



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

AGENDA

Ordinary Council Meeting Wednesday, 11 June 2025

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 11 June 2025

Time: 9:00 am

**Location: Supper Room, Waihinga Centre, Texas Street
Martinborough**

**Janice Smith
Chief Executive Officer**

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1 KARAKIA TIMATANGA – OPENING

Kia hora te marino
 Kia whakapapa pounamu te moana
 Hei huarahi mā tātou i te rangi nei
 Aroha atu, aroha mai
 Tātou i ā tātou katoa
 Hui ē! Tāiki ē!

May peace be widespread
 May the seas be like greenstone
 A pathway for us all this day
 Let us show respect for each other
 For one another
 Bind us all together!

2 APOLOGIES

3 CONFLICTS OF INTEREST

4 ACKNOWLEDGEMENTS AND TRIBUTES

5 PUBLIC PARTICIPATION

6 URGENT BUSINESS

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 18 DECEMBER 2024

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Janice Smith, Chief Executive Officer

File Number: N/A

RECOMMENDATIONS

1. That the minutes of the Extraordinary Council meeting held on 18 December 2024 are confirmed as a true and correct record.

APPENDICES

Appendix 1 Minutes of the Extraordinary Council Meeting held on 18 December 2024

**MINUTES OF SOUTH WAIRARAPA DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE SUPPER ROOM, WAIHINGA CENTRE, TEXAS STREET, MARTINBOROUGH
ON WEDNESDAY, 18 DECEMBER 2024 AT 9:00 AM**

PRESENT: Mayor Martin Connelly (Chair), Deputy Mayor Melissa Sadler-Futter, Cr Martin Bosley, Cr Aidan Ellims, Cr Rebecca Gray (via Teams, from 9:02am), Cr Pip Maynard, Cr Kaye McAulay, Cr Colin Olds, Cr Alistair Plimmer and Cr Aaron Woodcock.

IN ATTENDANCE: Janice Smith (Chief Executive Officer), Stefan Corbett (Group Manager, Infrastructure and Community Operations), Paul Gardner (Group Manager, Corporate Services), Russell O'Leary (Group Manager, Planning and Regulatory), Robyn Wells (Programme Manager, Local Water Done Well), Charly Clarke (Chief Financial Officer), and Amy Andersen (Lead Advisor, Democracy and Committees).

CONDUCT OF BUSINESS: This meeting was held in the Supper Room, WaiHINGA Centre, Texas Street, Martinborough and via audio-visual conference. This meeting was live-streamed is available to view on our YouTube channel. The meeting was held in public under the above provisions from 9:00am to 9:41am except where expressly noted.

OPEN SECTION

1 KARAKIA TIMATANGA – OPENING

All those in attendance opened the meeting with a karakia.

2 APOLOGIES

There were no apologies.

3 CONFLICTS OF INTEREST

No interests were disclosed relating to items on the agenda or interests not already recorded on a relevant register.

4 ACKNOWLEDGEMENTS AND TRIBUTES

There were no acknowledgements and tributes.

5 URGENT BUSINESS

There was no urgent business.

6 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

6.1 LOCAL WATER DONE WELL

Ms Smith introduced the report and Ms Wells spoke to the background and matters included for decision on Local Water Done Well.

Cr Gray joined the meeting at 9:02am.

Council officers responded to queries from members regarding the commitment from the other councils included in the proposed arrangement; issues relating to Councils opting out at a later stage and the possible legal implications.

Ms Wells noted that the Terms of Reference will be updated and brought to Council in February 2025, which will include further details on what happens if a council decides to opt out of the proposed arrangement. Ms Wells also stated that the project team engaged legal early in the year to support the draft agreement.

Members queried the number of elected member appointments to the Advisory Oversight Group, removing ties to Wellington in the Terms of Reference, the inclusion of stormwater delivery.

Ms Smith noted that the issues relating to stormwater would be picked up later in the process as this relates to delivery and the report today addressed consultation only. Ms Wells also noted that the Advisory Oversight Group would address when developing the proposal, and all work completed so far in terms of financials include stormwater. Members who attended a workshop last week confirmed this matter was discussed and those present felt it was best to include stormwater in the upcoming consultation. Members also expressed the importance of information relating to assets for stormwater and what the implications were for discharging into water races should council be responsible for this (regulations/water quality standards).

Ms Smith noted the discussion today was about moving the organisation forward to prepare a consultation document for the new year.

Members discussed Deputy Mayor Sadler-Futter's workload if appointed to the Advisory Oversight Group. It was agreed that further review of the Deputy Mayor's current appointments is required.

Members discussed issues relating to "user pays" with regard to stormwater, and stormwater generated from services. Ms Smith noted that stormwater is currently is CV based charged rate and the stormwater discharge is regulated – this would need to be consented (under national standards) if included for Council.

Members were provided assurance by council officers there will be further discussions in the new year relating to stormwater.

ACTION 73

Prepare a report to confirm the Deputy Mayor's current appointments and any recommendations for re-distribution to support workload.

R Thomas / A Andersen

RESOLUTION DC2024/74

Moved: Mayor M Connelly

Seconded: Cr A Plimmer

Council resolved to receive the *Local Water Done Well* report.

CARRIED

RESOLUTION DC2024/75

Moved: Mayor M Connelly

Seconded: Cr A Plimmer

Council resolved to:

1. Note that Council is making use of the alternative decision-making and consultation arrangements provided in the Local Government (Water Services Preliminary Arrangements) Act 2024.
2. Note that the Local Government (Water Services) Bill which will establish the enduring settings for the new water system including the economic and regulatory oversight functions has been introduced into Parliament.
3. Note that the three Wairarapa district councils and Tararua District Council have agreed to consult their communities on the Wairarapa + Tararua water services delivery option alongside their enhanced status quo options.
4. Note that the existing Project Terms of Reference agreed by the councils in July 2024 requires updating and officers will report to the February 2025 Council meeting with a full update.

CARRIED

RESOLUTION DC2024/76

Moved: Mayor M Connelly

Seconded: Cr A Ellims

Council resolved to agree that until the full update in February 2025, work to develop the Wairarapa + Tararua water services delivery option continues under the existing Project Terms of Reference with two amendments:

- (a) To expand the membership of the Advisory Oversight Group to include two elected members from each council, one of which is to be the Mayor or Deputy Mayor; and
- (b) To include a delegation to the Advisory Oversight Group to develop a draft consultation document for the Wairarapa + Tararua water services delivery option.

<u>In Favour:</u>	Mayor M Connelly, Deputy Mayor M Sadler-Futter, Cr M Bosley, Cr A Ellims, Cr R Gray, Cr P Maynard, Cr K McAulay, Cr C Olds and Cr A Plimmer
<u>Against:</u>	Cr A Woodcock
CARRIED 9/1	
RESOLUTION DC2024/77	
Moved:	Cr A Plimmer
Seconded:	Cr P Maynard
Council resolved to agree that the Wairarapa + Tararua water services delivery model will be a Water Services Council Controlled Organisation.	
CARRIED	
RESOLUTION DC2024/78	
Moved:	Cr A Plimmer
Seconded:	Cr C Olds
Council resolved to agree to progress the Wairarapa + Tararua water services delivery option to Include stormwater.	
CARRIED	
RESOLUTION DC2024/79	
Moved:	Cr A Plimmer
Seconded:	Cr C Olds
Agrees to include options for price harmonisation in the consultation document for the Wairarapa + Tararua water services delivery option, including a prohibition against harmonisation for a 3 to 5-year period.	
CARRIED	
RESOLUTION DC2024/80	
Moved:	Mayor M Connelly
Seconded:	Cr M Bosley
Council resolved to appoint Deputy Mayor Sadler-Futter and the current representative, Councillor Olds, to the Advisory Oversight Group.	
CARRIED	

7 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION DC2024/81

Moved: Mayor M Connelly
Seconded: Cr A Ellims

That the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
7.1 - Future Direction of Water Services	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	The report includes commercially sensitive information relating to a future tender for council services.

CARRIED

8 KARAKIA WHAKAMUTUNGA – CLOSING

All in attendance closed the meeting with a karakia.

The meeting closed at 9:41am.

Confirmed as a true and correct record.

..... (Mayor)

..... (Chief Executive)

..... (Date)

..... (Date)

7.2 MINUTES OF THE COUNCIL MEETING HELD ON 20 NOVEMBER 2024

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Janice Smith, Chief Executive Officer

File Number: N/A

RECOMMENDATIONS

1. That the minutes of the Council meeting held on 20 November 2024 are confirmed as a true and correct record.

APPENDICES

Appendix 1 Minutes of the Council Meeting held on 20 November 2024

**MINUTES OF SOUTH WAIRARAPA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SUPPER ROOM, WAIHINGA CENTRE, TEXAS STREET, MARTINBOROUGH
ON WEDNESDAY, 20 NOVEMBER 2024 AT 10:15 AM**

PRESENT: Mayor Martin Connelly (Chair), Deputy Mayor Melissa Sadler-Futter, Cr Martin Bosley, Cr Aidan Ellims, Cr Rebecca Gray, Cr Kaye McAulay, Cr Colin Olds and Cr Aaron Woodcock.

APOLOGIES: Cr Pip Maynard and Cr Alistair Plimmer.

IN ATTENDANCE: Janice Smith (Chief Executive Officer), Stefan Corbett (Group Manager, Infrastructure and Community Operations), Paul Gardner (Group Manager, Corporate Services), Russell O'Leary (Group Manager, Planning and Regulatory), Nicki Ansell (Senior Policy and Projects Advisor), Narida Hooper (Pou Māori), Charly Clarke (Chief Financial Officer), Alex Pigou (Team Lead Communications), James O'Connor (Manager, Community Operations), Sarah Pearson-Coats (Lead Advisor, Property Portfolio) and Amy Andersen (Lead Advisor, Democracy and Committees).

Karen Young, Stephen Walker (Audit NZ via Teams).

PUBLIC FORUM: Leah Hawkins, Claire Bleakley, Michael Smith, Dean Di Bona, Martin Freeth, Warren Woodgyer and Daphne Geisler.

CONDUCT OF BUSINESS: This meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and via audio-visual conference. This meeting was live-streamed is available to view on our YouTube channel. The meeting was held in public under the above provisions from 10:15am to 12:21pm except where expressly noted.

OPEN SECTION

1 KARAKIA TIMATANGA – OPENING

All in attendance opened the meeting.

2 APOLOGIES

APOLOGY

RESOLUTION DC2024/63

Moved: Cr R Gray

Seconded: Cr A Ellims

That Council resolved to accept apologies from Cr Plimmer and Cr Maynard.

CARRIED

3 CONFLICTS OF INTEREST

No interests were disclosed relating to items on the agenda or interests not already recorded on a relevant register.

4 ACKNOWLEDGEMENTS AND TRIBUTES

Cr Olds, Cr Ellims and Cr Woodcock acknowledged the support that the Martinborough Community provided to Kitchener's this past weekend following damage to the café.

