



MĀORI STANDING COMMITTEE

**Agenda
25 March 2019**

Notice of a meeting of the Māori Standing Committee of the South Wairarapa District Council to be held in the old Council Chambers, Martinborough on Monday 25 March 2019 at 6.30pm.

MEMBERSHIP OF THE COMMITTEE

Raihānia Tipoki (chair), Teresa Aporo, Narida Hooper, Nathan Maynard, Karen Mikaera, Demetrius Potangaroa, Michael Roera, Terry Te Maari, Wayne Pitau, Amiria Te Whaiti and Cr Pip Maynard.

OPEN SECTION

1. APOLOGIES:

2. PUBLIC PARTICIPATION:

- 2.1 Leigh Hay, SWDC Logo and Branding Working Party, **6:30pm**
to provide a final update on the adopted logo.

3. ACTIONS FROM PUBLIC PARTICIPATION:

4. MINUTES FOR RECEIPT AND CONFIRMATION:

- 4.1 Māori Standing Committee Minutes of 11 February 2019 **Pages 1-3**

***Proposed Resolution:** That the minutes of the Māori Standing Committee meeting held on 11 February 2019 be confirmed as a true and correct record.*

- 4.2 SWDC Minutes from 20 February 2019 **Pages 4-16**

***Proposed Resolution:** That the minutes of the South Wairarapa District Council meeting held on 20 February 2019 be received.*

5. OPERATIONAL REPORTS – COUNCIL OFFICERS:

- 5.1 Officers' Report **Pages 7-47**
5.2 Action Items Report **Pages 48-52**
5.3 SWDC Logo and Branding Working Party Report **Pages 53-75**
5.4 Bylaws Review Report **Pages 76-120**

6. MEMBER ITEMS:

- 6.1 Tyres on the beach at Whāngaimoana; Reuben Tipoki
- 6.2 Rubbish bins at Lake Ferry Reserve; Reuben Tipoki
- 6.3 Update on removal of pine trees at Lake Ferry; Reuben Tipoki
- 6.4 A pronunciation workshop for councillors and staff; Reuben Tipoki
- 6.5 Rapa Valley Development at Moiki; Teresa Aporo
- 6.6 Request to have policies set up for crematoriums on the procedures for dispersing of cremated remains in our Mahinga kai reserves; Teresa Aporo

7. CORRESPONDENCE:

- 7.1 Inwards

From Māori Standing Committee, to Kathy Houkamau,
Department of Conservation, dated 8 March 2019

Māori Standing Committee

Minutes – 11 February 2019

- Present:** Raihānia Tipoki (Chair), Teresa Aporo, Narida Hooper, Nathan Maynard, Karen Mikaera, Michael Roera, Terry Te Maari, and Cr Pip Maynard.
- In Attendance:** Paul Crimp (Chief Executive) and Suzanne Clark (Committee Secretary), Leigh Hay (SWDC Logo and Branding Working Party) for part only.
- Conduct of Business:** The above attendees gathered in the Supper Room, Martinborough. The meeting was conducted in public between 6:30pm and 8:50pm.
- Also in Attendance:** Lee Timutimu (Arataki Systems) and Amber Craig.

PUBLIC BUSINESS

1. APOLOGIES

MSC RESOLVED (MSC 2019/01) to receive apologies from Demetrius Potangaroa, Amiria Te Whaiti and Mayor Napier.

(Moved Roera/Seconded Mikaera)

Carried

2. PUBLIC PARTICIPATION/PRESENTATIONS

2.1 Lee Timutimu (Arataki Systems)

Mr Timutimu spoke about the features and benefits of a cultural story telling smart phone application developed by Arataki System. The application could also be used to share a non-cultural message. Mr Timutimu undertook to provide pricing details to the Chief Executive and the Committee.

3. ACTIONS FROM PUBLIC PARTICIPATION

There were no actions from public participation.

4. MINUTES FOR RECEIPT AND CONFIRMATION

4.1 Māori Standing Committee Minutes – 3 December 2018

MSC RESOLVED (MSC 2019/02) that the minutes of 3 December 2018 be confirmed as a true and correct record.

(Moved Te Maari/Seconded Aporo)

Carried

4.2 SWDC Minutes from 12 December 2018

Mr Crimp discussed the Martinborough town water situation with members.

MSC RESOLVED (MSC 2019/03) that the minutes of the South Wairarapa District Council meeting held on the 12 December 2018 be received.

(Moved Cr Maynard/Seconded Hooper)

Carried

5. OPERATIONAL REPORTS – COUNCIL OFFICERS

5.1 Officers' Report

Mrs Hay tabled a presentation, thanked the Committee for the Māori logo translation, and briefed members on the two designs that had proceeded through market research. Council signoff of the selected logo would be sought on the 20 February 2019.

Mr Crimp discussed service levels and setting of Key Performance Indicators (KPI's), staff mental wellbeing as an aspect of health and safety, and removal of pine trees at Lake Ferry with members.

MSC RESOLVED (MSC 2019/04) to receive the Officers' Report.

(Moved Tipoki/Seconded Te Maari)

Carried

5.2 Action Items Report

Members discussed the action items.

6. MEMBER ITEMS

6.1 Featherston Wastewater Treatment Plant

Ms Mikaera queried the status and consultation undertaken for the short term Featherston wastewater consent application lodged with Greater Wellington Regional Council (GWRC). Concern was expressed for the well-being of Wairarapa Moana. Mr Crimp advised that the main resource consent application had been used as a reference and some assumptions made during its preparation. GWRC were yet to process the application and confirm its notification status.

6.2 Moiki Subdivision

Members discussed concerns with the wāhi tapu site at the Moiki subdivision in relation to a wider concern for rural resource consent applications being appropriately reviewed. In addition to wāhi tapu the Moiki site had a wetlands which was of interest to the Department of Conservation (DoC). Ms Aporo was liaising with Haami Te Whaiti about access to and protection of the wāhi tapu site.

MSC NOTED:

1. Action 63: Arrange a workshop to discuss and organise an appropriate structure to address the issue of the process for reviewing the rural resource consents from a Council and MSC perspective; R O'Leary
2. Action 64: Investigate whether a section seeking impact on environmental issues can be added to Council's resource consent template; R O'Leary
3. Action 65: Determine whether Council's subscription to ArchSite would permit a login for the Māori Standing Committee; R O'Leary

6.3 Provisions for Ngati Hikawera through the use of their ancestral name – Waihinga

Ms Aporo thanked Council for the Ngati Hikawera discussion and provisions noting an incorrect email address on the information provided that needed amending.

6.4 Ngati Hikawera representation on MSC

Ms Aporo discussed the possibility of having Ngati Hikawera represented on the Māori Standing Committee with members. Members agreed to await the outcome of the hapu discussion with Hau Ariki Marae and to discuss the initiative when the terms of reference for the Committee are developed.

6.5 Rates for marae

Mr Crimp clarified that Council only charged water and sewage rates (if applicable) to marae; there was no rates on land. Rating had been reviewed and Council was charging according to policy.

6.6 Concerns for waste water at Rapa Valley subdivision plan

This item was discussed under agenda item ‘6.2 Moiki Subdivision’.

6.7 Spraying at Wairarapa Moana

Ms Mikaera requested an update on spraying by DoC and GWRC at Wairarapa Moana.

MSC NOTED:

1. Action 66: Write to DoC and GWRC requesting their overall programme on behalf of the MSC for Wairarapa Moana, including their spraying schedule and chemicals to be used; P Crimp

7. CORRESPONDENCE

7.1 Inwards

From Ana Faatoia, Greater Wellington Regional Council, to Reuben Tipoki, Māori Standing Committee dated 11 January 2019

Mr Tipoki extended an invitation to any member that wanted to be the lead in the WREMO initiative to engage marae and iwi.

Mr Tipoki closed with a karakia.

Confirmed as a true and correct record

.....Chairperson

.....Date

SOUTH WAIRARAPA DISTRICT COUNCIL MEETING MINUTES

20 February 2019

- Present:** Mayor Viv Napier (Chair), Councillors Lee Carter, Pam Colenso, Margaret Craig, Pip Maynard, Brian Jephson, Colin Olds, Colin Wright and Ross Vickery.
- In Attendance:** Paul Crimp (Chief Executive Officer), Mark Allingham (Group Manager Infrastructure and Services), Jennie Mitchell (Group Manager Corporate Support), Russell O’Leary (Group Manager Planning and Environment), Suzanne Clark (Committee Secretary) and Reuben Tipoki (for part only).
- Conduct of Business:** The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 9:00am and 4:36pm.
- Forum and Other Presenters:** Jen Bhati (South Wairarapa Neighbourhood Support Coordinator), Paul Mason (Featherston Community Centre), Ankie Hoogvelt and Heather March, Brian Sharpe and Tom Davies (Wellington Gliding Club) and Daphne Geisler. Robyn Ramsden (Chair Featherston Community Board), Lisa Cornelissen (Chair Martinborough Community Board), Leigh Hay (SWDC Logo and Branding Working Party Chair), Amber Craig (Tahetoka Limited), Narida Hooper, Catherine de Groot and Vicky Read (Waihinga Charitable Trust).

Open Section

Mayor Napier read the South Wairarapa District Council affirmation.

A1. Karakia

Mr Tipoki opened with a karakia.

A2. Apologies

There were no apologies.

A3. Conflicts of Interest

There were no conflicts of interest declared.

A4. Acknowledgements and Tributes

Mayor Napier acknowledged the passing of Garry Jackson and his contribution to the Martinborough Fire Brigade spanning 50 years.

Mayor Napier also acknowledged Sir Kim Workman who was named Senior New Zealander of the Year in 2018 and has since been named a knight companion in the 2019 New Year honours list for services to prisoner welfare and the justice sector.

Council staff were acknowledged for going above the call of duty in the Martinborough town water situation as were Martinborough residents for their patience and understanding.

Mayor Napier acknowledged the people of Nelson and Tasman districts with regards to the fire situation.

Mr Tipoki acknowledged the passing of Jack Te Whaiti who was heavily involved in the community.

A5. Public Participation

Ms Bhati introduced herself as the South Wairarapa Neighbourhood Support Coordinator and outlined the current status of active groups in the district and plans to promote the scheme.

Mr Mason tabled information on the Featherston Community Centre's activities and how the Centre was fulfilling a need in the community. In addition to engaging with the community, the Trust were working with the Featherston Medical Centre to facilitate their move to the area. Mr Mason requested Council commitment and collaboration with the Trust.

Ankie Hoogvelt and Heather March presented a series of dealings with Council over the last sixteen months in attempts to have the ditch behind 1 Hart Street, Featherston cleared in order to limit flooding impacts to the property. Ms Hoogvelt requested that Council order the ditch to be cleared.

Mr Sharpe and Mr Davies outlined the Wellington Gliding Club's goal and vision and spoke in support of the Club's application for financial assistance.

Ms Geisler believed that the Council officer's report on Kansas Street did not address the advice received from counsel, was not a complete or accurate chronology, issues were not addressed, and failed to provide rationale or evidence. Ms Geisler requested that the next action was meaningful and that all facts were provided to councillors.

A6. Actions from Public Participation

COUNCIL NOTED:

1. Action 98: Make contact with the Featherston Community Centre to discuss how Council can work with the Centre; Mayor Napier
2. Action 99: Prepare a report on Council responsibility for, and options to remedy the drainage problem at Abbots Creek, Featherston which impacts 1 Hart Street, Featherston, with consideration given to climate change impact, legal matters and includes financial implications; M Allingham

A7. Community Board Participation

Featherston Community Board

Mrs Ramsden thanked the Mayor and councillors involved in the Featherston vacant land workshops noting that a recommendation for moving forward would be in Community Board papers. The Board continued to seek and receive feedback from the community.

Martinborough Community Board

Mrs Cornelissen acknowledged the impact to businesses of the Martinborough water situation, but on behalf of the Community Board thanked Council staff for working hard to resolve the problem, good communications, and the provision of water bladders. Mrs Cornelissen requested Council vote in favour of acceleration of the manganese plant and develop a large email database of residents.

Mrs Cornelissen outlined a number of recent Community Board initiatives.

Māori Standing Committee

Mr Tipoki noted that the Committee had been receiving large numbers of rural resource consents for input on wahi tapu sites and outlined projects the Committee were considering.

A8. Extraordinary Business

COUNCIL RESOLVED (DC2019/02) that the tabled report on 4 Kansas Street, Martinborough be considered at this meeting. It was not included in the agenda due to competing priorities and should not be delayed until the next meeting as there was an expectation that it would be considered on the 20 February 2019.

(Moved Mayor Napier/Seconded Cr Jephson)

Carried

Council agreed to consider items D5, C3 and C2 in that sequence and at an earlier time. The 4 Kansas Street Report would be considered under agenda item D1.

A9. Minutes for Confirmation

COUNCIL RESOLVED (DC2019/03) that the minutes of the Council meeting held on 12 December 2018 are a true and correct record.

(Moved Cr Craig/Seconded Cr Olds)

Carried

A10. Notices of Motion

There were no notices of motion.

B Council Committee and Community Board Minutes

B2. SWDC Logo and Branding Working Party Report

Mrs Hay presented the Working Party preferred logo and outlined the background and work done to support the recommendation.

COUNCIL RESOLVED (DC2019/04)

1. To receive the SWDC Logo and Branding Working Party Report.
2. To approve design one (round logo), as the preferred logo, to be adopted as the new logo for South Wairarapa District Council.

(Moved Mayor Napier/Seconded Cr Vickery)

Carried

B1. A Collaborative Proposal to Transform our Māori Policy

Ms Craig with support from Ms Hooper and Mr Tipoki outlined a proposal to lift the Māori voice at Council with the aim for Council to form a partnership and move forward with the Māori Standing Committee.

COUNCIL RESOLVED (DC2019/05)

1. To receive the Collaborative Proposal to Transform the Māori Policy Report.
(*Moved Mayor Napier/Seconded Cr Maynard*) Carried
2. That Council approve the use of the total budget outlined in this proposal.
(*Moved Cr Jephson/Seconded Cr Olds*) Carried
3. To authorise the Māori Standing Committee to start the process of engagement with Amber Craig from Tahetoka Limited.
(*Moved Cr Craig/Seconded Cr Carter*) Carried

C1. Waihinga Park and Playground Project (Stage 2)

Ms de Groot and Ms Read requested Council mandate to proceed with the Martinborough Playground and permission to seek contractor request for proposals (RFP's).

Mr Crimp clarified that the contract for works would be between the Council and the Trust, but the final asset would be vested in Council.

COUNCIL RESOLVED (DC2019/06):

1. To receive the Waihinga Park and Playground Project (Stage 2) Report.
(*Moved Cr Jephson/Seconded Cr Craig*) Carried
2. To agree that the Martinborough Park and Playground Project (Stage 2) can formally proceed.
(*Moved Cr Colenso/Seconded Cr Jephson*) Carried
3. To approve the Martinborough Park and Playground Project (Stage 2) design in principle, and allow the Waihinga Trust to call for expressions of interest for the construction of the playground.
(*Moved Cr Craig/Seconded Cr Colenso*) Carried

D5. Martinborough Water Situation

The Group Manager Infrastructure and Services acknowledged the support of the community throughout the situation and answered operational questions about equipment and process failure with councillors. Future community consultation on chlorination would be undertaken (with the option for district wide consultation to acknowledge cost share), unless a government mandate to chlorinate was imposed.

COUNCIL RESOLVED (DC2019/07):

1. To receive the Martinborough Water Supply Contamination Incident Report.
(*Moved Cr Colenso/Seconded Cr Vickery*) Carried
2. That in conjunction with Council officers we have a community debrief that includes businesses and schools.
(*Moved Cr Maynard/Seconded Cr Colenso*) Carried
3. Action 100: Compile a list of facts regarding the recent Martinborough water situation; to be available for the community debrief; M Allingham

C3. Manganese Plant Martinborough

Mr Crimp noted that a manganese plant for Martinborough had been consulted on as part of the Long Term Plan process, and to move to a path of chlorination a plant

was required, and that there were no other options. The initial capital cost of the project was estimated at \$485,000.

To get a manganese plant operational would take nine months. Council officers could not guarantee that a contamination situation would not reoccur without the removal of manganese from the water.

COUNCIL RESOLVED (DC2019/08):

1. To receive the Manganese Plant Martinborough Report
(*Moved Cr Olds/Seconded Cr Craig*) Carried
2. To approve the advancement of the installation of a manganese plant for the Martinborough water supply from the 2021 year to the current year and 2019/20 year.
3. To note that the installation of a manganese plant for the Martinborough supply was consulted on as part of the 2018/28 Long Term Plan.
(*Moved Cr Wright/Seconded Cr Colenso*) Carried

Cr Carter voted against the motion.

C2. Wellington Water Statement of Proposal

Mr Crimp discussed the report and answered queries about officer liaison between Wellington Water, public notification of the proposal, and the extent of delegation in recommendation four.

COUNCIL RESOLVED (DC2019/09):

1. To receive the Wellington Water Statement of Proposal Report.
(*Moved Cr Colenso/Seconded Cr Maynard*) Carried
2. To note the 'in principle support' from Wellington City Council; Porirua City Council; Hutt City Council; Upper Hutt City Council; and Greater Wellington City Council.
3. To adopt the Wellington Water Statement of Proposal Appendix 1.
4. To delegate to the Chief Executive the authority to make minor editorial changes to the Statement of Proposal.
(*Moved Cr Vickery/Seconded Cr Olds*) Carried

B3. Minutes of Council Community Boards and Committees

COUNCIL RESOLVED (DC2019/10)

1. To receive the Reports/Minutes of Council Committees and Community Boards.
2. To receive the minutes of the Featherston Community Board meeting 29 January 2019.
3. To receive the minutes of the Greytown Community Board meeting 30 January 2019.
4. To receive the minutes of the Martinborough Community Board meeting 31 January 2019.
5. To receive the tabled minutes of the Māori Standing Committee meeting 11 February 2019.
6. To receive the minutes of the Audit and Risk Working Party 29 January 2019.
(*Moved Cr Craig/Seconded Cr Colenso*) Carried

B4. Pain Farm Trust Income Distribution

COUNCIL RESOLVED (DC2019/11)

1. To receive the Pain Farm Trust Income Distribution Report.
(Moved Cr Colenso/Seconded Cr Jephson) Carried
2. To approve expenditure from Pain Farm to the amount of \$2,116 to the Martinborough Cricket Club to pay for cricket pitch covers for Considine Park as recommended by Martinborough Community Board resolution MCB2018/819.
(Moved Cr Colenso/Seconded Cr Jephson) Carried

C Decision Reports from Chief Executive and Staff

C4. Proposed Review of the Wairarapa Combined District Plan

The Group Manager Planning and Environment advised that similar reports were being taken to the other Wairarapa councils.

COUNCIL RESOLVED (DC2019/12):

1. To receive the Proposed Review of the Wairarapa Combined District Plan Report.
(Moved Cr Olds/Seconded Cr Jephson) Carried
2. To confirm approval for the commencement of the review of the Wairarapa Combined District Plan.
(Moved Cr Craig/Seconded Cr Olds) Carried

C5. Bylaws Review Statement of Proposal

Carterton District Council were now working with Masterton and South Wairarapa District Councils to adopt the same bylaws.

Cr Maynard left the meeting at 12:34pm.

Cr Maynard returned to the meeting at 12:35pm.

COUNCIL RESOLVED (DC2019/13):

1. To receive the Bylaw Review Statement of Proposal Report.
2. That, in accordance with section 155(1) of the Local Government Act 2002, the proposed bylaws are the most appropriate way of addressing the perceived problems; and
3. That, in accordance with section 155(2) of the Local Government Act 2002, the proposed bylaws are the most appropriate form of bylaw and can be justified as a reasonable limitation on people's rights and freedoms and therefore do not give rise to any implications under the New Zealand Bill of Rights Act 1990; and
4. To adopt the Bylaw Review Statement of Proposal (Appendix 1) and the draft bylaws (Appendix 2) for consultation, using the Special Consultative Procedure, as identified in Section 83 of the Local Government Act 2002, subject to Carterton District Council and Masterton District Council also adopting the bylaws for consultation; and
5. To approve the consultation timeframes and approach described in this report under Significance and Engagement; and

6. To delegate authority to the Wairarapa Policy Working Group to hear and consider submissions and make recommendations back to the three Councils on the final bylaws.

(Moved Cr Vickery/Seconded Cr Craig)

Carried

C6. Proposed New Dog Pound Facility

The Group Manager Planning and Environment presented the report and answered councillor questions on location, costings, consultation with expert groups, expected use and appropriate animal welfare design.

Revisiting a joint Wairarapa council pound for the purposes of working together to reduce overall cost while maintaining a location that was suitable for South Wairarapa resulted in deferral of a decision.

COUNCIL RESOLVED (DC2018/14):

1. To receive the Proposed New Dog Pound Facility Report.

(Moved Cr Maynard/Seconded Cr Olds)

Carried

2. To defer a decision on the report until further research on a joint council pound can be discussed with Carterton District Council.

(Moved Cr Olds/Seconded Cr Craig)

Carried

C7. Extraordinary Vacancy

As Greytown ward councillors, Cr Craig and Cr Wright spoke in support of filling the councillor vacancy as unusual circumstances existed. Mayor Napier noted that district representation needed to be consistent and Cr Craig would not be as capable to carry out duties as a councillor once she moved out of the district in April.

