



Notice of Meeting

A meeting of the Strategy, Growth and Planning Committee will be held in the Council Chamber, 26 Gordon Street, Dannevirke on **Tuesday 13 February 2024** commencing at **9:30am**.

Bryan Nicholson
Chief Executive

Agenda

1. Welcome and Meeting Opening

2. Apologies

3. Public Forum

A period of up to 30 minutes shall be set aside for a public forum. Each speaker during the public forum section of a meeting may speak for up to five minutes.

Standing Orders may be suspended on a vote of three-quarters of those present to extend the period of public participation or the period any speaker is allowed to speak.

With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. If permitted by the Chairperson, questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

4. Notification of Items Not on the Agenda

Major items not on the agenda may be dealt with at this meeting if so resolved by the Council and the chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the Council may be discussed if the Chairperson explains at the beginning of the meeting, at

a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

5.	Declarations of Conflicts of Interest in Relation to this Meeting's Items of Business	
6.	Confirmation of Minutes	3
	<i>Recommendation</i>	
	<i>That the minutes of the Strategy, Growth and Planning Committee meeting held on 7 November 2023 (as circulated) be confirmed as true and accurate record of the meeting.</i>	
7.	Reports	
7.1	Policy and Bylaw Update	7
7.2	2024 Consultation Items	15
7.3	Management Report	21
7.4	Draft Urban Growth Strategy	25
7.5	District Plan Review Update	27
7.6	Draft Bylaws Review and Consultation - Keeping of Animals Bylaw 2024, Alcohol Bylaw 2024, Public Places Bylaw 2024 and Cemeteries Bylaw 2024.	31
7.7	District Strategy Alignment to Council Activities	127
8.	Items not on the Agenda Accepted in Accordance with the Procedure Outlined as per Agenda Item 4	
9.	Closure	



Minutes of a meeting of the Strategy, Growth and Planning Committee held in the Council Chamber, 26 Gordon Street, Dannevirke on Tuesday 7 November 2023 commencing at 9:30am.

1. Present

Councillor S M Wards (Chairperson), Her Worship the Mayor - Mrs T H Collis, Crs N L Chase, A K Franklin, S M Gilmore, P A Johns, M F Long, K A Sutherland, and S A Wallace

In Attendance

Mr D Batley	- Evergreen Consulting
Mr R Suppiah	- Group Manager – Corporate and Regulatory
Mrs A Small	- Group Manager – Strategy and Community Wellbeing
Mr H Featonby	- Group Manager – Infrastructure
Mr K van der Oord	- Communications Team Manager
Mrs A Charmley	- Team Leader Planning Services
Ms G Nock	- Strategy and Corporate Planning Manager
Ms F Chase	- Mayors Taskforce for Jobs Coordinator
Ms A Rule	- Policy and Planning Advisor
Mr M Thomas	- Strategic Policy Advisor
Mrs A Dunn	- Manager – Democracy Services

Councillor A K Franklin joined the meeting at 9:31am.

2. Welcome and Meeting Opening

The Chairperson opened the meeting with introductions of everyone present for the meeting.

3. Apologies

That the apologies from Cr E L Peeti-Webber be accepted and leave of absence granted for the meeting.

Collis/Gilmore

Carried

Councillor M F Long joined the meeting at 9:33am.

4. Public Forum

There were no requests for public forum.

5. Notification of Items Not on the Agenda

Nil

6. Declarations of Conflicts of Interest in Relation to this Meeting's Items of Business

Nil

7. Confirmation of Minutes

- 7.1 *That the minutes of the Strategy, Growth and Planning Committee meeting held 10 October 2023 (as circulated) be confirmed as a true and accurate record of the meeting.*

Johns/Sutherland

Carried

8. Reports

8.1 Management Report

The Strategy, Growth and Planning Committee considered the report of the Group Manager – Strategy and Community Wellbeing dated 23 October 2023 that provided an update on key activities and items of interest since the last meeting of the committee.

Art, Culture and Heritage Strategy

The Strategy, Growth and Planning Committee provided feedback on next steps that could be taken with regard to the draft Art, Culture and Heritage Strategy. Options discussed were to either disregard the previous draft Strategy and develop a completely new Strategy, or to take parts of the existing draft Strategy as a basis for further community discussions to commence through the Long-term Plan process.

That the Strategy, Growth and Planning Committee receive the draft Arts Strategy and consider the further background information to the draft Strategy and further consider the strategy through the Long-term Plan process.

Gilmore/Johns

Carried

2024 Consultation Items

The committee noted with concern the programme of work that needed to be completed over the coming year, and asked that a report be provided on consultation sequencing, with a clear plan to ensure any potential consultation overload was minimised.

That the report from the Group Manager - Strategy & Community Wellbeing dated 23 October 2023 concerning the Management Report be received.

Wallace/Collis

Carried

8.2 Tararua District Council, District Strategy - Thriving Together 2050

The Strategy, Growth and Planning Committee considered the report of the Group Manager – Strategy and Community Wellbeing dated 23 October 2023 that presented the Tararua District Council’s District Strategy – Thriving Together 2050 – for adoption.

In speaking to the item, Group Manager – Strategy and Community Wellbeing noted that some minor amendments were required to correct some typographical errors, and a photo in the credits had been missed, and would now be included.

It was also asked that on page 27, the words “aspirations and hopes” be replaced with “aspirations” as the wording was a duplication.

It was noted that a printed copy of the final strategy would be provided to each elected member for reference.

That the report from the Group Manager - Strategy & Community Wellbeing dated 23 October 2023 concerning the Tararua District Council, District Strategy - Thriving Together 2050 be received.

That the Strategy, Growth and Planning Committee adopt the Tararua District Council, District Strategy – Thriving Together 2050.

Collis/Johns

Carried

The meeting adjourned at 10:30am and reconvened at 10:45am.

The Chairperson noted a change to the order of business, to take the item regarding the Proposed Growth Strategy Update as the next item of business.

7.3 Proposed Growth Strategy Update

The Strategy, Growth and Planning Committee considered the report of the Team Leader Planning Services dated 25 October 2023 that provided an update on

progress with the proposed Growth Strategy.

Dan Batley, of Evergreen Consulting, and Aimee Charmley, Team Leader Planning Services, addressed the committee, noting the delays due to flood modelling work needing to be completed. However, they expected to have a draft ready for adoption in December with consultation to follow.

That the report from the Team Leader Planning Services dated 25 October 2023 concerning the Proposed Growth Strategy Update be received.

Wallace/Chase

Carried

10.4 **Section 17A Reviews**

The Strategy, Growth and Planning Committee considered the report of the Strategy and Policy Adviser dated 24 October 2023 that presented the outcomes of the section 17A service review process for adoption.

That the report from the Strategy and Policy Adviser dated 24 October 2023 concerning the S17A Reviews be received.

That the Strategy, Growth and Planning Committee notes that the majority of activities do not require a s17A review as set out in the summary table in 7.4 below and agrees that the only activities that require a full s17A review are Swimming Pools and Camping Grounds.

That the Strategy, Growth and Planning Committee approves that these two reviews will be deferred to the 2024/25 year due to staff time pressures and the 2023-34 Long-Term Plan process.

Long/Franklin

Carried

13. **Items not on the Agenda**

Nil

There being no further business the Chairperson thanked those present for their attendance and contributions, and declared the meeting closed at 11:31am.

Chairperson



Report

Date : 8 February 2024

To : Chairperson and Committee Members
Strategy, Growth and Planning Committee

From : Angela Rule
Policy and Planning Advisor

Subject : **Policy and Bylaw Update**

Item No : **7.1**

1. Recommendation

- 1.1 *That the report from the Policy and Planning Advisor dated 30 January 2024 concerning the Policy and Bylaw Update be received.*

2. Reason for the Report

- 2.1 Regular update on programme of work on policies and bylaws.

3. Background

- 3.1 As previously reported, the policy and bylaw review framework seeks to systematically schedule policy and bylaw reviews across the respective committee meetings dates, following which they can be adopted at a full Council meeting.
- 3.2 The spreadsheet (attached) has been updated to reflect the 2024 committee meeting dates and highlight when respective policies and bylaws will be cycled through committees for review and feedback.
- 3.3 Whilst this committee has oversight of the entire work programme, only specific policies and most bylaws will be reviewed through this committee due to the distribution across committees being based on their respective terms of references.

4. Status of Policies and Bylaws

4.1 The status of policies and bylaws received by this committee is shown in the following table.

Policy Name	Commenced date	Review frequency	Status at time of reporting
Class 4 Gambling and Racing Board Venue	29/06/2022	3 yearly	Current
Dangerous and Insanitary Buildings Policy	30/08/2017	5 yearly	Scheduled in bylaws review programme
Enforcement	March 2022	3 yearly	Current
CCTV	Draft		
Dog Control Policy	25/05/2022	5 yearly	Current
Litter Infringement Policy	30/03/2022	5 yearly	Current
Alcohol Bylaw	17/12/2018	5 yrs	Presented to SGP 13/2/24
Cemeteries Bylaw	5/11/2018	5 yrs	Presented to SGP 13/2/24
Dog Control Bylaw	1/05/2022	10 yrs	Scheduled in bylaws review programme
Public Places Bylaw	5/11/2018	5 yrs	Presented to SGP 13/2/24
The Keeping of Animals, Cats, Poultry and	5/11/2018	5 yrs	Presented to SGP 13/2/24
Administration Bylaw	5/11/2018	5yrs	Being replaced by bylaws in review programme

5. Policies scheduled for other committees

- 5.1 Leasing of Council Land and Domains/Recreation Reserves/Halls will be reported to the Community Wellbeing and Development Committee in May.
- 5.2 Updates on the development of the Security and Procurement policies will be reported to Audit and Risk Committee in March, alongside the initiation of a policy around unreasonable/unsafe customer behaviour and complaints.
- 5.3 A new Asset Disposal Policy will be reported to the Finance and Performance Committee in May. Other policies in the list for this committee are managed through the Long-Term Plan process, with a review expected to take place after June 2024 to understand how that process has worked.
- 5.4 No policies or bylaws are scheduled for the Infrastructure, Climate Change and Emergency Management committee yet this year.

6. First Tranche of Bylaws

- 6.1 Alcohol, Cemeteries, Public Places, and The Keeping of Animals, Cats, Poultry and Bees bylaws are in the first tranche of the bylaw reviews.
- 6.2 Refer to Regulatory Services Manager's report.

Attachments

- 1 [!\[\]\(443c9fc9e5d024b2fe4fcd35d048eb03_img.jpg\)](#). Community Development Wellbeing - Policy and Bylaw Development and ~ 2024
- 2 [!\[\]\(6bb22390ce4435b369cf23610e068eb9_img.jpg\)](#). Audit and Risk - Policy and Bylaw Development and ~ 2024
- 3 [!\[\]\(e956d33122da2846ef15b2c614cb889e_img.jpg\)](#). Finance and Performance - Policy and Bylaw Development and ~ 2024

Committee	Policy Name	Purpose	Commenced (date)	Review frequency	Adopted by Council	23-Jan	13-Feb	21-Feb	5-Mar	19-Mar	20-Mar	2-Apr	17-Apr	7-May	15-May	22-May	4-Jun	19-Jun			Policy Sponsor
Community Wellbeing and Development	Freedom Camping Policy	Council allows limited freedom camping by self-contained motor caravans on all Council land except for prohibited areas. Legislation changed in 2022. Potentially need a bylaw. Being investigated.	1/03/2006	3 yearly	Yes																GM Strategy and Community Wellbeing
	Koha	New																			
	Leasing of Council Land	To be reviewed post PAR Strategy.			Yes									X							GM Strategy and Community Wellbeing
	Domains/Recreation Reserves/Halls	About boards and committees, not what council does with such properties. Will be superceded by current proposal to develop Reserve Management Plans.	10/11/1993		Yes									X							GM Strategy and Community Wellbeing
	Smokefree	New																			

Committee	Policy Name	Purpose	Commenced (date)	Review frequency	Adopted by Council	23-Jan	13-Feb	20-Feb	5-Mar	19-Mar	20-Mar	2-Apr	17-Apr	7-May	15-May	22-May	4-Jun	19-Jun			Policy Sponsor
Audit and Risk	Conflicts of Interest	To state Council's position and guidelines on conflicts of interest for employees.	Sept 2022	3 yearly	No																GM Corporate/Regulatory
	Delegations	The purpose of the Delegations Policy is to define and authorise the scope of: - The division between governance and management activities. - Council's delegations of governance activities to Council Committees and Community Boards. - Council delegations of management activities to the Chief Executive. - The Chief Executive's delegations to Council Officers, including the Executive Leadership Team (Group Managers).	1/05/2022	Triennium	Yes																GM Corporate/Regulatory
	Fraud and Corruption	To provide pathways for prevention, detection and response to fraud and corruption at Council.	Sept 2022	3 yearly	No																GM Corporate/Regulatory
	Health and Safety	Council is committed to providing and maintaining a working environment where employees, visitors, contractors, and members of the public are protected against harm to their health, safety, and welfare from hazards and risks arising from work carried out as part of its operations or undertakings as far as is reasonably practicable.	Nov 2022	2 yearly	No																GM People and Capabiltiy
	ICT Acceptable Use Policy	To ensure that all computer systems (software, hardware, and networks) owned or managed by Council are operated in an effective, safe, and lawful manner. This protects the user, Council, and our data and information.	Sept 2022	2 yearly from 2022	No																GM Corporate/Regulatory
	Information Management Policy	To document requirements relating to the creation and management of information at Council. The term information management encompasses both records and information management.	1/05/2023	2 yearly	No																GM Corporate/Regulatory
	Security - Information Management Policy	New. In draft July 2023.								X											
	Privacy (Information Services)	To ensure that employees, contractors, consultants, secondees, volunteers, and elected members of Council are aware of their obligations and how to comply with the Privacy Act 2020.	Oct 2022	2 yearly from 2022	Yes																GM Corporate/Regulatory
	Procurement Policy	Contains the high level statements of the principles and values that guide procurement decisions for Council in regards to planning, sourcing, and managing procurement.	May 2018		Yes					X											GM Corporate/Regulatory
	Protected Disclosures Policy and Guidelines	To describe Council's responsibilities based on the Protected Disclosures (Protection of Whistleblowers) Act 2022.	Sept 2022	3 yearly	Yes																GM People and Capabiltiy
	Sensitive Expenditure Policy and Guidelines	To provide Council staff with a clear framework for identifying, reviewing, approving and managing sensitive expenditure, and addressing any potential conflicts of interest or impropriety that may arise. Specifically; •Explains what types of expenditures are and are not allowed •Outlines a clear approval procedure •Sets spending limits/boundaries where practicable	Nov 2021	2 yearly	Yes																GM Corporate/Regulatory
	Unreasonable Customer Behaviour and Complaints	New.								X											

Committee	Policy Name	Purpose	Commenced (date)	Review frequency	Adopted by Council	23-Jan		21-Feb								22-May					Policy Sponsor
Finance and Performance	Asset Disposal Policy	New. In draft July 2023.														X					GM Corporate/Regulatory
	Development Contributions (LTP)	The Resource Management Act 1991 requires the Council to manage the effects of subdivision and development in a manner that promotes the sustainable management of the districts natural and physical resources. Contributions from subdividers and developers provide a means of offsetting, avoiding, remedying, or mitigating the adverse effects of such activities.	LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Financial Contributions (LTP)	Financial contributions (whether cash, land, works or services) may be required from developers where the cost of providing or upgrading the public infrastructure or utility service can be attributed to a development.	LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Rating Policy (LTP)		LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Rates Remissions Policy (LTP)		LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Rates Remission on Freehold Māori Land (LTP)	15.1The objectives of this policy is to provide rates relief to Maori Freehold land to recognise, support and take account of: <ul style="list-style-type: none">• The use of the land by the owners for traditional purposes;• The relationship of Maori and their culture and traditions with their ancestral lands;• Avoiding further alienation of Maori freehold land;• Facilitating any wish of the owners to develop the land for economic use;• The presence of Wahi Tapu (sacred place, sacred site – a place subject to long-term ritual restrictions on access or use, e.g. a burial ground, a battle site or a place where tapu objects were placed) that may affect the use of the land for other purposes;• The importance of the land in providing economic and infrastructure support for marae and associated papakainga housing (whether on the land or elsewhere)• The importance of the land for community goals relating to:<ul style="list-style-type: none">-The preservation of the natural character of the coastal environment;-The protection of outstanding natural features; and-The protection of significant indigenous vegetation and significant habitants of indigenous fauna.• Matters related to the legal, physical and practical accessibility of the land;• Land that is in and will continue to be in a natural and undeveloped state.	LTP2021-31	3 yearly	Yes															GM Corporate/Regulatory	
	Revenue and Financing (LTP)	How the Council funds each activity it is involved in and why.	LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Significance and Engagement (LTP)	Sets out what decisions or matters the Council and the community consider particularly important, how the Council will go about assessing the importance of matters, and how and when the community can expect to be consulted on both. Covers financial reserves.	LTP2021-31	3 yearly	Yes																GM Corporate/Regulatory
	Treasury and Risk Management, including Liability Management and Investment Policies (LTP)	Outlines approved policies and procedures in respect of all treasury activity to be undertaken by Council.	27/05/2020	3 yearly	Yes																GM Corporate/Regulatory



Report

Date : 8 February 2024

To : Chairperson and Committee Members
Strategy, Growth and Planning Committee

From : Angela Rule
Policy and Planning Advisor

Subject : **2024 Consultation Items**

Item No : **7.2**

1. Recommendation

- 1.1 *That the report from the Policy and Planning Advisor dated 31 January 2024 concerning the 2024 Consultation Items be received.*

2. Reason for the Report

- 2.1 This report seeks to update the committee on the various upcoming engagement and consultation items across Council and Tararua Alliance projects.

3. Background

- 3.1 Elected members have expressed concerned at the number of items being consulted on either simultaneously or within short timeframes of each other, and the potential consultation overload this may have on our communities.
- 3.2 The various Council Committees oversee different projects. This report intends to consolidate information across Council and Tararua Alliance so elected members can see all engagement and consultation periods in a concise format.
- 3.3 Engagements and consultations that are not scheduled at the time of reporting to this committee but have been completed by the next meeting date will be shown in the schedule retrospectively. Elected members will be aware of upcoming engagement/consultation through project reporting to appropriate committees.
- 3.4 Section 83A of the Local Government Act 2002 – “Combined or concurrent consultation”, allows a local authority to run concurrent consultations under the special consultative procedure (S83) or another enactment. Meaning that,

sometimes we may run concurrent consultations using the special consultative procedure.

- 3.5 It may be economical to consult on two or more items at one time. The timing of various projects may mean concurrent consultations may be unavoidable. It is preferable that consultations or engagements with our communities are individually presented for ease of understanding.
- 3.6 At the request of the previous term of elected members staff have been purposefully increasing its communications to keep our communities informed.
- 3.7 Engagement and consultation preparation and execution are resource heavy, taking up to two months alongside normal communications business prior to public contact.
- 3.8 The schedule does not show the various other matters for which Council communicates with its communities, such as the below examples, as they are generally intermittent, urgent, or as required.
- the Dannevirke Impounded Water Supply and other water supplies,
 - promoting public events like the A&P show and cyclone recovery events,
 - roading and weather updates.

4. Update

- 4.1 See attached schedule for all planned engagement and consultation with our communities. It demonstrates when the public will experience consultation from Council. It does not show the inhouse work before and after a consultation period.
- 4.2 Tararua Alliance projects are yet to be added to the schedule.

5. Managing volume of consultation

5.1 The Long Term Plan

- 5.1.1 The Long-Term Plan consultation is a large piece of work with the consultation document containing a lot of information for the public to take in and is resource heavy.
- 5.1.2 The WMMP informs the Solid Waste activity in the Long-Term Plan, so it is appropriate to consult on this alongside the Long-Term Plan. This will be branded in the same way as the Long-Term Plan.

5.2 Bylaws review programme

- 5.2.1 Consultation for the first tranche of the bylaws review is scheduled for July to give staff and elected members time to prepare and execute the

Long-Term Plan consultation and adopt (between now and end June). This is still close as we will be promoting the new Long-Term Plan, however we want to advance the bylaws reviews.

5.2.2 The tranche 2 bylaws will be consulted on as early as possible in the 2025 calendar year.

5.2.3 Tranche 3 of the bylaws are all new bylaws and are not under the same time pressure as the first two tranches, however it is planned to complete them in late 2025. This tranche will require engagement before drafts are written, then consultation.

5.2.4 The branding for the bylaw reviews will differ sufficiently from the Long-Term plan for the sake of clarity for the public.

5.3 **Local Government Act section 17A reviews**

5.3.1 The S17A review (combined) and Development Contributions Policy consultations will be run simultaneously in September and will be branded differently to each other to ensure clarity for the public.

Attachments

1 [!\[\]\(898a81de9c4aff71234b2158571b7213_img.jpg\)](#). Attachment to report D24/3478 (Title: Consultation Schedule 2024-25)

Month	Jan	Feb	Mar	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	Jun-25
Week beginning																		
ENGAGEMENT/CONSULTATION:																		
District Plan																		
Growth Strategy																		
Long Term Plan (Consultation Document and draft Long Term Plan document)																		
Consultation Items																		
Panatua Swimming Pool																		
Rates Review - Differential Roading Rates																		
Rates Review - Remove school wastewater charges and non-contiguous remissions																		
Inform Items																		
NLTP - request for higher 3-year funding																		
Waka Kotahi F&T rate - from 69% to 73%.																		
Vehicle entranceways																		
Changes to Revenue and Financing Policy, Rating Policy, Remissions Policy																		
Community buildings and facilities rationalisation																		
District Plan/Growth Strategy/Urban Design																		
Better Off Funding Projects																		
Three Waters																		
Dannevirke Impounded Supply																		
S17A Review - Solid Waste and WMMP																		
S17A Review - Camping Grounds																		
S17A Review - Swimming Pools																		
Feedback Items																		
Significance and Engagement Policy																		
Strategic Framework																		
Items We're Working On																		
Integration of Council services																		
Transfer stations																		
Rationalisation of Council owned land and properties																		
Reverting sealed roads to un-sealed																		
Reducing insurance on specific Council assets																		
Housing Management Plan																		
Birch North Forest																		
WMMP																		
Annual Plan 2025-26																		
Bylaws Tranche 1																		
Bylaws Tranche 2																		
Bylaws Tranche 3																		
S17A - Solid Waste																		
S17A - Camping Grounds																		
S17A - Swimming Pools																		
Development Contributions Policy																		

Confirmed consultation

Confirmed hearings date/s

Estimated consultation period and hearings

Dates TBC

Estimated consultation timing

Estimated consultation timing

Estimated consultation timing

Estimated consultation timing

Estimated consultation timing

Estimated consultation timing

Estimated consultation timing

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Report

Date : 8 February 2024
To : Chairperson and Committee Members
Strategy, Growth and Planning Committee
From : Adele Small
Group Manager - Strategy & Community Wellbeing
Subject : **Management Report**
Item No : **7.3**

1. Recommendation

- 1.1 *That the report from the Group Manager - Strategy & Community Wellbeing dated 15 January 2024 concerning the Management Report be received.*

2. Reason for the Report

- 2.1 This report is to update the Strategy, Growth and Planning Committee on key activities and items of interest since the last meeting.