Cr Woodcock acknowledged the passing of Robert (Brownie) Brown Easton.

S1 NEW ITEM - PETITION

Principal petitioner, Leah Hawkins, presented a petition titled "Cap Rates for South Wairarapa: Cap 2025/26 Rate Increase at 3%". Ms Hawkins noted 1020 signatures on the petition and provided background and reasoning for the petition. Ms Hawkins sought Council's acceptance of the petition.

Members acknowledged the work that went into the petition.

Ms Hawkins responded to queries from members including: alternative funding, how the petitioners came to the figure of 3%, attendance at workshops; what items petitioners would like to see cut from the Council budget and other ideas for potential savings across the organisation.

RESOLUTION DC2024/64

Moved: Mayor M Connelly

Seconded: Cr A Woodcock

Council resolved to accept the petition: "Cap Rates for South Wairarapa: Cap 2025/26 Rate Increase at 3%".

CARRIED

5 PUBLIC PARTICIPATION

Claire Bleakley – Gene Technology Bill

Ms Bleakley shared concerns about the proposed Gene Technology Bill which is currently in draft and sought Council's support in seeking advice about liability exposure and clarification from the central government departments involved with the bill.

Michael Smith – Interactions with Council

Mr Smith shared his concerns and solutions for debt management (changes to bonds) and improving efficiencies (reduction in personnel costs) across Council. Mr Smith also expressed his frustration about an issue on Lake Ferry Road that he felt had not been addressed.

Cr Bosley left the meeting at 10:48am.

Dean Di Bona – Principles of consultation

Mr Di Bona spoke to Council about the consultation process under legislation, stating that Council are continuing to improve in this space. In particular, Mr Di Bona addressed concerns with regard to the application of Local Government Act 2002, Section 82(1)(b) – the Council should encourage people to engage in consultation and encouraged Council to put more emphasis on engagement with residents/ratepayers directly affected by significant changes.

Cr Bosley returned to the meeting at 10:50am.

Martin Freeth – Petition

Mr Freeth spoke in support of the petition presented by Ms Hawkins earlier in the meeting. Mr Freeth emphasised the importance of institutions, democratic representation and the role of Council.

Warren Woodgyer – Petition

Mr Woodgyer also spoke in support of the petition presented by Ms Hawkins earlier in the meeting and provided his observations of ratepayers current experiences and concerns about affordability.

Daphne Geisler – Planning for the Long Term Plan

Ms Geisler shared her experience regarding engagement with Council, shared support for petition. Ms Geisler encouraged Council to have more open workshops for the Long Term Plan and be open to ideas and suggestions from the community.

ITEMS MOVED**11 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF****11.1 ADOPTION OF THE ANNUAL REPORTS 2023/24**

Ms Smith and Ms Clarke spoke to matters regarding the Annual Report and the Independent Auditor's report.

Ms Smith highlighted and clarified notes 7 (total salary costs – includes ACC and Kiwisaver) and 24 (employees FTEs).

Ms Clarke noted two changes to the report since it had been provided to Councillors on 19 November: Note 22 – there are two open legal cases that could incur costs of \$20-80K. Governance – has qualified opinion; and on page 66 of the Annual report, there was a handwritten note regarding the roading measure now being qualified.

Ms Clarke responded to queries regarding the carry over expenditure for capital projects.

Mr Walker acknowledged the work completed by the Finance Team and Audit NZ. Mr Walker acknowledged and apologised to the Council for the delays which were discussed at the previous ordinary meeting of Council on 30 October 2024.

Mr Corbett supported by Ms Smith and Mr Walker, responded to queries regarding the process and the frequency for the qualified opinion received on *the average quality of ride on the sealed local road network, measured by smooth travel exposure*, noting that the process is being updated and other Councils are in the same position with regard to this measure.

It was noted that the final Annual Report will be published within 30 days of adoption.

RESOLUTION DC2024/65**Moved: Mayor M Connelly****Seconded: Cr R Gray**

Council resolved to:

1. Receive the *Adoption of the Annual Reports 2023/24*.
2. Note that the legislative deadline of adoption by 31 October 2024 was not met.
3. Adopt the Annual Report 2023/24.
4. Adopt the Summary Annual Report 2023/24.
5. Approve the carry over capital expenditure from the 2023/24 year to the 2024/25 year, a total value of \$6,825,894.
6. Delegate to the Chief Executive authority to correct minor grammatical and other errors.
7. Authorise the Mayor, and Chief Executive authority to sign these reports.

[Items 1-7 read together]

CARRIED**SUSPENSION OF STANDING ORDERS****RESOLUTION DC2024/66****Moved: Cr A Ellims****Seconded: Deputy Mayor M Sadler-Futter**

Council resolved to suspend Standing Orders for item 11 to discuss the petition presented at today's meeting.

CARRIED**S1 PETITION - DISCUSSION**

Cr Ellims requested that council officers include Ms Hawkins and Mr Di Bona in future Long Term Plan workshops in light of the petition received by Council today as representative members.

Ms Smith confirmed that representatives will be invited to the morning session of the closed Long Term Plan workshop planned for Wednesday, 4 December.

Members requested that staff provide Ms Hawkins and Mr Di Bona a brief on progress to date with regard to the Long Term Plan.

Ms Smith clarified that signing the petition as an elected member of Council would be considered pre-determination.

Mr Gardner and Ms Smith provided assurance that work was in progress to engage with the community and improve consultation measures and mechanisms, including the development of a stakeholder contact list and the formation of a community reference group.

RESUMPTION OF STANDING ORDERS**RESOLUTION DC2024/67****Moved: Cr A Ellims****Seconded: Deputy Mayor M Sadler-Futter**

Council resolved to resume Standing Orders for the duration of the meeting.

CARRIED**11.2 WAIRARAPA LOCAL ALCOHOL POLICY****RESOLUTION DC2024/68****Moved: Deputy Mayor M Sadler-Futter****Seconded: Cr M Bosley**

Council resolved to:

1. note that the Wairarapa Policy Working Group heard submissions on 23 October 2024 and undertook deliberations on 6 November 2024;
2. note that 33 submissions were received on the draft Wairarapa Local Alcohol Policy;
3. agree to the Wairarapa Policy Working Group recommendations that:
 - a) the Wairarapa District Councils agree to adopt the Wairarapa Local Policy (attachment one) and gives public notice of adoption; and
 - b) the Wairarapa District Councils agree to bring the changes to off-licence maximum trading hours into force on 1 April 2025 and the rest of the Wairarapa Local Alcohol Policy into force on 1 February 2025;
4. note that the Wairarapa Local Alcohol Policy will be adopted 30 days after which it is publicly notified; and
5. note that the current Wairarapa Local Alcohol Policy will remain in force until the revised policy is in effect.

[Items 1-5 read together]

CARRIED**6 URGENT BUSINESS**

There was no urgent business.

7 CONFIRMATION OF MINUTES**7.1 MINUTES OF THE COUNCIL MEETING HELD ON 30 OCTOBER 2024****RESOLUTION DC2024/69****Moved:** Cr C Olds**Seconded:** Cr R Gray

That the minutes of the Council meeting held on 30 October 2024 are confirmed as a true and correct record.

In Favour: Mayor M Connelly, Deputy Mayor M Sadler-Futter, Cr M Bosley, Cr R Gray, Cr K McAulay, Cr C Olds and Cr A Woodcock

Against: Nil

Abstained: Cr A Ellims

CARRIED**8 MATTERS ARISING FROM PREVIOUS MEETINGS**

There were no matters arising.

9 REPORT BACKS AND REQUESTS FROM MĀORI STANDING COMMITTEE AND COMMUNITY BOARDS**10 RECOMMENDATIONS FROM COMMITTEES**

Note: Item 11- has been moved to another part of the document.

12 INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF**13 MAYORAL REPORTS****14 MEMBER REPORTS****15 APPOINTMENT REPORTS**

There were no reports for items 9-10 and 12-15.

16 PUBLIC EXCLUDED BUSINESS**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION DC2024/70****Moved:** Cr K McAulay**Seconded:** Cr C Olds

That the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
16.1 - Public Excluded Minutes of the Council Meeting held on 30 October 2024	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	To protect external consultants and contractors fee proposals.
16.2 - Lake Ferry Holiday Park Lease Structure	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	To protect the commercial position of the current operator; and to enable SWDC to carry on negotiations without prejudice or disadvantage.

CARRIED

17 KARAKIA WHAKAMUTUNGA – CLOSING

Mayor Connelly closed the meeting with a karakia.

The meeting closed at 12:21pm.

Confirmed as a true and correct record.

..... (Mayor)

..... (Date)

..... (Chief Executive)

..... (Date)

8 MATTERS ARISING FROM PREVIOUS MEETINGS

**9 REPORT BACKS AND REQUESTS FROM MĀORI STANDING COMMITTEE AND
COMMUNITY BOARDS**

10 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

10.1 ELECTIONS 2025 - ORDER OF CANDIDATES ON VOTING FORMS

Author: Nicki Ansell, Lead Advisor, Policy & Projects

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number: N/A

PURPOSE

For the Council to determine the order of candidates' names on voting papers in the 2025 local elections.

EXECUTIVE SUMMARY

Leading up to the local body elections 2025, Council can make a decision on the order of candidate's names on voting papers in the 2025 local election and any subsequent elections or by-elections. This report includes the options available and recommendations.

RECOMMENDATIONS

Officers recommend that the Council:

1. Receive the *Elections 2025 – Order of Candidates on Voting Forms* Report.
2. Agrees that, in accordance with clause 31 of the Local Electoral Regulations 2001, the method of ordering the names of candidates on voting papers will be fully random for the 2025 and 2028 triennial council elections and any subsequent by-elections.

BACKGROUND

Processes for the 2025 Local Authority triennial elections are currently being put in place. Local government elections are to be held 11 October 2025 in accordance with the [Local Electoral Act 2001](#).

Council has already resolved in August 2023 to use First Past the Post (FPP) as the voting method for the 2025 election.

Council can now determine under [section 31 of the Local Electoral Regulations 2001](#) which order the candidates' names are to be arranged on the voting papers.

DISCUSSION

Council must resolve by 30 June 2025 at the latest, how they wish their candidates to be ordered on the voting paper in the local elections. If a resolution isn't made, the candidate order must be alphabetical.

There are three options available (in no order of preference):

Option 1. Alphabetical

Candidates are listed in alphabetical order by surname.

Option 2. Random order

Random order means an arrangement where the order of the names of the candidates is determined randomly for each voting document.

Under this option, the names of the candidates are shown in a different order on each voting document, utilising software which permits the names of the candidates to be laser printed in a different order on each paper.

Option 3. Pseudo-random

Pseudo-random order means an arrangement where:

- a) The order of the names of the candidates is determined randomly; and
- b) All voting documents use that order

Under this arrangement, the names of the candidates are placed in a “hat” (or similar container) mixed together, and then drawn out, with the candidates’ names being listed on all voting documents for that election in the order in which they are drawn.

