



ORDINARY MEETING

of

Council

AGENDA

Time: 3.00pm
Date: Wednesday, 15 February 2023
Venue: Waiata House, 27 Lincoln Road,
Masterton

MEMBERSHIP

Mayor Gary Caffell (Chairperson)

Councillor Bex Johnson
Councillor Craig Bowyer
Councillor Brent Goodwin
Councillor David Holmes

Councillor Tom Hullena
Councillor Stella Lennox
Councillor Tim Nelson
Councillor Marama Tuuta

Values

1. **Public interest:** members will serve the best interests of the people within the Masterton district and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.
3. **Ethical behaviour:** members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour.
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their ethnicity, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of Council staff.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code, and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which MDC operates, including a regular review and assessment of MDC's collective performance.

These values complement, and work in conjunction with, the principles of section 14 of the LGA 2002; the governance principles of section 39 of the LGA 2002; and our MDC governance principles:

| | |
|--------------------------|--|
| Whakamana Tangata | Respecting the mandate of each member, and ensuring the integrity of the committee as a whole by acknowledging the principle of collective responsibility and decision-making. |
| Manaakitanga | Recognising and embracing the mana of others. |
| Rangatiratanga | Demonstrating effective leadership with integrity, humility, honesty and transparency. |
| Whanaungatanga | Building and sustaining effective and efficient relationships. |
| Kotahitanga | Working collectively. |

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Karakia timatanga

Kia tau ngā manaakitanga a te mea ngaro
ki runga ki tēnā, ki tēnā o tātou

Kia mahea te hua mākihikihi

kia toi te kupu, toi te mana, toi te aroha, toi te Reo
Māori

kia tūturu, ka whakamaua kia tīna! Tīna!

Hui e, Tāiki e!

Let the strength and life force of our
ancestors

Be with each and everyone of us

Freeing our path from obstruction

So that our words spiritual, power, love and
language are upheld

Permanently fixed established and
understood

Forward together

1 CONFLICTS OF INTEREST

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

2 APOLOGIES

The Chair invites notice from members of:

- leave of absence for future meetings of Masterton District Council
- apologies, including apologies for lateness and early departure from the meeting where leave of absence has not previously been granted.

3 PUBLIC FORUM

- President, Masterton Ratepayers and Residents Assoc re rate increase affordability

4 ITEMS NOT ON THE AGENDA

The Chairperson will give notice of items not on the agenda as follows: *Matters requiring urgent attention as determined by resolution of the Council*

- The reason why the item is not on the agenda; and
- The reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters relating to the general business of Council

No resolution, decision or recommendation may be made in respect of the item except to refer it to a subsequent meeting of Masterton District Council for further discussion.

5 CONFIRMATION OF COUNCIL MINUTES

5.1 MINUTES OF COUNCIL MEETING HELD ON 14 DECEMBER 2022

File Number:

Author: Harriet Kennedy, Governance Advisor

Authoriser: David Hopman, Chief Executive

RECOMMENDATION

1. That the Minutes of Council Meeting held on 14 December 2022 be received and confirmed as a true and correct record of that meeting.

ATTACHMENTS

1. Minutes of Council Meeting held on 14 December 2022



MINUTES

**Ordinary Council Meeting
Wednesday, 14 December 2022**

Order Of Business

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|----------|--|-----------|
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**MINUTES OF MASTERTON DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT WAIATA HOUSE, 27 LINCOLN ROAD, MASTERTON
ON WEDNESDAY, 14 DECEMBER 2022 AT 3.00**

PRESENT: Mayor Gary Caffell (Chair), Councillor Bex Johnson, Councillor Craig Bowyer, Councillor Brent Goodwin, Councillor David Holmes, Councillor Tom Hullena, Councillor Stella Lennox, Councillor Tim Nelson, Councillor Marama Tuuta

IN ATTENDANCE: Iwi representatives Jo Hayes (from 3.13pm) and Ra Smith (by zoom from 3.13pm), Chief Executive, Manager Finance, Manager Strategy and Governance, Manager Community Facilities and Activities, Manager Communications and Engagement, Manager Assets and Operations, Manager Regulatory Services, Pou Ahurea Māori, Manager People and Culture, Library Manager, Project Delivery and Assets Manager and Governance Advisor

His Worship opened the meeting with the karakia.

1 CONFLICTS OF INTEREST

No conflicts of interest were declared.

2 APOLOGIES

There were no apologies.

Before the Reports for Decision were considered, the Chair advised that Item 8.1 in relation to the Iwi Representative Appointments would be brought forward to enable the iwi representatives to join the table.

8.1 IWI REPRESENTATIVE APPOINTMENTS

The report advising Council of the iwi representatives appointed by Ngati Kahungunu ki Wairarapa and Rangitane o Wairarapa was presented by the Chief Executive

RESOLUTION 2022/17

Moved by Councillor C Bowyer
Seconded by Councillor B Goodwin

That Council notes that

- i) the iwi representative for Rangitāne o Wairarapa for the 2022-2025 triennium is Joanne Hayes; and
- ii) the iwi representative for Ngāti Kahungunu ki Wairarapa for the 2022-2025 triennium is Ra Smith

CARRIED

3 PUBLIC FORUM

- Graham Streatfield, Wairarapa Census Area Manager, attended via zoom and spoke about Census 2023
- Graham Dick and Paul Foster from the Friends of Queen Elizabeth Park, spoke about the Lake of Remembrance and the amount of sediment in the Lake and asked Council to revert to the old system of draining the lake and clearing rubbish and sediment.

- Marcus Newton-Howes, Aotearoa 350, spoke about their energy campaign and Council's use of renewable energy

4 ITEMS NOT ON THE AGENDA

There were no late items

5 CONFIRMATION OF COUNCIL MINUTES

See Items 7.1, 7.2, 7.3 and 7.4

6 COMMITTEE REPORTS

There were no Committee Reports

7 REPORTS FOR DECISION

7.1 MINUTES FOR CONFIRMATION - COUNCIL MEETING 9 NOVEMBER 2022

The minutes of the Council meeting held on 9 November 2022 were provided for confirmation.

RESOLUTION 2022/18

Moved by Councillor M Tuuta
Seconded by Councillor S Lennox

That Council confirms the minutes of the Council Meeting held on 9 November 2022 as a true and correct record of that meeting.

CARRIED

7.2 MINUTES FOR CONFIRMATION - EXTRAORDINARY COUNCIL MEETING 23 NOVEMBER 2022

The minutes of the Extraordinary Council meeting held on 23 November 2022 were provided for confirmation

RESOLUTION 2022/19

Moved by Mayor G Caffell
Seconded by Councillor B Johnson

That Council confirms the minutes of the Extraordinary Council Meeting held on 23 November 2022 as a true and correct record of that meeting.

CARRIED

7.3 MINUTES FOR CONFIRMATION - EXTRAORDINARY AWARDS AND GRANTS COMMITTEE MEETING 23 NOVEMBER 2022

The minutes of the Extraordinary Awards and Grants Committee meeting held on 23 November 2022 were provided for confirmation.

RESOLUTION 2022/20

Moved by Councillor T Nelson
Seconded by Councillor S Lennox

That Council confirms the minutes of the Extraordinary Awards and Grants Committee Meeting held on 23 November 2022 including the following resolution:

- Community Events Funding Application

That the Awards and Grants Committee:

- receives an unexpected 2022 Community Events Fund application from Alzheimers Wairarapa;*
- approves the \$700 grant for the LEGO Brick Show billboard advertising*

CARRIED

7.4 MINUTES FOR CONFIRMATION - AUDIT AND RISK COMMITTEE MEETING 23 NOVEMBER 2022

The minutes of the Audit and Risk Committee meeting held on 23 November 2022 were provided for confirmation.

RESOLUTION 2022/21

Moved by Councillor B Johnson
Seconded by Councillor T Nelson

That Council confirms the minutes of the Audit and Risk Committee Meeting held on 23 November 2022 including the following resolutions:

- Service Provision Report – Aratoi

That the Audit and Risk Committee receives the Service Provision Report from Aratoi Regional Trust providing the summary results of key result indicators for the 1 July – 30 September 2022 quarter.

- Service Provision Report – Destination Wairarapa

That the Audit and Risk Committee receives the first quarter report (1 July 2022 – 30 September 2022) from Destination Wairarapa.

- Transport Accident Investigation Commission Inquiry Report

That the Audit and Risk Committee

- receives the Report on the Transport Accident Investigation Commission Inquiry into the mid-air collision, near Hood Aerodrome on Sunday 16 June 2019*
- notes the findings and recommendations in the Report.*

- Health and Safety Quarterly Report

That the Audit and Risk Committee notes the content and receives the Health and Safety Report for the quarter from 1 July 2022 to 30 September 2022

- Key Policies to be Monitored by the Audit and Risk Committee

That the Audit and Risk Committee:

1. *Notes that the following policies are monitored by the Audit and Risk Committee:*
 - *Asset Management Policy*
 - *Fraud, Dishonesty and Corruption Control Policy*
 - *Workplace Health and Safety and Staff Wellbeing Policy*

- *Procurement Policy*
 - *Revenue and Financing Policy*
 - *Risk Management Policy*
 - *Significance and Engagement Policy*
 - *Sensitive Expenditure Policy, and*
 - *Treasury Management Policy.*
2. *Notes that a status update for each of these policies in this Report;*
 3. *Notes that further work will be undertaken to identify any further policies that should be monitored by the Audit and Risk Committee;*
 4. *Notes that an update has been provided on policies that are programmed for development or review in 2022/23; and*
 5. *Notes that a status report will be provided at the end of this financial year on all policies in Council's Policy Register.*
- *Non-Financial Performance 2022/2023 Quarter 1 Report*
That the Audit and Risk Committee receives the Quarter 1 non-financial performance report for the 2022/23 financial year.
 - *Three Months to Date Financial Report Quarter 1 2022/2023*
That the Audit and Risk Committee receives the financial report and commentary for the 3 month period to 30 September 2022.
 - *2021/2022 Annual Report (Pre Audit Draft)*
That the Audit and Risk Committee
 - i) *Receives the draft Annual Report for 2021/22.*
 - ii) *Notes that some aspects of the financial statement Notes to the Accounts are still to be completed*
 - iii) *Notes that due to Audit New Zealand capacity, the audit of the Annual Report has been deferred to early 2023.*
 - iv) *Notes that in deferring the audit, the 2021/22 Annual Report will not be adopted by the legislative deadline of 31 December 2022*

.CARRIED

7.5 CIVIC FACILITY INDEPENDENT WORKING GROUP REPORT

The report providing Council with an update on the work of the Civic Facility Working Group and to seek agreement to the Working Group's recommendations and proposed next steps to progress the Civic Facility Project was presented by the Chief Executive. Ian Collier, Rachael Dean and Andrew Clarke (by zoom), members of the Civic Facility Working Group, were in attendance to present their report.

The motion was taken in parts.

An alternative motion was put in relation to the second part of the staff recommendation in the agenda report as there was more to firm up before Council decided which of the Working Group's recommendations to accept, adopt or progress further. The proposed motion would still give staff direction to enable work to be done to progress to consultation and also provided direction for staff to develop consultation options to use existing assets, as there was a view that Council should be using its existing assets as a more affordable option, and an option to do nothing.

RECOMMENDATIONS

That Council:

1. Notes the work undertaken by the Civic Facility Working Group
2. Accepts the Civic Facility Working Group's report and recommendations and directs staff, based on the report, to progress next steps which include:
 - (a) Establishing an independent oversight group.
 - (b) Developing a project plan.
 - (c) Undertaking the recommended actions to inform decision making, including confirming key principles, the future demand profile and updating market demand and financial analysis.
 - (d) Identifying and developing options for consultation with our community.

RESOLUTION 2022/22

Moved by Mayor G Caffell

Seconded by Councillor M Tuuta

That Council

1. Notes the work undertaken by the Civic Facility Working Group

CARRIED

RESOLUTION 2022/23

Moved by Councillor B Johnson

Seconded by Councillor B Goodwin

That Council

2. Receives the Civic Facility Working Group's report and notes the recommendations and directs staff, based on the report, to progress next steps which include:
 - (a) Investigate the recommended actions to inform decision making, including confirming key principles and scope, the future demand profile and updating market demand and financial analysis.
 - (b) Identifying and developing options for consultation with our community including:
 - i) Proceeding or not proceeding with the civic facility as provided in the LTP with estimated costs of \$71.3m including contingency
 - ii) options that better utilise Council's existing assets, including the library, Town Hall and recreation centre
 - iii) an option to do nothing.

CARRIED

7.6 UPDATED INVENTORY OF ROADSIDE SLIPS (FOLLOWING ON FROM REPORT TO COUNCIL DATED 14 SEPTEMBER 2022)

The report seeking Council approval to carry out urgent repair works on further roadside slips identified by the Roding Team that occurred in the July 2022 extraordinary rainfall event was presented by the Roding Manager.

RESOLUTION 2022/24

Moved by Councillor D Holmes
Seconded by Councillor B Goodwin

That Council:

1. **approves** the engagement of 1Geo Limited and GoodRich Environmental Solutions Ltd through Direct Appointment to carry out the proposed urgent slip remediation works for the sites 8-23 below:

| Site | Location | Estimated Cost |
|------|---|------------------------|
| 8 | Masterton Castlepoint Road (Referred to as Carswell Site 4) a few Hundred meters from Carswell Site 3 | \$ 141,783.20 |
| 9 | Masterton Castlepoint Road (Referred to as Carswell Site 5) a few Hundred meters from Carswell Site 4 | \$ 141,783.20 |
| 10 | Masterton Castlepoint Road (over slip opposite Carswell Site 1) | \$ 277,660.46 |
| 11 | Masterton Castlepoint Road (over slip between Carswell Sites 2 & 3) | \$ 248,144.82 |
| 12 | Masterton Castlepoint Road (extension of Carswell Site 3 by 29.5m) | \$ 144,866.36 |
| 13 | Blairlogie Langdale Rd - RP 0.59 | \$ 192,409.90 |
| 14 | Ngahape Road Site 1 (approx. RP 9.270) | \$ 58,384.01 |
| 15 | Ngahape Road Site 2 (approx. RP 9.880) | \$ 130,750.50 |
| 16 | Ngaumu Rd Site 1 (approx. RP 0.454) | \$ 54,356.00 |
| 17 | Ngaumu Rd Site 2 (approx. RP 0.511) | \$ 110,262.56 |
| 18 | Masterton Castlepoint Rd (RP 28.683) | \$ 423,444.30 |
| 19 | Masterton Castlepoint Rd (RP 49.441) | \$ 45,560.92 |
| 20 | Langdale Rd (RP 1.625) | \$ 42,827.95 |
| 21 | Whangaehu Valley Rd (RP 15.091) | \$ 32,228.75 |
| 22 | Whangaehu Valley Rd (RP 13.342) | \$ 117,499.41 |
| 23 | Whangaehu Valley Rd (RP 11.391) | \$ 33,490.26 |
| | Total | \$ 2,195,452.59 |

2. **approves** funding as per Engineers' Estimates for the sites 24-62 below to allow the Roding Team to engage contractors and complete repairs before next winter:

| Site | Location | Engineer's Estimate |
|------|---|---------------------|
| 24 | Tinui Valley Road Site 1 (approx. RP 4.900) | \$ 210,000.00 |
| 25 | Tinui Valley Road Site 2 (approx. RP 5.700) | \$ 350,000.00 |
| 26 | Homewood Road (Rp 3.355) | \$ 40,292.75 |
| 27 | Masterton Stronvar Road (RP 8.646) | \$ 92,400.00 |
| 28 | Mataikona Road (RP 6.244) | \$ 69,300.00 |
| 29 | Mataikona Road (RP 9.150) | \$ 120,120.00 |
| 30 | Mataikona Road (RP 7.576) | \$ 15,400.00 |
| 31 | Otahome Road (RP 7.088) | \$ 93,940.00 |
| 32 | Springhill Road (RP 4.965) | \$ 23,167.95 |
| 33 | Springhill Road (RP 4.944) | \$ 39,599.75 |
| 34 | Springhill Road (RP 4.866) | \$ 94,498.31 |
| 35 | Waimimi Road (RP 1.843) | \$ 129,722.38 |
| 36 | Alfredton Tinui Road (RP 0.371) | \$ 158,732.81 |
| 37 | Alfredton Tinui Road (RP 0.418) | \$ 74,738.03 |
| 38 | Clelands Road (RP 1.480) | \$ 82,846.13 |
| 39 | Homewood Road (RP 4.283) | \$ 67,207.43 |
| 40 | Jacksons Line (RP 5.865) | \$ 18,480.00 |
| 41 | Kiriwhakapapa Road (RP 4.851) | \$ 55,722.28 |
| 42 | Mangoranga Road (RP 1.727) | \$ 414,631.43 |
| 43 | Masterton Castlepoint Road (RP 22.996) | \$ 512,659.26 |
| 44 | Masterton Castlepoint Road (RP 12.254) | \$ 23,100.00 |
| 45 | Masterton Castlepoint Road 2 (RP 60.207) | \$ 38,500.00 |
| 46 | Masterton Castlepoint Road 2 (RP 42.929) | \$ 385,000.00 |
| 47 | Masterton Castlepoint Road 2 (49.925) | \$ 23,100.00 |
| 48 | Masterton Castlepoint Road 2 (RP 49.523) | \$ 15,400.00 |
| 49 | North Road (RP 4.748) | \$ 69,765.65 |
| 50 | Puketitiri Road (RP 2.898) | \$ 57,618.09 |
| 51 | Te Ore Ore Bideford Road (RP 12.106) | \$ 235,116.13 |
| 52 | Tinui Valley Road (RP 0.498) | \$ 55,635.92 |
| 53 | Tinui Valley Road (RP 7.704) | \$ 38,598.75 |
| 54 | Wairere Road (RP 6.914) | \$ 25,634.21 |
| 55 | Wairere Road (RP 6.616) | \$ 25,634.21 |
| 56 | Wairere Road (RP 2.009) | \$ 102,536.86 |
| 57 | Whangaehu Valley Road (RP 6.206) | \$ 108,258.63 |
| 58 | Mangarei Road (RP 0.500) | \$ 11,514.34 |
| 59 | Mangarei Road (RP 0.700) | \$ 12,738.64 |
| 60 | Mangarei Road (RP 1.300) | \$ 5,095.46 |

| | | |
|----|--------------------------|------------------------|
| 61 | Springhill (RP 4.780) | \$ 13,817.21 |
| 62 | Clelands Road (RP 1.000) | \$ 45,551.85 |
| | Total | \$ 3,956,074.46 |

3. **notes** that sites 63-94 in table 1 will be monitored. Costs of repair works for some sites have also been estimated by the Roothing Team. If observations show serious movement, further remediation will be accelerated

CARRIED

7.7 WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION PLAN

The report seeking Council agreement to formally proceed with the development of a new Wellington Region Waste Management and Minimisation Plan for 2023 to 2029 was presented by the Manager Assets and Operations.

RESOLUTION 2022/25

Moved by Councillor B Johnson
Seconded by Councillor T Hullena

That Council:

1. receives the Report
2. agrees to proceed with the development of the Wellington Region Waste Management and Minimisation Plan 2023-2029
3. notes that Waste Management and Minimisation Plans (WMMP) have to be reviewed every six years as a statutory requirement, that the current WMMP is required to be reviewed by January 2023 and that if the timeframes to approve the review and approve the new plan are not met, the waste levy payments to councils may be withheld by the Ministry for the Environment (MfE).

CARRIED

7.8 INDEPENDENT RESOURCE MANAGEMENT COMMISSIONERS APPOINTMENT: HEARING FOR PRIVATE PLAN CHANGE RM220072 (WELHOM DEVELOPMENTS LIMITED)

The report seeking Council approval to appoint two independent Resource Management Commissioners to hear and make a recommendation to Council on the private plan change request from Welhom Developments to rezone land from rural zone to residential zone was presented by the Planning and Consents Manager.

RESOLUTION 2022/26

Moved by Councillor B Johnson
Seconded by Councillor T Hullena

That Council **delegates** (pursuant to section 34A of the Resource Management Act) all functions, powers and duties of Council under the Resource Management Act 1991 necessary to hear and make a recommendation to Council on the private plan change application by Welhom

Developments Ltd to rezone 14.7836 hectares of land located at State Highway 2, Masterton, from rural zone to residential zone in the Wairarapa Combined District Plan (District Plan) to:

- Stephen Daysh (Chair) (independent Resource Management Commissioner), and
- David McMahon (independent Resource Management Commissioner).

CARRIED

7.9 COUNCIL AND COMMITTEE MEETING SCHEDULE FOR 2023

The report seeking Council approval of the proposed schedule of meetings for 2023 was presented by the Manager Strategy and Governance.

RESOLUTION 2022/27

Moved by Councillor S Lennox
Seconded by Councillor C Bowyer

That Council approves the schedule of Council and Committee meeting dates for 2023 as set on in Attachment 1.

CARRIED

7.10 WELLINGTON REGIONAL TRIENNIAL AGREEMENT

The report seeking Council agreement to the draft Triennial Agreement for the Wellington Region for 2022 to 2025 was presented by the Manager Strategy and Governance

RESOLUTION 2022/28

Moved by Councillor S Lennox
Seconded by Councillor C Bowyer

That Council:

- Receives the report.
- Agrees to the draft Triennial Agreement 2022-2025 in Attachment 1.
- Delegates to the Mayor the authority to make any minor amendments required as a result of minor changes requested by other local authorities in the region as part of the adoption process.
- Authorises the Mayor to sign the Agreement on behalf of the Council.