3. District Strategy

- 3.1 Following the adoption of the District Strategy in 2023, extensive work is being undertaken to ensure effective implementation of the strategy across Council. The District Strategy proposes an ambitious outlook for the Tararua District for the ensuing 30-year period, therefore aligning all activities engaged in by Council to the strategy will support achievement of the specified goals.
- 3.2 As the District Strategy discusses the importance of measurement of performance and progress, a framework for monitoring and reporting is being developed that will ensure Council can effectively assess activities and performance over time. It is expected that this will support key decision making to be based on gaps in activity as well as success in meeting desired outcomes.

- 3.3 This work is being led by our Strategy and Corporate Planning Manager and is described in further detail in the 'District Strategy alignment to Council activities' report included with this agenda.

4. Draft Urban Growth Strategy

- 4.1 A tremendous amount of work has gone into the development of the Draft Urban Growth Strategy. Following the adoption for consultation purposes by Council on 20th December 2023, consultation has now commenced with the public to seek their feedback on the strategy and the re-zoning recommendations.
- 4.2 The strategy intends to establish clear, effective direction for the management of projected residential, commercial and industrial growth within the Tararua District over the next 30 years and has been developed to help us understand our growth requirements, outline the challenges faced with increased housing demand, and provide recommendations for how we can meet these demands efficiently and effectively.
- 4.3 Information further describing consultation dates and venues is outlined in the 'Draft Urban Growth Strategy' report from the Team Leader Planning Services.

5. Policy and Bylaw reviews

- 5.1 Work continues on the policy and bylaw review framework to support a systematic review schedule for Council policies and bylaws. The framework has been updated to reflect the new committee dates and any progress with the updating of the respective policies and bylaws set for review. These will be cycled through their respective committees at their scheduled meetings dates.
- 5.2 The Strategy, Growth and Planning Committee has a greater number of bylaws aligned than policies, and as the aligned few policies remain current, there are none that have required review by the committee to date.
- 5.3 Extensive work has gone into preparing the Alcohol, Cemeteries, Public Places, and Keeping of Animals, Cats, Poultry and Bees bylaws, which are the first tranche to be reviewed by the committee today.

6. Tararua District Reserve Management Plan

- 6.1 Work is progressing with the draft Omnibus Reserve Management Plan (RMP) being developed for the Tararua District.
- 6.2 The Plan will be comprehensive and split into two chapters, capturing all the Tararua District Reserves administered by the Council. One chapter will provide general reserve policies and the second chapter will outline specific information and policies on individual reserves agreed upon.
- 6.3 The draft RMP is expected to be discussed with Council at the March meeting.

Attachments

Nil.



Report

Date : 5 February 2024

To : Chairperson and Committee Members
Strategy, Growth and Planning Committee

From : Aimee Charmley
Team Leader Planning Services

Subject : **Draft Urban Growth Strategy**

Item No : **7.4**

1. Recommendation

- 1.1 *That the report from the Team Leader Planning Services dated 05 February 2024 concerning the Draft Urban Growth Strategy be received.*

2. Draft Urban Growth Strategy & Public Consultation

2.1

The Draft Urban Growth Strategy was adopted by Council for consultation purposes on 20th December 2023.

The Council is consulting with the public to provide feedback on this document and the rezoning recommendations from 5th February 2024 to 4pm on 5th March 2024.

We have sent out over 900 letters to affected landowners on 26th January 2024. The landowners have been identified because the growth strategy includes a recommendation relating to rezoning their property to provide for future growth. This letter notifies them of the upcoming community consultation on the draft strategy.

TDC website contains all associated information with respect to the Draft Urban Growth Strategy at the following link:

<https://www.tararua.govt.nz/districtgrowthstrategyfeedback>

The website contains the strategy document, FAQ's, Submission form and online 'Have Your Say' submission form.

We recognise and appreciate that there is a large demographic within our community that does not use the internet and therefore hard copies of the document can be viewed at our Service Centres and Public libraries.

Questions? Clarification? More information? Please call Council on 06 374 4080 and let our team know you wish to speak to someone regarding the Draft Urban Growth Strategy 2024-2054.

TDC will also be hosting feedback sessions at each town centre – please feel free to drop in and share your views or ask questions at the following events:

Dannevirke Library, 1 Station Street, Dannevirke– Thursday 15th February 2024 – 5.00pm - 7.00pm

Eketāhuna Library, 31 Main Street, Eketāhuna – Tuesday 20th February 2024 – 5.00pm - 7.00pm

Pahiatua Service Centre, 136 Main Street, Pahiatua – Wednesday 21st February 2024 – 5.00pm - 7.00pm

Tararua iSite Visitor Information Centre, 45 Vogel Street, Woodville – Thursday 22nd February 2024 – 5.00pm – 7.00pm

We look forward to engaging with the community on this and receiving their feedback.

Attachments

Nil.



Report

Date : 2 February 2024
To : Chairperson and Committee Members
Strategy, Growth and Planning Committee
From : Aimee Charmley
Team Leader Planning Services
Subject : **District Plan Review Update**
Item No : **7.5**

1. Recommendation

- 1.1 ***That the report from the Team Leader Planning Services dated 02 February 2024 concerning the District Plan Review Update be received.***

2. District Plan Review Update

- 2.1 Current efforts on the District Plan Review have been focused on two main pieces of work. The first of these is the creation of the new District Plan template in line with the National Planning Standards format. Part of this work stream, is also the drafting of individual sections of the Plan for review and input from the wider technical team. The second major piece of work underway, is undertaking optioneering and feasibility studies for each of the new growth areas with regard to the provision of infrastructure to service the growth levels referred to in the Draft Growth Strategy. Each of these bodies of work is covered in more detail below.

2.2 Drafting

The National Planning Standards (NPS) establish a standardised 'look and feel' and format for any new District Plans. This has meant that essentially a brand-new template is needed to be drafted for the new Plan as the difference between the old Plan and the new standards differ quite substantially. Following on from this, current work has been to transfer the basis of the old plan into the new the Plan

format that includes all the necessary requirements prescribed by the NPS. This has now been completed and we are currently focused on expanding individual sections of the new plan to a first draft stage to enable review and further input from the wider technical team. One of the first sections of focus is the Transportation section. This includes drafting the section structure, from introduction, resource management issues, objectives and policies down to the standards that are to apply to new development. Once the first draft is completed, this will then be circulated with Council's transportation team/experts for comment and input to ensure all necessary points and matters are covered off within the section. This process will be followed for all sections of the new plan. Now that we have completed the Draft Growth Strategy, we can now turn our minds towards developing a policy framework to manage growth and development through the Residential sections of the District Plan. This is now also underway.

2.3 Infrastructure

The National Policy Statement for Urban Development sets out a clear directive for ensuring that new land for growth is required to be able to be feasibly supplied by 3 waters infrastructure. Extensive work is underway currently to understand the extent, condition and constraints of the current 3 waters network for Tararua. This has been completed and is now being transferred across to inform how our new growth areas are to be serviced to support future growth. With our technical team, we are currently scoping out a technical report to support the District Plan Review and section 32 analysis. This report will address the current infrastructure picture, work that is currently planned to these networks (i.e. upgrades and renewals), and then unpacking each of the growth areas to provide a plan for how each area is to be serviced moving forward. This includes a specific analysis for each township including optioneering, constraint identification and indicative costings for future infrastructure investment. This work will support the section 32 analysis that sits behind the Plan Change, demonstrating that feasible solutions exist to service growth over the 2024-2054 timeline.

2.4 Conclusion

2.5 These two workstreams are the major two underway at present, however, smaller pieces are also underway focusing on engineering standards, designations, mana whenua section amongst other things. All efforts are working towards, and focused on, a full draft District Plan by the start of May to present to Council. This work remains on track for this timeline.

Attachments

Nil.



Report

Date : 8 February 2024

To : Chairperson and Committee Members
Strategy, Growth and Planning Committee

From : James Single
Regulatory Services Manager

Subject : **Draft Bylaws Review and Consultation - Keeping of Animals Bylaw 2024, Alcohol Bylaw 2024, Public Places Bylaw 2024 and Cemeteries Bylaw 2024.**

Item No : **7.6**

1. Recommendation

- 1.1 *That the report from the Regulatory Services Manager dated 26 January 2024 concerning the Draft Bylaws Review and Consultation - Keeping of Animals Bylaw 2024, Alcohol Bylaw 2024, Public Places Bylaw 2024 and Cemeteries Bylaw 2024. be received.*
- 1.2 *That the Committee determines, pursuant to s155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing perceived problems identified for the keeping of animals in Tararua district, alcohol compliance, issues in public places and in Tararua District Council cemeteries.*
- 1.3 *That the Committee approves the combined Statement of Proposal and the Tararua District Council's draft Keeping of Animals Bylaw 2024, for public consultation in accordance with s83 and s86 of the Local Government Act 2002.*
- 1.4 *That the Committee approves the combined Statement of Proposal and the Tararua District Council's draft Alcohol Bylaw 2024, for public consultation in accordance with s83 and s86 of the Local Government Act 2002.*
- 1.5 *That the Committee approves the combined Statement of Proposal and the Tararua District Council's draft Public Places Bylaw 2024, for public consultation in accordance with s83 and s86 of the Local Government Act 2002.*
- 1.6 *That the Committee approves the combined Statement of Proposal and the Tararua District Council's draft Cemeteries Bylaw 2024, for public consultation in accordance with s83 and s86 of the Local Government Act 2002.*
- 1.7 *That the Committee agrees that the Chief Executive be delegated the power to approve any minor amendments to the draft bylaws or statements of proposal that he considers appropriate, prior to consultation starting.*

Executive Summary

This report seeks approval to publicly notify the draft Tararua District Council Keeping of Animals Bylaw, Alcohol Bylaw, Public Places Bylaw and Cemeteries Bylaw. These bylaws will replace the current Keeping of Animals, Cats, Poultry and Bees Bylaw 2018, Alcohol Bylaw 2018, Public Places Bylaw 2018 and Cemeteries Bylaw 2018 that expired in November and December of 2023. These drafts largely continue the current Bylaws, with some amendments and improvements.

The key changes to the Keeping of Animals Bylaw are:

- Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding a requirement (clause 5.2) that animals are confined within the boundaries of the property where they are usually kept (excluding cats and bees).
- Adding hive limits based on property area for urban areas and hive set-back and location requirements.
- Amending the current limit of 3 cats per household where an officer acting on a complaint believes the number of cats is offensive to a requirement that no more than 3 cats are kept on a premises (urban or rural) except with approval from Council (with exceptions for vets, charities such as the SPCA and catteries).
- Requiring every cat aged over 6 months to be microchipped and desexed.
- Simplifying the requirements for keeping pigs in an urban area (where approval from Council continues to be required).
- Regulating (prohibiting) the keeping, in an urban area, of roosters, ganders, peacocks, stallions, bulls, rams and un-neutered male goats.
- Requiring people to refrain from taking any action towards feral animals so as to cause them to be a nuisance; and requiring abatement from the nuisance caused by feral animals.
- Ensuring persons can apply for permits/approvals from Council to keep animals and providing a mechanism for such permits to be reviewed.

The key changes to the Alcohol Bylaw are:

- Using the term 'alcohol' instead of liquor.
- Placing the exclusion (for unopened bottles or containers) into an explanatory note, as it is explicitly provided for in section 147 of the LGA.
- Using the term 'Alcohol Ban Area' instead of 'Designated Public Place', to make the meaning and purpose of such areas more easily understood.
- Creating the ability for persons to apply to Council for a consent for any activity that would otherwise be in breach of the bylaw; and the ability for Council to issue a consent with conditions for such activities.
- Simplifying the powers of arrest, search and seizure provisions in the bylaw by reference to the powers available to the Police under the LGA (and the requirements on the Police under the LGA when exercising such enforcement powers), noting that bylaw copies legislation provisions.

The key changes to the Public Places Bylaw are:

- Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding the term 'micromobility device' to be a catch-all phrase for bicycles, skateboards, scooters and any other small, lightweight vehicles (and removing single definitions for bicycles and skateboards).
- Amalgamating all prohibited activities into one clause (clause 6) for ease of reference.
- Amalgamating all activities which require approval into one clause (clause 7) for ease of reference.
- Adding the following prohibitions in public places: (clause 6)
 - Do anything to cause or allow a nuisance to occur.
 - Obstruct, disturb or interfere with any other person in their access, use or enjoyment of that public place.
 - Litter or cause a nuisance by depositing leaflets, fliers, samples or other promotional material.
- Placing the restrictions on freedom camping and stock control into separate schedules (for the reasons outlined in the introduction section above).
- Changing the term 'exposing articles for sale' to 'retail display on footpaths' (clause 14) for clarity and ease of use.
- Adding a requirement for retail displays that the operator keeps the display clean and tidy at all time (clause 14.2(f)).
- Adding a requirement for awnings, blinds, umbrellas, sandwich boards and tables that they must be maintained to a good standard at all times (clause 15.1(g)).
- Adding requirements for alfresco dining on footpaths (clause 16).
- Simplifying the requirements on mobile traders and hawkers (currently in the Trading in Public Places Bylaw) into one clause which covers all selling and trading of goods and services in public places (clause 17).
- Adding a requirement that event organisers of events in public places should obtain permission (with exceptions for small scale events etc) (clause 20).
- Placing the process for obtaining approvals; reviews of approvals; what happens when there is non-compliance; and enforcement matters into the bylaw (most of which is currently found in the Administrative Bylaw).

The key changes to the Cemeteries Bylaw are:

- Additional terms are added into the interpretation section, noting that these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding (at clause 5) the ability for Council to set aside specific areas within cemeteries for specific uses (including for example, services sections, lawn cemeteries etc).
- Adding (at clause 14) the ability to set aside areas within cemeteries for specific burial types, such as natural burials (noting that the response from consultation may determine if this provision is desired or warranted).
- Adding the ability for Council to set aside specific areas within cemeteries for Grave Decorations (clause 12), as is becoming more common in other parts of New Zealand.
- Using the terms “inter” or “interment” instead of “burial,” as “inter” is the more commonly used industry practice. For the purpose of the draft bylaw, a “burial” is a type of interment, so interment is a broader, more inclusive term.
- Further detail and explanation around the sale of plots.
- Further detail around the installation and maintenance of monuments and grave structures (including who is responsible for the ongoing maintenance of such structures and the costs of that).
- Further details around burial warrants, including when they must be applied for; that a request to fill in the grave by the family can be made; and that requests for a plot for two body interments can be made.
- Clarifying where (in cemeteries) scattering of ashes is permitted.
- Further detail on disinterment, including the requirement for a disinterment warrant.
- Adding exclusive rights of burial, which mirror the provisions of the Burial and Cremations Act 1964, with the aim being for burial regulations to be more easily accessible and understood.

Section 155(1) of the Local Government Act 2002 (LGA 2002) requires that before making a bylaw, Council determine whether a bylaw is the most appropriate way of addressing perceived problems. The section 155(1) assessments for the Keeping of Animals, Alcohol, Public Places and Cemeteries Bylaws are attached to this report. Determinations in relation to section 155(2) of LGA 2002 matters are included in this report and the statements of proposal.

Providing Council passes a resolution in relation to s155(1) of LGA 2002, approval is sought to publicly notify the draft statements of proposal and bylaws attached as annexes A,B,C,D,E,F,G and H.

The proposed public consultation period is from 1 May to 3 June 2024. A Hearing for those who wish to present their submission to Council in person will be scheduled for mid-June

2024. Deliberations on submissions will be scheduled for early July 2024 and adoption of the new bylaws is scheduled for late July 2024.

2. Reason for the Report

- 2.1 This report relates to the review and replacement of the following Tararua District Council 2018 Bylaws, Keeping of Animals, Cats, Poultry and Bees, Alcohol, Public Places and Cemeteries.
- 2.2 This report includes determinations under section 155(1) of LGA 2002 that a bylaw is the most appropriate way of addressing the perceived problems identified for the keeping of animals, alcohol compliance, public places and cemeteries in Tararua district.
- 2.3 This report also includes the statements of proposal and draft Keeping of Animals, Alcohol, Public Places and Cemeteries bylaws for public feedback.

3. Background

- 3.1 Most of Tararua District Council's (TDC) bylaws expired at the end of 2023. Consequentially, the bylaws are being reviewed over the year in a series of tranches to enable consultation between long term plan requirements.
- 3.2 All TDC bylaws continue to have legal effect until they are automatically revoked under section 160A of LGA 2002, in November and December 2025 (unless reviewed prior).
- 3.3 Council proposes to review and renew the expired bylaws. The statement of proposal and draft bylaws for public consultation are attached as annexes A,B,C,D,E,F,G and H, to this report.
- 3.4 Council is also required by the Act to determine whether, in accordance with s155(1), a bylaw is the most appropriate way of addressing the perceived problems, The s155 assessments for each of the draft bylaws are included within the statement of proposals, attached as annex A,B,C,D.
- 3.5 The draft bylaws largely continue the current bylaws, with some amendments and improvements. The key changes to the bylaws are described in clause 7 of this report.

4. Determining the need for a Bylaw

- 4.1 According to s155(1) of LGA 2002, Council must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problems. If Council determines that a bylaw is the most appropriate way of addressing the perceived problems, it must, before making the bylaw, determine whether the proposed bylaw is the most appropriate form of bylaw; and whether the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

4.2 **S155(1) assessment for Council’s Keeping of Animals Bylaw 2024**

4.3 As outlined in the Statement of Proposal, outlining the s155(1) assessment for the draft Keeping of Animals Bylaw 2024, a bylaw is considered to be the most appropriate way of addressing the perceived problems in relation to animal keeping.

1 S155(1) assessment for Council’s Alcohol Bylaw 2024

4.4 As outlined in the Statement of Proposal, outlining the s155(1) assessment for the draft Alcohol Bylaw 2024, a bylaw is considered to be the most appropriate way of addressing the perceived problems in relation to alcohol compliance.

2 S155(1) assessment for Council’s Public Places Bylaw 2024

4.5 As outlined in the Statement of Proposal, outlining the s155(1) assessment for the draft Public Places Bylaw 2024, a bylaw is considered to be the most appropriate way of addressing the perceived problems in relation to public places.

3 S155(1) assessment for Council’s Cemeteries Bylaw 2024

4.6 As outlined in the Statement of Proposal, outlining the s155(1) assessment for the draft Cemeteries Bylaw 2024, a bylaw is considered to be the most appropriate way of addressing the perceived problems in relation to cemeteries.

5. Determining the Appropriate Form of the Bylaw

5.1 Section 155(2)(a) of LGA 2002 requires that before adopting a bylaw, Council determine whether the proposed bylaw is *the most appropriate form of the bylaw*.

5.2 The draft bylaws are both considered to be the most appropriate form of the bylaw. External legal advisors have reviewed the draft bylaws to help ensure this is the case.

5.3 Bylaws are consistent with all relevant legislation and are sufficiently clear and certain so that those who are subject to the bylaws understand their effect.

6. Preliminary assessment of whether the draft bylaws give rise to any implications under the New Zealand Bill of Rights 1990

6.1 Section 155(2)(b) of LGA 2002 requires that before adopting a bylaw, Council determine whether the proposed bylaw will give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA).

6.2 The NZBORA sets out specific rights and freedoms which are protected by legislation. The NZBORA states that the rights and freedoms covered by the Act, *may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society*.

- 6.3 It is not expected that the draft Keeping of Animals, Alcohol, Public Places or Cemeteries Bylaws to address perceived problems identified, would give rise to any implications under the NZBORA.

7. Key Changes to Draft Bylaws

7.1 Keeping of Animals Bylaw 2024

- 7.2 Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- 7.3 Adding a requirement (clause 5.2) that animals are confined within the boundaries of the property where they are usually kept (excluding cats and bees).
- 7.4 Adding hive limits based on property area for urban areas and hive set-back and location requirements.
- 7.5 Amending the current limit of 3 cats per household where an officer acting on a complaint believes the number of cats is offensive to a requirement that no more than 3 cats are kept on a premises (urban or rural) except with approval from Council (with exceptions for vets, charities such as the SPCA and catteries).
- 7.6 Requiring every cat aged over 6 months to be microchipped and desexed.
- 7.7 Simplifying the requirements for keeping pigs in an urban area (where approval from Council continues to be required).
- 7.8 Regulating (prohibiting) the keeping, in an urban area, of roosters, ganders, peacocks, stallions, bulls, rams and un-neutered male goats.
- 7.9 Requiring people to refrain from taking any action towards feral animals so as to cause them to be a nuisance; and requiring abatement from the nuisance caused by feral animals.
- 7.10 Ensuring persons can apply for permits/approvals from Council to keep animals and providing a mechanism for such permits to be reviewed.
- 7.11 **Alcohol Bylaw 2024**
- 7.12 Using the term 'alcohol' instead of liquor.
- 7.13 Placing the exclusion (for unopened bottles or containers) into an explanatory note, as it is explicitly provided for in section 147 of the LGA.
- 7.14 Using the term 'Alcohol Ban Area' instead of 'Designated Public Place', to make the meaning and purpose of such areas more easily understood.

- 7.15 Creating the ability for persons to apply to Council for a consent for any activity that would otherwise be in breach of the bylaw; and the ability for Council to issue a consent with conditions for such activities.
- 7.16 Simplifying the powers of arrest, search and seizure provisions in the bylaw by reference to the powers available to the Police under the LGA (and the requirements on the Police under the LGA when exercising such enforcement powers), noting that bylaw copies legislation provisions.
- 7.17 **Public Places Bylaw 2024**
- 7.18 Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- 7.19 Adding the term 'micromobility device' to be a catch-all phrase for bicycles, skateboards, scooters and any other small, lightweight vehicles (and removing single definitions for bicycles and skateboards).
- 7.20 Amalgamating all prohibited activities into one clause (clause 6) for ease of reference.
- 7.21 Amalgamating all activities which require approval into one clause (clause 7) for ease of reference.
- 7.22 Adding the following prohibitions in public places: (clause 6)
- 7.23 Do anything to cause or allow a nuisance to occur.
- 7.24 Obstruct, disturb or interfere with any other person in their access, use or enjoyment of that public place.
- 7.25 Litter or cause a nuisance by depositing leaflets, fliers, samples or other promotional material.
- 7.26 Placing the restrictions on freedom camping and stock control into separate schedules (for the reasons outlined in the introduction section above).
- 7.27 Changing the term 'exposing articles for sale' to 'retail display on footpaths' (clause 14) for clarity and ease of use.
- 7.28 Adding a requirement for retail displays that the operator keeps the display clean and tidy at all time (clause 14.2(f)).
- 7.29 Adding a requirement for awnings, blinds, umbrellas, sandwich boards and tables that they must be maintained to a good standard at all times (clause 15.1(g)).
- 7.30 Adding requirements for alfresco dining on footpaths (clause 16).

