



## **FEATHERSTON COMMUNITY BOARD**

### **Agenda**

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#### **NOTICE OF MEETING**

An ordinary meeting will be held in Kiwi Hall, 62 Bell Street, Featherston on Tuesday, 3 December 2019 starting at 7:00pm.

#### **MEMBERSHIP OF THE COMMUNITY BOARD**

Mark Shepherd (Chair), Indigo Freya, Claire Bleakley, Cr Garrick Emms, and Cr Ross Vickery.

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#### **PUBLIC BUSINESS**

**1. EXTRAORDINARY BUSINESS:**

**2. DECLARATIONS:**

2.1 Declaration by Member Claire Bleakley

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**3. APOLOGIES:**

**4. CONFLICTS OF INTEREST:**

**5. ACKNOWLEDGMENTS AND TRIBUTES:**

**6. PUBLIC PARTICIPATION:**

6.1 Peter Jackson of Featherston RSA speaking to the Financial Assistance Application to help fund the cost of painting the exterior of the RSA.

**7. ACTIONS FROM 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.*

**8. COMMUNITY BOARD MINUTES:**

- 8.1 Minutes for Approval: Minutes of the First Meeting of the Triennium for Council and community boards held on 30 October 2019 (sections D and G). **Pages 2-7**

***Proposed Resolution:** That sections D and G of the minutes of the First Meeting of the Triennium for Council and community boards held on 30 October 2019 be confirmed as a true and correct record.*

**9. CHIEF EXECUTIVE AND STAFF REPORTS:**

- 9.1 Adoption of the 2020 Schedule of Ordinary Meetings **Pages 8-12**
- 9.2 Officers' Report **Pages 13-50**
- 9.3 Income and Expenditure Report **Pages 51-56**
- 9.4 Financial Assistance Report **Pages 57-58**
- 9.5 Summer Water Demand Report **Pages 59-61**
- 9.6 Legislation Affecting Elected Members – General Explanation by Chief Executive, Harry Wilson **Pages 62-93**

**10. NOTICES OF MOTION:**

- 10.1 None advised

**11. CHAIRPERSON'S REPORT:**

- 11.1 None advised

**12. MEMBER REPORTS (INFORMATION):**

- 12.1 None advised

**13. CORRESPONDENCE:**

- 13.1 Inwards **Page 94**

From Peter Jackson, President of Featherston Memorial RSA Inc., in appreciation of donation received, dated 9 September 2019.



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

# DECLARATION

I, Claire Bleakley, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the South Wairarapa district the powers, authorities, and duties vested in or imposed upon me as a member of the South Wairarapa District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 (LGOIMA), or any other Act.

Dated at Featherston this 3<sup>rd</sup> day of December 2019

**Signature.....**

Signed in the Presence of:

.....  
**Harry Wilson, Chief Executive Officer**



**SOUTH WAIRARAPA DISTRICT COUNCIL  
First Meeting of the Triennium for Council and community boards (Martinborough,  
Featherston and Greytown)  
Minutes from 30 October 2019**

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<b>Present (Council):</b>	Mayor Alex Beijen, Councillors Garrick Emms, Pam Colenso, Rebecca Fox, Leigh Hay, Brian Jephson, Pip Maynard, Alistair Plimmer, Ross Vickery and Brenda West.
<b>Present (MCB):</b>	Aidan Ellims, Nathan Fenwick, Michael Honey, Mel Maynard, Cr Pip Maynard and Cr Pam Colenso.
<b>Present (FCB):</b>	Indigo Freya, Mark Shepherd, Cr Ross Vickery and Cr Garrick Emms.
<b>Present (GCB):</b>	Graeme Gray, Shelley Symes, Ann Rainford, Cr Rebecca Fox and Cr Alistair Plimmer.
<b>In Attendance:</b>	Harry Wilson (Chief Executive Officer), Raihānia Tipoki, Suzanne Clark (Committee Advisor).
<b>Conduct of Business:</b>	The meeting was held in Martinborough Hall, Texas Street, Martinborough and was conducted in public between 4:00pm and 5:23pm.

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## **Open Section**

### **A Powhiri**

Elected members were called into the Martinborough Town Hall. Mr Tipoki opened with a karakia and welcomed elected members. Mr Wilson also welcomed elected members.

Chief Executive Officer Harry Wilson in the Chair.

### **B Kuranui College Kapa Haka Performance**

Students from the Kuranui College Kapa Haka Group, led by teacher Suzanne Murphy, performed for those in attendance.

### **C Apologies**

Apologies were received from Claire Bleakley (Featherston Community Board member), and lateness apologies were received from Aidan Ellims (Martinborough Community Board member).

## **D Declarations**

The following elected members made their declarations in front of family, friends, staff and members of the public.

### **Council:**

Mayor Alex Beijen, Councillors Garrick Emms, Pam Colenso, Rebecca Fox, Leigh Hay, Brian Jephson, Pip Maynard, Alistair Plimmer, Ross Vickery and Brenda West.

### **Martinborough Community Board:**

Aidan Ellims, Nathan Fenwick, Michael Honey and Mel Maynard.

### **Featherston Community Board:**

Indigo Freya and Mark Shepherd.

### **Greytown Community Board:**

Graeme Gray, Ann Rainford and Shelley Symes.

Chief Executive Officer Harry Wilson vacated the Chair.

His Worship the Mayor assumed the Chair.

## **E Business in Accordance with Part 1 of Schedule 7 of the Local Government Act 2002**

### **E1. Mayoral Appointments**

*COUNCIL RESOLVED (DC2019/164)* to receive the tabled Mayoral Appointment Report.

*(Moved Mayor Beijen/Seconded Cr Hay)*

Carried

### **E2. Laws Affecting Elected Members**

Mr Wilson presented selected sections of the Laws Affecting Elected Members Report.

*COUNCIL RESOLVED (DC2019/165):*

1. To receive the Laws Affecting Elected Members Report.
2. To note the laws and obligations affecting elected representatives.

*(Moved Cr West/Seconded Cr Hay)*

Carried

### **E3. Fixing of date and time for first ordinary meetings**

*COUNCIL RESOLVED (DC2019/166):*

1. To receive the Adoption of the 2019 Schedule of Ordinary Meetings Report.
2. To adopt the revised 2019 schedule of ordinary meetings for Council, community boards and committees.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

*(Moved Cr Maynard/Seconded Cr Jephson)*

Carried

His Worship the Mayor vacated the chair.

Chief Executive Officer Harry Wilson assumed the chair.

### **Martinborough Community Board**

#### **F Business in Accordance with Part 1 of Schedule 7 of the Local Government Act 2002**

##### **F1. Election of Chairperson and Deputy Chairperson**

*MCB RESOLVED (MCB2019/72):*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2019-2022 Report.
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2019-2022 triennium.

*(Moved Fenwick/Seconded Honey)*

Carried

Mr Wilson called for nominations to the position of Martinborough Community Board Chair.

*(Moved Ellims/Seconded Fenwick)* that Mel Maynard be nominated as Martinborough Community Board Chair.

There being no further nominations Mr Wilson declared Ms Maynard Martinborough Community Board Chair.

Mr Wilson called for nominations to the position of Martinborough Community Board Deputy Chair.

*(Moved Fenwick/Seconded M. Maynard)* that Aidan Ellims be nominated as Martinborough Community Board Deputy Chair.

There being no further nominations Mr Wilson declared Mr Ellims Martinborough Community Board Deputy Chair.

##### **F2. Laws Affecting Elected Members**

*MCB RESOLVED (MCB2019/73):*

1. To receive the Laws Affecting Elected Members Report.
2. To note the laws and obligations affecting elected representatives.

*(Moved M Maynard/Seconded Ellims)*

Carried

##### **F3. Fixing of date and time for first ordinary meetings**

*MCB RESOLVED (MCB 2019/74):*

1. To receive the Adoption of the 2019 Schedule of Ordinary Meetings Report.
2. To adopt the revised 2019 schedule of ordinary meetings for Council, community boards and committees with the amendment of the Martinborough Community Board meeting to start at 6:30pm.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

*(Moved Ellims/Seconded M Maynard)*

Carried

## Featherston Community Board

### G Business in Accordance with Part 1 of Schedule 7 of the Local Government Act 2002

#### G1. Election of Chairperson and Deputy Chairperson

*FCB RESOLVED (FCB2019/65):*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2019-2022 Report.
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2019-2022 triennium.

*(Moved Shepherd/Seconded Freya)*

Carried

Mr Wilson called for nominations to the position of Featherston Community Board Chair.

*(Moved Freya/Seconded Cr Emms)* that Mark Shepherd be nominated as Featherston Community Board Chair.

There being no further nominations Mr Wilson declared Mr Shepherd Featherston Community Board Chair.

Mr Wilson called for nominations to the position of Featherston Community Board Deputy Chair.

*(Moved Cr Vickery/Seconded Cr Emms)* that Indigo Freya be nominated as Featherston Community Board Deputy Chair.

Mr Shepherd nominated Ms Bleakley to the position of Featherston Community Board Deputy Chair.

Mr Wilson declared Ms Freya Featherston Community Board Deputy Chair.

#### G2. Laws Affecting Elected Members

*FCB RESOLVED (FCB2019/66):*

1. To receive the Laws Affecting Elected Members Report.
2. To note the laws and obligations affecting elected representatives.

*(Moved Freya/Seconded Shepherd)*

Carried

#### G3. Fixing of date and time for first ordinary meetings

*FCB RESOLVED (FCB2019/67):*

1. To receive the Adoption of the 2019 Schedule of Ordinary Meetings Report.
2. To adopt the revised 2019 schedule of ordinary meetings for Council, community boards and committees.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

*(Moved Shepherd/Seconded Freya)*

Carried

## Greytown Community Board

### H Business in Accordance with Part 1 of Schedule 7 of the Local Government Act 2002

#### H1. Election of Chairperson and Deputy Chairperson

*GCB RESOLVED (GCB2019/52):*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2019-2022 Report.
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2019-2022 triennium.

*(Moved Rainford/Seconded Symes)*

Carried

Mr Wilson called for nominations to the position of Greytown Community Board Chair.

*(Moved Symes/Seconded Gray)* that Ann Rainford be nominated as Greytown Community Board Chair.

There being no further nominations Mr Wilson declared Mrs Rainford Greytown Community Board Chair.

Mr Wilson called for nominations to the position of Greytown Community Board Deputy Chair.

*GCB RESOLVED (GCB2019/53)* to hold over election of a deputy chair until after the Greytown Community Board 2020 byelection.

*(Moved Rainford/Seconded Symes)*

Carried

#### H2. Laws Affecting Elected Members

*GCB RESOLVED (GCB2019/54):*

1. To receive the Laws Affecting Elected Members Report.
2. To note the laws and obligations affecting elected representatives.

*(Moved Gray/Seconded Rainford)*

Carried

#### H3. Fixing of date and time for first ordinary meetings

*GCB RESOLVED (GCB2019/55):*

1. To receive the Adoption of the 2019 Schedule of Ordinary Meetings Report.
2. To adopt the revised 2019 schedule of ordinary meetings for Council, community boards and committees.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

*(Moved Gray/Seconded Symes)*

Carried



The Mayor assumed the Chair.

His Worship the Mayor declared the meeting closed at 5:23pm.

**Sections A through E confirmed as a true and correct record**

.....(Mayor)

.....(Date)

**Section D and F confirmed as a true and correct record**

.....(Martinborough Community Board Chair)

.....(Date)

**Section D and G confirmed as a true and correct record**

.....(Featherston Community Board Chair)

.....(Date)

**Section D and H confirmed as a true and correct record**

.....(Greytown Community Board Chair)

.....(Date)

# FEATHERSTON COMMUNITY BOARD

3 DECEMBER 2019

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## AGENDA ITEM 9.1

### ADOPTION OF THE 2020 SCHEDULE OF ORDINARY MEETINGS

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#### **Purpose of Report**

To provide community boards with the schedule of ordinary Council, community board and committee meetings for 2020 that was adopted by Council on 20 November 2019.

#### **Recommendations**

Officers recommend that the Community Board/Committee:

1. *Receive the Adoption of the 2020 Schedule of Ordinary Meetings Report.*
2. *Adopt the 2020 schedule of ordinary meetings for Council, community boards and committees.*
3. *Set a regular meeting time for Featherston Community Board.*
4. *To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.*

#### **1. Background**

Each year Council adopts a schedule of Council, committee and community board meetings for the following calendar year.

The schedule must comply with schedule 7, cl19 of the Local Government Act 2002 which states:

##### ***19 General provisions for meetings***

*(1) A local authority must hold the meetings that are necessary for the good government of its region or district.*

The Local Government Official Information and Meetings Act 1987, Part 7 also specifies the process for calling meetings of the Local Authority.

The meetings must be called, and conducted in accordance with the requirements set out in the Local Government Act 2002, and the Local Government Official Information and Meetings Act 1987, as well as the Standing Orders of South Wairarapa District Council.

Community boards are being asked to adopt the schedule of meetings adopted by Council on 20 November 2019 and set a start time for ordinary meetings.

## **2. Discussion**

### **2.1 Schedule of Meetings**

The 2020 meeting schedule is provided in Appendix 1. This schedule may be amended at any time.

There were a number of considerations that went into the creation of the 2020 meeting schedule adopted by Council:

- a. Where possible, Council meetings are scheduled to take place every six weeks, at 10:00am on Wednesdays.
- b. Community Board meetings and Māori Standing Committee meetings are split across two weeks and held in the evening at a time that suits members.
- c. Assets and Services Committee and Planning and Regulatory Committee are scheduled on Wednesdays every six weeks, or according to the requirements of their terms of reference, and spaced midway between Council meetings.
- d. Finance Audit and Risk Committee is scheduled quarterly and not on a Council meeting day.
- e. A request was received to consider a calendar schedule where Council meetings do not fall during school holidays.

Note: The CEO Review Committee and Water Race Subcommittee meetings are still to be added to the schedule.

Additional ordinary, extraordinary, or emergency meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive.

### **2.2 Meeting Times and Venue**

Community board members are asked to set a regular meeting start time that suits members.

Proposed start times for ordinary meetings of the community boards for 2020 are set out in the following table.

	<b>Proposed Start Time</b>	<b>Venue (unless otherwise advised)</b>
Featherston Community Board	7:00pm	Kiwi Hall, 62 Bell Street, Featherston
Martinborough Community Board	6:30pm	Martinborough Town Hall Supper Room, Texas Street
Greytown Community Board	7:00pm	WBS room, Greytown Town Centre, 89 Main Street

The venue for each meeting is listed in the table above. If the venue is not available at the time of the scheduled meeting an alternative venue will be secured and members will be notified.

### **3. Financial Considerations**

Costs to hold meetings have been factored in to existing Council budgets, with the exception of any claim for the childcare allowance.

To assist elected members to attend to local authority business, the Remuneration Authority introduced a childcare allowance for elected members who have responsibility for caring for children under the age of 14 years. The allowance is a contribution towards expenses incurred by elected members for the provision of childcare while the member is engaged on local authority business. For the 19/20 year, this expense will be met by Council.

On the 7 August 2019 Council adopted the Remuneration Authority's proposed Childcare Allowance noting that no budget had been provided in the 2019/2020 Annual Plan (DC2019/124). A report on the impact of this allowance has been presented to Council.

Elected members may also claim mileage. The community boards receive an annual budget allowance of \$500 for this and the actual cost will be met by the relevant community board.

### **4. Engagement and Communications**

The Chief Executive and general managers were consulted in the process of creating the 2020 meeting schedule.

The 2020 meeting schedule allows the Chief Executive to properly notify the public of the times and dates of meetings in accordance with Part 7 of the Local Government Official Information and Meetings Act 1987.

Once the 2020 schedule has been adopted by all of the community boards it will be notified on Council's website.

### **5. Appendices**

Appendix 1 – 2020 Schedule of Ordinary Meetings

Contact Officer: Steph Dorne, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive

# **Appendix 1 –2020 Schedule of Ordinary Meetings**

2020	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2020
MON						1 Queens Bday							MON
TUE						2			1			1	TUE
WED	1 New Years Day			1 GCB		3	A&S/P&R		2 Council			2	WED
THU	2 Public Holiday			2		4	2 MCB		3	1		3	THU
FRI	3			3	1	5	3		4	2		4	FRI
SAT	4	1		4	2	6	4	1	5	3		5	SAT
SUN	5	2	1	5	3	7	5	2	6	4	1	6	SUN
MON	6	3	2	6	4	8	6	3 MSC	7	5	2	7 MSC	MON
TUE	7	4	3	7 FCB	5	9	7	4	8	6	3 FCB	8	TUE
WED	8	5 Council	4	8 A&S/P&R	6	10 Council	8	5 GCB	9	7	4 A&S/P&R	9 FAR/GCB	WED
THU	9	6 Waitangi Day	5	9 MCB	7	11	9	6	10	8	5 MCB	10	THU
FRI	10	7	6	10 Good Friday	8	12	10	7	11	9	6	11	FRI
SAT	11	8	7	11	9	13	11	8	12	10	7	12	SAT
SUN	12	9	8	12	10	14	12	9	13	11	8	13	SUN
MON	13	10	9	13 Easter Monday	11 MSC	15	13	10	14 MSC	12	9	14	MON
TUE	14	11	10	14	12	16	14	11 FCB	15	13	10	15 FCB	TUE
WED	15	12	11	15	13 GCB	17	15	12 A&S/P&R	16 GCB	14 Council	11	16 A&S/P&R	WED
THU	16	13	12	16	14	18	16 LG conference	13 MCB	17	15	12	17 MCB	THU
FRI	17	14	13	17	15	19	17 LG conference	14	18	16	13	18	FRI
SAT	18	15	14	18	16	20	18 LG conference	15	19	17	14	19	SAT
SUN	19	16	15	19	17	21	19	16	20	18	15	20	SUN
MON	20 Wgtn Anniversary	17 MSC	16	20	18	22 MSC	20	17	21	19	16	21	MON
TUE	21	18	17	21	19 FCB	23	21	18	22 FCB	20	17	22	TUE
WED	22	19 GCB	18 Council	22	20 A&S/P&R	24 FAR/GCB	22 Council	19	23 A&S/P&R/FAR	21	18	23	WED
THU	23	20	19	23	21 MCB	25	23	20	24 MCB	22	19	24	THU
FRI	24	21	20	24	22	26	24	21	25	23	20	25 Xmas Day	FRI
SAT	25	22	21	25	23	27	25	22	26	24	21	26 Boxing Day	SAT
SUN	26	23	22	26	24	28	26	23	27	25	22	27	SUN
MON	27	24	23	27 Anzac Day	25	29	27	24	28	26 Labour Day	23	28	MON
TUE	28	25 FCB	24	28	26	30 Council AP/FCB	28	25	29	27 MSC	24	29	TUE
WED	29	26 A&S/P&R	25 FAR	29 Council	27		29	26	30	28 Council (adopt AR)	25 Council	30	WED
THU	30	27 MCB	26	30	28		30	27		29 GCB	26	31	THU
FRI	31	28	27		29		31	28		30	27		FRI
SAT		29	28		30			29		31	28		SAT
SUN			29		31			30			29		SUN
MON			30 MSC					31			30		MON
TUE			31										TUE

<b>COUNCIL</b>	District Council meeting	<b>A&amp;S</b>	Assets and Services Committee
<b>MCB</b>	Martinborough Community Board	<b>P&amp;R</b>	Planning and Regulatory Committee
<b>FCB</b>	Featherston Community Board	<b>FAR</b>	Finance Audit and Risk Committee
<b>GCB</b>	Greytown Community Board		School holidays
<b>MSC</b>	Māori Standing Committee		

# FEATHERSTON COMMUNITY BOARD

3 DECEMBER 2019

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## AGENDA ITEM 9.2

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### OFFICERS' REPORT

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#### **Purpose of Report**

To report to community boards and the Māori Standing Committee on general activities.

