



GREYTOWN COMMUNITY BOARD

Agenda

NOTICE OF MEETING

An ordinary meeting will be held on Wednesday, 16 February 2022 at 6:00pm.

Due to COVID-19 restrictions this meeting will be held via video conference. All members participating via video conference will count for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. This meeting will be live-streamed and will be available to view on our [YouTube channel](#).

MEMBERSHIP OF THE COMMUNITY BOARD

Ann Rainford (Chair), Shelley Symes, Graeme Gray, Simone Baker, Cr Alistair Plimmer and Cr Rebecca Fox

PUBLIC BUSINESS

1. EXTRAORDINARY BUSINESS:

2. APOLOGIES:

3. CONFLICTS OF INTEREST:

4. ACKNOWLEDGMENTS AND TRIBUTES:

5. PUBLIC PARTICIPATION:

5.1 None advised

6. ACTIONS FROM PUBLIC PARTICIPATION:

As per standing order 14.17 no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

7. COMMUNITY BOARD MINUTES:

7.1 Minutes for Approval: Greytown Community Board minutes of the meetings held on 24 November 2021.

Proposed Resolution: *That the minutes of the Greytown Community Board meetings held on 24 November 2021 be confirmed as a true and correct record.*

8. CHAIRPERSON'S REPORT

8.1 Chairperson's Report **Pages 7-8**

9. DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF:

9.1 Assessment of the Need to Rename Underhill Road Report **Pages 9-22**

9.2 Elected Member Code of Conduct Report **Pages 23-75**

9.3 Financial Assistance Report **Pages 75-78**

9.4 Election of Deputy Chair Report **Pages 79-83**

10. INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF:

10.1 Officers' Report **Pages 84-124**

10.2 Income and Expenditure Report **Pages 125-128**

10.3 Action Items Report **Pages 129-133**

11. NOTICES OF MOTION:

11.1 None advised

12. MEMBER REPORTS (INFORMATION):

12.1 None advised

13. CORRESPONDENCE:

13.1 None advised

- Present:** Ann Rainford (Chair), Shelley Symes, Simone Baker, Graeme Gray (from 7.29pm) Councillor Rebecca Fox, Councillor Alistair Plimmer and Aimee Clouston (youth representative)
- In Attendance:** Mayor Alex Beijen, Stefan Corbett (Group Manager Partnerships and Operations) and Kaitlyn Carmichael (Committee Advisor).
- Also In Attendance:** Anita Williams, Rosa Doyle, Brent Mortenson, Janette Wallace Gedge and Jez Partridge
- Conduct of Business:** Due to COVID-19 restrictions this meeting was held via video conference and was live-streamed to Councils YouTube channel. All members participating counted for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. The meeting was conducted between 6:00pm and 8.35pm.

1. EXTRAORDINARY BUSINESS

Mrs Rainford explained she would move item 9.1, the Chairperson Report to follow item 7, Community Board Minutes.

Ms Clouston resigned as Youth Representative.

GCB RESOLVED (GCB 2021/49) to add the Financial Assistance Report as agenda item 8.6 for the purpose of considering a Grant Application from Cobblestones Trust. It was not included in the agenda due to an administrative error. This matter could not be delayed as the event would be held one day following the next meeting.

(Moved Symes/Seconded Cr Plimmer)

Carried

Mrs Rainford explained that in response to a request for information on the Chairperson Report, the Partnerships and Operations team has provided a report on the Wood Street trees. This item will be discussed as part of item 6 on the Chairperson Report.

2. APOLOGIES

GCB RESOLVED (GCB 2021/50) to receive apologies for lateness from Graeme Gray.

(Moved Cr Plimmer/Seconded Baker)

Carried

3. CONFLICTS OF INTEREST

There were no conflicts of interest declared.

4. ACKNOWLEDGMENTS AND TRIBUTES

Mayor Beijen acknowledged the passing of Wendy Cameron, a long-term Greytown resident.

5. PUBLIC PARTICIPATION

Anita Williams – Waiōhine River Plan

Ms Williams spoke to the impact of the Waiōhine River Plan on her property in Greytown and asked that her request for immediate consultation on the Waiōhine River Plan be documented.

Members encouraged Ms Williams to present to GWRC and Ms Symes undertook setting up a meeting with the Waiōhine Action Group.

Rosa Doyle – Greytown Pool Murals

Ms Doyle spoke to design concepts for murals at the Greytown Pool complex and provided board members with potential options.

Brent Mortenson – RSA Cenotaph

Mr Mortenson spoke to a proposal from the Greytown RSA to construct a Cenotaph at the swimming pool area in Greytown to hold future commemorations and act as a memorial for those who served.

Members noted importance of consultation with Papawai Marae on the project and requested Mr Mortenson provide more information when it is available.

Janette Wallace Gedge – Cobblestones Trust Grant Application

Ms Wallace Gedge spoke in support of her application for financial assistance to hold two weekend music events at Cobblestones Museum in Greytown in commemoration of the 50th anniversary.

Jez Partridge (Greytown Tree Advisory Group) – Greytown Elm Trees

Mr Partridge voiced his concerns with the Council process used in the removal of the Elm Trees in Greytown and noted that further analysis of individual trees and increased transparency was needed.

Members queried the lack of consultation with the Greytown Tree Advisory Group and the noted the poor condition of the trees once they had fell.

6. ACTIONS FROM PUBLIC PARTICIPATION

The matters raised concerning the Elm Trees and Greytown Pool Murals would be considered under agenda item 9.1, the Chairperson Report.

Cobblestones Trust Grant Application would be considered under item 8.6, the Financial Assistance Report.

GCB NOTED:

Action 593: Request Council Officers to liaise with GWRC on the effect of the Waiōhine River Plan on residents who will be impacted by new or changed flood zones, S Corbett

7. COMMUNITY BOARD MINUTES

7.1 Greytown Community Board Minutes – 22 October 2021

GCB RESOLVED (GCB 2021/51) that the minutes of the Greytown Community Board meetings held on 22 October 2021 be confirmed as a true and correct record, subject to a spelling correction of ‘earmarked’ under item 8.1, the Chairperson Report on page 3.

(Moved Cr Fox/Seconded Baker)

Carried

Cr Plimmer abstained

9. CHAIRPERSON REPORT

9.1 Chairperson Report (item moved)

Mrs Rainford spoke to matters as outlined in the Chairperson Report. Members debated issues associated with the flower barrels placed along Main Street. These included: cost; responsibility for care and maintenance; equitability of distribution; and the process associated with removal. Mrs Rainford asked members to come up with alternatives to the barrels to consider at an upcoming meeting.

Ms Baker left the meeting at 6.53pm.

Mr Gray joined the meeting at 6.59pm.

GCB RESOLVED (GCB 2021/52):

1. To receive the Chairperson Report.

(Moved Symes/Seconded Cr Fox)

Carried

2. To remove the three flower barrels on Main Street not linked with Greytown businesses (located near the Council building, St. Johns Hall and Stella Bull Park), should no businesses take on watering them.

(Moved Cr Plimmer/Seconded Cr Fox)

Carried

Secretary Note: The recommendation ‘to retain \$1000.00 in the beautification budget for maintenance/replacement of flower barrels on Main Street’ was moved by Mrs Rainford, but did not receive a seconder.

Ms Baker returned at 7.11pm.

Mrs Rainford spoke to a meeting with Council Officers about the progress and timeline for consultation on the future of 85-87 West Street. Members debated whether the proposed consultation outcomes should be brought to the Greytown Community Board before the Assets and Services Committee or Council agreed to any final outcome.

Meeting adjourned at 7.27pm.

Meeting returned at 7.37pm.

GCB RESOLVED (GCB 2021/53):

1. That the Greytown Community Board be kept informed at each stage of the process involving 85-87 West Street.
(Moved Cr Plimmer/Seconded Symes) Carried
2. That Greytown Community Board is fully involved in the consultation process involving 85-87 West Street.
(Moved Cr Plimmer/Seconded Symes) Carried

GCB RESOLVED (GCB 2021/54):

1. To approve \$2500.00 to provide three murals for Greytown swimming pool, to be funded from the beautification budget.
2. To delegate to the Chair and Deputy Chair to approve up to \$500.00 more from the beautification fund if required for the size of the murals.
(Moved Cr Plimmer/Seconded Symes) Carried
3. To approve \$3000.00 + GST to install two new dog poo bins in Greytown, to be funded from the beautification budget.
(Moved Symes/Seconded Cr Fox) Carried

Mr Corbett spoke to the tabled report on the removal of the Elm Street Trees. Members queried the process involved in the felling of the trees and the condition of the removed trees. Mr Corbett undertook investigating the potential to replace the felled trees.

Members discussed potential locations for dog poo bins in Greytown.

Members would request suggestions from the public on the use of beautification funds.

8. INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF

8.1 Officers' Report

GCB RESOLVED (GCB 2021/55) to receive the Officers' Report.

(Moved Cr Plimmer/Seconded Symes)

Carried

8.2 Action Items Report

Members discussed open action items. Members queried the status of Action 120, the renaming of Underhill Road, Action 537, the Welcome to Greytown signs and the possibility for an E-Waste disposal in Greytown.

GCB RESOLVED (GCB 2021/56) to receive the Action Items Report.

(Moved Cr Plimmer/Seconded Gray)

Carried

8.3 Income and Expenditure Report

GCB NOTED:

Action 599: To work with the finance team to have remaining funds in expenditure commitments be returned to the beautification budget, if not being used.

GCB RESOLVED (GCB 2021/57) to receive the Income and Expenditure Statement for the period ending 31 October 2021.

(Moved Cr Fox/Seconded Symes)

Carried

8.4 Financial Assistance Report

GCB RESOLVED (GCB 2021/58):

1. To receive the Financial Assistance Report.

(Moved Cr Fox/Seconded Gray)

Carried

2. To approve the application from Greytown Swim Club for funding of \$765.00 to purchase Starter Equipment for the Community Pool.

(Moved Cr Fox/Seconded Cr Plimmer)

Carried

8.5 Adoption of the 2022 Schedule of Ordinary Meetings Report

GCB RESOLVED (GCB 2021/59):

1. To receive the Adoption of the 2022 Schedule of Ordinary Meetings Report.

(Moved Cr Fox/Seconded Cr Plimmer)

Carried

2. To adopt a 2022 schedule of ordinary meetings for Greytown Community Board up to 8 October 2022.

(Moved Symes/Seconded Baker)

Carried

3. To delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Community Board Chair as required.

4. To agree that the 2022 Greytown Community Board meeting start time will be 6.00pm.

(Moved Cr Fox/Seconded Cr Plimmer)

Carried

8.6 Application for Financial Assistance (Extraordinary Item)

GCB RESOLVED (GCB 2021/59):

1. To receive the Financial Assistance Report.

2. To approve the application for Cobblestones Trust for funding of \$1,000 to fund entertainment for the community to mark Cobblestones 50th Anniversary.

(Moved Baker/Seconded Symes)

Carried

Mr Gray abstained

9. NOTICES OF MOTION

There were no notices of motion.

10. MEMBER REPORTS

There were no notices of motion.

11. CORRESPONDENCE

There was no correspondence.

The meeting closed at 8.35pm.

Confirmed as a true and correct record

.....Chairperson

.....Date

AGENDA ITEM 8.1

CHAIRPERSON REPORT

Recommendations

The Chairperson recommends that the Community Board:

1. *Advertise in the Grapevine and on the Greytown Community Board page of the SWDC website for suggestions for suitable new names to add to the approved list of new road names in Greytown*

1. Resignation of Shelley Symes as Deputy Chair

Many thanks to Shelley for her hard work over the last two and one half years as Deputy Chair of GCB. She has been a superb Deputy Chair.

2. Murals for Greytown Memorial Swimming Pool

The murals are complete and hopefully will be erected at the swimming pool before the end of February. Many thanks to Rosa Doyal for her art work.

3. Updated costs for the signs at the Urupa and Papawai Marae

I have asked for updated costs for printing the signs for the Papawai marae and Urupa, as the costs will have increased from when the original estimates were made some 4 years ago.

4. Updates on spending from the Beautification budget

Members to give feedback on ideas received.

5. Councillors Report

Councillors to report back on items from Assets and Services and Council meetings as they effect Greytown residents.

6. Flower tubs on the Main Street

The maintenance of the flower tubs for this year is the responsibility of the Greytown shop owners.

In the event that the tubs are not well maintained, I have looked into the removal of the tubs. If they are to be removed costs would fall on GCB and there is nowhere to store the tubs. SWDC does not want this responsibility. SWDC have suggested that, if removed, the best solution would be to advertise the tubs for sale at a nominal amount, buyer to collect. Preference would first be given to the shop owners to purchase. I would suggest that any decision on the future of the tubs be made at the end of the Summer/Autumn season.

7. Extension of cemetery

Can the council please provide feedback on plans to extend the Greytown Cemetery?

8. New Roads in Greytown

To date I have received no suitable new names to add to the present list. Have any GCB members received suggestions? I suggest that we advertise again, in the Grapevine, and on the GCB website

9. Student Representative

Do we want to appoint a new student representative to the GCB? If we have a suitable nomination, council officers can bring a report to the next meeting.

Ann Rainford

Chair

Greytown Community Board

GREYTOWN COMMUNITY BOARD

16 FEBRUARY 2022

AGENDA ITEM 9.1

ASSESSMENT OF THE NEED TO RENAME UNDERHILL ROAD

Purpose of Report

To inform members of the outcome of investigations on the assessment of the need to rename Underhill Road and present options for consideration in regard to pursuing a road name change.

Recommendations

Officers recommend that the Community Board:

1. *Receive the 'Assessment of the need to rename Underhill Road' Report.*
2. *Notes the 'Assessment of the need to rename all or part of Underhill Road' report by Armstrong Dixon Limited.*

Either:

3. *Agrees that residents and owners of Underhill Road be consulted to determine if a road name change would be supported and result in a clear benefit to the community.*

Or:

4. *Agrees that there is no longer a compelling reason to pursue investigation of a road name change for Underhill Road at this time.*

1. Background

On 4 July 2019, correspondence was received from NZ Post and Courier Post Masterton stating they were having ongoing problems with mail delivery to Underhill Road due to it being split between Greytown and Featherston. It was also noted there had been confusion in the past among emergency services.

In light of this correspondence, on 28 August 2019, the Greytown Community Board recommended that Council consult with the Greytown Community regarding the renaming of Underhill Road.

Armstrong Dixon Limited was commissioned to undertake an assessment of the need to rename all or part of Underhill Road. A copy of this assessment is provided in Appendix 1.

As Underhill Road is assigned to roads in Featherston and Greytown on each side of the Tauherenikau River, the Featherston and Greytown Community Boards are being asked to consider the outcome of investigations by Armstrong Dixon Limited and options for consideration in regard to pursuing a road name change.

2. Discussion

Armstrong Dixon Limited was commissioned to investigate the need to rename all or part of Underhill Road. This assessment was in response to a request from the Greytown Community Board on 28 August 2019, following correspondence from NZ Post and Courier Post Masterton in July 2019. A copy of the assessment is provided in Appendix 1. The assessment outlines the background to the request, the outcome of consultation with relevant organisations and recommendations for next steps.

2.1 Local Government Act 1974

Council has general powers in respect of roads under section 319 of the Local Government Act 1974. Section 319(1)(j) provides Council with the power:

to name and to alter the name of any road and to place on any building or erection on or abutting on any road a plate bearing the name of the road

Section 319A provides:

If the council names any road for the first time, or alters the name of a road, the council must as soon as practicable send a copy of the relevant resolution to the Registrar-General of Land and the Surveyor-General.

In the current electoral term, Council has delegated the power to name and alter the name of any road to Community Boards.¹ The power to delegate the naming of roads to Community Boards is consistent with Clause 32, Schedule 7 of the Local Government Act 2002.

2.2 Policy on naming of roads

Council has adopted a policy on the Naming of Public Roads, Private Roads and Rights-of-Way available [here](#). The policy sets out the procedure for naming roads, guidelines for the selection of new road names and for changing existing road names, and for the provision of signage.

¹ See Terms of Reference for the Greytown Community Board adopted by Council at the meeting on 3 June 2020. Note that there is a typographical error in the delegation in the Terms of Reference as it refers to the power to name a road under section 319A whereas the general power is in section 319.

2.2.1. Policy considerations

Paragraph 4.4.2 sets out that a name change will only be made if the change will result in a clear benefit to the community.

Paragraph 4.4.3 provides that where a road name is requested to be changed, a significant majority of residents and owners along the road must support the proposed change.

2.3 Options

2.3.1. Consult with residents to determine if a road name change would be supported and result in a clear benefit to the community

Postal, emergency and power organisations consulted have not expressed a compelling need to change at this time as outlined in Appendix 1. The Board may decide that in accordance with the policy, residents and owners along the road should be consulted to determine if a road name change would result in a clear benefit and, if so, whether the majority would support a change.

Feedback will also be sought from the Māori Standing Committee via the committee chairperson in the first instance should the Board(s) decide to proceed with consultation on a road name change.

Should the Board(s) which to proceed with consultation with their respective communities, the indicative timeframes are set out below:

| Indicative Timeframes | Activity |
|---|---|
| 23 February 2022 | Feedback period opens |
| 23 March 2022 | Feedback period closes |
| 30 March 2022 | Greytown Community Board considers feedback and decides if there is enough support to proceed with the renaming Greytown side |
| 5 April 2022 | Featherston Community Board considers feedback and decides if there is enough support to proceed with the renaming Featherston side |
| <i>If a change is not supported by majority of residents</i> | |
| April 2022 | Residents/homeowners informed of outcome |
| <i>If a change is supported by majority of residents</i> | |
| May 2022 | Residents/homeowners informed of outcome and feedback sought on proposed name(s) |
| 22 June 2022 | Greytown Community Board considers proposed names and decides on new road name(s) for Greytown side |
| 28 June 2022 | Featherston Community Board considers proposed names and decides on new road name(s) for Featherston side |
| July 2022 | Residents/owners, Land Information NZ, Quotable Value, Council's rating and GIS departments and all emergency services are notified of the new road name(s) |

A draft letter to residents and owners of Underhill Road is attached in Appendix 2.

2.3.2. Determine there is no longer a compelling reason to pursue a road name change at this time

The Community Board may consider that in light of no further known complaints or confusion among postal, emergency or power services since the initial complaint in 2019 that a clear benefit to the community has not been established and that there is no compelling reason to continue investigating a road name change at this time.

2.4 Financial Considerations

There are financial implications associated with officers' time and services provided by Armstrong Dixon Limited.

Should the Board proceed to consultation of residents and owners under option 3.3.1 there will be small costs associated with printing of consultation material. Should a road name change be supported by the majority and later approved by the Community Board(s) there will be costs associated with new signage.

3. Conclusion

The Greytown and Featherston Community Boards are being informed of the outcome to date of investigations with postal, emergency services and Power Co regarding the naming of Underhill Road. The Boards are asked to consider whether to proceed with consultation of residents and owners on Underhill Road on each side of the Tauherenikau River in accordance with Council's policy, or to determine that there is no longer a compelling reason to pursue a name change at this time.

4. Appendices

Appendix 1 – Assessment of the need to re name all or part of Underhill Road from Armstrong Dixon Limited

Appendix 2 – Draft letter to residents and homeowners of Underhill Road

Contact Officer: Steph Frischknecht, Policy and Governance Advisor

Reviewed By: Tim Langley, Roading Manager

Amanda Bradley, General Manager Policy and Governance

**Appendix 1 – Assessment of the need
to rename all or part of Underhill Road
from Armstrong Dixon Limited**

5 October 2021

Karen Yates
Policy and Governance Manager
South Wairarapa District Council
PO Box 6
Martinborough 5741

Attention: Karen Yates

RE: Assessment of the need to re name all or part of Underhill Road

Further to your request dated 17 April 2021 and discussions subsequently in respect to the assessment.

This assessment is a response to a request from Darren McGregor Service Delivery Co Ordinator NZ Post and Courier Post Masterton made on the 4 July 2019.

The request stated :

"We are having ongoing problems with mail delivery to Underhill Road due to it being split between RD1 Greytown and RD1 Featherston. Unfortunately the same numbering system has been used from both ends so there are duplicate addresses.

There is also a more serious issue around emergency services to Underhill Road due to the duplicate addresses and the barrier created by the Tauherenikau River. I have been informed that this has caused confusion in the past."

On the 4 August 2021 an email was received from Darren which stated:

"One slight change to my email is that the Featherston side is done by RD3 Featherston."

On the 17 August 2021 an email was received from Darren which stated:

"I have not had any more such complaints since the initial complaints a couple of years ago. Given this I feel that the emergency services aspect of the Underhill Road issue is far more important than the mail delivery aspect."

The Council Policy on Naming of Public Roads provides, under section 4.4, Reasons for Changing Existing Road Names.

Reasons for changing road names may include:

"To assign different names to separate ends of a road with a permanent impassable section somewhere along the length".

A key aspect of the NZ Post and Courier Post request is the reference to *"a serious issue around emergency services"*.

As a consequence the following organisations involved with emergency services have been consulted.

New Zealand Police

New Zealand Fire and Safety
 NZ Post and Courier Post
 Wellington Free Ambulance
 Power Co
 South Wairarapa District Council

The outcome of those consultations is as follows:

| Name of Service Provider | Summary of significance | Recorded Incidents |
|---------------------------------------|--|---|
| NZ Police (NZP) | Don't wish to be involved. Consider road naming and changing road names is an issue for New Zealand Transport Authority and the District Council | Unwilling to comment. |
| NZ Fire and Emergency Service (NZFES) | Nick Pyatt Principal Rural Fire Officer commented: <i>"He was unaware of any issues arising with Underhill and does not regard it as an issue. Could be a risk and would support a separation of say north and south."</i> | No incidents recorded. |
| NZ Post and Courier Post (NZPCP) | Darren McGregor confirmed by email on 17 August 2021 <i>"that the original issue arose from complaints from residents receiving the wrong mail. It has not occurred since 2019. The issue is far more important for the emergency services rather than the mail deliver aspect."</i> | No incidents recorded since 2019 |
| Wellington Free Ambulance.(WFA) | <p>Dispatcher/Relief Team Manager (Red Shift) Reported on the 24 September <i>" I have managed to have a look through our records and since 1 January 2021, we have had 2 calls for ambulance to Underhill Road Tauherenikau. One for 391 Underhill Road (Featherston side) and the other 284 Underhill Road (Greytown side). Both calls were for residents at those addresses and there is nothing in the incident notes to indicate there was confusion or concern regarding which side of the river we needed to attend to."</i></p> <p>A further response was received on the 25 September which clarified an earlier report by Communications Manager Robert Blayney. <i>"The incident that Rob referred to was confused because it was reported as a car crash but it was actually a cyclist on the side of the road."</i></p> <p>Further comment <i>"That WFA logging and navigation systems are effectively differentiating the correct sides of Underhill road ."</i></p> | <p>Three incidents reported. One on the Featherston side and one on the Greytown side of Underhill Road. A third incident involved a cyclist which was reported as a vehicle accident. No confusion has been reported due to the duplication of addresses on either side of Underhill Road.</p> |

| | | |
|---|--|-----------------------------|
| Power Co (PC) | Advise <i>“that they don’t rely on street names and are not aware of any issues with Underhill Road. They operate their own systems around GPS. They have their own staff and contractors locally based who know the area. Would support any change if Council consider it justified.”</i> | Not aware of any incidents. |
| South Wairarapa District Council (SWDC) | No comment at this stage | No comment. |

Summary of emergency service responses.

NZP, NZFES and PC

All have a local presence in Greytown and Featherston and are familiar with road layouts and issues that apply to Underhill Road. Most also seem to have their own tracking systems based around GPS. None seem to be insistent about a need to change but acknowledge they would accept a name change if the Council considered it necessary.

WFA .

Consider that their logging and navigation systems are effectively differentiating the correct sides of Underhill road.

NZPCP

Have resolved issues internally. The recognition of separate rural delivery numbers for Featherston and Greytown may have assisted their solution.

SWDC 4.4 – ‘Policy for Changing Existing Road Names’.

Refer to item 4.4.2

This policy specifies that there *“needs to be a clear benefit to the Community if a name change is contemplated.”*

It is evident from the responses received from the organisations undertaking emergency services that they have adapted to the issues associated with access and common numbering at Underhill Road and have not expressed a compelling need to change the status quo.

It is concluded that the policy which requires a clear benefit to the Community if a name change is contemplated has not been justified through consultation with these organisations.

Refer to item 4.4.3

“Where a road name is requested to be changed, a significant majority of residents and owners along the road must support the proposed change.”

At this stage the residents and owners along Underhill Road have not been consulted to obtain their response to a possible name change.

This is a critical element in the assessment and needs to be undertaken as the implementation of a name change will initially create a significant burden for residents, as well as community services and emergency service organisations.

The responses from the residents on each side of the Tauherenikau River may also vary as each community have differing circumstances. This could influence different outcomes for each side of the River.

The observations which may influence the residents response are as follows:

The Featherston side of Underhill Road

Underhill Road starts in the Featherston residential area and extends north with additional no exit roads branching from it. NZPCP advise that there are 37 active customers on the Featherston side of Underhill Road. It is also understood that there is potential for new residential subdivisions extending from Underhill Road. The community awareness of the impasse created by the Tauherenikau River on the Featherston side is considered to be significant and this should minimise the risk of misadventure for the community and emergency services when responding to Underhill Road enquiries.

The Greytown side of Underhill Road

Underhill Road is semi isolated and located on the western outskirts of the intensively farmed region. It is a short road with no other branch roads and NZPCP advise it has 14 active customers. The community awareness of the impasse created by the Tauherenikau River on the Greytown side is likely to be less significant resulting in a higher risk of misadventure for the community and emergency services when responding to Underhill Road enquiries.

The assessment suggests that there may be additional benefit of a name change for the residents on the Greytown side of Underhill Road. The outcome of consultation with residents on each side would need to support this assessment.

The next very necessary step in the consideration of Policy 4.4.3 is to consult individually with each of the residents and owners on each side of the Tauherenikau River to establish if a significant majority of them would support a change in the road name.

The outcome of this consultation needs to be particularly decisive for a change as the responses from the organisations undertaking emergency services tends to favour the status quo.

Recommendation.

Featherston and Greytown Community Boards be advised of the outcome of investigations to date with the suggestion that local residents and owners of Underhill Road on the Greytown side and the Featherston side of the Tauherenikau River be consulted in accordance with Council's Policy 4.4.3.

R.E.W.Austin
Consultant

Appendix 2 – Draft letter to residents and homeowners of Underhill Road

Name
Address 1
Address 2
Town postcode

Date

Dear Name

South Wairarapa District Council is seeking feedback from residents and homeowners of Underhill Road to establish if there is a need to assign different names to the separate ends of the road in Greytown and Featherston given the Tauherenikau River makes it impassable.

Your feedback is being sought due to historical complaints NZ Post and Courier Post (NZPCP) received from residents regarding the receipt of wrong mail. NZPCP have noted any issues have now been resolved internally however we are now seeking your feedback to help us understand if there are ongoing issues and if a change would result in a benefit to the community.

To date we have consulted with NZ Police, NZ Fire and Emergency Service, Wellington Free Ambulance and PowerCo. Organisations have adapted to any issues associated with access and the common numbering of Underhill Road in Greytown and Featherston and have not expressed a compelling need for change.

We are now inviting your feedback to understand if residents and homeowners would support a change in the road name. Under Council's Naming of Public Roads, Private Roads and Rights-of-Way Policy, a significant majority of residents and owners along the road must support a change.

