

## **MARTINBOROUGH COMMUNITY BOARD**

### **Agenda**

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#### **NOTICE OF MEETING**

An ordinary meeting will be held on Thursday, 24 February 2022 starting at 6:30pm.  
Due to COVID-19 restrictions this meeting will be held via video conference. All members participating 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 COMMITTEE**

Mel Maynard (Chair), Aidan Ellims, Nathan Fenwick, Michael Honey, Cr Pam Colenso, Cr Pip Maynard and Alex Mason (youth representative).

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#### **PUBLIC BUSINESS**

**1. EXTRAORDINARY BUSINESS:**

**2. APOLOGIES:**

**3. CONFLICTS OF INTEREST:**

**4. ACKNOWLEDGEMENTS AND TRIBUTES:**

**5. PUBLIC PARTICIPATION:**

5.1 Dan Riddiford - Te Awaiti Campground

**6. ACTIONS FROM PUBLIC PARTICIPATION/PRESENTATIONS:**

*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: Minutes of the Martinborough Community Board meeting held on 25 November 2021.

***Proposed Resolution:*** That the minutes of the Martinborough Community Board meeting held on 25 November 2021 be confirmed as a true and correct record.

**8. DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF:**

8.1 Elected Members Code of Conduct Report **Pages 6-58**

8.2 Road Naming Report **Pages 59-63**

**9. INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF**

9.1 Officer's Report **Pages 64-104**

9.2 Income and Expenditure Report **Pages 105-108**

9.3 Action Items Report **Pages 109-112**

**10. NOTICES OF MOTION:**

10.1 None advised

**11. CHAIRPERSON'S REPORT:**

11.1 None advised

**12. MEMBER REPORTS (INFORMATION):**

12.1 None advised

**13. CORRESPONDENCE:**

***Proposed Resolution:*** *That the outwards correspondence be noted.*

12.1 None advised



**Minutes – 25 November 2021**

- Present:** Mel Maynard (Chair from 6.56pm), Aidan Ellims (Chair until 6.55pm), Michael Honey (from 6.37pm), Nathan Fenwick, Councillor Pam Colenso and Councillor Pip Maynard, Alex Mason (Youth Representative)
- In Attendance:** Stefan Corbett (Group Manager Partnership and Operations), Mayor Beijen and Kaitlyn Carmichael (Committee Advisor).
- Also in Attendance** Mike Firth and Trinity Shaw
- Conduct of Business:** Due to COVID-19 restrictions this meeting was held via video conference and was live-streamed to Council's [YouTube channel](#). All members participating via video conference 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 6.30pm and 9.07pm

**1. EXTRAORDINARY BUSINESS**

There was no extraordinary business.

**2. APOLOGIES**

Cr Maynard noted that Ms Maynard and Mr Honey may be late due to technical difficulties.

**3. CONFLICTS OF INTEREST**

There were no conflicts of interest declared.

**4. ACKNOWLEDGMENTS AND TRIBUTES**

Mr Ellims and Mr Fenwick acknowledged the passing of Martinborough resident and friend, Phillip Maynard and offered condolences to his whanau. Cr Maynard acknowledged the passing of Sharlene MacLeod (McCarthy), a highly regarded community member in Martinborough. Cr Maynard offered condolences to her family and friends.

Mr Honey joined the meeting at 6.37pm.

**5. PUBLIC PARTICIPATION**

Mike Firth – Rural Roothing

Mr Firth raised four points of concern:

**DISCLAIMER**

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1. Mr Firth queried the plan with the South end of Whakapuni Hill and noted the road danger. Mr Firth requested Council repair this area.
2. Mr Firth stated that Lupin growth along the roadside was impacting motorist visibility and is a potential fire hazard.
3. Mr Firth noted the increase in traffic on Tora Settlement Road and Te Awaiti Road. He requested support to issue a speed limit of 50km in this area.
4. Mr Firth requested signage to notify motorists of walkers along the Tora Coastal Walk. Mr Firth noted an email request has been made and no response provided. Mr Firth noted that owners of the Tora Coastal Walk would like to collaborate on the project.

Ms Maynard joined the meeting at 6.41pm.

Mr Ellims vacated the Chair at 6.55pm.

Ms Maynard assumed the Chair at 6.56pm.

#### Trinity Shaw - Tora/Te Awaiti Campgrounds

Ms Shaw thanked the board for their work on the Tora and Te Awaiti Campgrounds. Ms Shaw voiced concern with some items outlined in item 8.1, The North Tora and Te Awaiti Campsites Report and offered options for risk mitigation. Ms Shaw requested that work towards a permanent solution continues.

## **6. ACTIONS FROM PUBLIC PARTICIPATION**

Mayor Beijen noted that a Council speed review is being completed as part of the District Plan. Mr Corbett undertook consulting with the Roading Manager on the matters raised by Mr Firth and prioritising items within the programme of work where possible.

#### *MCB NOTED:*

Action 616: To report to the next Community Board meeting the status and progress made on Mr Firth's items of concern: Whakapuni Hill Road; Lupin and brush impacting driver visibility; and signage along the Tora Coastal Walk, S Corbett

Mr Ellims noted that consultation with Council officers is ongoing and work is being done towards a permanent solution for the Tora and Te Awaiti Campgrounds. To be further discussed under item 8.4, the North Tora and Te Awaiti Campsite Report.

## **7. MARTINBOROUGH COMMUNITY BOARD MINUTES**

### **7.1 Martinborough Community Board Minutes – 7 October 2021**

*MCB RESOLVED (MCB 2021/69)* that the minutes of the Martinborough Community Board meeting held on 7 October 2021 be confirmed as a true and correct record.

*(Moved Ellims/Seconded Cr Maynard)*

Carried

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## **7.2 Martinborough Community Board Minutes – 13 October 2021**

*MCB RESOLVED (MCB 2021/70)* that the minutes of the extraordinary Martinborough Community Board meeting held on 13 October 2021 be confirmed as a true and correct record, subject to the inclusion of Mr Wilson's response to the request for a copy of the legal advice on the closure of the campgrounds under section item 10.1, The Chairperson Report, Item 3.

*(Moved Fenwick/Seconded Ellims)*

Carried

## **8. CHIEF EXECUTIVE AND STAFF REPORTS**

### **8.1 Officers Report**

*MCB RESOLVED (MCB 2021/71)* to receive the Officers Report.

*(Moved Cr Maynard/Seconded Fenwick)*

Carried

Members queried changes to rural/urban berm mowing, infrastructure and wastewater upgrades, wastewater treatment operations, water accessibility and supply, rates arrears reporting and delayed water leak repairs.

Mayor Beijen spoke to the spatial plan and the integration of infrastructure planning as a central component.

Mr Corbett undertook reorganisation of components of the Partnership and Operations report to increase readability and noted he would be able to better respond to detailed operational questions via email.

*MCB NOTED:*

Action 620: To provide clarification to the board on urban and rural berm mowing zones, S Corbett

Mr Ellims left the meeting at 7.23pm.

Mr Ellims returned to the meeting at 7.30pm.

Meeting adjourned at 7.41pm.

Meeting reconvened at 7.51pm.

### **8.2 Action Items Report**

*MCB RESOLVED (MCB 2021/72)* to receive the Action Items Report.

*(Moved Cr Maynard/Seconded Fenwick)*

Carried

Members discussed open action items. Cr Colenso noted the Bus Shelter project had been completed. Members queried action 176, the Pain Farm Report and requested an update on the report presented to the Finance, Audit and Risk Committee.

Members requested an update on the status of committed funds for the water fountain at that Waihinga Centre.

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Cr Maynard noted that the Māori Standing Committee does not have a nomination for the Considine Park User Group and requested the action be closed.

### **8.3 Income and Expenditure Report**

*MCB RESOLVED (MCB 2021/73)* to receive the Income and Expenditure for the period ending 31 October 2021.

*(Moved Honey/Seconded Fenwick)*

Carried

*MCB NOTED:*

Action 623: To confirm the funds for the Christmas decorations to the Martinborough Business Association and the Rata tree planting for the 150<sup>th</sup> celebration were issued from the correct fund.

*MCB NOTED:*

Action 624: To follow up on the status of outstanding grant funds for events impacted by changed Covid-19 levels.

### **8.4 North Tora and Te Awaiti Campsites Report**

*MCB RESOLVED (MCB 2021/74)* to receive the North Tora and Te Awaiti Campsites Report

*(Moved Cr Maynard/Seconded Fenwick)*

Carried

Mr Corbett and Mr Ellims spoke to matters outlined in the report and responded to questions.