#### **Recommendations**

Officers recommend that the Community Board/Committee:

1. *Receive the Officers' Report.*

### PLANNING AND ENVIRONMENT GROUP REPORT

#### **1. Resource Management**

##### **1.1 Planning Summary**

###### **1.1.1. General**

The Planning Team continues to receive high numbers of consent applications, planning enquiries, compliance matters and growing policy project work. The Planning Manager replacement will commence on 2<sup>nd</sup> September, he is Godwell Mahowa, who has worked for Masterton District Council (MDC).

###### **1.1.2. South Wairarapa Spatial Plan**

The Draft Spatial Plan Discussion Document looking out to 2050 was presented to Council on 15 May. A communications plan was presented at last committee meeting. The integrated work saw the release of the spatial plan discussion document on 10 July, calling for feedback comments by 16 August, the initial engagement period has been extended and closes on 13 September. Some group engagement sessions will occur in this period, then revision work in September/October to produce the draft plan document. Other community sessions will occur in October/November 2019.

###### **1.1.3. Martinborough South Growth Area (MSGA)**

Following consultant and staff work on the MSGA a meeting with landowners (those within and adjoining area) held 17 April to give context, outline potential layout for the future residential area, and indicate next steps. Work included assessment by an experienced urban designer; the meeting revealed a mix of views, info sent and have called for further landowner feedback. Further stormwater assessment work to be

undertaken/compiled. Recent landowner feedback views have been captured and a possible community meeting is being considered.

#### **1.1.4. District Plan Review**

The earlier work on this involved an officers' meeting late January at Carterton between MDC, Carterton District Council (CDC), SWDC and Boffa Miskell staff. Further meeting recently convened to progress this review and topics. Review to be in line with national planning standards for new district plans.

#### **1.1.5. Dark Sky**

The local Martinborough Dark Sky Society has been compiling their economic report and regional funding application. A report on the process for a council adopted plan change for review of the SWDC outdoor lighting rules to support a proposed dark sky reserve was presented to Council. Plan change to be based on approach used at Mackenzie DC, initial use of a working group suggested. Further checking done on the extent of need to change outdoor lighting rules alongside advice from Carterton. Change to lighting on highways a focus, discussion with NZTA. A Memorandum of Understanding (MOU) on the dark sky reserve to be compiled for commitment by the three Wairarapa Council's, and this followed by a plan change to the WCDP.

#### **1.1.6. Review of Notable Trees Register**

Public notification of the updated tree register was extended to 17th May 2019. This was to allow property owners identified as having listed trees overhanging their properties a chance to make submissions and for consultation on the Planning Maps. Total of 37 submissions were received, summary of the submissions done and was notified. Report to be compiled for an independent commissioner hearing in October.

#### **1.1.7. Greytown Development Area**

Following the decision and notification, the area is subject to an Environment Court appeal. Staff have been working with the two appellants to try and reach agreement on respective matters prior to an Environment Court hearing. The two appeals are both being mediated through two memorandums of understanding. One appeal resolved, other appeal awaits trustee signatures on the agreement. This has avoided protracted time/related costs of appeal matters within the Environment Court.

#### **1.1.8. Greytown Orchards Retirement Village**

Processing a resource consent for first stage and a private plan change for master plan/rezoning land to residential. The applicants worked through the request for further information, application was publicly notified, twenty submissions received. The summary of submissions to be notified. Consultant Honor Clark processing this application for Council. A hearing is to be held in Greytown, by independent commissioner on 29-30 August 2019.

#### **1.1.9. Featherston Tiny Homes/Brookside RC**

The application has involved multiple meetings with planning staff on aspects. Currently the applicant has been requested to provide further information on urban design and traffic assessment. Once full application is submitted, application is likely to be limited notified to surrounding neighbours in line with RMA practice.



## 1.2 Resource Management Act - District Plan

*SERVICE LEVEL – Council has a Combined District Plan that proves certainty of land-use/environmental outcomes at the local and district levels.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	RESULT	COMMENT SOURCE AND ACTIONS TAKEN TO ACHIEVE TARGET
Ratepayers and residents' image of the closest town centre ranked "satisfied"	80%	89%	NRB 3 Yearly Survey October 2018 (2016: 87%)
The district plan has a monitoring programme that provides information on the achievement of its outcomes (AER's)		-	Consultants have established data to be recorded and stored to enable effective reporting against AER's in WCDP. A final monitoring strategy is still to be completed.

## 1.3 Resource Management Act - Consents

*SERVICE LEVEL – All resource consents will be processed efficiently.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	57%	<b>Total 8/ 14</b>
		71%	5/ 7 Land Use applications were completed within statutory timeframes. NCS
		43%	3/ 7 Subdivision applications were completed within statutory timeframes. NCS
		-	0 marginal / permitted boundary activity applications were completed within statutory timeframes. NCS
s.223 certificates issued within 10 working days	100%	50%	2 of 4 s223 certificates were certified within statutory timeframes. NCS.
s.224 certificates issued within 15 working days of receiving all required information (note no statutory requirement)	95%	89%	8 out of 9 s224 certificates were certified. NCS.

## 1.4 Reserves Act – Management Plans

*SERVICE LEVEL – Council has a reserve management plan programme.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Council maintains, and updates reserve management plans as required.	Yes	Yes	RMP's are generally current and appropriate. It is therefore not

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
			anticipated that any updates will be undertaken this year.

## 1.5 Local Government Act – LIM's

*SERVICE LEVEL – Land Information Memoranda: It is easy to purchase information on any property in the District.*

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
LIMs contain all relevant accurate information (no proven complaints)	100%	100%	G:\LIMs\LIMS PROCESSED 2019-2020
Standard LIMs are processed within 10 days	100%	100%	18/ 18 standard LIMs were completed G:\LIMs\LIMS PROCESSED 2019-2020

TYPE	YTD	PREVIOUS YTD	PERIOD	PREVIOUS PERIOD
	1 <sup>ST</sup> JULY 2019 TO 31 JULY 2019	1 <sup>ST</sup> JULY 2018 TO 31 JULY 2018	1 <sup>ST</sup> JULY 2019 TO 31 JULY 2019	1 <sup>ST</sup> JULY 2018 TO 31 JULY 2018
Standard LIMs (Processed within 10 working days)	18	15	18	15
Urgent LIMs (Processed within 5 working)	5	4	5	4
<b>Totals</b>	<b>23</b>	<b>19</b>	<b>23</b>	<b>19</b>

## 1.6 Building Summary

### 1.6.1. Building Act - Consents and Enforcement

*SERVICE LEVEL - Council certifies all consented work complies with the building code, ensuring our communities are safe. The Council processes, inspects, and certifies building work in my district.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Code Compliance Certificate applications are processed within 20 working days	100%	100%	NCS – 31 CCC's were issued within 20WD YTD
Building consent applications are processed within 20 working days	100%	100%	NCS – 43 consents were issued within 20WD YTD
Council maintains its processes so that it meets BCA accreditation every 2 years	Yes	Yes	Next accreditation review due January 2020. Council was re-accredited in January 2018
BCA inspects new building works to ensure compliance with the BC issued for the work, Council audits BWOF's and Swimming Pools	Yes	Yes	<b>Building Consents</b> Council inspects all new work to ensure compliance (July 2019– 487 inspections) <b>BWOF's –</b>

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
			Total 169 – average of 3 audits per month required, 4 audits carried out July. <b>Swimming Pools –</b> Total 279 – average of 7 audits per month required. 3 audits carried out in July.
Earthquake prone buildings reports received	100%	N/A	Under previous legislation 148 of 229 known premises had been addressed.  Under the new legislation, 248 were identified as EPB and through the modelling process we eliminated 132 buildings leaving 116 buildings potentially EPB. Council has now reviewed the potential Earthquake Prone Buildings (EPB) and letters have been sent to owners advising them of their buildings status. 104 letters sent out in total. 11 (previously 12) - still being assessed by LGE Status: 69 - identified as no longer EPB 20 (previously 21) - require engineer assessment <ul style="list-style-type: none"> <li>- 3 of the 21 approved extensions</li> <li>- 3 of the 21 engineers reports received &amp; 1 confirmation report is being completed</li> <li>- 1 added to list after LGE completed their assessment</li> <li>- 1 building demolished as a result of a fire</li> </ul> 14 (previously 15) - identified as EPB and have been sent notices to be affixed to the building. <ul style="list-style-type: none"> <li>- 2 of the 14 have building consents for strengthening work</li> <li>- 1 building has been demolished (Anglican Church in Featherston)</li> </ul>

### 1.6.2. Building Consents Processed

TYPE –MAY - JULY 2019	NUMBER	VALUE
<b>Commercial</b> (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	2	\$13,000
<b>Industrial</b> (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	1	\$3,000
<b>Residential</b> (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters).	47	\$4,062,039
<b>Other</b> (public facilities - schools, toilets, halls, swimming pools)	0	\$0
<b>Totals</b>	<b>50</b>	<b>\$4,078,039</b>

## 1.7 Environmental Health and Public Protection

### 1.7.1. Dog Control Act – Registration and Enforcement

*SERVICE LEVEL – Dogs don't wander freely in the street or cause menace to humans or stock.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership	3 visits	0	Letter to go out to schools
Complaints about roaming and nuisance dogs are responded to within 4 hours	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 8/8
Complaints about dog attacks on persons, animals or stock are responded to within 1 hour	100%	100%	2/2

Officers have planned since November 2018 to undertake education visits to two Wairarapa based businesses who had a role to play in a dog attack that occurred on 31st October 2018. Officers classified the dog as menacing following that attack, with the classification subsequently appealed. The Hearings Committee decided on 10 July to uphold the menacing classification. As such, officers expect that these education visits will count as 'extra' education visits in the 2019 period.

INCIDENTS REPORTED FOR PERIOD 1 JULY 2019 TO 31 JULY 2019	FEATHERSTON	GREYTOWN	MARTINBOROUGH
Attack on Pets	1	-	-
Attack on Person	1	-	-
Attack on Stock	-	-	-
Barking and whining	-	-	1
Lost Dogs	-	-	1
Found Dogs	-	-	1
Rushing Aggressive	-	-	1
Wandering	2	3	-
Welfare	-	-	-
Fouling	-	-	-
Uncontrolled (off leash urban)	-	-	-

### 1.7.2. Public Places Bylaw 2012 - Stock Control

SERVICE LEVEL – Stock don't wander on roads, farmers are aware of their responsibilities.

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Stock causing a traffic hazard is responded to within 1 hour	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls  No incidents
In cases where multiple stock escapes (more than 1 occasion) have occurred from a property taking compliance or enforcement or prosecution action against the property owner	100%	-	No incidents
Council responds to complaints regarding animals within 48 hours.	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls  1 incident

INCIDENTS REPORTED	TOTAL FOR PERIOD 1 JULY 2019 TO 31 JULY 2019
Stock	1

### 1.7.3. Resource Management Act – afterhours Noise Control

SERVICE LEVEL – The Council will respond when I need some help with noise control.

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 19/20	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
% of calls received by Council that have been responded to within 1.5 hours	100%	100%	<a href="K:\resource\Health\Resource Management\Noise Control Complaints">K:\resource\Health\Resource Management\Noise Control Complaints</a> 9/9 attended within timeframe

AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED	YTD 1 JULY 2019 TO 31 JULY 2019	PREVIOUS YTD 1 JULY 2018 TO 31 JULY 2018	PERIOD 1 JULY 2019 TO 31 JULY 2019	PREVIOUS PERIOD 1 JULY 2018 TO 31 JULY 2018
Total	9	2	9	2

Officers will start to charge the recently approved \$160 fee for each justified noise control callout. Previously, Council had a fee of \$357 for a seizure of equipment

causing a verified noise nuisance. This fee was not charged frequently as seizures are not common. The charging of the new fee will allow Council to recoup its costs for providing the noise control function. If this fee existed and was charged during the 2018-19 year, it would have resulted in Council recouping approximately \$18,000 to cover the costs of our afterhours noise control contractor.

#### **1.7.4. Sale and Supply of Alcohol Act - Licensing**

*SERVICE LEVEL – The supply of alcohol is controlled by promoting responsible drinking.*

<b>PUBLIC PROTECTION KEY PERFORMANCE INDICATORS</b>	<b>TARGET 19/20</b>	<b>YTD RESULT</b>	<b>COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET</b>
Premises are inspected as part of licence renewals or applications for new licences.	100%	4% YTD	MAGIQ data. All premises inspected at new or renewal application stage (2/45*). *Number of inspections completed of licences coming up for renewal within the YTD period.  122 licences in total. Total number of licences is subject to change month by month as new businesses open and existing premises close.
Premises that are high risk are inspected annually, while low or medium risk premises are audited no less than once every three years.	100%	4% YTD	MAGIQ data. There are no high risk premises in the district. Low and medium risk premises are inspected every 3 years as part of the renewal process. There are currently 24 low and medium licences due for renewal or new inspections in this financial year. 1 of these have been inspected as at 31 July 2019. Total number of licences is subject to change month by month as new businesses open and existing premises close. (1/24)
Compliance activities are undertaken generally in accord with the Combined Licencing Enforcement Agencies agreement.	100%	N/A	1 meeting held August 2019. No compliance inspections undertaken with the CLEG to date.

As the Committee will be aware, there has been a backlog of alcohol licences that have needed processing, which has resulted in time delays for inspections. With the employment of a dedicated alcohol licensing inspector, this backlog has predominantly been cleared and it is anticipated that this will facilitate timely alcohol inspections.

<b>ALCOHOL LICENCE APPLICATIONS PROCESSED</b>	<b>YTD 1 JULY 2019 TO 31 JULY 2019</b>	<b>PREVIOUS YTD 1 JULY 2018 TO 31 JULY 2018</b>	<b>PERIOD 1 JULY 2019 TO 31 JULY 2019</b>	<b>PREVIOUS PERIOD 1 JULY 2018 TO 31 JULY 2018</b>
On Licence	4	0	4	0
Off Licence	5	1	5	1
Club Licence	3	1	3	1
Manager's Certificate	7	2	7	2
Special Licence	3	2	3	2
Temporary Authority	0	2	0	2

Total	22	8	22	8
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### 1.8.1. Health Act - Safe Food

*SERVICE LEVEL – Food services used by the public are safe.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 19/20	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises have appropriate FMP in place and meet the risk based standards set out in the Plan.	100%	100%	FHR – 0 FCP (Food Act) – 94 NP – 62  The changes in the Food Act 2014 require that businesses have an appropriate Risk Based Measure in place by end of transition period (Feb 2019). Total number of premises is subject to change month by month as new businesses open and existing premises close.
Premises are inspected in accord with regulatory requirements.	100%	0%	FCP verifications – 0/94  *Total number of premises is subject to change month by month as new businesses open and existing premises close.

The large workload increases for Council staff that has been brought about by the Food Act 2014 has made it challenging to have all businesses verified in a timely manner. Officers have had to be pragmatic in providing additional educational activities to operators during the verifications. This has made the verifications take longer and therefore place pressure on the number of businesses that can be verified in a given time.

### 1.8.2. Bylaws

Between 1 July 2019 and 31 July 2019 there were no notices relating to trees and hedges, 2 litter and 2 abandoned vehicle complaints.

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

## INFRASTRUCTURE AND SERVICES REPORT

### 2. Group Manager highlights

This month the new roads contract under Ruamahanga Roads was rated number 1 from 31 council contracts for the completion of the works programs achieved. This is a great start to a new contract and aided by the joint work programs and collaborative processes.

Work in transport is continuing the annual contracts and renewals for the coming year to 5 years. This joint programming is envisaged to deliver savings over these works into the future through good programming and logistics.

The wheelie bin roll out in solid waste has been achieved with approximately 60 location issues for the drop off over the whole district. This process has highlighted the need to keep our databases up to date and the variation in property locations to their addresses.

The move to Wellington Water is well underway with the human resources processes underway. Attending the Client Councils Representative meeting highlighted how the contract governance processes work within the Wellington Water Council Controlled Organisation. It not only looked at the issues with the new alliance contract that needed to be resolved it also allowed for knowledge sharing across other areas such as waste and Health and Safety.

Work continues to be done on the manganese removal plant and the associated works for integration into the wastewater system, plant access and modular setup to enable future movement.

