

**MINUTES OF SOUTH WAIRARAPA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SUPPER ROOM, WAIHINGA CENTRE, TEXAS STREET, MARTINBOROUGH
ON WEDNESDAY, 20 NOVEMBER 2024 AT 10:15 AM**

PRESENT: Mayor Martin Connelly (Chair), Deputy Mayor Melissa Sadler-Futter, Cr Martin Bosley, Cr Aidan Ellims, Cr Rebecca Gray, Cr Kaye McAulay, Cr Colin Olds and Cr Aaron Woodcock.

APOLOGIES: Cr Pip Maynard and Cr Alistair Plimmer.

IN ATTENDANCE: Janice Smith (Chief Executive Officer), Stefan Corbett (Group Manager, Infrastructure and Community Operations), Paul Gardner (Group Manager, Corporate Services), Russell O'Leary (Group Manager, Planning and Regulatory), Nicki Ansell (Senior Policy and Projects Advisor), Narida Hooper (Pou Māori), Charly Clarke (Chief Financial Officer), Alex Pigou (Team Lead Communications), James O'Connor (Manager, Community Operations), Sarah Pearson-Coats (Lead Advisor, Property Portfolio) and Amy Andersen (Lead Advisor, Democracy and Committees).

Karen Young, Stephen Walker (Audit NZ via Teams).

PUBLIC FORUM: Leah Hawkins, Claire Bleakley, Michael Smith, Dean Di Bona, Martin Freeth, Warren Woodgyer and Daphne Geisler.

CONDUCT OF BUSINESS: This meeting was held in the Supper Room, Waihinga Centre, 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 10:15am to 12:21pm except where expressly noted.

OPEN SECTION

1 KARAKIA TIMATANGA – OPENING

All in attendance opened the meeting.

2 APOLOGIES

APOLOGY

RESOLUTION DC2024/63

Moved: Cr R Gray

Seconded: Cr A Ellims

That Council resolved to accept apologies from Cr Plimmer and Cr Maynard.

CARRIED

3 CONFLICTS OF INTEREST

No interests were disclosed relating to items on the agenda or interests not already recorded on a relevant register.

4 ACKNOWLEDGEMENTS AND TRIBUTES

Cr Olds, Cr Ellims and Cr Woodcock acknowledged the support that the Martinborough Community provided to Kitchener’s this past weekend following damage to the café.

Cr Woodcock acknowledged the passing of Robert (Brownie) Brown Easton.

S1 NEW ITEM - PETITION

Principal petitioner, Leah Hawkins, presented a petition titled “Cap Rates for South Wairarapa: Cap 2025/26 Rate Increase at 3%”. Ms Hawkins noted 1020 signatures on the petition and provided background and reasoning for the petition. Ms Hawkins sought Council’s acceptance of the petition.

Members acknowledged the work that went into the petition.

Ms Hawkins responded to queries from members including: alternative funding, how the petitioners came to the figure of 3%, attendance at workshops; what items petitioners would like to see cut from the Council budget and other ideas for potential savings across the organisation.

RESOLUTION DC2024/64

Moved: Mayor M Connelly

Seconded: Cr A Woodcock

Council resolved to accept the petition: “Cap Rates for South Wairarapa: Cap 2025/26 Rate Increase at 3%”.

CARRIED

5 PUBLIC PARTICIPATION

Claire Bleakley – Gene Technology Bill

Ms Bleakley shared concerns about the proposed Gene Technology Bill which is currently in draft and sought Council’s support in seeking advice about liability exposure and clarification from the central government departments involved with the bill.

Michael Smith – Interactions with Council

Mr Smith shared his concerns and solutions for debt management (changes to bonds) and improving efficiencies (reduction in personnel costs) across Council. Mr Smith also expressed his frustration about an issue on Lake Ferry Road that he felt had not been addressed.

Cr Bosley left the meeting at 10:48am.

Dean Di Bona – Principles of consultation

Mr Di Bona spoke to Council about the consultation process under legislation, stating that Council are continuing to improve in this space. In particular, Mr Di Bona addressed concerns with regard to the application of Local Government Act 2002, Section 82(1)(b) – the Council should encourage people to engage in consultation and encouraged Council to put more emphasis on engagement with residents/ratepayers directly affected by significant changes.

Cr Bosley returned to the meeting at 10:50am.

Martin Freeth – Petition

Mr Freeth spoke in support of the petition presented by Ms Hawkins earlier in the meeting. Mr Freeth emphasised the importance of institutions, democratic representation and the role of Council.

Warren Woodgyer – Petition

Mr Woodgyer also spoke in support of the petition presented by Ms Hawkins earlier in the meeting and provided his observations of ratepayers current experiences and concerns about affordability.

Daphne Geisler – Planning for the Long Term Plan

Ms Geisler shared her experience regarding engagement with Council, shared support for petition. Ms Geisler encouraged Council to have more open workshops for the Long Term Plan and be open to ideas and suggestions from the community.

ITEMS MOVED**11 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF****11.1 ADOPTION OF THE ANNUAL REPORTS 2023/24**

Ms Smith and Ms Clarke spoke to matters regarding the Annual Report and the Independent Auditor's report.

Ms Smith highlighted and clarified notes 7 (total salary costs – includes ACC and Kiwisaver) and 24 (employees FTEs).

Ms Clarke noted two changes to the report since it had been provided to Councillors on 19 November: Note 22 – there are two open legal cases that could incur costs of \$20-80K. Governance – has qualified opinion; and on page 66 of the Annual report, there was a handwritten note regarding the roading measure now being qualified.