CARRIED

7.11 MASTERTON DISTRICT CLIMATE ACTION PLAN: YEAR ONE (2022/23) IMPLEMENTATION PLAN

The report seeking Council approval of the Masterton District Climate Action Plan (CAP)(2022/23) Implementation Plan was presented by the Senior Policy Advisor – Climate Change & Environment.

RESOLUTION 2022/29

Moved by Councillor T Hullena
Seconded by Councillor S Lennox

That Council:

- a. **notes** that the Masterton District Climate Action Plan was adopted on 14 September 2022;
- b. **notes** that the Masterton District Climate Action Plan was developed with a community focus group;
- c. **notes** that stakeholder engagement was also undertaken March – May 2022 to inform the development of the Masterton District Climate Action Plan, with a formal consultation process held 1 July – 1 August 2022;
- d. **notes** that Report 122/22 confirmed a Year One (2022/23) Implementation Plan and associated budget for the Masterton District Climate Action Plan would be presented to the incoming Council for agreement; and
- e. **approves** the Masterton District Climate Action Plan Year One (2022/23) Implementation Plan.

CARRIED

7.12 ESTABLISHMENT OF THE MASTERTON DISTRICT COUNCIL CLIMATE ADVISORY GROUP

The report seeking Council approval of process documents to support the establishment of the Masterton District Climate Advisory Group: Terms of Reference and Expressions of Interest was presented by the Senior Policy Advisor – Climate Change & Environment

RESOLUTION 2022/30

Moved by Councillor C Bowyer
Seconded by Councillor M Tuuta

That Council

1. **notes** that Council approved the Masterton District Climate Action Plan at its meeting on 14 September 2022;
2. **notes** that the establishment of a Masterton District Climate Advisory Group was one of the actions included in the Masterton District Climate Action Plan;
3. **notes** that Councillors Tom Hullena and Marama Tuuta were appointed to the Masterton District Climate Advisory Group at the 9 November 2022 Council meeting; and
4. **approves** the Masterton District Climate Advisory Group Terms of Reference and Expressions of Interest documents to support the establishment of the Masterton District Climate Advisory Group.

CARRIED

8 REPORTS FOR INFORMATION

8.2 CHIEF EXECUTIVE'S REPORT

The Chief Executive presented his report providing Council with an update on Council operations as at 9 December 2022

RESOLUTION 2022/31

Moved by Mayor G Caffell
Seconded by Councillor T Hullena

That Council receives the Chief Executive's Report as at 9 December 2022

CARRIED

8.3 MAYOR'S REPORT

The Mayor presented his verbal report which included the following:

- Have been working hard to develop relationships with the community. There is a desire in the community to get things moving.
- Congratulated the Manager Community Facilities and Activities and his team on the events which had been held over the last couple of months.
- There had been a number of meetings with the other Mayors on the reforms that were taking place and it was acknowledged that there was a lot going on and still many unanswered questions
- Wished Dame Robin White well on behalf of Council, as she had been nominated as a semi finalist for New Zealander of the Year.

(Councillor Tuuta left the meeting at 5.55pm)

(Councillor Tuuta returned to the meeting at 5.57pm)

RESOLUTION 2022/32

Moved by Mayor G Caffell
Seconded by Councillor S Lennox

That Council receives the verbal report from the Mayor

CARRIED

9 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2022/33

Moved by Councillor D Holmes
Seconded by Councillor B Johnson

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

The general subject matter of each matter to be considered while the public is excluded, the

reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|--|--|--|
| 9.1 - Minutes for Confirmation - Council Meeting held with the public excluded on 9 November 2022 | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.2 - Confirmation of Minutes of the Extraordinary Council Meeting held with the public excluded on 23 November 2022 | s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.3 - Confirmation of Minutes of the Audit and Risk Committee Meeting held with the public excluded on 23 November 2022 | s7(2)(c)(i) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.4 - Bentley Street Sale | s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would |

| | | |
|---|--|--|
| | without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 9.5 - Chief Executive's Key Performance Indicators | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

CARRIED

The meeting moved into public excluded at 5.55pm

The meeting moved out of public excluded at 6.45pm

The Meeting closed at 6.45pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 February 2023.

.....
CHAIRPERSON

5.2 MINUTES OF EXTRAORDINARY AWARDS & GRANTS COMMITTEE MEETING HELD ON 14 DECEMBER 2022

File Number:

Author: Harriet Kennedy, Governance Advisor

Authoriser: David Hopman, Chief Executive

RECOMMENDATION

1. That the Minutes of the Extraordinary Awards & Grants Committee Meeting held on 14 December 2022 be received and confirmed as a true and correct record of that meeting.

ATTACHMENTS

1. Minutes of Extraordinary Awards & Grants Committee Meeting held on 14 December 2022



MINUTES

**Extraordinary Awards & Grants
Committee Meeting**

Wednesday, 14 December 2022

Order Of Business

| | | |
|----------|---|----------|
| 1 | Conflicts of Interest | 3 |
| 2 | Apologies | 3 |
| 3 | Items not on the Agenda | 3 |
| 4 | Reports for Decision..... | 3 |
| 4.1 | Community Events Fund Application - Te Hapori Skatepark | 3 |

MINUTES OF MASTERTON DISTRICT COUNCIL
EXTRAORDINARY AWARDS & GRANTS COMMITTEE MEETING
HELD AT WAIATA HOUSE, LINCOLN ROAD, MASTERTON
ON WEDNESDAY, 14 DECEMBER 2022 AT 8.30AM

PRESENT: Councillor Tim Nelson (Chair), Mayor Gary Caffell, Councillors C Bowyer, B Johnson, and S Lennox

IN ATTENDANCE: Manager Community Facilities and Activities, Manager Finance and Governance Advisor

1 CONFLICTS OF INTEREST

Councillor Lennox declared she had a conflict due to her close involvement in the group so left the room and did not take part in the discussion or voting on the matter.

Councillor Johnson declared that she had been the MC for the event but had not had any involvement in the event organisation apart from that.

2 APOLOGIES

COMMITTEE RESOLUTION 2022/1

Moved by Councillor T Nelson

Seconded by Councillor B Johnson

That the apology received from Councillor Tuuta be accepted

CARRIED

3 ITEMS NOT ON THE AGENDA

There were no late items

4 REPORTS FOR DECISION

4.1 COMMUNITY EVENTS FUND APPLICATION - TE HAPORI SKATEPARK

The report providing the Awards and Grants Committee with an unexpected 2022 Community Events Fund application for decision was presented by the Manager Community Facilities and Activities.

COMMITTEE RESOLUTION 2022/2

Moved by Councillor B Johnson

Seconded by Councillor C Bowyer

That the Awards and Grants Committee:

1. receives an unexpected 2022 Community Events Fund application from Te Hapori Skatepark (under the umbrella of Friends of Queen Elizabeth Park Incorporated) requesting a grant of

\$3,000; and

2. allocates \$3,000 from the 2022 Community Events Fund to Te Hapori for the Summer Hummer music event.

CARRIED

The Meeting closed at 8.36am.

The minutes of this meeting were confirmed at the Council meeting held on 15 February 2023.

.....
CHAIRPERSON

**5.3 MINUTES OF INFRASTRUCTURE AND SERVICES COMMITTEE MEETING HELD ON
8 FEBRUARY 2023**

File Number:

Author: Harriet Kennedy, Governance Advisor

Authoriser: David Hopman, Chief Executive

RECOMMENDATION

1. That the Minutes of the Infrastructure and Services Committee Meeting held on 8 February 2023 be received and confirmed as a true and correct record of that meeting.

ATTACHMENTS

1. **Minutes of Infrastructure and Services Committee Meeting held on 8 February 2023**



MINUTES

Infrastructure and Services Committee Meeting

Wednesday, 8 February 2023

Order Of Business

| | | |
|----------|---|----------|
| 1 | Conflicts of Interest | 3 |
| 2 | Apologies | 3 |
| 3 | Public Forum..... | 3 |
| 4 | Items not on the Agenda | 3 |
| 5 | Reports for Information | 3 |
| 5.1 | Community Facilities and Activities Infrastructure Update | 3 |
| 5.2 | Regulatory Services Infrastructure and Services Update..... | 4 |
| 5.3 | Assets and Operations Infrastructure and Services Update..... | 5 |

MINUTES OF MASTERTON DISTRICT COUNCIL
INFRASTRUCTURE AND SERVICES COMMITTEE MEETING
HELD AT WAIATA HOUSE, LINCOLN ROAD, MASTERTON
ON WEDNESDAY, 8 FEBRUARY 2023 AT 3:00 PM

PRESENT: Councillor David Holmes (Chair), Mayor Gary Caffell, Councillors B Johnson, C Bowyer, B Goodwin, T Hullena, S Lennox, T Nelson and M Tuuta and Iwi Representatives Jo Hayes and Ra Smith

IN ATTENDANCE: Chief Executive, Manager Finance, Manager Community Facilities and Activities, Manager Strategy and Governance, Manager Communications and Engagement, Manager Regulatory Services, Project Delivery and Assets Manager, Environmental Services Manager, Building Control Manager and Governance Advisor

1 CONFLICTS OF INTEREST

No conflicts of interest were declared.

2 APOLOGIES

There were no apologies.

3 PUBLIC FORUM

There was no public forum

4 ITEMS NOT ON THE AGENDA

There were no late items

5 REPORTS FOR INFORMATION

5.1 COMMUNITY FACILITIES AND ACTIVITIES INFRASTRUCTURE UPDATE

The report providing the Infrastructure and Services Committee with an update from Community Facilities and Activities on key projects and a summary of progress since the last report, including highlights and any new issues was presented by the Manager Community Facilities and Activities (Manager CF&A).

The Manager CF&A advised in relation to the Youth Hub, that the liquidator was seeking advice from the High Court as to a way forward but, as advised, it was not looking likely that Council would receive anything but there was still a process to go through.

A request was made to make sure the project continued and the Manager CF&A advised that a paper would be brought to Council to seek a way forward. A further request was made to keep the portals. It was advised that that would need to come back to Council as well as it was an unbudgeted expense.

A request was made for the numbers of people who used the Waka Takaro Play trailer.

The Chair advised in relation to the tractor, that the aim was to have it back with Council in the next six months.

Other matters discussed included: CPR Training and whether that could be available for elected members; whether when looking at the Youth Hub, there might be the opportunity to use a local contractor; the timeframe for the Henley Lake Playground renewal (Manager CF&A advised that the 12 month timeframe was indicative and may be able to be brought forward); the Trust House Recreation Centre/Stadium assessment (Manager CF&A advised that a condition, energy, structure and usage assessment had been applied for and would be funded out of the Better Off funding); maintenance around the Skatepark – clearing the drains and cleaning the bowls (Manager CF&A advised that the contract with Recreation Services would be picking up the changes made to the Park to make sure the new things were covered); the washout at Riversdale beach (staff advised that they were working with Greater Wellington Regional Council and would be meeting with the Surf Club); clubs leasing council facilities and what the future plan was (Manager CF&A advised there were a range of facilities, leases and relationships and council needed to understand what maintaining and servicing in the future would look like to get the best out of those facilities for the clubs and also for the community) and the change in the youth demographic in Masterton (the Manager CF&A advised that the CF&A team was aware of that and were looking at how to reflect that change).

COMMITTEE RESOLUTION 2023/1

Moved by Councillor B Johnson
Seconded by Councillor M Tuuta

That the Infrastructure and Services Committee receives the update from the Community Facilities and Activities team on key projects and a summary of progress since the last report.

CARRIED

5.2 REGULATORY SERVICES INFRASTRUCTURE AND SERVICES UPDATE

The report providing the Infrastructure and Services Committee with an update from the Building Control Services team, the Consents and Planning team and the Environmental Services team was presented by the Manager Regulatory Services.

The new dog poo bins were discussed and it was noted that there didn't seem to be as many as there had been previously. The Environmental Services Manager advised that staff were looking at where the gaps were. Some bins had been removed if they were near an existing rubbish bin. Feedback had been received that the holes in the new bins weren't large enough. The Environmental Services Manager advised that they were specifically designed for receiving dog poo.

COMMITTEE RESOLUTION 2023/2

Moved by Councillor C Bowyer
Seconded by Councillor B Goodwin

That the Infrastructure and Services Committee receives the update from the Building Control Services, Consents and Planning and Environmental Services teams.

CARRIED

5.3 ASSETS AND OPERATIONS INFRASTRUCTURE AND SERVICES UPDATE

The report providing the Infrastructure and Services Committee with an update from Assets and Operations on key infrastructure projects and areas of project focus was presented by the Project Delivery and Assets Manager.

Matters discussed included: the Transport Choices Project (staff advised that as part of the application an elected member needed to be involved in the community engagement and be the face of the project for the community and that a report would be coming to the next Council meeting); the water meter project (staff advised that the project had been delayed as resources had been diverted from the project to higher priority areas but that decisions on charging, once all metres had been installed, would be for the new water services entity); the dog pound (staff advised there would a workshop in the near future); recent damage to the road network as a result of the weather (staff advised that a further request had been made to Waka Kotahi and that would be reported back to Council once the outcome was known, there had been a lot more damage to the rural areas); the QE Park Lake and the Friends of the Park proposal (staff advised that more work needed to be done to see what was possible in the context of the consent requirements and how the lake is managed in the future); wastewater projects underway (staff advised that while the planned projects didn't mention Cockburn St the projects were areas related to that area's catchment); the consents for Henley Lake and Opaki Water Race (staff advised that the Henley Lake consent was with Greater Wellington Regional Council (GW) and more information needed to be provided to GW for the Opaki Water Race consent, which was required until the race would close in 2026); and, the land purchases at Hood (staff advised that some land had been purchased but more was required to deliver on the Management Plan).

COMMITTEE RESOLUTION 2023/3

Moved by Councillor S Lennox

Seconded by Councillor T Nelson

That the Infrastructure and Services Committee receives the update from Assets and Operations on key infrastructure projects and areas of project focus.

CARRIED

The Meeting closed at 3.50pm.

The minutes of this meeting were confirmed at the Council meeting held on 15 February 2023.

.....
CHAIRPERSON

6 COMMITTEE REPORTS

Nil

7 REPORTS FOR DECISION

7.1 REVOCATION OF THE WAIRARAPA CONSOLIDATED BYLAW 2019 PART 11: SPEED

File Number:

Author: Karen Yates, Manager Strategy and Governance

Authoriser: David Hopman, Chief Executive

PURPOSE

This report seeks Council approval to revoke the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and its corresponding Speed Bylaw Schedules.

EXECUTIVE SUMMARY

The *Land Transport Rule: Setting of Speed Limits 2022 (2022 Rule)* came into force on 19 May 2022 and replaced the *Land Transport Rule: Setting of Speed Limits 2017*. The *2022 Rule* changes the way speed limits are set throughout New Zealand.

The *2022 Rule* is being rolled out as part of the Waka Kotahi (NZ Transport Agency) *Road to Zero* – New Zealand’s Road Safety Strategy 2020-2030. This strategy underpins the Waka Kotahi vision that no one dies or is seriously injured in road crashes on New Zealand roads.

Under the *2022 Rule*, Waka Kotahi (NZ Transport Agency) are responsible for governing the setting of speed limits on all New Zealand roads. In addition to this, the National Speed Limit Register (NSLR) is the legal instrument for setting speed limits. The NSLR is an online register with a geospatial map that provides a single source of truth for speed limits on all New Zealand roads. Council has migrated its speed limit data into the NSLR.

Councils are required to have Speed Management Plans. Council is developing a Speed Management Plan for the Masterton District that sets out our approach for managing speed and safety. This information will then be merged into a Wellington regional Speed Management Plan. Any further speed limit changes that arise from the development of the Masterton District Speed Management Plan and other council plans will also be migrated to the NSLR.

One key change under the *2022 Rule*, is that rather than each Council managing local road speed limits through their own individual bylaws, Waka Kotahi advises and determines safe and appropriate speeds on roads for Councils to follow, as part of their speed management plans. This means that Council’s Speed Bylaw will no longer be used to set speed limits in the Masterton District.

The three Wairarapa District Councils have a Wairarapa Consolidated Bylaw 2019, Part 11: Speed (Councils Speed Bylaw) that sets out speed limits in each district (excluding State Highways). Each Council has a separate Speed Bylaw Schedule.

Even though the legislative changes made in the *2022 Rule* effectively replaces Council’s Speed Bylaw, it does not automatically revoke it. Councils are responsible for revoking their own speed bylaw.

Approval is now being sought from Council to revoke the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and corresponding Speed Bylaw Schedules. In addition to this, if Part 11: Speed is revoked, minor amendments need to be made to other parts of the Wairarapa Consolidated

Bylaws 2019 that refer to Part 11. In addition to amendments being made that relate to Part 11: Speed, updates have been made to Part 1: Introductory to reflect legislative change since the Wairarapa Consolidated Bylaws 2019 were last adopted. Refer Attachments 1-3 to reflect the proposed track changed amendments.

Part 11: Speed and the Speed Bylaw Schedule of the Wairarapa Consolidated Bylaws 2019 will be revoked with effect from 20 February 2023, following resolutions from each of the three Wairarapa District Councils.

RECOMMENDATIONS

That Council:

- a) **Notes** that Waka Kotahi provides advice to inform decisions on setting speed limits in the Masterton District;
- b) **Notes** that speed limits in the Masterton District are available in the National Speed Limit Register which is the legal instrument for registering speed limits;
- c) **Notes** that the changes set out in the Land Transport Rule: Setting of Speed Limits 2022 effectively replaces the Wairarapa Consolidated Bylaw 2019, Part 11: Speed;
- d) **Notes** that the changes set out in the Land Transport Rule: Setting of Speed Limits 2022 do not automatically revoke Council's speed bylaws;
- e) **Notes** that the South Wairarapa District Council considered this decision on 8 February 2023;
- f) **Notes** that Carterton District Council will consider this decision on 15 February 2023;
- g) **Resolves** to revoke the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and its corresponding Speed Limit Schedules effective from 20 February 2023; and
- h) **Resolves** to make minor amendments to the other parts of the Wairarapa Consolidated Bylaw 2019 to reflect the revocation of Part 11: Speed and its corresponding Speed Limit Schedules effective from 20 February 2023.

CONTEXT

Wairarapa Consolidated Bylaw 2019

Section 145 of the Local Government Act 2022 (LGA) states that territorial authorities can make bylaws for its district for one or more of the following purposes:

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

The three Wairarapa District Councils have a set of Consolidated Bylaws, with 12 parts that cover:

1. Introductory
2. Public Places
3. Selling of goods or services in public places
4. Prevention of nuisance from fire and smoke
5. Water Supply
6. Keeping of animals, poultry and bees
7. Cemeteries and crematoria

8. Wastewater
9. Trade waste
10. Traffic
11. Speed
12. Beauty therapy, tattooing and skin piercing

In addition to this, the Councils also have standalone bylaws.

Wairarapa Consolidated Bylaw 2019, Part 11: Speed

Controls are required to manage the safe and efficient operation of the local road network. The three Wairarapa District Councils, as road controlling authorities, have been legally required to have a bylaw to set the speed limits on all roads within their jurisdiction other than State Highways controlled by Waka Kotahi.

Part 11: Speed (Speed Bylaw) provides the necessary regulatory framework to manage speed limits in each district (excluding State Highways).

All three Wairarapa District Councils maintain separate Speed Bylaw schedules for their respective districts.

If Part 11: Speed is revoked, Parts 1 and 11 need to be amended to reflect the revoking of this bylaw. In addition to amendments being made that relate to Part 11: Speed, updates have been made to Part 1: Introductory to reflect legislative change since the Wairarapa Consolidated Bylaws 2019 were last adopted. The specific amendment is listing 'Matariki' under the working day explanation in the definitions section of Part 1: Introductory.

Refer Attachments 1-3 for amendments to the affected parts of the Wairarapa Consolidated Bylaw 2019.

Speed Limit Review 2019/20 (Stage 1)

Prior to the *Land Transport Rule: Setting of Speed Limits 2022 (2022 Rule)* coming into force, Masterton District Council undertook a Speed Limit Review in 2019/20 (Stage 1) that focused on speed around schools, speed in areas with high numbers of vulnerable road users (such as pedestrians and cyclists) and speed limit changes relating to growth and changes in land use. Because it related to the specific matters in the Speed Bylaw schedules as opposed to the main body of the Speed Bylaw, the work was undertaken on a district level basis. Masterton District Council consulted on proposed changes in March-April 2020, with 121 submissions received.

More information is available here: <https://mstn.govt.nz/wp-content/uploads/2020/08/AGENDA-Council-2020-08-05-1.pdf>

Land Transport Rule: Setting of Speed Limits 2022

The *2022 Rule* came into force on 19 May 2022 replacing the existing Land Transport Rule: Setting of Speed Limits 2017. Key aspects of the *2022 Rule* include:

- It introduces a regional speed management planning approach on a three-year cycle that aligns with the three-year cycle of the National Land Transport Programme.
- The 2022 Rule brings together infrastructure investment decisions and speed management decisions through a speed management planning process aligned with the regional land transport planning process.

