

## MEMORANDUM OF UNDERSTANDING

### *Between the*

Tasman District Council

### *And The*

Mapua District Community Association

**20<sup>th</sup> November 2018**

**Re: Delegation of Maintenance Responsibility for the Mural on the Dominion Flats Pedestrian Underpass**

### INTRODUCTION

The ownership of the Dominion Flats Pedestrian (DFP) underpass is held by the New Zealand Transport Agency (NZTA). The NZTA and their agents are responsible for the structural maintenance of the underpass.

The Mapua District Community Association (MDCA) has been delegated responsibility for the routine maintenance of the murals on the pedestrian underpass, while Tasman District Council are responsible for the pathways, drainage and general fixtures of the DFP underpass, details of which are outlined in the 'NZTA & Tasman District Council Maintenance Boundary Agreement' (2017).

The MDCA in conjunction with the Mapua School have installed painted murals on the walls of the underpass with anti-graffiti paint.

### PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to outline the responsibility for the maintenance of painted murals on the walls of the DFP underpass.

### RESPONSIBILITIES

The Tasman District Council shall continue to be responsible for the maintenance of the paths, drainage, lighting, railing, signs and waterways as set out in the 'NZTA & Tasman District Council Maintenance Boundary Agreement' (2017).

The MDCA shall be responsible for and bear all ongoing, associated costs for the maintenance of the painted murals located in the underpass. Including but not limited to: cleaning of the mural, touching up the paint, and the removal of graffiti in a timely manner.

**Tasman District Council**  
**Email** [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
**Website** [www.tasman.govt.nz](http://www.tasman.govt.nz)  
**24 hour assistance**

**Richmond**  
189 Queen Street  
Private Bag 4  
Richmond 7050  
New Zealand  
**Phone** 03 543 8400  
**Fax** 03 543 9524

**Murchison**  
92 Fairfax Street  
Murchison 7007  
New Zealand  
**Phone** 03 523 1013  
**Fax** 03 523 1012

**Motueka**  
7 Hickmott Place  
PO Box 123  
Motueka 7143  
New Zealand  
**Phone** 03 528 2022  
**Fax** 03 528 9751

**Takaka**  
78 Commercial Street  
PO Box 74  
Takaka 7142  
New Zealand  
**Phone** 03 525 0020  
**Fax** 03 525 9972

## TERM OF AGREEMENT

This MOU is effective from 20<sup>th</sup> November 2018 for and will remain active until either party withdraws from the MOU.

Either party may withdraw from the MOU by giving four weeks written notice to the other party. Withdrawal from the MOU may result in the removal of the painted mural.

## REVIEW OF THE MEMORANDUM OF UNDERSTANDING

This MOU will be reviewed on request by either party.

## LIMITATIONS

All efforts will be made to protect the murals by the NZTA, the TDC and their agents. If however the murals are damaged due to the actions of the TDC or the NZTA or their agents, whilst carrying out their routine roles and responsibilities, any repairs and associated costs will remain with the MDCA.

## CONTACT DETAILS

The contact person for each party:

Name/Organisation	Title	Email Contact
Brian McManus Tasman District Council	Roading Team Leader	<a href="mailto:brian.mcmanus@tasman.govt.nz">brian.mcmanus@tasman.govt.nz</a>
Marion Satherley Mapua and Districts Community Assn	Chairperson	<a href="mailto:marionawayfromhome@gmail.com">marionawayfromhome@gmail.com</a>

This MOU is signed by the following on behalf of their respective organisations.

.....  
SIGNED by: Jamie McPherson  
[TDC Transport Manager] on behalf of the  
Tasman District Council

.....  
SIGNED by: Marion Satherley  
[Chairperson] on behalf of the Mapua District  
Community Association

.....  
Dated

.....  
Dated

## MEMORANDUM OF UNDERSTANDING: APPENDIX

### Mapua Student's Murals Grace Dominion Flats Underpass by Mia Fay

The Year Seven students of Mapua School took on the challenge of painting four murals on each panel of the Dominion Flats Reserve bypass.

Earlier this year the Mapua and District Community Association asked Mapua School if their pupils would be willing to design and paint four murals for each panel of the Dominion Rd underpass. They received a community arts grant from the TDC for the materials needed to bring the art to life. The time and effort has been a huge commitment from the school. The pupils of Mapua School have enjoyed the project enormously. "I have enjoyed the process of our designs slowly coming together," said Poppy Smethurst, a Year 7 student from Mapua School.

The teacher in charge of the project, Simon Clearwater has been delighted at the the outcome. "The kids have been fantastic in their enthusiasm and their attention to detail. It really is great for them to have total ownership in a community project like this."

The Dominion Flats Reserve has approximately 6.2 hectares of land that the Tasman District Council bought just after the bypass was finished. In November 2013 the first public planting was held, helping to return it to its original patch of native bush. The Mapua community have done an amazing job with weeding and planting and with grant money from many sources there are now over 50,000 plants growing.

Neville and Helen Bibby were a big help to bring the students' artworks from paper to the wall. The pair said, "The designs are bold, clever and a fantastic statement that draws favourable comments from all who see them. The community can be proud of our young people and it's well worth a walk along the track just to see the artwork."

Next year the school hopes to be involved in carrying on with the artworks, adding colour to the inside of the underpass.







Photos of the designers in front of their artwork: Mia Fay - Morepork, Mikara Langley-Tait - Butterfly, Amelie Evans - Insect, Poppy Smethurst - Tui.