their support.

5.4 Grant Crosland – Proposed Naming of a New Private Road at 24-32 Revans Street

Mr Crosland, director of Xlanding Limited, spoke in support of the proposed naming of a new private road at the Xlanding Limited subdivision at 24-32 Revans Street. Mr Crosland requested the Board consider “Orion Way” as the preferred option, explained the meaning behind the preferred name, and requested “Cross Lane” be withdrawn as there is a “Cross Line” in Greytown.

5.5 Aileen Saba – Locked Gates at Tauherenikau River

Ms Saba spoke of her disappointment of the locked gates limiting access to the Tauherenikau River and suggested alternative solutions for the rubbish dumping be explored such as the installation of cameras. Ms Saba sought guidance from members on who to approach to resolve the matter.

5.6 Katherine Riwaka – Locked Gates at Tauherenikau River

Ms Riwaka expressed disappointment with the gates at Tauherenikau River being locked and requested the Board’s support in working with members of the community and Greater Wellington Regional Council on an alternative solution to resolve the issue of rubbish dumping while still permitting access to the river.

6. ACTIONS FROM PUBLIC PARTICIPATION

Ms Smith requested being involved in discussions surrounding the incorporation of Te Reo Māori in the Tauherenikau Trail and Bridge Project.

Mayor Beijen had been in contact with Greater Wellington Regional Council regarding the locked gates at Tauherenikau River and undertook to raise with them the desire to meet to discuss ways forward.

7. COMMUNITY BOARD MINUTES

7.1 Featherston Community Board Minutes – 3 November 2020

FCB RESOLVED (FCB 2020/59) that the minutes of the Featherston Community Board meeting held on 3 November 2020 be confirmed as a true and correct record.

(Moved Tahinurua/Seconded Smith)

Carried

8. CHIEF EXECUTIVE AND STAFF REPORTS

8.1 Officers' Report

Members discussed dog incidents, the process for responding to repeated dog attacks, and the outcome of an independent report into Wellington Water Ltd and Wellington City Council.

FCB RESOLVED (FCB 2020/60) to receive the Officers' Report.

(Moved Bleakley/Seconded Tahinurua)

Carried

8.2 Action Items Report

Members reviewed the actions items, discussed further updates and noted a further action:

Action 685: Write a letter to the Featherston Community Centre to determine if it would like to proceed with the proposal for SWDC to take ownership of the building and with the grant application to contribute to the costs of its carpark development, FCB.

FCB RESOLVED (FCB 2020/61) to receive the Action Items Report.

(Moved Bleakley/Seconded Tahinurua)

Carried

8.3 Income and Expenditure Report

Mrs Bleakley updated members of the costs of the Featherston Christmas Parade and members discussed obtaining a generic Traffic Management Plan that can be utilised in future years.

FCB RESOLVED (FCB 2020/62) to receive the Income and Expenditure Report.

(Moved Tahinurua/Seconded Bleakley)

Carried

8.4 Financial Assistance Report

FCB RESOLVED (FCB 2020/63):

1. To receive the Financial Assistance Report.

(Moved Bleakley/Seconded Smith)

Carried

2. To note that Featherston Menz Shed has withdrawn the grant application for funding of the remaining nine-month subscription to Skinny for wireless broadband.

(Moved Smith/Seconded Tahinurua)

Carried

8.5 Featherston Wastewater Treatment Plant Report – Consent Process Update

Members provided feedback on the public engagement sessions, discussed the time being taken to refine options, and expressed the view that work to agree a solution needed to be progressed in a timely manner and that expert guidance was needed.

FCB RESOLVED (FCB 2020/64) to receive the Featherston Wastewater Treatment Plant Report – Consent Process Update.

(Moved Bleakley/Seconded Smith)

Carried

8.6 Youth Representative Appointment Report

FCB RESOLVED (FCB 2020/65):

1. To receive the Youth Representative Appointment Report.
(Moved Tahinurua/Seconded Smith) Carried
2. To appoint Ana Souto and Isla Richardson as youth representatives, in an advocacy role with non-voting rights to the Featherston Community Board until the end of the 2019-2022 triennium.
(Moved Smith/Seconded Bleakley) Carried
3. To agree an honorarium payment of \$50 per ordinary meeting attended be paid to each of the youth representatives from the Featherston Community Board operating budget.
(Moved Smith/Seconded Tahinurua) Carried

8.7 Proposed Naming of a New Private Road, at 24-32 Revans Street in Featherston Report

Members discussed the presentation by Mr Crosland, support for bilingual road naming and preference for the Dark Sky meaning behind the name “Orion Way” as opposed to the air force connotations.

FCB RESOLVED (FCB 2020/66):

1. To receive the Proposed Naming of a New Private Road, at 24-32 Revans Street in Featherston Report.
(Moved Bleakley/Seconded Tahinurua) Carried
2. Approve the name “Orion Way” for the proposed private road at 24-32 Revans Street, in Featherston.
(Moved Bleakley/Seconded Tahinurua) Carried

8.8 Proposed Naming of a New Private Road, at Harrison Street East in Featherston Report

Mr Shepherd outlined advice received from the Māori Standing Committee Chair on input into the naming of new roads and members discussed the connotations of the English translation of “Hapori.”

FCB RESOLVED (FCB 2020/67):

1. To receive the Proposed Naming of a New Private Road, at Harrison Street East Featherston Report.
(Moved Tahinurua/Seconded Bleakley) Carried
2. Approve the name “Community Green” for the new private road at Harrison Street East, Featherston.
(Moved Shepherd/Seconded Tahinurua) Carried

Claire Bleakly abstained

8.9 Adoption of 2021 meeting cycle

Members discussed synchronisation to the Council meeting cycle, utilisation of extraordinary meetings and workshops where needed, quantity of business considered at meetings, best use of members time, alternative ways for engaging with the community, and the process for addressing matters raised by the community in a timely manner.

FCB RESOLVED (FCB 2020/68):

1. To receive the report.
(Moved Tahinurua/Seconded Bleakley) Carried
2. Adopt eight weekly cycle for Featherston Community Board.
3. Adopt a 2021 schedule of ordinary meetings for Featherston Community Board.
(Moved Smith/Seconded Tahinurua) Carried
4. Delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Community Board Chair as required.
5. Delegate to the Chief Executive the authority to update clause 9.1.4 'Timing and Frequency' of the Community Board Terms of Reference.
(Moved Tahinurua/Seconded Smith) Carried
6. Agree that the 2021 Featherston Community Board meeting start time will be 7:00pm.
(Moved Smith/Seconded Bleakley) Carried

9. NOTICES OF MOTION

There were no notices of motion.

10. CHAIRPERSONS REPORT

10.1 Chairperson Report

Members shared feedback on the Tangata Tiriti – Treaty People workshop and discussed the designs of the new street flags.

FCB RESOLVED (FCB 2020/69):

1. To receive the Chairperson Report.
(Moved Bleakley/Seconded Tahinurua) Carried
2. To approve funds of \$2,610 for two sets of 15 street flags to be funded from the beautification fund.
(Moved Smith/Seconded Tahinurua) Carried

11. MEMBER REPORTS (INFORMATION)

11.1 Member Report

Mrs Bleakley spoke to matters in her Member Report and extended thanks to the Wairarapa Times Age for their sponsorship of the Christmas Parade. Members discussed early planning of the event in future years.

*FCB RESOLVED (FCB 2020/70) to receive the Member Report.
(Moved Tahinurua/Seconded Smith)*

Carried

12. CORRESPONDENCE

There was no correspondence.

The meeting closed at 8.52pm.

Confirmed as a true and correct record

.....Chairperson

.....Date

**ASSETS AND SERVICES COMMITTEE
Minutes from 16 December 2020**

- Present:** Councillors Brian Jephson (Chair), Garrick Emms, Alistair Plimmer, and Mayor Alex Beijen.
Via audio-visual link: Cr Rebecca Fox (until 10:15am).
- In Attendance:** Euan Stitt (Group Manager Partnerships and Operations), Harry Wilson (Chief Executive), Katrina Neems (Chief Financial Officer), Bryce Neems (Amenities and Solid Waste Manager), Karen Yates (Policy and Governance Manager), Tim Langley (Roading Manager), Amy Wharram (Communications Manager), and Suzanne Clark (Committee Advisor).
Wellington Water: Jeremy McKibbin, Linda Fairbrother, and Marc Woodhead (via audio-visual link).
- Conduct of Business:** The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 9:00am and 10:17am except where expressly noted.
- Also in Attendance** Cr Pam Colenso and Cr Brenda West (in part).
-

Open Section

- A1. Apologies**
ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/66) to receive apologies from Cr Ross Vickery and Cr Pip Maynard.
(Moved Cr Plimmer/Seconded Mayor Beijen) Carried
- A2. Conflicts of Interest**
There were no conflicts of interest declared.
- A3. Public Participation**
There was no public participation.
- A4. Actions from Public Participation**
There were no actions from public participation.

A5. Extraordinary Business

There was no extraordinary business.

Cr Jephson advised that report 'C4 Featherston Wastewater Treatment Plant Consent Update' would be considered after the 'B1 Partnerships and Operations Report'.

A6. Minutes for Confirmation

ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/67) that the minutes of the Assets and Services Committee meeting held on 4 November 2020 are a true and correct record.

(Moved Mayor Beijen/Seconded Cr Emms)

Carried

B Decision Reports

B1. Draft Rooding Activity Management Plan

Mr Stitt presented the draft Rooding Activity Management Plan and invited feedback. Members discussed the rooding contract rate increase, the proposed increase in capital expenditure to increase road life, aligning and measuring Key Performance Indicators alongside Carterton District Council, and a future workshop to review the draft Plan and other rooding business.

ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/68):

1. To receive the Draft Rooding Activity Management Plan Report.

(Moved Cr Plimmer/Seconded Cr Jephson)

Carried

2. To consider the Activity Management Plan and provide strategic feedback for consideration following a workshop yet to be advised.

(Moved Mayor Beijen/Seconded Cr Jephson)

Carried

C Information and Verbal Reports from Chief Executive and Staff

C1. Partnerships and Operations Report

Mr McKibbin updated members on water projects and in conjunction with Council officers answered questions regarding Featherston water supply redundancy planning, availability of backup power supplies, progress on identification and repair of water leaks, a proposed smart meter trial, and an identified water contamination risk.

Members discussed bridge engineering inspections, findings, and the planned repair programme, flooding at Donald's Creek in Featherston and remedial work limitations and responsibilities, and the projects dashboards with officers.

C4. Featherston Wastewater Treatment Plant Consent Update

Mr McKibbin answered questions on Lake Ferry wastewater capacity and Ms Fairbrother outlined Featherston Wastewater project engagement work being undertaken and key feedback themes. Member discussed Māori engagement, systems capacity for future growth, contractor availability and local contractor development with Wellington Water staff and Council officers.

The meeting adjourned at 10:15am.

The meeting reconvened at 10:27am.

ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/69):

1. To receive the Partnerships and Operations Report.
(Moved Cr Fox/Seconded Cr Plimmer) Carried
2. Action 693: Provide a progress report on leak detection and repair across the network and a new estimate of water loss through the network following repairs to date; E Stitt
3. Action 694: Provide an update on the Martinborough and Greytown wastewater plant volume capacity now and planned capacity following upgrades including narrative on whether the plants will cater to future growth projections; E Stitt
4. Action 695: Schedule a workshop with the A&S Committee and Greater Wellington Regional Council to understand the Donald's Creek flooding issue and to clarify responsibilities for works and protection in waterways; E Stitt

C2. Cape Palliser Road Coastal Erosion Report

Members noted that all Cape Palliser roading works were currently funded by Waka Kotahi, but that the roading subsidy for Cape Palliser, a special purpose road, would be reduced in future years. Continued erosion and merits of an alternative route was discussed. Officers were discussing the subsidy continuation with Waka Kotahi.

ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/70):

1. To receive the Cape Palliser Road Coastal Erosion Report.
(Moved Cr Plimmer/Seconded Cr Emms) Carried
2. To note the funding application being submitted to Waka Kotahi for further work to be completed.
(Moved Mayor Beijen/Seconded Cr Jephson) Carried

C3. Action items

ASSETS AND SERVICES COMMITTEE RESOLVED (A&S2020/71) to receive the Action Items Report.

(Moved Cr Jephson/Seconded Cr Emms) Carried

D Member and Appointment Reports

There were no member reports.

Confirmed as a true and correct record

.....(Chair)

.....(Date)



PLANNING AND REGULATORY COMMITTEE
Minutes from 16 December 2020

Present:	Councillors Pam Colenso (Chair), Alistair Plimmer, Brenda West, and Mayor Alex Beijen.
In Attendance:	Russell O’Leary (Group Manager Planning and Environment), Harry Wilson (Chief Executive Officer), Godwell Mahowa (Planning Manager), Karen Yates (Policy and Planning Manager), Katrina Neems (Chief Financial Officer), Amy Wharram (Communications Manager), Melanie Barthe (Climate Change Advisor) and Suzanne Clark (Committee Advisor).
Conduct of Business:	The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 11:30am and 12:43pm.
Also in Attendance	Cr Brian Jephson (for part only).

Open Section

Mr O’Leary, the Group Manager Planning and Regulatory assumed the Chair.

Mr O’Leary called for nominations to chair the 16 December 2020 meeting.
Mayor Beijen nominated Cr Colenso.
This was seconded by Cr West.

There being only one nomination, Cr Colenso was declared Chair for the 16 December 2020 meeting.

A1. Apologies

PLANNING AND REGULATORY COMMITTEE RESOLVED (P&R2020/25) to accept apologies from Cr Rebecca Fox, Cr Ross Vickery, and Cr Leigh Hay.

(Moved Cr West/Seconded Cr Plimmer)

Carried

A2. Conflicts of Interest

There were no conflicts of interest.

A3. Public Participation

There was no public participation.

A4. Actions from Public Participation

There were no actions from public participation.

A5. Extraordinary Business

There was no extraordinary business.

A6. Minutes for Confirmation

PLANNING AND REGULATORY COMMITTEE RESOLVED (P&R2020/26) that the minutes of the Planning and Regulatory Committee meeting held on 4 November 2020 are a true and correct record.

(Moved Cr Plimmer/Seconded Cr West)

Carried

B. Decision Reports

B1. Road stopping and selling a portion of SWDC Road Reserve (Hickson Street paper Road) where a dwelling and associated accessory buildings have been established

Members discussed the likelihood of the area in question being developed and the paper road needed in the future, the remaining paper road and useability, a land swap as an option to a sale, financial implications for council, and how the land had been priced with officers.

PLANNING AND REGULATORY RESOLVED (P&R2020/27):

1. To receive the Hickson Street Paper Road Report.

(Moved Cr Colenso/Seconded Cr West)

Carried

2. To recommend to Council to pass a resolution to sell and transfer a piece of land approximately 7000m² currently vested as South Wairarapa District Council (SWDC) road reserve (Hickson Paper Road) to Olea Estate using the Local Government Act.

3. To recommend to Council to agree the methodology proposed to establish the value of the subject footprint.

(Moved Cr Colenso/Seconded Mayor Beijen)

Carried

B2. Wellington Region Climate Change Working Group

Ms Barthe discussed the amended terms of reference; members agreed with the changes as presented.

PLANNING AND REGULATORY RESOLVED (P&R2020/28):

1. To receive the Wellington Region Climate Change Working Group Report.

(Moved Cr West/Seconded Mayor Beijen)

Carried

2. To receive a clean copy of the draft Terms of Reference for the Wellington Region Climate Change Working Group with the proposed changes.

3. To receive the current and proposed Terms of Reference comparison document to show what has been changed and why.
4. To consider the proposed Terms of Reference of the Wellington Region Climate Change Working Group.

(Moved Cr Plimmer/Seconded Cr West)

Carried

C. Decision Reports

C1. Climate Change Advisor Report

Ms Barthe discussed the Wairarapa Healthy Homes project and consideration of climate change issues within the District Plan review with members.

PLANNING AND REGULATORY RESOLVED (P&R2020/29) to receive the Climate Change Report.

(Moved Cr Colenso/Seconded Mayor Beijen)

Carried

C2. Planning and Environmental Report

Members discussed whether identifying an alternative route (town bypass) to State Highway 2 should be identified in the spatial plan with officers.

Mr O’Leary and Mr Wilson provided an update on the Featherston quarry resource consent noting that the applicant had withdrawn the crushing component.

PLANNING AND REGULATORY RESOLVED (P&R2020/30) to receive Planning and Environment Report.

(Moved Mayor Beijen/Seconded Cr West)

Carried

C3. Action Items Report

PLANNING AND REGULATORY RESOLVED (P&R2020/31) to receive the Action Items Report.

(Moved Cr Colenso/Seconded Mayor Beijen)

Carried

Confirmed as a true and correct record

.....(Chair)

.....(Date)



Minutes – 17 December 2020

Present: Aidan Ellims (Chair), Michael Honey, Nathan Fenwick, Councillor Pam Colenso and Alex Mason (youth representative).

In Attendance: Mayor Alex Beijen and Steph Dorne (Committee Advisor).

Conduct of Business: The meeting was conducted in public in the Supper Room, Martinborough Town Hall, Texas Street, Martinborough between 6.31pm and 9.06pm.

1. EXTRAORDINARY BUSINESS

There was no extraordinary business.

2. APOLOGIES

MCB RESOLVED (MCB 2020/43) to receive apologies from Mel Maynard and Councillor Pip Maynard.

(Moved Ellims/Seconded Honey)

Carried

3. CONFLICTS OF INTEREST

Mr Fenwick declared a conflict of interest with agenda item 8.7, the Considine Park User Group Report.

4. ACKNOWLEDGMENTS AND TRIBUTES

Mr Fenwick paid tribute to Ann Rafferty who had recently passed away and had done a lot of work within the Martinborough community, particularly with marae and youth.

5. PUBLIC PARTICIPATION

5.1 Ray Lilley and Mayor Alex Beijen – Tree Planting on Highways

Mr Lilley spoke of his long-term vision to establish tree avenues on the farmland along the highways connecting the three South Wairarapa towns. Mr Lilley provided examples of tree avenues, discussed the desire to plant native trees, benefits of planting, challenges to overcome and potential funding sources. Mr Lilley and Mayor Beijen requested the Board supports the idea in principle and considers potential funding over the long term.

6. ACTIONS FROM PUBLIC PARTICIPATION/PRESENTATIONS

6.1 Ray Lilley and Mayor Alex Beijen – Tree Planting on Highways

MCB NOTED:

Action 716: Write of letter of support to Ray Lilley and Mayor Beijen for the proposal to establish tree avenues connecting the three South Wairarapa towns, MCB.

7. COMMUNITY BOARD MINUTES

7.1 Martinborough Community Board Minutes – 5 November 2020

MCB RESOLVED (MCB 2020/44) that the minutes of the Martinborough Community Board meeting held on 5 November 2020 be confirmed as a true and correct record.

(Moved Cr Colenso/Seconded Fenwick)

Carried

8. CHIEF EXECUTIVE AND STAFF REPORTS

8.1 Officers' Report

Members discussed tenancy of the Pain Farm cottage, potential funding of a new bench seat near Huangarua Park, the Martinborough wastewater discharge incident, difficulties accessing fire hydrants and expressed the desire for reporting by Wellington Water Ltd to be localised.

MCB NOTED:

1. Action 717: Investigate the feasibility of installing a bench seat on the footpath at Naples Street opposite Huangarua Park and advise of the costs involved, E Stitt.
2. Action 718: Provide members the report into the investigation of the last Martinborough wastewater discharge incident, E Stitt.
3. Action 719: Provide members information on what is being done in response to difficulties accessing the fire hydrant on Jellicoe Street and an update on the hydrant maintenance schedule to resolve issues with accessing hydrants in Martinborough, E Stitt.
4. Action 720: Request Wellington Water Ltd and the SWDC Group Manager of Partnerships and Operations present on local water matters at the next Martinborough Community Board meeting, E Stitt.

MCB RESOLVED (MCB 2020/45) to receive the Officers' Report.

(Moved Fenwick/Seconded Cr Colenso)

Carried

8.2 Adoption of the 2021 Schedule Of Ordinary Meetings Report

Members discussed officer capacity, timeliness in completing actions and progressing projects, ability to hold extraordinary meetings, the decision of Council and other community boards to move to an eight-weekly meeting cycle, receiving updates outside of the meeting cycle, community consultation, and roles and responsibilities of community boards and officers.

