



AGENDA

Martinborough Community Board Monday, 8 December 2025

I hereby give notice that a meeting of the Martinborough Community Board will be held on:

Date: Monday, 8 December 2025

Time: 7:00 pm

**Location: Supper Room, Waihinga Centre, Texas Street
Martinborough**

**Janice Smith
Chief Executive Officer**

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1 KARAKIA TIMATANGA – OPENING

Kia hora te marino
Kia whakapapa pounamu te moana
Hei huarahi mā tātou i te rangi nei
Aroha atu, aroha mai
Tātou i ā tātou katoa
Hui ē! Tāiki ē!

May peace be widespread
May the seas be like greenstone
A pathway for us all this day
Let us show respect for each other
For one another
Bind us all together!

2 APOLOGIES**3 CONFLICTS OF INTEREST****4 ACKNOWLEDGEMENTS AND TRIBUTES****5 PUBLIC PARTICIPATION****6 ACTIONS FROM PUBLIC PARTICIPATION****7 URGENT BUSINESS**

8 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

8.1 MAKING AND ATTESTING OF MEMBERS' DECLARATIONS

Author: Shanin Brider, Advisor, Community Governance

Authoriser: Janice Smith, Chief Executive Officer

PURPOSE

To ratify the making and attesting of declarations of the members of the Martinborough Community Board.

EXECUTIVE SUMMARY

Elected members take up office on the day after the official declaration of the election results being publicly notified. However, they cannot make any decisions or otherwise act as a member until they have made an oral declaration and made a written declaration in the form set out in clause 14, Schedule 7 of the Local Government Act 2002.

The declarations for James Brodie, Mel Maynard and Nana Boyle were taken in the ceremony at the ANZAC Hall, Featherston on the morning of 29 October 2025. The Chief Executive will receive and witness the declaration of community board member Ross Andrew at this meeting.

RECOMMENDATIONS

That the Martinborough Community Board:

1. Receives the Making and Attesting of Members' Declarations Report dated 8 December 2025
2. Notes that the mayor has received and witnessed the declarations of James Brodie, Mel Maynard and Nana Boyle as members of the Martinborough Community Board on 29 October 2025
3. Note that Council appointments to the Martinborough Community Board are Cr Archer and Cr Elimms
4. Notes that the Chief Executive has received and witnessed the declaration of board member Ross Andrew.

BACKGROUND

The Local Government Act 2002, Schedule 7 clause 14 requires the membership of the Martinborough Community Board to make oral declarations and also make a written declaration before they can act as a member of the board. This declaration is as follows:

Declaration by mayor or chairperson or member

"I, [Name], declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [region or district], the powers, authorities, and duties vested in, or imposed upon, me as [mayor or member] of the [local authority] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at: [place, date]

Signature:

Signed in the presence of:

[Name], [mayor or member or chief executive of local authority]".

Declaration by mayor or chairperson or member – Te Reo

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

He mea whakaū tēnei i te hōro ANZAC i tēnei rā, rua tekau mā iwa o Oketopa i te tau rua mano rua tekau mā rima.

Waitohu:

Waitohu mai ki mua i a:

[Ingoa], [mayor or chairperson or member or chief executive of local authority]".

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance. The community would expect newly elected members to make the declarations as is legally required.

State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	Clause 14, Schedule 7 of the Local Government Act 2002.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report. There are no financial implications or costs associated with this report.
State the possible implications for health and safety	There are no health and safety implications.

APPENDICES**Nil**

8.2 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

Author: Shanin Brider, Advisor, Community Governance

Authoriser: Janice Smith, Chief Executive Officer

PURPOSE

The purpose of this report is for the community board to decide on the process it will use to elect its chairperson and deputy chairperson. The board will then use the adopted process to make its elections.

EXECUTIVE SUMMARY

At its first meeting, the community board is required to elect its chairperson and deputy chairperson. The role of a chairperson includes being supportive of other board members in navigating their roles and responsibilities, being the key liaison between Council and the board, and being the spokesperson for the board. The chairperson is also the facilitator of the board meetings and workshops.

The chairperson will receive more remuneration than the other elected members.