- 7.31 Simplifying the requirements on mobile traders and hawkers (currently in the Trading in Public Places Bylaw) into one clause which covers all selling and trading of goods and services in public places (clause 17).
- 7.32 Adding a requirement that event organisers of events in public places should obtain permission (with exceptions for small scale events etc) (clause 20).
- 7.33 Placing the process for obtaining approvals; reviews of approvals; what happens when there is non-compliance; and enforcement matters into the bylaw (most of which is currently found in the Administrative Bylaw).
- 7.34 **Cemeteries Bylaw 2024**
- 7.35 Additional terms are added into the interpretation section, noting that these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- 7.36 Adding (at clause 5) the ability for Council to set aside specific areas within cemeteries for specific uses (including for example, services sections, lawn cemeteries etc).
- 7.37 Adding (at clause 14) the ability to set aside areas within cemeteries for specific burial types, such as natural burials (noting that the response from consultation may determine if this provision is desired or warranted).
- 7.38 Adding the ability for Council to set aside specific areas within cemeteries for Grave Decorations (clause 12), as is becoming more common in other parts of New Zealand.
- 7.39 Using the terms “inter” or “interment” instead of “burial,” as “inter” is the more commonly used industry practice. For the purpose of the draft bylaw, a “burial” is a type of interment, so interment is a broader, more inclusive term.
- 7.40 Further detail and explanation around the sale of plots.
- 7.41 Further detail around the installation and maintenance of monuments and grave structures (including who is responsible for the ongoing maintenance of such structures and the costs of that).
- 7.42 Further details around burial warrants, including when they must be applied for; that a request to fill in the grave by the family can be made; and that requests for a plot for two body interments can be made.
- 7.43 Clarifying where (in cemeteries) scattering of ashes is permitted.
- 7.44 Further detail on disinterment, including the requirement for a disinterment warrant.

- 7.45 Adding exclusive rights of burial, which mirror the provisions of the Burial and Cremations Act 1964, with the aim being for burial regulations to be more easily accessible and understood.

8. Significance Assessment

- 8.1 The immediate decision before the Council, about whether to commence consultation on the draft bylaws, is not itself a significant decision. However, the decisions that will follow such consultation (such as whether to adopt the new bylaws) will be significant under the Council's Significance and Engagement Policy. Consistent with this, the LGA 2002 generally requires the Council to consult before making, amending or revoking a bylaw.
- 8.2 Section 156(1)(a) of LGA 2002 requires Council to use the special consultative procedure when making, amending or revoking a bylaw made under this Act, if:
- The bylaw concerns a matter identified in the local authority's Significance and Engagement Policy as being of significant interest to the public; or
 - The local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw.
- 8.3 The new Keeping of Animals, Alcohol, Public Places and Cemeteries Bylaws discussed in this report are considered to be of significant interest to the public on the basis of criteria outlined in TDC's Significance and Engagement Policy.
- 8.4 The reviewed bylaws in this report will affect anyone who keeps animals, (*other than dogs, as requirements for dogs are contained under the TDC Dog Control Bylaw*), where alcohol may be consumed, rules pertaining to public places and rules for TDC cemeteries.

9. Consultation

- 9.1 Consultation is required by s156(1)(a) of the LGA 2002, the Significance and Engagement Policy is automatically triggered.
- 9.2 The level of engagement recommended for this issue is: Consult (using the special consultative procedure as required by s156(1)(a) of the LGA 2002).
- 9.3 Council will fulfil the requirements of s82 and 83 of the Act by doing the following:
- Publishing a public notice relating to consultation on the draft bylaws, including information on where to access the statements of proposals and how to provide feedback;
 - Make copies of the draft bylaws, the statements of proposals and submission forms available on Council's website for the duration of the consultation period;

- Provide those interested with an opportunity to present their views to the Council in person at a Hearing.

10. Conclusion

- 10.1 This report relates to the review and replacement of Council's Keeping of Animals, Cats, Poultry and Bees Bylaw, Alcohol Bylaw, Public Places Bylaw and Cemeteries Bylaw. These bylaws were due to be reviewed in November and December of 2023. Council must replace these bylaws with new bylaws by November and December 2025 in order to continue regulating activities pertaining to each bylaw's respective issues.
- 10.2 The draft bylaws are largely a continuation of the current bylaws, with some amendments and improvements.
- 10.3 The recommendations at clause 1.2 of this report relates to determinations required by s155(1) of LGA 2002 at the commencement of a bylaw review. Council must first determine whether a bylaw is the most appropriate way to address the perceived problems identified for the keeping of animals, alcohol, public places and cemeteries.
- 10.4 In recommendations at clauses 1.3, 1.4, 1.5 and 1.6, Council approval is sought to publicly notify the draft Keeping of Animals Bylaw 2024, the draft Alcohol Bylaw 2024, the draft Public Places Bylaw 2024 and the draft Cemeteries Bylaw 2024. Approval is also sought to publicly notify the 4 statements of proposals that are required by section 83(1)(a)(i) of the LGA 2002 and form the basis for the consultation on the draft bylaws.
- 10.5 The recommendation at clause 1.7 of this report gives the Chief Executive the authority to approve any minor amendments to the draft bylaws or statements of proposal prior to consultation commencing.
- 10.6 The proposed consultation period is from Wednesday 1 May until Monday 3 June 2024.

Attachments

1. Statement of Proposal - Keeping of Animals Bylaw
2. Statement of Proposal - Public Places Bylaw
3. Statement of Proposal - Alcohol Bylaw
4. Statement of Proposal Cemeteries Bylaw
5. Keeping of Animals Bylaw
6. Public Places Bylaw
7. Alcohol Bylaw

8. [Cemeteries Bylaw](#)



Annex A

Draft Keeping of Animals Bylaw: Statement of Proposal

Introduction

Tararua District Council seeks your views on its draft Keeping of Animals Bylaw 2024.

The current Keeping of Animals, Cats, Poultry and Bees Bylaw was adopted in 2018 and is now due for review.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Keeping of Animals Bylaw 2024 (the 'draft bylaw')
- information about the proposed amendments, including Council's determinations under section 155 of the LGA;
- the reasons for the proposed amendments;
- how you can have your say; and
- timetable for consultation.

In summary, Council is proposing to make changes to the current Keeping of Animals, Cats, Poultry and Bees Bylaw 2018 with changes proposed to the drafting to improve clarity, consistency, structure and readability; and to reflect that Council is likely to revoke its Administration Bylaw in the future.

Council is proposing to add additional requirements regarding the keeping of cats and bees as it is seeing increased complaints regarding these animals. The proposed additional requirements are ones which other councils of similar sizes throughout New Zealand are starting to implement. The proposed requirements to microchip and de-sex cats are in line with the New Zealand National Cat Management Strategy Report (August 2020).

Council is also proposing to introduce regulations on the control of feral animals and proposing to ban certain male animals from being kept in urban areas (both due to noise, odour and health and safety issues) and provide better explanations and detail around how to apply for and obtain permits.

Dogs are controlled under a separate bylaw made under the Dog Control Act 1996.

Proposal

This statement of proposal relates to the review of the Keeping of Animals, Cats, Poultry and Bees Bylaw and is prepared in line with sections 83, 83AA and 87 of the LGA.

 TARARUA DISTRICT COUNCIL

The Council proposes that:

- (a) a new bylaw that regulates the keeping of animals so that they do not create a nuisance or endanger the health and safety of the public (the Keeping of Animals Bylaw 2024) should be made;
- (b) the Keeping of Animals, Cats, Poultry and Bees Bylaw 2018 be revoked once the Keeping of Animals Bylaw 2024 comes into force.

The key changes are summarised in this Statement of Proposal and are set out in the draft bylaw (**Attachment 1**).

Proposed Changes

The main proposed changes are summarised below (only substantive changes are listed):

- Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding a requirement (clause 5.2) that animals are confined within the boundaries of the property where they are usually kept (excluding cats and bees).
- Adding hive limits based on property area for urban areas and hive set-back and location requirements.
- Amending the current limit of 3 cats per household where an officer acting on a complaint believes the number of cats is offensive to a requirement that no more than 3 cats are kept on a premises (urban or rural) except with approval from Council (with exceptions for vets, charities such as the SPCA and catteries).
- Requiring every cat aged over 6 months to be microchipped and desexed.
- Simplifying the requirements for keeping pigs in an urban area (where approval from Council continues to be required).
- Regulating (prohibiting) the keeping, in an urban area, of roosters, ganders, peacocks, stallions, bulls, rams and un-neutered male goats.
- Requiring people to refrain from taking any action towards feral animals so as to cause them to be a nuisance; and requiring abatement from the nuisance caused by feral animals.
- Ensuring persons can apply for permits/approvals from Council to keep animals and providing a mechanism for such permits to be reviewed.

Reason for Proposal

Background

Council is empowered by section 145 of the LGA and section 64 of the Health Act 1956 to make bylaws regulating, licencing or prohibiting the keeping of any animals in the district or part thereof; and preventing or abating nuisances.

The draft bylaw will give the Council the ability to investigate and act on nuisance related complaints. There are separate clauses in the proposed bylaw dealing with the keeping of stock, poultry, cats, pigs and bees together with a more general clause which requires animals to be kept in a manner which does not cause a nuisance or is offensive or injurious to human health.

Legal Framework: s 155 determinations

Council must determine, pursuant to section 155 of the LGA, whether:

- A bylaw is the most appropriate way of addressing the perceived problem;
- The draft bylaw is the most appropriate form of bylaw; and
- The draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Council must also comply with the general decision-making requirements in sections 76 to 82 of the LGA in that it must identify and consider all reasonably practicable options and the community's views.

Is a bylaw the appropriate means to deal with a problem?

The purpose of the Keeping of Animals Bylaw is provide for the keeping of animals (excluding dogs) so that they do not create a nuisance or endanger the health and safety of the public.

The keeping of animals, including stock, pigs, poultry, bees and cats can give rise to a number of concerns regarding health and general nuisance impacts. In an urban context, in particular, the appropriateness of keeping animals in urban or residential areas as opposed to rural areas may cause nuisance effects such as noise, smell/odours from manure and droppings, potential for animals to escape and present a danger to traffic, cause damage or harm to people and property, and give rise to increased levels of flies and vermin.

It is accepted, however, that animals provide many benefits to their human owners such as companionship and can contribute to lifestyle choices by helping people be more self-sufficient.

While existing legislation (such as the Animal Welfare Act 1999) provides the means for animal welfare issues to be regulated, the nuisance issues and health and safety issues that can be caused to people as a result of the keeping of animals (usually in urban areas) is likely not easily or satisfactorily addressed through education or private prosecution, and therefore a bylaw provides the appropriate means of regulation.

Is the bylaw in the appropriate form?

The draft bylaw is the most appropriate form of bylaw. It places clear controls and restrictions on the keeping of animals to reduce the potential for nuisance to others; allows for exceptions and special circumstances and is consistent with Council document standards and has been written in plain English so far as possible.

The final form of the bylaw will be determined after the Council has heard and considered submissions as part of a consultation process using the special consultative procedure.

Is the bylaw consistent with the New Zealand Bill of Rights Act 1990?

The draft bylaw is designed to regulate the keeping of animals only as far as necessary to ensure they do not create a nuisance or endanger the health and safety of the public, noting that persons can apply for approval to keep animals that may otherwise be in breach of the bylaw. As its purpose is to protect and promote public safety, the draft bylaw does not unreasonably interfere with any of the rights in the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the LGA Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Consultation

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA. Council has prepared and adopted the draft bylaw for public consultation. Any person can make a submission on the draft bylaw and we invite you to have your say.

The following dates are relevant to the consultation process:

(a) Council resolved to undertake public consultation regarding the Proposal at its meeting on [DATE]

(b) Submissions open on DATE

(c) Submissions close on DATE

Submissions will be heard before Council or a sub-Committee at a time following the close of submissions, with Council considering the outcome of the consultation process and its decision at a Council meeting some time following the hearing date, and likely to be in DATE.

The key point to note is that consultation opens on DATE and closes on DATE.

You are encouraged to participate in this important consultation process.

There are several ways you can have your say. A submission form is provided with this document, or you can fill in your submission online.

How to get your submission to us:

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Email to: info@tararua.govt.nz

Deliver to: Council offices in Eketahuna, Pahiatua, Woodville or Dannevirke

Online: www.tararua.govt.nz

This Statement of Proposal is issued pursuant to section 155 of the LGA and in compliance with sections 76AA, 82, 83 and 148 of the LGA.

Bryan Nicholson
Chief Executive

Attachments:

1. Draft Keeping of Animals Bylaw 2024
2. Submission form



Annex B

Draft Public Places Bylaw: Statement of Proposal

Introduction

Tararua District Council seeks your views on its draft Public Places Bylaw 2024.

The current Public Place Bylaw and Trading in Public Places Bylaw were adopted in 2018 and are now due for review.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Public Places 2024 (the 'draft bylaw')
- information about the proposed amendments, including Council's determinations under section 155 of the LGA;
- the reasons for the proposed amendments;
- how you can have your say; and
- timetable for consultation.

In summary, Council is proposing to amalgamate the current two bylaws relating to the use of public places into a new, more succinct. It is proposing an update in wording (including for example to use the term 'micromobility device' to catch all small vehicles such as bicycles, scooters, and skateboards); and changes to make the bylaw easier to understand. The bylaw also provides a framework to grant permits/approvals.

Regulations relating to stock control (grazing) and freedom camping have been included, without change, in the schedules to the draft bylaw. The reason for this is that Council is likely to consider, at a future date, making new (separate) bylaws to specifically deal with these matters. If such bylaws are ever made (following a consultation process) then these Schedules can be removed without working through the special consultative process.

Proposal

This statement of proposal relates to the review of the Public Places Bylaw and the Trading in Public Places Bylaw and is prepared in line with sections 83, 83AA and 87 of the LGA.

The Council proposes that:

- (a) a new bylaw (the Public Places Bylaw 2024) should be made;
- (b) the Public Places Bylaw 2018 and Trading in Public Places Bylaw 2018 be revoked once the Public Places Bylaw 2024 comes into force.

TARARUA DISTRICT COUNCIL

The key changes are summarised in this Statement of Proposal and are set out in the draft bylaw (**Attachment 1**).

Proposed Changes

The main proposed changes are summarised below (only substantive changes are listed):

- Additional terms are added into the interpretation section, noting that many of these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding the term 'micromobility device' to be a catch-all phrase for bicycles, skateboards, scooters and any other small, lightweight vehicles (and removing single definitions for bicycles and skateboards).
- Amalgamating all prohibited activities into one clause (clause 6) for ease of reference.
- Amalgamating all activities which require approval into one clause (clause 7) for ease of reference.
- Adding the following prohibitions in public places: (clause 6)
 - Do anything to cause or allow a nuisance to occur.
 - Obstruct, disturb or interfere with any other person in their access, use or enjoyment of that public place.
 - Litter or cause a nuisance by depositing leaflets, fliers, samples or other promotional material.
- Placing the restrictions on freedom camping and stock control into separate schedules (for the reasons outlined in the introduction section above).
- Changing the term 'exposing articles for sale' to 'retail display on footpaths' (clause 14) for clarity and ease of use.
- Adding a requirement for retail displays that the operator keeps the display clean and tidy at all time (clause 14.2(f)).
- Adding a requirement for awnings, blinds, umbrellas, sandwich boards and tables that they must be maintained to a good standard at all times (clause 15.1(g)).
- Adding requirements for alfresco dining on footpaths (clause 16).
- Simplifying the requirements on mobile traders and hawkers (currently in the Trading in Public Places Bylaw) into one clause which covers all selling and trading of goods and services in public places (clause 17).
- Adding a requirement that event organisers of events in public places should obtain permission (with exceptions for small scale events etc) (clause 20).
- Placing the process for obtaining approvals; reviews of approvals; what happens when there is non-compliance; and enforcement matters into the bylaw (most of which is currently found in the Administrative Bylaw).

Reason for Proposal

Background

Council is empowered by section 145 of the LGA to make bylaws protecting the public from nuisance; protecting, promoting and maintaining public health and safety; and minimising the potential for offensive behaviour in public places.

The draft bylaw is intended to regulate activities in public places; protect the environment; and ensure that public places are safe and accessible.

Legal Framework: s 155 determinations

Council must determine, pursuant to section 155 of the LGA, whether:

① ARARUA DISTRICT COUNCIL

- A bylaw is the most appropriate way of addressing the perceived problem;
- The draft bylaw is the most appropriate form of bylaw; and
- The draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Council must also comply with the general decision-making requirements in sections 76 to 82 of the LGA in that it must identify and consider all reasonably practicable options and the community's views.

Is a bylaw the appropriate means to deal with a problem?

The problem needs to be defined before determining whether a bylaw is the most appropriate method of addressing the perceived problem. The purpose of this bylaw is to protect, promote and maintain health and safety and the public enjoyment of public places within the District by ensuring that public places are used in a manner that will not cause any obstruction, nuisance or damage, or endanger the public.

It is considered that a bylaw is the most appropriate way to regulate the activities that take place in public places. The purpose of the bylaw can be divided into three broad categories: safety, usability, and the environment. The bylaw prohibits/restricts a specified list of activities in order to promote amenity and safety in public places. It can also be used as a reference in signage that attempts to prohibit violation of a bylaw.

The draft bylaw provides a process for the public to inform Council when undertaking potential nuisance activities such as busking, and allows Council to manage any adverse effects arising from such events.

Is the bylaw in the appropriate form?

The draft bylaw is the most appropriate form of bylaw. It places clear controls and restrictions on the use of public places to reduce the potential for nuisance or harm to others; allows for exceptions and special circumstances and is consistent with Council document standards and has been written in plain English so far as possible.

The final form of the bylaw will be determined after the Council has heard and considered submissions as part of a consultation process using the special consultative procedure.

Is the bylaw consistent with the New Zealand Bill of Rights Act 1990?

The draft bylaw is designed to regulate activities in public places only as far as necessary to ensure they do not create a nuisance or endanger the health and safety of the public. The other issues covered in the draft bylaw permit certain activities to occur (events, busking, trading), provided that certain conditions are met to ensure that these activities do not cause a nuisance to other members of the community. As its purpose is to protect and promote public safety, it does not unreasonably interfere with any of the rights in the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the LGA Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Consultation

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA. Council has prepared and adopted the draft bylaw for public consultation. Any person can make a submission on the draft bylaw and we invite you to have your say.

The following dates are relevant to the consultation process:

(a) Council resolved to undertake public consultation regarding the Proposal at its meeting on [DATE]

(b) Submissions open on DATE

(c) Submissions close on DATE

Submissions will be heard before Council or a sub-Committee at a time following the close of submissions, with Council considering the outcome of the consultation process and its decision at a Council meeting some time following the hearing date, and likely to be in DATE.

The key point to note is that consultation opens on DATE and closes on DATE.

You are encouraged to participate in this important consultation process.

There are several ways you can have your say. A submission form is provided with this document, or you can fill in your submission online.

How to get your submission to us:

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Online: www.tararua.govt.nz

This Statement of Proposal is issued pursuant to section 155 of the LGA and in compliance with sections 76AA, 82, 83 and 148 of the LGA.

Bryan Nicholson
Chief Executive

Attachments:

1. Draft Public Places Bylaw 2024
2. Submission form



Annex C

Draft Alcohol Bylaw: Statement of Proposal

Introduction

Tararua District Council seeks your views on its Draft Alcohol Bylaw 2024.

The current Alcohol Bylaw was adopted in 2018 and is now due for review.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Alcohol Bylaw 2024 (the 'draft bylaw')
- information about the proposed amendments, including Council's determinations under section 155 of the LGA;
- the reasons for the proposed amendments;
- how you can have your say; and
- timetable for consultation.

In summary, Council is proposing to retain the content of the current Alcohol Bylaw 2018 with changes proposed to the drafting to improve clarity, consistency, structure and readability and to reflect updated wording and phrases used in legislation; and to reflect that Council is likely to revoke its Administration Bylaw in the future.

Council is not proposing any changes to the current alcohol control (ban) areas.

Proposal

This statement of proposal relates to the review of the Alcohol Bylaw. The bylaw is prepared under sections 145, 147A and 155 of the LGA.

The Council proposes that:

- (a) a new bylaw that regulates alcohol (the Alcohol Bylaw 2024) should be made;
- (b) the Alcohol Bylaw 2018 be revoked once the Alcohol Bylaw 2024 comes into force.

The key changes are summarised in this Statement of Proposal and are set out in the draft bylaw (**Attachment 1**).

Proposed Changes

The main changes are summarised below (only substantive changes are listed):

 TARARUA DISTRICT COUNCIL

- Using the term 'alcohol' instead of liquor.
- Placing the exclusion (for unopened bottles or containers) into an explanatory note, as it is explicitly provided for in section 147 of the LGA.
- Using the term 'Alcohol Ban Area' instead of 'Designated Public Place', to make the meaning and purpose of such areas more easily understood.
- Creating the ability for persons to apply to Council for a consent for any activity that would otherwise be in breach of the bylaw; and the ability for Council to issue a consent with conditions for such activities.
- Simplifying the powers of arrest, search and seizure provisions in the bylaw by reference to the powers available to the Police under the LGA (and the requirements on the Police under the LGA when exercising such enforcement powers), noting that bylaw copies legislation provisions.

Reason for Proposal

Background

Council is empowered by sections 145, 147 and 147A-C of the LGA to make bylaws to control the consumption, bringing into and possession of alcohol in public places to reduce alcohol related harm.

A number of changes have been made to the wording and definitions found in the legislative framework for alcohol bans since the Alcohol Bylaw 2018 was made and include (for example) replacing references to the word liquor with the word alcohol.

Legal Framework

Sections 147A of the LGA requires Council to determine whether the proposed bylaw –

- Can be justified as a reasonable limitation on people's rights and freedoms; and
- A high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made (or if an alcohol ban is already operative, then Council must be satisfied that a high level of alcohol-related crime and disorder is likely to arise in the area without the bylaw being made); and
- is the most appropriate and proportionate way of addressing the perceived problem.

Council must also determine, pursuant to section 155 of the LGA, whether:

- A bylaw is the most appropriate way to of addressing the perceived problem;
- The draft bylaw is the most appropriate form of bylaw; and
- The draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Council must also comply with the general decision-making requirements in sections 76 to 82 of the LGA in that it must identify and consider all reasonably practicable options and the community's views.

Is a bylaw the appropriate means to deal with a problem?

The purpose of the Alcohol Bylaw is to enhance safety and the public enjoyment of public places within the District by providing for the control of alcohol in certain public places to reduce alcohol related harm.

The perceived problem is crime or disorder caused or made worse by the consumption of alcohol in public places.

The draft Alcohol Bylaw continues to enable Council and Police to control the possession and consumption of alcohol in certain public places to reduce alcohol related harm as opposed to having no bylaw and relying only on education and information; or relying only on general legal requirements. A bylaw also better promotes or achieves community outcomes (such as health and safety) in a more integrated and efficient manner than having no bylaw.

The draft bylaw aligns with the LGA purposes above and is consistent with the approach taken by other local authorities of a similar size and nature.

In terms of the impact of these options on the Council's capacity to meet present and future needs in relation to any statutory responsibility, it is believed that Council and the Police have the capacity and resources to monitor and enforce the proposed bylaw.

Is the bylaw in the appropriate form?

