

## **FEATHERSTON COMMUNITY BOARD**

### **Agenda**

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#### **NOTICE OF MEETING**

An ordinary meeting will be held on Tuesday, 22 February 2022 starting at 7:00pm.

Due to COVID-19 restrictions this meeting will be held via video conference. All members participating will count for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. This meeting will be live-streamed and will be available to view on our [YouTube channel](#).

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

Mark Shepherd (Chair), Claire Bleakley, Jayson Tahinurua, Mike Gray, Councillor Garrick Emms, Councillor Colin Olds and youth representatives Ana Souto and Isla Richardson.

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#### **PUBLIC BUSINESS**

**1. EXTRAORDINARY BUSINESS:**

**2. APOLOGIES:**

**3. CONFLICTS OF INTEREST:**

**4. ACKNOWLEDGMENTS AND TRIBUTES:**

**5. PUBLIC PARTICIPATION:**

5.1 Ken Stokes – Berm Mowing

5.2 Mary Dow – Mulled Wine Concert Series Grant Application

**6. ACTIONS FROM PUBLIC PARTICIPATION:**

*As per standing order 14.17 no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.*

**7. COMMUNITY BOARD MINUTES:**

7.1 Minutes for Approval: Featherston Community Board Minutes of 30 November 2021.

***Proposed Resolution:*** *That the minutes of the Featherston Community Board meeting held on 30 November 2021 be confirmed as a true and correct record.*

**8. DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF**

- |     |  |                     |
|-----|--|---------------------|
| 8.1 | Carkeek Observatory Report             | <b>Pages 5-36</b>   |
| 8.2 | Elected Members Code of Conduct Report | <b>Pages 37-89</b>  |
| 8.3 | Financial Assistance Report            | <b>Pages 90-91</b>  |
| 8.4 | Underhill Road Naming Report           | <b>Pages 92-105</b> |

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

- |     |                               |                      |
|-----|-------------------------------|----------------------|
| 9.1 | Officers Report               | <b>Pages 106-146</b> |
| 9.2 | Action Items Report           | <b>Pages 147-149</b> |
| 9.3 | Income and Expenditure Report | <b>Pages 150-153</b> |
| 9.4 | Featherston Masterplan Report | <b>Pages 154-158</b> |

**10. NOTICES OF MOTION:**

- 10.1 None advised

**11. CHAIRPERSON'S REPORT:**

- |      |                    |                      |
|------|--------------------|----------------------|
| 11.1 | Chairperson Report | <b>Pages 159-192</b> |
|------|--------------------|----------------------|

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

- |      |                               |                 |
|------|-------------------------------|-----------------|
| 12.1 | Claire Bleakley Member Report | <b>Page 193</b> |
|------|-------------------------------|-----------------|

**13. REPORTS FROM YOUTH REPRESENTATIVES (INFORMATION):**

- 12.1 None advised

**14. CORRESPONDENCE:**

- 14.1 None advised



**Minutes – 30 November 2021**

- Present:** Mark Shepherd (Chair), Claire Bleakley, Jayson Tahinurua and Mike Gray (until 7.13pm)
- In Attendance:** Mayor Alex Beijen, Russell O’Leary (Group Manager Planning and Environment) and Kaitlyn Carmichael (Committee Advisor)
- Conduct of Business:** Due to COVID-19 restrictions this meeting was held via video conference and was live-streamed to Council’s [YouTube channel](#). All members participating via video conference counted for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. The meeting was conducted between 7:00pm and 8:19pm.

**1. EXTRAORDINARY BUSINESS**

Ms Bleakley noted that she would discuss the Christmas event and rates under the Chairperson Report and queried the Greytown Community Board vacancy.

Mr Gray left the meeting at 7.13pm

**2. APOLOGIES**

*FCB RESOLVED (FCB 2021/46) to receive apologies from Cr Emms.  
(Moved Shepherd/Seconded Bleakley)*

Carried

**3. CONFLICTS OF INTEREST**

There were no conflicts of interest declared.

**4. ACKNOWLEDGMENTS AND TRIBUTES**

There were no acknowledgements and tributes.

**5. PUBLIC PARTICIPATION**

There was no public participation.

**6. ACTIONS FROM PUBLIC PARTICIPATION**

There were no actions from public participation.

**7. COMMUNITY BOARD MINUTES**

**7.1 Featherston Community Board Minutes – 5 October 2021**

*FCB RESOLVED (FCB 2021/47) that the minutes of the Featherston Community Board meeting held on 5 October 2021 be confirmed as a true*

and correct record.

*(Moved Bleakley/Seconded Tahinurua)*

Carried

## **8. CHIEF EXECUTIVE AND STAFF REPORTS**

### **8.1 Officers' Report**

*FCB RESOLVED (FCB 2021/48)* to receive the Officers' Report.

*(Moved Shepherd/Seconded Bleakley)*

Carried

Members discussed changes to the spatial plan, current building regulations and the notable trees registry. Members queried the cost associated with the Featherston wastewater consultation process and timeframes for arriving at a suitable wastewater solution. Members requested an update on the proposed Dog Pound plan.

FCB NOTED:

Action 609: Provide clarification on what a pond sludge survey is and the individual cost components.

### **8.2 Action Items Report**

*FCB RESOLVED (FCB 2021/49)* to receive the Action Items Report.

*(Moved Bleakley/Seconded Tahinurua)*

Carried

Members discussed open action items.

Mr O'Leary provided a progress update on the Welcome to Featherston signs and Mr Shepherd noted he was now involved with the project.

Members discussed the background of the Featherston pou and naming proposal and queried the boards role in the project. Mr Shepherd undertook writing a letter to Fab Feathy clarifying Featherston Community Board involvement.

Members agreed to purchase a Home Health kit for the Featherston Library.

FCB NOTED:

Action 611: For Council Officers to contact Rhonda Jones of Featherston Beautification Group regarding the Welcome to Featherston signs, S Corbett

*FCB RESOLVED (FCB 2021/50)* to close Action 276, to present the proposal to have a Māori name for Featherston as Paetūmokai and a pou (carving) to the Māori Standing Committee, as it was not intended to become a community board project.

*(Moved Shepherd/Seconded Bleakley)*

Carried

### **8.3 Adoption of the 2022 Meetings Report**

*FCB RESOLVED (FCB 2021/51)*:

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.
2. Adopt a 2022 schedule of ordinary meetings for Featherston Community Board up to the 8 October 2022.

3. Delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Community Board Chair as required.
4. Agree that the 2022 Featherston Community Board meeting start time will be 7.00pm.

*(Moved Shepherd/Seconded Tahinurua)*

Carried

#### **8.4 Income and Expenditure Report**

*FCB RESOLVED (FCB 2021/52)* to receive the Income and Expenditure Statement for the period ending 31 October 21.

*(Moved Shepherd/Seconded Bleakley)*

Carried

### **9. NOTICES OF MOTION**

There were no notices of motion.

### **10. CHAIRPERSONS REPORT**

Mr Shepherd spoke to items outlined in his Chairperson Report.

Members discussed funding for the FlagTrax repairs and purchasing a home health kit for the Featherston library. Mr Shepherd read a letter to Council on rates increases and voiced concern with his inability to speak at the most recent Council meeting.

Members requested information on how community members can request a rates reprieve. Officers noted the information was available on the South Wairarapa District Council website.

Ms Bleakley and Mr Tahinurua spoke to plans for a Featherston Christmas Event.

*FCB RESOLVED (FCB 2021/53):*

1. To receive the Chairperson Report.

*(Moved Tahinurua/Seconded Bleakley)*

Carried

2. To approve funds of \$408 (including GST) to be paid to Phil Workman for Matariki Signs, to be funded from the beautification fund.

*(Moved Shepherd/Seconded Bleakley)*

Carried

3. To approve the quote for \$3070.00 + GST to fund the FlagTrax repair on Fitzherbert Street, funded from the beautification fund.

*(Moved Shepherd/Seconded Bleakley)*

Carried

4. To approve \$300 to purchase a Home Health kit for the Featherston library.

*(Moved Shepherd/Seconded Tahinurua)*

Carried

### **11. MEMBER REPORTS (INFORMATION)**

There was no member report.

### **12. CORRESPONDENCE**

There was no correspondence.

The meeting closed at 8.19pm.

**Confirmed as a true and correct record**

.....**Chairperson**

.....**Date**

# FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

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## AGENDA ITEM 8.1

### CARKEEK OBSERVATORY

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#### **Purpose of Report**

To inform Featherston Community Board of the proposed Carkeek Observatory Conservation report options.

#### **Recommendations**

Officers recommend that the Featherston Community Board:

1. *Receive the Carkeek Observatory Conservation options report.*
2. *Note the significance of the Carkeek Observatory and the importance of the conservation options.*
3. *Recommend that the Featherston Community Board supports and recommends one or more of the options so officers can report to the Assets and Services Committee.*

#### **1. Background**

Stephen James Carkeek (1815 – 1878), arrived in New Zealand in 1841 and in 1849 was appointed Collector of Customs in Wellington; he later became the colony's first Inspector and Commissioner of Customs. He was a keen amateur astronomer, and when he retired in 1866 to his farm Torohanga, south of Featherston, he built his own observatory. It was used by Carkeek for astronomical observations until his death in 1878. Thereafter, the Observatory appears to have begun a gradual decline, being used for storage of farm equipment and feed. Graham Hodder, whose family have farmed the land for five generations, remembers playing in it as a child, although his parents were firm in their instructions to be careful of the building. Today it stands in derelict condition.

The Observatory sits in the corner of what was known as the 'Home Paddock', an open grazing paddock presently in long grass. Poplar trees line the paddock, and a spring-fed creek runs nearby. The structure is surrounded by a secure stock fence, which leaves a metre or two of ground around the structure. This has provided protection from heavy grazing animals, which had apparently caused some damage to the building when it was unfenced.

## **2. Carkeek Heritage Listing**

The Carkeek Observatory is included in the Heritage List as a Category 1 historic place, item number 9808. This means that it is a 'place of special or outstanding historical or cultural significance or value'.

## **3. Options**

The conservation of the Carkeek Observatory poses a number of challenges and difficulties. Various options have been put forward for the treatment of the Observatory; in increasing levels of intervention, these are:

1 Record the structure but otherwise do nothing.

2 Stabilise the structure on site to slow deterioration, otherwise leave it exposed to the weather.

3 Stabilise the structure and cover it from the weather with a shelter, perhaps in the form of a dome.

4 Stabilise the Structure, cover it and build a replica nearby that could have a functional use.

5 Restore the structure, by recording and dismantling it, and rebuilding it on the same site using new material to make up for the missing component parts.

6 Move the structure off-site, perhaps to Cobblestones in Greytown or other 'museum' setting, and then to rebuild it as for 5 above.

Additional option:

7 Stabilise the structure and cover it from the weather with a shelter or perhaps a dome with story board. Build a replica to be placed in a nominated museum so the general public can see it but still allow site visits to original location if required.

## **4. Stakeholders**

Those most closely interested in the preservation of the Carkeek Observatory are:

South Wairarapa District Council As owners of the structure and the land.

Heritage New Zealand Pouhere Taonga Having listed the structure as category 1 on the New Zealand Heritage List.

Wairarapa Dark Sky Association As an interested party because of the importance of the structure to the history, understanding and practice of astronomy in New Zealand.  
[kiaora@wairarapasky.com](mailto:kiaora@wairarapasky.com)

Historic Places Aotearoa (Wellington), and any relevant Wairarapa heritage organisation as a body concerned with local and regional heritage.

Graham Hodder as lessee of the land and long-time guardian of the structure.

## **5. Financial**

In the Long Term plan 2021 to 2031 Council approved \$100,000 towards the conservation of the Carkeek Observatory. Heritage NZ are also investigated if funds are available. Currently we have had no quotes etc. to provide costs as heritage experienced builders and Heritage NZ will need to oversee the work.

## **4. Appendices**

Appendix 1 – Carkeek Observatory Conservation plan and options

Appendix 2 -- Wairarapa Dark Sky Society option recommendation

Contact Officer: Bryce Neems, Amenities and Solid Waste Manager

Reviewed By: Stefan Corbett, Partnership and Operations Manager

# **Appendix 1 – Carkeek Observatory Conservation Plan**

# CARKEEK OBSERVATORY

Featherston



## CONSERVATION OPTIONS



COCHRAN & MURRAY  
CONSERVATION ARCHITECTS

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# CARKEEK OBSERVATORY

## Featherston

## CONSERVATION OPTIONS

*Report Prepared by*  
Cochran and Murray, Conservation Architects

*For the*  
South Wairarapa District Council

31 May 2021



*The Carkeek Observatory today, from the west, showing the external wall of the transit room.*

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*Front cover photo: Carkeek Observatory today, from the east, looking into the equatorial room.*

## **1.0 INTRODUCTION**

### **1.1 Commission**

This *Conservation Options* report for the Carkeek Observatory is the result of a commission dated 10 November 2020 from Bryce Neems, Amenities and Solid Waste Manager, South Wairarapa District Council.

The report is to investigate options for the long-term conservation of the Carkeek Observatory, which is presently in a ruinous state and is destined to be lost completely if action is not taken.

Since the structure has recently been accorded category 1 status under the Heritage New Zealand Pouhere Taonga Act and scheduled on the New Zealand Heritage List / Rāangi Kōrero, and has been well researched, it is not intended to repeat the history of the structure here, or the assessment of its heritage significance.

Reference should be made to 'Report for an Historic Place, Carkeek Observatory, Featherston', 4 February 2020, Kerry Pollock, Heritage New Zealand Pouhere Taonga, available online at <https://www.heritage.org.nz/the-list/details/9808>. Wikipedia also has a full history of the building.

Conservation standards are those set out in the *ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value*, and the requirements of the New Zealand Building Code have been taken into account in formulating the options.

### **1.2 Ownership and Status**

The Carkeek Observatory is owned by the South Wairarapa District Council. The property address is 270 Murphy's Line, Featherston, although access is easier from Hodder's Road over the farm that is leased from the District Council by Graham Hodder. The Observatory lies to the west side of a paper road, Donald Street, a little to the north of the current farmhouse, where it sits in a fenced area in the corner of a paddock.

The legal description of the land is Lot 5 DP 482853.

The Observatory is scheduled as a Category 1 historic place under the Heritage New Zealand Pouhere Taonga Act 2014, and is also scheduled as a heritage building on the South Wairarapa District Plan.

No legal or planning implications arise directly from the Heritage New Zealand listing by itself; those that arise from the District Plan are dealt with in the following notes.



*Location of the Observatory. Hodder's Road runs left to right at the bottom of the image.*

### **1.3 Acknowledgements**

Acknowledgement for help in the preparation of this plan is made to:

Bryce Neems, SWDC, for briefing and background information, also arranging for the clearing of the site.

Graham Hodder, for access to the observatory over the farm, and a discussion about its history.

Members of the Wairarapa Dark Sky Association, in particular the Chairman Ray Lilley, who met with Chris Cochran to discuss the future of the structure.

Permission to use information from Heritage New Zealand files is gratefully acknowledged.

## 2.0 DESCRIPTION

### 2.1 Introduction

Stephen James Carkeek (1815 – 1878), arrived in New Zealand in 1841 and in 1849 was appointed Collector of Customs in Wellington; he later became the colony's first Inspector and Commissioner of Customs. He was a keen amateur astronomer, and when he retired in 1866 to his farm Torohanga, south of Featherston, he built his own observatory. It was used by Carkeek for astronomical observations until his death in 1878.

Thereafter, the Observatory appears to have begun a gradual decline, being used for storage of farm equipment and feed. Graham Hodder, whose family have farmed the land for five generations, remembers playing in it as a child, although his parents were firm in their instructions to be careful of the building.

Today it stands in derelict condition. A walnut tree, sensing the light of the transit room slot, grew up in the middle of the structure, and is today a mature tree, providing support to parts of the structure which have collapsed around it.



*Distant view of the observatory from the north.*

## 2.2 The Site

The Observatory sits in the corner of what was known as the 'Home Paddock', an open grazing paddock presently in long grass. Poplar trees line the paddock, and a spring-fed creek runs nearby.

The structure is surrounded by a secure stock fence, which leaves a metre or two of ground around the structure. This has provided protection from heavy grazing animals, which had apparently caused some damage to the building when it was unfenced.

## 2.3 The Structure

The structure has two significant parts, the Equatorial Room (the east end of the structure), and the Transit Room (the west end). They are both built of heart totara, and are structurally interdependent, but they differ in their form and in their framing and cladding details. A narrow doorway links the two spaces.

The **Equatorial Room** is octagonal (eight sided) in plan, the exterior dimension of each side being approximately 1,650mm and the height roughly 2,200mm.<sup>1</sup> Around the top of these walls was a wide flat board to which the steel rail of the rotating mechanism of the dome was fixed. The walls taper in as the structure rises, with the top octagon somewhat smaller than the footprint.

Four of the eight walls are still standing, although all are heavily distorted, and the two outer ones are close to collapse. There is no sign of the roof, which was a canvas covered dome, nor of a timber floor.

Some members are as follows:

### Exterior Cladding

Vertical boards, 180-190 x 22mm, 2,200mm long (8 boards)

Battens over the joints, 85 x 18mm

Top cover board over the battens, 190 x 22mm

### Framing

Studs at the corners only, 120 x 75mm

Dwangs at mid-height, 120 x 50mm

Rail board, forming a top plate, with steel rail fixed to the top face, 290 x 45mm

Steel rails 35 x 35mm L-shaped angle, 7 - 9mm thick, 1,125mm end to end

Secondary steel rail, a rectangle 19 x 12mm

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<sup>1</sup> Given the derelict and precarious condition of the structure, all dimensions must be regarded as approximate. They can be confirmed in due course when a more detailed assessment is undertaken.

#### Interior lining

Vertical boards, 190 x 22mm, 1,640mm long (6 or 7 boards, one of them on each face tapered from 35 at the top to 170 at the bottom)

#### Doorway to Transit Room

Opening 1,510 high x 560mm wide (offset from the centre of the wall)

Architraves, 45 x 10mm, with a bead on each edge

There is no evidence of a door

The **Transit Room** is roughly square in plan, the length of the walls approximately 3,400mm long; on the north wall there is a small alcove where it meets the Equatorial Room; see the floor plan. It appears to have had two observation slots in the roof, one north-south and the other east-west, forming a cruciform in plan. There was one window (and possibly two) on the north wall, and one on the south wall, in a collapsed section of walling.

#### Exterior Cladding

Horizontal weatherboards, 150 x 22mm

On the west wall, vertical boards 190 x 22mm, 15 boards total

#### Flooring

Floor joists, running east – west, 90 x 45mm

Floorboards, 180 x 20mm

#### Framing

Studs, 125 x 50mm, 3 to each section, mortice and tenon joints to the top plate

Top plate, 125 x 45mm

Bracing, 190 x 15mm, let in to the framing (north wall)

Window sill, with a long mortice and tenon joint to the studs, pegged on the outer faces

#### Interior lining

Horizontal boards, 195 x 22mm, 3,360mm long; 8 boards to eaves level on the west wall

#### Roof framing

Rafters, 95 x 45mm, 3 to each section

In the east-west direction, the slot along the ridge of the roof is framed with a 285 x 50mm beam on either side

In the north-south direction, this double beam is broken at the slot (which runs down the slope on either side), and the ends are propped off two beams, 240 x 60mm, that span across the space at eaves level

The roof framing is thus in four distinct sections, more or less structurally independent

#### Roof cladding

Boards down the slope, 190 x 22mm, (boards grooved on either upper side; battens covering the joints have gone)

This information can be gathered from the standing structure. In the grass around and within the structure, there are remnants of the structure that have come adrift. Bryce Neems arranged for the clearing of the ground, and we identified the following elements.

#### Steel rails

These curved rails (in L-shaped and rectangular profiles) ran around on the top plate of the Equatorial Room; several lengths are still in place, and four or five (or more) other lengths are loose on the ground.

#### Steel wheel

This is a three-spoked wheel, 250mm in diameter, likely part of the mechanism for rotating the dome; it is still fixed to its timber mounting.

#### Roller

This is a 'rolling pin', a cylinder of timber with a steel pin at either end. This is likely to be from a mower or other machinery, and not part of the observatory.

It is very difficult to make an estimate of the amount of original fabric that remains. Very loosely, remaining fabric might amount to 50% of the original; of this, many pieces are severely decayed and couldn't be re-used, so that perhaps a quarter to a half of what remains would be able to be incorporated into a restored structure.

What is fairly certain however, is that there is sufficient information able to be derived from the structure such that an accurate rebuild is possible. There may be some details that escape definition, but the form of the building and the main elements of it are known.



*From the north, equatorial room wall on the left.*



*From the south, equatorial room wall on the right.*

### 3.0 OPTIONS

The conservation of the Carkeek Observatory poses a number of challenges and difficulties. Various options have been put forward for the treatment of the Observatory; in increasing levels of intervention, these are:

- 1      **Record the structure** but otherwise do nothing.
- 2      **Stabilise the structure** on site to slow deterioration, otherwise leave it exposed to the weather.
- 3      **Stabilise the structure and cover** it from the weather with a shelter, perhaps in the form of a dome.
- 4      **Stabilise the Structure, cover it and build a replica** nearby that could have a functional use.
- 5      **Restore the structure**, by recording and dismantling it, and rebuilding it on the same site using new material to make up for the missing component parts.
- 6      **Move the structure off-site**, perhaps to Cobblestones in Greytown or other 'museum' setting, and then to rebuild it as for 5 above.

The six options are discussed below, and each is assessed as to:

- (i)     Its meeting **conservation standards**. The Wairarapa Combined District Plan includes land use rules that cover the treatment of sites of historic heritage value, and these form the initial basis of the assessments. Generally, repairs should respect the 'original character' of the heritage item.<sup>2</sup>
- (ii)    The **degree of difficulty** in carrying out the work, and therefore the relative cost. This is assessed on a notional scale of 1 to 5, with 1 being a straightforward operation and 5 being a complex and difficult one.
- (iii)   The **usefulness of the structure**. The three broad categories are: for the structure to be visited and observed from the outside; or to be able to enter the structure, or to be able to enter and use the structure for astronomical purposes.
- (iv)    The **life of the structure**.

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<sup>2</sup> Rule 21.1.2 Sites of Historic Heritage Value states that repairs to any heritage item should be confined to 'conservation, reassembly, reinstatement, repair or stabilisation of the original character, fabric or detailing of the heritage item'. (21.1.2 (a) (i)). Also, 'The work is carried out to the same design, using original or similar materials to those originally used and does not detract from the form, character and appearance of the heritage item'. (21.1.2 (a) (ii)).

### **3.1 Record the Structure**

This would involve careful measuring and photographing of the structure, such that a replica could be built in the future should this be seen as desirable. Some component parts (steel rails, fixings and other metal parts) could be salvaged and put into storage. Otherwise, all that would be required would be to maintain the stock fence around the structure. The ongoing growth of the walnut tree and exposure to the weather would eventually see the complete loss of the structure.

#### **(i) Conservation Standards**

While meeting the standard of low intervention, it would nevertheless result in the complete loss of the structure over time. The conservation outcome is therefore very poor.

#### **(ii) Degree of Difficulty**

Not difficult, the easiest of the options. Scaled at 1/5.

#### **(iii) Usefulness of the Structure**

Could be visited, and observed, but would become progressively more difficult to understand.

#### **(iv) Life of the Structure**

In perhaps 25 years there would be nothing of note left to see, except the site itself marked by the walnut tree and archaeological remains.

### **3.2 Stabilise the Structure**

This would involve making secure the parts of the structure that are liable to further collapse; treating decaying timbers; gathering and making coherent by careful placement those elements that have become detached and are lying on the ground. The walnut tree could be left standing, with some judicious trimming to minimise the further impact on the observatory structure as the tree continues to grow.

This is an option of low intervention, so that the level of authenticity of the structure, such as it is, would not be diminished. However, given its ruinous condition, it is hard to 'read' the building, to understand how it functioned, and even to know what it looked like. Interpretation could of course assist with understanding.

The life of the structure would remain very uncertain, given the vagaries of a living tree, the unpredictability and degrading effects of the weather, and the risk of keeping in some sort of order a place that would be hard for the public to understand and appreciate. It would of course have no functional use, other than to be observed from a distance.

(i) Conservation Standards

While meeting the standard of low intervention, it would nevertheless result in the complete loss of the structure over time. As above, the overall conservation outcome is very poor.

(ii) Degree of Difficulty

Not difficult, but more involved than option 3.1 above, with some ongoing work required. Scaled at 2/5.

(iii) Usefulness of the Structure

Could be visited, and observed from the outside, but would become progressively more difficult to understand as the structure deteriorates further.

(iv) Life of the Structure

In perhaps 30-50 years there would be nothing of note left to see, except the site itself marked by the walnut tree and archaeological remains.

### 3.3 Stabilise the Structure and Cover

This would involve the work described in 3.2 above, and the construction of a new shelter building. This could perhaps take the form of a dome, either fully closed in or open underneath; the shape of the canvas dome that originally formed the roof of the Equatorial Room could inspire the shape of a new domed roof. To make way for the shelter, the walnut tree would be severely trimmed, with the main trunk left to provide the stability that it presently provides; as the trunk rots, its strength could be replicated with new structural members.

This too is an option of low intervention, so that the level of authenticity of the observatory would not be diminished. As for option 3.2 above, it would be hard to 'read' the building, to understand how it functioned, and even to know what it looked like. Again, interpretation can assist with understanding.

The life of the structure would be significantly better than for option 3.2, but would still be compromised by the risk of keeping in some sort of order a place that would be hard for the public to understand and appreciate. Similarly, it would have no functional use, other than to be observed from within the new structure.

(i) Conservation Standards

While meeting the standard of low intervention, it would result in a very different setting for the structure. It would nevertheless help preserve the structure for the future and leave open the possibility of its later restoration. This would be a reasonably good conservation outcome.

(ii) Degree of Difficulty

Similar to option 3.2 above, but with the addition of a separate new covering structure. Structural engineering design would be required for the new shelter. Scaled at 4/5.

(iii) Usefulness of the Structure

Could be visited, and observed, remaining much as it is seen today, but not entered.

(iv) Life of the Structure

In perhaps 50 years, if regular maintenance is carried out, there could still be a ruin standing under a sheltering roof; a fully enclosed structure would preserve the observatory for a much longer period, nearly indefinitely if properly maintained.

### **3.4 Stabilise the Structure, Cover and Replicate**

This would involve the work as described in 3.3 above, stabilising the structure and covering it with a new shelter building, and in addition constructing a replica of the observatory nearby.

This too is an option of low intervention, so that the level of authenticity of the observatory would not be diminished. As for options 3.2 and 3.3, it would be hard to 'read' the building, to understand how it functioned, and even to know what it looked like, but then these deficiencies are fully overcome by reference to the replica standing nearby.

The life of the structure would be as for option 3.3, and given the functioning replica alongside it would perhaps be easier to ensure that proper maintenance was carried out.

The attraction of this option is that the replica could be a functioning observatory, enhancing the educational value of the site immeasurably. Whether such a structure could have a useful life would be in the hands of the Dark Sky Society.

(i) Conservation Standards

While meeting the standard of low intervention, it would result in a very different setting for the structure.

(ii) Degree of Difficulty

Similar to option 3.3 above, with the addition of the construction of a replica; since this would be a new building, with all new materials, the construction of it would be an unusual but not unduly challenging a task. Scaled at 5/5.

(iii) Usefulness of the Structure

Could be visited, and observed, remaining much as it is seen today; the replica observatory nearby could be fully functional.

(iv) Life of the Structure

In perhaps 50 years, if regular maintenance is carried out, there could still be a ruin standing under a sheltering dome; a fully enclosed structure would preserve the observatory for a much longer period with proper maintenance.

### 3.5 Restore the Structure

This option is to re-establish a coherent and physically intact building. It would involve:

Clearing the site of all growth, and progressively taking down the walnut tree.

Carefully assembling all the loose components, recording their location, shape and condition.

Carefully taking apart the standing structure, recording each element or component as to location, shape and condition. Elements such as wall panels that are still coherent would be kept together.

Making a full schedule of all the component parts of the structure, and of the parts that are missing or in such poor condition that they cannot be reused.

Producing a set of working drawings for the reconstruction of the observatory.

Gaining the approval of Heritage NZPT for the authenticity of the design, and a building consent from the South Wairarapa District Council.

Reinstating the observatory on new foundations, maximising the re-use of the existing timbers and other elements.

(i) Conservation Standards

Meets conservation standards as described in rule 21.1.2 of the South Wairarapa District Plan, being the 'reinstatement and repair' of the structure. Such a structure would be 'authentic' to its original form, not to its present condition.

(ii) Degree of Difficulty

Technically difficult, requiring the skills of a conservation carpenter and archaeologist / recorder. Scaled at 4/5.

(iii) Usefulness of the Structure

Could be visited and observed; it could also be entered, and (depending on technical and consenting matters) possibly used for astronomical purposes.

(iv) Life of the Structure

In excess of 50 years, providing proper maintenance is carried out.

A variant on this option is that the reconstruction could take place nearby, with the building in the same orientation as it presently has. The walnut tree could then be left standing, marking the original site, and the footprint of the building marked out on the ground – and archaeological remnants left in the ground.

The assessment above holds good for this option, although the shifting from the original site (albeit by a short distance) would be seen to detract a little from its authenticity.

### **3.6 Move the Structure Off-Site**

This would involve most of the work that is required under option 3.5, that is the careful recording and dismantling of the structure, moving all the parts off-site to a new site, and rebuilding it using new material to make up for the missing parts.

The original site could be marked with an interpretation panel, and the walnut tree left standing as a sentinel, able to be visited.

This option has not considered a serious one, since the location of a category 1 building is integral to its heritage value. In the particular case of an observatory standing on its original site, its precise geographic location is of prime importance, since its use is for the purpose of making observations of the celestial sky.

#### **(i) Conservation Standards**

Meets conservation standards as described in rule 21.1.2 of the South Wairarapa District Plan, but moving the structure to a new site is contrary to accepted conservation practice as set out in the ICOMOS Charter.

#### **(ii) Degree of Difficulty**

Technically difficult, requiring the skills of a conservation carpenter and archaeologist / recorder. Scaled at 5/5.

#### **(iii) Usefulness of the Structure**

Could be visited and observed; it could also be entered, and possibly used for astronomical purposes, albeit away from its original site.

#### **(iv) Life of the Structure**

In excess of 50 years, provided proper maintenance is carried out.

## 4.0 INFLUENCES

In evaluating the various options for the treatment of the Carkeek Observatory, there are legislative requirements that arise from three acts of Parliament, as below. None of these requirements present any undue difficulties. (Note however, that if the structure was to be restored **and re-used**, then the Building Act may dictate some special building requirements.)

### 4.1 Heritage New Zealand Pouhere Taonga Act

The purpose of the Heritage New Zealand Pouhere Taonga Act 2014 is ‘to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand’ (section 3).

#### Heritage Listing

Part 4 of the Heritage New Zealand Act, ‘Recognition of places of historical, cultural, and ancestral significance’ makes provision for a New Zealand Heritage List / Rārangi Kōrero.

The purpose of the Heritage List is to ‘inform members of the public about historic places ..., to inform the owners of historic places ... as needed for the purposes of this Act, and to be a source of information about historic places ... for the purposes of the Resource Management Act 1991’ (Section 65.)

Any place may be entered on the list provided that Heritage New Zealand ‘is satisfied that the place or area has aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological, or traditional significance or value. (Section 66; part 3 of this section.)

The Carkeek Observatory is included in the Heritage List as a Category 1 historic place, item number 9808. This means that it is a ‘place of special or outstanding historical or cultural significance or value’.

Although this listing does not impose any particular statutory obligations in and of itself, HNZPT should be closely consulted with before and during the development of any proposals for work to the Observatory.

#### Archaeological Sites

The Heritage New Zealand Act contains a consent process for any person intending to do work that may modify or destroy an archaeological site. The Act defines an archaeological site as any place that was ‘associated with human activity that occurred before 1900’ and which ‘may provide through investigation by archaeological methods, evidence relating to the history of New Zealand’ (section 6).

Any person intending to undertake work that may ‘modify or destroy the whole or any part of an archaeological site’ must first obtain an authority from Heritage New Zealand for that work. An authority is required by any person who ‘knows, or ought reasonably to have suspected, that the site is an archaeological site’, whether or not it

is 'an archaeological site or is entered on (a) the New Zealand Heritage List ... or (b) the Landmarks list'.

The Carkeek Observatory would meet the criteria for an archaeological site, and an Archaeological Authority would be required for options 3.3, 3.4, 3.5 and 3.6.

Regardless of the option selected, a detailed archaeological assessment should be commissioned so that the archaeological potential and values of the site are clearly understood before any work is carried out.

## **4.2 Resource Management Act and District Plan Requirements**

The Resource Management Act 1991 is concerned with the sustainable management of natural and physical resources; it aims to avoid, remedy or mitigate any adverse affects of development on the environment. The Act identifies (section 6) the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance, and defines historic heritage as:

‘those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:

archaeological, architectural, cultural, historic, scientific, technological’

and includes sites, structures, places and areas; archaeological sites; sites of significance to Maori, including wahi tapu, and surroundings associated with the natural and physical resources.

The Act establishes the framework for the preparation and administration of district plans ‘to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act’ (section 72). A district plan may include rules which ‘prohibit, regulate or allow activities’ (section 76) in order to achieve the plan’s objectives.

Section 88 of the Act requires an application for a resource consent on a listed heritage item to include an assessment of any actual or potential effects of the work and lists matters to be considered in the Fourth Schedule of the Act. These can include ‘any effect on those in the neighbourhood, and where relevant, the wider community’ and ‘any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations.’

District Plan rules for the treatment of heritage buildings have already been quoted (in section 4). Rule 21.1.2 Sites of Historic Heritage Value states that repairs to any heritage item should be confined to ‘conservation, reassembly, reinstatement, repair or stabilisation of the original character, fabric or detailing of the heritage item’. (21.1.2 (a) (i)).

Also, 'The work is carried out to the same design, using original or similar materials to those originally used and does not detract from the form, character and appearance of the heritage item'. (21.1.2 (a) (ii)).

The work outlined here for options 4.4 and 4.5, restoring the structure, would meet this requirement; the rules would not apply to the low intervention options (3.1, 3.2 and 3.3) since repairs are not required with these options.

It appears that a resource consent for work on the Carkeek Observatory would be required only for option 4.6 moving the structure off-site and restoring it, however the South Wairarapa District Council (SWDC) should be consulted for confirmation once the preferred approach to the Observatory has been settled.

### **4.3 Building Act**

The Building Act 2004 controls all matters relating to building construction. The following matters are of relevance when considering the treatment of the Carkeek Observatory, but only for the restoration options of 3.4 and 3.5. Even for these options, a building consent may not be required, since the work could be judged to be repair and maintenance (see below).

#### **Repair and Maintenance (Schedule 1 Exempt Building Work)**

A building consent is not required for 'any lawful repair and maintenance using comparable materials'.

However, all work is required to comply with the Building Code. This means compliance with durability requirements (clause B2): for structural elements, not less than a 50 year life; for secondary elements which are difficult to replace, 15 years; and for linings and other elements that are easily accessible, 5 years.

In dealing with heritage buildings, it is appropriate to aim for a 50 year minimum life for all elements, with materials and repair techniques selected for durability.