The deputy chairperson will be called in to fulfil the duties of the chairperson if they are unable to perform their duties.

There are two voting systems that can be used for the election of chairperson and deputy chairperson, and the board must decide before making its elections, which system to use.

Once the voting system has been selected, the board will then elect its chairperson and deputy chairperson using the adopted system.

RECOMMENDATIONS

That the Martinborough Community Board resolves to:

1. Note the information in the contained report
2. Adopt **System A** or **System B** to elect its chairperson and deputy chairperson if voting is required in its elections
3. Agree that in the event of a tie, the selection will be by way of toss of coin or drawing of names from a hat (by lot)
4. Elect _____ to be the chairperson and _____ to be the deputy chairperson of the Martinborough Community Board.

OPTIONS

Option 1 – System A

This system requires that a person is elected if he or she receives the votes of the majority of the members of the community board present and voting, and

- There is a first round of voting for all members, and
- If no member is successful in that round, there is a second round of voting from which the member with the fewest votes in the first round is excluded, and
- If no member is successful in the second round of voting, there is a third, and if necessary subsequent rounds of voting with each member receiving the fewest votes being excluded from the following round, and
- In any round, where the member is tied with another member for the fewest votes, the next round is resolved by lot.

Option 2 – System B

This system requires that a person is elected if he or she receives more votes than any other candidate, and

- There is only one round of voting, and
- If two or more candidates tie for the highest number of votes, the tie is resolved by lot.

In summary, system A requires the successful candidate to have a majority of votes. To attain that, it may require more than one round of voting. In contrast, system B will only require one round of voting, and the successful member is the one with the greatest number of votes. In the event of a tie between two members, the successful member is resolved by lot.

Recommended option

It is recommended that the board chooses “System B’ to make its appointments for the following reasons:

- Only one round of voting is required making the process faster and more efficient
- It is highly likely no more than two members will be nominated for chairperson or deputy chairperson of the board, making subsequent rounds not an option in these circumstances.

DISCUSSION

The process for the board to discuss and follow at its meeting is:

- 1 The board must first determine, by resolution, the system of voting it will use
- 2 Nominations for the positions of chairperson and deputy chairperson are called for
- 3 If there is only one nomination for a position, the board will resolve that person be elected
- 4 If there is more than one nomination for a position, the board must vote its nominees using the system it has adopted.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with the Standing Orders of Council, local government legislation and Council policy.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report.
State the possible implications for health and safety	There are no implications of health and safety

APPENDICES

Nil

8.3 GENERAL EXPLANATION FROM CHIEF EXECUTIVE

Author: Janice Smith, Chief Executive Officer

PURPOSE

To provide community board members with a general explanation of the laws affecting members in their role.

EXECUTIVE SUMMARY

- The chief executive of a local authority is bound by clause 21(5) of schedule 7 of the Local Government Act 2002 (the act) to provide an explanation on certain legislation that controls the way Council conducts business and the way community board members are required to undertake their duties
- This report provides an overview of the relevant legislation identified in the act, in addition to some other relevant information.

RECOMMENDATIONS

That the Martinborough Community Board:

1. Receives the General Explanation from Chief Executive report.
2. Receives information provided by the Chief Executive on:
 - The Local Government Act 2002
 - The Local Government Official Information and Meetings Act 1987
 - The appropriate provisions of the Local Authority (Members' Interests) Act 1968
 - The Crimes Act 1961: sections 99, 105, and 105A
 - The Secret Commissions Act 1910
 - The Protected Disclosures Act 2000
 - Personal liability of Elected Members
 - The Health and Safety at Work Act 2015

BACKGROUND

The general explanation that must be conducted at the first meeting of community boards following the triennial general election is required to cover sections of the following pieces of legislation:

- i) Local Government Official Information and Meetings Act 1987 (LGOIMA); and
- ii) Other laws affecting members, including the appropriate provisions of the Local Authority (Members Interests) Act 1968 (LAMIA); and ss 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.

The information provided does not attempt to cover all the detailed points of the legislation but brings to members' attention the key issues affecting their role and functions as members of the

community board for the 2025/2028 triennium. In this report, information is also provided on some additional pieces of legislation.