- Requires road controlling authorities to use reasonable efforts to reduce speed limits around all schools and kura by 31 December 2027 with an interim target of 40% of schools by 30 June 2024.
- acknowledges the status of Māori as Treaty partners and specifies that Māori are involved in the development of speed management plans and consulted on aspects of the plan that are important to them.
- requires all road controlling authorities that are territorial authorities to include their proposed speed limit changes and safety infrastructure treatments (including proposed safety camera placements) for the coming 10 years into speed management plans.
- introduces a new consultation process that aligns with the three-year regional land transport planning consultation process.
- requires regional transport committees to coordinate input from road controlling authorities in their region to create a regional speed management plan, aligning with the regional land transport plan process.
- requires regional councils to facilitate the administrative function of regional consultation on speed management plans.
- gives the Director of Land Transport at Waka Kotahi responsibility for certifying speed management plans.
- establishes an independent Speed Management Committee to:
 - review the Waka Kotahi draft state highway speed management plan (SHSMP) and provide advice to the Director of Land Transport on that plan
 - oversee the information and guidance on speed management that Waka Kotahi (as regulator) provides all road controlling authorities
 - introduces a new process for setting speed limits outside of speed management plans, and for road controlling authorities that are not territorial authorities
 - removes the requirement to set speed limits through bylaws, enabling a whole of network approach that considers safety-related infrastructure improvements, speed limit changes and safety camera placement together
 - requires all speed limits (other than temporary speed limits) to be entered into a national register which will give legal effect to all speed limits (other than temporary speed limits).

Masterton District Speed Limits

Under the *2022 Rule* and Land Transport (Register of Land Transport Records - Speed Limits) Regulations 2022, all Council's speed limits must be migrated to the National Speed Limit Register (NSLR). Council's speed limits were migrated to the NSLR in 2021/22, and this went live in September 2022.

Any future speed limit changes are made through the Speed Management Plan, and registered on the NSLR.

ANALYSIS AND ADVICE

Drivers for change

Due to the changes under the *2022 Rule*, the Speed Bylaw and respective schedules are now redundant. However, even though the legislative changes made through the *2022 Rule* effectively

replaces Council’s Speed Bylaw, the 2022 Rule does not automatically revoke it. Council must revoke its own bylaw.

Regulation 13 of the Land Transport (Register of Land Transport Records—Speed Limits) Regulations 2022 and guidance from Waka Kotahi state that Council Speed Bylaws should be revoked as soon as practicable. More information on guidance from Waka Kotahi is available here: <https://www.nzta.govt.nz/assets/Safety/docs/speed-management-resources/national-speed-limit-register/process-to-revoke-speed-limit-bylaws.pdf>

Ordinarily, under section 156 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998, Council must consult with the community when revoking a traffic bylaw. However, the requirement to consult in this case has been disapplied by section 168AAA(2) of the Land Transport Act 1998 and regulation 13 of the Land Transport (Register of Land Transport Records - Speed Limits) Regulations 2022. The Speed Bylaw may therefore be revoked by a Council resolution.

OPTIONS CONSIDERED

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

| Option | Advantages | Disadvantages |
|---|--|--|
| <p>1 Councils approve revoking the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and corresponding Speed Bylaw Schedules</p> <p>Councils approve minor amendments to other parts of the Wairarapa Consolidated Bylaws 2019 that refer to Part 11: Speed and minor amendments to Part 1: Introductory that relate to legislative change since the Wairarapa Consolidated Bylaw 2019 were last adopted.</p> | <p>Follows legislation and Waka Kotahi guidance.</p> <p>Minimises the risk of confusion as the community will refer to the NSLR as the “single source of truth”.</p> <p>Keeps Part 1: Introductory up to date ahead of the 2024/25 bylaw review.</p> | <p>It may take time for the community to become familiar with the new process of using the NSLR as opposed to the bylaw for speed limits.</p> |
| <p>2 Councils do not approve revoking the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and corresponding Speed Bylaw</p> | <p>The community can keep referring to the speed bylaw for information on our speed limits instead of using the NSLR.</p> | <p>Does not follow legislation and Waka Kotahi guidance.</p> <p>Council will need to consistently maintain two instruments for speed limits.</p> <p>Speed limits in the NSLR</p> |

| | | |
|---|--|--|
| <p>Schedules</p> <p>Councils do not approve minor amendments to other parts of the Wairarapa Consolidated Bylaws 2019 that refer to Part 11: Speed and minor amendments to Part 1: Introductory that relate to legislative change since the Wairarapa Consolidated Bylaw 2019 were last adopted.</p> | <p>Hold off making minor amendments and include as part of the 2024/25 bylaw review.</p> | <p>supersedes a speed limit in a pre-existing bylaw.</p> <p>If we keep the bylaw and it is different to the speed limits in the NSLR, the NSLR trumps the bylaw which risks confusion.</p> |
|---|--|--|

RECOMMENDED OPTION

Option 1 is recommended.

Under the *2022 Rule* and Land Transport (Register of Land Transport Records - Speed Limits) Regulations 2022, all Council's speed limits must be migrated to the National Speed Limit Register (NSLR). Council's speed limits were migrated to the NSLR in 2021/22, and this went live in September 2022. Even though the legislative changes made in the *2022 Rule* effectively replaces Council's Speed Bylaw, it does not automatically revoke it. Councils are responsible for revoking their own speed bylaw. Any future speed limit changes are made through the Speed Management Plan, and registered on the NSLR.

If all three Wairarapa District Councils resolve to revoke the Speed Bylaw, the revocation will be effective from 20 February 2023.

SUMMARY OF CONSIDERATIONS

Strategic, Policy and Legislative Implications

Section 145 of the Local Government Act 2022 (LGA) states that territorial authorities can make bylaws for its district for one of more of the following purposes:

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

The LGA also sets out provisions for reviewing and revoking bylaws.

[Guidance from Waka Kotahi](#) states that Speed Bylaws should be revoked as soon as practicable. The advice goes on to state that *'If the sole reason for the revocation is because the speed limit has been migrated to the NSLR then there is no requirement to consult under section 156 of the Local Government Act 2002 or section 22AB of the Land Transport Act 1998 because of*

section 168AAA(2) of the Land Transport Act 1998 and regulation 13 of the Land Transport (Register of Land Transport Records - Speed Limits) Regulations 2022’.

Significance, Engagement and Consultation

There is no legislative requirement to publicly consult on the proposed revocation of this Bylaw. Waka Kotahi have stated that if the sole reason for the bylaw revocation is because the speed limit has been migrated to the NSLR, then there is not requirement for Council’s to consult under section 156 of the Local Government Act 2022. It may therefore be revoked by a Council resolution.

Financial Considerations

There are no budgetary implications from revoking the Bylaw apart from notification of Council’s resolution if the Bylaw is revoked.

There are no staff resourcing implications from revoking the Bylaw.

Implications for Māori

There are no implications for Māori resulting from the revoking of Council’s Speed Limit Bylaw.

Communications/Engagement Plan

Public notification of this resolution will be made via local newspapers, Council’s website and Facebook. Council will also promote how the community can access the NSLR.

Environmental/Climate Change Impact and Considerations

There are no environmental/climate change impacts anticipated from revoking the Bylaw.

NEXT STEPS

Refer to the Communications/Engagement Plan section of this Report.

ATTACHMENTS

1. **Amendments to Wairarapa Consolidated Bylaw 2019 Introductory**  
2. **Amendments to Wairarapa Consolidated Bylaw 2019 Part 11 Speed Bylaw - current** 
3. **Amendments to Wairarapa Consolidated Bylaw 2019 Part 11A Speed Bylaw Schedules - current**  



Wairarapa Consolidated Bylaw 2019

Part One Introductory

Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on 8 July 2019.

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 |
| Masterton District Council Carterton District Council South Wairarapa District Council | Wairarapa Consolidated Bylaw 2019: Part One – Introductory | 26 June 2019 |
| Masterton District Council Carterton District Council South Wairarapa District Council | Wairarapa Consolidated Bylaw 2019: Parts One and Eleven. Revocation of Part 11: Speed. Amendments to Part 1: Introductory to reflect revoking of Part 11: Speed. | 20 February 2023 |

Wairarapa Consolidated Bylaw 2019

Part 1 – Introductory

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Referenced Documents

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

- Dog Control Act 1996
- Health Act 1956
- Land Transfer Act 2017
- Land Transport Act 1998
- Local Government Act 2002
- Reserves Act 1977
- Reserves and Domains Act 1953

Foreword

The Masterton, Carterton and South Wairarapa District Councils hereby make the following bylaw, pursuant to the Local Government Act 2002 (LGA) and all other legislation, powers and authorities enabling the Council to make bylaws.

This Part of the bylaw draws on the New Zealand Standard Introductory Model Bylaw from the New Zealand Standard 9201 series (NZS 9201). The NZS 9201 series are model bylaws covering various matters under local authority jurisdiction.

This Part contains definitions and provisions of a general nature which apply to all Parts of the Wairarapa Consolidated Bylaw 2019.

1. Title and Commencement

1.1. The title of this bylaw is the Wairarapa Consolidated Bylaw 2019.

1.2. The bylaw is divided into parts as follows:

| Part | Title |
|------|---|
| 1 | Introductory |
| 2 | Public Places (including Parks and Reserves) |
| 3 | Selling of Goods or Services in Public Places |
| 4 | Prevention of Nuisance from Fire and Smoke |
| 5 | Water Supply |
| 6 | Keeping of Animals, Poultry and Bees |
| 7 | Cemeteries and Crematoria |
| 8 | Wastewater |
| 9 | Trade Waste |
| 10 | Traffic |
| | <i>Part 11: Speed revoked on 20 February 2023</i> |
| 12 | Beauty Therapy, Tattooing, and Skin Piercing |

1.3. Except as otherwise provided in this bylaw, the bylaw including Parts 1 to 12 shall come into force throughout the Masterton, Carterton and South Wairarapa districts on 8 July 2019.

2. Repeal

2.1. The Masterton and South Wairarapa Consolidated Bylaw 2012 is revoked at the time of the Wairarapa Consolidated Bylaw 2019 coming into force.

2.2. All bylaws hereby revoked shall remain in full force and effect so far as relates to any application made, consent given, anything done or any offence committed, penalty incurred, prosecution or proceeding commenced, right or liability accrued, licence used, notice given, or order made, under or against any of the provisions thereof before the coming into force of this bylaw. All licences issued under any revoked bylaw shall, after the coming into operation of this bylaw, be deemed to have been issued under this bylaw and are subject to the provisions thereof.

- 2.3. All inspectors and other officers appointed by Council under, or for the purpose of, any revoked bylaw, and holding office at the time of this bylaw coming into force, shall be deemed to have been appointed under this bylaw.
- 2.4. All fees and charges fixed by resolution of Council in regard to any goods, services, inspections or licences provided for in any revoked bylaw, shall apply under the corresponding provisions of this bylaw until altered by further resolution of Council.

3. Scope

- 3.1. The purpose of Part 1 is to identify and clearly interpret those terms and expressions that are used throughout all Parts of this bylaw.
- 3.2. This Part outlines serving of orders and notices, powers of delegation and entry, suspension and revocation of licences, removal of works executed contrary to the bylaw dispensing powers, fees and charges, offences and breaches, and penalties for breach of bylaws.

4. Definitions

- 4.1. The definitions below apply to all Parts of this bylaw, unless otherwise stated. Definitions specific to, or different in the context of, a particular Part of this bylaw, are provided in the relevant Part.

Agent: A person or business authorised to act on another's behalf.

Animal: Fish, bird, stock, poultry and any other vertebrate animal of any age or sex that is kept in a state of captivity or is dependent upon human beings for its care and sustenance but does not include humans or dogs.

Approval or Approved: Means approval or approved in writing by the Council, either by resolution of the Council or by an authorised officer of the Council for that purpose.

Authorised Agent: Any person who is not an employee of the Council but is authorised in writing by the Chief Executive or by the Council to act on its behalf.

Authorised Officer: Any officer or agent appointed by Council working within their delegations, including any officer for the time being appointed by the Council, as an enforcement officer under the LGA or the Land Transport Act 1998, or an Environmental Health Officer under the Health Act 1956, and includes a member of the police. Authorised Officers have powers of entry as prescribed by sections 171-174 of the LGA.

Building: A temporary or permanent, movable or immovable, structure (including a structure intended for occupation by people, animals, machinery, or chattels).

Carriageway: That portion of the road, (including any shoulder, edging, kerbing or channelling) devoted particularly to the use of travelling vehicles.

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

Cemeteries and Crematoria: Any crematorium maintained by the Council.

Certificate of Title: A certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 2017.

Chief Executive: The principal administrative officer of the Council, irrespective of the designation given to the officer, and includes any person for the time being appointed by the Council to perform the duties or a particular duty of the Chief Executive.

Combustible Material: Material capable of catching fire and burning.

Council: The Masterton, Carterton or South Wairarapa District Council and includes any officer authorised to exercise the authority of the Council.

Custodian: Any person for the time being appointed by the Council to control or manage or to assist in the control and management of any land, or premises belonging to, or under the jurisdiction of, the Council.

Debris: A collection of loose material derived from rocks or an accumulation of animal or vegetable matter, scattered items, or pieces of rubbish.

District: The district of the territorial authority established under the LGA, which has adopted this bylaw.

Dog: Includes any bitch, speyed bitch or puppy.

Dog Control Officer: A person appointed as a dog control officer pursuant to section 11 of the Dog Control Act 1996.

Dog Ranger: A person appointed as a dog ranger by the territorial authority pursuant to section 12 of the Dog Control Act 1996 and includes an honorary ranger.

Dwelling or Dwelling-house: Any house, vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not, used in whole or in part for human habitation.

Emergency Vehicle: A vehicle used for attendance at emergencies and operated:

- by an enforcement officer:
- by an ambulance service:
- as a fire service vehicle:
- as a civil defence emergency vehicle:
- as a defence force emergency vehicle.

Enactment: The whole or part of an Act or regulation.

Enforcement Officer: Means:

- a person appointed by a local authority under section 177 of the LGA, to exercise the powers of an enforcement officer in relation to offences against, and infringement offences under the LGA, including enforcement of the bylaws of the local authority; or
- a constable; or
- a Police employee who is not a constable who is authorised for the purpose by the Commissioner of Police; or
- a person who is appointed to that office by warrant under section 208 of the Land Transport Act 1998 or who holds that office by virtue of that Act.

Environmental Health Officer: An Environmental Health Officer appointed by the Council in accordance with section 28 of the Health Act 1956.

Fees and Charges: The list of items, terms, and prices for services associated with providing Council services, adopted by the Council in accordance with the LGA 2002 and the Local Government (Rating) Act 2002.

Footpath: So much of any road as is laid out or constructed by authority of the Council primarily for pedestrian use, and includes the edging, kerbing, and channelling thereof.

Freight Container: An article of transport equipment that is:

- of a permanent character and strong enough to be suitable for repeated use;
- specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and
- designed to be secured and readily handled having fittings for these purposes.

Goods: Any product or service.

Heavy Motor Vehicle: A motor vehicle that has a gross vehicle mass exceeding 3,500kg.

Household Refuse and Litter: Sweepings, dust, paper, bottles, bones and waste food, cans, cartons, or other food containers (non-recyclable), or any other refuse arising or resulting from domestic housekeeping operations.

Infringement Fee: The amount prescribed by regulations under section 259 of the LGA, for committing an infringement offence.

Infringement Offence: An offence for which any person can be punished on conviction, by summary process, or by an infringement process. Infringement offences are specified by regulation made under section 259 of the LGA.

Kennel: Any building or structure intended or occupied for use or, used solely or principally as a shelter for a dog or dogs, and includes any enclosed space for a dog run attached or adjacent to such building or structure.

Licence: A licence or approval issued under this bylaw.

Litter: Any refuse, rubbish, animal remains, glass, metal, garbage, material, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter or any other thing of a like nature.

Local Authority: A regional council or territorial authority.

Long-Term Plan: A long-term plan adopted under Section 93 of the LGA.

Memorandum of Encumbrance: An agreement for the payment by any person or persons, by yearly or periodical payments or otherwise of any annuity, rent, charge, or sum of money other than a debt where land owned by the person or persons is legally defined and used as security should failure to pay occur.

Metered Area: Any road or portion of a road or any area of land or any building owned or controlled by the Council, which is authorised by resolution of Council to be used as a parking place, and at which parking meters or multiple space parking meters are installed and maintained.

Metered Parking Space: Any part of a road, or a space, within a metered area or multiple space parking meter area, indicated by and lying within, markings made by the Council for parking of vehicles.

Minor Earthworks: Any alteration to the contours of the land and includes the excavation, backfilling or recompaction of metal backfill, topsoil or vegetation.

Mobility Parking Permit: A permit or concession card, issued by the New Zealand Crippled Children Society (CCS) Incorporated, to persons with physical disabilities for the purpose of its operation mobility programme.

Mobility Parking Space: A parking space set aside for use by people who hold a mobility parking permit.

Motor Vehicle: A vehicle drawn or propelled by mechanical power, and includes a trailer, but does not include:

- a vehicle running on rails;
- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force;
- a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres;
- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles;
- a pedestrian-controlled machine;
- a vehicle that the Agency has declared under section 168A of the Land Transport Act 1998 is not a motor vehicle; or
- a mobility device.

Nuisance: Includes actual and potential nuisance. Without limiting the meaning of the term nuisance, a nuisance shall be deemed to be created in any of the following cases, in accordance with section 29 of the Health Act 1956:

- where any pool, ditch, gutter, watercourse, sanitary convenience, cesspool, drain, or vent pipe is in such a state or is so situated as to be offensive or likely to be injurious to health;
- where any accumulation or deposit is in such a state or is so situated as to be offensive or likely to be injurious to health;
- where any premises, including any accumulation or deposit thereon, are in such a state as to harbour or to be likely to harbour rats or other vermin;
- where any premises are so situated, or are in such a state, as to be offensive or likely to be injurious to health;
- where any building or part of a building is so overcrowded as to be likely to be injurious to the health of the occupants, or does not, as regards air space, floor space, lighting, or ventilation, conform with the requirements of this or any other Act, or of any regulation or bylaw under Health Act 1956 or any other legislation;
- where any factory, workroom, shop, office, warehouse, or other place of trade or business is not kept in a clean state, and free from any smell or leakage from any drain or sanitary convenience;
- where any factory, workroom, shop, office, warehouse, or other place of trade or business is not provided with appliances so as to carry off in a harmless and inoffensive manner any fumes, gases, vapours, dust, or impurities generated therein;
- where any factory, workroom, shop, office, warehouse, or other place of trade or business is so overcrowded while work is carried on therein, or is so badly lighted or ventilated, as to be likely to be injurious to the health of the persons employed therein;
- where any buildings or premises used for the keeping of animals are so constructed, situated, used, or kept, or are in such a condition, as to be offensive or likely to be injurious to health;

- where any animal, or any carcass or part of a carcass, is so kept or allowed to remain as to be offensive or likely to be injurious to health;
- where any noise or vibration occurs in or is emitted from any building, premises, or land to a degree that is likely to be injurious to health;
- where any trade, business, manufacture, or other undertaking is so carried on as to be unnecessarily offensive or likely to be injurious to health;
- where any chimney, including the funnel of any ship and the chimney of a private dwelling-house, sends out smoke in such quantity, or of such nature, or in such manner, as to be offensive or likely to be injurious to health, or in any manner contrary to any regulation or Act of Parliament;
- where the burning of any waste material, rubbish, or refuse in connection with any trade, business, manufacture, or other undertaking produces smoke in such quantity, or of such nature, or in such manner, as to be offensive or likely to be injurious to health;
- where any street, road, right of way, passage, yard, premises, or land is in such a state as to be offensive or likely to be injurious to health;
- where any well or other source of water supply, or any cistern or other receptacle for water which is used or is likely to be used for domestic purposes or in the preparation of food, is so placed or constructed, or is in such a condition, as to render the water therein offensive, or liable to contamination, or likely to be injurious to health; or
- where there exists on any land or premises any condition giving rise or capable of giving rise to the breeding of flies or mosquitoes or suitable for the breeding of other insects, or of mites or ticks, which are capable of causing or transmitting disease.

Occupier: The inhabitant occupier of any property and, in any case where any building, house, tenement, or premises is or are unoccupied includes the owner.

Offence: Any act or omission in relation to this bylaw for which any person can be punished either on conviction or by summary process.

Owner: As applied to any land, building, or premises, means any person for the time being entitled to receive the rent for such property, or who would be so entitled if it were let to a tenant at a rack rent, and where any such person is absent from New Zealand, includes their attorney or agent.

Parking Meter: A single space parking meter or a multiple space parking meter or a pay and display parking meter (including the stand to which the parking meter is attached) installed under this bylaw being an instrument designed for the purpose of:

- measuring and showing the period of time paid for or which remains to be used; or
- issuing a receipt showing the period of time paid for and accordingly which remains to be used.

Parking Place: A place (including a building) where any class of vehicle, may wait, and includes:

- all necessary approaches and means of entrance to, and exit from, any such place;
- all such buildings, ticket offices, waiting rooms, cloak rooms, structures, appliances; and
- any other facilities as the Council considers necessary or desirable for the efficient use of that place for the purpose for which it is provided and the collection of charges in relation to that use.

Parking Warden: A parking warden appointed under section 128D of the Land Transport Act 1998.

Passenger Service Vehicle: A vehicle used or available for use in a passenger service for the carriage of passengers; but does not include:

- a vehicle designed or adapted to carry 12 or fewer persons (including the driver) provided by one of the passengers being carried; or
- a vehicle specified as an exempt passenger service vehicle in the regulations and rules.