The key dates are set out below.

| Indicative Timeframes | Activity |
|---|---|
| 23 February 2022 | Feedback period opens |
| 23 March 2022 | Feedback period closes |
| 30 March 2022 | Greytown Community Board considers feedback and decides if there is enough support to proceed with renaming the Greytown side |
| 5 April 2022 | Featherston Community Board considers feedback and decides if there is enough support to proceed with renaming the Featherston side |
| <i>If a change is not supported by majority of residents</i> | |
| April 2022 | Residents/homeowners informed of outcome |

| <i>If a change is supported by majority of residents</i> | |
|---|--|
| May 2022 | Residents/homeowners informed of outcome and feedback sought on proposed new name(s) |
| 22 June 2022 | Greytown Community Board considers proposed names and decides on a new road name for Greytown side |
| 28 June 2022 | Featherston Community Board considers proposed names and decides on a new road name for Featherston side |
| July 2022 | Residents/owners, Land Information NZ, Quotable Value, Council's rating and GIS departments and all emergency services are notified of the new road name(s). |

Have your say

You can:

- Complete a feedback form online at www.swdc.govt.nz/Underhill-Road-Naming-Consultation
- Download a feedback form from the website and email it to submissions@swdc.govt.nz
- Fill in the appended feedback form and post it to SWDC, Po Box 6, Martinborough 5741
- Drop a completed feedback form to your local library or the Council offices at 19 Kitchener Street, Martinborough.

Should a significant majority of residents/owners support a change, your feedback will be sought on a proposed name.

Should the road name be changed, residents/homeowners would be responsible for updating their address with relevant organisations/providers outside as would be the case if you had moved to a new address.

More information is available at: www.swdc.govt.nz/Underhill-Road-Naming-Consultation

If you have any questions please contact us at submissions@swdc.govt.nz.

Yours sincerely

Harry Wilson
 Chief Executive
Harry.Wilson@swdc.govt.nz

Feedback Form: Underhill Road

Personal details

Your name, ward details (Featherston or Greytown) and feedback will be in public documents. All other personal details will remain private.

The Privacy Act 2020 applies when we collect personal details. Any details that are collected will only be used for the purposes stated on this form. You have the right to access and correct any personal information we hold.

- Name: _____
- Ward of Underhill Road property: Greytown Featherston
- Email Address: _____
- Phone Number: _____
- Physical Address: _____

Your feedback

1. In the last 12 months, have you experienced any issues associated with the name Underhill Road being assigned to roads in Featherston and Greytown on either side of the Tauherenikau River? Examples may include issues with mail delivery and/or visitors experiencing difficulties in locating your property.

Never Rarely Sometimes Often Always

2. Please provide details of any issues you have experienced in the last 12 months?

3. Do you think the benefit to the community of renaming Underhill Road would outweigh any inconvenience associated with a change of address? Note: It would be the responsibility of the resident/homeowner to update their address with relevant organisations/providers should a road name change be supported and approved.

Yes No Don't know

5. Do you support a road name change for Underhill Road?

Yes No Don't know

Why/why not?

6. Do you have any other comments you would like to make?

DRAFT

AGENDA ITEM 9.2

ELECTED MEMBER CODE OF CONDUCT

Purpose of Report

To provide a draft Elected Member Code of Conduct for consideration and adoption by Greytown Community Board.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Elected Member Code of Conduct Report.*
2. *Adopts the draft Code of Conduct for the Greytown Community Board (Appendix 1).*
3. *Notes that after consideration Council agreed to include paragraph 12 'Undischarged Bankrupt' in the Code of Conduct.*
4. *Delegates to the Chief Executive the authority to make minor grammatical amendments that do not alter the intent of the Code of Conduct.*

1. Background

Under the Local Government Act 2002, councils are required to have a Code of Conduct (the "Code"). The Code sets out the expected standard of behaviour for elected members in relation to how they work and engage with other elected members, Council staff, and the public.

The Code remains in force until the Council or Community Board amends it. Councils cannot repeal a Code of Conduct.

Local Government New Zealand ("LGNZ") developed a Code template in consultation with the local and central government sectors, sector best practice, and legislative or regulatory introductions or amendments in 2016. An updated template was released in 2019. A high majority of councils around New Zealand use the LGNZ Code template.

2. Discussion

The current Code of Conduct was last adopted on 19 October 2016 and will remain active until a new Code has been adopted. It is believed that the existing Code was based on a historical template developed by LGNZ, and modified by Council over a number of years. The Code of Conduct was incorporated into the induction process in

2019 but not specifically adopted by the incoming 2019 Council or community boards. A review of the Code of Conduct was planned for early in the triennium, however due to COVID and other work priorities this review was delayed.

After engagement with councillors and community board members, the Code that is being presented for adoption uses the 2019 LGNZ template as the base and includes sections of the existing Code that were identified by elected members as having continuing value. The LGNZ template is comprehensive and reflects current standards and best practice. Although a specific template is available for community boards, as there is very little difference between the templates, for ease of application and management, officers are proposing that the one Code is used across Council and community boards.

2.1 Key differences between the existing and new Code

The proposed Code of Conduct (Appendix 1):

- Clearly outlines values that elected members agree to abide by.
- Includes a process for reporting, investigating and assessing complaints.
- Includes guidance on penalties and sanctions.
- Provides modern media engagement guidance for elected members, including a section on the use of social media.
- Includes a section on review of the Code.
- Includes an undischarged bankrupt clause that Council has agreed should be included.
- Includes principles that highlights the importance of elected members “pulling their weight”.

LGNZ has provided a guide to be read in conjunction with the template Code. The guide provides information on the requirements, application, and legal contexts of any future adopted Code (Appendix 2).

2.2 Points Requiring Clarification/Template Differences

LGNZ developed two Code of Conduct templates, one for local authorities and regional councils and the other for community boards. The ‘chair’ reference in the template refers to the chair of the regional council. Reference to the ‘chair’ has been deleted.

The process and guidance for community board members to make complaints is the same as elected members of Council (i.e. via the Chief Executive to the Mayor in the first instance).

The following are the differences between the LGNZ template for community boards and territorial authorities, they are not considered significant enough to warrant having multiple Code of Conducts adopted:

- Section 4 ‘Role and Responsibilities’ is not included in the LGNZ Community Board template but is in the Code of Conduct for adoption in Appendix 1 and has been modified to be inclusive of community boards.
- The LGNZ templates use language applicable to the audience (i.e. Council or a community board), the Code of Conduct for adoption in Appendix 1 has been

altered so the audience is inclusive of Council, community boards and appointed members.

- Minor grammatical word changes to reflect the relative importance of Council and community boards (e.g. vital versus essential). Some of the grammatical differences appear to indicate minor version control issues within the LGNZ templates.

2.3 Options

Local Government NZ recommend that community boards adopt a Code of Conduct and note that this is often the same code as adopted by their parent local authority. As the community board role differs from that of a governing body, legislation does not require a Code, however the behaviours of community board members may have an impact on Council's obligations (e.g. to be a good employer), therefore to ensure that community board members behave ethically and in accordance with expectations and the values set by Council, officers recommend that the Code of Conduct as adopted by Council is also adopted by the community boards.

Minor changes that do not affect the intent of the Code may be able to be accommodated.

Elected members may adopt the proposed Code of Conduct as it is presented, adopt the proposed Code of Conduct with minor amendments that do not affect the intent of the Code, retain the existing Code of Conduct, or repeal the existing Code of Conduct.

2.4 Consultation

Councillors and community board members have had an opportunity to provide input into the draft Code of Conduct in workshop settings.

2.5 Legal Implications

Council is required to have a Code of Conduct, however community boards are not required to adopt a Code under the Local Government Act s.54(2).

Should the Community Board wish to adopt a Code of Conduct then all of schedule 7 s.15 will apply. Amendments to an adopted Code require a resolution supported by 75% or more of the elected members present at a meeting. If a new Code of Conduct is not adopted, then the existing Code of Conduct will remain in force until such time that a new Code has been adopted or the community board decides that it does not want to operate under a code.

Schedule 7, clause 15(5) of the Local Government Act requires the local authority to consider whether it will require a member or newly elected member to declare whether or not they are an undischarged bankrupt. Council elected to include a section in the Code requiring declaration to the CEO (paragraph 12).

2.6 Financial Considerations

There are no financial considerations.

2.7 Other Considerations

The Code does not replace other protocols put in place by the CEO or terms of reference documents adopted by Council and the community boards.

For example, paragraph 5.2 of the Code 'Relationships with Staff' requires staff to adhere to protocols put in place by the CEO for contact between elected members and staff. At the 2019 elected member induction, elected members were advised that their first point of contact for operational matters was via the Chief Executive (the exception to this are matters within the scope of the Committee Advisors). Members can log work requests in the normal manner.

3. Conclusion

If adopted, the proposed Elected Member Code of Conduct will replace the existing Code for the Community Board. The new Code will be distributed electronically to those affected.

Community Boards will continue to be accountable under the existing Code of Conduct until they have had the opportunity to consider adopting the new proposed Code.

4. Appendices

Appendix 1 – draft Code of Conduct

Appendix 2 – LGNZ Code of Conduct Guidelines

Contact Officer: Suzanne Clark, Committee Advisor

Reviewed By: Harry Wilson, Chief Executive

Appendix 1 – draft Code of Conduct



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

Code of Conduct

| | |
|--|-------------------|
| Council Date of Approval | 15 December 2021 |
| Martinborough Community Board Date of Approval | TBC February 2022 |
| Featherston Community Board Date of Approval | TBC February 2022 |
| Greytown Community Board Date of Approval | TBC February 2022 |
| Next Review | 30 November 2022 |

Contents

| | | |
|------|--|----|
| 1. | Introduction | 3 |
| 2. | Scope | 3 |
| 3. | Values | 4 |
| 4. | Role and responsibilities..... | 4 |
| 4.1 | Members of Council..... | 5 |
| 4.2 | Community Board Members..... | 5 |
| 4.3 | Appointments | 5 |
| 4.4 | Chief Executive..... | 5 |
| 5. | Relationships..... | 6 |
| 5.1 | Relationships between members | 6 |
| 5.2 | Relationships with staff..... | 7 |
| 5.3 | Relationship with the public | 7 |
| 5.4 | Public Duty | 7 |
| 5.5 | Representing the Council..... | 8 |
| 5.6 | Media and social media | 8 |
| 5.7 | Media contact on behalf of the Council..... | 9 |
| 6. | Information..... | 9 |
| 6.1 | Confidential information..... | 9 |
| 6.2 | Information received in capacity as an elected member | 9 |
| 7. | Conflicts of Interest | 10 |
| 8. | Predetermination | 10 |
| 9. | Register of Interests..... | 11 |
| 10. | Ethical behaviour | 11 |
| 11. | Creating a supportive and inclusive environment..... | 12 |
| 12. | Undischarged bankrupt | 12 |
| 13. | Breaches of the Code..... | 12 |
| 13.1 | Principles..... | 13 |
| 13.2 | Complaints | 13 |
| 13.3 | Materiality..... | 14 |
| 13.4 | Penalties and actions | 14 |
| 13.5 | Material breaches | 14 |
| 13.6 | Statutory breaches..... | 16 |
| 13.7 | Review..... | 16 |
| | Appendix A: Guidelines on the personal use of social media..... | 17 |
| | Appendix B: Legislation bearing on the role and conduct of elected members..... | 18 |
| | Appendix C: Process where a complaint is referred to an independent investigator | 22 |
| | Appendix D: Mayor, Deputy Mayor and Chair Roles | 24 |

1. Introduction

The Code of Conduct (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

- » Enhance the effectiveness of the local authority and the provision of good local government of the community, town/city, district or region;
- » Promote effective decision-making and community engagement;
- » Enhance the credibility and accountability of the local authority to its communities; and
- » Develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in the code.

2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any Community Boards that have agreed to adopt it. The Code is designed to guide the behaviour of members towards:

- » Each other;
- » The Chief Executive and staff;
- » The media; and
- » The general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

3. Values

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner;
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.¹

These values complement, and work in conjunction with, the principles of s14 of the LGA 2002 and the governance principles of s39 of the LGA 2002.

4. Role and responsibilities

The Code of Conduct is designed to strengthen the good governance of your city, district or region. Good governance requires that the complementary roles of the governing body and the administration are understood and respected.

A summary of the roles of the Mayor, Deputy Mayor, Community Board and Standing Committee Chairs is provided in Appendix D.

¹ See Code of Conduct Guide for examples.

4.1 Members of Council

The role of the governing body includes:

- » Representing the interests of the people of the city, district or region;
- » Developing and adopting plans, policies and budgets;
- » Monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- » Providing prudent stewardship of the Council's resources;
- » Employing and monitoring the performance of the Chief Executive; and
- » Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

4.2 Community Board Members

The role of a Community Board member is, but is not limited to:

- » Representing, and acting as an advocate for the interests of the community; and
- » Contributing to decision making and discussion on matters referred to the Community Board by the territorial authority; and
- » Maintaining an overview of services provided by the territorial authority within the community; and
- » Contributing to the preparation of an annual submission to the territorial authority for expenditure within the community; and
- » Engaging with community organisations and special interest groups within the community.

4.3 Appointments

The terms, obligations and provisions of this Code of Conduct as they apply to elected members of Council, Community Boards and committees, are deemed to apply to all non-elected members of committees and non-elected members appointed to outside organisations.

4.4 Chief Executive

The role of the Chief Executive includes:

- » Implementing the decisions of the Council;
- » Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- » Ensuring the effective and efficient management of the activities of the local authority;

- » Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- » Providing leadership for the staff of the Council; and
- » Employing, on behalf of the Council, the staff of the local authority, (including negotiation of the terms of employment for those staff).

The Chief Executive is the only person *directly* employed by the Council itself (s.42 LGA 2002). All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

5.1 Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- » Maintains public confidence;
- » Is open, honest and courteous;
- » Is focused on issues rather than personalities;
- » Avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- » Avoids aggressive, bullying or offensive conduct, including the use of disrespectful or malicious language.

Please note, nothing in this section of the Code is intended to limit robust debate.

The Mayor, Community Board Chairs and the Chief Executive Officer will meet informally from time to time to maintain and promote effective communication and for the purpose of ensuring that all parties are familiar with the work being carried out by each; and to improve coordination; and to ensure the business of the Council, its Committees and the Community Boards is conducted in a timely and effective manner.

5.2 Relationships with staff

An important element of good governance involves the relationship between a Council, its Chief Executive and its staff. Members will respect arrangements put in place to facilitate this relationship, and:

- » Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- » Raise any concerns about the performance or behaviour of the Chief Executive with the Mayor/Chair or the chairperson of the Chief Executive Performance Review Committee (however described);
- » Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe these requirements at all times, such as the duty to be a good employer;
- » Treat all employees with courtesy and respect and not publicly criticise any employee; and
- » Observe any protocols put in place by the Chief Executive concerning contact between members and employees.

Please note, elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's annual audit.

5.3 Relationship with the public

Given the vital role that democratic local government plays in our communities it is important that Councils have the respect and trust of their citizens. To facilitate trust and respect in their Council members will:

- » Ensure their interactions with citizens are fair, honest and respectful;
- » Be available to listen and respond openly and honestly to citizens' concerns;
- » Represent the views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and
- » Ensure their interactions with citizens and communities uphold the reputation of the local authority.

5.4 Public Duty

Elected Council members have a responsibility to the whole community of the South Wairarapa district.

Council members are elected on a ward basis and have a special interest in that ward but their prime responsibility is to the district as a whole.

Community Board members are responsible to the electors of the community from which they are elected. They are, however, bound by the decisions of the Council who ultimately carry the responsibility for each Community Board's actions and decisions.

Actions of all elected members may need to be justified to the public. The reputation of the Council is dependent on elected members' conduct, and the public perception of this conduct.

At every ordinary meeting of the Council, the Mayor will provide a report (preferably written) outlining activities undertaken in the capacity of Mayor. This will include activities in the community and in his/her leadership/advocacy role since the date of the last ordinary meeting.

Elected members will provide reports (preferably written) from their Council appointments.

5.5 Representing the Council

Elected members who are invited or appointed to represent the Council at an event such as a seminar or conference, should meet the following conditions:

- » The Council/Community Board must approve any requests for travel outside the Wairarapa area at Council expense.
- » The cost of representation must be within the annual budgeted figure for such activities unless the Council makes specific authorisation for additional expenditure.
- » Following his/her attendance, the member must present a report to the Council, or appropriate Committee or Community Board which summarises the event including its potential significance to the business of the South Wairarapa District Council. Where the Council is represented by a delegation, one member of the party will report back on their behalf.

These requirements apply to situations where members will be participating as representatives of the South Wairarapa District Council. They do not apply to situations where members attend in a private capacity. In such cases the member may wish to report to the Council on items of interest or general value.

5.6 Media and social media

The media play an important role in the operation and efficacy of our local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

5.7 Media contact on behalf of the Council

1. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, Committee or Community Board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
 - » Comments must not state or imply that they represent the views of the Council or the Community Board.
 - » Comments which are contrary to a formal decision or policy must clearly state that they do not represent the views of the majority of members;
 - » Comments shall be consistent with this Code;
 - » Comments must not purposefully misrepresent the views of the Council, Community Boards, or the views of other members;
 - » Social media pages controlled by members and used for making observations relevant to their role as an elected members should be openly attributed to the member. Public comment should be moderated (comments removed) for abusive or inflammatory comment to ensure transparency in the views expressed;
 - » Social media posts about other members, Council staff or the public must be consistent with section five of this Code. (See Appendix A for guidelines on the personal use of social media).

6. Information

Access to information is critical to the trust in which a local authority is held and its overall performance. A failure to comply with the provisions below can represent a breach of the Code.

6.1 Confidential information

In the course of their duties members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

6.2 Information received in capacity as an elected member

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information

does not contravene the privacy of natural persons, the member will disclose such information to other members and/or the Chief Executive as soon as practicable.

7. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Members may also contact the Office of the Auditor-General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Please note: Failure to observe the requirements of LAMIA could potentially invalidate a decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix B). In the event of a conviction elected members can be ousted from office.

8. Predetermination

Predetermination is a special type of interest and may arise when a decision-maker makes comments that suggest he/she made up his/her mind prior to considering all relevant views or considerations.

1. Elected members will not make comments that suggest he/she made up his/her mind prior to considering all relevant views. Any public statements that suggest the decision-maker made up his/her mind in advance, or took into account something they should not have, may lead to allegations of predetermination or bias.
2. Elected members must remain open to persuasion and not commit to a decision until after hearing all the evidence.
3. Elected members will carefully consider whether a public comment made before or after a decision would give rise to allegations of predetermination and act accordingly.

- » When making quasi-judicial decisions, decision-makers are required to meet a higher standard of impartiality and objectivity. (Generally, regulatory decisions are more likely to be quasi-judicial decisions.)
- » In other contexts, e.g. when elected members are making policy decisions, it will normally be more acceptable for the decision-maker to express a preliminary view in public and even express strong personal views about the matter.

9. Register of Interests

Members shall, at least annually, make a declaration of interest. These declarations are recorded in a public Register of Interests maintained by the Council. The declaration must include information on the nature and extent of any interest, including:

1. Any employment, trade or profession carried on by the member or the members' spouse/partner for profit or gain;
2. Any company, trust, partnership etc for which the member or their spouse/partner is a director, business partner or trustee;
3. A description of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
4. A description of any land owned by the local authority in which the member or their spouse/partner is:
 - » A tenant; or
 - » The land is tenanted by a firm in which the member or spouse/partner is a business partner; a company of which the member or spouse/partner is a director; or a trust of which the member or spouse/partner is a trustee.
5. Any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive).

Please note, where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable.

10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

1. Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
2. Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;

3. Only use the Council's resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
4. Not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of the code.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance.

These include:

- » Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which members will work.
- » Taking part in any assessment or evaluation of the Council's performance and operating style during the triennium.²
- » Taking all reasonable steps to acquire the required skills and knowledge to effectively fulfill their Declaration of Office (the Oath) and contribute to the good governance of the district.

12. Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 of the LGA 2002, any member who is an undischarged bankrupt shall notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt.

Note: This clause is relevant to all elected members and those appointed members who will in the course of their duties be making governance decisions on the expenditure of public money.

13. Breaches of the Code

Members must comply with the provisions of the code (LGA 2002, schedule 7, cl. 15(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

² A self-assessment template is provided in the Guidance to the code.

13.1 Principles

The following principles will guide any processes for investigating and determining whether or not a breach under the code has occurred:

1. That the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged breach;
2. That the processes of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
3. That the concepts of natural justice and fairness will apply in the determination of any complaints made under the Code. This includes, conditional on the nature of an alleged breach, directly affected parties:
 - » Have a right to know that an investigation process is underway;
 - » Are given due notice and are provided with an opportunity to be heard;
 - » Have confidence that any hearing will be impartial;
 - » Have a right to seek appropriate advice and be represented; and
 - » Have their privacy respected.

13.2 Complaints

All complaints made under the Code of Conduct must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward the complaint to the Mayor or, where the Mayor is a party to the complaint, to an independent investigator.

Please note, only members and the Chief Executive may make a complaint under the Code.

Complaint referred to Mayor

On receipt of a complaint made under the provisions of the Council's Code of Conduct the Mayor will, as the situation allows:

- » Interview the complainant to assess the full extent of the complaint.
- » Interview the member(s) subject to the complaint.
- » Assess the complaint to determine materiality.
- » Where a complaint is assessed by the Mayor to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- » Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor, to the Council or an

adjudicative body established by the Council to assess and rule on complaints made under the Code.³

- » In the situation where a Council appointment is the subject of a material complaint, or where no mutually agreed solution can be reached, the Chief Executive will prepare a report to Council requesting a decision on whether the appointed member should be discharged.

If the Mayor chooses they may, instead of undertaking an initial assessment, immediately refer the complaint to the independent investigator, via the Chief Executive.

Complaint referred to Independent Investigator

On receipt of a complaint from a member which concerns the Mayor, or from the Mayor after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints.⁴ The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

13.3 Materiality

An alleged breach under the Code is material if, in the opinion of the Mayor or independent investigator, it would bring the Council into disrepute or, if not addressed, adversely affect the reputation of a member.

An alleged breach under this Code is non-material if, in the opinion of the Mayor or independent investigator, any adverse effects are minor and no investigation or referral is warranted.

13.4 Penalties and actions

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

13.5 Material breaches

In the case of material breaches of the Code, the Council, or the adjudicative body with delegated authority, may require one of the following:

- » A letter of censure to the member;
- » A request (made either privately or publicly) for an apology;

³ Advice on establishing adjudication bodies can be found in the Guide to the Code of Conduct.

⁴ On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor or Chairperson, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her Council, prepare a list jointly with neighbouring Councils or contract with an agency capable of providing appropriate investigators, such as EquiP.

- » Removal of certain Council-funded privileges (such as attendance at conferences);
- » Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
- » Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
- » Limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
- » A vote of no confidence in the member;
- » Suspension from committees or other bodies to which the member has been appointed; or
- » Invitation to the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that instead of a penalty, one or more of the following may be required:

- » Attend a relevant training course; and/or
- » Work with a mentor for a period of time; and/or
- » Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- » Tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.6 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- » Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under LAMIA);
- » Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.44 LGA 2002 which may result in the member having to make good the loss or damage); or
- » Breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

13.7 Review

Once adopted, the Code continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. Amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at the Council meeting at which the amendment is considered.

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all members have the opportunity to provide their views on the Code's provisions.

Appendix A

Guidelines on the personal use of social media⁵

There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the local authority no members should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

⁵ Based on the Ruapehu District Council Code of Conduct.

Appendix B

Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz.

The Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests, a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- » A person, or spouse/partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- » A person, or their spouse/partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the Council.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote.

When determining if this is the case or not the following test is applied:

"...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned." (OAG, 2001)

In deciding whether you have a pecuniary interest, members should consider the following factors:

- » What is the nature of the decision being made?
- » Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?

- » Is my financial interest one that is in common with the public?
- » Do any of the exceptions in the LAMIA apply to me?
- » Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the Mayor or other person, to determine if they should discuss or vote on an issue, but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Council's Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is "concerned or interested" in contracts with their Council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

"Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members focus should be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- » Members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- » Members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform, then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and Community Boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- » Create a disturbance or a distraction while another Councillor is speaking;
- » Be disrespectful when they refer to each other or other people; or
- » Use offensive language about the Council, other members, any employee of the Council or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- » Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- » Use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

Elected members convicted of these offences will automatically cease to be members.

Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles, and details the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s44 LGA 2002, it is found that one of the following applies:

- a) Money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) An asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) A liability has been unlawfully incurred by the local authority; or
- d) A local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) Without the member's knowledge;
- b) With the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) Contrary to the manner in which the member voted on the issue; and
- d) In circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s47 LGA 2002).

Appendix C

Process where a complaint is referred to an independent investigator

Step 1: Chief Executive receives complaint

On receipt of a complaint under the Code, whether from a member (because the complaint involves the Mayor) or from the Mayor after an initial assessment, the Chief Executive will refer the complaint to an independent investigator. The Chief Executive will also:

- » Inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- » Inform the respondent that a complaint has been made against them, the name of the investigator and remind them of the process for dealing with complaints as set out in the Code.

Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. The complaint is trivial or frivolous and should be dismissed;
2. The complaint is outside the scope of the Code and should be re-directed to another agency or institutional process;
3. The complaint is minor or non-material; or
4. The complaint is material and a full assessment is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine their recommendations, including interviewing relevant parties, which are then forwarded to the Council's Chief Executive. On receiving the investigator's preliminary assessment the Chief Executive will:

1. Where an investigator determines that a complaint is trivial or frivolous, inform the complainant, respondent and other members (if there are no grounds for confidentiality) of the investigator's decision.
2. In cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform the Chief Executive who will then inform the complainant, the respondent and members.

Step 3: Actions where a breach is found to be non-material

If the subject of a complaint is found to be non-material, but more than trivial or frivolous, the investigator will inform the Chief Executive and, if they choose, recommend a course of action appropriate to the breach, such as:

- » That the respondent is referred to the Mayor/Chair for guidance; and/or
- » That the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters resulting in the complaint.

The Chief Executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

Step 4: Actions where a breach is found to be material

If the subject of a complaint is found to be material, the investigator will inform the Chief Executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach. In preparing that report, the investigator may:

- » Consult with the complainant, respondent and any directly affected parties; and/or
- » Undertake a hearing with relevant parties; and/or
- » Refer to any relevant documents or information.

On receipt of the investigator's report, the Chief Executive will prepare a report for the relevant Council body charged with assessing and ruling on material complaints, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The Chief Executive's report will include the investigator's full report.

Step 5: Process for considering the investigator's report

The investigator's report will be considered by the Council or adjudicative body established for considering reports on Code of Conduct complaints, or any other body that the Council may resolve, noting that the process will meet the principles set out in section 12.1 of the Code.

The Council, or adjudicative body, will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify, in accordance with LGOIMA, the exclusion of the public. Before making any decision on a specific complaint, the relevant body will give the respondent an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, should not take part in these proceedings in a decision-making capacity.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in clause 13.1 of the Code.

The report, including recommendations from the adjudicative body, should that body have no formal delegations, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.

Appendix D

Mayor, Deputy Mayor and Chair Roles

13.8 The Mayor

The Mayor is an elected member, and shares the same collective responsibilities as Councillors. The Mayor is elected by the district at large and is the presiding member at meetings of the Council, and as such is responsible under Standing Orders for the orderly conduct of Council business at meetings.

The Mayor has no power to commit the Council to any particular course of action except where specifically authorised by the Local Government Act 2002 under duly delegated authority.

The Office of Mayor carries with it an element of community leadership in addition to the statutory role as presiding member of the Council. The leadership role frequently requires the Mayor to act as community advocate, promoting the attributes of the community and representing its interests. Community leadership and advocacy will be more effective where it is carried out with the knowledge and support of the Council.