### 3. Water supply

*SERVICE LEVEL – Council provides reliable and safe drinking water supplies. Water provided is safe to drink and there is adequate water for urban firefighting.*

#### Key Performance Indicators

WATER SUPPLY KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
		JUL	YTD	JUL	YTD
The average consumption of drinking water per day per resident within the territorial authority	<400 Lt		491		
Compliance with resource consent conditions/water permit conditions to “mainly complying” or better	95%		100%		
Water supply systems comply with Ministry of Health Bacteriological Drinking Water Standards guidelines 2008*	FTN: Yes GYT: Yes MTB: Yes		FTN: Yes GYT: No MTB: Yes		
Water supply systems comply with Ministry of Health Protozoa Drinking Water Standards guidelines 2008	FTN: Yes GYT: Yes		FTN: Yes GYT: No		



WATER SUPPLY KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
	MTB: Yes		MTB: Yes		
The total number of complaints received by the local authority about drinking water taste per 1000 connections	<15	0	0	0	0
The total number of complaints received by the local authority about drinking water odour per 1000 connections	<15	0	0	0	0
The total number of complaints received by the local authority about drinking water pressure or flow per 1000 connections	<15	0.49 per 1000 (2 complaints)	0.49 per 1000 (2 complaints)	2	2
The total number of complaints received by the local authority about continuity of supply per 1000 connections	<15	0 per 1000 (0 complaints)	0 per 1000 (0 complaints))	0	0
The total number of complaints received by the local authority about drinking water clarity per 1000 connections	<15	0.24 per 1000 (1 complaints)	0.24 per 1000 (1 complaints)	1	1
Ratepayers and residents satisfied with level of service for water	75%			NRB Survey:	61%
Attendance for urgent call-outs: from the time that the local authority receives notification to the time that service personnel reach the site	< 1 Hr	(5/5) 100%	Median Time 1mins	5	5
Resolution of urgent call-outs: from the time that the local authority receives notification to the time that service personnel confirm resolution of the fault or interruption	< 8 Hrs	(5/5) 100%	Median Time 1mins	5	5
Attendance for non-urgent call-outs: from the time that the local authority receives notification to the time that service personnel reach the site	< 2 working days	(18/24) 75%	Median Time 20h 44mins	24	24
Resolution of non-urgent call-outs: from the time that the local authority receives notification to the time that service personnel confirm	< 5 working days	(21/24) 88%	Median Time 24h 27mins	24	24
Fire hydrants tested annually that meet NZ Fire Service Code of Practice	20%	20%	20%		
The % of real water loss from the local authority's networked reticulation system identified by establishing and measuring night flow	<20%		22%		

The temporary chlorination of the water supply has worked well, with the tests showing a stable chlorine level through the network. Continued monitoring of the reservoirs will evaluate if a booster chlorination is required, as there is period lower chlorine levels. Work is ongoing to address other risks highlighted during the investigation, including backflow risks, connections for the wineries. The design of the Manganese Removal Plant (MRP) is progressing and an updated layout with more detailed cost estimate for procurement at the end of August.

Featherston (Waiohine) plants operated well during the period. The concrete ring main for the storage area is complete and the lining is due in for early September. The fourth bore is drilled to enable the supply of both Featherston and Greytown. This will need further development to install pump equipment and connecting pipeline. Greytown bore had a fault during an unplanned shut-down which was rectified within 60 minutes.

## 4. Wastewater

*SERVICE LEVEL – Council provides wastewater services that effectively collect and dispose of wastewater. Wastewater does not create any smells, spill or health issues and causes minimal impact on the natural environment.*

### 4.1 Key Performance Indicators

WASTEWATER KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
		JUL	YTD	JUL	YTD
Attendance time: from notification to arrival on site	< 1 Hr	6/10 (00%)	Median Time 0h 44min	10	10
Resolution time: from notification to resolution of fault	< 4 Hrs	2/10 (20%)	Median Time 31h 54min	10	10
No. of complaints per 1000 connections received about sewage odour	< 15	1 per 1000 (0.24 complaint)	0.75 per 1000 (3 complaint)	1	1
No. of complaints per 1000 connections received about sewage systems faults	< 15	0	0	0	0
No. of complaints per 1000 connections received about sewage system blockages	< 15	2.44 per 1000 (10 complaint)	2.44 per 1000 (10 complaint)	10	10
No. of complaints per 1000 connections received about the response to issues with sewage	< 15	0	0	0	0
Proportion of urgent waste water service requests responded to within 6 hours of notification	95%	7/10 (70%)	7/10 (70%)	10	10
Number of dry weather sewerage overflows per 1000 connections	<10	0	0	0	0
Ratepayers and resident's satisfaction with wastewater services	57%			NRB survey:	57%
% of resource consent conditions complied with to mainly complying or better*	90%		98%		
No. of abatement notices	<2				0
No. of infringement notices	0				0
No. of enforcement notices	0				0
No. of convictions	0				0

### 4.2 Consents – Featherston wastewater to land

Further investigations are being organised, a more in-depth investigation of the land treatment area, involving the drilling of 14 additional investigation bores. Further water quality sampling completed to quantify the performance of the treatment plant for pathogens and what treatment may be required to remove the risk to the shallow bore owners. The Featherston plant is operating well against the current consent conditions and would be within the proposed application conditions.

Martinborough irrigation has finished for the season, with the wastewater removed from the Ruamahanga River for 26% of the time in the previous year. The performance is being reviewed for nitrogen removal to maintain the discharge condition.

The Greytown plant has had issues with odours, following a trade waste discharge. The discharge has stopped and mitigation measures are ongoing to restore the ponds back to normal operation. The irrigation to land was commissioned in May ready for operation in the spring. A presentation day on the 19<sup>th</sup> of June went well.

## 5. Stormwater drainage

*SERVICE LEVEL – Stormwater drains are well operated and maintained by the Council.*

### Key Performance Indicators

STORMWATER DRAINAGE KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
		JUL	YTD	JUL	YTD
% of ratepayers and residents satisfied with stormwater drains	59%			NRB survey:	48%
% of urgent (any blockage causing extensive flooding of buildings or other serious flooding) requests for service responded to within 5 hours	95%	0	0	0	0
No. of flooding events	0	0	0	0	0
No. of habitable floors affected per flooding event per 1000 properties connected	0	0	0	0	0
No. of abatement notices	0				
No. of infringement notices	0				
No. of enforcement notices	0				
No. of convictions	0				
Median response time to flooding events (Notification to personnel reaching site in hrs)	3	-	-	0	0
No. of complaints about stormwater per 1000 properties connected	0	0	0	0	0

There were two stormwater blockages reported during the period within the Greytown water race sections.

## 6. Land transport

*SERVICE LEVEL – Roads are maintained to ensure they are safe and comfortable to travel on. Footpaths can be safely used to get around town.*

### 6.1 Key Performance Indicators

LAND TRANSPORT KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
		JULY	YTD	JULY	YTD
Using the RAMM measurement system, average smooth travel exposure on urban roads to be 85% and rural roads 95% with maximum variation of 5%	95%				
Ratepayers and residents fairly/very satisfied with the roads	80%			NRB Survey:	68%
5% of sealed roads are resealed each year subject to availability of NZTA subsidy	100%				
The pavement condition index as measured by the NZTA pavement integrity index	95%				
The number of crashes causing injuries is reduced	Group and control average				
The number of fatalities and serious injury crashes on the local road network	<7				
Ratepayers and residents are satisfied with footpaths in the district	70%			NRB Survey:	62%
Availability of footpaths on at least one side of the road down the whole street	88%				
Footpath Condition rating 95% compliant with SWDC AMP Standard	95%				
The % of customer service requests relating to roads and footpaths responded to within 48 hours	95%	36/39 (92%)	36/39 (92%)	39	39
Meet annual plan footpath targets	Yes				

### 6.2 Roading Maintenance Ruamahanga Roads – Fulton Hogan

The first month of the Ruamahanga Roads contract working with Carterton District Council to share resources to complete programme works. The approved programme was substantially complete on time and within budget.

Works completed as shown below

- 295 km of roads were inspected and identified faults recorded in RAMM for future programming.
- 10 bridges were inspected and found to be in a tidy condition.
- 152.678 km of unsealed roads were graded
- 1589m<sup>3</sup> of maintenance metal was applied to the unsealed roads
- 2 Cattle stops were installed on Ushers hill on White Rock Road as part of resilience works.
- 17 sealed road potholes were identified and filled.
- 31.1 meters of new and replacement culverts were installed.

Sealed road widening on Johnson Street in Featherston adjacent to the dog run was constructed.

Test pits have been dug and samples sent for testing as part of this year's design for sealed Road Rehabilitation.

Emergency response and initial clean-up occurred on Cape Palliser Road from the DOC station to the lighthouse due to extremely high seas and tidal swell.



Cape Palliser Rd tidal swell damage

Cape Palliser Road debris on carriageway

The drain behind Hart Street in Featherston was cleaned out and regraded to Abbots Creek following resident concerns.



Hart St after



Hart St Before

### 6.3 Other activities

Work is continuing the Tora Farm Settlement Road bridge; the retaining walls have been replaced around the abutment with the piles to be driven.



Pile driving Tora farm Settlement bridge.

A summary of maintenance works identified following the programmed Principal and Engineers inspections is currently being reviewed to determine the need and broken into High, Medium and Low work categories to enable maintenance to be programmed and costed.

Udy Street extension and Settlement Road (off Battersea Rd) have been surveyed for inclusion in the South Wairarapa District Roding network to enable subsidised works to be carried out.

## 7. Amenities

The Amenities team is responsible for the management of Council’s parks, reserves and other amenities. The team looks after twelve parks, thirty-one reserves, forty-two buildings, five sports facilities, four cemeteries, eleven public toilets and twenty-two other properties. The Amenities Manager is the contract manager for the City Care parks and reserves contract, and is also responsible for the management of the libraries.

*SERVICE LEVEL – Parks and reserves enhance the quality of life in our communities. Our playgrounds are safe and enjoyed by the community. Clean safe public swimming pools can be accessed in the District. Provision of some low-cost housing for the elderly (or in line with Council policy) in each town. Well maintained hall facilities that are available for the public to book. Public toilets are convenient, clean and safe. There is a wide range of library stock including up to date material.*

### 7.1 Key Performance Indicators

AMENITIES KEY PERFORMANCE INDICATORS	TARGET 2019/20	COMPLAINTS		INCIDENTS	
		MONTH	YTD	MONTH	YTD
Users satisfied with parks and reserves	90%			NRB Survey:	88%
Ratepayers and residents are satisfied with Council playgrounds	85%			NRB Survey:	78%
Council playground equipment that meets national standards	100%				
Council pools comply with NZ swimming pool water testing standards	100%				
Ratepayers and residents’ satisfaction with Council swimming pools	68%				73%
Occupancy of pensioner housing	94%			Actual:	
Ratepayers and residents satisfied with town halls	80%			NRB Survey:	71%
Cycle strategy	Developed				
Ratepayers and residents satisfied with public toilet facilities	87%			NRB Survey:	87%
Taking programmes out into the community and providing a wide variety of programmes in the library	>3 per library				
% of ratepayers and residents satisfied with libraries	90%			NRB Survey:	90%

### 7.2 Housing for Seniors

Flat inspections at Westhaven have been completed. The flats are looking tired and in need of a fresh coat of paint both on the interior and exterior.

If the tenants are planning to be away for a period of time they have been asked to let us know and it may be possible for some interior painting to be done in their absence.

### 7.3 Cemeteries

Contractors have completed the ashes wall 4 at the Featherston cemetery.

*Featherston Cemetery Ashes Walls 2 & 4*



Veteran Affairs are in the first stages of installing beams for nine burial plots and 20 in-ground ashes plots at the Featherston cemetery, block 4, services area.

Costs are being obtained for the following at Featherston Cemetery:

1. costs to install two upright, back to back inground ashes beams (32 ashes plots in total) in front of ashes walls 2 & 4
2. beam for 10 burial plots in Block 1, Catholic section
3. four extension beams for 12 plots, in Block 1a

#### **7.3.1. Purchases of burial plots/niches 16 July to 24 August 2019**

	Greytown	Featherston	Martinborough
Niche			3
In-ground ashes Beam	2		
Burial plot		1	
Services area			
<b>Total</b>	<b>2</b>	<b>1</b>	<b>3</b>

#### **7.3.2. Ashes interments/burials 16 July to 24 August 2019**

	Greytown	Featherston	Martinborough
Burial	2	1	
Ashes in-ground	1	3	
Ashes wall			
Services Area			



Disinterment			
<b>Total</b>	<b>3</b>	<b>4</b>	<b>0</b>

## 7.4 Events

### 7.4.1. Featherston

*Completed events:*

*Future events:*

**Wairarapa Garden Railway Group** – Indoor Running Day – being held 15 September 2019 at the ANZAC hall

**Featherston Expo** – being held 29 September 2019 at the ANZAC hall

**Kokomai Festival – The Keys are in the Margarine** – being held 14 October 2019 at the ANZAC hall

### 7.4.2. Greytown

*Completed events:*

*Future events:*

**The Greytown Woodside Rail Trail Fun Run** – held every Saturday starting 3 November 2018

**Kokomai Festival – String Bean Puppet Show** – being held 19 October 2019 at the Greytown Town Centre

### 7.4.3. Martinborough

*Completed events: Madcaps Show*

*Future events:*

**Jazz in Martinborough** – being held from 29 August to Sunday 1 September 2019 at the Martinborough Town Hall

## Waihinga Playground

Progressing well ahead of completion date at this stage and on budget.

## 8. Library Activity Update

### 1. PURPOSE OF THE REPORT

To update the Committee on the progress and activities of the Wairarapa Library Service.

## 2. SIGNIFICANCE

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

## 3. STATISTICS AND ACTIVITY

The statistics in this report refer to the month of July 2019, as data is gathered at the end of each month. At each committee meeting the statistics and activities update will cover all four libraries, for all months since the last meeting.

### 9. 3.1 Issues and renewals

Physical items:

	Carterton	Featherston	Greytown	Martinborough	Wairarapa Library Service Total
<b>Number of issues and renewals for May 2019</b>	5890	2626	3245	3019	<b>14780</b>
<b>Number of issues and renewals for June 2019</b>	5904	2357	2842	2695	<b>13798</b>
<b>Number of issues and renewals for July 2019</b>	7161	2915	3666	3170	<b>16192</b>

### E-books and Audiobooks

Below are the ebook and audiobook issues for the entire Wairarapa Library Service broken down into months. As you can see Audiobooks show an increase each month.

Wairarapa Library Service	May 2019	June 2019	July 2019
<b>Audiobooks</b>	250	469	539
<b>Ebooks</b>	557	238	309
<b>TOTAL</b>	807	707	848

### 3.2 New Library members

It is great to see our overall figures show a great increase in the people joining our libraries.

	May 2019	June 2019	July 2019
Carterton	29	35	53
Featherston	13	11	26
Greytown	17	23	29
Martinborough	25	17	25
<b>TOTAL</b>	84	86	133

### 9.1

### 3.3 Public Wi-Fi Use (number of times WiFi accessed)

Carterton was one of the first libraries to receive the new hardware from APNK. Completed statistics for all libraries will be available when all have received the new equipment.

	May 2019	June 2019	July 2019
Carterton	518	425	469
Featherston	N/A	N/A	19 (last week of July only)
Greytown	N/A	N/A	0 (upgrade not installed)
Martinborough	N/A	N/A	17 (last week of July only)

### 3.4 Carterton Events

#### Displays

Month	Adult Displays	Junior Displays
May 2019	Nordic Thrillers	May the fourth be with you
		Warning – pirate books!
June 2019	Time for a laugh	Winter Warmers reading programme
July 2019	If you like Lesley Pearse try.....	Family movie night
		Winter Warmers reading programme

#### Events May

- Alpacas with Maracas: On 22 May Carterton library participated in the International Simultaneous Storytime Session. The book read worldwide was “Alpacas with maracas”. Children were able to make their own alpaca mask in the craft activity and petted the live alpacas on display.

#### Events June

- The Winter Warmers reading programme for children has begun this June. There are 117 children registered for the programme.

#### Events July

- On the 3rd the library hosted an evening storytime session with children and their teddy bears. The teddies then stayed in the library overnight as a sleepover. Their antics were captured and turned into a story available for the children to pick up with their teddy bears. You can read about their exploits at <https://bit.ly/2ZEVoCY>.
- A craft session was held during the school holidays. The crafts were all based around the Winter Warmers Reading Programme, and celebrated Matariki

- As part of the Winter Warmers Reading Programme entertainers “Kirsty and Manu” with their tales and sand art.
- The Code Club celebrated completion of the beginner course. They demonstrated their software coding skills to their parents by running their favourite creations.
- The library held 3 craft sessions for children enrolled in the Carterton District Council School Holiday Programme.

Other initiatives - May

- Carterton library implemented a technology upgrade, led by APNK (the suppliers of our public access computing). The library now has 2 fixed Chrome stations and 8 portable Chromebooks available for use within the library. The tech upgrade also included a software management upgrade, allowing library staff to better manage computer allocation and printing services. Come in for a demonstration!

Other initiatives - June

- The annual stocktake was completed in June 2019.

**3.5 Featherston Events**

Displays

Month	Adult Displays	Teen Displays
May 2019	‘I Can’t remember the title, but the colour was blue’	
June 2019	Crochet (for the month)	New Books

Events - May

- Alpacas with Maracas: On 22 May Featherston library participated in the International Simultaneous Storytime Session. The book read worldwide was “Alpacas with maracas”.
- Booktown, the Library hosted a massive Harry Potter Quiz in the Featherston School Hall, Quiz Master, Juanita McLellan and Sam Wiblin with 10 House Elves from Kuranui College attending the tables.
- The Library hosted ‘Puffin the Architect’ author for a reading and book signing.
- Regular preschool programme attendance is up to 15 children plus parents/caregivers (including 3 Dads)
- Penny attended training on Blue Cloud Analytics to enable her to produce reports.

Events - June

- Matariki for pre-schoolers. This event was well attended by pre-schoolers who wrapped up warm for a couple of stories. They had glow sticks and explored the Library garden, lit up with lights.
- Preschool Programme topics were: Puddles, Wet Weather, Hungry Caterpillar Birthday, Giraffes, Animals. Book Bugs was attended by average 15 children and caregivers.
- Crochet classes wound up and proved popular.
- The library hosted class visits from St Teresa's School, Takitimu, Remutaka and Wairarapa.
- Thursday nights – 8 Library users, 1 council, 5 crochet class was average for the month.
- Enrolments for Winter Warmers exceeded our total by 46. All 3 schools have registered the entire school. St Teresa's Year 8 and 9 are trialling the online platform for reviews. [iread.co.nz](http://iread.co.nz)
- Maths is Fun is enrolling slowly. The lower age groups have filled, the older ones are filling slowly.
- A mother addressed a recent Book Bugs session about food and eating during the session. She has a child with a life-threatening allergy and must leave if children's lunch boxes come out. The parents were very sympathetic and understanding. However, it poses the question of food in the Library for these sessions.

#### Events – July

- Maths is Fun Programme ran in Week 1 of the school holidays. We enrolled 35 and 29 completed
- Week 2, we hosted Lego building every morning, this was very well attended.
- Preschool Programme topics Bugs started back for the new term with the Moon Landing
- Class visits from St Teresa's School, Takitimu, Remutaka on the first day of term. We also had a visit from Featherston School Seniors, the first visit for years! We are forging a great relationship with them through Winter Warmers.
- Thursday nights – 8 Library users, 1 council, 5 crochet class is average for the month.
- Winter Warmers booklets have been checked twice with one class achieving 5 reviews.
- Kirsty Wadsworth & Manu Bennett visited to tell their stories of Matariki and perform some sand art. The show was a magical experience for those who attended. Thanks to the Eastern & Central Community Trust for funding ECREAD'N.