The draft bylaw focuses on specific locations (and timeframes) in the district where Council considers that a high proportion of offences committed are alcohol-related, and also a high proportion of offences are committed in public places. The draft bylaw is consistent with Council document standards and has been written in plain English so far as possible. It is therefore considered to be the most appropriate form of bylaw as it provides for greater certainty and is enforceable by the Police.

The final form of the bylaw will be determined after the Council has heard and considered submissions as part of a consultation process using the special consultative procedure.

Is the bylaw consistent with the New Zealand Bill of Rights Act 1990?

While the draft bylaw provides that people can be asked to leave public places that are subject to a permanent or temporary alcohol ban, it is considered that the restrictions are fair and reasonable in the interest of public health and safety. This draft bylaw does not restrict the movement of people who are not in possession of alcohol or those drinking alcohol in private premises. Therefore, the Alcohol Bylaw is considered to be consistent with the New Zealand Bill of Rights Act 1990 and does not raise any implications under this Act.

Following the prescribed special consultative procedure set out in section 83 of the LGA Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Does the justification for the bylaw exist as required by legislation?

Council is satisfied that there is a high level of alcohol-related crime and disorder in Dannevirke, Pahiatua, and (during the Christmas-New Year period) Akitio, and that a high level of alcohol-related crime and disorder is likely to arise in those areas if the current alcohol control areas were revoked. Council considered a range of options with respect to the timing and area that each proposed ban should apply. Council considers that the proposed alcohol bans in the specified public places are a reasonable limitation on people's rights and freedoms, and that a bylaw is an appropriate and proportionate response.

Consultation

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA. Council has prepared and adopted the draft bylaw for public consultation. Any person can make a submission on the draft bylaw and we invite you to have your say.

The following dates are relevant to the consultation process:

(a) Council resolved to undertake public consultation regarding the Proposal at its meeting on [DATE]

(b) Submissions open on DATE

(c) Submissions close on DATE

Submissions will be heard before Council or a sub-Committee at a time following the close of submissions, with Council considering the outcome of the consultation process and its decision at a Council meeting some time following the hearing date, and likely to be in DATE.

The key point to note is that consultation opens on DATE and closes on DATE.

You are encouraged to participate in this important consultation process.

There are several ways you can have your say. A submission form is provided with this document, or you can fill in your submission online.

How to get your submission to us:

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Dannevirke 4942

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Online: www.tararua.govt.nz

This Statement of Proposal is issued pursuant to section 155 of the LGA and in compliance with sections 76AA, 82, 83 and 148 of the LGA.

Bryan Nicholson
Chief Executive

Attachments:

1. Draft Alcohol Bylaw 2024
2. Submission form



Annex D

Draft Cemeteries Bylaw: Statement of Proposal

Introduction

Tararua District Council seeks your views on its draft Cemeteries Bylaw 2024.

The current Cemeteries Bylaw was adopted in 2018 and is now due for review.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Cemeteries Bylaw 2024 (the 'draft bylaw')
- information about the proposed amendments, including Council's determinations under section 155 of the LGA;
- the reasons for the proposed amendments;
- how you can have your say; and
- timetable for consultation.

In summary, Council is proposing to retain the content of the current Cemeteries Bylaw 2018 with changes proposed to the drafting to improve clarity, consistency, structure and readability; and to reflect that Council is likely to revoke its Administration Bylaw in the future. Council is proposing to add additional detail to provide clarity and consistency in the use of its cemeteries; and include the ability for Council to set aside areas of cemeteries for various purposes, allowing its cemeteries to more easily adapt to meet community needs in the future.

Proposal

This statement of proposal relates to the review of the Cemeteries Bylaw and is prepared in line with sections 83, 83AA and 87 of the LGA.

The Council proposes that:

- (a) a new bylaw that regulates the management and maintenance of cemeteries (the Cemeteries Bylaw 2024) should be made;
- (b) the Cemeteries Bylaw 2018 be revoked once the Cemeteries Bylaw 2024 comes into force.

The key changes are summarised in this Statement of Proposal and are set out in the draft bylaw (**Attachment 1**).

Proposed Changes

The main changes are summarised below (only substantive changes are listed):

- Additional terms are added into the interpretation section, noting that these terms currently sit in the Administrative Bylaw, which is likely to be repealed in the future.
- Adding (at clause 5) the ability for Council to set aside specific areas within cemeteries for specific uses (including for example, services sections, lawn cemeteries etc).
- Adding (at clause 14) the ability to set aside areas within cemeteries for specific burial types, such as natural burials (noting that the response from consultation may determine if this provision is desired or warranted).
- Adding the ability for Council to set aside specific areas within cemeteries for Grave Decorations (clause 12), as is becoming more common in other parts of New Zealand.
- Using the terms “inter” or “interment” instead of “burial,” as “inter” is the more commonly used industry practice. For the purpose of the draft bylaw, a “burial” is a type of interment, so interment is a broader, more inclusive term.
- Further detail and explanation around the sale of plots.
- Further detail around the installation and maintenance of monuments and grave structures (including who is responsible for the ongoing maintenance of such structures and the costs of that).
- Further details around burial warrants, including when they must be applied for; that a request to fill in the grave by the family can be made; and that requests for a plot for two body interments can be made.
- Clarifying where (in cemeteries) scattering of ashes is permitted.
- Further detail on disinterment, including the requirement for a disinterment warrant.
- Adding exclusive rights of burial, which mirror the provisions of the Burial and Cremations Act 1964, with the aim being for burial regulations to be more easily accessible and understood.

Reason for Proposal

Background

Council is empowered by section 145 of the LGA and the Burials and Cremations Act 1964 to make bylaws to regulate activities and set standards for Council’s cemeteries.

Legal Framework: s 155 determinations

Council must determine, pursuant to section 155 of the LGA, whether:

- A bylaw is the most appropriate way to of addressing the perceived problem;
- The draft bylaw is the most appropriate form of bylaw; and
- The draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

Council must also comply with the general decision-making requirements in sections 76 to 82 of the LGA in that it must identify and consider all reasonably practicable options and the community’s views.

Is a bylaw the appropriate means to deal with a problem?

The purpose of the Cemeteries Bylaw is to provide for the efficient management and maintenance of cemeteries under Council’s control, and meets the requirements set out for local authorities that operate cemeteries under the Burial and Cremation Act 1964.

Council has had a cemeteries bylaw in place since 2008. It is an effective tool used to regulate activities in cemeteries in the district. The draft bylaw is considered to be the most appropriate way to address issues relating to cemeteries in the district.

Is the bylaw in the appropriate form?

The draft bylaw is considered to be the most appropriate form of bylaw. It places clear controls and restrictions on activities within cemeteries and regulation around vehicle use and maintenance of tributes and monuments within cemeteries, to prevent damage or inappropriate activities within cemeteries as or when issues arise. Overall, it ensures, so far as practicable, that cemeteries within the district are kept in a clean, safe and orderly condition.

The draft bylaw provides the ability for Council to set aside areas of cemeteries for different uses and different types of burials, making it easier for cemeteries to adopt to the changing needs/requests of the community. The draft bylaw is consistent with Council document standards and has been written in plain English so far as possible.

The final form of the bylaw will be determined after the Council has heard and considered submissions as part of a consultation process using the special consultative procedure.

Is the bylaw consistent with the New Zealand Bill of Rights Act 1990?

The draft bylaw is designed to regulate, restrict, and enforce activities in cemeteries. As its purpose is to protect and promote public safety in cemeteries, it does not unreasonably interfere with any of the rights in the New Zealand Bill of Rights Act 1990. The provisions of the draft bylaw do not unreasonably interfere with any of the rights granted by the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the LGA Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Consultation

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA. Council has prepared and adopted the draft bylaw for public consultation. Any person can make a submission on the draft bylaw and we invite you to have your say.

The following dates are relevant to the consultation process:

- (a) Council resolved to undertake public consultation regarding the Proposal at its meeting on [DATE]
- (b) Submissions open on DATE
- (c) Submissions close on DATE

Submissions will be heard before Council or a sub-Committee at a time following the close of submissions, with Council considering the outcome of the consultation process and its decision at a Council meeting some time following the hearing date, and likely to be in DATE.

The key point to note is that consultation opens on DATE and closes on DATE.

You are encouraged to participate in this important consultation process.

ARARUA DISTRICT COUNCIL

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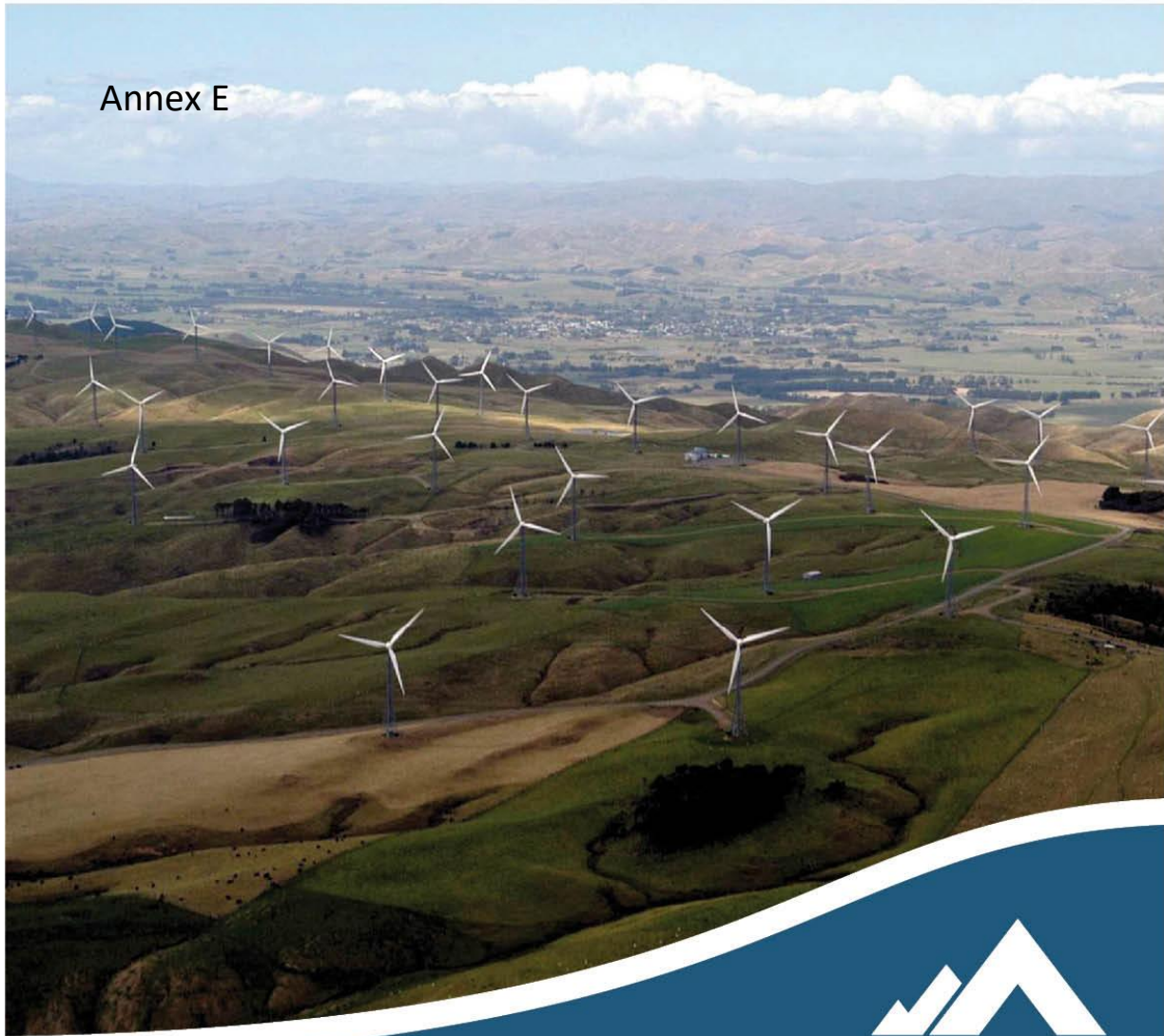
This Statement of Proposal is issued pursuant to section 155 of the LGA and in compliance with sections 76AA, 82, 83 and 148 of the LGA.

Bryan Nicholson
Chief Executive

Attachments:

1. Draft Cemeteries Bylaw 2024
2. Submission form

Annex E



Keeping of Animals Bylaw 2024



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1 Animals Bylaw

- 1.1 This Bylaw is the Tararua Animals Bylaw 2024, as reviewed from the Tararua Keeping of Animals, Cats, Poultry and Bees Bylaw 2018.
- 1.2 This Bylaw is made under section 145 of the Local Government Act 2002 and section 64 of the Health Act 1956 and any amendments.

2 Commencement

- 2.1 This Bylaw comes into force on XXXXXXXX
- 2.2 This Bylaw applies to the district of Tararua District Council.

3 Purpose

- 3.1 The purpose of this Bylaw is to provide for the keeping of animals (excluding dogs) so that they do not create a nuisance or endanger the health and safety of the public.

GUIDANCE NOTES

This Bylaw does not apply to dogs unless specifically mentioned – dogs are covered by the Tararua Dog Control Bylaw.

This Bylaw supplements other animal owner obligations which include (but are not limited to) those set out in the Animal Products Act 1999 and Animal Welfare Act 1999; any codes developed under such legislation; and in the Tararua Public Places Bylaw.

4 Interpretation

- 4.1 In this bylaw, unless context requires otherwise:

Animal means any live member of the animal kingdom (excluding dogs) that is a mammal, a bird, a reptile, an amphibian, a fish, a shellfish, an insect or invertebrate, or any other member of the animal kingdom which is declared from time to time by the Governor General, by Order in Council, to be an animal for the purposes of the Animal Welfare Act 1999.

Authorised Officer means any person appointed by the Chief Executive of the Council for the purposes of acting as an Authorised Officer under this Bylaw.

Bylaw means the Tararua Animals Bylaw 2024.

Council means the Tararua District Council or any officer authorised to exercise the authority of Council.



Dwelling means any house, tent, 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 and includes the land of the dwelling.

Enforcement Officer means a person appointed by Council to exercise the powers of an enforcement officer in relation to offences against, and infringement offences under, the Local Government Act 2002, including enforcement of the bylaws of Council.

Feral animal means an animal existing in a wild, untamed state.

Keep or Keeping means the owning, looking after, caring for, being in charge of or otherwise being in possession of any Animal (and in terms of bees, includes the possession of any hives).

Nuisance includes, but is not limited to, the meaning in section 29 of the Health Act 1956 and includes a person, animal, thing or circumstance causing unreasonable interference with the peace, comfort or convenience of another person.

GUIDANCE NOTE *circumstances that may be deemed a nuisance can include noises and odour and attraction of flies and accumulation of waste associated with keeping animals.*

Permit means an approval, licence, permit or any other form of written consent issued or granted by Council under this Bylaw.

Person means a natural person and also a body of persons, whether corporate or unincorporated.

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

Premises means any land, dwelling or building or part of the same, or enclosed space, separately occupied and all lands, buildings and places adjoining each other and occupied together are deemed to be the same premises.

Schedule of Fees and Charges means a schedule published by the Council from time to time which sets out the fees and charges associated with the doing of certain things or particular activities by Council and for which it is authorised to fix fees and charges.

Stock or Livestock means cattle, sheep, horses, deer, donkeys, mules, goats, pigs, alpacas, llamas or other animal (excluding dogs) including their young, kept in captivity, or farmed and dependent on humans for their care and sustenance.

Urban Areas means all areas that are not rural and include the towns of Dannevirke, Eketahuna, Pahiatua, and Woodville. For the purposes of the bylaws other



management areas that are not rural (for example, commercial areas) are deemed to be urban.

- 4.2 Any guidance or explanatory notes are for information purposes only. They do not form part of this Bylaw and can be made, amended, revoked or replaced by Council at any time.

GENERAL REQUIREMENTS

5 Keeping of Animals

- 5.1 Every person keeping Animals must comply with the Animal Welfare Act 1999 and its codes of welfare, as relevant.
- 5.2 Without limiting clause 5.1, every person keeping Animals must ensure that such animals:
- a. Do not cause (or be likely to cause) a nuisance;
 - b. Are kept in conditions which are not offensive or injurious to the health of any person;
 - c. Are confined within the boundaries of the property where the animal is usually kept (noting that this does not apply to cats or bees; and does not present a person from driving, leading or riding any animal).
- 5.3 Without limiting clause 5.1, every person keeping Animals must ensure that any building or structure or yard in which the Animals are kept is maintained in a clean and sanitary condition and that the noise and odour associated with the Animal(s) is as far as practicable confined within the premises concerned.
- 5.4 No person may release or abandon any Animal.
- 5.5 Council may, by written notice, require a person to take specified steps to ensure compliance with clauses 5.1 and/or 5.2 within a timeframe specified in that notice.
- 5.6 A person issued with a written notice under clause 5.5 must comply with that notice.

SPECIFIC RESTRICTIONS

6 Keeping Bees

- 6.1 No person may keep bees or cause or permit bees to be kept if they are, or are likely to become, dangerous, injurious to health or a nuisance to any person.



- 6.2 Without limiting clause 6.1, persons keeping bees must ensure that the hives are positioned so as to ensure the primary flightpath will not impinge on a dwelling or living area.
- 6.3 A person may keep bees in an urban area provided they comply with the following conditions:

- a. Hives are placed no closer than 1 metre to any boundary;
- b. Hives are placed no closer than 10 metres of a dwelling not located on the Premises;
- c. Hives are located to ensure that the bee's flight path is made to go a minimum height of 1.8 metres above the Premises boundary;
- d. The number of hives does not exceed that which is allowed for the area of the Premises as indicated in the following table:

Property Area	Maximum number of hives
500m ² to 700m ²	2
701m ² to 1000m ²	4
1001m ² to 2000m ²	6
2001m ² or greater	8

- e. Persons keeping bees in an urban area must immediately notify Council of the number of hives and location of such hives; and immediately notify Council of any changes to the same.
- 6.4 No person may keep bees in an urban area in breach of clause 6.3 except with the approval of Council.
- 6.5 Except with the approval of Council, on a premises outside of an Urban Area:
- a. No hive may be placed less than 40 metres from any boundary of a Premises;
 - b. Hives are located to ensure that the bee's flight path is made to go a minimum height of 1.8 metres above the Premises boundary.
- 6.6 Any person keeping bees must ensure that a suitable water source is provided for the bees.
- 6.7 Where Council considers that any hives will be a continuing breach this Bylaw Council may, by written notice, require the relocation or removal of a beehives.
- 6.8 A person issued with a written notice under clause 6.7 must comply with that notice.



GUIDANCE NOTE: *If you keep bees in New Zealand it is a legal requirement that you register your hive/s. See the Ministry of Primary Industries website www.mpi.govt.nz for further advice.*

7 Keeping Cats

- 7.1 Except with the approval of Council, no person may keep more than three cats on a Premises.
- 7.2 Every cat over six months old must be:
 - a. Microchipped and the cat's microchip registered with New Zealand Companion Animals Register; and
 - b. Desexed.
- 7.3 Clauses 7.1 and 7.2 do not apply to lawfully established vets; or the SPCA or similar registered charities; or lawfully established cat boarding Premises.
- 7.4 If, in the opinion of Council, the keeping of cats on a Premises is, or is likely to become a Nuisance, Council may, by written notice, require the number of cats kept on the Premises to be reduced; or take other such precautions as may be considered necessary by Council to reduce the Nuisance effects.
- 7.5 It is the duty of the owner or occupier of the Premises to abate the Nuisance as required in the notice within the time period specified in that notice.

8 Keeping Pigs

- 8.1 A person who keeps pigs must ensure that the pigs do not cause a nuisance to any person.
- 8.2 A person who keeps pigs must ensure that the pigsty, drains, tanks and any other areas associated with the pigsty are kept in a clean condition.
- 8.3 No person may keep pigs in an urban area except with the approval of Council.
- 8.4 Any discharge from any pigsty in the District must comply with the Resource Management Act 1991 and any subsequent amendments, and any relevant requirements of Council.

GUIDANCE NOTE: *See also the Code of Welfare for Pigs 2018; Biosecurity Act 1993; and Animal Welfare Act 1999. It is an offence under the Biosecurity (Meat and Food Waste for Pigs) Regulations 2005 to feed pigs untreated meat or untreated food waste.*



9 Keeping Poultry

- 9.1 No person may keep poultry or cause or permit poultry to be kept if they are, or are likely to become, dangerous, injurious to health or a nuisance to any person.
- 9.2 A person may keep up to 12 head of poultry in an urban area, provided that, at all times:
- a. The poultry are provided with a poultry house which complies, at all times, with the requirements set out in this Bylaw;
 - b. The poultry is contained within the owner's property.
- 9.3 No person may keep more than 12 head of poultry in an urban area except with the approval of Council.

Poultry houses and poultry runs

- 9.4 Any poultry house, aviary, coop or poultry run must be:
- a. Constructed in accordance with any requirements of the Building Act 2004, Tararua District Plan and any relevant code of welfare;
 - b. Maintained in good repair and in a clean condition free from offensive smells, overflow or vermin;
 - c. Enclosed with wire mesh or other material so that the poultry can be confined;
 - d. At least 5 metres from any dwelling; and
 - e. At least 2 metres from the boundary of the Premises.
- 9.5 Any effluent or discharge from a poultry house or poultry run must:
- a. Be discharged in a manner that does not cause a nuisance;
 - b. Comply with the Resource Management Act 1991; and
 - c. Comply with any other relevant requirements of Council.
- 9.6 Council may by written notice require that an owner or occupier take specified steps to ensure compliance with any of the requirements of this clause. The owner or occupier must comply with the steps set out in the notice in the specified time period.
- 9.7 Clause 9.2 does not prevent any person keeping poultry in an auction room, in any premises used for the killing and dressing of poultry for sale, or in a hall being used temporarily for a poultry show.



10 Keeping Animals in Urban Areas

- 10.1 No person may keep, in an Urban area, any rooster, gander, peacock, stallion, bull, ram, or un-neutered male goat.
- 10.2 No person may keep or graze stock (excluding sheep) in an Urban area except with the approval of Council.
- 10.3 If, in the opinion of Council, the keeping of sheep in an Urban area is, or is likely to become a Nuisance, Council may, by written notice, require the owner or occupier to obtain approval of Council, which may be subject to such conditions as may be considered necessary by Council to reduce the Nuisance effects.

11 Slaughter of Animals

- 11.1 No Animal is to be slaughtered in any unless it is permitted by the Tararua District Plan and the activity complies with the said Plan and cannot be seen from beyond that rateable property.
- 11.2 Dead Animals or any part thereof must be removed immediately from any Premises where it is likely to cause a nuisance.
- 11.3 The slaughter of any Animal and disposal of waste must be carried out in such a manner that the procedure:
 - a. Does not create a nuisance or threat to human health;
 - b. Is not offensive to persons nearby; and
 - c. If appropriate, complies with the relevant code of welfare.
- 11.4 Nothing in clause 11.3 applies to:
 - a. A veterinary surgeon registered under the Veterinary Surgeons Act 1956.
 - b. An inspector appointed for the purposes of the Animals Act 1967.
 - c. An inspector appointed for the purposes of the Animal Protection Act 1960.
 - d. The registered Premises of a Primary Processor under the Animal Products Act 1999 unless it is Homekill or a Recreational Catch Service Provider operating from a mobile site.
- 11.5 No person may:
 - a. Fail to immediately remove any waste associated with the slaughter of Animals; and



- b. Dispose of that body or part of the body of any Animal belonging to the person, or in that person's charge or keeping, in a manner that will produce odour, or cause a nuisance or a threat to public health.

