

## Agenda

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### Notice of Meeting

An ordinary meeting will be held in the Supper Room, Waihinga Centre, Martinborough on Wednesday, 30 November 2022 starting at 6:30pm.

### Membership of the Community Board

Mel Maynard (Chair), Storm Robertson (Deputy Chair), Angela Brown, Karen Krogh, Councillor Pip Maynard and Councillor Aidan Ellims

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### Public Business

#### Member Declaration

Declaration by Angela Brown

1. **Extraordinary Business**
2. **Apologies**
3. **Conflicts of Interest**
4. **Acknowledgments and Tributes**
5. **Public Participation**
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: Minutes of the first meeting of the triennium for Council and community boards held on 26 October 2022 (Section F and G)

Pages 1-9

***Proposed Resolution:*** That section F and G of the minutes of the first meeting of the triennium for Council

*and community boards held on 26 October 2022 be confirmed as a true and correct record.*

## **8. Reports from Chief Executive and Staff**

- |     |  |             |
|-----|--|-------------|
| 8.1 | Adoption of 2023 Schedule of Ordinary Meetings Report  | Pages 10-14 |
| 8.2 | Establishment of and Appointments to Committees Report | Pages 15-21 |
| 8.3 | Regulatory Policies Report                             | Pages 22-55 |
| 8.4 | Pain Farm Report                                       | Pages 56-62 |
| 8.5 | Action Items Report                                    | Pages 63-66 |
| 8.6 | Income & Expenditure Report                            | Pages 67-73 |
| 8.7 | Financial Assistance Report                            | Pages 74-76 |
| 8.8 | Election of Chairperson Report                         | Pages 77-80 |

## **9. Member Reports**

- |     |                            |             |
|-----|----------------------------|-------------|
| 9.1 | Aidan Ellims Member Report | Pages 81-83 |
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**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

# DECLARATION

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

Dated at Martinborough this 30<sup>th</sup> day of November 2022

**Signature**.....

Signed in the Presence of:

.....  
**Mel Maynard, Martinborough Community Board Chair**



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

# DECLARATION

Ko ahau, ko Angela Brown, e oati ana ka whai ahau i te pono me te tōkeke, i runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua uhia ki runga i a au kia whiwhi painga mō te takiwā o Te Wairarapa ki te tonga hei mema o te pōari o hapori Martinborough, e ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei.

He mea whakaū tēnei i Martinborough i tēnei rā rua tekau ono rua o Oketopa i te tau rua mano rua tekau mā rua.

**Waitohu:** \_\_\_\_\_

**Waitohu mai ki mua i a:** \_\_\_\_\_

Mel Maynard, Martinborough Community Board Chair



**First Meeting of the Triennium for Council and  
community boards (Martinborough, Featherston and Greytown)  
Minutes from 26 October 2022**

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<b>Present (Council):</b>	Mayor Martin Connelly, Deputy Mayor Melissa Sadler-Futter, Councillors Martin Bosley, Aidan Ellims, Pip Maynard, Kaye McAulay, Alistair Plimmer, Rebecca Gray, Aaron Woodcock and Aidan Ellims.
<b>Present (Martinborough Community Board):</b>	Karen Krogh, Mel Maynard, Storm Robertson, Councillors Aidan Ellims and Pip Maynard.
<b>Present (Featherston Community Board):</b>	John Dennison, Warren Maxwell, Tui Rutherford, Annalise Schroeder, Councillors Rebecca Gray and Colin Olds.
<b>Present (Greytown Community Board):</b>	Louise Brown, Jo Woodcock, Warren Woodgyer, Councillors Aaron Woodcock and Martin Bosley.
<b>In Attendance:</b>	Harry Wilson (Chief Executive Officer), Amanda Bradley (General Manager Policy and Governance), Leanne Karauna (Principal Advisor Māori), Russell O’Leary (Group Manager Planning and Environment), Karon Ashforth (General Manager Finance), Sheil Priest (General Manager Communications and Engagement), Paul Gardner (General Manager HR and Corporate Services), James O’Connor (Partnerships and Operations Manager), James Witham (Planning Manager), Rick Mead (Environmental Services Manager), Stefan Corbett (Group Manager Partnerships and Operations), Tim Langley (Roading Manager), Rebecca Jamieson (Digital Communications Advisor), Kaity Carmichael (Committee Advisor), and Amy Andersen (Committee Advisor).
<b>Apologies:</b>	Angela Brown (Martinborough Community Board).
<b>Public Deputation:</b>	Don McCreary, Sarah Donaldson and Jack Cameron.
<b>Conduct of Business:</b>	The meeting was held in Pāpāwai Marae, Pā Road, Greytown and was conducted in public between 09.00am and 1:39pm.

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## Open Section

### A Powhiri

Elected members were called on to Pāpāwai Marae.

A morning tea was held from 10:05 to 10:42am.

Chief Executive Officer Harry Wilson in the Chair.

Mr Wilson also welcomed elected members.

## **B Apologies**

Apologies were received from Angela Brown.

## **C Laws Affecting Elected Members**

Mr Wilson delivered a briefing about the laws affecting elected members.

## **D Declarations of The Mayor and Councillors**

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

Mayor Martin Connelly, Councillors: Melissa Sadler-Futter, Martin Bosley, Aidan Ellims, Pip Maynard, Kaye McAulay, Alistair Plimmer, Rebecca Gray, Aaron Woodcock and Aidan Ellims.

Chief Executive Officer Harry Wilson vacated the Chair.

The Mayor assumed the Chair.

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

Mayor Connelly spoke to matters included in his report and discussed his intentions for the committee structure and the vacancies relating to the Wairarapa Combined District Plan Joint Committee.

Members discussed the committee structure and options for a workshop to co-create the terms of reference prior to the next ordinary meeting of Council. Mayor Connelly undertook to discuss the Wairarapa Combined District Plan Joint Committee vacancy with Brian Jephson.

Members debated meeting protocols and discussed standing orders.

### **E1. Mayoral Appointments**

*COUNCIL RESOLVED (DC2022/100) to:*

1. Receive the Mayoral Appointment Report.

*(Moved Mayor Connelly/Cr Maynard)*

Carried

*[Read together]*

2. Reaffirm the Māori Standing Committee with the following appointments in accordance with the Terms of Reference as attached in Appendix 3: Narida Hooper (Pae Tū Mokai o Tauria), Andrea Rutene (Ngāti Kahungunu ki Wairarapa), Karen Mikaera (Pae Tū Mokai o Tauria), Violet Edwards (Kohunui

Marae), Lola Kiel (Hau Ariki Marae), JD Smith (Hau Ariki Marae), Gillies Baker (Pāpāwai Marae), and Herewini Ammunson (Pāpāwai Marae).

3. Appoint Councillor Pip Maynard to the Māori Standing Committee, and as per the Terms of Reference (Appendix 2).
4. Approve following appointments to Community Boards:
  - a. Featherston – Councillors Rebecca Gray and Colin Olds.
  - b. Martinborough – Councillors Aidan Ellims and Pip Maynard.
  - c. Greytown - Councillors Aaron Woodcock and Martin Bosley.
5. Note the Mayor is appointed to the Civil Defence Emergency Management Group and the Wellington Regional Leadership Committee, and the Deputy Mayor is appointed the alternate on the Wellington Regional Leadership Committee, in accordance with the Terms of Reference.
6. Appoint Councillor Alistair Plimmer to the Wairarapa Combined District Plan Joint Committee, leaving a vacancy for one representative and one alternate to be confirmed at the next ordinary meeting of Council.
7. Approve the following appointments:
  - a. Cr Maynard to the Wellington Region Waste Management and Minimisation Plan Joint Committee;
  - b. Mayor Connelly to the Regional Transport Committee;
  - c. Mayor Connelly and Cr Sadler-Futter (alternate) to the Wellington Water Committee;
  - d. Cr Plimmer to the Wairarapa Road Safety Council; and
  - e. Lucy Cooper to the Cobblestones Trust Board.
  - f. Allan Hogg to the Destination Wairarapa Board.

*Items 2-7 (Moved Mayor Connelly/Seconded Cr Ellims)* Carried

8. Request that Council Officers provide a report on extra costs relating to the proposed committee structure.

*(Moved Cr Plimmer/Seconded Cr Olds)* Carried

Action 533: Schedule a workshop for Council to discuss the proposed committees and terms of reference with council officers, A Bradley

**E3. Members' Remuneration 2022/23 (Item Moved)**

Members discussed items outlined in the report and queried the impact of the proposed committee structure on members' remuneration.

*COUNCIL RESOLVED (DC2022/101) to:*

1. Receive the Members' Remuneration 2022/23 Report.

*(Moved Mayor Connelly/Seconded Cr Ellims)* Carried

2. Defer making a proposal to the Remuneration Authority on the split of the remuneration pool to the second round (due 27 January 2023), once councillor appointments and responsibilities are firmed up.  
*(Moved Mayor Connelly/Seconded Cr McAulay)* Carried  
*[Read together]*
3. Note that councillors will be paid the minimum allowable remuneration rate of \$18,855 until the amending determination is gazetted at which point councillors pay will be back dated.
4. Adopt the Members' Remuneration and Allowances Policy (PI-GSL-001), subject to any changes agreed at the meeting, noting that the revised policy replaces the Members' Remuneration Policy (A300) and the Conferences, Seminars & Training Policy (A500).
5. Agree that Appendix 1 of the Members' Remuneration and Allowances Policy (PI-GSL-001) will be updated by officers once the amending determination has been gazetted, and then annually to reflect the updated determination that takes effect from 1 July each year.  
*Items 3-5 (Moved Mayor Connelly/Seconded Cr Plimmer)* Carried

## **E2. Fixing of date and time for first ordinary meetings (Item Moved)**

Cr Ellims left meeting at 11:57am.

### *COUNCIL RESOLVED (DC2022/102):*

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.  
*(Moved Mayor Connelly/Seconded Cr Plimmer)* Carried
2. To adopt the revised 2022 schedule of ordinary meetings for Council, community boards and committees.  
*(Moved Mayor Connelly/Seconded Cr Sadler-Futter)* Carried

The meeting was adjourned at 12:03pm.

The meeting was reconvened at 12:09 pm, all of Council present.

The Mayor vacated the chair.

Chief Executive Officer Harry Wilson assumed the chair.

## **F Declarations of the Martinborough Community Board members**

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

Karen Krogh, Mel Maynard, Storm Robertson, Councillors Aidan Ellims and Pip Maynard.

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

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

*MCB RESOLVED (MCB2022/45):*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2022-2025 Report.  
*(Moved Maynard/Seconded Robertson)* Carried
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2022-2025 triennium.  
*(Moved Maynard/Seconded Robertson)* Carried

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

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

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

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

*(Moved Manyard/Seconded Cr Maynard)* that Storm Robertson be nominated as Martinborough Community Board Deputy Chair.

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

### **G2. Fixing of date and time for first ordinary meetings**

*MCB RESOLVED (MCB 2022/46):*

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.  
*(Moved Maynard/Moved Robertson)* Carried
2. To adopt the revised 2022 schedule of ordinary meetings for Council, community boards and committees.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.  
*(Moved Maynard/Seconded Krogh)* Carried

## **H Declarations of the Featherston Community Board members**

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

John Dennison, Warren Maxwell, Tui Rutherford, Annalise Schroeder, Councillor Colin Olds and Councillor Rebecca Gray.

## Featherston Community Board

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

#### 11. Election of Chairperson and Deputy Chairperson

*FCB RESOLVED (FCB2022/50):*

*[Read together]*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2022-2025 Report.
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2022-2025 triennium.

*Items 1-2 (Moved Rutherford/Seconded Cr Gray)*

Carried

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

*(Moved Dennison/Seconded Maxwell)* that Tui Rutherford be nominated as Featherston Community Board Chair.

There being no further nominations Mr Wilson declared Tui Rutherford as Featherston Community Board Chair.

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

*(Moved Maxwell/Seconded Schroeder)* that John Dennison be nominated as Featherston Community Board Deputy Chair.

Mr Wilson declared John Dennison as Featherston Community Board Deputy Chair.

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

*FCB RESOLVED (FCB2022/51):*

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.

*(Moved Schroeder/Seconded Cr Olds)*

Carried

*[Read together]*

2. To adopt the revised 2022 schedule of ordinary meetings for Council, community boards and committees, the first meeting of Featherston Community Board being amended to 30 November 2022.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

*Items 2-3 (Moved Warren/Seconded Dennison)*

Carried

### J Declarations of the Greytown Community Board members

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

Jo Woodcock, Warren Woodgyer, Louise Brown, Councillor Aaron Woodcock and Councillor Martin Bosley.

## **Greytown Community Board**

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

#### **K1. Election of Chairperson and Deputy Chairperson**

*GCB RESOLVED (GCB2022/56):*

*[Read together]*

1. To receive the Election of Chair and Deputy Chair of the Community Board 2022-2025 Report.
2. To adopt System A as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair for the 2022-2025 triennium.

*Items 1-2 (Moved Brown/Seconded Woodcock)*

Carried

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

*(Moved Woodgyer/Seconded Woodcock)* that Louise Brown be nominated as Greytown Community Board Chair.

There being no further nominations Mr Wilson declared Brown as Greytown Community Board Chair.

