



South Wairarapa District Council Minutes from 2 August 2023

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- Present:** Mayor Martin Connelly (Chair) Deputy Mayor Sadler-Futter, Councillor Aidan Ellims (until 3:01pm), Alistair Plimmer, Rebecca Gray, Martin Bosley and Aaron Woodcock, Colin Olds and Kaye McAulay.
- Apologies:** Councillor Pip Maynard
- In Attendance:** Storm Robertson, Karen Krogh and Mel Maynard (via Zoom) (Martinborough Community Board).
- Paul Gardner (Interim Chief Executive Officer), Amanda Bradley (General Manager Policy and Governance), Sheil Priest (General Manager Communications and Engagement), Stefan Corbett (Group Manager Partnerships and Operations), Russell O’Leary (Group Manager Planning and Environment), Leanne Karauna (Principal Advisor Māori), Nicki Ansell (Lead Community Advisor), Kaity Carmichael (Lead Policy Advisor) and Amy Andersen (Committee Advisor).
- Kim Kelly (Greater Wellington Regional Council).
- Public Forum:** Peter Biggs, Lee Carter, Warren Woodgyer, Mike Gray and Jim Hedley.
- Conduct of Business:** This meeting was held in the Supper Room, Waihinga Centre, 62 Texas Street, Martinborough and via audio-visual conference. This meeting was live-streamed is available to view on our YouTube channel. The meeting was held in public under the above provisions from 10.01am to 3:26pm except where expressly noted.

Open Section

A1. Karakia Timatanga - Opening

Mayor Connelly opened the meeting.

A2. Apologies

COUNCIL RESOLVED (DC2023/104) to accept apologies from Cr Maynard for the meeting; and from Cr Ellims, Cr Gray, Cr Bosely and Cr Woodcock to leave the meeting at various intervals.

(Moved Cr Gray/Seconded Cr Ellims)

Carried

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A3. Conflicts of Interest

There were no conflicts of interest.

A4. Acknowledgements and Tributes

Mayor Connelly and Cr Plimmer acknowledged Rick Mead and Council Officers for being awarded Super Idea at the LGNZ conference which took place last week in Christchurch.

Mayor Connelly, Cr Olds, and Cr Woodcock acknowledged the passing of Richard Harding, former Mayor of Greytown (1975-1983). Mayor Connelly noted that Council had sent floral tribute to Mr Harding's family.

Cr Olds and Cr Woodcock acknowledged the passing of Ruby Holmes, Greytown resident.

Cr Plimmer also informed that Brian Jephson, former SWDC Councillor had a medical emergency on the weekend and sent best wishes for a speedy covering.

A5. Public Participation

Cr Plimmer left the meeting at 10:07am.

Cr Plimmer returned to the meeting at 10:17am.

Peter Biggs – Booktown

Mr Bigg, the Chair of *Featherston Booktown Trust*, spoke to Council about the background and work of the organisation, and their hosting of the hosting the next year global conference next year (14-18 March 2023) and noted the organisation were seeking funding to ensure the conference is successful.

Mr Biggs responded to members queries including how many people were expected to attend the conference and potential funding sources to support this.

Lee Carter – Infrastructure and Community Services Committee meeting, 25 July 2023 - Libraries

Ms Carter provided feedback to Council on the libraries item discussed by the ICS Committee last week including: decision making in relation to funding libraries, shared services, recruitment, management of staff leave, budgets, the lack of a Memorandum of Understanding with Carterton District Council, and governance.

Ms Carter responded to members queries including her terms on the Featherston Community Board and Council; and sharing positive feedback.

Warren Woodgyer – CEO selection process

Mr Woodgyer spoke to Council about the CEO selection process, regarding transparency of the process and shared his views about what Council should be looking for in a

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candidate, as well as the inclusion of Community Board to support selection of a candidate.

Councillor McAulay provided some details about the current selection process and next steps, which will include updates to the Community Boards in the coming weeks.

Mike Gray – Future for Local Government Review

Mr Gray, supported by Mr Hedley, spoke to Council on behalf of a group called *Citizens Promoting Quality Community Governance*. Mr Gray offered the group's support in light of the recent Future for Local Government Review. He noted that the group would like to see local residents included in the rating review process.

Mr Gardner noted that SWDC did contribute to the Future for Local Government Review, working through LGNZ to champion a way forward.

Members encouraged the community to submit on future consultations and observed that the group could provide support to the community to engage in the processes led by Council.

Jim Hedley – After effects of the Annual Plan 23/24

Mr Hedley spoke to Council to relay his concerns about the rates review and how rates are currently set.

A6. Actions from public participation

Members queried whether more information on financial support could be provided to Booktown. Mr Gardner noted that he had been in contact with Mr Biggs regarding applications for the appropriate funding.