#### **Principles to be Applied (Section 4)**

Assessment of building work subject to the Act is required to take into account, amongst others things,

'the importance of recognising any special traditional and cultural aspects of the intended use of a building', and 'the need to facilitate the preservation of buildings of significant cultural, historical or heritage value' (sub-sections d and l); also

'the need to facilitate the efficient and sustainable use in buildings of materials and material conservation' (sub-section n).

### **Historic Places (Section 39)**

When a territorial authority receives an application for a building consent for a listed historic place, it must inform Heritage New Zealand.

### **Building Consents (Section 40 - 41)**

It is an offence to carry out building work not in accordance with a building consent, except for exempted buildings and work as set out in Schedule 1 of the Act. (Schedule 1 includes repairs and maintenance.)

Section 41(c) allows for urgent work, such as emergency repairs, to be carried out without a consent, but such work is required to obtain a Certificate of Acceptance directly after completion.

In the case of the Carkeek Observatory, it is likely that SWDC would require a building consent application if the restoration options (3.5 and 3.6) were adopted **and the building was to be made accessible and useful**. The other options are 'repair and maintenance' within the Schedule 1 exemptions and do not require building consent. (This to be confirmed by SWDC.)

Note that the options that include a new shelter structure (options 3.3 and 3.4) would require a building consent for the new structure, and in the case of 3.4, the replica would also require building consent.

### **Dangerous, Earthquake-prone and Insanitary Buildings (Sections 121 - 132)**

A dangerous building is one likely to cause injury or death, whether through collapse or fire. An earthquake-prone building is one that will have its ultimate capacity exceeded in a moderate earthquake and would be likely to cause injury or death. An insanitary building is offensive or likely to be injurious to health because of its condition or lack of appropriate facilities.

A territorial authority can, if it judges a building to be dangerous, earthquake prone or insanitary, require work to be done to reduce or remove the danger or to render it sanitary.

The Carkeek Observatory could readily be judged to be 'dangerous', but since it now barely meets the definition a building and it is difficult to enter, it seems there would be little benefit to placing such a designation on it at present.

## 5.0 PROCESS

### 5.1 Action from Here

Those most closely interested in the preservation of the Carkeek Observatory are:

South Wairarapa District Council  
As owners of the structure and the land.

Heritage New Zealand Pouhere Taonga  
Having listed the structure as category 1 on the New Zealand Heritage List.

Wairarapa Dark Sky Association  
As an interested party because of the importance of the structure to the history, understanding and practice of astronomy in New Zealand.  
kiaora@wairarapasky.com

Historic Places Aotearoa (Wellington), and any relevant Wairarapa heritage organisation  
As a body concerned with local and regional heritage.

Graham Hodder  
As leasee of the land and long-time guardian of the structure.

It is suggested that the District Council circulate this report to those above, and more widely if they see fit. There may be an easily agreed option; if not, then a meeting to discuss these and any other options should be called, to seek consensus.

With an agreed option, a detailed work specification could then be drawn up. This would describe in detail the process to be followed, the personnel to carry out each stage of the work, and an estimate of cost.

We have purposely not provided estimates of cost for the various options, since it would be difficult to do this before more detailed planning is carried out; also we feel that cost should not be a determining factor when dealing with such a rare and important heritage structure.

Our **recommendation** as consultants awaits further discussions.

Chris Cochran  
Russell Murray

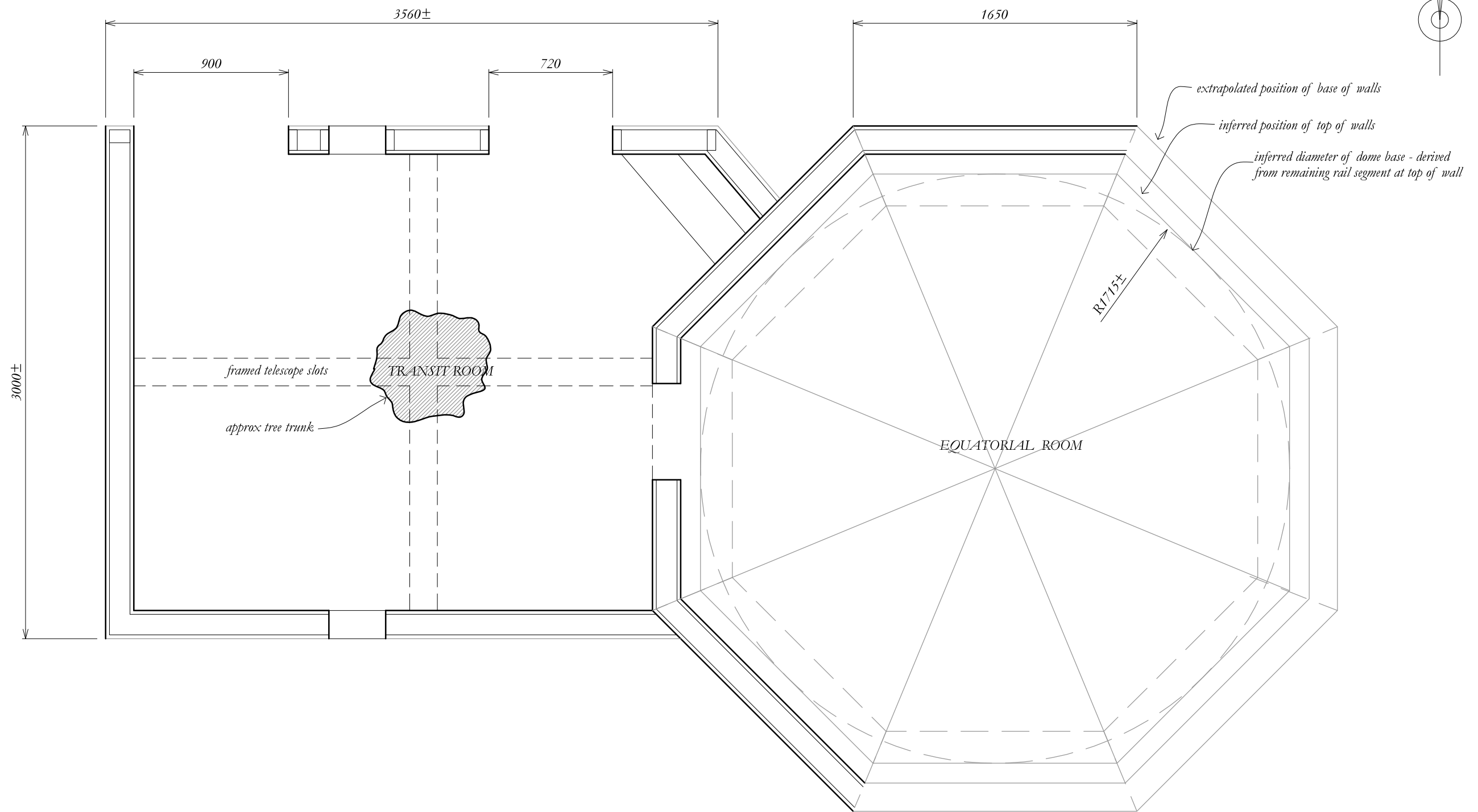
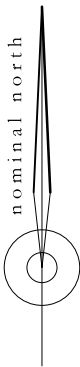
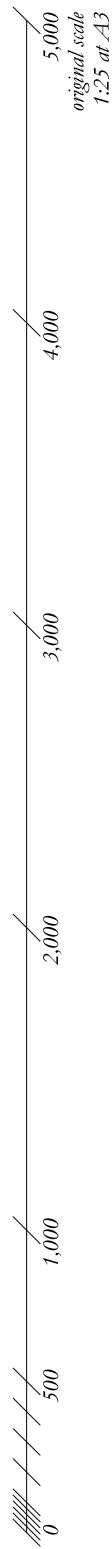
For and on behalf of Cochran & Murray Conservation Architects

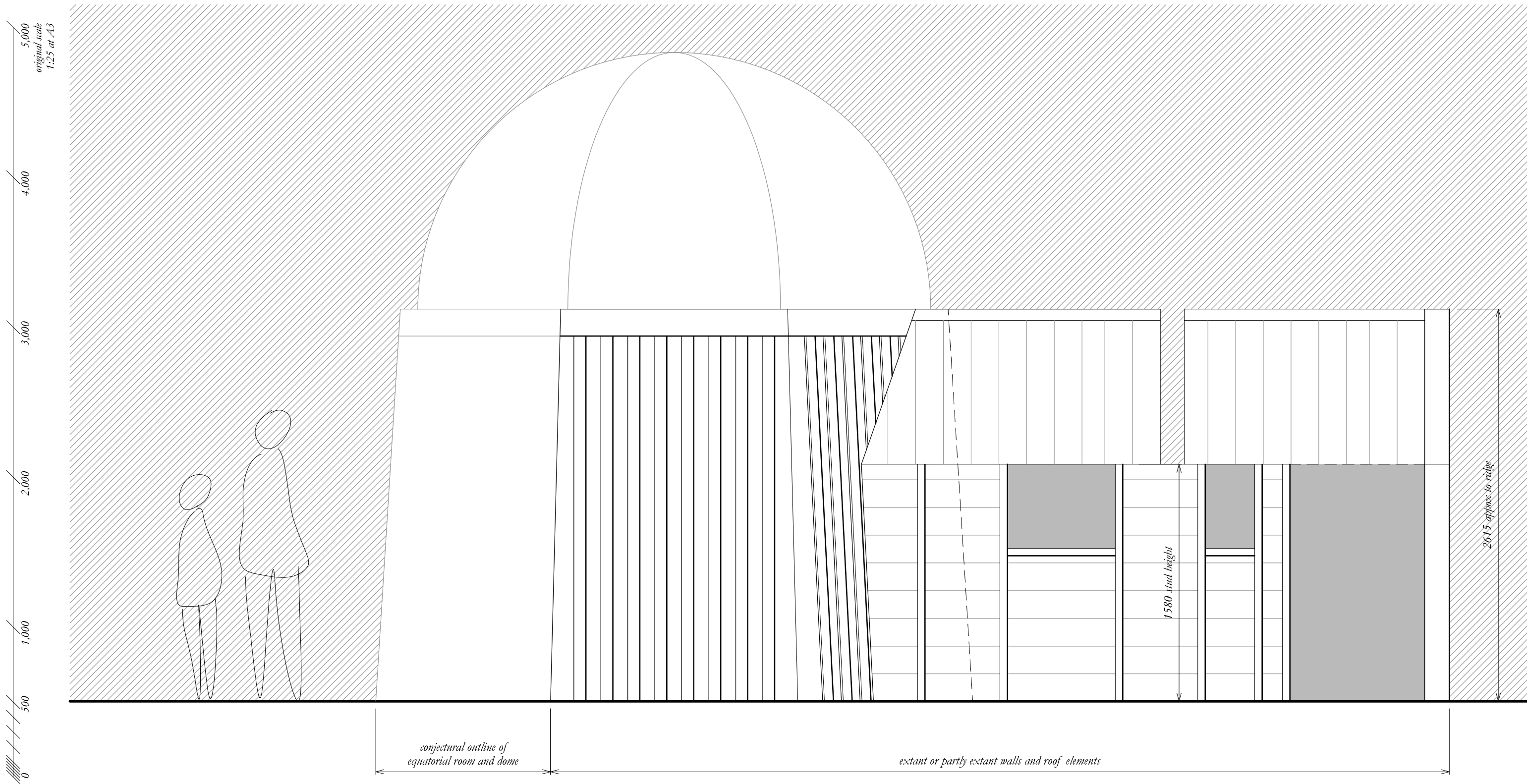
## **APPENDIX I**

### **Measured Drawings, 2021**

These drawings should be regarded as preliminary. They are drawn by Russell Murray from measurements taken in December 2020 and May 2021 by Chris Cochran, and (given the dereliction of the structure), are intended as a guide only at present.

The drawings will be useful in documenting the structure; as more becomes known, they can be revised to provide an accurate record of the original form and detail of the structure.





## **Appendix 2 – Wairarapa Dark Sky Recommendation**

*"As a group, the Wairarapa Dark Sky Association is pleased to support all endeavours to preserve, protect, enhance and develop this iconic Heritage 1 listed part of local history.*

*We think the "Options" set out (P8) are pretty clear-cut.*

*First, we agree that **Option 3** is essential initially to both stabilise and cover the structure.*

***Option 4** would then follow. Option 4 we see as follows:*

- \_ stabilise the structure by using extra but unobtrusive internal framing to restore its upright shape;*
- \_ then, remove the tree which now is partly supporting part of the building's remnants.*

*Both of these actions would be carried out in compliance with Heritage requirements, which I'm sure Chris will provide as guidance.*

- \_ install a dome over the upright structure as protection from further weather degradation, while also using other protective technology and techniques to provide longevity to the original structure and its materials.*
- \_ develop and mount on-site "story boards" to outline and explain the historic site, the building and its connections.*
- \_ plan and build a replica "Carkeek Observatory" adjacent to the original for use as a "historic astronomic observatory experience" for visitors.*

*As you can see, Wairarapa Dark Sky regards the observatory as a key piece of infrastructure to assist the development of a "working" regional dark sky reserve."*

# FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

## AGENDA ITEM 8.2

### ELECTED MEMBER CODE OF CONDUCT

#### Purpose of Report

To provide a draft Elected Member Code of Conduct for consideration and adoption by Featherston Community Board.

#### Recommendations

Officers recommend that the Community Board:

1. *Receive the Elected Member Code of Conduct Report.*
2. *Adopts the draft Code of Conduct for the Featherston Community Board (Appendix 1).*
3. *Notes that after consideration Council agreed to include paragraph 12 'Undischarged Bankrupt' in the Code of Conduct.*
4. *Delegates to the Chief Executive the authority to make minor grammatical amendments that do not alter the intent of the Code of Conduct.*

#### 1. Background

Under the Local Government Act 2002, councils are required to have a Code of Conduct (the "Code"). The Code sets out the expected standard of behaviour for elected members in relation to how they work and engage with other elected members, Council staff, and the public.

The Code remains in force until the Council or Community Board amends it. Councils cannot repeal a Code of Conduct.

Local Government New Zealand ("LGNZ") developed a Code template in consultation with the local and central government sectors, sector best practice, and legislative or regulatory introductions or amendments in 2016. An updated template was released in 2019. A high majority of councils around New Zealand use the LGNZ Code template.

#### 2. Discussion

The current Code of Conduct was last adopted on 19 October 2016 and will remain active until a new Code has been adopted. It is believed that the existing Code was based on a historical template developed by LGNZ, and modified by Council over a number of years. The Code of Conduct was incorporated into the induction process in

2019 but not specifically adopted by the incoming 2019 Council or community boards. A review of the Code of Conduct was planned for early in the triennium, however due to COVID and other work priorities this review was delayed.

After engagement with councillors and community board members, the Code that is being presented for adoption uses the 2019 LGNZ template as the base and includes sections of the existing Code that were identified by elected members as having continuing value. The LGNZ template is comprehensive and reflects current standards and best practice. Although a specific template is available for community boards, as there is very little difference between the templates, for ease of application and management, officers are proposing that the one Code is used across Council and community boards.

## **2.1 Key differences between the existing and new Code**

The proposed Code of Conduct (Appendix 1):

- Clearly outlines values that elected members agree to abide by.
- Includes a process for reporting, investigating and assessing complaints.
- Includes guidance on penalties and sanctions.
- Provides modern media engagement guidance for elected members, including a section on the use of social media.
- Includes a section on review of the Code.
- Includes an undischarged bankrupt clause that Council has agreed should be included.
- Includes principles that highlights the importance of elected members “pulling their weight”.

LGNZ has provided a guide to be read in conjunction with the template Code. The guide provides information on the requirements, application, and legal contexts of any future adopted Code (Appendix 2).

## **2.2 Points Requiring Clarification/Template Differences**

LGNZ developed two Code of Conduct templates, one for local authorities and regional councils and the other for community boards. The ‘chair’ reference in the template refers to the chair of the regional council. Reference to the ‘chair’ has been deleted.

The process and guidance for community board members to make complaints is the same as elected members of Council (i.e. via the Chief Executive to the Mayor in the first instance).

The following are the differences between the LGNZ template for community boards and territorial authorities, they are not considered significant enough to warrant having multiple Code of Conducts adopted:

- Section 4 ‘Role and Responsibilities’ is not included in the LGNZ Community Board template but is in the Code of Conduct for adoption in Appendix 1 and has been modified to be inclusive of community boards.
- The LGNZ templates use language applicable to the audience (i.e. Council or a community board), the Code of Conduct for adoption in Appendix 1 has been

altered so the audience is inclusive of Council, community boards and appointed members.

- Minor grammatical word changes to reflect the relative importance of Council and community boards (e.g. vital versus essential). Some of the grammatical differences appear to indicate minor version control issues within the LGNZ templates.

### **2.3 Options**

Local Government NZ recommend that community boards adopt a Code of Conduct and note that this is often the same code as adopted by their parent local authority. As the community board role differs from that of a governing body, legislation does not require a Code, however the behaviours of community board members may have an impact on Council's obligations (e.g. to be a good employer), therefore to ensure that community board members behave ethically and in accordance with expectations and the values set by Council, officers recommend that the Code of Conduct as adopted by Council is also adopted by the community boards.

Minor changes that do not affect the intent of the Code may be able to be accommodated.

Elected members may adopt the proposed Code of Conduct as it is presented, adopt the proposed Code of Conduct with minor amendments that do not affect the intent of the Code, retain the existing Code of Conduct, or repeal the existing Code of Conduct.

### **2.4 Consultation**

Councillors and community board members have had an opportunity to provide input into the draft Code of Conduct in workshop settings.

### **2.5 Legal Implications**

Council is required to have a Code of Conduct, however community boards are not required to adopt a Code under the Local Government Act s.54(2).

Should the Community Board wish to adopt a Code of Conduct then all of schedule 7 s.15 will apply. Amendments to an adopted Code require a resolution supported by 75% or more of the elected members present at a meeting. If a new Code of Conduct is not adopted, then the existing Code of Conduct will remain in force until such time that a new Code has been adopted or the community board decides that it does not want to operate under a code.

Schedule 7, clause 15(5) of the Local Government Act requires the local authority to consider whether it will require a member or newly elected member to declare whether or not they are an undischarged bankrupt. Council elected to include a section in the Code requiring declaration to the CEO (paragraph 12).

### **2.6 Financial Considerations**

There are no financial considerations.

## **2.7 Other Considerations**

The Code does not replace other protocols put in place by the CEO or terms of reference documents adopted by Council and the community boards.

For example, paragraph 5.2 of the Code 'Relationships with Staff' requires staff to adhere to protocols put in place by the CEO for contact between elected members and staff. At the 2019 elected member induction, elected members were advised that their first point of contact for operational matters was via the Chief Executive (the exception to this are matters within the scope of the Committee Advisors). Members can log work requests in the normal manner.

## **3. Conclusion**

If adopted, the proposed Elected Member Code of Conduct will replace the existing Code for the Community Board. The new Code will be distributed electronically to those affected.

Community Boards will continue to be accountable under the existing Code of Conduct until they have had the opportunity to consider adopting the new proposed Code.

## **4. Appendices**

Appendix 1 – draft Code of Conduct

Appendix 2 – LGNZ Code of Conduct Guidelines

Contact Officer: Suzanne Clark, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive

## **Appendix 1 – draft Code of Conduct**



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**

*Kia Reretahi Tātau*

# Code of Conduct

Council Date of Approval	15 December 2021
Martinborough Community Board Date of Approval	TBC February 2022
Featherston Community Board Date of Approval	TBC February 2022
Greytown Community Board Date of Approval	TBC February 2022
Next Review	30 November 2022

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## 1. Introduction

The Code of Conduct (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

- » Enhance the effectiveness of the local authority and the provision of good local government of the community, town/city, district or region;
- » Promote effective decision-making and community engagement;
- » Enhance the credibility and accountability of the local authority to its communities; and
- » Develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in the code.

## 2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any Community Boards that have agreed to adopt it. The Code is designed to guide the behaviour of members towards:

- » Each other;
- » The Chief Executive and staff;
- » The media; and
- » The general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

### 3. Values

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner;
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.<sup>1</sup>

These values complement, and work in conjunction with, the principles of s14 of the LGA 2002 and the governance principles of s39 of the LGA 2002.

### 4. Role and responsibilities

The Code of Conduct is designed to strengthen the good governance of your city, district or region. Good governance requires that the complementary roles of the governing body and the administration are understood and respected.

A summary of the roles of the Mayor, Deputy Mayor, Community Board and Standing Committee Chairs is provided in Appendix D.

<sup>1</sup> See Code of Conduct Guide for examples.

## 4.1 Members of Council

The role of the governing body includes:

- » Representing the interests of the people of the city, district or region;
- » Developing and adopting plans, policies and budgets;
- » Monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- » Providing prudent stewardship of the Council's resources;
- » Employing and monitoring the performance of the Chief Executive; and
- » Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

## 4.2 Community Board Members

The role of a Community Board member is, but is not limited to:

- » Representing, and acting as an advocate for the interests of the community; and
- » Contributing to decision making and discussion on matters referred to the Community Board by the territorial authority; and
- » Maintaining an overview of services provided by the territorial authority within the community; and
- » Contributing to the preparation of an annual submission to the territorial authority for expenditure within the community; and
- » Engaging with community organisations and special interest groups within the community.

## 4.3 Appointments

The terms, obligations and provisions of this Code of Conduct as they apply to elected members of Council, Community Boards and committees, are deemed to apply to all non-elected members of committees and non-elected members appointed to outside organisations.

## 4.4 Chief Executive

The role of the Chief Executive includes:

- » Implementing the decisions of the Council;
- » Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- » Ensuring the effective and efficient management of the activities of the local authority;

- » Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- » Providing leadership for the staff of the Council; and
- » Employing, on behalf of the Council, the staff of the local authority, (including negotiation of the terms of employment for those staff).

The Chief Executive is the only person *directly* employed by the Council itself (s.42 LGA 2002). All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

## 5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

### 5.1 Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- » Maintains public confidence;
- » Is open, honest and courteous;
- » Is focused on issues rather than personalities;
- » Avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- » Avoids aggressive, bullying or offensive conduct, including the use of disrespectful or malicious language.

Please note, nothing in this section of the Code is intended to limit robust debate.

The Mayor, Community Board Chairs and the Chief Executive Officer will meet informally from time to time to maintain and promote effective communication and for the purpose of ensuring that all parties are familiar with the work being carried out by each; and to improve coordination; and to ensure the business of the Council, its Committees and the Community Boards is conducted in a timely and effective manner.

## 5.2 Relationships with staff

An important element of good governance involves the relationship between a Council, its Chief Executive and its staff. Members will respect arrangements put in place to facilitate this relationship, and:

- » Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- » Raise any concerns about the performance or behaviour of the Chief Executive with the Mayor/Chair or the chairperson of the Chief Executive Performance Review Committee (however described);
- » Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe these requirements at all times, such as the duty to be a good employer;
- » Treat all employees with courtesy and respect and not publicly criticise any employee; and
- » Observe any protocols put in place by the Chief Executive concerning contact between members and employees.

Please note, elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's annual audit.

## 5.3 Relationship with the public

Given the vital role that democratic local government plays in our communities it is important that Councils have the respect and trust of their citizens. To facilitate trust and respect in their Council members will:

- » Ensure their interactions with citizens are fair, honest and respectful;
- » Be available to listen and respond openly and honestly to citizens' concerns;
- » Represent the views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and
- » Ensure their interactions with citizens and communities uphold the reputation of the local authority.

## 5.4 Public Duty

Elected Council members have a responsibility to the whole community of the South Wairarapa district.

Council members are elected on a ward basis and have a special interest in that ward but their prime responsibility is to the district as a whole.

Community Board members are responsible to the electors of the community from which they are elected. They are, however, bound by the decisions of the Council who ultimately carry the responsibility for each Community Board's actions and decisions.

Actions of all elected members may need to be justified to the public. The reputation of the Council is dependent on elected members' conduct, and the public perception of this conduct.

At every ordinary meeting of the Council, the Mayor will provide a report (preferably written) outlining activities undertaken in the capacity of Mayor. This will include activities in the community and in his/her leadership/advocacy role since the date of the last ordinary meeting.

Elected members will provide reports (preferably written) from their Council appointments.

## 5.5 Representing the Council

Elected members who are invited or appointed to represent the Council at an event such as a seminar or conference, should meet the following conditions:

- » The Council/Community Board must approve any requests for travel outside the Wairarapa area at Council expense.
- » The cost of representation must be within the annual budgeted figure for such activities unless the Council makes specific authorisation for additional expenditure.
- » Following his/her attendance, the member must present a report to the Council, or appropriate Committee or Community Board which summarises the event including its potential significance to the business of the South Wairarapa District Council. Where the Council is represented by a delegation, one member of the party will report back on their behalf.

These requirements apply to situations where members will be participating as representatives of the South Wairarapa District Council. They do not apply to situations where members attend in a private capacity. In such cases the member may wish to report to the Council on items of interest or general value.

## 5.6 Media and social media

The media play an important role in the operation and efficacy of our local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

## 5.7 Media contact on behalf of the Council

1. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, Committee or Community Board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
  - » Comments must not state or imply that they represent the views of the Council or the Community Board.
  - » Comments which are contrary to a formal decision or policy must clearly state that they do not represent the views of the majority of members;
  - » Comments shall be consistent with this Code;
  - » Comments must not purposefully misrepresent the views of the Council, Community Boards, or the views of other members;
  - » Social media pages controlled by members and used for making observations relevant to their role as an elected members should be openly attributed to the member. Public comment should be moderated (comments removed) for abusive or inflammatory comment to ensure transparency in the views expressed;
  - » Social media posts about other members, Council staff or the public must be consistent with section five of this Code. (See Appendix A for guidelines on the personal use of social media).

## 6. Information

Access to information is critical to the trust in which a local authority is held and its overall performance. A failure to comply with the provisions below can represent a breach of the Code.

### 6.1 Confidential information

In the course of their duties members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

### 6.2 Information received in capacity as an elected member

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information

does not contravene the privacy of natural persons, the member will disclose such information to other members and/or the Chief Executive as soon as practicable.

## 7. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Members may also contact the Office of the Auditor-General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

**Please note:** Failure to observe the requirements of LAMIA could potentially invalidate a decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix B). In the event of a conviction elected members can be ousted from office.

## 8. Predetermination

Predetermination is a special type of interest and may arise when a decision-maker makes comments that suggest he/she made up his/her mind prior to considering all relevant views or considerations.

1. Elected members will not make comments that suggest he/she made up his/her mind prior to considering all relevant views. Any public statements that suggest the decision-maker made up his/her mind in advance, or took into account something they should not have, may lead to allegations of predetermination or bias.
2. Elected members must remain open to persuasion and not commit to a decision until after hearing all the evidence.
3. Elected members will carefully consider whether a public comment made before or after a decision would give rise to allegations of predetermination and act accordingly.

- » When making quasi-judicial decisions, decision-makers are required to meet a higher standard of impartiality and objectivity. (Generally, regulatory decisions are more likely to be quasi-judicial decisions.)
- » In other contexts, e.g. when elected members are making policy decisions, it will normally be more acceptable for the decision-maker to express a preliminary view in public and even express strong personal views about the matter.

## 9. Register of Interests

Members shall, at least annually, make a declaration of interest. These declarations are recorded in a public Register of Interests maintained by the Council. The declaration must include information on the nature and extent of any interest, including:

1. Any employment, trade or profession carried on by the member or the members' spouse/partner for profit or gain;
2. Any company, trust, partnership etc for which the member or their spouse/partner is a director, business partner or trustee;
3. A description of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
4. A description of any land owned by the local authority in which the member or their spouse/partner is:
  - » A tenant; or
  - » The land is tenanted by a firm in which the member or spouse/partner is a business partner; a company of which the member or spouse/partner is a director; or a trust of which the member or spouse/partner is a trustee.
5. Any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive).

Please note, where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable.

## 10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

1. Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
2. Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;

3. Only use the Council's resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
4. Not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of the code.

## **11. Creating a supportive and inclusive environment**

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance.

These include:

- » Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which members will work.
- » Taking part in any assessment or evaluation of the Council's performance and operating style during the triennium.<sup>2</sup>
- » Taking all reasonable steps to acquire the required skills and knowledge to effectively fulfill their Declaration of Office (the Oath) and contribute to the good governance of the district.

## **12. Undischarged bankrupt**

In accordance with clause 15(5) of Schedule 7 of the LGA 2002, any member who is an undischarged bankrupt shall notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt.

Note: This clause is relevant to all elected members and those appointed members who will in the course of their duties be making governance decisions on the expenditure of public money.

## **13. Breaches of the Code**

Members must comply with the provisions of the code (LGA 2002, schedule 7, cl. 15(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

<sup>2</sup> A self-assessment template is provided in the Guidance to the code.

## 13.1 Principles

The following principles will guide any processes for investigating and determining whether or not a breach under the code has occurred:

1. That the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged breach;
2. That the processes of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
3. That the concepts of natural justice and fairness will apply in the determination of any complaints made under the Code. This includes, conditional on the nature of an alleged breach, directly affected parties:
  - » Have a right to know that an investigation process is underway;
  - » Are given due notice and are provided with an opportunity to be heard;
  - » Have confidence that any hearing will be impartial;
  - » Have a right to seek appropriate advice and be represented; and
  - » Have their privacy respected.

## 13.2 Complaints

All complaints made under the Code of Conduct must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward the complaint to the Mayor or, where the Mayor is a party to the complaint, to an independent investigator.

Please note, only members and the Chief Executive may make a complaint under the Code.

### **Complaint referred to Mayor**

On receipt of a complaint made under the provisions of the Council's Code of Conduct the Mayor will, as the situation allows:

- » Interview the complainant to assess the full extent of the complaint.
- » Interview the member(s) subject to the complaint.
- » Assess the complaint to determine materiality.
- » Where a complaint is assessed by the Mayor to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- » Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor, to the Council or an

adjudicative body established by the Council to assess and rule on complaints made under the Code.<sup>3</sup>

- » In the situation where a Council appointment is the subject of a material complaint, or where no mutually agreed solution can be reached, the Chief Executive will prepare a report to Council requesting a decision on whether the appointed member should be discharged.

If the Mayor chooses they may, instead of undertaking an initial assessment, immediately refer the complaint to the independent investigator, via the Chief Executive.

### **Complaint referred to Independent Investigator**

On receipt of a complaint from a member which concerns the Mayor, or from the Mayor after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints.<sup>4</sup> The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

## **13.3 Materiality**

An alleged breach under the Code is material if, in the opinion of the Mayor or independent investigator, it would bring the Council into disrepute or, if not addressed, adversely affect the reputation of a member.

An alleged breach under this Code is non-material if, in the opinion of the Mayor or independent investigator, any adverse effects are minor and no investigation or referral is warranted.

## **13.4 Penalties and actions**

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

## **13.5 Material breaches**

In the case of material breaches of the Code, the Council, or the adjudicative body with delegated authority, may require one of the following:

- » A letter of censure to the member;
- » A request (made either privately or publicly) for an apology;

<sup>3</sup> Advice on establishing adjudication bodies can be found in the Guide to the Code of Conduct.

<sup>4</sup> On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor or Chairperson, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her Council, prepare a list jointly with neighbouring Councils or contract with an agency capable of providing appropriate investigators, such as EquiP.

- » Removal of certain Council-funded privileges (such as attendance at conferences);
- » Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
- » Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
- » Limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
- » A vote of no confidence in the member;
- » Suspension from committees or other bodies to which the member has been appointed; or
- » Invitation to the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that instead of a penalty, one or more of the following may be required:

- » Attend a relevant training course; and/or
- » Work with a mentor for a period of time; and/or
- » Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- » Tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

## 13.6 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- » Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under LAMIA);
- » Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.44 LGA 2002 which may result in the member having to make good the loss or damage); or
- » Breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

## 13.7 Review

Once adopted, the Code continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. Amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at the Council meeting at which the amendment is considered.

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all members have the opportunity to provide their views on the Code's provisions.

## Appendix A

### Guidelines on the personal use of social media<sup>5</sup>

There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the local authority no members should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

<sup>5</sup> Based on the Ruapehu District Council Code of Conduct.

## Appendix B

### Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz).

#### The Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests, a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- » A person, or spouse/partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- » A person, or their spouse/partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the Council.

#### Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote.

When determining if this is the case or not the following test is applied:

*"...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned."* (OAG, 2001)

In deciding whether you have a pecuniary interest, members should consider the following factors:

- » What is the nature of the decision being made?
- » Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?

- » Is my financial interest one that is in common with the public?
- » Do any of the exceptions in the LAMIA apply to me?
- » Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the Mayor or other person, to determine if they should discuss or vote on an issue, but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Council's Standing Orders.)

### **The contracting rule**

A member is disqualified from office if he or she is "concerned or interested" in contracts with their Council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

### **Non-pecuniary conflicts of interest**

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

*"Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"*

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members focus should be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- » Members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- » Members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform, then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

### Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and Community Boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- » Create a disturbance or a distraction while another Councillor is speaking;
- » Be disrespectful when they refer to each other or other people; or
- » Use offensive language about the Council, other members, any employee of the Council or any member of the public.

See Standing Orders for more detail.

### Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

## Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- » Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- » Use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

Elected members convicted of these offences will automatically cease to be members.

## Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

## The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles, and details the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s44 LGA 2002, it is found that one of the following applies:

- a) Money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) An asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) A liability has been unlawfully incurred by the local authority; or
- d) A local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) Without the member's knowledge;
- b) With the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) Contrary to the manner in which the member voted on the issue; and
- d) In circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s47 LGA 2002).

## Appendix C

### Process where a complaint is referred to an independent investigator

#### Step 1: Chief Executive receives complaint

On receipt of a complaint under the Code, whether from a member (because the complaint involves the Mayor) or from the Mayor after an initial assessment, the Chief Executive will refer the complaint to an independent investigator. The Chief Executive will also:

- » Inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- » Inform the respondent that a complaint has been made against them, the name of the investigator and remind them of the process for dealing with complaints as set out in the Code.

#### Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. The complaint is trivial or frivolous and should be dismissed;
2. The complaint is outside the scope of the Code and should be re-directed to another agency or institutional process;
3. The complaint is minor or non-material; or
4. The complaint is material and a full assessment is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine their recommendations, including interviewing relevant parties, which are then forwarded to the Council's Chief Executive. On receiving the investigator's preliminary assessment the Chief Executive will:

1. Where an investigator determines that a complaint is trivial or frivolous, inform the complainant, respondent and other members (if there are no grounds for confidentiality) of the investigator's decision.
2. In cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform the Chief Executive who will then inform the complainant, the respondent and members.

### **Step 3: Actions where a breach is found to be non-material**

If the subject of a complaint is found to be non-material, but more than trivial or frivolous, the investigator will inform the Chief Executive and, if they choose, recommend a course of action appropriate to the breach, such as:

- » That the respondent is referred to the Mayor/Chair for guidance; and/or
- » That the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters resulting in the complaint.

The Chief Executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

### **Step 4: Actions where a breach is found to be material**

If the subject of a complaint is found to be material, the investigator will inform the Chief Executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach. In preparing that report, the investigator may:

- » Consult with the complainant, respondent and any directly affected parties; and/or
- » Undertake a hearing with relevant parties; and/or
- » Refer to any relevant documents or information.

On receipt of the investigator's report, the Chief Executive will prepare a report for the relevant Council body charged with assessing and ruling on material complaints, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The Chief Executive's report will include the investigator's full report.