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

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

*(Moved Brown/Seconded Woodcock)* that Warren Woodgyer be nominated as Greytown Community Board Deputy Chair.

There being no further nominations Mr Wilson declared Warren Woodgyer as Greytown Community Board Deputy Chair.

#### **K2. Fixing of date and time for first ordinary meetings**

*GCB RESOLVED (GCB2022/57):*

*[Read together]*

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.
2. To adopt the revised 2022 schedule of ordinary meetings for Council, community boards and committees, the first meeting of Greytown Community Board being amended to 23 November at 7.00pm.
3. To delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.

Chief Executive Officer Harry Wilson vacated the chair.  
The Mayor assumed the Chair.

**L Decision Reports from the Chief Executive for Council**

Cr Ellims introduced Don McCreary, Sarah Donaldson (Rural Support Trust) and Jack Cameron (Hinekura Resident) who spoke in support of the Hinekura Farm Track report and highlighted the benefits of the farm track on the Hinekura community.

Members sought clarification from Mr McCreary on timeframes, costs and budgeting, the initial proposal, the number of affected residents and households, and management of the overall project.

Mr Corbett spoke to matters in the report and responded to members queries.

**L1. Hinekura Farm Track – additional budget request**

*COUNCIL RESOLVED (DC2022/103) to:*

1. Receive the 'Hinekura Farm Track - additional budget request' Report.  
*(Moved Cr Olds/Seconded Cr Gray)* Carried
2. Approve an additional \$40,000 (GST exclusive) of grant funding to Don McCreary to meet additional costs in the construction of the Hinekura farm track. The additional funding would be drawn from the Rural Road Reserve and provided to the applicant under the same terms and conditions as the original grant of \$100,000 (GST exclusive).  
*(Moved Cr Ellims/Seconded Cr Maynard)* Carried
3. Note arrangements and costs for the ongoing maintenance of the farm track are delegated by previous Council resolution to the CEO at an approximate cost of \$8000 per annum, to be drawn from the Rural Road Reserve as long as the farm track remains open and available for use.  
*(Moved Cr Woodcock/Seconded Cr Olds)* Carried

The Mayor declared the meeting closed at 1:39pm.

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

.....(Mayor)

.....(Date)

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

.....(Martinborough Community Board Chair)

.....(Date)

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

.....(Featherston Community Board Chair)

.....(Date)

**Section J and K confirmed as a true and correct record**

.....(Greytown Community Board Chair)

.....(Date)

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## Adoption of the 2023 Schedule of Ordinary Meetings

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### 1. Purpose

To provide the Martinborough Community Board with the schedule of ordinary community board and Māori Standing Committee meetings for 2023.

### 2. Recommendations

Officers recommend that the board:

1. *Receive the Adoption of the 2023 Schedule of Ordinary Meetings Report.*
2. *Consider the 2023 meeting schedule of Council, Committees and Community Boards.*
3. *Set a regular meeting time for the meetings of the Martinborough Community Board.*
4. *Delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.*

### 3. Executive Summary

Each year Council adopts a schedule of Council, committee and community board meetings for the following calendar year in accordance with schedule 7 cl19 of the Local Government Act 2002. This report provides the board with the 2023 schedule of ordinary meetings for consideration.

### 4. Background

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

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

***19 General provisions for meetings***

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

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

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

The Martinborough Community Board is being asked to consider the proposed schedule of meetings and set a start time for ordinary meetings.

## **5. Discussion**

### **5.1 Schedule of Meetings**

The draft 2023 meeting schedule for Community Boards and the Māori Standing Committee is provided in Appendix 1. This schedule may be amended at any time. Council has yet to decide the committee structure and meeting frequency for 2023.

There were several considerations that went into the creation of the 2023 meeting schedule.

- a. Where possible, Council meetings will be scheduled to take place on Wednesdays.
- b. Community Board meetings and Māori Standing Committee meetings are split across two weeks and held in the evening at a time that suits members.
- c. Avoid scheduling of Council meetings during school holidays.
- d. Māori Standing Committee and Community Board meetings are scheduled on a 6 weekly basis and alternate between Community Forums and formal meetings. This meeting cycle has been introduced based on feedback from members and with advice for LGNZ. It is designed to allow for less-formal community engagement and planning opportunities throughout the year.

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

### **5.2 Community Forums**

The shape and purpose of Community Forums has the potential to be created by the committee and will continue to operate within legislation and the code of conduct. Potential options for Community Forums include:

- Writing your community plan with community participation
- An annual plan submission development session
- Coordinate and co-deliver community training
- Run a session with community groups on how you could collaborate to improve delivery and access
- Request and support a community workshop on a specific topic
- Putting together a community submission on legislative change for Council approval
- Community drop-in sessions

- External guest speakers

### **5.3 Meeting Time and Venue**

The proposed start time for meetings of the Martinborough Community Board for 2023 is 6.30pm.

The preferred venue is the Supper Room, Waihinga Centre, Martinborough. If the preferred venue is not available at the time of the scheduled meeting an alternative venue will be secured and members will be notified.

## **6. Consultation**

### **6.1 Communications and Engagement**

The Chief Executive and general managers were consulted in the process of creating the 2023 meeting schedule.

The 2023 meeting schedule allows the Chief Executive to properly notify the public of the times and dates of meetings in accordance with Part 7 of the Local Government Official Information and Meetings Act 1987.

## **7. Financial Considerations**

Council consideration of the costs to hold meetings have been factored into existing Council budgets.

## **8. Appendices**

Appendix 1 – 2023 Schedule of Ordinary Meetings and Community Forums

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

# **Appendix 1 – 2023 Schedule of Ordinary Meetings and Community Forums**

2023	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2023
MON					1								MON
TUE					2			1					TUE
WED					3 GCB (Meeting) AP			2			1 Combined Council FCB (Meeting)		WED
THU		1	1		4 MCB (Meeting) AP	1		3			2		THU
FRI		2	2			2		4		1	3	1	FRI
SAT		3	3			3		5		2	4	2	SAT
SUN		4	4	1	4	4	1	6		3	5	3	SUN
	1 New Years Day	5	5	2	7	4	2	6		1	5	3	
MON	2 Public Holiday	6 Waitangi Day	6	3	8	5 King's Bday	3	7		4	6	4	MON
TUE	3	7 Wairarapa Committee	7 WRLC/CDEM/RTC	4	9 Wairarapa Committee	6	4	8 Wairarapa Committee		5	7	5 WRLC/CDEM/RTC	TUE
WED	4	8 GCB (Meeting)	8 Combined Council (MDC)	5 Council	10	7	5	9 FCB (Meeting)	6 GCB (Forum) FCB (Meet the Board)	4 FCB (Forum)	8 Council	6	WED
THU	5	9 MCB (Meeting)	9	6	11	8	6	10	7 MCB (Forum)	5	9	7	THU
FRI	6	10	10	7 Good Friday	12	9	7	11	8	6	10	8	FRI
SAT	7	11	11	8	13	10	8	12	9	7	11	9	SAT
SUN	8	12	12	9	14	11	9	13	10	8	12	10	SUN
MON	9	13	13	10 Easter Monday	15	12	10	14	11	9	13	11	MON
TUE	10	14	14 MSC (Forum)	11	16	13 WRLC/CDEM/RTC	11	15	12 Wairarapa Committee	10 MSC (Meeting)	14	12	TUE
WED	11	15	15	12	17 Council FCB (Meeting) AP	14 GCB (Forum) FCB (Meet the Board)	12 FCB (Forum)	16 Council	13	11	15	13 Council	WED
THU	12	16	16	13	18	15 MCB (Forum)	13	17	14	12	16	14	THU
FRI	13	17	17	14	19	16	14 Matariki	18	15	13	17	15	FRI
SAT	14	18	18	15	20	17	15	19	16	14	18	16	SAT
SUN	15	19	19	16	21	18	16	20	17	15	19	17	SUN
MON	16	20	20	17	22	19	17	21	18	16	20	18	MON
TUE	17	21	21 Wairarapa Committee	18	23	20	18 MSC (Meeting)	22	19 WRIC/CDEM/RTC	17	21 MSC (Forum)	19	TUE
WED	18 FCB (Forum)	22 Council FCB (Meeting)	22 GCB (Forum) FCB (Meet the Board)	19 Regulatory Hearings FCB (Forum)	24 AP Hearings	21	19	23	20 Council	18 GCB (Meeting)	22	20	WED
THU	19	23	23 MCB (Forum)	20 Regulatory Hearings	25 AP Hearings	22	20	24	21	19 MCB (Meeting)	23	21	THU
FRI	20	24	24	21	26	23	21	25	22	20	24	22	FRI
SAT	21	25	25	22	27	24	22	26	23	21	25	23	SAT
SUN	22	26	26	23	28	25	23	27	24	22	26	24	SUN
MON	23 Wgtn Anniversary	27	27	24	29	26	24	28	25	23 Labour Day	27	25 Xmas Day	MON
TUE	24	28	28	25 Anzac Day	30	27	25	29 MSC (Forum)	26	24 Wairarapa Committee	28	26 Boxing Day	TUE
WED	25		29	26	31 Combined Council (GW)	28 Council	26 GCB (Meeting)	30 Combined Council	27	25	29 GCB (Forum) FCB (Forum)	27	WED
THU	26		30	27 MSC (Meeting) AP		29	27 MCB (Meeting)	31	28	26	30 MCB (Forum)	28	THU
FRI	27		31	28		30	28		29	27		29	FRI
SAT	28			29			29		30	28		30	SAT
SUN	29			30			30			29		31	SUN
MON	30						31			30			MON
TUE	31 MSC (Meeting)									31			TUE

<b>COUNCIL</b>	District Council meeting
<b>MCB</b>	Martinborough Community Board
<b>FCB</b>	Featherston Community Board
<b>GCB</b>	Greytown Community Board
<b>MSC</b>	Māori Standing Committee
	School Holidays

## Establishment of and Appointments to Committees

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### 1. Purpose

To provide the Community Board with information on establishing committees/user groups and other appointments.

### 2. Recommendations

Officers recommend that the board:

1. *Receive the Establishment of and Appointments to Committees Report.*
2. *Consider the need to make appointments to community groups.*
3. *Appoint a Martinborough Community Board member as a representative to the Martinborough Greytown Wastewater Treatment Plants Community Liaison Group.*
4. *Appoint two Martinborough Community Board members as representatives to the Considine Park User Group.*
5. *Note the requirement to reappoint the student representative for the 2022-2025 triennium if the Community Board wishes to have a youth advisory position at formal meetings.*

### 3. Executive Summary

Schedule 7 of the Local Government Act 2002 (LGA) provides for local authorities to appoint the committees, subcommittees and other subordinate decision-making bodies that it considers appropriate, including joint committees with other local authorities (clause 30). This report provides the board with information on community board appointments.

### 4. Background

Schedule 7 of the Local Government Act 2002 (LGA) provides for local authorities to hold the meetings that are necessary for the good government of the region or district (clause 19); to appoint the committees, subcommittees and other subordinate decision-making bodies that it considers appropriate, including joint committees with other local authorities (clause 30); and to appoint or discharge any member of a committee or subcommittee (clause 31). Clause 30 (7) discharges all committees (unless otherwise resolved) at the end of every triennium.

Section 54(2) of the LGA says that “Part 1 of Schedule 7 (excluding clauses 15 and 33 to 36) applies to community boards, with all necessary modifications as if they were local authorities”. This being so, then clauses 30 and 31 apply to the appointment of committees and subordinate decision-making bodies of the community board.

The Council’s Standing Orders recognise that a local authority can convene an advisory group, such as a working party or forum, which is not a committee or subcommittee for the purposes of providing advice or information. Standing Orders do not apply to such advisory groups and such groups do not make decisions.

## 5. Appointments

### 5.1 Appointments Made in the 2022-2025 Triennium

The Martinborough Community Board is asked to consider an elected member appointment for the following groups:

Group	Position Description	Group Status/requirement for representation 22-25
Martinborough Greytown Wastewater Treatment Plants Community Liaison Group	Community Board representative (one)	Required
Considine Park User Group	Community Board representatives (two)	Required

For the purposes of this report, an appointment is an elected member who becomes a member of the group appointed to, attends meetings of the group, and represents the interests of the Community Board at meetings. A written member report back to Community Board meetings is required of any appointment.

In line with the Centennial Considine Park Management Plan, the board has established a Considine Park User Group with two representatives. The Terms of Reference for the user-group from the 2019/2022 triennium are in Appendix 1 and will be updated to reflect the 2022/2025 membership once confirmed. The group has a delegation within its Terms of Reference to recommend development activities for inclusion in the annual/long-term plan; make recommendations to the board on proposed changes to the Centennial and Considine Park Management and Development Plans; and to recommend a programme of development activities including funding priorities to Martinborough Community Board in line with the Centennial & Considine Reserve Management and Development Plan and the Wairarapa Combined District Plan.

There is a requirement to appoint a Community Board member to a Martinborough Greytown Wastewater Treatment Plants Community Liaison Group.

### 5.2 Chair Representation

The Community Board Chair is invited to review the meeting agenda for established Council committees and if items of interest are to be discussed, to attend and participate in debate. The Chair is not a member of these committees and does not have voting rights.

Agenda documents and meeting invitations will not automatically be sent to the Chair. Community Board Chairs are encouraged to subscribe to the agenda and minutes pages for these committees to receive update notifications.