COUNCIL RESOLVED (DC2019/01):

1. To receive the Extraordinary Vacancy Report.

(Moved Cr Jephson/Seconded Cr Maynard)

Carried

2. To note that an extraordinary vacancy has been created, through the resignation of Councillor Paora Ammunson, which was notified on 17 December 2018.

(Moved Cr Colenso/Seconded Cr Olds)

Carried

That the vacancy will be filled by the appointment of Mike Gray who is qualified to be elected as a member, and in making that appointment takes into account the following criteria:

- a. This person has a working knowledge of local government processes, having previously been a South Wairarapa District Council councillor, and is currently a member of the Greytown Community Board as well as the Greytown Trust Lands Trust.
- b. This person at the last triennial election was the highest polling unsuccessful candidate.
- c. This person has indicated his availability to take up that position immediately on confirmation of the appointment.

(Moved Cr Wright/Seconded Cr Craig)

Carried

3. To note that the decision of Council will be publicly notified in accordance with the requirements of the Local Electoral Act 2001.
(*Moved Cr Craig/Seconded Cr Jephson*) Carried
4. To note this decision is not significant in terms of Council's Significance and Engagement Policy.
(*Moved Cr Wright/Seconded Cr Craig*) Carried

C8. Wastewater Sewer Lateral

The Group Manager Infrastructure and Services was seeking a clear policy from Council on wastewater sewer laterals.

COUNCIL RESOLVED (DC2019/15):

1. To receive the Wastewater Sewer Lateral Replacement Management Report.
2. That lateral renewal up to the boundary where necessary will be undertaken at Council's cost but only when main pipeline renewal is being undertaken (this will be regarded as an operational expense).
3. That council in the meantime will not fund depreciation of private lateral assets.
4. That clearing of obstructions and ensuring the lateral is functional will be carried out within Council land.
5. That private property owners remain responsible for lateral renewal maintenance and renewal as per the bylaw when (2 above) does not apply.
6. That the policy be altered to reflect this change and the bylaw remain unchanged.

(*Moved Cr Olds/Seconded Cr Craig*)

Carried

Cr Wright voted against the motion.

Cr Carter voted against the motion.

C9. Sealing of Udy Street Right-Of-Way

The Group Manager Infrastructure and Services discussed options for improving safety for walkers, parking options for walkway users, resealing of the paper road, and potential costs with councillors. Councillors discussed the possibility of deferring to the Annual Plan process.

COUNCIL RESOLVED (DC2019/16):

1. To receive the Sealing of Udy Street Report.
(*Moved Cr Colenso/Seconded Cr Maynard*) Carried
2. That the status of the sealed section of paper road at the north end of Udy Street is confirmed (vested as necessary).
3. That subject to the above and receipt of NZTA subsidised funding, complete the plan to widen and seal the north end of Udy Street.
4. That subject to the above, that the cycle trail is extended to the corner of Udy Street and North Road and joined with the existing trail.

(*Moved Cr Olds/Seconded Cr Jephson*)

Carried

C10. Wairarapa Library Service

COUNCIL RESOLVED (DC2019/17):

1. To receive the Wairarapa Library Service Report.
(*Moved Cr Colenso/Seconded Cr Olds*) Carried
2. To agree to participate within a Wairarapa Library Service (WLS) Joint Committee of Carterton District Council and South Wairarapa District Council subject to adoption of an agreed Terms of Reference (TOR) that complies with Section 30A of the LGA 2002.
3. That elected member representatives Cr Pam Colenso and Robyn Ramsden be confirmed as appointees to the WLS Joint Committee.
(*Moved Cr Craig/Seconded Cr Jephson*) Carried

C11. Compliments and Complaints Policy N800

The report was deferred as councillors had suggestions for improvements that they would like considered for inclusion in the policy before its adoption.

COUNCIL RESOLVED (DC2019/18):

1. To receive the Compliments and Complaints Policy N800.
(*Moved Cr Jephson/Seconded Cr Craig*) Carried
2. To defer consideration of the Compliments and Complaints Policy.
(*Moved Mayor Napier/Seconded Cr Wright*) Carried
3. Action 101: Forward comments or questions on the proposed Compliments and Complaints Policy to Jennie Mitchell for consideration; Councillors

C12. Community Housing Policy E400

Cr Wright advised that revision of the Community Housing Policy was undertaken as per the Community Housing Working Party Terms of Reference.

COUNCIL RESOLVED (DC2019/19):

1. To receive the Community Housing Policy E400 Report.
2. To approve the Community Housing Policy E400.
3. To agree that the next review date should be February 2022.
4. To change the name of the policy to 'Housing for Seniors Policy'.
(*Moved Cr Wright/Seconded Cr Colenso*) Carried

C13. Infrastructure Deposits Policy C500

Mr Crimp discussed the Policy with councillors, the requested change was noted.

COUNCIL RESOLVED (DC2019/20):

1. To receive the Infrastructure Deposit Policy C500 Review Report.
2. To approve the amendments to the Infrastructure Deposit Policy C500.
3. To agree the next review date should be January 2022.
(*Moved Cr Jephson/Seconded Cr Craig*) Carried
4. Action 102: Amend paragraph 3.2 to show that a 'full' refund of the deposit may not be provided should the footpath and road crossings not be satisfactorily reinstated; J Mitchell

C14. Application for Grant Funding

Members discussed support Council provides to the Gliding Club, and benefit to the district as a result of the Club being located in the South Wairarapa. It was noted that other funders had not yet been approached.

COUNCIL RESOLVED (DC2019/21):

1. To receive Application for Grant Funding Report.
(*Moved Cr Maynard/Seconded Cr Vickery*) Carried
2. To grant Wellington Gliding Club Incorporated \$2,000 for upgrade of the flight simulator from the youth grant funds (if available) otherwise from the contingency fund.
(*Moved Cr Vickery/Seconded Cr Wright*) Carried

C15. Coastal Adaptation

COUNCIL RESOLVED (DC2019/22):

1. To receive the Coastal Adaptation Report.
2. To agree with the proposal for the sub-committee of the Wellington Region Climate Change Working Group to establish a specific plan for a regional approach for a community-led coastal adaptation programme for the Wellington Region.
3. To request that there is a specific focus on Turakirae Head as far north as Castlepoint.
(*Moved Cr Olds/Seconded Cr Maynard*) Carried

D Operational Reports

D1. Report on Kansas Street

The Planning and Environment Manager discussed the report with members and answered interpretation of decision questions. Discussion was held on whether the report presented met the expectations of members. Due to the nature of the material and the potential for legal recourse further discussion was halted.

COUNCIL RESOLVED (DC2019/23):

1. To receive the Report on 4 Kansas Street and Request for Residential Use on the Property.
(*Moved Cr Colenso/Seconded Cr Wright*) Carried
2. That the report be considered at the upcoming extraordinary council meeting under public excluded under Section 48(1)(a), schedule 6(a) of the Local Government Official Information and Meetings Act 'so as maintenance of law is not prejudiced'.
(*Moved Cr Wright/Seconded Cr Jephson*) Carried

D1. Planning and Environment Group Report

Mr O'Leary and Mr Crimp discussed liquor licensing matters with councillors.

Cr Jephson left the meeting at 3:50pm.

Cr Jephson returned to the meeting at 3:54pm.

COUNCIL RESOLVED (DC2019/24) to receive the Planning and Environment Group Report.

(Moved Cr Craig/Seconded Cr Vickery)

Carried

D2. Infrastructure and Services Group Report

The Group Manager Infrastructure and Services introduced Mr Neems, Council's Amenities Manager, and discussed the new roading contract with councillors.

COUNCIL RESOLVED (DC2019/25) to receive the Infrastructure and Services Group Report.

(Moved Cr Jephson/Seconded Cr Olds)

Carried

D3. Chief Executive Officer Report

Mr Crimp thanked Council officers for their exceptional attendance to the Martinborough water situation and updated members on the Greytown land certificate of title issue.

COUNCIL RESOLVED (DC2019/26):

1. To receive the Chief Executive Officer's Report.

(Moved Mayor Napier/Seconded Cr Olds)

Carried

2. Action 103: Discuss the residents survey results at an upcoming Annual Plan Working Party meeting; J Mitchell

D4. Action Items Report

COUNCIL RESOLVED (DC2019/27) to receive the District Council Action Items Report.

(Moved Cr Craig/Seconded Cr Colenso)

Carried

D5. LTP Action Items Report

COUNCIL RESOLVED (DC2019/28) to receive the Long Term Plan Action Items Report.

(Moved Cr Jephson/Seconded Cr Craig)

Carried

E Chairperson's Report

E1. Report from Her Worship the Mayor

COUNCIL RESOLVED (DC2019/29):

1. To receive the Mayor's Report.
2. To note the resignation of CEO Paul Crimp from 29 March 2019.
3. To note a recruitment process is underway to appoint a new CEO. Interviews for the CEO position will be conducted by the full Council.
4. To endorse the Destination Wairarapa Strategy to 2025.

(Moved Mayor Napier/Seconded Cr Olds)

Carried

E2. Governance Review, Council Committees and Working Parties Structure

COUNCIL RESOLVED (DC2019/30):

1. To receive the Governance Review, Council Committees and Working Parties Structures Report.
2. To adopt the Committee and Working Party structure.
3. To adopt the draft Terms of Reference for the committees.
4. To adopt the SWDC affirmation to be read at the beginning of Council and committee meetings.
5. To note that all recommendations from the Governance Review Report from EQUIP Watson Peters have been discussed, adopted or implemented.
6. To establish a Community Board Working Party to determine if the current level of delegations is still appropriate and recommend changes to Council.
7. That the membership of the Community Board Working Party will be Mayor Napier, Cr Colenso, Cr Wright, Cr Vickery, chairs of Featherston, Greytown and Martinborough Community Boards.
8. That the Community Board Working Party will develop a Terms of Reference and report their findings to the 15 May Council meeting.
9. To adopt the South Wairarapa District Council Governance Statement.
10. To adopt the Council Calendar of ordinary meetings as attached in Appendix 3 for all committees and to delegate to the Chief Executive the authority to alter the schedule of ordinary meetings following consultation with the Chair.
11. To note that the new structure will require more administration support.
12. To note that under the current determination from the Remuneration Authority changes to the remuneration of councillors or other committee members can be made by a resolution of Council. Any change would impact all councillors' remuneration.
13. To note that a revised meeting calendar incorporating the new structure has been circulated and attached.

(Moved Mayor Napier/Seconded Cr Wright)

Carried

F Members' Reports

F1. Reports from Councillors

Cr Colenso

Wairarapa Library Service, Community Safety and Resilience Working Party

Cr Colenso tabled a Waste Forum report.

F2. Reports from Appointments to Greater Wellington Regional Council (GWRC) Committees

Cr Olds

Wairarapa Moana Governance Group, Ruamāhanga Whaitua Committee, Lower Valley Development Scheme Advisory Committee

Cr Olds acknowledged the passing of Mark Lovett and his contribution to the Lower Valley Scheme.

H Consideration of Public Excluded Business

H1. Confirmation of Public Excluded Minutes from 12 December 2018

COUNCIL RESOLVED (DC2019/31) that the public be excluded from the following part of the meeting.

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

Report/General Subject Matter	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
Public excluded Council minutes from 12 December 2018	Good reason to withhold exists under section 7(2)(a)	Section 48(1)(a)

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

Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
a) to protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

(Moved Cr Jephson/Seconded Cr Colenso)

Carried

Confirmed as a true and correct record

.....(Mayor)

.....(Date)

MĀORI STANDING COMMITTEE

25 MARCH 2019

AGENDA ITEM 5.1

OFFICER'S REPORT

Purpose of Report

To report to Council on general activities.

Recommendations

Officers recommend that the Community Board/Committee:

1. *Receive the Officer's Report.*

CHIEF EXECUTIVE

1. Executive Summary

This is my last report as Chief Executive Officer of SWDC.

I won't bang on too much, I would like to say though that I am incredibly proud of where we are currently positioned, what we have achieved over my time here, and with all the initiatives we have in place, where we are headed.

And I emphasise "we".

Yes, there have been some bumps along the way, however the fact we continue to make really good progress, with exciting initiatives to come, highlights the strength of SWDC.

Personally, no one can succeed without the support of all those around us, and I cannot complain about the support I have received.

To the people I work with, thanks heaps.... You have supported me through the good times and not so good. We work in a difficult and complex environment and are under more and more scrutiny. By and large, we pass this scrutiny.

Mayors past and present, Councillors past a present, thanks – huge progress, great job!

2. Governance/Leadership/Advocacy

The following table provides the year to date results for KPI's set for the Governance output. This has been updated for the 2017/18 results.

GOVERNANCE, LEADERSHIP AND ADVOCACY MEASURING SERVICE DELIVERY PERFORMANCE					
SERVICE LEVEL	KEY PERFORMANCE INDICATORS	2016/17	2017/18	2017/18	COMMENTS
		ACTUAL	TARGET	ACTUAL	
Opportunities are provided for the community to have its views heard	Ratepayers and residents feel they can contact a Council member to raise an issue or problem	79% (13/14: 73%)	75%	69%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018. In addition to the 69% (2016: 79%) positive response, 18% (2016: 13%) felt they were unable to comment.
	Ratepayers and residents feel that the Mayor and councillors give a fair hearing to their views	63% (13/14: 62%)	75%	47%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018. In addition to the 47% (2016: 63%) positive response, 20% (2016: 23%) felt they were unable to comment.
Council determines what activities it should engage in through consultation and regulatory requirements then sets clear direction	Ratepayers and residents are satisfied with Council's decisions and actions	70% (14/15: 59%)	80%	65%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018. In addition to the 65% (2016: 70%) positive response, 8% (2016: 14%) felt they were unable to comment. The 2014/15 result of 59% was a separate survey with a sample size of 117, and was used to provide an interim indication. The NRB survey size of 300, which is our main survey and has a significantly lower margin of error.
	Ratepayers and residents are satisfied with how Council allocates rates/funds to be spent on the services and facilities provided (target peer group age)	65% (13/14: 64%)	80%	61%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018. In addition to the 65% (2016: 65%) positive response, 10% (2016: 14%) felt they were unable to comment.
Community Boards make decisions that consider local issues	Community Board decision - making reports on local issues	GTN 96% FTN 95% MBA 92%	90%	GTN 90% FTN 94% MBA 93%	This measure reports on the percentage of resolutions made that relate solely to local issues.
	% of ratepayers and residents who know how to contact a community board member	69% (13/14: 65%)	71%	60%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018.
Opportunities are available to raise local issues and understand what will happen as a result	Ratepayers and residents satisfied with the way Council involves the public in the decisions it makes	47% (13/14: 49%)	72%	36%	The National Research Bureau (NRB) Customer Satisfaction survey was carried out in October 2018. In addition to the 36% (2016: 47%) positive response, 26% (2016: 31%) felt they were neither satisfied nor dissatisfied, and 4% (2016: 5%) felt they were unable to comment.
Opportunities are available to raise issues relating to Maori through the Maori Standing Committee	The Maori Standing Committee makes recommendations to Council in relation to policy and plan development and resource management applications	100%	100%	100%	Maori Standing Committee met on 7 occasions. In total 24 resource consent applications were considered. (2017: 7 meetings and 21 resource consent applications).

2.1 Productivity Commission Review

Draft responses prepared by SOLGM, and Local Government New Zealand were circulated and discussed.

SWDC made a submission based around the LGNZ draft.

3. Strategic Planning and Policy Development

3.1 Meetings/Conferences

3.1.1. Mayoral Forum

One Mayoral forum was held.

Agenda items included Appointment of Chair/Deputy Chair, with Mayor Guppy (Upper Hutt CC) appointed chair and Mayor Lester (Wellington CC) appointed deputy.

Other items included Lets Get Wellington Moving; Wellington Region Investment Plan; Productivity Commission, Local Government Funding and Financing; and Regional Indoor Stadium.

3.1.2. Roading Review – S17A

We have completed the Section 17A review, with the result being South Wairarapa and Carterton Councils will work together on procuring and delivering roading outputs.

We (SWDC/CDC) are updating our procurement strategy to reflect the new structure also working with MDC on aligning contract dates to ensure open market competitiveness.

3.1.3. Wairarapa Regional Economic Development Strategy

Progress continues towards the delivery under this plan.

There was a slight hiatus over the Christmas / New Year break, however activity now continues apace.

Action 359 questions what activities have been left out of the WREDS, this discussion is covered in Appendix 4 of the Strategy and Action Plan.

3.1.4. Wellington Water Limited

Officers attended a very worthwhile meeting with Wellington Water senior officers to continue to understand each other's businesses.

A further workshop was held with SWDC officers and elected members to further tease out the strengths, weaknesses, opportunities and threats of joining.

A separate decision paper is presented to this meeting in relation to joining Wellington Water.

Wellington Water also offered their expertise to assist in the management and operational aspects of the E Coli issue in the Martinborough supply. It is fair to say the structured approach has helped manage the response in a broader way than we could have achieved with our existing resources.

3.1.5. Spatial Planning

Following on from the Long Term Plan Action, we have commenced this process.

Ree Anderson was selected to commence this process and will be preparing a spatial plan discussion document following a couple of workshops.

Ree has experience with the Auckland Plan, and has also worked with Palmerston North City Council, and Horowhenua District Council.

This document will form the basis of the public consultation phase.

Following discussion with Ree, the spatial plan should be completed in 12 to 18 months.

3.1.6. Other Meetings

We continue to work through the usual issues that arise from the first occupation of a large building, the Waihinga Centre. From an operational perspective these are relatively straightforward, but do need to be resolved.

The E. coli issue in Martinborough has generated a significant workload, with internal meetings, daily discussions with Regional Public Health, and Wellington water. This is a big issue for our community, and we have ensured all available resources have been applied to ensure resolution as soon as is practical. The Communities patience has to be acknowledged, and our regular updates have been well received.

Our team has really stepped up and the response has been as good as it could be. We will obviously have a debrief, and will be asking the Martinborough public for comments on what initiatives we need to put in place to ensure, if an event like this happens again, we are in the best position to respond appropriately.

4. Corporate

4.1 Public Excluded Information

Council resolution DC 2018/150 states:

COUNCIL RESOLVED (DC2018/150):

1. To receive the Release of Public Excluded Information Report.
(Moved Cr Craig/Seconded Cr Carter) Carried
2. To release the 'Purchase of Land' report, decision and minutes from the public excluded meeting held on the 19 September 2018.
3. To delegate to the Chief Executive to review reports, decisions and minutes of public excluded items from 15 May 2013-21 March 2018 to determine which items should be released to the public.
(Moved Cr Jephson/Seconded Cr Maynard) Carried

The following table summarises all public excluded reports from 2013, and actions taken and proposed to be taken – these are noted in the “Release Notes” column.

