



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

## **South Wairarapa District Council Minutes from 12 October 2023**

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<b>Present:</b>	Deputy Mayor Melissa Sadler-Futter (Chair), Councillors Colin Olds, Aidan Ellims, Kaye McAulay, Alistair Plimmer, Rebecca Gray, Martin Bosley, Pip Maynard and Aaron Woodcock.
<b>Not present:</b>	Mayor Martin Connelly.
<b>In Attendance:</b>	For item B2 only: Paul Gardner (Interim Chief Executive) and Amanda Bradley (General Manager, Policy & Governance).
<b>Conduct of Business:</b>	This meeting WBS Room, Greytown Town Centre, Greytown, commencing at 9.00am and was audio recorded. The meeting was held in public from 9:00am to 9:05am; then in public excluded until 10:50am.

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### **Open Section**

**A1. Karakia Timatanga - Opening**

Councillor Gray opened the meeting.

**A2. Apologies**

*COUNCIL RESOLVED (DC2023/150)* to accept apologies from Mayor Connelly.

*(Moved Deputy Mayor Sadler-Futter)*

Lapsed

*COUNCIL RESOLVED (DC2023/151)* to not accept apologies from Mayor Connelly

*(Moved Cr Bosley/Seconded Cr Gray)*

Carried Unanimously

**A3. Conflicts of Interest**

There were no conflicts of interest declared.

**A4. Extraordinary business**

There was no extraordinary business.

**B 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>
B1. Interim Chief Executive Performance Review	Good reason to withhold exists under section 7(2)(a)	Section 48(1)(a)
B2. Representation, communication, and behavioural standards	Good reason to withhold exists under Section 7(2)(f)(ii)	Section 48(1)(a)

This resolution (DC2023/152) 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:

<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 the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment.	Section 7(2)(f)(ii)

*(Moved Cr Ellims /Seconded Cr Maynard)*

Carried Unanimously

The meeting closed at 10:50am.

*Attached: Media Release Email and Letter to the Mayor.*

**Confirmed as a true and correct record**

.....(Chair)

.....(Date)

.....(Chief Executive)

.....(Date)

**Approved for release by  
Interim CEO on 13/10/2023**

**From:** Councillor Melissa Sadler-Futter <[melissa.sadlerfutter@swdc.govt.nz](mailto:melissa.sadlerfutter@swdc.govt.nz)>  
**Sent:** Thursday, October 12, 2023 3:24 PM  
**To:** Paul Gardner – Interim Chief Executive <[paul.gardner@swdc.govt.nz](mailto:paul.gardner@swdc.govt.nz)>  
**Subject:** Press release approved for distribution

Please distribute to the normal channels along with the open letter included in the PE paper.

Press Release  
South Wairarapa District Councillors  
October 12, 2023

### **South Wairarapa Councillors Unanimously Declare Vote of No Confidence in Mayor**

Over the course of the first year of the triennium, the nine elected South Wairarapa Councillors have worked tirelessly to forge a strong, united council dedicated to the betterment of our district. Regrettably, we have been consistently hindered by the underperformance of the Mayor, culminating in a unanimous vote of no confidence today.

Key areas of concern centre around the Mayor's behavior and performance, including but not limited to:

**Interaction with the public:** The Mayor's inconsistent and disrespectful treatment of presenters in public participation.

**Engagement with third-party presenters and staff:** Instances of disrespectful and dismissive behaviour towards third-party presenters and staff and a lack of inclusivity during formal meetings and workshops, hampering collaboration and knowledge exchange.

**Engagement with critical processes:** High absence and inconsistent engagement with critical processes, such as the Annual Plan and Long Term Plan, causing concern about the Mayor distancing himself from these pivotal responsibilities which have a substantial impact on residents and ratepayers.

**Acting in isolation:** Representing personal support as council support and offering endorsements without the express consent of the council.

Representation across media: Provocative behaviour on social media, creating division in the community. Failing to clarify that personal opinions are not representative of the Council as a whole when communicating via any media platform.