GUIDANCE NOTE: *It is an offence under the Health Act 1956 to leave animals or animal carcasses in a state where they are offensive or injurious to health. It is an offence under the Resource Management Act 1991 to contaminate waterways with animal remains.*

12 Feral Animals

- 12.1 No person may take any action towards feral animals (such as feeding or accommodating them) so as to cause them to become a nuisance or health and safety risk to other persons.
- 12.2 Where an animal that is causing a nuisance reasonably appears to be a feral animal, the owner or occupier of the Premises from which such animals emanate must abate the nuisance caused by the animal(s).
- 12.3 Abatement may include but is not limited to:
 - a. claiming the animal(s) as a domestic owned pet and keeping it in such a state as to abate any nuisance;
 - b. permanently removing (including disposal of) the animal so it no longer causes a nuisance to others; or
 - c. agreeing with Council that Council will remove the animal and the occupier will pay Council's reasonable costs.

GUIDANCE NOTE: *Animal rescue activities in the community are not prohibited unless they are conducted in such a way as to encourage feral animals to cause a nuisance or health and safety risk to other persons.*

13 Breeding Animals

- 13.1 Breeding of animals is considered under this Bylaw to be a commercial activity and may be subject to conditions under the Resource Management Act 1991 and Council's current operative District Plan.
- 13.2 If, in the opinion of an Authorised Officer, any breeding facility creates a nuisance by the keeping of any animal, the Council may, by written notice to the breeder, owner or occupier, require the breeder, owner or occupier to abate the nuisance.
- 13.3 The breeder, owner or occupier must comply with the notice in the specified time period.



ADMINISTRATION & ENFORCEMENT

14 Permits

- 14.1 Every person who wishes to obtain a Permit to keep animals must make an application to the Council in writing and must provide any supporting information and application fee as Council may require.
- 14.2 Council may grant, (with or without conditions) or refuse any application for a Permit, at its discretion.
- 14.3 Council may prescribe conditions on any Permit which must be complied with at all times. The purpose of the conditions will be to ensure the Permit meets the purposes of this Bylaw.
- 14.4 In deciding to grant or decline an application for a Permit Council will consider the following general matters for all applications:
- a. compliance with the Bylaw standards;
 - b. reasonableness or practicality of compliance with the general and specific conditions;
 - c. the location of the activity and whether it is likely to cause a Nuisance, obstruction, or a hazard;
 - d. the suitability of a Person to hold a Permit taking into account any known past operational issues and the applicant's experience and track record;
 - e. whether the activity is consistent with Council policies and plans.
- 14.5 In deciding to grant or decline an application for a Permit the Council will consider the following additional matters for the following applications (evidence of which the applicant must include in their application for a Permit):

Bees

- a. Suitability of the water source;
- b. Availability of a suitable food source;
- c. Density of hives within the surrounding area;
- d. Number of proposed hives;
- e. The proposed locations of those hives.

Pigs



- a. Written approval of the neighbouring occupiers;
- b. Location of where the pigs are to be housed, and location of wallows;
- c. Number and breed of pigs to be kept;
- d. Reasons for wanting pigs in an urban area.

Poultry

- a. The number and type of poultry to be kept on the premises;
- b. Where the poultry are to be kept including plans showing, among other things, relevant separation distances from boundaries, fencing and effluent disposal;
- c. Housing and run details.

Cats

- a. The number of cats to be kept on the Premises;
- b. Housing details (including how the cats will be retained on the Premises).

14.6 Council may seek the written consent of the occupiers of adjoining properties in deciding whether to grant any Permit.

14.7 Any person who has an application declined or revoked by Council or disagrees with the conditions set out in their Permit, may apply in writing for a review of the decision and Council may review it accordingly.

Application Fees

14.8 Council may by resolution:

- a. Charge a fee for receiving and processing an application and issuing an approval;
- b. Prescribe any charges to be paid for the use of an approval;
- c. Determine situations when approval fees may be remitted, refunded or waived.

15 Council Review of Permits

15.1 The Council may cancel, amend or initiate a review of a Permit issued under this Bylaw if:

- a. There is a change of circumstances relating to the Premises; or owner or occupier of the Premises; or Animals kept or remaining on the Premises; or Neighbouring approval; or



-
- b. Complaints are received; or
 - c. Action is required to protect the public from unsafe or hazardous conditions;
 - d. the activity authorised in the Permit is likely to:
 - i. Impact on public health and safety; or
 - ii. Cause a Nuisance; or
 - iii. Cause an unreasonable obstruction; or
 - iv. Cause the potential for offensive behaviour in a public place; or
 - e. a person has failed to meet the conditions of their Permit or any other requirements of any relevant Bylaw, criteria, policy or guidelines approved by Council;
 - f. a person that holds a Permit fails to meet any written instructions from Council within the specified timeframes.
- 15.2 A review of a Permit may result in amendment, suspension or withdrawal of the Permit; or no further action.

16 Non-Compliance

- 16.1 If Council considers that any part of this Bylaw is not being complied with (including any part of any Permit given), it may issue a written notice requiring the person keeping the animals (or the owner or occupier of the land) to take such action that Council considers is necessary to achieve compliance with this Bylaw, specifying the time in which the actions must be taken.
- 16.2 Such actions may include, but are not limited to, limiting numbers, removing certain animals, and prohibiting persons from keeping certain animals.
- 16.3 The recipient of any notice issued by Council under clause 16.1 must comply by the time specified in the notice.

17 Offences

- 17.1 A person breaches this Bylaw when they breach a provision in this bylaw; or fail to carry out any action required by an Authorised Officer; or fail to comply with any Approval (including any conditions of a Permit); or fail to comply with a notice to comply issued under clause 16.1 of this Bylaw.
- 17.2 Every person who breaches this Bylaw commits an offence and is liable to pay:



-
- a. the maximum fine set out in the Local Government Act 2002 or the Health Act 1956; and
 - b. any other penalty specified in another Act for the breach of the Bylaw.
- 17.3 Council may also apply to the District Court for an injunction to restrain a person from committing a breach, or continuing to breach, this Bylaw.
- 17.4 Council may also exercise its powers under the Health Act 1956 or Resource Management Act 1991 to abate nuisance without notice, notwithstanding any other actions it may take under this Bylaw.

18 Enforcement Powers

- 18.1 Council may remove or alter a work or thing that is, or has been, constructed in breach of this Bylaw.
- 18.2 Council may recover the costs of removal or alteration from the person who committed the breach.
- 18.3 If an enforcement officer is issued with a warrant under the Search and Surveillance Act 2012 the enforcement officer may enter private property in an urban area pursuant to section 165 of the Local Government Act 2002 and:
- a. seize stock, poultry, bees and cats that are on the premises in breach of this Bylaw;
 - b. seize any other property that is materially involved in the commission of an offence under this Bylaw.

19 Repeals, Savings and Transitional Provisions

- 19.1 The Tararua Keeping of Animals, Cats, Poultry and Bees Bylaw 2018 is repealed on commencement of this Bylaw.
- 19.2 Every consent, exemption or approval granted under the Tararua Keeping of Animals, Cats, Poultry and Bees Bylaw 2018. that was in force immediately before the commencement of this Bylaw, continues in force as if it is a consent, exemption or approval issued under this Bylaw, but:
- a. expires on the date specified in that consent, exemption, or approval; or
 - b. where no expiry date is specified, expires 12 months after the commencement of this Bylaw; and
 - c. may be renewed only by application made and considered in accordance with this Bylaw.



This Bylaw was made by the Tararua District Council on XXXX 2024.

THE COMMON SEAL of the TARARUA DISTRICT COUNCIL was hereto affixed by resolution of the said Council in the presence of:

_____ **Mayor**

_____ **Chief Executive**

Annex F



Public Places Bylaw 2024



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1 Public Places Bylaw

- 1.1 This Bylaw is the Tararua Public Places Bylaw 2024, as reviewed from the Tararua Public Places Bylaw 2018 and the Trading in Public Places Bylaw 2018.
- 1.2 This Bylaw is made under the Local Government Act 2002; the Litter Act 1979; Reserves Act 1977; Health Act 1956 and every other power vested in the Council to make Bylaws and regulate activities in public places.

2 Commencement

- 2.1 This Bylaw comes into force on XXXXXXXX
- 2.2 This Bylaw applies to the district of Tararua District Council.

3 Purpose

- 3.1 The purpose of this bylaw is to protect, promote and maintain health and safety and the public enjoyment of public places within the District by ensuring that public places are used in a manner that will not cause any obstruction, nuisance or damage, or endanger the public.

4 Interpretation

- 4.1 In this bylaw, unless context requires otherwise:

Act means the Local Government Act 2002.

Animal has the same meaning as section 2(1) of the Animal Welfare Act 1999.

Approval means a permission issued by the Council and includes any licence, lease, permit, concession or booking.

Authorised Officer means and person appointed or authorised in writing by the Chief Executive or by Council to act on its behalf and with its authority (and includes a member of the Police).

Beach means the foreshore (including the intertidal zone above the mean low water spring) and any area above mean high water springs that can reasonably be considered the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation typically found in a marine environment.

Busk means performing or entertaining in any public place for free or for reward.

Bylaw means the Tararua Public Places Bylaw 2024.



Council means the Tararua District Council or any officer authorised to exercise the authority of Council.

District means the district of Tararua District Council.

Donated Goods Container means a weather tight container for the temporary collection of reusable material e.g. clothing, toys, furniture, linen.

Event means any organised temporary activity that is likely to create Litter in a Public Place including an organised gathering, open-air market, parade, protest, festival, film shoot, concert or celebration.

Footpath means a path or way designated for pedestrian use and includes the edging kerbing and channelling thereof and includes any footbridge.

Freedom camping means camping in a place other than a designated camping ground.

Goods means any articles, materials or merchandise and includes any rubbish or debris.

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

Litter and Recycling Plan means a plan approved by Council for the collection, management and disposal of waste and recyclable material at an event.

Material or Thing means any material of whatever kind and includes jumbo bins and other containers for waste material, but excludes vehicles.

Micromobility Device means transportation using small, lightweight vehicles such as bicycles, skateboards or scooters.

Nuisance has the same meaning as section 29 of the Health Act 1956 and includes a person, animal, thing or circumstance causing unreasonable interference with the peace, comfort or convenience of another person whether or not that person is in a public place.

Person means a natural person and also a body of persons, whether corporate or unincorporated.

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



Property Number means any number assigned by the Council under AS/NZS 4819 Rural and Urban Addressing.

Public Place has the meaning as set out in section 147 (1) of the Local Government Act 2002, and includes every reserve, park, domain, beach, foreshore, and recreational ground under the control of the Council.

Reserve has the meaning as set out in section 2(1) of the Reserves Act 1977.

Retail Premises means land and/or buildings from which goods, merchandise, equipment or services are sold, exposed, displayed or offered for sale or direct hire to the public.

Road is as defined in section 2 (1) of the Land Transport Act 1998 and includes all land lying between the boundaries of a road including footpaths and berms.

Rural means any area that is zoned Rural Management Area in the Tararua District Plan.

Sign and Signage means any display or device whether or not placed on land, affixed to a building, stationary vehicle or object, in the air, or a projection of light to create a word or pictorial image, intended to attract attention for the purposes of directing, identifying, informing or advertising and which is visible from a Public Place. This includes all parts, portions, units and materials composing the same, together with the frame, background, structure and support anchorage (including sandwich board type Signs placed on the ground). A bunting that has symbols or messages on it shall also be considered a Sign for the purposes of this part of the Bylaw.

Structure means any building, equipment, device or other facilities made by people and which is fixed to land.

Unmanned Aerial Vehicle (UAV) means an aircraft that is remotely controlled or can fly autonomously through software controlled flight plans in their embedded systems working in conjunction with GPS and for the purposes of this bylaw include remotely piloted aircraft (RPAs), unmanned aircraft system (UAS), drones and model aircraft.

Urban means areas that are not rural and include the towns of Dannevirke, Eketahuna, Pahiatua, and Woodville. For the purposes of the bylaws other management areas that are not rural are deemed to be urban.

Waste has the same meaning as the Waste Minimisation Act 2008 and means anything disposed of or discarded.

5 Council Discretions

- 5.1 Council may prescribe conditions for access to or use of any public place.



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- 5.2 Council may restrict any activity being undertaken in a public place to prevent damage to the place or a nuisance or harm to any person.
- 5.3 Council may close any public place at any time for the purpose of maintaining or improving it, or for holding sports matches or any other performances, or for any other purpose that the Council considers necessary.

6 Prohibited Activities

- 6.1 A person in a public place may not:
- a) Do anything to cause or allow a nuisance to occur.
 - b) Obstruct, disturb or interfere with any other person in their access, use or enjoyment of that public place.
 - c) Use or place any material or thing (including a vehicle) recklessly or in a manner which may intimidate, be objectionable, be dangerous, be injurious or cause a nuisance to any person.
 - d) Do anything to cause or allow damage to any part of the public place, including but not limited to any Council owned property or any natural feature.
 - e) Contravene any conditions (including as set out on signs) set by Council regulating the use of that place.
 - f) Allow any building (including any gate, door or fence) or vegetation to encroach on any public place.
 - g) Ride a micromobility device in a manner which causes a nuisance or damage.
 - h) Discharge or leave any effluent, waste, offensive or dangerous substance.
 - i) Allow any Animal to wander or be at large without control; or allow any Animal to cause a nuisance.
 - j) Ride a micromobility device where not permitted (as set out in **Schedule 1** of this Bylaw) or otherwise where Council signage prohibits it.
 - k) Operate or drive a vehicle on a beach, sanddune or wetland area.
 - l) Access a beach using any access route other than the designated access routes where they are available.
 - m) Remove any sand, soil or other naturally occurring material found in a public place.



- n) Litter or cause a nuisance by depositing leaflets, fliers, samples or other promotional material.
- o) Scatter ashes.

7 Activities Requiring Prior Approval

7.1 A person may not do the following in a Public Place unless they have prior approval from Council:

- a) Place posters, signage or advertising.
- b) Discharge fireworks.
- c) Put up, alter, or demolish any structure of any kind.
- d) Light fires (except at any places specifically provided) or install hangi.
- e) Collect or solicit donations, preach, or busk.
- f) Operate a UAV.
- g) Sell or trade (or attempt to sell or trade) good or services.
- h) Place a donated goods container.

8 Organised Games and Activities

8.1 Organised games and activities may only take place:

- a) On areas set aside especially for those purposes, or
- b) With the prior Approval of the Council.

Explanatory Notes: *Casual games or activities, such as a neighbourhood game of cricket on a local park, are not covered by this clause but may be directed to be stopped by Council if there is danger, damage or nuisance. See Tararua District Council website for further information and designated areas for flying UAVs (drones).*

9 Fences

9.1 Council may require the owner of any land which has no fence, wall or retaining wall adjacent to a public place to erect a fence, wall or retaining wall if the Council considers that this is necessary for safety or other reasons relating to the use or administration of the public place.



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- 9.2 No person may erect any barbed wire or electrified wire along or within one metre of any boundary which adjoins any public place unless such wire:
- a) Is at least two (2) metres above the ground level of the public place; and
 - b) Part of an existing fence.
- 9.3 Any electrified wire on a fence must be identified as such by appropriate signage.
- 9.4 Clauses 9.1 and 9.2 do not apply within any rural area unless the fence adjoins a footpath.

10 Freedom Camping

- 10.1 Requirements relating to freedom camping are, until a specific Freedom Camping Bylaw is enacted, found in **Schedule 2** of this Bylaw.

11 Objectionable Signs

- 11.1 A person must not display, erect, place or allow to remain in place, any Sign which is visible from a Public Place or neighbouring property, and which, in the opinion of Council, explicitly or implicitly is objectionable, offensive, threatening, insulting or intimidating.
- 11.2 Where any of the grounds in clause 11.1 are met, Council may issue a notice to the Owner or Occupier of the land, specifying the action to be taken by the Owner or Occupier to remedy the situation.
- 11.3 An Owner or Occupier must comply with any notice issued under clause 11.2.

12 Property Addressing

- 12.1 Every Owner or Occupier of an occupied site must at all times display a Property Number allocated to that site by Council. This applies to all urban, rural, commercial, Central Business District, and industrial sites.
- 12.2 Every owner of any site must:
- a) Display the property number within one (1) month of receiving notice to do so from the Council;
 - b) Replace any property number that is destroyed or defaced.
- 12.3 Property numbers must be:
- a) Placed where they are clearly visible from where the site would normally be accessed from the road;



- b) Attached to a gate or a mailbox which is located on the same side of the road as the property;
- c) Must be maintained in good legible condition at all times.

12.4 Council may at any time:

- a) Alter the property number where it may be considered necessary or desirable; or
- b) Affix or apply a property number to any structure or building in such a manner and position as it thinks fit.

12.5 No person may wilfully destroy, pull down, or deface the name of any street or the property number of any building or structure.

13 Under Veranda Lighting

13.1 Building owners of premises within the Business Zone that require veranda lighting in accordance with the Tararua District Plan are responsible for maintaining the lighting in working order at all times and operating in the hours of darkness.

14 Retail Display on Footpaths

14.1 This clause of the Bylaw relates to the displaying of goods on the footpath outside Retail Premises.

14.2 Goods may be displayed for sale on the footpath provided that the following conditions are met:

- a) The display and sale of goods is restricted to that which is directly related to their retailing activity and to the areas directly outside their premises as close as practicable to the frontage of their premises;
- b) The display/goods are removed from the footpath whenever the premises is closed for business;
- c) Pedestrian traffic must not be impeded or inconvenienced or prevented from entering access ways;
- d) At least 1.5 meters of footpath must remain clear at all times taking into account the space that may be taken up by the goods for sale and the space people may take up on the footpath when they examine or purchase the goods for sale;
- e) The goods and any object used to display the goods must be free of sharp edges or projections and must not create a nuisance or a hazard to the public at large;
- f) The operator keeps the display clean and tidy at all time; and



- g) The goods must be secure from fall and wind gusts.

Explanatory note: *it is important for the disabled community and those with push chairs and other like equipment that at least 1.5 meters of footpath is retained for free passage along the path.*

15 Awnings, Blinds, Umbrellas, Sandwich Boards, Tables

15.1 Awnings, blinds, umbrellas, sandwich boards or screens from any portico may be installed on any public place provided that:

- a) The height of the awning or the canopy of an umbrella is no lower than 2.2 meters;
- b) The awning, screen or blind may not exceed the breadth of the premises or 5 metres whichever is less;
- c) The fixings for the awning, umbrella, screen or blind must not create a hazard;
- d) Pedestrian traffic must not be impeded, inconvenienced or prevented from entering access ways;
- e) The awning, umbrella, screen, blind, sandwich board or table must be free of sharp edges or projections and must not create a nuisance or a hazard to the public at large;
- f) The awning, umbrella, screen, blind, table or sandwich board must be secure from fall and wind gusts;
- g) The awning, umbrella, screen, blind, table or sandwich board must be maintained to a good standard at all times; and
- h) At least 1.5 meters of footpath must remain clear at all times, taking into account the space that may be taken up by the goods for sale and the space people may take up on the footpath when they examine or purchase the goods for sale.

16 Outdoor Dining

16.1 Small dining tables and chairs may be set up on footpaths fronting food outlet establishments provided that:

- a) No less than 2/3 or 1.5m, whichever is the greater, of the footpath width remains clear of obstruction for pedestrians at all times;
- b) Kerb and channel crossings for pedestrians or other access to footpaths remain unobstructed;
- c) The tables and chairs are not permanently fixed to the footpath space; and



- d) The tables and chairs are removed from the footpath whenever the retail or service establishment is closed for business;
- e) The tables and the footpath area frontage are presented and maintained to a clean and tidy standard at all times; and
- f) No person is prevented or restricted from exiting their vehicle from any identified parking space.

17 Selling Goods

- 17.1 This clause of the Bylaw applies to activities undertaken by any person involving the sale or trade of goods, or the offering of a commercial service for payment, reward or otherwise, in a public place, including but not limited to pop up stalls, mobile shops, micromobility device rental scheme operations, temporary drinks outlet or temporary food outlets. The sale or trade of goods or services may be temporary or permanent or occur on a one-off basis or as a series of activities.
- 17.2 Goods or services may not be sold or traded in a public place except with the Approval of Council. The exceptions to this rule are:
- a) Selling or disposal by commercial fishermen of limited quantity of fish in the vicinity of a fishing vessel as specified in section 191 of the Fisheries Act 1996;
 - b) Service delivery vehicles;
 - c) Any market, stall or stand which has a current approval under any other Bylaw, legislation, resource consent or specific resolution of Council.
 - d) Goods being sold on the footpath pursuant to clause 14 of this Bylaw.
- 17.3 Every person selling or trading goods in a public place must comply with the conditions of their Approval, and this Bylaw, and:
- a) May not operate outside trading hours except with an exemption from the Council.
 - b) May not operate in the commercial management areas as defined by the Tararua District Plan.
 - c) May not enter premises which display a written notice requesting or requiring that they do not enter the premises.
 - d) must comply with any New Zealand government licencing requirements.
 - e) must only trade those goods or services described in the licence from the vehicle described in the licence.



- f) must always comply with parking and traffic statutes, regulations and bylaws.
- g) Must not sell from the road.
- h) must not trade within 100 meters of fixed premises selling similar goods. Notwithstanding this, every person selling (or attempting to sell) goods in a public place must, upon being requested to do so by an authorised officer, alter the position of the mobile shop to any other position as requested and indicated.
- i) must not place tables, chairs or other furniture for customer's convenience on the footpath or in a public place unless authorised to do so by Council.
- j) must dispose of all rubbish generated and provide a rubbish bin, emptied when full and at least daily, suitable to contain any rubbish generated by its customers. Rubbish must be disposed of in accordance with the Bylaws.
- k) must display the licence to operate and have the licence holder's name printed in a readily visible place on the exterior of the vehicle.

18 Animals and Stock on Public Places

- 18.1 Requirements relating to animals and stock on public places are, until a specific Stock Control Bylaw is enacted, found in **Schedule 3** of this Bylaw.

19 Reserves

- 19.1 Subject to the provisions of this Bylaw every reserve will be open to the public at all times except during such hours as the Council may determine that any reserve shall be closed to the public.
- 19.2 An authorised officer may from time to time and for such periods as they see fit, set aside areas of a reserve for the exclusive use of particular groups or for particular kinds of recreational activities. Council may charge for the right to have exclusive use of a reserve.
- 19.3 Council may fix charges for the entry to a reserve in accordance with the Reserves Act 1977. It is an offence against this Bylaw to enter a reserve without having paid the proper charge for entry, if a charge is payable.
- 19.4 An authorised officer may close or restrict entry to all of, or any portion of, a reserve at such times as are considered necessary to prevent damage to, or allow maintenance of the reserve. Such closure will be advertised by signs at the entrances to the reserve. It is an offence against this Bylaw to be found on a reserve at any time when the reserve is closed to public entry.