MCB NOTED:

Action 721: Include the Community Boards Conference being held on 22 – 24 April 2021 in the 2021 meeting calendar, K Yates.

Action 722: Hold a workshop prior to the next Martinborough Community Board meeting in February 2021 to discuss the cycle of ordinary meetings for 2021, MCB.

MCB RESOLVED (MCB 2020/46):

1. To receive the Adoption of the 2021 Schedule of Ordinary Meetings Report.

(Moved Fenwick/Seconded Honey) Carried

2. To defer adopting an eight or six-weekly meeting cycle and a 2021 schedule of ordinary meetings for Martinborough Community Board until the first ordinary meeting of 2021 and agree the first ordinary meeting be held on Thursday 25 February 2021.

(Moved Ellims/Seconded Fenwick) Carried

3. That the 2021 Martinborough Community Board meeting start time will be 6:30pm.

(Moved Honey/Seconded Fenwick) Carried

8.3 Income and Expenditure Report

MCB RESOLVED (MCB 2020/47) to receive the Income and Expenditure Report.

(Moved Cr Colenso/Seconded Ellims) Carried

8.4 Financial Assistance Report

MCB RESOLVED (MCB 2020/48):

1. To receive the Financial Assistance Report.

(Moved Cr Colenso/Seconded Fenwick) Carried

2. To approve granting MADCAPS the invoiced amount up to a maximum of \$2,000 to contribute to the costs associated with the traffic management plan for the 2020 Martinborough Christmas Parade, pending receipt of the traffic management invoice.

(Moved Fenwick/Seconded Honey) Carried

3. To grant Martinborough Business Association \$750 to contribute to the costs of Christmas decorations for Martinborough.

(Moved Ellims/Seconded Fenwick) Carried

8.5 Action Items Report

Members discussed the approach to progressing improvements to the Martinborough dog park, potential for a community dog park user group, and sought confirmation of the long-term security of the park. Immediate improvements to repair holes in the dog park fencing were requested.

Members reviewed each of the outstanding action items, discussed further updates, and noted further actions as follows:

1. Action 723: Confirm if the Martinborough dog park is an official dog park that is secured for the future, E Stitt.
2. Action 724: Request officers investigate repairs to the fencing of the Martinborough dog park to ensure it is fit for purpose, E Stitt.
3. Action 725: Confirm if anything can be done to improve the lighting at the Jellicoe and Venice Streets pedestrian crossing, E Stitt.
4. Action 726: Request the Roading Manager attends a Martinborough Community Board meeting to discuss the roading programme, E Stitt.

MCB RESOLVED (MCB 2020/49):

1. To receive the Action Items Report.
(Moved Cr Colenso/Secoded Fenwick) Carried
2. Approve funds of up to \$200 to make required repairs to the fencing at the Martinborough dog park, to be funded from the beautification fund.
(Moved Ellims/Secoded Honey) Carried

8.6 Proposed Naming of Two New Vested Roads Report

Members discussed the naming options, the convention of the term “Champagne” in relation to the region of France, feedback from the Māori Standing Committee of the need to demonstrate bi-culturalism when considering use of a Te Reo Māori street name, and the opportunity to put forward a list of names for use in the Martinborough ward.

MCB NOTED:

Action 727: Consider putting forth a list of pre-approved road names for use in the Martinborough ward, MCB.

MCB RESOLVED (MCB 2020/50):

1. To receive the Proposed Naming of Two New Vested Roads Report
(Moved Ellims/Secoded Fenwick) Carried
2. To approve the names “Wilson Way” and “Syrah Lane” for the two new roads to be vested in Council at Pinot Grove Martinborough.
(Moved Ellims/Secoded Fenwick) Carried

8.7 Considine Park User Group Report

Members discussed nominations to the Considine Park User Group and Councillor Colenso agreed to chair the group. Councillor Colenso undertook to convene a meeting in late January 2021 to consider and appoint remaining members.

MCB RESOLVED (MCB 2020/51):

1. To receive the Considine Park User Group Report
(Moved Cr Colenso/Secoded Fenwick) Carried
2. To adopt the Considine Park User Group Terms of Reference.
(Moved Cr Colenso/Secoded Fenwick) Carried
3. To appoint Frank Cornelissen as the proprietor of the Camping Ground representative, Matthew Fenwick as the

Martinborough Cricket representative and Martina Kershaw and Susan Kilsby to share the Wairarapa Pony Club representative position on the Considine Park User Group.

(Moved Cr Colenso/Seconded Ellims) Carried

4. To note that a nomination to represent the interests of tangata whenua is being sought from the Maori Standing Committee.
5. To note that two representatives of the wider community of residents and park users will be appointed by the remaining members of the User Group.

(Moved Fenwick/Seconded Cr Colenso) Carried

6. To recommend to the Considine Park User Group that it considers appointing Christine Webley as one of the representatives of the wider community of residents and park users

(Moved Ellims/Seconded Fenwick) Carried

7. To recommend the Considine Park User Group considers appointing Max Stevens and Craig Nelson of Martinborough School as representatives of the wider community of residents and park users, subject to those individuals accepting their nomination.

(Moved Fenwick/Seconded Cr Colenso) Carried

9. NOTICES OF MOTION

There were no notices of motion.

10. CHAIRPERSONS REPORT

10.1 Chairperson Report

Members discussed the type of tree to be planted in Centennial Park, ongoing care required and time of year for planting.

Councillor Colenso informed members that the historical information sign at Bidwills Cutting was commissioned and funded by the Community Board and its replacement would be a matter for the Board.

Mayor Beijen provided an update on the Martinborough Manganese Extraction Plant and responded to questions on the disestablishment of the Waihinga Centre Charitable Trust.

MCB NOTED:

Action 728: Research the suitability of planting a Rata tree in Centennial Park in celebration of 150 years of the Martinborough township, M Honey.

Action 729: Arrange a time to visit the new site of Wai Waste Inc Martinborough Branch and the Martinborough Foodbank in February 2021 before the next Martinborough Community Board meeting, N Fenwick.

Action 730: Confirm with the Greytown Community Board Chair if there is a spare promotional sign available that could be utilised by the Martinborough Community Board for its community drop-in sessions, MCB.

Action 731: Investigate who originally designed the historical information sign at Bidwills Cutting, Cr Colenso.

MCB RESOLVED (MCB 2020/52):

1. To receive the Chairperson Report
(Moved Ellims/Seconded Fenwick) Carried
2. To approve a cost of up to a total of \$500 for a tree to be planted in celebration of 150 years of the Martinborough township, to be funded from the beautification budget
(Moved Ellims/Seconded Fenwick) Carried
3. To approve a cost of up to \$500 for a sign board for Martinborough Community Board community drop-in sessions, to come from the operating budget.
(Moved Ellims/Seconded Fenwick) Carried

11. MEMBER REPORTS

There were no member reports.

12. CORRESPONDENCE

There was no correspondence.

The meeting closed at 9.06pm.

Confirmed as a true and correct record

.....Chairperson

.....Date

SOUTH WAIRARAPA DISTRICT COUNCIL

10 FEBRUARY 2021

AGENDA ITEM B2

RECOMMENDATIONS FROM PLANNING AND REGULATORY COMMITTEE

Purpose of Report

To provide an opportunity for members to consider recommendations received from other committees.

Recommendations

Officers recommend that the Council:

1. *Receive the Recommendations from the Planning and Regulatory Committee Report.*
2. *That the following recommendations from Committees be considered:*

Recommendations from Planning and Regulatory Committee	Resolution Number
<ol style="list-style-type: none">1. To recommend to Council to pass a resolution to sell and transfer a piece of land approximately 7000m² currently vested as South Wairarapa District Council (SWDC) road reserve (Hickson Paper Road) to Olea Estate using the Local Government Act2. To recommend to Council to agree the methodology proposed to establish the value of the subject footprint	P&R2020/27

1. Background

1.1 Road stopping and selling a portion of SWDC Road Reserve (Hickson Street paper Road) where a dwelling and associated accessory buildings have been established.

The report relating to recommendation P&R2020/27, is included in the agenda for the Planning and Regulatory (P&R) Committee meeting held 16 December 2020.

The 185 Boundary Road property is 7.58ha in area and its new QV value is \$580,000. This translates to \$7.65 per m². As the paper road footprint is 7000m², the total value of this piece of land will be \$53,550. This price is marginally higher than the estimated footprint price of \$52,265 outlined to the Committee in December 2020.

As presented to the Planning and Regulatory Committee, this valuation is a rational compromise as the paper road footprint cannot form a legal record of title and as such does not have development rights.

Council are being asked to resolve to endorse the sale of a section of road reserve land and endorse the methodology used to establish the value of the subject footprint.

The original report to the Committee can be found here: [Planning and Regulatory Committee agenda for 16 December 2020](#).

Contact Officer: Russell O'Leary, Group Manager Planning and Environment

Reviewed by: Harry Wilson, Chief Executive

SOUTH WAIRARAPA DISTRICT COUNCIL

10 FEBRUARY 2021

AGENDA ITEM C1

ESTABLISHMENT OF A WELLINGTON REGION JOINT COMMITTEE

Purpose of Report

To consider co-establishing and becoming a member of a new regional Joint Committee, the Wellington Regional Leadership Committee (WRLC).

Pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA), this new Joint Committee would include all of the Wellington region's local government authorities, designated iwi, the Horowhenua District Council, and central government ministerial representatives, as equal voting members.

Recommendations

Officers recommend that the Council:

1. *Receive the Establishment of a Wellington Region Joint Committee Report.*
2. *Approve the Wellington Regional Leadership Committee Joint Committee Agreement (referred to in, and attached to, the Report) and the Council's entry into it.*
3. *Authorise the Mayor to sign, on behalf of the Council, the Joint Committee Agreement.*
4. *Note that the Joint Committee will adopt a memorandum of understanding which will set out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.*
5. *Appoint and establish the Wellington Regional Leadership Committee as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002 on the terms set out in the Joint Committee Agreement and with effect from the date that the Joint Committee Agreement is signed by all local authority parties.*
6. *Appoint the Mayor to the Joint Committee, with effect from the date that the Joint Committee is established.*
7. *Appoint a councillor as an alternate to be a member of the Joint Committee and attend meetings in exceptional circumstances where the Mayor is unable to attend.*

8. *Note that the Joint Committee is a joint committee of all of the local authorities that are parties to the Wellington Regional Leadership Committee Joint Committee Agreement and includes members representing iwi and the Crown.*
9. *Make the following delegations to the Joint Committee:*
 - a. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:*
 - i. Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan*
 - ii. Regional Economic Development Plan*
 - iii. Regional Economic Recovery Implementation Plan*
 - b. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.*
10. *Note that the Wellington Regional Strategy Committee is likely to be disestablished in the future, with the disestablishment process to be confirmed.*

1. Background

The Wellington Regional Growth Framework (WRGF) was endorsed for public consultation at the Council meeting of the 25 November 2020. All other Councils have also adopted the Framework for consultation.

A brief outline of the Framework is in Appendix 1.

Like New Zealand's other Regional Spatial Plans with Central and Local Government partners, and the expectations of the Government's Urban Growth Agenda, a Joint Committee has been identified as the best option to activate and support the decisions and programmes of the Wellington Regional Growth Framework.

Spatial planning underpins economic development and COVID-19 recovery. To ensure regional spatial planning, economic development and recovery opportunities are cohesively addressed, it is proposed the WRLC will have three spheres of responsibility.

The WRLC's three sphere of responsibilities, as programme areas are:

- the Wellington Regional Growth Framework
- regional economic development, and
- regional economic recovery (from COVID-19 and any other future disruptive events).

2. Discussion

The details of the proposed Joint Committee are set out in a Joint Agreement (see Appendix 2). The agreement, to be signed by the participating councils, is necessary for the Joint Committee to comply with Local Government Act requirements. The provisions are briefly outlined below.

2.1 Terms of Reference

Terms of Reference for the proposed Wellington Regional Leadership Committee are attached to Appendix 2. The proposed WRLC is designed to provide a formal governance forum so that the members can work together with central government on matters that are of regional importance, cross-boundary and inter-regional. It will address regional matters across three responsibility spheres, as programme areas.

They are:

- the Wellington Regional Growth Framework,
- regional economic development, and
- regional economic recovery.

2.1.1. Membership

Councils

The Membership of the WRLC, with voting rights, will include:

- The Mayor of Carterton District Council
- The Chair of Greater Wellington Regional Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council
- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor Upper Hutt City Council
- The Mayor of Wellington City Council

Mana whenua

Members of the WRLC, with voting rights, may also include:

- Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc.
- Taranaki Whānui represented by Port Nicholson Block Settlement Trust
- Rangitāne O Wairarapa represented by Rangitāne O Wairarapa Inc
- Ngāti Kahungunu ki Wairarapa represented by Ngāti Kahungunu ki Wairarapa Trust
- Raukawa ki Te Tonga
- Ātiwawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Charitable Trust
- Muaupoko Tribal Committee representing Muaūpoko hapū

Central Government

Central Government representatives, with voting rights, include:

- Up to three Cabinet Ministers (specific Cabinet Ministers will be determined at a later date¹).

Independent Chairperson

A person will be nominated by the Joint Committee itself and appointed by the Administering Authority to be the Independent Chairperson of the Joint Committee, who will have voting rights (see further discussion below).

Rationale for non-local and central government membership

As shown above and given the significance of the proposed regional governance forum, membership includes designated mana whenua/iwi representatives. Iwi organisations across the Wellington Region, Te Upoko o Te Ika a Maui and Horowhenua District were engaged with on the Wellington Regional Growth Framework and will be engaged with further to become members of the WRLC. Funding has been provided for in the proposed new regional rate to provide for iwi members' full participation in the Joint Committee (see discussion on funding below).

An Independent Chairperson is considered essential for the Joint Committee to operate effectively. This has been proven by New Zealand's other Joint Committees responsible for delivering growth frameworks, regional spatial planning and/or regional economic development.

The Chairperson will guide and moderate discussions, connect and communicate with key parties in advance of meetings, and support and work with the Joint Committee's Secretariat on work programmes, while providing communication on the decisions and outcomes of the Joint Committee's deliberations.

An Independent Chairperson will be appointed by the WRLC following a robust recruitment process.

Voting Rights and Consensus-Based Decision Making

While each member is accorded one vote, the WRLC will utilise a consensus-based decision model. This is to ensure decisions are robustly supported and made in the best interest of members, their shared communities and futures.

Observers

Central government representatives from relevant government departments, alongside other commercial and private sector membership or representative organisations, will be part of the committee structure but will be considered observers to the WRLC, with speaking, but no voting rights. Observers will be approved by the Independent Chair.

Observer attendance is designed to be flexible, depending on the specified meeting’s subject matter, agenda and decision-making requirements. Observers will be invited to share and present information and insights.

Central Government observers would include:

- The Ministry of Business, Innovation and Employment
- Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Waka Kotahi
- The Department of Internal Affairs.

Interaction of Wellington Regional Leadership Committee’s Responsibility Spheres, as Programme Areas

The following sets out how the membership, including observers, relates to the Committee’s areas of responsibility.



Supported by the Wellington Regional Leadership Committee’s Secretariat (four roles)

Figure 1 –The WRLC’s Three Spheres of Responsibility / Programme Areas

2.2 Administering Authority

An administering Authority is required for the WRLC’s operations. This includes utilisation of a council’s standing orders, and the provision of administrative and human resources functions for the chair and secretariat. A process to select and confirm the administering Authority will be determined by March 2021.

2.3 Secretariat

To provide support, information and analysis a team of up to four positions will be appointed by the Administering Authority, in consultation with the WRLC and Independent Chair.

These positions are (nominally and subject to approval) an Iwi Liaison Advisor, Project Director, Senior Strategic Advisor, and a Coordinator.

The Secretariat will work closely with the Independent Chairperson, and connect with members and other observers, contributors and subject matter experts, as required.

They will focus on supporting delivery of the work programme and supporting and reporting against the decisions and strategies set by the Joint Committee, in pursuit of realising the Wellington Region Growth Strategy, regional economic development and regional economic recovery.

A process for finalising the roles and responsibilities for the Joint Secretariat will be determined and implemented at a later date.

2.4 Agenda Management

The Joint Committee, supported by the Independent Chair and Secretariat, will meet to address the three spheres of responsibility. Effective agenda management will ensure that the appropriate members are present and prepared for the topics and decisions within each area of responsibility.

It is anticipated that when meeting, decisions and discussion against the Wellington Regional Growth Framework would be addressed first, so that the remaining members can then address the complementary economic development and economic recovery topics.

3. Memorandum of Understanding

To reinforce and demonstrate commitment to regional cooperation, shared opportunities and meaningful dialogue between iwi, local government and central government, a draft Memorandum of Understanding has been developed. The draft Memorandum of Understanding outlines how the Committee will operate and shapes and promotes the trusted, cooperative and partnership-based principles to guide the WRLC for the successful development and implementation of agreed decisions and strategies.

The draft Memorandum of Understanding includes a section on reflecting the principles of Te Tiriti o Waitangi / The Treaty of Waitangi within the intended behaviours and approaches of the WRLC.

The draft Memorandum of Understanding is in Appendix 3.

The Joint Committee itself will finalise the Memorandum of Understanding when it first meets.

4. Financial Considerations and Funding

The secretariat will be funded through a general rate set by Greater Wellington Regional Council. The existing “Wellington Regional Strategy” targeted rate, will not continue to be struck. A new targeted rate (possibly at a lower value) will replace this for the regional economic development activities currently funded through WellingtonNZ.

Projects identified in the Wellington Regional Growth Framework are proposed to be co-funded by Central and Local Government. Funding indications have been provided to Local Government’s Chief Executives. However, final funding requirements for Wellington Regional Growth Framework projects cannot be determined until the Joint Committee meets and agrees the 1 year and 3-year work programme(s).

5. Options

There were a series of discussions on a range of possible regional governance models at Wellington Regional Mayoral and Chief Executive Forums. The final proposal for Joint Committee was shaped over a series of shared discussions and workshops, with the acknowledgement that a formal decision-making structure is required for implementation of the Wellington Regional Growth Framework.

The three structural options considered were:

1. Utilising the existing Wellington Mayoral Forum
2. A Council Sub-committee
3. A new Joint Committee

Each option’s disadvantages and benefits and are explained below. Option 3, a new Joint Committee under the Local Government Act, was agreed as the most effective cross-regional governance model.

5.1 Option 1: Utilise the Mayoral Forum

The advantage of this model is that a pre-established structure and process is already in place for nine of the ten councils, which could be adapted to include others and a wider mandate.

Disadvantages include the forum’s lack of formalised decision-making powers, and it is unlikely that this option would be supported by iwi and Central Government partners.

5.2 Option 2: A Council Subcommittee

The advantage of this model is that it is a known and regionally utilised governance model.

A disadvantage is how decisions from a subcommittee may be perceived as biased towards the parent council.

Due to this perception, it is unlikely that this model would be supported by iwi and Central Government partners.

5.3 Option 3: Establishment of a new Joint Committee under clause 30A, Schedule 7 of the Local Government Act.

There are several shared and sustainable benefits to this model, including:

- A governance forum set up under this model, can utilise the powers and other capabilities of a Joint Committee, under the Local Government Act.
- A Joint Committee model is consistent with other spatial plan and/or economic development governance structures across the country, and it aligns with central government partnership and dialogue expectations.
- This model is likely to be seen as an equitable form of regional governance, with the advantage of including iwi and Cabinet Ministers as members, with key observers from Central Government and other regional commercial and private sector organisations.

For these reasons, a Joint Committee under the Local Government Act is considered the most effective and sustainable model to activate and cooperatively address the Wellington Regional Growth Framework, regional economic development and regional economic recovery.

6. Considerations

6.1 Climate change

Climate change has been a key factor in the development of the Wellington Regional Growth Framework, both adapting to the impacts of climate change (e.g. sea level rise) and the need for sustainable transport to minimise the use of greenhouse gas emissions. The Committee will support the implementation of the framework activities.

6.2 Tāngata whenua

Mana whenua iwi have been partners in the development of the Framework and are being invited to participate in the Joint Committee. In addition, mana whenua iwi and hapu are expected to be significant partners in the implementation of the Framework.