Under section 31(4) of the [Local Electoral Regulations 2001](#), if a local authority decides that pseudo-random order is to be used, the electoral officer must state in the public notice required to be given, the date, time and place at which the order of the candidates’ names will be drawn. Any person is entitled to attend and witness the draw take place.

In 2019 Council resolved to have candidates’ names shown as pseudo random and then random order for 2022.

Nationally, the majority of councils used random order in both 2019 and 2022.

Order of candidates’ names used by Councils on voting papers

Order	2019	2022
Random	57%	73%
Alphabetical	33%	24%
Pseudo-random	10%	3%

It is recommended that Council continue with candidates’ names in random order (option two) for the next two triennium to provide consistency and to be fully random on voting papers.

The cost of printing the voting documents under any of the three options will be the same.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with the Local Electoral Act 2001 and the Local Electoral Regulations 2001.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report. These Election costs have been accounted for in the EAP 2024/25
State the possible implications for health and safety	There are no health and safety implications.

APPENDICES

Nil

10.2 WAIRARAPA CONSOLIDATED BYLAW

Author: Nicki Ansell, Lead Advisor, Policy & Projects

Authoriser: Stefan Corbett, Group Manager, Infrastructure and Community Operations

File Number: N/A

PURPOSE

To inform *councillors* of a change to Part Nine: Water Supply of the Consolidated Bylaw following legal advice received on the Wairarapa Consolidated Bylaw and due to this revision, note a change of date for consultation.

EXECUTIVE SUMMARY

- The consultation for the Consolidated Bylaw is split into two parts to allow for a two-month period of consultation for Part Eleven: Trade Waste of the Bylaw and a one-month period of consultation for the rest of the Bylaw.
- Following adoption by the three councils (South Wairarapa, Carterton and Masterton), Part Eleven: Trade Waste, of the Consolidated Bylaw went out for consultation on 23 May for a period of two months, finishing on 25 July 2025 to meet requirements under section 148 of the Local Government Act 2002.
- After the Strategy Working Committee 30 April 2025, the Wairarapa Policy Working Group received legal advice for Part Nine: Water Supply of the Bylaw. In discussion with the three councils, a decision was made to delay the consultation for part one-ten of the Bylaw to allow for revised recommendations to be received by Council.
- Officers are now requesting Council adopt the revised Part Nine: Water Supply of the Consolidated Bylaw and the revised statement of proposal.
- The Wairarapa Policy Working Group also highlights a change in consultation dates for parts one through to part ten of the Consolidate Bylaw from 14 May – 30 June, to now run 25 June through until 25 July 2025.

RECOMMENDATIONS

1. That *Council* Receives the Wairarapa Consolidated Bylaw report
2. That Council endorses the revised Draft Part Nine: Water Supply Bylaw and the Statement of Proposal for consultation.
3. That Council notes the consultation for part one - part ten of the Consolidated Bylaw will take place 25 June – 25 July 2025 and that consultation for Part Eleven: Trade Waste is currently open, closing on 25 July 2025.

BACKGROUND

On [30 April 2025 Strategy Working Committee](#) received the Draft Consolidated Bylaw, Statement of Proposal and proposed dates for consultation in May. It was noted in the officer's report (10.7 Adoption of the Draft Wairarapa Consolidated Bylaw and Statement of Proposal for Consultation) that:

One outstanding item relating to Part Nine: Water Supply is currently undergoing external legal review. This relates to Section 14 Estimating Consumption. Legal advice is being sought on Council's ability to estimate water consumption based on previous readings for the purposes of billing if a meter is out of repair, ceases to register or is removed. Should an update be required, an amendment to the draft Bylaw and Statement of Proposal will be drafted and councillors will be provided a copy via Stellar prior to publication.

The legal advice has now been received regarding Part Nine: Water Supply, section 14: Estimating Consultation when a water meter is out of repair (clauses 14.3 and 14.4). This advice has triggered further changes to these sections of the Bylaw and the Statement of Proposal.

Council officers note that full details of the Consolidated Bylaw including Review Findings Report, Local Water Done Well – Implications for Water Services Bylaw, key changes of the proposed Wairarapa Consolidated Bylaw 2019, and the proposed Bylaw can be found in the report from Strategy Working Committee 30 April 2025. Full details can be found here - [OneDrive](#)

This report for Council, is for consideration of the revised draft Part Nine: Water Supply only. All other parts of the draft Bylaw have been approved for consultation by the Strategy Working Committee.

DISCUSSION

Following the legal advice received from Simpson Grierson, council officers noted changes were required for Part Nine: Water Supply. These changes included:

- Improving wording to reflect current and future practices as councils shift to volumetric charging in the region and to reflect current practices regarding the installation of meters on new developments.
- A key part of the initial feedback from Simpson Grierson was around estimation based on previous usage (when there is a broken meter or a leak). Part Nine has been updated to reflect this.
- Additional clarity in the Bylaw around how each Wairarapa Council measures their meters and making sure the wording is fit for purpose for each territorial authority.

An update has been made to the definition section of Part Nine to reflect the new terms of Check Meter, Meter Reading Period and Totaliser Meter.

Section 14 has been amended to reflect when the water supply authority will install, supply and maintain a meter on existing and new properties (14.1-14.7). The intention of these updates is to reflect current practice.

Section 14 had also been updated for charging when there is an unreadable meter or a leak section to comply with the rating act (14.8-14.22).

See appendix one for the draft Consolidated Bylaw, Part Nine: Water Supply, with track changes from what was last presented to Strategy Working Committee on 30 April 2025.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with Local Government Act 2002 and the rating act.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report.
State the possible implications for health and safety	No implications

APPENDICES

Appendix 1 Draft Part Nine: Water Supply

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Iwa: Kohinga Wai

Part Nine: Water Supply



Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Five – Water Supply	Masterton District Council Carterton District Council South Wairarapa District Council
6 August 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Nine – Water Supply	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by August 2030. If not reviewed by this date, the bylaw will revoke in August 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Hāngai | Related Documents

The following legislation is related to Part Nine:

- Building Act 2004
- Building Regulations 1992 Schedule 1 (New Zealand Building Code)
- Fire and Emergency New Zealand Act 2017
- Health Act 1956
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Water Services Act 2021
- Water Services (Drinking Water Standards for New Zealand) Regulations 2022

The following standards and codes are related to Part Nine:

- Taumata Arowai Acceptable Solutions
- Taumata Arowai Aesthetic Values for Drinking Water Notice 2022
- Taumata Arowai Drinking Water Quality Assurance Rules 2022
- Taumata Arowai Drinking Water Quality Assurance (Very Small to Medium Drinking Water Supplies) Amendment Rules 2024
- NZS 4503:2005 Hand Operated Fire-Fighting Equipment
- NZS 4517:2010 Fire Sprinkler Systems for Houses
- OIML R 49-1 2013 (E) Water meters intended for cold potable water and hot water. Part 1: Metrological and technical requirements;
- OIML R 49-2 2006 (E) Water meters intended for cold potable water and hot water. Part 2 Test methods
- OIML R 49-3 2006 (E) and Water meters intended for cold potable water and hot water. Part 3 Test report format
- Wellington Water Limited: Regional Standard for Water Services published dated December 2021 (Version 3.0)

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- SNZ PAS 4509: 2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice

The following other publications are related to Part Nine:

- Wairarapa Combined District Plan

DRAFT

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Kupu Takamua | Foreword

Part Nine is made under section 145 and section 146(b)(ii) of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

1.1. Part Nine enables the Water Supply Authority (WSA) to:

- a) promote the efficient use of water and protect against waste or misuse of water from the water supply network;
- b) protect, promote and maintain public health and safety in relation to the supply of Drinking Water;
- c) manage and provide public water supply services; and
- d) protect the public water supply network from damage, misuse, or interference.

Compliance with other Acts and Regulations

1.2. The supply and sale of water by a WSA is also regulated and controlled by other acts and regulations, and relevant codes and standards. Compliance with this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw. In the event of any inconsistency between this Part and the requirements of any Act or regulation, the Act and regulation prevails.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

2.1. The following definitions are applicable to Part Nine:

Backflow: means the unplanned reversal of a flow of water or mixtures of water and contaminants into the Water Supply Network.

Backflow Prevention Device: means a device approved by the Council that is designed to prevent Backflow and includes an air gap separation.

Buried Servies: means the WSA's underground systems, networks and infrastructure that deliver water supply to the public via the Water Supply Network.

Catchment: means an area of land which drains to a waterbody from where a public water supply is drawn.

Check Meter – means a secondary meter used to measure water usage within a private property on a shared connection, such as a secondary

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dwelling. Check Meters are used by the WSA to allocate water use charges between the properties serviced by the Totaliser Meter.

Commercial Use: means the use of land and buildings for Commercial Activities as defined in the Wairarapa Combined District Plan.

Corridor Access Request: has the meaning given to it under the National Code of Practice for Utility Operators and "CAR" has a corresponding meaning.

Customer: means a Person who has obtained the right to use or direct the manner of use of, water supplied by the WSA to any Premises.

Detector Check Valve: means a check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply.

Development Contribution: has the meaning given to it under section 197(2) of the Local Government Act 2002.

Drinking Water: has the meaning given to it under section 6 of the Water Services Act 2021.

Emergency Services: has the meaning given to it under section 4 of the Civil Defence Emergency Management Act 2002.

Extraordinary Supply: means a category of On-Demand Supply including all purposes for which water is supplied other than that of Ordinary Supply and which may be subject to specific conditions and limitations.

Extraordinary Use: means the use of water for purposes other than Ordinary Domestic Use and includes but is not limited to:

- domestic use from spa or swimming pools in excess of 10 m3 capacity
- domestic use from permanent fixed garden or lawn irrigation systems;
- Commercial Use;
- Industrial Use;
- agricultural, horticultural, viticultural, and lifestyle blocks (peri-urban or small rural residential) use;
- fire protection systems (other than sprinkler systems installed to comply with NZ4517) which have prior approval of the Council;
- out of district supply (i.e. supply to a Consumer outside the water supply area); and
- temporary supply.

FENZ: has the meaning given to it under section 6 of the Fire and Emergency New Zealand Act 2017.

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Flow Control Device: means a device used to regulate, direct, or limit the flow of water to a Customer's Premises.

Industrial Use: means the use of land and buildings for Industrial Activities as defined in the Wairarapa Combined District Plan.

Level of Service: means the measurable performance standards on which the WSA undertakes to supply water to its Customers.

Meter: means a device for the purpose of measuring the volume of water consumed.

Meter Reading Period: means the regular interval determined by the WSA at which Meter readings are scheduled or carried out for billing purposes. This may vary between properties.

Metered: means the amount of water being used is measured using a Meter.

National Code of Practice for Utility Operators: means the National Code of Practice for Utility Operators' Access to Transport Corridors pursuant to section 12 of the Utility Access Act 2010 and as updated from time to time.

On-Demand Supply: means a supply which is available on demand directly from the Point of Supply subject to the agreed Level of Service.

Ordinary Supply: means a category of On-Demand Supply used solely for Ordinary Domestic Use.