### **5.3 Martinborough Youth Representative**

Martinborough Community Board can appoint a youth representative in an advocacy role with non-voting rights.

An honorarium payment of \$50 per ordinary meeting attended is paid to the student representative out of the Board's discretionary budget. The Electoral Act 2001 and LGA 2002 does not allow voting appointments to be made to community boards unless a person has been elected and/or appointed by Council.

Should the Board wish to appoint a student representative for the 2022-2025 triennium, a report could be brought forward to a future meeting for consideration.

### **5.4 Other Appointments – Community Requests**

The Martinborough Community Board may form relationships with community groups and may formally appoint members to these groups. If a formal appointment is made to external groups then that member is required to make regular reports back to the board and represent the interests of the board. Consideration would need to be given to declaring conflicts of interest at meetings where the board were being asked to make a decision in relation to the community group.

## **6. Financial Considerations**

There are no financial considerations for the recommended appointments.

## **7. Appendices**

Appendix 1 – Considine Park User Group Terms of Reference 2019-2022

Contact Officer: Kaity Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

# **Appendix 1 – Considine Park User Group Terms of Reference 2019-2022**



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

## **CONSIDINE PARK USER GROUP**

### **TERMS OF REFERENCE**

- User Group of:** Martinborough Community Board
- Chairperson:** Councillor Pam Colenso
- Membership:** Two members of the Martinborough Community Board  
A representative of the proprietor of the Camping Ground  
A representative of each lessee or licensee of an area within the park  
A representative of the tangata whenua, nominated by the Māori Standing Committee  
The Council officer with responsibility for the management of Parks and Reserves  
Two members to represent the wider community of residents and park users, to be appointed by the remaining members of the User Group. Candidates for membership may be proposed by other members of the User Group, the Martinborough Community Board, or selected from among those who express interest following advertisement.
- Appointments 19-22:** Councillor Pam Colenso (Martinborough Community Board), Michael Honey (Martinborough Community Board), Frank Cornelissen (Proprietor of Camping Ground), Matthew Fenwick (Martinborough Cricket), Martina Kershaw and Susan Kilsby (Wairarapa Pony Club)
- Quorum:** Five members, of whom at least one must be a member of the Martinborough Community Board.

## **1. Purpose**

- 1.1 To provide a mechanism for consultation with the community, tangata whenua, park users and other interest groups on matters affecting the ongoing management and development of Centennial and Considine Park.
- 1.2 To encourage community participation in the planning, development, management and maintenance of Centennial and Considine Park.
- 1.3 To provide for coordination between park users, including the discussion and resolution of issues.
- 1.4 To monitor the management and development of Centennial and Considine Park to ensure it is in accordance with statutory requirements, including Section 17 Reserves Act 1977, (recreation classification), the Centennial and Considine Reserve Management and Development plans, and the Wairarapa Combined District Plan.

## **2. Delegations**

### **The User Group is delegated the Power to Recommend:**

- 2.1 To make recommendations to the Martinborough Community Board on recommended Considine Park (including Martinborough Swimming Pool) development activities for inclusion in the annual/long-term plan.
- 2.2 To make recommendations to Martinborough Community Board for proposed changes to the Centennial and Considine Park Management and Development Plans.
- 2.4 To recommend a programme of development activities including funding priorities to Martinborough Community Board in line with the Centennial & Considine Reserve Management and Development Plan and the Wairarapa Combined District Plan.

## **3. Accountability and reporting**

- 3.1 The Considine Park User Group reports to the Martinborough Community Board.
- 3.2 A report of every meeting is to be submitted to the next meeting of the Martinborough Community Board.

## **4. Review**

The function and reconstitution of the User Group will be reviewed by the Martinborough Community Board at the first meeting of each triennium.

## **5. Operating model**

### **5.1 Meetings**

#### **5.1.1. Timing and frequency**

A minimum of one meeting per year, prior to the submissions process for the annual / long-term plan planning process. Other meetings as required and agreed by members. Timing of meetings should ensure maximum possible attendance of members.

#### **5.1.2. Meeting procedure**

Standing orders do not apply, the meeting is operated informally and the chair is tasked with maintaining meeting order.

#### **5.1.3. Quorum**

Five members, of whom at least one must be a member of the Martinborough Community Board.

#### **5.1.4. Notice of Meeting and Agenda**

Notice of Meeting and Agenda will be sent by email, at least 5 working days before the meeting.

#### **5.1.6. How chairperson to be selected**

The Chairperson shall be one of the two members of the Martinborough Community Board, as agreed between them.

## Review of Regulatory Policies Report

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### 1. Purpose

To provide an opportunity for the community board to input into the review of several regulatory policies.

### 2. Recommendations

Officers recommend that the Community Board:

1. *Receive the Review of Regulatory Policies Report.*
2. *Provide governance direction on key areas for consideration in the review and assist in identifying any additional community interest groups and stakeholders that may need to be engaged with.*

### 3. Executive Summary

Officers are currently reviewing several regulatory policies which are due for review in accordance with legislation. Feedback is sought on key matters for consideration in reviewing these policies, and well as identifying any additional interest groups that should be engaged with as part of the review.

### 4. Background

Officers are currently reviewing the Control of Dogs Policy and Bylaw, Dangerous and Insanitary Buildings Policy, Local Easter Sunday Shop Trading Policy and Local Approved Products Psychoactive Substances Policy. These policies are being reviewed in accordance with legislative timeframes. Further background information about the review is available in the [Planning and Regulatory Agenda 24 August 2022](#) (pages 25 – 64).

### Prioritisation

#### 4.1 Te Tiriti obligations

Officers intend to work with the Māori Standing Committee through the Principal Māori Advisor to support this work.

#### 4.2 Strategic alignment

How does this align with strategic outcomes?

Spatial Plan

Long Term Plan

Annual Plan

The review of policies is a legislative requirement and is delivered as part of the policy work programme approved through the Annual Plan/Long Term Plan.

These policies support social, environmental, economic, and cultural outcomes.

## **5. Discussion**

Officers have identified key interest groups and stakeholders in the engagement plan attached as an extract in Appendix 1. Community boards are asked to support community engagement and to identify any additional key interest and stakeholder groups.

Officers have formulated key questions for consideration. Feedback is invited from the community board on behalf of its community as well as in providing feedback on the framing of the questions.

Copies of the current policies are attached in Appendix 2.

### **5.1.1. Local Easter Sunday Shop Trading Policy**

The current policy permits shops in the district to trade on Easter Sunday if they choose to. The choice to open rests with each individual retailer. The policy neither requires shops to open, or individual workers to work on Easter Sunday.

The broad options in reviewing the policy are the status quo, to amend the policy so that it only applies to certain areas of the district, or to revoke the policy meaning only shops with an exemption under the Shop Trading Hours Act 1990 would be able to trade on Easter Sunday.

#### **Key questions:**

- Do you think SWDC should:
  - continue to allow all shops to open on Easter Sunday in the district if they choose to (status quo)
  - make changes so only shops in certain areas of the district may open – if so – which parts of the district and why
  - revoke the policy so only shops with an exemption under the Shop Trading Hours Act 1990 will be able to open on Easter Sunday
- What is the reason for your preferred option?
- Any other feedback?

### **5.1.2. Local Approved Products Psychoactive Substances Policy**

Councils has a Local Approved Products Policy to guide the sale of approved psychoactive substances in the district. A policy of this kind may determine:

- areas within the South Wairarapa district where approved products may be sold (e.g. within commercial zone of Wairarapa Combined District Plan)

- minimum distances between other shops selling approved products
- minimum distances between shops selling approved products and particular kinds of facilities (i.e. “sensitive sites” such as kindergartens, schools, places of worship or other community facilities)

**Key questions:**

- Do you support a moving to a more consistent approach across the Wairarapa, noting that Carterton and Masterton have adopted a joint policy? This could involve for example:
  - Introducing a ‘sensitive sites’ definition and reviewing the types of sites included in the policy (e.g. health/social services)
  - Adopting a consistent minimum distance between different “sensitive sites” (current SWDC policy provides for a mix of 100 and 500 metres)
  - Increasing the minimum distance between other shops selling approved products e.g. from 100 metres to 500 metres
  - Restricting the location of shops selling approved products to the main shopping area of each Central Business District (instead of commercial zone).
- If not – are there any specific changes you think should be considered in the review?
- Any other feedback?

**5.1.3. Control of Dogs Policy and Bylaw**

Dog control policies specify the nature and application of a dog control bylaw made, state whether dogs classified as menacing are required to be neutered, and identify public places where dogs are prohibited, public places/areas where dogs are required to be on leash and any places designated as exercise areas.

Dog control policies can also include other details e.g. fees/proposed fees, owner education programmes, dog obedience courses, classification of owners, disqualification of owners, and issuing of infringement notices.

In reviewing a dog control bylaw consideration must be given to:

- The need to minimise danger, distress and nuisance to the community
- The need to avoid inherent danger in allowing dogs to have uncontrolled access to public places frequented by children
- The important of enabling to the extent that is practicable, the public to use streets and public amenities without fear of attack or intimidation by dogs
- The exercise and recreational needs of dogs and their owners.

**Key questions:**

- Do you think dogs should be ***prohibited from, permitted on-leash or permitted to be exercised at large*** in the following areas?
  - children’s play areas
  - outdoor courts, skateboard parks, cycle parks
  - marked sports fields during sporting events (excluding spectator areas)
  - public parks and reserves

- coastal camping areas
- cemeteries
- swimming pools
- other public buildings under control/management of Council e.g. libraries, transfer stations
- If you support dogs being exercised in coastal areas, either on-leash or at large, would you support a restriction over the busy summer period?
- Are there any other public places where you think dogs should be allowed to be exercised, either off or on-leash?
- Are there any public places where dogs are currently allowed to be exercised, either off or on-leash, that you think should be prohibited or have the period or times which dogs are allowed reduced?
- Any other feedback on the current bylaw or policy?

#### **5.1.4. *Dangerous and Insanitary Buildings Policy***

Dangerous and Insanitary Building policies are required to:

- state the approach the Council will take in performing its functions under Part 2 of the Building Act 2004
- state the Council's priorities in performing those functions
- state how the policy will apply to heritage buildings
- take into account affected buildings in accordance with the Building Amendment Act 2013.

The current SWDC policy does not take into account affected buildings which will be a key update for the review. Other improvements have been identified by officers such as branding/formatting updates, including a clear scope (e.g. earthquake prone buildings are covered separately by the Building Act 2002), and identifying priorities.

#### **Key questions:**

- Are there any additional changes the community board would like considered in the policy review, noting the limitation that the policy cannot apply to buildings that appear run down or derelict but do not qualify as dangerous, insanitary or affected under the Building Act 2004?

## **6. Strategic Drivers and Legislative Requirements**

### **6.1 Significant risk register**

There are no significant risks identified.

### **6.2 Legislative and policy implications**

These policies have been adopted in accordance with provisions in legislation. The frequency of review and review process is prescribed by legislation.

## **7. Consultation**

### **7.1 Communications and engagement**

Formal consultation will be undertaken using the special consultative procedure. This is intended to be carried out in early 2023.

### **7.2 Partnerships**

Have you completed a communications plan for the work described/project to engage/communicate with partners/key stakeholders e.g. Waka Kotahi, Kainga Ora, community groups, particular individuals etc?

Yes  No

If no, is a communications plan required?

Yes  No

## **8. Financial Considerations**

There are no financial considerations associated with this report.

## **9. Appendices**

Appendix 1 – Key Stakeholders

Appendix 2 – Current Policies

Contact Officer: Steph Frischknecht, Policy and Governance Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

Rick Mead, Environmental Services Manager

Sara Edney, Building Control Manager

# **Appendix 1 – Key Stakeholders**

	Psychoactive Substances Local Approved Products	Local Easter Sunday Shop Trading	Dangerous and Insanitary Buildings	Dog Control	Approach
<b>Internal stakeholders</b>					
Environmental Services Team	✓	✓		✓	Internal stakeholder meetings
Partnerships and Operations – Amenities Team				✓	
Building Team			✓		
Community Boards	✓	✓	✓	✓	Report to November 2022 meetings
Māori Standing Committee	✓	✓	✓	✓	TBC
Mayor and councillors	✓	✓	✓	✓	Report to February 2023 meeting
<b>External stakeholders</b>					
<b>Government agencies/Crown Entities</b>					
Fire and Emergency New Zealand			✓		Stakeholder meetings and invited to submit in formal public consultation
NZ Police	✓				
Medical Officer of Health/District Health	✓		✓		
Heritage New Zealand – Central Regional Office			✓		
Greater Wellington Regional Council				✓	
<b>Tourism/Business/Workers</b>					
Destination Wairarapa		✓			Stakeholder meetings and invited to submit in formal public consultation
Business Associations – Business Wairarapa, Martinborough Business Association		✓			
Union groups – First Union (key retail union in Wairarapa)		✓			
<b>Other</b>					
Residents and Ratepayers Association (Ngawi)				✓	Pre-engagement activities (e.g. community survey, drop-in) and formal public consultation
Featherston Dog Park User Group				✓	
Kuranui College (students)				✓	
Sensitive sites e.g. early childhood centres, community centres, places of worship	✓	✓ (religious groups)			
Other special interest or advocacy groups e.g. Federated Farmers	✓	✓	✓	✓	
Registered dog owners				✓	
General public	✓	✓	✓	✓	

## **Appendix 2 – Current Policies**



## LOCAL EASTER SUNDAY SHOP TRADING POLICY

### 1. Purpose

The purpose of this policy is to enable shops to trade on Easter Sunday if they wish. This policy is made under Subpart 1 of Part 2 of the Shop Trading Hours Act 1990.