A7. Matters arising from previous minutes

There was no extraordinary business.

A8. Māori Standing Committee/Community Boards

Mr Robertson, supported by Ms Krogh and Ms Maynard, spoke to matters submitted in the request to Council and provided examples of issues that the Community Board were experiencing.

Community Board members wanted to clarify the high court decision on the bequest to Martinborough Council, answering questions from 2019.

Mr Robertson responded to members queries including what conversations with CE/Staff around reasonable timings for information had already occurred, whether the Community Board would prefer regular provision of adapted financial summaries,

Members also queried the delegation of responsibilities to the Pain Farm Estate.

Mr Gardner, supported by Ms Bradley, noted the current plan was for co-design of a Pain Farm Policy, and the high court decision gives remit of the estate to Council and

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any delegations; it was noted the current regularity of financial reporting is quarterly.

Members sought agreement from the Mr Robertson prior to decisions on a way forward.

Cr Plimmer to the meeting left 11:09am.

Cr Plimmer returned to the meeting 11:13am.

COUNCIL RESOLVED (DC2023/105) to:

1. Receive the *Martinborough Community Board – Pain Farm Estate Report*.
(Moved Cr Ellims/Seconded Deputy Mayor Sadler-Futter) Carried
2. Delegate the CE to develop a Memorandum of Agreement for Pain Farm Estate with the Martinborough Community Board (MCB), the provision of information, agreement of overhead charges, disbursements of income and other matters of importance to the MCB.
(Moved Mayor Connelly/ Seconded Cr Ellims) Carried

A9. Minutes for Confirmation

COUNCIL RESOLVED (DC2023/106) that the minutes of the Council meeting held on 28 June 2023 are confirmed as a true and correct record.

(Moved Cr Olds/Seconded Deputy Mayor Sadler-Futter) Carried

A10. Matters arising from previous minutes

There were no matters arising.

The meeting was adjourned at 11:13am.

The meeting was reconvened at 11:28am – All present, excluding Cr Ellims.

B Recommendations from Committees

B1. Recommendations from the Infrastructure and Community Services Committee

COUNCIL RESOLVED (DC2023/107) to:

1. Receive the *Recommendations from the Infrastructure and Community Services Committee Report*.
(Moved Cr Plimmer/ Seconded Deputy Mayor Sadler-Futter) Carried
2. Delegate to the Chair, Deputy Chair of ICS, and CE to adopt an interim roster for the period of 12 weeks.
3. Agree the CE conduct a thorough review of library services, management and shared services, with a report back to the Infrastructure and Community Services committee by 15 November 2023.

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4. Delegate to the CE to approve spend from the remuneration budget for the period of the review of library services, if needed.

[Items 2-4 read together]

(Moved Mayor Connelly /Seconded Cr Plimmer)

Carried

Cr Plimmer left the meeting at 11:30am.

C Decision Reports from the Interim Chief Executive and Council Officers

C1. Control of Dogs Policy and Bylaw Report

Ms Carmichael spoke to matters in the report.

Mr Gardner noted under emergency management act, appropriate animal control is in place and therefore the bylaw is required.

Ms Carmichael responded to queries including management of dogs on camping grounds/sites in coastal areas and the possibility of joint policy with Masterton and Carterton District Councils.

Cr Ellims returned to the meeting at 11:35am

Cr Woodcock left the meeting at 11:36am

Cr Woodcock returned to the meeting at 11:36am.

COUNCIL RESOLVED (DC2023/108) to:

1. Receive the 'Control of Dogs Policy & Bylaw' Report;
2. Agree that in accordance with section 147A of the Local Government Act 2002, the proposed bylaw is justified as a reasonable limitation on people's rights and freedoms.
3. Agree that in accordance with section 155(1) of the Local Government Act 2002, the proposed bylaw is the most appropriate way of addressing the perceived problem of dog control in the district.
4. Agree that in accordance with section 155(2) of the Local Government Act 2002, the proposed bylaw is the most appropriate form of bylaw and is not inconsistent with the New Zealand Bill of Rights Act 1990.
5. Adopt the Statement of Proposal for public consultation in accordance with the special consultative procedure, as provided in sections 83, 86 and 156 of the Local Government Act 2002.
6. Delegate the power to the Chief Executive to amend the Statement of Proposal to include any amendments agreed by Council and any minor consequential edits.

[Items 1-6 read together]

(Moved Cr Olds/Seconded Deputy Mayor Sadler-Futter)

Carried

C2. Revoking Policy

Ms Carmichael spoke to matters included in the report. Members queried when the policies will be revoked.