Members proposed further risk mitigation options.

*MCB NOTED:*

Action 626: To request, through the Chief Executive, a timeline for a report on the flooding risks of all South Wairarapa Campgrounds, H Wilson

Members requested the legal advice Council received on the closing of the campgrounds. Mr Corbett noted that this advice is privileged and was included in the report where possible.

Mr Corbett and Mr Ellims discussed providing the community with a joint statement on the future of the campsites once finalised.

### **8.5 Adoption of the 2022 Schedule of Ordinary Meetings Report**

*MCB RESOLVED (MCB 2021/75):*

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

*(Moved Honey/Seconded Cr Maynard)*

Carried

2. Adopt a 2022 schedule of ordinary 6-weekly meetings for Martinborough Community Board up to the 8 October 2022, to be held every six-weeks.

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- (*Moved Cr Colenso/Seconded Fenwick*) Carried
3. Delegate to the Chief Executive the ability to alter the schedule of ordinary meetings in consultation with the Community Board Chair.  
(*Moved Cr Maynard/Seconded Fenwick*) Carried
4. Agree that the 2022 Martinborough Community Board meeting start time will be 6:30pm.  
(*Moved Cr Maynard/Seconded Ellims*) Carried

## 9. NOTICES OF MOTION

There were no notices of motion.

## 10. CHAIRPERSONS REPORT

### 10.1 Chairperson Report

*MCB RESOLVED (MCB 2021/76) to receive the Chairperson Report.*

(*Moved Fenwick/Seconded Cr Maynard*) Carried

Members discussed items on the Chairperson Report, including rates and Hinekura Hill Road. Ms Maynard shared views of community members on their behalf.

Mr Corbett provided information on the upcoming Hinekura Road meeting. Mr Ellims and Mr Fenwick would engage with officers prior to the meeting.

## 11. MEMBER REPORTS

There were no member reports.

## 12. CORRESPONDENCE

There was no correspondence.

The meeting closed at 9.07pm.

**Confirmed as a true and correct record**

.....Chairperson

.....Date

### DISCLAIMER

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# MARTINBOROUGH COMMUNITY BOARD

24 FEBRUARY 2022

## AGENDA ITEM 8.1

### ELECTED MEMBER CODE OF CONDUCT

#### Purpose of Report

To provide a draft Elected Member Code of Conduct for consideration and adoption by Martinborough 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 Martinborough 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.<sup>1</sup>

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.

<sup>1</sup> 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.<sup>2</sup>
- » 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.

<sup>2</sup> 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.<sup>3</sup>

- » 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.<sup>4</sup> 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;

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

<sup>4</sup> 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 media<sup>5</sup>

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.

<sup>5</sup> 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](http://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.

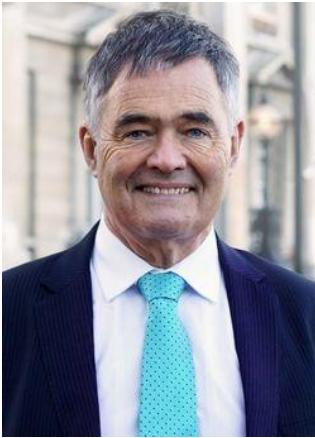
The business of Community Boards and Standing Committees shall be consistent with the powers delegated by the Council and the respective Chairs are responsible for ensuring compliance.

## **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.<sup>1</sup>
- 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.

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<sup>1</sup> 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 Office<sup>2</sup> 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>

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<sup>2</sup> 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

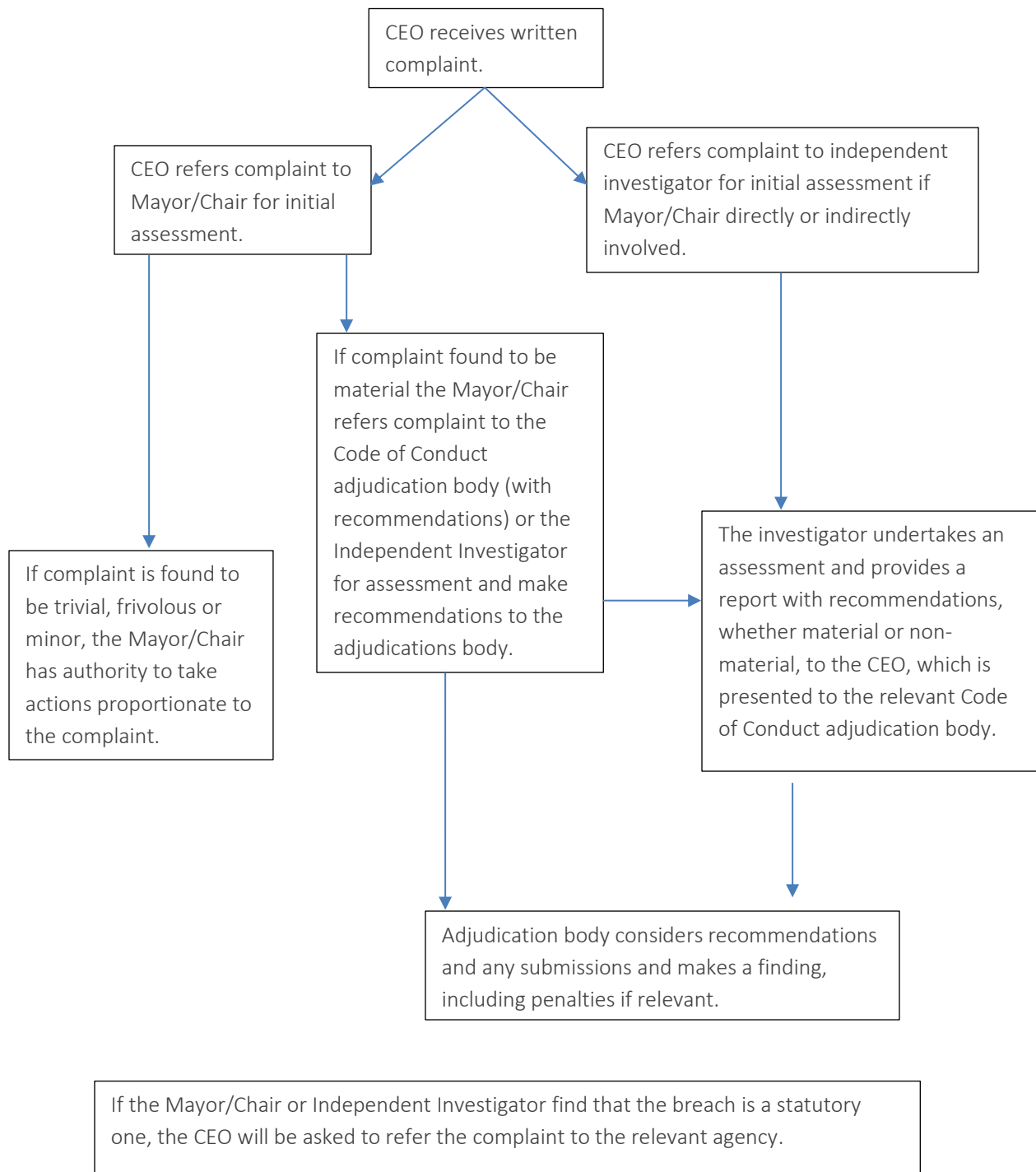
formally report this to the full Council for its consideration. At the conclusion of that meeting Cr Black leaves to find a local reporter waiting outside and makes the comment that “Jack White won’t be getting a pay increase this year because he didn’t meet all his targets”.

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



# MARTINBOROUGH COMMUNITY BOARD

24 FEBRUARY 2022

## AGENDA ITEM 8.2

### PROPOSED NAMING OF AN EXISTING RIGHT OF WAY, AT 4132 OCEAN BEACH ROAD, IN MARTINBOROUGH – WHAREKAUHAU ESTATE

#### Purpose of Report

To seek the Martinborough Community Board's consideration and approval of the name "Romney Lane" for an existing private road/right of way to access a 5 lot part of the wider historical development by *Wharekauhau Country Estate Ltd*

#### Recommendations

Officers recommend that the Martinborough Community Board:

1. *Receive the Proposed Naming of an existing right of way, at 4132 Ocean Beach Road, in Martinborough Report.*
2. *Consider and approve the Proposed Naming of "Romney Lane" for the proposed private road at 4132 Ocean Beach Road, Martinborough.*

#### 1. Background

An application was received from Richard Rooney, General Manager of Wharekauhau Estate, on behalf of Wharekauhau Country Estate Ltd to name an existing right of way serving 5 lots. Richard has been the General Manager for quite some time and is the Chair of the Wharekauhau Design & Governance Committee to oversee development on the sites.