### 2. Scope

This policy applies to the whole of the South Wairarapa district. This policy does not apply to the sale and supply of alcohol which is regulated under the Sale and Supply of Alcohol Act 2012.

### 3. Policy

- 1.1 Shop trading is permitted on Easter Sundays throughout the whole of the South Wairarapa district as defined by the map in Schedule A.
- 1.2 The choice to open rests with each individual retailer. The Policy neither requires shops to open, or individuals to work on Easter Sunday.
- 1.3 Council recognises that Easter Sunday is a day of significance across New Zealand and some people will choose not to work or shop on this day. Subpart 2 of Part 2 of the Shop Trading Hours Act 1990 includes a workers choice provision that outlines a shop employee's right to refuse to work on Easter Sunday.

### 4. Relevant Legislation

Shop Trading Hours Act 1990.

### 5. Definitions

For the purpose of this policy:

**Shop** means a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include—

- (a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or
- (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.

## SCHEDULE A



**South Wairarapa District Council**  
**Psychoactive Substances Act 2013**  
**LOCAL APPROVED PRODUCTS POLICY**

**1. Purpose of the Policy**

- 1.1 The South Wairarapa Council is proposing to have a policy relating to the location and density of points of sale for products approved under the Psychoactive Substances Act 2013. The policy covers points of sale within the South Wairarapa District Council territorial authority area. Sections 66 to 69 of the Psychoactive Substances Act 2013 set out the matters that may be contained in the policy.

**2. Objectives of the Policy**

- 2.1 To minimise the harm to at risk groups within the community caused by psychoactive substances by limiting the location and density of the retailers of approved products.
- 2.2 To ensure that Council and the community have some influence over the location and density of retailers of approved products in the district.
- 2.3 To minimise the potential for adverse effects from the sale of psychoactive substances in residential areas, near sensitive facilities and locations.
- 2.4 To minimise the exposure and potential for harm to risk groups from the sale of psychoactive substances.
- 2.5 To allow outlets only where there is a high degree of safety and security.

**3. Location of Premises From Which Approved Psychoactive Products can be Sold**

Premises licensed for the sale of approved products under the Psychoactive Substances Act 2013 are allowed subject to all of the following criteria;

- a. must be located within a commercial zone as defined in the Combined Wairarapa District Plan,

- b. are not permitted within 100 metres of a kindergarten, early childhood centre, primary school, library, movie theatre, community centre, public reserve / sportsground / playground or place of worship,
- c. are not permitted within 500 metres of a secondary school or skateboard park,
- d. are not permitted within 100 metres of an existing premise holding a licence (interim or full) to sell approved products,
- e. are not permitted within 50 metres of an existing off licenced liquor premise,
- f. are not permitted within 100 *metres* of a residentially zoned site as defined in the Wairarapa Combined District Plan,
- g. may, regardless of the limits proposed in *a. to e.* above, locate on a site where it is within 50 metres of a fully manned police station.

#### 4. Interpretation

**LAPP** – Local Approved Products Policy pursuant to Sections 66 – 69 of the Psychoactive Substances Act 2013.

**Fully manned police station** – a police station that is *covered* 24 hours a day, 7 days a week by rostered staff.

**Wairarapa Combined District Plan** – Wairarapa Combined District Plan Volumes 1 and 2 Operative on 25 May 2011.

**PSRA** – Psychoactive Substances Regulatory Authority pursuant to Section 10 of the Psychoactive Substances Act 2013.

**SWDC** – South Wairarapa District Council.

**LTP** – Long Term Plan.

**Approved Product** – a psychoactive product approved by the Authority under Section 37 of the Psychoactive Substances Act 2013.

**Psychoactive substance** – a substance, mixture, preparation, article, device, or thing that is capable of inducing a psychoactive effect (by any means) in an individual who uses the psychoactive substance.

# DANGEROUS AND INSANITARY BUILDINGS POLICY

## 1. INTRODUCTION AND BACKGROUND

- 1.1 The Building Act 2004 required territorial authorities to adopt a policy on dangerous and insanitary buildings by 31<sup>st</sup> May 2006.
- 1.2 This policy is developed with due consideration of the ratepayers and stakeholders in accordance with section 83 of the Local Government Act 2002.
- 1.3 This document sets out Council's policies relating to dangerous and insanitary buildings, specifies the priorities that will be adopted in carrying out those functions and how the policy applies to heritage buildings.
- 1.4 The purpose of this policy is in accordance with the general principles of the Building Act 2004 which is to ensure people who use buildings can do so safely and without endangering their health; and buildings have attributes that contribute appropriately to the health, physical independence, and well-being of the people who use them.

## 2. BUILDING ACT 2004 LEGISLATIVE REQUIREMENTS

- 2.1 Section 131 of the Act states that:
  - "(1) *A territorial authority must, within 18 months after the commencement of this section, adopt a policy on dangerous, earthquake-prone, and insanitary buildings within its district.*"
  - "(2) *The policy must state -*
    - (a) the approach that the territorial authority will take in performing its functions under this Part; and*
    - (b) the territorial authority's priorities in performing those functions; and*
    - (c) how the policy will apply to heritage buildings.*"

2.2 Section 132 of the Act states that:

- 1) *A policy under section 131 must be adopted in accordance with the special consultative procedure in section 83 of the Local Government Act 2002.*
- 2) *A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.*
- 3) *A territorial authority must, as soon as practicable after adopting or amending a policy, provide a copy of the policy to the chief executive.*
- 4) *A territorial authority must complete a review of a policy within 5 years after the policy is adopted and then at intervals of not more than 5 years.*
- 5) *A policy does not cease to have effect because it is due for review or being reviewed.*

2.3 Section 121 of the Act defines a building to be dangerous as follows:

- "(1) A building is **dangerous** for the purposes of this Act if, -
- (a) *in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause -*
    - (i) *injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or*
    - (ii) *damage to other property; or*
  - (b) *in the event of fire, injury or death to any persons in the building or to persons on other property is likely because of fire hazard or the occupancy of the building."*
- "(2) For the purpose of determining whether a building is dangerous in terms of subsection (1)(b), a territorial authority -
- (a) *may seek advice from members of the Fire and Emergency New Zealand (FENZ) who have been notified to the territorial authority by the FENZ National Commander as being competent to give advice; and*
  - (b) *if the advice is sought, must have due regard to the advice."*

2.4 Section 123 of the Building Act 2004 defines an insanitary building as:

- "A building is **insanitary** for the purpose of this Act if the building -
- (a) *is offensive or likely to be injurious to health because -*
    - (i) *of how it is situated or constructed; or*
    - (ii) *it is in a state of disrepair; or*
  - (b) *has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or*
  - (c) *does not have a supply of potable water that is adequate for its intended use; or*
  - (d) *does not have sanitary facilities that are adequate for its intended use."*

### **3. DANGEROUS AND INSANITARY BUILDINGS POLICY**

- 3.1 Whether a building is considered 'dangerous' or 'insanitary' under the Act will depend on the individual circumstances of each case. Council will consider each case and determine the appropriate course of action based on the particular set of circumstances that exist.
- 3.2 Council must first be satisfied that the building in question is dangerous or insanitary. To determine this Council will carry out the following steps.
- (a) On receiving a complaint or information expressing concern that the building is dangerous or insanitary, the Council will consult the owner of the building, inspect the building and site and may also seek the advice of FENZ.
  - (b) Following the inspection and taking into account the advice or recommendations of FENZ, Council will determine whether the building is dangerous or insanitary. In making this decision Council will take into account the provisions of sections 121 and 123 of the Building Act 2004.
  - (c) If Council is satisfied that the building in question is deemed to be dangerous or insanitary Council will then determine the work or action that must be carried out to prevent it from being dangerous or insanitary.
  - (d) In forming its view as to the work or action that is required to be carried out on the building to prevent it from remaining insanitary or dangerous, Council will take the following matters into account:
    - (i) The size of the building;
    - (ii) The complexity of the building;
    - (iii) The location of the building in relation to other buildings, public places, and natural hazards;
    - (iv) The life of the building;
    - (v) How often people visit the building;
    - (vi) How many people spend time in or in the vicinity of the building;
    - (vii) The current or likely future use of the building, including any special traditional and cultural aspects of the current or likely future use;
    - (viii) The expected useful life of the building and any prolongation of that life;
    - (ix) The reasonable practicality of any work concerned;
    - (x) Any special historical or cultural value of the building; and
    - (xi) Any other matters that Council considers may be relevant, taking into account the particular set of circumstances.

- (e) Following the inspection of the building, after receiving advice from FENZ if applicable, and taking into account the matters listed above, Council will then decide whether immediate action should be taken to avoid the danger or to fix the insanitary conditions pursuant to the provisions of section 129 of the Building Act 2004.
- (f) If Council decide that immediate action under section 129 of the Building Act 2004 is not required, Council will issue a notice under section 124 of the Building Act 2004 requiring the owner to carry out the necessary work and to obtain a building consent before commencing work. The time required to obtain a building consent and commence work will depend on the particular set of circumstances, but shall not exceed six months from the time notice was served on the owner. Completion of the work for which a building consent has been issued shall depend on the particular set of circumstances of each case but shall not exceed any timeframes set out in the issued notice.

3.3 Where a property owner has failed to carry out the work within the time specified, Council may apply to the District Court for an order authorising it to carry out the work pursuant to section 130 of the Building Act 2004. The full costs of carrying out such works will be recovered from the property owner.

3.4 With regard to heritage buildings that are determined to be dangerous or insanitary, Council will seek to ensure, as far as reasonably practicable, that work carried out will not diminish the heritage values of the building. Property owners must take all reasonable steps to ensure that this objective is achieved. If a notice is issued to the owner of a heritage building, under section 124 of the Building Act 2004, a copy of the notice will also be sent to the New Zealand Historic Places Trust.

#### **4.0 Policy Review dates**

4.1 *Council will complete a review of this policy at intervals of not more than 5 years.*

Next review due August 2022

# South Wairarapa District Council Control of Dogs Policy 2013

*This policy remains in force until such time as Council in accordance with Section 10(8) Dog Control Act 1996 proposes any amendment in accordance with the special consultative procedures of the Local Government Act 2002.*

## 1 INTRODUCTION

- 1.1 This policy is prepared in accordance with the requirements of the Dog Control Act 1996.
- 1.2 This policy sets out Council's position on the matters that Council has discretion over within the Dog Control Act 1996. Reference should be made to this Act for the matters which are mandatory.
- 1.3 This policy specifies the nature and application of all bylaws made under the Act and identifies public places where dogs may be given access; may be prohibited, or may be controlled.
- 1.4 This policy also includes details about the following:
  - i) Fees or proposed fees
  - ii) Owner education programmes
  - iii) Dog obedience courses
  - iv) Classifying owners as probationary
  - v) Disqualifying owners from owning dogs
  - vi) The issuing of infringement notices.
- 1.5 When adopting this policy Council had particular regard to:
  - i) The need to minimise danger, distress, and nuisance to the community generally.
  - ii) The need to avoid inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults.
  - iii) The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs.
  - iv) The exercise and recreational needs of dogs and their owners.

- 1.6 Council recognises that the majority of dog owners in South Wairarapa are responsible and that most interaction between dogs and the public is positive.

## **2 POLICY OBJECTIVES**

- 2.1 This Policy aims to give effect to the Dog Control Act by protecting the health and safety of the public whilst ensuring the well-being and welfare of dogs is protected through responsible dog ownership.
- 2.2 This objective is met by:
- i) Requiring the registration of dogs.
  - ii) Making special provision in relation to dangerous or menacing dogs.
  - iii) Imposing on the owners of dogs, obligations designed to ensure that dogs do not cause a nuisance to any person nor injure, endanger, or cause distress to any person.
  - iv) Imposing on owners of dogs obligations designed to ensure that dogs do not injure, endanger, or cause distress to any other dog, stock, poultry, domestic animal, or protected wildlife.
  - v) To make better provision in relation to damage caused by dogs.
  - vi) To provide for the exercise and recreational needs of dogs and their owners.

## **3 POLICY**

### **3.1 Nature & Application of Bylaws**

Council will endorse existing bylaws and amendments which are based on the NZ Standards Association Model General Bylaw.

### **3.2 Public Places where Dogs are to be controlled by Leash**

Dogs are to be kept on a leash at all times in public places within the urban areas of the South Wairarapa District, including public parks, reserves, pensioner flats, transfer stations, recycling stations and also public reserves in rural areas under the control or management of the Council.

Dogs are not required to be kept on a leash in a designated dog exercise area where they are under continuous surveillance and effective control.

### 3.3 Dog Exercise Areas

The Council may, by resolution, designate dog exercise areas.

Council's policy is to provide dog exercise areas in Martinborough, Featherston and Greytown.

### 3.4 Public Places where Dogs are to be Prohibited

Dogs are prohibited from all children's play areas, sports grounds, swimming pools, cemeteries, public buildings under the control or management of Council and any other areas where dogs may pose a threat to the public.