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COUNCIL RESOLVED (DC2023/109) to:

1. Receive the *Revoking Policy Report*.
(*Moved Cr Ellims/ Secoded Cr Bosley*) Carried
2. Agree to revoke the following policies:
 - a. Promotion, Publicity and Media Liaison (J100);
 - b. Community Groups Use of and Access to Council Parks, Reserves and Open Spaces (E502);
 - c. Graffiti Prevention and Management Policy (E900); and
 - d. Concessions for Charitable and like Community Organisations and Groups (K100).(*Moved Mayor Connelly/Secoded Cr Olds*) Carried
3. Agree to amend the Grants Policy to include a relevant policy statement on concessions for those who meet eligibility criteria for grant funding.
(*Moved Cr Olds/Secoded Deputy Mayor Sadler-Futter*) Carried

C3. Representation Review: Voting Options

Members discussed preferences in relation to voting options and the merits of both systems.

Ms Bradley, supported by Ms Ansell, spoke to matters in the report.

Members queried the estimated costs of changing the system, Maori Wards, polling, and potential delays in managing further changes due to the capacity and resourcing of Policy and Governance Team.

Cr Plimmer joined the meeting at 11:49am.

COUNCIL RESOLVED (DC2023/110) to:

1. Receive the *Representation Review: Voting Options Report*.
(*Moved Deputy Mayor Sadler/Secoded Mayor Connelly*) Carried
2. Agree that we do not seek a resolution by 12 September 2023.
(*Moved Mayor Connelly/Secoded Cr Plimmer*) Carried
Against: Cr Gray

C4. Proposed Code of Conduct - Te Tikanga Whanonga – for Members

Ms Bradley spoke to matters included in the report.

Mr Garnder noted a panel for reviewing reports from investigators would be required for tabletop exercises.

Members queried whether a list of consequences for breaching the Code would be required, estimated costs for investigations and what the review panel would cover.

Action: Council Officers to provide a list of enforceable options following breaches of the Code of Conduct.

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COUNCIL RESOLVED (DC2023/111) to:

1. Receive the *Code of Conduct - Te Tikanga Whanonga for Members* Report.
(*Moved Cr Gray/Seconded Cr Sadler*) Carried
2. Adopt the Code of Conduct - Te Tikanga Whanonga for the 2022-2025 Triennium.
3. Adopt the policy as attached in Appendix 1 for dealing with alleged breaches of the code.
(*Moved Cr Olds /Seconded Deputy Mayor Sadler-Futter*) Carried

- C5. Proposed Standing Orders for Meetings of Local Authorities and Community Boards**
Members queried changes to 4.3 Preparation of the agenda; and debated the removal/amendment of casting votes, as well as discussion on the definition of abstain and inclusion in the body of the document. Mr Gardner noted the complexities relating to abstentions. Members discussed what to do when they feel there's a lack of information to make a decision.

COUNCIL RESOLVED (DC2023/112) to:

1. Receive the *Proposed Standing Orders for Meetings of Local Authorities and Community Boards* Report.
(*Moved Mayor Connelly/Seconded Cr Ellims*) Carried
2. Adopt the LGNZ Standing Orders for the conduct of its meetings and those of its committees (including community boards) with the following amendments:
18.3 Chairperson has a casting vote: The Mayor, Chairperson, or any other person presiding at a meeting, has a deliberative vote and, in the case of an equality of votes, has a casting vote only where there isn't a status quo; and
18.7 Members may abstain: to add reference to the definition of abstain on page 13 of the Standing Orders.
(*Moved Mayor Connelly /Seconded Sadler Futter*) Carried
3. Delegate authority to the Chief Executive to approve minor edits to the proposed Standing Orders 2023 prior to publication.
(*Moved Mayor Connelly/Seconded Cr Ellims*) Carried

The meeting was adjourned at 12:30pm.

The meeting reconvened at 1:03pm; all present excluding Cr Gray.

D Information Reports from the Interim Chief Executive and Council Officers

D1. Interim CE Update

Mr Gardner spoke to matters included in the report and responded to queries from members including: whether further information about staff resources and LGOIMA could be reported quarterly; information relating to RMA reforms; the upcoming Waka

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Kotahi board meeting (17 August 2023) and whether a letter from Council to support the CE would be beneficial.

Cr Gray returned to the meeting at 1:14pm.

Members thanked Council Officers for the workshops held for last week on roading and RMA reform, acknowledging the efforts made to provide and present the information.

Action 293: Council Officers to provide information to Council regarding ways to reduce LGOIMAs; A Bradley.

D2. Residents Perception Survey Results

Ms Bradley spoke to the report and provided an updated version of the report including communications plans.

Members commented on the Featherston results, and the key areas of concern being addressed slowly but surely.