Person: A natural person, corporation sole or a body of persons whether corporate or otherwise.

Potable: In relation to drinking water, means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the drinking-water standards issued or adopted under section 690 of the Health Act 1956.

Poultry: Any live domesticated or farmed bird including but not limited to: fowl, goose, duck, pigeon, turkey, parrot, budgerigar, pheasant, canary, ostrich, guinea fowl, or emu.

Premises: Any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands and associated additions, buildings, and places adjoining each other and occupied together are deemed to be the same premises.

Private Road: Any roadway, place, or arcade laid out or formed within a district on private land, by the owner thereof, but intended for the use of the public generally.

Privateway: Any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally.

Public Notice: In relation to a notice given by a local authority, means

- a notice published in:
 - 1 or more daily newspapers circulating in the region or district of the local authority; or
 - 1 or more other newspapers that have at least an equivalent circulation in that region or district to the daily newspapers circulating in that region or district; and
- includes any other public notice that the local authority thinks desirable in the circumstances.

Public Place: A place that:

- is within the territorial authority's district; and
- is open to, or being used by, the public, whether or not there is a charge for admission; and
- includes:
 - a road, whether or not the road is under the control of a territorial authority;
 - any part of a public place; and
 - any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward. (Dog Control Act 1996).

Reserve or Public Reserve: Has the same meaning as the Reserves Act 1977, being any land set apart for any public purpose, and includes:

- a) any land which immediately before the commencement of the Reserves Act 1977 was a public reserve within the meaning of the Reserves and Domains Act 1953;
- b) any land vested in the Crown which after the commencement of the Reserves Act 1977 is reserved or set apart under Part 12 of the Land Act 1948 or other lawful authority as a reserve, or alienated from the Crown for the purpose of a reserve;
- c) any land which after the commencement of the Reserves Act 1977 is vested in the Crown by or under the authority of any Act as a reserve;

- d) any land which after the commencement of the Reserves Act 1977 is taken, purchased, or otherwise acquired in any manner whatever by the Crown as a reserve or in trust for any particular purpose;
 - e) any land acquired after the commencement of the Reserves Act 1977 in any manner by an administering body as a reserve within the meaning of the Reserves Act 1977, and any land vested in any local authority which, not theretofore being a public reserve, is by resolution of the local authority pursuant to section 14 declared to be set apart as a reserve;
 - f) any private land set apart as a reserve in accordance with the provisions of any Act;
 - g) any land which immediately before the commencement of the Reserves Act 1977 was a domain or public domain within the meaning of the Reserves and Domains Act 1953;
 - h) any land, other than a national park within the meaning of the National Parks Act 1980, administered under the Tourist and Health Resorts Control Act 1908;
 - i) any land taken or otherwise acquired or set apart by the Crown under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for the purposes of a reserve, a recreation ground, a pleasure ground, an agricultural showground, or a tourist and health resort;
- but does not include:
- j) any land taken or otherwise acquired or set apart under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for any purpose not specified in paragraph (i);
 - k) any land to which section 167(4) of the Land Act 1948 applies;
 - l) any land taken, purchased, or otherwise in any manner acquired, whether before or after the commencement of the Reserves Act 1977, by a local authority, unless the land is acquired subject to a trust or a condition that it shall be held by the local authority as a reserve; or
 - m) any Māori reservation.

Road: Includes:

- a) a street;
- b) a motorway;
- c) a beach;
- d) a place to which the public have access, whether as of right or not;
- e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- f) all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or any other enactment.

Roading Authority: A territorial authority or New Zealand Transport Agency.

Roadway: That portion of the road used or able to be used for the time being for vehicular traffic in general.

Rural Area: Any area zoned rural in the Wairarapa Combined District Plan, unless otherwise stated.

Service Delivery Vehicle: Any vehicle being used for the purpose of delivering goods to the premises of any business or organisation and does not involve the sale of the goods to the general public in any public place.

Solarium: A commercial establishment containing one, or more, sun-tanning units. A sun-tanning device emits ultra violet radiation to produce a cosmetic tan.

Territorial Authority (TA): A city council or district council. Includes South Wairarapa District Council, Carterton District Council and Masterton District Council.

Traffic Control Device: A device used on a road for the purpose of traffic control; and includes any:

- sign, signal, or notice;
- traffic calming device; or
- marking or road surface treatment.

Urban Area: Any area zoned residential, commercial or industrial in the Wairarapa Combined District Plan, unless otherwise stated.

Vehicle: Has the same meaning as in the Land Transport Act 1998 being:

- a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- includes a hovercraft, a skateboard, in-line skates, and roller skates;
- but does not include:
 - a perambulator or pushchair;
 - a shopping or sporting trundler not propelled by mechanical power;
 - a wheelbarrow or hand-trolley;
 - a pedestrian-controlled lawnmower;
 - a pedestrian-controlled agricultural machine not propelled by mechanical power;
 - an article of furniture;
 - a wheelchair not propelled by mechanical power;
 - any other contrivance specified by the rules not to be a vehicle for the purposes of this definition; or
 - any rail vehicle.

Wastewater Authority (WWA): The Masterton District Council, Carterton District Council or South Wairarapa District Council, including their authorised agents, responsible for the collection, treatment and disposal of sewage.

Water Supply Authority (WSA): The Masterton District Council, Carterton District Council or the South Wairarapa District Council, or their authorised agents.

Working Day: Any day of the week other than:

- A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, Matariki, the Sovereign's birthday, Labour Day; and day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

Working Dog: Has the same meaning as in the Dog Control Act 1996, being:

- any disability assist dog; and
- any dog:
 - kept by the Police or any constable, the Customs Department, the Ministry of Agriculture, the Ministry of Fisheries or the Ministry of Defence, or any officer or employee of any such Department of State solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that constable, officer, or employee;
 - kept solely or principally for the purposes of herding or driving stock;
 - kept by the Department of Conservation or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department;
 - kept solely or principally for the purposes of destroying pests or pest agents under any pest management [plan] under the Biosecurity Act 1993;
 - kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department;
 - kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service;
 - certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties, and powers conferred by the Civil Defence Emergency Management Act 2002;
 - owned by a property guard as defined in section 9 of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in section 17 of that Act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that Act; or
 - declared by resolution of the territorial authority to be a working dog for the purposes of this Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.

Writing, Written or Similar Term: Words, written, printed, painted, engraved; lithographed, or otherwise traced or copied.

5. Interpretation

- 5.1. In this bylaw the singular includes the plural and the plural includes the singular.
- 5.2. Words referring to any district, locality, place, person, office, officer, functionary, party or thing means each district, locality, place, person, office, officer, functionary, party, thing, to whom or to which the provision applies.
- 5.3. Every schedule to this bylaw forms part of this bylaw.
- 5.4. For the purposes of the bylaw, the word 'shall' refers to practices that are mandatory for compliance with this bylaw, while the word 'should' refers to practices which are advised or recommended.
- 5.5. If any Part of this bylaw includes a reference to a repealed enactment, it shall be read as a reference to its replacement.

6. Officers to Continue in Office

- 6.1. All officers appointed by the Council at the time this bylaw takes effect, are deemed to have been appointed under this bylaw.

7. Serving of Orders and Notices

- 7.1. Except as otherwise provided for in any other enactment, where any notice, order, or other document is required to be served on any person for the purposes of this bylaw, service may be affected by delivering it personally to the person or by sending it by registered post to that person's last known residential or business address.
- 7.2. If the person is absent from New Zealand, the order, notice, or other document may be served on the person's agent in the manner referred to in clause 7.1.
- 7.3. If the order, notice, or other document relates to land or buildings, then the order, notice, or other document should be served on the person who owns that land or buildings. However, if that person is not known, or is absent from New Zealand, or has no known agent in New Zealand, the order or notice may be:
 - a) served on the person who is occupying the land or buildings; or
 - b) if there is no person in occupation, put up on some conspicuous part of the land or buildings.
- 7.4. If a notice is issued under clause 7.3, it is not necessary in that notice to name the occupier or the owner of that land or buildings.
- 7.5. Where an order or notice is sent by registered post, the order or notice shall be sent so as to arrive no later than the latest time on which such order or notice is required to be served.
- 7.6. Any order or notice issued shall state the time within which the remedial action is to be carried out, and may be extended from time to time by written authority of an authorised officer.

8. Powers of Entry

- 8.1. Except where provided for under any other enactment, sections 171, 172, 173, and 182 of the LGA apply in relation to any power of entry under this bylaw.

9. Licences

- 9.1. Any person doing, or proposing to do, anything or to cause any condition to exist for which a licence from the Council is required under this bylaw, shall first obtain a licence from the Council or any authorised officer.
- 9.2. Every application for a licence shall be accompanied by the relevant fee. If the application for the licence is declined, the fee shall be refunded less any reasonable processing costs.
- 9.3. No application for a licence, and no payment of, or receipt for, any fee paid in connection with such application, confers any right, authority or immunity on the person making that application or payment.
- 9.4. Any licence is deemed to be issued in compliance with this bylaw if it is issued by an authorised officer, and every licence is subject to such conditions as may be imposed.
- 9.5. Unless this bylaw provides otherwise, every licence and every application for a licence shall be in such form as may be prescribed from time to time by the Council.
- 9.6. Unless this bylaw provides otherwise, a licence is not transferable, and no such licence authorises any person other than the licence holder to act in any way under its terms or conditions.
- 9.7. If, following a request for payment, any licence fee due remains unpaid, the licence shall immediately cease to have effect.

10. Suspension and Revocation of Licences

- 10.1. Unless this bylaw provides otherwise, should the licence holder be convicted of any offence relating to the holder's suitability as a licensee, the Council may immediately revoke or suspend the licence for any specified time.
- 10.2. The Council may by notice in writing call upon the licence holder to appear before the Council and give reasons why the licence should not be revoked or suspended, if any of the following are brought to the notice of the Council:
- a) that the licence holder:
 - (i) has acted or is acting in a manner contrary to the true intent and meaning of this bylaw;
 - (ii) has failed to comply with any of the conditions of the licence;
 - (iii) is in any way unfit to hold the licence;
 - b) that the premises for which the licence was issued is being used for any purpose other than that stated in the licence, or is in a state of disrepair contrary to the terms of the licence; or
 - c) that the bylaw is not being properly observed.

- 10.3. The Council may, if it considers the allegations correct or if there is no appearance by the licence holder, revoke or suspend the licence for any specified time.
- 10.4. A person whose licence has been suspended under this clause, and any premises for which that licence has been so suspended is, during the period of that suspension, deemed to be unlicensed.

11. Dispensing Power

- 11.1. Where in the opinion of the Council, full compliance with any of the provisions of this bylaw would needlessly or injuriously affect any person, or the course or operation of the business of, or bring loss or inconvenience to any person without any corresponding benefit to the community, the Council may, at its discretion, dispense with the full compliance with the provisions of this bylaw, provided that any other terms or conditions (if any) that Council may deem fit to impose shall be complied with by that person.

12. Forms

- 12.1. Wherever forms are prescribed in bylaws, slight deviations, but to the same effect and not calculated to mislead, do not invalidate those forms.

13. Fees and Charges

- 13.1. The Council may, by resolution publicly notified, prescribe fees to be charged for any certificate, authority, approval, permit, or consent from, or inspection by, the Council.
- 13.2. The setting of any fees or charges shall be in accordance with section 150 of the LGA.
- 13.3. Where a fee has been paid for a service that has not been given, the Council may provide a refund, a remission, or waiver of any such fee, or portion of it as the Council may determine.

14. Removal of Works

- 14.1. Where a notice served under section 7 of this Part of the bylaw has not been complied with, the Council, or any authorised officer or agent of the Council, may:
 - a) remove or alter any work or thing constructed in breach of this bylaw (refer section 163 of the LGA); and/or
 - b) seize and impound property (refer sections 164, 165, 167 and 168 of the LGA).
- 14.2. The Council may recover from any person responsible for a breach of this bylaw, all expenses incurred by it in connection with such removal or alteration (refer section 163 of the LGA). This includes the cost of debt collecting and legal fees.
- 14.3. The exercise of this authority does not relieve any such person from liability for any penalty for erecting or permitting the continued existence of any such work, material or thing.

- 14.4. If, however the breach is such that public health, or safety considerations, or risk of consequential damage to Council assets is such that delay would create unacceptable results, the Council may take immediate action to rectify the defect, and recover all reasonable costs, as set out in clause 15.2.
- 14.5. On payment of all Council's costs, including storage where applicable, the lawful owner may claim any object, material or thing removed under clause 14.1.
- 14.6. If not claimed within a reasonable time, the Council may dispose of any object, material or thing as it sees fit and apply the proceeds to meet any outstanding costs. The lawful owner shall be entitled to claim any residual sum.

15. Offences and Penalties

- 15.1. Any person who breaches this bylaw commits an offence and may be liable for a penalty, as set out in section 242 of the LGA or under another enactment where a penalty for a particular breach of bylaw is specified.
- 15.2. Any person commits a breach of this bylaw who:
- a) does, or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this bylaw;
 - b) omits or neglects to do, or knowingly permits or suffers to remain undone, anything which ought to be done under this bylaw by that person at the time and in the manner provided by this bylaw;
 - c) knowingly permits or suffers any condition of or things to exist contrary to any provision contained in this bylaw;
 - d) obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon that officer by this bylaw; or
 - e) fails to comply with any notice or direction given under this bylaw.
- 15.3. Where it is suspected that any person has committed a breach of this bylaw, that person shall, on the direction of an authorised officer, provide their full name and address.
- 15.4. The Council may apply to the District Court for an injunction to restrain a person from committing a breach of this bylaw (refer section 162 of the LGA).



~~Wairarapa Consolidated Bylaw 2019~~

Part Eleven
Speed

Commencement

The Wairarapa Consolidated Bylaw 2019 came into force throughout the Masterton, Carterton and South Wairarapa districts on 8 July 2019.

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 |
| Masterton District Council Carterton District Council South Wairarapa District Council | Wairarapa Consolidated Bylaw 2019: Part Eleven—Speed | 26 June 2019 |

Wairarapa Consolidated Bylaw 2019

Part 11 – Speed

Contents

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Referenced Documents

Reference is made in this document to the following:

~~New Zealand Legislation~~

- ~~• Land Transport Act 1998~~
- ~~• Land Transport (Offences and Penalties) Regulations 1999~~
- ~~• Land Transport (Road user) Rule 2004~~
- ~~• Land Transport Rule: Setting of Speed Limits 2003~~
- ~~• Local Government Act 2002~~

Foreword

This Part of the bylaw is made under section 22AB of the Land Transport Act 1998, and section 145 of the Local Government Act 2002 (LGA). This Part of the bylaw draws from the New Zealand Standard 9201 part 28. 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, then the provisions of this Part prevail.

1. Scope

- 1.1. The purpose of this Part of the bylaw is to set speed limits on any road within the jurisdiction of the local authority, other than state highways controlled by New Zealand Transport Agency (NZTA).

2. Setting of Speed Limits

- 2.1. The roads or areas described in the Masterton, Carterton or South Wairarapa District Council's speed schedules, or as shown on a map referenced in the schedules, are declared to have the speed limits specified in the schedules and maps.
- 2.2. The speed limits come into force on the date specified in the speed schedules.

3. Offences and Penalties

- 3.1. Any person who breaches this Part of the bylaw commits an offence and may be liable to a penalty under section 22AB of the Land Transport Act 1998, schedule 1B of the Land Transport (Offences and Penalties) Regulations 1999, or section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2019 Part 1: Introductory (Section 15) for details of what constitutes a breach of this Part.

4. Power to Amend by Resolution

- 4.1. The Council may by resolution publicly notified:
 - a. add schedules;
 - b. make additions or deletions from the schedules; or
 - c. substitute new schedules.
- 4.2. Where Council intends to make a resolution under clause 4.1, consultation will be undertaken in accordance with requirements of the New Zealand Transport Agency's Land Transport Rule: Setting of Speed Limits 2017.

- 4.3. After making a resolution under clause 4.1, the Council shall:
- a) ~~record the matter in its Speed Schedules; and~~
 - b) ~~mark the roads and install signs in accordance with the Land Transport Rule: Setting of Speed Limits 2017.~~

5. Speed Schedules

- 5.1. ~~The Masterton, Carterton and South Wairarapa District Councils will maintain schedules of the speed limits in their respective districts.~~



**MASTERTON DISTRICT COUNCIL
PART 11A: SPEED BYLAW SCHEDULES**

SCHEDULE A1—10km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 10km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|-------------|-----------------------------------|------------------|---------------------------|
| | | (Nil sites) | | | |

SCHEDULE A2—20km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 20km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| S2/01 | 20km/h | Memorial Drive, from the Dixon St intersection to the south eastern end of Memorial Drive | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S2/02 | 20km/h | All roadways, parking areas and public places contained within the Henley Lake site area bounded by Te Ore Ore Road, Colombo Road, the Ruamāhanga River and Waipoua River | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A3—30km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 30km/h.

| Reference-Number | Speed-Limit | Description | Date Speed-Limit Comes-into-Force | Legal-Instrument | Previous-Legal-Instrument |
|------------------|-------------|--|-----------------------------------|-----------------------------------|--|
| S3/01 | 30km/h | All the roads within Riversdale and Castlepoint urban traffic area marked on the map "Speed Restriction Plan Masterton District" numbered MDC-1095/2020 and identified in the legend as closely populated localities or an urban traffic area having a speed limit of 30km/h | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/02 | 30km/h | Queen Street, from a point 72m northeast of Bruce Street intersection to a point 32m northeast of Worktop Road intersection | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/03 | 30km/h | Bruce Street, from Queen Street to Dixon Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/04 | 30km/h | King Street, from Queen Street to SH2 Chapel Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/05 | 30km/h | King Street Service Lane in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/06 | 30km/h | Park Street, from Queen Street to Dixon Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



| Reference-Number | Speed-Limit | Description | Date Speed-Limit Comes-into-Force | Legal-Instrument | Previous Legal-Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| S3/07 | 30km/h | Lincoln Road, from Queen Street to SH2 Chapel Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/08 | 30km/h | Church Street, from Queen Street to Dixon Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/09 | 30km/h | Church Street Service Lane in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/10 | 30km/h | Perry Street, from Queen Street to SH2 Chapel Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/11 | 30km/h | Cricket Street in its entirety, from Dixon Street to Dixon Street. | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/12 | 30km/h | Bannister Street, from Queen Street to Dixon Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/13 | 30km/h | Jackson Street, from Queen Street to SH2 Chapel Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/14 | 30km/h | Queen Street, from Crayne Street Intersection to High Street (Kuripuni CBD) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S3/15 | 30km/h | First Street, from SH2 Opaki Road to Cooper Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A4—40km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 40km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| S4/01 | 40km/h | Intermediate Street, from a point 38m northwest of the intersection with SH2 High Street to a point 40m northeast of the Pownall/York Street intersection | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S4/02 | 40km/h | Lowes Place in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S4/03 | 40km/h | Daniell Street in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S4/04 | 40km/h | Cole Street, from a point 40m northwest of the Pownall Street intersection to a point 20m northeast of Essex Street intersection | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S4/05 | 40km/h | Kummer Crescent, in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A5 – 50km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to be urban traffic areas that have a speed limit of 50km/h, except for those roads or areas that are:

- a. Described as having a different speed limit in the appropriate schedule of this Bylaw; or
- Shown on a map as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|--|-----------------------------------|-----------------------------------|--|
| S5/01 | 50km/h | All the roads within the area marked on the map "Speed Restriction Plan Masterton District" numbered MDC-1095/2020 and identified in the legend as closely populated localities or an urban traffic area having a speed limit of 50km/h, except for State Highways and those roads or areas marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S5/02 | 50km/h | Masterton Castlepoint Road, from a point 90m north of Otahome Road intersection to a point 66m south of Otahome Road intersection | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S5/03 | 50km/h | Mace Street in its entirety (Tauweru Township) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S5/04 | 50km/h | Duncan Street in its entirety (Tauweru Township) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| S5/05 | 50km/h | Old Main Road in its entirety (Tauweru Township) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S5/06 | 50km/h | Gilligan Street in its entirety (Tauweru Township) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S5/07 | 50km/h | Masterton-Castlepoint Road, before Castlepoint township, route position 61.465 to 61.665 (200m) | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |

SCHEDULE A6 – 60km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 60km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|--|-----------------------------------|-----------------------------------|--|
| S6/01 | 60km/h | Upper Waingawa Road, Unsealed section, 1.47km northwest of the intersection with Falloon Settlement Road to end of road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S6/02 | 60km/h | South Road from the South Belt intersection, to the south-western end of South Road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S6/03 | 60km/h | Te Ore Ore Road from a point 240m south-east of Gordon Street to a point 135m east of the Te Ore Ore Road – Bideford Road intersection | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A7 – 70km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 70km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| S7/01 | 70km/h | Willow Park Drive, from the State Highway 2 intersection to the north-eastern end of Willow Park Drive | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S7/02 | 70km/h | Ngaumutawa Road from a point 360m northeast of the intersection with Upper Plain Road to the intersection with Akura Road | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S7/03 | 70km/h | Akura Road from the intersection with Ngaumutawa Road for a distance of 500m measured in a northwesterly direction | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S7/05 | 70km/h | High Street from a point 320m west of South Belt to the northeastern abutment of the Waingawa River Bridge | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A8 – 80km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 80km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|--|-----------------------------------|-----------------------------------|--|
| S8/01 | 80km/h | Gordon Street from a point 475 metres measured north-easterly from the Roberts Road intersection to the north-eastern end of the road | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/03 | 80km/h | Upper Plain Road from a point 70 metres measured north-westerly from the Kibblewhite Road intersection to a point 1400 metres, measured north-westerly from Kibblewhite Road | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/04 | 80km/h | Ngaumutawa Road from the intersection with Upper Manaia Road to a point 45m southwest of the intersection with Cornwall Street | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/05 | 80km/h | Te Whiti Road from a point 90m south of the intersection with River Road to a point 500m southwest from the intersection with Homebush Road | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/07 | 80km/h | Boundary Road in its entirety from the intersection with Upper Manaia Road to the intersection with West Bush Road | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/08 | 80km/h | Donalds Road in its entirety from the intersection with Boundary Road to the intersection with West Bush Road | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| | 80km/h | Chamberlain Road from a point 480m southwest of the intersection with Upper Plain Road to the | 1-September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council |



| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|---|-----------------------------------|-----------------------------------|--|
| | | intersection with West Bush Road | | | Consolidated Bylaw 2012 |
| S8/10 | 80km/h | Lees Pakaraka Road in its entirety from the intersection with Masterton Stronvar Road to the intersection with Te Whiti Road | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/11 | 80km/h | Tararua Drive in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/12 | 80km/h | Evans Road in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/13 | 80km/h | Skeets Road in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/14 | 80km/h | West Bush Road in its entirety from the intersection with Ngaumutawa Road to the intersection with Skeets Road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/15 | 80km/h | Totara Park Drive in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/16 | 80km/h | Upper Manaia Road in its entirety | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S8/17 | 80km/h | Masterton Castlepoint Road from a point 30m northwest of the intersection with Mace Street to a point 679m northeast of the intersection with Te Parae Road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A9 – 90km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 90km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|-------------|-----------------------------------|------------------|---------------------------|
| | | (Nil sites) | | | |

SCHEDULE A10 – 100km/h

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a speed limit of 100km/h.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|--|-----------------------------------|-----------------------------------|--|
| S10/01 | 100km/h | All Masterton District Council roads outside an urban traffic area listed in schedule 5 have a speed limit of 100km/h except for roads or areas which are: a) Described as having a different speed limit in the appropriate schedule of this Bylaw; or b) Shown on a map as having a different speed limit as referenced in the appropriate schedule of this Bylaw. | 1 September 2013 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



SCHEDULE A11— Variable Speed Limits

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a variable speed limit as specified in this schedule.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-----------------|---|-----------------------------------|-----------------------------------|--|
| S11/01 | 40km/h-Variable | Upper Plain Road (Fernridge School) from a point 1000m northwest of the intersection Kibblewhite Road to a point 530m southeast of the intersection Evans Road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S11/02 | 40km/h-Variable | Ngaumutawa Road (Solway School) from a point 67m south of the intersection Upper Manaia Road to a point 130m north of the intersection SH2, High Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S11/03 | 40km/h-Variable | Johnstone Street (childcare and Makora College) from a point 140m southwest of the intersection on Colombo Road to a point 50m southeast of the intersection with River Road. Including 345m of Makora Road southwest of the intersection of Johnstone Street | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S11/04 | 40km/h-Variable | South Road (Masterton Primary School), from a point 25m northeast of the intersection Short Street to a point 90m northeast of the intersection with Millard Ave | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S11/05 | 40km/h-Variable | Te Ore Ore Road (Lakeview School) from a point 60m northwest of the intersection Colombo Road to a point 85m southeast of the | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |



| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-----------------|--|-----------------------------------|-----------------------------------|--|
| | | intersection with Churchill Ave | | | |
| S11/06 | 40km/h Variable | Colombo Road (Lakeview School) from the intersection with Te Ore Ore Road to a point 250m southwest of intersection with Te Ore Ore Road | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |
| S11/07 | 40km/h Variable | Langdale Road north (5.940m) and south (6.520m) of the school, total distance 580m | 5 August 2020 | Wairarapa Consolidated Bylaw 2019 | Masterton and South Wairarapa District Council Consolidated Bylaw 2012 |

SCHEDULE A12 – Holiday Speed Limits

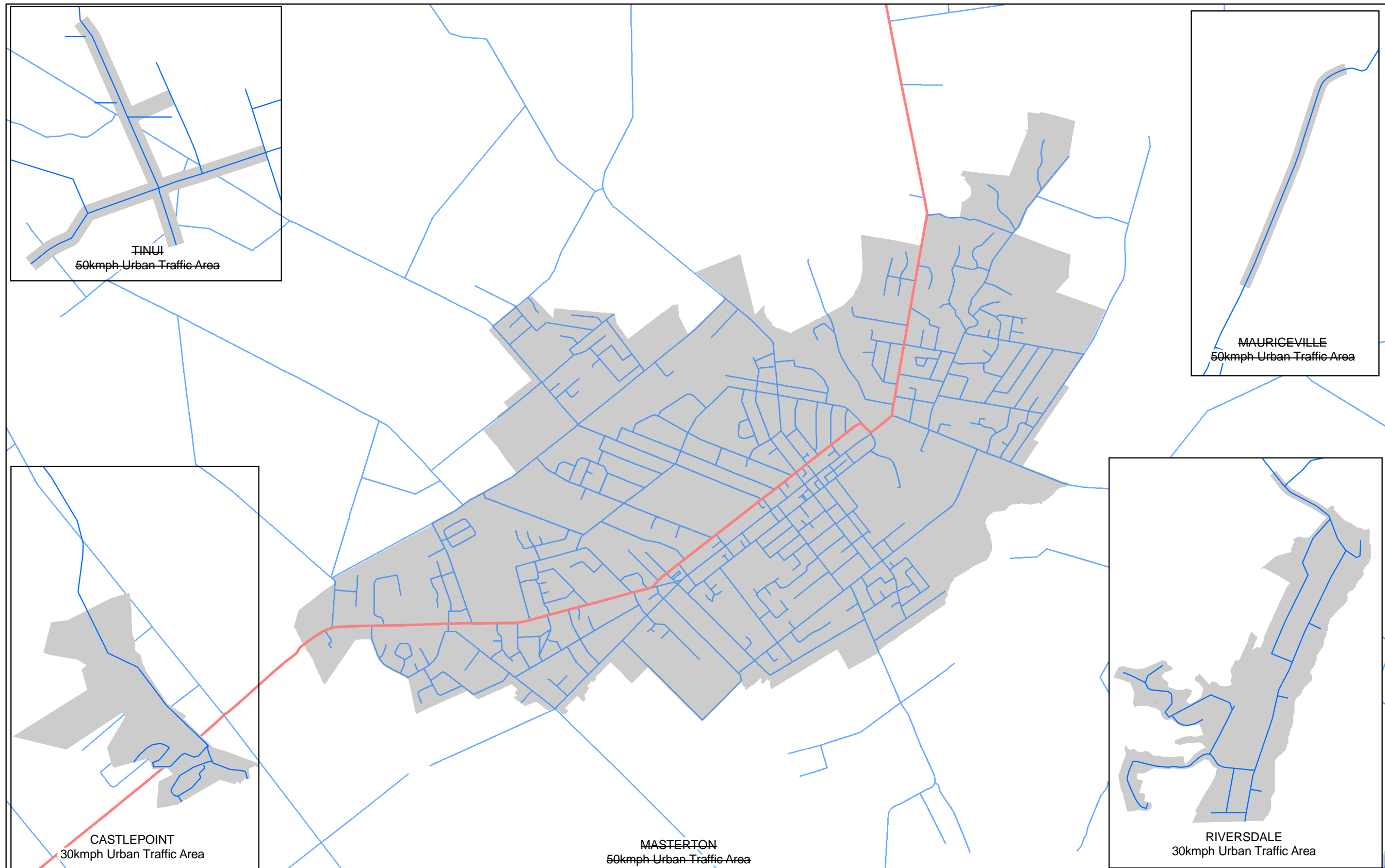
The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a holiday speed limit as specified in this schedule.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|-------------|-----------------------------------|------------------|---------------------------|
| | | (Nil sites) | | | |

SCHEDULE A13 – Minimum Speed Limits

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to have a minimum speed limit as specified in this schedule.

| Reference Number | Speed Limit | Description | Date Speed Limit Comes into Force | Legal Instrument | Previous Legal Instrument |
|------------------|-------------|-------------|-----------------------------------|------------------|---------------------------|
| | | (Nil sites) | | | |



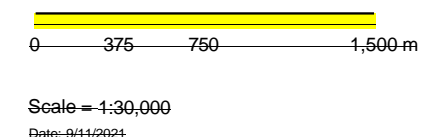
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|--|--|-------------------|
| | | State_Highway_2 |
| | | Roads |
| | | Urban_Speed_Areas |

Speed Restriction Plan Masterton District
MDC 1095/2020

DISCLAIMER: The Masterton District Council accepts no responsibility for actions or projects undertaken or loss or damages incurred by any individuals or company, or agency, using all or any of the information presented on this map.

The Masterton District Council does not provide interpretation of this information or advice on how to interpret, or utilise this information.

Your own independent and appropriate professional advice should be sought. The information displayed on this map may contain errors or omissions or may not have the spatial accuracy required.



7.2 WAIRARAPA POLICY WORKING GROUP TERMS OF REFERENCE 2022-2025

File Number:

Author: Nerissa Aramakutu, Policy Manager

Authoriser: David Hopman, Chief Executive

PURPOSE

The purpose of this report is for Council to approve the Terms of Reference and appoint a Chairperson for the Wairarapa Policy Working Group.

RECOMMENDATIONS

That Council:

1. **Notes** that Councillor Craig Bowyer and Councillor Tim Nelson were appointed to the Wairarapa Policy Working Group by Council at its meeting on 9 November 2022;
2. **Approves** the Wairarapa Policy Working Group Terms of Reference 2022-25; and
3. **Appoints** Councillor Robyn Cherry-Campbell from Carterton District Council as the Chairperson of the Wairarapa Policy Working Group.

CONTEXT

The Wairarapa Policy Working Group (WPWG) was first established to provide governance oversight for the development of the three Wairarapa District Council’s first Wairarapa Local Alcohol Policy.

Since then, the WPWG has continued to provide governance oversight for some of the joint Wairarapa policies, bylaws and strategies that the three Wairarapa District Councils share. The work programme for the Wairarapa Policy Working Group in the last triennium included:

- Wairarapa Solid Waste Management and Minimisation Bylaw 2021
- Review of the Wairarapa Smoke and Vape free Policy (currently underway)
- Review of the Wairarapa Rangatahi (youth) Strategy (currently underway)

Members of the WPWG for the 2022-2025 triennium are:

| | |
|----------------------------------|---|
| Carterton District Council | Councillor Robyn Cherry-Campbell Councillor Steve Cretney |
| Masterton District Council | Councillor Craig Bowyer Councillor Tim Nelson |
| South Wairarapa District Council | Deputy Mayor, Melissa Sadler-Futter Councillor Martin Bosley |

A Chairperson will need to be appointed for this triennium. The three Wairarapa District Councils can appoint a Chairperson for the WPWG. Alternatively, the WPWG could choose to appoint a

Chairperson. The Chairperson is responsible for presiding over any workshops or meetings of the WPWG and ensuring that the WPWG acts within its function, as delegated by the three Wairarapa District Councils.

Officers are recommending that the Chairperson of the WPWG for the 2022-2025 triennium is Councillor Robyn Cherry-Campbell. This recommendation is based on her experience and continuity on the WPWG from the previous triennium.

Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa will be invited to put forward a representative for the WPWG.

Current projects underway that are on the work programme of the WPWG include:

- Review of the Wairarapa Rangatahi (Youth) Strategy
- Review of the Wairarapa Smoke and Vape free Policy
- Review of the Wairarapa Local Alcohol Policy.

In addition to this, projects to commence in 2023 that will be added to this work programme will be the Wairarapa Class 4 Gambling and TAB Venues Policy and the Wairarapa Consolidated Bylaws Review in late 2023 - early 2024.

Masterton District Council provides secretariat support for the WPWG.

OPTIONS CONSIDERED

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

| Option | Advantages | Disadvantages |
|---|--|---|
| <p>1 Approve the Wairarapa Policy Working Group Terms of Reference 2022-2025.</p> <p>Appoint Councillor Robyn Cherry-Campbell from Carterton District Council as the Chairperson.</p> | <p>Ensures that there is a Terms of Reference in place ahead of workshops and meetings being held in 2023.</p> <p>Councillor Robyn Cherry-Campbell provides continuity of membership of the Wairarapa Policy Working Group from the previous triennium, including knowledge of key projects that commenced in 2022 and carrying through into 2023 for Council decisions.</p> | <p>No disadvantages have been identified.</p> |
| <p>2 Do not approve the Wairarapa Policy Working Group Terms of Reference 2022-2025.</p> <p>Do not appoint Councillor Robyn</p> | <p>More time to consider the Terms of Reference.</p> <p>Not appointing a Chairperson at this stage allows the WPWG to make the decision.</p> | <p>Delays project timelines for those that are scheduled to go to the Wairarapa Policy Working Group.</p> |

| Option | Advantages | Disadvantages |
|---|------------|---------------|
| Cherry-Campbell from Carterton District Council as the Chairperson. | | |

RECOMMENDED OPTION

Option 1 is recommended. This ensures that there is a Terms of Reference in place ahead of workshops and meetings being held in early 2023. Agreeing to appoint Councillor Robyn Cherry-Campbell as the Chairperson provides continuity of membership of the WPWG from the previous triennium, including knowledge of key projects that commenced in 2022 and carrying through into 2023 for Council decisions.

SUMMARY OF CONSIDERATIONS

Strategic, Policy and Legislative Implications

Council appointments on committees, groups and forums are made to assist in fulfilling Council's strategic and policy objectives.

Significance, Engagement and Consultation

The decision to approve the Terms of Reference 2022-2025 and appointing Councillor Robyn Cherry-Campbell from Carterton District Council as the Chairperson of the WPWG are procedural in nature and has therefore been assessed as not being significant under Council's Significance and Engagement Policy. Neither engagement nor consultation are therefore required.

Financial Considerations

There are no financial considerations for the recommendations made as part of this report. Elected members appointed to the Wairarapa Policy Working Group will be remunerated for their time as part of their broader elected member remuneration.

There will be separate budgets for each of the policies, bylaws and strategies that are considered by the WPWG, this will include any relevant secretariat costs.

Implications for Māori

Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa will be invited to put forward a representative for the WPWG.

Communications/Engagement Plan

No communication or engagement plan is required.

Environmental/Climate Change Impact and Considerations

No environmental or climate change impacts or considerations have been identified for the recommendations in this report.

NEXT STEPS

If the recommendations are made as proposed by each of the three Wairarapa District Councils, the Chairperson appointment will be confirmed and workshops for the review of the Wairarapa

Rangatahi (Youth) Strategy and review of the Wairarapa Smoke and Vape Free Policy will be scheduled.

ATTACHMENTS

1. **Wairarapa Policy Working Group Terms of Reference 2022-2025** [↓](#) 



WAIRARAPA POLICY WORKING GROUP: TERMS OF REFERENCE 2022-2025

Background

The Wairarapa Policy Working Group (WPWG) was initially established to provide governance oversight for the development of the three Wairarapa District Council's first Wairarapa Local Alcohol Policy. Since then, the WPWG has continued to provide governance oversight for joint Wairarapa policies, bylaws and strategies shared by the three Wairarapa District Councils.

Function

To provide governance oversight of the development and review of joint Wairarapa policies, bylaws and strategies that the three Wairarapa District Councils share.

Membership and Composition

Membership of the WPWG is comprised of two elected members from Carterton District Council, Masterton District Council and South Wairarapa District Council. The membership is confirmed at the beginning of each triennium.

Members of the WPWG for the 2022-2025 triennium are:

| | |
|----------------------------------|---|
| Carterton District Council | Councillor Robyn Cherry-Campbell Councillor Steve Cretney |
| Masterton District Council | Councillor Craig Bowyer Councillor Tim Nelson |
| South Wairarapa District Council | Deputy Mayor, Melissa Sadler-Futter Councillor Martin Bosley |
| Rangitāne o Wairarapa | TBC |
| Ngāti Kahungunu o Wairarapa | TBC |

The three Wairarapa District Councils appoint a Chairperson for the WPWG. The Chairperson is responsible for presiding over any workshops or meetings of the WPWG and ensuring that the WPWG acts within its function, as delegated by each of the three Wairarapa District Councils.

The Chairperson of the WPWG for the 2022-2025 triennium is [name to be confirmed].

Rangitāne o Wairarapa and Ngāti Kahungunu o Wairarapa will be invited to put a representative forward to be members on the WPWG.

Masterton District Council provides secretariat support for the WPWG.

Changes to Membership

If changes to membership are required during the triennium a replacement member may be appointed by the respective council.

Conflict of Interest and Code of Conduct

Elected member/governance Codes of Conduct apply to members of the WPWG. Any perceived or actual conflict of interest must be declared.

Quorum

Four members. The quorum must contain one person from each of the three Wairarapa District Councils.

Frequency and Meetings

Volume and frequency of meetings are on a project-by-project basis.

Meetings and workshops vary in length depending on the topic or project.

Timing of meetings and workshops will be arranged through the secretariat and respective council Governance Advisors. They will be scheduled for the most convenient time for the majority of members and will consider quorum requirements while doing so.

Delegated Authority

To provide governance oversight to council officers in the development or review of joint policies, bylaws and strategies that the three Wairarapa District Councils share.

To hear and deliberate (on behalf of the three Wairarapa District Councils) on joint policies, bylaws and strategies that the three Wairarapa District Councils share.

Power to Recommend to the three Wairarapa District Councils

Advice and/or recommendations on draft or revised policies, bylaws and strategies.

7.3 ADDITION TO THE DELEGATION TO INDEPENDENT COMMISSIONERS FOR THE HEARING OF THE PRIVATE PLAN CHANGE (WELHOM DEVELOPMENTS LTD)

File Number:

Author: Steven May, Manager Regulatory Services

Authoriser: David Hopman, Chief Executive

PURPOSE

This report seeks an addition to the delegation made by Council at its meeting on 14 December 2022 to two independent Resource Management Commissioners to provide that, if the two appointed commissioners aren't able to agree on the private plan change application recommendation to Council, the view of the Chair will prevail.

EXECUTIVE SUMMARY

At its meeting on 14 December 2022, Council agreed to delegate (pursuant to section 34A of the Resource Management Act) all functions, powers and duties of Council under the Resource Management Act 1991 necessary to hear and make a recommendation to Council on the private plan change application by Welhom Developments Ltd to rezone 14.7836 hectares of land located at State Highway 2, Masterton, from rural zone to residential zone in the Wairarapa Combined District Plan (District Plan) to:

- Stephen Daysh (Chair) (independent Resource Management Commissioner), and
- David McMahon (independent Resource Management Commissioner).

The [Quality Planning website](#)¹ refers to the situation where an even number of commissioners are appointed: *“Some councils use an odd number of commissioners in hearings to avoid ‘stalemate’ situations. With an even number of commissioners, councils may want to identify which commissioner's view will prevail or have a casting vote (usually the chairperson or principal commissioner) in the appointment/delegation of powers to commissioners. For most hearings, no more than three commissioners should be needed.”*

The commissioners have met to discuss the rules around the circulation of evidence before the hearing, the hearing process and the recommendation to Council. The commissioners were of the view that the delegation should include provision for the Chair's view to prevail if they failed to agree on the recommendation to Council. If the commissioners weren't able to agree, then the decision making process would be held up and it is likely that additional costs would be incurred by the applicant.

The nature of the application does not warrant the appointment of a third commissioner so, to avoid the 'stalemate' situation referred to above, an addition to the delegation Council agreed to at the 14 December 2022 meeting is proposed (along the lines of the Quality Planning advice) to provide that, if the two commissioners aren't able to reach agreement on the recommendation to Council on the plan change application, the Chair's view will prevail.

¹ The Quality Planning website exists to “*promote good practice by sharing knowledge about all aspects of practice under the RMA*”

RECOMMENDATIONS

That Council

1. **delegates** (pursuant to section 34A of the Resource Management Act) all functions, powers and duties of Council under the Resource Management Act 1991 necessary to hear and make a recommendation to Council on the private plan change application by Welhom Developments Ltd to rezone 14.7836 hectares of land located at State Highway 2, Masterton, from rural zone to residential zone in the Wairarapa Combined District Plan (District Plan) to:
 - Stephen Daysh (Chair) (independent Resource Management Commissioner), and
 - David McMahon (independent Resource Management Commissioner); and
2. **Agrees** that, if the two independent Resource Management Commissioners are not able to reach agreement on the recommendation to Council on the private plan change application, the view of the Chair (Stephen Daysh) will prevail.

ATTACHMENTS

Nil

7.4 TRANSPORT CHOICES PROJECT

File Number:

Author: Philip Evans, Project Delivery and Assets Manager

Authoriser: David Hopman, Chief Executive

PURPOSE

The purpose of this memo is to seek the Council's approval to progress the Transport Choices Project and to appoint Councillors Tim Nelson and Tom Hullena to the role of Community Champions for the project.

RECOMMENDATIONS

That Council

1. Receives the Transport Choices Project Report
2. Approves the commencement of the Transport Choices project
3. Agrees to appoint Councillors Nelson and Hullena as the Community Champions for the Project.