Publicly Withheld Information

#	Report	Date Considered	Reason Withheld	Comment	Release Notes
1	Purchase of Land (Featherston Golf Club)	19 September 2018	Good reason to withhold exists under Section 48(1)(a) 7(2)(i) i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Negotiations Complete.	Substantive information released through media. Council resolved to release full report and minutes.
2	Purchase of Land (Greytown Wastewater)	21 March 2018	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations Complete.	Full report and minutes to be released
3	Purchase of Land (Greytown Wastewater)	21 February 2018	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations Complete.	Full report and minutes to be released
4	Crown Redress for Wairarapa	20 September 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations not complete.	While we hold this information, the information is in relation to Treaty Settlements and will be released by the appropriate body once the treaty settlement made. This was not a decision report for council.
5	Solid Waste Contract	20 September 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations complete.	Full report and minutes to be released
6	Chief Executive Officer's Remuneration	20 September 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(a) a) protect the privacy of natural persons, including that of deceased natural persons	Complete.	Remuneration details advised to media, and published in Annual report. Other details withheld as noted in "Reasons Withheld"
7	Crown Redress Proposal for Wairarapa with Ngati Kahungunu and Rangitane	9 August 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations not complete.	Refer to #4 above
8	Water Rates Write Off	9 August 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(a)	Complete.	Name and address withheld, report and minutes released following redaction
9	Council determination of actions from the public	5 April 2017	Good reason to withhold exists under Section 48(1)(a) 7(2)(a)	Minutes only no report.	Personal information, information withheld

#	Report	Date Considered	Reason Withheld	Comment	Release Notes
	forum presentation by David Priestly				
10	Crown Redress Proposal for Wairarapa with Ngati Kahungunu and Rangitane	10 August 2016	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations not complete.	Refer to #4 above
11	Summary of Agreement on Final Wairarapa Moana Redress Matters	10 August 2016	Good reason to withhold exists under Section 48(1)(a) 7(2)(i)	Negotiations not complete.	Refer #4 above
12	Rates Remission Request	10 August 2016	Good reason to withhold exists under Section 48(1)(a) 7(2)(a)	Complete	Name and address withheld, report and minutes released following redaction
13	Request for Council to Purchase a Local Amenity	29 June 2016	Good reason to withhold exists under section 7(2)(a)(i)(j) j) prevent the disclosure or use of official information for improper gain or improper advantage.	Reason no longer applies.	Full report and minutes to be released
14	Request for Rates Remission	29 June 2016	Good reason to withhold exists under Section 48(1)(a) 7(2)(a)	Complete.	Name and address withheld, report and minutes released following redaction
15	Crown Redress Proposal for Wairarapa with Ngati Kahungunu Rangitane	6 April 2016	Good reason to withhold exists under section 7(2)(i)	Negotiations not complete.	Refer #4 above
16	Chief Executive Review Report	28 October 2015	Good reason to withhold exists under Section 48(1)(a) 7(2)(a)	Complete.	Remuneration details advised to media, and published in Annual report. Other details withheld as noted in "Reasons Withheld"
17	Consideration of Recommendations from Wairarapa Alcohol Working Group in relation to the Local Alcohol Policy	22 April 2015	Good reason to withhold exists under Section 48 (1)(d) (2)(a)(i) (1) (d) that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies. (2) (a) any proceedings before a local authority where – (i) A right of appeal	Complete.	The adopted Local Alcohol Policy has been released and is widely distributed Full report and minutes to be released

#	Report	Date Considered	Reason Withheld	Comment	Release Notes
			lies to any Court or Tribunal against the final decision of the local authority in those proceedings		
18	Waste Water Matters Report (Hodder Land)	19 November 2014	Good reason to withhold exists under section 7(2)(b)(h) b) protect information where the making available of the information – (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. 19h) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Negotiations Complete.	Information released at the time of the purchase and widely covered by the media. Full report and minutes to be released
19	Lease of Land Report	31 October 2014	Good reason to withhold exists under section 7(2)(b)(h)	Negotiations Complete.	Minutes to be released, gliding club lease land matter.
20	Wastewater Matters Report Investigation of Hodder Land to Purchase	31 October 2014	Good reason to withhold exists under section 7(2)(b)(h)	Negotiations Complete.	Information released at the time of the purchase and widely covered by the media. Full report and minutes to be released
21	Organisational Structure of a Piece of Council Owned Land (Gliding Operations/Papawai Land)	23 April 2014	Good reason to withhold exists under section 7(2)(b)(h)	Negotiations Complete.	Information generally circulated in relation to the gliding club and covered by the media. Full report and minutes to be released
22	Roading Contract	23 April 2014	Good reason to withhold exists under section 7(2)(b)(h)	Negotiations Complete.	Information released to public at time of contract, everyone knows who the successful tenderers were. Information released at the time of the purchase and

#	Report	Date Considered	Reason Withheld	Comment	Release Notes
					widely covered by the media. Full report and minutes to be released
23	Greytown Wastewater Land Purchase	10 September 2013	Good reason to withhold exists under section 7(2)(a) (b)(h)	Negotiations Complete.	Information released at the time of the purchase and reported widely. Information released at the time of the purchase and widely covered by the media. Full report and minutes to be released
24	Featherston Land Swap	15 May 2013	Good reason to withhold exists under section 7(2)(a)(b)(h)	Negotiations Complete.	Information released at the time of swap, wide coverage since then. Information released at the time of the purchase and widely covered by the media. Full report and minutes to be released
25	Greytown Waste Water Land Purchase	15 May 2013	Good reason to withhold exists under section 7(2)(a)(b)(h)	Negotiations Complete.	Information released at the time of the purchase and reported widely Information released at the time of the purchase and widely covered by the media. Full report and minutes to be released

As can be seen, where information could be released, in the majority of cases the key information was released and had been made public at the time the decisions were made.

4.2 Occupational Health and Safety

We continue to make good progress on health and safety matters.

In particular we are focusing on working with volunteers. This has proven somewhat more complex than first thought. We will have working guidance available in due course.

A health and safety report is included in Appendix 1.

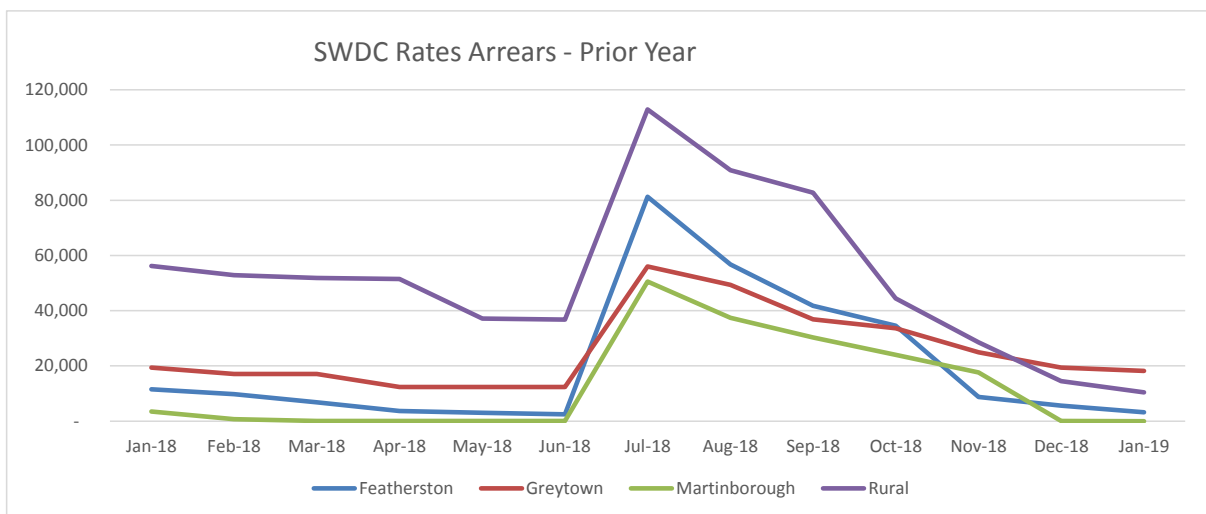
4.3 Action Items

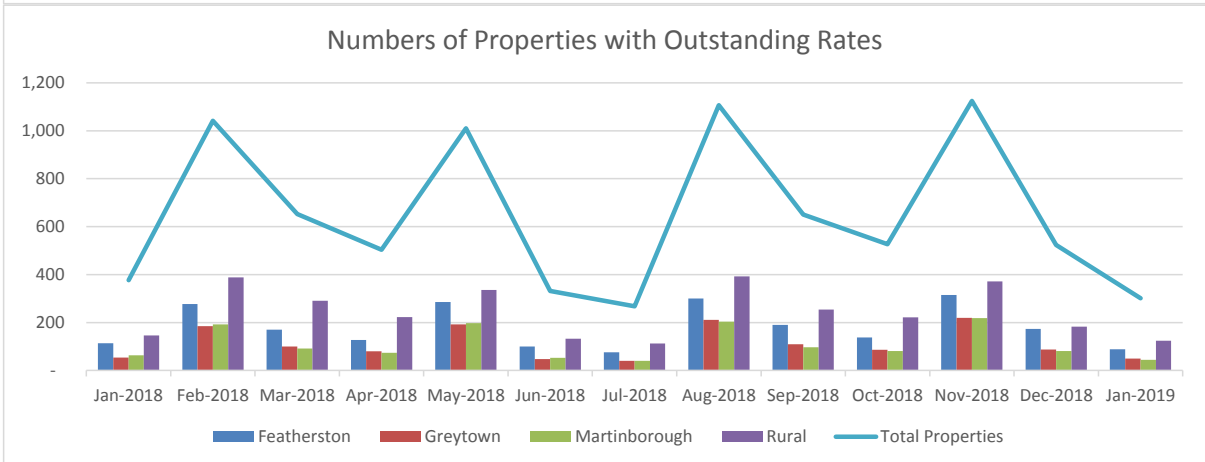
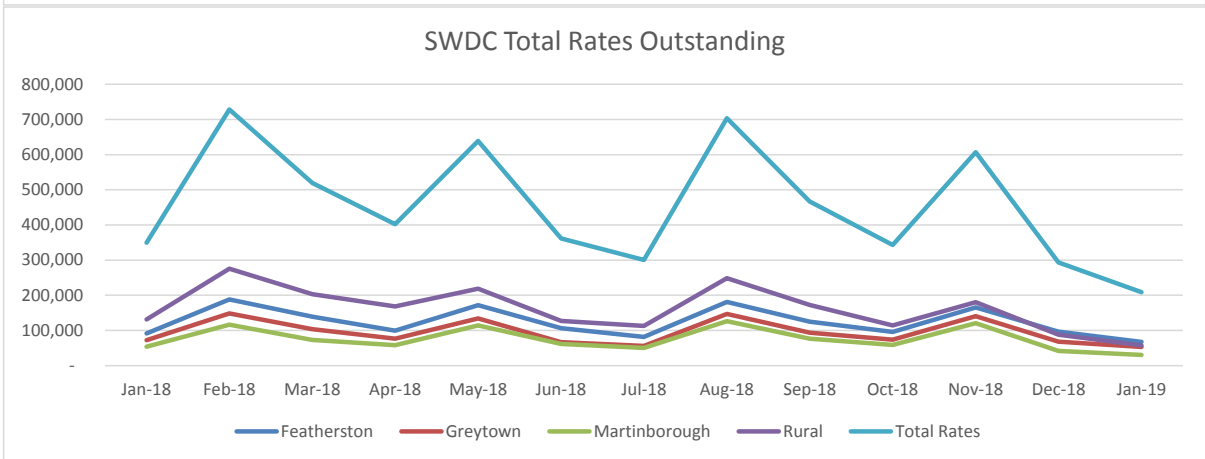
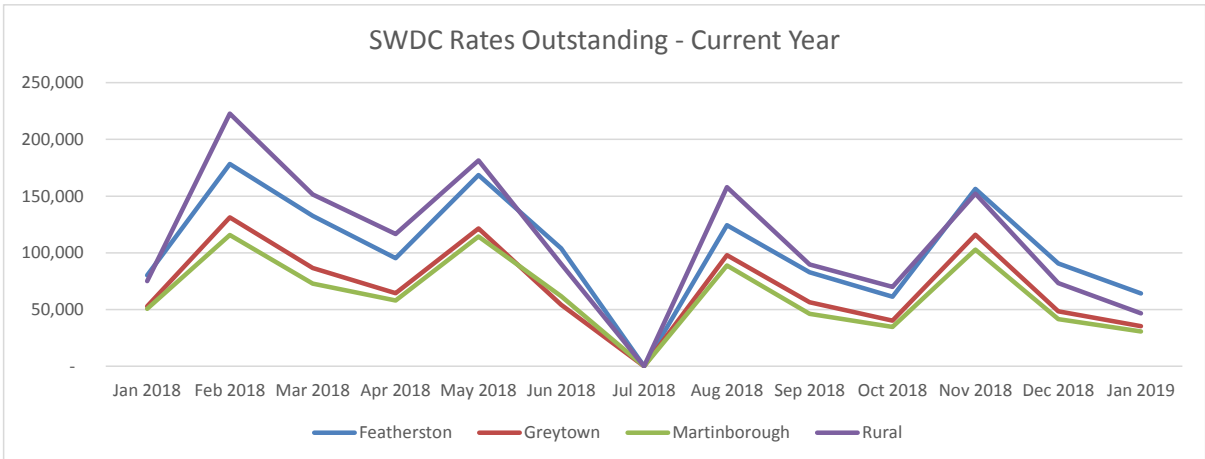
A brief report was tabled.

4.4 Rates Arrears (Incl. GST) as at 30 January 2019

The continued good work on the rates debt front shows in the trends. As previously discussed, these trends are very sensitive and can change, however our consistent approach appears to be paying dividends.

Total rates outstanding are at a slightly lower level to the same period last year, continuing the downward trend.





4.5 LGOIMA Requests

Date Received	Subject	Working Days to respond
6-Dec	Survey of rates and charges made by Councils on Retirement Villages.	10
12-Dec	Chicken Egg and Chicken Meat Bird Farm Resource Consent Applications.	8
14-Dec	Information relating New Featherston Waste Water Treatment Plant Resource Application for the 5 year that SWDC has put forward as a stop gap.	
17-Dec	Resource and building consent requirements for Solar PV installation.	16
15-Jan	All correspondence relating to Burger Craft.	
16-Dec	Advice on any grants requested by or offered to Toyota.	1
23-Jan	Dog attack statistics.	
30 Jan	Advertising costs	5
5 Feb	Companies with councillors as interested parties awarded council contracts	2
7 Feb	Library Statistics and budget	

We continue to charge for those requests that require more than 1 hour and 20 pages of material. This charging regime is standard and used by central government.

5. Appendices

Appendix 1– Health and Safety Report

Contact Officer: Paul Crimp, Chief Executive Officer

Appendix 1 – Health and Safety Report

South Wairarapa District Council Health and Safety Report 28 November 2018 – 5 February 2019

HEALTH AND SAFETY STRATEGY

We continue to progress well on implementing our health and safety strategy and work plan.

RESOURCING

There are no health and safety resourcing issues. Julie Wallace, working 1 day a week.

HEALTH AND SAFETY – DRIVING CONTINUOUS IMPROVEMENT (lead indicators)

Training

SWDC are continuing to review health and safety training needs of new and existing staff.

Engaging with our people

Health and Safety at Work Team have recently:

- Continued to look at how the team can keep health and safety alive through contributing in team meetings and providing messages to team mates in the health and safety newsletter.
- Continued to contribute to content for health and safety notice boards.
- Conducted a health and safety check of the Waihinga Centre and compiled a draft hazard register.
- Had two members attend health and safety representative training.
- Looked at their focus for 2019 which will be continued focus on wellness, ensuring our physical environment is safe and healthy and continuing to embed health and safety into everything we do.

Near Miss reports

No near misses reported in the period 28 November 2018 – 5 February 2019.

Wellness

Organizations that prioritize wellbeing have better engagement, reduced absenteeism and higher productivity, while people have improved wellbeing, greater morale and higher job satisfaction.

- All staff continue to be offered flu injections.
- All staff offered annual wellness payment of \$200.
- Our wellness focus for February is mental wellbeing and promoting EAP.

Working with our Contractors

4	2	0	2
Contractor audits undertaken	Contractor audits met expectations	Did not meet expectations	Minor remedial actions taken

Council continue to implement the contractor management system.

- Council staff continue to evaluate contractor's health and safety systems.
- Council staff who engage contractors continue to engage with contractors through pre-start meetings, inductions and safety audits, promoting Councils health and safety expectations.
- No contractor incidents reported.

HEALTH AND SAFETY ACCIDENT & INCIDENT REPORTING (Lag indicators)

Three incidents reported during the period 28 November 2018 to 5 February 2019. All accident and near miss reports are referred to the Health and Safety at Work Team and Management, who review and satisfy themselves appropriate actions have been taken and where necessary, appropriate additional controls are put in place.

RISK MANAGEMENT

Work on hazard registers is ongoing, controls are currently being reviewed by the H&S at Work Team, and staff are encouraged to report new hazards through the monthly newsletter and staff meetings.

We will be providing updates on how we are managing our biggest risks. To give you the assurance that we understand our biggest risks, what controls and reduction measures are required, and actions we are taking.

Here is an update on two key risks we are currently focussing on:

Risk	Description of risk	Controls and reduction measures	Actions
<p>Contractors</p>	<p>Contractors undertake a number of high risk activities for Council. We have little control over Contractors staff and work standards while they are working for Council.</p> <p>We rely on them employing staff who are competent and trained, while observing safe work practices.</p>	<p>Contractors working for Council have robust health and safety systems in place, and understand their obligations. Contractors will be fully briefed, responsibilities assigned, and work will be periodically assessed to ensure agreed controls are being managed.</p>	<p>Contractor management system designed.</p> <p>Contractors asked to provide their H&S systems for checking by Council.</p> <p>Once approved, contractors will be asked to sign a contractor agreement.</p> <p>Contractor pre-start briefings and inductions have been developed and provided to appropriate staff.</p> <p>Site safety audit checklists have been developed and provided to appropriate council staff. Staff who manage contractors have been undertaking safety audits and ensuring remedial actions undertaken where required. Contractor safety audit standards added to the audit checklists to assist managers and staff when undertaking a safety audit.</p> <p>When work is commissioned, a risk assessment is done to inform the frequency and type of safety audits.</p> <p>Contractor post contract safety review developed to assist managers with</p>

			<p>safety conversations with contractors when work is complete.</p> <p>Reviewed all our listed contractors to re-assess the risk associated with the work they are doing for council and to ensure we are getting health and safety information that is appropriate for the level of risk they are managing on council behalf. See attachment one "Contractor engagement and review".</p> <p>Work continues chasing up contractors who have provided insufficient or no information.</p>
Lone / remote workers	<p>It is not always possible for staff to work in teams or even in pairs. Often staff are required to work alone and remotely, where in some cases poor cell phone coverage is an additional factor.</p>	<p>All staff who work remotely or alone will be provided with cell phones. They will be required to sign out before they leave, including their intended location and expected time of return. This will be monitored and action taken in line with an emergency response plan if help is summoned or they fail to return by the expected time. They will be required to sign in when they return. They will be provided with a device to summon assistance which do not require cell phone coverage.</p> <p>Consideration to be given to having vehicles fitted with GPS.</p>	<p>Staff who work remotely or alone to have access to cell phones. Sign out/in systems in place and being used.</p> <p>Garmin InReach remote contact device currently being used by Bylaws team. Device meets legislative requirements by providing two way communication in areas out of cellular range. Device also provides GPS functionality, enabling manager to pinpoint location of staff.</p> <p>A second Garmin device has been purchased for use by the remainder of staff who work in lone/remote situations. Device currently being trialled by Roading team. This will be monitored, with additional devices purchased if required.</p> <p>Monitoring process for sign out/in system developed and implemented by Bylaws and Roading teams.</p> <p>Training in the use of the device, monitoring, and emergency</p>

			<p>procedures rolled out to Managers, Bylaws and Rooding team. Emergency Action Plans developed. Teams have reported monitoring and the Garmin device is working well.</p> <p>Work to be done with remaining teams to look at need for Garmin device and that monitoring is appropriate for the work they are doing.</p>
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Contractor engagement and review

When commissioning work and completing the work order a risk assessment should be undertaken to determine risk profile, which will inform the pre-qualification and review process.

When assessing risk profile consider:

- Type of work and the risk associated with the work
- Frequency of work
- Number PCBUs / workers on site
- Term of contract
- Value of contract?

Low risk

Pre-qual

Proof worker competency
Pre-start meeting - discuss hazards and controls, agree responsibilities

Review

Contractor Induction
Contractor agreement
Annual review

Medium risk

Pre-qual

Contractor questionnaire
Pre-start meeting - discuss hazards and controls, agree responsibilities

Review

Induction
Contractor agreement
Contractor safety checks quarterly
Annual / post contract review

High/Extreme risk

Pre-qual

Tender process
Contractor questionnaire
Site specific safety plans
Pre-start meeting - discuss hazards and controls, agree responsibilities

Review

Induction
Ongoing meetings
Contractor audits 2 - 4 weekly
Post contract review

Low risk contractor	Medium risk contractor	High/extreme risk contractor
Examples of low risk work:	Examples of medium risk work:	Sophisticated safety systems required. Examples of high risk work:
<ul style="list-style-type: none"> • Cleaners • Project managers/consultants • Suppliers of mats, towels, feminine hygiene • Maintenance work requiring use of hand tools • Servicing office equipment such as photocopiers • Working at heights less than 2 metres • Gardening and landscaping requiring use of hand tools. 	<ul style="list-style-type: none"> • 240V electrical work • Plumbing • Pest control (excl toxic chemicals) • Lone work in areas of poor cell coverage • Work dealing with potentially difficult public • Working at height over 2 metres under 3 metres. • Auto door service and maintenance • Drone photography • Gardening / landscaping / lawn mowing (hand mowers and ride-ons) • Cash collection/banking • Fire extinguisher/alarm and sprinkler systems supply and maintenance • Elevated platforms under 5 metres • Work within 5 metres of public occupied spaces. 	<ul style="list-style-type: none"> • Any work requiring WorkSafe notification or permits to work • High voltage electrical work • Confined space • Excavations that are WorkSafe notifiable • Tree felling or pruning • Roading projects • Asbestos removal • Demolition (>1.5m) • Handling hazardous goods/chemical • Lawn mowing using tractors, mowers, heavy machinery • Working at height over 3 metres • Hot works • Work involving self-propelled plant or equipment

PLANNING AND ENVIRONMENT

1. Resource Management

1.1 Resource Management Act - District Plan

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

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	RESULT	COMMENT SOURCE AND ACTIONS TAKEN TO ACHIEVE TARGET
Ratepayers and residents image of the closest town centre ranked "satisfied"	75%	89%	NRB 3 Yearly Survey October 2018 (2016: 87%)
The district plan has a monitoring programme that provides information on the achievement of its outcomes (AER's)		-	Consultants have established data to be recorded and stored to enable effective reporting against AER's in WCDP. A final monitoring strategy is still to be completed.

1.2 Resource Management Act - Consents

SERVICE LEVEL – All resource consents will be processed efficiently.

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	91.8%	42 of 45 Land Use applications were processed within statutory timeframes. 38 of 44 Subdivision applications were processed within statutory timeframes. 21 of 21 permitted boundary activity applications were processed within statutory timeframes. Total 101/110. NCS.
s.223 certificates issued within 10 working days	100%	96%	24 of 25 s223 certificates were processed within statutory timeframes. NCS.
s.224 certificates issued within 15 working days of receiving all required information (note no statutory requirement)	95%	97%	29 of 30 s224 certificates processed. NCS.

Council received 45 consent applications between the 1st November 2018 and the 31st January 2019.

Officers provide detailed information as fortnightly updates on all consents direct to Council and Community Board members, so this information is not listed here.