The Wharekauhau Country Estate has been developed extensively for the Rural Coastal area from 1998-2007 which various subdivision and variation consents been applied for and consented. Based on the electronically saved information available it is unclear exactly what resource consent created this particular development where the new road name is proposed. According to the application, this is a legally established right of way that is currently used by the lots it serves however was never formally named. This application seeks to establish a legal name for the right of way such as what has been done for other similar roads within the complex.

Council has authority to accept or reject suggested names of roads/rights of way in the South Wairarapa pursuant to Section 319(1)(j) of the Local Government Act 1974.

There is no current pre-approved list from the Martinborough Community Board for new roads in the Martinborough area. The proposed name is "Romney Lane" which is the applicants preferred option for this private road based on the significance and history of the name in

relation to the surrounding area. The preferred suffix for this road name is Lane which is consistent with the policy requirements. Council has delegated to community boards the authority to approve road names. This report is required to give the Martinborough Community Board and opportunity to review and approve the proposed road name.

Subdivision location:



## 2. Discussion

### 2.1 Legal situation

Under Council's guidelines (Clause 4.2) for road naming, owners are requested to suggest at least three possible road names. The applicant has only submitted one name for approval and requested this be considered for approval. If not accepted they will do further research before resubmitting another option.

The names are to be listed in order of preference with a brief statement of their significance.

The applicant has requested that the following name is considered for approval;

1. Romney Lane

### 2.2 Assessment of Councils Policy

Council's criteria for Naming of Public Roads, Private Roads and Rights-of-Way (the Policy), includes the following;

*4.3.1 There must not be another road with the same name in the South Wairarapa District emergency services area; this includes the same road names with a different suffix. However, existing roads with the same names as of the date of adoption of this Policy are allowed.*

There are no existing roads or right of ways which include this proposed name.

*4.3.2 Identical names with different spellings will not be accepted (e.g. Beach, Beech).*

No issue identified.

*4.3.3 The name should have significant local content or meaning.*

The application has set out why the preferred names have been selected. The following information has been copied from the road name application.

*Our main preferred name for the road is 'Romney Lane'. This pays tribute to the fact that Wharekauhau has been one of the original sheep stations in the Wairarapa, and has always been famed for its Romney sheep stud. We still to this day farm Romney sheep. This lane falls into our real estates 'farm zone' in regards to design of dwelling and we feel this name is extremely appropriate for the property as a while and the estate lots it serves. It pays tribute to history, and recognises the current property. It fits the Wairarapa farming story, and the Wharekauhau property story.*

*4.3.4 Names are to be selected in proportion to the length of the road. Long names on short cul-de-sac's can be difficult to display on the map*

None of the proposed names are too long and can be clearly displayed on a map.

*4.3.5 The end name for the roadway should be one that most accurately reflects the type of roadway that it is.*

The proposed name is considered consistent with the policy, private road/right of ways having a suffix of Lane or Way.

*4.3.6 All private roads and rights-of-ways serving more than four lots are to have the suffix "Lane" or "Way".*

The proposed name is considered consistent with the policy.

*4.3.7 Where the road is continuation of an existing named road, or will in the future link to an existing named road, then the current road name will automatically apply.*

Not applicable.

## **2.3 Procedure for Naming Roads of the Naming of Public Roads, Private Roads and Rights-of-Way Policy Review**

Section 4.2 will be reviewed and aligned with the community board delegation to name roads when it is next reviewed.

## **3. Conclusion**

The proposed name is consistent with the guideline criteria in the road naming policy. The applicant has been asked to select their preferred road name, being "Romney Lane". At the applicant request, only one name has been submitted for approval. The applicant has noted numerous points of local and historical significance for the proposed private road name with the preferred option relating to the long history of Romney sheep farming in the area. The Martinborough Community Board has delegation to approve road names.

## **4. Appendices**

Appendix 1 - Subdivision Scheme Plan

Prepared by/Contact Officer: Harriet Barber, Planner

Reviewed by: Russell O'Leary, Group Manager Planning and Environment



## Appendix 1 - Scheme Plan



# MARTINBOROUGH COMMUNITY BOARD

24 FEBRUARY 2022

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## AGENDA ITEM 9.1

### OFFICERS' REPORT

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#### **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 8<sup>th</sup> 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.*

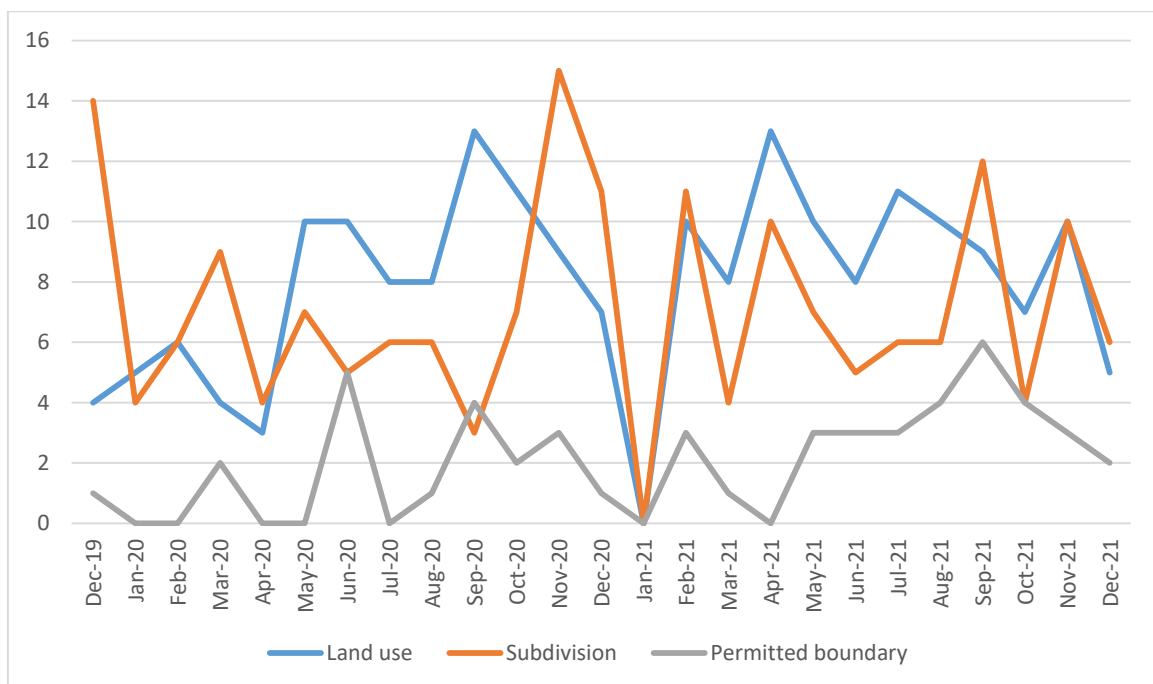
RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Consent applications completed within statutory timeframes	100%	100%	<b>Total 118/118</b>
		100%	52/52 Land Use applications were completed within statutory timeframes. NCS
		100%	44/44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