### 3.5 Classification of Dogs

3.5.1 The Dog Control Act requires the Council to classify as menacing dogs, those belonging wholly or predominantly to one or more breeds or types listed in schedule 4, as listed below.

- i) Breed of dog:
  - Brazilian Fila
  - Dogo Argentino
  - Japanese Tosa
  - Perro de Presa Canario
  
- ii) Type of dog:
  - American Pit Bull Terrier<sup>1</sup>

Or

Dogs that the Council considers may pose a threat to any person or animal because of observed or reported behaviour of the dog, or any characteristics typically associated with the dog's breed or type.

3.5.2 The Council's policy is to require that all dogs classified as menacing dogs be neutered in accordance with s33E(1) (b) of the Act within one month after receipt of notice of the classification. In the case of dogs classified as menacing by another council, that the dog be neutered within one month of registration with the Council.

### 3.6 Classification of Owners

The Dog Control Act provides for the Council to classify dog owners as probationary owners if they are convicted of certain offences under the Act.

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<sup>1</sup> Any legislative amendments made to the list of dog breeds and dog types made subsequent to this policy shall be deemed to form part of this policy

A probationary owner may be required to undertake, at their own expense, a dog owner education programme or dog obedience course (or both).

A decision to classify an owner as a probationary owner can be appealed by the owner to Council.

The Council's policy will be to classify owners as probationary where provided for in the Act.

### 3.7 **Disqualification of Owners**

Council must disqualify a person from being the owner of a dog if that person is convicted of certain offences, unless Council is satisfied the circumstances of an offence do not warrant disqualification.

Where a person who is classified as a probationary owner and is convicted of certain offences the Council may disqualify that person from being the owner of any dog. The disqualification can be for any period up to a maximum of 5 years. A disqualified owner must dispose of any dog/s owned within 14 days.

Council's policy will be to classify an owner as disqualified for an appropriate period as provided for in the Act.

A decision to classify an owner as a disqualified owner can be appealed by the owner to Council.

### 3.8 **Dog Control Fees**

The Council will annually review its dog control fees to suit operational requirements. The structure of dog control fees will be aligned with the Annual Plan each year. The Council aims to self fund dog control operations from dog control fees, with the exception that from time to time the Council may approve a contribution from the general ratepayer base. All dogs over 3 months must be registered.

i) Neutering

The Council will continue to promote neutering of dogs by imposing a lower registration fee for spayed or castrated dogs.

ii) Late registration

A late registration penalty fee will be added for all dogs not registered by the end of the first week of August as set by the Council of the registration year. The penalty fee will be 50% of relevant registration fee, or as set by the Council.

iii) Rural dogs

It is recognised that rural dogs cause fewer dog control problems and therefore a differential between rural and urban fees will apply.

iv) Disability Assist dogs

Disability Assist dogs will not be charged a fee upon registration under the Dog Control Act.

### 3.9 Conviction and Fines

Every person commits an offence, who does anything prohibited, or who fails, refuses or neglects to do anything to be done according to the South Wairarapa District Council Control of Dogs Bylaw and is liable to:

- i) The penalty provisions of section 242 Local Government Act 2002; or
- ii) Any other penalty pursuant to the Dog Control Act 1996; or
- iii) Be served with an infringement notice pursuant to section 66 of the Dog Control Act 1996.

### 3.10 Issuing of Infringement Notices

The Dog Control Act provides for infringement notices for certain offences under the Act. Infringement notices can be served at the time of the offence on the owner as defined in the Act and generally the person in charge of the dog. The infringement requires an infringement fee to be paid or for the owner to request a court hearing in respect of the alleged offence.

### 3.11 Infringement Offences and Fees

<b>Section</b>	<b>Description of offence</b>	<b>Infringement fee (\$)</b>
18	Willful obstruction of dog control officer or ranger	750
19(2)	Failure or refusal to supply information or willfully providing false particulars	750
19A(2)	Failure to supply information or willfully providing false particulars about a dog	750
20(5)	Failure to comply with any bylaw authorised by the section	300
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	300
24	Failure to comply with obligations of probationary owner	750
28(5)	Failure to comply with effects of disqualification	750
32(2)	Failure to comply with effects of classification of dog as dangerous dog	300
32(4)	Fraudulent sale or transfer of dangerous dog	500
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	300

33F(3)	Failure to advise person of muzzle and leasing requirements	100
36A(6)	Failure to implant microchip transponder in dog	300
41	False statement relating to dog registration	750
41A	Falsely notifying death of dog	750
42	Failure to register dog	300
46(4)	Fraudulent procurement of attempt to procure registration label or disc	500
48(3)	Failure to advise change of dog ownership	100
49(4)	Failure to advise change of address	100
51(1)	Removal, swapping, or counterfeiting of registration label or disc	500
52A	Failure to keep dog controlled or confined	200
53(1)	Failure to keep dog under control	200
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300
54A	Failure to carry leash in public place	100
55(7)	Failure to comply with barking dog abatement notice	200

62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	300
62(5)	Failure to advise of muzzle and leashing requirements	100
72(2)	Releasing dog from custody	750

The Council's policy is to issue infringement notices where appropriate to promote the objectives set out in this policy.

### 3.12 **Open and Controlled Dog Areas under Conservation and National Parks Acts**

At this stage there are no areas gazetted under the Conservation and National Parks Acts. The Department of Conservation is preparing guidelines for local DOC branches for the creation of controlled and open dog areas. These areas will be determined and gazetted following public consultation.

### 3.13 **Owner Education**

Owner education is seen as an important part of the policy. Officers will work with dog owners, schools, and the community to:

- i. Inform and educate dog owners and the general public about responsible dog ownership by raising awareness through education programs, distributing information and the use of media.
- ii. Ensure complaints received are followed up by Officers with appropriate action taken.
- iii. Promote the availability of dog obedience classes.

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# SOUTH WAIRARAPA DISTRICT COUNCIL CONTROL OF DOGS BYLAW 2013

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## SCHEDULES

SCHEDULE A – AREAS WHERE DOGS ARE PROHIBITED

SCHEDULE B – DOG EXERCISE AREAS

### **New Zealand Legislation**

Dog Control Act 1996

Local Government Act 2002

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## **1 FOREWORD**

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This bylaw draws from the New Zealand Standard NZS9201:1999 - Part 12 Dog Control Bylaw. NZS9201 series are model bylaws covering various matters under local authority jurisdiction. Local authorities are empowered under the Local Government Act 2002 to make bylaws.

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## **2 GENERAL**

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### **2.1 Short Title**

- i) This Bylaw may be cited as the South Wairarapa District Council Control of Dogs Bylaw 2013.
- ii) This Bylaw repeals all existing South Wairarapa District Council control of dogs' bylaws.

### **2.2 Commencement**

This Bylaw shall come into force on the 1<sup>st</sup> of October 2013.

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## **3 SCOPE**

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The purpose of this bylaw is to set standards and controls that must be observed by dog owners. It concerns matters such as dogs in public places, wandering dogs, ownership of more than one dog, and nuisances caused by dogs.

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## **4 INTERPRETATION**

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### **4.1**

In this Bylaw unless the context otherwise requires:

Control	Means that the dog is not causing a nuisance or danger and that the person in charge of the dog has the dog under continuous surveillance and is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means.
Disability Assist Dog	Means the same as that specified in the Dog Control Act 1996 and includes a dog certified by one of the following organisations as being a dog trained to assist (or as being a dog in training to assist) a person with a disability: <ul style="list-style-type: none"><li>a. Hearing Dog for Deaf People of New Zealand</li><li>b. Mobility Assistance Dogs Trust</li><li>c. New Zealand Epilepsy Assist Dogs Trust</li><li>d. Royal New Zealand Foundation of the Blind</li><li>e. Top Dog Companion Trust</li><li>f. An organisation specified in an Order in Council made under section 78D of the Dog Control Act 1996.</li></ul>

Dog Owner	Means owner as defined in section 2 of the Dog Control Act 1996 and includes every person who: <ul style="list-style-type: none"> <li>a. Owns the dog; or</li> <li>b. Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or</li> <li>c. The parent or guardian of a person under the age of 16 years who: <ul style="list-style-type: none"> <li>• Is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and</li> <li>• Is a member of the parent or guardian's household and dependent on the parent or guardian; but does not include any person who has seized or taken custody of the dog under this Act or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.</li> </ul> </li> </ul>
On a Leash	Means that the dog is kept under control by means of a leash, lead or chain which is secured or is held by a person so that the dog cannot break loose.
Public Place	Means public place as defined in section 2 of the Dog Control Act 1996 and includes: <ul style="list-style-type: none"> <li>a. A place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or effect any person from that place; and</li> <li>b. Includes any aircraft, hovership, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.</li> </ul>
Reserve	Means: <ul style="list-style-type: none"> <li>a. Any land vested in the Council and declared as a reserve by resolution of the Council, under section 14 of the Reserves Act 1977; or</li> <li>b. Any park, domain or recreation area under the control or ownership of the Council; or</li> <li>c. Any reserve, park or recreation area under the control or management of the South Wairarapa District Council.</li> </ul>
Urban Area	Means the area contained within any area zoned urban in the Wairarapa Combined District Plan unless otherwise stated.
Working Dog	Means the same as that in section 2 of the Dog Control Act 1996 and includes: <ul style="list-style-type: none"> <li>(a) any disability assist dog:</li> <li>(b) any dog— <ul style="list-style-type: none"> <li>i) kept by the Police or any constable, the New Zealand Customs Service, the Ministry of Agriculture and Forestry, the Ministry of Fisheries, or the Ministry of Defence, or any officer or employee of any such department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the department of State or that constable, officer, or employee; or</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>ii) kept solely or principally for the purposes of herding or driving stock; or</li> <li>iii) kept by the Department of Conservation or any officer or employee of that department solely or principally for the purposes of carrying out the functions, duties, and powers of that department; or</li> <li>iv) kept solely or principally for the purposes of destroying pests or pest agents under any pest management plan under the Biosecurity Act 1993; or</li> <li>iva) kept by the Department of Corrections or any officer or employee of that department solely or principally for the purposes of carrying out the functions, duties, and powers of that department; or</li> <li>ivb) kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that service solely or principally for the purposes of carrying out the functions, duties, and powers of that service; or</li> <li>ivc) certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the Civil Defence Emergency Management Act 2002; or</li> <li>v) owned by a property guard as defined in section 9 of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in section 17 of that Act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that Act; or</li> <li>vi) declared by resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.</li> </ul>
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## 4.2

Interpretations shall be as set out in the Dog Control Act 1996.

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## **5 DOGS TO BE UNDER CONTROL AT ALL TIMES**

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The owner, or any person in charge or having control of any dog, shall keep such dog securely tied up or otherwise effectively confined or under his or her direct control in the areas controlled by Council.

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## **6 SHELTER**

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Every owner of a dog shall ensure that the dog is provided with adequate shelter and that no suffering is caused to the dog by the manner of the shelter.

- i) Kennels are to be provided on a hard surface, provide shelter from the elements and be free from dampness.
- ii) Kennels are to be kept in a clean condition.
- iii) No owner of any dog shall allow a dog to be kept beneath the floor of any building.

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## **7 DOG WELFARE**

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The occupier of any premise on which a dog is kept shall take all reasonable steps to:

- i) Ensure that the dog receives proper care and attention and is supplied with proper and sufficient food, water and shelter.
- ii) Ensure that the dog receives adequate exercise.

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## **8 DISTANCE FROM ADJOINING PROPERTIES**

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No person shall confine, tie up or accommodate any dog on any land so that the dog is confined, tied up, or accommodated within a distance of two metres from the boundary of any adjoining land or premises. Council may grant an exemption where it is satisfied that the dog can be kept on the premise without any adverse effect.

---

## **9 AREAS WHERE DOGS ARE PROHIBITED AND AREAS WHERE DOGS MUST BE ON A LEASH**

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### **9.1**

The owner of a dog shall not cause or permit the dog to enter or remain in or on any part of any street or public place designated as a prohibited area in Schedule A.

## **9.2**

The owner of a dog shall not cause or permit the dog to enter or remain in or on any part of any street or public place unless the dog is being carried in a vehicle or is at all times on a leash.

## **9.3**

In all public places, other than those in which dogs are prohibited, dogs must be under continuous control and supervision of a responsible person over the age of 12 years.

## **9.4**

Nothing in clause 9 of this bylaw shall apply to:

- i) a working dog while it is working.
- ii) any dog which is confined completely within a vehicle or cage.
- iii) any dog taking part in an organised event, such as a dog show or dog training seminar, which has Council approval.

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## **10 DOG EXERCISE AREAS**

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### **10.1**

The Council may, by resolution, designate "dog exercise areas".

### **10.2**

Providing the dog is kept under control at all times, a dog owner may exercise his or her dog without it being on a leash in any area designated as a dog exercise area in Schedule B.

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## **11 SEIZURE OF DOGS NOT UNDER CONTINUOUS CONTROL**

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Any dog entering or remaining on any public place within the district controlled by Council, not being led by a chain, strap, or other efficient or effective contrivance as required by clause 9.2 hereof or without being kept under continuous control as required by clause 9.3 hereof may be seized and impounded by any person duly authorised by the Council.