We acknowledge that these issues significantly impact our effectiveness as governors, community perception, organisational risk, council cohesiveness, trust among elected members and community, and ultimately our ability to serve the community effectively. The South Wairarapa District Councillors find these issues wholly unacceptable.

We have made our concerns known through various channels, including code of conduct complaints, meetings, discussions, and emails. Despite previous attempts to address these matters on numerous occasions, the situation has persisted. Hence, we chose to write an open letter to the Mayor and convened an Extraordinary Meeting to address these issues collectively.

Regrettably, the Mayor chose not to attend the Extraordinary Meeting, depriving us of the opportunity to discuss steps for improvement. Due to his absence the conversation took a different course and a Vote of No Confidence was passed unanimously. This decision reflecting the collective disappointment in the Mayor's absence and frustration of the council.

We understand that this course of action may raise concerns within our community. We want to assure our residents that we, the South Wairarapa Councillors, stand united and resolute in our commitment to creating the best environment for robust decision-making on your behalf. The Vote of No Confidence signifies our desire for meaningful change and our expectation of enhanced performance from the Mayor, both for ourselves and our community.

While we could have chosen to keep this meeting and its contents confidential, we firmly believe in transparency and openness with our community. We remain steadfastly dedicated to serving the South Wairarapa community and look forward to a positive resolution of this matter.

For media inquiries please contact:

Deputy Mayor Melissa Sadler-Futter  
[melissa.sadlerfutter@swdc.govt.nz](mailto:melissa.sadlerfutter@swdc.govt.nz)  
0274 288 316

Press release shared in tandem with the open letter to the Mayor also attached

Warm regards

**Melissa Sadler-Futter**

Deputy Mayor and Councillor  
South Wairarapa District Council  
Facebook: <https://www.facebook.com/Melissaforcouncil>



## Public Excluded – Letter to the Mayor

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### 1. Purpose

To present the Mayor with a letter from all councillors expressing concerns, clarifying expectations, and providing advance warning of potential actions should councillors expectations not be met.

### 2. Executive Summary

This open letter encompasses several key areas of focus: interactions with the public, engagement with third-party presenters and staff during formal meetings and workshops, participation in critical processes, representation, and singular decision-making.

We recognize that each of these areas holds a substantial impact on our effectiveness as governors, our community's perception of us and the organization, organizational risk, cohesiveness, and trust within our council of elected members, and ultimately our ability to serve our community effectively.

We have chosen this method of communication to address these issues formally in a whole of council manner as code of conduct complaints from councillors, meetings, and discussions with various councillors on similar topics, emails raising concerns, staff and public complaints have had no effect to date.

### 3. Recommendations

Officers recommend that the *Council*:

1. Receive and discuss the '*Letter to the Mayor*' as attached to this report.
2. A verbatim record of this meeting is made and should form part of the minutes.
3. That the minutes of this meeting remain in public excluded until a point of time at which the CEO determines is appropriate.

### 4. Prioritisation

#### 4.1 Te Tiriti obligations

Engagement considered not required in this case.

#### 4.2 Long Term Plan alignment

Not applicable.

## **5. Discussion**

The main points to cover are:

- The contents of the letter.
- Hearing the perspectives of everyone.
- Noting any agreed actions as outlined in the letter.
- Discussing records from this meeting being made public at an appropriate time.

## **6. Financial Considerations**

There is no expected financial impact.

Contact: Deputy Mayor, Meliss Saddler-Futter.



19 Kitchener Street

Martinborough

5711

Dear Martin,

We are writing to you collectively to express our concerns, voice our expectations, and provide advance consideration of potential actions should our expectations not be met. This open letter encompasses several key areas of focus: interactions with the public, engagement with third-party presenters and staff during formal meetings and workshops, participation in critical processes, representation, and singular decision-making.

We recognize that each of these areas holds a substantial impact on our effectiveness as governors, our community's perception of us and the organization, organizational risk, cohesiveness, and trust within our council of elected members, and ultimately our ability to serve our community effectively.