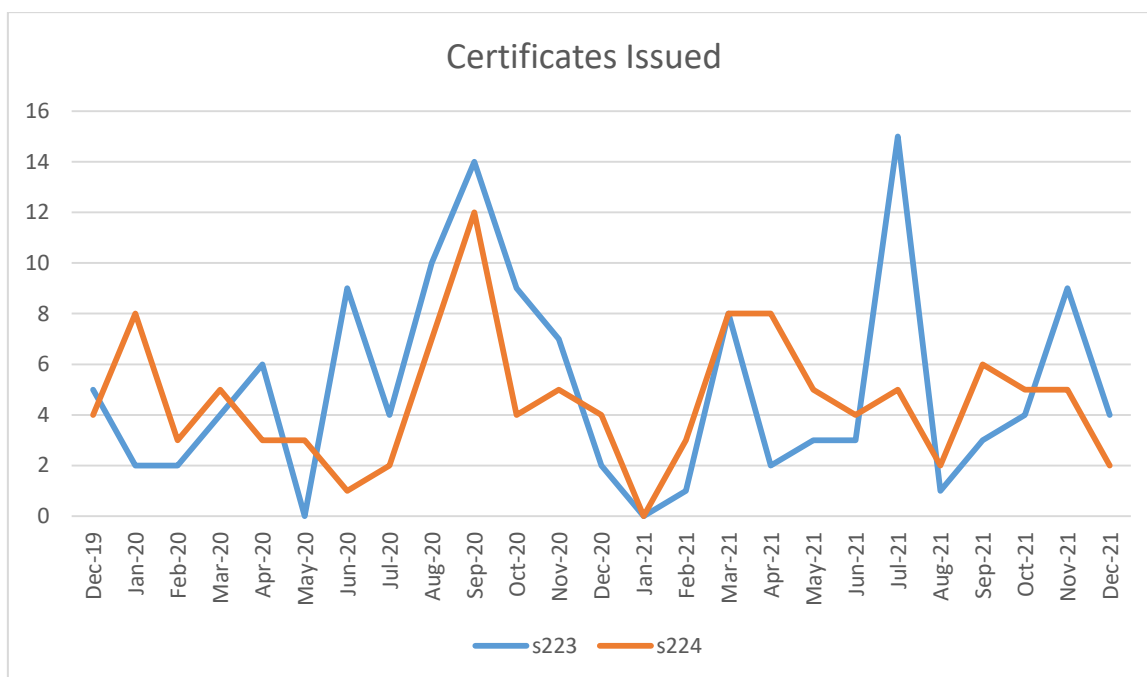
RESOURCE MANAGEMENT KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
s.223 certificates issued within 10 working days	100%	100%	36/36 s223 certificates were certified within statutory timeframes. NCS.
s.224 certificates issued within 15 working days of 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 <sup>ST</sup> JULY 2021 TO 31 <sup>ST</sup> DEC 2021	PREVIOUS YTD 1 <sup>ST</sup> JULY 2020 TO 31 <sup>ST</sup> DEC 2020	PERIOD 1 <sup>ST</sup> DEC 2021 TO 31 <sup>ST</sup> DEC 2021	PREVIOUS PERIOD 1 <sup>ST</sup> DEC 2020 TO 31 <sup>ST</sup> DEC 2020
Standard LIMs (Processed within 10 working days)	100	128	12	15
Urgent LIMs (Processed within 5 working)	35	57	3	12
<b>Totals</b>	<b>135</b>	<b>185</b>	<b>15</b>	<b>27</b>

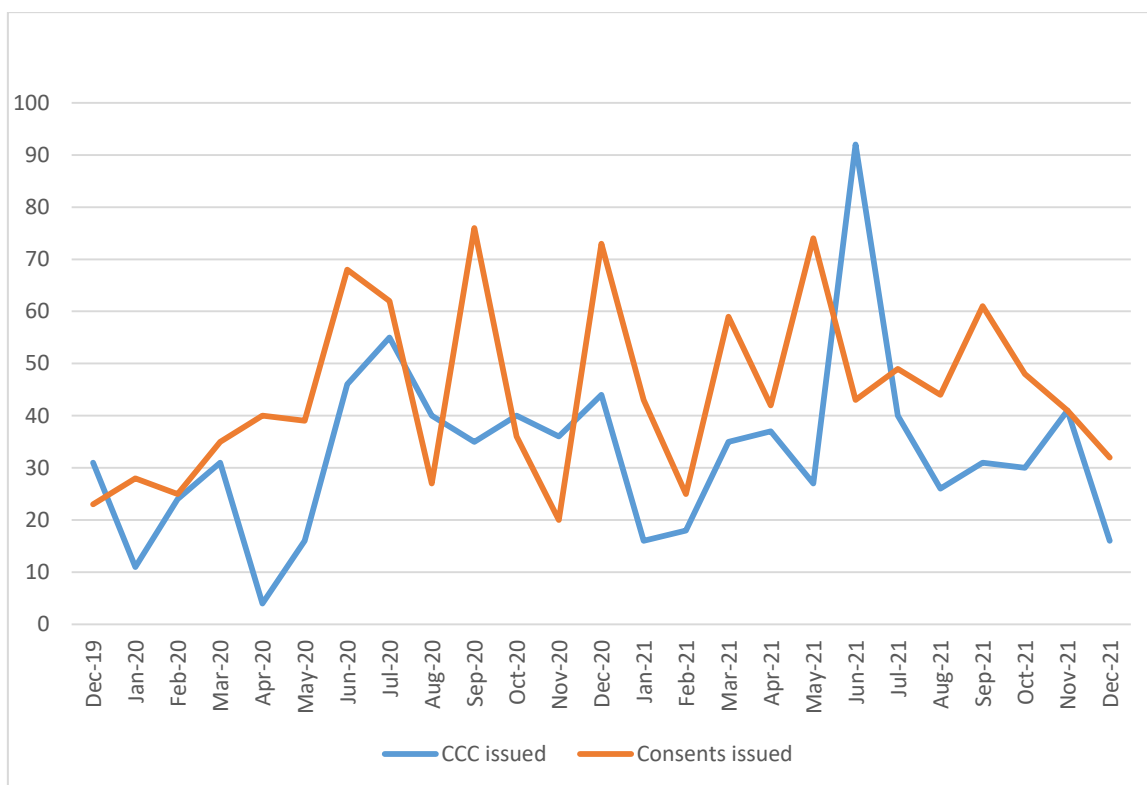
## 2.2 Building Act - Consents and Enforcement

*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 BWO's and Swimming Pools	Yes	Yes	<b>Building Consents</b> Council inspects all new work to ensure compliance Dec 2021 -350 inspections <b>BWO's –</b> <b>0</b> Total 205 average of 4 audits per month required,  <b>Swimming Pools –</b> Total 408 – average of 12 audits per month required. Dec 2021 – 2 audits
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
<b>Commercial</b> (shops, restaurants, rest home – convalescence, restaurant /bar / cafeteria / tavern, motel, commercial building demolition - other commercial buildings)	1	\$150,000
<b>Industrial</b> (covered farm yards, building demolition, warehouse and/or storage, factory, processing plant, bottling plant, winery)	3	\$153,764
<b>Residential</b> (new dwellings, extensions and alterations, demolition of building, swimming and spa pools, sleep-outs, garages, relocations, heaters, solid fuel heaters).	25	\$9,512,003
<b>Other</b> (public facilities - schools, toilets, halls, swimming pools)	0	\$0.00
<b>Totals</b>	<b>29</b>	<b>\$9,815,767</b>



## 2.3 Environmental Health and Public Protection

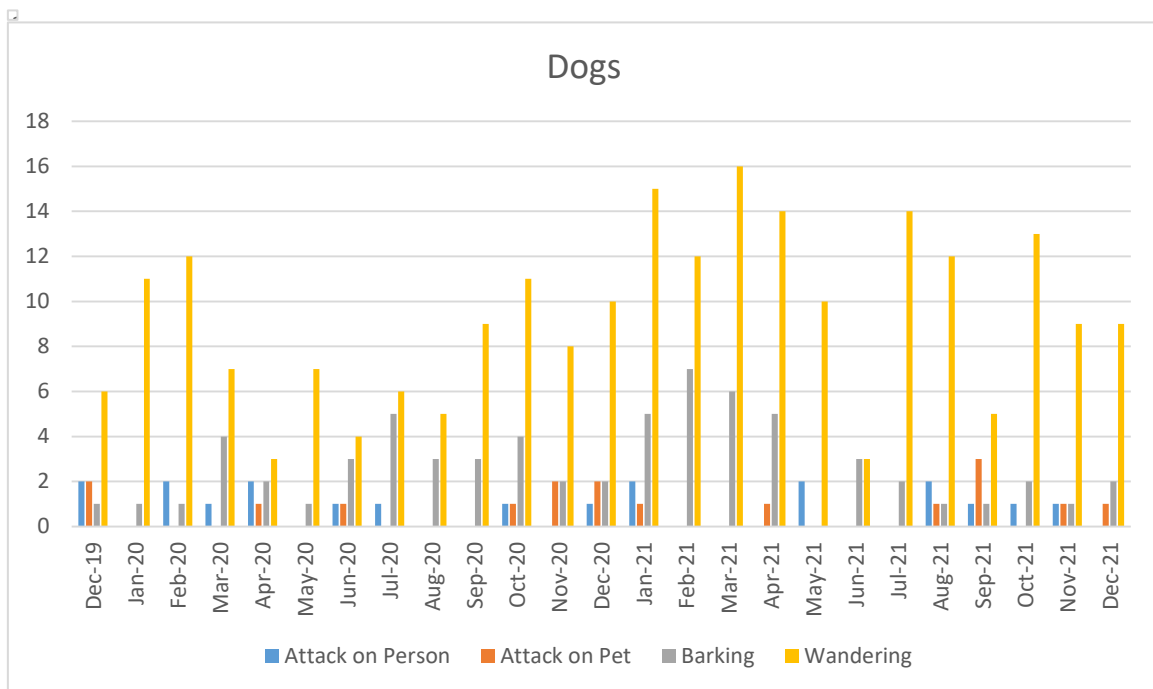
### 2.3.1 Dog Control Act – Registration and Enforcement