Local Government Act 2002

The Local Government Act 2002 is the principal piece of empowering legislation for local authorities. The purpose of the act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this act:

- a) states the purpose of local government and provides a framework and powers for local authorities to decide the activities they undertake and the manner in which they will undertake them
- b) promotes the accountability of local authorities to their communities
- c) provides for local authorities to play a broad role in promoting the social, economic, environmental and cultural well-being of their communities, taking a sustainable development approach. It should be noted that this is expected to change with the introduction of the Local Government (System Improvements) Amendment Bill

Part 2, Section 10 of the act defines the purpose of local government as being:

- a) to enable democratic local decision making and action by, and on behalf of, communities; and
- b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

Part 2, Section 12 grants a power to local authorities to carry on or undertake any activity or business, do any act or enter into any transaction for the purpose of performing their role. This power is subject to compliance with the other relevant provisions of the act, particularly those relating to decision-making processes.

Part 6 of the act contains detailed provisions relating to planning, decision making and accountability. These include a requirement to follow a particular process in making decisions, principles governing consultation, consideration of the views of those likely to be affected by or have an interest in the decisions being made and the contribution of Māori to decision-making processes.

Local Government Official Information and Meetings Act 1987

Generally, all information held by a local authority in any form should be available to the public. However, [LGOIMA](#) does provide that certain material does not constitute “information” for the purposes of the Act. This includes information acquired solely for reference or exhibition purposes, information held by the Council as agent for the purpose of safe custody and correspondence with the Ombudsman relating to a matter under investigation by that office.

It also sets out certain reasons that a Council might rely on to withhold particular information, such as the protection of privacy, commercial advantage, protection of negotiations, and the like.

LGOIMA provides for anyone to have the right to request information held by the Council and that if any such request is refused the applicant has the right to appeal to the Ombudsman. The Ombudsman will then consider the request; the nature and content of the information concerned, and the grounds relied on for refusing to provide it. If the Ombudsman believes that some or all of the information should be released, they will recommend a course of action to the Council. It is then up to the Council to decide what to do. The Council's decision is reviewable by the High Court.

Another requirement of the act is that Council publish a document outlining its functions and giving a general description of the information held by it. This material is published through the Local Governance Statement which is required to be updated within six months following each election. The Local Governance Statement is publicly available on the Council's website however it will need to be updated following the Council's decision on its governance structure for 2025-28.

LGOIMA specifically provides that there will be no liability on councillors for any information released in good faith under the legislation. It should be noted however that the Privacy Act places strict limitations on Council in respect of the release of information relating to private individuals and this must be seen as curtailing the general rule.

Under LGOIMA the authority to make decisions regarding whether information should be released is delegated to the Chief Executive.

As a general rule, any information contained in the open section of any agenda (e.g. the white pages that are not headed "public excluded") is already in the public domain. Any information marked "public excluded" or "confidential" should not be released or discussed outside the meeting concerned. If, as an elected member, you are asked to provide any such information to a third party you should refer the request to either the CE or the Group Manager responsible for the report through the Community Governance Advisor. Should an elected member release confidential information and should the Council suffer any loss as a result, the member may become personally liable for the Council's loss if it can be shown that the member was not acting in good faith.

Local Authority Meetings

LGOIMA provides that all meetings of Council, which include meetings of its committees and community boards, shall be open to the public unless certain specified reasons can be satisfied for excluding them.

These reasons are basically the same as for withholding information and are set out within Section 48 of the Act. It is necessary for the meeting to be satisfied that any one or more of these reasons exist before the public is excluded. Staff will provide guidance and suggestions where it may be considered to be appropriate for the Council or for one of its committees to meet with the public excluded.

LGOIMA also enables the Chair of Council (or Chairperson in the case of committees and boards) to introduce an item that is not on the agenda as long as there is a clear reason why the item is not on the agenda and why it cannot wait until the next meeting. A formal

resolution, including reasons must then be passed to receive and consider the item. This relates to major and urgent matters only. The Council is still subject to the requirements of the decision making processes as set out in the Local Government Act 2002. LGOIMA states that in terms of minor matters, no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting of the local authority for further discussion. This requirement is not intended to make the decision making process any more difficult or protracted than necessary but to ensure transparency.