We have chosen this method of communication to address these issues formally in a whole of council manner as code of conduct complaints from councillors, meetings, and discussions with various councillors on similar topics, emails raising concerns, staff and public complaints have had no effect to date.

**1. Interactions with the Public:**

**Observation:** Notably, not all members of the public are afforded the same level of respect and courtesy during public participation at Council meetings. Some community members have experienced a domineering and dismissive approach for example:

- a) The condescending treatment of **s7(2)(a)**, regarding a word he did not know, by telling him it was some homework for him.
- b) The 'sidebar' talking when others are presenting.

We note that there is variation in your performance as chair - sometimes you are patient and considerate, other times you are rude and abrupt. This causes a level of apprehension amongst your councillors and a lack of trust in your ability to effectively run meetings.



**Expectation:** We expect that all community members are welcomed to our meetings and treated with the same level of respect, regardless of their frequency or previous interactions. We aspire to be known as a council that is approachable and open to listening. Lead with grace, wisdom, some humility, and authenticity. Demonstrate empathy, show greater self-awareness. Be sensitive to the feelings of others, be objective but approachable, be tactful and show patience. Be fair, flexible, and adaptable.

**Councillor actions going forward:** There are two relevant points within our code of conduct.

The first point is under section **4: Behaviours** and is as follows:

*Respect: "Members will treat all other members, staff, and members of the public, with respect. Respect means politeness and courtesy in behaviour, speech, and writing."*

The second point is under section **3: Principles of Good Governance** and is as follows:

*Leadership: "members should not only exhibit these principles in their own behaviour but also, be willing to challenge poor behaviour in others, wherever it occurs."*

Therefore, in order for your councillors to adhere to the code of conduct, you can expect that, going forward, there will be swift and public challenges to behaviour or conduct that the councillors feel breach our code of conduct. This is likely to be in the form of points of order raised during meetings, replies on social media posts that you are in breach of the code of conduct, or letters to the editors of print media correcting errors.

## **2. Engagement with Third-Party Presenters and Staff at Formal Meetings and Workshops:**

**Concern:** We have witnessed instances of disrespectful and dismissive behaviour towards third-party presenters and a lack of inclusivity during formal meetings and workshops. These behaviours hinder collaboration and knowledge exchange. Most recently, this was evident in your interactions with **s7(2)(a)** and your refusal to acknowledge ELT members. You have spoken to staff discourteously and fail to acknowledge any part you play in making staff and other speakers feeling undervalued and emotionally bruised. There have been many occasions where your actions have led to individuals expressing the view that they no longer wish to be associated with SWDC as a result of your actions. You appear to be of the view that personal grievances by staff have no repercussions for you directly. Whilst you are correct in terms of personal liability, you are simply wrong that there is no effect to our organisation. Our staff attrition has increased since the start of the triennium and

several of those who have left the employment of council have indicated that your behaviour and how you represent council is the main reason for them resigning. These actions pose a risk to Council as a the ability of Council to fulfil its role as a good employer by way of a significant legal and reputational risk to Council with others engaging in meetings and workshops.

**Expectation:** We expect you to engage with third-party presenters, as well as staff, in a respectful and cooperative manner, fostering an atmosphere conducive to collaboration and mutual understanding, ensuring open discussion is allowed. We expect that you represent the council in a way that best aligns with the intentions of the councillors.

**Councillor actions going forward:** Formal complaints will be made in public by Councillors. Councillors understand this behaviour may cause staff to make employment complaints by way of code of conduct complaint and personal grievances. As a result, the Council will need to incur costs associated with legal expenses and staff attrition. Councillors understand that these increased costs will be as a direct result of elected member performance and not the fault of those making the complaint.