1.3 Reserves Act – Management Plans

SERVICE LEVEL – Council has a reserve management plan programme.

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

1.4 Local Government Act – LIM's

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

RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
LIMs contain all relevant accurate information (no proven complaints)	100%	100%	G:\LIMs\LIMS PROCESSED 2018-19
Non-urgent LIMs are processed within 10 days	100%	99.3%	G:\LIMs\LIMS PROCESSED 2018-19

TYPE	YTD 1 ST JULY 2018 TO 31 ST JANUARY 2019	PREVIOUS YTD 1 ST JULY 2017 TO 31 ST JANUARY 2019	PERIOD 1 ST NOVEMBER 2018 TO 31 ST JANUARY 2019	PREVIOUS PERIOD 1 ST NOVEMBER 2018 TO 31 ST JANUARY 2019
Standard LIMs (Processed within 10 working days)	146	105	39	43
Urgent LIMs (Processed within 5 working days)	26	39	11	19
Totals	172	144	50	62

2. Public Protection

2.1 Building Act - Consents and Enforcement

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Code Compliance Certificate applications are processed within 20 working days	100%	100%	NCS – 270 CCC's were issued within 20WD YTD
Building consent applications are processed within 20 working days	100%	100%	NCS – 304 consents were issued within 20WD YTD
Council maintains its processes so that it meets BCA accreditation every 2 years	Yes	Yes	Next accreditation review due January 2020. Council was re-accredited in January 2018
BCA inspects new building works to ensure compliance with the BC issued for the work, Council audits BWOFF's and Swimming Pools	Yes	Yes	Building Consents Council inspects all new work to ensure compliance (November January 2018 – 1250 inspections) BWOFF's –

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
			Total 169 – average of 3 audits per month required, 6 audit carried out November to January. Swimming Pools – Total 279 – average of 7 audits per month required. 29 audit carried out in November to January.
Earthquake prone buildings reports received	90%	N/A	Under previous legislation 148 of 229 known premises had been addressed. Under the new legislation, 248 were identified as EPB and through the modelling process we eliminated 132 buildings leaving 116 buildings potentially EPB. Council has now reviewed the potential Earthquake Prone Buildings (EPB) and letters have been sent to owners advising them of their buildings status. 104 letters sent out in total. 12 - still being assessed by LGE Status: 69 - identified as no longer EPB 20 - require engineer assessment 15 - identified as EPB and have been sent notices to be affixed to the building.

TYPE – NOVEMBER 2018 - JANUARY 2019	NUMBER	VALUE
Commercial (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	5	\$673,000
Industrial (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	0	\$0.00
Residential (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters).	77	\$10,543,524
Other (public facilities - schools, toilets, halls, swimming pools)	1	\$680,000
Totals	83	\$11,896,524

2.2 Dog Control Act – Registration and Enforcement

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership	1 visits	100%	1 undertaken at school holiday program, Greytown. Greytown school interested in a visit during term 1. Adult education visits are planned
Complaints about roaming and nuisance dogs are responded to within 4 hours	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 134/134
Complaints about dog attacks on persons, animals or stock are responded to within 1 hour	100%	100%	10/10

INCIDENTS REPORTED FOR PERIOD 1 NOVEMBER 18 TO 31 JANUARY 19	FEATHERSTON	GREYTOWN	MARTINBOROUGH
Attack on Pets	1	3	-
Attack on Person	-	-	-
Attack on Stock	-	-	-
Barking and whining	3	2	3
Lost Dogs	2	2	2
Found Dogs	2	2	2
Rushing Aggressive	1	1	-
Wandering	19	11	9
Welfare	-	-	-
Fouling	-	-	-
Uncontrolled (off leash urban)	-	1	-

2.3 Public Places Bylaw 2012 - Stock Control

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Stock causing a traffic hazard is responded to within 1 hour	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 14 incidents
In cases where multiple stock escapes (more than 1 occasion) have occurred from a property taking compliance or enforcement or prosecution action against the property owner	100%	-	No incidents
Council responds to complaints regarding animals within 48 hours.	100%	100%	K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 34 incidents

INCIDENTS REPORTED	TOTAL FOR PERIOD 1 NOVEMBER 2018 TO 31 JANUARY 2019
Stock	5

2.4 Resource Management Act – afterhours Noise Control

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 18/19	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
% of calls received by Council that have been responded to within 1.5 hours	100%	98.75%	K:\resource\Health\Resource Management\Noise Control Complaints 79/80 attended within timeframe One incident responded to over 1.5 hours (1 hr 48mins).

AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED	YTD 1 JULY 2018 TO 31 JANUARY 2019	PREVIOUS YTD 1 JULY 2017 TO 31 JANUARY 2018	PERIOD 1 OCTOBER 2018 TO 31 JANUARY 2019	PREVIOUS PERIOD 1 OCTOBER 2018 TO 31 JANUARY 2019
Total	80	52	42	31

2.5 Sale and Supply of Alcohol Act - Licensing

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 18/19	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises are inspected as part of licence renewals or applications for new licences.	100%	54.23% YTD	MAGIQ data. All premises inspected at new or renewal application stage (32/59*). *Number of inspections completed of licences coming up for renewal within the YTD period. 122 licences in total. Total number of licences is subject to change month by month as new businesses open and existing premises close.
Premises that are high risk are inspected annually, while low or medium risk premises are audited no less than once every three years.	100%	53.57% YTD	MAGIQ data. There are no high risk premises in the district. Low and medium risk premises are inspected every 3 years as part of the renewal process. There are currently 28 low and medium licences due for renewal or new inspections in this financial year. 15 of these have been inspected as at 31 January 2019. Total number of licences is subject to change month by month as new businesses open and existing premises close. (15/28)
Compliance activities are undertaken generally in accord with the Combined Licencing Enforcement Agencies agreement.	100%	0% YTD	No CLEG meetings have been held to date or activities scheduled.

ALCOHOL LICENCE APPLICATIONS PROCESSED	YTD 1 JULY 2018 TO 31 OCTOBER 2018	PREVIOUS YTD 1 JULY 2017 TO 31 OCTOBER 2017	PERIOD 1 OCTOBER 2018 TO 31 OCTOBER 2018	PREVIOUS PERIOD 1 OCTOBER 2017 TO 31 OCTOBER 2017
On Licence	9	20	3	9
Off Licence	13	7	4	3
Club Licence	3	3	0	1
Manager's Certificate	43	65	13	25
Special Licence	31	42	19	23
Temporary Authority	4	0	0	0
Total	103	137	39	61

2.6 Health Act - Safe Food

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

PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET 18/19	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Premises have appropriate FMP in place and meet the risk based standards set out in the Plan.	100%	100%	FHR – 0 FCP (Food Act) – 92 FCP (Deemed) – 0 NP – 46 The changes in the Food Act 2014 require that businesses have an appropriate Risk Based Measure in place by end of transition period (Feb 2019). Total number of premises is subject to change month by month as new businesses open and existing premises close.
Premises are inspected in accord with regulatory requirements.	100%	41.30%	FCP verifications – 38/92 *Total number of premises is subject to change month by month as new businesses open and existing premises close.

2.7 Bylaws

Between 1 July 2018 and 31 January 2019 there were 31 notices relating to trees and hedges, 11 litter and 14 abandoned vehicle complaints.

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

INFRASTRUCTURE AND SERVICES

1. Group Manager highlights

Over the holiday period there had been incidence of road closures due to weather and large volumes of solid waste to remove. These added loads and works were dealt with well by our contractors. The Solid waste contractor had to carry out exit trips to get the last of the rubbish at White Rock not picked up due to the volumes.

Likewise at Ngawi there was a lot of domestic refuse in with the tourist bins and this will need to be looked at in the future as to how this is dealt with over the long term and next year.

The department is now at full staffing with Bryce Neems appointed as the Amenities Manager and Tracy Gardner as the Project Officer.

Work continues on the possible move to a new location for the department across the road at the old ISite building. The department has had some time to look at the layout and requirements for the staff. This is seen as an excellent option to be able to locate all the staff in the same location with room should there be the need.

The Waihinga Centre is open and we are working through a few of the teething issues of a new building and the mixed use of a communal space. There is favourable comment regarding the hub and the facilities co-located at the same place.

1.1 Wairarapa Road Maintenance contract

The current roading contracts across the three Councils were let as standardised contracts where discounts were given for the Councils with all three contracts awarded to the same contractor. Before going to the market this year, the Councils investigated what factors might increase market interest in tendering for the contracts e.g. bundling options, inclusion of reseal programme, contract tenure. A better understanding of how these factors might influence interest and competition at the tender box has informed us in establishing the right procurement approach. Information on other local road maintenance contracts from across the region also assisted the Wairarapa Councils in making comparisons between their road contract and those of other Councils in the region.

The Wairarapa Road Maintenance contract has been finalised with two contracts going to market, a Masterton District Council Contract and a joint Carterton-South Wairarapa District Council contract. A Market Analysis was completed and the Procurement Strategy has been developed with both contracts to open and close on the same days.

The Contract document for CDC/SWDC is being reviewed at present to be advertised at the end of February. A Multi-party funding agreement (MPFA) between Carterton District Council and South Wairarapa District Council in respect of Road Network Maintenance has also been developed.



Figure 1 Current road maintenance contract details across Wellington Councils

1.2 Shared services

In conjunction with the joint roading contract SWDC also shares services in Libraries with Carterton District Council and solid waste across all three councils.

There is also a current investigation into the joining of Wellington Water.

These collaborative arrangements are to enable better services to be able to be supplied where the economies of scale or specialist knowledge and skills required above what can be supplied alone.

1.3 Open Spaces 17a Review

We have started the Section 17A Review of the Parks and Reserves services. This will look at how the service can be delivered in the future with the contract expiring on the 1 October 2019. The options of contracting, internal, shared service and hybrids will be reviewed similar to that above for transport.

2. Land transport

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

2.1 Key Performance Indicators

LAND TRANSPORT KEY PERFORMANCE INDICATORS	TARGET 2017/18	COMPLAINTS		INCIDENTS	
		APRIL	YTD	APRIL	YTD
Using the RAMM measurement system, average smooth travel exposure on urban roads to be 85% and rural roads 95% with maximum variation of 5%	95%				
Ratepayers and residents fairly/very satisfied with the roads	80%			NRB Survey:	68%
5% of sealed roads are resealed each year subject to availability of NZTA subsidy	100%				
The pavement condition index as measured by the NZTA pavement integrity index	95%				
The number of crashes causing injuries is reduced	Group and control average				
The number of fatalities and serious injury crashes on the local road network	<7				
Ratepayers and residents are satisfied with footpaths in the district	70%			NRB Survey:	62%
Availability of footpaths on at least one side of the road down the whole street	88%				
Footpath Condition rating 95% compliant with SWDC AMP Standard	95%				
The % of customer service requests relating to roads and footpaths responded to within 48 hours	95%	36/39 (92%)	115/154 (75%)	39	154
Meet annual plan footpath targets	Yes				

2.2 Roading Maintenance – Fulton Hogan

Work have commenced on Hinekura Road to reinstate the damage caused by the rain event in July 2018. Works are expected to take 4 weeks. School Zone 40kmph signs were erected outside the Pirinoa School prior to the School Holidays ending.

Sealed road dig outs have commenced on White Rock Road. Works have carried on with regard to the reinstatement of the flood damage around Featherston, and also works were carried out to assist affected property owners.

119.8km of unsealed roads graded in January. The upcoming dry conditions means the grading will be reduced.

Greytown, Featherston and Martinborough had various kerb and channel swept as part of the monthly cycle.

2.3 Other activities

Higgins Contactors have commenced on the seal extension and sealed pavement rehabilitation on Western Lake Road. Western Lake Road Rehabilitation section and will be completed in early February 2019.

Higgins Contractors have completed the annual reseals. The target of 20km was not met due to Bitumen price increase impacted on the budget. Geotechnical consultants have investigated both the Glue Pot on Te Awaiti Road and Johnsons Hill and Cape Palliser Road, in relation to stability, a report has been received along with sketch plans and a Schedule of works required. This will be priced by contractors with work on the Glue Pot due to start early March.

Initial ground testing has been completed on the Tora Farm Settlement Road Bridge in advance of pier replacement. A joint bridge contract will be let with Carterton District Council for major bridge works.

Mangatoetoe Bridge works on Cape Palliser Road have been assessed and the damage caused in a rain event in early December will be rectified.

3. Amenities

The Amenities team is responsible for the management of Council's parks, reserves and other amenities. The team looks after 12 parks, 31 reserves, 41 buildings, five sports facilities, four cemeteries, eleven public toilets and 22 other properties. The Amenities Manager is the contract manager for the City Care parks and reserves contract, and is also responsible for the management of the libraries.

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

3.1 Cemeteries

A new ashes wall for Martinborough will be erected in the New Year.



Martinborough Cemetery – Ashes Wall 6 – 33 Niches Completed



3.1.1. Purchases of burial plots/niches 4 December 2018 to 13 February 2019

	Greytown	Featherston	Martinborough
Niche	2	1	0
In-ground ashes Beam	0	0	0
Burial plot	2	2	0
Total	4	3	0

3.1.2. Ashes interments/burials 4 December 2018 13 February 2019

	Greytown	Featherston	Martinborough
Burial	0	1	1
Ashes in-ground	2	0	1
Ashes wall	2	0	0
Total	4	1	2

3.2 Events

3.2.1. Featherston

Completed events:

Featherston Market –held every fourth Saturday: 22 December 2018 & 26 January 2019

Featherston First Fridays – held 7 December 2018, 4 January and 1 February 2019

Featherston Christmas Parade – held Saturday, 8 December 2018

Community Carols – held Sunday, 23 December 2018

Mysteries of the Moana – held Sunday, 10 February 2019

Future events:

Featherston Market – being held every fourth Saturday: 23 February and 23 March 2019

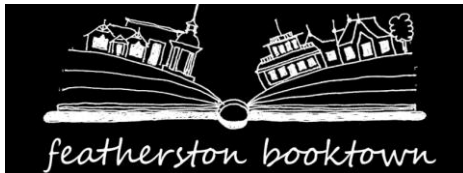
Cross Creek Railways – Summer Miniature Train Rides – being held Friday nights, Saturday and Sunday September 2018 through to April 2019

Featherston Junior Triathlon – being held Saturday, 23 February 2019

Pepe Ora Expo – being held Saturday, 9 March 2019

Featherston First Fridays being held 1 March 2019

Featherston Booktown – being held 9 – 12 May 2019



3.2.2. Greytown

Completed events:

The Greytown Country Market – held 23 December 2018, 20 January 2019

The Greytown Christmas Parade – held Saturday, 15 December 2018

Future events:

The Greytown Woodside Rail Trail Fun Run -

The Greytown Country Market – being held 17 February and 17 March 2019



Wairarapa Balloon Festival – being held 20 April 2019



New Zealand House & Garden Wairarapa Tour – being held 22 March 2019

3.2.3. Martinborough

Completed events:

Christmas Magic in Martinborough – held Saturday, 8 December 2018

Martinborough Christmas Parade –held Saturday, 8 December 2018



Cruise Martinborough 2019 – held Saturday, 26 January 2019

Martinborough Fair – held Saturday, 2 February 2019

Future events:

Round the Vines – Fun Walk & Run – being held Saturday, 16 March 2019

Ngawi Big 3 Fishing Competition – being held Thursday 14 February to Sunday, 17 February 2019

Martinborough Fair – being held Saturday, 2 March 2019

Wairarapa Balloon Festival – being held Sunday, 21 April 2019

MĀORI STANDING COMMITTEE

25 MARCH 2019

AGENDA ITEM 5.2

ACTION ITEMS REPORT

Purpose of Report

To present the Committee with updates on actions and resolutions.

Recommendations

Officers recommend that the Committee:

1. *Receive the Action Items Report.*

1. Executive Summary

Action items from recent meetings are presented to the Committee 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 remain in a master register but no longer reported on.

2. Appendices

Appendix 1 - Action Items to 25 March 2019

Contact Officer: Suzanne Clark, Committee Secretary

Reviewed By: Paul Crimp, Chief Executive

Appendix 1 – Action Items to 25 March 2019

Ref #	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
66	13-Feb-17	Action	Terry Te Maari	Follow-up the outcome of the proposal to move the waka currently held at Te Papa to Aratoi and then discuss in workshop	Open	27/3/17: The owner wanted the waka to be in the public space. 12/2/18: Mr Tipoki and Mr Te Maari undertook to contact Aratoi and Te Papa about waka repatriation. 14/2/18 Original resolution and letter from Aratoi to Mayor Staples forwarded to MSC 11/2/19: CEO suggested this stay on the register in the way of a long term project/goal or that may be able to be incorporated into other initiatives such as Dark Sky, Māori compass
389	18-Jun-18	Action	Russell	Start the process for correcting the spelling of Hinakura Road to Hinekura Road (Martinborough) and Pah Road to Pā Road (Greytown)	Open	The process for correcting the spelling of the two roads will need to follow Councils policy for the naming of roads and for changes 10/9/18: Members noted that the spelling of these roads was incorrect and asked for clarification on next steps for correcting the road signs. 11/10/18: For the correcting spelling of road names, a report is going to council to allow for a simpler process, that does not require the residents consultation. Demonstrated spelling mistakes can now be corrected by Council resolution. Council report on the two names in early December, road name signs to be changed early 2019, residents to be advised. 11/2/19: Planning to send email update to MSC
500	30-Jul-18	Resolution	Jennie	MSC RESOLVED (MSC 2018/29) to adopt the amended Māori Standing Committee Terms of Reference and recommend they be tabled at the 8 August 18 Council meeting. (Moved Cr Maynard/Secoded Roera) Carried	Open	Proposed TOR to go to Audit & Risk meeting for review on 29 August 2018. A&R will make a recommendation to Council and/or feedback to MSC after this review. 20/02/2019: Council approved funding for Amber to assist MSC in process of reviewing the Māori Policy in conjunction with the TOR and will forward proposed alterations for subsequent review of A&R and Council.
805	3-Dec-18	Action	Reuben Tipoki	Provide contact details of Martinborough hapu to Perception Planning so they can be	Actioned	

Ref #	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
				contacted for cultural input to the P&K proposed development		
806	3-Dec-18	Action	Reuben Tipoki	Determine and get agreement for a Māori interpretation of South Wairarapa District Council (or non-literal interpretation) by 31 December 2018	Actioned	
807	3-Dec-18	Action	Reuben Tipoki	Determine and get agreement from the MSC for a more meaningful name for the Māori Standing Committee by February 2019	Actioned	
808	3-Dec-18	Action	Jennie	Forward the Positive Aging Strategy Working Group Terms of Reference to Mr Tipoki (for distribution to the MSC)	Actioned	30/1/19: Reuben has suggested contact be made with Tia Tuuta and Kevin Haunui, Commns to followup.
810	3-Dec-18	Action	Mark	Provide an update on when the Lake Ferry pine trees would be felled	Open	Tree Report emailed to MSC by Roading Manager 10/12/2018. 29/1/19: ETA March 2019 Communication from Marcus Musson. Director FOMS dated 12/03/2019, "we will be assessing the operation with Havard Logging this week. This is extremely technical and full of risk for everyone so we need to make sure we have the right people, gear and program. I realise the urgency in getting this sorted but we have to be very careful not to create an undue risk for all parties." 13/03/2019
63	11-Feb-19	Action	Russell	Arrange a workshop to discuss and organise an appropriate structure to address the issue of the process for reviewing the rural resource consents from a Council and MSC perspective	Open	
64	11-Feb-19	Action	Russell	Investigate whether a section seeking impact on environmental issues can be added to Council's resource consent template	Open	Council's template does contain a section entitled 'Discussion of the actual and potential effects the activity may have on the environment' and then one asking the applicant to 'Methods for avoiding, remedying or mitigating any adverse effects' as well as 'alternative methods'. The applicant is not obliged to use Councils template.

Ref #	Raised Date	Action Type	Responsible Manager	Action or Task details	Status	Notes
65	11-Feb-19	Action	Russell	Determine whether Council's subscription to ArchSite would permit a login for the Māori Standing Committee	Open	
66	11-Feb-19	Action	Paul	Write to DoC and GWRC requesting their overall programme on behalf of the MSC for Wairarapa Moana, including their spraying schedule and chemicals to be used	Actioned	

MĀORI STANDING COMMITTEE

25 MARCH 2019

AGENDA ITEM 5.3

SWDC LOGO AND BRANDING WORKING PARTY

Purpose of Report

To give background information on logo development, including budgets to Community Boards & Maori Standing Committee on the new logo for South Wairarapa District Council.

Recommendations

Officers recommend that the Community Board:

1. *Receive the information.*

1. Executive Summary

Work began in February 2018 on the development of the new logo. The Terms of Reference was adopted on 14th March 2018. Extensive briefing documents were developed by the Logo Working Party and a call for EOI was widely advertised across the Wairarapa. This resulted in proposals from eight companies. Four companies were shortlisted and after a rigorous evaluation process, Satellite Design was chosen as the preferred agency.

Work began immediately in October 2018 and five designs were presented to the logo working party for consideration. The final two concepts were unanimously agreed by the Logo Working Party.

The MSC presented their preferred Te Reo words after a hui was held in December 2018.

Throughout the process Councillors, Community Boards, The Maori Standing Committee and council staff have been consulted and informed on the progress of the new logo.