Agendas for Council, committee, and board meetings must be made available to the public two clear working days before the day of the meeting. The agendas are published on the Council website [Upcoming Meetings – SWDC](#). Copies of agendas are also available from the Council offices if requested.

Other provisions of LGOIMA require meetings to be publicly notified and provide that any matter including defamatory matter published in any agenda, or oral statements made at any meeting are privileged unless proven to have been made with malice.

The Local Authorities (Members' Interests) Act 1968 has two main aspects:

The Local Authority (Members' Interests) Act 1968 helps to protect the integrity of local authority decision-making by ensuring that councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts.

This act deals with two forms of "interest", pecuniary interest and non-pecuniary interest.

Pecuniary interest

The two specific rules in the act are that members cannot:

1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
2. Participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office

A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times.

The act generally provides that no person shall be capable of being a member of Council if that person is concerned or interested in any contracts with the Council where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year. The Act also provides that an "interest" exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council. The act does provide that on application to it, the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract,

in which case the provisions of the act will not disqualify the councillor from remaining in office. The approval needs to be gained before the contract concerned is entered into.

The act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. Though not an absolute requirement of the act, the Council's Standing Orders require that, where a member declares an interest in the issue being debated, the member must withdraw from the meeting room. This interest is required to be declared by the member and is noted in the minutes.

The Office of the Auditor General is the agency which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The act does not define pecuniary interest, however the Office of the Auditor-General uses the following test:

"Whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned."

In deciding whether you have a pecuniary interest you should consider the following factors:

- What is the nature of the decision being made?
- Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the act apply to me?
- Could I apply to the Auditor-General for approval to participate?

Further guidance is provided in the booklet "Guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968" which is available to elected members. It is important that you pay particular attention to the contents of this booklet as this is one of the few areas of the Council's business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this act.

Non-pecuniary interest

Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is "bias". Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where:-

- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council's debate); or
- The member has a close relationship with an individual or organisation affected by the matter.

Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is:

"Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision-making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

If there is, the member should declare their interest and withdraw from the debate. The law about bias does not put you at risk of personal liability. Instead, the validity of the boards decision could

be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor.

Again, the booklet provided by Office of the Auditor General provides some excellent advice and information on this issue. It is suggested that if you feel that you may have an “interest” in any matter before the Council or a committee/board of which you are a member then you should discuss the issue with your lawyer (at no cost to the Council), the chair of Council, the committee/board chair or CE before the meeting. While this will not relieve you of your obligations under the act it will provide you with some independent guidance.

The Council has adopted the recommendation of the Office of the Controller and Auditor General and has asked all elected members to make a written declaration of their personal and financial interests that may at times conflict with their role as an elected member. This information will be kept in a "Register of Interests". The Register of Interests is a document that is made available for public inspection upon request. Members are responsible for keeping their written declarations up to date at all times. In addition, members will be reminded on an annual basis to update their declaration.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the Council
- Use information gained in the course of their duties for their, or another person's monetary gain or advantage.

Section 99 of the Crimes Act 1961 defines a member or employee of a local authority as an official. For the avoidance of doubt and for the purposes of this act this means that each elected member of the Council is considered to be an official of the Council. Section 99 also defines a “bribe” as being “any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect”. The words “or indirect” open this definition considerably,

e.g. an offer of employment to a son or a daughter could be construed as amounting to being a bribe so members need to be aware of their exposure under this Act through other family members.

Section 105 and 105A provide:-

105. Corruption and bribery of official—

- (1) Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him in his official capacity.*
- (2) Every one is liable to imprisonment for a term not exceeding [7 years] who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by him in his official capacity.*

105A. Corrupt use of official information—

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses [or discloses] any information, acquired by him in his official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or any other person.

The act will include a clause that makes these provisions gender neutral. As elected members are deemed to be “officials” for the purposes of this act, you are therefore subject to these penalties if you are found to be in breach of them. Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002 (which disqualifies a member who is convicted of an offence punishable by a term of imprisonment of two years or more).