### 3. Engagement with Critical Processes:

**Concern:** We are concerned about your attendance at meetings of critical importance, such as your absence from the recent WWL workshop, which provided an overview and foresight to the LTP. Additionally, your early departure from the most recent LTP workshop resulted in the missed opportunity to receive vital information from managers regarding work completed to date and forecasted figures. We also note your absence at the most recent informal meeting to discuss merger next steps and other items of topical interest. We are concerned that you appear to be prioritising operational matters (which then causes work for staff and which of course you shouldn't even be involved with) and distancing yourself from important processes, and this is of particular concern as we work to design the next LTP. When you do attend sessions, you do not engage and make unsubstantiated remarks. Your short attention span to matters of significance is obvious to those in attendance, and this provides no confidence to Councillors that you are actively engaged.

**Expectation:** We expect you to ensure your availability for participation in critical information-providing and early decision-making processes, enabling you to lead and guide elected members effectively. We want you to articulate a vision for both Councillors and the wider organisation. Focus on the right issues and create a culture of excellence.

**Councillor actions going forward:** The code of conduct again guides us as to the expected levels of performance in our roles, under section **4: Behaviours - Provide equitable contribution:** *“Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.” “To fulfil the expectations of your constituents and contribute to the good governance of your area it is important that you make all reasonable efforts to attend meetings and workshops, prepare for meetings, attend civic events, and participate in relevant training seminars.”*

By continuing to have poor attendance and participation in critical workshops, information sessions and meetings, you will be in breach of the code of conduct, and as such can expect code of conduct complaints. This will again incur more costs for the ratepayers. These costs may be made public under LGOIMA. Additionally, you are at risk of giving uneducated advice or guidance to Councillors and will therefore continue to lose trust and respect.

#### 4. **Acting in Isolation:**

**Observation:** You regularly act in isolation without consulting with your Council colleagues. Recent examples of this include not funding the Gold Awards, taking a stance on RSA commemorations, indicating the purchase by Council of a portion of SH53 in Martinborough, and the offer to host an evening reception event for the International Booktown Conference.

**Expectation:** We expect decisions to be made collectively, involving Councillors, and adhering to the appropriate procedures. We expect that you do not operate outside of your authority. We expect that you take all due care and responsibility when performing your duties and are certain that you are acting within the legality of your role.

**Councillor actions going forward:** Papers will be raised at either ordinary or extraordinary meetings requesting justification of non-consulted decisions and immediate reversal of these decisions.

#### 5. **Representation across all media coverage:**

**Observation:** You have represented Councils interests and position through your own communication channels. You have made recent references to Councils policies such as the Procurement Policy, which because of the tone you use, you infer that there is something wrong with it. Another recent example is an interaction with a Community Board member on Facebook in which you inferred that the Community Board had failed to perform its duties. You have appeared on television and referred to a zero percent rates rise.

Your own opinions are not that of Council as a collective and you must make this clear when communicating via any media platform.

You are unnecessarily provocative on social media and create a divide with certain members of the community with whom you may have a grievance. Your desire to not allow Council Officers to provide fact checking on your media commentary is a huge risk to our reputation and yet it continues unchecked.

**Expectation:** Recognise the role effective communication plays by running all communications via the Communications team first, to create an effective strategy, build trust, and provide accurate and needed information. Plan thoroughly for all media interactions, be always polite and courteous. Recognise that all communication / media platforms, activities, and material should reflect the broad and diverse communities within which we live, in a fair, respectful, and inclusive manner. We expect that reactive, misinformed, or provocative social media interaction is immediately ceased. We expect that you will engage with Council Officers to ensure that all media from yourself aligns with the standards expected of an elected member and that there are no errors or mistruths. We expect that any media related to your personal opinion or thoughts is clear that it does not represent the views of the Council. We strongly suggest you undertake suitable media training.

**Councillor actions going forward:** Moving forward councillors may seek to make public comment or release press statements countering any false or provocative statements. There is potential for further reputational damage to yourself, as these statements could make it seem to the public that you do not have the trust or respect of your councillors.

We bring these matters to your attention with the sincere belief that addressing these concerns will contribute to a more cohesive and effective governing body. We expect that this open letter, along with the forthcoming meeting, will result in beneficial improvements for us all.

**Signed** with the express permission of all elected Councillors of the South Wairarapa District Council