Explanatory Note: On 23 July 2003 Council resolved that Fountaine Square, Woodville is closed to the public between the hours of sunset and sunrise).

20 Events

- 20.1 An event organiser must not cause or allow an event to occur in a public place, without first obtaining permission from Council, except where Council is satisfied on reasonable grounds that the event organiser does not require permission because the event is:
- a) of a small scale;
 - b) not open to the public or a section of the public; and
 - c) is unlikely to cause a nuisance in a public place or risk to public health and safety.
- 20.2 When granting an event permission, Council may impose conditions, which must be complied with.
- 20.3 Any organiser of an event must submit to Council:
- a) A Litter and Recycling Plan and, if the road or footpath will be obstructed;
 - b) A traffic management plan, for approval 30 days before the event is due to commence.
- 20.4 Council may require the Litter and Recycling Plan to include (without limitation):
- a) The number and placement of litter and recycling bins, and scheduled emptying times at events;
 - b) Controls relating to separation of recyclable materials at designated locations; and
 - c) Details of waste collectors or person responsible for collection and disposal.
- 20.5 The organiser of an event must comply with the approved Litter and Recycling Plan.

Explanatory Note: for guidance on traffic management plans or litter and recycling plans contact the Council.

21 Applications for Approval

- 21.1 Every person who wishes to obtain an Approval under this Bylaw must make an application to the Council in writing and must provide any supporting information and application fee as Council may require, including but not limited to:
- a) Full details of the proposed activity;



-
- b) The date, time and place of the proposed use of the public place;
 - c) Full name and address of the applicant with supporting evidence of identification.
- 21.2 Applications for Approval must be received by Council at least 14 days prior to the date of the proposed use of the public place.
- 21.3 When deciding whether to grant an Approval under this bylaw, Council may have regard to:
- a) whether the proposed activity may result in an undue restriction on vehicle traffic or pedestrian flow;
 - b) whether the proposed activity may pose a risk to public health and safety;
 - c) whether the proposed activity may pose a risk to Council property;
 - d) whether the proposed location of the activity is appropriate given the nature and scale of the activity proposed;
 - e) whether the proposed activity may cause a nuisance; and
 - f) whether the proposed activity is consistent with all applicable Council policies and plans.
- 21.4 Council may grant, (with or without conditions) or refuse any application for Approval, at its discretion. If Council refuses the application it must inform the applicant of the reasons for the decision.
- 21.5 Council may prescribe conditions on any Approval that are consistent with the purposes of this Bylaw which must be complied with at all times.
- 21.6 Any person who is granted an Approval must carry their Approval when carrying out the activity approved and show the Approval to any authorised officer on request.
- 21.7 Any person who has an application declined or revoked by the Council, or disagrees with the conditions set out in their Approval, may apply in writing for a review of the decision and the Council may review it accordingly.

Application Fees

- 21.8 Council may by resolution:
- a) Charge a fee for receiving and processing an application and issuing an approval;
 - b) Prescribe any charges to be paid for the use of an approval;



- c) Determine situations when approval fees may be remitted, refunded or waived.

22 Council Review of Approvals

22.1 The Council may cancel, amend or initiate a review of an approval issued under this Bylaw if:

- a) There is a change of circumstances; or
- b) Complaints are received ; or
- c) Action is required to protect the public from unsafe or hazardous conditions; or
- d) the activity authorised in the Approval is likely to:
 - i. Impact on public health and safety; or
 - ii. Cause a Nuisance; or
 - iii. Cause an unreasonable obstruction; or
 - iv. Cause the potential for offensive behaviour in a public place; or
- e) a person has failed to meet the conditions of their Approval or any other requirements of any relevant Bylaw, criteria, policy or guidelines approved by Council;
- f) a person that holds an Approval fails to meet any written instructions from Council within the specified timeframes.

22.2 A review of an Approval, may result in amendment, suspension or withdrawal of the Approval; or no further action.

23 Non-Compliance

23.1 If Council considers that any part of this Bylaw is not being complied with (including any part of any Approval given), it may:

- a) Issue a written notice requiring the person to take such action that Council considers is necessary to achieve compliance with this Bylaw, specifying the time in which the actions must be taken;
- b) Verbally direct action to occur.

23.2 Such actions may include, but are not limited to, leaving the public place for a temporary or permanent timeframe; moving locations; stopping the activity and removing items.



-
- 23.3 The recipient of any notice or direction issued by Council under clause 23.1 must comply with it by the time specified in the notice. Failure to comply with such a notice constitutes an offence under this Bylaw.

24 Enforcement

- 24.1 Where it is suspected that any person has committed a breach of this Bylaw, they must, when requested by an Authorised Officer, provide their full name and address, and the name and address of any other person connected with the suspected breach.

Impounding

- 24.2 Council may impound any of the following if they are being used in breach of this Bylaw:

- a) A micromobility device
- b) A UAV
- c) Donated goods containers

- 24.3 Any person claiming an item that has been impounded by Council must:

- a) Satisfy Council that they are the owner of the item; and
- b) Pay to Council the prescribed fee.

- 24.4 Council may dispose of any item which is not claimed after 14 days of being impounded.

- 24.5 Council is not liable to any person for any micromobility device or UAV impounded under this Bylaw.

Removal

- 24.6 An Authorised Officer may seize property that has been materially involved in a breach of the Bylaw if it is reasonable to do so and the person committing the breach has been provided with a reasonable opportunity to stop committing the offence.

- 24.7 If any work or thing has been constructed in breach of the Bylaw, an Authorised Officer may:

- a) Remove or alter the work or thing;
- b) Recover the costs of removal or alteration of the work or thing from the person who committed the breach.



25 Offences

- 25.1 A person breaches this Bylaw when they breach a provision in this Bylaw; or fail to carry out any action required by an Authorised Officer; or fail to comply with any Approval; or obstructs or impedes an Authorised Officer from carrying out their duties or functions under this Bylaw; or fail to comply with a notice to comply.
- 25.2 Every person who breaches this Bylaw commits an offence and is liable to pay the maximum fine as set out in the relevant legislation.
- 25.3 Council may also apply to the District Court for an injunction to restrain a person from committing a breach, or continuing to breach, this Bylaw.

26 Repeals, Savings and Transitional Provisions

- 26.1 The Tararua Public Places Bylaw 2018 and the Tararua Trading in Public Places Bylaw 2018 are both repealed on commencement of this Bylaw.
- 26.2 Any consent previously granted under the Public Places Bylaw or the Trading in Public Places Bylaw that was in force immediately before the commencement of this Bylaw, continues in force as if it is a consent of that kind issued under this Bylaw, provided that:
- a) The consent expires on the date specified in the consent; or
 - b) Where no expiry date is specified, the consent expires 12 months from the commencement of this Bylaw; and
 - c) In either case, such consent may be renewed only by application made and considered in accordance with this Bylaw.

Any resolution or other decision made under the Tararua Public Places Bylaw 2018 or the Tararua Trading in Public Places Bylaw 2018 remains in force in the area to which it applied until revoked or replaced by an equivalent resolution or decision.

This Bylaw was made by the Tararua District Council on XXXX 2024.

THE COMMON SEAL of the TARARUA DISTRICT COUNCIL was
hereto affixed by resolution of the said Council in the presence of:

Mayor

Chief Executive



Schedule 1: Micromobility Bans

Areas where riding of micromobility devices is banned on footpaths and other public places are as follows:

Dannevirke

High Street, Dannevirke (both sides) – between Miller Street and McPhee Street.

Woodville

Vogel Street, Woodville (both sides) – between Grey Street and Ross Street.

Pahiatua

Main Street, Pahiatua (both sides) – between Halls Road and Boundary Road.

Eketahuna

Main Street, Eketahuna (both sides) – between Haswell Street and Jones Street.



Schedule 2: Freedom Camping

Freedom camping is permitted by the Council provided that:

- d) Only self-contained caravans, campervans or vehicles are used, and
- e) Campers comply with Council's Freedom Camping Policy.

FREEDOM CAMPING POLICY

The Council has a permissive policy allowing limited freedom camping by self-contained motor caravans on all Council land except for prohibited areas as specified, and this includes the following:

- Towed caravans are permitted provided that they are self-contained.
- No tent camping shall be permitted.
- Overnight parking by self-contained motor caravans will be allowed except in prohibited areas.
- Permits shall not be necessary.
- Camping is permitted in reserves managed by boards at their discretion.
- No camping shall be permitted in any urban areas other than those specifically designated for this purpose.
- Long term camping is not permitted.
- Owners shall be required to abide by the Council's dog control policy and bylaw in force.



Schedule 3: Animals and Stock on Public Places

- 1 No person shall take or allow any animal under their care or control onto any public place if the Council has by resolution or public notice prohibited entry of that type of animal to that public place.
- 2 Any person having control of stock on any public place shall ensure that the stock is kept under proper control, with consideration for other persons using the public place.
- 3 No person shall:
 - a. Permit stock to be driven across or along any public place unless an approved traffic management plan is in place and an alternative route is not reasonably available;
 - b. Permit any stock to be on a reserve, beach or other area designated as an area prohibited to stock without the prior consent of an authorised officer, provided that horses may be ridden on the beach;
 - c. Graze stock in any public place except in accordance with Council policy.
- 4 Any person having control of stock in any public place shall ensure that the stock are driven in such a manner and by such points of access to an exit from the road as to ensure that damage is not caused to the public place.
- 5 Council may from time to time by special order publicly notified prohibit or restrict the use of public places or urban areas for the driving of stock. Any such declaration, prohibition or restriction may from time to time in like manner be altered or revoked. This requirement shall not apply to any person who rides or leads a horse under proper control on a road.
- 6 Every person being the owner or having the care, custody, or control of any animal shall keep and prevent the same from wandering or being at large without proper guidance on any public place.

ROAD ENCROACHMENT POLICY

- 1 Permanent road encroachments will only be permitted where there is a clear benefit to the road, or exceptional circumstances exist.
- 2 Applications for permanent encroachment licences must be made on the prescribed form and be accompanied by the prescribed fee. Any licences granted may be subject to any conditions the Council sees fit to impose and will be for a specified term, with no automatic right of renewal.



- 3 Temporary road encroachments (for a period of no longer than one month), using electric fences only, will be permitted for the express purpose of clearing excess growth from road reserves.
- 4 Every temporary electric fence is to be kept at least 2.5 metres clear of the formed roadway and must be clearly visible to road users. Fencing materials are to be “pigtailed”, insulintimber stakes, or other approved temporary electric fence materials. Waratah standards are not permitted.
- 5 Roadside water tables and drains are to be excluded from the areas fenced for grazing. The cost of repairing any damage to these structures caused by stock grazing road reserves may be recovered from the owners of the stock.
- 6 Stock may be grazed only during daylight hours and the power supply to the fence must be disconnected when stock are not grazing. All fencing materials must be removed on completion of the grazing, or when requested to by Council staff. The Council may, without notice, remove any fencing materials not so removed.
- 7 The general permission to graze road frontages is subject to the following conditions:
 - a. That owners of the stock arrange and keep in force public liability insurance to protect any liability for damage occurring to third parties; and
 - b. That owners of the stock indemnify the Council from any liability arising to the Council as a result of the grazing activity.
- 8 The Council reserves the right to restrict or prohibit the grazing of specific areas of roadsides, if it is felt necessary, to maintain the integrity of the constructed road or for the safety of road users.

REGULAR DROVING OF DAIRY STOCK IN PUBLIC PLACES POLICY

- 1 Folding “Stock Crossing” warning signs be erected either side of the crossing points, at sufficient distance from the crossing points to adequately warn road users. The signs are to be folded closed when the crossings are not in use.
- 2 An amber flashing light be installed at each crossing point and to be operating whenever stock is crossing the roads.
- 3 Effluent is to be cleaned off the roads after each crossing of stock. If the road is washed consultation must be held with Horizons about the disposal of the washing down water.
- 4 Stock must be driven across the roads in one movement under the supervision of a responsible person during daylight hours only.



-
- 5 If tapes are placed across the road to guide stock, they must be erected immediately prior to the stock crossing and be removed immediately afterwards. The tapes must be placed no higher than 100mm above the road to enable the free passage of traffic.
 - 6 The owners of stock will maintain a public liability insurance policy to protect them and the Council against any claims for damage caused through the stock crossing the roads.
 - 7 The cost of repairing any damage to roads directly attributable to stock crossing roads may be recovered from the owners of the stock.

Annex G



Alcohol Bylaw 2024



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6 Temporary Alcohol Ban Areas 2

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SCHEDULE 1..... 4



1 Alcohol Bylaw

- 1.1 This Bylaw is the Tararua Alcohol Bylaw 2024, as reviewed from the Tararua Alcohol Bylaw 2018.
- 1.2 This Bylaw is made under section 145 of the Local Government Act 2002 and any amendments.

2 Commencement

- 2.1 This Bylaw comes into force on XXXXXXXX
- 2.2 This Bylaw applies to the district of Tararua District Council.

3 Purpose

- 3.1 The purpose of this bylaw is to enhance safety and the public enjoyment of public places within the District by providing for alcohol control in public places to reduce alcohol related harm.

***Explanatory notes:** The provisions of the Local Government Act 2002 (Act) provide explicit details about what this type of bylaw can control. Generally, any transporting of alcohol in unopened containers within an alcohol control area is permitted, subject to certain conditions. See section 147 of the Act for further details.*

Alcohol control areas do not apply to licensed premises, which can include situations where a special license has been issued for a specific event. Licensed premises can include areas of public places such as footpaths.

Under the Act only constables (New Zealand Police Officers) can take enforcement action under this Bylaw. Constables have powers of arrest, search and seizure under the Act and they can also issue infringement notices.

4 Interpretation

- 4.1 In this bylaw, unless context requires otherwise:

Act means the Local Government Act 2002.

Alcohol has the meaning given to it by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Bylaw means the Tararua Alcohol Bylaw 2024.

Council means the Tararua District Council or any officer authorised to exercise the authority of Council.



District means the district of Tararua District Council.

Licensed Premises has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Public Place means a public place as defined under section 147(1) of the Local Government Act 2002, being a place that is open to, or being used by, the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licensed premises.

Alcohol Ban Area means the public place(s) specified in the Schedule to this Bylaw, and/or any place so designated for a particular event or time as provided under clause 6 of this Bylaw. For the avoidance of doubt this does not include privately owned and controlled premises within the boundaries of the area described; or any part of a public place for which an alcohol licence has been issued under the Sale and Supply of Alcohol Act 2012.

5 Permanent Alcohol Ban Areas

- 5.1 The places listed in **Schedule One** are designated Alcohol Ban Areas in respect of which the consumption of alcohol, the bringing of alcohol into and the possession of alcohol in those places is prohibited on the days of the week and during the hours prescribed for each place.

6 Temporary Alcohol Ban Areas

- 6.1 Council may from time to time, by resolution, make an alcohol ban prohibiting, regulating or controlling the consumption, bringing into, or possession of alcohol in any public place for specified events or for one or more specified periods.
- 6.2 A temporary alcohol ban made under this clause will be publicly notified at least 7 days in advance of the specified event or period.

7 Exceptions

- 7.1 Any person (including a Council employee) may apply to Council for prior written permission for any activity that would otherwise be in breach of this Bylaw.
- 7.2 On application, Council may issue a consent to any person to allow the consumption, bringing in and/or possession of alcohol in a public place within an Alcohol Ban Area.
- 7.3 Council may prescribe conditions for any consent, which must be adhered to at all times. Such conditions could include the duration of the consent; the exact location of the consent; and the maximum number of people the consent applies to.



7.4 Council may, by resolution, prescribe a fee for receiving and processing an application and issuing a consent; and/or determine situations when consent fees may be remitted, refunded or waived.

7.5 A consent may be cancelled by Council at any time.

Explanatory note: exceptions for events with special licences do not require consent under this clause, as they are excluded from the definition of public places that applies to this Bylaw.

8 Offences

8.1 A person breaches this Bylaw when they breach a provision in this Bylaw.

8.2 Every person who breaches this Bylaw commits an offence and is liable to pay the maximum fine as set out in the Act.

Explanatory note: Penalties are prescribed under the Local Government (Alcohol Ban Breaches) Regulations 2013.

The infringement fee for breaching an alcohol ban is currently \$250.

9 Enforcement Powers

9.1 The Police may use their powers under then Act to enforce this Bylaw.

10 Repeals, Savings and Transitional Provisions

10.1 The Tararua Alcohol Bylaw 2018 is repealed on commencement of this Bylaw.

This Bylaw was made by the Tararua District Council on XXXX 2024.

THE COMMON SEAL of the TARARUA DISTRICT COUNCIL was
hereto affixed by resolution of the said Council in the presence of:

Mayor

Chief Executive



SCHEDULE 1

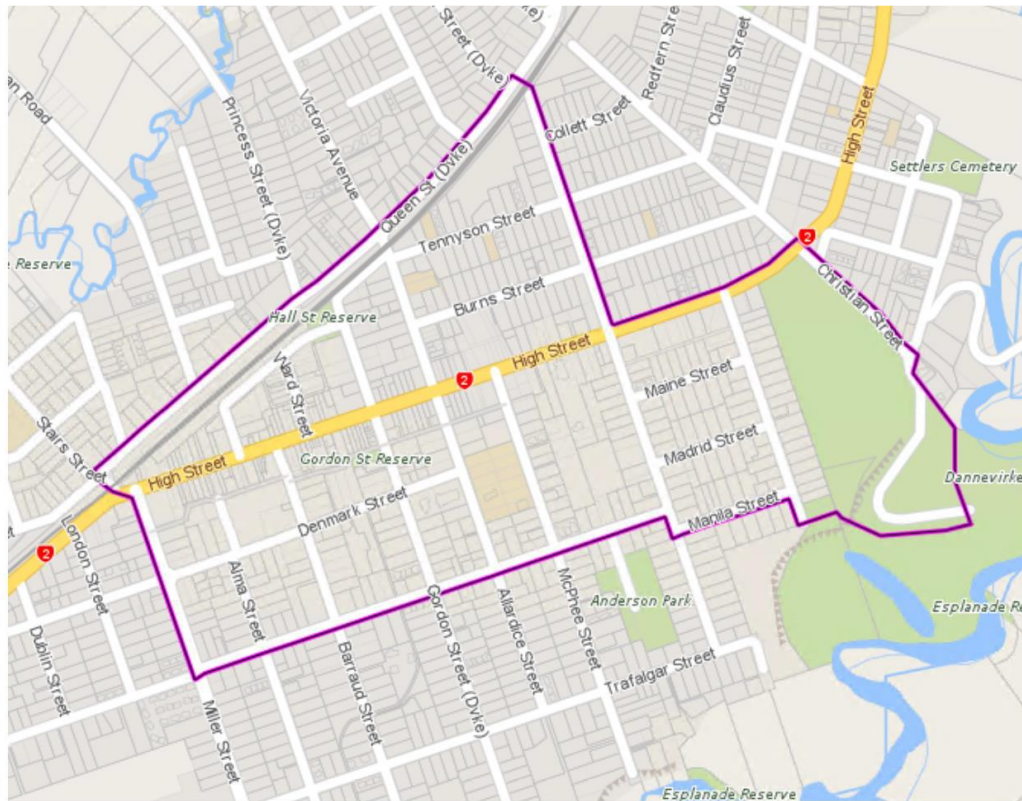
PERMANENT ALCOHOL BAN AREAS

Place	Period
<p>Dannevirke Central Business District</p> <p><i>All areas bounded by and including Miller Street, Queen Street, Swinburn Street and Waterloo Street.</i></p> <p><i>High Street from Swinburn Street to Christian Street, Christian Street from High Street to George Street, Manila, Madrid, Maine and York Streets and the Dannevirke Domain with the exception of the Camping Ground.</i></p> <p><i>(As delineated on the attached map marked Map A).</i></p>	24 hours per day, seven days per week.
<p>Pahiatua</p> <p><i>All areas bounded by and including Victoria Street from Tararua College to Mangahao Road, Mangahao Road from Victoria Street to Albert Street, Albert Street from Mangahao Road to Cambridge Street, Cambridge Street from Albert Street to Julia Street, Julia Street from Cambridge Street to "Boundary Road", "Boundary Road" (Lot 2 DP 52391 and Lot 5 DP 77025) from Julia Street to Main Street, Main Street from "Boundary Road" to Paterson Street, Paterson Street from Main Street to Sedcole Street, Sedcole Street from Paterson Street to Tiraumea Road, Tiraumea Road from Sedcole Street to Main Street, Main Street from Tiraumea Road to Churchill Street, Churchill Street from Main Street to Tararua College, Arthur Street from Churchill Street to Duke Street, Duke Street from Arthur Street to Victoria Street including Albert Street south towards Tararua College.</i></p> <p><i>(As delineated on the attached map marked Map B)</i></p>	24 hours per day, seven days per week.