CONTEXT

"Transport Choices" is a programme of work by Waka Kotahi to promote alternatives to motor vehicle use, in part to achieve road safety improvements, but also to move towards a reduction in emissions from light vehicles. Central Government funding is available for Councils to develop cycle paths and shared spaces as one pathway to achieve this. Council staff have looked at what can be achieved with the funding available and are putting forward the proposed cycleway linking schools, kura and the netball courts.

Council staff have engaged with Waka Kotahi and begun the application process. A full application needs to be lodged with the agency by 1 March 2023. As timeframes are quite short, staff have begun the process of preparing a preliminary design, identifying the properties likely to be affected, including commercial / community facilities, and preparing a communications plan.

As part of making the application, certain key pieces of information need to be supplied to Waka Kotahi, including the project plan, key personnel and a draft budget. A full copy of the project plan is attached (see Attachment 1). A schedule of rates for the physical works has been prepared and will be submitted with the application, but a summary of the proposed costs is included in the attachment. Further design work will be required to be undertaken prior to completing the developed design and consulting with the community.

A critical point in the funding application is the appointment of key people to roles within the project. Council staff have been appointed to various roles, where appropriate. However, the role of Community Champion is anticipated to be an elected member. The role of the champion is to be the public face of the project, meeting with the public, schools and other interest groups, and providing comments to the media. After in-house discussions, it is recommended that Councillors Tim Nelson and Tom Hullena are appointed jointly to this role.

The proposed alignment of the physical works will impact on the existing streetscape and result in the loss of some on-street car parking in the residential area, in particular along Colombo Road and Herbert Street. Engagement and feedback from the community will be used to review the design and concerns about loss of carparking, or conflicts with existing property owners will be taken into consideration when finalising the design.

The project timeline indicates that the physical works will be complete by June 2024.

Risk Analysis

A risk analysis is included in the project plan. The key risks include community support for the project, considering the loss of carparking, safety of the users during construction and ongoing safety post construction. Mitigations include public consultation and engagement prior to finalising the design, safety audits and project management.

SUMMARY OF CONSIDERATIONS

Significance, Engagement and Consultation

A communications plan is being developed, and an engagement lead will be appointed to the project team. The project will be significant in terms of the impact on the existing property owners, including commercial properties. Consultation with the community and in particular with the property owners along the route will be critical in the project's success.

Financial Considerations

The funding agency – Waka Kotahi – will be funding 100% of the physical works. Council's contribution will be in providing project management, construction oversight, communications and design functions. Council's roading engineers will look at opportunities to carry out planned road works in conjunction with the project works.

Implications for Māori

No Treaty considerations or implications for Māori have been identified in the project plan. It is noted that the Kura is potentially one of the beneficiaries of the project and will be consulted.

Communications/Engagement Plan

A communications and engagement plan is being developed and will be submitted to Waka Kotahi with the project plan.

Environmental/Climate Change Impact and Considerations

The project objectives include meeting environmental outcomes by providing alternative transport options that replace short trips in light vehicles.

ATTACHMENTS

1. **Transport Choices Project Plan**  



PROJECT PLAN

LANSDOWNE TO KURIPUNI CYCLE FACILITIES

LANSDOWNE TO KURIPUNI CYCLE FACILITIES

Project Owner: Kaine Jaquery <kainej@mstn.govt.nz> & Mike Burger

Project Manager: Laura Maclean <laura.maclean@mstn.govt.nz>

Revision History

| VERS | DATE | NAME | SUMMARY OF CHANGES |
|------|----------|-----------|--------------------|
| 1 | 18/01/23 | K Jaquery | First draft |
| | | | |
| | | | |

Approvals

This document requires the following approvals: -

| NAME | TITLE | SIGNATURE | DATE |
|------|-------|-----------|------|
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Distribution

This document has been distributed to the following people: -

| NAME | TITLE | DATE |
|------|-------|------|
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PROJECT DESCRIPTION

Background

Masterton District Council (MDC) has identified a number of key proposed strategic cycle routes that when completed will provide safe and attractive alternative ways for the public to walk and cycle around Masterton. See Appendix A for the Proposed Masterton Cycle Routes.

The route between Lansdowne and Kuripuni was prioritised for construction using multi criteria analysis and ranked very high in the following areas for early construction and application into the governments transport choices programme:

- Temporary disruptions
- General accessibility
- School accessibility
- Commuter accessibility
- Build time
- Carparking implication
- Connectivity of places of interest
- Traffic safety benefits
- Resolution of intersection/conflict points.

The project will provide cycle facilities on the eastern side of Masterton using Colombo Road, Herbert Street and Dixon Street.

This path forms part of the wider cycle network identified in the Masterton Cycling Strategy and will provide connections to Lakeview School, Te Kura Kaupapa Māori o Wairarapa, Mākoura College, Chanel College, and the Kuripuni shopping area, as well as the off road trails through Henley Lake Park.

A shared path has recently been constructed on Colombo Road between the Te Ore Ore Road and the Waipoua River bridge to assist students travelling to Lakeview School. The cycle route will tie into work currently being undertaken with respect to speed management, Colombo Road bridge replacement and bikes in schools programme, enabling students to safely travel to school by cycle.

Further cycle network improvements are proposed both north of Te Ore Ore Road and to the west of Masterton which will increase the number of users that can be connected to this facility.

CONTEXT AND OBJECTIVES

MDC has been successful in gaining funding from the Governments Transport Choices programme which has been established in response to the national Emissions Reduction Plan (ERP). One of the goals of the ERP is to provide greater and more affordable low-emissions transport choices for everyone to get where they are going.

This project will help support a reduction in light vehicle kilometres travelled through mode shift by providing a safe and attractive alternative way to move around Masterton. This funding will help MDC rapidly expand our planned active mode network between Lansdowne and Kuripuni.

BENEFITS THAT WILL BE PROVIDED

Benefits of the proposed cycle routes include:

- reduced vehicle trips and providing safe alternatives for students on the eastern side of Masterton for travel to and from school for students attending Lakeview School (current roll 441), Te Kura Kaupapa Māori Wairarapa (current roll 93), Mākoura College (current roll 273), and Chanel College (current roll 206). Further extensions of this cycle network would also assist students at Masterton Primary School (current roll 274).
- providing safe alternatives for commuting, recreation and travel to work for residents on the eastern side of Masterton.
- reduced vehicle trips if users choose to cycle to the existing off road trails in Henley Park and along the river as well as the Netball Courts, rugby facilities and other sports grounds on Colombo Rd extending the use of these facilities.

Strategic Alignment

This project aligns and will contribute to Council’s strategic direction and commitments relating to issues such as safe and efficient transport, climate change, wellbeing, and positive aging.

PROJECT DEFINITION OUTPUTS (SCOPE)

This project will provide a connector route between Te Ore Ore Road (Henley Park) and Kuripuni. The route is primarily using Colombo Road, Herbert Street and Dixon Street to provide connections to Lakeview School, Te Kura Kaupapa Māori o Wairarapa, Mākoura College, Chanel College and the Kuripuni shopping area as shown below.



This section of the cycle network will connect to the existing off road trails in Henley Park and along the river as well as the Colombo Road Netball Courts and other sports grounds extending the use of this facility.

The lengths of the sections of road and existing road widths are shown below.

| Road | Start | End | Width (m) | Length (m) |
|-----------------------|----------------|----------------|-----------|------------|
| Colombo Road | Hacker Street | Herbert Street | 13.2 | 1300 |
| Herbert Street | Colombo Road | Dixon Street | 12 | 800 |
| Dixon Street | Herbert Street | High Street | 13.5 | 550 |

A further 1.5km can easily be added to this network to extend the reach of the cycle lanes by including facilities on Johnstone Street/Mākoura Road and South Road. Currently this extension is out of scope for this project.

DESIGN DETAILS

There are currently no cycle facilities from Colombo Road bridge to Kuripuni along the proposed route and, there is minimal road marking. The roads have one fully sealed footpath/berm on at least one side of the road as shown below.



To maintain parking and provide cycle facilities the route will comprise the following upgrades:

- Utilising the existing footpath as a shared path where the width allows
- Installation of raised and flush crossing points to allow cyclists to pass through intersections safely
- Widening of sections of existing footpath to allow the formation of a shared path where the current width is insufficient for this purpose
- Provision of on-road cycle facilities through reconfiguration (and removal) of existing parking and installation of mountable cycle barriers
- Additional signage and line marking to delineate the proposed cycleways.

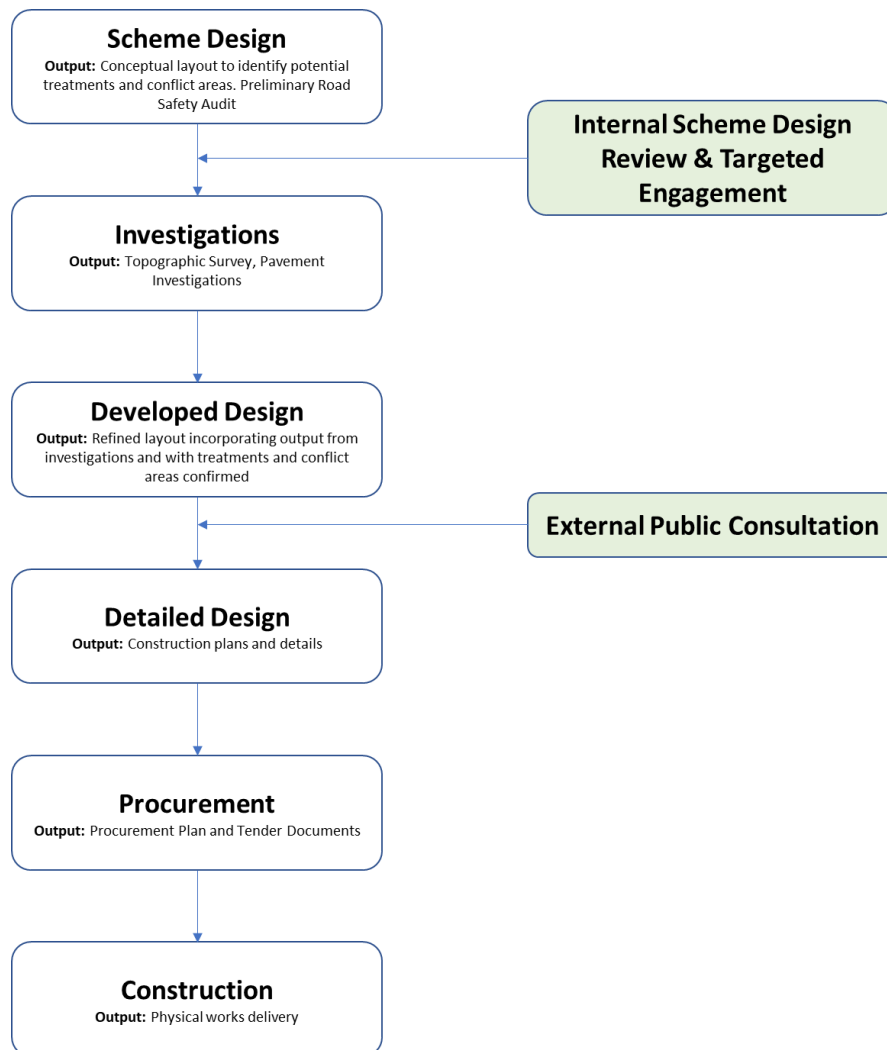
Scheme or final details of the preferred designs for the various sections have not been determined at this stage and technical advice/assistance will be required to ensure that the design provides the best outcome for the community.

METHODOLOGY INCLUDING PROCUREMENT DETAILS

A flow chart depicting our proposed delivery methodology is provided below.

This includes a staged design development process which allows for the findings from reviews and engagement to be incorporated at the most appropriate times.

A key aspect of this process is undertaking targeted engagement following scheme design. This will focus on engaging with Chanel College and local bus operators as these stakeholders will be specifically impacted by the Herbert Street works and could therefore have a significant impact on the design development.



A Procurement Plan will be developed following completion of the Detailed Design. This will include consideration of the construction requirements, contractor market conditions and objectives of the project in the selection of the preferred tender process and contract form. Opportunities for contractor briefing sessions and engagement will also be considered at this stage.

FULL TIMELINE WITH MILESTONES

| Task Name | Duration | Start | Finish |
|--|------------------|---------------------|---------------------|
| Project Set-up on boarding | 57 days | Mon 12/12/22 | Tue 28/02/23 |
| Confirmation of Project to Proceed | 0 days | Mon 12/12/22 | Mon 12/12/22 |
| Establish MDC Project Team | 28 days | Wed 14/12/22 | Fri 20/01/23 |
| Procure Design Services | 30 days | Mon 12/12/22 | Fri 20/01/23 |
| Design Kick off | 1 day | Mon 5/12/22 | Mon 5/12/22 |
| Refine scope, budget and resource plan | 5 days | Fri 20/01/23 | Thu 26/01/23 |
| Pre Implementation (Funding Gate Phase 2) | 88 days? | Wed 1/03/23 | Fri 30/06/23 |
| Final Project Plan | 10 days | Wed 1/03/23 | Tue 14/03/23 |
| Monitoring & evaluation plan | 20 days | Wed 1/03/23 | Tue 28/03/23 |
| Comms and engagement plan | 20 days | Wed 1/03/23 | Tue 28/03/23 |
| Scheme Design | 40 days | Mon 9/01/23 | Fri 3/03/23 |
| Targeted engagement (schools bus route?) | 10 days | Wed 1/04/23 | Tue 14/04/23 |
| Scheme Design Review including Safety Audit and Feedback (internal review) | 10 days | Mon 6/03/23 | Fri 17/03/23 |
| Developed Design | 30 days | Mon 20/03/23 | Fri 28/04/23 |
| Developed Design Review and Feedback (final review) | 10 days | Mon 1/05/23 | Fri 12/05/23 |
| External Consultation | 30 days | Mon 15/05/23 | Fri 23/06/23 |
| Public Consultation & Engagement (external review) | 15 days | Mon 15/05/23 | Fri 2/06/23 |
| Collate Feedback from Consultation | 5 days | Mon 5/06/23 | Fri 9/06/23 |
| Developed Design Review following any feedback(final review) | 10 days | Mon 12/06/23 | Fri 23/06/23 |
| Implementation (Funding Gate 3 phase 3) | 291 days? | Sat 1/07/23 | Fri 9/08/24 |
| Detailed Design | 55 days | Mon 3/07/23 | Fri 15/09/23 |
| Detailed Design | 40 days | Mon 3/07/23 | Fri 25/08/23 |
| Detailed Design Review and Feedback (internal review) | 10 days | Mon 28/08/23 | Fri 8/09/23 |
| Final Compilation of Design Package | 5 days | Mon 11/09/23 | Fri 15/09/23 |
| Detailed Design Complete | 0 days | Fri 15/09/23 | Fri 15/09/23 |
| Procurement | 91 days | Mon 3/07/23 | Mon 6/11/23 |
| Development of Procurement Plan | 15 days | Mon 3/07/23 | Fri 21/07/23 |
| Review and Approve Procurement Plan | 5 days | Mon 24/07/23 | Fri 28/07/23 |
| Development of Contract Documents | 10 days | Mon 31/07/23 | Fri 11/08/23 |
| Review and Approval of Contract Documents | 10 days | Mon 14/08/23 | Fri 25/08/23 |
| Project Tender Ready | 0 days | Fri 15/09/23 | Fri 15/09/23 |
| Physical Works Tender Released | 0 days | Fri 22/09/23 | Fri 22/09/23 |
| Physical Works Tender Period | 21 days | Mon 25/09/23 | Mon 23/10/23 |
| Physical Works Tender Evaluation and Award | 10 days | Tue 24/10/23 | Mon 6/11/23 |
| Construction | 155 days? | Wed 1/11/23 | Tue 4/06/24 |
| Dixon Street Reseal (Delivered under MDC Maintenance Programme) | 10 days | Wed 1/11/23 | Tue 14/11/23 |
| Colombo Footpath Renewal (Delivered under MDC Maintenance Programme) | 15 days | Wed 1/11/23 | Tue 21/11/23 |
| Physical Works Contract Start Date | 1 day? | Tue 7/11/23 | Tue 7/11/23 |
| Lansdowne to Kuripuni Construction Period | 150 days | Wed 8/11/23 | Tue 4/06/24 |
| Lansdowne to Kuripuni On Road Facilities Open | 0 days | Tue 4/06/24 | Tue 4/06/24 |

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Full programme gantt chart is included in appendix B.

Communications and Engagement

A separate communications and engagement plan will be developed by 28 March 2023 which will be owned and developed by the Communications Team, with support from the Policy and Comm Dev teams. This plan will identify key stakeholders and interested parties that will need to be well informed throughout various project stages.

BUDGET

A high level cost Estimate has been prepared for the project below:

| KEY TASK | Total Cost |
|--|--------------------|
| Pre-Implementation Stage - Scheme Design | \$60,000 |
| Implementation Stage - Detailed Design | \$60,000 |
| Implementation Stage - Procurement | \$22,500 |
| Construction - Preliminary and General | \$108,000 |
| Construction - Services and Utilities | \$35,000 |
| Construction - Traffic Services | \$825,000 |
| Risk & Contingency (15%) | \$166,575 |
| Project Estimate Total | \$1,277,075 |

A more detail breakdown of the above can be found in Appendix C.

PROJECT GOVERNANCE

The Council will utilise an internal Project Steering Group which will ensure that the project is meeting the necessary quality, financial and timeline requirements.

The Project Steering Group is comprised of Strategic Leadership Team (SLT) members who will provide checks at the appropriate quality gates or other check points as required.

The Project Steering Group has delegated decision making authorities, these decision points include:

1. Agreement on internal project team resourcing
2. Approval of tender specification and procurement approach
3. Approval of detailed design for tender
4. Approval of recommended nominated contractor to take to Council.

The details of each quality gate can be found in [Appendix D](#). The following diagram shows the relationship between each of the governance functions.

PROJECT RESOURCING

The table below outlines MDC staff that are required to work on this project and the estimated time commitment. It also identifies any external resources that will be required.

| Team Members | Work expected to be undertaken during pre-implementation | Work expected to be undertaken during implementation | Time allocated (hours) |
|---|--|---|-------------------------------|
| Project lead (Council staff) Laura Maclean | Project reporting Budgeting and forecasting coordination of the team Programme tracking | Project reporting Budgeting and forecasting coordination of the team Programme and risk tracking evaluation Report Maintaining project schedule | 6 per week |
| Communication lead (Steve Rendle) | Develop and deliver communication and engagement plan Input/advice from Policy team | Public liaison for media releases Ensure everyone is aware of their delegated tasks and timeframes within the Communications and Engagement Plan | 3 per week |
| Engagement/consultation leads (Matt Steele and 1 x member of Comm Dev team – Kelsi to confirm) | Lead pre-engagement and consultation phases | Organising logistics of any face to face (or other) types of engagement Note taking/engagement summaries Engaging directly with schools and community | 1 per week |
| Community champion (Council staff and/or Elected Member) Councilor Tim Nelson / Councilor Tom Hullena | | | 0.5 per week |
| Design lead (Council staff) Kaine Jaquery | Engineering coordination with lead designers and Waka Kotahi | | 6 per week |
| Technical specialist (transport) (Council staff) | Engineering coordination with lead designers and Waka Kotahi | Engineering support during construction | 6 per week |

| | | | |
|---|--|---|--|
| Monitoring and evaluation lead (Council staff) | develop a Monitoring and Evaluation Plan Collection Baseline data Traffic and cycle surveys | | 8 per week |
| specialist technical advice - Cameron Fauvel Projects & LMC | Scheme Design Safety Audit Design Review changes | Procurement planning and tender documents Detailed Design Engineering support during construction | SFA setup once funding agreement is in place |
| Additional resource request | Technical specialist to support development of scheme design | General support and advice safety and design support | |
| Contingency - approximately 15%+/- | | | |
| Total: | | | |

CONSTRAINTS, ASSUMPTIONS, AND DEPENDENCIES

Constraints

Potential project constraints are summarised as follows:

1. **Obtaining Feedback from Key Stakeholders** – The project team will need to work closely with key stakeholders to ensure that feedback is received within timeframes that align with the project plans.
2. **Existing Services** – The relocation of existing overhead and underground services (particularly streetlight and power poles) can be expensive and time consuming. The design will therefore need to be optimised to work within the existing service constraints.
3. **Existing Property Boundaries & Roading Geometry** – The design solutions will need to work within the existing road reserve without the need for property acquisition.