- St Teresa’s Year 8 and 9 are trialling the online platform for reviews, we have experienced a couple of issues, which was the idea of the trial, but they are enjoying the challenge. [iread.co.nz](http://iread.co.nz)

Other initiatives

- Featherston extended its hours on a Thursday night until 7.00pm.
- Beginners crochet class with 6 attendees.
- Penny attended ECREAD’N meeting in Masterton to finalise Winter Warmers and to submit the Funding Application to the Eastern & Central Community Trust.
- Seed Bank Collaboration is progressing. A planned craft activity will be held in the next school holidays.
- Our Community Service Worker completed his hours and proved to be a great shelf tidier and had a very willing attitude.

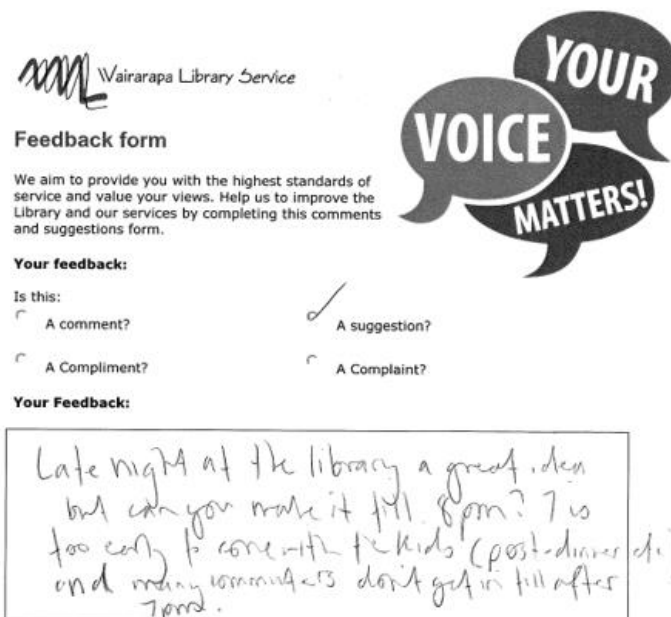
**3.6 Greytown Events**

Events – May

Greytown’s opening hours have been extended to include a late night on Tuesday until 7.00pm.

Events – June

- Late nights have been very well-received and higher numbers are anticipated once the weather improves.



### Events July

## 3.7 Martinborough Events

### Displays

Month	Adult Displays	Teen Displays	Junior Displays
June 2019	Moody Winter Reads	New books	New Books
	Today's Picks		June Author Birthdays

### Events – June

- Book Babies attendance is growing each week – our most recent session was attended by 11 children, plus their parents/caregivers.
- We exceeded our Winter Warmers enrolments by 6 over our allocated spaces.
- We provided “Lego in the Library with Liz” (Stevens). This proved so popular that we will be continuing it through the July school holidays.

### Events - July

- The Library ran two very popular school holiday competitions – a scavenger hunt which garnered 31 entries. There were 3 prize packs up for grabs (Knucklebone café and the new Martinborough Sweet Shop provided some scrummy prizes!) – one of our regular readers won first prize.
- Our second competition was the classic “Guess the lollies in the Jar”; we had an astounding 128 entries, and one person guessed the EXACT number of lollies (99). Bless his heart, he said he was taking them to school the next day to share with his friends.
- Liz the Lovely Librarian brought in her own lego for children to enjoy on the Saturdays she was working in Martinborough; it was very popular!

### Other initiatives

- Martinborough has extended its opening hours on a Saturday and is open until 2.00pm.
- Ali attended training on Blue Cloud Analytics to enable her to produce reports.

- Our children’s library beautification project is coming along in leaps and bounds – we have moved some collections around to improve the flow through the area. We were also blessed with the donation of a FABULOUS new seating/shelving unit from Plunket.
- Kathy S. has created a new area primarily for pet books – it is proving very popular!
- Our newly separate Geronimo section and our new Junior non-fiction display:
- Kathy and Victoria spent time at Carterton Library; it was great practice for them to see the Chromebooks in action and to gain experience at another library
- Feedback from our community regarding the removal of rental fees on fiction material (and reduced photocopying charges) has been overwhelmingly positive.
- Our social media presence is becoming more and more prominent in the community - our Facebook page has 589 followers at present. Considering Martinborough’s population of approximately 1,680, we consider this a great achievement.

### **3.8 Update**

9.2 South Wairarapa staff have undertaken training in Interloans, and Blue Cloud Analytics, enabling them to produce reports and examine statistics provided by the library management system. At present, staff are gaining experience using these reports and once they are comfortable and experienced in producing reports, Acquisition training will be rolled out to each of the South Wairarapa libraries. This is a part of the Library Management System, enhancing ordering, invoicing and budget tracking. Kotui has requested that libraries use this process as part of Workflows.

9.3 Carterton and South Wairarapa staff have recently had Enterprise training by Sirsi Dynix so that every library has access to and is able to upload events and information to the Wairarapa Library Service website. This was held at Carterton and was well received by all participants. There will be ongoing training opportunities for all staff.

The three South Wairarapa Libraries have extended their opening times by two hours each. These times afford customers more opportunity to access a WLS library, especially commuters. Currently, the new opening times are for a three-month trial and has been so successful that the new opening times will remain.

- Greytown library is now open on Tuesday 09.00am – 7.00pm
- Featherston library is now open on Thursday 09.00am – 7.00pm
- Martinborough library is now open on Saturday 10.00am – 2.00pm



- Carterton library is open on Saturday  
4.00pm

10.00am –

Customer forms and stationery are being adopted for use in every library enhancing consistency of service e.g. all libraries have the same customer Feedback form and staff are being encouraged to get customer feedback on the new opening times. Libraries are being encouraged to share their forms and stationery to ensure best practice and continuity. This will be ongoing.

All libraries have received their new hardware from APNK. Feedback on the new Chromebooks is overwhelmingly positive. Carterton elected to have mobile devices for customers with two fixed stations and the South Wairarapa libraries have fixed stations with one mobile device for staff use. These mobile devices have not yet been delivered yet because of supply problems. They should arrive within the next month.

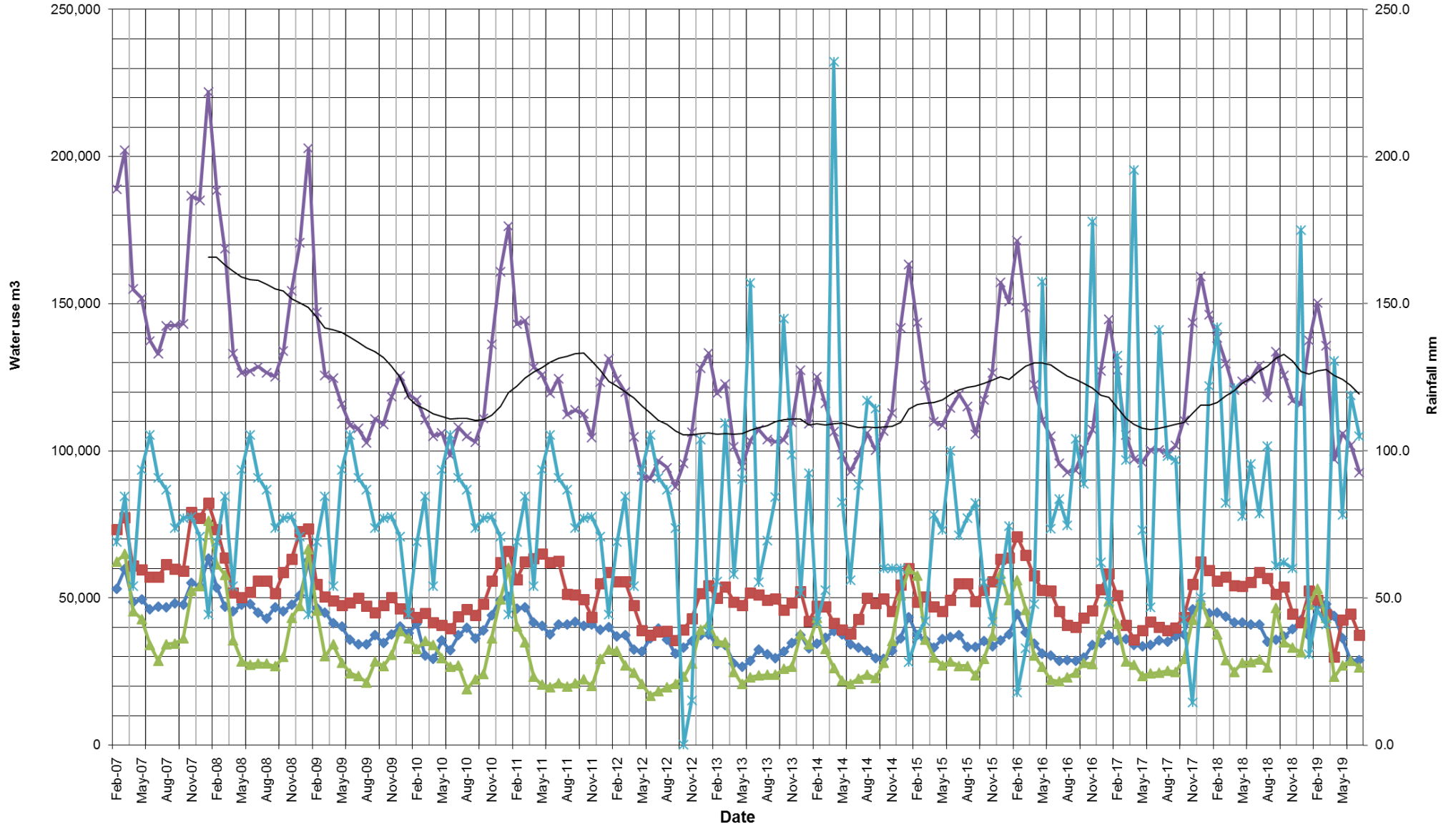
The library service now has a new app. Using the app, our communities no longer need to carry their library card with them as their barcode is accessible directly from the app. In addition to all the standard capabilities, such as browsing the catalogue, reserving items, renewing their books, you can also use the app to scan the ISBN barcode on the back of any book and see if we have it in the Wairarapa library system. Feedback from customers is very positive and, as it has made it possible to check the library stock quickly when undertaking a physical stock buy, feedback from the staff who have used it is also positive.

Contact Officer : Mark Allingham, Group Manager Infrastructure and Services

Reviewed By : Jennie Mitchell, Group Manager Corporate Support

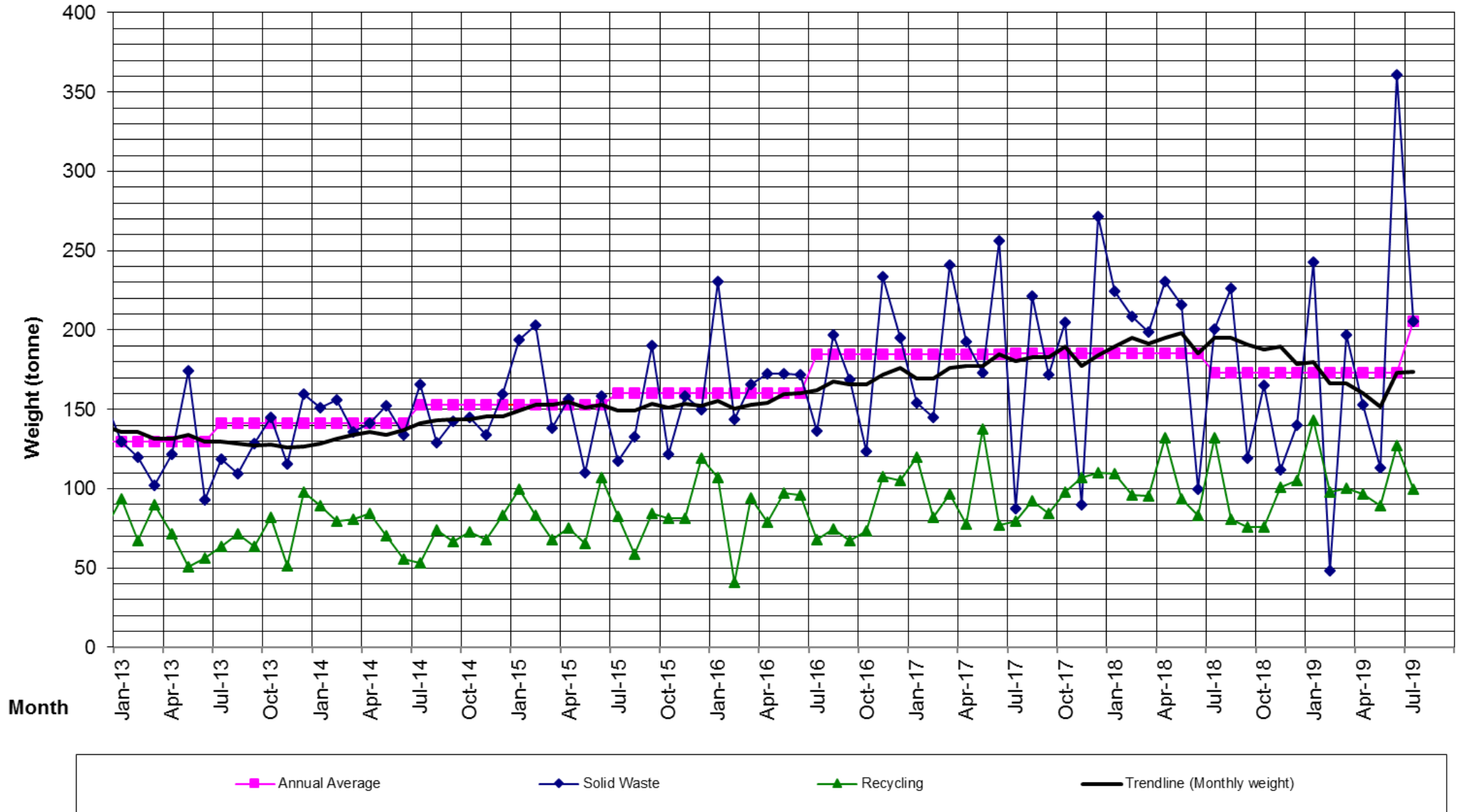
# **Appendix 1 – Monthly water usage**

# Water use South Wairarapa District Council



## **Appendix 2 – Waste exported to Bonny Glen**

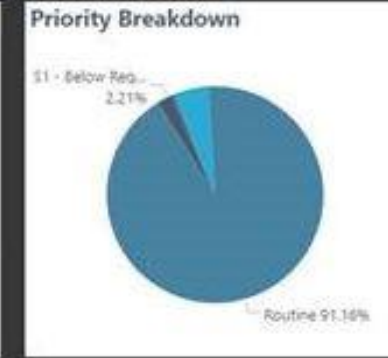
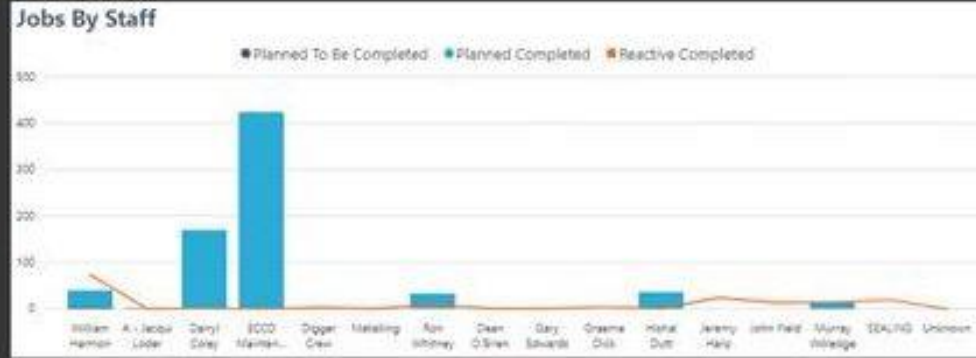
### Monthly weight of waste transferred to Bonny Glen



# **Appendix 3 – Fulton Hogan Reporting July & August 2019**

# Monthly Programme - Ruamahunga Roads CDC (2019-2029)

01/07/2019 to 31/07/2019



### Programmed Last Month

Fault Description	Jobs	Qty	Units
K&C - Sweep	422	57,376	m
Sign Inspection	132	132	each
Carriageway Inspection	52	128,700	m
Grading	33	109,400	m
Edge break	25	261	m
Unsealed Inspection	14	42,997	m
Edge Marker - Replace	10	11	each
Install Edge Marker (Renew)	9	39	each
Bridge Inspection	8	8	each
Post - Leaning	2	2	each
Sign & Support - Entire Replacement	2	1	each
Street Sweeping	2	356	m
Low Shoulder	1	60	m2
Mill & Fill - Deformation	1	10	m2
Post - Paint	1	1	each

### Reactive Completed

Fault Description	Jobs	Qty	Units
Sealed Pothole	38	42	each
Edge Marker - Replace	27	27	each
Carriageway Inspection	24	18,034	m
Edge break	22	91	m
Grading	8	10,965	m
Install Edge Marker (Renew)	5	5	each
Fpath - Driveway Repair	4	41	m2
Dumping/Debris/Debris	3	33	m2
K&C - Repair	3	16	m
Footpath - Renew (Concrete)	2	19	m2
Post - Replace	2	2	each
Railing - Paint	2	5	m
ServiceCover - Uneven	2	2	each
Sight Rail - Repair/Replace	2	11	m
Sign - Accident (Repair/Replace)	2	2	each