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

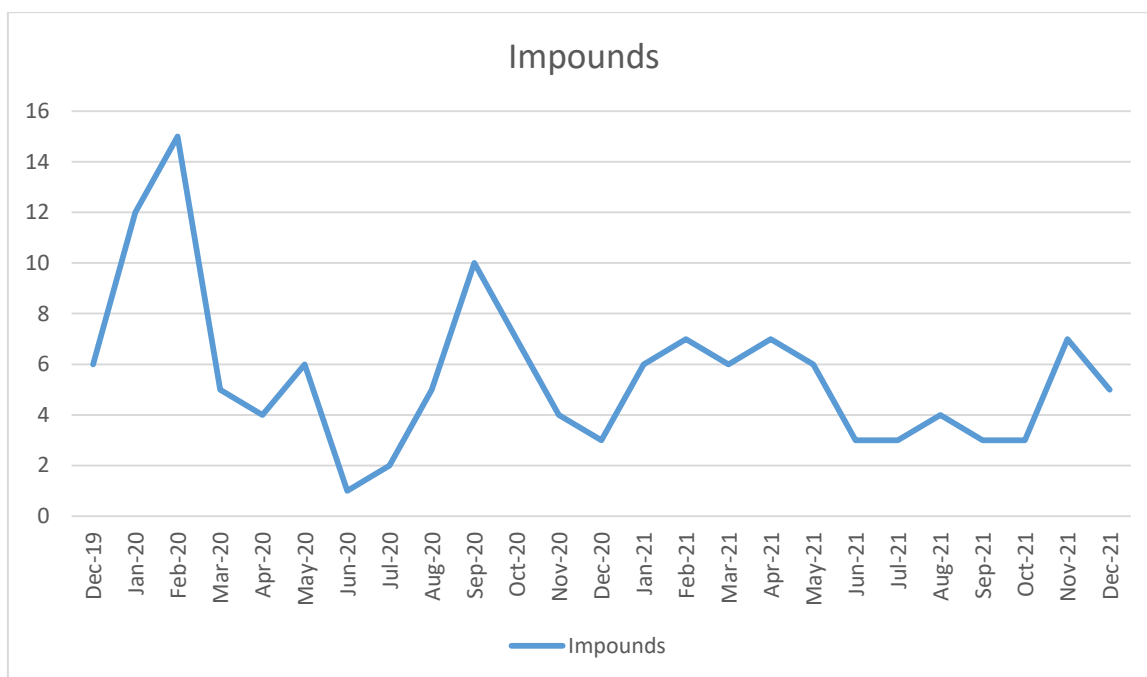
PUBLIC PROTECTION KEY PERFORMANCE INDICATORS	TARGET	YTD RESULT	COMMENT SOURCE, AND ACTIONS TAKEN TO ACHIEVE TARGET
Undertake public education, school and community visits to promote safe behaviour around dogs and/or responsible dog ownership	3 visits	0	Due to Covid 19 level restrictions this activity 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 <sup>ST</sup> DEC 2021 – 31 <sup>ST</sup> 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 <sup>ST</sup> DEC 2021 – 31 <sup>ST</sup> 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

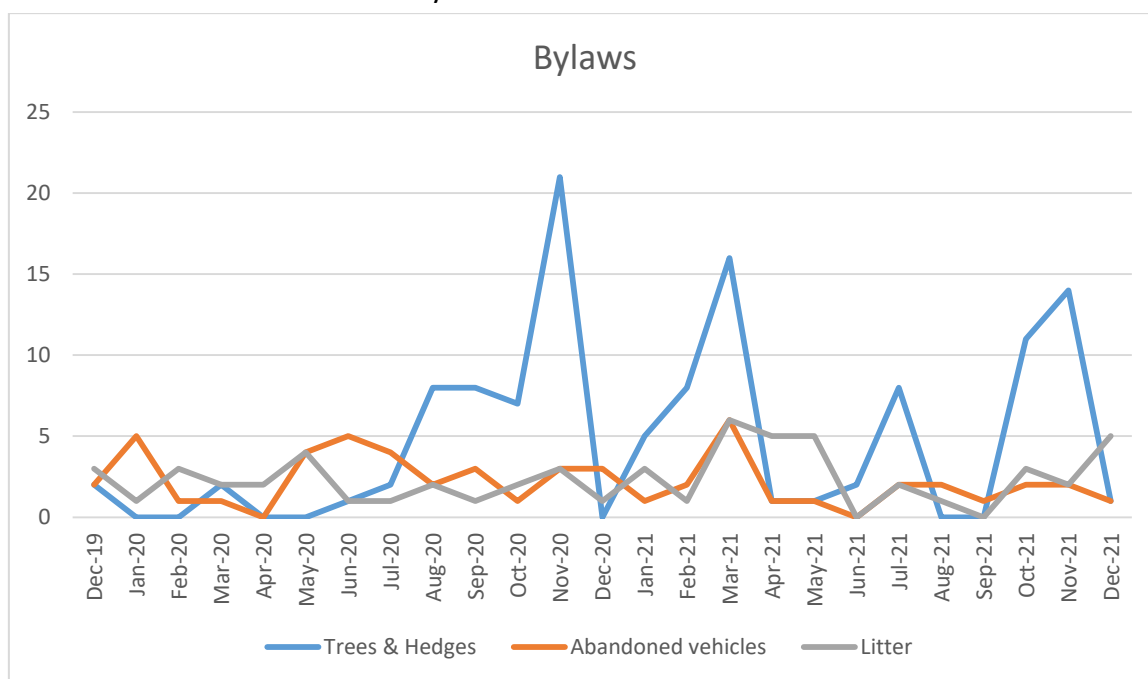
- There were 1 first notices sent by Council requesting the owner/occupier to remove the obstruction from the public space. Following this there are 0 second follow up letters being sent within this period.

#### 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.



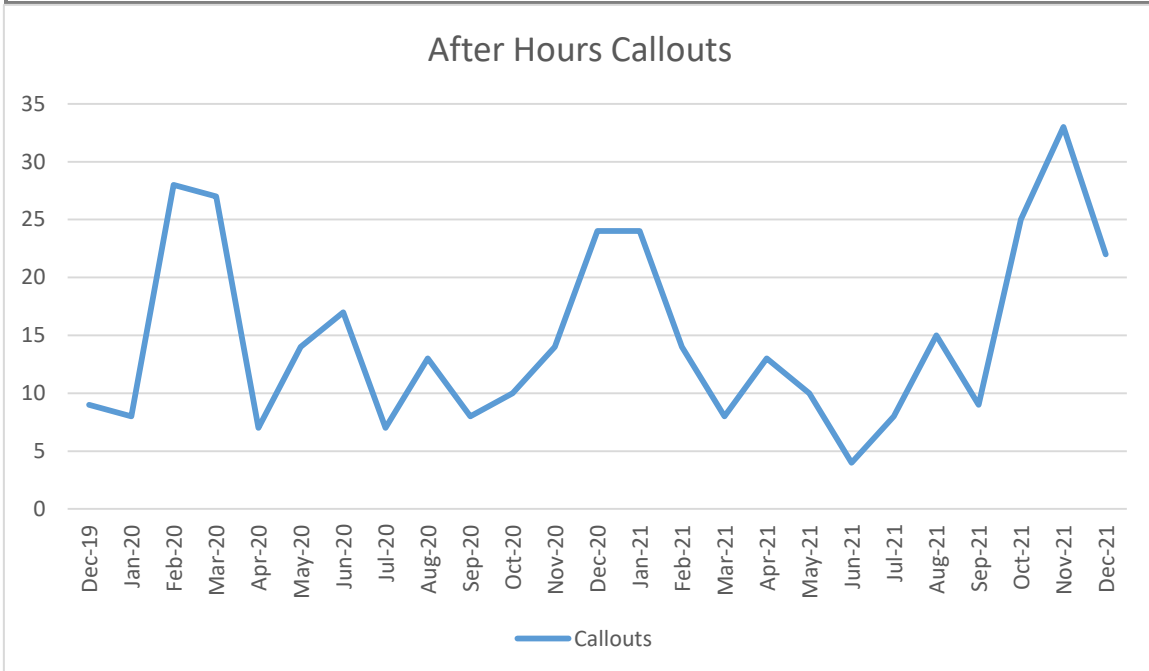
### 2.4.2. Resource Management Act – afterhours Noise Control