Assumptions

The main assumptions are summarised as follows:

1. The existing eastern Colombo Road footpath is suitable for use as a shared path (in geometry and condition) without significant upgrade
2. Modifications to the footpath and carparking along Herbert Street can be undertaken with community support

Dependencies

Community Buy-in – The project is dependent on gaining community support

RISKS

| Risk | Mitigation |
|---|---|
| Community support for removal of parking | <ul style="list-style-type: none"> • Engage early with the community to socialise the benefits of the proposed changes • Use MDC comms team to identify and communicate with key stakeholders |
| Ability to utilise the existing sealed berms for shared paths impacted by the presence of services, streetlights and power poles. | <ul style="list-style-type: none"> • Detailed survey the route to determine the level of impact • Provision of concept designs and discuss with Waka Kotahi subject specialists re options. |
| Detailed design unable to be completed within the required to time frame to enable delivery by due date. | <ul style="list-style-type: none"> • Initial concept design undertaken with Waka Kotahi subject specialists to determine the most appropriate design and avoid redesign of facilities. • Develop a detailed project programme once concept design is completed. Work to stage project to create a rolling programme of design and construction. |

| | |
|---|---|
| Construction unable to be completed by required due date. | <ul style="list-style-type: none"> • Undertake procurement strategy/plan in parallel with detailed design • Engage with contractors early to ensure designs and programme are realistic and achievable. |
| Estimating assumptions or uncertainties. | <ul style="list-style-type: none"> • Finalise design to accurately estimate project costs. • Inclusions of detailed quantity take offs and engineering estimates in design stages • Early contractor involvement to provide input on costings and input to value engineering |
| Road Safety (during construction) | <ul style="list-style-type: none"> • Detailed design to consider potential staging and constructability. • Early engagement with contractors • Procurement strategy/tender to allow for weighted attributes towards contractor H&S and construction methodologies. |
| Road Safety (during use) | <ul style="list-style-type: none"> • Road Safety Audits undertaken by suitably qualified engineer, at design stage and post construction • Design objective to provide physical separation between cyclists and vehicles, in particular in higher speed zones along Ngaumutawa Road. |

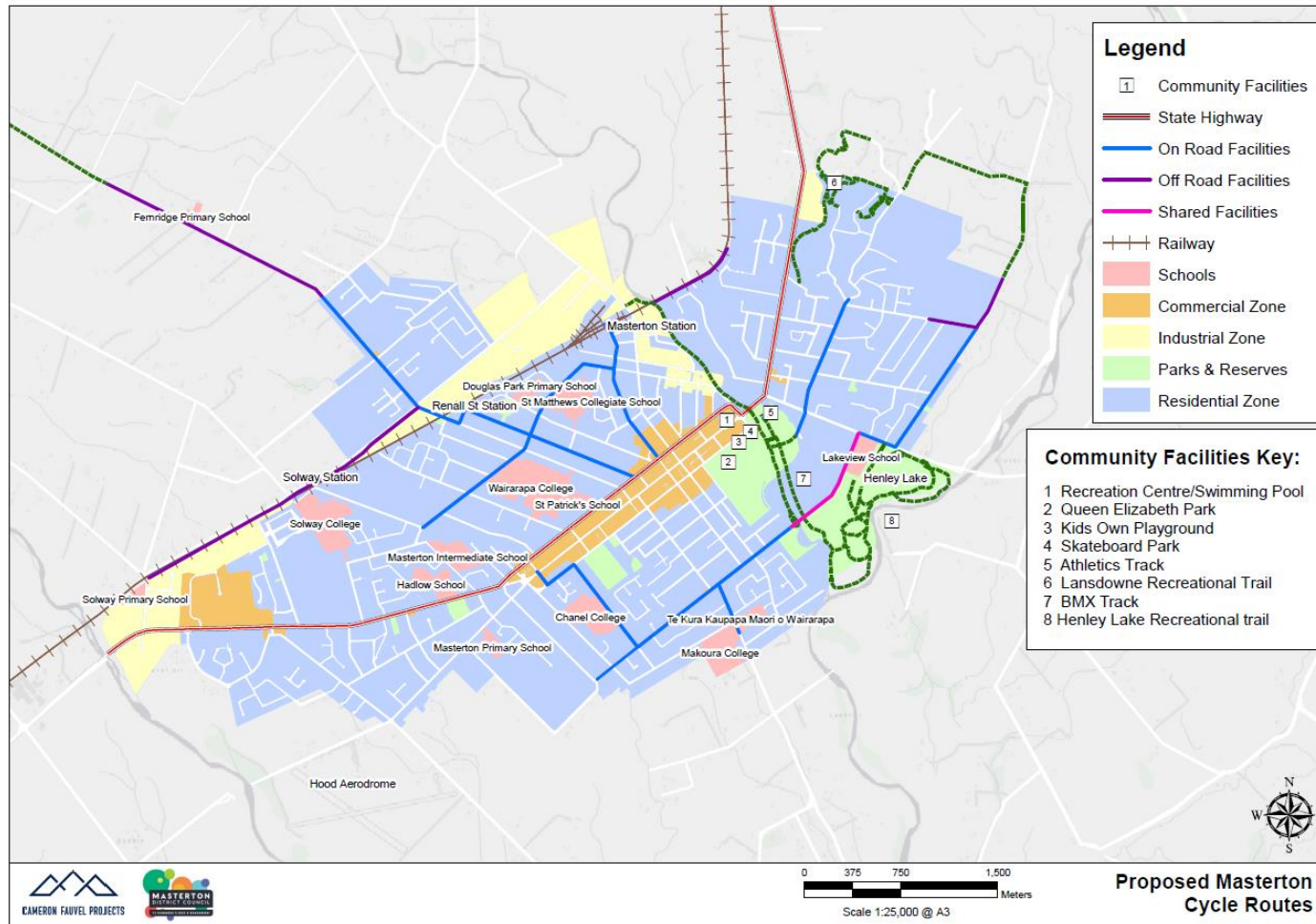
Contingency Planning

When planning the project timeline critical tasks have had some float time incorporated to ensure that any delayed in the task is does not impact on subsequent tasks. A 15% budget contingency has been incorporated into the project estimate. Any variation during the project will follow Council project variation procedures and please see attached variation template appendix D.

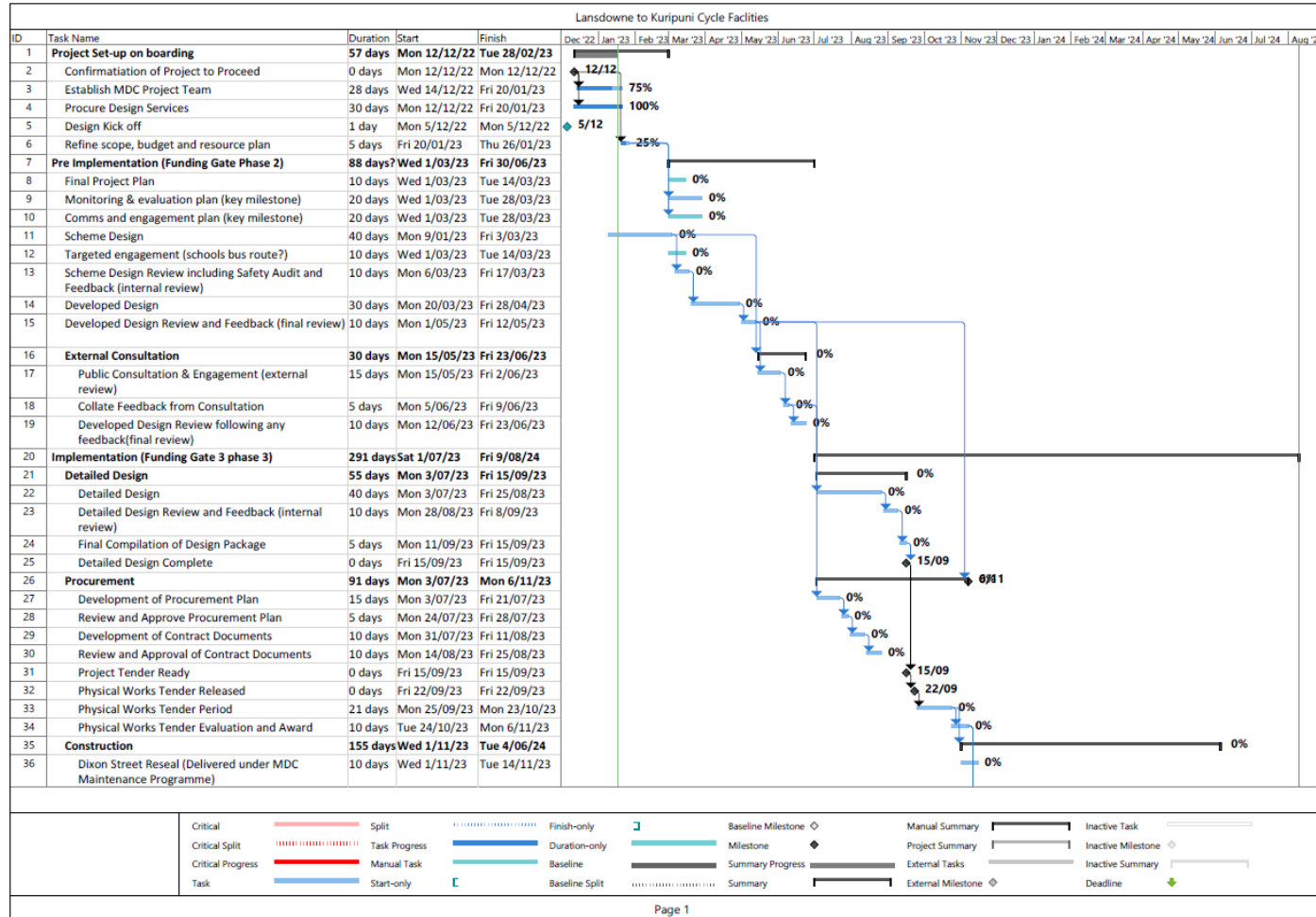
What help do we need?

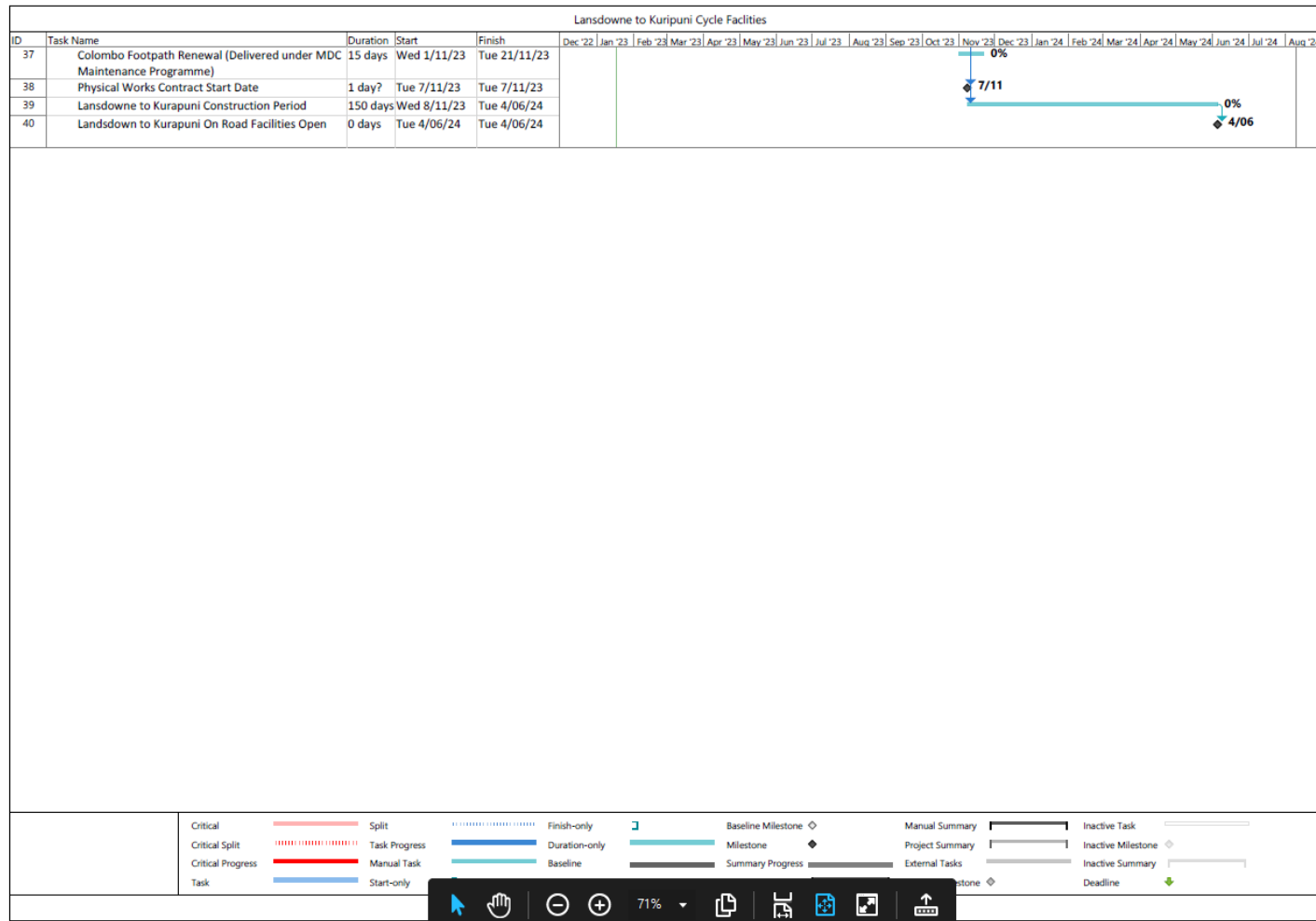
Support for the project from Senior Leadership and Elected Members will be critical to the projects success.

APPENDIX A: PROPOSED MASTERTON CYCLE ROUTES



APPENDIX B: TIMELINE IN GANTT CHART





APPENDIX C: SCHEDULE OF RATES

To be completed.

Public excluded

7.5 SKATEPARK KAITIAKI FUNDING

File Number:

Author: Corin Haines, Manager Community Facilities and Activities

Authoriser: David Hopman, Chief Executive

PURPOSE

To seek Council approval for funding to cover the contracting of a Skatepark Kaitiaki to provide a presence at the Masterton Skatepark, build on youth relationships and programme daily activities

RECOMMENDATION

That Council approves the funding to be taken from the youth grant budget to cover the engagement under a contract for service of a Skatepark Kaitiaki for 15hrs per week until 30 June 2023 with a maximum contract value of \$12,000.

CONTEXT

Masterton District Council opened the redeveloped Skatepark in Queen Elizabeth Park in early 2022 with the new facility receiving good reviews from the community and across New Zealand. The redevelopment was enabled through base funding from the Ministry of Business Innovation and Employment (MBIE) through the Provincial Development Unit and was also funded by Council.

The Skatepark has been popular with the community and is a hive of activity after school, and over weekends and public holidays. In conjunction with this popularity the Skatepark has been a place of congregation for youth and some social issues have occurred with individuals gathering at the Park for purposes other than skating.

These issues first came to a head in April 2022 and a meeting was organised by members of the community to look at the issue and agree what actions could be taken to make the Skatepark a safer place for all. As a result of this the Te Hapori Skatepark Group was formed with the purpose of continuing to look after the Skatepark, advocate on its behalf and work to address issues as a community. Council officers attend this group and it is chaired by Stella Lennox who has subsequently been elected to Council.

As a result of conversations within this group, MDC agreed to temporarily fund the provision of skills training and a kaitiaki presence at the Skatepark to contribute to the creation of a positive environment at the facility and engage Skatepark attendees in developing their sense of pride in the place. This was done through a temporary engagement with On Board Skate which ran through to the end of 2022.

A summer holiday programme was run over the 2022/23 holiday period with a presence at the park for 35hrs per week delivering skate skills. This was done through a direct engagement for service from a Masterton local who has also worked at the Skatepark as part of the On Board presence. This was positively received by Skatepark attendees and has helped to minimise adverse issues at the park over the school holiday period where usage of the park was at a premium.

ANALYSIS AND ADVICE

The issues at the Masterton Skatepark need to be seen in the context of wider social issues that the District has been experiencing in the past 12 – 24 months. These issues are also a reflection of wider social issues across New Zealand and are not only confined to youth.

Council itself, through the leadership of the Mayor, is currently exploring the means to support sections of the community and is setting up both a retailer group and a leadership group comprised of representatives from Council, Police and other agencies.

The Skatepark as a gathering place for youth is a likely hotspot for issues and this has been borne out since the opening of the redeveloped park. The park itself is not causing the issues that occasionally surface there but rather is a place where issues can occur due to its popularity.

Evidence has shown that the ongoing kaitiaki presence at the Skatepark with a skate-based focus creates a positive environment and has significantly contributed to the lessening of issues at this place. It is the officer's recommendation that council approves the funding for the Skatepark Kaitiaki through to the end of the financial year.

SUMMARY OF CONSIDERATIONS

Strategic, Policy and Legislative Implications

The provision of the Skatepark contributes to Council's strategy He Hiringa Tangata, He Hiringa Whenua through the encouragement to engage in physical activity. Furthermore, the engagement of a contract kaitiaki strengthens this by enabling participation and provides a greater sense of community safety. It also supports the Parks and Open Spaces Policy by contributing to the Healthy People goal of all members of our community having access to and the ability to enjoy safe opportunities for play.

Significance, Engagement and Consultation

The decision to provide a contract Skatepark Kaitiaki was assessed as not being significant under the Significance and Engagement Policy as it does not directly impact a strategic asset or a significant change in level of service

Financial Considerations

There is no planned funding for this role in the 2022/23 budget. However, a reprioritisation of a portion of the youth development grant could be used to fund this unbudgeted expenditure.

Implications for Māori

Both Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa have goals and aspirations in the area of social development and wellbeing for their people. The provision of a contract Skatepark Kaitiaki contributes to an environment which is safe and positive for Māori and encourages physical activity and skills development.

Communications/Engagement Plan

If Council approves the contract kaitiaki role this will be communicated to our community via social media and the Masterton District Council website

Environmental/Climate Change Impact and Considerations

The presence of a kaitiaki at the Skatepark encourages use of the facility and physical activity which contributes to the promotion of a lifestyle which is less reliant on motorised transport and therefore has a positive impact on environmental factors.

NEXT STEPS

If Council agrees with the recommendation, staff will follow the procurement policy to appoint a contract Skatepark Kaitiaki until 30 June 2023.

ATTACHMENTS

Nil

7.6 NOTICE OF MOTION - QUEEN STREET PLANTING

File Number:

I, Councillor Brent Goodwin, give notice that at the next Ordinary Meeting of Council to be held on 15 February 2023, I intend to move the following motion:

MOTION

That officers report to the Infrastructure and Services Committee on 15 March 2023 on a proposed project scope with timelines to spend \$5,000 to increase the vegetation cover in Queen Street to cover the green metal street furniture in the Masterton CBD.

ATTACHMENTS

1. **Notice of Motion - Councillor Goodwin - Queen Street Planting** [↓](#) 

NOTICE OF MOTION

To: Mayor and Councillors, Council meeting 15 February 2023

From: Councillor Goodwin

Re: Planting in Queen Street

Proposed motion:

That officers report to the Infrastructure and Services Committee on 15 March 2023 on a proposed project scope with timelines to spend \$5,000 to increase the vegetation cover in Queen Street to cover the green metal street furniture in the Masterton CBD.

Signed:



8 REPORTS FOR INFORMATION

8.1 CHIEF EXECUTIVE'S REPORT

File Number:

Author: David Hopman, Chief Executive

PURPOSE

The purpose of the attached report is to provide Council with an update on Council operations (as at 10 February 2023)

RECOMMENDATION

That Council receives the Chief Executive's Report as at 10 February 2023

ATTACHMENTS

1. Chief Executive's Report [↓](#) 

CHIEF EXECUTIVE'S REPORT

10 FEBRUARY 2023

National and Regional Context

September 2022 Infometrics Quarterly Economic Monitor

The September 2022 Infometrics Quarterly Economic Monitor has been updated. The following section provides an updated overview of the Masterton District and national economy:

Overview of the Masterton District

The Masterton District economy continues to grow at a healthy pace with GDP provisionally estimated to have increased 3.3% over the year to September 2022. Growth in the Masterton economy was higher than in the national economy (2.6%) and in the Wellington Region (1.5%).

Population growth is a strong driver of economic growth in Masterton. The latest Estimated Resident Population data from Statistics New Zealand shows that Masterton's population expanded by 2.1% in the year to June 2022, the fifth fastest among 66 territorial authorities. The previous year's population growth was revised upwards to 2.5% from 1.8%. The district's population now stands at 29,000 up from 24,100 a decade ago.

The local labour market is strong with employment of residents up 2.9% in the year to September 2022 and unemployment sitting at 2.0%, its lowest point since the start of our time series in 2001. The number of Jobseeker Support recipients dropped to 789 in the September 2022 quarter, down from a peak of 1,049 in the September 2020 quarter.

Strong population and employment growth has underpinned robust growth in consumer spending, up 10.2% in the year to September 2022, well above national growth of 7% and 5.3% in Wellington region.

The Masterton housing market is cooling with the average value dropping in the September quarter to just above \$600,000, a drop of 7.8% compared with the value in the same quarter last year. House sales were down by nearly a quarter in the year to September 2022. There were 65 new dwelling consents in the September 2022 quarter, and non-residential consents over the year to September 2022 were more than double the 10-year average, however as reported previously, staff have noted a slowing of consents since November.

Overview of national economy

Economic activity remained elevated across New Zealand in the September 2022 quarter, driven by stronger tourism activity and still-solid household spending. Provisional Infometrics estimates suggest a 5.4%pa rise in quarterly economic activity, partially due to the comparison with the Delta lockdown-affected September 2021 quarter, with Auckland activity rising considerably as a consequence.

Annually, the economy looks to have expanded 2.6%, despite the limitations on the labour market in more recent times, higher inflation, and concerns for lower economic activity as

interest rates ratchet higher. Various provincial areas have recorded slower growth in the September quarter, driven by their stronger results a year earlier during Delta when other parts of the country were more economically constrained.

