



**SOUTH WAIRARAPA DISTRICT COUNCIL  
Minutes from 15 December 2021**

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<b>Present:</b>	Mayor Alex Beijen, Deputy Mayor Garrick Emms, Councillors Pam Colenso, Rebecca Fox, Leigh Hay, Brian Jephson, Pip Maynard, Alistair Plimmer, Brenda West and Colin Olds.
<b>In Attendance:</b>	Harry Wilson (Chief Executive), Russell O’Leary (Group Manager Planning and Environment), Katrina Neems (Chief Financial Officer), Charly Clarke (Finance Manager) and Suzanne Clark (Committee Advisor). Audit NZ: John Whittal.
<b>Conduct of Business:</b>	Due to COVID-19 restrictions this meeting was held via video conference and live streamed to Council’s YouTube channel. All members participating via video conference count for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. The meeting was held in public under the above provisions from 9:00am to 10:55am except where expressly noted.
<b>Public Forum</b>	Joe Taukamo, and Daphne Geisler.

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## **Open Section**

Cr Fox read the Council affirmation.

**A1. Apologies**

There were no apologies received.

**A2. Conflicts of Interest**

There were no conflicts of interest declared.

**A3. Acknowledgements and Tributes**

There were no acknowledgements or tributes.

**A4. Public Participation**

Mr Taukamo wanted to raise greater public awareness of the assistance that guide dogs provided to people with disabilities. Exemptions were granted to guide dogs for entering events and businesses. Mr Taukamo queried who acted in the health and disability advisory role at Council.

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Ms Geisler queried whether Council had spent \$35,000 on an unbudgeted item, specifically BBQ's for the community pools. Ms Geisler noted that a LGOIMA response time was excessive and did not provide a full answer which required a second question. Ms Geisler believed that the LGOIMA process needed attention. Governance oversight of expenditure and a review of delegated authorities was requested.

**A5. Actions from public participation**

*COUNCIL NOTED:*

1. Action 637: Raise public awareness of guide dogs and the exemptions that applied with regards to allowing them in venues; e.g. signs in public places, social media posts, placing information on Council's website, community papers; S Priest
2. Action 638: Provide an account of the recent expenditure on BBQ's for the swimming pools and whether it was planned or unbudgeted expenditure; K Neems

**A6. Extraordinary Business**

*COUNCIL RESOLVED (DC2021/110)* to add the Annual Report Adoption Report to the agenda as item B2. The reason it was late was that Audit NZ were still finalising their audit when the agenda was issued and it can't wait until the next meeting as the Annual Report must be adopted by the 31 December 2021.

*(Moved Cr Hay/Seconded Cr Colenso)*

Carried

*Cr Maynard voted against*

*Cr West voted against*

**A8. Minutes for Confirmation**

*COUNCIL RESOLVED (DC2021/111)* that the minutes of the Council meeting held on 3 November 2021 are a true and correct record.

*(Moved Cr Plimmer/Seconded Mayor Beijen)*

Carried

*COUNCIL RESOLVED (DC2021/112)* that the minutes of the Council meeting held on 10 November 2021 are a true and correct record.

*(Moved Cr Jephson/Seconded Cr Plimmer)*

Carried

*COUNCIL RESOLVED (DC2021/113)* that the minutes of the Council meeting held on 17 November 2021 are a true and correct record.

*(Moved Mayor Beijen/Seconded Cr Colenso)*

Carried

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**B Decision Reports from Chief Executive and Staff**

**B1. Council Extraordinary Vacancy**

*COUNCIL RESOLVED (DC2021/114):*

1. To receive the Council Extraordinary Vacancy Report.  
*(Moved Cr Jephson/Seconded Cr Fox)* Carried
2. To confirm the appointment of Colin Olds to fill the extraordinary vacancy on Council.  
*(Moved Cr Hay/Seconded Mayor Beijen)* Carried

**C Declaration of Cr Colin Olds**

Cr Colin Olds made his declaration, this was witnessed by Mayor Beijen.

**B Decision Reports from Chief Executive and Staff (cont.)**

**B2. Adoption of 2020/2021 Annual Report**

Some members expressed concern at the late distribution of this item.

Mr Wilson noted that a draft Annual Report had been reviewed at a workshop of the Finance, Audit and Risk Committee and that the document was a report of historic financial information which was not subject to change.

Mr Whittal advised that Audit NZ were satisfied that the capital expenditure was correct, that the service performance audit was qualified due to Wellington Water performance measures (now corrected) and that the overall opinion would be modified despite the identified issue being corrected. The document made all appropriate disclosures.

Cr Jephson left the meeting at 9:40am.

Cr Jephson returned to the meeting at 9:42am.

Mr Whittal noted that the impacts of COVID on Audit NZ were significant. Mr Wilson thanked Mr Whittal for personally contributing to the audit.

