



**SOUTH WAIRARAPA DISTRICT COUNCIL  
Ordinary Meeting  
Minutes from 5 February 2020**

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- Present:** Mayor Alex Beijen (Chair), Deputy Mayor Garrick Emms, Councillors Pam Colenso, Rebecca Fox, Leigh Hay, Brian Jephson, Pip Maynard, Alistair Plimmer, Ross Vickery and Raihānia Tipoki (until 11:00am).
- In Attendance:** Harry Wilson (Chief Executive Officer), Jennie Mitchell (Group Manager Corporate Support), Russell O’Leary (Group Manager Planning and Environment), Suzanne Clark (Committee Advisor) and for part only Godwell Mahowa (Planning Manager), Lou Brown (Planner), Euan Stitt (Group Manager Partnerships and Operations), Debbie Donaldson (Perception Planning), Ian McSherry and Steve Hutchison (Wellington Water).
- Conduct of Business:** The meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and was conducted in public between 10:00am and 2:25pm.
- Also in Attendance:** Mary Byrne (Fluoride Free NZ), and Elaine Sutherland.
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**Open Section**

**A1. Affirmation**

Cr Colenso read the Council affirmation.

**A2. Apologies**

*COUNCIL RESOLVED (DC2020/01) to accept apologies from Cr Brenda West.  
(Moved Cr Hay/Seconded Cr Maynard)*

Carried

**A3. Conflicts of Interest**

There were no conflicts of interest declared.

**A4. Acknowledgements and Tributes**

The following tribute was made when Council reconvened at 1:08pm.

Cr Plimmer acknowledged the passing of Jock Blathwayt and his dedication to the preservation of law and advocacy for youth and disadvantaged people.

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#### **A5. Public Participation**

Ms Byrne outlined the background to the Health (Fluoridation of Drinking Water) Amendment Bill which proposes to give decision making for fluoridating town water supply to district health boards. Ms Byrne requested SWDC prepare a remit to Local Government NZ seeking retention of the power for councils to decide whether to fluoridate town water supplies.

Mrs Sutherland spoke in support of Council officer's recommendation to support the vesting Sutherland Drive and Southdown Drive with Council. Further subdivision had taken place and new residents had not been required to contribute to the cost of road maintenance. The road was now beyond the ability of the Sutherlands to maintain. Mrs Sutherland requested that Council fund the vesting costs and they would gift the land and pay the surveying costs.

#### **A7. Actions**

Members noted that Featherston Community Board had an open action on fluoridation and that the matter would be considered at their next meeting.

Vesting of Sutherland Drive would be considered under agenda item 'C7 A Request for the Proposed Vesting of Two Right of Ways Sutherland Drive and Southdown Drive with Council'.

#### **A8. Extraordinary Business**

*COUNCIL RESOLVED (DC2020/02)* that the Triennial Agreement Report be considered at this meeting as agenda item C10. It is not on the agenda as the agreement only became available on the 3 February 2020. It is advisable that consideration of this report is not delayed as s15 of the LGA requires that a triennial agreement be adopted by 1 March 2020 and the next Council meeting is not until 18 March 2020.

*(Moved Cr Fox/Seconded Cr Emms)*

Carried

*COUNCIL RESOLVED (DC2020/03)* that the draft Wastewater Discharge Report be considered at this meeting as agenda item C0. It is not on the agenda as due to the second event the report needed to be rewritten and then peer reviewed and only became available on the 4 February 2020. It is advisable that consideration of the report is not delayed due to public interest, noting that a full report would be tabled at the Assets and Services Committee for public consideration.

*(Moved Cr Colenso/Seconded Cr Vickery)*

Carried

#### **A8. Community Board/Maori Standing Committee Participation**

Mr Tipoki thanked Council for intervening with regards to the Featherston motocross track, reported that a Te Reo course was being held in South Wairarapa, and requested that swimming spots along the Ruamahanga River were tested for E. coli and other chemicals. Mr Tipoki tabled notes on the proposed Wairarapa water storage system and noted that the MSC had concerns about the project.