6.3 Financial impact

Funding the Joint Committee and the supporting Secretariat will be through a regional rate struck by Greater Wellington Regional Council. Funding arrangements for the various initiatives and projects to be undertaken under the umbrella of the Committee is yet to be confirmed, but it is expected that initiatives and projects funded by Councils will be provided for in the relevant 10 Year and Annual Plans over the life of the Framework as well as funded by central government.

6.4 Community Engagement requirements

No community engagement is proposed to establish the Joint Committee. There will be some engagement on the Framework, although the nature of that engagement has not yet been confirmed.

6.5 Risks

There are no risks for the Council being part of the Joint Committee.

7. Next Steps

The creation and establishment of the Joint Committee will be done over the next few months. The process is outlined in the following table. To date, Carterton District Council are the only council to have considered and agreed to the recommendations as outlined in this report.

Wellington Region Leadership Committee – Creation and Establishment Framework January – July 2021				
January - March	January	February - March	April - May	June - July
Wellington-Horowhenua region's local government authorities, iwi, Central Government officials and Cabinet review and proceed to endorse the Agreement and Terms of Reference and become members of the Wellington Regional Leadership Committee.	<p>Communication Released: a media release will accompany the first adoption and subsequent announcements as councils and others sign up to the WRLC.</p> <p>Robust Independent Chair recruitment process commences – partners contribute names for consideration.</p>	<p>Administrating Authority confirmed.</p> <p>Joint Secretariat roles and responsibilities confirmed.</p> <p>Recruitment process for Secretariat initiated – continues through March/April.</p> <p>Greater Wellington Regional Council consults on the Joint Committee as an option for its 2021-2031 Long Term Plan. This includes the funding implications from the proposed and new Regional Rate.</p>	<p>Tentative first meeting of the new Joint Committee – the Wellington Regional Leadership Committee.</p> <p>Independent Chair recruitment process concludes, with Chair appointed by the WRLC.</p> <p>Expected Dissolution of the Wellington Regional Strategy Committee.</p> <p>Recruitment commences for the Secretariat positions.</p> <p>WRLC confirms Memorandum of Understanding.</p>	<p>Joint Committee considers and reviews proposed year 1 and 3 work programme.</p> <p>Work and planning commences against the three spheres of responsibility as programme areas.</p>

8. Appendices

Appendix 1 – Background on the Wellington Regional Growth Framework

Appendix 2 – Wellington Regional Leadership Committee Agreement

Appendix 3 – Draft Memorandum of Understanding

Contact Officer: Russell O’Leary, Group Manager Planning and Environment

Reviewed By: Harry Wilson, Chief Executive

Appendix 1 – Background on the Wellington Regional Growth Framework

Background and Information on the Wellington Regional Growth Framework

- Endorsed by all local government authorities in the Wellington-Horowhenua region, the Wellington Regional Growth Framework is a 30-year spatial plan.
- Describing a long-term vision for how the region will grow, change and respond to key urban development challenges and opportunities, the Framework seeks to achieve the best outcomes with maximum regional benefits.
- It does this by providing a series of spatial maps, with a set of key initiatives and projects.
- The Framework identifies and recommends locations for housing, public transport and roads, three waters infrastructure (storm water, wastewater and drinking water), businesses and employment opportunities.
- Location identification is made in the context of issues like housing affordability, climate change, resilience and natural hazards.
- The Framework also seeks to reflect and uphold the housing and urban development aspirations of regional mana whenua and iwi.
- The Wellington Regional Growth Framework is one of a number of spatial plans that have been/are being developed around the country under the Urban Growth Agenda (UGA).
- Noting that the UGA is an ambitious programme that aims to remove barriers to the supply of land and infrastructure and make room for cities to grow up and out.
- The UGA has mandated a role for central government to partner with local government and iwi as a means of facilitating pace and scale in urban development and ensuring government investment in infrastructure is aligned to help deliver connected, thriving and sustainable communities.
- This has led to the creation of Urban Growth Partnerships, a process of formalising and maintaining a long-term and enduring relationship between the Crown, local government, iwi and local communities to deliver the UGA objectives
- Other Joint Committees which include spatial planning are for the Hamilton-Auckland corridor (known as FutureProof | Te Tau Titoki), the Western Bay of Plenty (known as SmartGrowth), and the wider Christchurch region (known as the Greater Christchurch Partnership).
- All of these Joint Committees include representatives from local government authorities, central government, iwi and other key organisations such as district health boards. Each Joint Committee has a dedicated and qualified team, as a Secretariat to deliver on the agreed programmes and objectives.

Appendix 2 – Wellington Regional Leadership Committee Agreement

Wellington Regional Leadership Committee

Joint Committee Agreement

Purpose

This Agreement is made pursuant to Clause 30A, Schedule 7 of the Local Government Act 2002 (LGA 2002). The purpose is for a Joint Committee of Carterton District Council, Greater Wellington Regional Council, Hutt City Council, Kapiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council, Horowhenua District Council and mana whenua to take responsibility for key matters of regional importance where a collective voice and collective regional planning and action is required.

The parties are wanting to work together with central government on matters that are of regional importance and are cross boundary and inter-regional in nature. The role of the Committee is to set direction and monitor activities from those plans related to the direction on all matters, with particular focus on:

- Regional economic development
- Regional recovery
- Wellington regional growth framework (joint spatial plan under the [Urban Growth Partnerships](#) and [Urban Growth Agenda](#))

The Committee does not undertake delivery activity – this is undertaken elsewhere by entities such as local authorities and Council-Controlled Organisations.

The Joint Committee allows for observers from entities such as Waka Kotahi, Ministry of Housing and Urban Development and/or Kāinga Ora, Department of Internal Affairs and Ministry of Business, Innovation and Employment. It also allows for observers from private sector organisations and groups. These observers will be entitled to speak at meetings but will not be members of the Joint Committee.

Some of the parties to the Joint Committee are not intended to have any input or responsibility in respect of particular Joint Committee programmes. On this basis, it is expected that those members of the Joint Committee who represent those parties will not exercise their voting rights in certain circumstances. This is set out in further detail below and in the Terms of Reference attached to this Agreement as **Appendix 1**.

This Agreement focuses on the Joint Committee, including its membership and delegations.

The Committee is a formal Joint Committee pursuant to the LGA 2002 (Clauses 30 and 30A, Schedule 7). The Committee will be deemed to not be discharged at or following each triennial local government election (in line with Clause 30 (7) of Schedule 7, LGA 2002).

There are some parties to this agreement (ie Crown and iwi) who do not appoint members to the Joint Committee directly.

Membership

The membership of the Joint Committee is comprised of:

- the Mayor of Carterton District Council
- the Mayor of Horowhenua District Council
- the Mayor of Hutt City Council
- the Mayor of Kāpiti Coast District Council
- the Mayor of Masterton District Council
- the Mayor of Porirua City Council
- the Mayor of South Wairarapa District Council
- the Mayor of Upper Hutt City Council
- the Mayor of Wellington City Council
- the Chair of Wellington Regional Council
- a person nominated by the Joint Committee itself and appointed by the Administering Authority to be the independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa) and appointed by the Administering Authority
- a person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- a person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- up to three persons nominated by the Crown (Cabinet) and appointed by the Administering Authority

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the joint committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the joint committee. This is so that those Mayors are counted for the purposes of

determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). The appointment of alternates does not affect the normal calculation of a quorum.

A Deputy Chairperson is to be appointed by the Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an independent chairperson and that person is appointed by the Administering Authority).

General

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson). In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

The standing orders of the Administering Authority apply to the Joint Committee. The Joint Committee will adopt a memorandum of understanding setting out the principles that guide the Joint Committee's work and the approach that the Joint Committee will take.

Expectations around member voting based on Committee programme and agenda

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

This is illustrated in the below table (where the absence of a tick indicates that the relevant member is not expected to exercise voting rights in respect of the relevant programme):

Relevant members	Relevant programme		
	Wellington Regional Growth Framework	Regional Economic Development	Regional Economic Recovery
Independent chairperson	√	√	√
Chair of Wellington Regional Council	√	√	√
Mayor of Wellington City Council	√	√	√
Mayor of Porirua City Council	√	√	√
Mayor of Kapiti Coast District Council	√	√	√
Mayor of Hutt City Council	√	√	√
Mayor of Upper Hutt City Council	√	√	√
Mayor of South Wairarapa District Council	√	√	√
Mayor of Masterton District Council	√	√	√
Mayor of Carterton District Council	√	√	√
Person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)	√	√	√
Person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)	√	√	√
Person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)	√	√	√
Person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)	√	√	√
Person nominated by Raukawa ki te Tonga	√	√	√
Person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai)	√	√	√
Person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)	√		
Persons nominated by the Crown (Cabinet)	√		
Mayor of Horowhenua District Council	√		

Observers

Regional economic development programme

In respect of the Regional Economic Development programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from the Ministry of Business, Innovation and Employment
- Any other persons as the Joint Committee may consider necessary

Regional economic recovery programme

In respect of the Regional Recovery programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from key government entities.
- One or more representative(s) from key private sector organisations on a required basis.
- Any other persons as the Joint Committee may consider necessary

Wellington Regional Growth Framework programme

In respect of the Wellington Regional Growth Framework programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One representative of Waka Kotahi
- One representative from Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Any other persons as the Joint Committee may consider necessary

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

Meeting Frequency

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the Administering Authority.

Specific Responsibilities

The Wellington Regional Leadership Committee has the following specific responsibilities in support of its overall purpose:

Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

Regional Economic Development

1. Provide leadership in regional, sustainable economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Delegations

Each local authority delegates to the Joint Committee, in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
 - Wellington Regional Growth Framework and the Wellington Regional Growth Framework Implementation Plan
 - Regional Economic Development Plan
 - Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.

Responsibilities

The table below identifies key parties related to this agreement and the Wellington Regional Leadership Committee and their responsibilities.

Party	Responsibilities
Wellington Regional Leadership Committee	Decision making related to the Specific Responsibilities in this Agreement and TOR; Joint regional voice and advocacy; Select and nominate the Independent Chairperson (for appointment to the joint committee by the Administering Authority); Agree 3 year rolling work programme consistent with WRGF, Economic Plan and other relevant directional documents.
Independent Chairperson	Chair the meetings; Approve attendance as required in public excluded sessions; Approve speaking rights as required at meetings; Liaise with members of the Committee as required Approve (in consultation with the Senior Managers Group) content of meeting agendas.
Chief Executives Group	Provide support and advice to the Joint Committee; Agree funding amounts and splits (rolling 3-year programme).
Senior Managers Group (2 nd Tier Managers)	Recommend work programme to the Joint Committee; Recommend funding arrangements and allocations; Manage reports to the Committee; Review work being undertaken and recommend changes if required; Align work programmes within home organisations.
Joint Secretariat	Coordinate the work of the Joint Committee (in consultation with the Chairperson); Provide administrative support to the Joint Committee on all aspects of its business; Lead work streams as required; Manage joint communications and consultation; Support the work of the Joint Committee, including monitoring, research and independent advice as required.
Delivery agencies e.g. Councils, Council Controlled Organisations	Provide information and research; Draft papers for the Joint Committee; Attend meetings as required; Deliver aspects of the work programme (e.g. economic development activities).
Administering Authority	Administer standing orders; Employing joint secretariat staff; Payment of the meeting fees and Chairpersons honorarium; Appointing members to the Joint Committee (who are to be appointed by the Administering Authority).

Administration Funding

Funding will be provided by local authorities for the administration of the Joint Committee, a new joint secretariat, and iwi participation in the Joint Committee through a regional targeted rate set by Greater Wellington Regional Council (subject to confirmation as part of the 2021 Long Term Plan).

The funding will support the administration of the Committee and the joint secretariat that supports the Joint Committee which will undertake the following:

1. Providing administrative support to the Joint Committee and the Senior Managers Group
2. Managing the work programme of the Joint Committee, including policy advice function and monitoring and research as required
3. Provision of independent advice to support the work programme as required

Funding will be provided by central government as a contribution to the administration of the Committee and the joint secretariat at an amount to be agreed.

Variation of this Agreement

This Agreement may be varied by the parties from time to time but only with the endorsement of the Wellington Regional Leadership Committee.

EXECUTION

SIGNED for and on behalf of **CARTERTON DISTRICT COUNCIL**:

Signature

Name of person signing

SIGNED for and on behalf of **HOROWHENUA DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **HUTT CITY COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **KĀPITI COAST DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **MASTERTON DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **PORIRUA CITY COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **SOUTH WAIRARAPA DISTRICT COUNCIL:**

Signature

Name of person signing

SIGNED for and on behalf of **UPPER HUTT CITY COUNCIL**:

Signature

Name of person signing

SIGNED for and on behalf of **WELLINGTON CITY COUNCIL**:

Signature

Name of person signing

SIGNED for and on behalf of **WELLINGTON REGIONAL COUNCIL**:

Signature

Name of person signing

SIGNED for and on behalf of **NGĀTI TOA RANGATIRA:**

Signature

Name of person signing

SIGNED for and on behalf of **TARANAKI WHĀNUI:**

Signature

Name of person signing

SIGNED for and on behalf of **RANGITĀNE O WAIRARAPA:**

Signature

Name of person signing

SIGNED for and on behalf of **NGĀTI
KAHUNGUNU KI WAIRARAPA:**

Signature

Name of person signing

SIGNED for and on behalf of **RAUKAWA KI TE
TONGA:**

Signature

Name of person signing

SIGNED for and on behalf of **ĀTIAWA KI
WHAKARONGOTAI:**

Signature

Name of person signing

SIGNED for and on behalf of **MUAŪPOKO HAPŪ:**

Signature

Name of person signing

SIGNED for and on behalf of **CENTRAL GOVERNMENT:**

Signature

Name of person signing

Attachment 1: Wellington Regional Leadership Committee Terms of Reference

Purpose

The purpose of the Wellington Regional Leadership Committee is to take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, and Regional Recovery - where a collective voice and collective planning and action is required.

The Wellington Regional Leadership Committee (Joint Committee) is a joint committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

The Joint Committee has members from all the nine councils wholly within the Wellington Region and the Horowhenua District Council, mana whenua and members from central Government.

Specific Responsibilities

The Wellington Regional Leadership Committee specific responsibilities include:

Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

Regional Economic Development

1. Provide leadership in regional economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.

5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Membership

The membership of the Joint Committee is comprised of:

- the Mayor of Carterton District Council
- the Mayor of Horowhenua District Council
- the Mayor of Hutt City Council
- the Mayor of Kāpiti Coast District Council
- the Mayor of Masterton District Council
- the Mayor of Porirua City Council
- the Mayor of South Wairarapa District Council
- the Mayor of Upper Hutt City Council
- the Mayor of Wellington City Council
- the Chair of Wellington Regional Council
- a person nominated by the Joint Committee itself and appointed by the Administering Authority to be the independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa) and appointed by the Administering Authority
- a person nominated by Raukawa ki te Tonga and appointed by the Administering Authority

- a person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- up to three persons nominated by the Crown (Cabinet) and appointed by the Administering Authority

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the joint committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the joint committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 of the Local Government Act 2002.

The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meetings, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). The appointment of alternates does not affect the normal calculation of a quorum.

A Deputy Chairperson is to be appointed by the Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the Chairperson (including before the Joint Committee nominates an independent chairperson and that person is appointed by the Administering Authority).

General

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson).

Expectations around member voting based on Committee programme and agenda

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

This is illustrated in the below table (where the absence of a tick indicates that the relevant member is not expected to exercise voting rights in respect of the relevant programme):

Relevant members	Relevant programme		
	Wellington Regional Growth Framework	Regional Economic Development	Regional Economic Recovery
Independent chairperson	√	√	√
Chair of Wellington Regional Council	√	√	√
Mayor of Wellington City Council	√	√	√
Mayor of Porirua City Council	√	√	√
Mayor of Kapiti Coast District Council	√	√	√
Mayor of Hutt City Council	√	√	√
Mayor of Upper Hutt City Council	√	√	√
Mayor of South Wairarapa District Council	√	√	√
Mayor of Masterton District Council	√	√	√
Mayor of Carterton District Council	√	√	√
Person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)	√	√	√
Person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)	√	√	√
Person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)	√	√	√
Person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)	√	√	√
Person nominated by Raukawa ki te Tonga	√	√	√
Person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai)	√	√	√
Person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)	√		
Persons nominated by the Crown (Cabinet)	√		
Mayor of Horowhenua District Council	√		

Observers

Regional economic development programme

In respect of the Regional Economic Development programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from the Ministry of Business, Innovation and Employment
- Any other persons as the Joint Committee may consider necessary

Regional economic recovery programme

In respect of the Regional Economic Recovery programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One or more representative(s) from key government entities.
- One or more representative(s) from key private sector organisations on a required basis.
- Any other persons as the Joint Committee may consider necessary

Wellington Regional Growth Framework programme

In respect of the Wellington Regional Growth Framework programme, the Joint Committee may invite the following observers to attend and speak at meetings (as relevant):

- One representative of Waka Kotahi
- One representative from Ministry of Housing and Urban Development (HUD) and/or Kāinga Ora
- Any other persons as the Joint Committee may consider necessary

At each meeting, the Chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the Chairperson shall have speaking rights at the meeting.

The attendance at any public excluded session by observers shall only be permitted with the prior approval of the Chairperson.

Voting

Each member has one vote. In the case of an equality of votes the Chairperson has a casting vote.

Meetings

The Joint Committee will arrange its meetings in separate parts, relating to the specific focus areas of: Wellington Regional Growth Framework; Regional Economic Development; and Regional Recovery.

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

Quorum

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 of the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the administering local authority.

Delegations

Each local authority delegates to the Joint Committee, and in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
 - a. Wellington Regional Growth Framework and Wellington Regional Leadership Committee Implementation Plan
 - b. Regional Economic Development Plan
 - c. Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.

Remuneration and expenses

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (for instance iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority. This amount is to be agreed in advance.

Standing Orders

The Joint Committee shall apply the standing orders of the Administering Authority.

Duration of the Joint Committee

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Leadership Committee is not deemed to be discharged following each triennial local government election.

Servicing

The Joint Committee is serviced by a joint secretariat. The administering local authority shall be responsible for the administration of the Committee.

Council decisions on the Committee's recommendations

Where a Council makes specific decisions on the Joint Committee's recommendations, these will be reported to the Joint Committee. Where the decision is materially different from the Committee's recommendation the report will set out the reasons for that decision.

Variation of this Terms of Reference

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the members on the recommendation of the Joint Committee.

Appendix 3 – Draft Memorandum of Understanding

DRAFT Memorandum of Understanding

Wellington Regional Leadership Committee

Purpose – what this MoU is designed to create and deliver

To establish an enduring partnership between all of the Wellington-Wairarapa-Horowhenua Territorial Authorities, iwi, and central government for the successful implementation of the Wellington Regional Leadership Committee (the Joint Committee) which includes specific responsibilities for the Wellington Regional Growth Framework, Regional Economic Development and Regional Economic Recovery plans and actions.

The purpose of this Memorandum of Understanding (MOU) is to:

1. Identify and agree how the partners in the Wellington Regional Leadership Committee will work together.¹
2. Establish the principles and approach of an enduring partnership between central government, local government and iwi in the Wellington-Horowhenua region for successful development and implementation of a range of regional, non-statutory frameworks or strategies for the region.

Acknowledgements – what we’re trying to achieve on behalf of Wellington- Horowhenua region, and more

The Wellington-Horowhenua region is pivotal for the active creation of an Aotearoa New Zealand ready to cooperatively address current challenges, while making way for transformative and sustainable future opportunities.

Ensuring we achieve all we’re capable of and more, is why this Joint Committee, a partnership with all of Wellington-Horowhenua region’s local and regional authorities with iwi and central government is needed.

Signatories:

Wellington Region’s Territorial Authorities and Regional Council

Carterton District Council, Greater Wellington Regional Council, Horowhenua District Council, Hutt City Council, Kapiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council.

The Agreement and Terms of Reference allow for an alternative person in attendance for a Mayor/Regional Council Chair in “exceptional circumstances”. To ensure consistency of attendance and focus on this Joint Committee, “exceptional circumstances” are defined as [To be agreed by the Joint Committee].

¹ The Wellington Regional Leadership Committee Agreement covers what the Committee does.