Ordinary Domestic Use: means the use of water for domestic purposes which is water taken and used for the purpose of providing for individual household use and for human drinking and sanitation needs. Domestic use may include use in a fire sprinkler system to NZS 4517¹, and includes:

- washing down a car, boat or similar;
- garden watering by hand;
- garden watering by a portable sprinkler (subject to the provision of clauses 10.5 and 10.6 Demand Management).

Permit: means written permission or authority issued by an Authorised Officer.

Point of Supply: means the point on the Service Pipe leading from the Water Main to the Premises, which marks the boundary of responsibility and is typically the Customer side of the Service Valve (Toby), unless otherwise specified, and regardless of whether the Service Valve (Toby) is inside or outside the property boundary.

Potable Water: means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values

¹ Note: For use from a fire protection system to NZS 4517 to be classified as an Ordinary Use, the Customer should comply with the conditions set under clause 49.1.

(other than aesthetic guideline values) specified in the New Zealand Drinking Water Standards applicable at the time.

Premises: means the physical location to which a water supply is provided and includes the following:

- a Property;
- a building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a Record of Title is available; or
- land held in public ownership (such as a Reserve) for a particular purpose.

Property: means a property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued and is a separate Rating Unit and showing on the Rating Information Database.

Ranger: means a person responsible for the management of a WSA controlled catchment area or water reserve.

Rating Unit: has the meaning given to it under sections 5B and 5C of the Rating Valuations Act 1998.

Restricted Flow Supply: means a type of water supply connection where a small continuous flow of water is supplied through a Flow Control Device across an air gap separation, and storage is provided by the Customer to cater for the Customer's demand fluctuations.

Restrictor: means a Flow Control Device fitted to the Service Pipe.

Rural Water Supply Area: means an area formally designated by a WSA within a zone defined as rural in the Wairarapa Combined District Plan that is capable of being serviced by a reticulated Water Supply System.

Service Pipe: means the section of water pipe between a water main and the Point of Supply.

Service Valve (Toby): means the valve at the Customer end of the Service Pipe used to control and/or isolate the supply.

Storage Tank: means any container having a free or enclosed water surface in which water is stored for use.

Supply Pipe: means the section of pipe between the Point of Supply and the Customer's Premises through which water is conveyed to the Premises.

Totaliser Meter – means a meter that measures the total accumulated quantity (such as mass or volume) of a substance that has flowed through a process and is generally positioned on the Service Pipe outside the property boundary.

Transport Corridor: has the meaning given to it under the National Code
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of Practice for Utility Operators.

Urban Water Supply Area: means an area formally designated by a WSA within a residential, Commercial, mixed use or Industrial zone in the Wairarapa Combined District Plan as an area serviced by a reticulated Water Supply System.

Water Supply Authority: means the operational unit of the Masterton District Council, Carterton District Council or the South Wairarapa District Council responsible for the supply of water and includes its Authorised Agents and "WSA" has a corresponding meaning.

Water Supply Network: means all those components of the water supply network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to:

- Catchments, wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, Service Pipes, boundary assemblies, meters, Backflow prevention devices and tobies.

Water Unit: means the basis of measurement of water on a restricted supply scheme (e.g. rural supply or urban extension). A single Water Unit is equivalent to a volume of one cubic metre (1000 litres).

Waterworks: has the meaning given by section 5 of the Local Government Act 2002.

Works Access Permit: has the meaning given to it under the National Code of Practice for Utility Operators and "WAP" has a corresponding meaning.

3. Te Tiaki Kohinga Wai | Protection of Water Supply

Access to Water Supply Network

- 3.1. No person, except the WSA, will have access to any part of the Water Supply Network, except to connect to the Point of Supply as outlined in section 7, and/or to operate the Service Valve.
- 3.2. A Person must not cause damage to or otherwise interfere with any part of the Water Supply Network. Any damage which occurs to any part of the Water Supply Network must be reported to the WSA immediately by the Owner or Occupier of the Premises, or the Person otherwise responsible for causing the damage.
- 3.3. The WSA reserves the right to charge the Owner or Occupier of the Premises, or the Person otherwise responsible for causing the damage, the cost of repairing the damage to the WSA Water Supply Network (including any reinstatement or replacement in part if required), and any other consequential costs the WSA incurs as a result of the incident

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Fire Hydrants

- 3.4. The right to gain access to, and draw water from, fire hydrants is restricted to:
 - a) the WSA, authorised contractors to the WSA, or otherwise as approved by the WSA;
 - b) FENZ personnel for the purpose of FENZ operations;
 - c) Emergency Services; and
 - d) persons with a Permit to draw water, in accordance with the terms and conditions of approval.
- 3.5. To obtain a Permit to draw water from a fire hydrant under section 3.4(d) above, the applicant must submit an application to the WSA with all required information, and pay any prescribed fees. The WSA will review the application and may grant or decline the application at its discretion. If granted, the WSA may (as it sees fit) impose any conditions, including restrictions on the time period during which water can be drawn from the hydrant.
- 3.6. Any Person accessing and drawing water from a fire hydrant in breach of section 3.4 must immediately remove the standpipe when requested to do so by the WSA.
- 3.7. Any Person using a fire hydrant pursuant to clause 3.4(d) is liable to the WSA for any damage or loss caused to the fire hydrant or the Water Supply Network as a result of that use.

Other Uses

- 3.8. The WSA reserves the right to decline, revoke, or modify any written approval to draw water from authorised locations at any time, and may direct water to be drawn only from other alternative locations as approved by the WSA.

4. Te mahi tātā ki ngā Ratonga Rōnuku | Working around Buried Services

Explanatory Note:

Protecting the Water Supply Network from damage is vital for public health.

- 4.1. The WSA will keep permanent records ('as-builts') of the location of its Buried Services. This information is available for inspection at no cost to users but charges may apply to provide copies of this information.
- 4.2. Any Person proposing to carry out excavation work or otherwise interfere with land shall, prior to undertaking such work, view the as-built information to establish whether any part of the WSA's Water Supply Network is located in the vicinity of the proposed work, including rural public water supply networks.

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- 4.3. At least five working days' notice in writing must be given to the WSA of an intention to excavate in the vicinity of the WSA's Water Supply Network.
- 4.4. Where appropriate, the WSA will mark out on the ground (to within ± 0.5 metres) the location of its services and provide in writing any restrictions on the work it considers necessary to protect the WSA Water Supply Network. The WSA may charge for this service.
- 4.5. Any persons excavating and working around Buried Services:
 - a) within a Transport Corridor or Public Place, must follow any procedures required for obtaining a permit from the appropriate roading authority;
 - b) must take due care to ensure the WSA Water Supply Network is not damaged, and that bedding and backfill are reinstated in accordance with the appropriate WSA specification.
 - c) must report any damage it causes to the WSA Water Supply Network to the WSA immediately.
- 4.6. The WSA reserves the right to charge the cost of repairing the damage to the WSA Water Supply Network (including any reinstatement or replacement in part if required), and any other consequential costs the WSA incurs as a result of the incident.

Explanatory Note:

Excavation within roadways is also subject to the permit process of the appropriate roading authority.

5. Herenga kia Hāngai ai ngā Mahi | Requirement for Compliance of Works

- 5.1. All connections, installations, maintenance, repair works, and any other work on or around the Water Supply Network must be in accordance with this bylaw, relevant regulations, standards and Council policies, unless otherwise agreed by the WSA in writing.

6. Te Tiaki Mātāpuna Wai | Protection of Water Source

Catchment classes

- 6.1. The WSA may designate surface water and groundwater Catchment areas from which untreated water is drawn for the purposes of water supply, as controlled, restricted or open.

Controlled catchments

- 6.2. The following conditions apply to Controlled Catchments:

Entry

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- a) No Person may enter a Catchment areas designated as controlled, or any area held by the WSA as a water reserve, unless they are specifically authorised or permitted in writing by the WSA.
- b) Within controlled Catchment areas, unless provided for by the WSA, no person is allowed to:
 - i. camp;
 - ii. take or allow to stray any livestock;
 - iii. bathe or wash anything;
 - iv. deposit any dirt, rubbish or foul material of any kind; or
 - v. defecate.

Permits

- c) No Person shall enter a controlled Catchment to undertake any of the following activities, without a Permit:
 - i. hunting, trapping, shooting, or fishing;
 - ii. lighting or maintaining any fire;
 - iii. taking of any dog or other animal;
 - iv. damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
 - v. carrying of any firearm or weapon of any kind, any trap or any fishing gear which may be used for the hunting or catching of birds, fish or animals; or
 - vi. use of any pesticide or toxic substance for any purpose whatsoever.
- d) A Permit will allow entry and may forbid, regulate or control any of the above-mentioned activities and the WSA may impose any conditions it considers necessary and appropriate.
- e) A Person may be required to present a medical clearance before an entry Permit will be issued.

Permits to be presented

- f) Unless the WSA allows:
 - i. a Person who has been issued with an entry Permit must not enter or leave any controlled Catchment area or land held by the WSA as a water reserve without showing the Permit to the WSA ranger

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for inspection and notifying the ranger of their intention to enter or leave the area;

- ii. every Person on any controlled catchment area or land held by the local authority as a water reserve must produce their entry Permit for inspection by the ranger on demand;
- iii. Permits are non-transferrable; and
- iv. the WSA may revoke or suspend a Permit at any time, by giving written notice to the holder of the Permit, specifying the duration of the revocation or suspension.

Restricted catchments

- 6.3. Catchment areas which are designated as restricted allow some activities but have the same rules as controlled Catchments for other activities. The activities that may be allowed without restriction include unrestricted entry for:
- a) tramping;
 - b) hunting;
 - c) trapping;
 - d) shooting; and
 - e) fishing.

Open catchments

- 6.4. Open Catchment areas are all other water supply Catchments in the District administered by the WSA that are not controlled or restricted. In open Catchment areas, whether designated or not, there will generally be no specific controls or restrictions on activities other than those that may be contained in any part of the Wairarapa Combined District Plan and National Environmental Standards issued under section 43 of the Resource Management Act 1991.

Spills and Adverse Events

- 6.5. In the event of a spill, or any event which may compromise Potable Water or the Water Supply Network, the Person responsible for the event or spill must advise the WSA immediately. This requirement is in addition to any other notification procedures required by other authorities.
- 6.6. Where the Owner or Occupier of any Premises allows or permits any item or items on the Premises that may potentially contaminate or leach into the water supply and to accumulate on the Premises contained within the

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Catchment, the WSA may request the Owner or Occupier to contain and remove the item or items using a WSA approved method and location.

- 6.7. If the items in section 6.6 are not removed within the period specified, the Council or its Authorised Agents may remove the items and recover any and all costs, from the Owner or Occupier of the Premises, associated with containment, removal and disposal.