*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%	<a href="K:\resource\Health\Resource Management\Noise Control Complaints">K:\resource\Health\Resource Management\Noise Control Complaints</a>

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 <sup>ST</sup> DEC 2021	PREVIOUS PERIOD 1 DEC 2020 TO 31 <sup>ST</sup> DEC 2020
Total	112	76	22	24



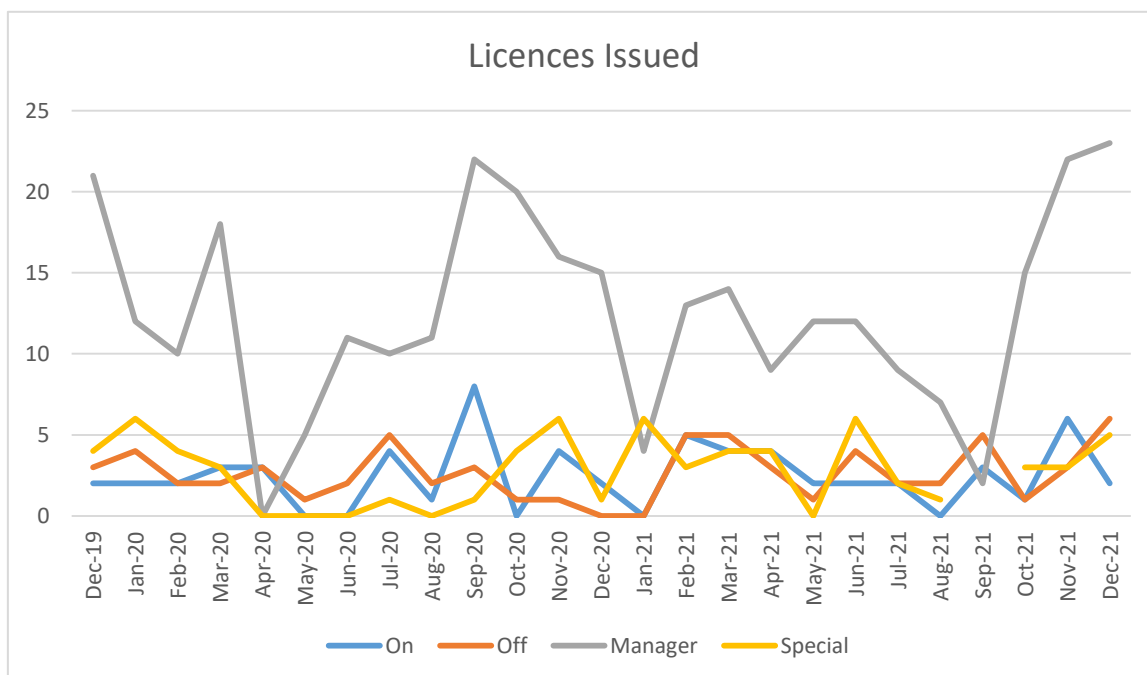
## 2.5 Sale and Supply of Alcohol Act - Licensing

*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 to issue to assess the licensees understanding of their obligations and responsibilities under the Act	100%	100% YTD	<p><i>On NEW</i> Dec 21 1 4 YTD</p> <p><i>On RENEWAL</i> Dec 21 1 10 YTD</p> <p><i>Off NEW</i> Dec 21 1 6 YTD</p> <p><i>Off RENEWAL</i> Dec 21 5 11 YTD</p> <p>Club Dec 21 0 1 YTD</p> <p>Temp Dec 21 0 4 YTD</p> <p>Information source: Inspector records, MAGIQ data, Alcohol Spreadsheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
Special Licences are issued			<p>Special Licences – Dec 21 5 14 YTD</p> <p>Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
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			<p><i>DM NEW</i> Dec 21 7 27 YTD</p> <p><i>DM RENEWAL</i> Dec 21 16 51 YTD</p> <p>Information source: MAGIQ data, Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>
75% of all licenced premises identified as at 1 July of every year have a compliance visit undertaken by the Inspector before the 30 <sup>th</sup> of June the following year (i.e. within a 12 month period)	75%	28.8% YTD	<p>Information source : Compliance inspection records K:\resource\Liquor\Compliance Visits 21-22 Dec - 13 Compliance visits 36/125 total compliance YTD</p>
Average working days to process an application from acceptance by SWDC	25WD	25.07WD	<p>Information source: Alcohol Master Sheet K:\resource\Liquor\Alcohol Master Sheet.xls</p>

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 <sup>ST</sup> DEC 21	PREVIOUS PERIOD 1 DEC 20 TO 31 DEC 20
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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
<b>Total</b>	<b>138</b>	<b>143</b>	<b>36</b>	<b>19</b>



### 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

Premises are inspected in  
accord with regulatory  
requirements.

100%

26.1%

FCP verifications – 23/88

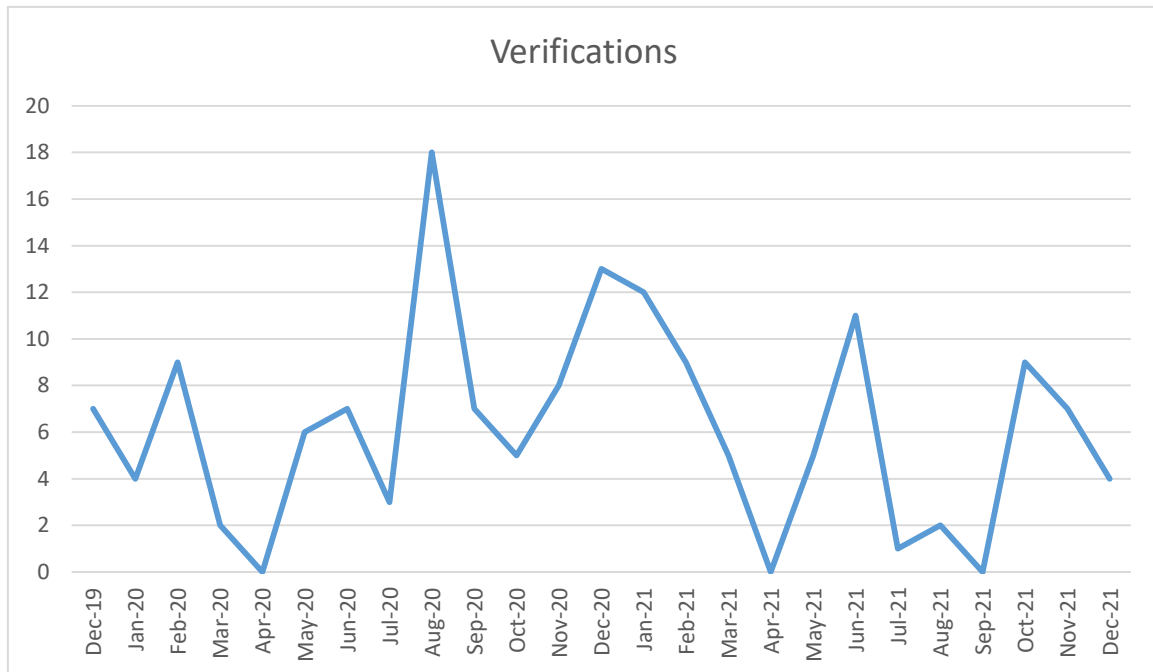
Covid 19 had an impact. We also had 4 premises close this financial  
year so far.

\*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.