### **Step 5: Process for considering the investigator's report**

The investigator's report will be considered by the Council or adjudicative body established for considering reports on Code of Conduct complaints, or any other body that the Council may resolve, noting that the process will meet the principles set out in section 12.1 of the Code.

The Council, or adjudicative body, will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify, in accordance with LGOIMA, the exclusion of the public. Before making any decision on a specific complaint, the relevant body will give the respondent an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, should not take part in these proceedings in a decision-making capacity.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in clause 13.1 of the Code.

The report, including recommendations from the adjudicative body, should that body have no formal delegations, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.

## Appendix D

### Mayor, Deputy Mayor and Chair Roles

#### 13.8 The Mayor

The Mayor is an elected member, and shares the same collective responsibilities as Councillors. The Mayor is elected by the district at large and is the presiding member at meetings of the Council, and as such is responsible under Standing Orders for the orderly conduct of Council business at meetings.

The Mayor has no power to commit the Council to any particular course of action except where specifically authorised by the Local Government Act 2002 under duly delegated authority.

The Office of Mayor carries with it an element of community leadership in addition to the statutory role as presiding member of the Council. The leadership role frequently requires the Mayor to act as community advocate, promoting the attributes of the community and representing its interests. Community leadership and advocacy will be more effective where it is carried out with the knowledge and support of the Council.

The Mayor is a Justice of the Peace while holding office as Mayor.

#### 13.9 The Deputy Mayor

In addition to the responsibilities of Councillor, the Deputy Mayor is authorised to chair meetings of the Council in the Mayor's absence, and generally to perform the functions and duties of the Mayor:

- » With the Mayor's consent at any time during the Mayor's temporary absence; or
- » Without the Mayor's consent at any time while the Mayor is prevented by illness or other cause from performing the functions and duties or exercising the powers of office or while there is any vacancy in the office of Mayor.

In the absence of both the Mayor and Deputy Mayor, the Council must elect one of its members to Chair a Council meeting.

#### 13.10 Community Board and Standing Committee Chairs

The Chairs of Community Boards and Standing Committees are responsible for the efficient and proper control and conduct of their respective meetings and for the provision of leadership in the areas for which a Community Board or Standing Committee has responsibility.

The business of Community Boards and Standing Committees shall be consistent with the powers delegated by the Council and the respective Chairs are responsible for ensuring compliance.

## **Appendix 2 – LGNZ Code of Conduct Guidelines**

# LGNZ Code of Conduct Guidelines



< Good local governance requires us to ensure that the way in which we undertake public decision-making is open, transparent and fair. >



## Preface

### Dave Cull, President, LGNZ

Like many public bodies around the world, councils in New Zealand are required to adopt a Code of Conduct. Codes of Conduct are designed to enhance trust in our public institutions by building the respect of citizens. There is nothing like conflict at the governance level to turn people off, feed negative journalism and undermine the morale and the good will of staff.

In 2016, LGNZ updated the Code of Conduct template that was unchanged since 2002 to incorporate recent legislative change, and new approaches to good governance, and to provide better advice for councils having to deal with alleged breaches. In addition, the changes were designed to shift the focus from just controlling poor behaviour to promoting an inclusive and positive governance culture, thereby removing some of the factors that can result in behavioural issues.

Based on the experience of councils applying the Code over the last three years, we have made further changes to the template. One of those changes is intended to more easily address minor and frivolous complaints by allowing Mayors and Chairs to make an initial assessment of complaints that they are not involved in. The second change concerns the addition of a section on social media.

Getting our governance cultures right is important and makes good economic sense. Councils that are trusted and respected are more likely to be able to enlist the support of their communities and other agencies in the goal of improving outcomes and meeting their strategic goals.

I hope you will find the Code helpful in strengthening your governance culture, building the mandate of your local authority and developing a great team.

Dave Cull  
President  
LGNZ

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## Introduction

The LGNZ Code of Conduct template 2019 updates the 2016 template which was published as part of the suite of KnowHow products following the passage of the LGA 2002. The LGA 2002 made the adoption of a Code of Conduct (the Code) mandatory. The 2016 template included a range of new features and draws on good practice introduced by councils over the past decade, particularly Gore District Council and Northland Regional Council. New features are:

- Refinement of the principles including a new principle that highlights the importance of elected members “pulling their weight”;
- Simplification of the roles and responsibilities section;
- Encouragement for members to participate in activities to build and maintain collaborative and cooperative cultures within the council;
- A new process for investigating and assessing complaints, including a ‘materiality’ test;
- Additional guidance on penalties or sanctions;
- Clarification that complaints can only be made by members and chief executives; and
- A more empowering and less prescriptive approach.

The 2019 template includes a section on social media and has a new process for dealing with trivial, minor and frivolous complaints.

## Why a Code of Conduct?

Codes of conduct are common features in local government systems in many parts of the world. In New Zealand the Code complements specific statutes, such as the Local Government and Meetings Act 1987, which are designed to ensure openness and transparency. Codes are an important part of the framework for building citizen confidence in our governmental processes. The template has four objectives:

- To enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region;
- To promote effective decision-making and community engagement;
- To enhance the credibility and accountability of the local authority to its communities; and
- To develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

The four objectives highlight the importance of achieving ‘good local government’, effective and inclusive decision-making, strengthened community credibility, and a culture of trust and mutual respect within the local authority.

They also contribute to making councils a more rewarding and satisfying place for elected members.

## Content

Codes of Conduct vary from place to place, and especially between jurisdictions, but there are certain critical elements a good Code should contain. In addition to the minimum requirements set out in the LGA 2002 (see cl.15 Schedule 7, LGA 2002), an effective Code of Conduct should include:

- Guidance for managing relationships and ensuring constructive behaviour, including processes for ensuring these are adhered to. This will ideally cover relationships with other members, staff, the media and (relationships with) the public;
- A statement of the different roles and responsibilities of governance and management. The Code should complement and reinforce the rules and statutory provisions set out in a council's standing orders;
- Provisions dealing with confidentiality of information received during the course of a members' duties, as well as situations when members are required to disclose information to the local authority and each other;
- Provisions dealing with conflicts of interest;
- Provisions dealing with ethical conduct, such as the way in which expenses may be claimed and soliciting or accepting gifts, rewards, or benefits;
- An explanation of the importance of adhering to the Code of Conduct and details of the procedures for investigating and resolving alleged breaches;
- Provisions designed to encourage courteous and constructive behaviours and so reduce the risk of poor behaviour and alleged breaches;
- Details of penalties or sanctions, such as what they are, when they might be applied, and the processes for their application (where these processes are within the control of council); and
- Provisions for the review of a Code of Conduct (both in terms of the statutory requirements and any processes the local authority has put in place).

All efforts have been made to ensure that these matters have been incorporated in the LGNZ Code of Conduct template.

## Considerations when designing a Code

Codes of Conduct are part of the “house rules” that govern relationships and behaviour and complement other corporate documents, such as Standing Orders and the Council’s Governance Statement. While some high level principles may be desirable in order to “set the scene”, a document that talks in vague generalities will be difficult both to adhere to, and to enforce.

- Codes of Conduct are not a means of preventing elected members from expressing their views.
- Codes of Conduct should promote effective working relationships within a local authority and between the local authority and its community. Among other things, a Code should promote free and frank debate which should in turn result in good decision making. Codes of Conduct should not be used in such a way as to stifle robust debate.
- Provided that an elected member does not attempt to present a personal view as anything other than their own view (and does not contravene other parts of the Code) they should be able to do so. Codes of Conduct are ideally designed to provide rules of conduct that promote debate and make it clear that personal views, and the rights of *all* members to express personal views, are to be respected.
- What a Code of Conduct does is set boundaries on standards of behaviour in expressing and promoting those views, and means of resolving situations when elected members breach those standards.
- Elected members should “own” the Code.
- Nothing is more likely to promote non-compliance with a Code than elected members being invited to “rubber stamp” a Code that others have prepared.
- It may be useful for elected members to “workshop” the Code template as soon as practicable after each triennial election; for example, at the Council’s induction workshop. Given that the Code deals with the relationship between elected members, the Chief Executive and staff, it may be desirable to have the workshop facilitated by an independent person.<sup>1</sup>
- Processes need to be put in place for investigating and resolving breaches of the Code.
- Applying a penalty or sanction under the Code should ideally be the last, rather than the first response. Most situations can be resolved without the need for sanctions. Often something as simple as an apology will resolve the issue. The original Code of Conduct template created difficulties for some councils as it provided little guidance on how to distinguish between minor and material breaches. This template has been specifically designed to enable non-material breaches to be dealt with outside the formal process of a full investigation by the Council or Committee.
- Most of all, the principles of natural justice must apply to the investigation, assessment and resolution of complaints made under the Code.
- Codes of Conduct cannot stand alone.
- Codes of Conduct work best when they are supported by other mechanisms.

<sup>1</sup> Equip, LGNZ’s business arm, may be able to help with such sessions or advise on suitable facilitators.

The most obvious supporting mechanism is training. A good Code will remind members of their obligations under the LGA 2002, the Members' Interests Act and the Local Government Official Information and Meetings Act 1987. However, a Code that replicated all of the relevant provisions would probably be of a size where no one person (either member or staff) could remember it all. All elected members should receive training in their obligations under these Acts at the beginning of each triennium. Other provisions of the Code should be covered during such training.

Codes of Conduct should also be linked to other procedural documents adopted by councils, such as Standing Orders. Standing Orders provide rules that set out processes and standards of conduct for meetings while the Code governs day-to-day and less formal relationships.

## The media

When designing the Code it is important to recognise the legitimacy of political debate and open discussion and ensure that provisions do not become an instrument to diminish this. It is important to note that the Declaration of Office, sworn by members, states:

"I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the **best interests** of [name of region, district, locality, community]"

Under the declaration, members must act in what they believe is the best interests of the community, district or region. It is up to individual members, in consultation with residents and on the basis of advice and research, to determine what 'best interests' for their regions or district means.

The Code must respect the spirit and intent of the New Zealand Bill of Rights Act and ability of members to express dissent. However, in doing so, members must act in accordance with the standards set out in the Code. Consequently the new template has not made any substantive changes to the 'dealing with the media' provisions from those set out in the original template.

## Information received in capacity as an elected member

Section 7.2 of the Code has been amended from the original version to place an obligation on members to disclose information received in their capacity as elected members which is relevant to the ability of a local authority to give effect to its responsibilities. The Code states that disclosure should be to "other members and, where appropriate the Chief Executive".

When applying this requirement, it is important that the process for disclosing information is appropriate in the circumstances of each council. The purpose of the disclosure is to add to the stock of information held by a council in order to strengthen the ability of members to make informed decisions, and diminish risks that might arise if the information on which a decision has been made is incomplete.

Appropriate disclosure in particular circumstances may be to the Mayor, to the Chief Executive or in the course of a meeting, depending on the public nature of the information. In some cases a council may have a specific officer, such as a council ombudsman, charged with that responsibility.

## Register of Interests

The Code requires that members maintain a register of interests. A template register is set out in **Appendix A** of this guide. The register is limited to disclosures affecting members and their spouses or partners. It is important that members update their details when circumstances change. We recommend that staff regularly remind members to check that the register is up to date and relevant.

## Promoting a supportive governance culture

One important difference between the new and old templates is the addition of commitments designed to promote a supportive and inclusive governing environment and strengthen relationships at the governance level.

These provisions are intended to diminish the risk of conflict between members and between members and the public, and thereby avoid the likelihood of breaches. The new Code encourages members to review their collective performance and governance style in order to assess the degree to which their culture is both inclusive and supportive.

The reference to “equitable contribution” in the Values section has been added to encourage members to take all reasonable steps to fulfill the duties and responsibilities of office, such as attending meetings and workshops, undertaking relevant reading, preparing for meetings and taking part in relevant training workshops or seminars.

The intention is to provide councils with leverage to encourage members to do ‘their fair share’ of the tasks necessary to provide effective governance and representation and take part in exercises designed to improve relationships and teamwork.

### Creating an inclusive council

A proactive focus on building a positive culture is the subject of section 11, “Creating a supportive and inclusive environment”. The key parts of this section are designed to encourage members to:

- Take part in council induction workshops;
- Contribute to activities designed to seek agreement on vision, goals, objectives and operating values;
- Participate in processes for assessing the governing body’s performance (see **Appendix B** for a self-assessment form for consideration); and
- Undertake, where necessary, training to improve their knowledge of how the council works and being an effective elected member.

The provisions require that members should take “all reasonable steps” to fulfill their responsibilities as elected members. As a result of these commitments the possibility exists that a complaint could be laid against a member for having consistently refused to participate in council organised activities designed to build a better culture.

## Breaches of the Code

One of the ongoing problems with many of the Codes in use is the way they deal with the process of making, investigating and ruling on complaints. In its report on Codes of Conduct (OAG 2006) the Office of the Auditor General noted that many councils lacked a process for distinguishing between trivial and serious breaches of the Code and consequently spent considerable energy and resources hearing complaints on what are in effect matters of no concern. Many other issues have also arisen, such as:

- Failure to adequately guard against the risk of members with an interest in a complaint taking part in the decision on whether or not to uphold a complaint;
- Examples of members of the public making complaints about the behaviour of individual members for reasons that appear to be more concerned with settling 'political' differences; and
- Lack of preparedness. Many councils discover, when faced with a Code of Conduct complaint, that they have failed to establish in advance the processes for handling the complaint, thus exacerbating the original issue.

This section of the guide discusses the process set out in the new template for investigating, assessing and making decisions about complaints.

### Who can make a complaint?

The Code is designed to be a self-regulatory instrument and as a result complaints can only be made by members themselves and the Chief Executive. All complaints must be made in writing to the Chief Executive who is obliged to forward them to the Mayor/Chair or an independent investigator for a preliminary assessment.

### Decision-making options

Where a complaint is found to be material, the investigator will provide a report to the Council setting out the reasons why the allegation has been upheld and is material. The Council needs to have a process in place for discussing and making a decision on the investigator's recommendations. In some cases the governing body, or some of its members, may be interested parties in the complaint and should therefore not take part in discussions on the matter nor determine penalties.

To avoid such situations, the Council might consider establishing a Code of Conduct Committee (see **Appendix C** for Code of Conduct Committee terms of reference). The purpose of the Committee would be to consider any reports from an independent investigator and determine appropriate responses. An appropriate Code of Conduct Committee might consist of three members (a member of the governing body and two community representatives) chosen for their knowledge and experience, either by invitation or as a result of a call for expressions of interest.

The Council will need to decide whether the Code of Conduct Committee should have delegated decision making or recommendatory powers.

### Investigating complaints

One of the issues with the original template was the lack of detail about the process for investigating complaints and determining their materiality. Another issue involved the need to ensure processes are free of bias, especially when all councillors might be seen to be interested parties.

In order to address these concerns, the Code provides two pathways for dealing with complaints. On receiving a complaint the Chief Executive will forward it to the Mayor/Chair for an initial assessment or, if the complaint involves the Mayor/Chair, forward it to the independent investigator.

## **1. Forward the complaint to the Mayor/Chair for an initial assessment**

On receipt of a complaint made under the provisions of the Council's Code of Conduct, the Mayor/Chair will assess whether it is material or not. As the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Where a complaint is assessed by the Mayor/Chair to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor/Chair will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor/Chair, to the adjudication body established by the Council to assess and rule on complaints made under the Code.
- If the Mayor/Chair chooses, they may instead refer the complaint to the independent investigator, via the Chief Executive

## **2. Forward the complaint referred to Independent Investigator**

On receipt of a complaint that involves a Mayor/Chair, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council's adjudication body for assessing and ruling on complaints.

In some cases, an investigator may choose to make non-binding recommendations, for example, where a pattern of non-material complaints has emerged that highlight a need for changes in council processes or an investment in capacity building.

## **Creating a panel of investigators**

At the beginning of each triennium, the Chief Executive will prepare a panel of investigators in consultation with the Mayor, Chairperson or Council. Investigators may be drawn from inside or outside the district or region. In putting together the list, the Chief Executive may call for nominations, invite members of the public with appropriate skills (for example retired judges who may live within the district) to be investigators, or contract with an external, such as Equip, to provide the service.

Councils may wish to develop a joint list of investigators.

## **The role of investigators**

The process set out in the Code gives an investigator responsibility to determine, without challenge, whether a complaint is material or not. The rationale for giving the investigator this degree of authority is to ensure the process is free of any suggestion of bias. It is also intended to reduce the cost of the complaints process, by reducing the time spent by members and officials. It also ensures that the Code process itself is less likely to be brought into disrepute.

In adopting the Code, members of the governing body agree to abide by an investigator's preliminary assessment. Under the process set out in the Code, members are informed of the result of a preliminary assessment and only if the finding is material will members have any involvement (and then only if there is no conflict of interest).

## Determining materiality

The complaints procedure is underpinned by the principle that councils (or committees) should only be involved in ruling on possible breaches of the Code when they are material (see **Appendix D** for flow chart). Consequently a level of clarity is required about how materiality should be determined. In the case of non-statutory breaches, the Code states that a breach is material if:

“...it would, if proven, bring the council into disrepute or reflect adversely on the local authority if not addressed.”

The notion of disrepute involves the local authority's reputation and the risk that specific behaviours will, in the mind of the public, undermine that reputation. Only if there is a real risk that reputation will be undermined should a breach be determined as material (see **Appendix E** for examples).

Other factors that might be considered when determining the level of materiality include whether complaints are intended to:

1. Intimidate or harass another member or employee;
2. Damage another member's reputation;
3. Obtain a political advantage;
4. Influence the Council in the exercise of its functions or prevent or disrupt the exercise of those functions;
5. Avoid disciplinary action under this Code; or
6. Prevent or disrupt the effective administration of this code.

Other factors include whether complaints are vexatious and have not been made in good faith. The investigator may take whatever actions they need in order to determine the materiality of a complaint, although investigations will need to be within whatever budgetary constraints have been set in their contract for service or approved by the Chief Executive.

## Process upon receiving a complaint

Having received a complaint in writing, the Chief Executive will:

- Notify the complainant and the respondent(s) that the complaint has been received and the name of the selected investigator (including information on the process that will be followed); and
- Provide ongoing updates to members on progress with the resolution of complaints received. This could be through a chairperson or Chief Executive's report.

## Process for non-material breaches

In the case of complaints that are non-material, an investigator can, if required, discuss the matter with the complainant and the respondent and may:

- Dismiss the complaint with no further action taken;
- Uphold the complaint but rule that, as it is minor and non-material, no action is required; or
- Uphold the complaint, noting its minor and non-material nature, and make a non-binding recommendation to the council, such as, that the respondent consider attending a relevant course or that a policy or practice is reviewed.

The investigator will present their findings to the Chief Executive, who will inform the complainant and the respondent at the earliest opportunity.

## Process for managing material breaches

Where an investigator finds that a breach is material, the following steps will apply:

- The investigator will inform the Chief Executive, who will in turn inform both the complainant and the respondent that the breach has been determined as material and outline the process to be followed.
- The investigator will undertake an investigation appropriate to the scale of the breach, which may include interviews with other affected parties, and prepare a report for the Chief Executive which will set out the rationale for their findings and may include recommendations for resolving the breach and/or appropriate penalties.
- On receipt of a report, the Chief Executive will send a copy of the investigator's findings to the complainant and the respondent(s) inviting them to reply in writing as to whether or not they agree to the findings and whether they wish to make a written submission for consideration by the Council or Committee.
- The Chief Executive will then prepare a paper, including the investigator's report and any submissions from affected parties, for a forthcoming meeting of the Council, or Committee with delegated responsibility, to consider complaints and determine penalties.

## Hearing by council or committee

On receipt of the Chief Executive's report, the Council or Committee will:

- If necessary, ask the investigator to provide a briefing on his or her findings and invite the complainant and/or respondent to speak to any submissions that might have been made.
- Decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach.
- Inform the respondent and complainant of its decision in writing.

No member of the Council with an interest in the complaint may take part in the hearing or decision-making process, unless invited by the Council or Committee to speak to their submission.

**Note:** No appeal right is included in the Code as all members are able to make use of the processes set out in Standing Orders for revoking council decisions. In addition, a council decision can be subject to a judicial review and a committee decision can be subject to an Ombudsman’s review.

## Possible penalties and actions in response to a material breach

The Code reflects an agreement between elected members about the behaviours they expect from each other and themselves. It is therefore heavily reliant on individual good will and the ability of the Council, as a collective body, to exert moral suasion to either prevent breaches of the Code or promote a positive and constructive culture. However, where a material breach of the Code has been confirmed, a local authority might consider the following penalties and actions:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
3. A vote of no confidence in the member;
4. Removal of certain council-funded privileges (such as attendance at conferences);
5. Removal of responsibilities, such as Committee Chair, Deputy Committee Chair or portfolio holder;
6. Restricted entry to council offices, such as no access to staff areas (where restrictions may not previously have existed);
7. Limitation on any dealings with council staff other than the Chief Executive or identified senior manager;
8. Suspension from committees or other bodies to which the member has been appointed; or
9. Invitation to the member to consider resigning from the council.

A council or committee may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- Tender an apology.

Decisions to apply a non-statutory penalty for material breaches should be made in meetings, open to the public unless some aspect of the matter necessitates treating the matter “in committee”.

## Process to be followed in the case of statutory breaches

Where an investigator finds, in response to a complaint, that a member has breached provisions set in statute, such as a breach of the Members’ Interests Act 1968, the Local Government Official Information and Meetings Act 1987 or the LGA 2002, they will immediately provide their findings to the Chief Executive who will inform the relevant agency, as well as the complainant and the respondent.

## Possible penalties for statutory breaches

Although the local authority and its community will play a role in monitoring compliance with these provisions, outside agencies also have a role in monitoring compliance and more particularly in dealing with breaches of law. Penalties that may apply, depending on the type of breach, are:

- Criminal prosecution, conviction, and the resulting consequences (for breaches of the Crimes Act, the Secret Commissions Act or the Securities Act); or
- Prosecution by the Audit Office<sup>2</sup> under the Member's Interests Act which on conviction leads to the member's ouster from office (where a member votes or discusses a matter in which they are deemed to have an interest); or
- Inviting the Auditor-General to prepare a report on any financial loss or damage suffered by a local authority as the result of a breach (which could potentially lead to the member having to personally make good the loss or damage); or
- Sanctions made under the Privacy Act.

## References

OAG (2006) Local Authority Codes of Conduct available from:

<http://www.oag.govt.nz/2006/conduct/docs/conduct.pdf>

<sup>2</sup> The Audit Office is an avenue for making complaints about breaches of the Members' Interests Act, but also functions as an advisor where there is doubt as to whether a particular course of action constitutes a breach, and can in certain circumstances give approval for members who might have an interest to participate in discussions and/or vote on a particular matter.

## Appendix A: Register of interests template

Member name:		
Spouse/partner name:		
Declared employment or business interest	Spouse/partner declared employment or business interest	Council appointment
Address of any land in which a beneficial interest is held within the Council boundaries (member and her/his partner)		
Address of any land owned by the Council rented to the member or spouse, or to a firm or organisation in which the member or spouse is a director or trustee		

## Appendix B: Self-Assessment Template

Please rate how you view the performance of the governing body in the following areas:

A rating of 1 indicates an excellent level of performance, through to a rating of 4 indicating that the collective performance of elected members could improve significantly.

1. We act together as a team to deliver value to the people of our district/region.

1                      2                      3                      4                      (please circle)

2. We are effective in being part of a coordinated approach to promote the district/region.

1                      2                      3                      4                      (please circle)

3. We have effective working relationships with key stakeholder groups.

1                      2                      3                      4                      (please circle)

4. We have an effective working relationship with Council staff through members' interactions with the Chief Executive.

1                      2                      3                      4                      (please circle)

5. We engage effectively with the community on issues of importance to them.

1                      2                      3                      4                      (please circle)

6. We are well prepared and well equipped to make informed decisions in our capacity as elected representatives.

1                      2                      3                      4                      (please circle)

7. We participate appropriately in debates and act collectively in the best interests of the district/region.

1                      2                      3                      4                      (please circle)

8. Council decisions are made in an open and transparent fashion.

1                      2                      3                      4                      (please circle)

9. We treat each other with mutual respect and demonstrate tolerance to different points of view in order to arrive at the best decisions for the district/region as a whole.

1                      2                      3                      4                      (please circle)

10. We have a clear sense of direction and understanding

1                      2                      3                      4                      (please circle)

The objective of this assessment is not necessarily that all members should agree. It is to provide an indication of areas where we are doing well and areas where we can make improvements. The analysis of results will provide a useful starting point for discussions on the overall performance of the governance functions of the council and provide some insight into areas where action can be taken to raise performance.

## Appendix C: Code of Conduct Committee terms of reference

The Code of Conduct template offers two options through which a council may choose to consider a report from an investigator, namely consideration by the full council or consideration by a Code of Conduct Committee established specifically for that purpose. Reasons a council may choose to refer decision-making to a committee include:

- To ensure that members ruling on the complaint have no interest in the nature of the complaint and that the council's process is seen to be free of any suggestion of bias;
- To provide access to additional expertise through the ability to appoint members to the Committee who have experience and knowledge in making judgements on matters involving ethical behaviour;
- To reduce the risk of tension and conflict from a Code of Conduct process that may distract the governing body from its ongoing business.

### The powers of a Code of Conduct Committee

There are two ways of giving effect to the findings of a Code of Conduct Committee: binding recommendations or delegations.

- **Binding recommendation approach:** The Code of Conduct Committee described in this Appendix uses the binding recommendation approach whereby the Committee is responsible for providing the council's governing body with a recommendation in response to the findings of an investigator; recommendations that the governing body will adopt without discussion, other than questions of clarification. Appendix B of the LGNZ Code of Conduct states that "in accordance with the code, councils will agree to implement the recommendations of a Code of Conduct Committee without debate".
- **Delegation approach:** As an alternative, a council may prefer to provide a Code of Conduct Committee with specific delegations so that its decisions are final and can be referred to the Chief Executive or appropriate officer for implementation. Depending upon the style in which a council frames its delegations a simple delegation could be to consider the findings of a Code of Conduct investigator and determine the appropriate course of action.

The following draft terms of reference take the binding recommendation approach.

### Draft terms of reference

The purpose of the Code of Conduct Committee is to:

- Consider, in relation to a Code of Conduct complaint referred to the Committee, the findings of an investigator and make recommendations to the governing body of the council as to whether or not a penalty or action should be imposed and if so the nature of that penalty or action; and
- Consider any matters relating to the Code of Conduct and/or the behaviour of elected members referred to it by the governing body for advice.

In fulfilling its purpose, the Committee will:

- In considering a report from the Chief Executive, ask, if necessary, the investigator to provide a briefing on their findings and invite the complainant and/or respondent to speak to any submissions that might have been made;
- Conduct its business in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, in which case it will be a closed meeting;
- On consideration of the evidence, decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach;
- Ensure that penalties or actions recommended in response to a serious breach of the Code are proportionate to the breach and consistent with the actions set out in clause 13.1 of the Code.

## Membership

The Committee will consist of three members:

- The Mayor or Regional Council Chair who will also be the chair of the Committee (except where there is a potential conflict of interest where the Mayor/Chair will stand aside and the committee will be chaired by another member of the governing body).
- Two non-elected members appointed by the council on the basis of relevant experience, knowledge and/or qualifications.

## Appendix D: Examples

### Example One

Cr Smith was elected on a platform of stopping the sale of council housing. The council has made a decision to sell the council housing. Cr Smith makes media comments against the decision after it is made. Those same statements suggested that council staff advising on the sale “must have owned shares” in the company that proposed to buy the houses.

Cr Smith’s actions in releasing a media statement criticizing a decision after it has been made would probably not in and of themselves constitute a breach of a reasonable code of conduct. Cr Smith has a right to express a viewpoint and, provided that he makes it clear he is expressing a personal view, issuing a critical press statement is an action he is entitled to take. If his statements failed to make it clear that he was expressing a personal or minority view then it may be a non-material breach of the Code, probably one where censure would be the appropriate response.

However, this media statement has made an allegation that staff advice was based on improper motives and/or corruption. This is a breach of most codes of conduct. It is most likely to be a material breach given the potential impact on the Council’s reputation and the reputation of staff.

Also, there is no qualified privilege attaching to public statements about employees which are false and damaging. In other words, elected members may be sued for defamatory statements made about employees.

### Example Two

Cr Jones is on the Council’s Works and Services Committee. The Committee is currently considering tenders for the construction of a new wastewater treatment plant and has received four tenders in commercial confidence. The Committee has recommended to Council that they award the contract to the lowest tenderer. Cr Jones is concerned the lowest tender proposes to treat sewage to a lesser standard than others. She leaks all four tenders to the local media. A subsequent investigation by the Council conclusively traces the leak back to her.

In leaking the tender information to the media, Cr Jones will have breached most codes of conduct. This breach has potentially serious consequences for the Council as a whole. It not only undermines elected members trust of each other, it also undermines the confidence of suppliers in the Council, which may lead to them not dealing with council in future, or even complaints under the Privacy Act.

In circumstances such as these, where an elected member fails to respect a commercial confidence, censure and removal from the Committee is an obvious first step. The Council may be liable for prosecution under the Privacy Act and even to civil litigation.

In the event that the council suffers financial loss, the Council may elect to ask the Auditor-General to prepare a report on the loss (or the Audit Office may do so on their own initiative), which may result in Cr Jones having to make good the loss from her own pocket.

### Example Three

Eastland Regional Council is conducting a performance review of the Chief Executive. It has established a CEO Performance Management Committee to conduct the review. In the course of that review the Committee meets informally with the Chief Executive to review which performance targets were met and which were not. The meeting notes that the CEO has been unable to meet two of his twenty performance targets that were set and resolves to

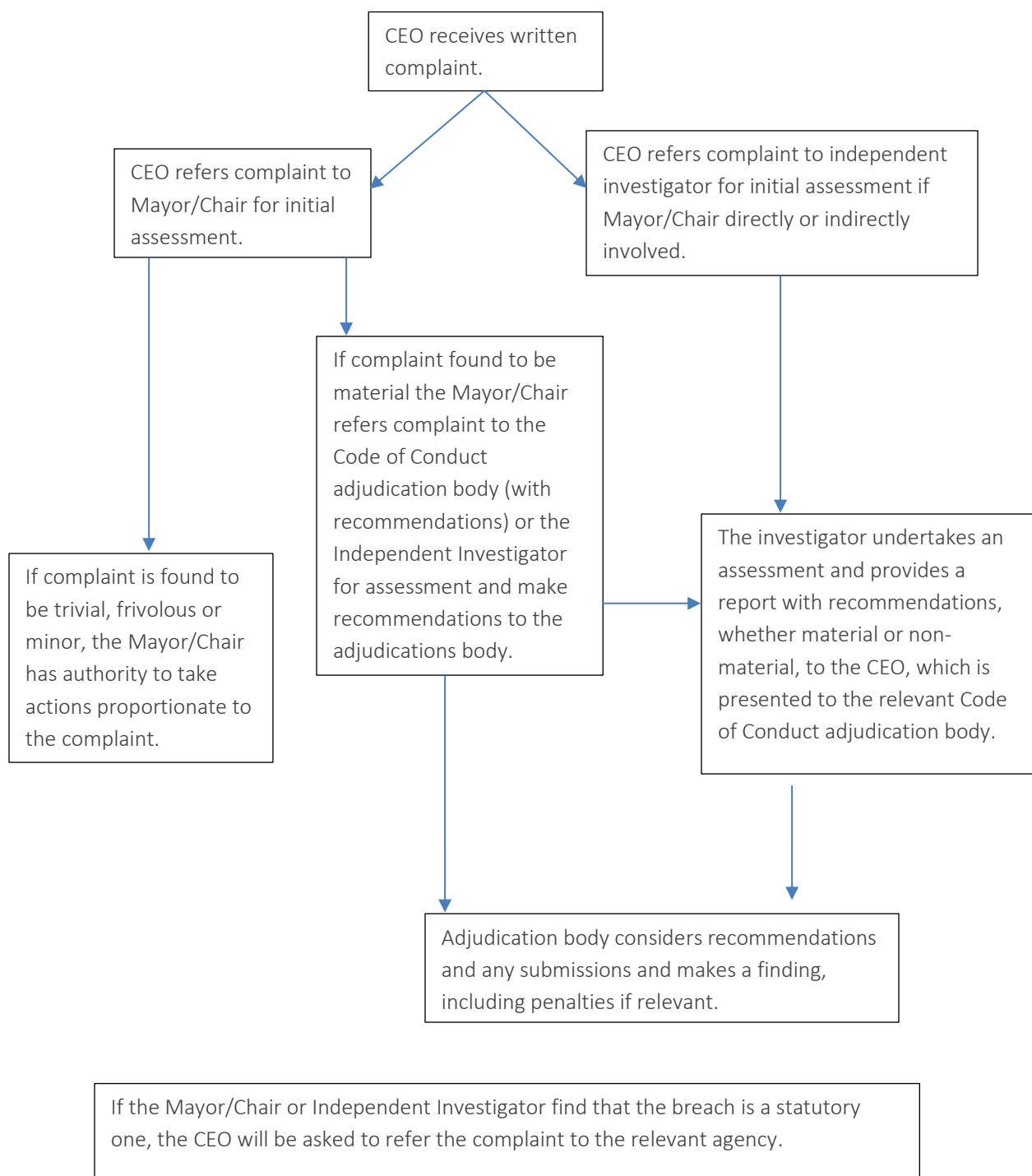
formally report this to the full Council for its consideration. At the conclusion of that meeting Cr Black leaves to find a local reporter waiting outside and makes the comment that “Jack White won’t be getting a pay increase this year because he didn’t meet all his targets”.

This action will probably constitute a breach of most codes of conduct in that it:

- Breached a confidence;
- Presumed to speak on behalf of council;
- Purported to commit council to a course of action before the council made a decision (or even met to consider the matter); and
- Failed to treat a staff member with respect and/or courtesy.

In addition to the provisions of the Code, Cr Black’s actions will severely undermine the relationship between the Chief Executive and the Council, which may well constitute grounds for litigation against the Council both in terms of employment and privacy law.

## Appendix E: Complaints Procedure – Flow Diagram



### AGENDA ITEM 8.3

## FINANCIAL ASSISTANCE REPORT

### Purpose of Report

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

### Recommendations

Officers recommend that the Community Board:

1. *Receive the Applications for Financial Assistance Report.*
2. *Retrospectively consider the application from Wai-Wheels Featherston for funds of \$229 +GST for a fundraiser for Featherston School.*
3. *Consider the application from Kai Atahai Featherston for funds of \$745.60 for support for a Covid-19 Community Response.*
4. *Consider the application from Mulled Wine Concerts for funds of \$500 to support a concert series in Featherston.*

### 1. Background

The Community Board has delegated authority to make financial decisions within the confines of the allocated and available budget and the Board operates its grant fund in accordance with the Council's [Grants Policy](#).

The Board considers applications at its six weekly meetings.

### 2. Applications for Financial Assistance

The applications received for consideration are summarised in the below table.

Applicant	Amount Requested
Wai-Wheels Featherston	\$229.00 + GST
Kai Atawhai Featherston	\$745.60
Mulled Wine Concerts	\$500.00
Featherston Skate Park	\$500.00

### 3. Eligibility Criteria

The key eligibility criteria for Community Board grants is as follows:

- Non-profit community organisations with a formed legal structure or a group of individuals who have come together for a common purpose but who do not have a legal structure may apply.
- The applicant does not need to be based in the South Wairarapa or the ward from where the funds are being sought but the applicant must be able to demonstrate that the activity benefits the ward where the funds are being sought.
- Applicants may not be in receipt of any other Council or Council-administered grant for the same activity in the same financial year.
- The Featherston Community Board has a maximum grant limit of \$500 unless special circumstances are considered to exist (GST will be added to grants approved for GST registered applicant).