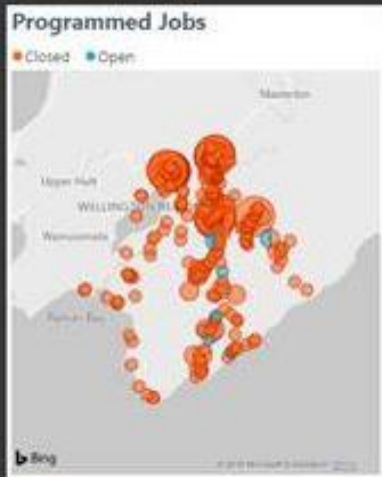
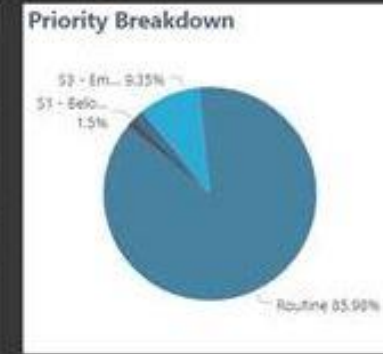
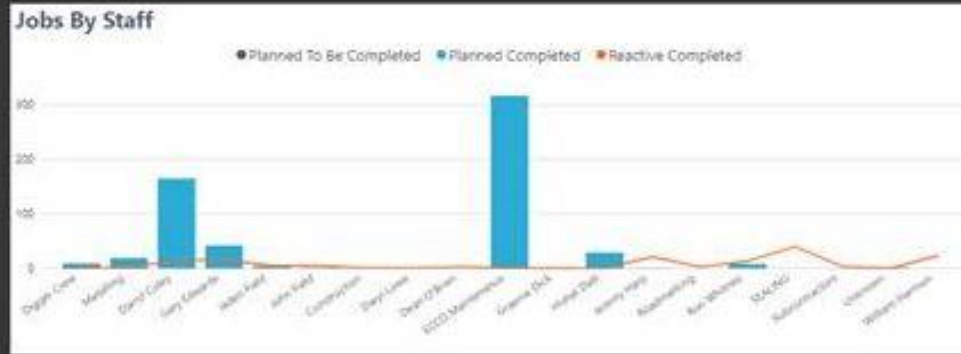
### Job Details

Dispatch ID	Road	Staff Name
2	ADMIRAL STA...	Darryl Coley
3	ANILRINE SE...	Darryl Coley
4	BARLEY FLAT ...	Darryl Coley
5	BEACH ROAD	Darryl Coley
6	CHESTER PAR...	Darryl Coley
7	MARKET SQUA...	Darryl Coley



# Monthly Programme - Ruamahunga Roads SWDC (2019-2029)

01/07/2019 to 31/07/2019



### Programmed Last Month

Fault Description	Jobs	Qty	Units
K&C - Sweep	117	42,941	m
Sign Inspection	84	84	each
Carriageway Inspection	66	201,3...	m
Grading	30	130,9...	m
Unsealed Inspection	31	80,024	m
Resheeting - Renewal	16	995	m3
Bridge Inspection	12	12	each
Culvert - Clear Inlet/Outlet	3	3	che...
Resheeting - Maintenance	3	198	m3
Cattle Stop - Maintenance	2	2	each
Fpath - Uneven Surface	2	30	m2
Slip (Emergency)	2	44	m3
Blocked Drainage	1	1	each
Carriageway Inspection	1	2,955	m2
Culvert - Maintenance	1	1	m

### Reactive Completed

Fault Description	Jobs	Qty	Units
Grading	29	41,525	m
Level - Uneven Surface	28	81	m2
Carriageway Inspection	21	13,293	m
Sealed Pothole	17	17	each
Bridge Inspection	14	14	each
Edge break	12	112	m
Road Drop Out (Emergency)	4	4	m3
Light out	3	3	each
Marking - New	3	3	each
Sump Blocked - Clean (including Grate)	3	3	each
Culvert - New	2	20	m
Dumping/Debris/Debris	2	1,618	m2
Post - Replace	2	2	each
Resheeting - Maintenance	2	4,963	m3
Fallen Tree On Rd (Emergency)	1	1	each



### Job Details

Dispatch ID	Road	Staff Name
1	KUMENGA RD	Metalling
2	WHITE ROCK ...	Metalling
3	WHAKATOM...	Metalling
136	WHITE ROCK ...	Digger Crew
137	WHITE ROCK ...	Digger Crew
147	WHAKATOM...	Metalling





# Monthly Programme - Ruamahunga Roads CDC (2019-2029)

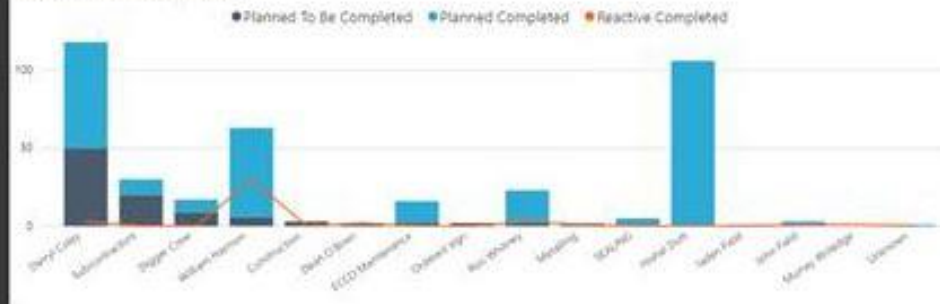
01/08/2019 to 31/08/2019



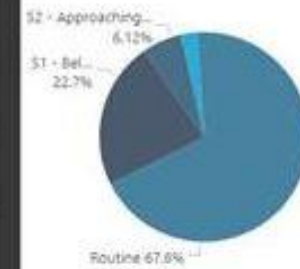
## Programme Achievement



## Current Jobs By Staff



## Priority Breakdown



## Programmed Jobs



## Programmed This Month

Fault Description	Jobs	Qty	Units
Carriageway Inspection	88	144,447	m
Sign Inspection	62	59	each
Sign Inspection	42	0	
Edge Marker - Replace	35	37	each
Light out	29	29	each
Grading	23	35,132	m
Unsealed Inspection	19	56,385	m
K&C - Sweep	16	8,596	m
Sign - Replace	14	15	each
Bridge Inspection	11	11	each
Edge break	5	24	m
Road - Paint	5	6	each
Low Shoulder	4	102	m
Rehab - Granular Overlay	4	5,756	m <sup>2</sup>
Culvert - Clear Inlet/Outlet	3	3	m

## Reactive Completed

Fault Description	Jobs	Qty	Units
Sealed Pothole	13	24	each
Dumping/Debris/Debris	7	57	m <sup>2</sup>
Dumping/Debris/Debris	5	13	m <sup>3</sup>
Dumping/Debris/Debris	3	3	each
Grading	2	1,032	m
Tree Removal	2	13	each
Unsealed Potholes	2	2	each
Culvert - Waterblast	1	10	m
Fallen Tree On Rd (Emergency)	1	1	each
Flooding	1	0	m <sup>3</sup>
Resurfacing - Maintenance	1	13	m <sup>3</sup>
Sign Inspection	1	1	each
Sump Blocked - Clean (Including Gr...	1	1	each
Vehicle Accident	1	1	each

## Programme Categories



## Job Details

Dispatch ID	Road	Staff Name
234	GLADSTONE ...	Ron Whitney
324	LONGBUSH R...	William Harmon
332	BROOKLYN R...	William Harmon
375	CARTERS LINE	William Harmon
376	CARTERS LINE	William Harmon
426	TRAYCOBY R...	William Harmon

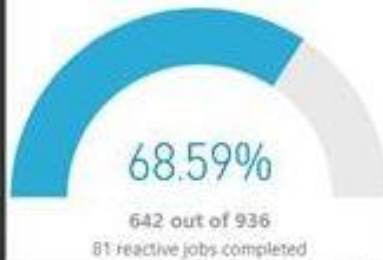


# Monthly Programme - Ruamahunga Roads SWDC (2019-2029)

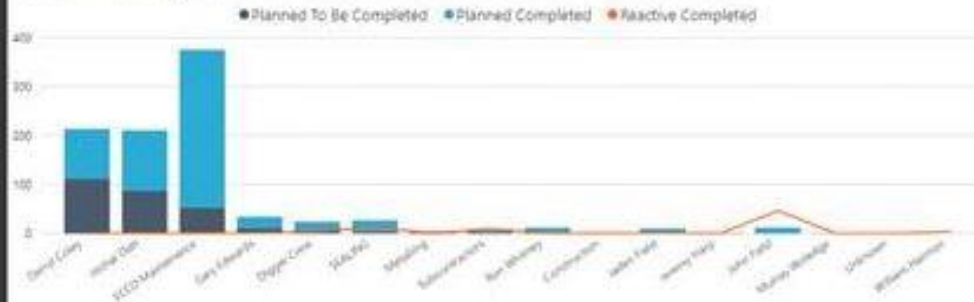
01/08/2019 to 31/08/2019



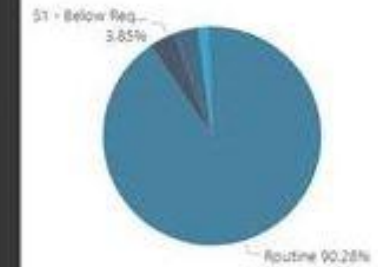
## Programme Achievement



## Current Jobs By Staff



## Priority Breakdown



## Programmed Jobs



## Programmed This Month

Fault Description	Jobs	Qty	Units
K&C - Sweep	376	51,982 m	
Sign Inspection	272	272 each	
Carrageway Inspection	95	214,183 m	
Grading	46	67,329 m	
Unsealed Inspection	42	76,109 m	
Edge break	22	202 m	
Bridge Inspection	16	16 each	
Culvert - Clear Inlet/Outlet	10	10 one...	
Culvert - New	5	47 m	
Level - Depression	4	42 m2	
Resheeting - Maintenance	4	405 m3	
High Cut	3	1,500 m	
Sign - Replace	3	5 each	
Culvert - Maintenance	2	16 m	
Culvert - New	2	2 each	

## Reactive Completed

Fault Description	Jobs	Qty	Units
Sealed Pothole	20	29 each	
Edge break	10	41 m	
Light out	10	10 each	
Sign and/or Post - New Installation	6	7 each	
Dumping/Debris/Debris	4	620 m2	
Edge Marker - Install/Upgrade	4	4 each	
Sump Blocked - Clean (including Gr...	4	4 each	
Bridge End Marker - Install/Replace	3	3 each	
Culvert - Clear Inlet/Outlet	3	3 one...	
Digout - Deformation	3	95 m2	
Post - Leaning	3	3 each	
Mowing	2	30 m	
Sight Rail - New	2	29 m	
Dumping/Debris/Debris	1	1 each	
Grading	1	2,175 m	

## Programme Categories



## Job Details

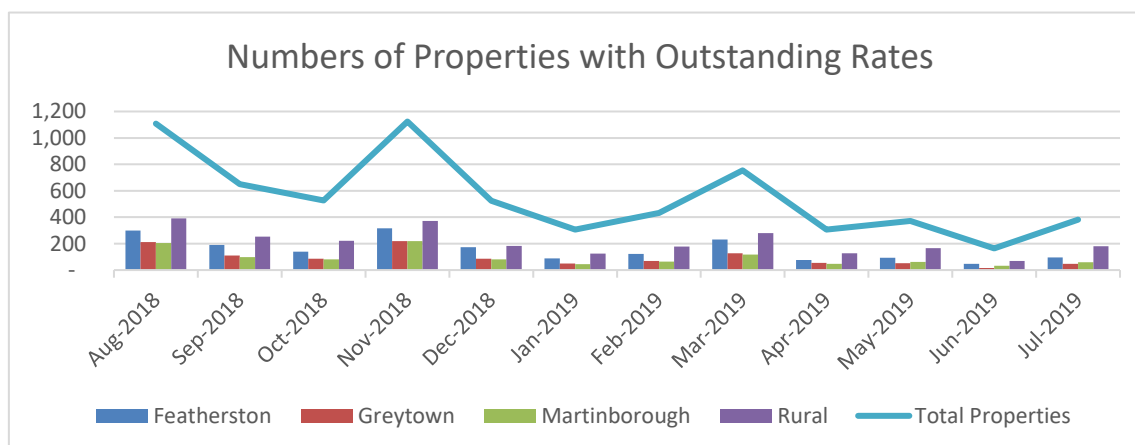
Dispatch ID	Road	Staff Name
341	HUKAWERA RD	Darryl Coley
1739	TORA RD	Digger Crew
1740	TORA RD	Digger Crew
1743	TORA RD	Digger Crew
1745	TORA RD	Digger Crew
1746	TORA RD	Planner Crew



## CORPORATE SERVICES REPORT

### Rates Arrears

The rates arrears graphs below show continued improvement in the recovery of overdue rates which is due to a consistent approach to dealing with our overdue debtors.



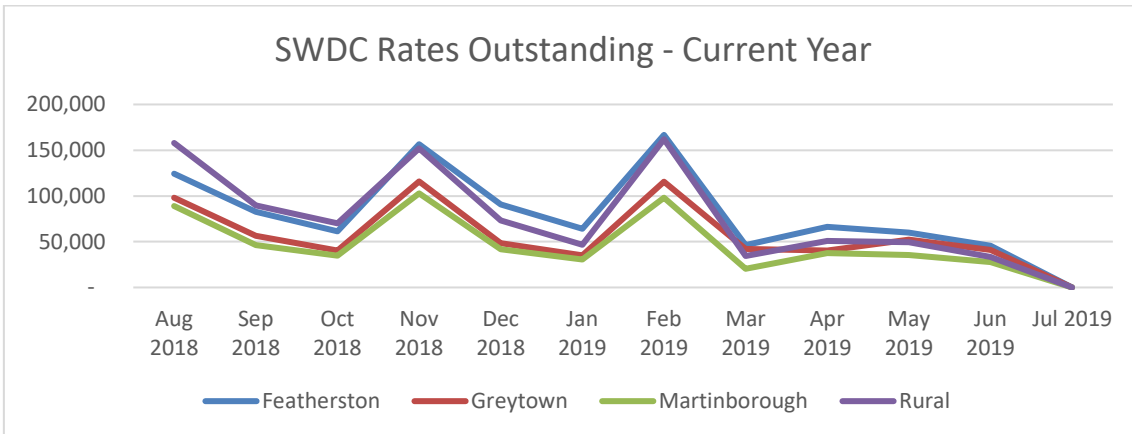
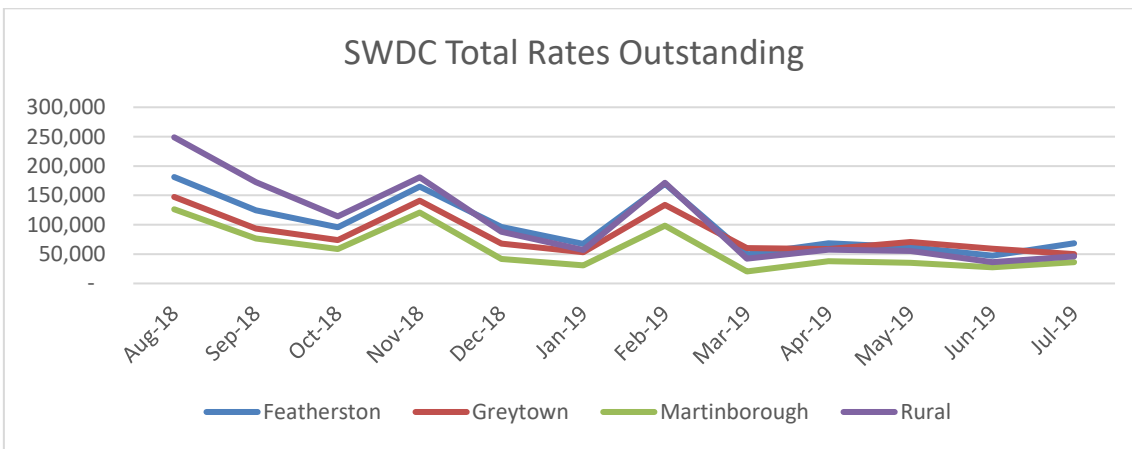
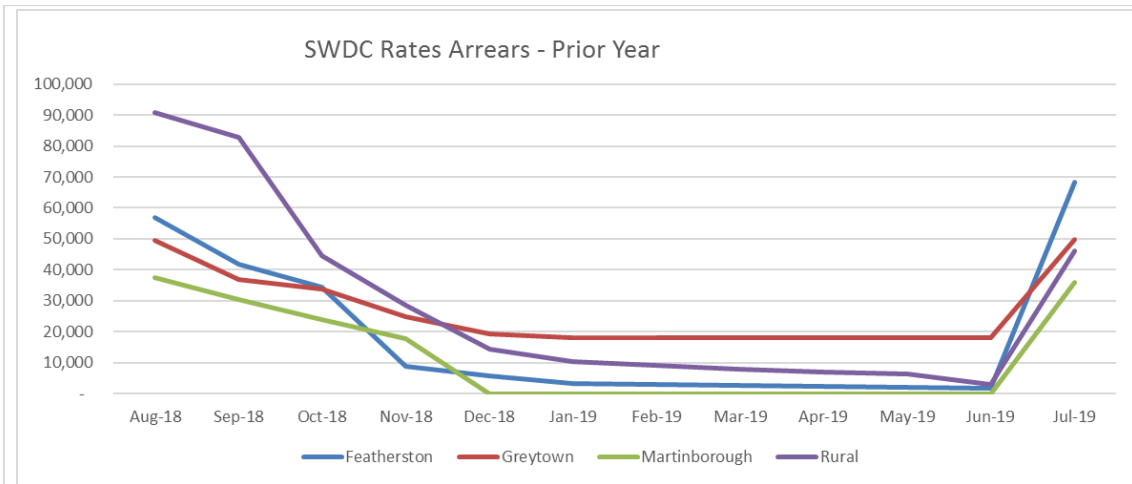
Now that we have rolled the rates ledger over into the new financial year, the amount of rates arrears has increased to \$200k. At the end of July 2018, the arrears amount was \$300k so this has dropped \$100K or one third over the last year due to the consistent work done by the rates team.

We will soon commence the process to recover arrears from those ratepayers who have mortgages through their banks as we are entitled to do through the Rating Act.

There are now only five ratepayers with arrears dating back to the 2018 year and earlier. Of these 1 is on repayment plan, 2 have issues with the title of their property, and 2 are lodged with debt collectors.

We have had a good response to the rates rebate scheme already this year with 196 rebates processed to date. Last years total was 369 rebates, so we have processed over half the likely rebates already.

We now have 37% of ratepayers paying by Direct debit, and will continue to work on increasing this percentage as this reduces administration costs considerably.



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## INCOME AND EXPENDITURE STATEMENTS

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### **Purpose of Report**

To present the Community Board with the most recent Income and Expenditure Statements.

### **Recommendations**

Officers recommend that the Community Board:

1. *Receive the Income and Expenditure Statement for the period 1 July 2018 – 30 June 2019.*
2. *Receive the Income and Expenditure Statement for the period 1 July 2019 – 31 October 2019.*

### **1. Executive Summary**

The Income and Expenditure Statement for 1 July 2018 – 30 June 2019 is attached in Appendix 1. The Income and Expenditure Statement for 1 July 2019 – 31 October 2019 is attached in Appendix 2.