Iwi representation

- Ngāti Toa Rangatira represented by Te Rūnanga o Toa Rangatira Inc.
- Taranaki Whānui represented by Port Nicholson Block Settlement Trust
- Rangitāne O Wairarapa represented by Rangitāne O Wairarapa Inc
- Ngāti Kahungunu ki Wairarapa represented by Ngāti Kahungunu ki Wairarapa Trust
- Ātiwawa ki Whakarongotai represented by Āti Awa ki Whakarongotai Charitable Trust
- Muaūpoko Tribal Authority Inc representing Muaūpoko hapū
- Raukawa ki Te Tonga.

Central Government Representation

Government signatories' tbc

Key Principles

Committed – to upholding and reflecting the principles of Te Tiriti o Waitangi The Treaty of Waitangi
Respectful – cognisant of the ambitions and autonomy of all partners and acknowledge the diversity of views that may emerge
Supportive – working together towards shared aims and ambitions so all of our communities can thrive and commit to working together towards mutually acceptable outcomes
Aware – of the challenges of climate change
Responsive – ensuring that spatial planning is responsive and reflective of the region's development prerequisites and capacities
Active – creating and supporting the platforms and mechanisms for the region to prosper and thrive
Resilient – ensuring an adaptive environment ready for current and future shocks and opportunities
Inclusive – acknowledging that signatories and others, must work together in partnership on behalf of a strong and resilient Wellington Region and Aotearoa New Zealand
Sustainable – ensuring that our region's connections, environment and communities are sustained, protected and enhanced
Iwi and Treaty of Waitangi recognition - recognise that iwi of the region have aspirations for their people and land
Ambitious/Innovative – aware of and focussed creating a future where the Wellington-Horowhenua region takes an innovative approach to looking for solutions. Not being constrained by the “now” and what has or has not happened in the past
No surprises – participate on the Joint Committee in good faith and a no-surprises basis, recognising that this is dependent on effective collaboration and enduring partnerships
Commit to a shared purpose – while assisting each other to achieve individual partner objectives.

Ways of Working

- **Cohesive** – the Joint Committee will create and ensure a cohesive approach to spatial planning, economic development and regional economic recovery
- **Consensus** – committing to finding shared decisions, the Joint Committee will work towards creating shared, beneficial agreement for all signatories on behalf of their people and places
- **Open** - the Joint Committee is open-minded, and ready to consider and pursue new ideas, initiatives and projects
- **Other?**

Outcomes

- A committed, joint and comprehensive Wellington Regional Growth Framework, with key projects and programmes agreed and delivered against clear, sequenced plans
- An agreed, fair approach to co-funding projects resultant from the Wellington Regional Growth Framework, with all parties contributing where applicable
- A responsive approach to regional economic development planning and frameworks, prioritising our collective response to the challenges of economic recovery
- Responsive and supportive of all Territorial Authorities' spatial plans and economic development and economic recovery ambitions
- A shared commitment to uplifting our communities' ability to thrive, grow and adapt, by cohesively responding to our challenges from climate change to affordable housing
- Other?

Insertion of signatories' names and representatives signing

Date(s) and any sunset clauses, or timelines for review and revision of this MoU and the principles, ways of working or outcomes

AGENDA ITEM C2

ADOPTION OF THE WAIRARAPA SOLID WASTE MANAGEMENT AND MINIMISATION BYLAW 2021

Purpose of Report

The purpose of this report is to seek Council adoption of the final Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021 (Appendices 1 and 2) subject to adoption by the Carterton and Masterton District Councils. In addition to this, Council is asked to agree to recommendations made by the Wairarapa Policy Working Group (refer recommendations 4a – 4j and 5a – 5c).

Recommendations

Officers recommend that the Council:

1. *Receive the Adoption of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 Report.*
2. *Receives Report 002/21 of the Wairarapa Policy Working Group Proposed Wairarapa Solid Waste Management and Minimisation Bylaw Deliberations held at the Carterton Events Centre on Wednesday, 20 January 2021;*
3. *Adopts the final Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021 (Attachments 1 and 2) as recommended by the Wairarapa Policy Working Group, with the following amendment, and subject to adoption by the Carterton and Masterton District Councils:*

Clause 6 Interpretation

- a. *Add the following waste hierarchy definition as an additional reference: "a list of waste management options with decreasing priority – usually shown as reduce, reuse, recycle, reprocess, treat, dispose."*
4. *Agrees to the following recommendations made by the Wairarapa Policy Working Group, and subject to agreement by the Carterton and Masterton District Councils:*
 - a. *Council will ensure that the compliance, monitoring and enforcement of the Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021 are sufficiently resourced;*
 - b. *Council will consider possible incentives and support for diversion when developing the regional licensing fee structure;*

- c. The diversion of resources from landfill operations will be considered when developing the waste operator licensing framework;*
- d. Council will ensure that there is information available and communicated to operators clarifying that the waste operator licensing in the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 is additional licensing to the offensive trade licensing;*
- e. Council will continue to encourage all event managers to consider waste minimisation and will provide advice and assistance with recycling and waste bin hire;*
- f. Council will continue to better promote and educate on the benefits of waste minimisation plans for events of all sizes;*
- g. Council will look at ways in which better waste management and minimisation education and promotion can be targeted at the building/construction sector;*
- h. Council will look at ways to better provide waste management and minimisation education and promotion for businesses and the wider community;*
- i. Council will look at ways to better promote and provide education about recyclable materials for hardcopy advertising/mail;*
- j. Council will encourage residents to use signage on their letterboxes to reduce the receipt of unaddressed mail or advertising mail.*

5. *Agrees to the following recommendations made by the Wairarapa Policy Working Group, and subject to agreement by the Carterton and Masterton District Councils, regarding the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 Review:*
- a. That the issue of banning unaddressed mail and advertising material (including inserts in community newspapers) is considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 review;*
 - b. that the event definition in Clause 6 Interpretation and Clause 12 Events of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 be considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 Review, with a view to reducing the number of event attendees required to trigger an event waste minimisation plan and waste analysis report;*
 - c. that Clause 2.9 Construction Site and Demolition Waste Management Plans of the Wairarapa Solid Waste Management and Minimisation Bylaw Controls 2021 be considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 Review, with a view to reducing the value required to submit a Construction Site and Demolition Waste Management Plan.*

1. Background

As part of the implementation of the Wellington Region Waste Management and Minimisation Plan 2017-23, the eight councils of the Wellington Region¹ agreed to review and develop a suite of regionally consistent solid waste bylaws.

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 (and associated Bylaw Controls) will enable the three Wairarapa District Councils to meet legislative obligations, to more effectively manage the negative impacts of waste on the environment and ensure the protection of the health and safety of the community and those involved in waste management.

The three Wairarapa District Councils have a set of consolidated bylaws as well as respective standalone bylaws. The Masterton and South Wairarapa District Council Consolidated Bylaw was first adopted in September 2013. The Wairarapa Consolidated Bylaws were reviewed in 2018 and adopted in 2019. As part of this process, Council agreed to the Masterton and South Wairarapa District Council Solid Waste Bylaw 2012 continuing as a standalone Bylaw.

The timeframe for the current review was brought forward to align with the adoption of the regionally consistent Bylaws for Solid Waste Management and Minimisation in the Wellington Region.

As part of the development of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021, Carterton District Council have partnered with Masterton and South Wairarapa District Councils to have a joint bylaw.

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 will supersede the Masterton and South Wairarapa District Council Solid Waste Bylaw 2012. Even though the three Wairarapa District Councils will have a joint Bylaw – each council will individually regulate and enforce the bylaw within their own district.

2. Review Process

2.1 Wairarapa Policy Working Group

Each of the three Wairarapa district councils agreed to delegate authority to the Wairarapa Policy Working Group to hear and consider submissions and make recommendations back to each of the councils on the final Wairarapa Solid Waste Management and Minimisation Bylaw 2021. Membership of the Wairarapa Policy Working Group are:

- Councillor Frazer Mailman (Masterton District Council) (Chair)
- Councillor Brent Gare (Masterton District Council)
- Councillor Garrick Emms (South Wairarapa District Council)
- Councillor Alistair Plimmer (South Wairarapa District Council)
- Councillor Rebecca Vergunst (Carterton District Council)
- Councillor Robyn Cherry-Campbell (Carterton District Council).

¹ Carterton District Council, Hutt City Council, Kāpiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council.

The three Wairarapa district councils also agreed that the elected members who were appointed to the Wellington Region Waste Management and Minimisation Joint Committee also provide support to the Wairarapa Policy Working Group. This extended the Wairarapa Policy Working Group membership to include the following additional members:

- Councillor Chris Petersen (Masterton District Council alternate)
- Councillor Jill Greathead (Carterton District Council)
- Councillor Pam Colenso (South Wairarapa District Council).

2.2 Consultation and Submissions

The three Wairarapa district councils adopted the proposed Wairarapa Solid Waste Management and Minimisation Bylaw 2021 Statement of Proposal (including the draft bylaw and bylaw controls) for consultation in October 2020.

Consultation was held from 30 October – 30 November 2020. The community was provided the opportunity to comment on key aspects of the Bylaw: events, construction and demolition waste, restricting unaddressed and advertising mail, and waste operator licensing.

A total of 18 submissions were received, with majority support for the proposed Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021.

2.3 Hearing and Deliberations

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 hearing was held at the Carterton Courthouse, Holloway Street, Carterton on Wednesday, 16 December 2020 at 5pm. Two submitters were heard as part of the Hearings process.

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 deliberations held at the Carterton Events Centre on Wednesday, 20 January 2021, where the Wairarapa Policy Working Group discussed the summary and analysis of submissions received and recommendations to take back to each of the three Wairarapa district councils for agreement and adoption.

3. Analysis and Advice

The proposed Wairarapa Solid Waste Management and Minimisation Bylaw 2021 will replace the current Masterton and South Wairarapa District Councils Solid Waste Bylaw 2012. The proposed bylaw effectively amends and replaces all of the sections within the current bylaw. The key aspects of the proposed Bylaw and Bylaw controls are discussed below.

3.1 Event Waste Management

The lack of event waste management and minimisation is an issue that is recognised to exist across the Wellington region. While councils currently encourage event waste managers to consider waste minimisation and provides advice and free recycling and

organic waste bin hire, event organisers within the Wellington region are not currently required to ensure or encourage waste minimisation at events.

The Bylaw includes a new waste management planning requirement for any large public outdoor event with an expected attendance of 1,000 or more people. Council staff from around the Wellington region proposed that this be a regionally consistent standard, which will have the dual benefit of normalising and promoting waste minimisation behaviour change within the community and reducing the amount of waste sent to landfill.

It was also proposed that this new event waste planning requirement will come into effect one year after the commencement date of the Bylaw, thereby giving councils the ability to share and publicise relevant event management information, tools, and promote any associated council support available to event organisers. It will also allow time for event organisers to develop an understanding of, and prepare for, the new regional event waste planning standard.

As part of the deliberations held on 20 January 2021, the Wairarapa Policy Working Group have recommended that the three Wairarapa district councils agree that:

- Councils will continue to encourage all event managers to consider waste minimisation and will provide advice and assistance with recycling and waste bin hire;
- Councils will continue to better promote and educate on the benefits of waste minimisation plans for events of all sizes; and
- the event definition in *Clause 6 Interpretation* and *Clause 12 Events* of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 be considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 review, with a view to reducing the number of event attendees required to trigger an event waste minimisation plan and waste analysis report.

3.2 Construction and Demolition Waste Management

The establishment of Bylaw controls that require the consideration of construction and demolition waste minimisation associated with large commercial building projects has the potential to become a valuable tool for identifying potentially divertible and recyclable waste material streams.

The proposed Bylaw enables the Council to require a construction site and demolition waste management plan prior to the commencement of any building work with an estimated value of \$2 million or higher.

Information to be provided in such a plan would include, amongst other things:

- A description of the types of waste to be produced;
- the proposed methods of waste management for each type;
- the proposed methods for minimising litter on site;
- estimated waste quantity and diversion information; and

- records of the types and quantities of waste reused, recycled, recovered, cleanfilled and sent to landfill.

The supporting Bylaw controls further specify when such a plan is to be provided. A construction site and demolition waste plan is proposed to be required for building work with an estimated value of \$2 million or higher. As such, this approach targets high-value construction projects that have the potential to generate significant volumes of waste.

While the provision to require a construction and demolition waste plan for new builds is proposed to be consistent throughout the region, it is up to each council to individually set the building value determining when plan is required. Staff are proposing the value of \$2 million or higher. It is noted that Wellington City Council and Hutt City Council have similarly proposed a construction value trigger of \$2 million or higher.

As part of the deliberations held on 20 January 2021, the Wairarapa Policy Working Group have recommended that the three Wairarapa district councils agree that:

- Councils will look at ways in which better waste management and minimisation education and promotion can be targeted at the building/construction sector; and
- *Clause 2.9 Construction Site and Demolition Waste Management Plans* of the Wairarapa Solid Waste Management and Minimisation Bylaw Controls 2021 be considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 review, with a view to reducing the value required to submit a Construction Site and Demolition Waste Management Plan.

3.3 Unaddressed Advertising Mail and Litter

Littering, waste and public nuisance caused by the delivery of unaddressed mail and advertising material is recognised to be an issue across the Wellington region. Reinforcing the voluntary Marketing Association Code of Practice for the distribution on unaddressed mail, the proposed Bylaw requires the distributors of unaddressed mail to respect any "no circulars", "no junk mail", "addressed mail only" notices placed near or around a letter box.

Appropriate exemptions have been made for unaddressed mail that may be circulated in the community interest, such as, but not limited to, public notices from any government party or local authority, community newsletters, political party material, and communications or fundraising material from local community groups and charities.

Staff will be empowered to enforce any breach of this new provision through the issuing of infringement notices or fines under the Litter Act 1979.

This new Bylaw provision is proposed to be consistent across the Wellington region.

As part of the deliberations held on 20 January 2021, the Wairarapa Policy Working Group have recommended that the three Wairarapa district councils agree that:

- Councils will encourage residents to use signage on their letterboxes to reduce the receipt of unaddressed mail or advertising mail; and
- that the issue of banning unaddressed mail and advertising material (including inserts in community newspapers) is considered as part of the scheduled Wellington Region Waste Management and Minimisation Plan 2017-23 Review.

3.4 Regional Waste Operator Licensing

The current lack of consolidated waste data limits the ability of councils to plan effective activities to improve waste management and minimisation within the Wellington Region. In response to this issue, new Bylaw provisions are proposed to enable the establishment of a regional waste operator licensing system.

Section 56(3)(b) of the Waste Minimisation Act specifically allows territorial authorities to require such licensing for the collection of waste data. Waste operator licensing may also stipulate conditions that require the following:

- A performance bond and/or security, for the performance of the work licensed, and;
- reports setting out the quantity, composition, and destination of waste collected and transported by the licensee (for example, household waste to a disposal facility).

While the operational scope of the proposed licensing system is not yet developed, it would exist as a way for the Council to give effect to controls enabled by the bylaw. For example, if appropriate, the Council could stipulate controls and standards relevant to waste operator servicing through the waste operator licensing and approvals process.

The new waste operator licensing system is proposed to take at least one year following the adoption of the new Bylaw. This will allow time for the councils of the Wellington Region to engage with waste operators affected by the licensing system, and to work collaboratively to develop the licensing system and a secure database to store the waste data collected.

As part of the deliberations held on 20 January 2021, the Wairarapa Policy Working Group have recommended that the three Wairarapa District Councils agree that:

- Councils will consider possible incentives and support for diversion when developing the regional licensing fee structure;
- the diversion of resources from landfill operations will be considered when developing the waste operator licensing framework; and
- Councils will ensure that there is information available and communicated to operators clarifying that the waste operator licensing in the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 is additional licensing to the offensive trade licensing.

3.5 Operational Bylaw Controls

The development of Bylaw controls for solid waste management will assist Council in ensuring the safe and efficient waste collection and disposal operations and services.

While a number of operational controls are currently stipulated in the existing Masterton and South Wairarapa District Council Solid Waste Bylaw, the Bylaw controls provide relevant and up to date standards that would be applicable to both council and private sector waste operators and service users. It is also noted that a lot of the content in the current bylaw is proposed for amendment or replacements with the proposed bylaw.

The new Bylaw controls provide for the following:

- Requirements to place any waste or recycling receptacle in a public place for collection (South Wairarapa District only for the Wairarapa); and
- construction and Demolition Waste Planning requirements.

Councils have the ability to make any such controls, or amendments to any such controls, by way of a publicly notified council resolution.

3.6 Changes to Regional Bylaw Content

While efforts have been made to ensure that we have regionally consistent bylaw provisions in the Wellington region, staff have excluded clauses around multi-unit developments and specificity on the placement and retrieval of waste receptacles.

The multi-unit development content is not included in the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 and associated controls. The Wairarapa region does not have any multi-unit development challenges to require specific bylaw provisions. Multi-unit developments are also currently covered by the Wairarapa Combined District Plan.

The bylaw controls regarding specificity on the placement and retrieval of waste receptacles is not included. Both Masterton and Carterton District Council staff report that there have not been complaints or issues raised by waste operators or members of the community to date. The South Wairarapa District Council plan to undertake further research to ascertain the need for a bylaw controls provision to address nuisance from bins and bags left in public spaces and congestion in the main street of Greytown.

4. Options Considered

A summary of the options considered is included in the table below.

Option		Advantages	Disadvantages
1	Adopt the Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021.	<p>Updates the existing bylaw for clarity and better reflects the current legal and operational environment.</p> <p>Keeps to the commitments made via the Wellington Region Waste Management and Minimisation Plan 2017-23 to have an agreed set of regionally consistent solid waste bylaws.</p>	<p>It may take time for the community and staff to become familiar with the new provisions.</p>
2	Keep the current bylaw as it is.	<p>No change to the current situation and no new rules for the community.</p>	<p>Does not provide recommended clarification, which may create uncertainty.</p> <p>Current legal and operational and environment may not be reflected as well.</p> <p>Creates a mis-alignment with the councils in the Wellington Region in terms of their solid waste bylaws.</p> <p>Does not keep to commitments made via the Wellington Region Waste Management and Minimisation Plan 2017-23 to have an agreed set of regionally consistent solid waste bylaws.</p>
3	Revoke the existing bylaw and do not replace.	<p>Reduces South Wairarapa District Councils enforcement activity requirements.</p>	<p>Does not meet the needs of the community.</p> <p>Removes South Wairarapa District Councils ability to regulate.</p> <p>Has implications for when the Wellington Region Waste Management and Minimisation Plan 2017-23 is reviewed.</p> <p>Creates mis-alignment with the councils in the Wellington Region in terms of their solid waste bylaws.</p> <p>Does not keep to commitments made via the Wellington Region Waste Management and Minimisation Plan 2017-23 to have an agreed set of regionally consistent solid waste bylaws.</p>

4.1 Recommended Option

Staff recommend Option 1 as it is considered the most effective way to manage the problems the bylaws address and provides an appropriate balance between regulatory control and people's rights and freedoms.

The Wairarapa Waste Management and Minimisation Bylaw 2021 helps councils to include better waste management and minimisation standards and to adhere to legislative commitments. The Wairarapa Waste Management and Minimisation Bylaw 2021 also aligns the three Wairarapa District Councils bylaw provisions with the wider Wellington Region as agreed under the Wellington Region Waste Management and Minimisation Plan 2017-23.

5. Summary of Considerations

5.1 Strategic, Policy and Legislative Implications

In addition to the Local Government Act 2002 and the Waste Management Act 2008, the New Zealand Bill of Rights Act, the Litter Act and the Health Act are also relevant to the waste management and minimisation measures proposed. These are detailed below.

5.1.1. *The New Zealand Bill of Rights Act 1990*

Under section 155 of the LGA, before making a bylaw, the Council must determine whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990. No bylaw may be made which is inconsistent with the Bill of Rights Act. Section 5 of the Bill of Rights Act provides for justified limitations on rights, specifically that the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

In summary, the only rights or freedoms under the Bill of Rights Act potentially engaged by the proposed Bylaw are likely to be the rights to freedom of movement in relation to the transportation of waste, and freedom of expression in relation to unaddressed mail and advertising material. Limitations on these rights must be no more than is reasonably necessary to achieve the purpose of the Bylaw.