The final part of the process is to approve all art work for all SWDC collateral.

Market research was conducted in February 2019 to evaluate the two preferred designs. This was conducted across South Wairarapa ratepayers.

Design one was preferred by 62% of ratepayers.

This design was adopted by SWDC as their new logo on 20th February 2019.

South Wairarapa District Council Brand Logo Evaluation: February 2019

Design 1 was the preferred option for 62% of ratepayers, being an accurate and appropriate representation of the Council, the district and services provided. A third of those who preferred the design felt it looked good while a quarter based their choice on dislike of the other brand design.



Older ratepayers (aged 50+) and residents from Greytown were more likely to prefer Design 1.

Two in five ratepayers agreed that Design 1 conveyed the rationale behind the design and represented the South Wairarapa region.

2. Designs

Our design agency, Satellite Design, presented the Logo Working Party with 5 logo concepts that have been whittled down to two preferred options. The final two concepts were unanimously agreed by the Logo Working Party.

These were presented to councillors and senior management in December at a workshop by Leigh Hay and Jo Lysaght from Satellite Design. It was also presented to council staff. Both designs were equally liked but there was a trend towards more literal design from males and more abstract design from females.

3. Market Research- Ronél Morgan, Key Research Group

Satellite Design worked with 4 different research companies and we finally chose Key Research Group (based in Rotorua) based on their ability, their significant work with councils around NZ, logo research and their willingness to work closely with us and within a tight timeframe to a very cost-effective budget.

These final two have been tested in a market research process. Approximately four hundred residents, representative of our population, were invited to take part in an online survey to provide feedback that will help Council choose the final logo.

Ratepayers Names were sorted by the 3 towns +Wellington
Wellington addresses were given a 20% weighting of total names. All 3 towns (Greytown, Featherston & Martinborough) had a larger but equal weighting. (ie 26.6% from each town).The weighting was based on actual numbers of ratepayers and their primary residence. Rural addresses are included in each of the towns.

Numbers: This was sent to 400 randomised SW ratepayers (council staff & elected members and their families were excluded).

Results: N=163. This represents a 41% response rate which is very high. Typically such surveys have a 15-25% response rate.

EXECUTIVE SUMMARY – South Wairarapa District Council Brand Logo Evaluation: February 2019

Design 1 was the preferred option for 62% of ratepayers, being an accurate and appropriate representation of the Council, the district and services provided. A third of those who preferred the design felt it looked good while a quarter based their choice on dislike of the other brand design.



Older ratepayers (aged 50+) and residents from Greytown were more likely to prefer Design 1.

Two in five ratepayers agreed that Design 1 conveyed the rationale behind the design and represented the South Wairarapa region.

Design 2



SOUTH WAIRARAPA
DISTRICT COUNCIL
Kia Reretahi Tātau

The modern, fresh, abstract Design 2 appealed to 38% of ratepayers, and received higher endorsement among those younger than 50 and Featherston residents.

Neither design performed particularly well in representing the Māori culture and around a third of ratepayers felt that the designs represented a modern, professional Council.

Ratepayers were more likely to disagree that Design 2 acknowledged the Māori culture and represented a modern, professional Council.

4. Budgets

The agreed budget was \$25,000 which included cost of research. This did not include roll out costs or detailed artwork. To date cost is \$16,250 inclusive of market research costs. When artwork costs are included cost is \$21,075 which is 15.7% below budget.

5. Where To From Here?

Now the resolution is ratified we will commence work on final artwork. We propose a soft launch with council staff and elected members. We anticipate much of the roll-out will be completed by March/April. We plan to do a refresh of the key pages on the website. The website will be upgraded over the coming year and at that time all pages will have the new logo design. Signage across the district will be rolled out over 2018/2019 & 2019/2020 financial years.

6. Bi-Lingual Logo/Input from MSC

All logos will be bi-lingual. After a hui pre-Xmas the MSC preferred the following option. All council collateral will be bi-lingual.

South Wairarapa District Council: Kia Reretahi Tātau (let's fly together/ lets collaborate/ coordinate ourselves)

Māori Standing Committee: Te Māngai o Ngā Hapori Māori (the mouthpiece/ voice of the Māori communities.

This will be adopted.

7. Communications

A press article and editorial about the new logo options was printed on Friday 1st February. It was a very good article and balanced editorial. We will continue with our internal and external communications regarding the new logo. From here on this will be managed by SWDC communications manager.

6. Conclusion

We anticipate a launch in the first week of April. We are on track with the new logo development, under budget, will complete project within the planned timeframe and are very pleased with the decision to appoint Satellite Design.

7. Appendices

Appendix 1 – Evaluation Report

Written By: Leigh Hay, Chair Council Logo and Branding Part

Appendix 1 – Evaluation Report



South Wairarapa District Council Brand Logo

Brand Logo Evaluation

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Background, Objectives and Methodology

Satellite Design needed to measure ratepayer perceptions of the new brand logo designed for South Wairarapa District Council. The research objectives were to:

- Determine preference of brand design from a selection of two options
- Establish perceptions regarding the brand design and ability to convey appropriate messaging

The survey was designed in consultation with Satellite Design and Council and was of 5-minute average duration. The questionnaire included image prompts of the new brand logo designs.

Email contact details for 1,501 ratepayers from South Wairarapa District were provided to Key Research, from which 400 randomly selected people were invited to take part in the online survey. The random selection ensured a representative proportion by geographic area, with n=107 contacts each from Featherston, Greytown and Martinborough and n=80 from Wellington invited to participate.

Response was incentivised with voluntary entry to a prize draw and n=163 ratepayers participated between 22 January and 4th February 2019. The sample of n=163 is considered statistically robust, yielding a margin of error of $\pm 7.6\%$ at the 95% confidence interval.



Executive Summary

Executive summary

Design 1 was the preferred option for 62% of ratepayers, being an accurate and appropriate representation of the Council, the district and services provided. A third of those who preferred the design felt it looked good while a quarter based their choice on dislike of the other brand design.

Older ratepayers (aged 50+) and residents from Greytown were more likely to prefer Design 1.

Two in five ratepayers agreed that Design 1 conveyed the rationale behind the design and represented the South Wairarapa region.



The modern, fresh, abstract Design 2 appealed to 38% of ratepayers, and received higher endorsement among those younger than 50 and Featherston residents.



Neither design performed particularly well in representing the Māori culture and around a third of ratepayers felt that the designs represented a modern, professional Council.

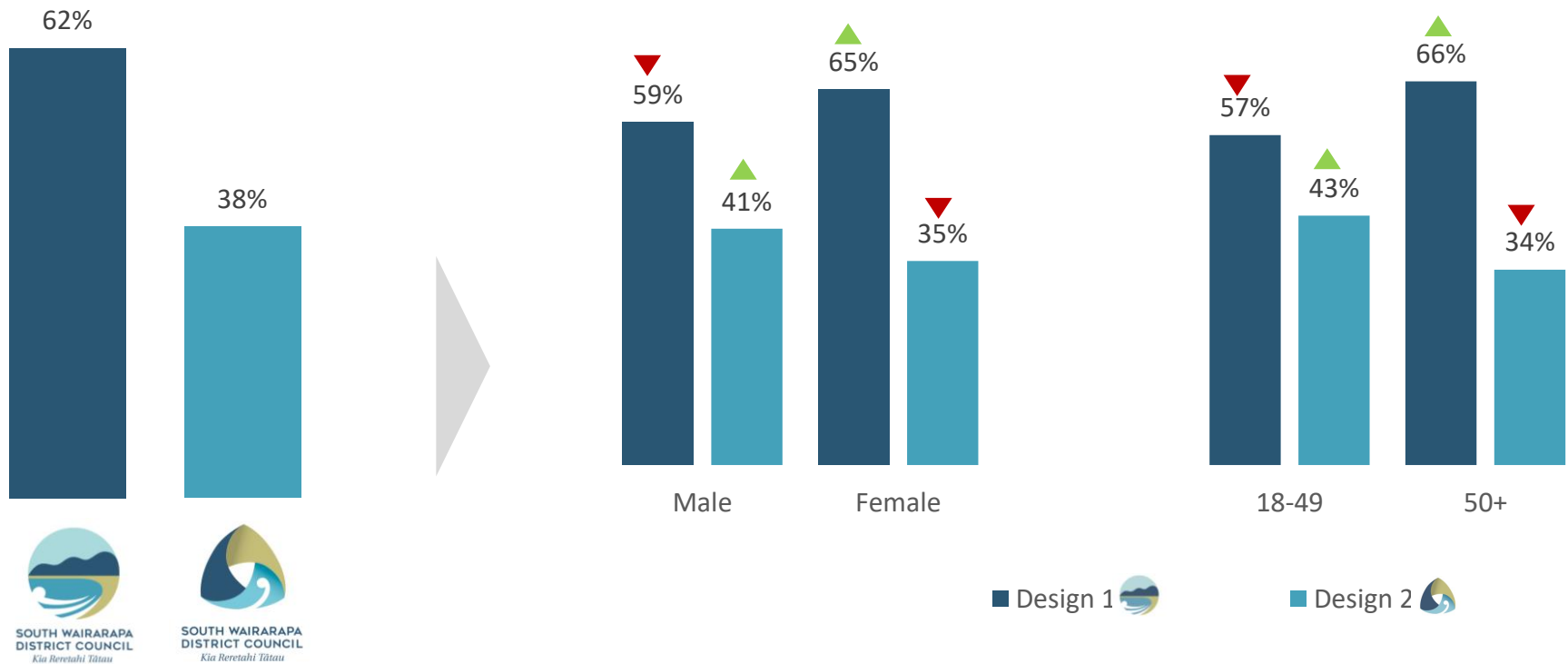
Ratepayers were more likely to disagree that Design 2 acknowledged the Māori culture and represented a modern, professional Council.



Design Preference

Design 1 was the clear preferred option, especially for female ratepayers and those aged 50+

Design preference

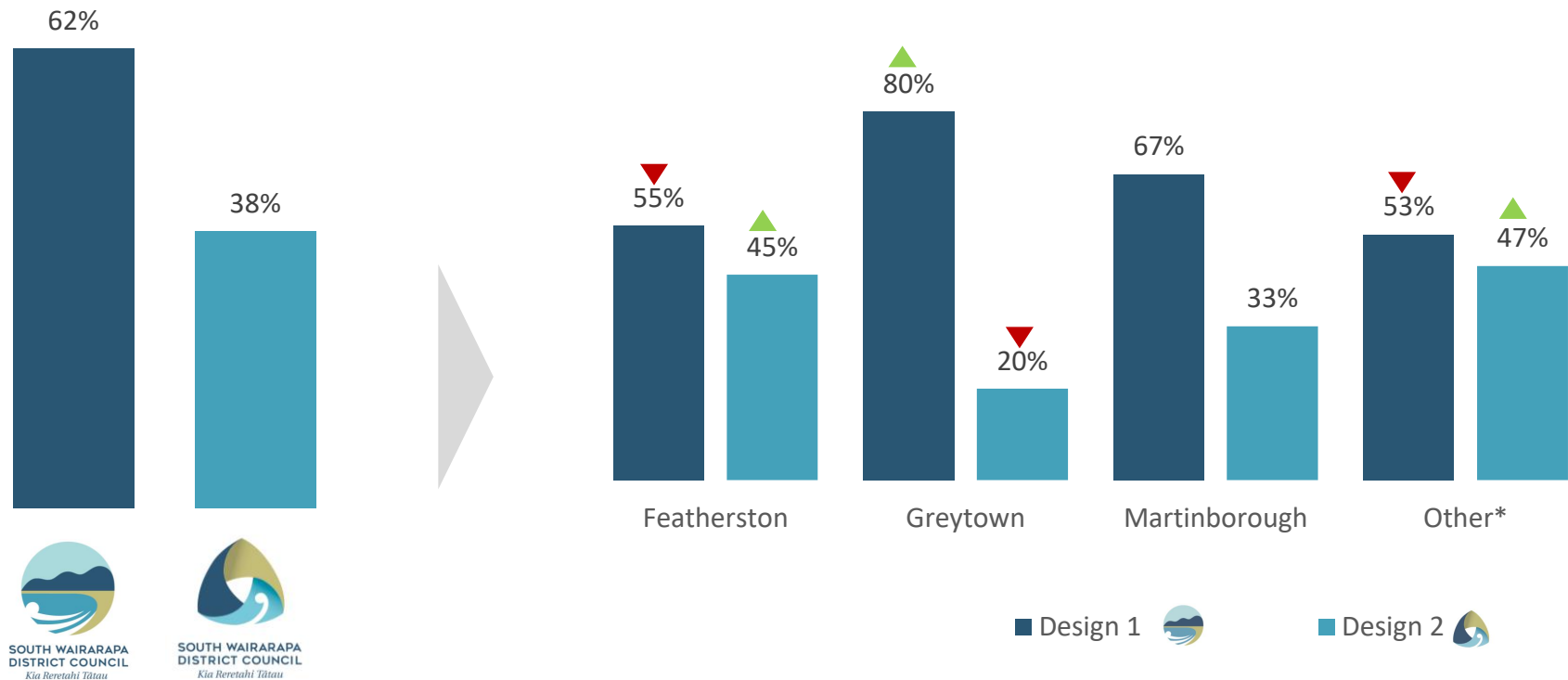


1. Sample: Total n=150 – those who selected a preference, Male n=82, Female n=66, Aged 18-49 n=39, Aged 50+ n=111
2. C1. Thinking about the design rationale and how the logo aims to more accurately represent the Council, the district and the services provided to the South Wairarapa people, which do you prefer? SINGLE RESPONSE
3. n=13 ratepayers selected an option, but indicated in their verbatim response that they did not prefer either, did not like the change and/or considered re-branding a waste of time and money. Their responses was excluded from this result.

▲ = significantly higher
▼ = significantly lower

Greytown and Martinborough clearly preferred Design 1, while Design 2 received greater endorsement from Featherston and Other areas

Design preference



= significantly higher
 = significantly lower

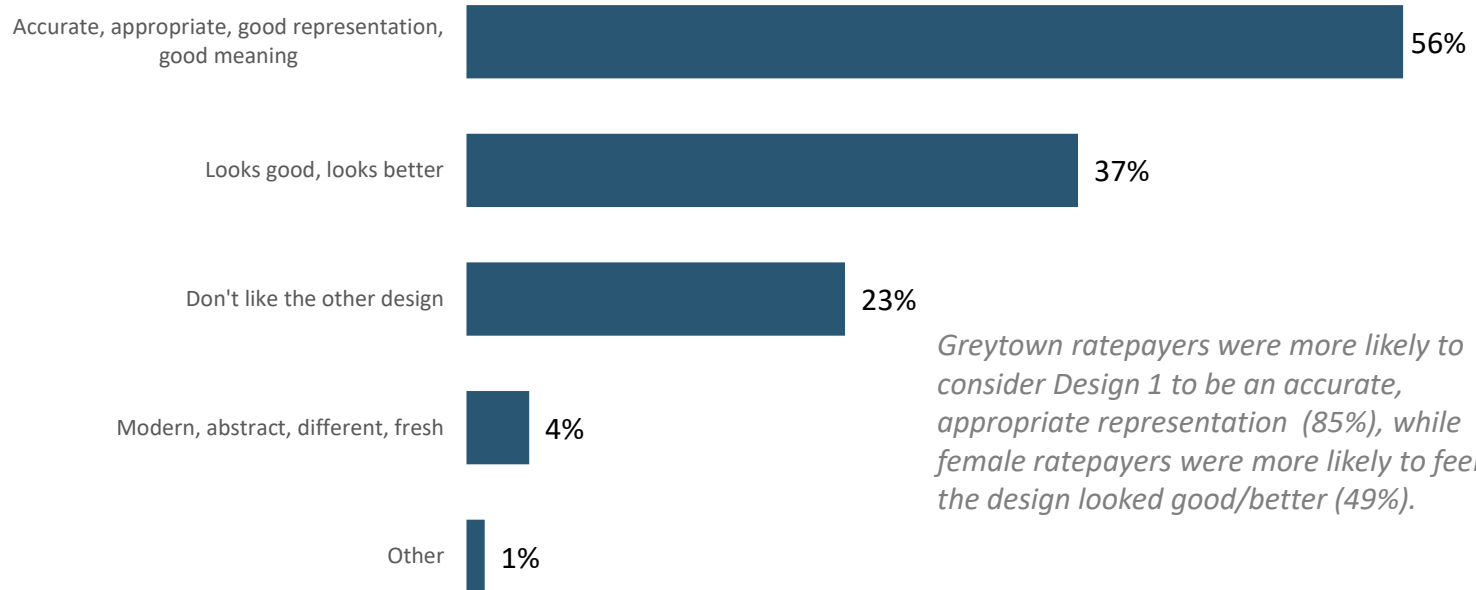
1. Sample: Total n=150, Featherston n=39, Greytown n=44, Martinborough n=52, Other* n=15, *Caution, low sample size is not representative
 2. C1. Thinking about the design rationale and how the logo aims to more accurately represent the Council, the district and the services provided to the South Wairarapa people, which do you prefer?
 3. n=13 ratepayers selected an option, but indicated in their verbatim response that they did not prefer either, did not like the change and/or considered re-branding a waste of time and money. Their responses was excluded from this result.

Design 1 was considered an accurate and appropriate representation by more than half of the ratepayers who preferred this option; around two in five felt the design looked good and a quarter selected this option due to a dislike of the other design

Reasons for Design Preference: Design 1



Why do you prefer this design?



Greytown ratepayers were more likely to consider Design 1 to be an accurate, appropriate representation (85%), while female ratepayers were more likely to feel the design looked good/better (49%).

Selection of verbatim comments: preference for Design 1

Reasons for Design Preference: Design 1



It identifies the Tarauaras and Lake Wairarapa where both are a major part of our landscape at the same time incorporating the three towns. With the inclusion of water it reflects our summer's and shows a green, clean environment.

It conveys the culture and Heritage of the area.

It looks like the view from Ocean Beach. I prefer something representative to abstract.

Like that his reflects the hill country as well as the coast - more representative of the terrain and Sth Wai characteristics

It fits more with the criteria and more representative of the rural and coastal communities. The other one looks too commercial.

It looks a bit more like a place rather than a company. And you represent a place.

I think it represents the area better. My only thought is that on the wave symbol, I can see that Martinborough is represented by the top one with the circle, Greytown by the next one and poor old Featherston, squished down the bottom, just getting on the page so to speak.

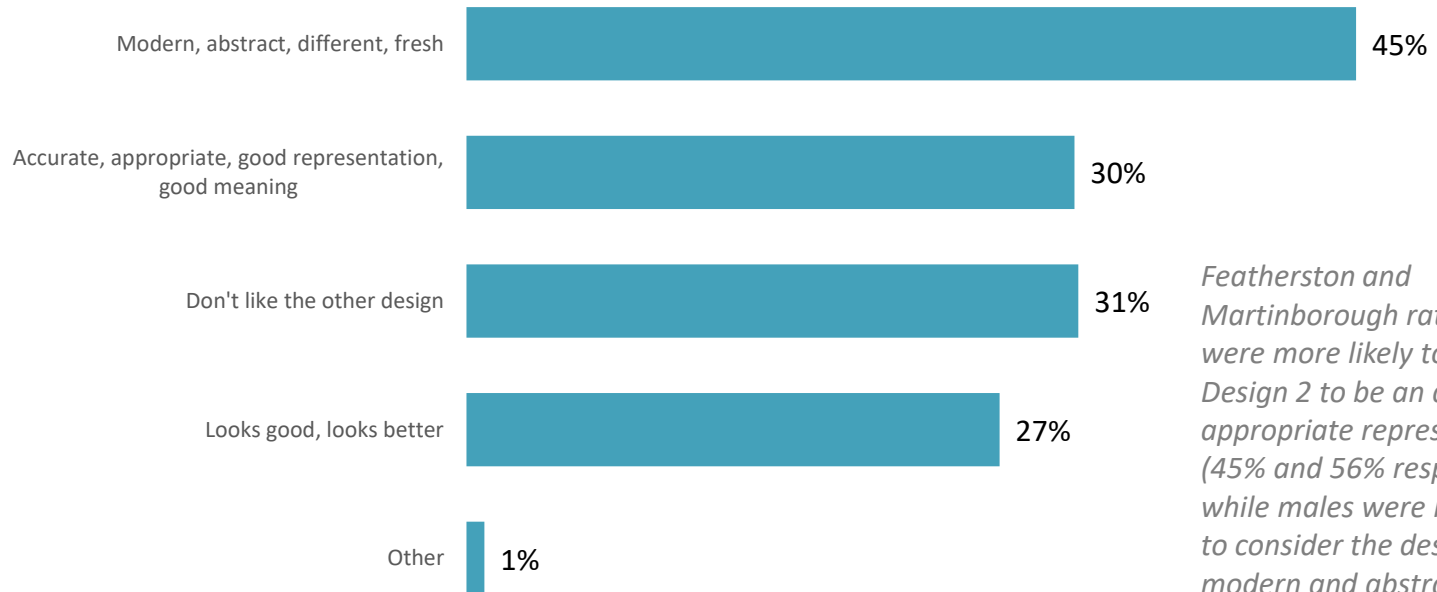
More visually pleasing. Better integrates the concepts and is more meaningful. The second one looks like a modified recycling symbol!