The [Grants Policy](#) sets out further criteria.

#### 3.1 Assessment against Eligibility Criteria

##### 3.1.1. *Wai Wheels Featherston*

The application from Wai Wheels Featherston has been assessed as meeting the criteria and the application will be provided to members in confidence. There are no outstanding accountability forms from Wai Wheels Featherston.

##### 3.1.2. *Kai Atawhai Featherston*

The application from Kai Atawhai Featherston has been assessed as meeting the criteria and the application will be provided to members in confidence. There are no outstanding accountability forms from Wai Wheels Featherston.

##### 3.1.3. *Mulled Wine Concerts*

The application from Mulled Wine Concerts has been assessed as meeting the criteria and the application will be provided to members in confidence. There are no outstanding accountability forms from Mulled Wine Concerts.

##### 3.1.4. *Featherston Skate Park*

The application from Featherston Skate Park has been assessed as meeting the criteria and the application will be provided to members in confidence. There are no outstanding accountability forms from Featherston Skate Park.

### 4. Conclusion

The application received from Wai Wheels Featherston will be considered in retrospect, as the event was held prior to the date of this meeting.

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive

## FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

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### AGENDA ITEM 8.4

## ASSESSMENT OF THE NEED TO RENAME UNDERHILL ROAD

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### Purpose of Report

To inform members of the outcome of investigations on the assessment of the need to rename Underhill Road and present options for consideration in regard to pursuing a road name change.

### Recommendations

Officers recommend that the Community Board:

1. *Receive the 'Assessment of the need to rename Underhill Road' Report.*
2. *Notes the 'Assessment of the need to rename all or part of Underhill Road' report by Armstrong Dixon Limited.*

*Either:*

3. *Agrees that residents and owners of Underhill Road be consulted to determine if a road name change would be supported and result in a clear benefit to the community.*

*Or:*

4. *Agrees that there is no longer a compelling reason to pursue investigation of a road name change for Underhill Road at this time.*

### 1. Background

On 4 July 2019, correspondence was received from NZ Post and Courier Post Masterton stating they were having ongoing problems with mail delivery to Underhill Road due to it being split between Greytown and Featherston. It was also noted there had been confusion in the past among emergency services.

In light of this correspondence, on 28 August 2019, the Greytown Community Board recommended that Council consult with the Greytown Community regarding the renaming of Underhill Road.

Armstrong Dixon Limited was commissioned to undertake an assessment of the need to rename all or part of Underhill Road. A copy of this assessment is provided in Appendix 1.

As Underhill Road is assigned to roads in Featherston and Greytown on each side of the Tauherenikau River, the Featherston and Greytown Community Boards are being asked to consider the outcome of investigations by Armstrong Dixon Limited and options for consideration in regard to pursuing a road name change.

## **2. Discussion**

Armstrong Dixon Limited was commissioned to investigate the need to rename all or part of Underhill Road. This assessment was in response to a request from the Greytown Community Board on 28 August 2019, following correspondence from NZ Post and Courier Post Masterton in July 2019. A copy of the assessment is provided in Appendix 1. The assessment outlines the background to the request, the outcome of consultation with relevant organisations and recommendations for next steps.

### **2.1 Local Government Act 1974**

Council has general powers in respect of roads under section 319 of the Local Government Act 1974. Section 319(1)(j) provides Council with the power:

to name and to alter the name of any road and to place on any building or erection on or abutting on any road a plate bearing the name of the road

Section 319A provides:

If the council names any road for the first time, or alters the name of a road, the council must as soon as practicable send a copy of the relevant resolution to the Registrar-General of Land and the Surveyor-General.

In the current electoral term, Council has delegated the power to name and alter the name of any road to Community Boards.<sup>1</sup> The power to delegate the naming of roads to Community Boards is consistent with Clause 32, Schedule 7 of the Local Government Act 2002.

### **2.2 Policy on naming of roads**

Council has adopted a policy on the Naming of Public Roads, Private Roads and Rights-of-Way available [here](#). The policy sets out the procedure for naming roads, guidelines for the selection of new road names and for changing existing road names, and for the provision of signage.

<sup>1</sup> See Terms of Reference for the Greytown Community Board adopted by Council at the meeting on 3 June 2020. Note that there is a typographical error in the delegation in the Terms of Reference as it refers to the power to name a road under section 319A whereas the general power is in section 319.

### **2.2.1. Policy considerations**

Paragraph 4.4.2 sets out that a name change will only be made if the change will result in a clear benefit to the community.

Paragraph 4.4.3 provides that where a road name is requested to be changed, a significant majority of residents and owners along the road must support the proposed change.

## **2.3 Options**

### **2.3.1. Consult with residents to determine if a road name change would be supported and result in a clear benefit to the community**

Postal, emergency and power organisations consulted have not expressed a compelling need to change at this time as outlined in Appendix 1. The Board may decide that in accordance with the policy, residents and owners along the road should be consulted to determine if a road name change would result in a clear benefit and, if so, whether the majority would support a change.

Feedback will also be sought from the Māori Standing Committee via the committee chairperson in the first instance should the Board(s) decide to proceed with consultation on a road name change.

Should the Board(s) wish to proceed with consultation with their respective communities, the indicative timeframes are set out below:

Indicative Timeframes	Activity
23 February 2022	Feedback period opens
23 March 2022	Feedback period closes
30 March 2022	Greytown Community Board considers feedback and decides if there is enough support to proceed with the renaming Greytown side
5 April 2022	Featherston Community Board considers feedback and decides if there is enough support to proceed with the renaming Featherston side
<b><i>If a change is not supported by majority of residents</i></b>	
April 2022	Residents/homeowners informed of outcome
<b><i>If a change is supported by majority of residents</i></b>	
May 2022	Residents/homeowners informed of outcome and feedback sought on proposed name(s)
22 June 2022	Greytown Community Board considers proposed names and decides on new road name(s) for Greytown side
28 June 2022	Featherston Community Board considers proposed names and decides on new road name(s) for Featherston side
July 2022	Residents/owners, Land Information NZ, Quotable Value, Council's rating and GIS departments and all emergency services are notified of the new road name(s)

A draft letter to residents and owners of Underhill Road is attached in Appendix 2.

**2.3.2. *Determine there is no longer a compelling reason to pursue a road name change at this time***

The Community Board may consider that in light of no further known complaints or confusion among postal, emergency or power services since the initial complaint in 2019 that a clear benefit to the community has not been established and that there is no compelling reason to continue investigating a road name change at this time.

**2.4 Financial Considerations**

There are financial implications associated with officers' time and services provided by Armstrong Dixon Limited.

Should the Board proceed to consultation of residents and owners under option 3.3.1 there will be small costs associated with printing of consultation material. Should a road name change be supported by the majority and later approved by the Community Board(s) there will be costs associated with new signage.

**3. Conclusion**

The Greytown and Featherston Community Boards are being informed of the outcome to date of investigations with postal, emergency services and Power Co regarding the naming of Underhill Road. The Boards are asked to consider whether to proceed with consultation of residents and owners on Underhill Road on each side of the Tauherenikau River in accordance with Council's policy, or to determine that there is no longer a compelling reason to pursue a name change at this time.

**4. Appendices**

Appendix 1 – Assessment of the need to re name all or part of Underhill Road from Armstrong Dixon Limited

Appendix 2 – Draft letter to residents and homeowners of Underhill Road

Contact Officer: Steph Frischknecht, Policy and Governance Advisor

Reviewed By: Tim Langley, Roading Manager

Amanda Bradley, General Manager Policy and Governance

# **Appendix 1 – Assessment of the need to rename all or part of Underhill Road from Armstrong Dixon Limited**

5 October 2021

Karen Yates  
Policy and Governance Manager  
South Wairarapa District Council  
PO Box 6  
Martinborough 5741

Attention: Karen Yates

**RE: Assessment of the need to re name all or part of Underhill Road**

Further to your request dated 17 April 2021 and discussions subsequently in respect to the assessment.

This assessment is a response to a request from Darren McGregor Service Delivery Co Ordinator NZ Post and Courier Post Masterton made on the 4 July 2019.

The request stated :

*"We are having ongoing problems with mail delivery to Underhill Road due to it being split between RD1 Greytown and RDI Featherston. Unfortunately the same numbering system has been used from both ends so there are duplicate addresses.*

*There is also a more serious issue around emergency services to Underhill Road due to the duplicate addresses and the barrier created by the Tauherenikau River. I have been informed that this has caused confusion in the past."*

On the 4 August 2021 an email was received from Darren which stated:

*"One slight change to my email is that the Featherston side is done by RD3 Featherston."*

On the 17 August 2021 an email was received from Darren which stated:

*"I have not had any more such complaints since the initial complaints a couple of years ago. Given this I feel that the emergency services aspect of the Underhill Road issue is far more important than the mail delivery aspect."*

The Council Policy on Naming of Public Roads provides, under section 4.4, Reasons for Changing Existing Road Names.

Reasons for changing road names may include:

*"To assign different names to separate ends of a road with a permanent impassable section somewhere along the length".*

A key aspect of the NZ Post and Courier Post request is the reference to *"a serious issue around emergency services"*.

As a consequence the following organisations involved with emergency services have been consulted.

New Zealand Police

New Zealand Fire and Safety  
 NZ Post and Courier Post  
 Wellington Free Ambulance  
 Power Co  
 South Wairarapa District Council

The outcome of those consultations is as follows:

Name of Service Provider	Summary of significance	Recorded Incidents
NZ Police (NZP)	Don't wish to be involved. Consider road naming and changing road names is an issue for New Zealand Transport Authority and the District Council	Unwilling to comment.
NZ Fire and Emergency Service (NZFES)	Nick Pyatt Principal Rural Fire Officer commented: <i>"He was unaware of any issues arising with Underhill and does not regard it as an issue. Could be a risk and would support a separation of say north and south."</i>	No incidents recorded.
NZ Post and Courier Post (NZPCP)	Darren McGregor confirmed by email on 17 August 2021 <i>"that the original issue arose from complaints from residents receiving the wrong mail. It has not occurred since 2019. The issue is far more important for the emergency services rather than the mail deliver aspect."</i>	No incidents recorded since 2019
Wellington Free Ambulance.(WFA)	Dispatcher/Relief Team Manager (Red Shift) Reported on the 24 September <i>"I have managed to have a look through our records and since 1 January 2021, we have had 2 calls for ambulance to Underhill Road Tauherenikau. One for 391 Underhill Road (Featherston side) and the other 284 Underhill Road (Greytown side). Both calls were for residents at those addresses and there is nothing in the incident notes to indicate there was confusion or concern regarding which side of the river we needed to attend to."</i> A further response was received on the 25 September which clarified an earlier report by Communications Manager Robert Blayney. <i>"The incident that Rob referred to was confused because it was reported as a car crash but it was actually a cyclist on the side of the road."</i> Further comment <i>"That WFA logging and navigation systems are effectively differentiating the correct sides of Underhill road."</i>	Three incidents reported. One on the Featherston side and one on the Greytown side of Underhill Road. A third incident involved a cyclist which was reported as a vehicle accident. No confusion has been reported due to the duplication of addresses on either side of Underhill Road.

Power Co (PC)	Advise <i>“that they don’t rely on street names and are not aware of any issues with Underhill Road. They operate their own systems around GPS. They have their own staff and contractors locally based who know the area. Would support any change if Council consider it justified.”</i>	Not aware of any incidents.
South Wairarapa District Council (SWDC)	No comment at this stage	No comment.

#### **Summary of emergency service responses.**

NZP, NZFES and PC

All have a local presence in Greytown and Featherston and are familiar with road layouts and issues that apply to Underhill Road. Most also seem to have their own tracking systems based around GPS. None seem to be insistent about a need to change but acknowledge they would accept a name change if the Council considered it necessary.

WFA .

Consider that their logging and navigation systems are effectively differentiating the correct sides of Underhill road.

NZPCP

Have resolved issues internally. The recognition of separate rural delivery numbers for Featherston and Greytown may have assisted their solution.

#### **SWDC 4.4 – ‘Policy for Changing Existing Road Names’.**

##### **Refer to item 4.4.2**

This policy specifies that there *“needs to be a clear benefit to the Community if a name change is contemplated.”*

It is evident from the responses received from the organisations undertaking emergency services that they have adapted to the issues associated with access and common numbering at Underhill Road and have not expressed a compelling need to change the status quo.

It is concluded that the policy which requires a clear benefit to the Community if a name change is contemplated has not been justified through consultation with these organisations.

##### **Refer to item 4.4.3**

*“Where a road name is requested to be changed, a significant majority of residents and owners along the road must support the proposed change.”*

At this stage the residents and owners along Underhill Road have not been consulted to obtain their response to a possible name change.

This is a critical element in the assessment and needs to be undertaken as the implementation of a name change will initially create a significant burden for residents, as well as community services and emergency service organisations.

The responses from the residents on each side of the Tauherenikau River may also vary as each community have differing circumstances. This could influence different outcomes for each side of the River.

The observations which may influence the residents response are as follows:

**The Featherston side of Underhill Road**

Underhill Road starts in the Featherston residential area and extends north with additional no exit roads branching from it. NZPCP advise that there are 37 active customers on the Featherston side of Underhill Road. It is also understood that there is potential for new residential subdivisions extending from Underhill Road. The community awareness of the impasse created by the Tauherenikau River on the Featherston side is considered to be significant and this should minimise the risk of misadventure for the community and emergency services when responding to Underhill Road enquiries.

**The Greytown side of Underhill Road**

Underhill Road is semi isolated and located on the western outskirts of the intensively farmed region. It is a short road with no other branch roads and NZPCP advise it has 14 active customers. The community awareness of the impasse created by the Tauherenikau River on the Greytown side is likely to be less significant resulting in a higher risk of misadventure for the community and emergency services when responding to Underhill Road enquiries.

The assessment suggests that there may be additional benefit of a name change for the residents on the Greytown side of Underhill Road. The outcome of consultation with residents on each side would need to support this assessment.

The next very necessary step in the consideration of Policy 4.4.3 is to consult individually with each of the residents and owners on each side of the Tauherenikau River to establish if a significant majority of them would support a change in the road name.

The outcome of this consultation needs to be particularly decisive for a change as the responses from the organisations undertaking emergency services tends to favour the status quo.

**Recommendation.**

Featherston and Greytown Community Boards be advised of the outcome of investigations to date with the suggestion that local residents and owners of Underhill Road on the Greytown side and the Featherston side of the Tauherenikau River be consulted in accordance with Council's Policy 4.4.3.

R.E.W.Austin  
Consultant

## **Appendix 2 – Draft letter to residents and homeowners of Underhill Road**

Name  
Address 1  
Address 2  
Town postcode

Date

Dear Name

South Wairarapa District Council is seeking feedback from residents and homeowners of Underhill Road to establish if there is a need to assign different names to the separate ends of the road in Greytown and Featherston given the Tauherenikau River makes it impassable.

Your feedback is being sought due to historical complaints NZ Post and Courier Post (NZPCP) received from residents regarding the receipt of wrong mail. NZPCP have noted any issues have now been resolved internally however we are now seeking your feedback to help us understand if there are ongoing issues and if a change would result in a benefit to the community.

To date we have consulted with NZ Police, NZ Fire and Emergency Service, Wellington Free Ambulance and PowerCo. Organisations have adapted to any issues associated with access and the common numbering of Underhill Road in Greytown and Featherston and have not expressed a compelling need for change.

We are now inviting your feedback to understand if residents and homeowners would support a change in the road name. Under Council's Naming of Public Roads, Private Roads and Rights-of-Way Policy, a significant majority of residents and owners along the road must support a change.

The key dates are set out below.

Indicative Timeframes	Activity
23 February 2022	Feedback period opens
23 March 2022	Feedback period closes
30 March 2022	Greytown Community Board considers feedback and decides if there is enough support to proceed with renaming the Greytown side
5 April 2022	Featherston Community Board considers feedback and decides if there is enough support to proceed with renaming the Featherston side
<b><i>If a change is not supported by majority of residents</i></b>	
April 2022	Residents/homeowners informed of outcome

<b><i>If a change is supported by majority of residents</i></b>	
May 2022	Residents/homeowners informed of outcome and feedback sought on proposed new name(s)
22 June 2022	Greytown Community Board considers proposed names and decides on a new road name for Greytown side
28 June 2022	Featherston Community Board considers proposed names and decides on a new road name for Featherston side
July 2022	Residents/owners, Land Information NZ, Quotable Value, Council's rating and GIS departments and all emergency services are notified of the new road name(s).

## **Have your say**

### **You can:**

- Complete a feedback form online at [www.swdc.govt.nz/Underhill-Road-Naming-Consultation](http://www.swdc.govt.nz/Underhill-Road-Naming-Consultation)
- Download a feedback form from the website and email it to [submissions@swdc.govt.nz](mailto:submissions@swdc.govt.nz)
- Fill in the appended feedback form and post it to SWDC, Po Box 6, Martinborough 5741
- Drop a completed feedback form to your local library or the Council offices at 19 Kitchener Street, Martinborough.

Should a significant majority of residents/owners support a change, your feedback will be sought on a proposed name.

Should the road name be changed, residents/homeowners would be responsible for updating their address with relevant organisations/providers outside as would be the case if you had moved to a new address.

More information is available at: [www.swdc.govt.nz/Underhill-Road-Naming-Consultation](http://www.swdc.govt.nz/Underhill-Road-Naming-Consultation)

If you have any questions please contact us at [submissions@swdc.govt.nz](mailto:submissions@swdc.govt.nz).

Yours sincerely

Harry Wilson  
Chief Executive  
[Harry.Wilson@swdc.govt.nz](mailto:Harry.Wilson@swdc.govt.nz)

## **Feedback Form: Underhill Road**

### **Personal details**

Your name, ward details (Featherston or Greytown) and feedback will be in public documents. All other personal details will remain private.

The Privacy Act 2020 applies when we collect personal details. Any details that are collected will only be used for the purposes stated on this form. You have the right to access and correct any personal information we hold.

- Name: \_\_\_\_\_
- Ward of Underhill Road property:    Greytown    Featherston
- Email Address: \_\_\_\_\_
- Phone Number: \_\_\_\_\_
- Physical Address: \_\_\_\_\_

### **Your feedback**

1. In the last 12 months, have you experienced any issues associated with the name Underhill Road being assigned to roads in Featherston and Greytown on either side of the Tauherenikau River? Examples may include issues with mail delivery and/or visitors experiencing difficulties in locating your property.

Never    Rarely    Sometimes    Often    Always

2. Please provide details of any issues you have experienced in the last 12 months?

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3. Do you think the benefit to the community of renaming Underhill Road would outweigh any inconvenience associated with a change of address? Note: It would be the responsibility of the resident/homeowner to update their address with relevant organisations/providers should a road name change be supported and approved.

Yes    No    Don't know

5. Do you support a road name change for Underhill Road?

Yes    No    Don't know

Why/why not?

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6. Do you have any other comments you would like to make?

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DRAFT

## FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

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### AGENDA ITEM 9.1

#### OFFICERS' REPORT

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##### **Purpose of Report**

To report to the committee on general activities.

##### **Recommendations**

Officers recommend that the committee:

1. *Receive the Officers' Report.*

#### PLANNING AND ENVIRONMENT GROUP REPORT

This report was presented to the Planning and Regulatory Committee on 2 February 2022.

##### **1.1 Planning Services**

New subdivision applications, land use, general District Plan enquiries are steadily coming in with careful decisions. It reflects a reasonably high level of work and mix of development proposals. There have been many pre-application meetings done, guidance meetings held, all promise a range of new development.

##### **1.2 Building Services**

The building team is steadily delivering, the building consent application levels remain quite high, along with work in inspections. As at early December, we remain on track for a record year for building consent applications. Timely processing of our consents has continued with efficient decisions.

##### **1.3 Environmental Services**

The environmental team remains busy covering the food safety of premises, alcohol control and bylaws. Our dog control team will look at innovative ways to clearly remind dog owners that dogs should be on leads, and bylaws crew have been reminding land owner's about their hedges to ensure footpath clearances. Alcohol has seen a steady increase in licensing for special licences as we head to Christmas.

#### **1.4 Proposed Legislative Change to the RMA**

The Government continues to reform the Resource Management system, the RMA 1991 will be repealed, replaced by 3 new Acts:

- Natural and Built Environments Act (NBA) - for land use/environmental regulation (the primary replacement for the RMA). The draft was released for submissions
- Strategic Planning Act (SPA) - to integrate with other legislation relevant to development, and require long-term regional spatial strategies
- Climate Change Adaptation Act (CAA) - to address issues linked to managed retreat, funding, financing adaptation.

The NBA will have mandatory national policies, standards for natural environmental limits, and feed to combined regional plans by local, central govt, mana whenua. The SPA will fuse functions of the RMA 1991, LGA 2002, Land Transport Management Act 2003, Climate Change Response Act 2002 for decisions, investment, and to produce new spatial strategies.

#### **1.5 South Wairarapa Spatial Plan**

For the Spatial Plan, recommendations on the residential growth areas and the Spatial Plan were reported to Council on 10 November 2021 and approved. Following related revision and updating the SW Spatial Plan document was sent to all submitters on 7 December and released to SWDC website on 8<sup>th</sup> December 2021. Future related supportive work involves investigation study, a masterplan for Featherston, and masterplan work for Martinborough.

#### **1.6 District Plan Review**

District Plan Review Committee continues to consider extent of change needed for chapters, alongside the national planning standards, national direction. The DP review is a partial review; a mix of general review of key chapters, a targeted review for some, and minor review. The review is across 2021-2023, and any appeals work in 2024.

Issues assessment has covered the residential zone, rural, subdivision, heritage, tangata whenua, industrial, commercial zone, natural hazards, financial contributions, open space. Officer advisory meetings, Plan Review Committee workshop meetings continue. Recent topics discussed included the Strategic Direction chapter, Industrial zone, Town Centre zone, Open Space zone, Signs chapter, and a stakeholder engagement update. Refinement of proposed draft chapters is taking place, and rural subdivision provisions are being assessed.

#### **1.7 Proposed Combined Council Dog Pound SWDC/CDC**

For the future facility officers have checked regarding the use of shipping containers as the new pound structure. The suppliers have provided an indicative list of requirements their container design can meet. Officers have nearly completed acquisition of costings for development of a local pound. Note that securing of supplier quotes is difficult given the delay of materials supply, workforce, and steel pricing. Overall, we are seeking additional suppliers to complete indicative costs of the whole facility. In terms of the Johnston Street, Featherston (site of our current facility); recent

findings have clarified that this land is no longer an option, due to the green waste operator finally confirming the need of their whole portion of site for ongoing green waste storage operations.

Further investigation needs to occur for identifying/costing a viable local modern/cost effective, dog welfare compliant pound solution. Officers are checking and reviewing potential locations of land for the siting of the future pound within the district.

## **Resource Consent Application. Aggregate Storage and Crushing - Underhill Rd, Featherston**

The current application has involved associated technical assessments. The acoustic assessment provided by the applicant has been independently peer reviewed. As a result, we are awaiting further information from the applicant on related acoustic matters.

## **2. Service Levels**

### **2.1 Resource Management**

#### **2.1.1. Resource Management**

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

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

#### **2.1.2. Resource Management Act – Consents (Year to date 01/07/2021-30/06/2022)**

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

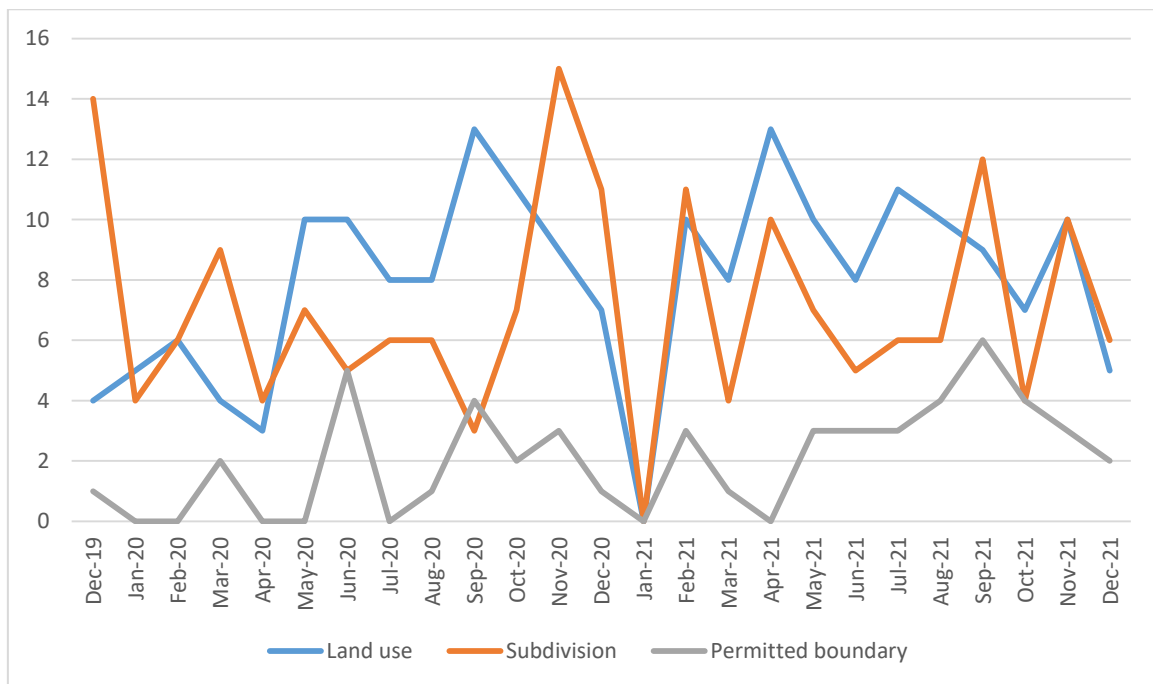
RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	100%	<b>Total 118/118</b>
		100%	52/52 Land Use applications were completed within statutory timeframes. NCS
		100%	44/44 Subdivision applications were completed within statutory timeframes. NCS
		100%	22/22 permitted boundary/marginal activity applications were completed within statutory timeframes. NCS

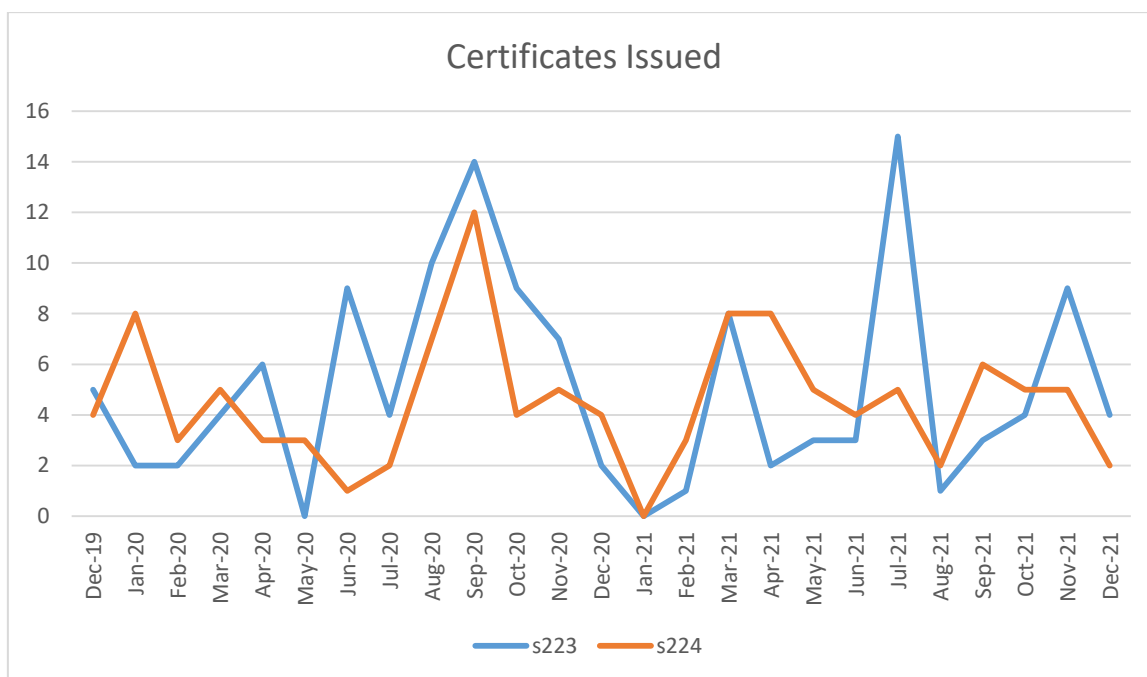
RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
s.223 certificates issued within 10 working days	100%	100%	36/36 s223 certificates were certified within statutory timeframes. NCS.
s.224 certificates issued within 15 working days of receiving all required information (note no statutory requirement)	95%	100%	25/25 s224 certificates were certified. NCS.

### 2.1.3. Reserves Act – Management Plans

SERVICE LEVEL – Council has a reserve management plan programme.

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





#### 2.1.4. Local Government Act – LIMs

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

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
LIMs contain all relevant accurate information (no proven complaints)	100%		G:\LIMs\LIMS PROCESSED 2021-2022
Standard LIMs are processed within 10 days	100%	98%	98/100 standard LIMs were completed
Urgent LIMs are processed within 5 days	100%	100%	35/35 urgent LIMs were completed

	YTD 1 <sup>ST</sup> JULY 2021 TO 31 <sup>ST</sup> DEC 2021	PREVIOUS YTD 1 <sup>ST</sup> JULY 2020 TO 31 <sup>ST</sup> DEC 2020	PERIOD 1 <sup>ST</sup> DEC 2021 TO 31 <sup>ST</sup> DEC 2021	PREVIOUS PERIOD 1 <sup>ST</sup> DEC 2020 TO 31 <sup>ST</sup> DEC 2020
Standard LIMs (Processed within 10 working days)	100	128	12	15
Urgent LIMs (Processed within 5 working)	35	57	3	12
<b>Totals</b>	<b>135</b>	<b>185</b>	<b>15</b>	<b>27</b>

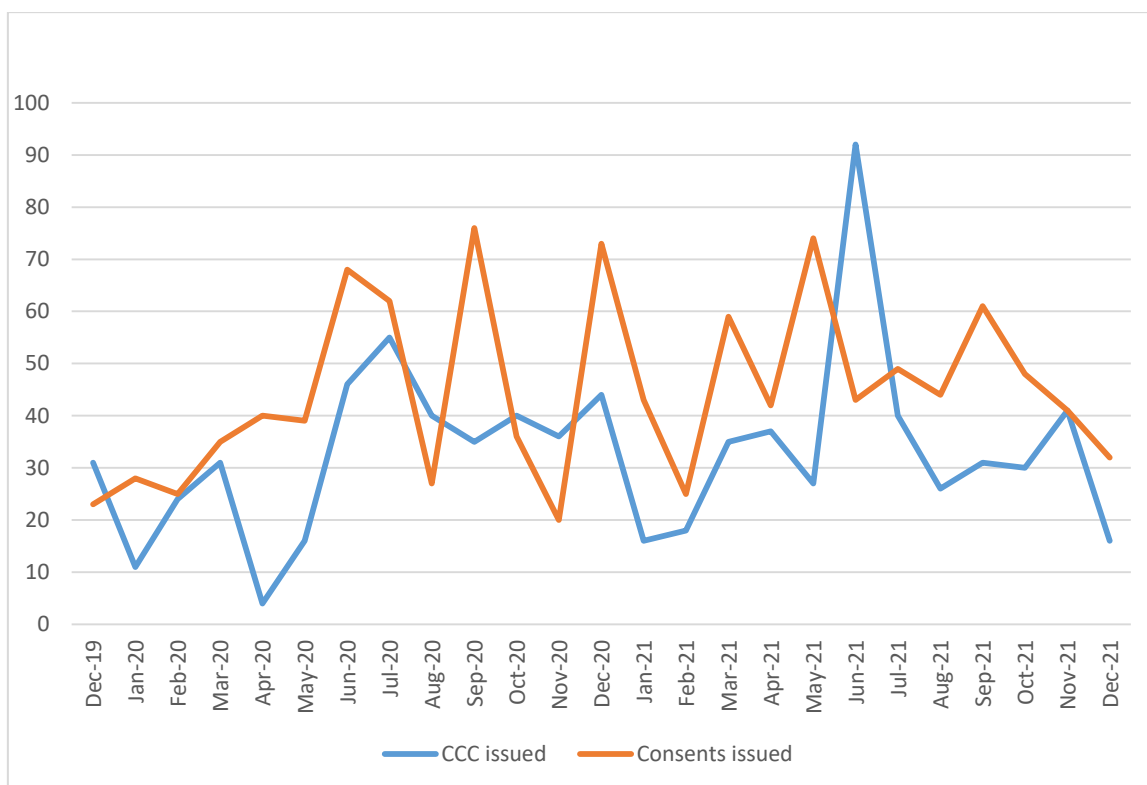
## 2.2 Building Act - Consents and Enforcement

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Code Compliance Certificate applications are processed within 20 working days	100%	94.57%	NCS – 174/184 CCC's were issued within 20WD YTD
Building consent applications are processed within 20 working days	100%	97.83%	NCS –271 consents were issued within 20WD YTD 6 consents went over 20WD
Council maintains its processes so that it meets BCA accreditation every 2 years	Yes	Yes	Next accreditation review due January 2022. Council was re-accredited in January 2020
BCA inspects new building works to ensure compliance with the BC issued for the work, Council audits BWO's and Swimming Pools	Yes	Yes	<b>Building Consents</b> Council inspects all new work to ensure compliance Dec 2021 -350 inspections <b>BWO's –</b> <b>0</b> Total 205 average of 4 audits per month required,  <b>Swimming Pools –</b> Total 408 – average of 12 audits per month required. Dec 2021 – 2 audits
Earthquake prone buildings reports received	100%	N/A	Of the remaining buildings: 25 - Identified as EPB 9 - Require engineer assessment from owners 2 - Requested extension to provide engineers report

### 2.2.1. Building Consents Processed

TYPE – 1 DEC 2021 TO 31 DEC 2021	NUMBER	VALUE
<b>Commercial</b> (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	1	\$150,000
<b>Industrial</b> (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	3	\$153,764
<b>Residential</b> (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters).	25	\$9,512,003
<b>Other</b> (public facilities - schools, toilets, halls, swimming pools)	0	\$0.00
<b>Totals</b>	<b>29</b>	<b>\$9,815,767</b>