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**A8. Minutes for Confirmation**

*COUNCIL RESOLVED (DC2020/04)* that the minutes of the Council meeting held on 20 November 2019 are a true and correct record subject.

*(Moved Cr Plimmer/Seconded Cr Fox)*

Carried

*COUNCIL RESOLVED (DC2020/05)* that the minutes of the Council meeting held on 4 December 2019 are a true and correct record subject.

*(Moved Cr Hay/Seconded Cr Vickery)*

Carried

**A9. Notices of Motion**

There were no notices of motion.

**B Reports of Committees and Community Boards**

**B1. Minutes of Council Community Boards and Committees**

*COUNCIL RESOLVED (DC2020/06):*

1. To receive the information.

*(Moved Cr Jephson/Seconded Cr Plimmer)*

Carried

2. To receive the minutes of the Featherston Community Board meeting 3 December 2019.

3. To receive the minutes of the Martinborough Community Board meeting 5 December 2019.

4. To receive the minutes of the Maori Standing Committee meeting 5 December 2019.

5. To receive the minutes of the Finance, Audit and Risk Committee meeting 11 December 2019.

6. To receive the minutes of the Greytown Community Board meeting 11 December 2019.

7. To receive the minutes of the Planning and Regulatory Committee meeting 11 December 2019.

8. To receive the minutes of the Assets and Services Committee meeting 11 December 2019.

9. To receive the minutes of the Water Race Subcommittee meeting 12 December 2019.

*(Moved Cr Colenso/Seconded Cr Maynard)*

Carried

**B2. Recommendations from Committees**

Members agreed that given the requested changes to the Policy, a yearly review would not be required, and that the Policy could be reviewed on a normal 3-yearly cycle.

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*COUNCIL RESOLVED (DC2020/07):*

1. To receive the Recommendations from Other Committees Report.  
(Moved Cr Vickery/Seconded Cr Jephson) Carried
2. To approve the amendments to the Hire of Council Facilities Policy E200 provided by officers including further amendments as agreed by the Assets and Services Committee.  
(Moved Cr Jephson/Seconded Cr Hay) Carried

**A10. Notices of Motion**

There were no notices of motion.

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

**C0. Draft Martinborough Wastewater Treatment Plant Overflow Investigation and Report**

On behalf of Wellington Water Mr McSherry and Mr Hutchison expressed disappointment for wastewater overflow into the Ruamahanga River, and apologised for how communication of the events were handled.

There was limited system redundancy and both events occurred when a repair to kit was being undertaken. Wellington Water would be investigating better resilience and contingency of the plant, were bringing recruitment forward, and were keen to work with mana whenua to make restorative justice.

The meeting adjourned for morning tea at 11:00am.

The meeting reconvened at 11:30am.

**C1. Amendments to Financial Delegations Policy 0200**

*COUNCIL RESOLVED (DC2020/08):*

1. To receive the Amendments to Financial Delegations Policy 0200 Report.  
(Moved Cr Jephson/Seconded Cr Hay) Carried
2. To approve the changes to Policy 0200 Financial Delegations with amendments to the unplanned expenditure delegations as agreed (FAR2019/40).  
(Moved Cr Hay/Seconded Cr Emms) Carried
3. Action 19: Update section 4 of the Financial Delegations Policy to reference 'The Mayor' as opposed to 'His Worship the Mayor'; K Neems

**C2. Review of Finance Audit and Risk Terms of Reference**

*COUNCIL RESOLVED (DC2020/09):*

1. To receive the Finance Audit and Risk (FAR) Committee Terms of Reference Review Report.  
(Moved Cr Maynard/Seconded Cr Colenso) Carried

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2. To agree the proposed changes to the FAR Terms of Reference including appointment of an independent member (non-voting).
3. To adopt Chris (Kit) Nixon as the independent member of the FAR Committee for the triennium.

*(Moved Cr Hay/Seconded Cr Vickery)*

Carried

### **C3. Wairarapa Shared Services Funding Policy**

Mr Wilson discussed the proposed funding policy with members and members agreed to hold over a decision until a clause on disputes (not available in the published report) was made available.