Members discussed possible updates needed to the Annual Report and agreed to forward queries and suggestions to Council officers. Rating units and property values was discussed.

*COUNCIL RESOLVED (DC2021/115):*

1. To receive the Adoption of 2020/2021 Annual Report.  
*(Moved Cr Plimmer/Seconded Cr Hay)* Carried
2. To adopt the 2020/2021 Annual Report.  
*(Moved Mayor Beijen/Seconded Cr Hay)* Carried  
*Cr Maynard voted against*  
*Cr West voted against*  
*Cr Olds abstained*
3. To adopt the 2020/2021 Summary Annual Report.  
*(Moved Cr Hay/Seconded Cr Colenso)* Carried  
*Cr Maynard voted against*

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*Cr West voted against*

*Cr Olds abstained*

4. To delegate to the Mayor and Chief Executive to correct minor grammatical and other errors.

*(Moved Cr Plimmer/Seconded Cr Emms)*

Carried

*Cr Maynard voted against*

*Cr West voted against*

*Cr Olds abstained*

5. To delegate to the Mayor and Chief Executive authority to sign these reports.

*(Moved Cr Emms/Seconded Cr Colenso)*

Carried

6. Action 639: Elected members are to email the Chief Financial Officer with any requests for change to the Annual Report, or with requests for answers to further queries; Councillors

### **B3. Code of Conduct Review Report**

Members discussed the impact of including an undischarged bankrupt clause, whether there was a pre-election disclosure requirement and grammatical corrections to the Code.

*COUNCIL RESOLVED (DC2021/116):*

1. To receive the Elected Member Code of Conduct Report.

*(Moved Cr Colenso/Seconded Cr Fox)*

Carried

2. To agree to include a clause in the Code of Conduct that requires a newly elected member or member to declare whether they are an undischarged bankrupt (clause 12).

*(Moved Mayor Beijen/Seconded Cr Plimmer)*

Carried

3. To adopt the Code of Conduct.

*(Moved Cr Olds/Seconded Cr Maynard)*

Carried

4. To delegate to the Chief Executive the authority to make minor grammatical amendments that do not alter the intent of the Code of Conduct.

*(Moved Cr Colenso/Seconded Cr Fox)*

Carried

## **E Chairperson's Report**

### **E1. Report from His Worship the Mayor**

Mayor Beijen discussed the NZTA lobbying he was undertaking regarding the Waihenga Bridge, pending changes to the Wairarapa Moana Governance Group, and the proposed committee appointments structure with members. A further report would be presented to the first Council meeting in February 2022. Councillors committed to sending through comments on appointments to Mayor Beijen.

*COUNCIL RESOLVED (DC2021/117):*

1. To receive the Report from His Worship the Mayor.

*(Moved Cr Emms/Seconded Cr Colenso)*

Carried

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2. To adopt the proposed appointment structure with the following alterations:
  - a. Remove Cr Hay from the Assets and Services Committee.
  - b. Remove Cr Olds from the District Licensing Committee and add Cr West.
  - c. Add Cr West to the Planning and Regulatory Committee.

*(Moved Mayor Beijen/Seconded Cr Emms)*

Carried

3. Action 640: Add the Mayor’s Taskforce Working Group and the Working Group for the Future of Local Government to the appointment structure; Mayor Beijen

Cr Plimmer had raised an issue of perception with regards to the Chair of the Featherston Community Board, this has now been resolved. The community had perceived that Cr Plimmer had made an allegation that Mr Shepherd was behaving in an unethical way which was incorrect. The perception of a conflict of interest and Mr Shepherd’s role on the Mayor’s Task Force for jobs has been resolved. There is no conflict and Mr Shepherd had not acted unethically.

Cr West acknowledged previously stated conflict of interest concerns about Mr Shepherd, acknowledged that there were no conflicts, and apologised to Mr Shepherd for raising. Any concerns had been resolved.

## **G 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:

<b>Report/General Subject Matter</b>	<b>Reason for passing this resolution in relation to the matter</b>	<b>Ground(s) under Section 48(1) for the passing of this Resolution</b>
Confirmation of Public Excluded Minutes 17 November 2021	Good reason to withhold exists under section 7(2)a, section 7(2)(g), section 7(2)(h) and section 7(2)(i)	Section 48(1)(a)

This resolution (DC2021/118) is made in reliance on Section 48(1)(a) 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:

<b>Reason for passing this resolution in relation to the matter</b>	<b>Ground(s) under Section 48(1) for the passing of this Resolution</b>
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 withholding of the information is necessary to maintain legal professional privilege	Section 7(2)(g)
The withholding of the information is necessary to enable any local authority holding the information to	Section 7(2)(h)

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carry out, without prejudice or disadvantage, commercial activities.	
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 Colenso/Seconded Cr Hay)*

Carried

**Confirmed as a true and correct record**

.....(Mayor)

.....(Date)

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