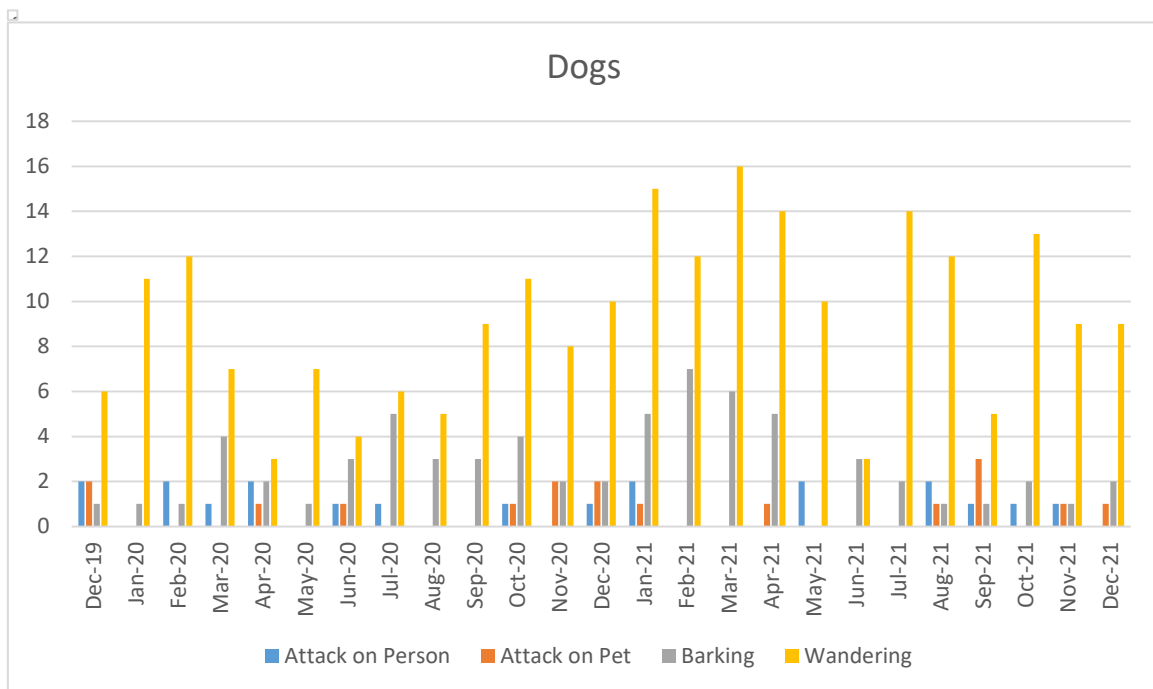
## 2.3 Environmental Health and Public Protection

### 2.3.1 Dog Control Act – Registration and Enforcement

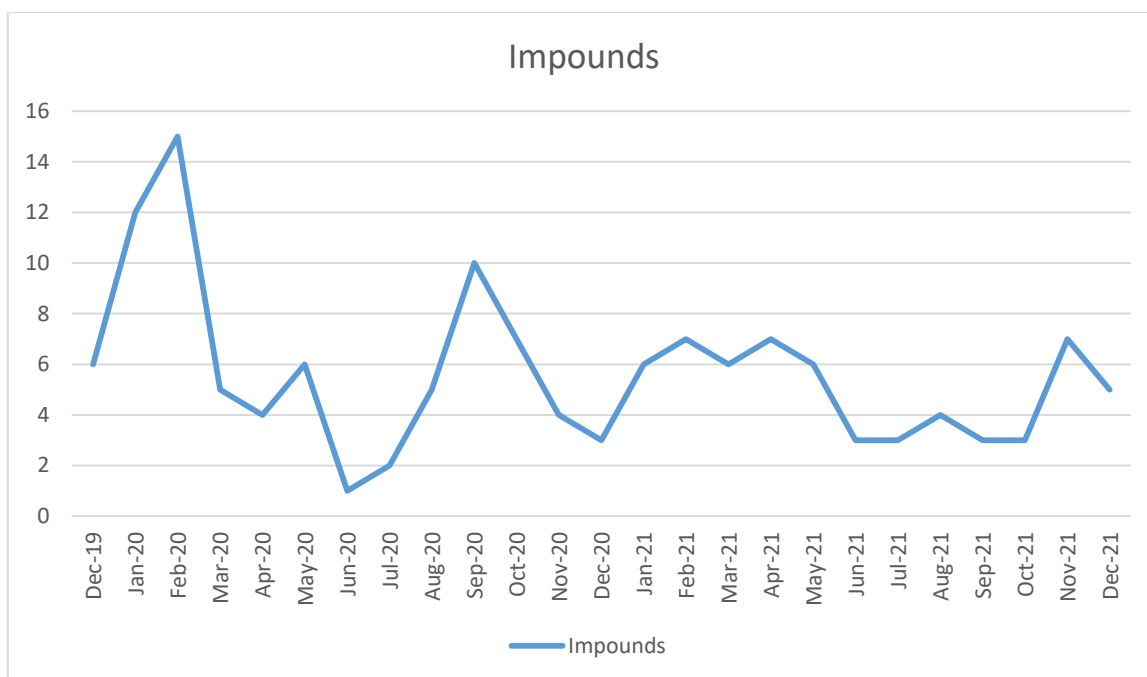
*SERVICE LEVEL – Dogs don't wander freely in the street or cause menace to humans or stock.*

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership	3 visits	0	Due to Covid 19 level restrictions this activity is not being able to be undertaken
Complaints about roaming and nuisance dogs are responded to within 1 hours	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 103/103
Complaints about dog attacks on persons, animals or stock are responded to within 1 hour	100%	100%	12/12

INCIDENTS REPORTED FOR PERIOD 1 <sup>ST</sup> DEC 2021 – 31 <sup>ST</sup> DEC 2021	FEATHERSTON	GREYTOWN	MARTINBOROUGH
Attack on Pets	-	-	1
Attack on Person	-	-	-
Attack on Stock	-	-	-
Barking	-	-	2
Lost Dogs	1	1	-
Found Dogs	-	-	-
Rushing Aggressive	-	-	-
Wandering	3	3	3
Welfare	-	-	-
Fouling	-	-	-
Uncontrolled (walked off leash urban)	1	-	-



DOG IMPOUNDS FOR PERIOD 1 <sup>ST</sup> DEC 2021 – 31 <sup>ST</sup> DEC 2021	DEC
Impounds	5



## 2.4 Public Places Bylaw 2012 - Stock Control

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Stock causing a traffic hazard is responded to within 1 hour	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 18/18
In cases where multiple stock escapes (more than 1 occasion) have occurred from a property taking compliance or enforcement or prosecution action against the property owner	100%	-	No incidents
Council responds to complaints regarding animals within 48 hours.	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 5/5

INCIDENTS REPORTED	TOTAL FOR YTD PERIOD 1 JULY 2021 TO 31 DEC 21
Stock	23

### 2.4.1. Bylaws

Between 1 Dec 2021 and 31 Dec 2021 there were:

#### Trees & Hedges

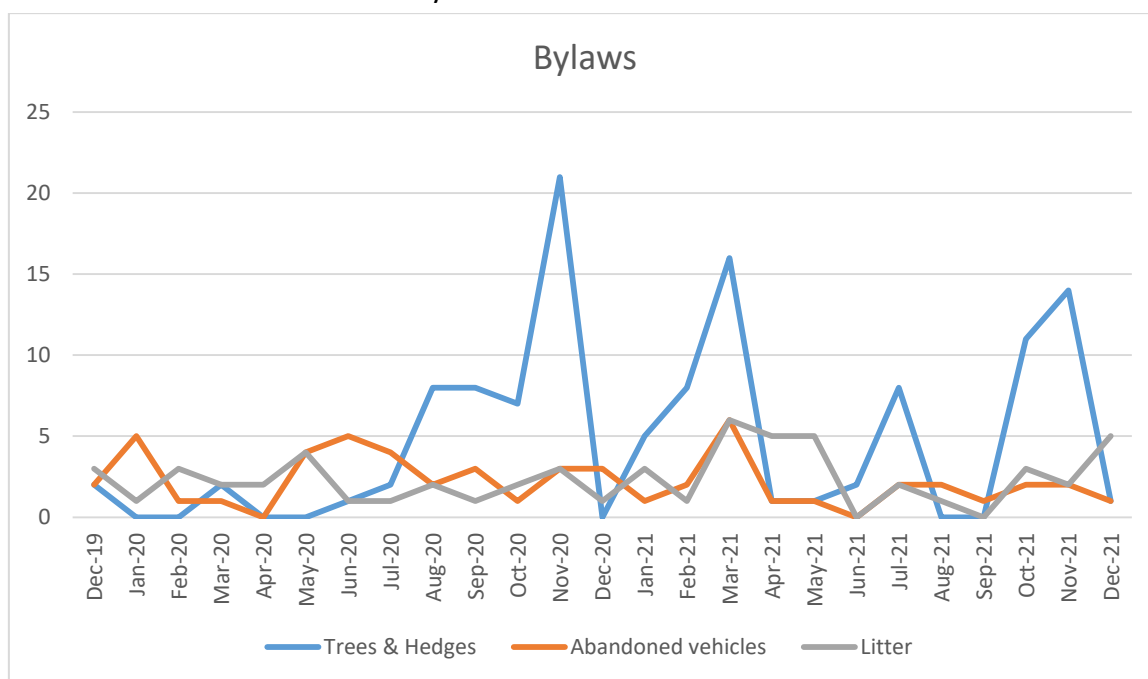
- There were 1 first notices sent by Council requesting the owner/occupier to remove the obstruction from the public space. Following this there are 0 second follow up letters being sent within this period.

#### Litter

- 5 litter (fly tipping) incidents have been recorded. From these, 1 request for information notice has been sent to the identifiable people associated with the incident.

#### Abandoned vehicles

- There were 1 total vehicle related calls in the SWDC area, of which 1 were abandoned vehicles. 1 were removed by their owners and the remaining 0 vehicles were removed by Councils' contractor or NZTA.



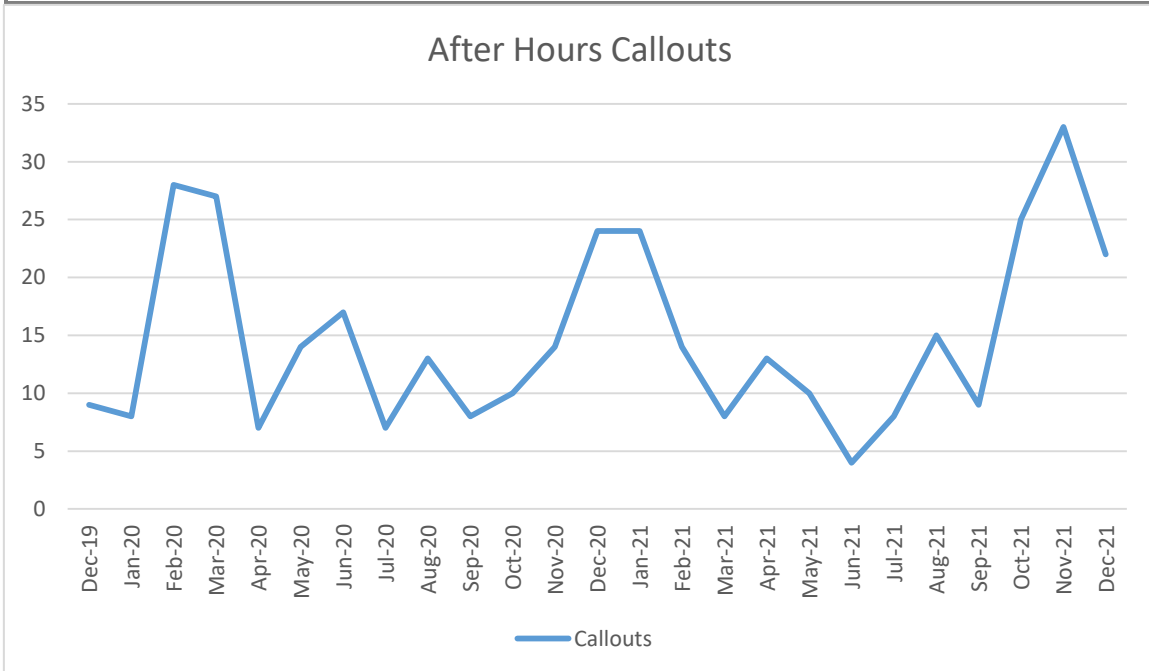
### 2.4.2. Resource Management Act – afterhours Noise Control

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 21/22	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
% of calls received by Council that have been responded to within 1.5 hours	100%	99.1%	<a href="K:\resource\Health\Resource Management\Noise Control Complaints">K:\resource\Health\Resource Management\Noise Control Complaints</a>

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 21/22	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
111/112 attended within timeframe YTD 22 callouts Dec 21			

AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED	YTD 1 JULY 21 TO 31 DEC 21	PREVIOUS YTD 1 JULY 20 TO 31 DEC 20	PERIOD 1 DEC 2021 TO 31 <sup>ST</sup> DEC 2021	PREVIOUS PERIOD 1 DEC 2020 TO 31 <sup>ST</sup> DEC 2020
Total	112	76	22	24



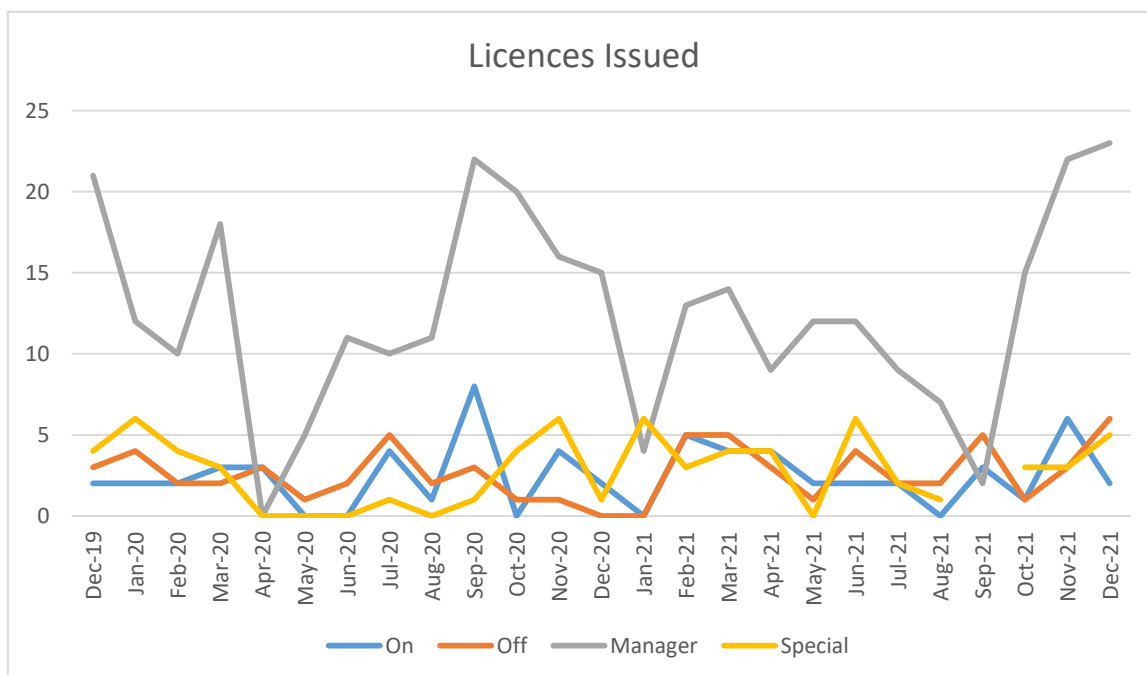
## 2.5 Sale and Supply of Alcohol Act - Licensing

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 21/22	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
All premises licences issued have an inspection undertaken by the Inspector prior to issue to assess the licensees understanding of their obligations and responsibilities under the Act	100%	100% YTD	<p><i>On NEW</i> Dec 21 1 4 YTD</p> <p><i>On RENEWAL</i> Dec 21 1 10 YTD</p> <p><i>Off NEW</i> Dec 21 1 6 YTD</p> <p><i>Off RENEWAL</i> Dec 21 5 11 YTD</p> <p>Club Dec 21 0 1 YTD</p> <p>Temp Dec 21 0 4 YTD</p> <p>Information source: Inspector records, MAGIQ data, Alcohol Spreadsheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
Special Licences are issued			<p>Special Licences – Dec 21 5 14 YTD</p> <p>Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
All Duty Manager's (DM) certificate holders undertake an interview with the Inspector prior to certificate being issued to assess the manager's level of understanding with the Duty Manager's role			<p><i>DM NEW</i> Dec 21 7 27 YTD</p> <p><i>DM RENEWAL</i> Dec 21 16 51 YTD</p> <p>Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
75% of all licenced premises identified as at 1 July of every year have a compliance visit undertaken by the Inspector before the 30 <sup>th</sup> of June the following year (i.e. within a 12 month period)	75%	28.8% YTD	<p>Information source : Compliance inspection records K:\resource\Liquor\Compliance Visits 21-22 Dec - 13 Compliance visits 36/125 total compliance YTD</p>
Average working days to process an application from acceptance by SWDC	25WD	25.07WD	<p>Information source: Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>

ALCOHOL LICENCE APPLICATIONS PROCESSED	YTD 1 JULY 21 TO 31 DEC 21	PREVIOUS YTD 1 JULY 20 TO 30 DEC 20	PERIOD 1 DEC 21 TO 31 <sup>ST</sup> DEC 21	PREVIOUS PERIOD 1 DEC 20 TO 31 DEC 20
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On Licence	14	19	2	2
Off Licence	17	12	6	0
Club Licence	1	2	0	0
Manager's Certificate	78	94	23	15
Special Licence	14	13	5	1
Temporary Authority	4	3	0	1
<b>Total</b>	<b>138</b>	<b>143</b>	<b>36</b>	<b>19</b>



### 2.5.1. Health Act - Safe Food

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 20/21	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises have appropriate FMP in place and meet the risk based standards set out in the Plan.	100%	100%	FHR – 0 FCP (Food Act) –88 NP –68 Total number of premises is subject to change month by month as new businesses open and existing premises close. risk based measure changes

Premises are inspected in  
accord with regulatory  
requirements.

100%

26.1%

FCP verifications – 23/88

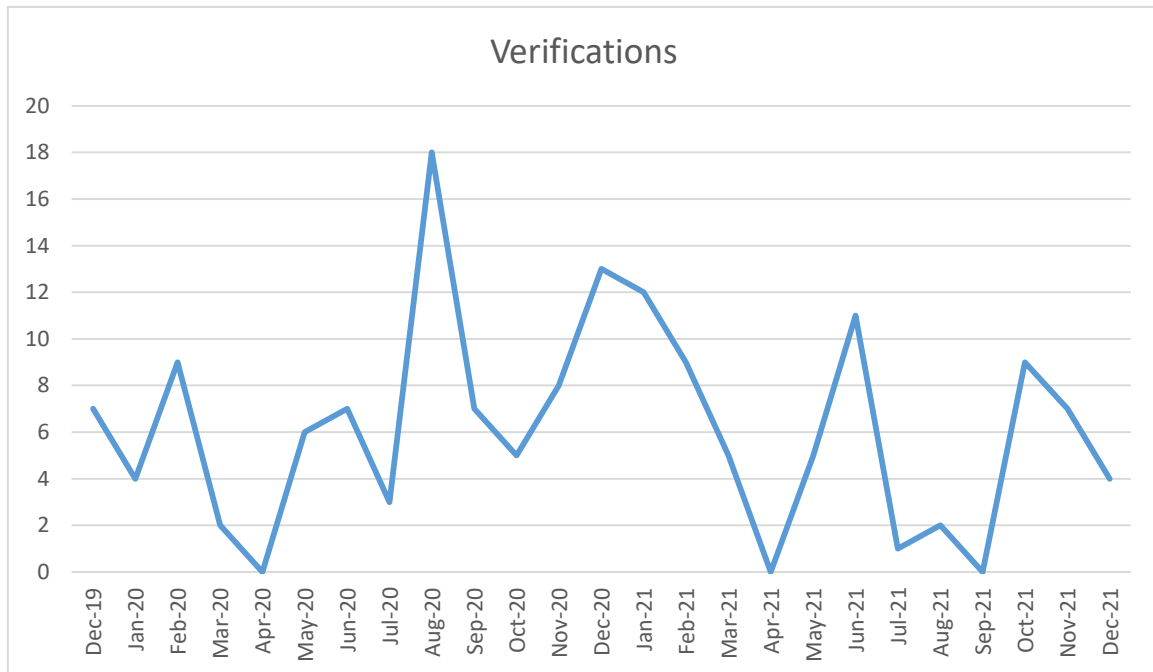
Covid 19 had an impact. We also had 4 premises close this financial  
year so far.

\*Total number of premises is subject to change month by month as  
new businesses open and existing premises close.

4 Verifications Dec 21

We were able to finalise (close out)

6 premises in Dec 2021



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

Reviewed by: Harry Wilson, Chief Executive

## **WATER OFFICERS REPORT**

This report was presented to the Assets and Services Committee on 2 February 2022.

### **3. Water Manager Commentary**

Network faults are down compared to last December, as WWL continue to keep on top of the backlog of reported faults. Consumer satisfaction is at a yearly high of 83%.

Wellington Water's SLA quarterly performance dashboard for Q2 FY21-22 to be included in the next Assets and Service Committee report, March.

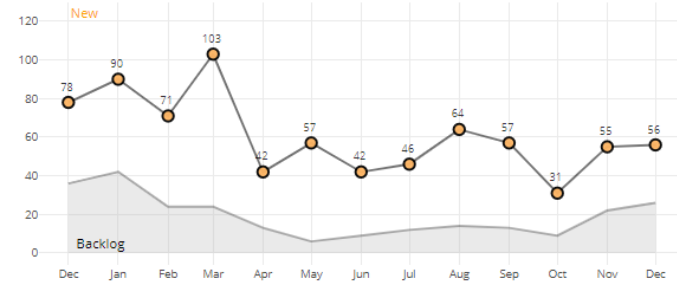
### **4. Wellington Water operational performance**

The start of summer continues to see the expected seasonal increase in water network faults being reported to Council. The total number is down on last December which is helped by keeping on top of the backlog of reported faults. Wastewater faults continue to be a theme for Featherston, due to pipe condition and some areas of high ground infiltration for example Fitzherbert Street.

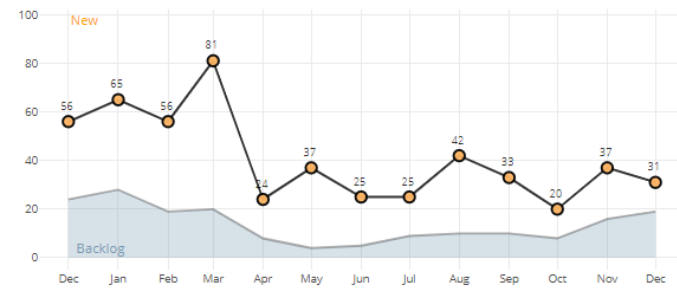
The network service crews have noticed a recent trend in water leaks appearing adjacent to previous repairs on water laterals, requiring full lateral replacement. This appears to be due to the degrading condition of lateral service pipes which make up approximately 50% of all water leak faults. To comply with regulations, a high number of recent jobs have also required a traffic management contractor for sites located on intersections and narrow roads.

## Network Faults

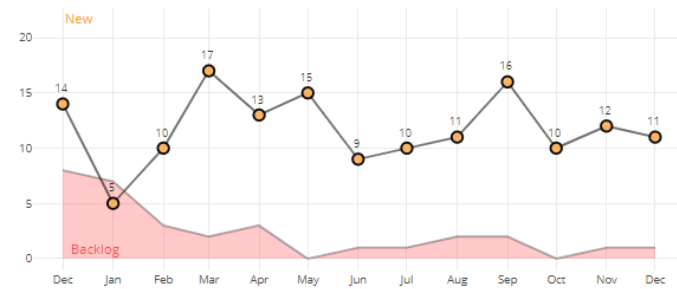
### Network Faults: All



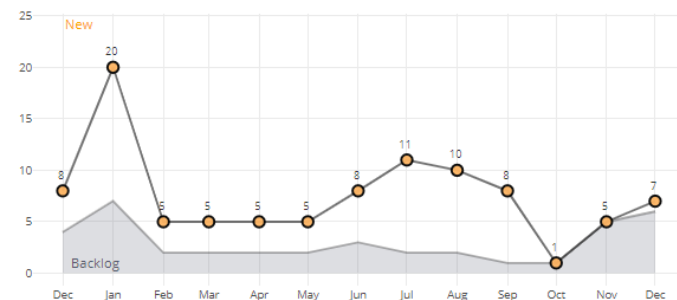
### Network Faults: Drinking Water



### Network Faults: Wastewater

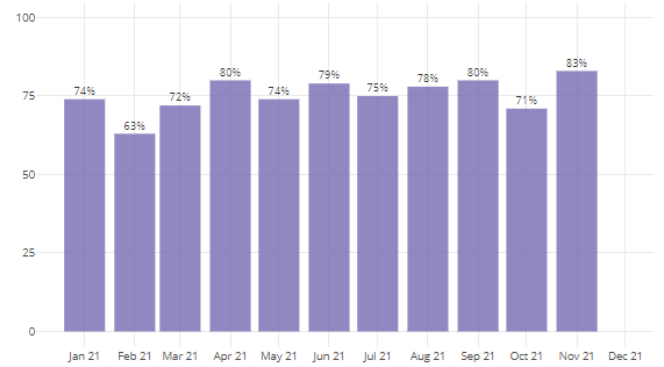


### Network Faults: Stormwater

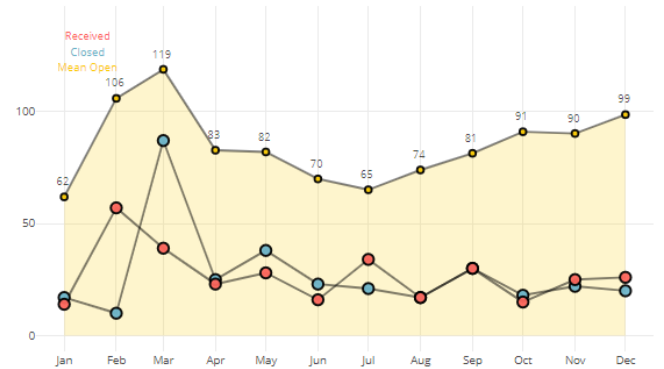


## Customer Satisfaction, Complaints and Compliments

### Customer Satisfaction (Colmar Brunton Survey)



### Complaints



### Compliments

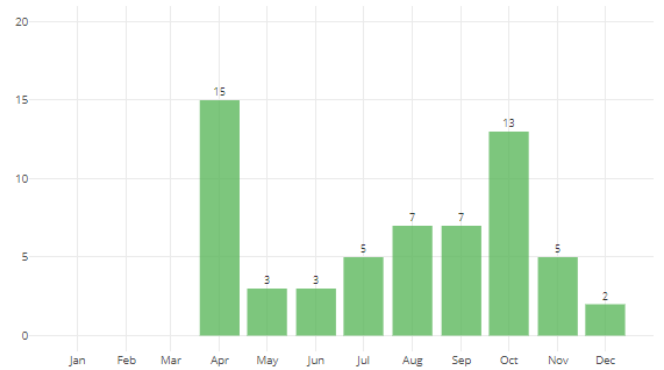


Figure 1. SWDC Customer service request dashboards, January

#### 4.1 Operational response events

On the 31st December 2021, the community of Greytown were advised that they may notice a possible blue tinge to their drinking water. This was due to a pump fault on the pH balancing system at the Memorial Park water treatment plant.

The blue tinge can result from within homes that primarily have copper plumbing. The community were advised that there was no public health risk although advised to run their taps until the water becomes clear, as standard advice from the Ministry of Health for all homeowners.

A replacement pump was sourced by the Wellington Water treatment plant team, and the fault was resolved early January 2022.

#### 4.2 Tauherenikau river pipeline leak

Please refer to additional report.

### 5. Reducing leakage across the South Wairarapa

A robust method for estimating water losses based on night flow data has been developed and automated to provide daily updates for each of the three towns. Losses across South Wairarapa over December are estimated to have been around 57%. Losses over the past six months for each town and the region are presented in Figure 2.

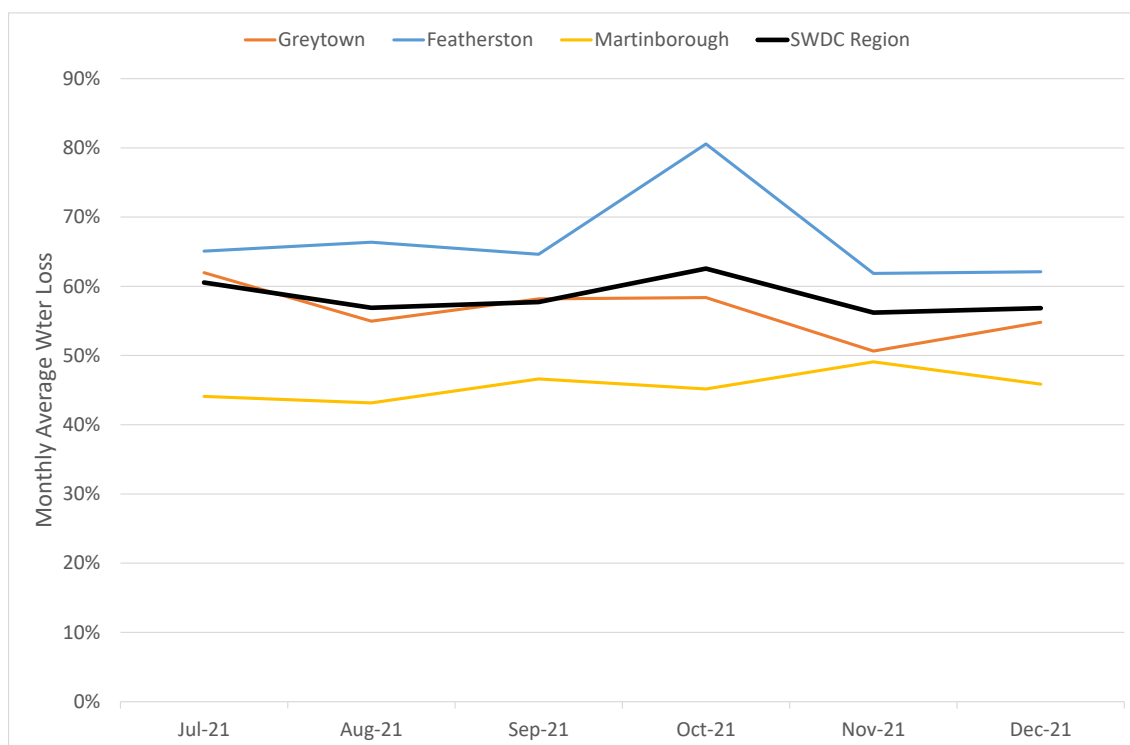


Figure 2 Monthly average water losses by town and across the region.

The level of water loss is higher than would be expected and suggests that there may be some night time usage that we are not accounting for in the calculation, potentially from high use non-residential customers, or from unmetered or even unauthorised

connections. Assumptions related to night time usage used in the calculation were drawn from a thorough analysis that brought together customer meter data, including high resolution data collected for network modelling purposes, and property locations. As more data and information come to hand, we can build them into the analysis and have greater confidence in the outputs.

Whilst water loss expressed in percentage terms seem high, the impact of leaks can have on night flows and water losses is demonstrated by recent leak repairs made in Featherston. Figure 3 shows the trend of night flows for each of the three towns. There is a significant drop in Featherston night flow around 6 January, which coincides with the repairs of a leak on a 100-mm main Birdwood Street and a leaking connection on Boundary Street. These two leaks appear to have been contributing some 6 L/s or about 37% of observed night flows.

Aside from this positive change and some fluctuations in Martinborough over November/December, Figure 3 shows night flows have been reasonably stable. Should we observe sustained increases we will seek to initiate leak detection surveying.

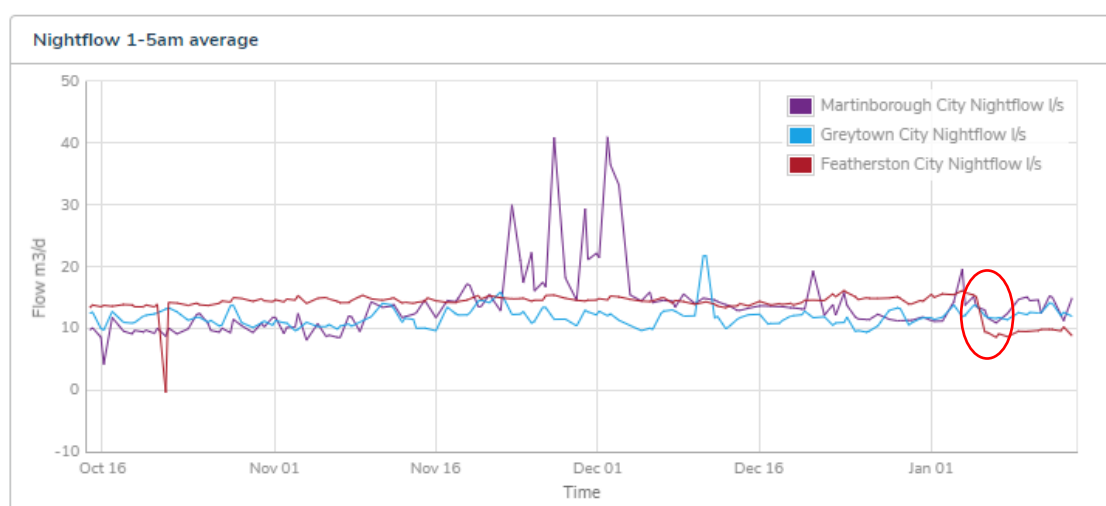


Figure 3. Night flow 3-month trend. Note the drop in night flow on the Featherston curve (circled in red) resulting from a mains leak repair.

## 6. Water Capex delivery programme

### 6.1 Executive Summary

The capital programme is tracking ahead of budget to-date and remains on target for a forecast delivery range of \$5 - \$7 million. The timing of the Christmas break was unfavourable for the final commissioning work of the new treated water reservoir at Waiohine which has now been pushed into the new calendar year. Once brought into service, will need to be celebrated as a significant achievement for increasing the supply resilience and NZ drinking water standards compliance for the Featherston and Greytown communities.

## **6.2 Waiohine Water Treatment Plant upgrade**

The final December shutdown to bring the new treated water reservoir into service revealed a small number of items that required closing out, before this can be done. The water quality testing completed for the final stages of the commissioning have shown no issues with the E coli and chlorine testing.

Operational manuals have been documented and training of the treatment plant operators has been successful in the lead up to bring the new reservoir into service which is now forecast for early February.

Work is underway on Stage 3 for the permanent pH dosing system upgrade. The permanent dosing system will align with the Memorial Park WTP system and will allow the decommissioning of the older soda ash system, removing operational and certification issues.

## **6.3 Memorial Park water treatment plant upgrade**

The electrical fit-out on the containerised treatment plant has been completed and is currently being stored. Tendering activities are underway where contract award is forecast in March. Construction remains scheduled for start Q4 FY21-22.

## **6.4 Greytown smart meter trial**

The installation programme commenced on 13 December 2021 and has progressed well despite the wet weather pre-Christmas. In December, approximately 40 meters were installed where all were connected to the network without issue. There was one incident of loss of water pressure which was promptly resolved by the contractor on site. A large shipment of 140 meters arrived at the Wellington Water depot on the 6th of January, and work begun installing these at the start of the new year.

A change in the manufacturer's vibration sensors design is expected to cause a 2 to 3 month delay for a remaining 50 meters. To ensure the project collects as much network leakage data during the trial period, an additional 50 base meters (provided by the manufacturer free of charge) will be installed initially and swapped by the meters with vibration sensors at a later date. Targeted customer communication will be carried out by Wellington Water for these customers.

Customer home water-usage reports will be available from early January 2022, for those who have signed up for the online portal throughout the trial period. The remaining customers will have access to their home usage reports upon request.