7. Tono Kohinga Wai | Application for Supply

- 7.1. An application is required to:
- a) obtain a new connection to the Water Supply Network;
 - b) replace an existing connection to the Water Supply Network;
 - c) alter an existing connection to the Water Supply Network, including disconnection from the network,
 - d) change the use of, or demand on, or capacity of the water or Level of Service to their Premises (e.g. changing from Ordinary Domestic Use to Extraordinary Use).
- 7.2. Applications must be made on the prescribed form and must include all information required by the WSA, and be accompanied by the prescribed fees.
- 7.3. Applications must be made on the prescribed form and must include all information required by the WSA, and be accompanied by the prescribed fees.
- 7.4. Applications to disconnect from the Water Supply Network must be submitted at least 20 working days' before the requested disconnection date. Disconnection is at the Customer's expense.
- 7.5. On receipt of a complete application the WSA will either:
- a) approve the application, subject to conditions the WSA considers appropriate, including conditions to comply with relevant regulations, standards and policies, and notify the applicant of any requirements or applicable conditions; or
 - b) refuse the application and notify the applicant of the decision giving the reasons for refusal;
 - c) request further information to be supplied by the applicant within a specified timeframe.
- 7.6. The WSA will determine the sizes of all pipes, fittings and any other equipment, up to the Point of Supply. The WSA will supply and install the Service Pipe up to the Point of Supply at the applicant's cost, or may allow the supply and

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installation of the Service Pipe to be carried out by an approved contractor in the case of new subdivision servicing.

- 7.7. The applicant must have the authority to act on behalf of the owner of the premises for which the supply is sought and produce written evidence of this if required.
- 7.8. Approved applications that have not been actioned within six months of the date of approval will lapse unless a time extension has been approved. Any refund of fees and charges will be at the discretion of the WSA.

Prescribed charges for connections

- 7.9. Charges applicable at the time of connection may include:
 - a) payment to the WSA for the cost of the physical works required to provide the connection;
 - b) a Development Contribution determined in accordance with the LGA; or
 - c) a financial contribution charge determined in accordance with the Resource Management Act 1991.

8. Te Pito Kohinga Wai | Point of Supply

Single Ownership

- 8.1. For each individual Customer there will only be one Point of Supply, unless otherwise approved by the WSA.
- 8.2. For individual Customers the Point of Supply will be located as shown in Figure 1 or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions require WSA approval.
- 8.3. The typical layout at a Point of Supply is shown in Figure 2.
- 8.4. The WSA does not guarantee the serviceability of the Service Valve located on the Service Pipe. Where there is no customer stopcock, or where maintenance is required between the Service Valve and the customer stopcock (i.e. to identify a private leak), the Customer may use the Service Valve to isolate the supply (this valve is not to be used to manage the private supply, a private shut off valve on the Supply Pipe may be installed for this purpose). The WSA reserves the right to charge the Customer for the cost of any maintenance, repair, or replacement of the Service Valve if damage occurs during this use.

Explanatory Note:

Refer to section 15 of this bylaw for ownership, maintenance and other responsibilities relating to water supply.

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FIGURE 1 – POINT OF SUPPLY LOCATION – INDIVIDUAL CUSTOMERS

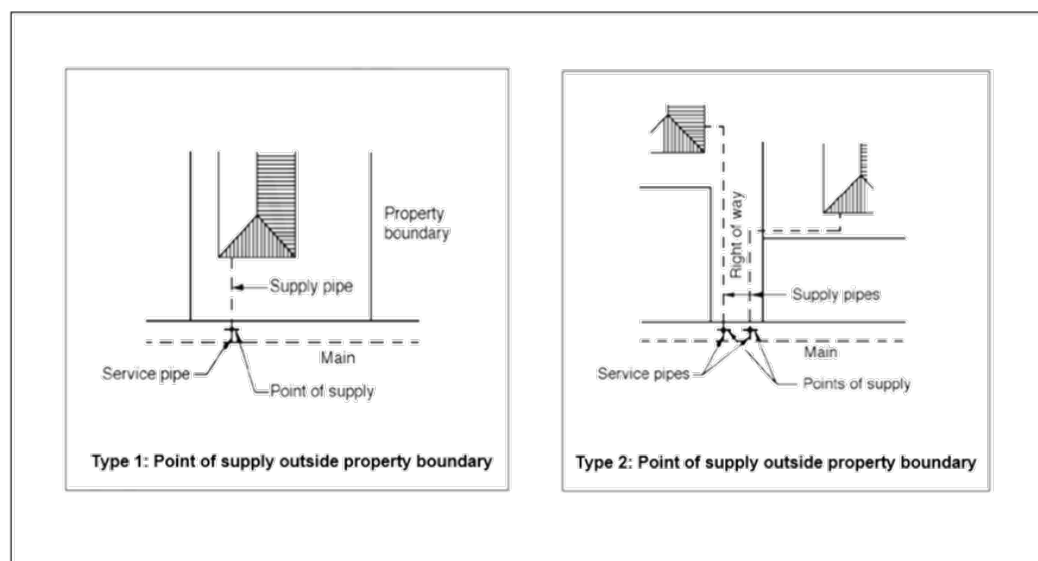
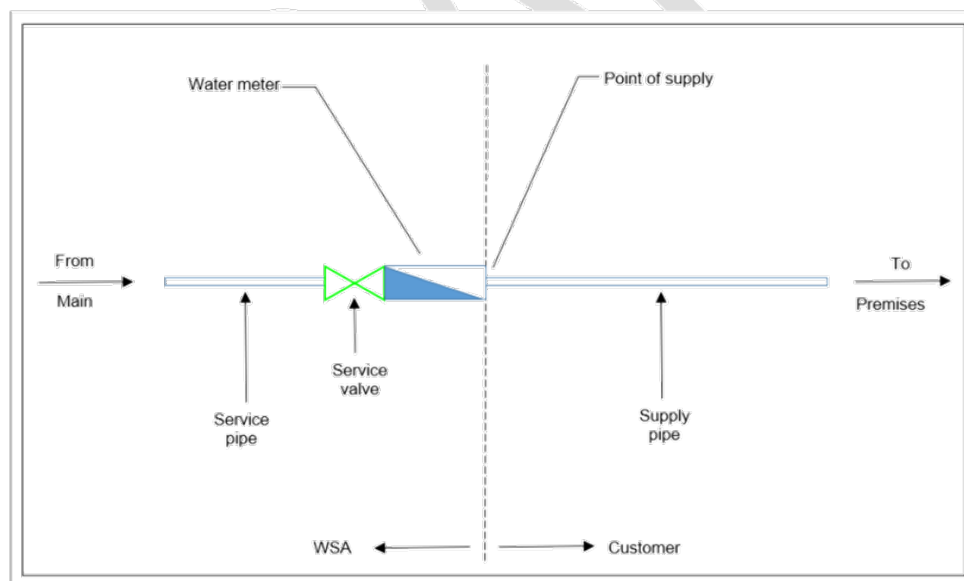


FIGURE 2 – TYPICAL LAYOUT AT POINT OF SUPPLY



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Multiple Ownership

- 8.1 The Point of Supply for the different forms of multiple ownership of Property is as follows:
- a) for Company Share/Block Scheme (Body Corporate) – as for single ownership;
 - b) for Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Customer shall have an individual supply with the location of the Point of Supply to be determined by agreement with the WSA. In specific cases other arrangements may be acceptable, subject to individual WSA approval.
- 8.2 For a multiple ownership supply which was in existence prior to this bylaw coming into effect, the Point of Supply will be the arrangement that existed at that time, or as determined by agreement with the WSA.

9. Te Whaiwāhi ki te Pito Kohinga Wai | Access to Point of Supply

- 9.1. Where the Point of Supply is on private property the Customer must allow the WSA access to, and about the Point of Supply between 7.30am and 6.00pm on any day for:
- a) a meter reading without notice; or
 - b) checking, testing and maintenance work with notice being given whenever possible.
- 9.2. Outside the hours in section 9.1 above (such as for night-time leak detection) the WSA will give notice to the Customer.
- 9.3. If access is not provided at the times mentioned in sections 9.1 and 9.2, and the WSA needs to make another visit, a fee may be charged for 'meter reading by appointment.'
- 9.4. In accordance with section 173 of the Local Government Act 2002, in the case of a sudden emergency causing or likely to cause loss of life or injury to any person, or damage to property or the environment, or there is danger to any works or adjoining property, the WSA may enter the Property without giving prior notice and the Customer shall allow the WSA unobstructed access to, and about the Point of Supply at any time.

10. Ngā Momo Kohinga | Types of Supply

- 10.1. Water supplies shall be classified as either On-Demand or Restricted Flow and the use of water from the supply shall be either Ordinary Domestic Use or Extraordinary Use.

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- 10.2. Properties in a rural area are not eligible for connection to the Water Supply Network unless specifically approved by the WSA. Should the WSA approve a new connection for a Property in a rural water supply area, a Restricted Flow supply for Ordinary Domestic Use will be provided, but not necessarily with firefighting capability.

On-Demand: Ordinary Supply

- 10.3. Every Premises is entitled to an Ordinary Supply of water subject to the following conditions:
- a) the Premises are located within an Urban Water Supply Area;
 - b) the exclusion of its use under any restrictions made by the WSA under section 11.5 (Demand Management);
 - c) payment of the prescribed charges in respect of supply to those Premises;
 - d) payment of any other charges or costs associated with subdivisional development; and
 - e) compliance with the conditions of this part.
- 10.4. Ordinary Domestic Use of water supplied by the WSA will normally be Metered and the cost of such use (allocated and extra over and above) must be in accordance with sections 9, 15-19, 101-103 of the Local Government (Rating) Act 2002, and as set through the Council's annually reviewed fees and charges.

On-Demand: Extraordinary Supply

- 10.5. The WSA is under no obligation to provide an Extraordinary Supply of water (see also the provisions of section 11 and section 12.4).
- 10.6. Extraordinary Supply of water is normally measured by way of a Meter and charged for in accordance with section 10.4 above.
- 10.7. Where the Extraordinary Supply is for fire protection only, this supply will not normally be metered.

Restricted Flow Supply

- 10.8. Restricted Flow Supply is available to Premises within a designated area or areas only, or under special conditions set by the WSA.
- 10.9. The water supply will be restricted to deliver the agreed number of Water Units at a steady flow rate.
- 10.10. The WSA will charge for the Restricted Flow Supply by either:
- a) the volume passing through a Meter; or

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- b) a volume of 365m³ per year delivered at the rate of 1m³ per day; or
- c) the agreed number of Water Units.

11. Te rere tonu o te Kohinga | Continuity of Supply

Continuity of supply and uninterrupted service

- 11.1. The WSA provides water in accordance with the agreed Level of Service. For periods where the Level of Service allows non-compliance with the specified value(s), the WSA will make every reasonable attempt to achieve the specified value(s).
- 11.2. Due to practical and physical limitations, the WSA does not guarantee an uninterrupted or constant supply of water in all circumstances, nor the continuous maintenance of any particular pressure.
- 11.3. Where works of a permanent or temporary nature are planned which will affect an existing supply, the WSA will consult with, inform or give notice to all known customers likely to be substantially affected.
- 11.4. If a Customer has a particular requirement for an uninterrupted level of service (flow, pressure, or quality), it is the responsibility of that Customer to provide any storage, back-up facilities, or equipment necessary to provide that Level of Service.