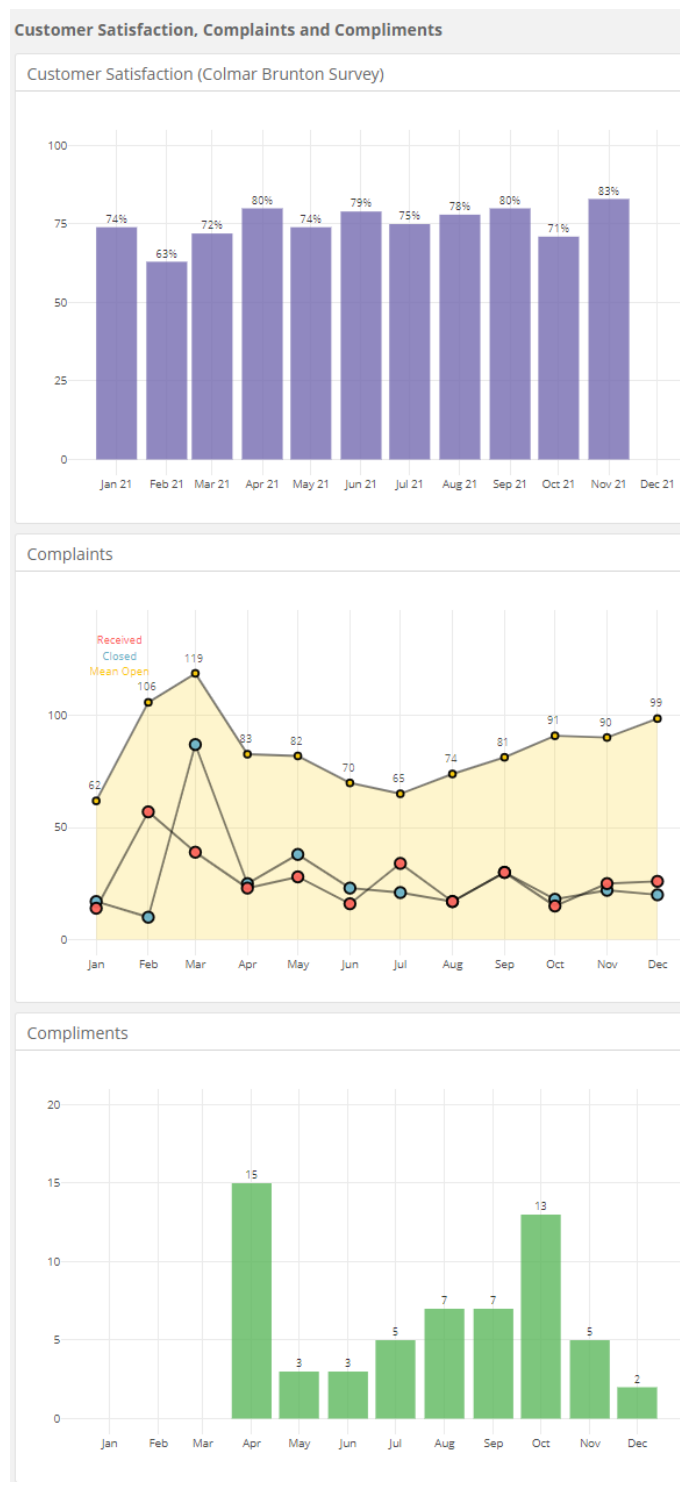
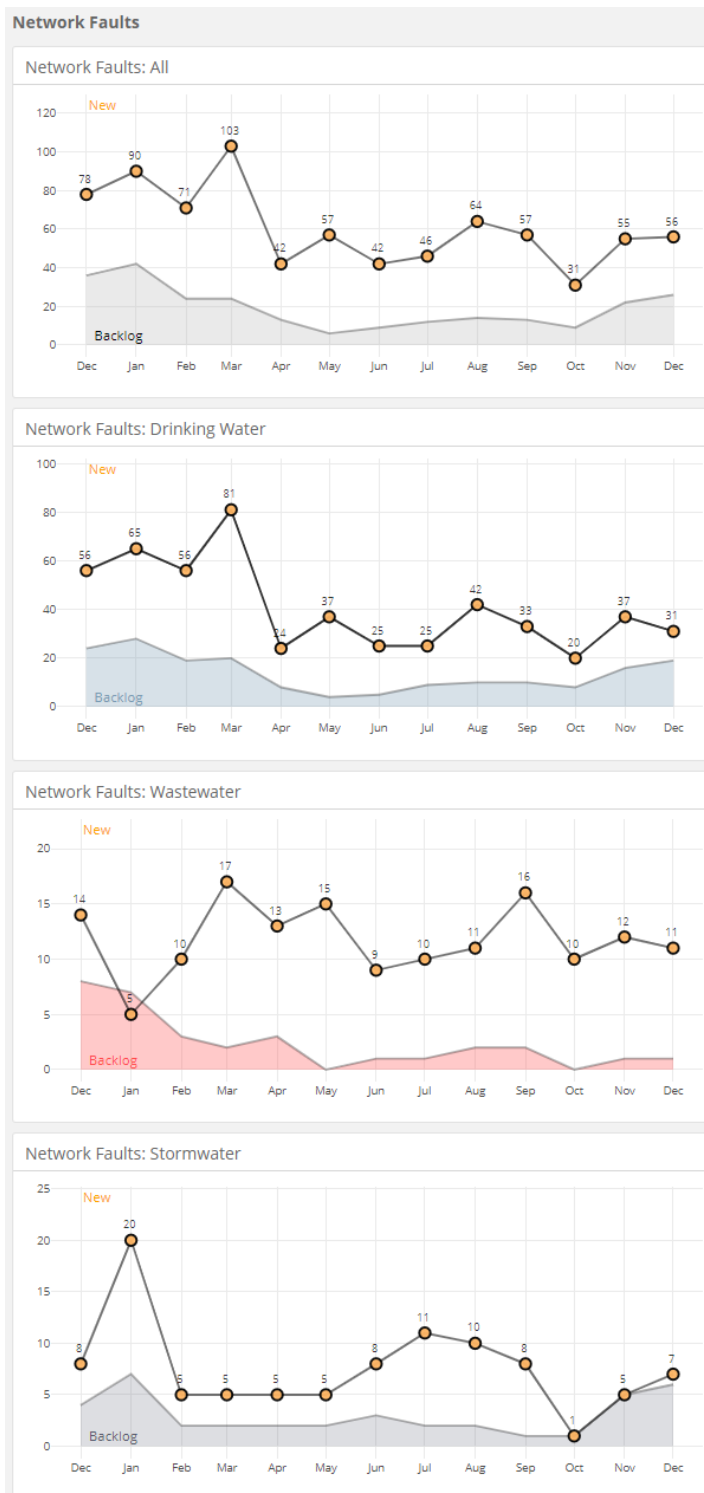


Figure 1. SWDC Customer service request dashboards, January

#### 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.

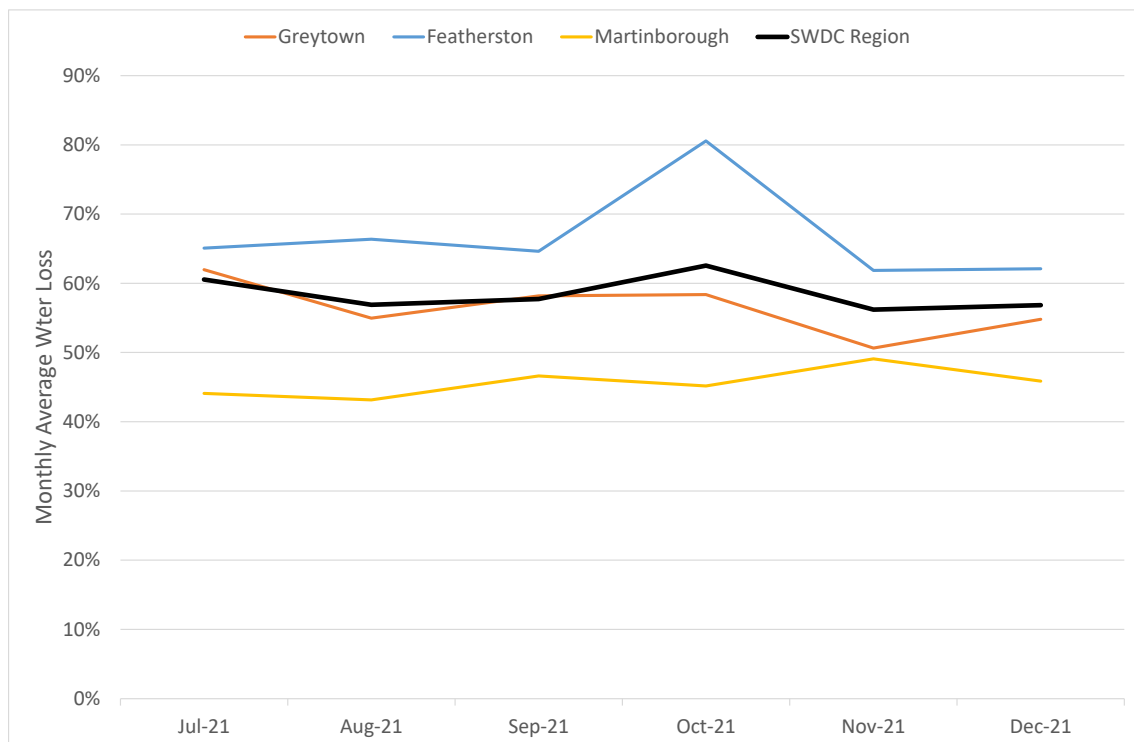


Figure 2 Monthly average water losses by town and across the region.