The proposed Bylaw limits these rights only to the extent that they create a danger to health and safety or a nuisance to others or the public generally or create the potential for environmental harm. Therefore, the proposed Bylaw does not raise any implications under and is not inconsistent with the Bill of Rights because any limitations of rights are justified.

5.1.2. *The Litter Act (1979)*

Under the Litter Act 1979 it is an offence for any person to deposit litter of any kind in a public place, or onto private land without the approval of the owner. The Litter Act is enforced by territorial authorities, who have the responsibility to monitor litter dumping, act of complaints, and deal with those responsible for litter dumping. Councils reserve the right to prosecute offenders via fines and infringement notices administered by a litter control warden or officer. The maximum fines for littering are \$7,500 for a person and \$30,000 for a corporation. Council powers under the Litter Act could be used to help address the illegal dumping issues recognised within the Wellington Region WMMP (2017-2023).

5.1.3. *Health Act (1956)*

Subject to the provisions of this Act, it shall be the duty of every local authority to improve, promote, and protect public health within its district, and for that purpose every local authority is hereby empowered and directed (see s23) —

- (b) to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district:

- (c) if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition:
- (e) to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health:
- (f) to furnish from time to time to the medical officer of health such reports as to diseases, drinking water, and sanitary conditions within its district as the Director-General or the medical officer of health may require.

5.2 Significance, Engagement and Consultation

Councils are required under Section 156 of the LGA to consult with the community using the Special Consultative Procedure.

5.3 Communications/Engagement

A Communications Plan was developed to support the public consultation period. The consultation period was promoted via the three Wairarapa district council websites and social media channels, local newspapers, and email. Hardcopies of the statement of proposal, bylaw, bylaw controls and submission form were available at each of the three councils' offices and libraries.

The Masterton District Council managed the submission process on behalf of Carterton and South Wairarapa District Councils. Associated costs for the review including advertising/promotions are shared between the three Wairarapa district councils.

5.4 Financial Considerations

Financial implications from any additional work, including resources associated with the assessment of waste minimisation plans, litter enforcement, and waste operator licensing are yet to be fully determined.

The Wairarapa Waste Management and Minimisation Bylaw and Bylaw controls 2021 enables the eight Wellington region councils to require the payment of a fee when applying for a waste operator licence. This fee could cover or help offset regional licensing processing and administration costs.

5.5 Implications for Māori/Treaty of Waitangi Implications

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 is not inconsistent with the principles of the Treaty of Waitangi. However, the revocation of the Masterton and South Wairarapa District Council Solid Waste Bylaw 2012 without the renewal of a relevant waste-related bylaw provision in some form has the potential to limit Council's ability to influence waste stream content. Such an action could, in turn, limit the Council's ability to honour the Treaty principle of protection as it relates to the protection of human health and environmental wellbeing connected to waste management.

5.6 Environmental/Climate Change Impact and Considerations

The purpose of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 includes supporting the promotion and delivery of effective and efficient waste management and minimisation throughout the Wairarapa region, supporting the

implementation of the Wellington Region Waste Management and Minimisation Plan 2017-23, as well as the requirements in the Waste Minimisation Act 2008 and the goals in the New Zealand Waste Strategy 2010.

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 encourages better waste management and minimisation practices at large public events; provides the ability for councils to better understand and manage waste generated by large construction sites and demolition activities; enables councils to more effectively manage waste, public nuisance and litter issues created by unaddressed mail and advertising material; and requires registration (licensing) of waste collectors and waste operators to enable councils to obtain better data on waste streams and waste services/ operations, and effectively regulate private collection services to ensure they are aligned with the Wairarapa councils' waste management objectives.

5.7 Health and Safety Considerations

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 promotes the health and safety of waste and recycling service operators, and the community, through restricting the disposal of dangerous and potentially hazardous material into receptacles placed in a public place.

6. Next Steps

Following adoption of the Wairarapa Solid Waste Management and Minimisation Bylaw and Bylaw Controls 2021 by all three Wairarapa district councils, the Bylaw and Bylaw Controls will come into force on 17 April 2021 and will be operational.

Pending agreement of the recommendations made by the Wairarapa Policy Working Group to the three Wairarapa district councils, a plan to operationalise these recommendations will be developed and implemented.

7. Appendices

Appendix 1 – Wairarapa Solid Waste Management and Minimisation Bylaw 2021

Appendix 2 – Wairarapa Solid Waste Management and Minimisation Bylaw Controls 2021

Contact Officer: Bryce Neems, Amenities and Solid Waste Manager

Reviewed By: Harry Wilson, Chief Executive

Appendix 1 – Wairarapa Solid Waste Management and Minimisation Bylaw 2021



Wairarapa Solid Waste Management and Minimisation Bylaw 2021

Commencement

The Wairarapa Solid Waste Management and Minimisation Bylaw 2021 will come into force throughout the Carterton, Masterton and South Wairarapa districts on 17 April 2021.

Adoption

Council	Bylaws	Adoption Date
Masterton District Council	Consolidated Bylaws 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaws 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Masterton District Council and South Wairarapa District Council	Removed from the Consolidated Bylaw 2012. Reformatted and continued as the standalone Masterton and South Wairarapa District Council Solid Waste Bylaw	26 June 2019
Carterton, Masterton and South Wairarapa District Council	Standalone Bylaw with the three Wairarapa District Councils	17 April 2021

Proposed Wairarapa Solid Waste Management and Minimisation Bylaw 2021

Contents

A. INTRODUCTION.....2
Foreword2
1. Title and application2
2. Commencement2
3. Revocation2
4. Purpose2
5. Compliance with Bylaw3
6. Interpretation3
7. Controls.....9
B. DEPOSIT, COLLECTION, TRANSPORTATION, STORAGE, PROCESSING AND DISPOSAL OF WASTE 10
8. General responsibilities 10
9. Waste collections from a public place..... 11
10. Approved collection points..... 12
11. Licensing of waste collectors and waste operators..... 12
12. Events 14
13. Construction site and demolition waste..... 14
14. Inorganic waste..... 15
15. Nuisance and litter..... 16
16. Unaddressed mail and advertising material..... 16
17. Donation collection points 17
C. OTHER MATTERS 17
18. General offences and penalties..... 17
19. Other enforcement powers..... 17
20. Exceptions and saving provisions 19
21. Fees..... 19
22. Forms and processes 19

Referenced Documents

Reference is made in this document to the following New Zealand legislation:

- Health Act 1956
- Litter Act 1979
- Local Government Act 2002
- Waste Minimisation Act 2008

A. INTRODUCTION

Foreword

The proposed Wairarapa Solid Waste Management and Minimisation Bylaw 2021 draws on the New Zealand Standards 9201 series Solid Waste Bylaw. The NZS 9201 series are Model General Bylaws covering various matters under local authority jurisdiction. Local authorities are empowered under the Local Government Act 2002 to make bylaws.

Reference should be made to the Health Act 1956, Local Government Act 2002, Litter Act 1979, Waste Minimisation Act 2008 and Wellington Region Waste Management and Minimisation Plan 2017-2023.

Reference should be made to the Wairarapa Consolidated Bylaw 2018: Part 1 Introductory for any definitions not included in this bylaw.

1. Title and application

- 1.1. The title of this Bylaw is the “Wairarapa Solid Waste Management and Minimisation Bylaw 2021”.
 - 1.2. This Bylaw applies throughout the Wairarapa Region (Carterton, Masterton and South Wairarapa Districts).
 - 1.3. The regulation and enforcement of this Bylaw will be undertaken individually by each Council for their respective District.
-

2. Commencement

2.1 This Bylaw comes into force on 17 April 2021 except for the following exceptions which come into force on the date specified:

- a. The licensing provisions in clause 11 come into force one year after the commencement date of this bylaw; and
 - b. The event waste minimisation plan provisions under clause 12 come into force one year after the commencement date of this bylaw.
-

3. Revocation

3.1 This Bylaw repeals and replaces the Masterton and South Wairarapa District Council Solid Waste Bylaw 2012 for the Masterton and South Wairarapa District Councils.

3.2 This is a new Bylaw and does not repeal or replace any existing solid waste bylaw for Carterton District Council.

4. Purpose

- 4.1. The purpose of this Bylaw is to support:
 - a. The promotion and delivery of effective and efficient waste management and minimisation throughout the Wairarapa Region (Carterton, Masterton and South Wairarapa Districts) as required under the Waste Minimisation Act 2008;
 - b. The implementation of the Wellington Region Waste Management and Minimisation Plan 2017-23;
 - c. The purpose of the Waste Minimisation Act 2008 and the goals in the New Zealand Waste Strategy 2010, being to encourage waste minimisation and a decrease in waste disposal in

order to protect the environment from harm; and provide environmental, social, economic, and cultural benefits;

- d. The regulation of waste collection, transport and disposal, including recycling, waste storage and management;
 - e. Controls regarding the responsibilities of customers who use approved solid waste services, and the licensing of waste collectors and waste operators;
 - f. The protection of the health and safety of waste collectors, waste operators and the public; and
 - g. The management of litter and nuisance relating to waste in public places.
- 4.2. This Bylaw is made pursuant to section 56 of the Waste Minimisation Act 2008, sections 145 and 146 of the Local Government Act 2002, section 64 of the Health Act 1956, and section 12 of the Litter Act 1979.

5. Compliance with Bylaw

5.1 No person may deposit, collect, transport, sort, process, treat or dispose of waste other than in accordance with this Bylaw.

5.2 To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.

6. Interpretation

6.1 For this Bylaw, unless the context otherwise requires, the following term definitions apply¹:

Term:	Means:
Act (the Act)	Waste Minimisation Act 2008
Advertising material	Any message which: <ul style="list-style-type: none">(a) Has printed content controlled directly or indirectly by the advertiser; and(b) Is expressed in any language and communicated in any medium with the intent to influence the choice, opinion or behaviour of a person.
Approved	Authorised in writing by the Council.
Approved collection point(s)	Council approved places, facilities or receptacles where approved receptacles may be left for collection or waste may be deposited.
Approved receptacle	Any container, bag or other receptacle that has been approved by the relevant District Council for the collection of any type of waste or diverted material, with approval based on the following criteria: the prevention of nuisance, the provision for adequate security to prevent scavenging, the protection of the health and safety of waste collectors and the public, and the achievement of effective waste management and minimisation.

¹ Where this Bylaw relies on a definition in legislation and that definition changes, the definition in this Bylaw changes accordingly.

Authorised officer	Any officer of the relevant District Council or other person authorised by the relevant District Council to administer and enforce its bylaws, and any person appointed especially or generally by the relevant District Council to enforce the provisions of this Bylaw.
Building work	As defined in the Building Act 2004 and includes any work for, or in connection with, the construction, alteration, demolition, or removal of a building. It can include sitework and design work relating to the building work.
Bylaw	This Wairarapa Solid Waste Management and Minimisation Bylaw 2021.
Cleanfill material	Waste that meets all of the following requirements: (a) does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on the environment or human health; and (b) includes virgin excavated natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: (i) combustible, putrescible, degradable or leachable components; (ii) hazardous waste, hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown; (iii) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices; (iv) materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health or the environment; (v) contaminated soil and other contaminated materials; (v) liquid waste; and (c) has less than two per cent by volume by load of tree or vegetable matter.
Cleanfill	Land used for the disposal of cleanfill material.
Commercial or industrial waste	Waste (excluding trade waste) that results from a commercial or industrial enterprise and includes waste generated by the carrying on of any business, factory, manufacture, process, trade, market, or other activity or operation of a similar nature.
Construction and demolition waste	Waste generated from any building work (including renovation and repair); and includes but is not limited to concrete, plasterboard, insulation, nails, wood, brick, paper, cardboard, metals, roofing materials, wool/textiles, plastic or glass, as well as any waste originating from site preparation, such as dredging materials, tree stumps, asphalt and rubble.
Council	Refers to either the Carterton District Council, Masterton District Council or South Wairarapa District Council or any person delegated or authorised to act on its behalf.
Deposit	To cast, place, throw or drop any waste or diverted material.

Dispose or Disposal	As defined in the Act.
Diverted material	As defined in the Act.
Donation collection point	A place where approved types of waste may be deposited for the purposes of raising funds or the charitable reuse/recovery of the waste items.
Estimated value	As defined in the Building Act 2004.
Event	<p>Any organised temporary activity of significant scale that is likely to create litter and includes (but is not limited to) an organised outdoor gathering, open-air market, parade, sporting event, festival, concert or celebration. An event will be considered significant if it has an expected attendance of 1,000 or more people across the duration of the event, whether it be a single or multi-day event. For the purpose of this Bylaw 'event' <u>excludes</u>:</p> <ul style="list-style-type: none"> • open-aired events that are enclosed within a building or structure (e.g. an open-aired stadium) • indoor performances, markets, displays, exhibitions or conferences • indoor private functions • indoor tasting and sampling activities • any regularly occurring recreational activities such as weekly sports events.
Food waste	Waste that is derived from any item of food and is organic in origin and free of contamination and includes fruit and vegetable scraps, meat, fish, bone and shell discards, and any other similar food scraps.
Green waste	Organic plant material from gardening or arboriculture activities including lawn clippings, weeds, plants and other soft vegetable matter, which by nature or condition and being free of any contaminants will degenerate into compost.
Handled or Handles	Includes removing, collecting, transporting, storing, sorting, treating, processing or disposing of waste.
Hazardous substance	<p>As defined in the Hazardous Substances and New Organisms Act 1996 and means, unless expressly provided otherwise by regulations, any substance—</p> <p>(a) with 1 or more of the following intrinsic properties:</p> <ul style="list-style-type: none"> (i) explosiveness; (ii) flammability; (iii) a capacity to oxidise; (iv) corrosiveness; (v) toxicity (including chronic toxicity); (vi) ecotoxicity, with or without bioaccumulation; or <p>(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).</p>

Hazardous waste	<p>Waste that:</p> <p>(a) contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organisms Act 1996; or</p> <p>(b) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 2005 and NZ Standard 5433: 2007 – Transport of Dangerous Goods on Land; or</p> <p>(c) meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982.</p> <p>Hazardous waste does not include household waste, inorganic waste, construction and demolition waste, or commercial or industrial waste.</p>
Home composting	The activity of aerobically decaying household organic waste (green waste and/or food waste) and other compostable items originating from that property to create compost at home. To avoid doubt, includes worm farms and anaerobic digestors.
Household waste	Waste consisting of recyclable material, organic waste or residual waste originating from any residential household but does not include, commercial or industrial waste, prohibited waste, hazardous waste, trade waste, liquid waste, or construction and demolition waste.
Inorganic waste	<p>Waste consisting of household equipment, furniture, appliances and material of a similar type that due to its nature or size cannot be collected as household waste in an approved receptacle, and that is specified by the relevant District Council as suitable for:</p> <p>(a) collection from a public place by the relevant District Council or an approved waste collector; or</p> <p>(b) collection from any premises by the relevant District Council or an approved waste collector; or</p> <p>(c) delivery to a resource recovery facility.</p>
Landfill	As defined in the Technical Guidelines for Disposal to Land (Waste Management Institute of New Zealand) ² or by Government standards or regulation.
Licence	A licence, consent, permit or approval to do something under this Bylaw and includes any conditions to which the licence is subject.
Litter	Any rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, other residual waste or any other thing of a like nature that has been disposed of in a public place, other than in an approved receptacle or collection point for such disposal, or on private land without the consent of the occupier. For the avoidance of doubt this includes organic material, dog faeces in a container or bag, or disposable nappies.
Litter receptacle	A receptacle provided for the collection of litter.
Manager	A person who controls or manages any premises, activity or event, regardless of whether that person has a proprietary interest in those premises or that activity or event.

² The guidelines can be accessed at <http://www.wasteminz.org.nz/pubs/technical-guidelines-for-disposal-to-land-april-2016/>

Nuisance	As defined in section 29 of the Health Act 1956 and includes anything offensive or injurious to the health of the community or any member of it.
Occupier	In relation to any property or premises, means the inhabitant occupier of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the owner.
Organic waste	Food waste and/or green waste that is specified by the Council's under clause 6 of this Bylaw as organic waste.
Owner	In relation to any property or premises, means the person or persons entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent, and where such a person is absent from New Zealand, includes their attorney or agent.
Person	An individual, a corporation sole, a body corporate, and an unincorporated body.
Premises	Any separately occupied land, dwelling, building, or part of the same.
Prohibited waste	<p>Waste containing -</p> <p>(a) any material capable of causing injury to any person or animal unless the material is sufficiently contained to prevent injury;</p> <p>(b) any material capable of causing damage to the approved receptacle or likely to shatter and cause injury in the course of collection unless the material is sufficiently contained to prevent damage to the approved receptacle or to prevent injury;</p> <p>(c) any material that may endanger any person, animal or vehicle which may come in to contact with it prior to, during or following collection, transportation, storage, sorting or disposal;</p> <p>(d) any radioactive wastes, but excluding domestic smoke detectors;</p> <p>(e) any used oil and lead-acid batteries;</p> <p>(f) any hazardous waste;</p> <p>(g) medical waste including wastes generated at health care facilities, such as hospitals, physicians' offices, dental practices, blood banks, pharmacies/chemists, and veterinary hospitals/clinics, as well as medical research facilities and laboratories;</p> <p>(h) any asbestos containing material; and</p> <p>(i) any other material identified by the Council's as posing an unacceptable risk of nuisance to the public, or to public health and safety, and subject to a control made under clause 7 of this Bylaw.</p>
Public place	<p>(a) A place that is under the control of a Council or a Council-controlled organisation that, at any material time, is open to or is being used by the public, whether free or on payment of a charge; and</p> <p>(b) To avoid doubt this includes any park, reserve, recreational ground, pool, community facility, sports field or facility, public open space, public garden, public square, cemetery, beach, foreshore, dune, wharf, breakwater, boat ramp, pontoon, road, street, lane, thoroughfare, footpath, access way, cycleway, bridleway, car park, grass verge, berm, and any part of the public place.</p>

Recovery	As defined in the Act.
Recyclable material or Recyclables	The types of waste that are able to be recycled and that may be specified by the relevant District Council from time to time under this Bylaw.
Recycling	As defined in the Act.
Reuse	As defined in the Act.
Rural areas	Any areas zoned and/or defined in the Wairarapa Combined District Plan as rural.
Site	For the purposes of this Bylaw, 'site' means an area of land that is the subject of an application for a building consent or an area of land where a specific development or activity is located or is proposed to be located.
Specified intended life	As defined in the Building Act 2004.
Treatment	As defined in the Act.
Unaddressed mail	Any mail or material that does not display a full address and name of a person at that address.
Waste	As defined in the Act.
Waste collector	Any person or entity that collects and transports waste and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, the owner taking their own household and garden waste to a waste management facility).
Waste hierarchy	A list of waste management options with decreasing priority – usually shown as reduce, reuse, recycle, reprocess, treat, dispose.
Waste management facility	A facility authorised by the relevant District Council which primarily provides waste treatment and disposal services or waste remediation and materials recovery services, in relation to solid waste. Includes but is not limited to waste transfer stations, resource recovery stations, recycling centres, composting facilities, landfills or clean fill sites, or hazardous waste facilities.
Waste Management and Minimisation Plan or WMMP	A waste management and minimisation plan adopted by the Council's under section 43 of the Act.
Waste operator	Any person or entity that operates a waste management facility.
Waste remediation and materials recovery services	The remediation and clean-up of contaminated buildings and mine sites, mine reclamation activities, removal of hazardous material and abatement of asbestos, lead paint and other toxic material. This also includes recovery, sorting, and/or storage services in relation to waste.
Waste treatment and disposal services	The treatment or disposal of waste (including hazardous waste), including the operation of landfills, combustors, incinerators, composting, biodigesters and other treatment facilities (except sewage treatment facilities), and waste transfer stations.

7. Controls

7.1 The Council may make, amend or revoke controls for the safe and efficient operation of waste collections services from a public place to support the implementation of this Bylaw.