## **6.5 Papawai Rd wastewater upgrade**

Construction site works and road reinstatement has been completed along Papawai and Pa roads. Some minor construction is being done at the final outfall pipeline within the wastewater treatment plant, to optimise the flow control and new inlet flow meter. This is forecast to be completed within Q3.

The remaining pipeline not upgraded within this financial year, has been documented and put back into Wellington Water's strategic prioritisation framework for future investment allocation. We will be putting out some public communications on this shortly.

## **6.6 South Wairarapa global stormwater consent**

This consent has been lodged with Greater Wellington. Wellington Water will attend the next Māori Standing Committee to seek their feedback in February.

## **6.7 Featherston water main renewals**

The Featherston water main renewals project has delivered outcomes that will reduce water supply outages and minimise water loss from the water network. The project has renewed water mains of poor condition that have experienced a high number of historic pipe breaks.

The works are largely complete with 723m of water main completed and connected into the existing network. Typically, trenchless drilling technology has been used, which has reduced the requirement for costly reinstatement.

However, as part of our routine quality assurance testing that is undertaken on all projects we have identified a potential durability issue with some fittings used on the pipeline which is being investigated, which means further work will be required to remedy this. These additional works are expected to be complete before the end of February 2022 and residents have been updated.

## **6.8 Featherston wastewater treatment plant upgrade and consent**

Wellington Water continues to work with Council Officers on the proposed shortlist of options to manage Featherston's Wastewater. A discussion paper providing additional information on the likely consentability and affordability of the options was provided to Council by Wellington Water in December 2021 and we continue to work with them to confirm this shortlist.

# **7. Appendices**

## **Appendix 1 – Water Programme Report**

Contact Officer: Stefan, Group Manager Partnerships and Operations

Reviewed by: Harry Wilson, CEO

# **Appendix 1 – Water Programme Report**

SWDC Assets and Services Committee		Programme	Water
Meeting	2/2/2022	Period	Jan-22

	Finance	Delivery	H&S	Stakeholders	Risk profile	Commentary
<b>Overall Programme Status (RAG)</b>						The capital programme actuals to-date is tracking ahead of budget, however still tracking within full year forecast range of \$5-7m. Covid-19 continues to pose a risk due to impacts on suppliers and possible future outbreaks. Commissioning work to bring the new reservoir at Waiohine into service nears completion, which is to be celebrated as a significant achievement for increasing the supply resilience for the Featherston and Greytown communities.

## Major Projects

### Featherston WWTP

	\$500k*	Jul 20 - Jun 2025				
Develop and implement a suitable wastewater solution for Featherston						Wellington Water continues to work with Council Officers on the proposed shortlist of options to manage Featherston's Wastewater. A paper providing additional information on the likely consentability and affordability of the options was provided by Wellington Water in December 2021 and we continue to work collaboratively confirm this shortlist.

## Upgrade/Renewal Projects

### Papawai Road WW Upgrade

	\$2.2m	May 2021 - Dev 2021				
Growth - upgrade pipe	↑				↑	Construction works have been completed on Papawai and Pah roads. Minor works being completed on the inflow meter to the wastewater treatment plant in January.

### Waiohine Water Treatment Plant (WTP)

	\$1.3m	Dec 2020 - June 2022				
b) Treated water storage commissioning						The December shutdown to bring the new reservoir into service revealed a small number of items that required addressing. These have been closed out and final commissioning work is being completed on the 3-day bug testing, FAC and final system change over. The new reservoir is expected to be in service the first week of February.
c) Chlorine dosing safety improvements						Chlorine dosing upgrades are complete.
d) pH dosing system upgrade		↓				A temporary dosing system currently remains in place. A caustic soda dosing system has been recommended as the permanent solution. Work has begun on the system design where physical works is now forecast for FY22-23.

### Memorial Park WTP upgrades

	\$850k	Nov 2020 - 2022				
<b>Stage 2:</b> Replace bore pump, new housing container, additional pipework and run to waste						
<b>Stage 3:</b> Chemical dosing, electrical equipment, UV and filter upgrades						The fabricated container is now being safely stored. Contract award is forecast for March. Site works for the permanent treatment plant remains scheduled for construction start Q4 FY21-22.

### Memorial Park wastewater renewal

	\$350k	Nov-21				
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Swimming pool and club house laterals relocation	↑					The renewal of the swimming pool wastewater lateral is complete.
<b>Electrical surge protection</b>						
	\$30k	Jun-22				
Installation of electrical surge protection at treatment plants						Work plans have been developed for each treatment plant sites. Surge protection work is forecast to be complete prior to June 2022.
<b>Donald St WW pump station renewal</b>						
	\$100k	FY 22-23				
Renewal of the pump station, Featherston						Project is currently within the detailed design phase. The construction contract award is currently expected to take place in Q4.
<b>SWDC Global stormwater consent</b>						
	\$96k	Jun-22				
Global stormwater consent for Featherston and Greytown, NRP compliance						The application has been lodged and the next step is to obtain feedback from the Maori Standing Committee.
<b>Greytown WWTP system improvements</b>						
	\$150k	FY 22-23				
H&S improvements to UV pump station						Work is expected to commence shortly on the preliminary design. Project only planned to reach design by the end of the financial year.
<b>SWDC-led Projects</b>						
<b>Water Race User Survey</b>						
	n/a	Dec-20				
Survey Water Race users and related stakeholders on use						Wellington Water have received a copy of the survey results and have been asked by SWDC to review in the context of providing some strategic guidance back to SWDC Officers. Meeting to occur in Q3.
<b>Longwood Water Race Consent</b>						
	n/a	Dec-20				
Gain consent for continued use of water race		↓				GWRC is requesting that the supplementary water take is moderated when the river is above median flow. Wellington Water is discussing this further with GWRC to work through the options to obtain consent. Additional flow and water quality monitoring is likely within the new consent where Wellington Water will need to consider how these additional conditions will be met. The short consent is to align the Longwood with the Moroa water race consent expiry.

Status key:



On track/achieving



Some concern



Off Track/Major concern

## **ROADING AND AMENITIES OFFICERS' REPORT**

This report was presented to the Assets and Services Committee on 2 February 2022.

### **8. Group Manager Commentary**

Outputs for this reporting period reflect the fact that it was interrupted by the Christmas and New Year holidays. The Roading team successfully undertook a major repair of Hinekura Road in the days leading up to Xmas to repair the Hinekura Rd. It was an intensive three days of work that had our team, Fulton Hogan and a sub-contractor on site to make sure the road was able to be open and safe for all traffic in time for Xmas. Work continues according to our work plan for Hinekura on tree removal and new dam site location.

The amenities team has completed a few important items since the last report – the highlight arguably being the Peace Gardens in Featherston. Further incidents of vandalism, theft and graffiti are concerning.

If the anticipated impact of Omicron is realised then we expect significant interruptions to service delivery outside of essential services. Solid waste, burials, emergency road repairs and water services will be maintained throughout.

### **9. SWDC Roading Report**

The report covers the period of works to the end of December 2021, being 50% of the 2021/2022 financial year. The percentages shown below are based on works completed to date on Waka Kotahi financially assisted annual budget. Works in several maintenance categories are seasonal so the spend will reflect this variance.

A brief commentary describing key achievements during December 2021, and proposed works going forward is noted under each work category below.

#### **9.1 OPEX**

- Sealed Road Pavement Maintenance spend is 53% on Local Roads and 73% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 193.07 of sealed roads inspected and faults loaded into RAMM
  - 64 sealed potholes were identified
  - 2549m<sup>2</sup> of sealed pavement repaired
- Unsealed Road Pavement Maintenance spend is 53% on Local Roads and 80% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 72.4 km of unsealed roads inspected, and faults loaded into RAMM
  - 90.7km of unsealed roads graded
  - 237.2m<sup>3</sup> of maintenance metal applied
- Drainage Maintenance spend is 26% on Local Roads and 113% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 132 culverts were inspected

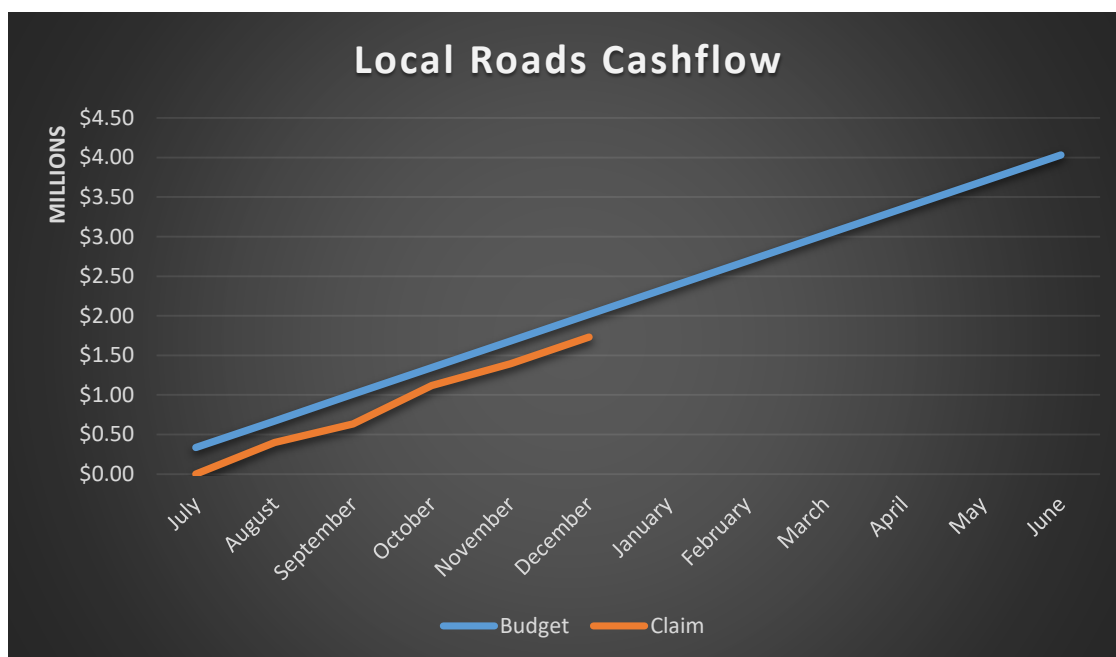
- 54.7km of streets mechanically swept
- 3.6km of drains cleared
- Structural Maintenance spend is 15% on Local Roads and 5% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 8 bridges were inspected
- Environmental Maintenance spend is 58% on Local Roads and 44% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 817 km of rural berm mowing
- Minor Events spend is 113% on Local Roads and 188% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - Expenditure is due to response to weather events in the year to date. If further budget is required, it will be reallocated from other Maintenance cost codes.
- Traffic Services spend is 22% on Local Roads and 19% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 33 signs were inspected
  - Annual remark is programmed for April 2022 and is a large portion of the budget.
- Cycle Path Maintenance spend is 0% on Local Roads in relation to Waka Kotahi annual budgets allocation.
  - Spaying and mowing adjacent to the Western Lake Road Cycle path have been completed from Environmental Maintenance budget.
- Footpath Maintenance spend is 98% on Local Roads in relation to Waka Kotahi annual budgets allocation.
  - Works have been completed allowing focus to shift to renewals in the new year.
- Rail Level Crossing Warning Device Maintenance spend is 122% on Local Roads in relation to Waka Kotahi annual budgets allocation.
  - Direct cost from KiwiRail. Over budget due to lightening strike at Woodside lights
- Network and asset management spend is 51% on Local Roads and 57% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 5 traffic counters were installed

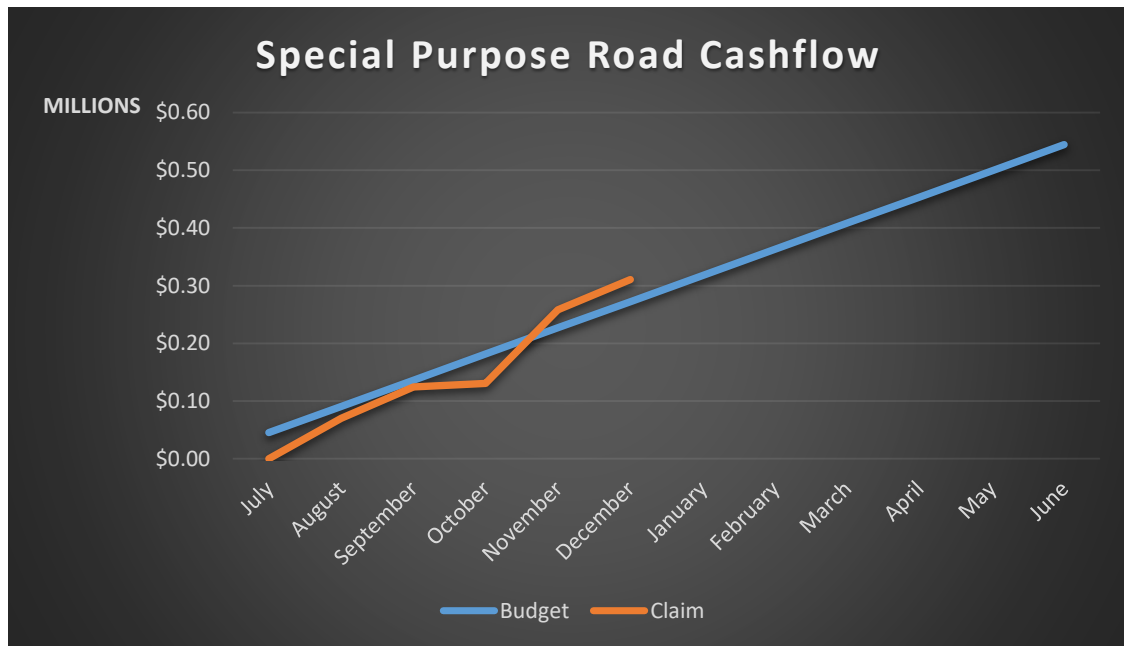
## 9.2 CAPEX

- Unsealed Road Metaling spend is 27% on Local Roads and 90% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.

- Aggregate has been ordered and crushed to be applied during Autumn and early winter. Manufacture and supply of this material is impacted by resource supply from the rivers
- Sealed Road Resurfacing spend is 56% on Local Roads and 82% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - Works will be completed by early February and design is impacted by the short supply of various grades of sealing chip.
  - Special Purpose Road resealing is complete with remarking of the roadmarking costs yet to be received.
- Drainage Renewals spend is 33% on Local Roads and 0% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
- Pavement Rehabilitation spend is 4% on Local Roads in relation to Waka Kotahi annual budgets allocation.
  - Western Lake Road sites are programmed for early/mid 2022
- Traffic Service spend is 35% on Local Roads and 10% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
- Footpath Renewals spend is 0% on Local Roads in relation to Waka Kotahi annual budgets allocation.
  - Sites programmed for February - March 2022

### 9.3 Tracking summary of OPEX and CAPEX to December 30, 2021

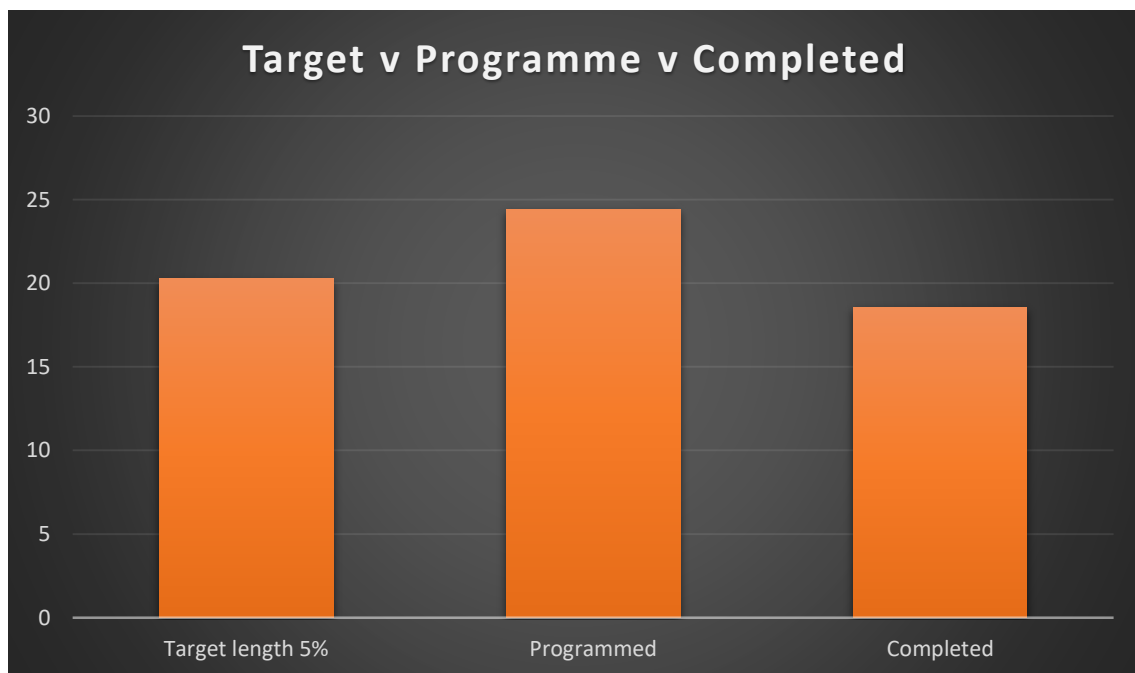




#### 9.4 Key Performance Indicators (Year to date reporting)

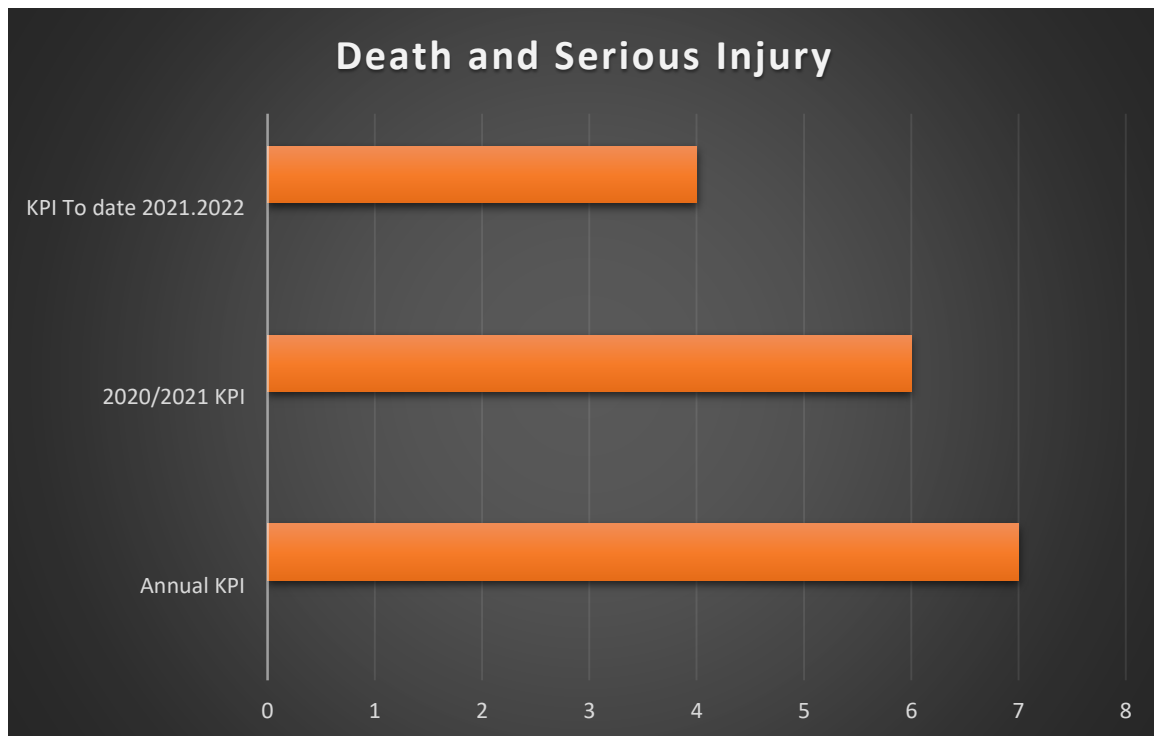
*5% of sealed roads are resealed each year subject to availability of NZTA subsidy*

Length of sealed network 405.7 km 5% equates to 20.3 km. 18.53 km complete.



*Change in number of fatalities and serious injury crashes on the local road network from previous year. Performance target is < 7*

The data below has been extracted for Waka Kotahi Crash Analysis System. Generally, there a time lag from the accident to data being uploaded to the system



## 10. Rooding - Fulton Hogan

### 10.1 Health and Safety Report

#### 10.1.1. *All incidents, Near misses, New hazards/ risks identified*

There were no incidents, near misses or new hazards to report this month.

Due to the low number of incidents there are no trends in the Wairarapa business to report on. At a national level we are made aware of incidents in the Company via Safety and Environmental Alerts, these alerts are discussed with staff at the monthly tailgate meetings.

#### 10.1.2. *Training and inductions*

Training this month with staff attending Envirowise Workplace First aid, Traffic management qualifications, operator competence testing with some Managers being trained in Rapid Antigen Tests.

### 10.2 Achievement Dashboard





### **11.3 SWDC Playgrounds**

- Martinborough Playground has the 2006 Climbing frame closed due to wear and tear. New climbing framed ordered and awaiting delivery.
- Awaiting school holidays to finish to install new equipment in Greytown Playground.

### **11.4 Parks and Reserves**

- City Care contractor has been under pressure with staffing due to retirements and also the lack of job applicants. They now have a full crew and working thru to catch up.
- Peace Gardens Featherston still in progress, 90% completed waiting on fence to be spray painted and also Heritage sign to be installed, good feedback from public. Formal opening is planned once fully completed.



- Martinborough Trial Gardens

These are very successful so far with great community comments. We have had a small amount stolen unfortunately but over all a good result so far through Summer. We will look at doing this with all three towns once trial is over.



### 11.5 Cemeteries

Cemetery Activity and Burials have been steady.

Table: Purchases of burial plots/niches 31/11/2021 to 26/01/2022

	Greytown	Featherston	Martinborough
Niche			3
In-ground ashes Beam			
Burial plot	3	2	
Services area	1		
<b>Total</b>	<b>4</b>	<b>2</b>	<b>3</b>

Table: Ashes interments/burials 31/11/2021 to 26/01/2022

	Greytown	Featherston	Martinborough
Burial	3	1	1
Ashes in-ground			
Ashes wall			
Services Area	2		
Disinterment			
<b>Total</b>	<b>5</b>	<b>1</b>	<b>1</b>

## 11.6 Swimming Pools

Swimming pools have been well used with large numbers attending and BBQ's have been extremely popular with families in all three pools. We have also removed the shade sail over the Greytown Toddlers pool as it was not allowing the water to warm to a comfortable temperature. December attendance below

ATTENDANCE REPORTS										Dec-21					Dec-21					###									
Visit Type	GREYTOWN								FEATHERSTON								MARTINBOROUGH												
	Child 11am-1pm	Child 1pm-5pm	head count at 5pm	Child 5pm-7 30pm	Adult 11am-1pm	Adult 1pm-5pm	Adult 5pm-7 30pm	Adult supervisor	Weather	Child 11am-1pm	Child 1pm-5pm	head count at 5pm	Child 5pm-7 30pm	Adult 11am-1pm	Adult 1pm-5pm	Adult 5pm-7 30pm	Adult supervisor	Weather	Child 11am-1pm	Child 1pm-5pm	head count at 5pm	Child 5pm-7 30pm	Adult 11am-1pm	Adult 1pm-5pm	Adult 5pm-7 30pm	Adult supervisor	Weather		
7/12/2021		0	0	0		1	0	0	raining		5	0	0		1	0	0	raining		5	0	0		0	0	0	0	raining	
8/12/2021		18	18	11		9	9	0	sunny		10	5	0		9	0	1	overcast		5	0	0		0	0	0	0	overcast	
9/12/2021		30	20	2		7	1	2	sunny		20	0	0		2	0	4	sunny		39	5	2		3	10	0	0	sunny	
10/12/2021		62	42	13		26	6	6	sunny		52	0	12		20	5	9	sunny		105	0	3		10	0	0	9	sunny	
11/12/2021	8	33	6	4	2	17	0	16	overcast	6	17	4	16	7	5	0	7	overcast	20	30	14	0	4	9	12	0	sunny		
12/12/2021	3	4	0	1		1	0	2	overcast	0	2	0	0	0	2	0	0	raining	0	5	0	0	0	0	0	0	3	raining	
13/12/2021		26	21	10		14	4	5	sunny		21	8	3		3	3	6	overcast		67	12	8		1		0	9	overcast	
14/12/2021		6	0	0		0	0	0	overcast		1	0	0		1	0	1	overcast		45	2	0	0	0		0	3	raining	
15/12/2021		19	8	5		2	1	6	sunny		10	6	9		7	7	5	overcast		39	5	3		2		0	7	overcast	
16/12/2021		11	4			1	0	0	raining		1	0	0		1	0	0	raining		3	0	0		0		0	3	raining	
17/12/2021		45	9	2		10	1	12	sunny		45	9	3		5	0	7	sunny		37	7	13		1		0	21	sunny	
18/12/2021	11	46	18	23	11	22	16	22	sunny	15	47	14	11	5	16	4	11	sunny	17	52	4	5	2	10	0	0	30	sunny	
19/12/2021	47	55	8	23	17	24	14	13	hot	15	51	6	7	10	13	1	23	sunny	20	26	17	16	2	2	6	0	19	sunny	
20/12/2021		56	13	16		16	7	18	hot		25	6	3		11	3	7	sunny		44	22	5		9	1	0	8	sunny	
21/12/2021		33	0	0		9	0	8	hot		24	10	0		18	0	6	sunny		43	22	5		3	0	0	7	windy	
22/12/2021		61	22	20		24	9	15	hot		61	8	9		20	3	12	sunny		37	25	14		6	4	0	12	sunny	
23/12/2021		75	18	3		74	3	10	hot		63	29	1		22		21	hot		70	36	13		25	19	0	17	sunny	
24/12/2021		57	18	3		24	3	12	hot		39	9	9		18	3	13	hot		31	21	4		14	2	0	10	overcast	
25/12/2021																													
26/12/2021	8	54	42	25	9	68	25	18	hot	5	49	12	5	3	20	5	15	sunny	0	46	15	5	0	27	3	0	18	sunny	
27/12/2021		71	17	17		72	23	20	hot		16	0	11		9	11	4	overcast		51	11	16		33	19	0	15	hot	
28/12/2021		23	7	2		18	1	6	raining		5	0			1	0	0	raining		13	0	0		9	0	0	1	raining	
29/12/2021		38	4	0		20	0	9	raining		3	0	4		0	4	0	cold		35	2	0		6	0	0	18	sunny	
30/12/2021		120	28	1		50	3	42	hot		45	8			23	0	1	hot		66	26	10		32	9	0	25	sunny	
31/12/2021		126	38	24		115	30	33	hot		36	4	3		17	1	6	hot		68	19	13		30	10	0	25	sunny	
	98	1118	367	212	41	634	157	295		51	680	143	110	31	254	53	166		72	1005	270	139	10	242	95	0	277		

## 11.7 Other Projects

- Hua Ariki Marae is 90% completed, awaiting on confirmation of consent due to changes on the sprinkler system. Still in progress with Fire and Building Consents.
- Tauherenikau bridge project is in progress with trails and carpark installed up to where the landings begin. The two towers have been manufactured and currently with painters and end of January is when full work begins on the bridge.
- Kiwi hall kitchen - extending the hot water from the infinity system over to the kitchen was delayed due to tradesman availability but currently being installed week of the 25<sup>th</sup> Jan.
- Ngawi Community Hall has had their sewage system upgraded prior to Christmas, all that is required is planting which will happen in planting season. This worked well over the festive season.

- Wheels Park Greytown, contacted a civil company to quote on the roading component, awaiting outcome

## **12. Waste Management**

### **12.1 Transfer Stations**

Overall, the transfer stations are tidy.

Usual summer rubbish out at the coast which was handled well by Earthcare this year installing more recycling pods, bins and any emergency issues were dealt with quickly.

### **12.2 Earthcare**

Earthcare has formally become part of Smart Enviromental but there will be no name change, only some personnel changes. Business as usual.

## **13. Appendices**

Appendix 1 – Roding Programme Report

Appendix 2 – Amenities Programme Report

Contact Officer: Stefan Corbett Group Manager, Partnership and Operations

Reviewed by: Harry Wilson, CEO

# **Appendix 1 – Roading Programme Report**

SWDC Assets and Services Committee		Programme		Roading		
Meeting	22-Jan-22	Period		Dec-21		
Overall Programme Status (RAG)	Finance	Delivery	H&S	Stakeholders	Risk profile	Commentary
						Programme on track overall. Some resource constraints remain but works progressing well.
Current Projects						
Bidwills Cutting RD Pedestrian Upgrade		\$266K	March 22-June 22			
Five Rivers Hospital development						Engagement with Kuranui College completed and estimates done and fall within
Reading Street Upgrade		May 21- Nov 22				
Upgrade Street, kerb and channel, carparking drainage as part of Resource Consent						Orchards Retirement Village upgrade Concerns over Estimates have been sent back to the consultant
Sealed Road Pavement Rehab		\$250K	March 22 - May 22			
Western Lake Rd Area Wide 2 sites	↓					Working on Pavement design Need to confirm Aggregate supply. Initial estimates are over budget
Sealed Road Resurfacing Local Roads		\$700.0k	Oct 21 - Marc22			
Scheduled programme of works comprising 22kms of resurfacing on: BATTERSEA LINE BETHUNE ST BOAR BUSH GULLY RD DANIEL ST (MARTINBOROUGH) DRY RIVER NO. 1 RD DUBLIN ST LAKE FERRY RD MOERAKI RD MOORE ST NEW YORK ST OXFORD ST PRINCESS ST WARDS LINE WEST ST WESTERN LAKE RD WHITE ROCK RD MOROA ROAD PAPAWAI RD						Shortage of Chip supply in the Wairarapa and Bitumen is no longer refined in NZ has to imported 75% completed
Sealed Road ResurfacingCape Palliser Rd		\$100K	Oct 21 - Dec21			
Scheduled programme of works comprising 2.4kms						Sites Complete
FootPath Renewals		\$375K	Feb 22 20 - Jun 22			
Revans Street Featherston 2 sites , Fox Street Featherston,Bell Street Featherston						Ultra fast Broadband rollout has been completed in Featherston
Low Cost Low Risk Local Roads		\$345K	Jan 22 - Jun 22			

Identified Projects as approved by Waka Kotahi: Flag lightat the following intersections Lake Ferry Rd/Kahutara Rd,Kahutara Rd/East est Acces Rd,Western Lake Rd/East West Access Rd. Seal widening Western Lake Road.Bidwills Cutting Road signage improvements. Cattle underpass contributions. Te Awaiti Rd stability investigations at the Gluepot						Reduce funding from Waka Kotahi
<b>Low Cost low Rick Special Purpose Rd</b>	<b>\$250K</b>	<b>Jan 22 - Jun 22</b>				
Identified projects as approved by Waka Kotahi: Flag light at lake Ferry Rd Cape Palliser Rd intersection,Signage upgrade,Guard Rail installation,Bridge scour protection,Whatarangi Cliff resilience investigation,Rock revetment protection works,Johnson Hill slumpoing investigation and modelling,Ecoreef installation						
<b>Road to Zero</b>		<b>Jan 22 - Jun 22</b>				
Consult re speed review and impliment programme over 3 years		↓				Link to NZTA speed reduction and Road to Zero, Urban safety for vulnerable users etc. NZTA planned consultation and in discussions with NZTA on alignment. Wilkie Consultants have been engaged to manage delivery and consultation processes

Status key:

On track/achieving

Some concern

Off Track/Major concern

## **Appendix 2 – Amenities Programme Report**

Period	Jan-22
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Commentary	
Insert Officer view on programme status and key indicator changes	

[illegible]

Status key:



On track/achieving



Some concern



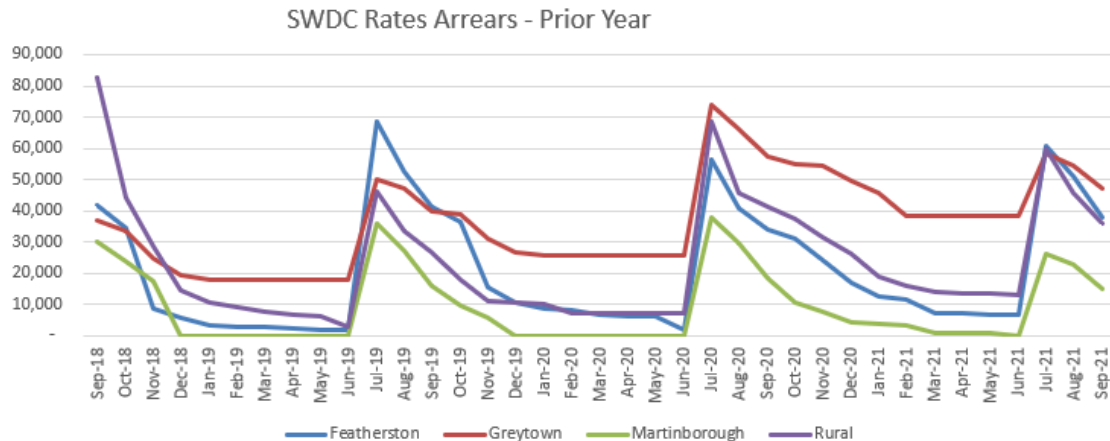
Off Track/Major concern

## Rates Arrears

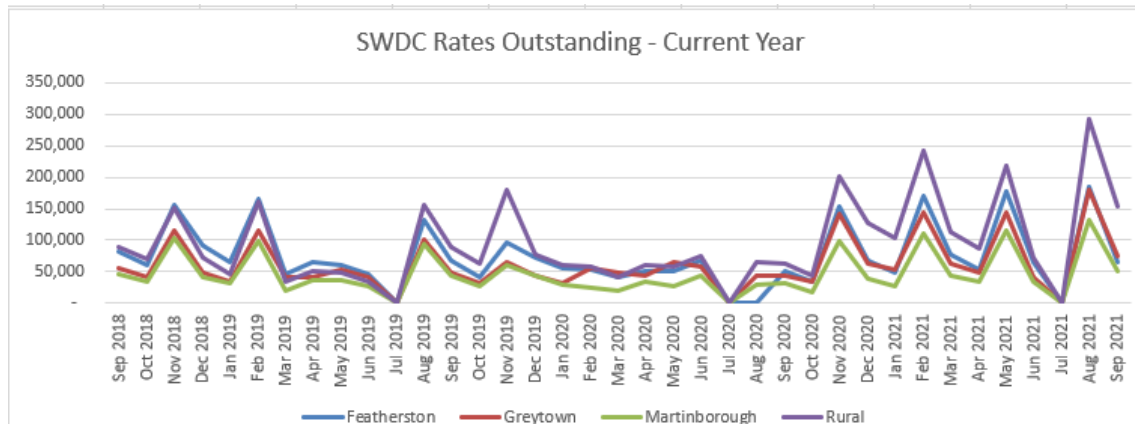
This report was presented to the Finance, Audit and Risk Committee on 1 December 2022.

### 13.1 Rates Arrears

The rates arrears graphs below shows an increase in amount of unpaid rates carried forward from the previous year (2019/20).