Demand management

- 11.5. The Customer must comply with any restriction or other conservation measures, which may be approved by the WSA to manage high seasonal or other demands. Restrictions will be advised by public notice.
- 11.6. Even when such restrictions apply the WSA will take all practicable steps to ensure that an adequate supply for Ordinary Domestic Use is provided to each Point of Supply.

Emergency restrictions

- 11.7. During an emergency the WSA may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers. Such restrictions will be publicly notified in the most effective way to suit the particular circumstance.
- 11.8. Where immediate action is required, any restriction or prohibition may be imposed by the manager of the WSA, subject to subsequent Council ratification.
- 11.9. Nothing in this Bylaw affects any emergency powers which may be exercised by Taumata Arowai under the Water Services Act 2021.

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Supply during maintenance and repair

- 11.10. Wherever practical, the WSA will make every reasonable attempt to notify the Customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the WSA may shut down the supply without notice.

Liability

- 11.11. The WSA will endeavour to meet the level of service requirements set out in section 11.1, but is not liable for any loss, damage or inconvenience as a result of deficiencies in, or interruptions to, the water supply.

12. He Hononga Kaupare Ahi | Fire Protection Connection

- 12.1. Any application for a connection to the Water Supply Network for fire protection purposes must be submitted on the prescribed form and accompanied by any prescribed fee.
- 12.2. The WSA may grant an application made under clause 12.1, subject to any conditions specified by the WSA.
- 12.3. It is the Customer's responsibility to confirm with the WSA and monitor whether the supply available is adequate for their intended use.
- 12.4. Where the supply of water to any Premises is Metered, the WSA may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the Meter, provided that:
- a) the drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; and
 - b) a WSA approved detector check valve has been fitted on the Meter bypass.
- 12.5. Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system.
- 12.6. Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the WSA may require the supply to be Metered.
- 12.7. Where the supply of water to any premises is Metered, fire hose reels shall be connected only to the Metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503.
- 12.8. Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is Metered and water has been used for firefighting purposes, the WSA shall estimate the quantity of water so

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used, and credit to the customer's account an amount based on such an estimate.

- 12.9. Customers intending to test fire protection systems in a manner that requires a draw-off of water shall obtain the approval of the WSA beforehand. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by the WSA.

13. Kaupare Wairere Whakamuri | Backflow Prevention

- 13.1. The Customer and WSA have responsibilities under the Building Act 2004 and the Water Services Act 2021 to take all necessary measures to ensure that water drawn from the Water Supply Network does not return to that supply.
- 13.2. Notwithstanding section 13.2, the WSA may install a Backflow Prevention Device on the WSA side of the Point of Supply where the Customer cannot demonstrate that the risk of Backflow is adequately managed. The WSA may require the Customer to reimburse the costs of installation, maintenance and ongoing testing of the Backflow Prevention Device.

Explanatory Note:

As at the date the bylaw comes into force, responsibilities to ensure that water drawn from the Water Supply Network does not return to that supply include:

- a) providing adequate Backflow prevention either by providing an adequate air gap, or by the use of an appropriate Backflow Prevention Device; and
- b) ensuring there is no cross-connection between the WSA Water Supply Network and:
 - i. any other water supply (Potable Water or non-Potable Water);
 - ii. any other water source;
 - iii. any Storage Tank; or
 - iv. any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-drinking water substances.

Fire protection systems that include appropriate Backflow prevention measures would generally not require additional Backflow prevention, except in cases where the system is supplied by a non-Potable Water source or a Storage Tank or fire pump that operates at a pressure in excess of the WSA's normal minimum operating pressure.

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14. Ine-Wai me ngā Taputapu Aukati Wai | Meters and Flow Restrictors

- 14.1. Meters and Restrictors will be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on the WSA side of the Point of Supply (refer Figure 2).
- 14.2. Customers may install Check Meters within their own property boundary, and they will be responsible for the supply, installation and maintenance of those meters.

Installation for existing rateable properties

- 14.3. Meters for On-Demand Supply, and Restrictors for Restricted Flow Supply, will be supplied, installed and maintained by the WSA, and remain the property of the WSA on existing rateable properties (residential or commercial) at the date of the Bylaw.
- 14.4. The WSA will only install Totalizing Meters and may install Check Meters on existing rateable properties on a shared service.

Installation for new rateable properties

- 14.5. Meters for On-Demand Supply, and Restrictors for Restricted Flow Supply, will be supplied and installed by the Customer or developer of a new rateable property (residential or commercial) after the date of the Bylaw as set out in section 14.1 of the Bylaw, and subject to any further requirements of their resource consent.
- 14.6. The Meter or Restrictor will transfer to the ownership of the WSA once installed.
- 14.7. The Meter or Restrictor will be maintained and remain the property of the WSA.

Accuracy

- 14.8. Meters will be tested as and when required by the WSA or as prescribed in OIML R 49-2 2006 (E) water Meters intended for cold potable water and hot water. Part 2 Test methods.
- 14.9. The maximum permissible error for the upper flow rate zone ($Q_2 < Q < Q_4$) is ± 2 per cent, for temperatures from 0.3°C to 30°C and the maximum permissible error for the lower flow rate zone ($Q_1 < Q < Q_2$) is ± 5 per cent. This accuracy will be applied to all water meters with $Q_3 < 100$ m³/h and may be applied to water meters with values of $Q_3 > 100$ m³/h. The flow restrictors must be accurate to within ± 10 per cent of their rated capacity.
- 14.10. Any Customer who disputes the accuracy of a Meter or Restrictor may apply to the WSA for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy in clause 14.4, the Customer will not be charged for the test. If the test shows compliance,

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the Customer must pay a fee in accordance with the WSA current fees and charges.

- 14.11. Test reports from Meter testing under 14.3 shall be made available as prescribed in OIML R 49-3 2006 (E) and Water meters intended for cold potable water and hot water. Part 3 Test report format.
- 14.12. The variation in the error curve shall not exceed 3 per cent for flow rates in the lower zone and 1.5 per cent for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate will apply.
- 14.13. The curves must not exceed a maximum error of ± 6 per cent for flow rates in the lower zones and ± 2.5 per cent for flow rates in the upper zones.
- 14.14. Restrictors will be tested by measuring the quantity that flows through the Restrictor in a period of not less than one hour at the expected minimum operating pressure. A copy of independent certification of the test result is available to the Customer on request.

Adjustment

- 14.15. If any Meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a Meter, the WSA shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the WSA but not exceeding 12 months, and the Customer shall pay a greater or lesser amount according to the adjustment.
- 14.16. Where a Meter is under-reading by more than 20 per cent or has stopped, the WSA reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.
- 14.17. Where a Meter is over-reading, the WSA shall make appropriate adjustments to the Customer's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

Charging when a meter is unreadable

- 14.18. Where a Property is supplied with water through a Metered connection but the Meter cannot be read by the WSA at one or more of the scheduled Meter Reading Periods due to one or more of the following reasons:
 - (a) the Meter is damaged, removed, or otherwise rendered inoperable;
 - (b) the Meter has been tampered with or interfered with in a way that prevents a reading;

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(c) the Meter is otherwise unable to be accessed or read

then the WSA may apply a fixed water usage charge to the Customer instead of a charge based on an actual metered consumption for the relevant period.

14.19. The fixed charge shall be calculated for the Meter Reading Period during which the Meter was unreadable). The fixed charge shall be determined by the WSA by resolution and included in the WSA's Fees and Charges Schedule and shall be applied in accordance with that Schedule.

14.20. If the Meter is restored so that it is readable partway through a Meter Reading Period, the WSA may apply a pro-rata fixed charge, based on the proportion of the Meter Reading Period during which the Meter remained unreadable. Once a Meter becomes readable, volumetric charges shall resume from the date and time of the successful reading onwards.

Charging when there is a leak

14.21. The Customer is responsible for leak detection and repair on their property as set out in section 15.4 .

14.22. If Metering shows a significant increase in consumption for a Premises, and the increase is established as being caused by a previously unknown leak, the WSA may grant a waiver of the costs associated with excessive usage, provided that the Customer produces evidence by way of an invoice that a tradesperson has investigated, located and repaired the leak in a timely manner.

Incorrect amounts

14.23. Where a situation occurs, other than as provided for in sections 14.13 and 14.14, where the recorded consumption does not accurately represent the actual consumption on a Property, the account shall be adjusted using the best information available to the WSA. Such situations include, but are not limited to, misreading of the Meter, errors in data processing, Meters assigned to the wrong account, and unauthorised supplies.

14.24. Where an adjustment is required, in favour of the WSA or the Customer, this shall not be backdated more than 12 months from the date the error was detected.

15. Pupuri Mana, Whakahaere me Ētahi atu Haepapa Kohinga Wai | Ownership, Maintenance and Other Responsibilities Relating to Water Supply

Ownership, care and maintenance

15.1. The WSA owns and maintains the Service Pipe, Service Valve, and fittings up to the Point of Supply, including any Meters where fitted.

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- 15.2. The Customer owns and must maintain the Supply Pipe beyond the Point of Supply.
- 15.3. The Customer must maintain the area in and around the Point of Supply keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access.

Prevention of water loss and waste

- 15.4. The Customer must not waste the water or allow it to be wasted. Wasting or allowing it to be wasted includes without limitation allowing water to run to waste from any pipe, tap, or other fitting, allowing leaks to continue unrepaired, allowing the condition of the plumbing within the Property to deteriorate to the point where leakage or wastage occurs.
- 15.5. The Customer must not use water or water pressure directly from the Point of Supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved.
- 15.6. The Customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.

Plumbing system

- 15.7. Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the Water Supply Network, or compromise the ability of the WSA to maintain its stated levels of service must not be used on any piping beyond the Point of Supply. In special circumstances such equipment may be approved by the WSA at its discretion.

Inspection

- 15.8. Subject to the provisions of the LGA, the Customer must allow the WSA access to any area of the Premises (excluding a dwellinghouse unless the entry is authorised by a warrant given by an issuing officer within the meaning of section 3 of the Search and Surveillance Act 2012)) for the purpose of determining compliance and/or detecting a breach of this bylaw.

16. Whakahaere | Administration

Payment

- 16.1. The Customer will be liable to pay for the supply of water and related services in accordance with the fees and charges which Council may determine by resolution, publicly notified.
- 16.2. The WSA may recover all unpaid water charges in the manner prescribed in sections 57 to 82 of the Local Government (Rating) Act 2002.

Transfer of rights and responsibilities

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- 16.3. The Customer must not transfer to any other party the rights and responsibilities set out in this bylaw.
- 16.4. A supply pipe will serve only one customer and must not extend by hose or any other pipe beyond that Customer's Property.
- 16.5. Any water which the Customer draws from the WSA Water Supply Network must not be provided to any other party without approval of the WSA.