The Chair may ask Council officers for comment and all members may ask the Council officers for clarification and information through the Chair.

### **2. Appendices**

Appendix 1 - Income and Expenditure Statement for 1 July 2018 – 30 June 2019

Appendix 2 - Income and Expenditure Statement for 1 July 2019 – 31 October 2019

Contact Officer: Susan Mitchell, Records and Archives Officer

Reviewed By: Katrina Neems, Finance Manager

**Appendix 1 - Income and Expenditure  
Report for the period 1 July 2018 – 30  
June 2019**

<b>Featherston Community Board</b>		
<b>Income &amp; Expenditure For the Period Ended 30 JUNE 2019</b>		
	<b>INCOME</b>	
	Balance 1 July 2018	7,546.59
	Annual Plan 2018/19	27,639.00
	<b>TOTAL INCOME</b>	<b>35,185.59</b>
	<b>EXPENDITURE</b>	
	Members salaries	15,948.84
	Mileage reimbursements	766.47
	<b>Total Personnel Costs</b>	<b>16,715.31</b>
23/08/2018	AP Local Governmen CBEC levy for 2018/19	216.66
29/08/2018	Refreshments for CD exercise	48.48
29/08/2018	Meet the candidates expenditure	31.25
30/06/2018	AP Walker - delivery of flyers for CD Exercise	21.74
25/09/2018	AP Printcraft Ramsden & West business cards	210.00
17/10/2018	Lime Path Garden of remembrance - Funded by Chor Farmer donation	205.53
24/10/2018	AP OfficeMax New Z Stationery and supplies	6.59
10/11/2018	Tree Top flower wreath - Lest We Forget	110.00
15/02/2019	AP NZ Community Bo CB conference 2019 M Shepherd	656.52
12/03/2019	AP Lamb-Peters Pri Meet the candidates flyers	190.00
13/12/2019	AP Traffic Managem Fsn Xmas parade L1 traffic mgmnt	1,662.49
31/10/2019	AP Lamb-Peters Pri Featherston Xmas Parade	75.00
13/04/2019	AP The Devon Hotel FSTN CB 19 Conference M Shepherd	400.60
5/06/2019	CB Conf exp M Shepherd	570.07
	<b>Total General Expenses</b>	<b>4,404.93</b>
1/07/2018	AP Traffic Safe Ne Fsn Xmas Parade 10/12/16 traffic managem	1,048.00
3/07/2018	AP Featherston Her FCB grant-towards hosting Chor Farmer	500.00
24/07/2018	AP Maths Wairarapa FCB grant costs for schools maths compet	300.00
31/07/2018	AP Featherston Ass FCB grant - Friday Club	500.00
22/11/2018	AP Cross Creek Rai FCB grant trailer to transport fell eng	1,000.00
0/01/1900	AP Featherston Fir FCB Grant 2018 outdoor summer events	500.00
4/12/2018	AP Featherston Com Financial assist mtc carpark to fix floo	500.00
12/12/2018	AP South Wairarapa St Johns grant - Sports Equipment for P	500.00
20/12/2018	GL corr FCB Grant to Fstn Info Ctre Operating exp	500.00
14/01/2019	AP Pae Tu Mokai O FCB grant for exp logo & kapa haka group	500.00
30/01/2019	AP C Athletics Fea FCB grant Childrens triathlon Feb 19	500.00
19/03/2019	Wairarapa Rape & Sexual Abuse Collective Inc	200.00
21/05/2019	FCB GL Corr C Gallaway develop/present artwork	500.00
14/05/2019	AP Featherston Dog Improvements to Dog Park	500.00
25/06/2019	Fstn Athletics refund grant 1/19	-500.00
18/06/2019	AP Maths Wairarapa Costs for running 'Matharapa'	300.00
	<b>Total Grants</b>	<b>7,348.00</b>
	<b>TOTAL EXPENDITURE</b>	<b>28,468.24</b>
	<b>ACTUAL NET SURPLUS/(DEFICIT) YEAR TO DATE</b>	<b>6,717.35</b>
	<b>LESS: COMMITMENTS</b>	
	Salaries to 30 June 2019	236.16
	Mileage to 30 June 2019	-266.47
13/03/2018	Poppy Places Project	79.00
12/03/2019	Featherston Junior Football Club - equipmt & coaching in fstn schools	500.00
23/04/2019	Featherston Expo for advertising	296.00
23/04/2019	Organic Week Group - payable on receipts	500.00
23/04/2019	Narida Hooper - Rangatahi Painting workshop w. Joe Mcmenamin - Pay on receipts	500.00
4/06/2019	RSA - proposed cost of purchasing a wreath up to \$100	100.00
16/07/2019	Featherston Cloth Collective - crocheted Christmas tree	500.00
	<b>Total Commitments</b>	<b>2,444.69</b>
	<b>BALANCE TO CARRY FORWARD</b>	<b>4,272.66</b>

<b>Featherston Community Board</b>		
<b>Beautification fund For the Period Ended 30 JUNE 2019</b>		
	Balance 1 July 2018	49,980.00
	Annual Plan 2018/19	10,710.00
	<b>TOTAL INCOME</b>	<b>60,690.00</b>
25/10/2018	AP Featherston Cam Fsn camp sculpture grant(roll over from	45,000.00
14/12/2018	AP Souness Develop Ref P O 34065 Flagtrax, bracket, dia pole	6,125.00
21/05/2019	FCB GL Corr OneSource Limit flag prep 30/11/18	195.00
21/05/2019	FCB GL Corr OneSource Xmas flags 20/12/18	1,555.00
21/05/2019	FCB GL Corr C Gallaway develop/present artwork 14/02/19	200.00
	<b>Total Beautification</b>	<b>53,075.00</b>
	<b>TOTAL EXPENDITURE</b>	<b>53,075.00</b>
	<b>ACTUAL NET SURPLUS/(DEFICIT) YEAR TO DATE</b>	<b>7,615.00</b>
	<u>LESS: COMMITMENTS</u>	
16/07/2019	One set of 15 "Featherston Welcomes You" street Banners - OneSource	1,170.00
	<b>Total Commitments</b>	<b>1,170.00</b>
	<b>BALANCE TO CARRY FORWARD</b>	<b>6,445.00</b>



**Appendix 2 – Income and Expenditure  
Report for the period 1 July 2019 – 31  
October 2019**

**Featherston Community Board**  
**Income & Expenditure for the Period Ended 31 OCTOBER 2019**

	<u>INCOME</u>	
	Balance 1 July 2019	6,717.35
	Annual Plan 2019/20	28,053.00
	<b>TOTAL INCOME</b>	<b>34,770.35</b>
	<u>EXPENDITURE</u>	
	Members salaries	4,601.25
	Mileage reimbursements	141.36
	<b>Total Personnel Costs</b>	<b>4,742.61</b>
31/07/2019	exp x payroll JULY Fstn Organic week exps	499.82
30/09/2019	AP Wairarapa Times Advertising Sep 2019 - FSTN Expo	296.00
	<b>Total General Expenses</b>	<b>795.82</b>
18/07/2019	Featherston Clothing Collective	500.00
1/07/2018	AP Hooper N Painting Workshop Costs	500.00
3/07/2018	AP The Featherston Donation to RSA	100.00
2/09/2019	Featherston Heritage - print brochures wwith new logo	500.00
2/09/2019	AP Pae Tu Mokai O Assist with new Signage	500.00
3/09/2019	AP Lamb-Peters Pri Wairarapa Moana Trails Group Banner	418.00
	<b>Total Grants</b>	<b>2,518.00</b>
	<b>Total Capital Expenditure General</b>	<b>0.00</b>
	<b>TOTAL EXPENDITURE</b>	<b>8,056.43</b>
	<b>ACTUAL NET SURPLUS/(DEFICIT) YEAR TO DATE</b>	<b>26,713.92</b>
	<u>LESS: COMMITMENTS</u>	
	Salaries to 30 June 2020	11,664.75
	Mileage to 30 June 2020	358.64
13/03/2018	Poppy Places Project	79.00
12/03/2019	Featherston Junior Football Club - equipmnt &coaching in fstn schools	500.00
27/08/2019	Wairarapa Moana Trail Trust - banner/flyers (\$500 committed) - remainder	82.00
	<b>Total Commitments</b>	<b>12,684.39</b>
	<b>BALANCE TO CARRY FORWARD</b>	<b>14,029.53</b>

**Featherston Community Board**  
**Beautification Fund for the Period Ended 31 OCTOBER 2019**

	<b>Total Beautification</b>	<b>0.00</b>
9/08/2019	One Source Street Flags	1,186.00
	<b>Total Capital Expenditure - Beautification</b>	<b>1,186.00</b>
	<b>TOTAL EXPENDITURE</b>	<b>1,186.00</b>
	<b>ACTUAL NET SURPLUS/(DEFICIT) YEAR TO DATE</b>	<b>17,139.00</b>
	<u>LESS: COMMITMENTS</u>	
	<b>Total Commitments</b>	<b>0.00</b>
	<b>BALANCE TO CARRY FORWARD</b>	<b>17,139.00</b>

APPLICATIONS FOR FINANCIAL ASSISTANCE

**Purpose of Report**

To present the Community Board with applications received requesting financial assistance.

**Recommendations**

Officers recommend that the Community Board:

1. *Receive the Applications for Financial Assistance Report.*
2. *Consider the application from Wairarapa Citizens Advice Bureau for funding of \$350 to support its day to day running costs.*
3. *Consider the application from Featherston RSA for funding of \$500 to contribute to the cost of painting the exterior of the RSA.*

**1. Executive Summary**

The Community Board has delegated authority to make financial decisions within the confines of the allocated and available budget. Applications will be provided to members in confidence.

<b>Applicant</b>	<b>Amount Requested</b>
Wairarapa Citizens Advice Bureau	\$350
Featherston RSA	\$500

## 2. Criteria

The criteria of the grant are:

To be eligible, applications must be from non-profit organisations that are benefiting the local Featherston community. All grants will be considered on a case by case basis and must list all funding raised at time of application. Grants are considered at every meeting throughout the year.

1. Applicants need not be incorporated bodies, but the Board must be satisfied that they are responsible organisations which will be fully accountable for any grants they receive, have relevance to the Community and do not qualify for Creative Communities New Zealand funding.
2. Successful applicants are required to expend grants received within six months of payment being made. A request must be made, should an extension of time be needed.
3. An accountability in report form, together with evidence of the expenditure of a grant received (copies of invoices or receipts) is required within three months of a grant being expended.
4. All questions must be completed.
5. **The maximum grant will be \$500 unless special circumstances are considered to exist. (GST will be added to grants approved for GST registered applicants).**
6. Applications must reach the Council not less than ten days before the relevant Community Board is to consider an application.
7. Grant applications will be considered at every meeting.

## 3. Accountability Reports

Applicant	Status of Accountability Forms for Previous Grants
Wairarapa Citizens Advice Bureau	No outstanding accountability forms
Featherston RSA	No outstanding accountability forms

Contact Officer: Steph Dorne, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive Officer

**SUMMER WATER DEMAND**

**Purpose of Report**

To inform the Community Board Members of the summer water demand approach for Featherston.

**Recommendations**

Officers recommend that the Community Board:

- 1. Receive the Summer Water Demand Report.*
- 2. Note the vulnerabilities of the Featherston water supply and potential impact on summer water demand.*
- 3. Note the Wellington Water microsite for summer water demand information.*

**1. Background**

South Wairarapa District Council became a shareholder of Wellington Water on 1 October 2019. On this date, Wellington Water commenced management and operation of our water supplies and immediately began a full review of the water infrastructure.

There is some work to be done to bring the water treatment plants to compliance with drinking water standards. Featherston and Greytown are both supplied from the Waiohine Water Treatment Plant, which draws water from a series of bores near the Waiohine River. The water is treated using Ultraviolet (UV) and chlorine disinfection (multi-barrier approach).

The Waiohine Water Treatment Plant does not currently have sufficient capacity to supply both Greytown and Featherston alone. Earlier this year, installation of an additional supply bore at the plant, together with lining of an existing storage pond to convert it to a treated water storage facility was initiated, in order to provide additional supply capacity. However, unfortunately this work is yet to be completed and is unlikely to be ready for the upcoming peak summer demand period. This means that there is an ongoing reliance on the Memorial Park bore to supply Greytown.

The Memorial Park bore is treated using chlorine only, with no multi-barrier protection and does not comply with drinking water standards requirements. This means that if the system does not function correctly

there would be no treatment in place and we would have to issue a boil water notice as part of our duty of care.

Because of this, Wellington Water has recommended prioritising providing additional treatment protection at Memorial Park as soon as possible.

The Memorial Park bore is currently relied upon to operate every day and supply Greytown due to the inadequate capacity at the Waiohine plant.

This water supply vulnerability could affect summer demand water availability.

## **2. Discussion**

The Summer Demand approach for Featherston is to ensure that the community is aware that everyone has a part to play in managing summer water demand.

Wellington Water will endeavour to ensure that the community feel informed about what to expect and have choices about their own water consumption. Messaging about ways to conserve water and what restrictions apply to Featherston will be promoted via the microsite [www.wellingtonwater.co.nz/SWDC](http://www.wellingtonwater.co.nz/SWDC).

Featherston is subject to all year alternate day watering, with even numbered properties on even numbered dates and odd numbered properties on odd numbered dates.

When water supply becomes limited, the Featherston community will step through graduated outdoor water restrictions as required. We will ensure that the community has as much notice as possible to respond to these restrictions.

Outdoor watering restrictions for Featherston will be applied via public notice pursuant to clause 4.7.3 of the Wairarapa Consolidated Bylaw 2019 Part 5: Water Supply.

## **3. Recommendations**

1. Note the vulnerabilities of the Featherston and Greytown water supply and potential impact on summer demand.
2. Note the Wellington Water microsite for summer water demand information.

## **4. Appendices**

Appendix 1 – Example of public notice

Contact Officer: Harry Wilson, Chief Executive Officer

Reviewed By: Jennie Mitchell, Group Manager Corporate Support

# Appendix 1 – Notice Example



## FROM 30 NOVEMBER 2019 HAND HELD WATERING ONLY

### IN MARTINBOROUGH TOWN UNTIL FURTHER NOTICE

The following restrictions apply to outdoor water use:

- HAND HELD watering devices only
- No sprinklers, irrigation systems or unattended hoses.

This is in addition to year-round alternate day watering - even numbered properties on even numbered dates and odd numbered properties on odd numbered dates.

This measure has been taken to ensure that there is enough clean, clear, and safe drinking water for our community.

For more information please visit:  
[www.wellingtonwater.co.nz/SWDC](http://www.wellingtonwater.co.nz/SWDC)

This notice is issued pursuant to: clause 4.7.3 of the Wairarapa Consolidated Bylaw 2019 Part 5: Water Supply.

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**LAWS AFFECTING ELECTED MEMBERS**

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**Purpose of Report**

To provide a general explanation of some of the laws that regulate the conduct of elected members.

**Recommendations**

Officers recommend that the Featherston Community Board:

1. *Receive the Laws Affecting Elected Members Report.*
2. *Note the laws and obligations affecting elected representatives.*

**1. SIGNIFICANCE**

The matters for decision in this report are not considered to be of significance under the Council’s Significance and Engagement Policy.

**2. BACKGROUND**

The Local Government Act 2002 requires that, at the first meeting of the Council following a triennial general election, the chief executive must give or arrange for a general explanation of certain laws affecting elected members. This was given at the first meeting of the triennium for Council and community boards on 30 October 2019. As not all members of the Featherston Community Board were present at this first meeting, members are being presented with a general explanation of some of the laws that regulate the conduct of elected members.

Below is a summary of the key legislation that is relevant to the conduct of Councillors in relation to legal liability. Summarised are also the Local Government Act 2002 and Local Government Official Information and Meetings Act 1987 where they address with the role and function of the Council and councillors, and with the conduct of meetings.

The governance and management provisions of the Local Government Act, relevant to members’ conduct, are in Appendix 2.



### **3. LAWS AND OBLIGATIONS RELATING TO MEMBERS' LEGAL OBLIGATIONS**

There are certain legal provisions that councillors must be aware of because breaching the rules can have the consequence of loss of office, fines, or imprisonment. These provisions are contained in the:

- Secret Commissions Act 1910;
- Crimes Act 1961;
- Local Authorities (Members' Interests) Act 1968;
- Financial Markets Conduct Act 2013;
- Health and Safety at Work Act 2015; and
- Public Records Act 2005.

The following is a summary of these enactments.

#### **3.1 Secret Commissions Act 1910**

The Secret Commissions Act 1910 deems every councillor to be an agent of the Council (section 16(1)(b)). It creates offences in relation to accepting inducements or rewards for doing or forbearing to do something in relation to the Council's affairs or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)).

It is an offence, similarly, to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

Section 5 of the Act makes it an offence for a member not to disclose to the Council his or her pecuniary interest (which includes the pecuniary interest of a parent, spouse/partner, or child) in a contract when making a contract on behalf of the Council (see also the discussion of the Local Authorities (Members' Interests) Act 1968 below). Section 9 of the Act makes it an offence to aid or abet, or to be in any way directly or indirectly concerned in, or privy to, the commission of any offence against the Act.

Conviction of an offence under the Act carries with it the possibility of imprisonment for up to two years, or a fine not exceeding \$1,000. Such conviction may also have the consequence of loss of office, in terms of clause 1 of Schedule 7 of the Local Government Act 2002.

#### **3.2 Crimes Act 1961**

The Crimes Act 1961 is relevant to Councillors as it deals with bribery and corruption. Councillors are within the definition of an "official" in section 99 of the Crimes Act. Section 105 of that Act provides that every official is liable to imprisonment for a term not exceeding seven years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for him or herself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in an official capacity.

Putting this simply, it is an offence against this section to seek or obtain a reward for performing one's official duties as a councillor.

Section 105A then goes on to make it an offence, once again carrying a term of imprisonment of up to seven years, for an official to use any information acquired by him or her in an official capacity to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself, or any other person.

### **3.3 Local Authorities (Members' Interests) Act 1968**

The Local Authorities (Members' Interests) Act 1968 is an important statute governing the conduct of councillors. It has two main aspects. The first is the prohibition of certain contracts between local authorities and their members. The second prevents voting on or discussing questions in which a member has a pecuniary interest.

As to the first aspect, the Act provides that no-one may be elected or appointed or be a member of a local authority or of any committee of it, if the total payments to be made by the Council in respect of contracts made by it with that person exceeds \$25,000 (GST incl) in any year (section 3(1)).