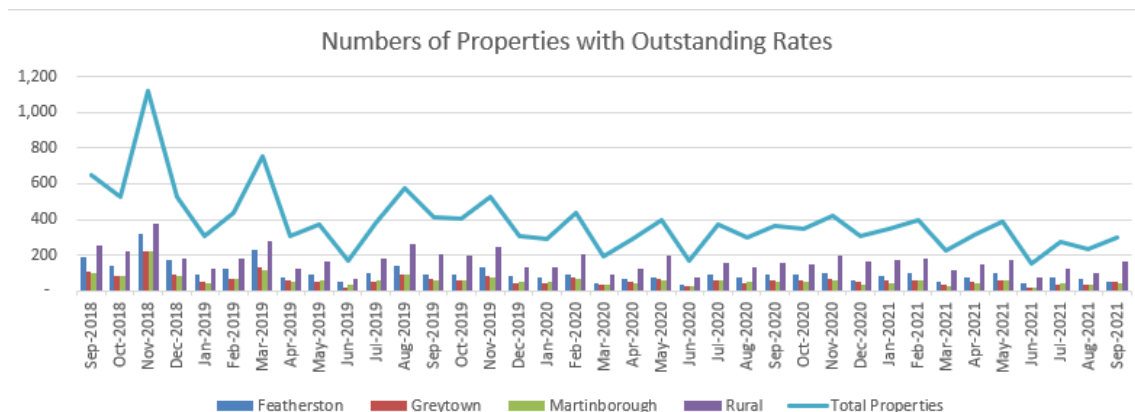
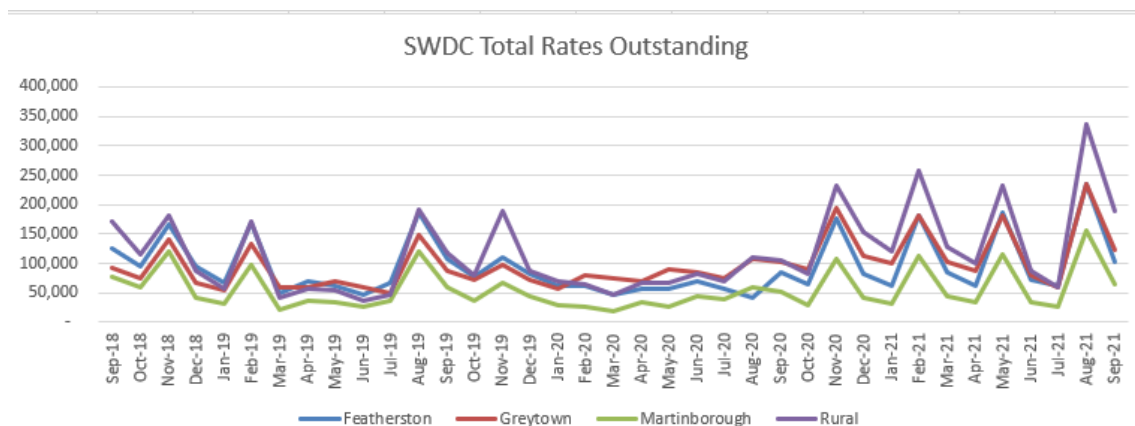
Prior years arrears have decreased \$14.6k (10%) from the same time last year.



At the end of September 2021, the current years amount was \$345K, 80% higher than the same time last year.

Total rates outstanding have increased by \$138K (40%) from the same month last year.

Outstanding rates were \$482K in September 2021 to \$343K September 2020.



The total number of properties with outstanding rates has decreased by 60 in September 2021 (301). We have received payment on 1 October 2021 for \$35K for full payment of arrears and 2021/22 rates for the Greytown property – this will be reflected in the next report.

In August, arrears notifications were sent to Mortgage providers for 2019/20 rates arrears - 52 properties for \$71K arrears. Payment is expected November/December for these if not paid prior.

Total number of Repayment plans at 30 September 2021 were 19 compared to 22 as at 30 June 2021 and 9 as at 30 September 2020. The repayment plans tend to be because of COVID rather than the 2021/22 rates increase.

Contact Officers: Katrina Neems, Chief Financial Officer  
Charly Clarke, Finance Manager

Reviewed by: Harry Wilson, Chief Executive Officer

# FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

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## AGENDA ITEM 9.2

### ACTION ITEMS REPORT

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#### **Purpose of Report**

To present the Community Board with updates on actions and resolutions.

#### **Recommendations**

Officers recommend that the Community Board:

1. *Receive the Action Items Report.*

#### **1. Executive Summary**

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

If the action has been completed between meetings it will be shown as 'actioned' for one meeting and then will be remain in a master register but no longer reported on.

#### **2. Appendices**

Appendix 1 - Action Items to 14 February 2022

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

## **Appendix 1 – Action Items to 14 February 2022**

Number	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
83	25-Feb-20	Action	S Corbett	Investigate a solution for the “Welcome to Featherston” signs on State Highway 2 following notification that the location of these signs presents a risk to motorists and keep the community informed through communications.	Open	Signs removed 16th/17th March due to unresolved safety concerns. Meeting onsite on 23rd March with SWDC/NZTA/FCB/Featherston Beautification Group to agree location, materials and design of supports for the signs. 30/06/20: Progress is being made on a licence to occupy the proposed location of the signs. 30/07/20: This is still with NZTA for a licence to occupy. 15/10/20: Still working through the solution with NZTA. 8/12/20: Awaiting final drawings from FBG to proceed. 15/02/21: Progress made as per chairs report to FCB 23 Feb 21 16/04/21: SWDC to pay for reinstatement of signs. We also need to allow for ongoing maintenance in our plans. NZTA have been provided all the info and are asking us to agree an MOU rather than a licence to occupy. Awaiting draft from them, which we’ll share with the Beautification Group. Also now have approval we can reinstall the signs under the existing Resource Consent from the Planning team. 04/06/2021: Agreement reached with NZTA, awaiting counter signing it. Quotes being sought for reinstall through FBG. 15/06/21: Members requested an update of when the signs would be completed. 23/07/21: The agreement with NZTA has been counter signed. Featherston Beautification Group is still seeking quotes which is taking time due to the availability of tradesmen. 24/9/21: To be picked up by Stefan Corbett, new Group Manager Partnerships and Operations, once he starts 27/9/21. 24/11/21: To be picked up in the New Year due to competing priorities. 28/07/21: Fab Feathy attending 3-Aug-21 MSC meeting. 24/9/21: FCB awaiting feedback from MSC 03/12/21: Action closed as per resolution FCB 2021/50
276	30-Jun-20	Action	FCB	Present the proposal to have a Māori name for Featherston as Paetumokai and a pou (carving) to the Māori Standing Committee	Actioned	24/9/21: FCB awaiting feedback from MSC 03/12/21: Action closed as per resolution FCB 2021/50
342	10-Aug-21	Action	FCB	Discuss going thirds with the other two community boards for home health assessment kits for the Featherston and Martinborough libraries	Actioned	03/12/21: Action closed as per resolution FCB 2021/53. FCB to purchase home health kit in full for the Featherston library
442	5-Oct-21	Action	FCB	FCB RESOLVED (FCB 2021/43): 1. to receive the Community Boards Notice of Motion from Claire Bleakley. (Moved Bleakley/Seconded Gray) Carried 2. to host the Greytown and Martinborough Community Boards for a meeting to discuss the Hammond-Robertson Report and the recommendation to develop community plans, look at the capability of community boards and adopt a community board charter. (Moved Bleakley/Seconded Gray) Carried	Open	2. 03/12/21: Dates for late January/early February to be explored by FCB
609	30-Nov-21	Action	S Corbett	Provide clarification on what a pond sludge survey is and the individual cost components.	Open	02/14/22: Update to be provided at 22/14/22 FCB meeting
611	30-Nov-21	Action	S Corbett	For Council Officers to contact Rhonda Jones of Featherston Beautification Group regarding the Welcome to Featherston signs.	Open	
615	30-Nov-21	Resolution	K Neems	FCB RESOLVED (FCB 2021/53): 1. To receive the Chairperson Report. (Moved Tahinurua/Seconded Bleakley) Carried 2. To approve funds of \$408 (including GST) to be paid to Phil Workman for Matariki Signs, to be funded from the beautification fund. (Moved Shepherd/Seconded Bleakley) Carried 3. To approve the quote for \$3070.00 + GST to fund the FlagTrax repair on Fitzherbert Street, funded from the beautification fund. (Moved Shepherd/Seconded Bleakley) Carried 4. To approve \$300 to purchase a Home Health kit for the Featherston library. (Moved Shepherd/Seconded Tahinurua) Carried	Actioned	02/14/22: Items added to I&E Report

# FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

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## AGENDA ITEM 9.3

### INCOME AND EXPENDITURE REPORT

#### **Purpose of Report**

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

#### **Recommendations**

Officers recommend that the Community Board:

1. *Receive the Income and Expenditure Statement for the period ending 31 January 22*

#### **1. Executive Summary**

The Income and Expenditure Statement for the period ending 31 January 2022 is attached in Appendix 1.

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

#### **Appendices**

Appendix 1 –Income and Expenditure Statement for the period ending 31 January 2022

Contact Officer: Hayley McDonald, Assistant Accountant

Reviewed By: Tania Fine, Assistant Accountant

**Appendix 1 – Income and Expenditure  
Report for the period ending 31  
January 2022**

## Featherston Community Board

Income & Expenditure for the Period Ended 31 January 2021

### Personnel & Operating Costs

#### Budget

Members' salaries	26,680.00
Mileage reimbursements	1,000.00
Operating expenses	7,000.00
<b>Total Personnel &amp; Operating Costs Budget 2021-2022</b>	<b>34,680.00</b>

#### Expenses

##### Personnel Costs

Members' Salaries	15,813.97
Mileage reimbursements	-
<b>Total Personnel Costs to 31 January 2021</b>	<b>9,415.14</b>

##### Operating Expenses

Honorarium payment to student rep (\$50 per meeting)	50.00
8/27/2021 Local Government NZ Community board levy 2021/22	275.00
12/23/2021 Business Cards Jayson Tahinurua	64.00

<b>Total Operating Expenses to 31 January 2021</b>	<b>389.00</b>
--	---------------

#### Committed funds

Resolution date	Original commitment	Spent to date	Remaining commitment
Members' Salaries	26,680.00	15,813.97	10,866.03
Mileage reimbursements	1,000.00	-	1,000.00
			-
<b>Total Commitments</b>			<b>11,866.03</b>

#### TOTAL OPERATING EXPENSE BUDGET AVAILABLE\*

**7,322.46**

\* remaining budget for personnel and operating expenses does not carry over into subsequent financial years

### Grants

#### Income

Annual Plan 2020-21 grant allocation	4,500.00
<b>Total Income for 2021-2022</b>	<b>4,500.00</b>

#### LESS: Grants paid out

8/10/2021 Featherston Organic Week	500.00	500.00
<b>Total Grants paid out to 31 January 2021</b>		<b>500.00</b>

#### LESS: Committed Funds

Resolution date			Original commitment	Spent to date	Remaining commitment
3/12/2019	Featherston Junior FC	Equipment & coaching in schools	500.00		500.00
5/19/2020	Wairarapa Citizens Advice Bureau	Day to day running costs	350.00	-	350.00
5/19/2020	Wairarapa Maths Association	Annual maths competition 2019-20	300.00	400.00	(100.00)
5/19/2020	Wairarapa Maths Association	Annual maths competition 2021-22	300.00	-	300.00
6/30/2020	Featherston Menz Shed	3-month wireless broadband	117.00	101.74	15.26
8/11/2020	Featherston Organics	Organic Week - contribution to costs	500.00	426.33	73.67
9/22/2020	Featherston Xmas Parade	Running costs	300.00		300.00
11/30/2021	Featherston Library	Home Health Kit	300.00		300.00
Total Commitments			1,738.93		

#### PLUS: Balance Carried forward from previous year

**2,823.06**

#### TOTAL GRANTS FUNDS AVAILABLE

**5,084.13**

## Featherston Community Board

### Beautification Fund for the Period Ended 31 January 2021

#### Income

Annual Plan 2021-2022 allocation	11,000.00
<b>Total Income 2021-2022</b>	<b>11,000.00</b>

#### Beautification grants - operating

7/1/2021	Flexilight	Lighting for Oak Tree NearFell locomotive Museum, Info Centre and Town Centre	895.65
10/28/2021	Climb and Cut	Lighting for Oak tree NearFell locomotive Museum	650.00
<b>Total Beautification grants - operating to 31 January 2021</b>			<b>1,545.65</b>

#### Beautification grants - capital

<b>Total Beautification grants - capital to 31 January 2021</b>	<b>-</b>
---	----------

#### LESS: Committed Funds

Resolution date		Original commitment	Spent to date	Remaining commitment
9/22/2020	St Teresa's School	1,000.00	895.65	104.35
12/15/2020	OneSource Ltd	2,610.00	2,304.00	306.00
6/15/2021	Flexilight	5,000.00	1,545.65	3,454.35
11/30/2021	Phil Workman	354.78		354.78
11/30/2021	Fitzherbert St	3,070.00		3,070.00
<b>Total Commitments</b>				<b>7,289.48</b>

**PLUS: Balance Carried forward from previous year** **21,513.05**

**TOTAL BEAUTIFICATION FUNDS AVAILABLE** **23,677.92**

# FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

## AGENDA ITEM 9.4

### DEVELOPMENT OF THE PAETŪMŌKAI, FEATHERSTON MASTERPLAN

#### Purpose of Report

To engage the Featherston Community Board in the development of the Paetūmōkai, Featherston Masterplan.

#### Recommendations

Officers recommend that the Featherston Community Board:

1. *Receive the Development of the Paetūmōkai, Featherston Masterplan Report.*
2. *Note that engagement with the Featherston Community Board will include facilitated elected representatives workshops on early drafts, ongoing formal reports to the Board to keep the Board updated, participation in public meetings, and the opportunity to provide written feedback.*
3. *Identify any matters that are considered by the Board to be important to be covered in the masterplan.*
4. *Note that a public meeting/workshop to be facilitated by Ree Anderson, Consultant has been planned for the evening of Wednesday 30 March in the Anzac Hall, 62 Bell Street to allow for early input from the community in the development of the masterplan. Covid protocols such as social distancing will be observed.*

#### 1. Executive Summary

In 2021, the Council adopted the South Wairarapa Spatial Plan-Step 1 Residential Growth Areas. See link: <https://swdc.govt.nz/wp-content/uploads/1.-South-Wairarapa-Spatial-Plan.pdf>

The District-wide Spatial Plan identified Featherston as a Growth Node, with masterplanning for the growth node being prioritised in the Council's 2021-31 Long Term Plan (LTP). To enable the masterplan to be developed in 2022, a Registration of Interest (ROI) process was initiated in late October 2021 and through this process consultants, Ree Anderson Ltd and Richard Knott Ltd have been appointed by the

Council to assist it with the development of the Paetūmōkai, Featherston Masterplan. Ree and Richard will be working alongside Council staff and with the Community Board, iwi, the wider community and stakeholders to develop the masterplan.

Work on the masterplan commenced in January 2022. To date, site visits of Paetūmōkai, Featherston have been undertaken, background evidence has been sourced that will help to underpin the masterplan. A meeting has been held with the Chair of the Council's Maori Standing Committee to seek advice on the appropriate way to engage with mana whenua and matawaka. An initial conversation has been held with the Chair Wairarapa Economic Development Strategy Governance Group. Meetings in February 2022 have also been arranged with staff from the relevant central and local government agencies including the Greater Wellington Regional Council, Waka Kotahi and Kainga Ora. Meetings with staff from the neighbouring councils are also being arranged.

Council staff and the consultants are keen to engage early with the Featherston Community Board and receive their input and advice on engagement with the community and hear their views on what are important matters to be included in the Masterplan. Hence this report to the Community Board. It is noted that following liaison with Community Board Chair an evening public meeting/workshop is planned for Wednesday March 30<sup>th</sup> in Featherston to enable the wider community early input into the plan. Also, a Foundation Discussion Document will be drafted to allow for informal consultation and feedback on masterplan options. It is anticipated that this document will be completed by the end of April 2022.

## **2. Background**

On 8 December 2021, after community, iwi and stakeholder engagement, the Council finalised and adopted the South Wairarapa Spatial Plan-Step 1 Residential Growth Areas.<sup>1</sup> This Plan sets the long term direction for the district - protecting what is valued by the community while also enabling change, growth and new opportunities. The District's Spatial Plan took account of national and regional directions including being guided by the National Policy Statement - Urban Development 2020 (NPS-UD), the Greater Wellington Regional Growth Framework (GWRF) and Regional Policy Statement.

One outcome of the South Wairarapa Spatial Plan is the identification of Paetūmōkai, Featherston as a Future Growth Node - referred to as an Urban Renewal Area in the Greater Regional Growth Framework.

Through the Council's district spatial plan process Paetūmōkai, Featherston has been prioritised as the first town in South Wairarapa to be masterplanned.

Masterplanning includes developing a plan for Paetūmōkai, Featherston that integrates transport, housing, recreation reserves, infrastructure, community facilities, land use patterns, iwi and community aspirations. It will build on existing work such as the work of Pae Tū Mōkai o Tauira, Fab Feathy, the Wairarapa Economic

<sup>1</sup> See: <https://swdc.govt.nz/wp-content/uploads/1.-South-Wairarapa-Spatial-Plan.pdf>

Development Strategy and will include iwi and community input as well as the involvement of central and regional government agencies and neighbouring councils. On 27 October 2021, the Council called for Registrations of Interest (ROI) from suitably qualified persons to develop a masterplan for Paetūmōkai, Featherston. In December 2021, following the ROI process, Ree Anderson Consulting Ltd and Richard Knott Ltd who submitted a joint proposal to develop the masterplan for Paetūmōkai, Featherston were awarded the contract for masterplanning services.

Ree and Richard have complementary specialist skills that cover spatial and masterplanning, urban design, heritage, facilitation, housing, community and iwi engagement. They will be attending and introduced at the Community Board's meeting.

### 3. Discussion

#### 3.1 Community consultation

In addition to undertaking one-on-one stakeholder engagement including with community organisations such as Fab Feathy, engagement will include holding a public meeting/workshop in late March to hear from the wider community about their views for the future of Paetūmōkai, Featherston. This will then help shape the Foundation Discussion Document. An high level overview of the programme to complete the Paetūmōkai, Featherston Masterplan by 30 November 2022 is shown in Table 1 below.

**Table 1:**

The Paetūmōkai, Featherston High -level Masterplan Programme											
Activity	Jan 22	Feb 2022	March 22	30 April 22	May 22	June 22	July 22	Aug 22	Sept 22	Oct 22	30 Nov 22
Site visits, Evidence Engagement	Evidential base	Com Bd Iwi Stakeholder Engagement	Public meeting; Report to Maori SC	Public Release Foundation Document	Informal Feedback						
Featherston Masterplan Options Analysis			Development of options; testing feasibility			Draft Masterplan developed, Ctr Community Board Workshop		Draft MP Adoption			
Formal Consultation (Section 83 Local Government Act 2002)								Submissions on Draft MP /Hearings			
Submission Analysis -Formal reporting to Council										Council Deliberations	
Updated Masterplan Final Master Plan Adopted by Council											Final MP Adopt ed
Implementation with Partners and Community											
Annual Plan (2022/3)-Adjust as required (y 2)											Implementation Plan 2023+
Long Term Plan 2024-34											

#### 3.2 Legal Implications

The development of the draft Masterplan will include both informal consultation and engagement. Once a draft had been developed and approved by Council for the purpose of formal consultation, it will be notified for formal consultation, submissions and hearings under section 83 (Special Consultative Procedure) of the Local Government Act 2002.

### 3.3 Financial Considerations

There are no financial implications for this work which has approved budget in the 2021-31 Long Term Plan (LTP).

## 4. Conclusion

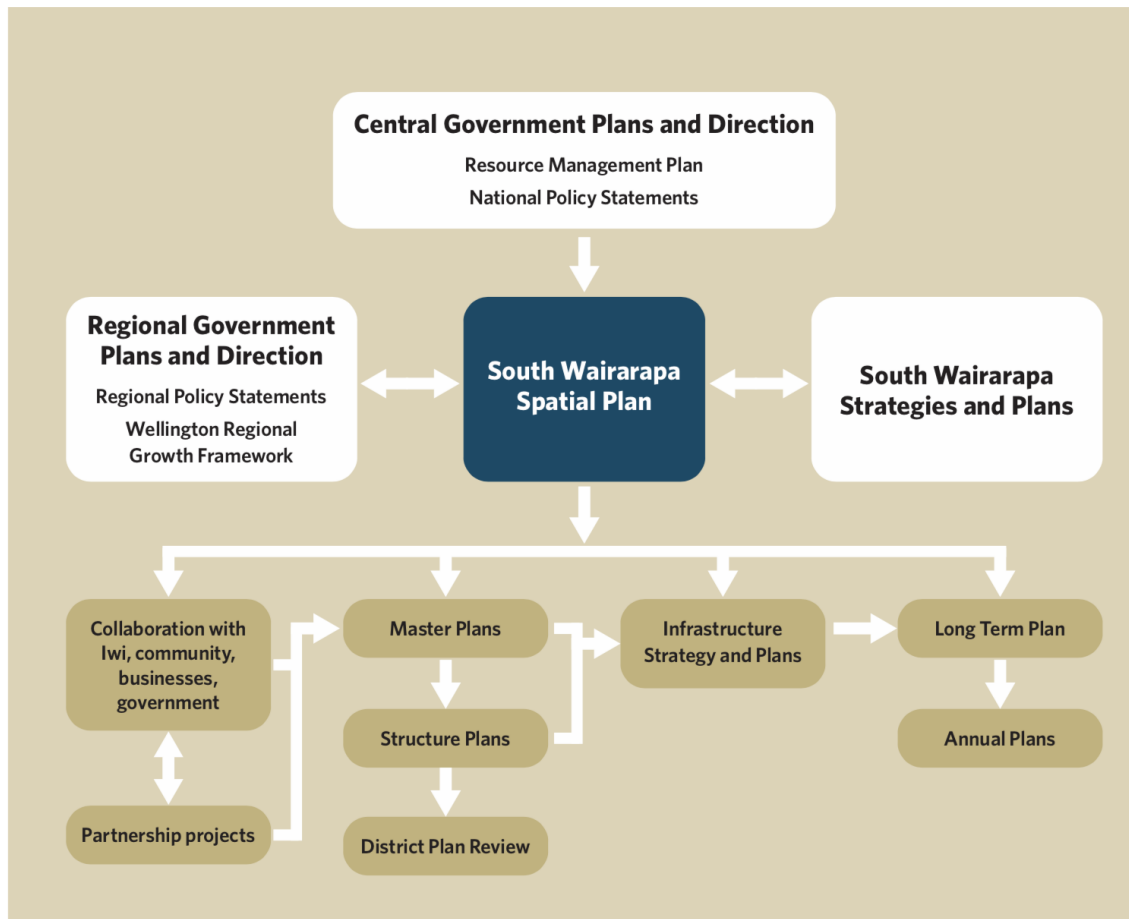
The Paetūmōkai, Featherston Masterplan is an opportunity to plan for the future of Featherston. Significant growth is occurring in Featherston. Evidence of this includes the number of building consents more than doubling from pre-2020 and all 3 primary school roles have shown increases in pupil enrolments over the last 2 years. This growth shows that Featherston is considered an attractive place to live; at the same time this growth brings new challenges such as the increase in house prices and rentals.

The Masterplan is an opportunity to be responsive to these challenges and opportunities.

## 5. Supporting Information

The following 2 Diagrams form the South Wairarapa Spatial Plan -Step 1 Residential Growth Areas shows the context within which the Featherston masterplan sits.





## 6. Appendices

Appendix 1 – Nil

Contact Officer: Kendyll Harper RM Planner, Russell O’Leary Group Manager

Reviewed By: Russell O’Leary, Group Manager Planning and Environment

## FEATHERSTON COMMUNITY BOARD

22 FEBRUARY 2022

### AGENDA ITEM 11.1

## CHAIRPERSON REPORT

### Recommendations

The chairperson recommends that the Community Board:

1. *Receive the Chairperson Report.*
2. *Consider making a submission on the removal of St consultation on removing St John's Anglican Church (Old) from the New Zealand Heritage List/Rārangī Kōrero.*

### 1. Meetings and Events

<i>Date</i>	<i>Past meetings or events</i>
10 December	Fell Museum tree lights operating.
17 January	Flagtrax repaired.
1 February	Covid Community Response group.
9 February	Site visit of damaged water supply pipe.

### 2. Tree lights

We finally managed to secure the arborist and electrician to install and connect the lights in the tree outside the Fell Museum which look great.

### 3. Flagtrax repaired

The Flagtrax repairs have been done and saved us around \$260 +GST as the work was completed quicker than originally thought. All Trax including those hit by vehicles have now been repaired, straightened and secured.

### 4. Covid Response group

This is a Featherston group set up to assist our community with whatever is needed if they are, but not limited to, being in isolation due to Covid. These services will cover all aspects of needs from food, firewood and medical deliveries to simply having someone to talk with. A funding request for printing

pamphlets (for a letterbox drop) and a mobile phone is being sought through FCB at this meeting. A phone is needed for community contact and will be manned on a roster system by members of the group.

## **5. Water pipe visit**

During the visit we were able to see the exposed pipe, which was originally laid beneath the river bed but now lying in the river itself. This exposure is due to 50 odd years of riverbed erosion which has destroyed approximately half of the concrete which originally encased the pipe. Discussions are being held between SWDC and Wellington Water around options for repairs and realignment, both immediate and long term. Costings of these repairs will also be set.

## **6. St John's Anglican Church**

We have received a request for consultation on removing St John's Anglican Church (Old) from the New Zealand Heritage List/Rārangī Kōrero ('the List') (See Appendix 1). Does the Board want to make a submission outlining views for/against, or making any further recommendations on the matter?

## **7. Flooding around Featherston**

I would like to have a discussion with the Featherston Community Board regarding Flooding around Featherston.

Report compiled by Mark Shepherd  
Chair  
Featherston Community Board

# **Appendix 1 - St John's Anglican Church**



HERITAGE NEW ZEALAND  
POUHERE TAONGA

## New Zealand Heritage List/Rārangi Kōrero – Review Report for a Historic Place **St John's Anglican Church (Old), FEATHERSTON (List No. 2869, Category 2)**

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St John's Anglican Church (Old), Featherston (Miranda Williamson, Heritage New Zealand, 19 October 2021)

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Miranda Williamson  
DRAFT: Last amended 26 January 2022  
Heritage New Zealand Pouhere Taonga

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### *Disclaimer*

Please note that entry on the New Zealand Heritage List/Rārangī Kōrero identifies only the heritage values of the property concerned, and should not be construed as advice on the state of the property, or as a comment of its soundness or safety, including in regard to earthquake risk, safety in the event of fire, or insanitary conditions.

Archaeological sites are protected by the Heritage New Zealand Pouhere Taonga Act 2014, regardless of whether they are entered on the New Zealand Heritage List/Rārangī Kōrero or not. Archaeological sites include 'places associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand'. This List entry report should not be read as a statement on whether or not the archaeological provisions of the Act apply to the property (s) concerned. Please contact your local Heritage New Zealand office for archaeological advice.

## **PURPOSE OF REVIEW**

The purpose of this review is to assess whether it is appropriate to remove the entry for St John's Anglican Church (Old), Category 2 historic place (List No.2869) from the New Zealand Heritage List/Rārangī Kōrero (the List).

The reason for the review is that St John's Anglican Church (Old) has been twice relocated and undergone significant modification since it was constructed circa 1872. It is no longer in use as a church or church hall. It is currently in use as a garage.

This review assessment concludes that removing St John's Anglican Church (Old) from the List is warranted and appropriate due to loss of heritage values.

## EXECUTIVE SUMMARY

This building, originally known as St John's Anglican Church, was built circa 1872 in Featherston. In 1902 it was moved to a new site at 49 Fox Street and used as a church hall for the newly built, second, St John's Anglican Church. It was again relocated in 1993 to an adjacent land parcel and was repurposed as a three-bay garage for the former vicarage at 52 Bell Street. The building has some historic significance as part of the early growth of Anglicanism in Featherston and its surrounds.

The Wairarapa region has a long history of Māori occupation. The first arrivals settled in Palliser Bay in the late 1300s. The first land sales to Pākehā occurred in 1853, including the Ōwhanga block on which the township of Featherston was founded. The township was surveyed in 1856 and named after Isaac Featherston (1813-1876), the superintendent of the Wellington province. These first Pākehā settlers brought religion with them and Anglican services in Featherston were delivered monthly from about 1862 by the Reverend William Ronaldson in the township's Land Office. The church, originally known as St John's Anglican, was built on land donated in 1872 by prominent Featherston resident James Crawford (1850-1914). Its original site was at the corner of Watt Street and Revans Street.

The burgeoning community soon outgrew the original church building. A new church, also known as St John's Anglican, was built at a more central Fox Street site and in 1902 the original church was dismantled and re-erected behind the new St John's Anglican in Fox Street. It had new purpose as a Sunday School room and meeting space for the new church in front of it. In 1953 the second church was moved back from the road to enable the construction of a new larger third Church, also called St John's Anglican which was built in 1962. The Anglican Diocese built a new Anglican hall and community centre on the Fox Street site. To make room for access to this new centre, the original church building was in 1993 relocated again to a place behind the neighbouring old vicarage at 52 Bell Street, where it was joined to the existing house to become a spacious three-bay garage.

Today (2021) the garage has two contrasting profiles. The north-western elevation is still recognisably a church structure but its opposite side has little heritage fabric and is clearly a garage. Due to its dramatic change in use from a church to church hall to garage, and extensive modification, the building no longer meets the threshold for entry on the New Zealand Heritage List/Rārangī Kōrero.

## **1. IDENTIFICATION<sup>1</sup>**

### **1.1. Name of Place**

*Name:*

St John's Anglican Church (Old)

*Other Names:*

St John's Church

### **1.2. Location Information**

*Address*

52 Bell Street

FEATHERSTON

Wairarapa

*Additional Location Information*

GPS: E1795439.56, N54458.46 (NZTM)

*Local Authority*

South Wairarapa District Council

### **1.3. Legal Description**

Sec 211 Town of Featherston (RT WN225/232), Wellington Land District

### **1.4. Extent of List Entry**

Extent includes part of the land described as Sec 211 (RT WN225/232), Wellington Land District and the building known as St John's Anglican Church (Old) thereon. (Refer to map in Appendix 1 of the List entry report for further information).

<sup>1</sup> This section is supplemented by visual aids in Appendix 1 of the report.

## 1.5. Eligibility

There is sufficient information included in this report to identify this place. This place is physically eligible for consideration as a historic place. It consists of a structure that is fixed to land which lies within the territorial limits of New Zealand.

## 1.6. Existing Heritage Recognition

### *Local Authority and Regional Authority Plan Scheduling*

SCHEDULED in Wairarapa Combined District Plan, Operative (25 May 2011), Appendix 1 Heritage Items, Ref. Hs112 [Old St Johns]. Alteration, addition, relocation and demolition are discretionary activities.

## 2. SUPPORTING INFORMATION

### 2.1. Historical Information

The Wairarapa region has a long history of Māori occupation, with the first arrivals settling in Palliser Bay in the late 1300s.<sup>2</sup> Small communities were established on the east side of the bay and were supported by fishing, hunting and kūmara cultivation. By 1600 these communities had moved on, most likely in response to resource depletion related to population growth.<sup>3</sup> Two major earthquakes the previous century may also have been contributing factors. Early iwi groups were Waitaha and Ngāti Māmoe, both of whom subsequently left Wairarapa for Te Waipounamu / the South Island.<sup>4</sup> Some of these people may also have moved inland to the central Ruamāhanga valley area, where permanent settlements were located after the coast was abandoned. Later arrivals were Ngāti Ira, Rangitāne and Ngāti Kahungunu. Ngāti Ira later relocated to Te Whanganui-a-Tara / Wellington, while Rangitāne and Ngāti Kahungunu forged a largely peaceable co-existence in Wairarapa, with conflict tempered by intermarriage.<sup>5</sup>

<sup>2</sup> Ben Schrader, 'Wairarapa region - Māori settlement', *Te Ara - the Encyclopedia of New Zealand*, 2007a, <http://www.TeAra.govt.nz/en/wairarapa-region/page-5> (accessed 12 August 2019).

<sup>3</sup> Roberta McIntyre, *The Canoes of Kupe: A History of Martinborough District*, Wellington: Victoria University Press, 2002, p.19.

<sup>4</sup> *ibid.*, p.21.

<sup>5</sup> *ibid.*, p.22; Schrader, 2007a; Waitangi Tribunal, *The Wairarapa Ki Tararua Report. Volume I: The People and the Land*, Wellington: Legislation Direct, 2010, pp.3-4.

During the so-called musket wars period the region was invaded on a number of occasions: in the early 1820s by Ngāti Whātua and Ngāti Maniapoto, and from the mid-1820s through the following decade by Taranaki tribes, in particular Te Āti Awa.<sup>6</sup> Rangitāne people found a temporary safe haven in the Puketoi and Tararua mountain ranges, while Ngāti Kahungunu made a series of migrations north to Nukutaurua on the Māhia Peninsula. However, Ngāti Kahungunu leaders kept an eye on their Wairarapa rohe and sent taua or war parties back to fight the invaders. They returned for good in the early 1840s when peace was made with Te Āti Awa.<sup>7</sup> The western boundary between the two iwi was the Remutaka and Tararua ranges, of which the Ngāti Kahungunu rangatira Tūtepākihirangi said: 'I will call those mountains our shoulders; the streams that fall down on this side are for you to drink; on the other side for us'.<sup>8</sup>

By then Pākehā explorers were assessing the settlement potential of Wairarapa and in 1844 Wellington settlers leased grazing land off Ngāti Kahungunu and brought the first sheep and cattle into the region.<sup>9</sup> The first land sales occurred in 1853, including the Ōwhanga block, on which the future town of Featherston would be founded.<sup>10</sup> It had previously been the site of Henry Burling's accommodation house and known as Burlings; Kawaewae and Paeotumokai were the Māori names for the area.<sup>11</sup> The town was surveyed in 1856 and named after Isaac Featherston, the superintendent of the Wellington province.<sup>12</sup> Featherston was divided into town and suburban sections.

Reverend Thomas Biddulph Hutton (1813-1876) of Lower Hutt made sporadic visits to the Wairarapa to minister to Anglicans in the area from 1855.<sup>13</sup> Regular Anglican services in Featherston became a monthly event from about 1862.<sup>14</sup> These services were delivered by

<sup>6</sup> McIntyre, 2002, pp.25-27.

<sup>7</sup> *ibid*, p.33; Schrader, 2007a; Waitangi Tribunal, 2010, p.14.

<sup>8</sup> Quoted in McIntyre, 2002, p.33.

<sup>9</sup> *ibid*, pp.39-42.

<sup>10</sup> *ibid*, p.66; H. Hanson Turton, 'Deeds – No. 115 Owhanga Block (Featherston), Wairarapa District', *Maori Deeds of Land Purchases in the North Island of New Zealand: Volume Two*, Wellington: George Didsbury, 1878, pp.295-96.

<sup>11</sup> Ben Schrader, 'Wairarapa places - Featherston', *Te Ara - the Encyclopedia of New Zealand*, 2007b, <http://www.TeAra.govt.nz/en/wairarapa-places/page-8> (accessed 13 August 2019); Waitangi Tribunal, 2010, p.6; David Yerex, *Featherston: The First 150 Years: 1857-2007*, Featherston: Featherston Community Board, 2007, p.33.