Secret Commissions Act 1910

This act basically establishes offences relating to the giving, receiving or soliciting of gifts or other consideration as an inducement or reward for doing or forbearing to do something in relation to the affairs of the Council, or showing or having shown favour or disfavour to any person in relation to the Council’s affairs or business (section 4(1)). It applies to elected members and covers any such gifts given, received or solicited by *“any parent, husband, wife, or child of any agent, or to his partner, clerk, or servant, or (at the agent’s request or suggestion) to any other person”*.

The act makes it an offence for any agent (for the purposes of the act an elected member is deemed to be an “Agent” of the Council) (section 16(1)(b)) to accept gifts without the consent of the principal (the Council), not to disclose a pecuniary interest in any contract which the agent makes on behalf of the principal, or who knowingly delivers to their principal a false receipt, invoice, account or other document in relation to the principal’s business. It is an offence to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

It also provides that it is an offence for any person to advise a party to enter into a contract with a third party and to receive gifts or consideration from that third party as reward for procuring the contract, unless that person is known by the party to be the agent of that third party. It further provides that the act of aiding or abetting or in any way facilitating an offence against the act is itself an offence.

Prosecutions made for offences under this act require the approval of the Attorney-General who has the power to decide whether any such prosecution shall be dealt with as an indictable offence or as one punishable on summary conviction. If any such offence is treated as an indictable offence, individuals convicted under this act face up to 7 years’ imprisonment. Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002.

Protected Disclosures Act 2000 (Whistle-Blower Protection)

The Protected Disclosures Act 2000 was amended in May 2009 to provide protection to elected members. Under the act the definition of an employee of a public sector organisation (PSO) includes elected members of a local authority.

Under the act an employee who discloses information about a serious wrongdoing by the PSO is protected from civil or criminal liability that might arise from such a disclosure and from retaliatory action against the employee. Serious wrongdoing under the act includes unlawful or irregular use of funds or resources, conduct that risks public health and safety; conduct that risks the maintenance of law; conduct that constitutes an offence; and oppressive, improper discriminatory conduct, gross negligence or gross mismanagement by a public official.

Protection under the act applies where an employee has information about a serious wrongdoing; a reasonable belief that the information is true or likely to be true; the employee wishes to have the matter investigated; and desires protection under the act.

The act requires disclosure by an employee to follow the internal procedures of the PSO. The Council is required to establish internal procedures to address the receipt of and dealing with information about serious wrongdoing in or by the Council. The Council has adopted a Protected Disclosures Policy. The policy is available on request.

Health and Safety at Work Act 2015

Health and Safety at Work Act 2015 allocates duties to those people who are in the best position to control risks to health and safety as appropriate to their role in the workplace. This act also requires the person conducting a business or undertaking (PCBU) (i.e. Council) to ensure, as far as is reasonably practicable, the safety of workers and others who may be impacted by the work the business undertakes.

For the purposes of this act, elected members (which includes the mayor and councillors) and the chief executive are by default identified as “officers”. Officers are any person occupying a position in relation to the business or undertaking that allows the person to exercise significant influence over the management of the business or undertaking.

Officers have due diligence obligations, which include:

- to acquire, and keep up to date, knowledge of work, health and safety matters
- to gain an understanding of the nature of the operations of the business and the associated hazards and risks
- to ensure that sufficient resources have been allocated and processes put in place to eliminate or minimise risks to health and safety from work carried out
- to ensure that there are appropriate processes in place for receiving and considering information regarding incidents, hazards and risks.

Personal liability of Elected Members

Elected Members are indemnified in respect of their actions as a member of the Council. Section 43 of the Local Government Act 2002 provides for this indemnity (by the Council) in relation to:

- (a) civil liability (both for costs and damages) if the Member is acting in good faith and in pursuance of the responsibilities or powers of the Council;
- (b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.

The Local Government Act provides for a theoretical personal exposure on the part of elected members in certain circumstances if the Council has incurred loss due to actions of the Council. The loss must arise out of one of the following situations:

- if the Council unlawfully spends money;
- if the Council unlawfully sells or disposes of an asset;
- if the Council unlawfully incurs a liability;

- if the Council intentionally or negligently fails to enforce the collection of money it is lawfully entitled to receive.