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## **12 SEIZURE OF DOGS ROAMING**

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Any dog found at large in any public place at any time in breach of clause 9 hereof, whether or not it is wearing a collar having the proper registration tag thereon or attached thereto as required by the Act, may be seized and impounded by any person duly authorised by the Council.

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## **13 IMPOUNDING AND SUBSEQUENT DISPOSAL OF DOGS**

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### **13.1**

The impounding of any dog pursuant to this bylaw, the payment of fees, and the subsequent disposal of any dog so impounded, shall be determined by the provisions of the Dog Control Act 1996.

### **13.2**

As soon as practicable after any dog has been impounded, Council shall, in the case of a dog wearing a current registration label or disc or where the owner of the dog is known through other means, make contact with the owner. The dog so impounded will be released to the owner upon the owner paying to the Council the fees for the sustenance of the dog and impounding fees as set by resolution of Council.

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## **14 DOGS CAUSING OR BECOMING A NUISANCE OR INJURIOUS TO HEALTH**

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### **14.1**

The owner of the dog, or owner or occupier of any premises where any dog or dogs are customarily kept, shall take adequate precaution to prevent the dog or dogs, or the keeping thereof, from becoming a nuisance or injurious to health.

### **14.2**

If in the opinion of the Council the dog or dogs, or the keeping thereof on premises, has become or is likely to become a nuisance or injurious to health, the Council, or any person duly authorised on that behalf by the Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice to do all or any of the following:

- i) Reduce the number of dogs kept on the premises.
- ii) Construct, alter, reconstruct or otherwise improve the kennels or buildings or fencing used to house or contain such dog or dogs.
- iii) Require such dog or dogs to be tied up or otherwise confined.
- iv) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health.

### **14.3**

Any person to whom notice is given under the preceding provisions of this clause who fails to comply with such notice within the time therein specified shall be guilty of an offence under this bylaw.

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## **15 BARKING DOGS**

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No owner of any dog in the District or owner, or occupier of any premises shall suffer or permit such dog to bark in such a manner or for such a period as to cause a nuisance, be offensive or likely to be injurious to health.

---

## **16 DOGS FOULING PUBLIC AREAS**

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Where any dog defecates in any public place or on land or premises other than that occupied by the owner of the dog, that owner must remove the faeces forthwith and dispose of it in a way that does not cause a nuisance.

---

## **17 DISEASED DOGS**

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No person owning or having control or charge of any diseased dog shall take the dog or permit or suffer the dog to enter or remain in any public place or wander free and at large.

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## **18 BITCHES ON HEAT**

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### **18.1**

The owner of a bitch in season must keep it confined to the premises within a dog-proof enclosure for the duration of her oestrus cycle.

### **18.2**

A dog so confined shall be regularly exercised.

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## **19 LIMITATION AS TO NUMBER OF DOGS ALLOWED**

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### **19.1**

No owner or occupier of any urban property shall allow more than two dogs over the age of three months to be kept on that property for more than fourteen days.

### **19.2**

The owner of a dog, or the owner or occupier of the land or premise, may apply to Council for a permit to keep more than two dogs on any urban property.

### **19.3**

If Council considers that more than two dogs can be kept on the property without adverse effect, a fee may be charged by the Council for the permit in accordance with Section 150 of the Local Government Act 2002.

#### **19.4**

A permit granted pursuant to clause 19.2 may be issued subject to such conditions as the Council considers appropriate to prevent adverse effects. Any breach of the conditions of any permit shall entitle the Council to withdraw the permit.

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## **20 OWNERS OF MENACING DOGS**

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#### **20.1**

Dogs classified as menacing by behaviour shall be required to be neutered.

#### **20.2**

All dogs classified as menacing by breed shall be required to be neutered.

---

## **21 CONVICTION & FINES**

---

Every person commits an offence who does anything prohibited under this bylaw or who fails, refuses or neglects to do anything to be done, according to this bylaw, and is liable to:

- i) The penalty provisions of section 242 Local Government Act 2002; or
- ii) Any other penalty pursuant to the Dog Control Act 1996; or
- iii) Be served with an infringement notice pursuant to section 66 of the Dog Control Act 1996.

---

## **22 POWER TO AMEND BY RESOLUTION**

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The Council may from time to time by resolution publicly notified:

- i) Add schedules.
- ii) Make additions or deletions from the schedules.
- iii) Substitute new schedules.

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## **SCHEDULE A – AREAS WHERE DOGS ARE PROHIBITED**

*(Except in a vehicle)*

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- i) Any public building or public place, including any library building, swimming pool, recreation centre, under the control or management of the Council.
- ii) Any area developed or marked out as a sports field (not including any spectator area) during sporting events, or any outdoor court, skateboard park or cycle park.
- iii) On any area that is developed or marked out as a playground or contains children's play equipment.
- iv) Any cemetery.
- v) Within the camping areas listed in Schedule 2 or within the Te Awaiti area described in Schedule 1 of the South Wairarapa District Council Bylaw for Camping in Coastal Areas 2009.

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## **SCHEDULE B - DOG EXERCISE AREAS**

*(Areas where a dog may be exercised off leash)*

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- i) Roberts Street Road Reserve (between Weld Street and Ferry Road) Martinborough.
- ii) Corner Johnston Street and Harrison Street West, Featherston (Part Sec 123 Featherston Suburban).
- iii) *Proposed area: Southern end of Cotter Street, Greytown (Lot 25 DP 455345, Pt Lot 4 DP 1187 and Sec 123 Moroa District).*

## **Pain Farm Lodged Insurance Claim for Original Garage**

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### **1. Purpose**

To seek confirmation from the Martinborough Community Board for Council officers to accept an insurance pay-out for the damaged Pain Farm original garage, demolish that garage, and to provide direction to Council officers on a replacement solution (if any).

### **2. Recommendations**

Officers recommend that the Community Board:

1. Receive the Pain Farm Lodged Insurance Claim for Original Garage Report.
2. Agree that the original Pain Farm original garage should be demolished and that an insurance pay-out in lieu of a repair will be accepted (Option 1).
3. Provide direction to Council officers on what type of structure should be built (if any) in place of the garage.
4. Note that a decision on the replacement for the Pain Farm homestead garage will be made at a future meeting.

### **3. Executive Summary**

In December 2021 the Pain Farm homestead original garage was damaged during a storm. An engineer's report found the garage not worth repairing due to an ongoing earthquake risk as well as high maintenance costs of an aged asset. Council's insurers will only pay for storm damage repair or provide a pay-out limited to the storm event. Due to rising contractor and materials costs a decision is required at this meeting on the future of the homestead garage.

### **4. Background**

In early December 2021 the homestead garage at Pain Farm Estate incurred substantial damage during a storm event. A tree limb fell on the roof damaging the lintel and cracking the original brick walls. Council officers have overseen the removal of the tree from the roof as well as three nearby macrocarpa trees to prevent future damage.

Over the intervening period, Council officers have been working with the insurance loss adjuster, builders and engineers to work out the best solution moving forward.

It is worth noting that previously the Martinborough Community Board had agreed (5 December 2019) to bring the homestead and cottage to a good tenancy standard but not to maintain and restore the homestead and gardens as a heritage asset on the basis that costs to scope and implement this would likely be significant and the costs to maintain a heritage standard of condition, combined with the reduced income, could constitute a charge on the estate funds, contrary to the purpose of the bequest.

The garage does not have a heritage listing, and there is no mandate to retain this structure; to do so will not enhance the income generated from the property.

A decision now needs to be made on the future of the Homestead garage.

## **5. Prioritisation**

### **5.1 Te Tiriti obligations**

Engagement considered not required in this case.

### **5.2 Strategic alignment**

Pain Farm Estate is managed in accordance with the Supreme Court decision and funding arrangements sit outside of planning arrangements unless expenditure is over \$35,000 in any one year. If the Pain Farm Policy is triggered by expenditure over \$35,000, then the community must be consulted within the Annual Plan prior to expenditure being approved.

## **6. Discussion**

Council officers are seeking a decision on whether to accept an insurance payment and demolish the existing garage or whether to have the garage repaired. Advice received from Council's engineer, Duncan & Taylor Ltd, underpins officers' recommendation to accept an insurance payout and demolish the building (Option 1). If the Community Board endorse this decision, then guidance is also requested on what type of structure should replace the garage (if anything).

A decision on the future of the Pain Farm garage is required at this meeting (repair or demolish). Building materials and labour prices are going up and the insurance company has asked for a prompt decision. If a decision is not made at this meeting, then any repair work cost over and above the quotes below will need to be met by the Community Board when a decision is made.

## 7. Options

Options	Advantages	Disadvantages	Costs
1. Accepting an insurance payout (\$40,508 less excess of \$5,000), demolishing the existing garage and build a new garage/structure	<p>Removal of earthquake prone building.</p> <p>Removal of a building that is not fit for purpose (is not secure).</p> <p>Less future maintenance costs e.g., older buildings require a higher level of maintenance.</p> <p>Can accept the insurance payout now and demolish and put construction on hold to align with budget priorities.</p>	Removal of an attractive and original building.	<p>Nil cost to Pain Farm Estate.</p> <p>\$5,155 for demolition (covered by incoming insurance payout)</p> <p>New structure cost dependant on option chosen (future decision report)</p>
2. Remove the garage roof, demolish and rebuild the double skin brick wall, put new trusses on and a new corrugated iron roof.	<p>Retains the original Pain Farm garage (aesthetically and historically pleasing).</p> <p>The quote includes a new roof reducing near term roof maintenance costs.</p>	Expenditure of money repairing an old building that is not secure and will remain earthquake prone.	Cost to Pain Farm Estate \$5,000 (excess)

### 7.1 Accepting an Insurance Pay-out, Demolishing, and Building New

Duncan & Taylor Ltd site the following reasons for accepting an insurance payout and demolishing the existing garage:

- High quoted repair cost, the insurance payout will go a long way to a new build.
- Earthquake risk of the building – if the garage is repaired it would still be earthquake prone due to the double skin brick wall construction.
- Age of the building and maintenance requirements. It is the engineer's view that it would be wasting money to repair the building given the age and future maintenance requirements.
- A new build could have a full or partial brick veneer if aesthetics is important.

In addition to the engineer's opinion, Council officers note that maintaining the homestead garage as a heritage asset is not a confirmed Community Board position or requirement of the bequeath.

It is for the above reasons that officers are recommending that an insurance payout be accepted, and the garage be demolished.

Accepting an insurance payout will provide the Estate with \$35,508 of which approximately \$5,155 will be required to demolish the damaged garage. This will leave approximately \$30,000 to put towards a replacement structure in the future.

#### 7.1.1. Replacement Structure/Garage

Officers are seeking feedback from the Community Board on what type of garage or structure should replace the original brick garage. The cost of a new garage or structure will depend on the chosen solution. If Option 1 is endorsed, alongside this

option officers are seeking feedback on garage replacement options so designs, quotes and pricing can be tailored to requirements in a future report.

A non-exhaustive list of options is:

- No replacement garage
- Container for storage
- Carport (with/without concrete pad)
- Metal 2-bay garage
- American barn style garage
- Purpose built garage incorporating timber cladding

The latest Pain Farm Income and Expenditure report has been included in Appendix 1. There will be the potential for the Community Board to allocate funds from the Pain Farm Estate to top-up the amount received from the insurance company to complete a new build.

## **7.2 Removing Garage Roof, Demolish and Rebuild Double Skin Brick Wall, New Roof**

This option (option 2) is for the repair to the existing garage and the roof to be replaced. The insurance company will meet the full repair cost of \$40,508 excluding GST, except for a \$5,000 excess which the Pain Farm Estate will be required to pay.

The quoted work allows for removing the roof of the garage in full (framing included) and to demolish and rebuild the double skin brick wall, before putting new trusses on and a new corrugated iron roof to meet with current code. The replacement lintel will be timber as per the original and repair of the brick work that supports the lintel will be required.

The structure will remain earthquake prone and will not be secure.

## **8. Strategic Drivers and Legislative Requirements**

### **8.1 Significant risk register**

The homestead is currently untenanted, any new tenant will be advised that the garage is off limits to minimise the risk of injury should an earthquake occur. This is only a temporary measure, and the future of the asset needs to be determined.

### **8.2 Policy implications**

There are no policy decisions arising from the information in this report.

## **9. Consultation**

### **9.1 Communications and engagement**

This is a matter of low significance. Although it is an operational matter, due to the recommended course of action and interest of the community in Pain Farm, the Community Board's input is being sought.

## **9.2 Partnerships**

A communications plan is not required.

## **10. Financial Considerations**

There are no unbudgeted financial implications for the recommended option.

If Option 2 is chosen, then the Community Board will need to recommend to Council expenditure from Pain Farm Estate for \$5,000 as the yearly maintenance fund allocation has been fully exhausted in the 22/23 financial year.