The Act covers contracts made by the Council directly with the person concerned, and also contracts made by the Council in which the councillor is concerned or interested. Special provisions deal with companies in which a member or his or her spouse/partner is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions.

There are a number of exceptions to this rule but, in case of any doubt, a councillor should refer the matter to the Office of the Auditor-General or seek independent legal advice. The penalty for breach of these provisions (which are contained in section 3 of the Act) is immediate loss of office (section 4) and there is also the possibility of a fine being imposed (section 5).

Section 6(1) of the Act prohibits a member of a local authority or of a committee of it from voting on, or taking part in the discussion of any matter before the governing body of that local authority or before that committee in which he or she has, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Once again, there are special provisions dealing with a pecuniary interest in the context of the interests of the member or his or her spouse/partner in a company.

The Office of the Auditor-General is empowered to declare that the rule will not apply with respect to any specified matter or specified class of matter on particular occasions. In doing so, it must act in the interests of the electors or inhabitants of the district. The penalty for discussing or voting when there is a pecuniary interest is, once again, loss of office, but only upon conviction of an offence (section 7).

Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.

### **3.4 Securities Act 1978**

The Council has wide borrowing powers under Part 6 of the Local Government Act 2002. One of the ways the Council can borrow is by issuing stock or other forms of debt instruments. If such debt instruments are offered to the public, the Council must comply with the Securities Act.

What constitutes “offering to the public” is given a very wide meaning (section 3 of the Securities Act). The Securities Act regulates the offering of securities to the public. Local authority debt instruments are securities for the purposes of the Act. If the Council intends offering its debt instruments to the public it will have to produce a prospectus and an investment statement complying with the requirements of the Securities Act and the Securities Regulations 1983.

In addition, any advertisements relating to the offer will have to comply with certain requirements imposed by the Securities Act governing the advertising of public offers of securities. Certificates would also have to be issued to investors, and certain information relating to the Council and the securities would have to be sent periodically to the holders of the Council’s securities.

The Securities Act contains wide provisions establishing civil liability and criminal offences where a member of the public purchasing securities relies on untrue statements made in an advertisement (including an investment statement) or in a registered prospectus. In addition, there are general offences which apply to persons who do not otherwise comply with the provisions of the Act.

Elected members are deemed “directors” of the local authority for the purposes of the Securities Act and the Regulations made under it. As such, they are potentially personally liable to investors if a registered prospectus or an investment (including an investment statement) contains an untrue statement. Members may also be criminally liable if the requirements of the Act or Regulations are not met. Some offences carry penalties that would also give rise to disqualification from office.

### **3.5 Financial Markets Conduct Act 2013**

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

### **3.6 Health and Safety at Work Act 2015**

The Health and Safety at Work Act 2015 sets up a regime for protecting the health and safety of people in work places that is quite different to the previous legislation. Under the Act elected members are “officers” and as such have obligations and responsibilities which are the same as the Chief Executive (also an “officer” under the act). While Councillors do not have the same liabilities (i.e. penalties if they do not meet those obligations) it is important that Councillors make themselves aware of the measures the organisation has in place for

managing health and safety and satisfies themselves that the council organisation is doing what is appropriate to meet the requirements of the Act.

Elected members have been given a briefing on Health and Safety at Work Act in their induction.

### **3.7 Public Records Act 2005**

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

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

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

## **4. COUNCILLORS' PERSONAL LIABILITY**

Generally speaking, councillors are indemnified in respect of their actions as a councillor. Section 43 of the Local Government Act 2002 provides for this indemnity (by the Council) in relation to:

- civil liability (both for costs and damages) if the councillor is acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the Council; and
- costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a councillor.

However, there is a potential personal exposure on the part of councillors in certain circumstances - where the Auditor-General has reported on a "loss" incurred by the Council, for which the Council has not been compensated (sections 44 to 46). The loss must arise out of one of the following actions or omissions:

- money belonging to, or administrable by, the Council being unlawfully expended; or
- an asset being unlawfully sold or otherwise disposed of by the Council; or

- a liability being unlawfully incurred by the Council; or
- the Council intentionally or negligently failing to enforce the collection of money it is lawfully entitled to receive.

If the Auditor-General has made such a report, then that loss is recoverable as a debt due to the Crown (which in turn must be paid back to the Council) from each councillor jointly and severally. Therefore, elected members should always be alert to ensure that their decision-making is within the bounds of the law. However, a councillor has a defence to such a claim if he or she can prove that the act or failure giving rise to the loss occurred:

- without the councillor's knowledge; or
- with the councillor's knowledge but against his or her protest made at or before the time when the loss occurred; or
- contrary to the manner in which the councillor voted on the issue at a meeting of the Council; or
- in circumstances where, although being a party to the act or failure to act, the councillor acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any Council officer or professional advisor in relation to matters which the councillor believed on reasonable grounds to be within that person's competency.

## **5. CODE OF CONDUCT**

The Council has a Code of Conduct for Councillors (as required by clause 15 of Schedule 7 of the Local Government Act 2002). The Code of Conduct sets out (amongst other things) understandings and expectations about the manner in which councillors may conduct themselves while acting as councillors, including behaviour toward one another, staff, the public, and the disclosure of information. Under clause 15(4), councillors must comply with the Code.

The Council will consider the Code of Conduct following the induction.

## **6. NON-PECUNIARY CONFLICTS OF INTEREST**

While the Local Authority (Members' Interests) Act 1968 deals with pecuniary interests, there are also legal rules about conflicts of interest, more generally, which apply to non-pecuniary conflicts of interest. Of key significance is the matter of bias – this is not limited to actual bias, but also relates to the appearance or possibility of bias. Situations of non-pecuniary bias commonly involve predetermination of a matter before hearing all relevant information or a close relationship or involvement with an individual or an organisation affected by the matter.

Detailed guidance on the laws on conflict of interest is contained in the Controller and Auditor-General's publication *Guidance for members of local authorities about the law on conflicts of interest*.

At the commencement of each meeting councillors are expected to declare any conflicts of interest. A declaration may be in relation to a pecuniary interest (other than an interest in common with the public) or a non-pecuniary interest giving rise to a risk of bias. Councillors are advised to read Order Papers before a meeting to see whether they have an interest in any matters that are to be discussed or voted on. If there are, councillors should, if possible, advise the relevant chairperson before the meeting starts that they are going to declare an interest in a particular matter. Once a conflict is declared, the councillor will be required to abstain from discussion and voting and should leave the meeting for that item. In declaring a conflict of interest, a councillor is not required to inform the meeting about the nature of the interest or why it exists.

## **7. OFFICIAL INFORMATION**

The Local Government Official Information and Meetings Act 1987 governs the custody and release of official information. The fundamental principle in the Act is that information held by the Council is publicly available, unless one or more specified withholding grounds apply.

The Act also deals with local authority meetings, in Part VII. There are a number of important points in this latter part of the Act, namely:

- The Act states the grounds upon which the public may be excluded from meetings (section 48). That may generally only occur when good reason to withhold information exists, and there is a statutory definition of that concept in sections 6 and 7 of the Act. In addition, the public may be excluded where the subject matter of discussion is one in respect of which a right of appeal exists to any Court or Tribunal against the decision made by the Council (section 48(2)).
- In excluding the public, the Council must make a resolution (in the form set out at Schedule 2A to the Act) stating the subject of each matter to be considered while the public is excluded, and the reasons must be given for excluding the public, in terms of the statutory grounds.
- Chairpersons at meetings may require members of the public to leave a meeting if the behaviour of the person concerned is likely to prejudice or continue to prejudice the orderly conduct of the meeting (section 50).
- If a meeting is open to the public, and an agenda is supplied to a member of the public or the minutes of a meeting are produced for inspection by any member of the public after the conclusion of the meeting, any defamatory matter which is published in this way is to be treated as privileged, unless the publication was predominantly motivated by ill will (section 52). Oral statements made at meetings of the Council are also privileged, unless the statement is proved to be predominantly motivated by ill will (section 53). Ordinarily, a statement that is

“privileged” cannot support a cause of action for defamation (even though that statement might be untrue or misleading).

- Items which are not on an agenda for a meeting may be dealt with if the meeting resolves to do so and the chairperson explains in open meeting why the item is not on the agenda and why consideration of it cannot be delayed to a subsequent meeting (section 46A(7)).

If the item is a minor matter relating to the general business of the Council then it may be discussed without the meeting having resolved to do so, so long as the chair explains at the beginning of the meeting, and when it is open to the public, that the item will be discussed; but in that case no resolution, decision or recommendation may be made except to refer the item to a subsequent meeting for further discussion (section 46A (7A)).

## **8. PURPOSE, ROLE AND POWERS OF THE COUNCIL**

Because it underpins everything that the Council, and thus the elected members do, it is useful to briefly describe the general statutory framework within which the Council operates. Relevant sections of the Local Government Act are in Appendix 1.

### **8.1 General statutory framework**

The Local Government Act 2002 sets out the following purpose of local government (section 10):

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and*
- (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.*

In this context, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—

- efficient; and
- effective; and
- appropriate to present and anticipated future circumstances.

The Council's role is to give effect to that purpose of local government in relation to its district and to perform the duties and exercise the rights conferred on it by law (section 11). The Council is responsible and democratically accountable for the decision-making of the local authority (section 41(3)).

Except where another law provides otherwise, the Council has full capacity to carry on or undertake any activity or business, or do any act, or enter into any transaction (section 12(2)). However, the Council must exercise its powers wholly or principally for the benefit of the

district (section 12(4)). That does not prevent two or more councils engaging in joint or co-operative activities (section 12(6)).

In performing its role, a Council must act in accordance with certain principles in section 14 of the Local Government Act 2002. In addition, section 39 of that Act sets out governance principles that apply to councils.

The text of sections 14 and 39 is attached to this report.

When making decisions, the Council must comply with the decision-making requirements set out in Part 6 of the Act. Under Part 6, local authorities are required to confirm their mandate from their communities through various forms of consultation, especially in relation to the Long Term Plan and Annual Plan process and for other significant decisions.

## **8.2 Comparative Roles of the Council and the Chief Executive/Council staff**

This is a brief summary of the legal provisions relevant to the respective roles of the Council and the Chief Executive.

Section 42(1) of the Local Government Act 2002 requires the Council to appoint a Chief Executive. The Chief Executive's responsibilities are set out in subsection (2), as follows:

- i. implementing the Council's decisions;
- ii. providing advice to members of the Council;
- iii. ensuring that all responsibilities, duties and powers delegated to him or her or to any person employed by the Council, or imposed or conferred by an Act, regulation or bylaw are properly performed or exercised;
- iv. ensuring the effective and efficient management of the Council's activities;
- v. maintaining systems to enable effective planning and accurate reporting of the Council's financial and service performance;
- vi. providing leadership for the Council's staff;
- vii. employing staff, on behalf of the Council; and
- viii. negotiating the terms of employment of the Council's staff.

The Council's role is limited to the appointment of the Chief Executive; all other appointments are for the Chief Executive to make, on the Council's behalf.

Overall, section 42 demonstrates a legislative intent that the Chief Executive should be responsible for managing, with the staff he or she appoints, the affairs of the Council. Although the dividing line will sometimes be difficult to draw, the Council's role should be in governance and in particular the establishment of policy and associated decision-making. Actual implementation of Council decisions, administration, and management should be in the hands of the Chief Executive and staff.

## **8.3 The Council's Planning Process and Consultation**



The Local Government Act 2002 requires the Council to adopt a number of planning and other policy and financial management documents.

The principal planning document is the long term plan (LTP) which covers a period of at least 10 years and is reviewed every three years. The LTP can be amended at any time, but this requires use of the special consultative procedure (see below). In addition, prior to the beginning of each financial year the Council must have adopted an annual plan for that year (although for those years where a new LTP is adopted, the financial statement and funding impact statement included in the LTP in relation to the first year is the annual plan (section 95(4)).

Under section 97 of the Local Government Act 2002, certain decisions may only be made if they are provided for in the LTP. These are:

- (a) a decision to alter significantly the intended level of service provision for a significant activity carried out by or on behalf of the Council (including a decision to commence or cease any such activity);
- (b) a decision to transfer the ownership or control of a strategic asset to or from the Council;
- (c) a decision to construct, replace, or abandon a strategic asset; and
- (d) a decision that will, directly or indirectly, significantly affect the capacity of the Council, or the cost to the Council, in relation to any activity identified in the LTP.

Strategic assets are defined in the Act, partly by reference to assets listed in the Council's policy on significance.

The LTP must set out any steps that the Council intends to take to develop Māori capacity to contribute to the decision making process over the period covered by the plan (Schedule 10, section 5).

The LTP and the annual plan, as well as some other formal policy documents must be adopted using the special consultative procedure (SCP). This procedure is also required for, amongst other things, the adoption or amendment of bylaws, and where there is a proposed change in the mode of delivery of certain significant activities. The SCP involves:

- preparation of a statement of proposal, which must be included on the agenda for a meeting of the Council;
- preparation and distribution of a summary of that proposal;
- public notice;
- the opportunity for the public to make submissions and to be heard in
- relation to that submission; and

- deliberation and the making of a final decision on the proposal.

Court decisions relating to "consultation" have stressed that bodies or persons having a statutory obligation to consult must go into the process with an open mind, that is, a mind capable of persuasion having fairly considered the submissions.

In addition, and quite apart from those decisions requiring use of the SCP, the Local Government Act 2002 contains detailed provisions which govern more generally the Council's required approach to decision-making and consultation. These include the requirement to consider community views (section 78), and to encourage Māori contributions to the decision-making process (section 81).

## **9. Appendices**

Appendix 1: Sections 9 – 19 Local Government Act 2002

Appendix 2: Sections 38 – 48 Local Government Act 2002

Contact Officer: Harry Wilson, Chief Executive

**Appendix 1 - Sections 9 – 19 Local Government Act  
2002**

## **Part 2 Purpose of local government, and role and powers of local authorities**

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### **9 Outline of Part**

This Part—

- (a) states the purpose of local government; and
- (b) states the role and powers of local authorities.

### **Subpart 1—Purpose of local government**

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#### **10 Purpose of local government**

- (1) The purpose of local government is—
  - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
  - (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

### **Subpart 2—Role of local authorities and related matters**

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#### **11 Role of local authority**

The role of a local authority is to—

- (a) give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

#### **12 Status and powers**

- (1) A local authority is a body corporate with perpetual succession.
- (2) For the purposes of performing its role, a local authority has—
  - (a) full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
  - (b) for the purposes of paragraph (a), full rights, powers, and privileges.

- (3) Subsection (2) is subject to this Act, any other enactment, and the general law.
- (4) A territorial authority must exercise its powers under this section wholly or principally for the benefit of its district.
- (5) A regional council must exercise its powers under this section wholly or principally for the benefit of all or a significant part of its region, and not for the benefit of a single district.
- (6) Subsections (4) and (5) do not—
  - (a) prevent 2 or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or
  - (b) prevent a transfer of responsibility from one local authority to another in accordance with this Act; or
  - (c) restrict the activities of a council-controlled organisation; or
  - (d) prevent a local authority from making a donation (whether of money, resources, or otherwise) to another local authority or to a person or organisation outside its district or region or outside New Zealand—
    - (i) if the local authority considers, on reasonable grounds, that the donation will benefit its district or region, or the communities within its district or region; or
    - (ii) if the local authority considers, on reasonable grounds, that a benefit will be conferred on the local government sector as a whole; or
    - (iii) for emergency relief; or
  - (e) prevent a local authority from making a donation (whether of money, resources, or otherwise) to a local government body outside New Zealand to enable it to share its experience and expertise with that body.

### **13 Performance of functions under other enactments**

Sections 10 and 12(2) apply to a local authority performing a function under another enactment to the extent that the application of those provisions is not inconsistent with the other enactment.

### **14 Principles relating to local authorities**

- (1) In performing its role, a local authority must act in accordance with the following principles:
  - (a) a local authority should—

- (i) conduct its business in an open, transparent, and democratically accountable manner; and
  - (ii) give effect to its identified priorities and desired outcomes in an efficient and effective manner:
- (b) a local authority should make itself aware of, and should have regard to, the views of all of its communities; and
- (c) when making a decision, a local authority should take account of—
- (i) the diversity of the community, and the community’s interests, within its district or region; and
  - (ii) the interests of future as well as current communities; and
  - (iii) the likely impact of any decision on each aspect of well-being referred to in section 10:
- (d) a local authority should provide opportunities for Māori to contribute to its decision-making processes:
- (e) a local authority should actively seek to collaborate and co-operate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes; and
- (f) a local authority should undertake any commercial transactions in accordance with sound business practices; and
- (fa) a local authority should periodically—
- (i) assess the expected returns to the authority from investing in, or undertaking, a commercial activity; and
  - (ii) satisfy itself that the expected returns are likely to outweigh the risks inherent in the investment or activity; and
- (g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and
- (h) in taking a sustainable development approach, a local authority should take into account—
- (i) the social, economic, and cultural well-being of people and communities; and
  - (ii) the need to maintain and enhance the quality of the environment; and

- (iii) the reasonably foreseeable needs of future generations.
- (2) If any of these principles, or any aspects of well-being referred to in section 10, are in conflict in any particular case, the local authority should resolve the conflict in accordance with the principle in subsection (1)(a)(i).

## Subpart 3—Co-ordination of responsibilities of local authorities

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### **15 Triennial agreements**

- (1) Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement under this section covering the period until the next triennial general election of members.
- (2) An agreement under this section must include—
  - (a) protocols for communication and co-ordination among the local authorities; and
  - (b) a statement of the process by which the local authorities will comply with section 16 in respect of proposals for new regional council activities; and
  - (c) processes and protocols through which all local authorities can participate in identifying, delivering, and funding facilities and services of significance to more than 1 district.
- (3) An agreement under this section may also include—
  - (a) commitments by local authorities within the region to establish or continue 1 or more joint committees or other joint governance arrangements to give better effect to 1 or more of the matters referred to in subsection (2); and
  - (b) the matters to be included in the terms of reference for any such committees or arrangements, including any delegations.
- (4) An agreement under this section may be varied by agreement between all the local authorities within the region.
- (5) An agreement under this section remains in force until it is replaced by another agreement.
- (6) If a decision of a local authority is significantly inconsistent with, or is expected to have consequences that will be significantly inconsistent with, the agreement under this section that is currently in force within the region, the local authority must, when making the decision, clearly identify—

- (a) the inconsistency; and
  - (b) the reasons for the inconsistency; and
  - (c) any intention of the local authority to seek an amendment to the agreement under subsection (4).
- (7) As soon as practicable after making any decision to which subsection (6) applies, the local authority must give to each of the other local authorities within the region notice of the decision and of the matters specified in that subsection.