Change of Ownership

- 16.6. In the event of a Premises changing ownership, the WSA will record the new owner as being the Customer at that Premises. Where a Premises is Metered, the outgoing Customer must give the WSA five working days' notice to arrange a final meter reading.

17. Whakaūnga | Enforcement

Offences and Penalties

- 17.1. Any Person who breaches this part of the bylaw commits an offence and may be liable on conviction to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2025: Part One - Introductory (section 15.2) for details of what broadly constitutes a breach of this part.
- 17.2. To avoid any doubt, breaches include but are not limited to:
 - a) providing an incorrect application which fundamentally affects the provisions;
 - b) failure by the Customer to comply with any duty, obligation or condition
 - c) imposed by this part;
 - d) failure to meet any obligation placed on the Customer under all current legislation and regulations;
 - e) frustration of the WSA's ability to adequately and effectively carry out its obligations;
 - f) an act or omission including but not limited to any of the following:
 - i. failure to pay the appropriate charges by the due date;
 - ii. failure to repair a leak, or in any way willfully allowing water to run to waste, or to be misused;
 - iii. the fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the Water Supply Network, or compromise the ability of the WSA to maintain its stated levels of service (subject to section 15.7);

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- iv. failure to prevent backflow (see section 13);
- v. failure to comply with water use restrictions or prohibitions introduced by the WSA for any specified purpose;
- vi. using water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the WSA;
- vii. using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved;
- viii. extending by hose or any other pipe a private water supply beyond that Customer's Property;
- ix. providing water drawn from the WSA Water Supply Network to any other party without approval of the WSA;
- x. taking water from a fire hydrant without a Permit;
- xi. misuse of or interference with the Water Supply Network, including accidental or intentional damage; or
- xii. any unauthorised connection to the Water Supply Network.

Removal of works and recovery of costs

- 17.3. In the event of a breach, the WSA will serve notice on the Customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the Customer persists in the breach, the WSA reserves the right, in accordance with section 193 of the Local Government Act 2002 and section 25(7) of the Water Services Act 2021, to reduce the flow rate of water to the Customer without notice. In such an event the full service of the supply will be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of the WSA.
- 17.4. Where a Customer fails to carry out the necessary work to repair an ongoing leak after being served notice by the WSA in accordance with section 17.3, the WSA may repair the leak and charge the Customer all associated costs, including for the cost of water lost as a result of the leak.
- 17.5. If the breach requires the WSA to disconnect the supply for health or safety reasons the disconnection will be carried out immediately.
- 17.6. Any tampering or interfering with WSA equipment, either directly or indirectly, constitutes a breach. Without prejudice to its other rights and remedies, the

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Nine is liable to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;

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WSA is entitled to estimate (in accordance with sections 14.13 and 14.14) and charge for the additional water consumption not recorded or allowed to pass where a Meter or Restrictor has been tampered with, and recover any costs incurred.

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10.3 LOCAL GOVERNMENT NZ REMIT 2025**Author:** Amy Andersen, Lead Advisor, Democracy and Committees**Authoriser:** Paul Gardner, Group Manager, Corporate Services**File Number:** N/A**PURPOSE**

This paper seeks a resolution for the presiding delegate from South Wairarapa District Council (SWDC) at the upcoming Local Government NZ (LGNZ) Annual General Meeting (AGM) taking place in Christchurch from 16-17 July 2025.

EXECUTIVE SUMMARY

- Local Government New Zealand's 37th AGM will be held at 8.30am on Wednesday 16 July at Te Pae in Christchurch.
- Every year, LGNZ adopts new remits at their AGM. Remits enable LGNZ members to directly inform advocacy and build ground-up policy that allows local people to deliver their own local initiatives.
- This report includes the remits for 2025 to endorse and prioritise for the AGM.

RECOMMENDATIONS

Officers recommend that Council:

- Receives** the Local Government NZ Remit 2025 report.
- Authorises** the primary nominee to endorse the remits with the following vote:

Proposed Remit		Vote – Yes, No or Abstain
1		
2		
3		
4		
5		

- Authorises** the primary nominee to prioritise the remits as follows:

- _____
- _____
- _____
- _____
- _____

BACKGROUND

All local authorities who are full financial members of LGNZ as of 20 August 2024 are entitled to be represented at the AGM. South Wairarapa District Council (SWDC) can be represented by elected members and/or staff, and under LGNZ's constitution is entitled to three votes at the AGM.

LG NZ's National Council expects the AGM to prioritise the remits, to make it clearer where most resource should be directed.

Therefore, at the LGNZ Annual Meeting there is a two-step process for remits:

1. At the AGM, delegates will vote on remits as usual.
2. Then, in a separate vote, they will rank successful remits in order of priority. This vote will be carried out electronically and result in a prioritised list of remits.

National Council will look at this prioritised list and allocate resource accordingly. This will include determining where on the list the cut off lies between a 'maximalist' and 'minimalist' approach.

Depending on the nature of the remit, a 'maximalist' approach could include commissioning advice or research, or in-depth policy or advocacy work. A 'minimalist' approach could involve less resource, such as writing a letter to the relevant minister or agency.

The National Council will share its decision with councils, along with proposed actions. Progress made against remits will continue to be reported in the four-monthly update to members.

DISCUSSION

The proposed remits for the 2025 LGNZ Conference are:

Proposed Remit	
1	Security System Payments
2	Improving Joint Management Agreements
3	Alcohol Licensing Fees
4	Aligning public and school bus services
5	Review of local government arrangements to achieve better balance

Full details of each remit can be found in Appendix 1.

Council officers are requesting that Council nominate the remit they will endorse and priorities the remits for the presiding delegate.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	There are no policies related to this decision.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report as it is not required.
State the possible implications for health and safety	None

APPENDICES

Appendix 1 LGNZ Remits 2025



2025 Remits



// 01 Security System Payments

Proposed by:	Far North District Council and Central Otago District Council
Supported by:	Zone 6 and Zone 1
Remit:	<i>That LGNZ advocates for security system payments to be included as an allowance under the Local Government Members Determination, in line with those afforded to Members of Parliament.</i>

Why is this remit important?

The importance of safety for elected members has become more apparent in recent times. With an increase in animosity towards “government figures,” both online and in person, the time has come to address this. Recent examples of elected members being threatened, harassed and abused, including incidents occurring at or near their home address, highlights the need for changes to the Local Government Act to be updated. The ability for security system payments to be made as an allowance would go some way towards encouraging actual and perceived safety for existing elected members, as well as ensuring future candidates can feel safer while representing their communities.

Background and Context

Democracy worldwide is currently considered a “tinderbox” according to multiple news sites. In 2024, 37 candidates for election were murdered in Mexico. While this may seem extreme – our own Electoral Commission in NZ has a page dedicated to “security advice” for potential candidates. The rise of fringe groups, anonymity of online forums, general mistrust of government figures and polarising coverage of worldwide democratic outcomes has been creating a platform for those with singular or disaffected viewpoints. While we recognise that some of the sentiment is online, there have been instances of this spilling over into daily life for our elected members. Much of “being safe” is about “feeling safe.”

The Members of Parliament Determination 2023 (Section 48) allows for up to \$4500 to install a security system at a member’s primary place of residence, along with up to \$1000 per year to monitor this.

LGNZ’s own research carried out last year identified three quarters of elected members had suffered abuse or harassment at public meetings, a third at the supermarket or school pick up, and that half of EM’s felt it was worse than a year ago. Supporting new anti-stalking and harassment Legislation is a good start, but this is something that could immediately help our elected members to feel safer at home.

Some councils are already supporting elected members in personal safety. Central Otago District has paid for a member to install a camera at their home address where they live with young kids following an obnoxious campaign including items being left in their letterbox. There will be multiple other examples where councils are promoting personal safety, wellbeing initiatives and also installing or providing additional security measures at homes and council offices.

Far North and Central Otago Districts are just two examples of our huge, remote areas. Overnight Central Otago, all 9,968 square kilometres of it, is covered by two on-call Police officers, based 30km



apart. Feeling safe plays a big role in actual safety. Expectations of safety will be different for an older female to a young dad with kids, a large family or a person living alone, and they are also different between rural and urban areas.

This election, we want to ensure worry about how safe someone is in their own home is not a barrier to putting their hand up to fulfil a wonderful role for our communities.

How does this remit relate to LGNZ's current work programme?

Ties into the research on safety that LGNZ carried out last year, and also the support of the Crimes Legislation (Stalking and Harassment) Amendment Bill.

How will the proposing council help LGNZ to make progress on this remit?

Connect with Minister Mark Patterson (Minister for Rural Communities) for support

Investigate the possibility for a partnership with a national retailer/supplier of home security systems and/or trail cams

Timeframe - depends how quickly things could progress before the election?



// 02 Improving Joint Management Agreements

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1

Remit: *That LGNZ advocate to Government for: a) legislative change to make the Joint Management Agreement (JMA) mechanism more accessible for councils to use with iwi/hapū, b) for the provision of technical, legal and financial support to facilitate the use of JMAs for joint council and iwi/hapū environmental governance, and c) for a mechanism such as JMAs to be included in the Government's new resource management legislation.*

Why is this remit important?

JMAs are a valuable tool for councils and iwi / hapū to work together on environmental governance. Many councils support stronger partnerships with tangata whenua, but the statutory and practical barriers to formalising JMAs have severely limited their uptake by councils and iwi/hapū. There is thus a need to address the limitations of the current mechanism under the RMA, to make it more accessible to councils and tangata whenua, as well as to ensure a mechanism such as JMAs is included in the Government's new resource management legislation.

Recommended improvements include a) simplification or modification of the JMA statutory requirements and criteria; b) provision of a customisable JMA template and detailed guidance on when JMAs might be appropriate and how to establish them; c) explanation of the legal implications for the parties, and the Health & Safety obligations; d) making JMAs mandatory in appropriate circumstances in addition to Treaty settlements; and e) provision of funding to support iwi/hapū capacity to develop and implement JMAs.

Background and Context

JMAs under the Resource Management Act 1991 (RMA) provide for agreement between a local authority and an iwi authority and/or groups representing hapū to jointly perform or exercise any local authority functions, powers or duties under the RMA relating to a natural or physical resource.

Since inclusion as a mechanism under sections 36B-E of the RMA in 2005, only two JMAs have been established, apart from their mandatory use in some Treaty settlements.

For a JMA to be developed, the local authority must be satisfied that the agreement is an "efficient" method of exercising the function, power or duty. However, if a JMA were to require more funds and resources to support administrative costs and extra person-hours than what council would itself expend, the "efficiency" criterion might not be satisfied. Thus, "efficiency" could compel an iwi/hapū to contribute its own resources to the collaborative management process if it wished to conclude a JMA. A lack of financial resources is repeatedly identified by iwi/hapū as being the most significant barrier to their full participation under the RMA.

Another requirement of s36B is that the local authority must be satisfied that the other party to the JMA has the "technical or special capability or expertise to perform or exercise the function, power,



or duty jointly with the local authority". Many (especially unsettled) iwi/hapū are under-resourced, often having to rely on voluntary contributions of resources and expertise; thus funding and technical support may be needed to facilitate iwi/hapū participation in JMAs.