The Mayor is a Justice of the Peace while holding office as Mayor.

13.9 The Deputy Mayor

In addition to the responsibilities of Councillor, the Deputy Mayor is authorised to chair meetings of the Council in the Mayor's absence, and generally to perform the functions and duties of the Mayor:

- » With the Mayor's consent at any time during the Mayor's temporary absence; or
- » Without the Mayor's consent at any time while the Mayor is prevented by illness or other cause from performing the functions and duties or exercising the powers of office or while there is any vacancy in the office of Mayor.

In the absence of both the Mayor and Deputy Mayor, the Council must elect one of its members to Chair a Council meeting.

13.10 Community Board and Standing Committee Chairs

The Chairs of Community Boards and Standing Committees are responsible for the efficient and proper control and conduct of their respective meetings and for the provision of leadership in the areas for which a Community Board or Standing Committee has responsibility.

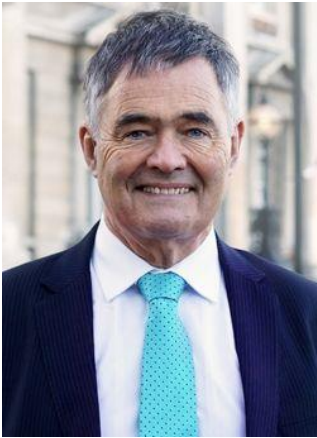
The business of Community Boards and Standing Committees shall be consistent with the powers delegated by the Council and the respective Chairs are responsible for ensuring compliance.

Appendix 2 – LGNZ Code of Conduct Guidelines

LGNZ Code of Conduct Guidelines



< Good local governance requires us to ensure that the way in which we undertake public decision-making is open, transparent and fair. >



Preface

Dave Cull, President, LGNZ

Like many public bodies around the world, councils in New Zealand are required to adopt a Code of Conduct. Codes of Conduct are designed to enhance trust in our public institutions by building the respect of citizens. There is nothing like conflict at the governance level to turn people off, feed negative journalism and undermine the morale and the good will of staff.

In 2016, LGNZ updated the Code of Conduct template that was unchanged since 2002 to incorporate recent legislative change, and new approaches to good governance, and to provide better advice for councils having to deal with alleged breaches. In addition, the changes were designed to shift the focus from just controlling poor behaviour to promoting an inclusive and positive governance culture, thereby removing some of the factors that can result in behavioural issues.

Based on the experience of councils applying the Code over the last three years, we have made further changes to the template. One of those changes is intended to more easily address minor and frivolous complaints by allowing Mayors and Chairs to make an initial assessment of complaints that they are not involved in. The second change concerns the addition of a section on social media.

Getting our governance cultures right is important and makes good economic sense. Councils that are trusted and respected are more likely to be able to enlist the support of their communities and other agencies in the goal of improving outcomes and meeting their strategic goals.

I hope you will find the Code helpful in strengthening your governance culture, building the mandate of your local authority and developing a great team.

Dave Cull
President
LGNZ

Contents

| | |
|---|----|
| Contents..... | 3 |
| Introduction | 5 |
| Why a Code of Conduct?..... | 5 |
| Content | 6 |
| Considerations when designing a Code..... | 7 |
| The media | 8 |
| Information received in capacity as an elected member | 8 |
| Register of Interests | 9 |
| Promoting a supportive governance culture | 9 |
| Creating an inclusive council..... | 9 |
| Breaches of the Code | 10 |
| Who can make a complaint?..... | 10 |
| Decision-making options..... | 10 |
| Investigating complaints | 10 |
| Creating a panel of investigators..... | 11 |
| The role of investigators | 11 |
| Determining materiality | 12 |
| Process upon receiving a complaint..... | 12 |
| Process for non-material breaches | 13 |
| Process for managing material breaches | 13 |
| Hearing by council or committee | 13 |
| Possible penalties and actions in response to a material breach | 14 |
| Process to be followed in the case of statutory breaches..... | 14 |
| Possible penalties for statutory breaches | 15 |
| References | 15 |
| Appendix A: Register of interests template | 16 |
| Appendix B: Self Assessment Template..... | 17 |
| Appendix C: Code of Conduct Committee terms of reference | 19 |
| The powers of a Code of Conduct Committee | 19 |

| | |
|---|----|
| Draft terms of reference | 19 |
| Membership..... | 20 |
| Appendix D: Examples..... | 21 |
| Example One | 21 |
| Example Two..... | 21 |
| Example Three | 21 |
| Appendix E: Complaints Procedure – Flow Diagram | 23 |

Introduction

The LGNZ Code of Conduct template 2019 updates the 2016 template which was published as part of the suite of KnowHow products following the passage of the LGA 2002. The LGA 2002 made the adoption of a Code of Conduct (the Code) mandatory. The 2016 template included a range of new features and draws on good practice introduced by councils over the past decade, particularly Gore District Council and Northland Regional Council. New features are:

- Refinement of the principles including a new principle that highlights the importance of elected members “pulling their weight”;
- Simplification of the roles and responsibilities section;
- Encouragement for members to participate in activities to build and maintain collaborative and cooperative cultures within the council;
- A new process for investigating and assessing complaints, including a ‘materiality’ test;
- Additional guidance on penalties or sanctions;
- Clarification that complaints can only be made by members and chief executives; and
- A more empowering and less prescriptive approach.

The 2019 template includes a section on social media and has a new process for dealing with trivial, minor and frivolous complaints.

Why a Code of Conduct?

Codes of conduct are common features in local government systems in many parts of the world. In New Zealand the Code complements specific statutes, such as the Local Government and Meetings Act 1987, which are designed to ensure openness and transparency. Codes are an important part of the framework for building citizen confidence in our governmental processes. The template has four objectives:

- To enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region;
- To promote effective decision-making and community engagement;
- To enhance the credibility and accountability of the local authority to its communities; and
- To develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

The four objectives highlight the importance of achieving ‘good local government’, effective and inclusive decision-making, strengthened community credibility, and a culture of trust and mutual respect within the local authority.

They also contribute to making councils a more rewarding and satisfying place for elected members.

Content

Codes of Conduct vary from place to place, and especially between jurisdictions, but there are certain critical elements a good Code should contain. In addition to the minimum requirements set out in the LGA 2002 (see cl.15 Schedule 7, LGA 2002), an effective Code of Conduct should include:

- Guidance for managing relationships and ensuring constructive behaviour, including processes for ensuring these are adhered to. This will ideally cover relationships with other members, staff, the media and (relationships with) the public;
- A statement of the different roles and responsibilities of governance and management. The Code should complement and reinforce the rules and statutory provisions set out in a council's standing orders;
- Provisions dealing with confidentiality of information received during the course of a members' duties, as well as situations when members are required to disclose information to the local authority and each other;
- Provisions dealing with conflicts of interest;
- Provisions dealing with ethical conduct, such as the way in which expenses may be claimed and soliciting or accepting gifts, rewards, or benefits;
- An explanation of the importance of adhering to the Code of Conduct and details of the procedures for investigating and resolving alleged breaches;
- Provisions designed to encourage courteous and constructive behaviours and so reduce the risk of poor behaviour and alleged breaches;
- Details of penalties or sanctions, such as what they are, when they might be applied, and the processes for their application (where these processes are within the control of council); and
- Provisions for the review of a Code of Conduct (both in terms of the statutory requirements and any processes the local authority has put in place).

All efforts have been made to ensure that these matters have been incorporated in the LGNZ Code of Conduct template.

Considerations when designing a Code

Codes of Conduct are part of the “house rules” that govern relationships and behaviour and complement other corporate documents, such as Standing Orders and the Council’s Governance Statement. While some high level principles may be desirable in order to “set the scene”, a document that talks in vague generalities will be difficult both to adhere to, and to enforce.

- Codes of Conduct are not a means of preventing elected members from expressing their views.
- Codes of Conduct should promote effective working relationships within a local authority and between the local authority and its community. Among other things, a Code should promote free and frank debate which should in turn result in good decision making. Codes of Conduct should not be used in such a way as to stifle robust debate.
- Provided that an elected member does not attempt to present a personal view as anything other than their own view (and does not contravene other parts of the Code) they should be able to do so. Codes of Conduct are ideally designed to provide rules of conduct that promote debate and make it clear that personal views, and the rights of *all* members to express personal views, are to be respected.
- What a Code of Conduct does is set boundaries on standards of behaviour in expressing and promoting those views, and means of resolving situations when elected members breach those standards.
- Elected members should “own” the Code.
- Nothing is more likely to promote non-compliance with a Code than elected members being invited to “rubber stamp” a Code that others have prepared.
- It may be useful for elected members to “workshop” the Code template as soon as practicable after each triennial election; for example, at the Council’s induction workshop. Given that the Code deals with the relationship between elected members, the Chief Executive and staff, it may be desirable to have the workshop facilitated by an independent person.¹
- Processes need to be put in place for investigating and resolving breaches of the Code.
- Applying a penalty or sanction under the Code should ideally be the last, rather than the first response. Most situations can be resolved without the need for sanctions. Often something as simple as an apology will resolve the issue. The original Code of Conduct template created difficulties for some councils as it provided little guidance on how to distinguish between minor and material breaches. This template has been specifically designed to enable non-material breaches to be dealt with outside the formal process of a full investigation by the Council or Committee.
- Most of all, the principles of natural justice must apply to the investigation, assessment and resolution of complaints made under the Code.
- Codes of Conduct cannot stand alone.
- Codes of Conduct work best when they are supported by other mechanisms.

¹ EquiP, LGNZ’s business arm, may be able to help with such sessions or advise on suitable facilitators.

The most obvious supporting mechanism is training. A good Code will remind members of their obligations under the LGA 2002, the Members' Interests Act and the Local Government Official Information and Meetings Act 1987. However, a Code that replicated all of the relevant provisions would probably be of a size where no one person (either member or staff) could remember it all. All elected members should receive training in their obligations under these Acts at the beginning of each triennium. Other provisions of the Code should be covered during such training.

Codes of Conduct should also be linked to other procedural documents adopted by councils, such as Standing Orders. Standing Orders provide rules that set out processes and standards of conduct for meetings while the Code governs day-to-day and less formal relationships.

The media

When designing the Code it is important to recognise the legitimacy of political debate and open discussion and ensure that provisions do not become an instrument to diminish this. It is important to note that the Declaration of Office, sworn by members, states:

“I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the **best interests** of [name of region, district, locality, community]”

Under the declaration, members must act in what they believe is the best interests of the community, district or region. It is up to individual members, in consultation with residents and on the basis of advice and research, to determine what 'best interests' for their regions or district means.

The Code must respect the spirit and intent of the New Zealand Bill of Rights Act and ability of members to express dissent. However, in doing so, members must act in accordance with the standards set out in the Code. Consequently the new template has not made any substantive changes to the 'dealing with the media' provisions from those set out in the original template.

Information received in capacity as an elected member

Section 7.2 of the Code has been amended from the original version to place an obligation on members to disclose information received in their capacity as elected members which is relevant to the ability of a local authority to give effect to its responsibilities. The Code states that disclosure should be to “other members and, where appropriate the Chief Executive”.

When applying this requirement, it is important that the process for disclosing information is appropriate in the circumstances of each council. The purpose of the disclosure is to add to the stock of information held by a council in order to strengthen the ability of members to make informed decisions, and diminish risks that might arise if the information on which a decision has been made is incomplete.

Appropriate disclosure in particular circumstances may be to the Mayor, to the Chief Executive or in the course of a meeting, depending on the public nature of the information. In some cases a council may have a specific officer, such as a council ombudsman, charged with that responsibility.

Register of Interests

The Code requires that members maintain a register of interests. A template register is set out in **Appendix A** of this guide. The register is limited to disclosures affecting members and their spouses or partners. It is important that members update their details when circumstances change. We recommend that staff regularly remind members to check that the register is up to date and relevant.

Promoting a supportive governance culture

One important difference between the new and old templates is the addition of commitments designed to promote a supportive and inclusive governing environment and strengthen relationships at the governance level.

These provisions are intended to diminish the risk of conflict between members and between members and the public, and thereby avoid the likelihood of breaches. The new Code encourages members to review their collective performance and governance style in order to assess the degree to which their culture is both inclusive and supportive.

The reference to “equitable contribution” in the Values section has been added to encourage members to take all reasonable steps to fulfill the duties and responsibilities of office, such as attending meetings and workshops, undertaking relevant reading, preparing for meetings and taking part in relevant training workshops or seminars.

The intention is to provide councils with leverage to encourage members to do ‘their fair share’ of the tasks necessary to provide effective governance and representation and take part in exercises designed to improve relationships and teamwork.

Creating an inclusive council

A proactive focus on building a positive culture is the subject of section 11, “Creating a supportive and inclusive environment”. The key parts of this section are designed to encourage members to:

- Take part in council induction workshops;
- Contribute to activities designed to seek agreement on vision, goals, objectives and operating values;
- Participate in processes for assessing the governing body’s performance (see **Appendix B** for a self-assessment form for consideration); and
- Undertake, where necessary, training to improve their knowledge of how the council works and being an effective elected member.

The provisions require that members should take “all reasonable steps” to fulfill their responsibilities as elected members. As a result of these commitments the possibility exists that a complaint could be laid against a member for having consistently refused to participate in council organised activities designed to build a better culture.

Breaches of the Code

One of the ongoing problems with many of the Codes in use is the way they deal with the process of making, investigating and ruling on complaints. In its report on Codes of Conduct (OAG 2006) the Office of the Auditor General noted that many councils lacked a process for distinguishing between trivial and serious breaches of the Code and consequently spent considerable energy and resources hearing complaints on what are in effect matters of no concern. Many other issues have also arisen, such as:

- Failure to adequately guard against the risk of members with an interest in a complaint taking part in the decision on whether or not to uphold a complaint;
- Examples of members of the public making complaints about the behaviour of individual members for reasons that appear to be more concerned with settling 'political' differences; and
- Lack of preparedness. Many councils discover, when faced with a Code of Conduct complaint, that they have failed to establish in advance the processes for handling the complaint, thus exacerbating the original issue.

This section of the guide discusses the process set out in the new template for investigating, assessing and making decisions about complaints.

Who can make a complaint?

The Code is designed to be a self-regulatory instrument and as a result complaints can only be made by members themselves and the Chief Executive. All complaints must be made in writing to the Chief Executive who is obliged to forward them to the Mayor/Chair or an independent investigator for a preliminary assessment.

Decision-making options

Where a complaint is found to be material, the investigator will provide a report to the Council setting out the reasons why the allegation has been upheld and is material. The Council needs to have a process in place for discussing and making a decision on the investigator's recommendations. In some cases the governing body, or some of its members, may be interested parties in the complaint and should therefore not take part in discussions on the matter nor determine penalties.

To avoid such situations, the Council might consider establishing a Code of Conduct Committee (see **Appendix C** for Code of Conduct Committee terms of reference). The purpose of the Committee would be to consider any reports from an independent investigator and determine appropriate responses. An appropriate Code of Conduct Committee might consist of three members (a member of the governing body and two community representatives) chosen for their knowledge and experience, either by invitation or as a result of a call for expressions of interest.

The Council will need to decide whether the Code of Conduct Committee should have delegated decision making or recommendatory powers.

Investigating complaints

One of the issues with the original template was the lack of detail about the process for investigating complaints and determining their materiality. Another issue involved the need to ensure processes are free of bias, especially when all councillors might be seen to be interested parties.

In order to address these concerns, the Code provides two pathways for dealing with complaints. On receiving a complaint the Chief Executive will forward it to the Mayor/Chair for an initial assessment or, if the complaint involves the Mayor/Chair, forward it to the independent investigator.

1. Forward the complaint to the Mayor/Chair for an initial assessment

On receipt of a complaint made under the provisions of the Council's Code of Conduct, the Mayor/Chair will assess whether it is material or not. As the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Where a complaint is assessed by the Mayor/Chair to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor/Chair will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor/Chair, to the adjudication body established by the Council to assess and rule on complaints made under the Code.
- If the Mayor/Chair chooses, they may instead refer the complaint to the independent investigator, via the Chief Executive

2. Forward the complaint referred to Independent Investigator

On receipt of a complaint that involves a Mayor/Chair, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council's adjudication body for assessing and ruling on complaints.

In some cases, an investigator may choose to make non-binding recommendations, for example, where a pattern of non-material complaints has emerged that highlight a need for changes in council processes or an investment in capacity building.

Creating a panel of investigators

At the beginning of each triennium, the Chief Executive will prepare a panel of investigators in consultation with the Mayor, Chairperson or Council. Investigators may be drawn from inside or outside the district or region. In putting together the list, the Chief Executive may call for nominations, invite members of the public with appropriate skills (for example retired judges who may live within the district) to be investigators, or contract with an external, such as Equip, to provide the service.

Councils may wish to develop a joint list of investigators.

The role of investigators

The process set out in the Code gives an investigator responsibility to determine, without challenge, whether a complaint is material or not. The rationale for giving the investigator this degree of authority is to ensure the process is free of any suggestion of bias. It is also intended to reduce the cost of the complaints process, by reducing the time spent by members and officials. It also ensures that the Code process itself is less likely to be brought into disrepute.

In adopting the Code, members of the governing body agree to abide by an investigator's preliminary assessment. Under the process set out in the Code, members are informed of the result of a preliminary assessment and only if the finding is material will members have any involvement (and then only if there is no conflict of interest).

Determining materiality

The complaints procedure is underpinned by the principle that councils (or committees) should only be involved in ruling on possible breaches of the Code when they are material (see **Appendix D** for flow chart). Consequently a level of clarity is required about how materiality should be determined. In the case of non-statutory breaches, the Code states that a breach is material if:

“...it would, if proven, bring the council into disrepute or reflect adversely on the local authority if not addressed.”

The notion of disrepute involves the local authority's reputation and the risk that specific behaviours will, in the mind of the public, undermine that reputation. Only if there is a real risk that reputation will be undermined should a breach be determined as material (see **Appendix E** for examples).

Other factors that might be considered when determining the level of materiality include whether complaints are intended to:

1. Intimidate or harass another member or employee;
2. Damage another member's reputation;
3. Obtain a political advantage;
4. Influence the Council in the exercise of its functions or prevent or disrupt the exercise of those functions;
5. Avoid disciplinary action under this Code; or
6. Prevent or disrupt the effective administration of this code.

Other factors include whether complaints are vexatious and have not been made in good faith. The investigator may take whatever actions they need in order to determine the materiality of a complaint, although investigations will need to be within whatever budgetary constraints have been set in their contract for service or approved by the Chief Executive.

Process upon receiving a complaint

Having received a complaint in writing, the Chief Executive will:

- Notify the complainant and the respondent(s) that the complaint has been received and the name of the selected investigator (including information on the process that will be followed); and
- Provide ongoing updates to members on progress with the resolution of complaints received. This could be through a chairperson or Chief Executive's report.

Process for non-material breaches

In the case of complaints that are non-material, an investigator can, if required, discuss the matter with the complainant and the respondent and may:

- Dismiss the complaint with no further action taken;
- Uphold the complaint but rule that, as it is minor and non-material, no action is required; or
- Uphold the complaint, noting its minor and non-material nature, and make a non-binding recommendation to the council, such as, that the respondent consider attending a relevant course or that a policy or practice is reviewed.

The investigator will present their findings to the Chief Executive, who will inform the complainant and the respondent at the earliest opportunity.

Process for managing material breaches

Where an investigator finds that a breach is material, the following steps will apply:

- The investigator will inform the Chief Executive, who will in turn inform both the complainant and the respondent that the breach has been determined as material and outline the process to be followed.
- The investigator will undertake an investigation appropriate to the scale of the breach, which may include interviews with other affected parties, and prepare a report for the Chief Executive which will set out the rationale for their findings and may include recommendations for resolving the breach and/or appropriate penalties.
- On receipt of a report, the Chief Executive will send a copy of the investigator's findings to the complainant and the respondent(s) inviting them to reply in writing as to whether or not they agree to the findings and whether they wish to make a written submission for consideration by the Council or Committee.
- The Chief Executive will then prepare a paper, including the investigator's report and any submissions from affected parties, for a forthcoming meeting of the Council, or Committee with delegated responsibility, to consider complaints and determine penalties.

Hearing by council or committee

On receipt of the Chief Executive's report, the Council or Committee will:

- If necessary, ask the investigator to provide a briefing on his or her findings and invite the complainant and/or respondent to speak to any submissions that might have been made.
- Decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach.
- Inform the respondent and complainant of its decision in writing.

No member of the Council with an interest in the complaint may take part in the hearing or decision-making process, unless invited by the Council or Committee to speak to their submission.

Note: No appeal right is included in the Code as all members are able to make use of the processes set out in Standing Orders for revoking council decisions. In addition, a council decision can be subject to a judicial review and a committee decision can be subject to an Ombudsman’s review.

Possible penalties and actions in response to a material breach

The Code reflects an agreement between elected members about the behaviours they expect from each other and themselves. It is therefore heavily reliant on individual good will and the ability of the Council, as a collective body, to exert moral suasion to either prevent breaches of the Code or promote a positive and constructive culture. However, where a material breach of the Code has been confirmed, a local authority might consider the following penalties and actions:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
3. A vote of no confidence in the member;
4. Removal of certain council-funded privileges (such as attendance at conferences);
5. Removal of responsibilities, such as Committee Chair, Deputy Committee Chair or portfolio holder;
6. Restricted entry to council offices, such as no access to staff areas (where restrictions may not previously have existed);
7. Limitation on any dealings with council staff other than the Chief Executive or identified senior manager;
8. Suspension from committees or other bodies to which the member has been appointed; or
9. Invitation to the member to consider resigning from the council.

A council or committee may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- Tender an apology.

Decisions to apply a non-statutory penalty for material breaches should be made in meetings, open to the public unless some aspect of the matter necessitates treating the matter “in committee”.

Process to be followed in the case of statutory breaches

Where an investigator finds, in response to a complaint, that a member has breached provisions set in statute, such as a breach of the Members’ Interests Act 1968, the Local Government Official Information and Meetings Act 1987 or the LGA 2002, they will immediately provide their findings to the Chief Executive who will inform the relevant agency, as well as the complainant and the respondent.

Possible penalties for statutory breaches

Although the local authority and its community will play a role in monitoring compliance with these provisions, outside agencies also have a role in monitoring compliance and more particularly in dealing with breaches of law. Penalties that may apply, depending on the type of breach, are:

- Criminal prosecution, conviction, and the resulting consequences (for breaches of the Crimes Act, the Secret Commissions Act or the Securities Act); or
- Prosecution by the Audit Office² under the Member's Interests Act which on conviction leads to the member's ouster from office (where a member votes or discusses a matter in which they are deemed to have an interest); or
- Inviting the Auditor-General to prepare a report on any financial loss or damage suffered by a local authority as the result of a breach (which could potentially lead to the member having to personally make good the loss or damage); or
- Sanctions made under the Privacy Act.

References

OAG (2006) Local Authority Codes of Conduct available from:

<http://www.oag.govt.nz/2006/conduct/docs/conduct.pdf>

² The Audit Office is an avenue for making complaints about breaches of the Members' Interests Act, but also functions as an advisor where there is doubt as to whether a particular course of action constitutes a breach, and can in certain circumstances give approval for members who might have an interest to participate in discussions and/or vote on a particular matter.

Appendix A: Register of interests template

| Member name: | | |
|--|---|---------------------|
| Spouse/partner name: | | |
| Declared employment or business interest | Spouse/partner declared employment or business interest | Council appointment |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| Address of any land in which a beneficial interest is held within the Council boundaries (member and her/his partner) | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| Address of any land owned by the Council rented to the member or spouse, or to a firm or organisation in which the member or spouse is a director or trustee | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Appendix B: Self-Assessment Template

Please rate how you view the performance of the governing body in the following areas:

A rating of 1 indicates an excellent level of performance, through to a rating of 4 indicating that the collective performance of elected members could improve significantly.

- 1. We act together as a team to deliver value to the people of our district/region.
1 2 3 4 (please circle)

- 2. We are effective in being part of a coordinated approach to promote the district/region.
1 2 3 4 (please circle)

- 3. We have effective working relationships with key stakeholder groups.
1 2 3 4 (please circle)

- 4. We have an effective working relationship with Council staff through members' interactions with the Chief Executive.
1 2 3 4 (please circle)

- 5. We engage effectively with the community on issues of importance to them.
1 2 3 4 (please circle)

- 6. We are well prepared and well equipped to make informed decisions in our capacity as elected representatives.
1 2 3 4 (please circle)

- 7. We participate appropriately in debates and act collectively in the best interests of the district/region.
1 2 3 4 (please circle)

- 8. Council decisions are made in an open and transparent fashion.
1 2 3 4 (please circle)

9. We treat each other with mutual respect and demonstrate tolerance to different points of view in order to arrive at the best decisions for the district/region as a whole.

1 2 3 4 (please circle)

10. We have a clear sense of direction and understanding

1 2 3 4 (please circle)

The objective of this assessment is not necessarily that all members should agree. It is to provide an indication of areas where we are doing well and areas where we can make improvements. The analysis of results will provide a useful starting point for discussions on the overall performance of the governance functions of the council and provide some insight into areas where action can be taken to raise performance.

Appendix C: Code of Conduct Committee terms of reference

The Code of Conduct template offers two options through which a council may choose to consider a report from an investigator, namely consideration by the full council or consideration by a Code of Conduct Committee established specifically for that purpose. Reasons a council may choose to refer decision-making to a committee include:

- To ensure that members ruling on the complaint have no interest in the nature of the complaint and that the council's process is seen to be free of any suggestion of bias;
- To provide access to additional expertise through the ability to appoint members to the Committee who have experience and knowledge in making judgements on matters involving ethical behaviour;
- To reduce the risk of tension and conflict from a Code of Conduct process that may distract the governing body from its ongoing business.

The powers of a Code of Conduct Committee

There are two ways of giving effect to the findings of a Code of Conduct Committee: binding recommendations or delegations.

- **Binding recommendation approach:** The Code of Conduct Committee described in this Appendix uses the binding recommendation approach whereby the Committee is responsible for providing the council's governing body with a recommendation in response to the findings of an investigator; recommendations that the governing body will adopt without discussion, other than questions of clarification. Appendix B of the LGNZ Code of Conduct states that "in accordance with the code, councils will agree to implement the recommendations of a Code of Conduct Committee without debate".
- **Delegation approach:** As an alternative, a council may prefer to provide a Code of Conduct Committee with specific delegations so that its decisions are final and can be referred to the Chief Executive or appropriate officer for implementation. Depending upon the style in which a council frames its delegations a simple delegation could be to consider the findings of a Code of Conduct investigator and determine the appropriate course of action.

The following draft terms of reference take the binding recommendation approach.

Draft terms of reference

The purpose of the Code of Conduct Committee is to:

- Consider, in relation to a Code of Conduct complaint referred to the Committee, the findings of an investigator and make recommendations to the governing body of the council as to whether or not a penalty or action should be imposed and if so the nature of that penalty or action; and
- Consider any matters relating to the Code of Conduct and/or the behaviour of elected members referred to it by the governing body for advice.

In fulfilling its purpose, the Committee will:

- In considering a report from the Chief Executive, ask, if necessary, the investigator to provide a briefing on their findings and invite the complainant and/or respondent to speak to any submissions that might have been made;
- Conduct its business in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, in which case it will be a closed meeting;
- On consideration of the evidence, decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach;
- Ensure that penalties or actions recommended in response to a serious breach of the Code are proportionate to the breach and consistent with the actions set out in clause 13.1 of the Code.

Membership

The Committee will consist of three members:

- The Mayor or Regional Council Chair who will also be the chair of the Committee (except where there is a potential conflict of interest where the Mayor/Chair will stand aside and the committee will be chaired by another member of the governing body).
- Two non-elected members appointed by the council on the basis of relevant experience, knowledge and/or qualifications.