Ms Clarke responded to queries regarding the carry over expenditure for capital projects.

Mr Walker acknowledged the work completed by the Finance Team and Audit NZ. Mr Walker acknowledged and apologised to the Council for the delays which were discussed at the previous ordinary meeting of Council on 30 October 2024.

Mr Corbett supported by Ms Smith and Mr Walker, responded to queries regarding the process and the frequency for the qualified opinion received on *the average quality of ride on the sealed local road network, measured by smooth travel exposure*, noting that the process is being updated and other Councils are in the same position with regard to this measure.

It was noted that the final Annual Report will be published within 30 days of adoption.

RESOLUTION DC2024/65

Moved: Mayor M Connelly

Seconded: Cr R Gray

Council resolved to:

1. Receive the *Adoption of the Annual Reports 2023/24*.
2. Note that the legislative deadline of adoption by 31 October 2024 was not met.
3. Adopt the Annual Report 2023/24.
4. Adopt the Summary Annual Report 2023/24.
5. Approve the carry over capital expenditure from the 2023/24 year to the 2024/25 year, a total value of \$6,825,894.
6. Delegate to the Chief Executive authority to correct minor grammatical and other errors.
7. Authorise the Mayor, and Chief Executive authority to sign these reports.

[Items 1-7 read together]

CARRIED

SUSPENSION OF STANDING ORDERS

RESOLUTION DC2024/66

Moved: Cr A Ellims

Seconded: Deputy Mayor M Sadler-Futter

Council resolved to suspend Standing Orders for item 11 to discuss the petition presented at today's meeting.

CARRIED

S1 PETITION - DISCUSSION

Cr Ellims requested that council officers include Ms Hawkins and Mr Di Bona in future Long Term Plan workshops in light of the petition received by Council today as representative members.

Ms Smith confirmed that representatives will be invited to the morning session of the closed Long Term Plan workshop planned for Wednesday, 4 December.

Members requested that staff provide Ms Hawkins and Mr Di Bona a brief on progress to date with regard to the Long Term Plan.

Ms Smith clarified that signing the petition as an elected member of Council would be considered pre-determination.

Mr Gardner and Ms Smith provided assurance that work was in progress to engage with the community and improve consultation measures and mechanisms, including the development of a stakeholder contact list and the formation of a community reference group.

RESUMPTION OF STANDING ORDERS**RESOLUTION DC2024/67****Moved: Cr A Ellims****Seconded: Deputy Mayor M Sadler-Futter**

Council resolved to resume Standing Orders for the duration of the meeting.

CARRIED**11.2 WAIRARAPA LOCAL ALCOHOL POLICY****RESOLUTION DC2024/68****Moved: Deputy Mayor M Sadler-Futter****Seconded: Cr M Bosley**

Council resolved to:

1. note that the Wairarapa Policy Working Group heard submissions on 23 October 2024 and undertook deliberations on 6 November 2024;
2. note that 33 submissions were received on the draft Wairarapa Local Alcohol Policy;
3. agree to the Wairarapa Policy Working Group recommendations that:
 - a) the Wairarapa District Councils agree to adopt the Wairarapa Local Policy (attachment one) and gives public notice of adoption; and
 - b) the Wairarapa District Councils agree to bring the changes to off-licence maximum trading hours into force on 1 April 2025 and the rest of the Wairarapa Local Alcohol Policy into force on 1 February 2025;
4. note that the Wairarapa Local Alcohol Policy will be adopted 30 days after which it is publicly notified; and
5. note that the current Wairarapa Local Alcohol Policy will remain in force until the revised policy is in effect.

[Items 1-5 read together]

CARRIED**6 URGENT BUSINESS**

There was no urgent business.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 30 OCTOBER 2024

RESOLUTION DC2024/69

Moved: Cr C Olds
Seconded: Cr R Gray

That the minutes of the Council meeting held on 30 October 2024 are confirmed as a true and correct record.

In Favour: Mayor M Connelly, Deputy Mayor M Sadler-Futter, Cr M Bosley, Cr R Gray, Cr K McAulay, Cr C Olds and Cr A Woodcock

Against: Nil

Abstained: Cr A Ellims

CARRIED

8 MATTERS ARISING FROM PREVIOUS MEETINGS

There were no matters arising.

9 REPORT BACKS AND REQUESTS FROM MĀORI STANDING COMMITTEE AND COMMUNITY BOARDS

10 RECOMMENDATIONS FROM COMMITTEES

Note: Item 11- has been moved to another part of the document.

12 INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF

13 MAYORAL REPORTS

14 MEMBER REPORTS

15 APPOINTMENT REPORTS

There were no reports for items 9-10 and 12-15.

16 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION DC2024/70

Moved: Cr K McAulay
Seconded: Cr C Olds

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
<p>16.1 - Public Excluded Minutes of the Council Meeting held on 30 October 2024</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>To protect external consultants and contractors fee proposals.</p>
<p>16.2 - Lake Ferry Holiday Park Lease Structure</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>To protect the commercial position of the current operator; and to enable SWDC to carry on negotiations without prejudice or disadvantage.</p>

CARRIED

17 KARAKIA WHAKAMUTUNGA – CLOSING

Mayor Connelly closed the meeting with a karakia.

The meeting closed at 12:21pm.

Confirmed as a true and correct record.

..... (Mayor)

..... (Date)

..... (Chief Executive)

..... (Date)