7.2 The controls made by Council under clause 7.1 may relate to the following matters:

- a. The type, size, capacity/volume, weight, number, colour and construction of approved receptacles that may be used for the disposal, storage and collection of waste and recyclable material;
- b. The types of household waste that may be treated for all purposes (including deposit, collection, transportation and disposal) as recyclable, organic waste, or other residual waste;
- c. The types and categories of waste that may be deposited in approved receptacles;
- d. The conditions applicable to any collection service from a public place, including the placement and retrieval of approved receptacles for collection, collection days and times, and restrictions on the number and weight of approved receptacles;
- e. Requirements to ensure the correct separation of wastes into approved receptacles, including content control messaging and symbology on an approved receptacle that specifies the permitted and prohibited content;
- f. Requirements applicable to waste minimisation;
- g. Maximum allowable limits of a specified waste type that may be deposited, collected or transported from a public place in an approved receptacle;
- h. Maximum allowable limits of a waste type that may be placed in a receptacle that is approved for another type of waste;
- i. Types of waste that are prohibited;
- j. The locations, access times and conditions of use of approved collection points;
- k. Requirements relating to the safe and secure transportation of waste;
- l. Requirements applicable to waste service users and/or to waste handling and collection if traffic or pedestrian safety have the potential to be adversely impacted by the deposit of material in a public place or by waste servicing operations; and
- m. Any other operational matter required for the safe and efficient operation of a waste collection service from a public place.

7.3 The Council must, before making, amending or revoking any control under clause 7.1, comply with the requirements under Subpart 1 of Part 6 of the Local Government Act 2002.

7.4 Any control made, amended or revoked under clause 7.1:

- a. Must be made by a resolution of Council that is made publicly available; and
- b. May:
 - i. Regulate, control or prohibit any matter or thing either generally, for any specified classes of case, or in a particular case;
 - ii. Apply to all waste or to any specified category or type of waste;
 - iii. Apply to Carterton, Masterton, and South Wairarapa Districts or to a specified part of the Carterton, Masterton, and South Wairarapa District; and/or
 - iv. Apply at all times or at any specified time or period of time.

B. DEPOSIT, COLLECTION, TRANSPORTATION, STORAGE, PROCESSING AND DISPOSAL OF WASTE

8. General responsibilities

8.1 The occupier and/or the manager of a premises must ensure that the household, commercial and/or industrial waste from the premises is separated into waste types as determined by the Council and is deposited for collection in the approved receptacle. No person may deposit in a receptacle any material that is not approved for that type of receptacle.

8.2 The occupier and/or the manager of any premises must ensure that:

- a. All waste receptacles are appropriately secured to deter scavenging and to prevent waste escaping;
- b. Any waste receptacle is regularly emptied when it is full; and
- c. The contents of any waste receptacle are protected from rain, dispersal by wind, or ingress or egress of flies, vermin and animals.

8.3 The occupier and/or the manager of any premises must ensure that:

- a. All approved receptacles are kept in a safe location, are hygienic, in good repair, and are without any modifications or alterations to their appearance;
- b. The contents of any approved receptacle do not seep or escape so as to be injurious or dangerous to health, cause an offensive smell or be a source of litter;
- c. Waste is deposited in the receptacle in a manner that allows the whole of the contents to fall out easily and cleanly when the receptacle is emptied;
- d. The receptacle is placed upright either at an approved collection point or for collection in a position off the carriageway, in front of the premises from which the waste originated and as close to the kerbside as possible;
- e. The receptacle is placed so that it does not disrupt or obstruct pedestrian, wheelchair or vehicular traffic, and so that access to the premises is preserved; and
- f. The receptacle is placed for the collection of waste and is retrieved in accordance with any applicable control specified by the Council under this Bylaw.

8.4 No person shall deposit waste in a manner where:

- a. The receptacle is damaged or otherwise likely to cause injury to the collector;
- b. In the opinion of the Council, or the waste collector or waste operator where applicable, the waste is in an unsanitary or in an offensive condition;
- c. The waste includes waste prohibited under this Bylaw;
- d. The container/receptacle is not an approved receptacle;
- e. The receptacle is in a condition that allows spillage of waste or is not of a sufficient size to contain the waste;
- f. The receptacle or the waste does not comply with the rules under this Bylaw in terms of type, size, volume, weight, numbers, colour, placement or any other detail;
- g. The number of approved receptacles placed out for collection is greater than the authorised number of receptacles for the property, unless approved by an authorised officer; or
- h. Any other reason which the Council, or the waste collector or operator, deems would cause a health and safety concern to the waste collection operation.

8.5 No person shall:

- a. Put waste into an approved receptacle allocated to any other person, without that other person's consent;
- b. Remove waste from, or interfere with any waste deposited in, an approved receptacle, except the Council, a waste collector, or the person who deposited the waste; or
- c. Remove a receptacle provided to the premises to which it has been allocated, except with the prior written approval of the Council or the waste collector.

8.6 The occupier and/or the manager of any premises is responsible for any waste generated on that premises until it has been collected.

8.7 The occupier and/or the manager of any premises is responsible for any waste not collected because of non-compliance with this Bylaw. Any waste or recyclables not collected shall be removed from the roadside by the occupier and returned to the occupier's premises by noon on the day following collection or within such other time period as specified by a control made under this Bylaw.

8.8 To enable the occupier and/or the manager of a premises to be able to comply with clauses 8.1-8.5, an authorised officer may approve placement of approved receptacles in a location other than directly outside that premises.

8.9 Where any breaches of the conditions in clauses 8.1-8.5 occur, the waste collector shall not be obligated to collect the waste.

8.10 No waste shall be transported by vehicle through, over or upon any road or public place unless such waste is sufficiently and adequately covered to prevent any of the waste from falling or otherwise escaping on to any road or other public place.

8.11 Any waste or diverted material deposited in or on a public place or disposed of in a manner that is in breach of this Bylaw, and/or any controls made under clause 7 of the Bylaw, shall be deemed to be litter under the Litter Act 1979 and will be subject to enforcement action under that Act.

9. Waste collections from a public place

9.1 Waste must not be placed on or in a public place for collection unless it is:

- a. A type of waste specified and approved by the Council as able to be placed on or in a public place for collection; and
- b. Placed in an approved receptacle for collection by a waste collector.

9.2 Prohibited waste, diverted material, construction and demolition waste, or commercial or industrial waste must not be placed on or in a public place for collection unless authorised by the Council under this Bylaw or another Council Bylaw.

9.3 Any waste collector who collects or transports waste from a public place must:

- a. Make available to the occupier and/or manager of a premises the appropriate approved receptacles to enable separate collection of each of the waste types required to be separately collected from the premises;
- b. Clearly identify their name and contact details on all approved receptacles;
- c. Not collect any household waste which has not been separated into the waste types as required under this Bylaw and/or any controls made under clause 7 this Bylaw; and
- d. Following collection, ensure that any receptacle is placed so that it does not disrupt or obstruct pedestrian, wheelchair or vehicular traffic, and so that access to the premises is preserved.

9.4 Any person providing or using a waste collection service in or from a public place must comply with all controls made under this Bylaw by the Council relating to that collection.

10. Approved collection points

10.1 No person may deposit waste at an approved collection point other than in accordance with any applicable Council control.

10.2 The Council may specify:

- a. Any place, or receptacle in a public place or on a barge in a marine area, as an approved collection point for the collection of household waste; and
- b. Controls relating to the deposit of waste at the collection point including the use of specified receptacles.

11. Licensing of waste collectors and waste operators

11.1 Any:

- a. Waste collector who handles more than 20 tonnes of waste in any one twelve-month period in, around or out of either the Carterton District, Masterton District, or South Wairarapa District;
- b. Waste operator with a waste management facility in the either the Carterton District, Masterton District, or South Wairarapa District that handles more than 20 tonnes of waste in any one twelve-month period; must have a current licence that has been issued by the Council and may not collect waste or operate a waste management facility (as the case may be) without such a licence.

11.2 An application for a licence must be made on the approved form available from the relevant District Council and must be accompanied by the application fee and the supporting information required by the Council to process the application.

11.3 The holder of an existing licence may apply to the relevant District Council for a renewal of that licence.

11.4 A licence is personal to the holder and is not transferable.

11.5 A licence may be granted or refused at the discretion of the relevant District Council, and if granted, may be on such terms and conditions as the Council considers fit.

11.6 When considering a licence application, the Council may take into account a range of factors including but not limited to the following:

- a. The nature of the activity for which a licence is sought;
- b. The extent to which the licensed activities will promote public health and safety, and support achievement of the Council's WMMP, including the waste minimisation goals and initiatives within that plan;
- c. The extent to which the licensed activities will adopt best practice waste management and minimisation;
- d. The quantity and type of waste to be handled;
- e. The methods employed for the handling, disposing and recycling of the waste and the minimisation of litter, including (but not limited to):
 - i. the identity of the waste management facility at which it is proposed that recycling, recovery, sorting, storage, treatment, or disposal will occur; and

- ii. adherence to health and safety standards and any other relevant industry standards;
- f. The frequency and location of the waste collection, removal, storage and transportation services;
- g. The applicant's experience, reputation, and track record in the waste and diverted material industry, including any known past operational issues which may affect the applicant's performance, and any breaches of previous licence conditions; and
- h. The terms and conditions under which any disposal of waste is permitted and the existence of, or need for, any statutory approvals, authorisations, or consents required to be held or complied with in respect of such disposal.

11.7 When considering an application for a licence, the Council may inspect the premises or locations related to the application in relation to the purposes for which the licence is sought.

11.8 A licensed waste collector or waste operator must comply with all terms and conditions of the licence. The terms and conditions may include, but are not limited to, the following matters:

- a. Term – a licence may be granted for a term of up to five years from the date of Council approval, or for a shorter duration if specified in the terms and conditions of the licence, and will be reviewed every year by the Council to ensure compliance with the terms and conditions of the licence;
- b. Licence fee – the licensee must pay an annual licence fee in the amount determined by the Council;
- c. Performance bond – the Council may require a licence holder to post a bank-guaranteed bond or a security;
- d. Compliance – the licence holder must comply with any relevant controls, standards or policies the Council has set for waste handling such as (but not limited to):
 - i. Provision of waste collection services within reasonable collection times and to meet any minimum collection frequencies specified by Council;
 - ii. Provision of appropriate approved receptacles for waste collection which clearly identify the waste collector's name and contact details; and
 - iii. The collection of any litter within a specified distance of an approved receptacle awaiting collection and any litter spillage from the licence holder's vehicle during the collection, transportation, storage or disposal process.
- e. Provision of information – the licence holder must provide data relating to all waste they have handled to the Council during the term of their licence, in the form and at the times determined by the Council (but not limited to):
 - i. The quantities of various waste types that have been handled by the waste collector or waste operator during a specified period of time, including the source and destination of each waste type and the method of processing (recycling, recovery, treatment, disposal etc); and
 - ii. Weighbridge receipts, gate records of waste tonnages per waste type as specified in the licence.

The minimum requirement will be an annual performance report due within one month of the completion of each year of the licence.

11.9 The Council may suspend or revoke a licence if the licence holder fails to comply with this Bylaw, any of the terms or conditions of the licence, any relevant controls made under this Bylaw, or acts in a manner which the Council considers, on reasonable grounds and in light of the purpose of this Bylaw, is not suitable for the holder of a licence.

11.10 Fees and charges for the issue of licences under this Bylaw are set out in Council's Schedule of Fees and Charges and may be amended from time to time in accordance with section 150 of the Local Government Act 2002.

12. Events

12.1 At least 30 working days prior to the commencement of an event, the event manager must submit an event waste minimisation plan to the relevant District Council for approval.

12.2 The event waste minimisation plan must set out:

- a. An estimate of the types and amounts of waste to be generated by the event;
- b. How waste generated by the event is to be minimised;
- c. The steps that will be taken to avoid waste generation and to maximise the use of reusable systems, the collection and use of recyclables and other recoverable, and compostable materials, and an estimate of the diversion of waste;
- d. The equipment to be provided for any reusable system and the storage, collection and transportation of waste and diverted material;
- e. The proposed method for minimising and capturing litter associated with the event;
- f. The person responsible for the collection and disposal of waste and the methods to be used;
- g. The timing and frequency of the collection of waste, during or after the event; and
- h. Any other matters relating to event waste management and minimisation that may be specified by the Council.

12.3 The manager of an event must comply with the event waste minimisation plan approved by the relevant District Council for the event.

12.4 On completion of the event, and if requested by the Council, the event manager must provide the Council with a waste analysis report (if the event is for more than 1,000 people). At a minimum, this report will include a breakdown of:

- The types of waste generated by the event;
- The amounts of waste (by type) generated by the event;
- The amount of waste diverted; and
- The waste management facilities used to recover, recycle, treat or dispose of this waste.

13. Construction site and demolition waste

13.1 The Council may make a control under this Bylaw to require any person that is applying for a building consent for building work of a certain estimated value or higher to submit a construction site and demolition waste management plan to the Council for approval prior to the commencement of any building work.

13.2 At a minimum, a construction site and demolition waste management plan must set out:

- a. The name of the client, principal contractor, and person who prepared the waste management plan;
- b. The location of the site;
- c. The estimated total cost of the building work;
- d. A description of all types of waste expected to be produced;
- e. The proposed method of waste management for each type of waste (e.g. reuse, recovery, recycling, disposal); and

- f. The proposed method for minimising and capturing litter associated with the project and the building work.

13.3 A construction site and demolition waste management plan may also be required by Council to set out:

- a. An estimate of the quantity of each type of waste; and
- b. An estimate of the diversion of waste.

13.4 While the building work is being carried out, the principal contractor may be required by Council to:

- a. Review the construction site and demolition waste management plan as necessary;
- b. Record quantities and types of waste produced; and
- c. Record the types and quantities of waste that have been:
 - v. Reused (on or off site);
 - vi. Recycled (on or off site);
 - vii. Sent to other forms of recovery (on or off site);
 - viii. Sent to landfill;
 - ix. Sent to cleanfill; or
 - x. Otherwise disposed of.

13.5 Within three months of completion of the building work the Council may require the principal contractor to add to the construction site and demolition waste management plan:

- a. Confirmation that the plan has been monitored and updated;
- b. A comparison of estimated quantities of each type of waste generated against the actual quantities of each waste type;
- c. An explanation of any deviation from the plan; and
- d. An estimate of any cost savings that have been achieved by completing and implementing the plan.

13.6 Where a construction site and demolition waste management plan is required, the principal contractor must ensure that a copy of the construction site and demolition waste management plan is kept on site, and that every contractor knows where it can be found. It must be available to any contractor carrying out any work described in the plan.

14. Inorganic waste

14.1 The Council may specify controls for the following matters in relation to the collection of inorganic waste from a public place:

- a. The weight, size and nature of inorganic waste that may be deposited for collection;
- b. The categories of inorganic waste that may be deposited for collection;
- c. The times, locations and conditions applicable to the collection of inorganic waste from a public place;
- d. The collection methods that cause health and safety risks;
- e. Any other operational matters required for the safe and efficient collection of inorganic waste from a public place.

14.2 Any person who deposits inorganic waste for collection on, or collects and transports inorganic waste from, a public place must comply with any controls made by the Council under this Bylaw.

15. Nuisance and litter

15.1 No person may:

- a. Allow any accumulation of waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health; or
- b. Use an approved receptacle in a manner that creates a nuisance, is offensive or is likely to be injurious to health.

15.2 Except as provided for under this Bylaw, no person may:

- a. Bury or allow to be buried any waste on any property they own, occupy or manage except:
 - i. Organic waste, including dead farm animals in rural areas;
 - ii. Dead companion animals and nuisance pests; or
 - iii. For the purposes of home composting;
 - iv. Waste deposited in a farm refuse dump or an offal pit that is consented or complies with the permitted activity conditions of the Wellington Region Natural Resources Plan;
- b. Dispose of any waste on any premises except at –
 - i. A waste management facility, or
 - ii. Any premises they own, occupy or manage, for the purposes of home composting.

15.3 No person may:

- a. Deposit any waste arising from that person's household or that person's business activities in any litter receptacle provided by the Council in any public place;
- b. Remove any waste from any litter receptacle provided by the Council in any public place, where this results in any waste being deposited outside the litter receptacle, unless authorised by the Council to do so;
- c. Deposit or attempt to deposit litter in any litter receptacle provided by the Council in any public place if:
 - i. The receptacle is full; or
 - ii. The litter is likely to escape;
- d. Fix or attach any flag, banner, bunting, balloon, sign, poster, leaflet or similar thing to any litter receptacle provided by the Council in any public place; or
- e. Damage any litter receptacle provided by the Council in any public place.

15.4 The owner, occupier or manager of any premises on which any flag, banner, bunting, balloon, sign, poster, leaflet or similar device is displayed that is likely to become litter, must take all steps to the satisfaction of the Council to prevent it becoming litter and to clean it up in the event that it does become litter.

16. Unaddressed mail and advertising material

16.1 No person may deposit, cause, permit or authorise the deposit of any unaddressed mail or advertising material:

- a. In any letterbox which is clearly marked "no circulars", "no junk mail", "addressed mail only" or with words of similar effect, or around or near any such letterbox or associated vehicle accessway;
- b. On any vehicle parked in a public place; or
- c. In a letterbox that is already full of mail and/or advertising materials.

16.2 Clause 16.1(a) does not apply to:

- a. Material or public notices from any government department or agency, crown entity, local authority, or material from a network utility relating to the maintenance, repair, servicing or administration of that network utility;
- b. Communications or fundraising material from local community organisations, charities or charitable institutions;
- c. Material from a political party, political candidate or elected member; or
- d. A community newspaper or newsletter, unless the letterbox is clearly marked “no community newspapers” or with words of similar effect.

16.3 Any unaddressed mail or advertising mail deposited in a manner in breach of clauses 16.1 and 16.2 shall be deemed to be litter under the Litter Act 1979.

17. Donation collection points

17.1 Anyone intending to establish a donation collection point in or on a public place must notify the Council in advance and must operate the donation collection point in compliance with any requirements the Council specifies including but not limited to:

- a. Location;
- b. Vehicle access;
- c. Type of waste which may be deposited; and
- d. Use of approved receptacles.

17.2 All donation collection points must ensure:

- a. The removal of deposited material from the collection point;
- b. The clean-up of any litter or illegal dumping; and
- c. The clean-up or removal of any graffiti.

C. OTHER MATTERS

18. General offences and penalties

18.1 Any person who fails to comply with this Bylaw and the decisions and controls made under this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242(4) of the Local Government Act 2002.

18.2 A person who commits a breach of this Bylaw that is an offence under the Litter Act 1979, the Waste Minimisation Act 2008 or the Health Act 1956 is liable to a penalty (without limitation) under those Acts, as relevant.

19. Other enforcement powers

Non-compliance with licence terms and conditions

19.1 Any control that is made or amended by Council under clause 7.1 shall be enforceable under this Bylaw.

19.2 Where a licence holder does not comply with the requirements of this Bylaw and/or the terms and conditions of a licence, the Council may take one or more of the following steps:

- a. Issue a written warning to the licence holder, which may be treated as evidence of a prior breach of a licence condition during any subsequent review of the licence;
- b. Review the licence, which may result in:
 - i. amendment of the licence; or
 - ii. suspension of the licence; or
 - iii. withdrawal of the licence.
- c. Have recourse to any performance bond or security where the Council has incurred any cost as a result of the breach of the licence condition, including where the Council has itself performed or arranged for the performance of any licensed activity on the default of the licence holder;
- d. Review the amount and nature of the performance bond or security, which may result in:
 - i. an increase of the amount of the performance bond or security;
 - ii. a change to the nature of the security that has been provided.
- e. Enforce any offence that may have been committed under the Litter Act 1979; and
- f. Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

Non-compliance with general responsibilities and waste collection requirements

19.3 Where a person does not comply with the requirements of this Bylaw and/or any controls made under the Bylaw in relation to the waste and diverted materials collection service that applies to them, the Council (or a licensed waste collector where applicable) may take the following action(s) against the person:

- a. Reject (i.e. not collect) the contents of any approved receptacle left out by that person for collection from a public place, if the contents or placement of the receptacle is non-compliant;
- b. Remove the contents of any approved receptacle left out for collection from a public place where the contents or placement of the receptacle is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty equivalent to the amount payable for the collection of the largest available size of approved receptacle from that premises;
- c. Withdraw or suspend the collection service being provided to that person;
- d. Enforce any offence that may have been committed under the Litter Act 1979; and/or
- e. Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

19.4 Where action has been taken against a person under clause 19.3(c), the Council can authorise the reinstatement of the collection service once it is satisfied on reasonable grounds that the Bylaw will be complied with.