Appendix D: Examples

Example One

Cr Smith was elected on a platform of stopping the sale of council housing. The council has made a decision to sell the council housing. Cr Smith makes media comments against the decision after it is made. Those same statements suggested that council staff advising on the sale “must have owned shares” in the company that proposed to buy the houses.

Cr Smith’s actions in releasing a media statement criticizing a decision after it has been made would probably not in and of themselves constitute a breach of a reasonable code of conduct. Cr Smith has a right to express a viewpoint and, provided that he makes it clear he is expressing a personal view, issuing a critical press statement is an action he is entitled to take. If his statements failed to make it clear that he was expressing a personal or minority view then it may be a non-material breach of the Code, probably one where censure would be the appropriate response.

However, this media statement has made an allegation that staff advice was based on improper motives and/or corruption. This is a breach of most codes of conduct. It is most likely to be a material breach given the potential impact on the Council’s reputation and the reputation of staff.

Also, there is no qualified privilege attaching to public statements about employees which are false and damaging. In other words, elected members may be sued for defamatory statements made about employees.

Example Two

Cr Jones is on the Council’s Works and Services Committee. The Committee is currently considering tenders for the construction of a new wastewater treatment plant and has received four tenders in commercial confidence. The Committee has recommended to Council that they award the contract to the lowest tenderer. Cr Jones is concerned the lowest tender proposes to treat sewage to a lesser standard than others. She leaks all four tenders to the local media. A subsequent investigation by the Council conclusively traces the leak back to her.

In leaking the tender information to the media, Cr Jones will have breached most codes of conduct. This breach has potentially serious consequences for the Council as a whole. It not only undermines elected members trust of each other, it also undermines the confidence of suppliers in the Council, which may lead to them not dealing with council in future, or even complaints under the Privacy Act.

In circumstances such as these, where an elected member fails to respect a commercial confidence, censure and removal from the Committee is an obvious first step. The Council may be liable for prosecution under the Privacy Act and even to civil litigation.

In the event that the council suffers financial loss, the Council may elect to ask the Auditor-General to prepare a report on the loss (or the Audit Office may do so on their own initiative), which may result in Cr Jones having to make good the loss from her own pocket.

Example Three

Eastland Regional Council is conducting a performance review of the Chief Executive. It has established a CEO Performance Management Committee to conduct the review. In the course of that review the Committee meets informally with the Chief Executive to review which performance targets were met and which were not. The meeting notes that the CEO has been unable to meet two of his twenty performance targets that were set and resolves to

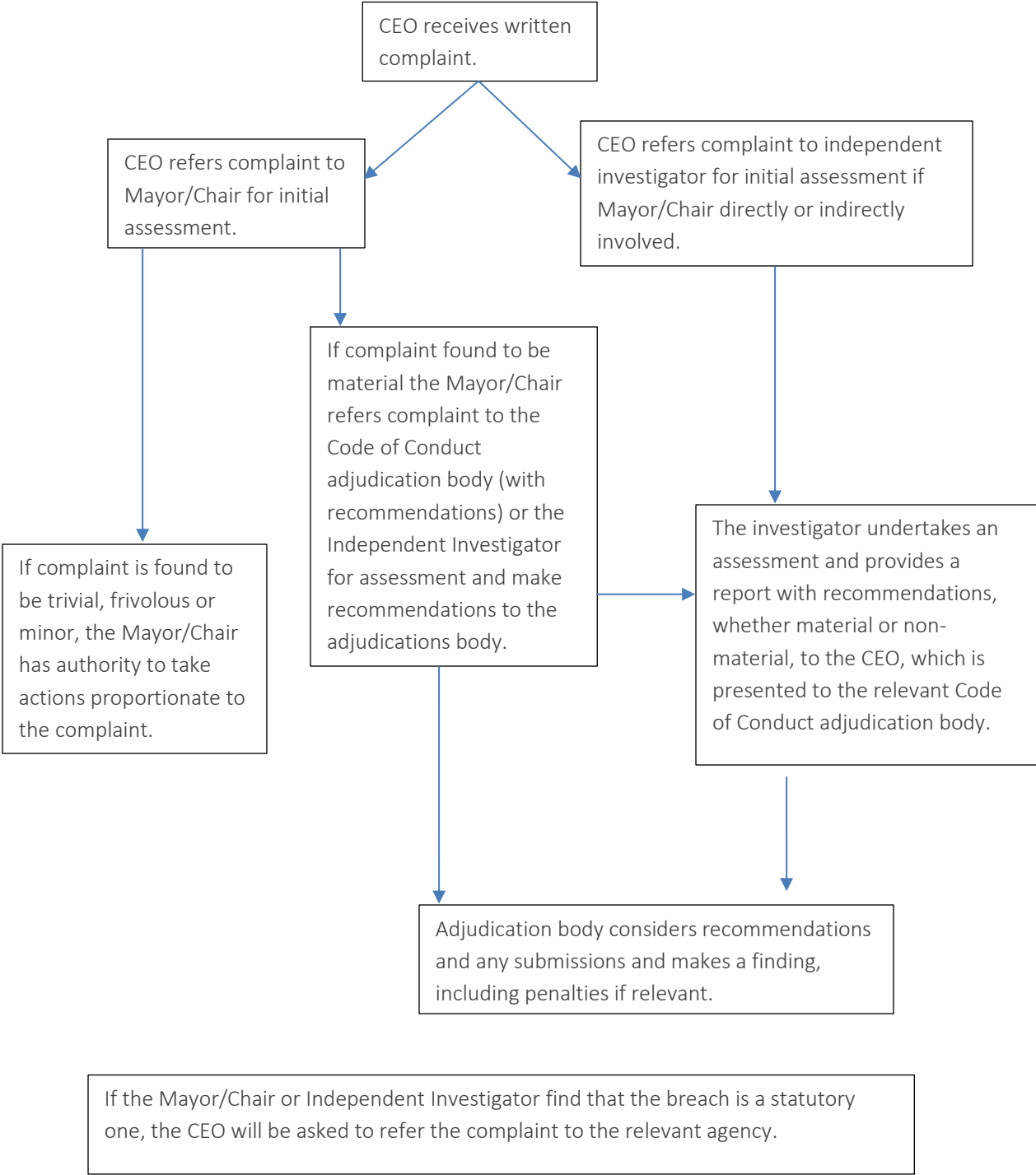
formally report this to the full Council for its consideration. At the conclusion of that meeting Cr Black leaves to find a local reporter waiting outside and makes the comment that “Jack White won’t be getting a pay increase this year because he didn’t meet all his targets”.

This action will probably constitute a breach of most codes of conduct in that it:

- Breached a confidence;
- Presumed to speak on behalf of council;
- Purported to commit council to a course of action before the council made a decision (or even met to consider the matter); and
- Failed to treat a staff member with respect and/or courtesy.

In addition to the provisions of the Code, Cr Black’s actions will severely undermine the relationship between the Chief Executive and the Council, which may well constitute grounds for litigation against the Council both in terms of employment and privacy law.

Appendix E: Complaints Procedure – Flow Diagram



FINANCIAL ASSISTANCE REPORT

Purpose of Report

To present the Community Board with applications received requesting financial assistance.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Applications for Financial Assistance Report.*
2. *Consider the application from Greytown Junior Football Club for funding of \$1,000 to support a coaching course for the program.*
3. *Sets funding round dates for consideration of Greytown Community Board grants in 2022.*
4. *Delegate to the Chief Executive the ability to update the Greytown Community Board grant application form with funding round dates for 2022.*

1. Background

The Community Board has delegated authority to make financial decisions within the confines of the allocated and available budget and the Board operates its grant fund in accordance with the Council's [Grants Policy](#).

2. Funding Rounds Dates

Greytown Community Board considers grants at its regular scheduled meetings and on 16 September 2020 the board agreed that grants would be considered quarterly (at every second meeting) unless there are exceptional circumstances (GCB 2020/40).

This decision was made when the board was on a six-weekly cycle of meetings. The board then moved to an eight-weekly cycle of meetings for 2021 and therefore every second meeting no longer equated to quarterly. The board has since returned to a six-weekly cycle and is therefore asked to set its dates for consideration of grant applications in 2022.

The remaining regular scheduled meeting dates for 2022 are as follows:

- 30 March 2022

- 11 May 2022
- 22 June 2022
- 3 August 2022
- 14 September 2022

The board is also asked to delegate to the Chief Executive the ability to update the Greytown Community Boards' grant application form with the agreed selected funding round dates for consideration throughout 2022.

3. Applications for Financial Assistance

The applications received for consideration on 16 February 2022 are summarised in the below table.

| Applicant | Amount Requested |
|-------------------------------|------------------|
| Greytown Junior Football Club | \$1,000.00 |

4. Eligibility Criteria

Council adopted a new [Grants Policy](#) which sets out the eligibility criteria for applications. The policy took effect from 1 July 2021.

The eligibility criteria for Community Board grants is as follows:

- Non-profit community organisations with a formed legal structure or a group of individuals who have come together for a common purpose but who do not have a legal structure may apply.
- The applicant does not need to be based in the South Wairarapa or the ward from where the funds are being sought but the applicant must be able to demonstrate that the activity benefits the ward where the funds are being sought.
- Applicants may not be in receipt of any other Council or Council-administered grant for the same activity in the same financial year.
- The Greytown Community Board has a maximum grant limit of \$1,000 unless special circumstances are considered to exist (GST will be added to grants approved for GST registered applicant).

4.1 Assessment against Eligibility Criteria

Council adopted a new [Grants Policy](#) which sets out the eligibility criteria for applications. The policy took effect from 1 July 2021.

4.1.1. Greytown Junior Football Club

The application from Greytown Junior Football Club has been assessed as meeting the criteria and will be provided to members in confidence.

There are no outstanding accountability forms from this applicant.

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed by: Amanda Bradley, General Manager, Policy & Governance

GREYTOWN COMMUNITY BOARD

16 FEBRUARY 2022

AGENDA ITEM 9.4

ELECTION OF DEPUTY CHAIR OF GREYTOWN COMMUNITY BOARD

Purpose of Report

This report sets out the process for electing the Deputy Chair of the Greytown Community Board in the event that there is more than one nomination for the position, under the provisions of the Local Government Act 2002.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Election of Deputy Chair of the Greytown Community Board Report.*
2. *Elects a Deputy Chair using system A or B as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 for the election of the Boards' Deputy Chair; the Chairperson will call for nominations.*

1. Background

Under the provisions of the Act a community board must determine by resolution that a person be elected or appointed by a system of voting being either System A or System B as outlined in clause 25 of Schedule 7 of the Act (see Appendix 1 for details of both systems).

On 30 October 2019 at the first meeting of the triennium, the Greytown Community Board resolved to adopt voting system A for the election of the Board's Chair and Deputy Chair for the 2019-2022 triennium. (GCB2019/52). The Board resolved to hold over the election of a deputy chair until after the Greytown Community Board 2020 by-election (GCB2019/53), where Shelley Symes was elected Deputy Chair of the Greytown Community Board for the 2019-2022 triennium.

On 10 January 2022, Shelley Symes resigned from her position as Deputy Chair on the Greytown Community Board.

The Board should now elect a Deputy Chairperson for the remainder of the 2019-2022 triennium.

2. Options

The Community Board has already resolved to use System A to elect a Deputy Chair. The options are to continue to use System A or to rescind the previous resolution and use System B.

2.2 Option 1 – System A

Under System A, a candidate is successful if he or she receives the votes of the majority of the members of the community board present and voting. If no candidate is successful in the first round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded. If no candidate is successful in the second round there is a third and if necessary subsequent round of voting from which each time the candidate with the fewest number of votes in the previous round is excluded until a candidate is successful. In any round of voting if two or more candidates tie for the lowest number of votes the person to be excluded from the next round is resolved by lot.

2.3 Option 2 – System B

System B is first past the post except that a tie for the most votes is resolved by lot. If the Community Board wishes to use System B resolution GCB2019/52 should first be rescinded.

3. Considerations

3.1 Policy considerations

There are no policy considerations.

3.2 Legal considerations

Section 54(2) of the Local Government Act 2002 (the Act) says that “Part 1 of Schedule 7 (excluding clauses 15 and 33 to 36) applies to community boards, with all necessary modifications as if they were local authorities”. This being so, then clause 17 applies which requires one member to be elected as the deputy chairperson in accordance with clause 25.

Clause 25 sets out the voting systems that apply to the election of the deputy chairperson.

There are no additional legal considerations.

3.3 Financial considerations

There are no financial considerations.

4. Significance and Engagement

4.1 Degree of significance

As this is a process mandated through legislation the decision has a low level of significance under Council policy.

4.2 Publicity

There will be community interest in the community board decisions so a media release will be prepared.

5. Appendices

Appendix 1 – Clause 25, Schedule 7, Local Government Act 2002

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy and Governance

**Appendix 1 – Clause 25, Schedule 7,
Local Government Act 2002**

EXTRACT FROM LEGISLATION, LOCAL GOVERNMENT ACT 2002

25 Voting systems for certain appointments

(1) This clause applies to—

- (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
- (b) the election or appointment of the deputy mayor; and
- (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
- (d) the election or appointment of a representative of a local authority.

(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

- (a) the voting system in subclause (3) (**system A**):
- (b) the voting system in subclause (4) (**system B**).

(3) **System A**—

(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:

- (i) there is a first round of voting for all candidates; and
- (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

(4) **System B**—

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

- (i) there is only 1 round of voting; and
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Clause 37, Schedule 7

(1) A community board must have a chairperson

(2) Clause 25 applies to the election of chairpersons of community boards

AGENDA ITEM 10.1

OFFICERS' REPORT

Purpose of Report

To report to the committee on general activities.

Recommendations

Officers recommend that the committee:

1. *Receive the Officers' Report.*

PLANNING AND ENVIRONMENT GROUP REPORT

This report was presented to the Planning and Regulatory Committee on 2 February 2022.

1.1 Planning Services

New subdivision applications, land use, general District Plan enquiries are steadily coming in with careful decisions. It reflects a reasonably high level of work and mix of development proposals. There have been many pre-application meetings done, guidance meetings held, all promise a range of new development.

1.2 Building Services

The building team is steadily delivering, the building consent application levels remain quite high, along with work in inspections. As at early December, we remain on track for a record year for building consent applications. Timely processing of our consents has continued with efficient decisions.

1.3 Environmental Services

The environmental team remains busy covering the food safety of premises, alcohol control and bylaws. Our dog control team will look at innovative ways to clearly remind dog owners that dogs should be on leads, and bylaws crew have been reminding land owner's about their hedges to ensure footpath clearances. Alcohol has seen a steady increase in licensing for special licences as we head to Christmas.

1.4 Proposed Legislative Change to the RMA

The Government continues to reform the Resource Management system, the RMA 1991 will be repealed, replaced by 3 new Acts:

- Natural and Built Environments Act (NBA) - for land use/environmental regulation (the primary replacement for the RMA). The draft was released for submissions
- Strategic Planning Act (SPA) - to integrate with other legislation relevant to development, and require long-term regional spatial strategies
- Climate Change Adaptation Act (CAA) - to address issues linked to managed retreat, funding, financing adaptation.

The NBA will have mandatory national policies, standards for natural environmental limits, and feed to combined regional plans by local, central govt, mana whenua. The SPA will fuse functions of the RMA 1991, LGA 2002, Land Transport Management Act 2003, Climate Change Response Act 2002 for decisions, investment, and to produce new spatial strategies.

1.5 South Wairarapa Spatial Plan

For the Spatial Plan, recommendations on the residential growth areas and the Spatial Plan were reported to Council on 10 November 2021 and approved. Following related revision and updating the SW Spatial Plan document was sent to all submitters on 7 December and released to SWDC website on 8th December 2021. Future related supportive work involves investigation study, a masterplan for Featherston, and masterplan work for Martinborough.

1.6 District Plan Review

District Plan Review Committee continues to consider extent of change needed for chapters, alongside the national planning standards, national direction. The DP review is a partial review; a mix of general review of key chapters, a targeted review for some, and minor review. The review is across 2021-2023, and any appeals work in 2024.

Issues assessment has covered the residential zone, rural, subdivision, heritage, tangata whenua, industrial, commercial zone, natural hazards, financial contributions, open space. Officer advisory meetings, Plan Review Committee workshop meetings continue. Recent topics discussed included the Strategic Direction chapter, Industrial zone, Town Centre zone, Open Space zone, Signs chapter, and a stakeholder engagement update. Refinement of proposed draft chapters is taking place, and rural subdivision provisions are being assessed.

1.7 Proposed Combined Council Dog Pound SWDC/CDC

For the future facility officers have checked regarding the use of shipping containers as the new pound structure. The suppliers have provided an indicative list of requirements their container design can meet. Officers have nearly completed acquisition of costings for development of a local pound. Note that securing of supplier quotes is difficult given the delay of materials supply, workforce, and steel pricing. Overall, we are seeking additional suppliers to complete indicative costs of the whole facility. In terms of the Johnston Street, Featherston (site of our current facility); recent

findings have clarified that this land is no longer an option, due to the green waste operator finally confirming the need of their whole portion of site for ongoing green waste storage operations.

Further investigation needs to occur for identifying/costing a viable local modern/cost effective, dog welfare compliant pound solution. Officers are checking and reviewing potential locations of land for the siting of the future pound within the district.

Resource Consent Application. Aggregate Storage and Crushing - Underhill Rd, Featherston

The current application has involved associated technical assessments. The acoustic assessment provided by the applicant has been independently peer reviewed. As a result, we are awaiting further information from the applicant on related acoustic matters.

2. Service Levels

2.1 Resource Management

2.1.1. Resource Management

SERVICE LEVEL – Council has a Combined District Plan that proves certainty of land-use/environmental outcomes at the local and district levels.

| RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS | TARGET | RESULT | COMMENT SOURCE AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|--------|--------|--|
| Ratepayers and residents’ image of the closest town centre ranked “satisfied” | 80% | 89% | NRB 3 Yearly Survey October 2018 (2016: 87%) |
| The district plan has a monitoring programme that provides information on the achievement of its outcomes (AER’s) | | - | Consultants have established data to be recorded and stored to enable effective reporting against AER’s in WCDP. A final monitoring strategy is still to be completed. |

2.1.2. Resource Management Act – Consents (Year to date 01/07/2021-30/06/2022)

SERVICE LEVEL – All resource consents will be processed efficiently.

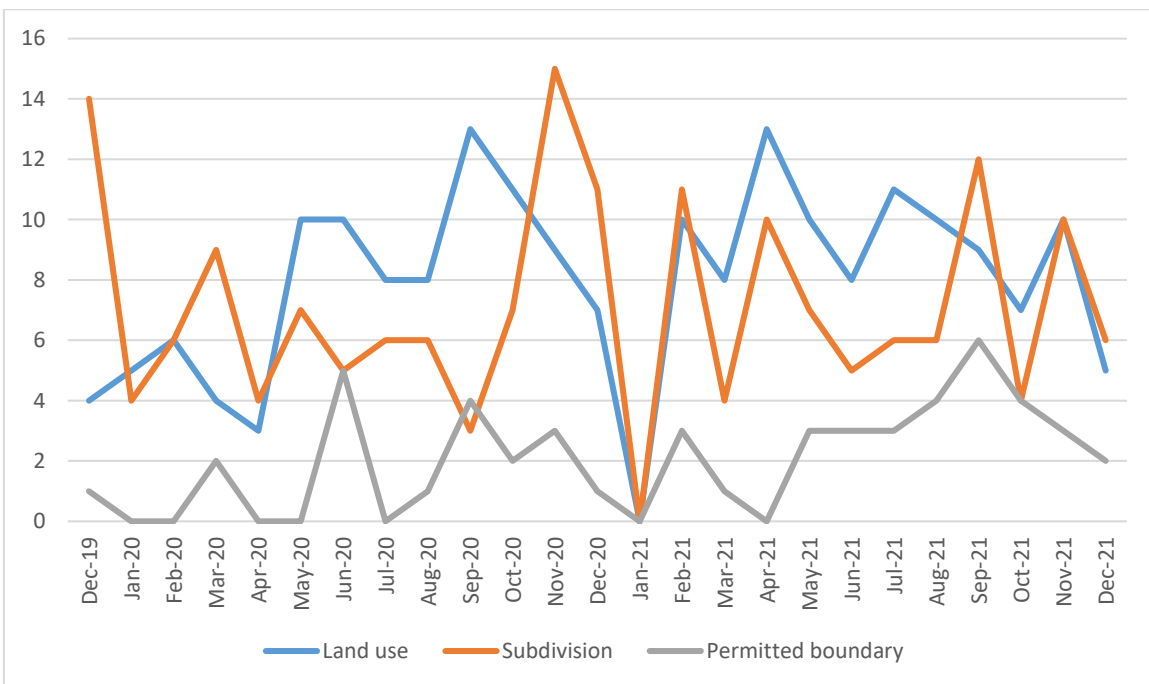
| RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|--------|---------------|---|
| Consent applications completed within statutory timeframes | 100% | 100% | Total 118/118 |
| | | 100% | 52/52 Land Use applications were completed within statutory timeframes. NCS |
| | | 100% | 44/44 Subdivision applications were completed within statutory timeframes. NCS |
| | | 100% | 22/22 permitted boundary/marginal activity applications were completed within statutory timeframes. NCS |

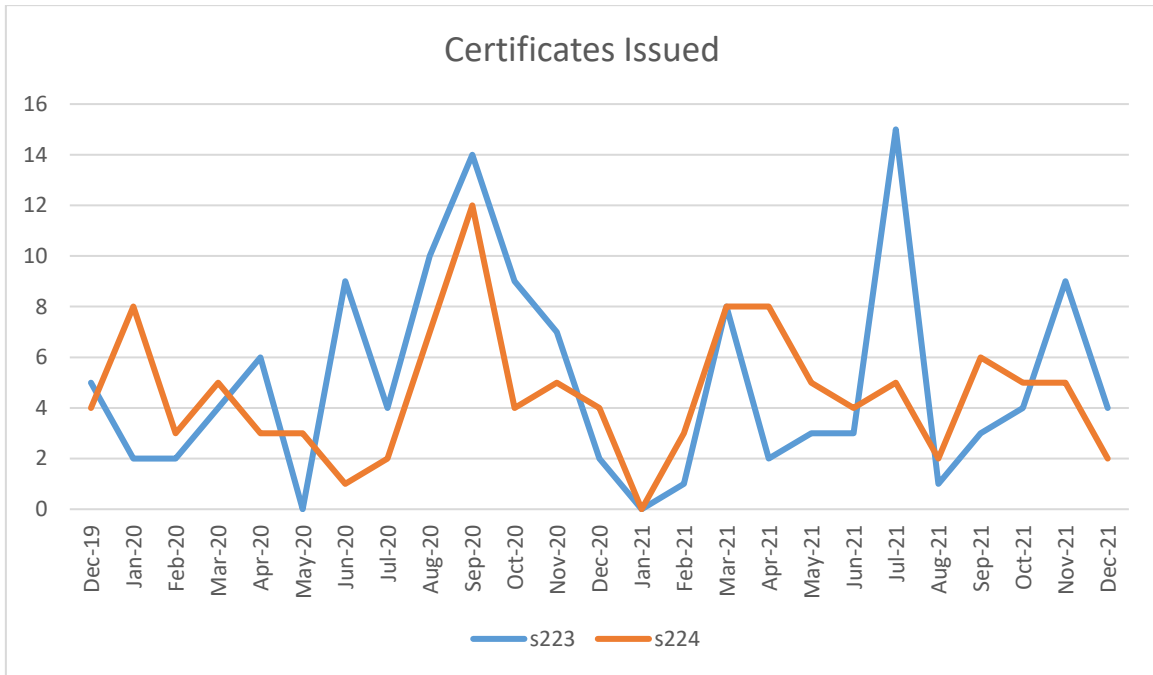
| RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|--------|---------------|--|
| s.223 certificates issued within 10 working days | 100% | 100% | 36/36 s223 certificates were certified within statutory timeframes. NCS. |
| s.224 certificates issued within 15 working days of receiving all required information (note no statutory requirement) | 95% | 100% | 25/25 s224 certificates were certified. NCS. |

2.1.3. Reserves Act – Management Plans

SERVICE LEVEL – Council has a reserve management plan programme.

| RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|--------|---------------|---|
| Council maintains, and updates reserve management plans as required. | Yes | Yes | RMP's are generally current and appropriate. It is therefore not anticipated that any updates will be undertaken this year. |





2.1.4. Local Government Act – LIMs

SERVICE LEVEL – Land Information Memoranda: It is easy to purchase information on any property in the District.

| RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|--------|---------------|---|
| LIMs contain all relevant accurate information (no proven complaints) | 100% | | G:\LIMs\LIMS PROCESSED 2021-2022 |
| Standard LIMs are processed within 10 days | 100% | 98% | 98/100 standard LIMs were completed |
| Urgent LIMs are processed within 5 days | 100% | 100% | 35/35 urgent LIMs were completed |

| | YTD 1 ST JULY 2021 TO 31 ST DEC 2021 | PREVIOUS YTD 1 ST JULY 2020 TO 31 ST DEC 2020 | PERIOD 1 ST DEC 2021 TO 31 ST DEC 2021 | PREVIOUS PERIOD 1 ST DEC 2020 TO 31 ST DEC 2020 |
|--|---|---|--|---|
| Standard LIMs (Processed within 10 working days) | 100 | 128 | 12 | 15 |
| Urgent LIMs (Processed within 5 working) | 35 | 57 | 3 | 12 |
| Totals | 135 | 185 | 15 | 27 |

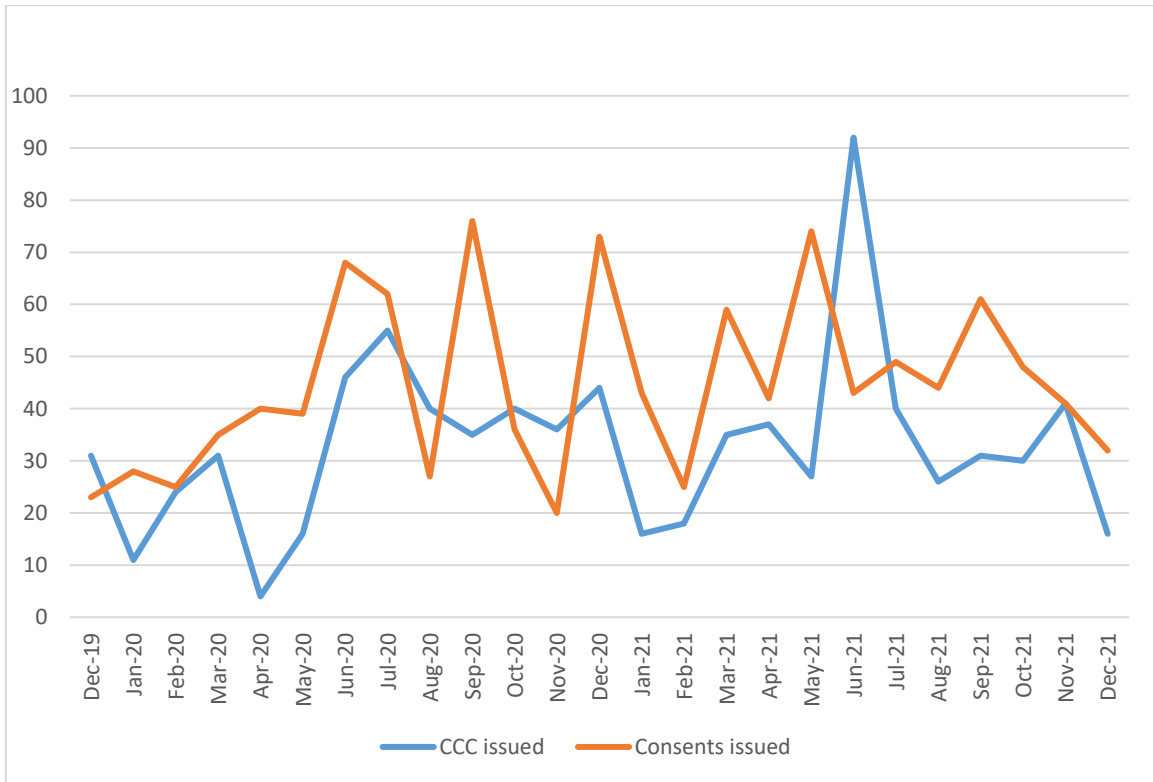
2.2 Building Act - Consents and Enforcement

SERVICE LEVEL - Council certifies all consented work complies with the building code, ensuring our communities are safe. The Council processes, inspects, and certifies building work in my district.