Ms Mitchell tabled the proposed disputes clause after Council reconvened at 1:08pm and members agreed to the clause with amendments to better reflect the discussion of the Wairarapa Councils' Shared Services Working Group.

*COUNCIL RESOLVED (DC2020/10):*

1. To receive the Wairarapa Shared Services Funding Policy Report.  
*(Moved Cr Fox/Seconded Cr Plimmer)* Carried
2. To adopt the Wairarapa Shared Services Funding Policy, in Appendix 1, subject to the other councils agreeing to the policy and subject to the amendment to clause 7.
3. To note the policy will also be considered by the other councils.
4. To note that if the other councils do not adopt the policy a revised policy may be represented to Council at a subsequent meeting.

*(Moved Cr Plimmer/Seconded Cr Colenso)*

Carried

### **C4. Dog Control Act 1996 Delegations**

*COUNCIL RESOLVED (DC2020/11):*

1. To receive the Dog Control Act 1996 Delegations Report.  
*(Moved Cr Fox/Seconded Cr Plimmer)* Carried
2. To appoint a Hearings Committee and delegate to the Hearings Committee the authority to hear and decide objections made under the Dog Control Act 1996. This delegation revokes and replaces all previous delegations to the Planning Hearings Committee under the Dog Control Act 1996.
3. To appoint the Mayor and Councillors Jephson and Plimmer as members of the Hearings Committee.
4. To appoint Councillor Plimmer as Chair of the Hearings Committee.  
*(Moved Cr Vickery/Seconded Cr Emms)* Carried
5. To delegate to the Chief Executive the authority to exercise powers and functions under the Dog Control Act 1996, except the authority to hear and decide objections under that Act.  
*(Moved Cr Jephson/Seconded Cr Plimmer)* Carried
6. To note the Chief Executive's ability to sub-delegate these powers under clause 32B, Schedule 7 of the Local Government Act 2002.

*(Moved Cr Hay/Seconded Cr Plimmer)*

Carried

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**C5. Proposed Naming of New Road, 741 Kahutara Road, in Featherston**

*COUNCIL RESOLVED (DC2020/12):*

1. To receive the Proposed Naming of the road at 741 Kahutara Road in Featherston.

*(Moved Cr Colenso/Seconded Cr Plimmer)*

Carried

2. To approve the name "Charles Robert Drive".

*(Moved Cr Jephson/Seconded Cr Hay)*

Carried

**C6. Approval to Proceed with the Council Initiated Plan change to the Outdoor Lighting Rules of the Wairarapa Combined District Plan to Support the Proposed Wairarapa Dark Sky Reserve**

Ms Donaldson, Mr Wilson and Mr Mahowa discussed the proposal and answered members' questions on Dark Sky Association certification requirements, implications for existing non-compliant lighting and community engagement, the formal consultation proposal and process, and the need for Council to review the District Plan lighting in order for dark sky certification to move forward.

*COUNCIL RESOLVED (DC2020/13):*

1. To receive the Approval to Proceed with the Council initiated plan change to the outdoor lighting rules of the Wairarapa Combined District Plan to support the proposed Wairarapa Dark Sky Reserve Report.

*(Moved Cr Fox/Seconded Cr Colenso)*

Carried

2. To proceed with the Council initiated Plan Change process to the outdoor lighting rules of the Wairarapa Combined District Plan to support the proposed Wairarapa Dark Sky Reserve.

*(Moved Cr Colenso/Seconded Cr Plimmer)*

Carried

**C7. Request for the Proposed Vesting of Two Right of Ways Sutherland Drive and Southdown Drive with Council**

Mr Mahowa with assistance from Mr Wilson answered members' questions on subdivision roading contributions and purpose, estimated costs for Council to vest the road, sealing requirements, and preparing the road to standing prior to vesting.

*COUNCIL RESOLVED (DC2020/14):*

1. To receive the Request for the Proposed Vesting of Two Right of Ways Sutherland Drive and Southdown Drive with Council.