Two in five of ratepayers who preferred Design 2 viewed it as modern, different and fresh; around a third viewed the design as appropriate/good or simply did not like the other design

Reasons for Design Preference: Design 2



Why do you prefer this design?



Featherston and Martinborough ratepayers were more likely to consider Design 2 to be an accurate, appropriate representation (45% and 56% respectively), while males were more likely to consider the design modern and abstract (58%).

Selection of verbatim comments: preference for Design 2

Reasons for Design Preference: Design 2



It's more modern and while it's design-y, the meaning is still very clear. It's also more different from the current logo - if you're going to change then CHANGE.

Abstract is better.

Modern looking and not as obvious / literal as the other one.

It will age better into the future. It breaks successfully with the trend to use stylised images of hills, sky and water.

This Logo is a bit more forward focused than the other option but still very stagnant and feels like its been done 100 times before. I think playing more on the Māori aspect I'm not sure if just a koru is enough these days to tell a story and represent local iwi.

It's more modern and clean. The other looks like a tourism logo.

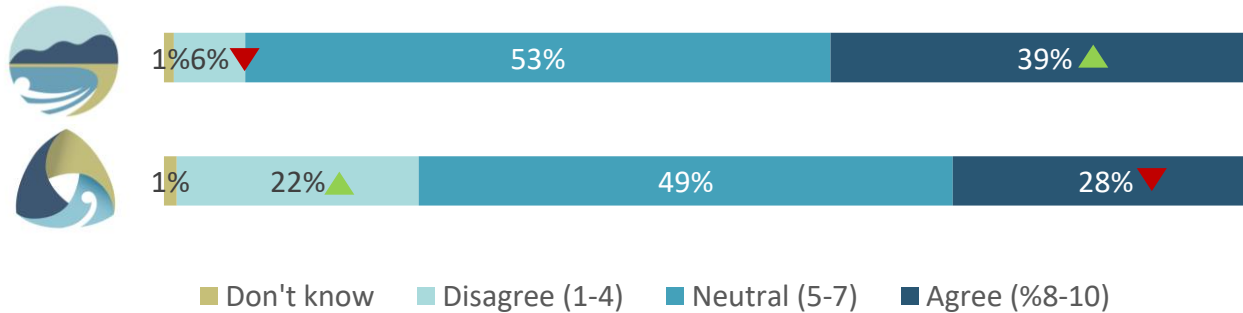
You're the council. The design needs to be abstract and basic in its representation otherwise it dates far too quickly. No need to be artistic, just allow the design to represent the community the council is supposed to represent. That being said, if the council are going to bother changing up their brand maybe they can work to change their image in the greater community, particularly rural where roads & general maintenance are neglected and future council plans are often hidden from the community affected. Go ahead rebrand yourself but remember who and what you represent in the process. Peace.



Design Aspects

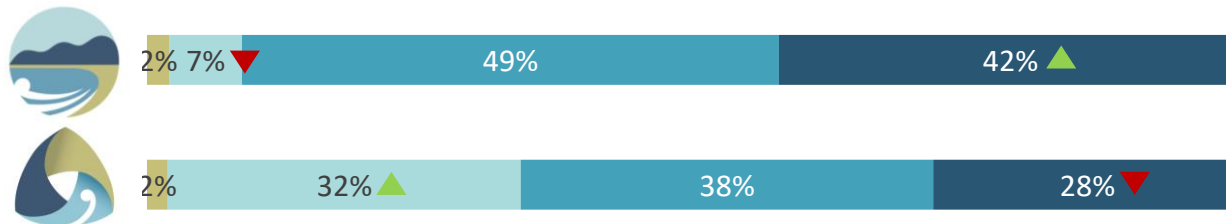
Two in five ratepayers agreed that Design 1 conveyed the rationale behind the design and represented the South Wairarapa region, while a third disagreed that Design 2 was successful on these design aspects

Conveys the rationale behind the design



Featherston ratepayers were more likely to agree that Design 1 conveys the rationale behind the design (58%)

Represents the South Wairarapa Region

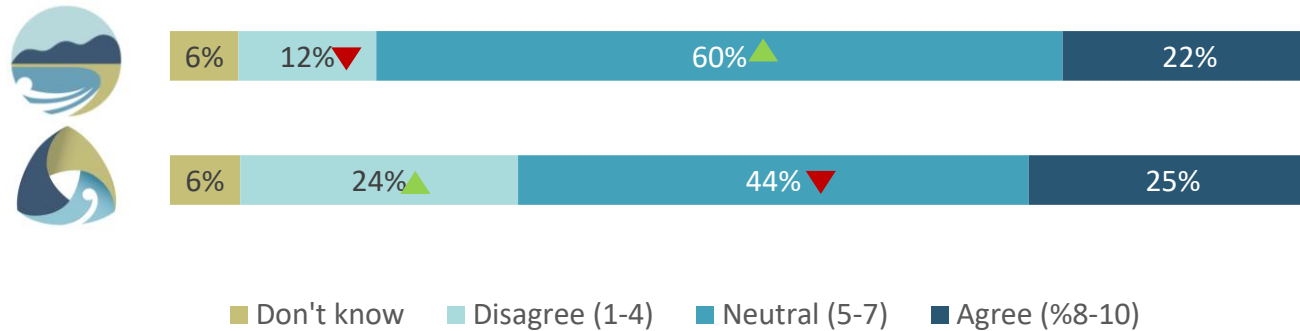


▲ = significantly higher
 ▼ = significantly lower

1. Sample: Total n=163
 2. B1a + B2a. Using a scale of 1 to 10, where 1 means 'strongly disagree' and 10 means 'strongly agree', how strongly do you agree that Design 1 / 2 ...?

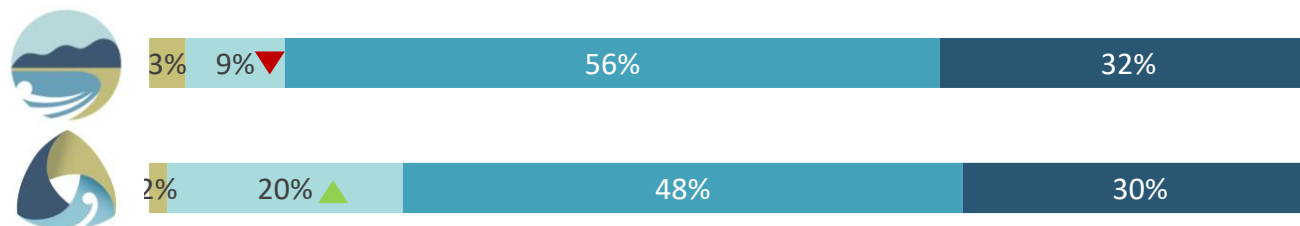
Although only a quarter of ratepayers agreed that both designs acknowledge the Māori culture, around a third agreed the designs represent a modern, professional Council; a greater proportion of ratepayers disagreed that Design 2 was successful on these design aspects

Acknowledges the Māori culture



Featherston and Martinborough ratepayers were more likely to agree that Design 1 acknowledges the Māori culture (46% and 39% respectively)

Represents a modern professional Council



Featherston ratepayers were more likely to agree that both Design 1 and Design 2 represent a modern professional Council (50% and 57% respectively).

1. Sample: Total n=163,
2. B1a + B2a. Using a scale of 1 to 10, where 1 means 'strongly disagree' and 10 means 'strongly agree', how strongly do you agree that Design 1 / 2 ...?



Demographic Profile

Demographics

Age	Unweighted Count	Count	Proportion
18-29	2	19	12%
30-49	41	52	32%
50-64	71	50	31%
65+	49	41	25%

Ethnicity*	Unweighted Count	Count	Proportion
European / NZ	156	157	97%
NZ Māori	4	2	1%
Pasifika	2	2	1%
Asian	2	2	1%
Middle Eastern/ Latin American/ African	0	0	0%
Other	2	2	1%

Gender	Unweighted Count	Count	Proportion
Male	92	78	48%
Female	69	83	51%
Gender Diverse	2	1	1%

Residence	Unweighted Count	Count	Proportion
Featherston	41	37	23%
Greytown	49	38	23%
Martinborough	57	27	16%
Other	16	61	37%

Gender	Unweighted Count	Count	Proportion
Rural	45	60	37%
Urban	118	103	63%

* Multiple response possible



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SOUTH WAIRARAPA DISTRICT COUNCIL

25 March 2019

AGENDA ITEM 5.4

BYLAW REVIEW PUBLIC CONSULTATION

Purpose of Report

To present to the Māori Standing Committee the proposed Consolidated Bylaws which are available for public consultation.

Recommendations

Officers recommend that the Māori Standing Committee resolves:

1. *To receive the Bylaws Report.*
2. *To consider the proposed changes outlined in the bylaws and identify whether they will have special impact upon Māori.*
3. *To submit on the proposed bylaws if the proposed changes are identified to have special impact upon Māori.*

1. Executive Summary

The Masterton and South Wairarapa District Councils' Consolidated Bylaws are due for review. This report and the attached documents set out the process for the review and the suggested amendments to the bylaws.

2. Background

2.1 Legislation

Territorial Authorities are empowered by section 145 of the Local Government Act 2002 (LGA) to make bylaws for:

- protecting the public from nuisance;
- protecting, promoting and maintaining public health and safety; and
- minimising the potential for offensive behaviour in public places.

In accordance with section 158 of the LGA, bylaws are to be reviewed five years after they are first made, and every ten years thereafter. Since the Masterton and South Wairarapa District Council Consolidated Bylaws were first adopted in September 2013 they are due for review. Although the five year timeframe for review has passed, the LGA states that a bylaw is not revoked until two years after the due review date.

2.2 Review Process

The review process has been undertaken jointly with Masterton and Carterton District Councils. It should be noted that while the process is a bylaw review for Masterton and South Wairarapa District Councils, the process is the implementation of the consolidated bylaws for Carterton District Council.

The first stage of the process has involved staff from the three Wairarapa Councils reviewing the current consolidated bylaws and developing suggested amendments. The suggested changes were refined and discussed at two workshops held with the Wairarapa Policy Working Group on 12 November 2018 and 10 December 2018.

2.3 Wairarapa Policy Working Group

Council delegated the task of undertaking the Bylaw review to the Wairarapa Policy Working Group in June 2017. Membership of the group consists of:

- Cr Margaret Craig, SWDC
- Cr Ross Vickery, SWDC
- Cr Frazer Mailman, MDC (appointed Chairperson for the bylaw review)
- Cr Brent Goodwin, MDC
- Cr Tracey Callaghan, CDC
- Cr Rebecca Vergunst, CDC

The group is supported by the Technical Advisory Group which consists of senior staff members at each Council.

3. Bylaw Review Statement of Proposal

The proposed changes to the bylaw are summarised in the attached Statement of Proposal. Full copies of the bylaws showing all the suggested changes have been circulated to each Council electronically.

The Wairarapa Policy Working Group endorsed the proposed changes for submission to each Council and confirmed in accordance with section 155 of the LGA that they are satisfied that:

- a bylaws is the most appropriate way of addressing the perceived problems;
- the proposed bylaws are the most appropriate form of bylaw; and
- the proposed bylaws do not give rise to any implications under the New Zealand Bill of Rights Act 1990.

4. Options Considered

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

Option		Advantages	Disadvantages
1	Make the amendments as set out in the Bylaw Review Statement of Proposal.	Updates the existing bylaw for clarity and better reflects the current legal and operational environment.	It may take time for the community and staff to become familiar with the new provisions.
2	Keep the current bylaw as it is.	No change to the current situation and no new rules for the community.	Does not provide recommended clarification and may create uncertainty.
3	Revoke the existing bylaw and do not replace.	Reduces MDC's enforcement activity requirements.	Does not meet the needs of the community. Removes MDC's ability to regulate.

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

In addition, Option 1 is in alignment with the purpose of local government as stated in the LGA, which includes providing efficient and effective regulatory functions that are appropriate to present and anticipated future circumstances.

At the February Council meeting it was resolved:

- that the proposed bylaws are the most appropriate way of addressing the perceived problems.
- that the proposed bylaws are the most appropriate form of bylaw and can be justified as a reasonable limitation on people's rights and freedoms and therefore do not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- to adopt the Bylaw Review Statement of Proposal (Appendix 1) and the draft bylaws (Appendix 2) for consultation using the Special Consultation Procedure outlined in Section 83 of the Local Government Act 2002 (subject to CDC and MDC also adopting the bylaws for consultation).
- to approve the consultation timeframes that are also described in this report under "Significance and Engagement".
- that the Wairarapa Policy Working Group is able to hear and consider submissions and make recommendations back to the three Councils on the final bylaws.

The Carterton District Council adopted the bylaws for consultation at their meeting on 20 February 2019 while Masterton District Councils also adopted the bylaws for consultation on 27 February 2019.

5. Significance and Engagement

As the proposal is to amend parts of the bylaws, Council is required under section 156 of the LGA to consult with the community using the Special Consultative Procedure. Information on how to make a submission can be found on Council's website: <http://www.swdc.govt.nz/bylaw-review>.

The Statement of Proposal will be different for each Council even though they will be considering the same bylaws. Such that SWDC are amending their bylaws but CDC will have a proposal to revoke their current bylaws and replace them with the proposed bylaws.

MDC will manage the submission process on behalf of CDC and SWDC with the associated costs being shared between the three Councils.

A community meeting has been scheduled for 27 March 2019 at Masterton with a second meeting planned to be held in Greytown on 2 April 2019. The meetings will run as workshops to provide the Wairarapa community with an opportunity to discuss the bylaws with the elected members and staff.

A joint hearing with the three Councils is proposed for 1 May 2019. The hearing committee role has been delegated to the Wairarapa Policy Working Group. The committee will make recommendations back to the three Council's on the final bylaws.

6. Timeframes

The following timeframes apply to the bylaw process.

Date	Activity/Milestone
4 March to 5 April 2019	Consult with the community on the Statement of Proposal, in accordance with the Special Consultative Procedure.
27 March 2019 2 April 2019	Community meetings
1 May 2019	Joint hearing with MDC, CDC and SWDC.
26 June 2019	Council adopts the proposed bylaw amendments.

7. Financial Implications

Work undertaken for the bylaws review project will be shared equally across the three Councils. This includes the resource that MDC utilises for the project on behalf of CDC and SWDC.

8. Statutory Requirements

All statutory requirements have been addressed as detailed throughout this report.

9. Impact on Māori

The proposed bylaw amendments have not been assessed as having impact specific to Māori communities.

However, several parts of the bylaws with an impact on Māori have been identified, namely:

- Beauty Therapy, Tattooing and Skin Piercing bylaw (in relation to Tā Moko practices)
- Public Places
- Cemeteries and Crematoria Bylaws (in relation to scattering of ashes and Māori burials).

Since sections of the bylaws have been identified to have the potential for specific impact on Māori, officers' request that the MSC review the changes to the proposed bylaws and submit on the proposed changes as part of the public consultation, if deemed appropriate by the MSC. These bylaws are attached in the appendices, the other bylaws are available for review on Council's website: <http://www.swdc.govt.nz/bylaw-review>

9. Appendices

Appendix 1 - Beauty Therapy, Tattooing and Skin Piercing bylaw

Appendix 2 - Public Places

Appendix 3 - Cemeteries and Crematoria Bylaws

Prepared by: Shane Sykes, Environmental Services Manager

Reviewed By: Russell O'Leary, Group Manager Planning and Environment

Appendix 1 - Beauty Therapy, Tattooing and Skin Piercing bylaw

Wairarapa Consolidated Bylaw 2019

Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on **TBC**.

Adoption

Council	Bylaw/Amendments	Adoption Date
Masterton District Council	Consolidated Bylaw 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Carterton District Council		

Wairarapa Consolidated Bylaw 2019

Part 12 – Beauty Therapy, Tattooing, and Skin Piercing

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Foreword

This Part of the bylaw is made under section 64 of the Health Act 1956 and section 145 of the Local Government Act 2002 (LGA).

Reference should be made to the Wairarapa Consolidated Bylaw 2019: Part 1 Introductory for any definitions not included in this Part.

If any provision of this Part is inconsistent with Part 1 – Introductory, then the provisions of this Part prevail.

1. Scope

- 1.1. The purpose of this bylaw is to prevent the transference of communicable diseases via beauty therapy practices, tattooing or skin piercing.
- 1.2. Registered doctors, dentists, nurses, physiotherapists, pharmacist and podiatrists are exempt from the requirement of licensing due to their recognised training standards; however general standards of hygiene must still comply with the Infection Control Standards NZS 8134 3 2008.
- 1.3. This Part of the bylaw should be read in conjunction with the Ministry of Health Guidelines for the Safe Piercing of Skin 1998.

2. Definitions

Beauty Therapy Practices: Provision of various treatments aimed at improving a person's appearance or wellbeing including, but not limited to, processes such as epilation (eg waxing and electrolysis), pedicures, manicures, solarium, paraffin treatment and comedone extractions. Where relevant this includes businesses such as jewellers, beauty therapists, nail technicians, tattooists and hairdressers.

Communicable Disease: Any infectious disease such as Hepatitis B and C, HIV/AIDS and any other disease declared by the Governor General, by order in Council, to be a communicable disease for the purpose of the Health Act 1956.

Designated Premises: Includes any commercial, industrial, residential property, or community building where a prescribed process is carried out.

Licensee: The person or legal entity to whom the Certificate of Registration has been issued under this Part of the bylaw.

Mobile Operator: A person who operates without a premises.

Mobile Premises: Any vehicle, stall or unit whether self-propelled or not, from which a prescribed process is carried out.

Operator: Any licensee and/or staff member who performs a prescribed process.

Premises: Means, as the context requires, designated premises or mobile premises.

Prescribed Process: Any beauty therapy, tattooing or skin piercing process for which payment is received.

Skin Piercing: A practice involving piercing, cutting and puncturing the skin or any other part of the human body and includes such services as acupuncture, body piercing, derma rolling/stamping, electrolysis, extractions, red vein treatment, tattooing, and traditional tools tattooing.

Tattooing: A process by which indelible marks are made in human skin or tissue by inserting pigments or dyes into punctures. Tattooing also includes the process known as pigment implantation or permanent makeup.

Used Wax (Including Paraffin Wax): Wax that has been previously applied to the body, remelted and sieved for removal of hair, left over in the cartridge of a roll on/pistol system that has been applied to any part of the body, left over in a heated pot from which it has been applied by spatula using the double dipping procedure, left in the cartridge of a flow on system that has been applied to any part of the body.

3. Certificate of Registration

- 3.1. No person shall use any premises for any prescribed process without a current Certificate of Registration.
- 3.2. A Certificate of Registration shall not be issued unless the premises concerned complies with all requirements of this Part of the bylaw, or an exemption in accordance with section 13 of this Part of the bylaw has been granted.
- 3.3. The Certificate of Registration must be prominently displayed at the principal entrance to the premises to which the prescribed process applies.
- 3.4. Applications for the registration of any premises under this Part of the bylaw shall be made by the owner or manager and shall be made on the prescribed form.
- 3.5. Fees (as set by Council annually) shall be payable on application for registration and renewed thereafter on an annual basis in accordance with this Part of the bylaw for a term of no more than one year.

4. General Conditions of Operation

- 4.1. No person shall allow or carry out any prescribed process on any person under the age of 16 years without the written permission of that person's parent or legal guardian.
- 4.2. No person shall carry out any prescribed process on any person whom they suspect is under the influence of alcohol, drugs or mind altering substances.
- 4.3. No person shall allow or carry out any prescribed process unless they hold a recognised qualification, where a recognised qualification is available for the process. A recognised qualification may include a nationally or internationally recognised training standard, NZQA unit standard, or industry training organisation. An exemption will be applied to any person under the direct supervision of someone who holds the said qualification and where the person providing the supervision is employed by a training institution.
- 4.4. No person shall, eat or drink on the premises except in a part of the premises that is clearly separate from the area where the prescribed process is carried out.
- 4.5. The operator of a premises where any prescribed process takes place, shall display in a prominent place a notice asking clients to inform them of any communicable disease the client has, which may be likely to have an effect on the process.
- 4.6. The operator shall maintain accurate records, in accordance with section 12 of this Part of the bylaw.

- 4.7. No person who knows or suspects that they are suffering from, or are a carrier of, a skin infection or communicable disease, or associated conditions, shall carry out any prescribed process, without taking adequate precautions to prevent the transmission of such infection, disease or condition.
- 4.8. No animals, except disability assist dogs, are to be permitted in that part of the premises where the prescribed process takes place.
- 4.9. No person shall operate a solarium without complying with AS/NZS 2635:2008 “Solaria for cosmetic purposes” and Part 5 of the Health Act 1956.
- 4.10. Prior to performing any treatment that invades someone’s body in any way, information must be given in a manner which fully explains the nature of the procedure, the outcomes of it and any risks involved. The information must be understandable and take into account the age of the person involved and their understanding of the language used. Informed consent cannot be legally given by someone under the age of 16 years.
- 4.11. Any person who wishes to have a prescribed process carried out, must inform the licensee, manager, or other person for the time being appearing to be in charge of the premises, prior to the commencement of any prescribed process, if they know or suspect that they:
 - are suffering from a communicable disease;
 - have a history of problem bleeding;
 - are taking medication such as anticoagulants which thin the blood or interfere with blood clotting;
 - have a history of allergies or adverse reactions to pigments, dyes or has other skin sensitivities; or
 - have a history of epilepsy or seizures.
- 4.12. The operator may decline to carry out any prescribed process on the basis of information received under clause 4.11, or agree to carry out the prescribed process subject to such conditions as are considered appropriate in the circumstances. Nothing in this Part of the bylaw shall be construed as requiring any person to perform a prescribed process on any other person.