COUNCIL RESOLVED (DC2023/113) to:

1. Receive the *Resident Perceptions Survey Results* Report.

(Moved Mayor Connelly/Seconded Deputy Mayor Sadler-Futter)

Carried

2. Note that the report will be make publicly accessible on the South Wairarapa District Council website .

(Moved Cr Bosley/Seconded Cr McAulay)

Carried

D3. Options for Alternative Committee Structure (Tabled Report)

Ms Bradley spoke to the report tabled at the meeting.

Ms Bradley responded to members queries including: how committees are established and the related process, resolution required for committee of the whole, responsibilities council are

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unable to delegate, establishing a subcommittee, governance of the committee and process to appointment a chairperson.

COUNCIL RESOLVED (DC2023/114) to receive the Options for Alternative Committee Structure report.

(Moved Mayor Connelly/Seconded Cr McAulay)

Carried

D4. Action Items

739: Mr O'Leary informed he had provided a briefing to Council via email which was further discussed in the meeting. Noted that the next paper to Council on this action will be included in public excluded section of the agenda.

420: No further updates, but making good progress.

537: This sits within Wairarapa Combined District Plan Review. Further progress updates will be completed in the coming months.

227: This will be included in Long-Term Plan discussions; Cr Plimmer provided context.

259: Ms Bradley requested that Mr Corbett be named as the responsible manager against this action.

45: Council requested prioritisation of this report to the next Infrastructure and Community Services Meeting. *S Corbett/A Mattsen*

47: Noted this agreement would be completed in next few weeks.

E Mayor's Report

E1. Report from The Mayor (Tabled Report)

Mr O'Leary and Ms Kelly spoke to matters in the report.

COUNCIL RESOLVED (DC2023/115) to:

1. Receives the Report from the Mayor.
(Moved Mayor Connelly /Seconded Cr Ellims) Carried
2. Agrees the Wellington Regional Leadership Committee continues as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002, but on the amended terms set out in the Joint Committee Agreement (dated 2023), with the amendments in effect from the date the Wellington Regional Leadership Committee Joint Committee Agreement is signed by all local authority parties;
3. Authorises the Wellington Regional Leadership Committee to appoint a Joint Committee Subcommittee for the Future Development Strategy to hear and make recommendations on submissions received on the draft Future Development Strategy to be developed under the National Policy Statement for Urban Development 2020 (and any updates to that Strategy);
4. Approves the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee.

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5. Subcommittee for the Future Development Strategy (noting that as required by the existing Agreement, the Wellington Regional Leadership Committee Joint Committee has endorsed the amendments to functions and powers of the Joint Committee);
8. Delegates all powers and functions to the Wellington Regional Leadership Committee set out in the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy;
6. Authorises the Mayor to sign the amended Wellington Regional Leadership Committee Joint Committee Agreement on behalf of the Council; and
7. Appoints Councillor Rebecca Gray to be a member of the Joint Committee Subcommittee for the Future Development Strategy for the purposes of hearing submissions on the draft Future Development Strategy (or any updates to it) and making recommendations on those submissions to the Wellington Regional Leadership Committee.

(Moved Deputy Mayor Sadler-Futter/Seconded Cr McAulay)

Carried

[In relation to Item D3]

Action 297: Council officers to work with Cr Gray and Cr Plimmer to develop a TOR for a committee of the whole.

F Public Excluded Business

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

Report/General Subject Matter	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
Public Excluded Council Meeting Minutes, 28 June 2023	Good reason to withhold exists under section 7(2)(a)	Section 48(1)(a)
Review of corporate accommodation and future Requirements	Good reason to withhold exists under section 7(2)(i)	Section 48(1)(a)
Solid Waste Contract Extension and Section 17A Review	Good reason to withhold exists under section 7(2)(i)	Section 48(1)(a)
Outstanding Rates Water Debtor Report	Good reason to withhold exists under section 6(a)&(b); and 7(2)(a)	Section 48(1)(a)

This resolution (DC2023/116) is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

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Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for the passing of this Resolution
The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2)(a)
The public disclosure of information would be likely: (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or (b) to endanger the safety of any person.	Section 6(a)&(b)
The withholding of the information is necessary to enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2)(i)

(Moved Cr Olds / Seconded Deputy Mayor Sadler-Futter)

Carried

Cr Ellims left the meeting at 3:01pm.

- F1. Confirmation of public excluded minutes, 28 June 2023**
- F2. Review of corporate accommodation and future requirements**
- F3. Solid Waste Contract Extension and Section 17A Review**
- F4. Outstanding Water Rates Debtor’s Report.**

G Karakia Whakamutunga – Closing

Mayor Connelly closed the meeting with a karakia.

The meeting closed at 3:26pm.

Confirmed as a true and correct record

.....(Mayor)

.....(Date)

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