*(Moved Cr Plimmer/Seconded Cr Fox)*

Carried

2. To approve the request for the vesting of the Right of Ways Sutherland Drive and Southdown Drive with Council subject to the Mayor and CEO receiving and acceptable negotiated agreement.

*(Moved Cr Jephson/Seconded Cr Colenso)*

Carried

The meeting adjourned for lunch at 12:26pm.

The meeting reconvened at 1:08pm.

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**C8. Plan Change 10 to the Wairarapa Combined District Plan 2011: Proposed Update to Scheduled Trees (Appendix 1.4, Table 3) of the South Wairarapa District**

Mr Wilson outlined the process for Council decision making where an independent commissioner is used.

Mr Mahowa and Mr Brown discussed the STEM tree assessment tool in relation to the commissioners ruling, and project time frames with members.

*COUNCIL RESOLVED (DC2020/15):*

1. To receive the PC10 information comprised within the officer's report including the three documents: Recommendations of the Independent Hearings Commissioner; Plan Provision Recommendations; and Scheduled Notable Trees subject to additions as per the Commissioner's recommendations.

*(Moved Cr Vickery/Seconded Cr Maynard)*

Carried

2. To adopt all recommendations of the Independent Hearings Commissioner (as enclosed in Attachment 1) as a Council decision and direct officers to notify the decision in accordance with the First Schedule of the Resource Management Act 1991.

*(Moved Cr Plimmer/Seconded Cr Hay)*

Carried

**C9. Elected Member and Committee Appointments**

Mr Wilson proposed an amendment to recommendation three in order to avoid potential conflicts of interest.

*COUNCIL RESOLVED (DC2020/16):*

1. To receive the Elected Member and Committee Appointments Report.

*(Moved Cr Maynard/Seconded Cr Fox)*

Carried

2. To appoint the following external members to the Māori Standing Committee: Amiria Te Whaiti (Papawai Marae) and Deborah Davidson (Papawai Marae).

3. To appoint Mayor Alex Beijen and councillors Alistair Plimmer, Rebecca Fox and Leigh Hay to the Greytown Sport and Recreation Advisory Group until the Annual Plan is put out for consultation.

4. To appoint Cr Pam Colenso (SWDC appointee on the Wellington Region Waste Management and Minimisation Plan Joint Committee) to the Wairarapa Joint Policies Working Group on an interim basis for the purposes of reviewing the Draft Wellington Region Territorial Authority (TA) Waste Management and Minimisation Bylaw.

*(Moved Cr Jephson/Seconded Cr Fox)*

Carried

**C10. Triennial Agreement**

Members noted that the dates and elected members of the Triennial Agreement needed to be updated.

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*COUNCIL RESOLVED (DC2020/17):*

1. To receive the Triennial Agreement Report.  
*(Moved Cr Vickery/Seconded Cr Colenso)* Carried
2. To approve the triennial agreement as attached.  
*(Moved Cr Hay/Seconded Cr Vickery)* Carried

Cr Vickery left the meeting at 1:35pm

Cr Vickery returned to the meeting at 1:38pm.

**D Chairperson’s Report**

**D1. Report from His Worship the Mayor**

No agreement for official support was reached for progressing a moratorium on current and future consents for extraction of water as per the Upper Hutt City Council request.

Members discussed tracking and reporting of LGOIMA requests and responses, and Council officers were to prepare a policy.

Cr Jephson acknowledged Ms Mitchell’s resignation and her management of the Martinborough water incidents as acting chief executive.

*COUNCIL RESOLVED (DC2020/18):*

1. To receive the report from His Worship the Mayor.  
*(Moved Cr Emms/Seconded Cr Maynard)* Carried
2. To approve in principle the draft submission prepared by the Wellington Water Committee on the Taumata Arowai Bill and to delegate to the Mayor and CEO the authority to approve the final document for submission to the Health Committee.  
*(Moved Cr Hay/Seconded Cr Fox)* Carried
3. Action 20: Develop a policy for the purposes of tracking and reporting LGOIMA requests; K Yates

**Confirmed as a true and correct record**

.....(Mayor)

.....(Date)

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