Akitio Beach <i>All public streets, reserves and beachfront areas from the Akitio Bridge to the southern end of the Esplanade reserve.</i> <i>(As delineated on the attached map marked Map C)</i>	From 12 noon on 24 December in any year to 7 am on 3 January of the following year at all times.
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MAP A: Dannevirke



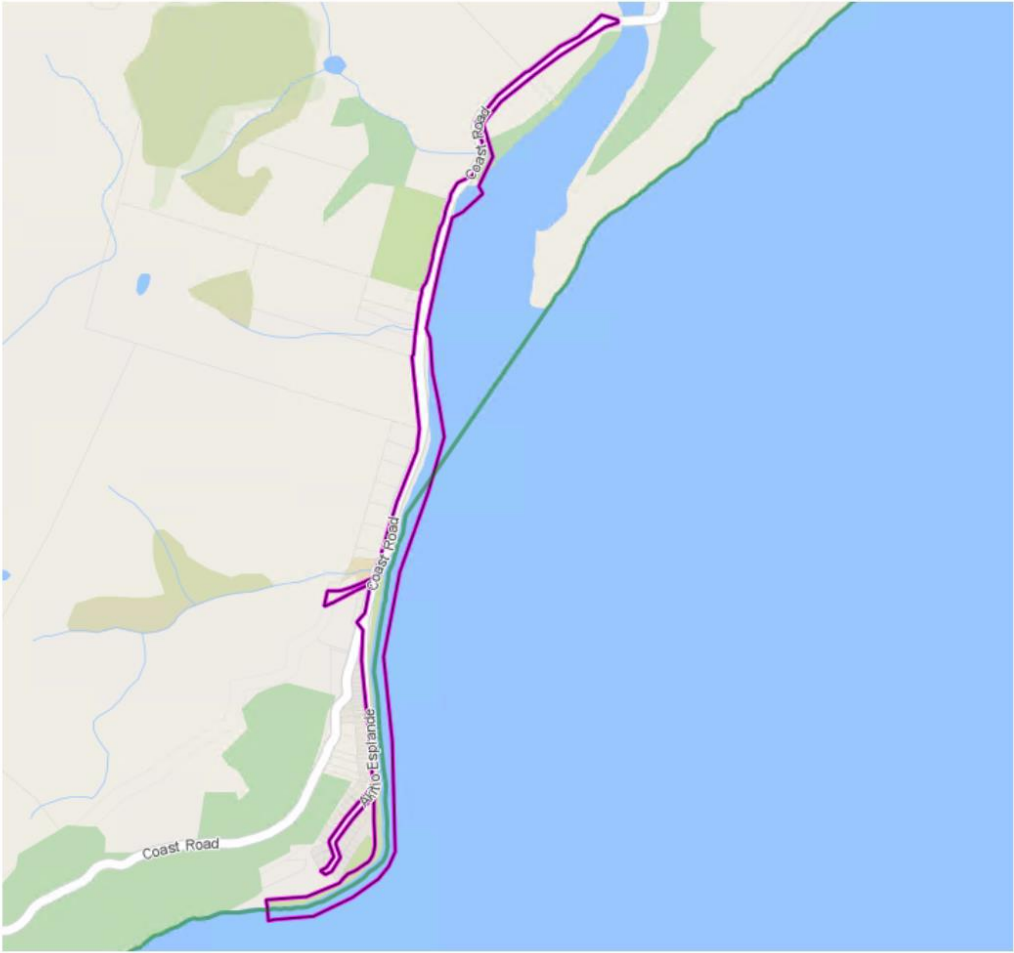


MAP B: Pahiatua

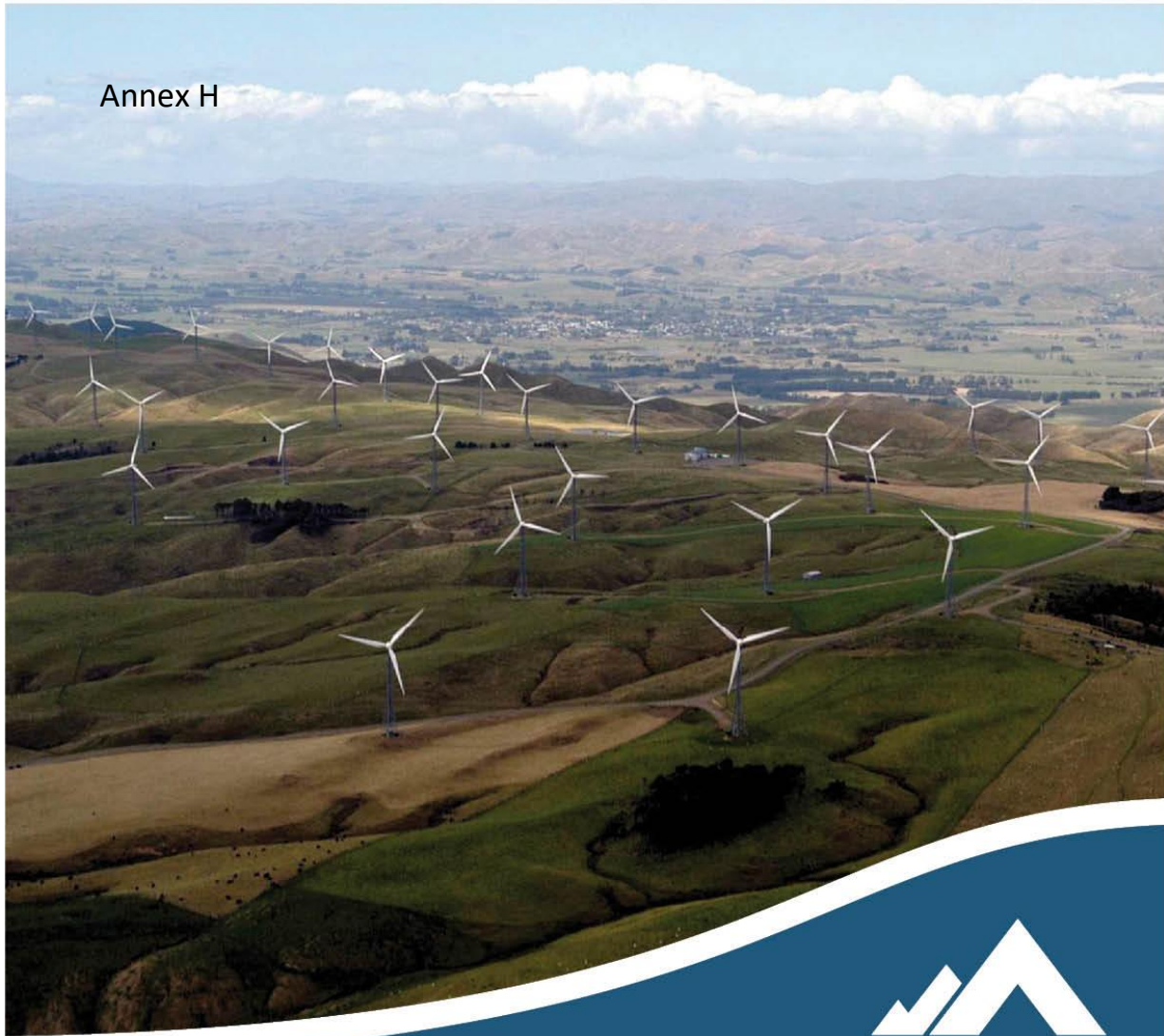




MAP C: Akitio



Annex H



Cemeteries Bylaw 2024



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1 Cemeteries Bylaw

- 1.1 This Bylaw is named Cemeteries Bylaw, as reviewed from the Tararua Cemeteries Bylaw 2018.
- 1.2 This Bylaw is made under section 145 of the Local Government Act 2002 and section 16(1) of the Burial and Cremation Act 1964 and any amendments and will be known as the Tararua District Council Cemeteries Bylaw 2024.

2 Commencement

- 2.1 This Bylaw comes into force on XXXXXXXX
- 2.2 This Bylaw applies to the district of Tararua District Council.

3 Purpose

- 3.1 The purpose of this Bylaw is to provide for the efficient management and maintenance of cemeteries under Council's control.
- 3.2 This Bylaw provides regulations for the public, in terms of the following:
- Provisions for interments;
 - Fees;
 - Activities in cemeteries;
 - Digging of graves; and
 - Tombstones, headstones, and monuments.

4 Interpretation

- 4.1 In this bylaw:

Act means *the Burial and Cremation Act 1964* and any subsequent amendments.

Authorised Agent means any agent recognised as such by the Council through contractual obligations.

Authorised Officer means any person appointed by the Chief Executive of the Council for the purposes of acting as an Authorised Officer under this Bylaw.

Ashes mean the cremated remains of a deceased person.

Body means a dead human body and includes the body of a stillborn child.

Burial means the action or practice of interring a dead body or its ashes.



Burial Warrant means a written approval from Council issued to an Authorised Agent as authority for interment.

Cemetery or Cemeteries has the same meaning as under section 2(1) of the Act and generally means any public cemetery owned or controlled by the Council.

Disinterment or Disinter means to remove any body, the remains of any body, or ashes from their burial place in a cemetery.

Disinterment Warrant means a written approval from Council issued to an Authorised Agent as authority for disinterment.

Grave Decorations means any items left at the plot in any section of a cemetery that has been designated for grave decorations.

Interment or Interred means burial of a human body or ashes into a plot.

Manager means any person appointed by the Council to control or manage or to assist in the control and management of any cemetery.

Monument includes any tombstone, headstone, memorial, kerbing, or other erection.

Objectionable has the same meaning as section 3 of the Films, Videos and Publications Act 1993.

Parking means stopping or standing of any vehicle, whether attended or not.

Permit means a written approval from the Council that authorises a person or entity to clean, repair, install or remove a monument in any part of any cemetery.

Plot means a specified area set aside for the burial of a casket, coffin, or ashes.

Plot Holder means a person who has been allocated an exclusive right of burial for a plot within a cemetery.

Services Section means any section of a cemetery that has been designated for the burial of military veterans.

Sexton means any person appointed by the Council to manage day to day activities of any cemetery under its jurisdiction. Such activities to include arranging for the provision of plots for burials.

Tribute means any funeral wreaths, flowers and/or other items left by members of the public to commemorate people who are buried in cemeteries.

4.2 Nothing in this bylaw shall derogate from any provision of, or the necessity for compliance with, the:

- Burial and Cremation Act 1964
- Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967



- Cremations Regulations 1973
- Health (Burial) Regulations 1946

Any undefined words, phrases or expressions used in this Bylaw have the same meaning as in the Act unless the context plainly requires a different meaning.

5 Council's Management of Cemeteries

- 5.1 Council may set aside or designate from time to time, by resolution, specific areas within cemeteries for certain uses, including a Services Section, lawn cemeteries, gardens of remembrance, memorial gardens, and memorial ashes gardens.
- 5.2 Any monument erected within the cemetery must comply with any conditions specified for that area within the cemetery, as specified in this Bylaw, and stated in any Permit issued.

6 Interment

- 6.1 No interment may occur in any Cemetery without Council's prior issuing of a Burial Warrant.
- 6.2 An interment must only take place:
- a) In a specific plot where proof of purchase of the exclusive right of burial has been provided; or
 - b) In a plot allocated by Council if an exclusive right of burial has not been purchased.
- 6.3 Other than an Authorised Agent, a person must not dig any grave in or open the ground for the interment of human remains or ashes in any part of any cemetery.
- 6.4 Applications for a Burial Warrant under clause 6.1 must:
- a) be made at least 48 hours ahead of the intended interment (although exceptions may be available from Council for specific situations such as on religious grounds);
 - b) be on the relevant prescribed form (available on Council's website); and
 - c) be accompanied by the payment of any fee set out in Council's Schedule of Fees and Charges from time to time.
- 6.5 Requests to fill in the grave by families attending the interment must be made to Council on the Burial Warrant application form.
- 6.6 Interments are for one body per plot unless specifically authorised by the Council.



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- 6.7 Requests for a plot that allows up to two body Interments must be made to Council at the time of applying for the Burial Warrant.
 - 6.8 Subject to clause 5.1 above, all Interments in the Services Section of any cemetery must comply with the requirements set out by Veterans' Affairs New Zealand for the conduct of such Interments.
 - 6.9 Scattering of ashes is only permitted in designated areas and must be authorised by Council.

7 Disinterment

Disinterment of Human Remains

- 7.1 Any disinterment of human remains (either buried or cremated) must be carried out in accordance with section 51 and section 55 of the Act; and any applicable guidelines from the Ministry of Health.
- 7.2 The applicant must obtain a licence from MidCentral Health prior to the disinterment of a body or the remains of a body.
- 7.3 A Disinterment Warrant is required from Council prior to the disinterment of human remains.
- 7.4 An application for a Disinterment Warrant for human remains must include:
 - (a) The necessary certifications under the Act; and
 - (b) The relevant prescribed form (available on Council's Website); and
 - (c) Payment of the fees prescribed in Council's Schedule of Fees and Charges from time to time.
- 7.5 Should it be necessary in any Cemetery to carry out the work of reopening a plot covered over with concrete or similar permanent material other than earth, no liability will attach to the Council for any costs or damage done in consequence of such reopening.

Explanatory Note:

Council recommends that any application for the disinterment of a body, or remains of any body, buried in a cemetery, be made by a registered funeral director.

8 Exclusive Right of Burial

Purchasing an Exclusive Right of Burial

- 8.1 Council may sell exclusive rights of burial in accordance with section 10 of the Act.



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- 8.2 Council will only sell an exclusive right of burial for a plot in the following circumstances:
- a) For burial in a cemetery of a recently deceased person or for the interment of ashes; or
 - b) For a plot or plots that are immediately adjacent to a plot sold under (a) for the interment of a family member of the deceased person; or
 - c) At any time, with a maximum of no more than 2 plots to be sold unless authorised by Council.
- 8.3 The term of the exclusive right of burial shall be for 60 years unless otherwise specified by Council at the time an exclusive right of burial is sold.
- 8.4 Requests seeking authority to purchase an exclusive right of burial must include:
- a) The relevant prescribed form (available on Council's Website); and
 - b) Payment of the fees prescribed in Council's Schedule of Fees and Charges, reviewed from time to time.
- 8.5 Once an exclusive right of burial has been paid in full, Council will issue the plot holder an exclusive right of burial certificate as proof of authority.
- 8.6 Exercise of an exclusive right of burial will require the plot holder to provide evidence of that right to Council (a copy of the exclusive right of burial certificate). Where the plot holder is deceased and unable to expressly authorise the use of the plot for interment, the evidence of the right to use the plot and the application may be made by the family of the plot holder or their representative.
- 8.7 Council will allow a plot holder of an exclusive right of burial, or their representative, to transfer that right to another family member, subject to approval by Council.
- 8.8 Applications to cancel an exclusive right of burial by the plot holder will be subject to a fee as prescribed in Council's Schedule of Fees and Charges, reviewed from time to time.
- 8.9 The plot holder must notify the manager of any change in address.

Lapse of an Exclusive Right of Burial (Plot Reservation)

- 8.10 Where an exclusive right of burial has lapsed or is due to lapse under section 10(4) of the Act (i.e. because 60 years has passed without a burial taking place in that plot), Council may inform the plot holder and offer the plot holder the opportunity to renew the exclusive right of burial on the reserved plot.

Explanatory Note:



Where Council has made reasonable attempts to contact the plot holder without success, Council will continue to hold the plot in reserve for a period of twelve months from the date of the last attempted contact with the Plot Holder or the lapse date (whichever is the later). If after this there is no response from the plot holder, Council will deem the plot to be available for use or resale.

- 8.11 If the plot holder wishes to renew the exclusive right of burial, Council will issue a new certificate to the plot holder with a revised lapse date.
- 8.12 Where the plot holder does not wish to renew an exclusive right of burial over the reserved plot, Council will make the plot available for use or resale and the former plot holder will be provided with a letter acknowledging that the exclusive right of burial has lapsed.

9 Work in Cemeteries

- 9.1 Any work, construction, or activity in any Cemetery that is not associated with monumental or lawn conversion work requires Council's prior written approval.
- 9.2 Council may attach to any written approval issued under clause 9.1 any terms and conditions as it considers appropriate. The holder of Council's written approval must comply with any terms and conditions imposed by Council under this clause.
- 9.3 Any person installing or attending any work in a cemetery must withdraw for the duration of a nearby funeral service, or at the direction of Council.

10 Monuments

- 10.1 A permit is required from Council for lawn conversion work and the erection, alteration, repair, or removal of monuments in any cemetery. To be clear, no monumental masonry work may commence until the council has granted such a permit, which is also required for any monumental work including alternations or modifications being undertaken in a council cemetery, to ensure the headstone is placed on the correct plot and also to ensure they adhere to specifications in this Bylaw. Owners of burial rights, or if deceased, the immediate next of kin, may give permission for a monument to be erected, or an additional inscription to be added to an existing monument. Typically, a monumental mason applies for the permit on behalf of the burial rights owner / next of kin.
- 10.2 Applications for a permit under clause 10.1 must include:
 - a) Proof of the exclusive right of burial for the plot;
 - b) The plans for the monument or alterations to an existing monument including the materials to be used and the dimensions.
 - c) The relevant prescribed form (on Council's website).



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- d) The wording of any proposed epitaph or inscription and associated graphics; and
 - e) Payment of the fees prescribed in Council's Schedule of Fees and Charges and reviewed from time to time.
- 10.3 When considering a permit application submitted under Clause 10.1 Council will have regard to the following considerations and may grant the Permit subject to any appropriate terms and conditions as determined by Council:
- a) The permit application was filed by the family's representative, or the monumental mason commissioned by the family or the family's representative.
 - b) The payment of all outstanding fees relating to the purchase of a burial warrant for the plot that is the subject of the permit application (refer to clause 6.4).
 - c) Any proposed wording or graphics on the monument are acceptable to Council.
 - d) The foundations and any works described on the plan must comply with either:
 - (i) *NZS 4242:2018 Headstones and Cemetery Monuments* or its amendments, and the headstone specifications set out in Schedule 1;
 - (ii) The specifications set out in Schedule 1; or
 - (iii) The requirements of Veterans' Affairs New Zealand in the case of monuments in the services section of the cemetery.
 - e) The monument is constructed of granite or some other material approved by Council.
 - f) The application is only for a plaque if the Plot is located in the columbarium walls or memorial walls.
- 10.4 Where a permit has been granted under clause 10.1, such work must be completed in accordance with the terms and conditions of the permit, to the satisfaction of Council. The installation must also be completed in accordance with the requirements of the Health and Safety at Work Act 2015.
- 10.5 All Monuments approved for installation by a permit must display the installer's identification mark visible on the monument.
- 10.6 Council may, at its discretion, remove and dispose of any unauthorised monuments, works, structures or installations associated with any plot(s).



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- 10.7 Any monument which in the opinion of Council is offensive, may be removed at the direction of Council.
 - 10.8 Any authorised person erecting or maintaining any monument must remove all excess materials, tools and equipment from the cemetery on completion of the works and leave the site in a tidy state.
 - 10.9 Any temporary marker must be removed once a permanent monument is erected. If Council considers that a temporary maker has fallen into a state of disrepair, it may be removed.

11 Tributes

- 11.1 Tributes may be placed on the soil of a plot within the cemetery but must be removed within three months of an interment.
- 11.2 Tributes are solely the responsibility of plot owners.
- 11.3 Tributes that are intended to remain beyond three months of an interment must be left in containers placed on the monument or the concrete beam of a plot.
- 11.4 Tributes must not inhibit the proper maintenance, use or operation of the Cemetery or other plots.
- 11.5 Tributes must not be likely to cause a nuisance or likely to constitute a hazard.

Explanatory Note:

The “concrete beam” of a plot is the beam for setting the monument and bases on.

- 11.6 Council Officers or an Authorised Agent may immediately remove and dispose of any:
 - a) Tributes that breach this Bylaw;
 - b) Neglected, broken or unsafe tributes or broken vases or containers;
 - c) Tributes deemed by a Council Officer or Authorised Agent to be offensive, unsightly or inappropriate.
- 11.7 Shrubs or trees must not be planted in any cemetery by any person without the Council’s prior approval.
- 11.8 No person is permitted to decorate any plot that has not been used for interment.

12 Grave Decorations

- 12.1 Council may set aside an area of a cemetery specifically for the purpose of accepting Grave Decorations. Grave Decorations may only be left on plots in such an area in



accordance with Council's procedures and guidelines and this Bylaw and are subject to prior approval from an Authorised Officer.

- 12.2 Grave Decorations and plots in areas set aside for Grave Decorations are solely the responsibility of plot owners.
- 12.3 Grave Decorations and plots in areas set aside for Grave Decorations must be kept in good order and repair at all times.
- 12.4 No person is permitted to decorate any plot that has not been used for interment.
- 12.5 Grave Decorations must not inhibit the proper maintenance, use or operation of the Cemetery or other plots.
- 12.6 Grave Decorations must not be likely to cause a nuisance or likely to constitute a hazard.
- 12.7 Council Officers or an Authorised Agent may immediately remove and dispose of any:
 - a) Grave Decorations that breach this Bylaw;
 - b) Neglected, broken or unsafe grave decorations or broken vases or containers;
 - c) Grave Decorations deemed by a Council Officer or Authorised Agent to be offensive, unsightly or inappropriate.
- 12.8 Shrubs or trees must not be planted in any cemetery by any person without the Council's prior approval.

13 Maintenance of Cemeteries

- 13.1 The family of the deceased must keep all enclosures, headstones, vaults, kerbs and other monuments associated with the plot in good order and repair.

Explanatory Notes:

The Council may remove and dispose of any structure or installation in a cemetery that falls into disrepair or neglect or poses a danger to the public under the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967.

Council is obligated under the Act to maintain cemeteries in a safe, clean, and orderly condition.



14 Other Types of Burials

- 14.1 Council may set aside an area of a cemetery specifically for the purpose of accepting other types of burials, including but not limited to natural burials. If such an area is created, the provisions set out in Schedule 2 of this Bylaw will apply.

15 Operating Hours

- 15.1 Council's standard operating hours for Interments are Monday to Friday between 9.00 am to 5.00 pm. Interments and other funeral activities that are on a Saturday will incur additional fees, as outlined in Council's Schedule of Fees and Charges from time to time.
- 15.2 Interments on a Sunday or public holiday (other than those listed in clause 15.3 below) will incur additional fees, as outlined in Council's Schedule of Fees and Charges from time to time.
- 15.3 Interments and any other funeral activities may not take place on Easter Sunday, Anzac Day, Christmas Day, Boxing Day, or New Years' Day.

16 Vehicle Use in Cemeteries

- 16.1 A person must not drive or park any vehicle outside of formed driveways and parking areas in any cemetery unless they have the Council's prior approval.
- 16.2 A person must not drive any vehicle in any cemetery at a speed exceeding either:
- a) 20 kilometres per hour; or
 - b) any other maximum speed stated by any sign erected by the Council.
- 16.3 Vehicles not already involved in a funeral procession in a cemetery must give right of way to any funeral procession.
- 16.4 Every person driving or parking any vehicle in any cemetery must stop or move the vehicle if directed by the Manager in charge of the cemetery.
- 16.5 Any person driving any vehicle in a cemetery must only drive in accordance with and in the direction indicated by signs posted by the Council for that purpose.

17 Misconduct in Cemeteries

- 17.1 When in a cemetery, a person must not advertise or solicit custom for any work to be done in or in connection with any cemetery, or for the sale, preparation, or supply of any article, material, or thing to be placed or used in any cemetery.



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- 17.2 Commercial photographers must not attend any funeral or other ceremony for the purpose of taking photographs or other images except with the consent of:
- a) the funeral director in charge of the interment; and
 - b) the family of the person being interred.
- 17.3 No person may:
- a) prevent, interrupt or delay any Interment in a cemetery.
 - b) cause a nuisance or annoyance to people lawfully in or approaching a cemetery.
 - c) damage, deface or interfere with any plot, tribute, structure, monument, installation or property within a cemetery; or any land or building located within a cemetery.
 - d) dig any ground or disturb any vegetation without Council's prior approval.
 - e) fly an unmanned aerial vehicle in or over a cemetery without Council's prior approval.

18 Fees

- 18.1 Council may by resolution fix fees and charges for any activity the Council reasonably undertakes in relation to the operation and management of a cemetery. These may include, but are not limited to, fees and charges for:
- a) Interment and disinterment.
 - b) Exclusive right of burial.
 - c) Permits for lawn conversion work and the erection, alteration, repair or removal of monuments and memorials.
 - d) Manual record searches.
- 18.2 "Out of District" fees may be payable in the case of a burial of a deceased person not residing in or not a ratepayer of the district for a period of ten years, which does not have to be the preceding ten years before death. This fee may also apply to the burial of a stillborn child if the parents were not residents or ratepayers of the district. For the purposes of this bylaw, a person in a hospital or institution in the district shall be deemed as resident in the district if they have been a resident of the hospital or institution longer than 3 months. The Manager appointed by the Council shall determine in each case whether an "out of districts" fee is applicable.

Explanatory Note:



All fees and charges for cemetery activities are contained in Council's Schedule of Fees and Charges and are reviewed from time to time.