5. Physical Aspects of Premises

- 5.1. No person shall use, or allow any premises to be used for a prescribed process except in accordance with all of the following provisions:
 - a) The premises shall be maintained in a sanitised, clean and tidy condition.
 - b) The floors, walls, ceiling, fixtures and fittings in any area connected with the carrying out of any prescribed process shall be constructed of materials that are easily cleaned.
 - c) A wash basin is supplied with splash guards, a constant piped supply of hot and cold water, soap, a nail brush and approved hand drying facilities shall be provided in a readily accessible position within the working area associated with the prescribed process.
 - d) A designated sink supplied with a constant piped supply of hot and cold water shall be provided in a readily accessible position within the working area for the sole purpose of cleaning instruments and equipment associated with a prescribed process.
 - e) All parts of the premises shall be adequately ventilated.
 - f) All parts of the premises shall be provided with adequate lighting to perform procedures, facilitate cleaning and inspection.

- g) There shall be provided at all times an adequate supply of cleaning, sanitising and sterilising agents, as are necessary, and suitable cleaning equipment, sufficient to enable regular and proper cleaning of the premises and of the equipment and containers used in the premises. There shall be adequate provision for separate storage of such items when not in use.
- h) Adequate and sufficient covered waste receptacles that are constructed of readily cleanable material shall be provided.
- i) All mattresses, squabs and cushions used on any chair, bed, table or the like, used in conjunction with the carrying out of any prescribed process, shall be covered in an water-proof and readily cleanable material. After each client, all linen/paper must be replaced and the tables and equipment must be cleaned and disinfected.
- j) Adequate and separate storage shall be provided for clean and soiled laundry, beauty products and other chemicals, products or materials. The storage container for the laundry must be made of water-proof material and capable of being easily cleaned. There must be procedures in place for decontaminating blood-contaminated linen.
- k) Where refreshments are served to customers, single use utensils are to be used unless approved dishwashing facilities are supplied. Refreshments are only to be served in customer waiting areas, not in work areas.

5.2. For the purposes of clause 6.1(k), approved dishwashing facilities means to the same standard required for eating-houses in section 35 of the Food Hygiene Regulations 1974.

6. Mobile Premises and Mobile Operators

6.1. All mobile operators and mobile premises must:

- a) provide sufficient facilities to adequately store all clean and used equipment, linen and waste products safely in separate containers before and after use and while in transit;
- b) establish and maintain a 'clean' work area at the site and protect all surfaces and equipment from contamination by dust, dirt, other such contaminants or members of the public at all times;
- c) ensure they have direct access to hand washing facilities with soap, paper towels and hot and cold running water, preferably through a single spout. Alternatively, where it is physically impossible to have hand washing facilities with running water, waterless alcohol-based antiseptic hand gels, foams, or liquids can be used by mobile operators. Hands must be cleaned using waterless alcoholbased hand cleanser between each client;
- d) wash their hands with running water and soap if their hands are visibly soiled; and
- e) ensure there is adequate sterile equipment for all clients undergoing skin penetration procedures and, if the mobile facility does not have an autoclave, then single use pre-sterilised equipment is to be used.

6.2. All owners or operators must ensure that the area set aside for mobile premises complies with all controls for prescribed processes as determined to be appropriate by an Authorised Officer, given the circumstances in which the skin piercing is being undertaken.

7. Conduct

- 7.1. An operator whilst on the premises, shall:
- a) at all times keep their clothing, hands and fingernails clean, and must cover any infected, damaged or inflamed skin with an impermeable dressing or disposable gloves;
 - b) thoroughly clean their hands:
 - (i) immediately before commencing and immediately after completing any prescribed process;
 - (ii) immediately after using a toilet;
 - (iii) immediately after smoking;
 - (iv) immediately after blowing their nose; and
 - (v) immediately after handling soiled laundry, money, biological matter or waste materials used or produced in connection with a prescribed process;
 - c) prior to commencing any prescribed process, cleanse the client's skin by swabbing with a hospital grade cleansing agent; and
 - d) dispose of all blood contaminated materials, and dye residue into a puncture resistant container, 'sharps box' or otherwise in a manner approved by an Authorised Officer.
- 7.2. An operator shall, at the completion of any tattooing or skin piercing process, provide to each client, suitable written instructions for the subsequent care of the site to prevent its infection.
- 7.3. No person shall undertake any tattooing, waxing, electrolysis or skin piercing procedure unless that person covers their hands with new, single use gloves for each client.
- 7.4. Any equipment used for a prescribed process must be calibrated, serviced and operated according to manufacturer specifications and used for no purpose other than given in such instructions.

8. Tattooing

- 8.1. The sterilisation of tattooing equipment shall include, but not be limited to, the sterilisation of needle bars, tubes and tube tips.
- 8.2. Stencils must only be used for one client and then disposed.
- 8.3. No operator shall, in tattooing a client, use any dye, pigment or solution, unless the dye, pigment or solution:
- a) has been decanted into a container holding a sufficient amount of the liquid for carrying out the tattoo on that client only; and
 - b) is, while the process is being carried out on that client, extracted or withdrawn only from that container.
- 8.4. The operator shall ensure that on completion of the tattoo, any dye, pigment or solution residue is discarded and disposed to waste, and the container is either sterilised or discarded.
- 8.5. All dyes, pigments, or solutions used for tattooing shall be obtained from approved sources and prepared, stored and dispensed in such manner as to prevent any likelihood of infection to any other person.

9. Beauty Therapy/Skin Piercing/Epilation

- 9.1. No person shall remove hairs from moles, birthmarks and other abnormalities without medical permission.
- 9.2. The client's skin must be sanitised prior to waxing.
- 9.3. No person may use any instrument to pierce skin unless it has been sterilised and has been kept in such a manner as to maintain sterility. All needles must be either pre-sterilised disposable types or needles sterilised as directed in section 10.1(a). No needle or other instrument used to pierce skin may be touched by bare fingers, nor contaminated by packaging which has been contacted by bare fingers.
- 9.4. All jewellery used for piercings must be sterile.
- 9.5. Wax that has been applied to a client's body for hair removal (used wax) or paraffin wax shall not be reused.
- 9.6. Any applicator that makes contact with a person's skin shall not be reused (double-dipped) or be replaced in a receptacle containing wax or any product unless the product has been decanted into single use containers.
- 9.7. Any product cross contaminated through the process of double-dipping must be disposed of before the next client.

10. Sterilisation of Equipment

10.1. No equipment used for any prescribed process, such as needles and similar equipment (including pedicure, manicure or waxing equipment), shall be reused unless it has been sterilised in one of the following ways:

- a) Thoroughly cleansed and exposed to steam under pressure in a steriliser (autoclave) at:
 - (i) 103KPa (15psa) for at least 15 minutes at not less than 121°C; or
 - (ii) 138KPa (20psi) for at least 10 minutes at not less than 126°C; or
 - (iii) 206KPa (30psi) for at least 4 minutes at not less than 134°C.

The times quoted above are holding times and do not include the time taken for the steriliser (autoclave) to reach the required temperature.

Every steriliser used for the purposes of clause 10.1(a) shall be fitted with time, temperature and pressure gauges. Additionally, every time the autoclave is used, chemical indicator strips shall be inserted to show that the temperatures as set out above have been attained during the autoclaving procedure. During each use, the gauges shall be viewed to ensure that the correct times, temperatures and pressures are reached.

- b) Thoroughly cleansed and exposed to dry heat for at least 60 minutes at not less than 170°C
- c) Thoroughly cleansed then totally immersed in a glass bead steriliser operating at 250°C for a minimum of four minutes.
- d) Thoroughly cleansed by a method appropriate to the nature of the article concerned and then submitted to a process of sterilisation approved by an Authorised Officer.

- 10.2. All disposable needles used for any prescribed process must be disposed of in an appropriate “sharps” container for infectious waste, which in turn must be disposed of in an approved manner.
- 10.3. All materials containing body fluids and blood must be disposed of as medical waste in an approved manner. Medical waste must not be stored on the property for any longer than two weeks.
- 10.4. Where an instrument or like article used for projecting a needle into the skin of any person, would be rendered inoperable or be damaged if a hand piece attached to it were sterilised, the hand piece shall be deemed to be disinfected if it has been cleaned of all visible soiling then wiped with a clean paper towel saturated with:
 - a) a solution of industrial methylated spirit;
 - b) ethyl alcohol or isopropyl alcohol (in each case containing not less than 70 per cent alcohol);
or
 - c) iraclean or other similar approved solutions.
- 10.5. Prior to cleansing the hand piece the needle shall be removed from the hand piece and disposed.

Advisory Notes

- a) *Chlorine solution will corrode metals.*
- b) *Operators should follow manufacturer’s instructions on cleaning products, in particular concentration and use by dates.*

11. Cleansing and Repair

- 11.1. Where any premises, equipment or procedures used to carry out any prescribed process are in such a condition whereby clients may be exposed to contamination or communicable disease, the licensee shall on receipt of a notice signed by an Authorised Officer cleanse, reconstruct or repair the premises, equipment or procedures as directed within the time specified on the notice, or cease using the premises until any such time agreed by the Authorised Officer.

12. Records

- 12.1. Records shall be maintained to assist operators with providing aftercare advice for patients and as an opportunity to audit the quality of procedures, should complications occur.
- 12.2. Prior to commencing any prescribed process, the operator shall obtain and record the following information in writing:
 - Client name, address, and phone contact;
 - Details of the procedure type; and
 - Consent that is signed by the client.
- 12.3. Records shall be strictly confidential and all personal client information shall be kept secure in a secure area.
- 12.4. The operator must hold client records regarding information collected under clause 5.4 on site for a period of 12 months. These records must be made accessible to an Authorised Officer on request.

- 12.5. The operator must maintain records of monitoring of sterilisation equipment, including the date, time, temperature and pressure readings. These records must be kept for a minimum period of 12 months. The records shall be made available to an Authorised Officer or a Medical Officer of Health on request.
- 12.6. A record of medical waste disposal must be kept for a minimum period of 12 months. The records shall be made available to an Authorised Officer or a Medical Officer of Health on request.

13. Exemptions

- 13.1. The provisions of clause 4.3 of this Part of the bylaw shall not apply:
- a) where the procedures are carried out in the practice of medicine, dentistry, nursing, physiotherapy, pharmacy or podiatry respectively, by a medical practitioner registered pursuant to the Medical Practitioners Act 1995, a dentist registered under the Dental Act 1988, a nurse registered under the Nurses Act 1977, a physiotherapist registered under the Physiotherapists Act 1949, a pharmacist registered under the Pharmacy Act 1970, or a podiatrist registered under the Medical Auxiliaries Act 1966;
 - b) acupuncture undertaken by members of the New Zealand Register of Acupuncturists or the New Zealand Acupuncture Standards Authority;
 - c) commercial ear-piercing services undertaken in a pharmacy licenced by the Ministry of Health;
 - d) to a person acting under the direction or supervision of a any person described and acting in accordance with clause 13.1(a);
 - e) to any tertiary educational institution authorised to train persons to become qualified in the practices of beauty therapy and/or nail technology; or
 - f) in a situation where an Authorised Officer is satisfied that compliance with any requirements of this Part of the bylaw would be impractical or unreasonable, having regard to the premises in question, or the prescribed process being undertaken. A written exemption may be granted with such modifications, and subject to such conditions as are in the interests of public health as may be desirable in the circumstances.

14. Offences and Penalties

- 14.1. Any person who breaches this Part of the bylaw commits an offence and may be liable to a penalty under section 66 of the Health Act 1956 or section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2019 Part 1: Introductory for details of what broadly constitutes a breach of this Part.

Appendix 2 - Public Places

Wairarapa Consolidated Bylaw 2019

Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on **TBC**.

Adoption

Council	Bylaw/Amendments	Adoption Date
Masterton District Council	Consolidated Bylaw 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Carterton District Council		

Wairarapa Consolidated Bylaw 2019

Part 2 – Public Places (including Parks and Reserves)

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Referenced Documents

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

- Health Act 1956
- Litter Act 1979
- Local Government Act 2002
- Reserves Act 1977
- Sale and Supply of Alcohol Act 2012

Foreword

This Part of the bylaw is made under section 145 of the Local Government Act 2002 (LGA).

In addition, the Reserves Act 1977, Health Act 1956, Litter Act 1979 outline some of the powers and requirements of the Council in regard to streets, public places and reserves. Areas of control prescribed by this legislation are not necessarily repeated within this bylaw, and therefore the relevant sections of the LGA and other legislation should be read in conjunction with this Part.

This Part of the bylaw draws on New Zealand Standards 9201 series Public Places Bylaw.

Reference should be made to Wairarapa Consolidated Bylaw 2019: Part 1 - Introductory for any definitions not included in this Part.

If any provision of this Part is inconsistent with Part 1 – Introductory, then the provisions of this Part prevail.

1. Scope

- 1.1. This Part of the bylaw controls a diverse range of activities to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the district.
- 1.2. In particular, this Part addresses damage to public facilities such as roads, grass verges, garden areas and reserves. It also addresses activities within public places and reserves which may have an adverse effect on other users of these facilities.

2. Definitions

Aircraft: Means:

- any man-made device capable of flight including, but not limited to, aeroplanes, helicopters, gliders, hang-gliders, unmanned aerial vehicles (e.g. drones), hot air balloons and radio-controlled model aircraft; but
- does not include kites and balloons which are controlled from the ground via strings.

Berm: The edge of a road reserve between the kerb or surface water channel and property boundary.

Mind-Altering Substance: A substance, whether synthetic or naturally occurring, which may alter consciousness, mood or emotions, or which might intoxicate or impair or diminish mental capacity. It includes what is commonly known as solvent abuse, but does not include:

- medically prescribed substances ingested by the person for whom they were prescribed;
- substances purchased from a pharmacy without a medical prescription;
- nicotine; or
- alcohol as defined in the Sale and Supply of Alcohol Act 2012.

Mobility Device: Has the same meaning as in the Land Transport Act 1998, being a vehicle that:

- is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
- is powered solely by a motor that has a maximum power output not exceeding 1 500W; or

- a vehicle that the New Zealand Transport Agency has declared to be a mobility device under section 168A(1) of the Land Transport Act.

Ride a Wheeled Recreational Device: Having either one or both feet, or any other part of the body of any person, on the wheeled recreational device when it is moving.

Trenching: Includes any excavation including any auguring or thrusting carried out within or under a road or public place for the purpose of maintaining, locating or installing services.

Verandah: A portico, porch, shed, shade, awning, blind, covering, or like structure, and their supports, projecting into or over any part of a public place.

Wheeled Recreational Device: Means:

- a vehicle that is a wheeled conveyance (other than a cycle that has a wheel diameter exceeding 355mm) and that is propelled by human power or gravity; and
- includes a conveyance to which are attached one or more auxiliary propulsion motors that have a combined maximum power output not exceeding 200W.

3. Public Safety and Nuisances

- 3.1. Except with the prior permission of Council or an authorised officer, and then only in accordance with such conditions as may be imposed, a person shall not on any public place:
- a) place or leave litter or any material, good, thing, or substance that is likely to be hazardous or injurious to any person, or likely to create a nuisance;
 - b) deposit in or around a public litter receptacle any household or trade refuse;
 - c) interfere with any refuse which is awaiting collection by an authorised collector;
 - d) drive any vehicle (excluding wheeled recreational devices and mobility devices) except on a formed road;
 - e) drive any vehicle in a manner that is dangerous or inconsiderate to pedestrians or other vehicles;
 - f) cause or allow any material, good, or thing to be deposited;
 - g) leave any work, hole or excavation in a manner that could be a danger to anyone entering or using that public place;
 - h) solicit any subscription, collection or donation, preach, lecture, perform, use a loud speaker, amplifier or similar device, or undertake any busking;
 - i) distribute any printed or written material advertising any product, service or entertainment;
 - j) fly from or land any aircraft, parachute or similar, except in an emergency;
 - k) consume, inject or inhale any mind-altering substances or offer or sell such substances to any person;
 - l) play any game or use any object including wheeled recreational devices, roller blades, roller skates, bicycles or motorised scooters, recklessly or in a manner which may intimidate, be dangerous or injurious or cause a nuisance to persons in the public place, or damage the public place;
 - m) erect or place any structure on, over or under the public place except in compliance with any other Part of this bylaw;

- n) light any fire except at fireplaces specially provided, or in an appliance designed for outdoor cooking, subject to any restriction imposed by Fire and Emergency New Zealand on the lighting of fires; or
 - o) camp in an area where a prohibition or restriction is set out in any Council bylaw. In this context camping shall include the use of any vehicle for sleeping whether or not it is specially set out for sleeping.
- 3.2. Where any fence, wall, retaining wall or land adjacent to a public place is in a condition or state of disrepair which, in the opinion of an authorised officer could cause damage or injury to persons passing, the authorised officer may give notice requiring the owner or occupier to repair or remove the fence, wall or retaining wall, or make the land safe at the expense of the landowner.

4. Fireworks

- 4.1. Without the prior approval of Council, and then only in accordance with such conditions as may be imposed, no person shall set off fireworks or explosive material:
- a) in or on a public place; or
 - b) near a public place in a way that does, or is likely to, create a nuisance.

5. Obstructing Public Places

- 5.1. Except with the permission of the Council or an authorised officer, and then only in accordance with such conditions as may be imposed, a person shall not on any public place:
- a) obstruct the entrances to, or exits from, a public place;
 - b) place or leave any material, good, or thing, including signage, on a public place that could obstruct the public right of passage;
 - c) allow any gate or door on property abutting a public place, to swing over or across the public place or any part thereof; or
 - d) carry out any work on any motor vehicle in a public place, except in the case of any accident or emergency when repairs are necessary to allow the vehicle to be removed.

6. Damage to Public Places

- 6.1. Except with the permission of the Council or an authorised officer, and then only in accordance with such conditions as may be imposed, a person shall not in any public place:
- a) damage, interfere with, destroy or remove any grass plot, flower bed, tree, shrub or plant or any inscription or label relating to it;
 - b) sow or scatter the seed of any plant of any kind;
 - c) pollute, damage, deface or disfigure, apply graffiti, posters or advertising devices to, or interfere with any ornament, statue, building, structure, or facilities;

NOTE: Nothing in this sub-clause shall prevent the Council from supplying or approving the installation of display boards in any public place for the purpose of allowing posters to be displayed announcing forthcoming functions or events,

- d) cause or permit to be done any act whatsoever by which damage is caused to any public place, or any work or thing in, on, over or under the public place;
 - e) damage or interfere with any natural feature, animal or plant;
 - f) use any vehicle or be in control of an animal in any manner so that it damages any part of a public place;
 - g) drive or park any vehicle in a public place except in an area set aside for the driving or parking of vehicles;
 - h) remove any soil or other naturally occurring material found in a public place; or
 - i) open any drain or sewer on, or disturb or remove the surface of, any public place.
- 6.2. Any person carrying out authorised works on a public place shall provide reinstatement of the works to a standard approved by an authorised officer.
- 6.3. Any person wishing to gain access to a beach shall use a designated access where this is available.

7. Placing of Articles on Public Places

- 7.1. No signage shall be placed on any public place unless it meets the requirements for signage under the Wairarapa Combined District Plan.
- 7.2. All seating in public places must have prior Council approval.
- 7.3. A person shall not do, or permit or allow to be done:
- a) internment of cremation ashes on any reserve or other public place other than a designated cemetery upon presentation to the sexton of a burial warrant; or
 - b) scattering of cremation ashes at any reserve and only at other public places with permission of an authorised officer.

8. Control of Wheeled Recreational Devices

- 8.1. No person shall ride a wheeled recreational device in any area defined in the First Schedule attached to this Part of the bylaw.
- 8.2. No person shall ride a wheeled recreational device on any footpath outside areas defined in the First Schedule, without due care to ensure no damage is caused to any property or without reasonable consideration for other persons using the footpath.
- 8.3. Every person who commits an offence against this clause is liable to have the wheeled recreational device used impounded by an authorised officer.

9. Exposing Articles for Sale

- 9.1. Except as provided for by any other Part of this bylaw, no person shall expose for sale any article whatsoever on any footpath, or outside of any shop, shop window, or doorway abutting on any public place, so as to encroach on or over that public place, without the prior permission of Council, and then only in accordance with such conditions as may be imposed by Council.

10. Vehicular Crossings

- 10.1. Any person wishing to construct, repair, remove or widen any vehicular crossing shall first obtain approval from the Council, or resource consent if required.
- 10.2. An approval or resource consent provided by the Council under clause 10.1 shall be subject to such conditions concerning dimensions and materials as the Council may consider reasonably necessary to protect the road (including any footpath or berm) adjacent to the vehicular crossing, and to ensure safe and convenient use of the road by pedestrians and vehicles, and may include the payment of a bond to Council.
- 10.3. No person shall drive, ride, propel, or wheel any motor vehicle across any footpath or water channel in any public place otherwise than upon a crossing properly constructed under the provisions allowed under any Part of this bylaw.
- 10.4. If, in the opinion of the Council, any crossing is in a bad or unsafe state of repair, Council may by notice in writing, require the owner of the land which the crossing provides access to, to repair, reconstruct, or renew such crossing to the satisfaction of Council.