Non-compliance with approved collection point requirements

19.5 Where a person does not comply with a control made by the Council under clause 7 of this Bylaw the Council may:

- a. Suspend that person's use of any service provided by the Council at any or every waste collection service;
- b. Enforce any offence that may have been committed under the Litter Act 1979; or
- c. Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

Non-compliance with waste management plan requirements

19.6 Where a person does not comply with any of the requirements in clause 12 (Events) or clause 13 (Construction Site and Demolition Waste Management Plans) and/or any controls made under the Bylaw, the Council may take one or more of the following steps:

- a. Enforce any offence that may have been committed under the Litter Act 1979; and/or
- b. Enforce any breach of this Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

Non-compliance with inorganic material requirements

19.7 Where a person does not comply with a control made by the Council under clause 7 of this Bylaw, the Council (or a licensed waste collector or waste operator where applicable) may:

- a. Reject (i.e. not collect) the inorganic material, if the inorganic material or placement is non-compliant;
- b. Remove the inorganic material, where the inorganic material or placement is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty specified by the council;
- c. Enforce any offence that may have been committed under the Litter Act 1979; and/or
- d. Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

Non-compliance with unaddressed mail requirements

19.8 Where a person does not comply with any of the requirements in clause 16 of this Bylaw, the Council may use its enforcement powers under the Litter Act 1979.

20. Exceptions and saving provisions

20.1 A person is not in breach of this Bylaw if that person proves that the act or omission was in compliance with the directions of an Authorised Officer.

20.2 A product stewardship scheme accredited under the Act may be exempt from the requirements of this Bylaw.

21. Fees

21.1 The Council may in accordance with the provisions of section 150 of the Local Government Act 2002 set prescribed fees under this Bylaw.

21.2 The Council may refund, remit or waive any fee prescribed by this Bylaw or charge payable for an authority, approval, licence, permit or consent from, or inspection by, the Council, for any reason it thinks fit.

22. Forms and processes

22.1 The Council may prescribe the form of, and process to be followed for, any application, approval, licence, or other document, which is required under this Bylaw (or any related controls made by Council). These forms and processes may be altered or amended at any time.

Appendix 2 – Wairarapa Solid Waste Management and Minimisation Bylaw Controls 2021

WAIRARAPA SOLID WASTE MANAGEMENT AND MINIMISATION BYLAW CONTROLS 2021

In accordance with clause 7.1 of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021, the Carterton, Masterton and South Wairarapa District Councils resolve the following controls in relation to solid waste management, collection and disposal.

1. INTRODUCTION AND COMMENCEMENT

- 1.1. These are Carterton, Masterton and South Wairarapa District Council resolutions made pursuant to clause 7.1 of the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 (“the Bylaw”) and should be read in conjunction with it.
- 1.2. These resolutions come into force on 17 April 2021.

2. CONTROLS

Storage of Waste

- 2.1. Waste, recycling or other diverted material must not be placed in or on a public place unless contained in an approved receptacle AND awaiting collection or specifically approved by the relevant District Council.

Placement and Retrieval of Waste Receptacles

- 2.2. Waste, recycling or other diverted material may only be placed in or on a public place for collection pursuant to the Bylaw or the controls made under the Bylaw unless otherwise approved by the relevant District Council.
- 2.3. Approved receptacles, and any uncollected waste, recycling or diverted material outside of an approved receptacle, intentionally or otherwise, remain the property and responsibility of the depositor and will be considered litter under the Litter Act 1979 if not removed from the public place and will be subject to enforcement action under that Act.
- 2.4. Any receptacle used for the disposal of waste, recycling or any other diverted material and placed in or on a public place for collection must be an approved receptacle.

Waste Separation

- 2.5. No waste, other than clean approved materials, shall be deposited at any resource recovery station or recycling centre.

Note: A list of approved recyclable materials and materials accepted at resource recovery stations and recycling centres will be made available to service users by the applicable service provider.

Collection Point(s)

- 2.6. The relevant District Council may:
- a. Specify the location of collection point(s), at which recyclable or reusable materials will be received from the public;
 - b. Issue instructions for the use of collection points by members of the public.
- 2.7. No person shall leave or place household waste or trade waste at a recycling collection point(s).

Restrictions on Materials

- 2.8. No person shall deposit or cause or allow any of the following materials to be deposited in any approved receptacle placed for collection:
- a. Explosives, hot ashes, highly inflammable material or infectious material;
 - b. Liquids, acids, printer's ink, paint, or any other viscous fluid;
 - c. Any trade waste, offal or dead animals;
 - d. Any commercial or industrial waste except as allowed under clause 9.2 of the Bylaw;
 - e. Any pesticides, herbicides, fungicides or other toxic compounds or any containers that have been used to hold such materials; or
 - f. Any other prohibited waste as identified under the definition of "prohibited waste" in clause 6 of the Bylaw.

Construction Site and Demolition Waste Management Plans

- 2.9. In accordance with clause 13.1 of the Bylaw, the Carterton, Masterton and South Wairarapa District Councils will require any person who is applying for a building consent for building work with an estimated value of \$2 million or higher to submit a construction site and demolition waste management plan to the relevant District Council for approval prior to the commencement of the building work. This clause will become effective one (1) year following the date on which the Wairarapa Solid Waste Management and Minimisation Bylaw 2021 takes effect.

SOUTH WAIRARAPA DISTRICT COUNCIL

10 FEBRUARY 2021

AGENDA ITEM D1

ACTION ITEMS REPORT

Purpose of Report

To present the Council with updates on actions and resolutions.

Recommendations

Officers recommend that the Council:

1. *Receive the District Council Action Items Report.*

1. Executive Summary

Action items from recent meetings are presented to Council for information. The Chair may ask the Chief Executive for comment and all members may ask the Chief Executive for clarification and information through the Chair.

If the action has been completed between meetings it will be shown as 'actioned' for one meeting and then will remain in a master register but no longer reported on. Procedural resolutions are not reported on.

2. Appendices

Appendix 1 - Action Items to 10 February 2021

Contact Officer: Suzanne Clark, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive

Appendix 1 – Action Items to 10 February 2021

Meeting	Raised Date	Action Type	Responsible Manager	Assigned to	Action or Task details	Open	Notes
Council	4-Dec-19	Action	Russell	Karen	Review all public excluded minutes and agenda documents relating to the sale of Tararua Junction and release them to the public provided there are no longer conditions under which they need to remain under public exclusion	Open	6/10/20: The papers still contain sensitive information, timeframe for forwarding to council still TBC. 13/11/20: A road gazetting application (relating to Tararua Junction) is now being considered by the Ministry of Transport and we are awaiting an outcome. Once this has been determined the papers can be released
Council	5-Feb-20	Action	Karen	Zoya	Develop a policy for the purposes of tracking and reporting LGOIMA requests	Open	27/5/20: Work is underway 18/11/20: Still in progress 1/2/21: Draft internal policy has been developed and will be released shortly with staff training. The external information and request form will be included in the refreshed website.
Council	25-Nov-20	Resolution	Euan	Annette	COUNCIL RESOLVED (DC2020/133): 1. To receive the Report from the Wairarapa Library Services Joint Committee. (Moved Cr West/Seconded Cr Colenso) Carried 2. That the existing seventeen Wairarapa Library Services policies are retired and replaced by the adoption of the Collection Development and Management Policy, the Donations Policy, and the Customer Service Policy 3. That the review date for the Collection Development and Management Policy, the Donations Policy and the Customer Service Policy be three years from the adoption date of these policies. (Moved Cr Colenso/Seconded Cr Hay) Carried	Open	
Council	25-Nov-20	Resolution	Russell		COUNCIL RESOLVED (DC2020/134): 1. To receive the Wellington Regional Growth	Actioned	

Meeting	Raised Date	Action Type	Responsible Manager	Assigned to	Action or Task details	Open	Notes
					<p>Framework Report. (Moved Cr Jephson/Seconded Cr Maynard) Carried</p> <p>2. To note that the draft Framework is the result of a partnership between central government, local government, and iwi.</p> <p>3. To note that the draft Framework is generally consistent in content and structure to other spatial plans developed within the urban growth partnership programme.</p> <p>4. To endorse the Draft Wellington Regional Growth Framework for public consultation.</p> <p>5. To note that a 'public consultation friendly' version of this Framework (smaller and more concise) will be developed for the public consultation process in 2021 and that an example of what this might look like. (Moved Cr Emms/Seconded Cr West) Carried</p> <p>6. To endorse changes to the Draft Wellington Regional Growth Framework for public consultation as discussed with Kim Kelly. (Moved Cr Jephson/Seconded Cr Hayes) Carried</p>		
Council	25-Nov-20	Resolution	Karen	Steph	<p>COUNCIL RESOLVED (DC2020/135):</p> <p>1. To receive the Māori Standing Committee Appointment Report. (Moved Cr Colenso/Seconded Cr Plimmer) Carried</p> <p>2. To make the following external appointment to the Māori Standing Committee: Suzanne Murphy (Kohunui Marae). (Moved Cr Jephson/Seconded Cr Maynard) Carried</p>	Actioned	
Council	25-Nov-20	Action	Euan		Refer the Ngawi Ratepayers and Residents Association submission to the Assets and Services Committee	Open	1/2/21: To be forwarded for consideration to the 17 March 21 meeting.
Council	25-Nov-20	Action	Euan	Annette	Consider how cash donations should be handled and if they need to be considered within the Wairarapa	Open	

Meeting	Raised Date	Action Type	Responsible Manager	Assigned to	Action or Task details	Open	Notes
					Library Services policies or council finance policies and report back to the WLS on any action needed		
Council	25-Nov-20	Action	Euan	Annette	Advise Council how much funding Eastern and Central Community Trust provides for the Wairarapa Library Services Summer Reading Programme, whether applications to other grant funders will be prepared to cover the shortfall, and what additional amount is being budgeted for within LTP budgets	Open	
Council	25-Nov-20	Action	Mayor Beijen		Write and thank Terry Te Maari for the work and commitment to the Māori Standing Committee	Actioned	
Council	25-Nov-20	Action	Amy		Amend the Council Committees Communications Plan so that promotions goes to the community not just ratepayers	Actioned	2/2/21: Plan is being implemented to the community and document has been updated
Council	25-Nov-20	Action	Euan		Create a timeline of what happened between the decision made to withdraw the Featherston Wastewater consent application until the withdrawal confirmation date	Actioned	Sent to Crs 14 Dec 20 and appended as an attachment.
Council	17-Dec-20	Resolution	Katrina		COUNCIL RESOLVED (DC2020/143): 1. To receive the Report. (Moved Cr Jephson/Seconded Cr Hay) Carried 2. To adopt the tabled 2019/20 Annual Report. (Moved Cr Hay/Seconded Cr Emms) Carried 3. To delegate to the Mayor and Chief Executive to correct minor grammatical and other errors. (Moved Mayor Beijen/Seconded Cr Hay) Carried 4. To delegate to the Mayor and Chief Executive authority to sign these reports. (Moved Cr Jephson/Seconded Cr Emms) Carried	Actioned	
Council	17-Dec-20	Resolution	Euan		COUNCIL RESOLVED (DC2020/144): 1. To receive the Externally Funded Projects – Approval to Proceed Report. (Moved Cr Colenso/Seconded Cr Emms) Carried 2. To note the potential financial risk for Council with the Tauherenikau Cycle Bridge and Hau Ariki Marae	Open	

Meeting	Raised Date	Action Type	Responsible Manager	Assigned to	Action or Task details	Open	Notes
					<p>projects.</p> <p>3. To delegate authority to the Chief Executive to enter into the contracts for the projects.</p> <p>(Moved Cr Jephson/Seconded Cr Colenso) Carried</p>		

TO Euan Stitt, South Wairarapa District Council

FROM Linda Fairbrother, Project Lead, Wellington Water

DATE 8 December 2020

FOR YOUR INFORMATION

Timeline for WAR170229 withdrawal

Wellington Water understands that South Wairarapa District Council require a timeline of events regarding the application to withdraw the Featherston Wastewater Treatment Plant Resource Consent (WAR170229).

- 4 March 2020 Workshop between WWL, SWDC Staff & SWDC Councillors. This focused on the Featherston WWTP land application, progress to date, and identification of options to progress the current proposal or otherwise.
- 13 March 2020 Paper presented to Major Projects recommending that Featherston Wastewater be accepted as a Major Project, it was accepted but noted that a formal handover of the project was required as SWDC were still owning this work.
- 18 March 2020 Council meeting where it was agreed that the 2017 consent application (WAR170229) be withdrawn.
- 8 April 2020 Project Review Brief completed by WWL
- 8 June 2020 Draft Project Process completed by WWL / GHD
- 17 June 2020 SWDC Assets and Services Committee (A&S) meeting, paper presented by WWL on the project process.
- 1 July 2020 Funding available to WWL to commence project work.
- 10 July 2020 Revised Project Management Plan Completed

- 30 July 2020 Meeting between WWL and GWRC to discuss project, the existing consents and agreed in principal on the withdrawal of WAR170229.

Minutes from this meeting in Appendix 1, note key actions from this include:

 - 4.5 WWL to send Letter to all previous submitters (this letter and community feedback to be supplied to GWRC when formally withdrawing the consent)
 - 4.6 GWRC to provide letter from Philip Milne which outlines S.124 approval and S.37 extension of timeframe
- 10 August 2020 GWRC advised GHD / WWL that the list of submitters could not be provided for privacy reasons and that we would need to obtain the information from SWDC.
- 11 August 2020 Final PMP approved, including legal review
- Late August GWRC advise on a phone call they cannot supply correct letter from Philip Milne with key information on the S.124 approval and S.37 extension of timeframe (other memo's / letters were supplied)
- 14 September 2020 Workshop 1 with Key Partners and Stakeholders
- 21 September 2020 Letter sent to previous submitters, see Appendix 2
- 29 September 2020 Legal review of withdrawal letter complete
- 3 October 2020 First community drop in session
- 7 October 2020 Formal letter sent to GWRC requesting withdrawal of WAR170229 and that WAR120294 remains on hold, see Appendix 3.
- 27 November 2020 Follow up with GWRC confirmed the receipt of the withdrawal request and advised that they are awaiting feedback from the Panel of Commissioners.

I trust that this information provides the assurance that the WAR17029 withdrawal has been requested and that we are now awaiting formal acknowledgement that this has been completed by GWRC.

Linda Fairbrother
Project Lead, Major Projects

Ph: 021 866 479

Linda.fairbrother@wellingtonwater.co.nz

Appendix 1 – Minutes from meeting with GWRC 30 July 2020



Minutes

Wednesday, 5 August 2020

Project **SWDC - Management of Featherston's wastewater disposal**

Subject	Startup meeting with GWRC	From	Steven Kelliher
Venue	GWRC offices Masterton	Tel	027 620 7456
Date / Time	30.07.2020 9am	Job No	OPC100872
Copies to			
Attendees	Nicola Arnesen (NA) GWRC Shaun Andrewartha (SA) GWRC Cheryl Cleary (CC) GHD Ian Ho (IH) GHD Linda Fairbrother (LF) WWL Steven Kelliher (SK) GHD Paul Gardiner (PG) WWL Mary O'Callahan (MO) GHD Anthony Kirk (AK) GHD	Apologies	

Agenda

- 1 Introduction
- 2 Objectives for the meeting
- 3 Programme for the project
- 4 Previous applications
- 5 Discussion
- 6 Other comments / questions

General notes

Purpose of the meeting is to:

- Setup for the multi criteria workshops to determine the best proposal for managing Featherston's wastewater disposal.
- Understand lessons /feedback from GWRC's perspective on the previous applications.

Ref	Minutes	Action / Owner	Date / Status
	Introduction		
1.1	A refresh will be carried out to determine the best proposal for managing Featherston's wastewater disposal. There are two consents currently in place which will need to be reviewed.	note	
1.2	The refresh will be carried out by WWL on behalf of SWDC, communication with SWDC will be via WWL. Stephen Wright will be working with Ewen Stitt from SWDC throughout the project.	note	
1.3	As SWDC has joined with WWL, maintenance and operation of the SWDC assets will be carried out by WWL.	note	
	Meeting Objectives		
2.1	GWRC will keep the 2012 application (WAR 120294) on hold whilst the MCA process is being carried out to enable the WWTP to continue to operate under s.124 of the RMA.		
2.2	A collaborative approach will be used to include key stakeholders in the MCA workshops. GWRC are keen to be involved in the workshops and engagement throughout the MCA process in order to enable the WWTP to continue to operate under s.124 of the RMA.		

Ref	Minutes	Action / Owner	Date / Status
2.3	GWRC are keen to see the community engaged and water quality improved.		
	Programme		
3.1	A definition workshop will be held first around the end of August. Engagement with the community is key to notify them of the approach.	note	
3.2	A request that the long list must be presented to the community and their considerations / feedback collated. Refinement of the options will need to be allowed for following community feedback. All open minded ideas to be presented in the long list.	note	
3.3	The community are frustrated at present. They feel like they have been talked at, not talked to.	note	
3.4	There are new councillors, they have been presented the proposed MCA process and support the approach.	note	
3.5	Information packs are to be provided ahead of each workshop.	note	
3.6	Technical specialists on behalf of GWRC are to be engaged once the short list is determined. Potentially this will include ecology and water quality specialists.	note	
3.7	The communications and engagement plan will be issued to GWRC for comment	SK	14.08.20
	Previous applications		
4.1	The first application is WAR120294 which is the full discharge to water, this consent to remain on hold. The consent is current but does not meet with today's standards.	note	
4.2	The second application WAR170229 is the most recent application, with the most submitters. This application will be withdrawn and submitters notified.	note	
4.3	Only 1 submitter overlapped both applications. Overall there are two groups of submitters that need to be engaged through the process.	note	
4.4	A list of the submitters to both of the previous applications for resource consent are to be sent to CC	NA	7.08.20
4.5	A letter to the submitters is to be sent, with an explanation to the community and why the original consent (120294) is to stay on hold. This letter is to include a programme for the MCA process.	CC	14.08.20
4.6	The letter from Philip Milne relating to s.124 approval and s.37 extension of timeframes for the application to be sent over to CC	NA	7.08.20
4.7	With regard to the second application (170229), it did not pass the gateway test for non-complying activities, in particular the effects from wastewater discharges to land. Issues identified were not resolved by the previous applicant, and new information was provided throughout the consent processing stage. SWDC purchased land without engaging with GWRC.	note	
4.8	A letter is to be submitted to GWRC to request an extension of the timeframes under s.37 for the resource consent application 120294, so that the s.124 approval continues for the WWTP. A copy of the letter to the submitters together with any feedback received to the letter will be provided with the letter to GWRC.	CC	21.08.20
4.9	Cultural effects were not sufficiently addressed in the previous application, more involvement of iwi and detail of cultural effects will be required for the selection of the best option through the MCA process.	note	
	Discussion		
5.1	Lawyers to be used sparingly, and the MCA process with thorough engagement to be followed to determine the best outcome.	note	
5.2	Best practice community engagement and working collaboratively as used in the Carterton WWTP upgrade to be followed, and included community engagement throughout and regular communication between the project managers.	note	
5.3	Limitations of the land at Featherston are to be investigated, which make this solution different to the Carterton and Greytown projects.	note	
5.4	Future proofing and carbon footprint to be considered during the option development.	note	

Ref	Minutes	Action / Owner	Date / Status
5.5	Key points of contact are to be defined. Stephen Wright to provide updates to council officers and SWDC strategy and investment (Ewen Stitt). A project governance structure to be developed with lines of communication: Stephen Wright to liaise with Shaun Andrewartha at a governance level Cheryl Cleary and Nicola Arnesen to liaise at a project management level. The council officer on this project is to be determined.	SK	10.08.20
5.6	WWL have established contact with the Maori Standing Committee.	note	
5.7	Cultural Impact Assessment (CIA) could be arranged via Liz Burg. NA to follow up.	NA	14.08.20
5.8	Land ownership to be confirmed, Iwi own the bed of Lake Wairarapa which the streams flow into.	note	
5.9	An RFI will be sent out w/c 4-Aug, which will include a request for previous compliance reports.	IH	7.08.20
5.10	General note for regular communication and a no surprises approach to be taken.	note	

Appendix 2 – Letter to previous submitters

21 September 2020

Featherston Wastewater Treatment Plant – Project Update

Thank you for your interest and participation in the Featherston Wastewater Treatment Plant project.