## **11. Appendices**

Appendix 1 – Pain Farm Income and Expenditure July – Sept 2022

Contact Officer: Trish Drury, Property Officer

Reviewed By: James O'Connor, Partnership and Operations Manager

# **Appendix 1 – Pain Farm Income and Expenditure July – Sept 2022**

## **Pain Farm - Statement of Financial Performance**

For the Period Ended 30 September 2022

<b>Income</b>	
Rent received*	25,600.00
Interest income	-
<b>Total Income 2022-23 to date</b>	<b><u>25,600.00</u></b>
<b>Expenditure</b>	
Consultants	-
General expenses	-
Interest expense	-
Legal expenses	-
Repairs & maintenance (other)	1,691.10
Grounds maintenance	1,579.92
Repairs & maintenance (Buildings)	1,868.09
Insurance	2,856.42
Overhead allocation	8,203.13
Rent & rates payable	9,916.41
Personnel costs	5,046.59
<b>Total Expenditure 2022-23 to date</b>	<b><u>31,161.66</u></b>
<b>Net Surplus/(Deficit) Year to Date</b>	<b><u>(5,561.66)</u></b>

## **Pain Farm - Statement of Accumulated Funds**

As at 30 September 2022

Opening balance 1 July 2022	103,300.95
Total surplus/(deficit) year to date	(5,561.66)
Transfers from reserves (capital spend)	-
<b>Closing balance 30 September 2022</b>	<b><u>97,739.29</u></b>
Less committed funds	27,490.75
50% deposit remaining for Fencing	27,490.75
<b>Total funds available</b>	<b><u>70,248.54</u></b>

\* Total shown as information is sensitive to the tenants. Could be included in a publicly excluded report if requested.

## Action Items Report

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### 1. Purpose

To present the Martinborough Community Board with updates on actions and resolutions.

### 2. Recommendations

Officers recommend that the Community Board:

1. *Receive the Action Items Report*

### 3. Executive Summary

Action items from recent meetings are presented to the Martinborough 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.

### 4. Appendices

Appendix 1 – Action Items to 22 November 2022

Contact Officer: Kaity Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

# **Appendix 1 – Action Items to 22 November 2022**

Number	Raised Date	Responsible Manager	Action or Task details	Status	Notes
176	19-Sep-19	4 & 5 – K Neems	<p>MCB RESOLVED (MCB 2019/70) that:</p> <p>1b. Officers report to the next full Community Board with a maintenance schedule for the homestead, cottage and surrounding land. (Moved Cr Maynard/Seconded Roy) Carried</p> <p>1c. Whilst work is being undertaken on the house and cottage, that officers report to the Board at each meeting (6 weekly) on the progress of maintenance until the work is completed, and Thereafter, officers report 6 monthly on the condition of the homestead, cottage, surrounding land, and farm. (Moved Cr Colenso/Seconded Beattie) Carried</p> <p>2. The repairs and maintenance work to bring the homestead and cottage up to an acceptable standard for rental purposes be undertaken as a matter of priority. (Moved Cr Colenso/Seconded Beattie) Carried</p> <p>3. The exterior painting of the homestead be undertaken as the next priority and that the Board recommends Council approves up to \$30,000 for this work. (Moved Cornelissen/Seconded Cr Colenso) Carried</p> <p>4. That Council review the overhead cost allocation model for the Pain Farm.</p> <p>5. That following this review, that Council consider whether any overhead allocations for the last three years should be credited back to the Pain Farm account. (Moved Read/Seconded Cornelissen) Carried</p>	Open	<p>Review of the overhead cost allocation model to be done as part of the Long-Term Plan.</p> <p>05/11/20: Members discussed timeframes of the cost allocation model review, scope of original request and sought an update to clarify the connection between the overhead cost allocation model and crediting of funds back to the Pain Farm account.</p> <p>08/12/20:—It is considered efficient to look at the review of the costs at the same time as the allocation model is reviewed for the LTP. Due to resourcing constraints this has been pushed to early next year. As mentioned in a previous report it is unlikely any Corporate Support costs will be credited as they cover governance and secretarial duties, financial accounts, debt collection, internal administrative time etc for the residential accommodation, refuse station, and farm. The portion of the Professional Services which covers property management for these three income streams will form the basis of the review. The time taken for Officers to project manage the entire property including the recent upgrade to the house and farm fencing will also be taken into account.</p> <p>29/4/21: Awaiting confirmation of LTP.</p> <p>29/6/21: Report to be presented to FAR for discussion 11/08/21.</p> <p>09/8/21: Due to resourcing constraints report is to be presented to the next FAR meeting 27/10/21.</p> <p>25/11/21: Update requested by MCB.</p> <p>24/02/22: Update requested by MCB.</p> <p>28/03/22: Officers will factor this review into be completed by 30 June 2022.</p> <p>6/5/22: Update from Finance Manager. Waiting for new General Manager, Finance to start and this will be taken up in the near future with her.</p> <p>16/06/22: The Pain Farm Policy will be reviewed in the next policy review and will include a process for setting overhead costs.</p>
95	27-Feb-20	M Honey (MCB)	Investigate forming a Martinborough Tree Group with representatives from the community and the Martinborough Community Board.	Open	<p>02/7/20: Mayor Beijen and Michael Honey have started the process of establishing a Martinborough Tree Group.</p> <p>14/8/20: Four representatives identified but group not yet established.</p> <p>24/9/20: Still in progress of forming group.</p> <p>17/12/20: Mayor Beijen updated members progress has been made and invitations would be sent within the coming weeks.</p> <p>29/4/21: Work in progress.</p> <p>25/11/21: Michael Honey undertook continuing this project.</p> <p>24/02/22: M Honey progressing with this project.</p>
429	13-Aug-20	MCB	Investigate entering into a funding partnership agreement with Martinborough Community Garden for the remainder of the triennium.	Open	<p>24/8/20: Funding partnership offered through correspondence on grant. Martinborough Community Garden has requested to meet with MCB first and this request has been forwarded to the Chair.</p> <p>27/10/20: Chair of MCB met with Martinborough Community Garden who has requested relocation options first be considered (refer to action 489).</p> <p>27/10/20: A potential site behind the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street has been identified.</p> <p>05/11/20: Members discussed the proposed location for the Martinborough Community Garden at the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street and sought clarification on the land available before members discussed the proposed location with the Martinborough Community Garden (refer Action 617)</p> <p>8/12/20: The land area is approximately 1270m2 and maps of the area were provided in Appendix 3 of the Action Items Report to the meeting on 17/12/20. It is suggested if the Board wants to explore this that a community board representatives works with the Martinborough Community Garden to present a proposal to officers for consideration.</p> <p>07/04/22: Action re-opened at request of MCB. Report requested outlining potential sites for the Community Garden.</p> <p>20/05/22: Email sent to MCB on behalf of officers - very little council owned land available; alternative suggestions made</p>
497	24-Sep-20	MCB	To continuing working with mana whenua on a Martinborough town sign entrance	Open	19/05/22: MCB undertook holding a workshop to progress this.

Number	Raised Date	Responsible Manager	Action or Task details	Status	Notes
731	17-Dec-20	N Fenwick /MCB	Investigate who originally designed the historical information sign at Bidwill's Cutting	Open	29/4/21: Still work in progress 08/7/21: Local graphic designer, Andy Shaw, expressed interest in designing the Bidwill's Cutting sign. Martinborough Automotive Ltd would fund the design drafting costs which would then be presented to the Board. 25/11/21: Ongoing 24/02/22: Project undertaken by N Fenwick 7/04/22: Mr Fenwick provided an update on the Bidwill's Cutting sign and undertook presenting the draft to the Māori Standing Committee.
127	29-Apr-21	MCB	Investigate the process for submitting an application to South Wairarapa Rotary Club for funding of new FlagTrax in Martinborough subject to confirmation that the Martinborough Community Board is able to apply for external funding	Open	27/5/21: The Board is able to apply externally for funds. Cr Colenso updated members an application would be presented to the next MCB meeting for consideration. 25/11/21: Cr Colenso drafting application
317	8-July-21	S Corbett	Liaise with Council officers to investigate purchasing suitable BBQ options for coastal reserves	Open	26/7/21: The costs of a single gas operated BBQ for the public is \$10,000 + GST plus concrete pad. There are also ongoing cleaning and maintenance costs. 13/06/22: Travel and cleaning time is a key cost on the BBQ, Officers biggest concern is vandalism and theft. Summer period from Labour Weekend till Easter being the busy period  26 weeks x 3 times a week possibly conservative x 120km round trip \$9,500.00 26 weeks x 2 times a week x 120km \$6,500.00 Cleaning time and material \$6,500.00 Total \$22,500.00 BBQ \$10,000.00 Concrete \$600.00.00 plus travel to install Overall total approx. \$ 33,100.00  This does not take into account gas bottle swaps. We find that the Waihinga playground BBQ requires cleaning twice a week now since the weather has been so good. This is done on the weekly playground equipment checks Monday and Friday. We currently have a cleaner based at Ngawi but he is well passed retirement age so there is an opportunity to utilise him in the short term which will reduce travel, we only clean the toilets twice a week and daily over the centre of the Xmas period. Even cutting out some travel approx. cost of \$ 20,000.00 with yearly costs of \$10,000. As you can see great to have it but expensive having them so far away at a cost that this council currently cannot cover. 30/06/22: Ms Maynard undertook following up with Tora residents on this update.
502	22-Sept-22	S Corbett	To request an update be provided to the board and Māori Standing Committee on the status of restorative planting along the Rumahunga River, committed from the waste water overflow in Martinborough (Wellington Water)	Open	
504	22-Sept-22	A Bradley	Request the incoming board have the available grant funds and conditions of use clearly explained (Swimming Pool Fund; Pain Farm Fund; Grant Fund; Beautification Fund).	Open	
507	22-Sept-22	S Corbett	MCB RESOLVED (MCB 2022/44) to: 1. Receive the Chairperson Report. (Moved Honey/Seconded Cr Maynard) Carried 2. Recommend to Council that the rural roading network be a priority in the next triennium (Moved Maynard/Seconded Ellims) Carried 3. Recommend to Council that lightning at Soldiers Memorial Square and on all Martinborough pedestrian crossing be a Council priority in the next triennium. (Moved Maynard/Seconded Cr Maynard) Carried	Open	
508	22-Sept-22	S Corbett	To request an update on the programme of work to increase lighting at pedestrian crosswalks.	Open	

## Income & Expenditure Report

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### 1. Purpose

To present the Community Board with the most recent income and expenditure report.

### 2. Recommendations

Officers recommend that the Community Board:

1. *Receive the Income & Expenditure Statement for the period ending 31 October 2022*
2. *Receive the Pain Farm Income & Expenditure Statement for the period ending 30 September 2022*

### 3. Executive Summary

The Income and Expenditure Statement for the period ending 31 October 2022 is attached in Appendix 1.

The Pain Farm Income and Expenditure Statement for the period ending 30 September 2022 is attached in Appendix 2.

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

### 4. Appendices

Appendix 1 – Income & Expenditure Statement for the period ending 31 October 2022

Appendix 2 – Pain Farm Income & Expenditure Statement for the period ending 30 September 2022

Contact Officer: Hayley McDonald, Assistant Accountant

Reviewed By: Karon Ashforth, General Manager Finance

**Appendix 1 – Income and Expenditure  
Statement for the Period Ending 31  
October 2022**

**Martinborough Community Board**  
Income & Expenditure for the Period Ended 31 Oct 2022

**Personnel & Operating Costs**

Budget

Members' salaries	28,043.00
Mileage reimbursements	1,000.00
Operating expenses	7,400.00
<b>Total Personnel &amp; Operating Costs Budget 2022-2023</b>	<b>36,443.00</b>

Expenses

**Personnel Costs**

Members' Salaries	10,957.15
Mileage reimbursements	-

<b>Total Personnel Costs to 31 Oct 2022</b>	<b>10,957.15</b>
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**Operating Expenses**

29/09/2022 Martinborough S MCB Grant For Get Set Go Programme	1,260.00
28/09/2022 Local Governmen Community Board Levy 2022/23	275.00
2/11/2022 Expenses x Payroll Oct 22 Student Rep MBO - A Mason	50.00

<b>Total Operating Expenses to 31 Oct 2022</b>	<b>1,585.00</b>
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Committed funds

Resolution date	Original commitment	Spent to date	Remaining commitment
Members' Salaries	28,043.00	10,957.15	17,085.85
Mileage reimbursements	1,000.00	-	1,000.00
Honorarium payment to student rep (\$50 per meeting)	200.00	50.00	150.00
<b>Total Commitments</b>			<b>18,235.85</b>

<b>TOTAL OPERATING EXPENSE BUDGET AVAILABLE*</b>	<b>5,665.00</b>
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\* remaining budget for personnel and operating expenses does not carry over into subsequent financial years

**Grants**

Income

Annual Plan 2020-21 grant allocation	4,700.00
Other miscellaneous income	-
<b>Total Income for 2022-2023</b>	<b>4,700.00</b>

**LESS: Grants paid out**

23/09/2022 Wairarapa Reap	Martinborough Community Board Grant	1,000.00
23/09/2022 Martinborough Squash Club	Martinborough Community Board Grant	1,050.00

<b>Total Grants paid out to 31 Oct 2022</b>	<b>2,050.00</b>
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**LESS: Committed Funds**

Resolution date		Original commitment	Spent to date	Remaining commitment
13/08/2020 Martinborough Community	Contribution to ongoing costs	800.00	-	800.00
11/08/2022 Martinborough Youth Trust	2022 Community fireworks Events	500.00	-	500.00
22/09/2022 South Wairarapa Community	Covid Essential Survival kits	1,000.00	1,000.00	-
22/09/2022 Martinborough School	Get Set Go	1,260.00	1,260.00	-
22/09/2022 Martinborough Squash Club	Uniform & tournament entry fees	1,050.00	1,050.00	-
22/09/2022 Martinborough JAB	Tournament attendance	750.00	-	750.00
<b>Total Commitments</b>				<b>2,050.00</b>

<b>PLUS: Balance Carried forward from previous year*</b>	<b>4,919.23</b>
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\* excludes Swimming Pool funds

<b>TOTAL GRANTS FUNDS AVAILABLE</b>	<b>5,519.23</b>
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**Martinborough Community Board**  
**Beautification Fund for the Period Ended 31 Oct 2022**

Income

Annual Plan 2022-2023 allocation

11,500.00

**Total Income 2022-2023**

**11,500.00**

Beautification grants - operating

**Total Beautification grants - operating to 31 Oct 2022**

-

Beautification grants - capital

**Total Beautification grants - capital to 31 Oct 2022**

-

**LESS: Committed Funds**

Resolution  
date

Original  
commitment

Spent to date

Remaining  
commitment

11/08/2022 Martinborough Business Association Christmas Garland decorations

1,000.00

1,000.00

**Total Commitments**

**1,000.00**

**PLUS: Balance Carried forward from previous year**

**13,429.57**

**TOTAL BEAUTIFICATION FUNDS AVAILABLE**

**23,929.57**

\* An adjustment was made to record this spend in the final accounts of June 2020 after the August report had already been completed.