If the Auditor-General has reported on a "loss", then that loss is recoverable as a debt due to the Crown. This must be paid back to the Council from each elected member jointly and severally. However, as a Member of South Wairarapa District Council, you have a defence if you can prove that the act or failure which led to the loss occurred:

- without your knowledge; or
- with your knowledge but against your protest made at or before the time when the loss occurred; or
- contrary to the manner in which you voted on the issue at a meeting of the Council; or
- in circumstances where you acted in good faith and relied on information or professional or expert advice given by a Council officer or professional advisor on matters which you reasonably believed were within that person's competency.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with clause 21(5) of schedule 7 of the Local Government Act 2002.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report.
State the possible implications for health and safety	Nil

APPENDICES

Nil

8.4 COMMUNITY BOARD MEETING SCHEDULE FOR 2026**Author:** Shanin Bridger, Advisor, Community Governance**Authoriser:** Janice Smith, Chief Executive Officer**PURPOSE**

The purpose of this report is for the community board to agree on and adopt a schedule of meetings for the 2026 calendar year.

EXECUTIVE SUMMARY

The community board must, at its inaugural meeting of the triennium, either fix the date and time for its first meeting or adopt a schedule of meetings for the following year.

Council, and its meeting on 20 November 2025, adopted its schedule of meetings for the following year. A draft proposal for boards was included in this schedule which is attached to this report for the boards reference.

The schedule shows meetings of the Martinborough Community Board are to take place six weekly on a Wednesday. Previously, the Martinborough Community Board met on a Thursday evening, but with changes to the day in the week reserved for Council and its committees this triennium, Thursday should not be used for meetings of the board.

It was suggested to the Martinborough Community Board that meet on a Monday, which the calendar adopted by Council does not reflect.

DISCUSSION

Once agreed, the calendar will be updated to reflect the correct dates. The meetings will also be made publicly available via the website and set up in Councils agenda management system.

Board meetings are held in the Martinborough Town Hall Supper Room and are livestreamed. Meetings have a start time of 7pm.

The following meeting dates for 2026 are proposed for the board to consider and adopt:

Monday 2 February**Monday 16 March****Tuesday 28 April (due to Anzac Day)****Monday 8 June****Monday 20 July****Monday 31 August****Monday 12 October****Monday 23 November**

RECOMMENDATIONS

That the Martinborough Community Board resolve to:

1. Receive the report “Community board meeting schedule 2026”
2. Agree to meetings taking place in the Town Hall Supper Room at 7pm on the following evenings:
 - Monday 2 February
 - Monday 16 March
 - Tuesday 28 April (due to Anzac Day)
 - Monday 8 June
 - Monday 20 July
 - Monday 31 August
 - Monday 12 October
 - Monday 23 November.

CONSIDERATIONS**Financial**

There is no financial impact.

Climate Change

There are no positive or negative effects on climate change from this decision.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.

State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with Council Standing Orders, local government legislation and Council policy.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report.
State the possible implications for health and safety	There are no implications for health and safety.