11. Trenching and Minor Earthworks

- 11.1. Any person wishing to undertake any trenching or minor earthworks within or under any road or public place, shall first apply for and obtain a road opening notice from the Council. The application shall contain detailed information on all aspects of the works proposed to be undertaken.
- 11.2. A road opening notice issued by the Council under clause 11.1 may be subject to such conditions as the Council may consider reasonable and shall also ensure safe and convenient use of the road or public place by pedestrians and vehicles.

12. Assembly

- 12.1. No person shall, except with permission from the Council, and then only in accordance with such conditions as may be imposed:
 - a) participate in any assembly or associate with other persons in a public place in such a way as to impede pedestrian or vehicular traffic or to prevent or hinder ready access to shops or premises facing onto the public place; or
 - b) organise or conduct any meeting, gathering, demonstration, parade, procession or competition in a public place.

13. Awnings and Blinds

- 13.1. No person, except with the permission of an authorised officer, shall
 - a) erect or maintain, or cause to be erected or maintained, any awning over any public place; or
 - b) hang any awning, blind, or screen from any portico on any public place.

- 13.2. In granting permission under clause 13.1, an authorised officer may set such conditions as deemed appropriate. Any such permission may be revoked at any time by an authorised officer.

14. Projections on Public Places not Permitted

- 14.1. Except where permitted by any other Part of this bylaw or by Council consent, no person shall put any portico, projecting window, balcony, wall, lamp, door step, cellar door, lamp post, signboard, window shutter, gate post, or other obstruction or projection of any kind whatsoever in, on, over or under a public place or in such a position as to interfere with or obstruct in any way the free passage of pedestrians or traffic upon any public place.
- 14.2. Clause 14.1 shall not apply to any verandah or awning erected pursuant to a requirement of the District Plan.
- 14.3. If any such projection or obstruction as described in clause 14.1 has been placed against, or in front of, any building before the coming into operation of this bylaw, and which is contrary to any bylaw in force, Council may give notice to the owner or occupier of such building to remove, or to alter such projection or obstruction, and such owner or occupier shall, within the time stated in such notice, remove, or alter such projection or obstruction.
- 14.4. No person shall stand on any verandah erected over a public place except for the purpose of inspection, maintenance or exiting in the case of fire.

15. Restrictions on Use of Barbed Wire and Electrified Fences

- 15.1. Except with the permission of an authorised officer, no person shall erect, or permit to be erected, any electrified fencing or barbed wire along, or within one metre of, any boundary line between any land or building on the one side, and any public place on the other side.
- 15.2. Clause 15.1 shall not prohibit the placing of such barbed wire at a height of not less than two metres, or electrified fencing not less than three metres from the level of the ground, of any such public place.
- 15.3. Clause 15.1 shall not apply within any land zoned rural under the Wairarapa Combined District Plan except when the fence abuts or adjoins a footpath, provided that Council may from time to time by resolution, specify conditions that will apply to temporary electric fences.

16. Road and Building Identification

- 16.1. The Council shall have the exclusive right to cause to be painted or affixed on a conspicuous part of a building, the name of the road, private road or public place to which it has frontage.
- 16.2. Notwithstanding that a building or property is identified by other means, the owner or occupier of every building or group of buildings forming part of a complex or of the property shall mark such building or complex with numbers no less than 50mm in height for residential buildings and not less than 150mm in height for all other buildings. Numbers shall be as allocated or approved by an authorised officer and displayed in a position so as to be readily visible from the road to which it has frontage.

- 16.3. Numbers required by clause 16.2 shall be maintained by the owner or occupier in such a manner as to readily identify the property at all times.
- 16.4. Council shall have power at any time to alter the number of any building where in the Council's opinion it may be necessary or advisable to do so.

17. Animals in Public Places

- 17.1. No person shall take or allow any animal under their care or control onto any public place if the Council has, by bylaw, resolution or public notice, prohibited entry of that type of animal to that public place.

NOTE: See also the Dog Control Bylaw.

- 17.2. No person shall:
- a) permit any animal to be on a reserve, unless:
 - i. a Council bylaw allows the animal on the reserve;
 - ii. prior permission has been granted by an authorised officer; or
 - iii. the reserve has been booked for an event allowing the presence of animals.
 - b) graze animals in any public place except in accordance with clause 17.7 below.
- 17.3. Any person having control of an animal on any public place shall ensure that the animal is kept under proper control:
- a) so as not to create a danger or nuisance for other persons using the public place; and
 - b) to ensure that no damage is caused to the public place, any part thereof or to any object or other animal thereon.
- 17.4. Any person being the owner of, or having control of, any animal in a public place shall immediately remove any faeces deposited by that animal and dispose of in a sanitary manner.
- 17.5. Every person being the owner or having the care, custody or control of any animal, shall keep and prevent the same from wandering or being at large without proper control on any public place. The occupier shall maintain sufficient animal proof fencing the road boundary of the property.
- 17.6. The Council may seize and confine any loose animal found in a public place, in breach of this Part or any other Council bylaw, resolution or notice. The owner of the animal is responsible for fees and costs incurred by Council in securing the animal.
- 17.7. During daylight hours, with the prior approval of an authorised officer, animals may be grazed on a rural road verge adjoining land owned or occupied by the owner of the animal, or on a road verge adjoining land owned by another person with the prior consent of that person, if:
- a) the animals are confined within a temporary fence considered by an authorised officer to be sufficient to prevent that animal from accessing or damaging such a place; or
 - b) the animals are controlled by a sufficient number of adult drovers to prevent the animal from obstructing the carriageway and from wandering beyond the control points.

18. Overhanging Vegetation Liable to Obstruct

- 18.1. No person shall permit or allow vegetation to encroach on to or over any public place so as to obstruct or interfere with the free and safe movement of persons using that public place. The Council or authorised officer may, by notice, require the owner or occupier to cut back and remove the encroaching vegetation within 14 days from the date of the notice.
- 18.2. Should the owner or occupier fail to comply with the notice, then the Council may arrange the removal of the vegetation and recover the cost of removal from the owner or occupier.
- 18.3. Unless otherwise approved by an authorised officer, overhanging vegetation shall be cut back to a minimum height of 2.7 metres.

19. Additional Requirements for Reserves

- 19.1. Subject to the provisions of this Part of this bylaw, every reserve shall be open to the public at all times, except during such hours as the Council or an authorised officer may determine that any reserve shall be closed to the public.
- 19.2. An authorised officer may from time to time and for such periods as deemed necessary, set aside areas of a reserve, for the exclusive use of particular groups or for particular kinds of recreational activities thereon. Council may charge for the right to have exclusive use of a reserve.
- 19.3. The Council may fix charges for the entry to a reserve in accordance with the section 106 of the Reserves Act 1977, and it shall be an offence against this Part of the bylaw to enter a reserve without having paid the proper charge for entry, if a charge is payable.
- 19.4. An authorised officer may close or restrict entry to all of, or any portion of, a reserve at such times as are considered necessary to prevent damage to, or allow maintenance of the reserve. Such closure shall be advertised by signs at the entrances to the reserve. It shall be an offence against this Part of the bylaw to be found on a reserve at any time when the reserve is closed to public entry.
- 19.5. Every person committing a breach of the provisions of this Part of the bylaw shall, upon request by an authorised officer, immediately leave the reserve, and shall be prohibited from re-entering on the reserve for such period as the authorised officer deems necessary. Any person so ordered to leave shall still be liable to be prosecuted for the breach of the bylaw, and any person failing to leave with reasonable speed, to comply with a request to leave, shall commit a further offence.

20. Power to Set Fees

- 20.1. The Council may, by resolution publicly notified, set fees for the issue of any permit, licence or property number, or to claim any impounded animal or item, which may be required under this Part of the bylaw.

21. Offences and Penalties

21.1. Any person who breaches this Part of the bylaw commits an offence and may be liable to a penalty set out in section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2019: Part 1 - Introductory for details of what broadly constitutes a breach of this Part.

22. Power to Amend by Resolution

22.1. The Council may, by resolution publicly notified:

- a) add schedules;
- b) make additions or deletions from the schedules; or
- c) substitute new schedules.

22.2. Where Council intends to make a resolution under clause 22.1, consultation will be undertaken as required, in accordance with the requirements of section 156 of the LGA.

Masterton District

Areas where riding of wheeled recreational devices is prohibited on footpaths and other public places are as follows:

- Length of Queen Street from Renall Street to Bruce Street
- Bruce Street
- Church Street from Queen Street to Dixon Street
- Bannister Street from Queen Street to Dixon Street
- King Street
- Lincoln Road from Queen Street to Chapel Street
- Perry Street from Queen Street to Chapel Street
- Jackson Street from Queen Street to Chapel Street
- Northeast side of Renall Street from Queen Street to Chapel Street
- The north-eastern side of Chapel Street from Renall Street to Lincoln Road.
- Kuripuni Village (the full length of Crayne Street and Queen Street from Crayne Street to Dixon Street)
- The Town Square, bounded by Chapel Street, Cole Street, Perry Street and the Masterton District Council Municipal Building.

Prohibited Wheeled Recreation Devices – Central Business District



FIRST SCHEDULE

PROHIBITED SKATEBOARD AREAS - KURIPUNI SHOPPING DISTRICT



Appendix 3 - Cemeteries and Crematoria Bylaws

Wairarapa Consolidated Bylaw 2019

Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on TBC.

Adoption

Council	Bylaw/Amendments	Adoption Date
Masterton District Council	Consolidated Bylaw 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Carterton District Council		

Wairarapa Consolidated Bylaw 2019

Part 7 – Cemeteries and Crematoria

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Referenced Documents

Standards

NZS 4242: 1995 Headstones and Cemetery Monuments

New Zealand legislation

- Burial and Cremation Act 1964
- Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967
- Cremation Regulations 1973
- Health (Burial) Regulations 1946
- Local Government Act 2002

Foreword

This Part of the bylaw is made under section 16 of the Burials and Cremations Act 1964 and section 146 of the Local Government Act 2002 (LGA). This Part of the bylaw draws from NZS 9201 standard Cemeteries and Crematoria. The NZS 9201 series are model bylaws covering various matters under local authority jurisdiction.

Reference should be made to the Wairarapa Consolidated Bylaw 2019: Part 1 Introductory for any definitions not included in this Part.

If any provision of this Part is inconsistent with Part 1 – Introductory, the provisions of this Part prevail.

1. Scope

- 1.1. The purpose of this Part of the bylaw is to enable Council to control and set standards for the operation of cemeteries and crematoria within the boundaries covered by Council's responsibility or ownership.
- 1.2. Nothing in this Part of the bylaw shall derogate from any provision of, or the necessity for, compliance with, the:
 - a) Burial and Cremation Act 1964;
 - b) Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967;
 - c) Cremation Regulations 1973; and
 - d) Health (Burial) Regulations 1946.

2. Definitions and Interpretation

Beam: The concrete area of a plot where a headstone or plaque is placed.

Cemetery: Any cemetery vested in or under the control of the Council from time to time but excludes any closed cemetery.

Crematoria: Any crematorium maintained by the Council.

Disinterment: The removal of any body, or the remains of any body, or ashes interred in any cemetery.

Exclusive Right of Burial: A right that may be purchased from the Council which grants the purchaser, and his or her assignee, the exclusive right of burial in a designated plot for a period designated by Council and:

- does not create an ownership interest over the designated plot; and
- lapses in accordance with section 10 of the Burial and Cremation Act 1964.

Manager: Any person appointed by the Council to control or manage, or to assist in the control and management of, any cemetery or crematorium under the jurisdiction of the Council and to carry out burials and cremations as provided in this Part of the bylaw.

Natural Burial: A burial that has a low environmental impact, including the body not being treated with chemical or oils that prevent or slow down the decay of the body.

Plot: Includes a burial, ashes or memorial plot.

Sexton: Any person appointed by the Council to manage the day to day activities of any cemetery and crematorium under its jurisdiction, including arranging for the provision of plots for burials.

3. Burials and Sale of Plots

- 3.1. Burial plots sold by the Council, shall be sold upon the terms and conditions as decided by the Council and the exclusive right of burial may be granted for such period as the Council decides.
- 3.2. No burial shall be made in any cemetery without a burial warrant for that purpose. A burial warrant may be obtained from the Council upon payment of the appropriate fee. The person having the management or control of the burial shall present the burial warrant to the Sexton as authority for burial.
- 3.3. Burials shall take place in such plots as the Manager shall determine and no headstone, full grave cover or surround shall be erected on the plot unless the exclusive right of burial has been purchased.
- 3.4. No person other than the Sexton or assistants of the Sexton or any other person duly authorised by the Council, shall dig any grave in, or open the ground for burial in, any part of the cemetery. The minimum depth of cover for any casket shall be no less than one metre.
- 3.5. Upon application and payment of the appropriate fees, the urn containing the ashes of any deceased person may be buried in the appropriate portion of the cemetery set aside for that purpose or in any plot subject to an exclusive right of burial.
- 3.6. Council will not sell the exclusive right of burial in respect of any plot in those portions of a cemetery reserved exclusively for natural interments.

4. Natural Burials

- 4.1. Council may set aside, by resolution publicly notified, areas within a cemetery where natural burials may be undertaken.
- 4.2. A natural burial must:
 - a) be single depth, with a minimum depth cover of one metre;
 - b) use only caskets or coffins made of biodegradable materials;
 - c) use shrouds made of natural materials;
 - d) use no chemical or embalming treatment of the body;
 - e) contain only biodegradable accessories, including clothing;
 - f) use only temporary, untreated wooden above-ground markers, placed at the time or within the first week of burial, centrally located at the head of the plot; and
 - g) be marked more permanently by a native tree or shrub chosen by Council, and planted at its discretion.
- 4.3. No memorials or adornments may be placed on or near the burial plot.
- 4.4. Council may, at its discretion, use markers below-ground that are of a material it considers appropriate, to ensure the location of the deceased can be identified.

5. Power to Set Fees

- 5.1. The Council may by resolution publicly notified, set fees for the purchase of plots and all other services provided for the repairs, operation and maintenance of cemeteries and crematoria.
- 5.2. "Out of district" fees may be payable in the case of a burial of a deceased person not residing in or not a ratepayer of the district for a predetermined time as fixed by Council. The Manager appointed by the Council shall determine in each case whether an "out of district" fee is applicable.

6. Hours of Operation

- 6.1. Funerals may be held on such days and at such times as the Council shall determine.

7. Erection and Maintenance of Monuments, Headstones and Structures

- 7.1. The installation of memorial headstones, grave surrounds or overtop construction or repairs and installation of concrete ground beams or bases shall be carried out to the satisfaction of the Council.
- 7.2. All above ground grave structures, enclosures, memorial headstones and other monuments shall be installed to NZS 4242. Purchasers of plots with headstones shall pay fees as fixed by the Council for the purpose of maintaining and repairing in perpetuity the headstone, beams and associated fixtures.
- 7.3. An application to erect a memorial must include written permission from the owner (or their assignee) of the exclusive right of burial for that plot.
- 7.4. Plans and specifications for the construction of above ground vaults in cemeteries must be submitted to the Council for approval prior to any work commencing. Construction of the vault shall be to standards acceptable to the Council.
- 7.5. The Council may carry out regular audits of memorial headstones and other monuments to ensure their safety.
- 7.6. No person shall, without the written permission of the Manager, remove from any cemetery or grave any headstone, monument or plaque.
- 7.7. No monuments other than approved headstones shall be erected within the precincts of a memorial park cemetery. No memorial or headstone shall exceed a height of 1.2 metres except with the written permission of the Manager.
- 7.8. All vases and containers for flowers in memorial park cemeteries shall be placed in such a manner as approved by the Manager.
- 7.9. No person shall construct any structure or plaque in a plaque lawn cemetery in such a manner that any part therefore shall project above the ground immediately adjoining it.
- 7.10. Any memorial plaque in a plaque lawn cemetery must consist of permanent material, be of an approved size and set in an approved position with all inscriptions relating to the persons buried in each plot to be on the one plaque.

- 7.11. No person shall, without the authority of the Sexton, remove or take from any grave in any cemetery, any vase, wreath, plant, flower or other object, except that the Council may cause to be removed any neglected or broken material of this nature.

8. Adornments

- 8.1. Adornments may be placed on a plot for up to one month following an interment.
- 8.2. After one month following the interment, adornments must be placed in approved receptacles and be within the confines of the beam.
- 8.3. Adornments may not inhibit the proper maintenance of the cemetery or other graves.
- 8.4. Glass, pottery, metal or other breakable items or items that may pose a danger must not be used or placed on the memorial, plaque, beam or the grassed area of the plot.
- 8.5. Council may remove the adornments described in clause 8.4 or any other adornment that may pose a danger at any time. Council will either place these adornments on the memorial or within the confines of the beam, or in a designated place for collection by the owner. Council will retain the adornment for a reasonable period of time, after which the adornment may be disposed of without compensation to the owner of the adornment.

9. Plot Maintenance

- 9.1. The holder of the exclusive right of burial, the owner of a plot or their successors must ensure:
- a) the plot is maintained;
 - b) any memorials associated with the plot are safe and secure;
 - c) any kerbs, enclosures, tombstones, headstones, other monuments and their base structures, are kept in good order; and
 - d) memorials do not inhibit regular maintenance of the cemetery.
- 9.2. Council may cut or remove any vegetation planted in the cemetery, at its discretion.
- 9.3. Any person undertaking any work or otherwise present in a cemetery must withdraw for the duration of a nearby interment or service or at the direction of a person authorised by Council.
- 9.4. Services cemeteries will be maintained by Council in accordance with the Standard of Care set by NZ Veterans' Affairs.

10. Shrubs and Trees

- 10.1. No tree or shrub shall be planted in any part of any cemetery by any person without the permission of the Manager being first obtained.

11. Vehicles

- 11.1. Every person driving or in charge of any vehicle in any cemetery shall stop or move such vehicle as directed by the Sexton or assistants of the Sexton.
- 11.2. No vehicle shall be driven at a greater speed than 20km/h or as indicated on any road within the cemetery, and in any other direction other than indicated by traffic notices.
- 11.3. All vehicles (other than hearses) shall yield unconditional right of way to any funeral procession.
- 11.4. Any person installing or attending a memorial in a cemetery shall withdraw for the duration of an adjoining funeral service.

12. Soliciting Trade

- 12.1. With the exception of the transactions of Council staff undertaken in the course of management of the cemetery and crematorium, no person may solicit trade, advertise goods or services, or accept orders for goods or services, within any cemetery.

13. Burial or Cremation of Poor Persons

- 13.1. Where application is made to the Council for the interment or cremation of any deceased poor person, the applicant shall provide to the Council a duly signed certificate certifying that:
 - a) the deceased person has not left sufficient means to pay the ordinary charge of internment or cremation fixed by this Part of the bylaw;
 - b) the cost of burial is not covered by any Accident Compensation or Work and Income New Zealand entitlement; and
 - c) the deceased person's relatives and friends are unable to pay the same.

14. Deceased Servicemen

- 14.1. The fee payable to the Council for the disinterment of any deceased servicemen and the reinterment in the war graves section of the cemetery, if application is made by the War Graves Branch of the Department of Internal Affairs, shall be as agreed upon between the parties at the time.

15. Disinterment

- 15.1. Where a request for a disinterment and/or a reinterment is received by the Council or other cemetery owner, the disinterment shall be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of such fees as the Council decides.

16. Cremation

- 16.1. An approved urn containing the ashes of the deceased person may be left in the crematorium for 14 days from the date of the cremation free of charge. At the expiry of this period such fees as the Council may set shall be paid. The Council will not hold ashes beyond three months from the date of such cremation, and at the expiry of that period may dispose of the ashes in accordance with regulations made under the Burial and Cremation Act 1964.
- 16.2. The casket containing any deceased person intended for cremation shall be made of an approved combustible material.
- 16.3. No casket shall be opened after admission to the crematorium without the consent of the Sexton.
- 16.4. The Council shall determine the hours of operation of its crematorium.
- 16.5. Every application for cremation, together with all the necessary documentation, shall be deposited with the Sexton prior to cremation.

17. Safety

- 17.1. No person other than the Sexton, or assistants of the Sexton, or any other person duly authorised by the Sexton, shall fill in a grave.

18. Offences and Penalties

- 18.1. Any person who breaches this Part of the bylaw commits an offence and may be liable to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2019 Part 1: Introductory for details of what broadly constitutes a breach of this Part.

Māori Standing Committee

Chair: Reuben Tipoki
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8 March 2019

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Tena koe

DEVELOPMENT AT WAIRARAPA MOANA

Our Māori Standing Committee have requested an overview of the programme being undertaken at Wairarapa Moana by the Department of Conservation in conjunction with Greater Wellington Regional Council.

As part of the overview, members would like to understand what your spraying schedule is and what chemicals are being used. They would also be interested in planting plans after the spraying has been completed.

Written documentation would be useful for us to hold on file and provide on request, however if you did want to provide a brief update in person to the Committee that could be arranged via myself at their meeting on the 25 March 2019 or 6 May 2019.

Nga mihi

A handwritten signature in blue ink, appearing to read 'Suzanne Clark'.

Suzanne Clark
Committee Secretary
Suzanne.clark@swdc.govt.nz