\*\* There are further fountain invoices to be accounted for but will need to manually collate these in the year end process.

**Martinborough Community Board**  
**Swimming Pools Fund for the Period Ended 31 Oct 2022**

Income

Funds from Martinborough Swimming Club

15,268.80  
**15,268.80**

Expenditure

**Total Expenditure**

-  
**-**

**Net Surplus/(Deficit) Year to Date**

**15,268.80**

**LESS: Committed Funds**

Resolution  
date

Original  
commitment

Spent to date

Remaining  
commitment

**Total Commitments**

-  
**-**

**TOTAL FUNDS AVAILABLE**

**15,268.80**

**Appendix 2 – Pain Farm Income and  
Expenditure Statement for the Period  
Ending 30 September 2022**

## **Pain Farm - Statement of Financial Performance**

For the Period Ended 30 September 2022

<b>Income</b>	
Rent received*	25,600.00
Interest income	-
<b>Total Income 2022-23 to date</b>	<b><u>25,600.00</u></b>
<b>Expenditure</b>	
Consultants	-
General expenses	-
Interest expense	-
Legal expenses	-
Repairs & maintenance (other)	1,691.10
Grounds maintenance	1,579.92
Repairs & maintenance (Buildings)	1,868.09
Insurance	2,856.42
Overhead allocation	8,203.13
Rent & rates payable	9,916.41
Personnel costs	5,046.59
<b>Total Expenditure 2022-23 to date</b>	<b><u>31,161.66</u></b>
<b>Net Surplus/(Deficit) Year to Date</b>	<b><u>(5,561.66)</u></b>

## **Pain Farm - Statement of Accumulated Funds**

As at 30 September 2022

Opening balance 1 July 2022	103,300.95
Total surplus/(deficit) year to date	(5,561.66)
Transfers from reserves (capital spend)	-
<b>Closing balance 30 September 2022</b>	<b><u>97,739.29</u></b>
Less committed funds	27,490.75
50% deposit remaining for Fencing	27,490.75
<b>Total funds available</b>	<b><u>70,248.54</u></b>

\* Total shown as information is sensitive to the tenants. Could be included in a publicly excluded report if requested.

## Financial Assistance Report

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### 1. Purpose

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

### 2. Recommendations

Officers recommend that the Community Board

1. *Receive the Financial Assistance Report.*
2. *Consider the application from Martinborough Netball Club for \$3,000 to support junior uniforms.*
3. *Consider the application for \$150 from Charlotte Harding to support a Christmas Event in Martinborough.*
4. *Set the Martinborough Community Board funding dates for 2023.*

### 3. Executive Summary

The Martinborough Community Board has received two funding applications for consideration in the current funding round. This report presents the board with applications received requesting financial assistance.

### 4. Background

The 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](#).

Community boards are allocated funding for grants through the Long Term Plan/ Annual Plan. The current funding amount is available on the Income & Expenditure Statement.

### 5. Prioritisation

#### 5.1 Te Tiriti obligations

Engagement considered not required in this case.

#### 5.2 Strategic alignment

Spatial Plan

Long Term Plan

Annual Plan

Allocation for Grant funding is approved through the Annual Plan/Long Term Plan and supports the social, environmental, economic, and cultural outcomes.

## 6. Discussion

Under the current [Grants Policy](#) the key eligibility criteria for Community Board grants are 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 Martinborough Community Board has a maximum limit equal to half the total available grant pool.

The Grants Policy sets out further criteria.

### 6.1.1. *Application from Martinborough Netball Club*

The application from Martinborough Netball Club meets the criteria for funding. The organisation has no outstanding grant accountability forms. The application will be provided to members in confidence.

### 6.1.2. *Application from Charlotte Harding*

The application from Charlotte Harding meets the criteria for funding. The organisation has no outstanding grant accountability forms. The application will be provided to members in confidence.

## 7. Options

	Option 1	Option 2
Description	Approve a/the funding applications for the amount requested or a lesser amount.	Decline a/the funding applications.
Advantages	Support community organisations and align with the social, environmental, economic and/or cultural outcomes of Council.	Maintain the available fund for allocation to future applications.
Disadvantages	Decrease the available fund for allocation to future applications.	Does not support community organisations.

## **8. Strategic Drivers and Legislative Requirements**

### **8.1 Significant risk register**

There are no significant risks identified.

### **8.2 Policy implications**

Allocation decisions are made in accordance with Councils [Grants Policy](#).

## **9. Consultation**

### **9.1 Communications and engagement**

The decisions are considered as low significance as determined by the Councils Significance and Engagement Policy.

### **9.2 Partnerships**

Have you completed a communications plan for the work described/project to engage/communicate with partners/key stakeholders e.g. Waka Kotahi, Kainga Ora, community groups, particular individuals etc?

Yes No

If no, is a communications plan required?

Yes No

## **10. Financial Considerations**

The available funding amounts are provided in the Income & Expenditure Report. In accordance with the Financial Delegations Policy, a resolution is required to allocate this fund.

Contact Officer: Kaity Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

## Election of Chair of the Community Board 2022-2025 Triennium

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### 1. Purpose

This report sets out the process for electing the Chair and of the Community Board in the event that there is more than one nomination for the position, under the provisions of the Local Government Act 2002 ('the Act').

### 2. Recommendations

Officers recommend that the Council:

1. *Receive the Election of Chair of the Community Board 2022-2025 Report.*
2. *That the Community Board adopts System A or B as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Board's Chair and Deputy Chair (if required) for the 2022-2025 Triennium.*

### 3. Background

Section 54(2) of the Local Government Act says that "Part 1 of Schedule 7 (excluding clauses 15 and 33 to 36) applies to community boards, with all necessary modifications as if they were local authorities". This being so, then clauses 25 and 37(1) apply to the election of Chair and Deputy Chair roles

On 22 October 2022, Mel Maynard was elected Chairperson of the Martinborough Community Board for the 2022-2025 triennium (*MCB 2022/45*). On 24 November 2022, Mel Maynard stepped down from her position as Chair of the board. The Martinborough Community Board now must consider a new Chairperson for the remained of the triennium.

If the current Deputy Chair is elected as Chairperson, the board will be asked to elect a new Deputy Chair at this meeting.

### 4. Issues and Options

#### 4.1 Issues

Under the provisions of the Act a community board must determine by resolution that a person be elected or appointed by a system of voting being either System A or System B as outlined below (see Appendix 1).

## **4.2 Options – System A**

Under System A, a candidate is successful if he or she receives the votes of the majority of the members of the community board present and voting. If no candidate is successful in the first round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded. If no candidate is successful in the second round there is a third and if necessary subsequent round of voting from which each time the candidate with the fewest number of votes in the previous round is excluded until a candidate is successful. In any round of voting if two or more candidates tie for the lowest number of votes the person to be excluded from the next round is resolved by lot.

## **4.3 Options – System B**

System B is first past the post except that a tie for the most votes is resolved by lot.

## **4.4 Process**

In terms of process the Board needs to:

1. Resolve to using either system A or system B to elect the Chair and Deputy Chair (if required); and then use that system to effect the elections.

## **5. Considerations**

### **5.1 Policy considerations**

There are no policy considerations.

### **5.2 Legal considerations**

There are no additional legal considerations.

### **5.3 Financial considerations**

The chair of a community board receives an increase in remuneration in return for extra duties and responsibilities.

## **6. Significance and Engagement**

### **6.1 Degree of significance**

As this is a process mandated through legislation the matter has a low level of significance under Council policy.

### **6.2 Publicity**

There will be community interest in the community board decisions so a media release will be prepared.

## **7. Appendices**

Appendix 1 – Clause 25, Schedule 7, Local Government Act 2002

Contact Officer: Kaity Carmichael, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive Officer

**Appendix 1 – Clause 25, Schedule 7,  
Local Government Act 2002**

## EXTRACT FROM LEGISLATION, LOCAL GOVERNMENT ACT 2002

### 25 Voting systems for certain appointments

(1) This clause applies to—

- (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
- (b) the election or appointment of the deputy mayor; and
- (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
- (d) the election or appointment of a representative of a local authority.

(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

- (a) the voting system in subclause (3) (**system A**):
- (b) the voting system in subclause (4) (**system B**).

#### (3) **System A**—

(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:

- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

#### (4) **System B**—

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

- (i) there is only 1 round of voting; and
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

### Clause 37, Schedule 7

(1) A community board must have a chairperson

(2) Clause 25 applies to the election of chairpersons of community boards.

## Member Report

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<b>Member Name</b>	Councillor Aidan Ellims
<b>Specific item(s) for consideration</b>	<p><b>Pedestrian Crossing Lighting</b></p> <p>During the 2019-2022 triennium local residents and ratepayers regularly reported to members of the Martinborough Community Board that there had been near misses between pedestrians walking out of The Square onto the pedestrian crossing heading towards Oxford Street and Cambridge Road, and vehicles travelling around The Square during the hours of darkness.</p> <p>While there are streetlights in Oxford Street adjacent to the Pukemanu Tavern and in Cambridge Road adjacent to Karahui Wine Bar (old BNZ Bank) and Neighbourhood Café, these street lights are Dark Sky compliant and their cone of light radiating onto the ground does not extend out across The Square towards the start of the pedestrian crossings.</p> <p>There are currently no streetlights on the inside of The Square at the start of the pedestrian crossings radiating out towards Oxford Street and Cambridge Road.</p> <p>During early 2022, Martinborough Community Board met with Council officers to discuss road safety issues within Martinborough and we were advised that applications had previously been made to Waka Kotahi for funding to upgrade the lighting at pedestrian crossings in Martinborough, however, that application had been unsuccessful.</p> <p>We have also been advised that underground power supply within The Square has been damaged and to excavate and locate the fault requires Resource Consent.</p> <p>For this reason, I have wondered about installing solar powered street lights on the inside footpath of The Square. Solar powered lights would not require connection to the underground power supply and secondly hopefully wouldn't require a Resource Consent to install.</p>

Earlier this year, I have been found that Carterton District Council has installed solar powered street lights at a number of rural intersections. A photo of this is below.



I have asked a local business, Poltech to price solar powered street lights similar to these which have been installed by Carterton District Council.

Once these costs have been established, could Martinborough Community Board please request that Council consider the installation of solar powered street lights in The Square at the pedestrian crossings leading to Oxford Street and Cambridge Road.

Of note is that the pedestrian crossing on Jellicoe Street, adjacent to Venice Street also is dangerous due to no lighting. Again residents have reported to Community Board members about near misses between pedestrians and vehicles, with one resident reporting an incident during public participation at a meeting in 2021.

This pedestrian crossing would also benefit with having lighting installed to make it safer.

I have spoken to Gray Carter from Poltech, Martinborough who has stated that a 7 metre pole with a solar powered light at the pedestrian crossing on The Square adjacent to Oxford Street would indicatively cost in excess of \$30,000 excl GST for installation, labour etc.

Can the Martinborough Community Board pass a resolution, bringing the public concerns and the risks of an accident between pedestrians and vehicles to Council and ask that these priority be given making these two pedestrian crossings safer.

**Oak Trees in Huangarua Park to be added to the Notable Tree Register**

Huangarua Park is situated behind Wharekaka Rest Home and boundaried by Sackville Street, Suez Street and Naples Street. The Park consists of a large number of mature oak trees and is utilized by both Martinborough residents and visitors to our town all year round.

SWDC has a Notable Tree Register which records significant trees throughout the District, both native and introduced. Recently it has been established that the oak trees in Huangarua Park are not listed in the Notable Tree Register.

Speaking to SWDC Planning Officer James Whitham, he stated that to have trees added to the Notable Tree Register, a submission needs to be made to Council and then the trees would be assessed by an Arborist.

He added that as there is consultation occurring at the moment for the Combined District Plan, now would be the right time to lodge a submission asking for the oak trees in Huangarua Park to be listed on the Notable Tree Register and protected.

Can the Martinborough Community Board pass a resolution and make a submission to the Combined District Plan asking that the oak trees in Huangarua Park be listed on the Notable Tree Register.