## **16 Significant new activities proposed by regional council**

- (1) This section applies if,—
- (a) in the exercise of its powers under section 12(2), a regional council proposes to undertake a significant new activity; or
  - (b) a regional council-controlled organisation proposes to undertake a significant new activity; and
  - (c) in either case, 1 or more territorial authorities in the region of the regional council—
    - (i) are already undertaking the significant new activity; or
    - (ii) have notified their intention to do so in their long-term plans or their annual plans.
- (2) When this section applies, the regional council—
- (a) must advise all the territorial authorities within its region and the Minister of the proposal and the reasons for it; and
  - (b) must include the proposal in the consultation document referred to in section 93A.
- (3) A proposal included in the consultation document referred to in section 93A must include—
- (a) the reasons for the proposal; and
  - (b) the expected effects of the proposal on the activities of the territorial authorities within the region; and
  - (c) the objections raised by those territorial authorities, if any.



- (4) If, after complying with subsection (2), the regional council indicates that it intends to continue with the proposal, but agreement is not reached on the proposal among the regional council and all of the affected territorial authorities, either the regional council or 1 or more of the affected territorial authorities may submit the matter to mediation.
- (5) Mediation must be by a mediator or a mediation process—
  - (a) agreed to by the relevant local authorities; or
  - (b) in the absence of an agreement, as specified by the Minister.
- (6) If mediation is unsuccessful, either the regional council or 1 or more affected territorial authorities may ask the Minister to make a binding decision on the proposal.
- (7) Before making a binding decision, the Minister must—
  - (a) seek and consider the advice of the Commission; and
  - (b) consult with other Ministers whose responsibilities may be affected by the proposal.
- (8) This section does not apply to—
  - (a) a proposal by a regional council to establish, own, or operate a park for the benefit of its region; or
  - (b) a proposal to transfer responsibilities; or
  - (c) a proposal to transfer bylaw-making powers; or
  - (d) a reorganisation application under Schedule 3; or
  - (e) a proposal to undertake an activity or enter into an undertaking jointly with the Crown.
- (9) For the purposes of this section,—

**affected territorial authority** means a territorial authority—

  - (a) the district of which is wholly or partly in the region of a regional council; and
  - (b) that undertakes, or has notified in its long-term plan or annual plan its intention to undertake, the significant new activity

**annual plan**—

- (a) means a report adopted under section 223D of the Local Government Act 1974; and
- (b) includes such a report that section 281 applies to

**new activity—**

- (a) means an activity that, before the commencement of this section, a regional council was not authorised to undertake; but
- (b) does not include an activity authorised by or under an enactment

**regional council-controlled organisation** means a council-controlled organisation that is—

- (a) a company—
  - (i) in which equity securities carrying 50% or more of the voting rights at a meeting of the shareholders of the company are—
    - (A) held by 1 or more regional councils; or
    - (B) controlled, directly or indirectly, by 1 or more regional councils; or
  - (ii) in which 1 or more regional councils have the right, directly or indirectly, to appoint 50% or more of the directors of the company; or
- (b) an organisation in respect of which 1 or more regional councils have, whether or not jointly with other regional councils or persons,—
  - (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the organisation; or
  - (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors, or managers (however described) of the organisation.

## **17 Transfer of responsibilities**

- (1) A regional council may transfer 1 or more of its responsibilities to a territorial authority in accordance with this section.
- (2) A territorial authority may transfer 1 or more of its responsibilities to a regional council in accordance with this section.
- (3) A transfer of responsibilities under this section must be made by agreement between the local authorities concerned and may be on the terms and conditions that are agreed between them.

- (4) A local authority may not agree to transfer a responsibility or agree to accept a transfer of a responsibility under this section unless it is satisfied, following consultation in accordance with section 82, that the benefits of the proposed transfer to its district or region will outweigh any negative impacts of the proposal.
- (5) A local authority must notify the Minister of its intention to transfer a responsibility or accept a transfer of responsibility under this section.
- (6) From the time a transfer takes effect, the responsibilities and powers of the local authority receiving the transfer are extended as necessary to enable the local authority to undertake, exercise, and perform the transferred responsibilities.
- (7) If a transfer of responsibilities has been made, either local authority that was a party to the transfer may, through the process set out in subsections (3) to (6), initiate—
  - (a) a variation of the terms of the transfer; or
  - (b) the reversal of the transfer.
- (8) In this section, responsibility means any responsibility, duty, or legal obligation except a responsibility, duty, or legal obligation conferred by or under any other Act, and includes—
  - (a) a responsibility that has previously been transferred under this section; and
  - (b) any powers associated with the responsibility, duty, or legal obligation.
- (9) Nothing in this section limits the ability of a local authority to—
  - (a) delegate the exercise of any responsibility to another local authority; or
  - (b) enter into a contractual agreement with another local authority for the performance of any activity or function.

## **17A Delivery of services**

- (1) A local authority must review the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.
- (2) Subject to subsection (3), a review under subsection (1) must be undertaken—
  - (a) in conjunction with consideration of any significant change to relevant service levels; and

- (b) within 2 years before the expiry of any contract or other binding agreement relating to the delivery of that infrastructure, service, or regulatory function; and
  - (c) at such other times as the local authority considers desirable, but not later than 6 years following the last review under subsection (1).
- (3) Despite subsection (2)(c), a local authority is not required to undertake a review under subsection (1) in relation to the governance, funding, and delivery of any infrastructure, service, or regulatory function—
- (a) to the extent that the delivery of that infrastructure, service, or regulatory function is governed by legislation, contract, or other binding agreement such that it cannot reasonably be altered within the following 2 years; or
  - (b) if the local authority is satisfied that the potential benefits of undertaking a review in relation to that infrastructure, service, or regulatory function do not justify the costs of undertaking the review.
- (4) A review under subsection (1) must consider options for the governance, funding, and delivery of infrastructure, services, and regulatory functions, including, but not limited to, the following options:
- (a) responsibility for governance, funding, and delivery is exercised by the local authority:
  - (b) responsibility for governance and funding is exercised by the local authority, and responsibility for delivery is exercised by—
    - (i) a council-controlled organisation of the local authority; or
    - (ii) a council-controlled organisation in which the local authority is one of several shareholders; or
    - (iii) another local authority; or
    - (iv) another person or agency:
  - (c) responsibility for governance and funding is delegated to a joint committee or other shared governance arrangement, and responsibility for delivery is exercised by an entity or a person listed in paragraph (b)(i) to (iv).
- (5) If responsibility for delivery of infrastructure, services, or regulatory functions is to be undertaken by a different entity from that responsible for governance, the entity that is responsible for governance must ensure that there is a contract or other binding agreement that clearly specifies—
- (a) the required service levels; and

- (b) the performance measures and targets to be used to assess compliance with the required service levels; and
  - (c) how performance is to be assessed and reported; and
  - (d) how the costs of delivery are to be met; and
  - (e) how any risks are to be managed; and
  - (f) what penalties for non-performance may be applied; and
  - (g) how accountability is to be enforced.
- (6) Subsection (5) does not apply to an arrangement to the extent that any of the matters specified in paragraphs (a) to (g) are—
- (a) governed by any provision in an enactment; or
  - (b) specified in the constitution or statement of intent of a council-controlled organisation.
- (7) Subsection (5) does not apply to an arrangement if the entity that is responsible for governance is satisfied that—
- (a) the entity responsible for delivery is a community group or a not-for-profit organisation; and
  - (b) the arrangement does not involve significant cost or risk to any local authority.
- (8) The entity that is responsible for governance must ensure that any agreement under subsection (5) is made publicly available.
- (9) Nothing in this section requires the entity that is responsible for governance to make publicly accessible any information that may be properly withheld if a request for that information were made under the Local Government Official Information and Meetings Act 1987.

## **18 Responsibilities, powers, and duties of Minister**

- (1) The responsibilities, powers, and duties conferred or imposed on the Minister of Internal Affairs by any of the Acts specified in [Schedule 1](#), or by any regulations, rules, orders, or bylaws made under any of those Acts, must be exercised or performed by the Minister.
- (2) The Governor-General may, by Order in Council, amend [Schedule 1](#) to add or delete any Act.

## **19 Secretary**

The responsibilities, powers, and duties conferred on the Secretary for Internal Affairs by any of the Acts specified in [Schedule 1](#), or by any regulations, rules, orders, or bylaws made under any such Act, must be exercised or performed by the Secretary for Local Government.

# Appendix 2 - Sections 38 – 48 Local Government Act 2002

## **38 Outline of Part**

This Part—

*(a) identifies the principles and requirements for the governance and management of local authorities; and*

*(b) provides for the establishment of community boards and their governance arrangements.*

### **Subpart 1—Local authorities**

#### *Governance and management*

### **39 Governance principles**

A local authority must act in accordance with the following principles in relation to its governance:

*(a) a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and*

*(b) a local authority should ensure that the governance structures and processes are effective, open, and transparent; and*

*(c) a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and*

*(d) a local authority should be a good employer; and*

*(e) a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.*

#### **40 Local governance statements**

(1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—

*(a) the functions, responsibilities, and activities of the local authority; and*

*(b) any local legislation that confers powers on the local authority; and*

*(ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under [section 158](#) or [159](#); and*

*(c) the electoral system and the opportunity to change it; and*

*(d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and*

*(e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*

*(f) governance structures and processes, membership, and delegations; and*

*(g) meeting processes (with specific reference to the applicable provisions of the [Local Government Official Information and Meetings Act 1987](#) and standing orders); and*

*(h) consultation policies; and*

*(i) policies for liaising with, and memoranda or agreements with, Māori; and*

*(j) the management structure and the relationship between management and elected members; and*

*(ja) the remuneration and employment policy, if adopted; and*

*(k) equal employment opportunities policy; and*

*(l) key approved planning and policy documents and the process for their development and review; and*

*(m) systems for public access to it and its elected members; and*

*(n) processes for requests for official information.*

(2) A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.



#### **41 Governing bodies**

(1) A regional council must have a governing body consisting of—

*(a) members elected in accordance with the [Local Electoral Act 2001](#); and*

*(b) a chairperson elected by members of the regional council in accordance with [clause 25](#) of Schedule 7.*

(2) A territorial authority must have a governing body consisting of members and a mayor elected in accordance with the [Local Electoral Act 2001](#).

(3) A governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority.

(4) A chairperson of a regional council, or a mayor of a territorial authority, is a Justice of the Peace during the time that he or she holds the office of chairperson or mayor.

(5) An employee of a local authority who is elected to be a member of the local authority's governing body must resign from his or her position as an employee of the local authority before taking up his or her position as a member of the local authority.

#### **41A Role and powers of mayors**

(1) The role of a mayor is to provide leadership to—

*(a) the other members of the territorial authority; and*

*(b) the people in the district of the territorial authority.*

(2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.

(3) For the purposes of subsections (1) and (2), a mayor has the following powers:

*(a) to appoint the deputy mayor:*

*(b) to establish committees of the territorial authority:*

*(c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—*

*(i) may make the appointment before the other members of the committee are determined; and*

*(ii) may appoint himself or herself.*

(4) However, nothing in subsection (3) limits or prevents a territorial authority from—

*(a) removing, in accordance with [clause 18](#) of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or*

*(b) discharging or reconstituting, in accordance with [clause 30](#) of Schedule 7, a committee established by the mayor under subsection (3)(b); or*

*(c) appointing, in accordance with [clause 30](#) of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or*

*(d) discharging, in accordance with [clause 31](#) of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).*

(5) A mayor is a member of each committee of a territorial authority.

(6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).

(7) To avoid doubt,—

*(a) [clause 17\(1\)](#) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a):*

*(b) [clauses 25](#) and [26\(3\)](#) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.*

## **42 Chief executive**

(1) A local authority must, in accordance with [clauses 33](#) and [34](#) of Schedule 7, appoint a chief executive.

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—

*(a) implementing the decisions of the local authority; and*

*(b) providing advice to members of the local authority and to its community boards, if any; and*

*(c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*

*(d) ensuring the effective and efficient management of the activities of the local authority; and*

*(da) facilitating and fostering representative and substantial elector participation in elections and polls held under the [Local Electoral Act 2001](#); and*

*(e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*

*(f) providing leadership for the staff of the local authority; and*

*(g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*

*(h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*

(2A) In the case of a unitary authority for a district that includes 1 or more local board areas, a chief executive appointed under subsection (1) is also responsible to the unitary authority for—

*(a) implementing the decisions of each local board within the district of the unitary authority; and*

*(b) implementing each local board agreement; and*

*(c) providing advice to each local board and its members; and*

*(d) providing the administrative and other facilities for each local board that are necessary for the board to carry out its functions and perform its duties.*

(3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority—

*(a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*

*(b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*

(4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

### **43 Certain members indemnified**

(1) A member of a local authority (or a committee, community board, or other subordinate decision-making body of that local authority) is indemnified by that local authority, whether or not that member was elected to that local authority or community board under the [Local Electoral Act 2001](#) or appointed by the local authority, for—

*(a) costs and damages for any civil liability arising from any action brought by a third party if the member was acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the local authority (or committee, community board, or other subordinate decision-making body of that local authority); and*

*(b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.*

(2) Subsection (1) does not apply to a member's liability for a loss under [section 46](#).

(3) To avoid doubt, a local authority may not indemnify a director of a council-controlled organisation for any liability arising from that director's acts or omissions in relation to that council-controlled organisation.

### **44 Report by Auditor-General on loss incurred by local authority**

(1) For the purposes of this section and [sections 45](#) and [46](#), a local authority is to be regarded as having incurred a loss to the extent that any of the following actions and omissions has occurred and the local authority has not been fully compensated for the action or omission concerned:

*(a) money belonging to, or administrable by, a local authority has been unlawfully expended; or*

*(b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or*

*(c) a liability has been unlawfully incurred by the local authority; or*

*(d) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.*

(2) If the Auditor-General is satisfied that a local authority has incurred a loss, the Auditor-General may make a report on the loss to the local authority, and may include in the report any recommendations in relation to the recovery of the loss or the prevention of further loss that the Auditor-General thinks fit.

(3) The Auditor-General must send copies of the report to the Minister and every member of the local authority.

#### **45 Local authority to respond to Auditor-General**

(1) On receipt of a report from the Auditor-General, the local authority must, within 28 days, respond in writing to the Auditor-General, and send a copy of the response to the Minister.

(2) The local authority's response must—

*(a) respond to each of the Auditor-General's recommendations; and*

*(b) include a statement as to what action, if any, the local authority intends to take in respect of the loss.*<sup>(3)</sup>

The Minister may extend the period of time within which the local authority must forward its response.

**(4) An individual member of the local authority may respond to the Auditor-General—**

*(a) by making a separate response to the Auditor-General, and sending a copy to the local authority and the Minister, within the time required for the local authority's response; or*

*(b) with the consent of the local authority, by incorporating that member's response in the local authority's response.*

(5) The local authority must, as soon as practicable after the expiry of the time for forwarding its response, table in a meeting of the local authority that is open to the public a copy of the Auditor-General's report, the local authority's response, and any response of an individual member of the local authority not incorporated in the local authority's response.

#### **46 Members of local authority liable for loss**

(1) If the Auditor-General has made a report on a loss to a local authority under [section 44](#), then, without limiting any other person's liability for the loss, the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally.

(2) If the members of the local authority or any other person or persons do not pay the amount of the loss to the Crown or the local authority within a reasonable time, the Crown may commence proceedings to recover the loss from any or all of those members.

(3) Any amount recovered by the Crown under subsection (2), less all costs incurred by the Crown in respect of the recovery, must be paid by the Crown to the local authority concerned.

(4) It is a defence to any proceedings under subsection (2) if the defendant proves that the act or failure to act resulting in the loss occurred—

*(a) without the defendant's knowledge; or*

*(b) with the defendant's knowledge but against the defendant's protest made at or before the time when the loss occurred; or*

*(c) contrary to the manner in which the defendant voted on the issue at a meeting of the local authority; or*

*(d) in circumstances where, although being a party to the act or failure to act, the defendant acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any of the following persons:*

*(i) an employee of the local authority whom the defendant believed on reasonable grounds to be reliable and competent in relation to the matters concerned:*

*(ii) a professional adviser or expert in relation to matters that the defendant believed on reasonable grounds to be within the person's professional or expert competence.*

#### **47 Members may be required to pay costs of proceeding in certain cases**

(1) This section applies if, in a proceeding commenced by the Attorney-General, the local authority is—

*(a) held to have—*

*(i) disposed of, or dealt with, any of its property wrongfully or illegally; or*

*(ii) applied its property to any unlawful purpose; or*

*(iii) permitted the reserves that it must manage to be used for purposes not authorised by law; or*

*(b) restrained from acting in the ways referred to in paragraph (a).*

(2) If subsection (1) applies, costs and other expenses arising out of the proceeding or incurred in doing the things to which the proceeding relates—

*(a) must not be paid out of general revenues by the local authority; and*

*(b) must be paid, by order of the court, by the members of the local authority who, by voting or otherwise, assented to the acts concerned.*

(3) The court must not make an order under subsection (2) against a member of the local authority if the member proves that, in doing the act concerned,—

*(a) the member acted in good faith and in accordance with the written advice of the solicitor to the local authority; or*

*(b) the member acted honestly and reasonably and, having regard to all the circumstances of the case, the member ought fairly to be excused.*

#### **48 Further provisions of Schedule 7**

The following activities of local authorities must be carried out in accordance with [Part 1](#) of Schedule 7:

*(a) vacation of office by members:*

*(b) remuneration of members:*

*(c) conduct of members:*

*(d) election and removal of chairperson, deputy chairperson, and deputy mayor:*

*(e) calling of meetings:*

*(f) conduct of meetings:*

*(g) procedures at meetings:*

*(h) subordinate decision-making structures:*

*(i) delegations:*

*(j) employment of staff:*

*(k) adoption of a remuneration and employment policy.*



# Featherston Memorial RSA Inc.

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Email: fstnrsa@gmail.com

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Robyn Ramsden  
Chair  
Featherston Community Board  
3 Farrier Grove  
Featherston 5710

9 September 2019

Dear Robyn,

On behalf of the Featherston Memorial RSA Inc, I wish to acknowledge and thank the Featherston Community Board very much for your kind donation of \$100.

Yours sincerely

**PETER JACKSON**

President

Featherston Memorial RSA Inc.