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|--------|---------------|---|
| Code Compliance Certificate applications are processed within 20 working days | 100% | 94.57% | NCS – 174/184 CCC's were issued within 20WD YTD |
| Building consent applications are processed within 20 working days | 100% | 97.83% | NCS –271 consents were issued within 20WD YTD 6 consents went over 20WD |
| Council maintains its processes so that it meets BCA accreditation every 2 years | Yes | Yes | Next accreditation review due January 2022. Council was re-accredited in January 2020 |
| BCA inspects new building works to ensure compliance with the BC issued for the work, Council audits BWOFF's and Swimming Pools | Yes | Yes | <p>Building Consents Council inspects all new work to ensure compliance Dec 2021 -350 inspections</p> <p>BWOFF's – 0 Total 205 average of 4 audits per month required,</p> <p>Swimming Pools – Total 408 – average of 12 audits per month required. Dec 2021 – 2 audits</p> |
| Earthquake prone buildings reports received | 100% | N/A | Of the remaining buildings: 25 - Identified as EPB 9 - Require engineer assessment from owners 2 - Requested extension to provide engineers report |

2.2.1. Building Consents Processed

| TYPE – 1 DEC 2021 TO 31 DEC 2021 | NUMBER | VALUE |
|--|-----------|--------------------|
| Commercial (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings) | 1 | \$150,000 |
| Industrial (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery) | 3 | \$153,764 |
| Residential (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters). | 25 | \$9,512,003 |
| Other (public facilities - schools, toilets, halls, swimming pools) | 0 | \$0.00 |
| Totals | 29 | \$9,815,767 |



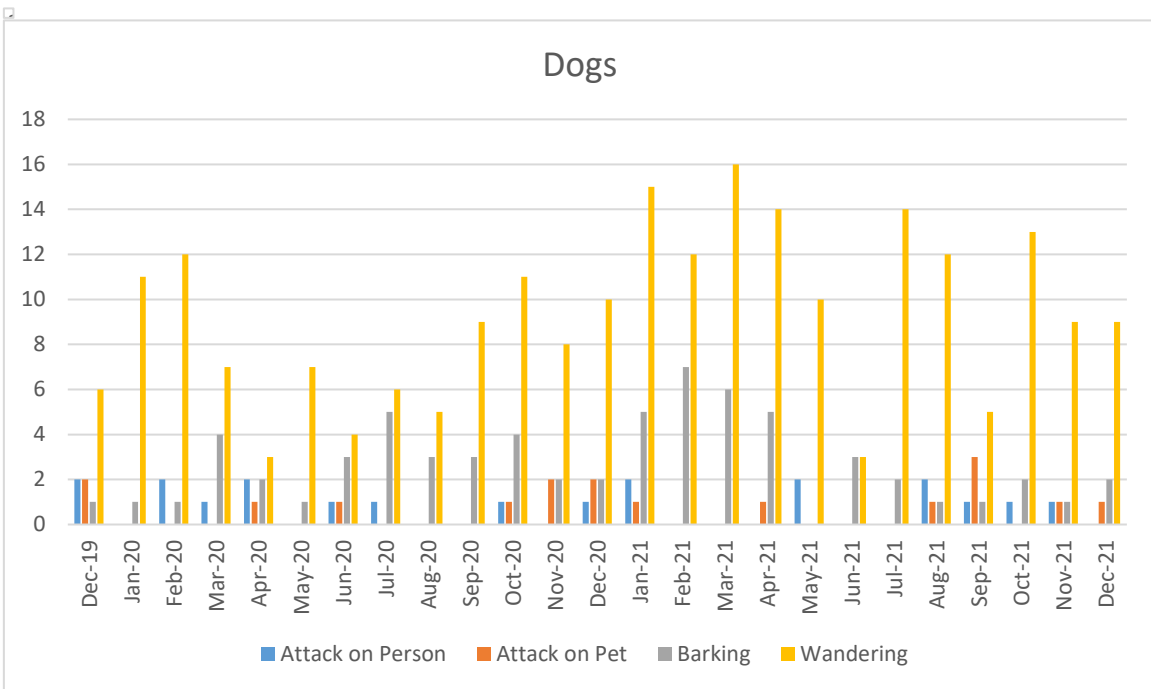
2.3 Environmental Health and Public Protection

2.3.1 Dog Control Act – Registration and Enforcement

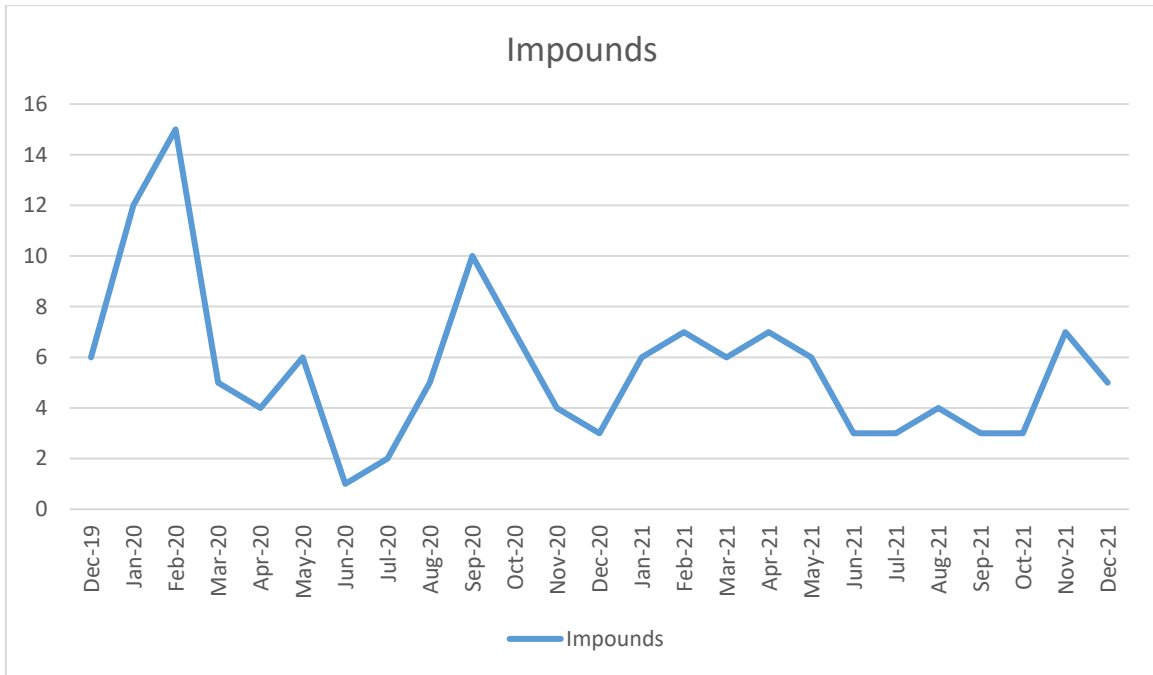
SERVICE LEVEL – Dogs don't wander freely in the street or cause menace to humans or stock.

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|----------|---------------|---|
| Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership | 3 visits | 0 | Due to Covid 19 level restrictions this activity is not being able to be undertaken |
| Complaints about roaming and nuisance dogs are responded to within 1 hours | 100% | 100% | K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 103/103 |
| Complaints about dog attacks on persons, animals or stock are responded to within 1 hour | 100% | 100% | 12/12 |

| INCIDENTS REPORTED FOR PERIOD 1 ST DEC 2021 – 31 ST DEC 2021 | FEATHERSTON | GREYTOWN | MARTINBOROUGH |
|--|-------------|----------|---------------|
| Attack on Pets | - | - | 1 |
| Attack on Person | - | - | - |
| Attack on Stock | - | - | - |
| Barking | - | - | 2 |
| Lost Dogs | 1 | 1 | - |
| Found Dogs | - | - | - |
| Rushing Aggressive | - | - | - |
| Wandering | 3 | 3 | 3 |
| Welfare | - | - | - |
| Fouling | - | - | - |
| Uncontrolled (walked off leash urban) | 1 | - | - |



| DOG IMPOUNDS FOR PERIOD 1 ST DEC 2021 – 31 ST DEC 2021 | DEC |
|--|-----|
| Impounds | 5 |



2.4 Public Places Bylaw 2012 - Stock Control

SERVICE LEVEL – Stock don't wander on roads, farmers are aware of their responsibilities

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|--------|---------------|---|
| Stock causing a traffic hazard is responded to within 1 hour | 100% | 100% | K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 18/18 |
| In cases where multiple stock escapes (more than 1 occasion) have occurred from a property taking compliance or enforcement or prosecution action against the property owner | 100% | - | No incidents |
| Council responds to complaints regarding animals within 48 hours. | 100% | 100% | K:\resource\Bylaw Officers\Registers\AC Service Requests.xls 5/5 |

| INCIDENTS REPORTED | TOTAL FOR YTD PERIOD 1 JULY 2021 TO 31 DEC 21 |
|--------------------|--|
| Stock | 23 |

2.4.1. Bylaws

Between 1 Dec 2021 and 31 Dec 2021 there were:

Trees & Hedges

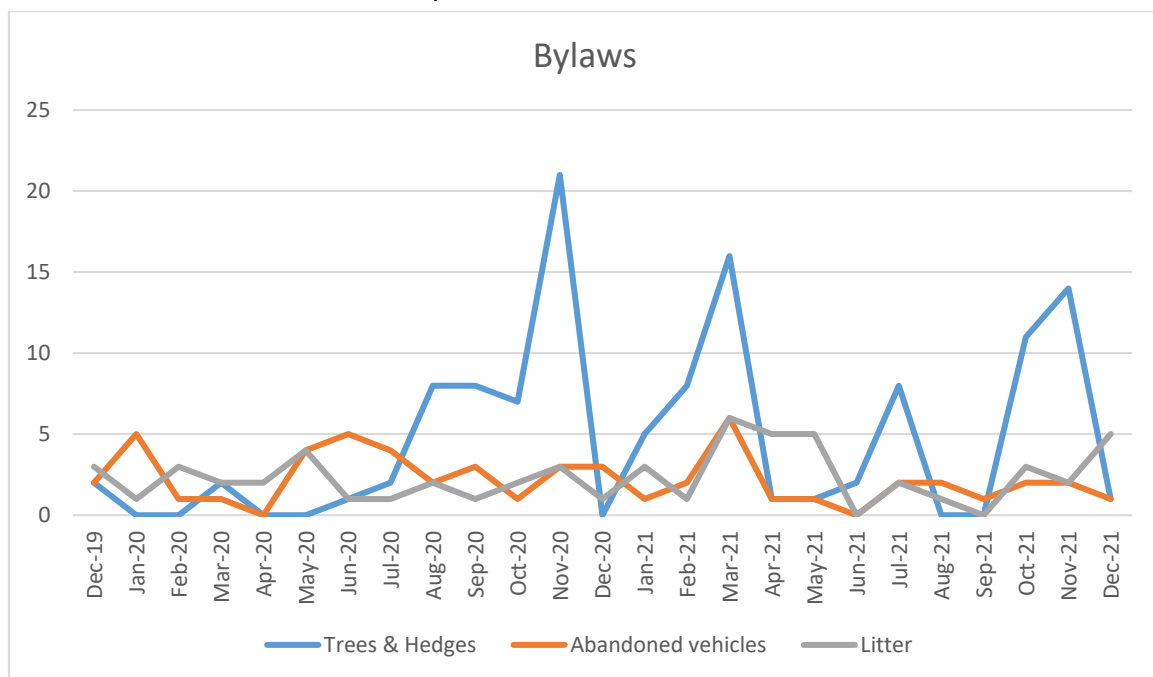
- There were 1 first notices sent by Council requesting the owner/occupier to remove the obstruction from the public space. Following this there are 0 second follow up letters being sent within this period.

Litter

- 5 litter (fly tipping) incidents have been recorded. From these, 1 request for information notice has been sent to the identifiable people associated with the incident.

Abandoned vehicles

- There were 1 total vehicle related calls in the SWDC area, of which 1 were abandoned vehicles. 1 were removed by their owners and the remaining 0 vehicles were removed by Councils' contractor or NZTA.



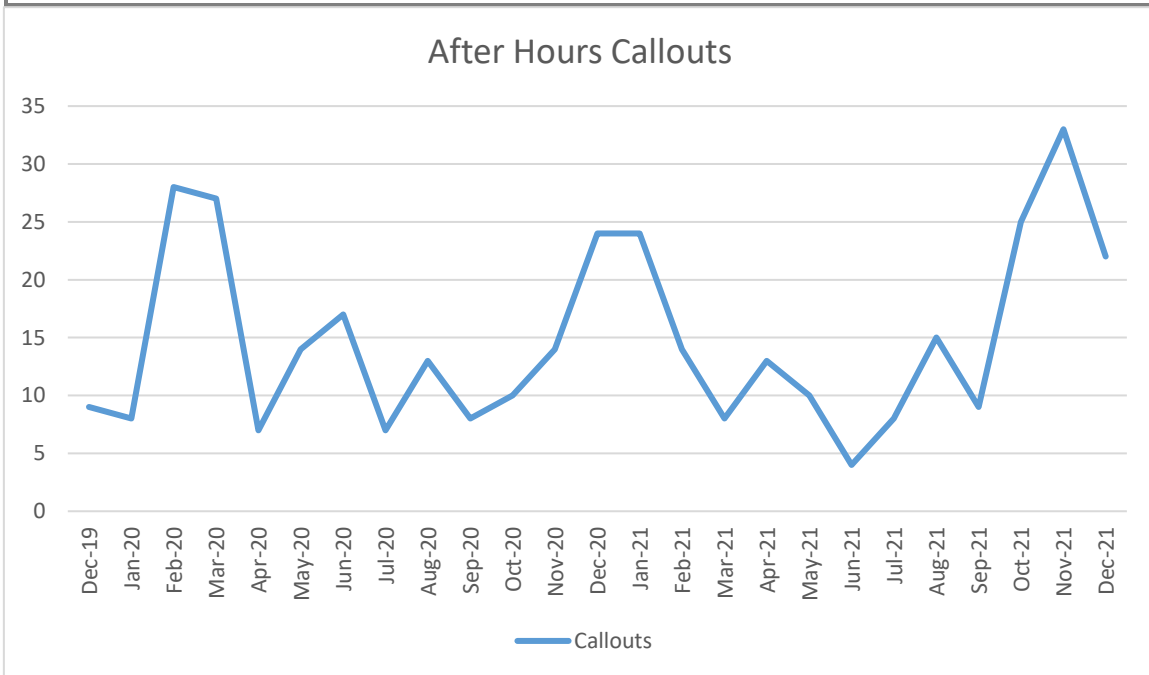
2.4.2. Resource Management Act – afterhours Noise Control

SERVICE LEVEL – The Council will respond when I need some help with noise control.

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 21/22 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|-----------------|---------------|---|
| % of calls received by Council that have been responded to within 1.5 hours | 100% | 99.1% | K:\resource\Health\Resource Management\Noise Control Complaints |

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 21/22 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|-----------------|---------------|---|
| | | | 111/112 attended within timeframe YTD 22 callouts Dec 21 |

| AFTER HOURS NOISE CONTROL COMPLAINTS RECEIVED | YTD 1 JULY 21 TO 31 DEC 21 | PREVIOUS YTD 1 JULY 20 TO 31 DEC 20 | PERIOD 1 DEC 2021 TO 31 ST DEC 2021 | PREVIOUS PERIOD 1 DEC 2020 TO 31 ST DEC 2020 |
|---|----------------------------------|---|---|--|
| Total | 112 | 76 | 22 | 24 |



2.5 Sale and Supply of Alcohol Act - Licensing

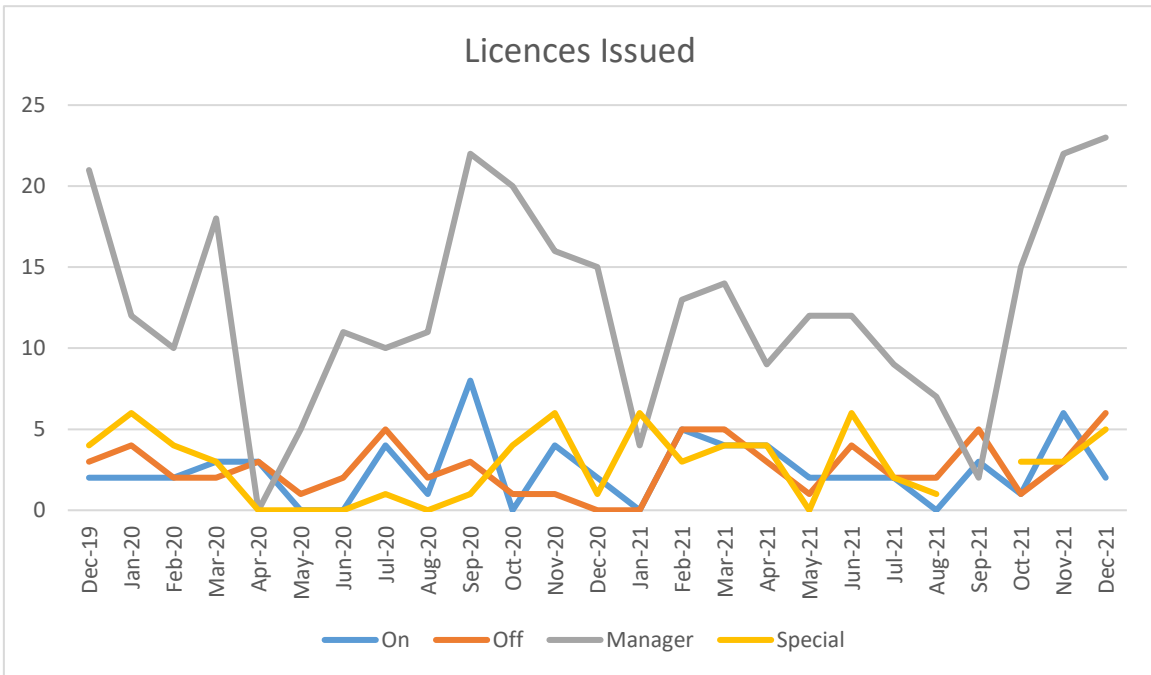
SERVICE LEVEL – The supply of alcohol is controlled by promoting responsible drinking.

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 21/22 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|-----------------|---------------|---|
| All premises licences issued have an inspection undertaken by the Inspector prior | 100% | 100% | On NEW |

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 21/22 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|-----------------|------------------|--|
| to issue to assess the licensees understanding of their obligations and responsibilities under the Act | | YTD | Dec 21 1 4 YTD <i>On RENEWAL</i> Dec 21 1 10 YTD <i>Off NEW</i> Dec 21 1 6 YTD <i>Off RENEWAL</i> Dec 21 5 11 YTD Club Dec 21 0 1 YTD Temp Dec 21 0 4 YTD Information source: Inspector records, MAGIQ data, Alcohol Spreadsheet K:\resource\Liquor\Alcohol Master Sheet.xls |
| Special Licences are issued | | | Special Licences – Dec 21 5 14 YTD Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls |
| All Duty Manager's (DM) certificate holders undertake an interview with the Inspector prior to certificate being issued to assess the manager's level of understanding with the Duty Manager's role | | | <i>DM NEW</i> Dec 21 7 27 YTD <i>DM RENEWAL</i> Dec 21 16 51 YTD Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls |
| 75% of all licenced premises identified as at 1 July of every year have a compliance visit undertaken by the Inspector before the 30 th of June the following year (i.e. within a 12 month period) | 75% | 28.8% YTD | Information source : Compliance inspection records K:\resource\Liquor\Compliance Visits 21-22 Dec - 13 Compliance visits 36/125 total compliance YTD |
| Average working days to process an application from acceptance by SWDC | 25WD | 25.07WD | Information source: Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls |

| ALCOHOL LICENCE APPLICATIONS PROCESSED | YTD 1 JULY 21 TO 31 DEC 21 | PREVIOUS YTD 1 JULY 20 TO 30 DEC 20 | PERIOD 1 DEC 21 TO 31 ST DEC 21 | PREVIOUS PERIOD 1 DEC 20 TO 31 DEC 20 |
|--|-------------------------------|--|---|--|
| On Licence | 14 | 19 | 2 | 2 |

| | | | | |
|-----------------------|------------|------------|-----------|-----------|
| Off Licence | 17 | 12 | 6 | 0 |
| Club Licence | 1 | 2 | 0 | 0 |
| Manager's Certificate | 78 | 94 | 23 | 15 |
| Special Licence | 14 | 13 | 5 | 1 |
| Temporary Authority | 4 | 3 | 0 | 1 |
| Total | 138 | 143 | 36 | 19 |

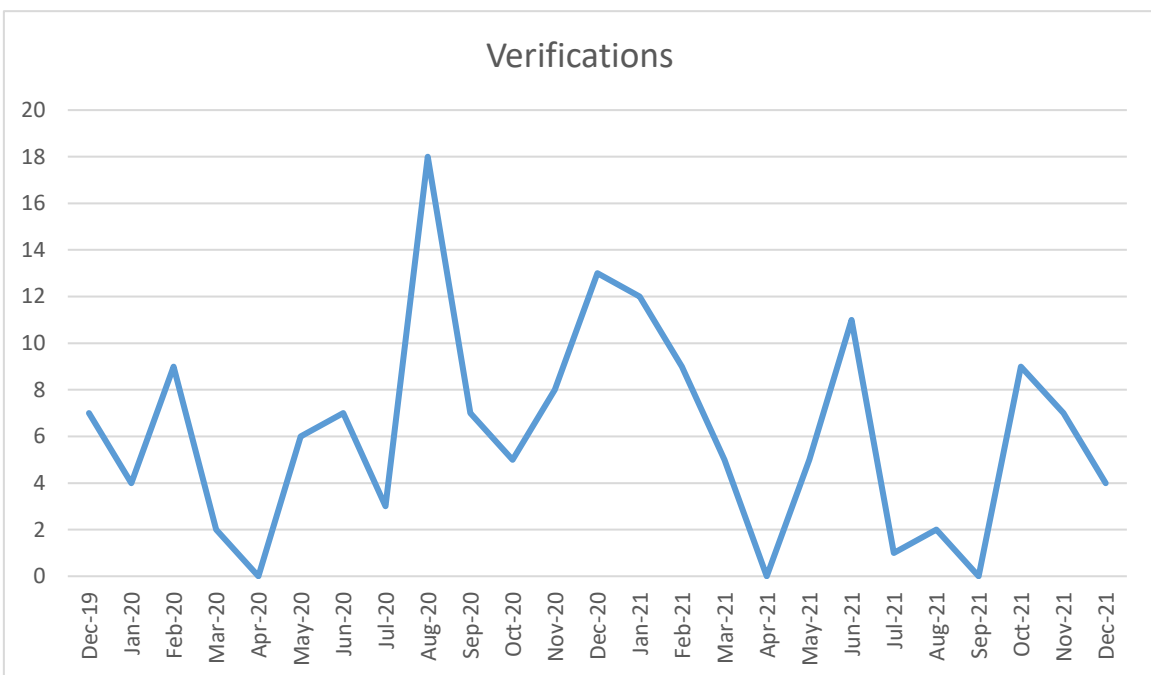


2.5.1. Health Act - Safe Food

SERVICE LEVEL – Food services used by the public are safe.

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 20/21 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|---|-----------------|---------------|---|
| Premises have appropriate FMP in place and meet the risk based standards set out in the Plan. | 100% | 100% | FHR – 0 FCP (Food Act) –88 NP –68 Total number of premises is subject to change month by month as new businesses open and existing premises close. risk based measure changes |

| PUBLIC PROTECTION KEY PERFORMANCE INDICATORS | TARGET 20/21 | YTD RESULT | COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET |
|--|-----------------|---------------|--|
| Premises are inspected in accord with regulatory requirements. | 100% | 26.1% | FCP verifications – 23/88 Covid 19 had an impact. We also had 4 premises close this financial year so far. *Total number of premises is subject to change month by month as new businesses open and existing premises close. 4 Verifications Dec 21 We were able to finalise (close out) 6 premises in Dec 2021 |



Contact Officer: Russell O’Leary, Group Manager – Planning & Environment
 Reviewed by: Harry Wilson, Chief Executive

WATER OFFICERS REPORT

This report was presented to the Assets and Services Committee on 2 February 2022.

3. Water Manager Commentary

Network faults are down compared to last December, as WWL continue to keep on top of the backlog of reported faults. Consumer satisfaction is at a yearly high of 83%.

Wellington Water's SLA quarterly performance dashboard for Q2 FY21-22 to be included in the next Assets and Service Committee report, March.

4. Wellington Water operational performance

The start of summer continues to see the expected seasonal increase in water network faults being reported to Council. The total number is down on last December which is helped by keeping on top of the backlog of reported faults. Wastewater faults continue to be a theme for Featherston, due to pipe condition and some areas of high ground infiltration for example Fitzherbert Street.

The network service crews have noticed a recent trend in water leaks appearing adjacent to previous repairs on water laterals, requiring full lateral replacement. This appears to be due to the degrading condition of lateral service pipes which make up approximately 50% of all water leak faults. To comply with regulations, a high number of recent jobs have also required a traffic management contractor for sites located on intersections and narrow roads.