19 Records

- 19.1 Council will keep accurate records regarding its cemeteries.
- 19.2 Any interments within any cemetery must be registered according to section 50 of the Act.
- 19.3 Council will keep a record of any exclusive right of burial issued over plots in any cemetery.
- 19.4 Any person holding an exclusive right of burial must notify the Manager of any change in address.
- 19.5 Interment and cremation records for cemeteries controlled by Council will be available on the Tararua District Council website.

Explanatory Note:

Changes in address should be directed to the Manager of Council's cemeteries by email at cemeteries@tararua.govt.nz. Burial records for all the cemeteries controlled by the Council are available on the Tararua District Council website.

20 Offences

- 20.1 Every person who breaches this Bylaw commits an offence and is liable to pay:
 - a) the maximum fine set out in the Local Government Act 2002 and Act; and
 - b) any other penalty specified in another Act for the breach of the Bylaw.

21 Repeals, Savings and Transitional Provisions

- 21.1 The Tararua District Council Cemeteries Bylaw 2018 is repealed on commencement of this Bylaw.
- 21.2 Every consent, exemption or approval granted under the Tararua District Council Cemeteries Bylaw 2018 that was in force immediately before the commencement of this Bylaw, continues in force as if it is a consent, exemption or approval issued under this Bylaw, but:
 - a) expires on the date specified in that consent, exemption, or approval; or



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- b) where no expiry date is specified, expires 12 months after the commencement of this Bylaw; and
 - c) may be renewed only by application made and considered in accordance with this Bylaw.

This Bylaw was made by the Tararua District Council on 2024.

THE COMMON SEAL of the TARARUA DISTRICT COUNCIL was hereto affixed by resolution of the said Council in the presence of:

Mayor

Chief Executive



Schedule 1 – Headstone and Monument Regulations

Monuments must be erected subject to conditions and restrictions specified by the Council.

General Conditions and Restrictions

- (1) The construction of any headstone or monument must be in accordance with NZS4242:2018 Headstones and Cemetery Monuments.
- (2) Any headstone or other monument which is in the opinion of the Council offensive either as to itself or as to any material which may be inscribed or otherwise placed thereon, may be removed by direction of Council.

Burial Plot Headstone and Monument Restrictions

- (1) Headstones or monuments on burial plots must not exceed 1000mm in height above the concrete strip provided.
- (2) All headstones or monuments must be constructed and installed within the size and setback conditions of Figure 1: Typical Burial Plot Headstone and Monument Standard.
- (3) Mangatainoka Cemetery headstone bases to be no more than 350mm in depth.
- (4) Eketahuna Lawn, Woodville Lawn and Mangatera Cemetery headstone bases to be no more than 450mm in depth.

Cremation Plot Headstone and Monument Restrictions

- (1) Headstones or monuments on cremation plots must not exceed 500mm in height above the concrete strip provided.
- (2) All headstones or monuments must be constructed and installed within the size and setback conditions of Figure 2: Typical Cremation Plot Headstone and Monument Standard.

Cemetery Garden, Walls, and Lawn Plaques

- (1) In cemetery areas where walls or lawn plaques are permitted, the size, type and material of any plaque shall be in accordance with the standard determined by resolution of the Council for that area of the cemetery and will be reviewed from time to time.
- (2) The approximate dimension standards for plaques are as follows:
 - Norsewood Walls 130mm x 180mm
 - Mangatera Walls 140mm x 180mm
 - Woodville Walls 140mm x 180mm

- Mangatainoka Walls 205mm x 285mm
- Eketahuna Walls 180mm x 400mm

Typical Burial and Cremation Plot Headstone and Monument Standards

Figure 1: Typical Burial Plot Headstone and Monument Standard

NOTE

Any variation from these standard details will require the written consent of the Council

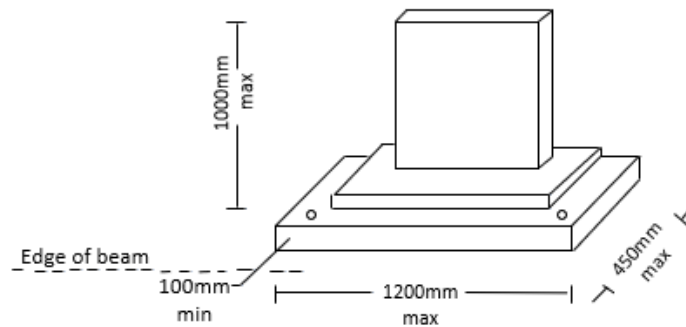
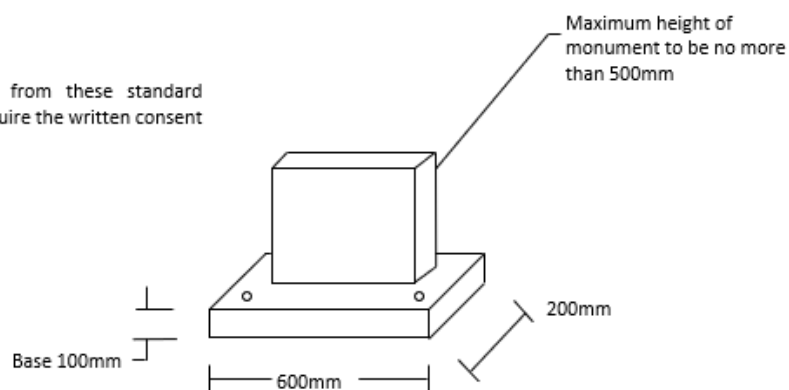


Figure 2: Typical Cremation Plot Headstone and Monument Standard

NOTE

Any variation from these standard details will require the written consent of the Council





Schedule 2: Other Burials



Report

Date : 7 February 2024

To : Chairperson and Committee Members
Strategy, Growth and Planning Committee

From : Grace Nock
Strategy and Corporate Planning Manager

Subject : **District Strategy alignment to Council activities**

Item No : **7.7**

1. Recommendation

- 1.1 *That the report from the Strategy and Corporate Planning Manager dated 31 January 2024 concerning the District Strategy alignment to Council activities be received.*
- 1.2 *That the proposed reporting method be received.*

Executive Summary

- 1.3 The Tararua District Strategy, Thriving Together 2050 is a roadmap crafted to guide Tararua over the next 30 years. It stems from extensive community consultations, where council sought to understand aspirations and ideas for the future. This document not only outlines future objectives, but also provides actionable steps.
- 1.4 The District Strategy should be overlayed and factored into future plans and strategies, and also into everyday activities that subsequently lay the foundations for the Long-Term Plan. Given the District Strategy is proposing a lasting ambition for Tararua, and has been formally adopted, it is crucial that the activities engaged in by TDC will meet the specified goals. Consequently, a framework has been developed to provide continual review of performance and activity across council, and how activities meet the strategic objectives outlined in the District Strategy.

2. Reason for the Report

- 2.1 To provide the context and rationale for a strategic alignment across Council activities, and a proposed method of achieving this.

3. Background and Description

- 3.1 Council currently engages in numerous activities, designed to meet both legislative requirements as well as community enhancement. Each service group across Council has several functions or activities that they engage in, each of which has a specified Activity Management Plan with associated Levels of Service and Performance Measures. These Activity Management Plans specify the expected and approved work program for the preceding three years. Each Activity Management Plan is approved by Council and is subsequently incorporated into the Long-Term Plan.
- 3.2 In 2023, Council approved the adoption of the District Strategy, which as stated, outlines a vision for Tararua over the next 30 years. Within the District Strategy there are a number of strategic objectives proposed under each focus area, which target specific goals for the district to strive towards. While developed with Council functions in mind, they were not developed specifically based off the Activity Management Plans, nor were they developed to directly change Activity Management Plans.
- 3.3 The District Strategy discusses the importance of measurement of performance, progress, and strategy implementation. A framework has thus been developed that has looked across each of the strategic objectives in the District Strategy to assess how current Activity Management Plans align to each of the objectives.
- 3.4 To do this, each Activity Management Plan has been reviewed and individual Performance Measures aligned to the relevant strategic objective as outlined in the District Strategy. The proposed framework has been distributed to each General Manager for review of the alignment, as well as confirmation of whether any other activities are being undertaken that may meet one of the strategic objectives that is not otherwise specified in the Activity Management Plan.
- 3.4.1 Using the example of Thriving District, the following steps were taken:

<i>STRATEGIC OBJECTIVES</i>	<i>MEASURES</i> <i>How will we know when we get there?</i>
<ul style="list-style-type: none">• To capitalize on opportunities such as the new Te Ahu a Tūranga – Manawatū Tararua Highway.	<ul style="list-style-type: none">• More businesses in the district.• More people visiting and spending in our district.• More people living in our district.

- 3.4.2 Current Activity Management Plans were reviewed along with relevant project and were then assessed for alignment to the first strategic objective. In this instance, Economic Development showed strong alignment to the objective. For example, the current Economic Development Activity Management Plan states the Levels of

Service such as an increase in GDP, increase in commercial properties, increase in visitor numbers etc. As can be seen, these align well to the measures under the first strategic objective in Thriving District. Each of these can be quantitatively measurable year on year to assess whether TDC is improving, especially in line with the highway opening. This example therefore shows strong strategic alignment. The activities undertaken by Economic Development are directly linked to those within the District Strategy.

4. Strategic Alignment

- 4.1 The below table shows a summary of how well Council activities currently meets each of the strategic objectives in the District Strategy. Each strategic objective is colour coded, green, orange, or red, depending on how well activities align. Green is indicative of strong alignment in meeting the District Strategy objective. Orange indicates that there are some activities that are working towards the objective, however, further activities are needed, or a refinement of process is required to get strong alignment. Red indicates where there are no activities as listed in the current Activity Management Plans.

Focus Area	Strategic Objective
Thriving District	To capitalize on opportunities such as the new Te Ahu a Tūranga – Manawatū Tararua Highway.
	To ensure sustainable growth.
	To have pride in our district.
	To investigate sustainable transport options.
	To have a thriving, environmentally responsive and sustainable farming sector.
Improving our Environment	To develop solutions for environmental issues in our district.
	To mitigate the adverse impacts of reforestation activities in our district.
	To advance opportunities in agriculture resulting from climate change.
	To support initiatives that improve community resilience and reduce emissions.
Connected Communities	To ensure our towns have outstanding facilities for all to enjoy.
	To ensure our towns are designed in a way that meets our future needs.
	We have resilient and reliable infrastructure that connects our communities.
Interactive Council	To have effective partnerships with iwi.
	To promote the Tararua District and our aspirations
	The community is satisfied with the Councils performance.

5. Proposed Reporting Framework

- 5.1 The graphs shown in the Report Attachment are mock ups only of some possible ways that progress will be reported to Councillors through the Management Reports. The inclusion of this information within the Management Reports will supplement the existing commentary provided and show recurrent progress as it aligns to the District Strategy.
- 5.2 This mock report is designed to show a few different layers of reporting:
- Across the District Strategy.
 - Across an individual Focus Area.
 - Within an individual Focus Area: Strategic Objective specific.
 - Within an individual Focus Area: Service Groupe specific.
- 5.3 Please note the data behind these graphs are not complete or accurate and are for demonstrative purposes only.

6. Conclusion

- 6.1 Given Council adopted the District Strategy, it is important to monitor how well current activities are tracking in terms of meeting each strategic objective. As the District Strategy is a 30-year outlook, it is not expected that all strategic objectives will be met in every Long-Term Plan, as some activities may be prioritised at different times. However, it is important nonetheless to monitor where those gaps are so that they are not forgotten in future planning, and so that Council can transparently report on progress.
- 6.2 The framework for monitoring and reporting ensures that Council can effectively assess Council activities and performance over time, which will enable key decision making in future, based on gaps in activity as well as success in meeting desired outcomes.

Attachments

- 1 [↓](#). Strategic Alignment Reporting, Draft Only

2023/24



Connected Communities

- ⊕ We have resilient and reliable infrastructure that connects our communities.
- ⊕ To ensure our towns have outstanding facilities for all to enjoy.

☐ The community is satisfied with the Councils performance.

- ☐ The community is satisfied with the Councils performance
- ☐ To promote the Tararua District and our aspirations

☒ To develop solutions for environmental issues in our district.

- ☐ **Thriving District**
- ☐ To have pride in our district.

Total

Vision	Not Started	Off Target	On Target	Total
<div>☐ Connected Communities</div>				48
<div>⊕ We have resilient and reliable infrastructure that connects our communities.</div>		16	32	48
<div>⊕ To ensure our towns have outstanding facilities for all to enjoy.</div>		9	27	36
<div>⊕ To ensure our towns have outstanding facilities for all to enjoy.</div>		7	5	12
<div>☐ Interactive Council</div>				16
<div>⊕ The community is satisfied with the Council's performance.</div>	1	6	9	16
<div>⊕ To promote the Tararua District and our aspirations</div>		6	8	14
<div>⊕ To promote the Tararua District and our aspirations</div>	1		1	2
<div>☐ Improving our Environment</div>				6
<div>⊕ To develop solutions for environmental issues in our district.</div>		1	5	6
<div>☐ Thriving District</div>				1
<div>⊕ To have pride in our district.</div>			1	1
<div>⊕ To have pride in our district.</div>			1	1
Total	1	23	47	71

Interactive Council

Strategic Objectives	Measurements
<input type="checkbox"/> The community is satisfied with the Council's performance.	15
<input type="checkbox"/> To have effective partnerships with iwi.	1
<input type="checkbox"/> To promote the Tararua District and our aspirations	3
<input type="checkbox"/> To strive for transparency in decision making and reporting.	1

Connected Communities

Strategic Objectives	Measurements
<input type="checkbox"/> To ensure our towns are designed in a way that meets our future needs.	1
<input type="checkbox"/> To ensure our towns have outstanding facilities for all to enjoy.	13
<input type="checkbox"/> We have resilient and reliable infrastructure that connects our communities.	37

Thriving District

Strategic Objectives	Measurements
<input type="checkbox"/> To investigate sustainable transport options.	1
<input type="checkbox"/> To have pride in our district.	2
<input type="checkbox"/> To have a thriving, environmentally responsive and sustainable farming sector.	1
<input type="checkbox"/> To capitalize on opportunities such as the new Te Ahu a Tūrangā - Manawatu Tararua Highway & to ensure sustainable growth	1

Improving our Environment

Strategic Objectives	Measurements
<input type="checkbox"/> To advance opportunities in agriculture resulting from climate change.	1
<input type="checkbox"/> To mitigate the adverse impacts of reforestation activities in our district.	1
<input type="checkbox"/> To support initiatives that improve community resilience and reduce emissions.	1
<input type="checkbox"/> To develop solutions for environmental issues in our district.	8

2023/24



Connected
Communities

Measures by Objectives and Status



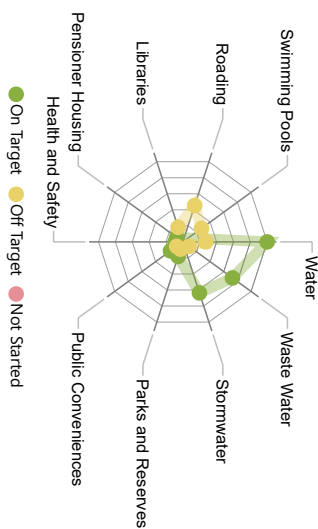
Strategic Goal Summary

To ensure our towns have outstanding facilities for all to enjoy.

7	5	0
Off Target	On Target	Not Started

We have resilient and reliable infrastructure that connects our communities.

9	27	0
Off Target	On Target	Not Started

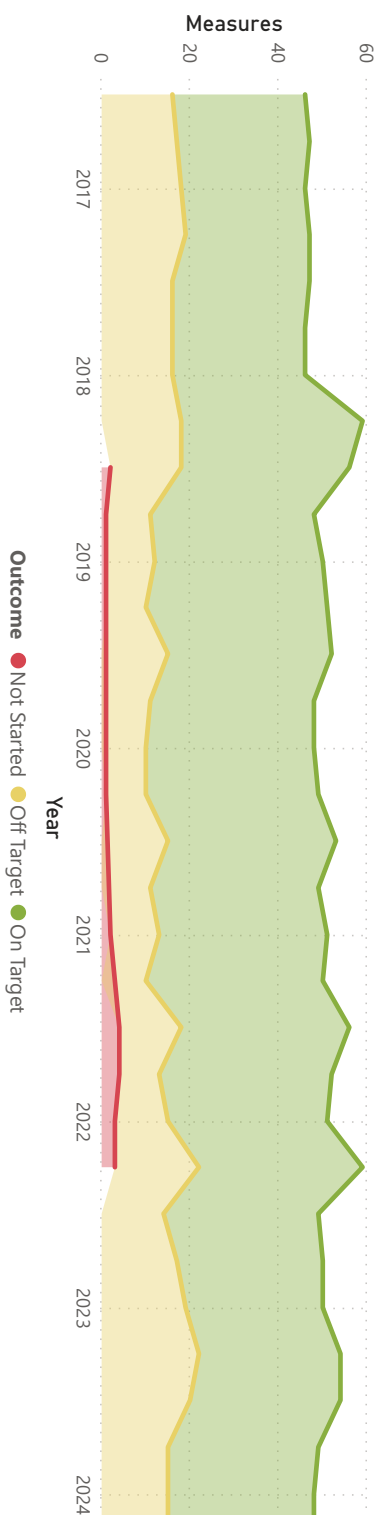


Number of Performance Measures

46

Number on Target

48

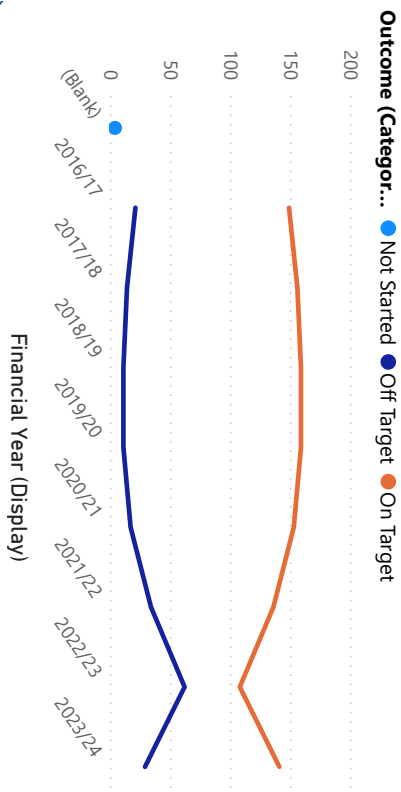


CONNECTED COMMUNITIES - WATER

Connected Communities Water Targets



Performance Outcome of Water Over Time



Measures by Objectives and Status

URL	Measure	Target	Actual	Status	Comment
	The percentage of real water loss from the Council's networked reticulation schemes based on the minimum night flow (MNF) analysis	10.00	0.00	On Target	No Comment
	Percentage of customers rating water management as "fairly satisfactory" or "very satisfactory" in the community survey.	80.00	44.00	Off Target	Imported as per SR 12265
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Total number of recorded complaints	25.00	3.88	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Drinking water taste	5.00	0.41	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Drinking water pressure or flow	4.00	0.20	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Drinking water odour	4.00	0.41	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Drinking water clarity	5.00	1.63	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Council's response to the issues above	2.00	0.00	On Target	No Comment
	Number of complaints over 1,000 connections to Council's networked reticulation system for: Continuity of supply	5.00	0.41	On Target	No Comment
	Median time to resolve an urgent callout, measured from the time Council receives notification to the time that service personnel confirm the resolution of the fault	300.00	0.00	On Target	No Comment
	Median time to resolve a non-urgent callout, measured from the time Council receives notification to the time that service personnel confirm the resolution of the fault	1,440.00	1,152.00	On Target	No Comment
	Median response time to attend an urgent call out, measured from the time Council receives notification to the time that service personnel reach the site	60.00	0.00	On Target	No Comment
	Median response time to attend a non-urgent call out, measured from the time Council receives notification to the time that service personnel reach the site	480.00	797.00	Off Target	No Comment
	Average consumption of drinking water per day per resident connected to a Council scheme	300.00	300.00	Off Target	No Comment
Total					

We have resilient and reliable infrastructure that connects...

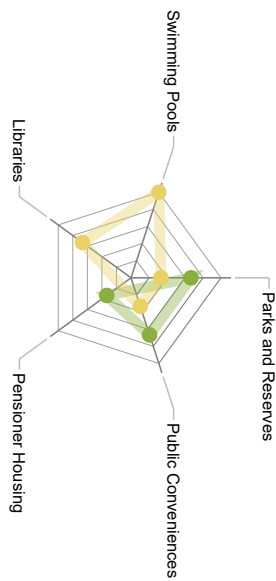
78.6%

21.4%

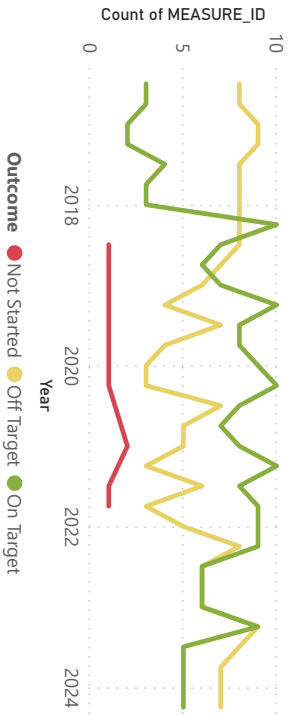
CONNECTED COMMUNITIES - STRATEGIC OBJECTIVE

Strategic Objectives

To ensure our towns have outstanding facilities for all to enjoy.



Performance Measures Meeting Targets



URL	Measure	Target	Actual	Status	Comment
	Number of recorded incidences where parks and reserves are found to be below the agreed maintenance standard.	5.00	0.00	On Target	No Comment
	Percentage of customer request responded to within 48 hours	90.00	95.65	On Target	No Comment
	Percentage of customers satisfied with children's programmes (Annual survey)	90.00	0.00	Off Target	No Comment
	Percentage of housing units which, when inspected, are found to have maintenance issues which are more than minor	5.00	0.00	On Target	Inspections are carried out in the third quarter (approximately March 2024).
	Percentage of playgrounds in the district that had no faults under the 2017/18 AUS/NZ playground safety standard (new)	95.00	100.00	On Target	Playground inspections are upcoming as we have just had a staff member complete training to enable them to carry out playground audits.
	Percentage of residents rating libraries as "fairly satisfactory" or "very satisfactory" in the community survey.	90.00	89.00	Off Target	Imported as per SR 12265
	Percentage of residents rating parks and reserves as "fairly satisfactory" or "very satisfactory" in the community survey.	90.00	80.00	Off Target	Imported as per SR 12265
	Percentage of residents rating public conveniences as "fairly satisfactory" or "very satisfactory" in the community survey	90.00	66.00	Off Target	Imported as per SR 12265
	Percentage of residents rating swimming pools as "fairly satisfactory" or "very satisfactory" in the community survey	80.00	70.00	Off Target	Imported as per SR 12265
	The number of complaints received per annum about the maintenance and cleanliness of public toilets (excluding graffiti and vandalism).	90.00	19.00	On Target	No Comment
	The number of weeks each year outdoor pools is open for public use	10.00	0.00	Off Target	This is measured after the summer season (approximately March 2024).
	The number of weeks each year Wai Splash is open for public use	49.00	13.00	Off Target	No Comment
Total					