<sup>12</sup> Schrader, 2007b.

<sup>13</sup> CJ Carle, *Gateway to the Wairarapa: The story of the tribulations and triumphs of the settlement of Featherston and district over the past 100 years, 1857-1957*, Featherston: Featherston Borough Council through the Featherston Centennial Book Committee, 1957, p.145.

<sup>14</sup> *ibid*, p.145.

Church Missionary Society missionary Reverend William Ronaldson (1823-1917) in Featherston's old Land Office.<sup>15</sup> His burgeoning Anglican flock required a church and a site, situated at the corner of Watt Street and Revans Street, was donated for this purpose in 1872 by James Crawford (1850-1914).<sup>16</sup> Crawford was the proprietor of Featherston's Royal Hotel and left a legacy of 'remarkable generosity' to the township.<sup>17</sup> The church, itself was constructed and a bell and communion table were purchased and installed, but this original church was never consecrated.<sup>18</sup> It soon proved to be unsuitable as its location was 'out of the way' and the seating 'inadequate'.<sup>19</sup> In 1894 a more central site on Fox Street was purchased at the initiative of Reverend Arthur Volkner Grace (1865-1944).<sup>20</sup>

At this new site in 1898 a new (second) St John's Church was designed by Frederick de Jersey Clere and constructed by builder William Benton at the Fox Street site for £325.<sup>21</sup> The new church was built to a quite different design and featured a prominent steeple. The original church from the site at the corner of Watt and Revans Streets was dismantled in sections and relocated to a site at the rear of the new Fox Street church. Rotten timber was removed, a galvanised iron roof was fitted, it was given two coats of paint and put to use as a parish hall for Sunday School and other meetings.<sup>22</sup>

In 1914 an acre of land adjoining the church, which fronted onto Bell Street, was given for the construction of a vicarage on the site.<sup>23</sup>

In 1953 the aging second church had rotten timber foundations and weak walls. It was moved back on the section to make way for a new church to be built on the same site.<sup>24</sup> In 1973 the second church was demolished.<sup>25</sup>

<sup>15</sup> 'Parochial District of Featherston: A Few Highlights of its History', St John's Featherston, p.3.

<sup>16</sup> David Yerex, *Featherston: The First 150 Years: 1857-2007*, Featherston: Featherston Community Board, p.76.

<sup>17</sup> Yerex, p.98.

<sup>18</sup> Carle, p.146.

<sup>19</sup> 'Parochial District of Featherston', p.5.

<sup>20</sup> 'Parochial District of Featherston', p.6.

<sup>21</sup> Plaque at site.

<sup>22</sup> 'Parochial District of Featherston', p.6.

<sup>23</sup> *ibid.*

<sup>24</sup> 'Parochial District of Featherston', p.10.

<sup>25</sup> Plaque at site.

The third church on the site, also known as 'St John's' was designed by architect Norman Frank Wilson (1901-1973) and its foundation stone was laid by Venerable Gordon Melville McKenzie (1898-1978), the Archdeacon of the Wairarapa in 1962.<sup>26</sup> With much celebration it was dedicated on 18 July the following year by the Bishop of the Diocese Right Reverend Henry Wolf Baines (1905-1972).<sup>27</sup> The scale of the building was in hopeful anticipation of the growth of Featherston and soon proved out of keeping with the scale of the rest of the township and its actual needs. In 2018 the church was demolished as the cost of earthquake strengthening it was deemed prohibitively high.<sup>28</sup>

This parcel of land at 49 Fox Street adjoins another parcel of land upon which sits on the former Anglican Diocese vicarage, at 52 Bell Street. This house was purchased from the Anglican Church by Peter and Jan Doyle in 1989. They set about renovating the property and landscaping the garden and in 1993 decided to purchase the hall/original church on the adjacent land parcel, move it onto their property and repurpose the structure as a three-bay garage.<sup>29</sup> Now attached to the rear of the former vicarage, it is not visible from Bell Street. They undertook extensive renovations to the building. This included replacement of much rotten timber, installation of three steel roller-doors, and re-roofing the building with coloursteel in 2012.<sup>30</sup>

The Anglican Church had decided to sell the original church/hall to provide better site access to a new hall/Anglican centre built at 49 Fox Street. In a small ceremony on 4 April 1993 the new centre was opened and dedicated by Reverend Thomas John Brown (1943-), Assistant Bishop of Wellington.<sup>31</sup>

#### *Associated List Entries*

N/A

<sup>26</sup> 'Parochial District of Featherston', p.11.

<sup>27</sup> *ibid.*

<sup>28</sup> 'Featherston church to be demolished due to earthquake strengthening costs', Stuff, 30 Oct 2017, <https://www.stuff.co.nz/national/98000489/featherston-church-to-be-demolished-due-to-earthquake-strengthening-costs>, Accessed 19 July 2021.

<sup>29</sup> Pers comm. Peter Doyle, 19 October 2021.

<sup>30</sup> *ibid.*

<sup>31</sup> Plaque at site.

### *Associated List Entries*

N/A

## **2.2. Physical Information**

### *Current Description*

The building known as St John's Anglican (Old) has twice been relocated, much modified and is now a garage situated in an established and well-tended garden at the rear of the original Anglican Diocesan vicarage at 52 Bell Street in Featherston. The original building has been overlaid with modern materials. The structure was added on to the house in 1993 by Jan and Peter Doyle after they purchased the property from the Anglican Diocesan in 1989. It is fixed to the building's rear and functions as a well-utilised garage and workshed space. It is not visible from the quiet suburban street known as Bell Street but is within earshot of trains passing through the nearby Featherston railway station.

Each elevation of the structure has a quite different and contrasting profile. The north-western elevation is still recognisably a neo-Gothic church structure and retains the original front entrance which sits within the porch, perpendicular to the main building. This porch is projecting with a small, steeply pitched gable, and is accessed through double doors which form a lancet/arch shape echoed by the lancet windows. This original entrance is no longer the main entrance but has been blocked off and now functions as a cupboard. There is a single small window light above its door. There are three lancet windows on the main elevation, each originally comprised of five lights in clear glass. The window furthest from the house has had the top two lights removed and replaced with a single pane of clear glass.

The south-western elevation has a single neo-Gothic window comprised of seven panes of glass. Beside this is a free-standing water tank with white plastic plumbing connected to the roof guttering.

The walls of the exterior are weatherboards and have been painted light grey. The decorative timber quoins, lancet window surrounds and rafters on the gable have been painted and picked out in white. These colours match with the colours of the adjacent house and provide visual continuity to the wider setting. In 2012 the garage was re-roofed with dark grey coloursteel.

Access to the garage is now only through three maroon roller-doors on the south-eastern elevation. Access is over a concreted pad that extends to form the floor of the garage which was newly constructed when the structure was moved to this site. There is a simple lean-to roof which extends from the garage to provide additional shelter. Clear corrugated plastic sheeting fixed to a framework of timber beams on the south-eastern side forms a wall.

Inside the roof trusses are exposed; the ceiling being clad with diagonally fixed sarking. The interior is accessed through three large roller doors. The central, concreted interior provides vehicle storage. Furthest from the house there is workshop space with sunlight admitted by a lancet window. A second level mezzanine constructed of timber provides further storage space.

#### *Construction Professionals*

Unknown

#### *Construction Materials*

Timber

Galvanised iron roof (completely reroofed and now coloursteel)

Glass windows

#### *Key Physical Dates*

c. 1872	Construction
1902	Relocation
1993	Relocation

#### *Uses*

Religion	Church (Former)
Religion	Church hall/Sunday School (Former)
Accommodation	Garage – Residential out-building

## **2.3. Chattels**

There are no chattels included in this List entry.

## 2.4. Sources

### *Sources Available and Accessed*

There was sufficient specific and background source material on this place. There are two very useful major histories of the township of Featherston, one by CJ Carle and one by David Yerex. No surviving architectural plans for the building were found. Two unpublished documents which provided essential information and photos were 'Parochial District of Featherston: A Few Highlights of its History', St John's Featherston, 1974 and 'Forward in Faith', Wells Organisation, Featherston: St John's, 1957. Both these documents are held at the Alexander Turnbull Collection at the National Library. Aerial photographs from Retrolens and Google Earth were useful to illustrate the movements of the various church structures on the Fox Street and Bell Street sites. Owner Peter Doyle provided additional information and photographic records of the 1993 relocation and extensive modifications to the property that were essential to understanding its more recent history. A site visit was conducted on 19 October 2021.

### *Further Reading*

CJ Carle, *Gateway to the Wairarapa: The story of the tribulations and triumphs of the settlement of Featherston and district over the past 100 years, 1857-1957*, Featherston: Featherston Borough Council through the Featherston Centennial Book Committee, 1957.

David Yerex, *Featherston: The First 150 Years: 1857-2007*, Featherston: Featherston Community Board, 2007.

## 3. SIGNIFICANCE ASSESSMENT<sup>32</sup>

### 3.1. Section 66 (1) Assessment

This place has been assessed for, and found to possess limited architectural and historical significance or value. It is considered that this place does not qualify as part of New Zealand's historic and cultural heritage.

Architectural Significance or Value

<sup>32</sup> For the relevant sections of the Heritage New Zealand Pouhere Taonga Act 2014, see Appendix 4: Significance Assessment Information.

This place has modest architectural significance as an example of a rural Anglican church with New Zealand Gothic features such as lancet windows and decorative elements such as quoins—more traditionally a feature of stone buildings—here replicated in timber. The two opposite elevations sit in striking contrast: the north-western elevation is still recognisably a church structure but its opposite side has little heritage fabric and is obviously a garage, dominated by the insertion of three large steel roller-doors and an awning stretching across from the adjoining residence.

#### Historical Significance or Value

Because it functioned as a church for 26 years, then as a church hall for a further 95 years, St John's Anglican Church (Old) has a historic association with the establishment of Anglican Church in the Wairarapa. Its history reflects the development of the township and surrounds of Featherston.

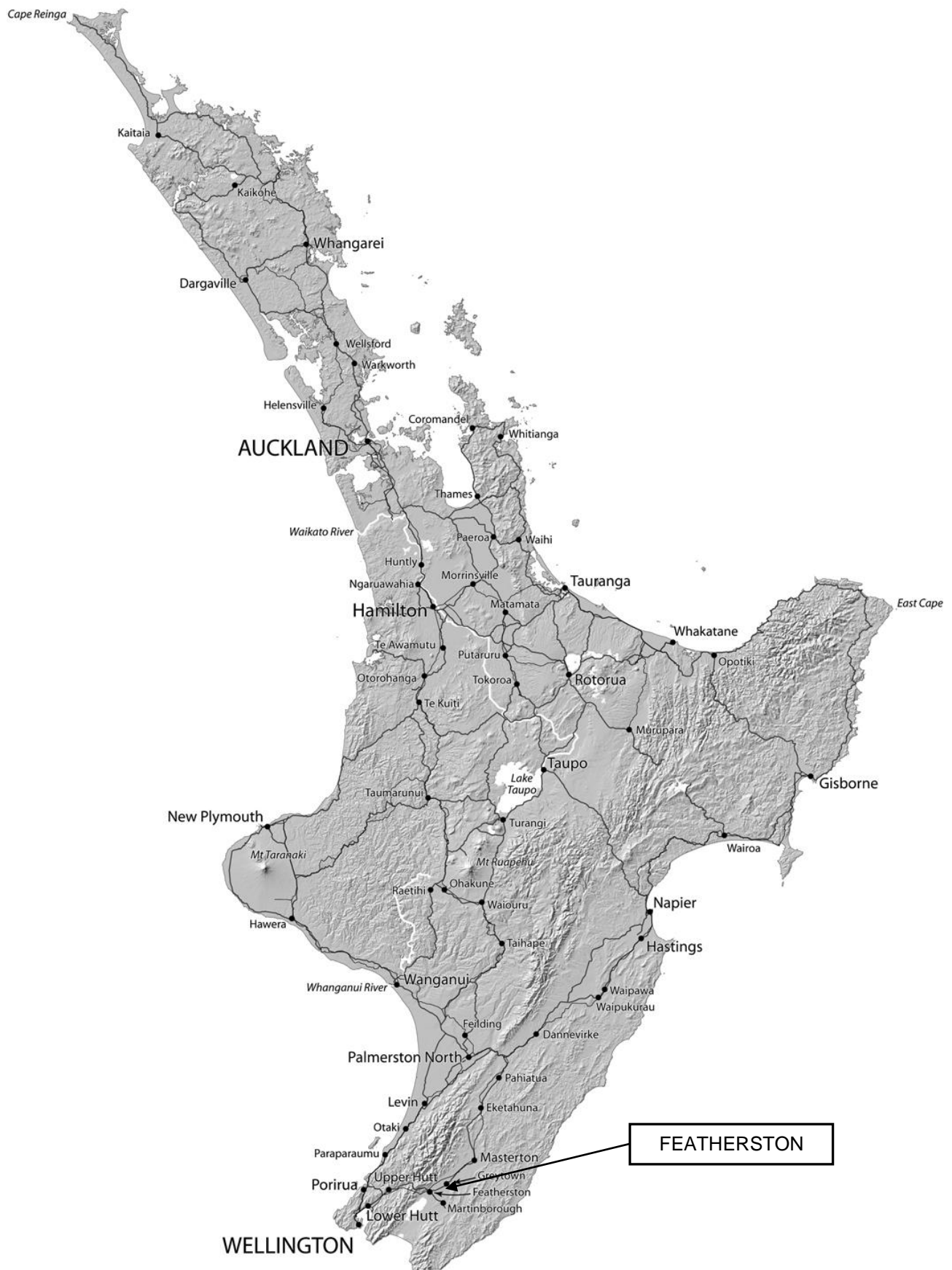
#### *Conclusion of Review*

Due to being twice relocated, no longer used to support the functioning of the local Anglican Church, and much modified, St John's Anglican Church (Old) (List No. 2869) has little historic significance or architectural value. First constructed as a church, today it has a new concrete floor, been partially reclad and has a radically different use as a garage and workshop at the rear of the property at 52 Bell Street. Though readable on one elevation as a former church, this aspect is wholly lost when viewed from other directions. Although relocated next to another building formerly used to support the functioning of the local Anglican church, the former vicarage and the former church are both now owned and used privately, and so this historical context has been diminished. For these reasons it is recommended that the entry for St John's Anglican Church (Old) (List No. 2869) be removed from the New Zealand Heritage List/Rārangī Kōrero.

## 4. APPENDICES

### 4.1. Appendix 1: Visual Identification Aids

#### *Location Maps*





Map showing original location of St John's Anglican Church (Old) at 49 Fox Street (green arrow), and its current location at 52 Bell Street, Featherston (red arrow). Source: Wairarapa Maps



The structure now sits on part of the land described as Sec 211 (RT WN225/232), Wellington Land District. Source: Quickmaps with Google overlay.

*Maps of Extent*



Extent includes part of the land described as Sec 211 (RT WN225/232), Wellington Land District and the building known as St John's Anglican Church thereon.  
Source: Pataka Map with Google overlay.

*Current Identifier*



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **WN225/232**

**Land Registration District** **Wellington**

**Date Issued** 22 May 1914

**Prior References**

WN26/172

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<b>Estate</b>	Fee Simple
<b>Area</b>	4047 square metres more or less
<b>Legal Description</b>	Section 211 Township of Featherston

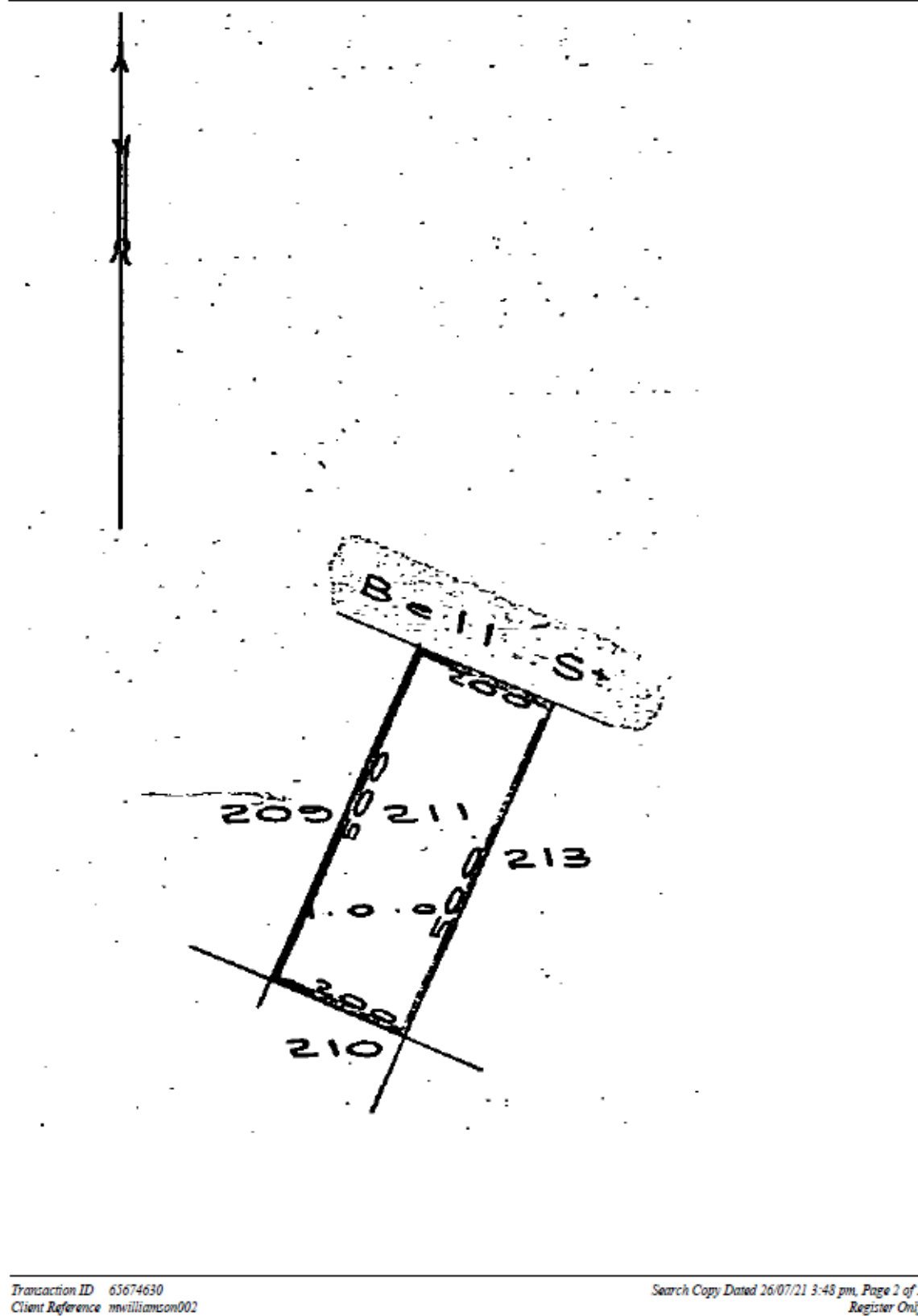
**Registered Owners**

Peter Murray Doyle as to a 1/2 share

Jan Maree Doyle as to a 1/2 share

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**Interests**



## 4.2. Appendix 2: Visual Aids to Historical Information

### *Historical Photographs*



Fig 1: St John's Anglican Church, 'Parochial District of Featherston: A Few Highlights of its History 1874-1974', 1974, p.4.



Fig 2 and 3: St John's Church (Old) on its second site. Heritage New Zealand Print Collection, Negative No: 3980/11/20, Date taken: 13 June 1975, Photographer: Elizabeth Hanson.

## 4.3. Appendix 3: Visual Aids to Physical Information

### *Current Photographs of Place*

All photographs Miranda Williamson, Heritage New Zealand, 19 October 2021.



Fig 4: The Northwest Elevation



Fig 5: The corner of the Southwest and Southeast Elevations



Fig 6: The interior. Photo courtesy of Jan and Peter Doyle



Fig 7: The interior. Photo courtesy of Jan and Peter Doyle

#### **4.4. Appendix 4: Significance Assessment Information**

Part 4 of the Heritage New Zealand Pouhere Taonga Act 2014

##### *Chattels or object or class of chattels or objects (Section 65(6))*

Under Section 65(6) of the Heritage New Zealand Pouhere Taonga Act 2014, an entry on the New Zealand Heritage List/Rārangī Kōrero relating to a historic place may include any chattel or object or class of chattels or objects –

- a) Situated in or on that place; and
- b) Considered by Heritage New Zealand Pouhere Taonga to contribute to the significance of that place; and
- c) Proposed by Heritage New Zealand Pouhere Taonga for inclusion on the New Zealand Heritage List/Rārangī Kōrero.

##### *Significance or value (Section 66(1))*

Under Section 66(1) of the Heritage New Zealand Pouhere Taonga Act 2014, Heritage New Zealand Pouhere Taonga may enter any historic place or historic area on the New Zealand Heritage List/Rārangī Kōrero if the place possesses aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological, or traditional significance or value.

##### *Category of historic place (Section 66(3))*

Under Section 66(3) of the Heritage New Zealand Pouhere Taonga Act 2014, Heritage New Zealand Pouhere Taonga may assign Category 1 status or Category 2 status to any historic place, having regard to any of the following criteria:

- a) The extent to which the place reflects important or representative aspects of New Zealand history
- b) The association of the place with events, persons, or ideas of importance in New Zealand history
- c) The potential of the place to provide knowledge of New Zealand history
- d) The importance of the place to tangata whenua
- e) The community association with, or public esteem for, the place
- f) The potential of the place for public education
- g) The technical accomplishment, value, or design of the place
- h) The symbolic or commemorative value of the place

- i) The importance of identifying historic places known to date from an early period of New Zealand settlement
- j) The importance of identifying rare types of historic places
- k) The extent to which the place forms part of a wider historical and cultural area

Additional criteria may be prescribed in regulations made under this Act for the purpose of assigning Category 1 or Category 2 status to a historic place, provided they are not inconsistent with the criteria set out in subsection (3).

Additional criteria may be prescribed in regulations made under this Act for entering historic places or historic areas of interest to Māori, wāhi tūpuna, wāhi tapu, or wāhi tapu areas on the New Zealand Heritage List/Rārangi Kōrero, provided they are not inconsistent with the criteria set out in subsection (3) or (5) or in regulations made under subsection (4).

NOTE: Category 1 historic places are 'places of special or outstanding historical or cultural heritage significance or value.' Category 2 historic places are 'places of historical or cultural heritage significance or value.'

# RĀRANGI KŌRERO – THE NEW ZEALAND HERITAGE LIST



HERITAGE NEW ZEALAND  
POUHERE TAONGA



COMPILED UNDER THE *HERITAGE NEW ZEALAND POUHERE TAONGA* ACT 2014, THE NEW ZEALAND HERITAGE LIST/RĀRANGI KŌRERO ('THE LIST') IDENTIFIES THE NATION'S HERITAGE PLACES, INCLUDING PĀ, WHALING STATIONS, CHURCHES, MEMORIALS, URUPĀ, MAUNGA TAPU, FARM BUILDINGS, BRIDGES, MINING SITES, PUNAWAI, THEATRES, SETTLEMENTS, PUBLIC AND COMMERCIAL BUILDINGS, HOTELS, BREWERIES, PUBLIC PARKS, AND DWELLINGS. THE LIST IS THE ONLY STATUTORY NATIONAL RECORD OF OUR RICH, SIGNIFICANT AND DIVERSE HERITAGE PLACES.

#### IMAGES:

- 1 Cover image: The Bath House, Rotorua Government Gardens (IMAGE: PHIL BRAITHWAITE FLICKR.COM)
- 2 Alberton, Auckland (IMAGE: AMANDA TRAYES)



## WHAT IS THE LIST?

The List identifies New Zealand's significant and valued historical and cultural heritage places. It is maintained by Heritage New Zealand Pouhere Taonga (Heritage New Zealand) and was formerly known as the New Zealand Historic Places Trust Register of historic places, historic areas, wāhi tapu and wāhi tapu areas, established under the *Historic Places Act 1993*. Its size, scale and national focus make the List one of the most important historical information resources in New Zealand.

## WHY IS THE LIST IMPORTANT?

### The List

- informs and notifies owners, the public, community organisations, government agencies and local authorities about significant heritage places; and
- is a source of information about historic places, historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu areas for the purposes of the *Resource Management Act 1991*.

- 3 Balclutha Bridge (IMAGE: SHELLEY MORRIS FLICKR.COM)
- 4 St Mary's Basilica, Invercargill (IMAGE: SHELLIE EVANS FLICKR.COM)
- 5 Chinese miner's hut, Chinatown near Arrowtown (IMAGE: ALLISON BENNET FLICKR.COM)



## WHAT'S ON THE LIST?

### The List is divided into five parts

- **Historic places** – such as archaeological sites, buildings, memorials
- **Historic areas** – groups of related historic places such as a geographical area containing a number of properties or structures, a heritage precinct or an historical and cultural area
- **Wāhi tūpuna** – places important to Māori for their ancestral significance and associated cultural and traditional values
- **Wāhi tapu** – places sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense such as maunga tapu, urupā, funerary sites and punawai
- **Wāhi tapu areas** – areas that contain one or more wāhi tapu.

### Only historic places on the List are assigned as

- **Category 1** – a place of special or outstanding historical or cultural significance or value, or
- **Category 2** – a place of historical or cultural significance or value.

## WHAT DOES ENTRY ON THE LIST MEAN?

The List is an information tool – it identifies and provides information on significant heritage places throughout New Zealand.

### Entry on the List

- does not equal automatic protection
- does not directly create regulatory consequences or legal obligations on property owners
- does not directly create specific rights or control over property
- can provide heritage funding opportunities
- can lead to heritage properties being considered for inclusion in district plan heritage schedules.

## HOW DOES THE LIST LINK WITH DISTRICT PLANS?

District plans are administered by local authorities and set out the changes that can be made to a property. Most district plans control proposed changes to heritage places and sites listed in the plans. Heritage New Zealand can get involved in this process and advocate for the retention of heritage values.

Local authorities are required to notify Heritage New Zealand if a building consent application is received regarding a property on the List. This allows Heritage New Zealand to offer conservation advice to property owners and local authorities. The fact that a property is included on the List should be noted on any relevant land information memorandum (LIM) supplied by a local authority.



## WHAT IS THE PROCESS FOR ENTRY ON THE LIST?

Anyone can nominate an historic place, historic area, wāhi tūpuna, wāhi tapu or wāhi tapu area for entry on the List by completing an application form available from Heritage New Zealand. Staff will then assess the application and, if the application has merit, the views of owners, iwi and other interested parties will be sought and a proposal prepared. The decision on whether to enter the proposal on the List will be made by the Heritage New Zealand Board, or in the case of wāhi tūpuna, wāhi tapu and wāhi tapu areas, the Māori Heritage Council.

The precise criteria for inclusion on the List are set out in the *Heritage New Zealand Pouhere Taonga Act 2014*. Generally speaking, a property need not be large or impressive to qualify for entry on the List, but it must have significant heritage values.

Historic places and historic areas must possess some type of aesthetic, archaeological, architectural, cultural, historic, scientific, social, spiritual, technological or traditional significance.

Decisions relating to the entry of wāhi tūpuna, wāhi tapu and wāhi tapu areas will be consistent with the views of iwi, hapū and whānau, or other relevant Māori interests with historical and cultural association in any particular place.

## CAN I VISIT PROPERTIES ON THE LIST?

Most properties on the List are privately owned, and their inclusion on the List does not imply that they are open to the public or available for any form of viewing. Some are owned by Heritage New Zealand, by local authorities or by other public groups and may be visited. Local visitor information centres should be able to provide advice on heritage properties open to the public.

## WHAT INFORMATION IS KEPT ON THE LIST?

The List contains detailed information about a diverse range of New Zealand's heritage places. The amount of information contained in the List varies between entries and is supported by paper files.

### Some of the information Heritage New Zealand holds about properties on the List includes

- Location (e.g. address, legal description)
- Date of construction or age
- Description
- History of the place
- Function of the property including current and former uses
- Architectural, archaeological and traditional information
- Photographs – contemporary and historic.

## WHERE CAN I FIND THE LIST?

### Paper copy

A paper copy of the List is available in all Heritage New Zealand offices. Your local city or district council also holds an updated copy of the List and details of proposed List entries in their particular area.

### Online

An online version of the List is also available and is regularly updated after each meeting of the Heritage New Zealand Board and Māori Heritage Council.

Please see: [www.heritage.org.nz/the-list](http://www.heritage.org.nz/the-list) 



# FURTHER INFORMATION

1



If you'd like to find out more about the List please contact or visit any one of our Regional or Area Offices:

## Northern Regional Office

Premier Buildings  
Level 2, 2 Durham Street East  
Private Box 105-291,  
Auckland 1143  
Ph: (64 9) 307 9920  
[infonorthern@heritage.org.nz](mailto:infonorthern@heritage.org.nz)

## Central Regional Office

Level 7, 69 Boulcott Street  
PO Box 2629  
Wellington 6140  
Ph: (64 4) 494 8320  
[infocentral@heritage.org.nz](mailto:infocentral@heritage.org.nz)

## Southern Regional Office

International Antarctic Centre  
38 Orchard Road  
PO Box 4403  
Christchurch Mail Centre, 8140  
Ph: (64 3) 357 9629  
[infosouthern@heritage.org.nz](mailto:infosouthern@heritage.org.nz)

## Northland Area Office

Level 1, 62 Kerikeri Road  
PO Box 836,  
Kerikeri 0245  
Ph: (64 9) 407 0470  
[infonorthland@heritage.org.nz](mailto:infonorthland@heritage.org.nz)

## Lower Northern Area Office

Level 1, 28 Wharf Street  
PO Box 13339,  
Tauranga 3141  
Ph: (64 7) 577 4530  
[infolowernorthern@heritage.org.nz](mailto:infolowernorthern@heritage.org.nz)

## Otago / Southland Area Office

Level 4, 109 Princes Street  
PO Box 5467,  
Dunedin 9058  
Ph: (64 3) 477 9871  
[infodeepsouth@heritage.org.nz](mailto:infodeepsouth@heritage.org.nz)

**Free phone 0800 HERITAGE**

## IMAGES:

- 1 The tohu maumahara at Rangiriri (IMAGE: AMANDA TRAYES)
- 2 T Gilchrist and Sons General Store, Oturehua (IMAGE: SHELLEY MORRIS FLICKR.COM)

27 January 2022

File ref: 12004-458

List No. 2869

Harry Wilson  
Chief Executive Officer  
South Wairarapa District Council  
PO Box 6  
MARTINBOROUGH 5711  
harry.wilson@swdc.govt.nz

Dear Harry

**We're reviewing the entry of St John's Anglican Church (Old), FEATHERSTON on the New Zealand Heritage List**

We're writing to let you know that we're reviewing the entry of St John's Anglican Church (Old), Fox Street, Featherston – to be reviewed as St John's Anglican Church (Old), 52 Bell Street, Featherston - on the New Zealand Heritage List/Rārangi Kōrero ('the List'). The List No. is 2869.

We're also writing to others who may be interested and placing a public notice in *Wairarapa Times-Age* on 2 February 2022 and on our website, [www.heritage.org.nz](http://www.heritage.org.nz).

**Please read the attached information**

We've attached a report that explains why we are reviewing the List entry for St John's Anglican Church (Old): the building has been twice moved and heavily modified. Our review recommendation is that the entry is removed from the List. You can get more copies of the report from our office or website — visit [www.heritage.org.nz/the-list/notified-proposals-and-reviews](http://www.heritage.org.nz/the-list/notified-proposals-and-reviews) from 2 February 2022. We've also enclosed a brochure telling you more about the List.

**Please tell us what you think of the review recommendation**

You have 20 working days under the statutory listing process to write to us about the review. If you would like to provide a written submission, we'll need to receive this by 2 March 2022. A submission may outline views for or against a review recommendation, or raise issues to be considered. Submissions may also provide specific feedback on the report, such as suggested changes or additions.

Please advise us in writing if you need more time to make a submission — we may be able to extend the submission period by up to 20 working days (to a total of 40) if needed.

Address letters to:

Blyss Wagstaff  
Acting Area Manager, Central Region  
PO Box 2629  
WELLINGTON 6140

### **We'll consider all submissions and share the outcome with you promptly**

The Heritage New Zealand Board will consider the review and all submissions as soon as possible. We'll write to you again to let you know what the Board decides.

### **What it means to be on the List**

The List identifies and provides information on New Zealand's important heritage places. Listing does not directly prevent any changes to a property or create specific rights or controls. Entry on the List isn't recorded on the property's Record of Title and doesn't form any encumbrances (legal restrictions or limitations on the title).

We're here to support owners in managing their properties (including any necessary changes) so that the important heritage values are retained. We offer free advice to owners of listed properties.

Listing may also provide access to heritage funding opportunities. These include our National Heritage Preservation Incentive Fund, which funds conservation work to places of heritage significance in private ownership.

If the property is confirmed on the List, the local authority will note the List entry on all future:

- building consents
- Project Information Memorandums
- Land Information Memorandums.

If the property may be sold to an overseas buyer, the Overseas Investment Office may consider the property's heritage values when deciding if the property is 'sensitive land' under the Overseas Investment Act 2005. If the property is deemed sensitive land, an overseas buyer must get special consent to buy it. Find out more at [www.linz.govt.nz/overseas-investment](http://www.linz.govt.nz/overseas-investment).

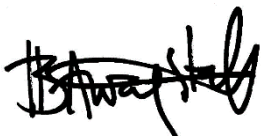
### **Our recommendation for this property**

Our recommendation for this property is that it is removed from the List, and that South Wairarapa District Council consider whether the place merits retention in the Wairarapa Combined District Plan heritage schedule.

### **Contact us for more information**

If you have any questions about this review, please contact Miranda Williamson, Heritage Assessment Advisor at 04 260 4782 or [mwilliamson@heritage.org.nz](mailto:mwilliamson@heritage.org.nz).

Yours sincerely



Blyss Wagstaff  
Area Manager (Acting), Central Region

*Attachments: Review report and brochure  
cc. Manager Heritage Listing, Heritage New Zealand*

MEMBER REPORT  
for  
Featherston Community Board Meeting  
22 February 2022

Member Name	Claire Bleakley
General	<p>Regarding the <b>Featherston Town Centre</b> (Squirle) are the SWDC going to finish the town centre and when?</p> <p>When are the <b>Featherston Welcome</b> signs going to be re assembled? Presented is the final report on the Featherston Organic programme.</p> <p>I have had correspondence from members of the Featherston and Greytown Community to ask if it the FCB could ask the Council to open the libraries to people who do not have a vaccine pass at certain times each week.</p> <p>I did address this through the Mayor and he advised that "You have the ability to request, as a community board, research to be undertaken to direct your decisions. You do this by resolution, and apportion costs accordingly, and arrange with council officers to assist in the research.</p> <p>Can you forward the research already done that formed your representative decision to send the email based on concerns of the Community?</p> <p>To my knowledge, the operational decision regarding vaccine passes did not require research.</p> <p>I will ask for guidance from LGNZ regarding your response that you were acting as an elected official."</p> <p>I would like to ask that the FCB support this recommendation to work with council officers to assist in this research.</p> <p>Claire Bleakley 12 February 2022</p>