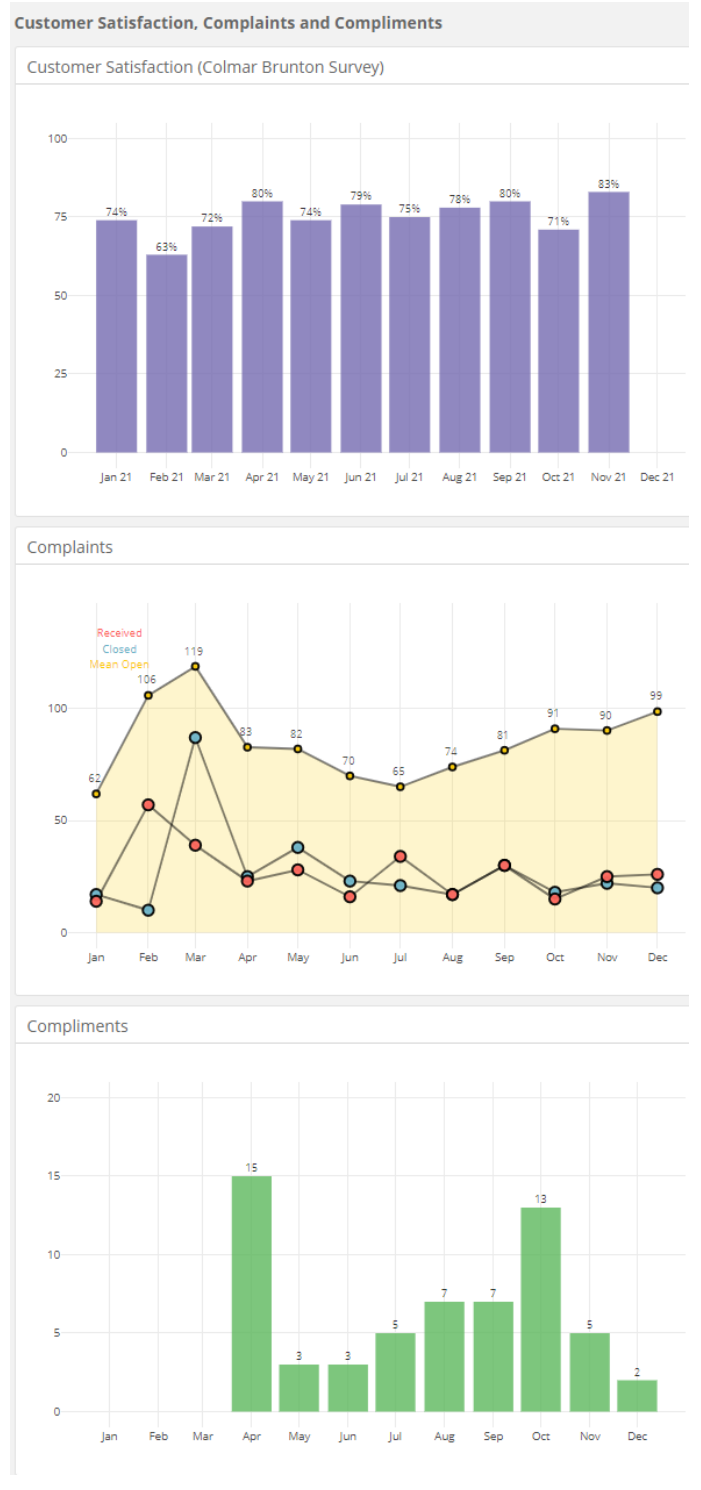
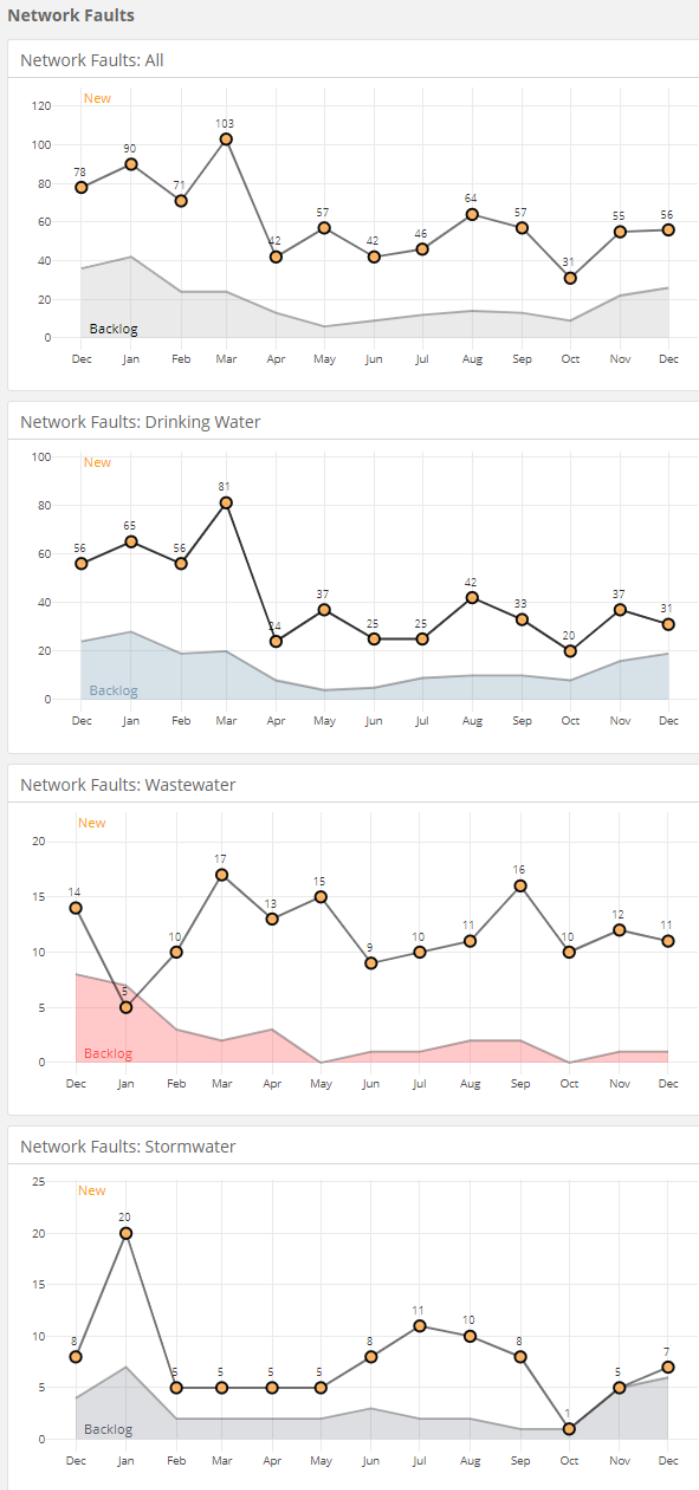


Figure 1. SWDC Customer service request dashboards, January

4.1 Operational response events

On the 31st December 2021, the community of Greytown were advised that they may notice a possible blue tinge to their drinking water. This was due to a pump fault on the pH balancing system at the Memorial Park water treatment plant.

The blue tinge can result from within homes that primarily have copper plumbing. The community were advised that there was no public health risk although advised to run their taps until the water becomes clear, as standard advice from the Ministry of Health for all homeowners.

A replacement pump was sourced by the Wellington Water treatment plant team, and the fault was resolved early January 2022.

4.2 Tauherenikau river pipeline leak

Please refer to additional report.

5. Reducing leakage across the South Wairarapa

A robust method for estimating water losses based on night flow data has been developed and automated to provide daily updates for each of the three towns. Losses across South Wairarapa over December are estimated to have been around 57%. Losses over the past six months for each town and the region are presented in Figure 2.

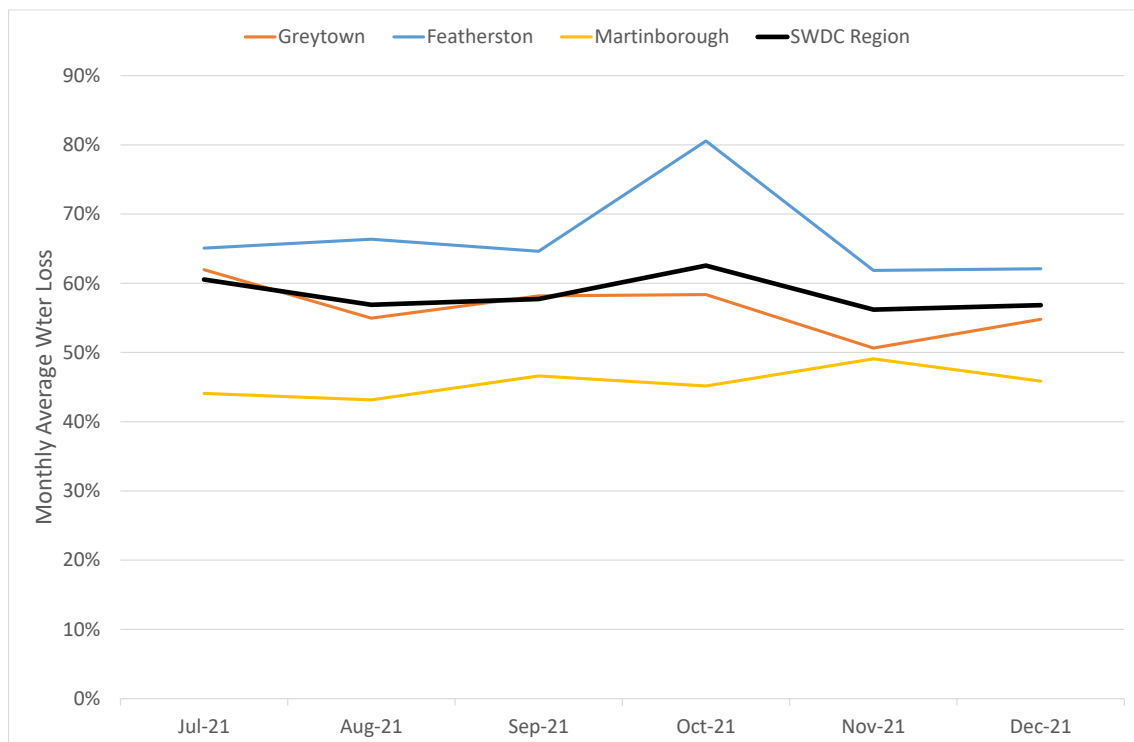


Figure 2 Monthly average water losses by town and across the region.

The level of water loss is higher than would be expected and suggests that there may be some night time usage that we are not accounting for in the calculation, potentially from high use non-residential customers, or from unmetered or even unauthorised

connections. Assumptions related to night time usage used in the calculation were drawn from a thorough analysis that brought together customer meter data, including high resolution data collected for network modelling purposes, and property locations. As more data and information come to hand, we can build them into the analysis and have greater confidence in the outputs.

Whilst water loss expressed in percentage terms seem high, the impact of leaks can have on night flows and water losses is demonstrated by recent leak repairs made in Featherston. Figure 3 shows the trend of night flows for each of the three towns. There is a significant drop in Featherston night flow around 6 January, which coincides with the repairs of a leak on a 100-mm main Birdwood Street and a leaking connection on Boundary Street. These two leaks appear to have been contributing some 6 L/s or about 37% of observed night flows.

Aside from this positive change and some fluctuations in Martinborough over November/December, Figure 3 shows night flows have been reasonably stable. Should we observe sustained increases we will seek to initiate leak detection surveying.

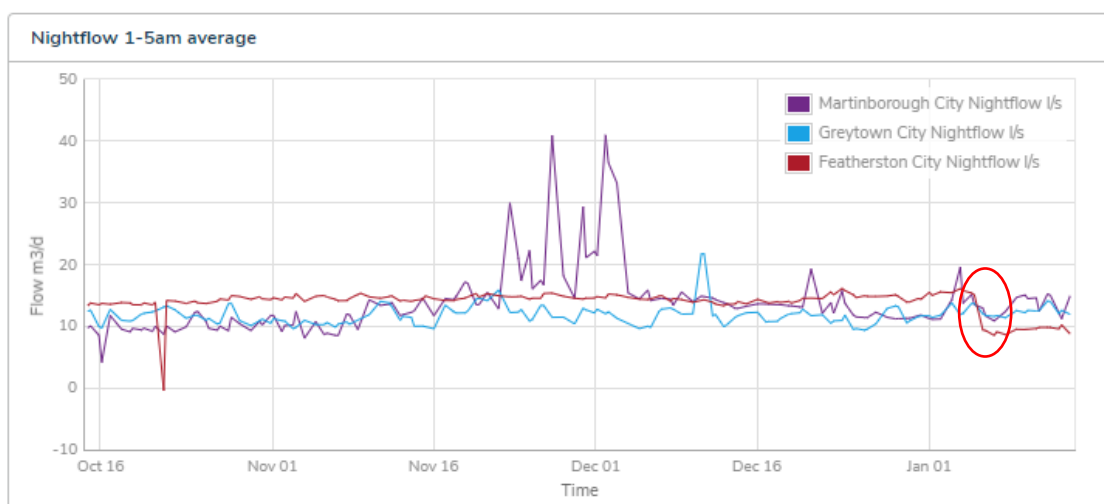


Figure 3. Night flow 3-month trend. Note the drop in night flow on the Featherston curve (circled in red) resulting from a mains leak repair.

6. Water Capex delivery programme

6.1 Executive Summary

The capital programme is tracking ahead of budget to-date and remains on target for a forecast delivery range of \$5 - \$7 million. The timing of the Christmas break was unfavourable for the final commissioning work of the new treated water reservoir at Waiohine which has now been pushed into the new calendar year. Once brought into service, will need to be celebrated as a significant achievement for increasing the supply resilience and NZ drinking water standards compliance for the Featherston and Greytown communities.

6.2 Waiohine Water Treatment Plant upgrade

The final December shutdown to bring the new treated water reservoir into service revealed a small number of items that required closing out, before this can be done. The water quality testing completed for the final stages of the commissioning have shown no issues with the E coli and chlorine testing.

Operational manuals have been documented and training of the treatment plant operators has been successful in the lead up to bring the new reservoir into service which is now forecast for early February.

Work is underway on Stage 3 for the permanent pH dosing system upgrade. The permanent dosing system will align with the Memorial Park WTP system and will allow the decommissioning of the older soda ash system, removing operational and certification issues.

6.3 Memorial Park water treatment plant upgrade

The electrical fit-out on the containerised treatment plant has been completed and is currently being stored. Tendering activities are underway where contract award is forecast in March. Construction remains scheduled for start Q4 FY21-22.

6.4 Greytown smart meter trial

The installation programme commenced on 13 December 2021 and has progressed well despite the wet weather pre-Christmas. In December, approximately 40 meters were installed where all were connected to the network without issue. There was one incident of loss of water pressure which was promptly resolved by the contractor on site. A large shipment of 140 meters arrived at the Wellington Water depot on the 6th of January, and work begun installing these at the start of the new year.

A change in the manufacturer's vibration sensors design is expected to cause a 2 to 3 month delay for a remaining 50 meters. To ensure the project collects as much network leakage data during the trial period, an additional 50 base meters (provided by the manufacturer free of charge) will be installed initially and swapped by the meters with vibration sensors at a later date. Targeted customer communication will be carried out by Wellington Water for these customers.

Customer home water-usage reports will be available from early January 2022, for those who have signed up for the online portal throughout the trial period. The remaining customers will have access to their home usage reports upon request.

6.5 Papawai Rd wastewater upgrade

Construction site works and road reinstatement has been completed along Papawai and Pa roads. Some minor construction is being done at the final outfall pipeline within the wastewater treatment plant, to optimise the flow control and new inlet flow meter. This is forecast to be completed within Q3.

The remaining pipeline not upgraded within this financial year, has been documented and put back into Wellington Water's strategic prioritisation framework for future investment allocation. We will be putting out some public communications on this shortly.

6.6 South Wairarapa global stormwater consent

This consent has been lodged with Greater Wellington. Wellington Water will attend the next Māori Standing Committee to seek their feedback in February.

6.7 Featherston water main renewals

The Featherston water main renewals project has delivered outcomes that will reduce water supply outages and minimise water loss from the water network. The project has renewed water mains of poor condition that have experienced a high number of historic pipe breaks.

The works are largely complete with 723m of water main completed and connected into the existing network. Typically, trenchless drilling technology has been used, which has reduced the requirement for costly reinstatement.

However, as part of our routine quality assurance testing that is undertaken on all projects we have identified a potential durability issue with some fittings used on the pipeline which is being investigated, which means further work will be required to remedy this. These additional works are expected to be complete before the end of February 2022 and residents have been updated.

6.8 Featherston wastewater treatment plant upgrade and consent

Wellington Water continues to work with Council Officers on the proposed shortlist of options to manage Featherston's Wastewater. A discussion paper providing additional information on the likely consentability and affordability of the options was provided to Council by Wellington Water in December 2021 and we continue to work with them to confirm this shortlist.

7. Appendices

Appendix 1 – Water Programme Report

Contact Officer: Stefan, Group Manager Partnerships and Operations

Reviewed by: Harry Wilson, CEO

Appendix 1 – Water Programme Report

| | Finance | Delivery | H&S | Stakeholders | Risk profile | Commentary |
|---------------------------------------|---------|----------|-----|--------------|--------------|--|
| Overall Programme Status (RAG) | | | | | | The capital programme actuals to-date is tracking ahead of budget, however still tracking within full year forecast range of \$5-7m. Covid-19 continues to pose a risk due to impacts on suppliers and possible future outbreaks. Commissioning work to bring the new reservoir at Waiohine into service nears completion, which is to be celebrated as a significant achievement for increasing the supply resilience for the Featherston and Greytown communities. |

Major Projects

Featherston WWTP \$500k* Jul 20 - Jun 2025

| | | | | | | |
|--|--|--|--|--|--|--|
| Develop and implement a suitable wastewater solution for Featherston | | | | | | Wellington Water continues to work with Council Officers on the proposed shortlist of options to manage Featherston's Wastewater. A paper providing additional information on the likely consentability and affordability of the options was provided by Wellington Water in December 2021 and we continue to work collaboratively confirm this shortlist. |
|--|--|--|--|--|--|--|

Upgrade/Renewal Projects

Papawai Road WW Upgrade \$2.2m May 2021 - Dev 2021

| | | | | | | |
|-----------------------|---|--|--|--|---|--|
| Growth - upgrade pipe | ↑ | | | | ↑ | Construction works have been completed on Papawai and Pah roads. Minor works being completed on the inflow meter to the wastewater treatment plant in January. |
|-----------------------|---|--|--|--|---|--|

Waiohine Water Treatment Plant (WTP) \$1.3m Dec 2020 - June 2022

| | | | | | | |
|--|--|---|--|--|--|--|
| b) Treated water storage commissioning | | | | | | The December shutdown to bring the new reservoir into service revealed a small number of items that required addressing. These have been closed out and final commissioning work is being completed on the 3-day bug testing, FAC and final system change over. The new reservoir is expected to be in service the first week of February. |
| c) Chlorine dosing safety improvements | | | | | | Chlorine dosing upgrades are complete. |
| d) pH dosing system upgrade | | ↓ | | | | A temporary dosing system currently remains in place. A caustic soda dosing system has been recommended as the permanent solution. Work has begun on the system design where physical works is now forecast for FY22-23. |

Memorial Park WTP upgrades \$850k Nov 2020 - 2022

| | | | | | | |
|--|--|--|--|--|--|--|
| Stage 2: Replace bore pump, new housing container, additional pipework and run to waste | | | | | | The fabricated container is now being safely stored. Contract award is forecast for March. Site works for the permanent treatment plant remains scheduled for construction start Q4 FY21-22. |
| Stage 3: Chemical dosing, electrical equipment, UV and filter upgrades | | | | | | |

Memorial Park wastewater renewal \$350k Nov-21

| | | | | | | |
|--|--------|----------|--|--|--|--|
| Swimming pool and club house laterals relocation | ↑ | | | | | The renewal of the swimming pool wastewater lateral is complete. |
| Electrical surge protection | | | | | | |
| | \$30k | Jun-22 | | | | |
| Installation of electrical surge protection at treatment plants | | | | | | Work plans have been developed for each treatment plant sites. Surge protection work is forecast to be complete prior to June 2022. |
| Donald St WW pump station renewal | | | | | | |
| | \$100k | FY 22-23 | | | | |
| Renewal of the pump station, Featherston | | | | | | Project is currently within the detailed design phase. The construction contract award is currently expected to take place in Q4. |
| SWDC Global stormwater consent | | | | | | |
| | \$96k | Jun-22 | | | | |
| Global stormwater consent for Featherston and Greytown, NRP compliance | | | | | | The application has been lodged and the next step is to obtain feedback from the Maori Standing Committee. |
| Greytown WWTP system improvements | | | | | | |
| | \$150k | FY 22-23 | | | | |
| H&S improvements to UV pump station | | | | | | Work is expected to commence shortly on the preliminary design. Project only planned to reach design by the end of the financial year. |
| SWDC-led Projects | | | | | | |
| Water Race User Survey | | | | | | |
| | n/a | Dec-20 | | | | |
| Survey Water Race users and related stakeholders on use | | | | | | Wellington Water have received a copy of the survey results and have been asked by SWDC to review in the context of providing some strategic guidance back to SWDC Officers. Meeting to occur in Q3. |
| Longwood Water Race Consent | | | | | | |
| | n/a | Dec-20 | | | | |
| Gain consent for continued use of water race | | ↓ | | | | GWRC is requesting that the supplementary water take is moderated when the river is above median flow. Wellington Water is discussing this further with GWRC to work through the options to obtain consent. Additional flow and water quality monitoring is likely within the new consent where Wellington Water will need to consider how these additional conditions will be met. The short consent is to align the Longwood with the Moroa water race consent expiry. |

Status key:

On track/achieving

Some concern

Off Track/Major concern

ROADING AND AMENITIES OFFICERS' REPORT

This report was presented to the Assets and Services Committee on 2 February 2022.

8. Group Manager Commentary

Outputs for this reporting period reflect the fact that it was interrupted by the Christmas and New Year holidays. The Roading team successfully undertook a major repair of Hinekura Road in the days leading up to Xmas to repair the Hinekura Rd. It was an intensive three days of work that had our team, Fulton Hogan and a sub-contractor on site to make sure the road was able to be open and safe for all traffic in time for Xmas. Work continues according to our work plan for Hinekura on tree removal and new dam site location.

The amenities team has completed a few important items since the last report – the highlight arguably being the Peace Gardens in Featherston. Further incidents of vandalism, theft and graffiti are concerning.

If the anticipated impact of Omicron is realised then we expect significant interruptions to service delivery outside of essential services. Solid waste, burials, emergency road repairs and water services will be maintained throughout.

9. SWDC Roading Report

The report covers the period of works to the end of December 2021, being 50% of the 2021/2022 financial year. The percentages shown below are based on works completed to date on Waka Kotahi financially assisted annual budget. Works in several maintenance categories are seasonal so the spend will reflect this variance.

A brief commentary describing key achievements during December 2021, and proposed works going forward is noted under each work category below.

9.1 OPEX

- Sealed Road Pavement Maintenance spend is 53% on Local Roads and 73% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 193.07 of sealed roads inspected and faults loaded into RAMM
 - 64 sealed potholes were identified
 - 2549m² of sealed pavement repaired
- Unsealed Road Pavement Maintenance spend is 53% on Local Roads and 80% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 72.4 km of unsealed roads inspected, and faults loaded into RAMM
 - 90.7km of unsealed roads graded
 - 237.2m³ of maintenance metal applied
- Drainage Maintenance spend is 26% on Local Roads and 113% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 132 culverts were inspected

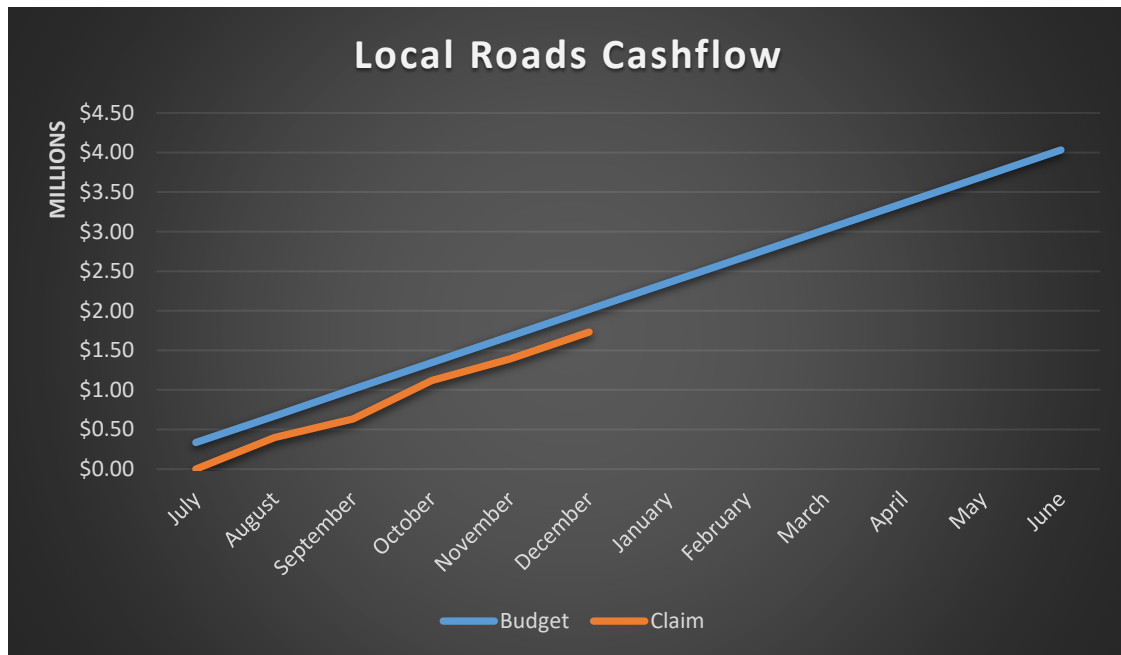
- 54.7km of streets mechanically swept
- 3.6km of drains cleared
- Structural Maintenance spend is 15% on Local Roads and 5% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 8 bridges were inspected
- Environmental Maintenance spend is 58% on Local Roads and 44% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 817 km of rural berm mowing
- Minor Events spend is 113% on Local Roads and 188% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - Expenditure is due to response to weather events in the year to date. If further budget is required, it will be reallocated from other Maintenance cost codes.
- Traffic Services spend is 22% on Local Roads and 19% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 33 signs were inspected
 - Annual remark is programmed for April 2022 and is a large portion of the budget.
- Cycle Path Maintenance spend is 0% on Local Roads in relation to Waka Kotahi annual budgets allocation.
 - Spaying and mowing adjacent to the Western Lake Road Cycle path have been completed from Environmental Maintenance budget.
- Footpath Maintenance spend is 98% on Local Roads in relation to Waka Kotahi annual budgets allocation.
 - Works have been completed allowing focus to shift to renewals in the new year.
- Rail Level Crossing Warning Device Maintenance spend is 122% on Local Roads in relation to Waka Kotahi annual budgets allocation.
 - Direct cost from KiwiRail. Over budget due to lightening strike at Woodside lights
- Network and asset management spend is 51% on Local Roads and 57% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - 5 traffic counters were installed

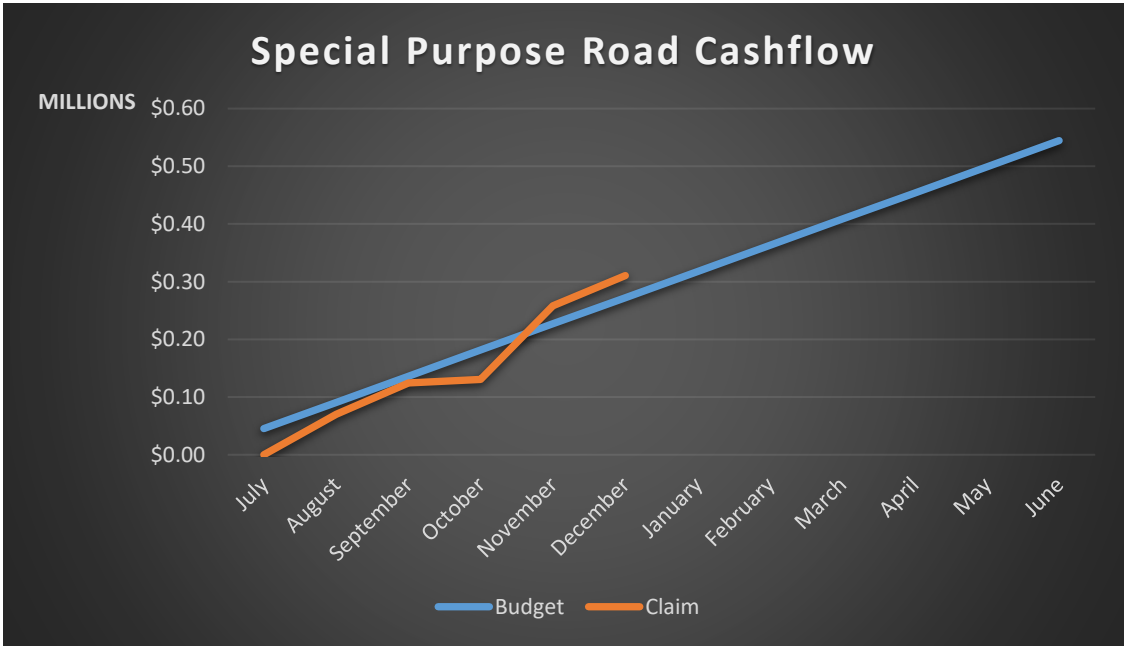
9.2 CAPEX

- Unsealed Road Metaling spend is 27% on Local Roads and 90% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.