Strong September results point to solid economic foundations, but also underscore the difficulty of taming inflation in a strongly growing economy, and ahead of a likely spending crunch in 2023 as inflation-fighting efforts hit households.

Submission on the Sale and Supply of Alcohol (Community Participation) Amendment Bill

As noted in the December report, the Sale and Supply of Alcohol (Community Participation) Amendment Bill was introduced to the House on 7 December 2022. The Bill aims to improve communities' ability to influence alcohol regulation by making targeted changes to the alcohol licensing process provided for in the Sale and Supply of Alcohol Act 2012. The Government's media release announcing the introduction of the Bill can be found here: https://www.beehive.govt.nz/release/community-voices-amplified-fight-against-alcohol-harm?fbclid=IwAR3AwVaWFQ-EYQOpq7Y2vp_ZdXrKjs82urszz4uYFDhrMnx3ZxdoT6Pih7Q.

Key changes introduced by the Bill include:

- Removing the ability to appeal Local Alcohol Policies (LAP).
- Changes to the hearings procedures which, among other changes, will allow any person to object to an application. Currently only those with a "a greater interest than the public generally" can object.
- Enabling District Licencing Committees (DLCs) to decline an application for the renewal of an alcohol licence if the licence would be inconsistent with conditions on location or licence density in the relevant LAP (i.e. if a licence was first granted before a LAP was in place).

Submissions on the Bill are open until 12 February 2023. Taituarā - Local Government Professionals Aotearoa have submitted on the Bill. Taituarā strongly support the recommendations in the Bill, in particular removing the ability to appeal a LAP, and requiring applications to renew a licence to align with the relevant LAP.

Taituarā also recommended some additional changes to the Bill, such as including Te Tiriti as a fundamental consideration for decision-makers, making it a requirement for applicants to apply in good faith, for all DLC members to be trained via a nationally approved provider, and a wider review of the licensing process.

We have written to Taituarā in support of their submission. We agree with Taituarā that the ability for councils to control proliferation of licensed premises has been difficult for some councils due to the problems with the appeal process. In developing LAPs some councils have endured lengthy and expensive court processes. Auckland, Hamilton, Wellington and Christchurch have not yet been successful in putting LAPs in place. Of the five years it took to develop the Wairarapa Local Alcohol Policy, approximately two were spent mediating appeals by two supermarket chains. When Councils approve a LAP it has already been through a consultative hearing process and submissions considered. As noted in Taituarā's draft submission, councils do not have other similarly significant policies open to court

appeals, except for matters of judicial review. The proposed legislation will bring the decision-making process into alignment with other decisions that councils make for their communities.

Rather than writing a detailed standalone submission to the Justice Select Committee, we have provided a brief submission noting our support for Taituarā's draft submission.

Pou Ahurea Māori Activity

Wairarapa Treaty Settlements

All Wairarapa historical Treaty Settlements of Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa have reached their respective completion. The official Crown apologies for Ngāti Kahungunu ki Wairarapa will be held on Saturday 25 March 2023, with the likely venue being here in Masterton. The apology for Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa (Joint Redress) is yet to be confirmed.

The Pou Ahurea Māori will draft a report on the Wairarapa Treaty Settlements to understand how these settlements will impact Council.

Regional Work

The Pou Ahurea Māori and other Iwi/Māori Territorial Authority (TA) officers have met in the last month to discuss and develop engagement strategies to support Iwi/Māori engagement for all Council regional work e.g. Wellington Region Waste Management and Minimisation Plan Review, Wellington Region Climate Change Risk Impact Assessment, to be coordinated and delivered by/through the Iwi/Māori TA officers.

Managing the intricate engagement environment with six to eight iwi, depending on the workstream, can be difficult and has proved to be challenging for external contractors with no existing relationships. It has been causing delays with projects which impacts timeframes and resourcing.

The strategy developed will be based on iwi regions and will be run by the Iwi/Māori TA officers within the iwi boundaries. Our Pou Ahurea Māori will work with the SWDC Pou Ahurea Māori and GWRC Wairarapa Senior Advisors to deliver engagement on behalf of the regional workstream.

Wairarapa Combined District Plan Review – Iwi/Māori Engagement

It has been agreed that our Pou Ahurea Māori will continue to support the work on the Māori Purposes Zone, and the SWDC Pou Ahurea Māori will pick up the Sites of Significance work, while continuing to stay in contact to provide support and advice. The Pou Ahurea Māori will be working with Boffa Miskel, Planners, Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa in the designing of the provisions for the Wairarapa Combined District Plan Review.

Wairarapa Māori Climate Change Conference – May/June 2023

At the Climate Change Risk Assessment Engagement Hui held at Pāpāwai Pā in September last year, the major outcome of this hui was to hold a Wairarapa Māori Climate Change Conference. There was a concern from mana whenua in attendance of the amount of Iwi/Māori engagement required from all Regional Growth Framework workstreams and asked for this conference to be a one-off engagement hui specifically focusing on all areas of Climate

Change for Wairarapa Māori. It is anticipated that the Waste Management and Minimisation Plan will also be covered at this conference.

Third Quarter Priorities

The Pou Ahurea Māori is required to provide advice and support across council, including individual work programme priorities. Some of this work includes:

- Bilingual Signage Policy
- Cultural Narrative
- Treaty Settlement Impact Report
- Staff Cultural Competency

Strategy and Governance Activity

District Level Updates

Easter Sunday Shop Trading Policy

Consultation with the community on the Easter Sunday Shop Trading Policy took place between 10 November 2022 and 12 December 2022. A total of 32 submissions (from 32 submitters) were received during the consultation period.

The Hearings Committee Deliberations meeting will take place on 22 February 2023. A Hearing is not required as none of the submitters indicated they wanted to speak to their submission. Following the Deliberations meeting, the Hearings Committee will make a recommendation to the 1 March 2023 Council meeting in relation to the Policy.

Sale of vacant land at Panama Village

The High Court application for the sale of the vacant land at Panama Village is currently being reviewed by Crown Law to identify any potential issues ahead of submission to the High Court. Pending no major issues being identified as part of this review, it is expected that we will be able to lodge the High Court application in late February/early March 2023.

MDC Climate Advisory Group

The call for expressions of interest for the MDC Climate Advisory Group (CAG) runs from 3 February to 24 February 2023. A selection panel (Mayor Caffell, Councillor Hullena and Councillor Tuuta) will choose six community members to join the group. The first meeting is expected to take place in mid-March 2023. The group will meet at least four times a year to provide advice to MDC on climate change issues and solutions for the Masterton District.

MDC Climate Change Activator Role

Council has been successful in obtaining external government funding to employ a full-time Climate Change Activator for three years to support our Senior Policy Advisor, Climate Change and Environment to implement Council's Corporate Carbon Emissions Reduction Plan, and the Masterton District Climate Action Plan. Council currently has a Senior Policy Advisor, Climate Change and Environment that is responsible for leading our climate change work programme. Council is currently running a recruitment process for this position.

Regional Level Updates

Wairarapa Rangatahi (youth) Strategy Review

On 7 December 2022 we hosted a full day workshop with 19 rangatahi from across the region. The workshop tested the initial draft eight priorities for the Strategy we had developed in response to the wider rangatahi feedback and engagement results. The workshop was positive, and we were heartened by the responses from rangatahi. Further work is underway to refine the priority areas and descriptions, and drafting of the Strategy is underway.

Preparation is underway to take an update with key elements of the Strategy to the Wairarapa Policy Working Group in late February 2023.

Wairarapa Smoke and Vapefree Policy

The draft revised Wairarapa Smoke and Vapefree Policy and further proposed amendments in response to the community survey feedback received and will be tested with the Wairarapa Policy Working Group in late February before it progresses to Council for approval. We are preparing advice and information for the Group in advance of the workshop.

Wairarapa Policy Working Group Terms of Reference

A Wairarapa Policy Working Group (WPWG) Terms of Reference has been developed for this triennium. Ahead of WPWG meetings commencing in February-March 2023, each of the three Wairarapa District Councils will consider, with a view to agreeing on the Terms of Reference.

Revoking of the Wairarapa Consolidated Bylaw 2019, Part 11: Speed

Work has been undertaken to seek a decision from the three Wairarapa District Councils to revoke the Wairarapa Consolidated Bylaw 2019, Part 11: Speed and its corresponding Speed Bylaw Schedules. This report is included in this meeting agenda.

Wairarapa Economic Development Strategy Implementation

The first WEDS meeting of the triennium took place on 12 December 2022. Topics covered included the Wairarapa Workforce Strategy, Dark Skies initiatives, and a presentation from JNL on their proposed water resilience project. We are working with Carterton District Council, South Wairarapa District Council and WellingtonNZ to commence the roll out of reporting arrangements and implementation of the three-year WEDS funding agreement.

Wellington Region Community Carbon Footprint Update

AECOM has been contracted to produce/update community scale greenhouse gas (GHG) inventories for the entire Wellington Region and for each of the eight territorial authorities for 2018-19, 2019-20, 2020-21 and 2021-22 financial years.

Review of the Wairarapa Class 4 Gambling and Standalone TAB Venues Policy

The three Wairarapa District Councils share a Wairarapa Class 4 Gambling and Standalone TAB Venues Policy (the Policy).

The purpose of the Policy is to:

- a) minimise the harm to the community caused by gambling
- b) have regard to the social impacts of gambling in the Wairarapa region, including the cumulative effect of additional opportunities for gambling in the district
- c) control Class 4 gambling in the Wairarapa region, and
- d) ensure that Council and their communities have influence over the provision of new Class 4 gambling and standalone TAB venues in the Wairarapa region.

The last review of the Policy was completed in 2019 and it is now due for its next review. We have circulated a high-level project scope and timeline of key deliverables to officers at Carterton and South Wairarapa district councils. We will develop a more detailed project plan for the review once we have officer agreement to the scope and timeframes.

Wellington Regional Growth Framework Work Programme

- **Regional Climate Change Impact Assessment (CCIA):** The CCIA project has resumed after a pause late last year to work out better ways to engage with mana whenua groups across the greater Wellington Region. There will be several workshops held in February/March 2023 looking into different types of climate change risks and impacts for the region. The project is part of the Wellington Regional Growth Framework.
- **Regional Emissions Reduction Strategy:** The Regional Emissions Reduction Strategy project began in late 2022 and aims to create a strategic approach to transition the Wellington Region towards low emissions living. It will be developed and delivered by a range of stakeholders including industry leaders and local/regional/central government. The Strategy will be underpinned by a plan to reduce emissions that builds on work already undertaken by councils, iwi and others on their own carbon footprints, and will focus on regional emissions (i.e. wider than what councils individually can achieve). The project is part of the Wellington Regional Growth Framework.

Community Facilities and Activities

Grants

Round two of the Masterton District Creative Communities Scheme closed on 26 November 2022, with four applications received requesting \$11,325 in total funding. The Assessment Committee met on 8 December and allocated \$10,000 amongst those applications. Round three is now open and will close on 26 February 2023.

Library and Archive Activity

Following a successful Whakawatea by Mike Kawana, the Wairarapa Archive relocated to its new location in December and reopened to the public on 16 January 2023. It is the first time in two years that the staff and collection are housed together. We are in talks with a local artist, Kawana Rongonui to provide a commissioned piece of art that will be housed in the Wairarapa Archive.

In December we launched our all-ages Summer Reading Programme and hosted daily activities during December and January, with the most successful being our performers Deano Yipadee and Zappo the Magician. On 28 January, over 150 people attended the Summer Reading Programme finale.

Following on from our Sustainable September events, in December we hosted “A Very Merry Library” where over 25 attendees dressed in their most festive wear, made their own ugly Christmas jumpers, learned the art of furoshiki and sustainable gift wrapping, and made their own Christmas crackers.

The library and archive were closed over the Christmas holiday which provided staff a well-earned break that allowed them to focus on their families and their wellbeing after a very mentally draining year.

Over the last few months, we have received feedback about our programming and staff and have included one below about the STEM programme we run every school term:

Our son Johnny, 8, recently attended the School of Awesome with Paul Greville at Masterton District Library. It was a fantastic opportunity for Johnny to be creative, inventive, use his brain and learn some practical skills in a supportive and encouraging environment. We love that the library provides this interactive, positive and uplifting activity for kids. Keep up the amazing work team and to the funders, please keep supporting such great initiatives. Well done team!

Properties and Facilities Activity

Panama Village

On 18 January 2023 exploratory site work commenced at Panama Village as part of the planned car-park expansion on the west side of the complex. Soil and compaction testing has been completed to help prepare the specifications and design work. Once this has been prepared, the tender process can commence. This work will increase the proportion of carparks available for residents and enable better parking options for District Health and other support agencies who frequently visit.

The historic freestanding garage that forms part of the Panama Village Homestead tenancy suffered fire damage on the morning of 28 December 2022. This was caused by a lithium polymer rechargeable battery stored inside failing and igniting. An insurance claim has been lodged to assess the level of repairs required. An initial building assessment has established that the structure has stood up well. The insurance assessor is organising contractors to complete repairs.

Trust House Recreation Centre

Unlawful after-hours access to the Trust House Recreation Centre grounds in early January 2023 has led to damage occurring to the roof panels above the rear children’s pool. Whilst assessing what was required to complete roof repairs, the roof support beams were identified as showing signs of deterioration. The rear children’s pool has been closed as a precaution,

whilst a structural engineers report is being completed to assess whether it is safe to re-open this area.

Douglas Villa Football Club

Consultation with the Club continues, as work to complete earthquake strengthening, bathroom accessibility and fire rating is progressed to ensure the building complies with its BWOFF (Building Warrant of Fitness) Schedule. Design of a structurally engineered access ramp is complete, with the design plan out for tender, whilst the building consent is sought.

Queen Elizabeth Park Sports Club

Consultation with the amalgamated club representatives continues, the earthquake strengthening plan for the building has been settled with the Club. The tender process has been completed, with a local building contractor assigned the work. The work is planned to occur during the Winter off-season period. Fire safety requirements have also been identified which will be completed during the strengthening work.

Parks and Open Spaces Activity

The wet weather experienced through Spring and into Summer has added extra pressure in the parks and open spaces domain, with conditions extending the 'spring flush' growth period and making ground conditions difficult to operate on and maintain. The contractor's ability to maintain berms was heavily impacted as result of the December/January weather however is now well advanced in catching up.

Work has started on Phase Two of the Riverside Cemetery upgrade project. Removal of an untidy Macrocarpa hedge will enable extension of the RSA section. There will be more removal of old raised gardens to increase the lawn areas and the planting of about 40 more specimen trees. Boundary gardens will be prepared for the planting of low growing native plants. Planting will be completed this winter.

A large Redwood tree was taken down within Queen Elizabeth Park on 27 January after an arborist recommendation outlined it could not be saved. Removal of the tree went smoothly, with good collaboration and communication between all involved and those temporarily affected by the work.

A very large gum tree was removed from within the Renall Street Reserve. Being situated next to the railway corridor, the work required approval and supervision of Kiwi Rail of the safety management plan. This has added complexity and created delays for the arborist.

Cyclone HALE had an impact on the Motūwaireka Stream bank, at Northern Reserve, Riversdale Beach. Up to four metres of bank has been eroded into the Reserve in places, initially preventing the Surf Lifesaving Club from gaining access to Riversdale Beach. This area of the stream boundary is being monitored; a safety barrier has been organised to keep public clear of any undermined edges, and warning signage is being organised. Consultation with Greater Wellington Regional Council is continuing, whilst options to reduce risk of further erosion are explored.

The Lansdowne Mountain Bike Park, which opened in early December 2022, experienced a land slip onto one of the bike tracks in mid-January 2023. The recreation trail walkway above the slip has been screened off with safety fencing but remains stable underfoot. A contractor will assess how best to resolve the earth that has covered the bike track. Re-planting of the exposed slope will occur when conditions are appropriate.

Consultation between our Community Development Team, the Parks Team, and community interest groups has begun to coordinate planning for activities that will promote our park spaces over 'Parks Week' which occurs between 4 and 12 March 2023.

Hood Aerodrome Activity

February is a very busy month for Hood Aerodrome as preparations for Wings over Wairarapa ramp up. There will be another practice weekend for Vintage Aviators from 17 – 19 February. Wings over Wairarapa is scheduled for 24 – 26 February 2023.

The week after Wings, Hood Aerodrome will host the NZ Aerobatics Championships, which are being held between 27 February and 5 March 2023.

Weather has impacted on the mowing schedule at Hood, with wet grounds making conditions difficult to cut grass. The conditions have also exacerbated the grass growth rate, which doubles the impact for where things should be for this time of year. One benefit is that it has helped with the grass regeneration around the Fuel Stand.

Greater Wellington Regional Council have begun their work of researching the Wairarapa Aquifer layers. A launch was held at Hood Aerodrome to commence the work on 31 January 2023, providing the opportunity to hear about the work and see the resources they will deploy to complete the scanning.

Community Development Activity

Work has continued with the community-led Te Hapori Skatepark group. A Kaitiaki has been hired to supervise the park during the Summer school holidays. Portable toilets were provided for the park and will remain until after the Waitangi weekend public holiday. The community barbeque has been installed and a covered gazebo is planned to arrive in the future.

The Riversdale Beach Community Plan is currently in the community engagement phase after completing the project set-up and information collection stage. Local residents, stakeholders, and school students will have the opportunity to participate through workshops, surveys, and school engagement. However, engagement with the Nippers programme at the Surf Life Saving Club was postponed due to recent weather events. The project will move into sense-making and analyses in the Autumn after sufficient data is collected.

The Refugee Resettlement Steering Group is finalising its terms of reference for 2023 and a session to discuss reflections, aspirations, and goals is planned for the next month.

We are creating an Events Guidebook with information for event organisers, including vendors, community contacts, and past event delivery. The guidebook will be a live document updated by the team, aimed at improving documentation processes, providing business continuity, and ensuring efficient event delivery.

During the months of January to April 2023, there will be a heightened emphasis on providing support to event organisers in the development of their Event Waste Management plans. This is due to the requirement for event organisers with over 1000 attendees to submit these plans to the local council at least 30 days before the event.

The Neighbourhood Support Coordinator and Welcoming Communities Advisor joined forces with the Trust House Recreation Centre to launch the "Refugee Women Only Swim and Water Safety Project," funded by Neighbourhood Support New Zealand. The project was initiated after a survey was sent to interested refugee women, which resulted in an overwhelming response. As a result, an accelerated program was offered over the January 2023 summer holidays, starting on January 16th and ending on January 31st, with 10 women and 15 children participating. Additionally, the Wellington Free Ambulance will be providing CPR training for all families involved in the programme.

The Welcoming Communities Advisor is progressing towards the first stage of the Welcoming Communities Accreditation. An introductory workshop on the Welcoming Communities program will soon be presented to the Council.






The Positive Ageing Strategy Coordinator and Nuku Ora are bringing the Senior Regional Games to Wairarapa for the first time on 30 March 2023. The games provide older adults with light exercise, socializing opportunities, and information about community activities. The coordinator is also supporting the Aging with Attitude Expo 2023 on 17 March 2023, hosted by Age Concern Wairarapa. They will have a display table at the event and the purpose is to inform and bring together older persons, highlight their value, and aid in future planning.

Local Government Official Information and Meetings Act Requests

For the period 9 December 2022 to 31 January 2023, Council received a total of 13 Local Government Official Information Act (LGOIMA) requests.

The average number of days to complete responses has decreased while the volume of requests has increased slightly (due to the longer reporting period). The remaining requests are due later in the month and one request’s timeframe has been extended. Statutory timeframes are extended over the Christmas break take into account summer holidays from 20 December to 10 January, and the Christmas Day, New Year’s Day, Wellington Anniversary and Waitangi Day statutory holidays.

The media requests have been quiet for this reporting period.

|  |  |  |  |  |
|---|---|---|--|---|
| Total requests received | Completed | Average days for completion | Completed within statutory timeframe | NOT completed within statutory timeframe |
| 13 | 8 | 8 | 8 | 1 |
| 24 (media) | 24 | 1 | 24 | 0 |

Customer Services Activity

Compliments received from November 2022 to December 2022

From November to December, we received five compliments. Four of these compliments were for Recreational Services.

One customer complimented as follows - *Great to catch up a few weeks back. Really want to thank you for your efforts to tick off lots of outstanding work at the beach to ensure our community plan starts on a good footing re the MDC relationship.*

Another customer - *Congratulations to the people involved in helping QE Park continually improve and for the excellent work at Riverside Cemetery. Also, I don't pass over the north roundabout bridge much these days, but I always think how lovely the median strip planting is.*

One was from a Panama Village resident, *Mayor and Councillors: Lorna wants to "convey a really big thank you" to the mayor and the councillors for their visit yesterday and the presents. She really loves it up there and appreciates the effort the mayor and councillors put into their visits.*

Complaints received from November 2022 to December 2022

Nil received from November to December 2022.

Service Requests

From November to December, we initiated 896 service requests. Of these 830 were completed and closed. Many of these service requests referred to Dog Control with 228 and City Care with 119, closely followed by 107 Health Department enquiries. The remaining service requests were spread out across the various departments.

8.2 MAYOR'S REPORT

File Number:

Author: Gary Caffell, Mayor

PURPOSE

The Mayor will provide a verbal report.

RECOMMENDATION

That Council receives the verbal report from the Mayor

ATTACHMENTS

Nil

9 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATIONS

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

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

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---|---|---|
| <p>9.1 - Public Excluded Minutes of Council Meeting held on 14 December 2022</p> | <p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p> |