Another deterrent to JMA uptake is that the agreement can be cancelled by either party at any time. If conflict arises, the local authority will always have the "upper hand" because the function(s) shared under the JMA will revert exclusively to local authority control. More stringent cancellation requirements could be introduced that give JMA parties greater assurance of continuation.

Only those JMAs created as part of Treaty Settlements are currently mandatory for local authorities. A similar mandatory requirement under the RMA for councils to enter into JMAs in appropriate circumstances would facilitate uptake.

Currently there is very little information available on the legal implications of JMAs, and on the process and considerations for developing and implementing such an agreement. There is also no template provided for such agreements. Technical guidance from central government would further facilitate uptake.

In summary, very low uptake of JMAs reflects the high barriers to their uptake by councils and iwi/hapū. They remain a potentially useful tool if sufficient guidance, resourcing and technical support is provided, and if criteria for developing them are made more enabling.

How does this remit relate to LGNZ's current work programme?

This remit aligns with LGNZ's strategy, in particular the long-term goal that Te Tiriti partnerships between local government and Māori are authentic, strong and respected. We are not aware of any existing or planned work to advocate for improved legislative mechanisms and implementation support for Joint Management Agreements.

How will the proposing council help LGNZ to make progress on this remit?

We can provide some technical expertise to support analysis of specific options to improve how JMAs function and some advocacy support.



// 03 Alcohol Licensing Fees

Proposed by: Far North District Council

Supported by: LGNZ Zone 1

Remit: *That LGNZ advocates for the government to update the Sale and Supply of Alcohol (Fees) Regulations 18 December 2013 to account for inflation and include a mechanism for automatic annual inflation adjustments.*

Why is this remit important?

If a local council does not have a bylaw that sets alcohol licensing fees and charges it must default to the schedule of fees in the Sale and Supply of Alcohol (Fees) Regulations 2013. These default fees were set 12 years ago and, with the impact of inflation over this period, no longer enable local councils to reasonably recover the costs to administer the alcohol licensing system. This has led to increasing ratepayer subsidisation of these costs. Currently the only way that councils can increase these fees and charges is to make an Alcohol Fees Bylaw under an Order in Council associated with the Sale and Supply of Alcohol Act 2012. This is an inefficient and expensive way for councils to raise their alcohol licensing fees and charges, when this issue could be simply resolved by the government updating the schedule of fees in the Regulations.

Background and Context

Objectives relating to the setting of alcohol licensing fees were listed in the review of the Supply of Alcohol (Fees) Regulations 2013 conducted by the Ministry of Justice in 2017. These objectives include: - recovering the total reasonable costs incurred by local councils and ARLA in administering the alcohol licensing system - ensuring that those who create the greatest need for regulatory effort bear the commensurate costs.

Alcohol licensing fees and charges are intended to cover the reasonable costs of administering the alcohol licensing system via a 'user pays' approach. The fees and charges set in the Sale and Supply of Alcohol (Fees) Regulations 2013 are now 12 years out of date and have not been updated since 2013, despite two reviews of these fees conducted in 2018 and 2022 as required by section 404 of the Sale and Supply of Alcohol Act. With inflation since 2013, costs to manage alcohol licenses cannot be recovered through the fees prescribed in these Regulations. This means that every time Council processes an alcohol licence it costs more than the fee paid by the licensee and the difference must be covered by general rates.

To increase these fees and charges in their districts, local councils can make Alcohol Fees Bylaws under the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013. However, making a bylaw is a relatively costly and inefficient way to address this issue as it involves: - time and effort to research and draft the bylaw - costs for public consultation - the need to regularly review the fees and charges set in the bylaw. A better solution would be for the government to update the fees and charges listed in the 2013 Regulations to reflect current costs. The schedule of fees in the revised Regulations should also allow for an annual CPI increase and allow cost recovery for hearings objections to District Licensing Committee decisions.

**How does this remit relate to LGNZ's current work programme?**

This remit sits within the Funding and Financing advocacy area within LGNZ's Advocacy Work Programme. Specifically, this relates to: - Advocating for changes to local government funding and financing - Building and working with a coalition of the willing to support LGNZ's advocacy for changes to local government funding and financing. Fees and charges are also specifically mentioned in LGNZ's funding and finance toolbox. We understand that the regulation of alcohol fees is not currently part of this Work Programme.

How will the proposing council help LGNZ to make progress on this remit?

We can provide detailed evidence of the current income received by FNDC from licensing fees based on applying the outdated fee schedule in the 2013 Regulations, compared with the costs to administer the alcohol licensing system. In summary, in the 2023/24 financial year FNDC received \$410,000 in income from licence application fees compared with costs of \$581,000. This means there was a shortfall of \$171,000 which has to be recovered from general rates. In 2023/24 licence application fees covered 71% of costs for the Council. By contrast, the 2017 Review of the 2013 Regulations reported that cost recovery across all local councils was 108%.



// 04 Aligning public and school bus services

Proposed by: Nelson City Council

Supported by: LGNZ Regional Sector

Remit: *That LGNZ advocate for the reform of the Ministry of Education funded school bus services to provide an improved service for families and to better integrate the services with council provided public transport services, including the option of Public Transport Authorities (e.g. regional and unitary councils) managing such services (with appropriate government funding), noting that:*

- a. councils better know their local communities; and*
- b. the potential to reduce congestion from better bus services for schools; and*
- c. the efficiency gains realised from integrating these two publicly funded bus services*
- d. the outdated and inflexible rules of the current centralised school bus system*

Why is this remit important?

The quality and efficiency of school and public bus services is compromised by school and public bus services being funded through two different arms of Government. Some services are funded through the New Zealand Transport Agency and councils, and others are through the Ministry of Education School Bus Transport Service. This remit proposes to align those functions by transferring the funding and management to Regional Public Transport authorities which are better placed to understand and respond to local transport needs. By improving our bus services for students, we can also reduce congestion which is noticeably less during the school holidays in towns and cities around New Zealand.

Background and Context

There are essentially two drivers for this reform. The first is that it makes no sense to have two different arms of Government separately planning and contracting publicly funded bus services. The second is that decisions about bus services are best made locally.

The co-ordination and contracting of public bus services, whether for getting students to school or for other passengers, is a complex job. Decisions about the routes, frequency, bus size and convenient bus stops are difficult, requiring the juggling the objectives of making the service as convenient as possible, maximising usage, managing costs and ensuring safety. These decisions are inherently local.

The centralised school bus transport system is a huge source of frustration to communities and councils all over New Zealand. It is governed centrally by archaic, rigid rules that date back nearly 100 years, and are unchanged to this day.



The Ministry of Education officials do the best they can within the current policy, but the system is fundamentally outdated and broken. It makes no sense for education officials to be running transport services, and it is impossible to run a community focused, flexible school transport system over thousands of schools and communities from Wellington.

One of the big opportunities of this reform is to reduce congestion by improving our bus service for students. The potential is highlighted in towns and cities all over New Zealand during school holidays when there is much less congestion. An improved bus service with timetables and routes tailored to students' needs would be a wise investment for the overall transport network.

Regional councils, unitary authorities and Auckland Transport are all public transport authorities with delegated responsibility for the development, planning and delivery of public transport services in New Zealand.

The current system has perverse incentives in that if a public transport authority uses rates to improve public transport service to an area, the Ministry of Education withdraws its service. The current system discourages councils to provide public transport services on routes and times that work for students.

Nelson/Tasman are exploring trialling the integration of the management of public and school transport services. We believe there is the opportunity to provide a more responsive service to families of school aged children, to expand our public transport network and to get efficiency gains from contracting for both types of services. If successful, the trial may result in wider reforms.

This is a significant proposal currently involving more than \$125 million of annual public expenditure on school bus services that would need to be transferred to public transport authorities. It would be a complex reform that requires careful attention to detail and consultation with parents, schools, bus service providers and councils. The prize is a better bus services in places like Nelson, less congestion on our roads and more efficient use of public money.

How does this remit relate to LGNZ's current work programme?

Transport is a critical issue facing all councils and we need to be proactively looking for way to better deliver services. This remit goes to the heart of LGNZ's vision of localism in that it proposes to localise the delivery of school bus services. This remit also compliments LGNZ's strategic relationship with Government in that it proposes reforms that improve efficiency, and is not just asking for more funding in fiscally constrained times. It also supports LGNZ's sustainability goals by providing opportunities for expansion of public transport services.

How will the proposing council help LGNZ to make progress on this remit?

Nelson City Council is keen to help advance the case for this reform. We have already engaged with the Ministry of Education, the Minister of Education and the Minister of Transport who are interested in the reforms and keen to trial this alternative approach for the delivery of school bus services. We also commit to sharing our experiences should Nelson Tasman proceed to trialling this reform.



// 05 Review of local government arrangements to achieve better balance

Proposed by: Tauranga City Council

Supported by: LGNZ Metro Sector

Remit: *That LGNZ works with the Government and Councils to review current local government arrangements, including the functions and structure of local government, to achieve a better balance between the need to efficiently and effectively deliver services and infrastructure, while enabling democratic local decision-making and action by, and on behalf of communities.*

Why is this remit important?

Efficient and effective local democracy and associated decision making is paramount.

Background and Context

A number of local government reviews undertaken previously, have concluded that the current structure and arrangement of the local government sector, is not conducive to ensuring that infrastructure and services delivered to communities, are always done so in a cost effective and efficient manner.

Current sector arrangements are a legacy, and do not always reflect how our communities have expanded, nor how modern services are delivered.

Central government is underway with key policy and legislations changes that both directly and indirectly significantly impact the local government sector. This will require an agile and well planned response by the sector.

How does this remit relate to LGNZ's current work programme?

This is an important issue for local government as the sector responds to the current central government policy and legislation changes and reforms underway. Seeks advocacy for a work programme between central government, local government and LGNZ, to undertake this review, and ensuring local communities are well considered.

This remit sits within the principles of the Local Government Act 2002 in that it would give local government a tool to provide services more efficiently. While this is not currently part of LGNZ's work programme, engaging with central government will be essential to making progress in this area.

How will the proposing council help LGNZ to make progress on this remit?

Metro sector councils will provide support and resource to participate and work on the programme established.

11 PUBLIC EXCLUDED BUSINESS**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATIONS**

That the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
11.1 - Public Excluded Minutes of the Extraordinary Council Meeting held on 18 December 2024	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	Relates to the Future Direction of Water Services report.
11.2 - Public Excluded Minutes of the Council Meeting held on 20 November 2024	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7	Relates to the Lake Ferry Holiday Park Lease Structure report.

12 KARAKIA WHAKAMUTUNGA – CLOSING

Kua mutu ā mātou mahi
Mō tēnei wā
Manaakitia mai mā katoa
O mātou hoa
O mātou whānau
Aio ki te Aorangi

Our work is finished
For the moment
Blessing upon us all
Our friends
Our families
Peace to the Universe