- Aggregate has been ordered and crushed to be applied during Autumn and early winter. Manufacture and supply of this material is impacted by resource supply from the rivers
- Sealed Road Resurfacing spend is 56% on Local Roads and 82% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
 - Works will be completed by early February and design is impacted by the short supply of various grades of sealing chip.
 - Special Purpose Road resealing is complete with remarking of the roadmarking costs yet to be received.
- Drainage Renewals spend is 33% on Local Roads and 0% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
- Pavement Rehabilitation spend is 4% on Local Roads in relation to Waka Kotahi annual budgets allocation.
 - Western Lake Road sites are programmed for early/mid 2022
- Traffic Service spend is 35% on Local Roads and 10% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
- Footpath Renewals spend is 0% on Local Roads in relation to Waka Kotahi annual budgets allocation.
 - Sites programmed for February - March 2022

9.3 Tracking summary of OPEX and CAPEX to December 30, 2021

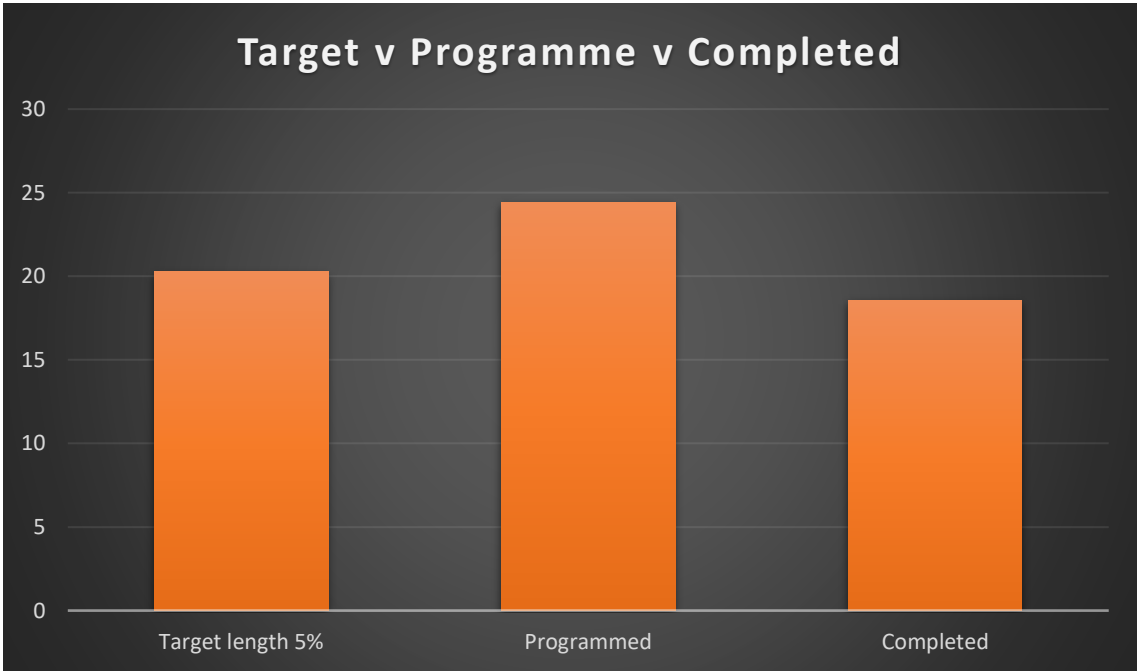




9.4 Key Performance Indicators (Year to date reporting)

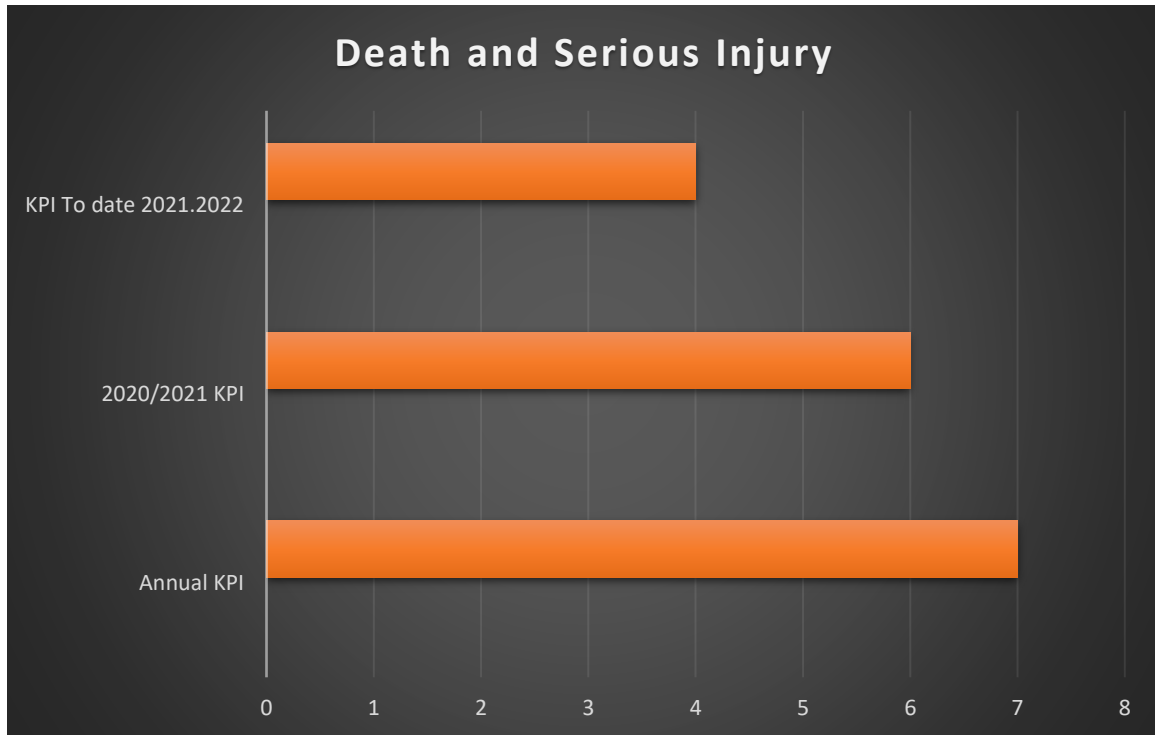
5% of sealed roads are resealed each year subject to availability of NZTA subsidy

Length of sealed network 405.7 km 5% equates to 20.3 km. 18.53 km complete.



Change in number of fatalities and serious injury crashes on the local road network from previous year. Performance target is < 7

The data below has been extracted for Waka Kotahi Crash Analysis System. Generally, there a time lag from the accident to data being uploaded to the system



10. Roading - Fulton Hogan

10.1 Health and Safety Report

10.1.1. *All incidents, Near misses, New hazards/ risks identified*

There were no incidents, near misses or new hazards to report this month.

Due to the low number of incidents there are no trends in the Wairarapa business to report on. At a national level we are made aware of incidents in the Company via Safety and Environmental Alerts, these alerts are discussed with staff at the monthly tailgate meetings.

10.1.2. *Training and inductions*

Training this month with staff attending Envirowise Workplace First aid, Traffic management qualifications, operator competence testing with some Managers being trained in Rapid Antigen Tests.

10.2 Achievement Dashboard

Monthly Programme - Ruamahunga Roads SWDC (2019-2029) 01/12/2021 to 31/12/2021

Programme Achievement

81.08%
703 out of 867
412 reactive jobs completed

Current Jobs By Staff

Reactive Job Count

Priority Breakdown

Routine 97.46%
S1 - Below Required... 0.66%

Programme Categories

Programmed Last Month

| Fault Description | Jobs | Qty | Units |
|-------------------------------------|------|----------|----------------|
| K&C - Sweep | 376 | 77,754 | m |
| Drainage Inspection | 141 | 141 | each |
| Carriageway / Inspection | 131 | 193.2... | m |
| Sign Inspection | 103 | 103 | each |
| Grading | 53 | 137.7... | m |
| Unsealed Inspection | 34 | 72.384 | m |
| Level - Subsidence | 9 | 1,718 | m ² |
| Bridge Inspection | 6 | 6 | each |
| Traffic Count Data Collection | 5 | 4 | |
| Level - Depression | 2 | 254 | m ² |
| Sign and/or Post - New Installation | 2 | 2 | each |
| Abutment/Joints - Repair | 1 | 1 | each |
| Dumping/Debris/Obstisus | 1 | 0 | |
| Guardrail - Repair/Replace | 1 | 17 | m |
| Lump Sum | 1 | 1 | each |

Reactive Completed

| Fault Description | Jobs | Qty | Units |
|--|------|---------|----------------|
| Sealed Pothole | 55 | 55 | each |
| Moving | 52 | 375,042 | m |
| Drainage Inspection | 51 | 51 | each |
| Sump Blocked - Clean (Including Grate) | 44 | 46 | each |
| Grading | 33 | 53,706 | m |
| K&C - Sweep | 22 | 2,745 | m |
| Light out | 16 | 16 | each |
| High Cut | 13 | 19,385 | m |
| Culvert - Clear Inlet/Outlet | 12 | 21 | m |
| Light out | 12 | 0 | |
| Slip - Clear (Non Emergency) | 9 | 205 | m ³ |
| STAB - Fatigue Crack | 8 | 169 | m ² |
| STAB - Deformation | 6 | 127 | m ² |
| Fallen Tree On Rd (Emergency) | 5 | 5 | each |
| Level - Subsidence | 5 | 536 | m ² |

Job Details

| Dispatch ID | Road | Dispatch Status |
|-------------|---------------|-----------------|
| 11400 | LAKE FERRY RD | Closed |
| 12670 | LAKE FERRY RD | Closed |
| 16302 | LAKE FERRY RD | Closed |
| 16610 | TE AWAITI RD | Closed |
| 16611 | TE AWAITI RD | Closed |
| 16612 | TE AWAITI RD | Closed |
| | | Checked |

Programmed Jobs

● Closed ● Open

© 2021 Vector Ltd. All Rights Reserved. 26 January 2022 09:28:53 version 12.4

© Fulton Hogan Ltd. All Rights Reserved. Archimedes Verified

11. Amenities

11.1 Housing for Seniors

We have two vacant senior housing units which are currently being renovated. These have had long term tenants in them and require new carpets, drapes and new paint to freshen up. One in Martinborough and Greytown.

11.2 Pain Farm and Cottage

Both properties are well maintained by the occupants. The grounds are cared for by our contractor and are in good order. A large tree has come over onto the garage and structurally damaged it. Council is working with the insurance company and builders for quotes to fix the issue. Other trees in the vicinity will need to be assessed and removed if found to be dangerous.



11.3 SWDC Playgrounds

- Martinborough Playground has the 2006 Climbing frame closed due to wear and tear. New climbing framed ordered and awaiting delivery.
- Awaiting school holidays to finish to install new equipment in Greytown Playground.

11.4 Parks and Reserves

- City Care contractor has been under pressure with staffing due to retirements and also the lack of job applicants. They now have a full crew and working thru to catch up.
- Peace Gardens Featherston still in progress, 90% completed waiting on fence to be spray painted and also Heritage sign to be installed, good feedback from public. Formal opening is planned once fully completed.



- Martinborough Trial Gardens

These are very successful so far with great community comments. We have had a small amount stolen unfortunately but over all a good result so far through Summer. We will look at doing this with all three towns once trial is over.



11.5 Cemeteries

Cemetery Activity and Burials have been steady.

Table: Purchases of burial plots/niches 31/11/2021 to 26/01/2022

| | Greytown | Featherston | Martinborough |
|----------------------|----------|-------------|---------------|
| Niche | | | 3 |
| In-ground ashes Beam | | | |
| Burial plot | 3 | 2 | |
| Services area | 1 | | |
| Total | 4 | 2 | 3 |

Table: Ashes interments/burials 31/11/2021 to 26/01/2022

| | Greytown | Featherston | Martinborough |
|-----------------|----------|-------------|---------------|
| Burial | 3 | 1 | 1 |
| Ashes in-ground | | | |
| Ashes wall | | | |
| Services Area | 2 | | |
| Disinterment | | | |
| Total | 5 | 1 | 1 |

11.6 Swimming Pools

Swimming pools have been well used with large numbers attending and BBQ's have been extremely popular with families in all three pools. We have also removed the shade sail over the Greytown Toddlers pool as it was not allowing the water to warm to a comfortable temperature. December attendance below

| ATTENDANCE REPORTS | | | | | | | | | | Dec-21 | | | | | | | | | | Dec-21 | | | | | | | | | | ### | | | | | | | | | |
|--------------------|----------------|---------------|-------------------|------------------|----------------|---------------|------------------|------------------|----------|----------------|---------------|-------------------|------------------|----------------|---------------|------------------|------------------|----------|----------------|---------------|-------------------|------------------|----------------|---------------|------------------|------------------|----------|----------|--|-----|--|--|--|--|--|--|--|--|--|
| Visit Type | GREYTOWN | | | | | | | | | FEATHERSTON | | | | | | | | | MARTINBOROUGH | | | | | | | | | | | | | | | | | | | | |
| | Child 11am-1pm | Child 1pm-5pm | head count at 5pm | Child 5pm-7:30pm | Adult 11am-1pm | Adult 1pm-5pm | Adult 5pm-7:30pm | Adult supervisor | Weather | Child 11am-1pm | Child 1pm-5pm | head count at 5pm | Child 5pm-7:30pm | Adult 11am-1pm | Adult 1pm-5pm | Adult 5pm-7:30pm | Adult supervisor | Weather | Child 11am-1pm | Child 1pm-5pm | head count at 5pm | Child 5pm-7:30pm | Adult 11am-1pm | Adult 1pm-5pm | Adult 5pm-7:30pm | Adult supervisor | Weather | | | | | | | | | | | | |
| 7/12/2021 | | 0 | 0 | 0 | | 1 | 0 | 0 | raining | | 5 | 0 | 0 | | 1 | 0 | 0 | raining | | 5 | 0 | 0 | | 0 | 0 | 0 | raining | | | | | | | | | | | | |
| 8/12/2021 | | 18 | 18 | 11 | | 9 | 9 | 0 | sunny | | 10 | 5 | 0 | | 9 | 0 | 1 | overcast | | 5 | 0 | 0 | | 0 | 0 | 0 | overcast | | | | | | | | | | | | |
| 9/12/2021 | | 30 | 20 | 2 | | 7 | 1 | 2 | sunny | | 20 | 0 | 0 | | 2 | 0 | 4 | sunny | | 39 | 5 | 2 | | 3 | 10 | 0 | sunny | | | | | | | | | | | | |
| 10/12/2021 | | 62 | 42 | 13 | | 26 | 6 | 6 | sunny | | 52 | 0 | 12 | | 20 | 5 | 9 | sunny | | 105 | 0 | 3 | | 10 | 0 | 9 | sunny | | | | | | | | | | | | |
| 11/12/2021 | 8 | 33 | 6 | 4 | 2 | 17 | 0 | 16 | overcast | 6 | 17 | 4 | 16 | 7 | 5 | 0 | 7 | overcast | 20 | 30 | 14 | 0 | 4 | 9 | 12 | 0 | sunny | | | | | | | | | | | | |
| 12/12/2021 | 3 | 4 | 0 | 1 | | 1 | 0 | 2 | overcast | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 0 | raining | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | raining | | | | | | | | | | | |
| 13/12/2021 | | 26 | 21 | 10 | | 14 | 4 | 5 | sunny | | 21 | 8 | 3 | | 3 | 3 | 6 | overcast | | 67 | 12 | 8 | | 1 | | | 9 | overcast | | | | | | | | | | | |
| 14/12/2021 | | 6 | 0 | 0 | | 0 | 0 | 0 | overcast | | 1 | 1 | 0 | | 1 | 0 | 1 | overcast | | 45 | 2 | 0 | | 0 | | | 3 | raining | | | | | | | | | | | |
| 15/12/2021 | | 19 | 8 | 5 | | 2 | 1 | 6 | sunny | | 10 | 6 | 9 | | 7 | 7 | 5 | overcast | | 39 | 5 | 3 | | 2 | | | 7 | overcast | | | | | | | | | | | |
| 16/12/2021 | | 11 | 4 | | | 1 | 0 | 0 | raining | | 1 | 0 | 0 | | 1 | 0 | 0 | raining | | 3 | 0 | 0 | | 0 | | | 3 | raining | | | | | | | | | | | |
| 17/12/2021 | | 45 | 9 | 2 | | 10 | 1 | 12 | sunny | | 45 | 9 | 3 | | 5 | 0 | 7 | sunny | | 37 | 7 | 13 | | 1 | | | 21 | sunny | | | | | | | | | | | |
| 18/12/2021 | 11 | 46 | 18 | 23 | 11 | 22 | 16 | 22 | sunny | 15 | 47 | 14 | 11 | 5 | 16 | 4 | 11 | sunny | 17 | 52 | 4 | 5 | 2 | 10 | 0 | | 30 | sunny | | | | | | | | | | | |
| 19/12/2021 | 47 | 55 | 8 | 23 | 17 | 24 | 14 | 13 | hot | 15 | 51 | 6 | 7 | 10 | 13 | 1 | 23 | sunny | 20 | 26 | 17 | 16 | 2 | 2 | 6 | | 19 | sunny | | | | | | | | | | | |
| 20/12/2021 | | 56 | 13 | 16 | | 16 | 7 | 18 | hot | | 25 | 6 | 3 | | 11 | 3 | 7 | sunny | | 44 | 22 | 5 | | 9 | 1 | | 8 | sunny | | | | | | | | | | | |
| 21/12/2021 | | 33 | 0 | 0 | | 9 | 0 | 8 | hot | | 24 | 10 | 0 | | 18 | 0 | 6 | sunny | | 43 | 22 | 5 | | 3 | 0 | | 7 | windy | | | | | | | | | | | |
| 22/12/2021 | | 61 | 22 | 20 | | 24 | 9 | 15 | hot | | 61 | 8 | 9 | | 20 | 3 | 12 | sunny | | 37 | 25 | 14 | | 6 | 4 | | 12 | sunny | | | | | | | | | | | |
| 23/12/2021 | | 75 | 18 | 3 | | 74 | 3 | 10 | hot | | 63 | 29 | 1 | | 22 | | 21 | hot | | 70 | 36 | 13 | | 25 | 19 | | 17 | sunny | | | | | | | | | | | |
| 24/12/2021 | | 57 | 18 | 3 | | 24 | 3 | 12 | hot | | 39 | 9 | 9 | | 18 | 3 | 13 | hot | | 31 | 21 | 4 | | 14 | 2 | | 10 | overcast | | | | | | | | | | | |
| 25/12/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26/12/2021 | 8 | 54 | 42 | 25 | 9 | 68 | 25 | 18 | hot | 5 | 49 | 12 | 5 | 3 | 20 | 5 | 15 | sunny | 0 | 46 | 15 | 5 | 0 | 27 | 3 | | 18 | sunny | | | | | | | | | | | |
| 27/12/2021 | | 71 | 17 | 17 | | 72 | 23 | 20 | hot | | 16 | 0 | 11 | | 9 | 11 | 4 | overcast | | 51 | 11 | 16 | | 33 | 19 | | 15 | hot | | | | | | | | | | | |
| 28/12/2021 | | 23 | 7 | 2 | | 18 | 1 | 6 | raining | | 5 | 0 | | | 1 | 0 | 0 | raining | | 13 | 0 | 0 | | 9 | 0 | | 1 | raining | | | | | | | | | | | |
| 29/12/2021 | | 38 | 4 | 0 | | 20 | 0 | 9 | raining | | 3 | 0 | 4 | | 0 | 4 | 0 | cold | | 35 | 2 | 0 | | 6 | 0 | | 18 | sunny | | | | | | | | | | | |
| 30/12/2021 | | 120 | 28 | 1 | | 50 | 3 | 42 | hot | | 45 | 8 | | | 23 | 0 | 1 | hot | | 66 | 26 | 10 | | 32 | 9 | | 25 | sunny | | | | | | | | | | | |
| 31/12/2021 | | 126 | 38 | 24 | | 115 | 30 | 33 | hot | | 36 | 4 | 3 | | 17 | 1 | 6 | hot | | 68 | 19 | 13 | | 30 | 10 | | 25 | sunny | | | | | | | | | | | |
| | 98 | 1118 | 367 | 212 | 41 | 634 | 157 | 295 | | 51 | 680 | 143 | 110 | 31 | 254 | 53 | 166 | | 72 | 1005 | 270 | 139 | 10 | 242 | 95 | 277 | | | | | | | | | | | | | |

11.7 Other Projects

- Hua Ariki Marae is 90% completed, awaiting on confirmation of consent due to changes on the sprinkler system. Still in progress with Fire and Building Consents.
- Tauherenikau bridge project is in progress with trails and carpark installed up to where the landings begin. The two towers have been manufactured and currently with painters and end of January is when full work begins on the bridge.
- Kiwi hall kitchen - extending the hot water from the infinity system over to the kitchen was delayed due to tradesman availability but currently being installed week of the 25th Jan.
- Ngawi Community Hall has had their sewage system upgraded prior to Christmas, all that is required is planting which will happen in planting season. This worked well over the festive season.

- Wheels Park Greytown, contacted a civil company to quote on the roading component, awaiting outcome

12. Waste Management

12.1 Transfer Stations

Overall, the transfer stations are tidy.

Usual summer rubbish out at the coast which was handled well by Earthcare this year installing more recycling pods, bins and any emergency issues were dealt with quickly.

12.2 Earthcare

Earthcare has formally become part of Smart Enviromental but there will be no name change, only some personnel changes. Business as usual.

13. Appendices

Appendix 1 – Roding Programme Report

Appendix 2 – Amenities Programme Report

Contact Officer: Stefan Corbett Group Manager, Partnership and Operations

Reviewed by: Harry Wilson, CEO

Appendix 1 – Roading Programme Report

| Overall Programme Status (RAG) | Finance | Delivery | H&S | Stakeholders | Risk profile | Commentary |
|--------------------------------|---------|----------|-----|--------------|--------------|--|
| | | | | | | Programme on track overall. Some resource constraints remain but works progressing well. |

Current Projects

Bidwills Cutting RD Pedestrian Upgrade \$266K March 22-June 22

| | | | | | | |
|----------------------------------|--|--|--|--|--|--|
| Five Rivers Hospital development | | | | | | Engagement with Kuranui College completed and estimates done and fall within |
|----------------------------------|--|--|--|--|--|--|

Reading Street Upgrade May 21- Nov 22

| | | | | | | |
|---|--|--|--|--|--|---|
| Upgrade Street, kerb and channel, carparking drainage as part of Resource Consent | | | | | | Orchards Retirement Village upgrade Concerns over Estimates have been sent back to the consultant |
|---|--|--|--|--|--|---|

Sealed Road Pavement Rehab \$250K March 22 - May 22

| | | | | | | |
|-----------------------------------|---|--|--|--|--|--|
| Western Lake Rd Area Wide 2 sites | ↓ | | | | | Working on Pavement design Need to confirm Aggregate supply. Initial estimates are over budget |
|-----------------------------------|---|--|--|--|--|--|

Sealed Road Resurfacing Local Roads \$700.0k Oct 21 - Marc22

| | | | | | | |
|---|--|--|--|--|--|---|
| Scheduled programme of works comprising 22kms of resurfacing on: BATTERSEA LINE BETHUNE ST BOAR BUSH GULLY RD DANIEL ST (MARTINBOROUGH) DRY RIVER NO. 1 RD DUBLIN ST LAKE FERRY RD MOERAKI RD MOORE ST NEW YORK ST OXFORD ST PRINCESS ST WARDS LINE WEST ST WESTERN LAKE RD WHITE ROCK RD MOROA ROAD PAPAWAI RD | | | | | | Shortage of Chip supply in the Wairarapa and Bitumen is no longer refined in NZ has to imported 75% completed |
|---|--|--|--|--|--|---|

Sealed Road ResurfacingCape Palliser Rd \$100K Oct 21 - Dec21

| | | | | | | |
|--|--|--|--|--|--|----------------|
| Scheduled programme of works comprising 2.4kms | | | | | | Sites Complete |
|--|--|--|--|--|--|----------------|

FootPath Renewals \$375K Feb 22 20 - Jun 22

| | | | | | | |
|--|--|--|--|--|--|--|
| Revans Street Featherston 2 sites , Fox Street Featherston,Bell Street Featherston | | | | | | Ultra fast Broadband rollout has been completed in Featherston |
|--|--|--|--|--|--|--|

Low Cost Low Risk Local Roads \$345K Jan 22 - Jun 22

| | | | | | | |
|---|--|------------------------|------------------------|--|--|--|
| <p>Identified Projects as approved by Waka Kotahi: Flag lightat the following intersections Lake Ferry Rd/Kahutara Rd,Kahutara Rd/East est Acces Rd,Western Lake Rd/East West Access Rd. Seal widening Western Lake Road.Bidwills Cutting Road signage improvements. Cattle underpass contributions. Te Awaiti Rd stability investigations at the Gluepot</p> | | | | | | <p>Reduce funding from Waka Kotahi</p> |
| <p>Low Cost low Rick Special Purpose Rd</p> | | <p>\$250K</p> | <p>Jan 22 - Jun 22</p> | | | |
| <p>Identified projects as approved by Waka Kotahi: Flag light at lake Ferry Rd Cape Palliser Rd intersection,Signage upgrade,Guard Rail installation,Bridge scour protection,Whatarangi Cliff resilience investigation,Rock revetment protection works,Johnson Hill slumpoing investigation and modelling,Ecoreef installation</p> | | | | | | |
| <p>Road to Zero</p> | | <p>Jan 22 - Jun 22</p> | | | | |
| <p>Consult re speed review and impliment programme over 3 years</p> | | <p>↓</p> | | | | <p>Link to NZTA speed reduction and Road to Zero, Urban safety for vulnerable users etc. NZTA planned consultation and in discussions with NZTA on alignment. Wilkie Consultants have been engaged to manage delivery and consultation processes</p> |

Status key:



On track/achieving



Some concern





Off Track/Major concern

Appendix 2 – Amenities Programme Report

| Overall Programme Status (RAG) | Finance | Delivery | H&S | Stakeholders | Risk profile | Commentary |
|--|---------|----------|-----|--------------|--------------|---|
| | | | | | | Insert Officer view on programme status and key indicator changes |
| Current Projects and service contracts | | | | | | |
| City Care | 950k | | | | | |
| Parks and Reserves | | | | | | Within 5% of budget tracking well. Concern on staff availability due to retirements. In constant discssion with City Care management. Omicron risk on delivery BN |
| Peace Garden, Featherston | 35k | | | | | |
| Upgrade and install web-enabled information display with additional seating and planting | | | | | | 90 % Completed awaiting on Heritage sign installation and sprya painting of steel fence. On Budget supplied by Heritage NZ BN |
| Earthcare | 750k | | | | | |
| Refuse and recycling | | | | | | Budget on target, Earthcare now under the umbrella od Smart Enviromental, Possibile Omicron rish with availability of staff.Confident they will manage BN |
| CLM (Swimming pools) | 245k | | | | | |
| All SWDC pools | | | | | | Budget on target no risks involved, season ends March 14 BN |
| SWDC Tree asset management | 20k | | | | | |
| Develop a long term District wide programme for tree management | | | | | | Into final stages of design, Public will be able to intergrate this with our web site also. BN |
| Featherston Stadium | 50k | | | | | |
| Upgrade to kitchen, seating and ablutions | | | | | | Awaiting on quotes from builders TD |
| Ngawi Community Hall | 30k | | | | | |
| Upgrade septic system | | | | | | Completed main installation prior to Xmas. Planting will be completed in April BN |
| Cemetery Data Project | 70k | Mar-22 | | | | |
| Upgrade into Plot Box Management system | | | | | | Working with Plot Box to stream line burials and ashes, Public will have access to site for information KMc, TD |
| Tauherenikua Bridge | 1.3k | | | | | |
| IRG funding | | | | | | On Budget, Work on Bridge to begin last week of January. Delay due to Covid in Northland BN |
| Pain Farm garage | | | | | | |
| Repair damaged garage structure | | | | | | Insurance involved, awaiting quotes TD |
| SWDC Lease review programme | | tbc | | | | |
| Complete review of leases | | | | | | Working thru outstanding and new leases SC, BN |
| Hua Ariki Marae | 435k | | | | | |
| IRG funding | | | | | | Awaiting on further consents on fire and Building due to unknown circumstances. Awaiting on finacial appraisal for variations. BN |
| Considine Park Lime Path | 5k | Jan-22 | | | | |
| Lime path extension | | | | | | Path in place but minor work still required BN |
| Wheels Park greytown | 1.0k | | | | | |
| Park Cotter and Peirce street | | | | | | Civil Company quoting on Roding infrastructure BN |
| Greytown Pavilion | 1.0k | | | | | |
| Upgrade | | | | | | New Design completed, under action moving forward BN |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Status key:

 *On track/achieving*

 *Some concern*

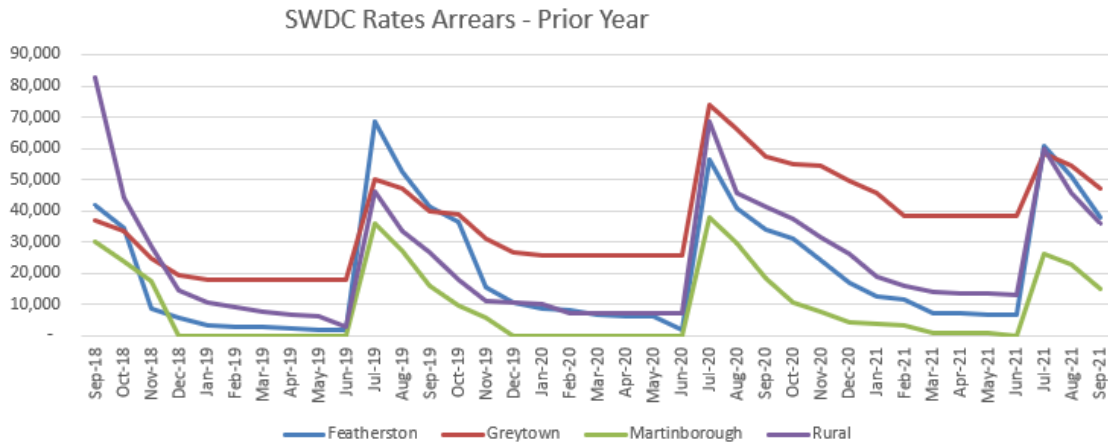
 *Off Track/Major concern*

Rates Arrears

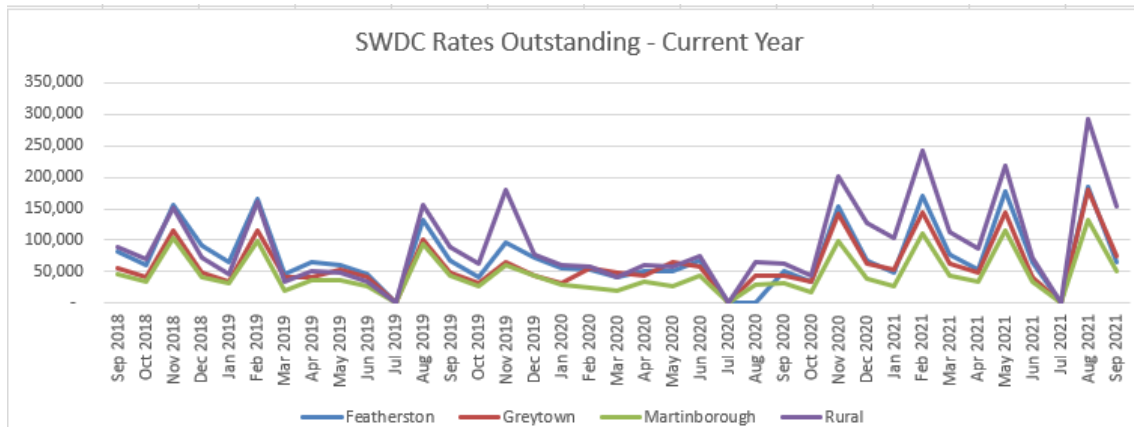
This report was presented to the Finance, Audit and Risk Committee on 1 December 2022.

13.1 Rates Arrears

The rates arrears graphs below shows an increase in amount of unpaid rates carried forward from the previous year (2019/20).



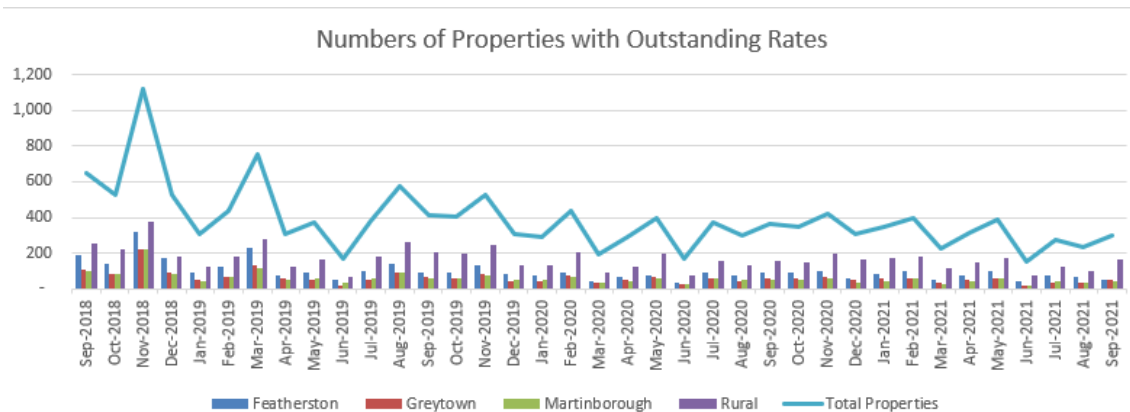
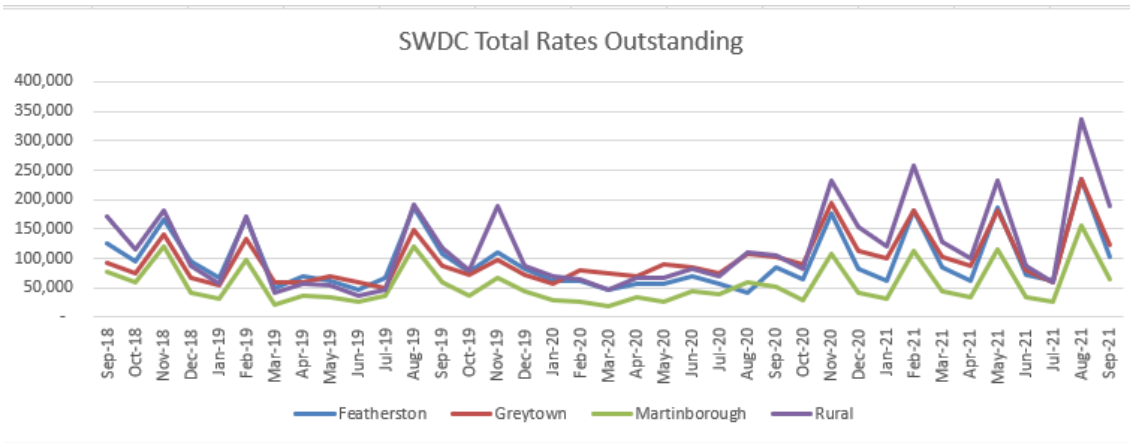
Prior years arrears have decreased \$14.6k (10%) from the same time last year.



At the end of September 2021, the current years amount was \$345K, 80% higher than the same time last year.

Total rates outstanding have increased by \$138K (40%) from the same month last year.

Outstanding rates were \$482K in September 2021 to \$343K September 2020.



The total number of properties with outstanding rates has decreased by 60 in September 2021 (301). We have received payment on 1 October 2021 for \$35K for full payment of arrears and 2021/22 rates for the Greytown property – this will be reflected in the next report.

In August, arrears notifications were sent to Mortgage providers for 2019/20 rates arrears - 52 properties for \$71K arrears. Payment is expected November/December for these if not paid prior.

Total number of Repayment plans at 30 September 2021 were 19 compared to 22 as at 30 June 2021 and 9 as at 30 September 2020. The repayment plans tend to be because of COVID rather than the 2021/22 rates increase.

Contact Officers: Katrina Neems, Chief Financial Officer
Charly Clarke, Finance Manager

Reviewed by: Harry Wilson, Chief Executive Officer

GREYTOWN COMMUNITY BOARD

16 FEBRUARY 2022

AGENDA ITEM 10.2

INCOME AND EXPENDITURE REPORT

Purpose of Report

To present the Community Board with the most recent Income and Expenditure Statements and to seek the Board's approval of additional expenditure.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Income and Expenditure Statement for the period ending 31 January 2021.*

1. Executive Summary

An Income and Expenditure Statement for the period ending 31 January 21 is attached in Appendix 1.

2. Appendices

Appendix 1 – Income and Expenditure Statement for the period ending 31 January 21

Prepared By: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Tania Fine, Assistant Accountant

**Appendix 1 – Income and Expenditure
Statement for Period Ending 31
January 21**

Greytown Community Board

Income & Expenditure for the Period Ended 31 January 2021

Personnel & Operating Costs

Budget

| | |
|---|------------------|
| Members' salaries | 26,680.00 |
| Mileage reimbursements | 1,000.00 |
| Operating expenses | 7,000.00 |
| Total Personnel & Operating Costs Budget 2021-2022 | 34,680.00 |

Expenses

Personnel Costs

| | |
|---|------------------|
| Members' Salaries | 18,160.16 |
| Mileage reimbursements | - |
| Total Personnel Costs to 31 January 2021 | 18,160.16 |

Operating Expenses

| | |
|--|--------|
| Honorarium payment to student rep (\$50 per meeting) | 200.00 |
| Local Government Community Board Levy | 275.00 |

Total Operating Expenses to 31 January 2021

475.00

Committed funds

| Resolution date | Original commitment | Spent to date | Remaining commitment |
|--|---------------------|---------------|----------------------|
| Members' Salaries | 26,680.00 | 18,160.16 | 8,519.84 |
| Mileage reimbursements | 1,000.00 | - | 1,000.00 |
| Honorarium payment to student rep (\$50 per meeting) | 400.00 | 200.00 | 200.00 |
| Total Commitments | | | 9,719.84 |

TOTAL OPERATING EXPENSE BUDGET AVAILABLE*

6,325.00

* remaining budget for personnel and operating expenses does not carry over into subsequent financial years

Grants

Income

| | |
|--------------------------------------|-----------------|
| Annual Plan 2020-21 grant allocation | 4,500.00 |
| Other miscellaneous income | - |
| Total Income for 2021-2022 | 4,500.00 |

LESS: Grants paid out

| | | | |
|---|--|--------|-----------------|
| Aug-21 Rosa Hassall | Outward Bound course (if not funded by Mayors' Taskforce for Jobs) | 500.00 | 500.00 |
| Dec-21 Greytown Swim Club | Starters equipment | 765.00 | 765.00 |
| Total Grants paid out to 31 January 2021 | | | 1,265.00 |

LESS: Committed Funds

| Resolution date | Original commitment | Spent to date | Remaining commitment |
|--|---------------------|---------------|----------------------|
| 22/11/2017 Promotion and support of the hub and civil defence initiatives | 1,000.00 | 93.24 | 906.76 |
| 19/02/2020 Greytown Info Centre Admin costs | 50.00 | | 50.00 |
| 13/05/2020 Wairarapa Maths Association Annual maths competition 2021-22 | 300.00 | - | 300.00 |
| 13/05/2020 Greytown Trails Trust Promotion & maintenance of the rail trail | 1,000.00 | | - |
| 13/08/2020 Greytown School Bike track project (resolution 5/8/2020) | 500.00 | - | 500.00 |
| 28/04/2021 Christmas in the Park | 2,000.00 | | 2,000.00 |
| 04/08/2021 G Jones - Catalyst Shortfall for Flag Artwork | 60.00 | | 60.00 |
| 04/08/2021 Grand Illusions | 400.00 | | 400.00 |
| 24/11/2021 Greytown Swim Club Starters equipment | 765.00 | 765.00 | - |
| 24/11/2021 Cobblestones Trust 50th Anniversary celebration entertainment | 1,000.00 | | 1,000.00 |
| Total Commitments | | | 5,216.76 |

PLUS: Balance Carried forward from previous year

5,261.88

TOTAL GRANTS FUNDS AVAILABLE

3,280.12

Greytown Community Board

Beautification Fund for the Period Ended 31 January 2021

Income

| | |
|---|-----------------|
| Annual Plan 2021-2022 allocation | 11,000.00 |
| Transfer to General Grants | (4,000.00) |
| 21/10/2020 Donation from community member for maintenance of barrels through to August 2021 | 2,500.00 |
| Total Income 2021-2022 | 9,500.00 |

Beautification grants - operating

| | | |
|--------|---|----------|
| Aug-21 | 11 Flags for Main St | 930.50 |
| Oct-21 | S Ford Maintenance of Main St flower barrels | 2,500.00 |
| Nov-21 | Grand Illusions Town centre lighting Mid Winter | 400.00 |
| Dec-21 | Greytown Menz Shed Planter box donation | 260.87 |
| Dec-21 | Trees & watering system in cemetery | 7,000.00 |
| Jan-21 | Mural Paintings for Greytown Pool | 1,380.00 |

Total Beautification grants - operating to 31 January 2021 **11,540.87**

Beautification grants - capital

Total Beautification grants - capital to 31 January 2021 **-**

LESS: Committed Funds

| Resolution date | | Original commitment | Spent to date | Remaining commitment |
|--------------------------|---|---------------------|---------------|----------------------|
| 02/05/2019 | Barrel maintenance etc: \$700+486.08+2860+2000 = Total \$6046.08 | | | |
| 13/05/2020 | Barrel maintenance etc: additional \$1900 for Apr-Sept 2020. New total \$7,946.08 | 7,946.08 | 7,946.08 | - |
| 21/10/2020 | Ringfenced community donation for barrel maintenance: \$2500 | 2,500.00 | 30.94 | 2,469.06 |
| 05/06/2019 | Trees in the cemetery (if watering issue resolved) | 7,150.00 | 7,000.00 | 150.00 |
| 28/08/2019 | Design, printing & installation signs at Papawai Marae and Papawai Cemetery | 4,000.00 | 300.00 | 3,700.00 |
| 13/05/2020 | Greytown Tree Advisory Group Greytown Rail Trail & O'Connor's Bush planting | 816.82 | 815.82 | 1.00 |
| 24/06/2020 | Purchase of FlagTrax system for Main Street | 2,350.00 | 1,038.00 | 1,312.00 |
| 24/06/2020 | Purchase of a further set of flags for Main Street | 1,000.00 | 873.00 | 127.00 |
| 05/08/2020 | Additional art & design work for second set of Main Street flags | 400.00 | 225.00 | 175.00 |
| 13/05/2020 | Greytown Tree Advisory Group St Luke's Gum Tree | 2,000.00 | | 2,000.00 |
| 16/09/2020 | Purchase of third set of flags for Main Street | 1,300.00 | 930.50 | 369.50 |
| 28/10/2020 | Pae tū Mōkai o Tauria Pre-purchase of native plants (subject to acceptance of this offer) | 500.00 | | 500.00 |
| 13/05/2020 | Greytown Trails Trust Promotion & maintenance of the rail trail | 1,000.00 | 620.17 | 379.83 |
| 17/02/2021 | ANZAC Day Flags | 2,000.00 | 964.70 | 1,035.30 |
| 17/02/2021 | Gina Jones Artwork for 3rd set of Flags | 1,920.00 | 1,980.00 | (60.00) |
| 17/02/2020 | Greytown Menz Shed Donation for erecting and taking down flags | 300.00 | | 300.00 |
| 07/04/2021 | Matariki Flags | 1,300.00 | 855.50 | 444.50 |
| 26/07/2021 | Greytown Trails Trust Promotion & maintenance of the rail trail | 1,000.00 | 1,000.00 | - |
| 24/11/2021 | Greytown Swimming Pool Murals x 3 | 2,500.00 | 1,380.00 | 1,120.00 |
| 24/11/2021 | Greytown Swimming Pool Contingency for murals | 500.00 | | 500.00 |
| 24/11/2021 | Two new dog bins in Greytown | 3,000.00 | | 3,000.00 |
| | | | | - |
| | | | | - |
| | | | | - |
| | | | | - |
| Total Commitments | | | | 17,523.19 |

PLUS: Balance Carried forward from previous year **44,810.57**

TOTAL BEAUTIFICATION FUNDS AVAILABLE **25,246.51**

GREYTOWN COMMUNITY BOARD

16 FEBRUARY 2022

AGENDA ITEM 10.3

ACTION ITEMS REPORT

Purpose of Report

To present the Community Board with updates on actions and resolutions.

Recommendations

Officers recommend that the Community Board:

1. *Receive the Action Items Report.*

1. Executive Summary

Action items from recent meetings are presented to the Community Board for information. The Chair may ask Council officers for comment and all members may ask Council officers for clarification and information through the Chair.

If the action has been completed between meetings it will be shown as 'actioned' for one meeting and then will be remain in a master register but no longer reported on.

2. Appendices

Appendix 1 – Action Items to 10 February 2022

Contact Officer: Kaitlyn Carmichael, Committee Advisor

Reviewed By: Amanda Bradley, General Manager, Policy & Governance

Appendix 1 – Action Items to 10 February 2022

| Number | Raised Date | Action Type | Responsible Manager | Action or Task details | Status | Notes |
|--------|-------------|-------------|---------------------|---|----------|---|
| 678 | 10-Oct-18 | Action | H Wilson | Provide information to the Greytown Community Board on options for painting a solid line down/centre line down West Street, Greytown | Open | <p>07/02/19: Work in progress</p> <p>17/07/19: NZTA Traffic Control Devices Manual "Part 5 traffic control devices for general use-between intersection" is in draft form and currently out for Consultation to the industry. This covers :Treatments in the centre of the road, Edge Treatments, Lane lines, Cycle facilities within the carriageway. It will also standardise in terms of ONRC categories within Secondary, Access and Low volume Roads. Once this standard is finalised options in terms of West St treatment will be determined along with costing</p> <p>22/07/20: The draft Asset Management Plan for Roading defines the requirements for road delineation, once approved by NZTA an approach to improvement will be planned district wide and done in a controlled manner as opposed to an Ad hoc manner.</p> <p>12/06/20: Standard still in draft form and there is currently no ETA on finalisation from NZTA. Will also need to consider alongside Greytown development area plans.</p> <p>20/08/20: New level of service standards will be outlined in the New Roading Asset management Plan and implementation will be prioritised by budgets available.</p> <p>25/11/20: The asset management plan has not yet been adopted.</p> <p>17/2/21: As above</p> <p>30/3/21: No update</p> <p>8/4/21: Increased funding was being sought to be able proceed with work like this.</p> <p>26/7/21: Recent traffic counts along West show and increase in traffic volumes. Now consider flush medians between Kuratawhiti and Wood Streets allowing for cycle routes and parking. Costs for installation will increase along with annual remark. Layout plans will be developed and tabled.</p> <p>17/9/21: Layout plans to be provided for the next meeting.</p> |
| 120 | 28-Aug-19 | Action | K Yates | To recommend that Council consult with the Greytown Community regarding the renaming of Underhill Road. | Open | <p>9/2/21: No update</p> <p>17/2/21: GCB requested a progress report, suggested Underhill South and Underhill North as options.</p> <p>30/3/21: No update</p> <p>8/4/21: A consultant is being approached to progress this work.</p> <p>11/6/21: Members requested this action be raised at the next A&S meeting, suggesting Underhill South and Underhill North as options. Refer action 208.</p> <p>26/7/21: Bob Austin has been engaged and the process is underway.</p> |
| 537 | 28-Oct-20 | Action | GCB | Reconsider the design of new Welcome to Greytown signs following consultation on the 2021-2031 Long Term Plan | Parked | 9/6/21: To remain parked until the Long Term Plan is adopted as the LTP may include budget for place assessment of the three towns, including entrances. |
| 363 | 4-Aug-21 | Action | H Wilson | Ask the Amenities Manager about the ability to have more dog poo bins in Greytown area and the possibility of a lime path along Papawai Road | Actioned | <p>14/9/21: There are 150 bins for use throughout the district. For other bins Community Boards have supplied and SWDC installs at cost (\$1,500 each installed plus GST). GCB to advise if they wish to utilise beautification funds for this purpose. A lime trail down Papawai Road would be an unbudgeted expense and cost approx. \$100/lineal metre. There may be future opportunity to incorporate this route in a future trails network plan.</p> <p>22/9/21: The Board requested guidance from officers on spacing requirements for dog poo bins.</p> <p>21/10/21: Guidance provided to GCB from officers on spacing of bins.</p> <p>30/10/21: GCB resolved to install two additional bins within Greytown limits (GCB 2021/54); Action closed.</p> |
| 367 | 4-Aug-21 | Action | GCB | Discuss with Greytown residents and submit new names for the pre-approved list of road names for the Greytown ward | Open | |
| 368 | 4-Aug-21 | Action | R O'Leary | Investigate sending future development plans to Papawai Marae for the purposes of inputting into the list of approved road names for Greytown | Open | <p>5/8/21: We are currently out of land in Greytown so we wouldn't really be able to advise on any upcoming subdivisions. There are a few larger land holdings but no guarantee they would be subdivided with a right of way or road to name. The larger subdivisions we have already processed have basically already been named. We haven't yet confirmed the potential development areas so wouldn't want to provide any direction on that yet.</p> <p>22/9/21: The Board requested development plans be sent to Papawai Marae regardless of no upcoming subdivisions.</p> <p>22/10/21: Next year includes liaison work together with iwi and marae as to growth and related discussion work.</p> |

| Number | Raised Date | Action Type | Responsible Manager | Action or Task details | Status | Notes |
|--------|-------------|-------------|--|---|----------|--|
| 369 | 4-Aug-21 | Action | GCB | Invite Rosa Doyle to present to the Greytown Community Board on her outdoor mural work | Actioned | 30/11/21: Rosa Doyle spoke at the GCB meeting. GCB RESOLVED (GCB 2021/54): To approve \$2500.00 to provide three murals for Greytown swimming pool, to be funded from the beautification budget. |
| 461 | 22-Sept-21 | Resolution | 2. K Yates 3. S Corbett 4. R O'Leary 5. K Yates | GCB RESOLVED (GCB 2021/42): 1. To received the Chairperson Report (Moved Symes/Seconded Cr Fox) Carried 2. To recommend that the Greytown Community Board is formally included in Council design and management of the public consultation process regarding the use of 85-97 West Street. (Moved Baker/Seconded Symes) Carried Cr. Fox and Graeme Gray voted against the motion. 3. To recommend that the Council report back on a date when the decision will be made regarding Greytown's entry signs. (Moved Symes/Seconded Baker) Carried 4. To recommend that the Greytown Community Board received regular feedback from the Council on progress regarding the Waiohine Flood Management Plan. (Moved Symes/Seconded Baker) Carried 5. To recommend that Council's recent publicly stated plan to review its present code of conduct, ensure that the same rules apply regarding elected members' freedom of speech across the three Wairarapa Councils. (Moved Symes/Seconded Baker) Carried | Open | 1. No action required 2. 22/10/21: Report to be provided to council on 17 November 21 3. 15/11/21: Funds have been allocated in the 2022/2023 budget for signs in the South Wairarapa and there will be community consultation involved in this project. 4. Refer to Action 372: This sits outside of Council remit 5. 22/10/21: This will be actioned via a workshop with Community Boards on 1 December 21 |
| 468 | 22-Sept-21 | Action | S Corbett | Request a report back from Council on why poles were places alongside the carpark in Soldiers Memorial Park without any consultation with the Greytown Community Board | Open | 09/02/22: The bollard installation was completed in 2014. GCB Chair advised alterations are not urgent. Amenities Manager will obtain a price for altering the bollards to allow truck entry to the park to discuss with the Chair |
| 469 | 22-Sept-21 | Action | S Corbett | Provide information on the future use of LOT 1 DP 29958 at the Greytown Flats, West Street, Greytown and whether Council could apply for funding for community housing for this land. | Open | 05/11/21: The request for information will be prioritised among other work commitments and reported to a future Board Meeting. |
| 594 | 24-Nov-21 | Action | S Corbett | Request Council Officers to liaise with GWRC on the effect of the Waiōhine River Plan on residents who will be impacted by new or changed flood zones | Open | |
| 595 | 24-Nov-21 | Resolution | S Corbett | GCB RESOLVED (GCB 2021/52): 1. To receive the Chairperson Report. (Moved Symes/Seconded Cr Fox) Carried 2. To remove the three flower barrels on Main Street not linked with Greytown businesses (located near the Council building, St. Johns Hall and Stella Bull Park), should no businesses take on watering them. (Moved Cr Plimmer/Seconded Cr Fox) Carried | Open | 09/02/22: GCB to reassess which barrels are to be removed at the April 2022 meeting and consider placing barrels that can't be maintained up for sale to the community. |
| 596 | 24-Nov-21 | Resolution | K Neems | GCB RESOLVED (GCB 2021/54): 1. To approve \$2500.00 to provide three murals for Greytown swimming pool, to be funded from the beautification budget. 2. To delegate to the Chair and Deputy Chair to approve up to \$500.00 more from the beautification fund if required for the size of the murals. (Moved Cr Plimmer/Seconded Symes) Carried 3. To approve \$3000.00 + GST to install two new dog poo bins in Greytown, to be funded from the beautification budget. (Moved Symes/Seconded Cr Fox) Carried | Open | |
| 599 | 24-Nov-21 | Action | K Neems A Rainford | To work with the finance team: to have remaining funds in expenditure commitments be returned to the beautification budget, if not being used. | Open | |
| 601 | 24-Nov-21 | Resolution | K Neems | GCB RESOLVED (GCB 2021/58): 1. To receive the Financial Assistance Report. (Moved Cr Fox/Seconded Gray) Carried 2. To approve the application from Greytown Swim Club for funding of \$765.00 to purchase Starter Equipment for the Community Pool. (Moved Cr Fox/Seconded Cr Plimmer) Carried | Open | 2. 3/12/21: Letter sent to applicant notifying them of outcome |

| Number | Raised Date | Action Type | Responsible Manager | Action or Task details | Status | Notes |
|--------|-------------|-------------|---------------------|--|----------|--|
| 603 | 24-Nov-21 | Resolution | K Neems | GCB RESOLVED (GCB 2021/59): 1. To receive the Financial Assistance Report. 2. To approve the application for Cobblestones Trust for funding of \$1,000 to fund entertainment for the community to mark Cobblestones 50th Anniversary. (Moved Baker/Seconded Symes) Carried Mr Gray abstained | Actioned | 2. 3/12/21: Letter sent to applicant notifying them of outcome |