APPENDICES**Appendix 1 Adopted schedule of meetings - 20 November 2025**

2026	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2026
MON						1 Kings Birthday							MON
TUE						2 MPC			1 FCB			1	TUE
WED				1		3	1		2 MCB			2	WED
THU	1 New Years Day			2		4	2		4	1 Council		3	THU
FRI	2 Day after			3 Good Friday	1	5	3		4			4	FRI
SAT	3			4	2	6	4	1	5	3		5	SAT
SUN	4	1	1	5	3	7	5	2	6	4	1	6	SUN
MON	5	2 GCB	2	6 Easter Monday	4	8 GCB	6	3	7	5	2	7	MON
TUE	6	3 FCB	3	7	5	9 FCB	7	4	8	6 MPC	3	8	TUE
WED	7	4 MCB	4	8	6	10 MCB	8	5	9	7	4	9	WED
THU	8	5	5	9 Council	7 EGC / SRC	11	9 Council	6	10	8	5 EGC / SRC	10	THU
FRI	9	6 Waitangi Day	6	10	8	12	10 Matariki	7	11	9	6	11	FRI
SAT	10	7	7	11	9	13	11	8	12	10	7	12	SAT
SUN	11	8	8	12	10	14	12	9	13	11	8	13	SUN
MON	12	9	9	13	11	15	13	10	14	12 GCB	9	14	MON
TUE	13	10	10 MPC	14	12	16	14 MPC	11	15	13 FCB	10	15	TUE
WED	14	11	11	15	13	17	15	12	16	14 MCB	11	16	WED
THU	15	12 IC	12 RAC	16 IC	14 RAC	18 IC	16 RAC	13 IC	17 RAC	15 IC	12 RAC	17	THU
FRI	16	13	13	17	15	19	17	14	18	16	13	18	FRI
SAT	17	14	14	18	16	20	18	15	19	17	14	19	SAT
SUN	18	15	15	19	17	21	19	16	20	18	15	20	SUN
MON	19 Wgtn Ann	16	16 GCB	20	18	22	20 GCB	17	21	19	16	21	MON
TUE	20	17	17 FCB	21 MPC	19	23	21 FCB	18	22	20	17 MPC	22	TUE
WED	21	18	18 MCB	22	20	24	22 MCB	19	23	21	18	23	WED
THU	22	19 Council	19	23	21 ESC	25 HOLD - Council adopt Annual Plan	23	20 Council	24 PAP	22	19 Council	24	THU
FRI	23	20	20	24	22	26	24	21	25	23	20	25 Christmas Day	FRI
SAT	24	21	21	25	23	27	25	22	26	24	21	26 Boxing Day	SAT
SUN	25	22	22	26	24	28	26	23	27	25	22	27	SUN
MON	26	23	23	27 ANZAC Day	25	29	27	24	28	26 Labour Day	23 GCB	28	MON
TUE	27 MPC	24	24	28 GCB	26	30	28	25 MPC	29	27	24 FCB	29	TUE
WED	28	25	25	29 FCB	27		29	26	29	28	25 MCB	30	WED
THU	29	26	26 PAP	30 MCB	28 Council		30	27		29 HOLD - Council adopt Annual Report	26 ESC	31	THU
FRI	30	27	27		29		31	28		30	27		FRI
SAT	31	28	28		30			29		31	28		SAT
SUN		29	29		31			30			29		SUN
MON			30					31 GCB			30		MON
TUE			31										TUE

Scheduled as six-weekly:

COUNCIL	Council
MCB	Martinborough Community Board
FCB	Featherston Community Board
GCB	Greytown Community Board
MPC	Māori Partnership Committee

Committees scheduled bi-monthly

IC	Infrastructure Committee
PAP	People and Performance Committee
RAC	Risk & Assurance Committee

Committees scheduled as needed (placeholders entered)

SRC	Social Resilience Committee
EGC	Economic Growth Committee
ESC	Environmental Sustainability Committee

Not scheduled - TBC

RCAC	Rural & Coastal Advisory Committee (not scheduled)
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Other:

	Public & School Holidays
	Workshops for Council and Committees - holding space

8.5 URGENT APPROVAL FOR CHRISTMAS PARADE EXPENDITURE**Author:** Shanin Brider, Advisor, Community Governance**Authoriser:** Janice Smith, Chief Executive Officer**PURPOSE**

The purpose of this report is to seek approval from the board for the payment of traffic management and advertising expenses relating to the 2025 Christmas Parade in Martinborough.

EXECUTIVE SUMMARY

The Martinborough Christmas Parade is to be held Sunday 14 December 2025.

The traffic management aspects of the parade have been managed by the board and invoices are being received relating to its cost. The board also advertised the event in the local paper, the Martinborough Star.

Due to the recent election taking place over the planning stages, the previous board could not approve expenses relating to the parade until the new board was in place post-election.

The Martinborough Community Board has \$3,037 of funding available which has been carried over from the 2024-25 year. The boards currently yearly allocation is not affected by the ratification of this expenditure.

This report is presented to the board with the following recommendations.