You will recall that the 2017 resource consent application was put on hold by Greater Wellington Regional Council (GWRC), due to some questions over the proposals and the level of community consultation.

The wastewater treatment plant (WWTP), built in 1975, takes and treats wastewater from Featherston; it needs to be upgraded to reduce its impacts on the local environment.

In 2017, Council applied to Greater Wellington Regional Council (GWRC) for consent to upgrade and continue to operate the plant. This application included a proposal to move away from the current treatment and disposal method, to a land-based disposal option. Now, the issue is about to be looked at again. We will build on lessons learned from the past and are committed to gather, understand and consider all information to identify the preferred option.

We will make sure this process is transparent, collaborative, and involves effective ongoing engagement with the community, iwi and stakeholders.

The project

Council is working with Wellington Water to investigate and identify a preferred option to improve Featherston's wastewater treatment and disposal.

We will be working to identify and consider all potential options by working closely with the community. While we will take a fresh look at the options, we will also build on lessons learned from the past. The primary objective is to determine the most effective option to manage and dispose of wastewater.

There will be a series of drop-in sessions in Featherston, at which the community can learn more and make comments on the options. We will also keep you informed about the project through newsletters.

The project is at the start of a 12-month development phase to consult on and develop the preferred option for Featherston wastewater. The intended outcome of the project is to identify the preferred option for Featherston wastewater and report back for Council for them to decide whether to proceed with preparing and lodging a resource consent application with the Regional Council.

What happened to the submissions on past applications?

Some members of the community made submissions on the 2017 application and will know that a hearing was to proceed. However, given that this new project is about to start, SWDC will make a formal request to the Regional Council that the 2017 application be withdrawn. Members of the community also submitted on an earlier application in 2012.

Due to requirements of the Resource Management Act 1991, this application needs to remain on hold with the Regional Council to enable the plant to continue to operate lawfully. Council and Wellington Water are writing to the Regional Council requesting that this application remains on hold until a new one is made to the Regional Council.

What happens next?

The Featherston WWTP will continue to operate as usual, under the terms of the 2009 consent. Council will seek to continue to operate under that by keeping the 2012 application 'on hold'.

We will hold community open-days, outlining the project process and potential opportunities for improving the Treatment Plant. More information about how you can provide your feedback will be communicated separately.

We commit to keeping the community involved and informed throughout this process.

If you have any questions about the Featherston WWTP project, contact:

- Al Gibbons, GHD - 027 227 2198 Al.Gibbons@ghd.com

Yours faithfully



Stephen Wright
Manager, Major Projects
Wellington Water

Appendix 3 – Letter of withdrawal sent to GWRC 7 October 2020

7th October 2020

Shaun Andrewartha
Team Leader Environmental Regulation
Greater Wellington Regional Council
Fryatt Quay
Wellington 6142

Dear Shaun

Featherston Wastewater Disposal Resource Consent Applications WAR120294 and WAR170229

Introduction

We write to you in relation to applications by South Wairarapa District Council ("SWDC") for resource consent in relation to the Featherston Wastewater Treatment Plant (FWWTP).

The FWWTP currently operates under consents WAR970080.

1 Applications WAR120294

SWDC lodged applications for resource consent WAR120294 on 25 May 2012, three months prior to the expiry of consents WAR970080. Consents WAR970080 were due to expire on 25 August 2012. Section 124 of the Resource Management Act 1991 ("RMA"), applies to the continued operation of the FWWTP under consents WAR970080:

- a) SWDC is the holder of consents WAR970080;
- b) Applications for resource consent WAR120294 are for the same activity and were made to the appropriate consent authority, Greater Wellington Regional Council ("GWRC");
- c) Applications for resource consent WAR120294 were made in the period beginning 6 months before the expiry of the existing consent WAR970080 and ending 3 months before the expiry of the existing consent; and
- d) GWRC in its discretion allowed SWDC as the holder of the consent WAR970080 to continue to operate.

Under Section 124(2) of the RMA, SWDC may continue to operate the FWWTP under consents WAR970080 until new consents for the FWWTP are granted and all appeals are determined.

Applications for consent WAR120294 remain on hold, under a Section 37 of the RMA extension of time limits, until such time as a decision is made on the application lodged with GWRC on 1 March 2017 (WAR170229, as discussed below). As you know, SWDC pursued the WAR170229 application but due to community concerns has decided not to pursue this application to hearing at the current time. Further detail on this process is provided below.

SWDC requests that applications WAR120294 remain on hold under a further extension of time limits under Section 37 of the RMA, while SWDC, together with Wellington Water Limited (WWL), conduct a study to determine the options for treatment and disposal of wastewater from Featherston ("the study").

2 The Study

The study is at the start of a 12-month development phase to work with iwi partners and to consult on and develop the preferred option for the Featherston wastewater disposal. Stakeholder consultation will predominantly take the form of four workshops held over the next nine months. Community consultation will be a series of 'drop-in' sessions held in Featherston.

At the end of the study a recommended option will be identified for SWDC to consider taking forward to the preparation and lodgement of a new resource consent application. Therefore, at this stage it is envisaged that a new resource consent application will be lodged with GWRC by approximately late 2021.

With application WAR120294 remaining on hold, we propose to provide regular updates to GWRC as the study progresses so that GWRC can be assured that steady progress is being made towards lodgment. The proposed updates will follow the key stakeholder workshops (which GWRC are a participant in) and at the time that an option is recommended to SWDC.

3 Section 37 Time Limit Extension

SWDC understands the duty of GWRC to avoid unreasonable delays in the assessment and determination of applications WAR120294. However, we consider it is consistent with the sustainable management purpose of the RMA for applications WAR120294 to remain on hold while SWDC and WWL work with the Featherston community, iwi and stakeholders to determine the preferred option for the treatment and disposal of wastewater discharges from Featherston and to consent this through a new resource consent application.

It is in the interests of the Featherston community and environment to allow applications WAR120294 to remain on hold while the study is being completed, in order that an appropriate range of options can be identified, evaluated and consulted on, so that an appropriate and enduring solution can then be delivered.

No person will be directly and adversely affected by the extension of time limits for WAR120294.

SWDC therefore considers that GWRC should grant an extension of time limits so that WAR120294 remains on hold.

4 Applications WAR170229

A new resource consent application WAR170229 was lodged with GWRC on 1 March 2017 by SWDC. This application sought to obtain long-term discharge permits for a term of 35 years, and to undertake a two-stage upgrade to the Featherston WWTP for an irrigation based land treatment scheme, including upgrades to the Featherston underground sewerage network.

At the Council meeting held 18 March 2020 SWDC resolved to withdraw applications WAR170229 (Minute DC2020/27). As part of making this decision, it was considered that there is *"urgency of ensuring untreated wastewater was not discharged to waterways and the need to consider a range of options, associated costs and a community engagement plan in a timely manner."* Therefore, GWRC can be assured that progressing the study and selecting the preferred option is a top priority for SWDC.

Accordingly, SWDC now seeks that GWRC formally records the withdrawal of applications WAR170229. If there are any outstanding costs associated with this application please advise. Please also note that letters to submitters to applications WAR170229 have been sent to advise of the withdrawal of the applications WAR170229.

5 Conclusion

SWDC looks forward to receiving confirmation from GWRC that applications WAR120294 continue to remain on hold (with the proposed timetable in place); and acknowledgement of the withdrawal of applications WAR170229.

If you have any queries or require clarification in regards to this letter, please do not hesitate to contact Steven Kelliher, Project Manager, GHD Ltd, T: 04 474 7343, M: 027 620 7456, E: steven.kelliher@ghd.com.

Yours sincerely,



Euan Stitt

Group Manager, Partnerships and Operations

South Wairarapa District Council

SOUTH WAIRARAPA DISTRICT COUNCIL

10 FEBRUARY 2021

AGENDA ITEM E1

REPORT FROM HIS WORSHIP THE MAYOR

Purpose of Report

To update Council on activities and issues which have arisen since my last report to Council.

Recommendations

His Worship the Mayor recommends that Council:

1. *Receives the Report from His Worship the Mayor.*
2. *To delegate to the Mayor the authority to appoint a SWDC representative to the Destination Wairarapa Board from the list of previously agreed potential candidates.*

1. Cobblestones

Date	14 December 2020
Attendees	Chris Hume and Joseph Gillard
Key Issues from meeting	Future plans for Cobblestones
General	Advised caution on expansion until land tenure and tourism post-COVID is clarified.

2. Uber Urban Ltd

Date & Venue	16 December 2020
Attendees	Paul Hendry and Bruce Weir
Key issues from meeting	Discussion on pro bono work on ideas regarding leasehold land options to provide affordable housing
Specific item/s for Council consideration	Update to follow, advising of meeting. See Appendix 1.

3. Wairarapa Mayors

Date	15 January 2021
Attendees	Wairarapa mayors plus Dame Margaret Bazley plus Adrienne Young-Cooper
Key issues from meeting	Discussion and approval from mayors to invite Adrienne to replace Dame Margaret as Chair of WEDS
General	Agreed, press release approved

4. Malneek Contracting

Date	19 January 2021
Attendees	Lee Malneek
Key issues from meeting	Discussion over interest in SWDC recycling glass waste within district as opposed to shipping to Auckland
Specific item/s for Council consideration	Willingness to pass to Officers to investigate and assist with locations and supply. Interest from other Mayors in opportunity, demand from Fulton Hogan for roading

5. Appointments and Resignations

In December Don Adams advised me that he wished to retire from the District Licensing Committee (DLC). Don Adams was a DLC list member for the three Wairarapa councils and served in this position since the alcohol legislation change in 2012. We will not be seeking a replacement for Don at this time as we have six remaining list members and a Deputy Chair we can call on in the case of a hearing, and day-to-day work is undertaken by the Commissioner or Deputy Chair in the Commissioner's absence.

I have been advised that the Chief Executive has appointed Angela Yeoman to the DLC Commissioners role.

Nathan Maynard has advised me of his resignation from the Destination Wairarapa Board and the Māori Standing Committee as he is moving out of the area for work. Two potential Destination Wairarapa Board candidates have been previously discussed by Council. I would like Council to delegate the appointment of the Destination Wairarapa Board member to me and I will approach Allan Hogg and John Milford to ascertain their interest and availability for the position. Hau Ariki Marae will be contacted and asked to nominate a new member for the Māori Standing Committee. Nathan served on the Māori Standing Committee for over two years, and on behalf of Council I'd like to thank him for his input.

6. Other Meetings and Engagements

DATE	ENGAGEMENT	DATE	ENGAGEMENT
15 November	Unveiling of sign Stella Bull Park	11 December	Meeting with Cr Alistair Plimmer and Alan Maxwell – Jobs programme
16 November	Wairarapa youth 2 Work Movement 3 Wairarapa Mayors with Dale Williams	11 December	Police Pay Parade
16 November	Tuia Programme overview	11 December	Opening event Mrs Blackwell's Village Bookshop
16 November	Function Wellington Free Ambulance	12 December	Christmas Parade Greytown
17 November	LTP Spatial Plan Hui, Kohunui Marae	12 December	Christmas Parade Martinborough
18 November	Destination Wairarapa with CE to meet TRC tourism	13 December	The Featherston Booktown Board of Trustees Christmas and thanks
18 November	Webinar Freshwater	14 December	Chris Hume (Chair Cobblestones Trust) and Joseph Gillard
18 November	Attend Indonesian Embassy function	14 December	Host SWDC Christmas Function
19 November	Rural and Provincial Mayor only meeting	15 December	Featherston Meet the Mayor Drop-in
19/20 November	Rural and Provincial Meeting	15 December	Wairarapa Moana Governance Group Meeting
20 November	Opening of Te Piringa iti, Wellington Zoo	15 December	Featherston Community Board
23 November	Update with Wairarapa Mayors	16 December	Assets and Services Committee
23 November	Opening of GWRC new Wellington premises	16 December	Planning and Regulatory Meeting
24 November	Regional Transport Committee	16 December	Annual report Briefing
24 November	Wellington Regional Strategy Committee	16 December	Visit Martinborough Pensioner Flats
25 November	Council	16 December	Ngā Pūmanawa Tūpuna Graduation
25 November	Wellington Water AGM	17 December	Martinborough Meet the Mayor Drop-in
25 November	Wellington Water Committee Meeting	17 December	Wairarapa Water Update
26 November	Water Race Survey Workshop	17 December	Council Meeting
26 November	Mayors and Weds Chair Meeting	17 December	LTP Workshop
26 November	WEDS Governance Group	17 December	Martinborough Community Board
26 November	MediaWorks Function	17 December	Lydia Weavers Aratoi
26 November	Wairarapa Racing AGM	17 December	Meeting with Wairarapa Mayors
27 November	Mayoral Forum and CDEM	21 December	Mfe Video shoot at Lake Domain Reserve
27 November	Remutaka Transport Group	21 December	GWRC Meeting Greytown
28 November	Dark Sky Association	21 December	Opening of the new Waiwaste Hub
29 November	Featherston Lions lunch for over 70s	22 December	Meeting Adam Blackwell
29 November	Pae Tū Mokai ō Tauria Celebration	15 January	Dame Margaret and Wairarapa Mayors to meet proposed new Chair of WEDs
29 November	Wairarapa JP Association	19 January	Featherston Meet the Mayor Drop-in
30 November	Bakerag Industry update Copthorne	19 January	Lee Malneek to discuss Glass Recycling
1 December	Featherston Meet the Mayor Drop-in	19 January	MTFJ update

DATE	ENGAGEMENT	DATE	ENGAGEMENT
1 December	Meeting with Cr Plimmer and Alan Maxwell	19 January	Featherston Commemorates
1 December	Wairarapa Committee and Workshop	20 January	Greytown Meet the Mayor Drop-in
1 December	Meeting with Jane Ross re Film development Wairarapa	20 January	Water Race meeting Update
2 December	Greytown Meet the Mayor Drop-in	20 January	LTP Workshop
2 December	LTP Workshop	21 January	Martinborough Meet the Mayor Drop-in
3 December	Martinborough Meet the Mayor Drop-in	21 January	MSC Featherston Wastewater Workshop
3 December	Pack the Bus Events	26 January	Featherston Meet the Mayor Drop-in
3 December	Wairarapa Road Safety Council Community Driver Mentor Luncheon	26 January	Wairarapa Mayors regular Catchup.
3 December	Demo Day NZ GovTech Accelerator 2020	26 January	Wairarapa Library Service Summer Reading Finale
4 December	Pack the Bus Events	27 January	Greytown Meet the Mayor Drop-in
5 December	Featherston Christmas Parade	27 January	LTP Workshop
6 December	Opening of restored Donald Woolshed	28 January	Martinborough Meet the Mayor Drop-in
7 December	ELT weekly update with the Mayor	28 January	Mayoral Forum
7 December	EDA Discussion reflecting on review from Martin Jenkins	1 February	Update with SWDC ELT
7 December	Arrow FM Christmas Function	1 February	Youth Employment Group Management meeting
8 December	Featherston Meet the Mayor Drop-in	2 February	Featherston Meet the Mayor Drop-in
8 December	Rail Trail with Cr Leigh Hay	2 February	Waitag meeting in Masterton
8 December	Meet with Paul () Greytown	2 February	SWDC Community Officer re Youth2Work
8 December	Maori Standing Committee	2 February	Installation of Reverend Peter Hull as Deacon in Charge of the Parish of South Wairarapa
8 December	Featherston Commemorates Committee	3 February	Greytown Meet the Mayor Drop-in
9 December	Ministry of Environment (virtual meeting)	3 February	Kieran McAnulty MP for Wairarapa
9 December	Greytown Community Board	3 February	Unveil plaque for Lions Club (Waiyinga Centre Playground)
10 December	MTFJ Community Recovery Programme with MSD and MTFJ - Taranaki/Wellington region	3 February	LTP Workshop
10 December	Wairarapa Water Resilience Strategy Committee Meeting	4 February	Martinborough Drop in meet Mayor
10 December	Host function to thank Waiyinga Charitable Trust		

7. Appendices

Appendix 1 – Attachment from Uber Urban Ltd meeting

Prepared By: His Worship the Mayor, Alex Beijen

Appendix 1 – Attachment from Uber Urban Ltd meeting

Hi there Alex

Thanks for taking the time to chat on Saturday as I appreciate it was at short notice. Following on from our chat I promised to send an email outlining some thoughts on the issues we discussed.

Challenges Ahead

- The SWDC rohe has become known over time as a microcosm of provincial NZ that offers modern sophisticated living, intertwined with the old-world charms of traditional NZ.
- Recent successive governments have pursued GDP growth by pulling the immigration lever. Average 74,000 per year over past decade. This is a change from traditional historical GDP growth strategies which focuses on GDP growth through the productive sector (manufacturing, farming etc). Infrastructure services are now stretched.
- Cost structures have blasted through the roof as witnessed by land, construction, food, and general costs.
- Home ownership in NZ is dwindling dramatically. Middle class New Zealanders such as nurses, teachers and other middle-class professionals are increasingly unable to buy homes in the cities and towns where they work. Every housing market in the country is now rated "severely unaffordable". This has now spread into the provinces.
- For the SWDC rohe to retain its vibrance and heritage values while continuing to grow, it will need to ensure that workers have access to affordable housing. Failure to achieve this will mean that you end up with the Queenstown problem where workers struggle to access affordable housing.

Housing Affordability

- As you are aware the cost structure within land and housing packages are such that the land component costs circa 60%. This price point is forcing the developer to put higher priced dwellings on the land to justify the initial land price.
- You raised the issue of separating out the land pricing through a ground lease model structure. As you mentioned this land ownership model is nothing new as its been used since the arrival British immigrants. The Church and others have large ground lease holdings nationally. From a banking perspective this asset class is well known.
- However, from a developer's perspective the leasehold model can be problematic as they typically need title to the land to raise development capital. With the model we discussed on Saturday this will be a non-issue as 'Newco' will be the developer.
- The other key point is that availability of houses drives affordability. Additionally, affordable housing can be achieved through smart design. My colleagues and I have been involved in a number of projects where this has been achieved.

Financing & Structuring

- As you are aware the Government has introduced substantive legislative changes that enables local government to significantly reshape the nature of urban development in New Zealand. It is a shift from regulating, to enabling local government to be more proactively involved in development.
- While much of the recent legislation is focussed on climate change responses and resilience, it is the Infrastructure Funding and Finance Act 2020 ('IFFA') that is a particularly powerful piece of new legislation which provides for the provision of public infrastructure under a

user pays model. Currently local government bears all the downside of development and none of the upside. This recent legislation provides the ability to change this.

- Under the IFFA, the council could form a Special Purpose Vehicle ('SPV') to fund and install infrastructure for a development that will be recouped through a levy. As an off-balance sheet transaction, this reduces the impact of local authority financing and funding constraints. It could also offer the potential to start reducing LA's debt thereby improving liquidity. All this supports the provision of infrastructure for housing and urban development and actively supports functioning urban land markets.
- By way of example the IFFA was the enabler for a development (4000 houses) in Auckland called the Milldale Development. While the structure for SWDC would vary slightly from this, the principles are worth noting. It involves Fulton Hogan Land Development (developer), Auckland Council, Auckland Transport, Watercare; and funds have come through the ACC plus CIP (Crown Infrastructure Partners). CIP was formally the Crown Fibre Holdings which has been repurposed to be an enabler for projects such as this.

Professional Experience

As mentioned, I along with a number of colleagues have been involved in similar projects both domestically and locally. Up until 2010 Common Ground Studio (CGS) performed commissions in Kuwait, Abu Dhabi, Oman China and Sri Lanka. Due the collapse of world market (Global Financial Crisis) opportunities dried up to the point where we had to put the business on ice. So subsequent to this we (15 of us in total) have worked collaboratively on specific projects.

In the New Zealand market, we have been involved in Pegasus Bay (we did all the original masterplans) Albany, New Lynn and many others. Looking back through our previous work we have previously been commissioned to do concept and design for a new town Featherston (2007) and also Greytown (2008). From memory, the promoter/developer of the projects didn't go ahead as he found the council officers at the time less than developer friendly.

I have attached these old projects for you plus some other examples of work we have done.

I have spoken to my partner Bruce Weir and he can come down to Martinborough Tuesday 15th next week. I will call to discuss if this date/time suite with you.

[Paul W. Hendry](#)

director
[überURBAN Ltd](#)