RECOMMENDATIONS

That the Martinborough Community Board resolve to:

1. Note the information contained in the "Urgent approval for Christmas Parade expenditure" report
2. Approve the payment to A&K Traffic Management Solutions for \$630 + GST, for the costs relating to implementing the traffic management plan and its associated administration costs – invoice attached
3. Approve the payment to Traffic Assist of \$1200 + GST, for the costs associated with event management on Sunday 14 December 2025 – invoice attached
4. Approve a payment to The Martinborough Star of up to \$150 + GST, for the costs associated in advertising the event when the invoice is received.

BACKGROUND

The board received two quotes for event management of the Christmas Parade. The quotes are as follows:

A&K Traffic Management \$1570 +GST

Traffic Assist \$1200 + GST

The board chose to engage Traffic Assist to carry out the event management aspects of the parade as they provided the more cost-effective option.

Due to the timeframe needed to implement the traffic management plan, and receive the paperwork required approving the management of traffic on the day, the board engaged A&K Traffic Management to immediately obtain the approval needed for the parade to be advertised and planning to move forward.

DISCUSSION

The board is asked to discuss and approve costs relating to the parade so the invoices can be paid in Council's final payment run prior to Christmas.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.	This report complies with local government legislation and Council policy.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications for Māori.
Chief Financial Officer review	The Chief Financial Officer has not reviewed this report.
State the possible implications for health and safety	There are no implications for health and safety

APPENDICES

Appendix 1 **Invoice from Traffic Assist**

Appendix 2 **Invoice from A&K Traffic Solutions**



TAX INVOICE

Invoice : 3401
DATE: 14/12/25
GST No 40-846-964

BILL TO:

Traffic Assist	South Wairarapa District Council		
39 Wallace Street	19 Kitchener St		
Featherston, 5710	Martinborough		
02108279656	Attn : Martinborough Community Board		
peter@trafficassist.nz	Contact : Storm Robertson		
NZBN 9429047686991			
	Job description : Martinborough		
	Xmas parade		
DESCRIPTION	QTY	UNIT PRICE	AMOUNT
Martinborough Xmas Parade			
Provide Traffic Management for the Event dated Saturday 14/12/25 Involving 6 Staff - 1/2 Day	x1	\$1,200.00	\$1,200.00
	SUBTOTAL		\$1,200.00
	GST		\$180.00
	AMOUNT DUE		\$1,380.00

TERMS AND CONDITIONS

Payment to be made within 30 days.

PLEASE MAKE A PAYMENT TO

Traffic Assist
 Bank Account Number 02-0608-0061987-000

Thank you for your business!

|



TAX INVOICE

Martinborough Community Board
17 Kitchener Street
Martinborough
Martinborough 5711
NEW ZEALAND

Invoice Date
28 Nov 2025

Invoice Number
INV-0707

Reference
AKTS.696

GST Number
136-245-236

A&K Traffic Solutions Ltd
3 Hawke Street
Greytown 5794
NEW ZEALAND

Description	Quantity	Unit Price	Amount NZD
Traffic Management Plan Event- Martinborough Christmas Parade 2025	1.00	450.00	450.00
Administration Works- Includes CAR applications and Liaising with Council Representatives	1.00	180.00	180.00
Subtotal			630.00
TOTAL GST 15%			94.50
TOTAL NZD			724.50

Due Date: 5 Dec 2025

Payment may be made to Bank Account: 06-0689-0978171-00

Please use invoice number as reference.



PAYMENT ADVICE

To: A&K Traffic Solutions Ltd
3 Hawke Street
Greytown 5794
NEW ZEALAND

Customer Martinborough Community Board
Invoice Number INV-0707

Amount Due 724.50
Due Date 5 Dec 2025

Amount Enclosed

Enter the amount you are paying above

8 KARAKIA WHAKAMUTUNGA – CLOSING

Kua mutu ā mātou mahi
Mō tēnei wā
Manaakitia mai mātou katoa
O mātou hoa
O mātou whānau
Aio ki te Aorangi

Our work is finished
For the moment
Blessing upon us all
Our friends
Our families
Peace to the Universe