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.

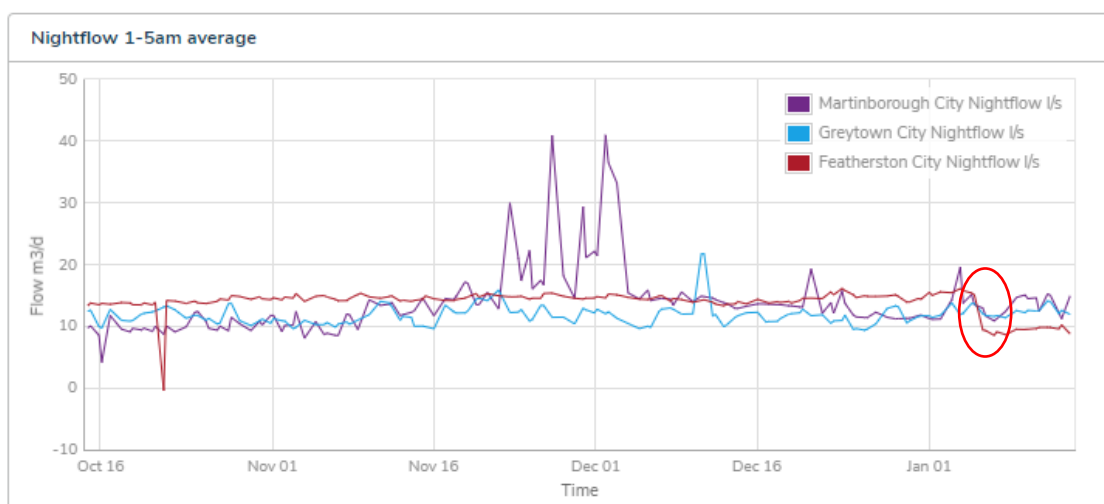


Figure 3. Night flow 3-month trend. Note the drop in night flow on the Featherston curve (circled in red) resulting from a mains leak repair.

## 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**

SWDC Assets and Services Committee		Programme	Water
Meeting	2/2/2022	Period	Jan-22

	Finance	Delivery	H&S	Stakeholders	Risk profile	Commentary
<b>Overall Programme Status (RAG)</b>						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				
<b>Stage 2:</b> 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.
<b>Stage 3:</b> Chemical dosing, electrical equipment, UV and filter upgrades						

#### Memorial Park wastewater renewal

	\$350k	Nov-21				
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Swimming pool and club house laterals relocation	↑					The renewal of the swimming pool wastewater lateral is complete.
<b>Electrical surge protection</b>						
	\$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.
<b>Donald St WW pump station renewal</b>						
	\$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.
<b>SWDC Global stormwater consent</b>						
	\$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.
<b>Greytown WWTP system improvements</b>						
	\$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.
<b>SWDC-led Projects</b>						
<b>Water Race User Survey</b>						
	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.
<b>Longwood Water Race Consent</b>						
	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
  - 2549m<sup>2</sup> 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
  - 237.2m<sup>3</sup> 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

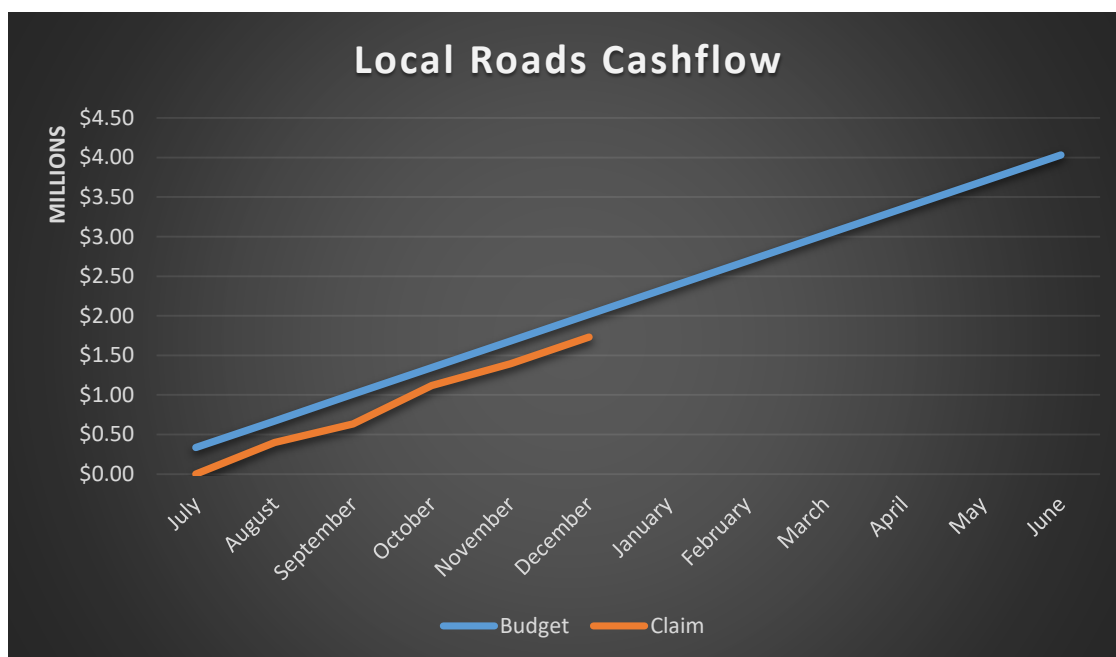
- 54.7km of streets mechanically swept
- 3.6km of drains cleared
- Structural Maintenance spend is 15% on Local Roads and 5% on Special Purpose Road in relation to Waka Kotahi annual budgets allocation.
  - 8 bridges were inspected
- Environmental Maintenance spend is 58% on Local Roads and 44% on Special 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

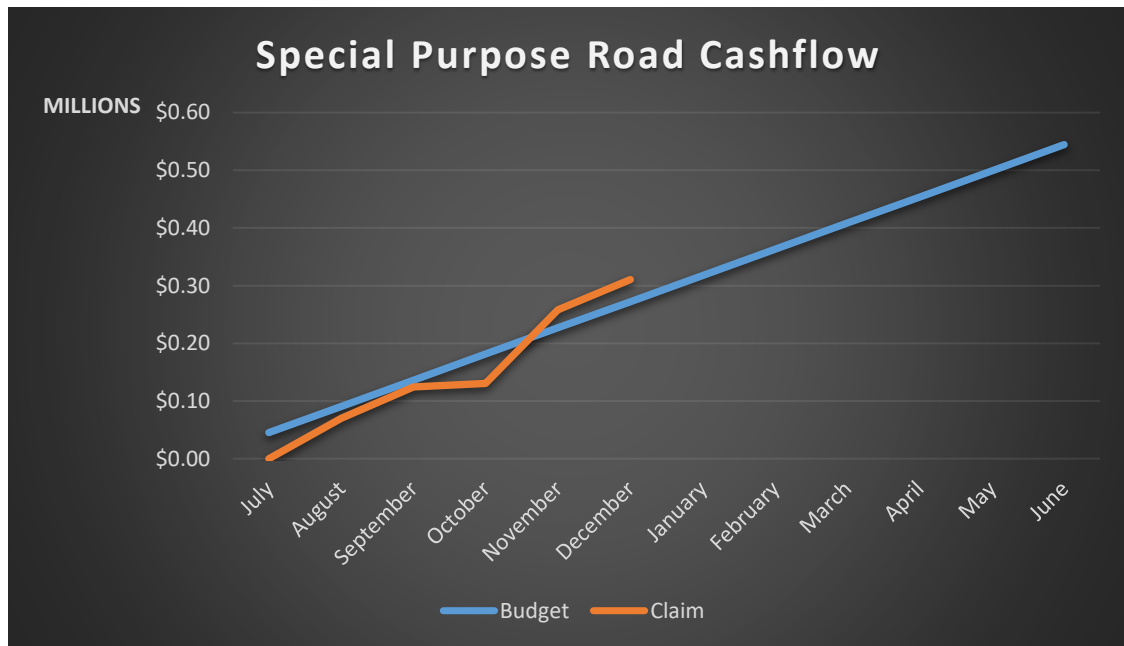
## 9.2 CAPEX

- 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

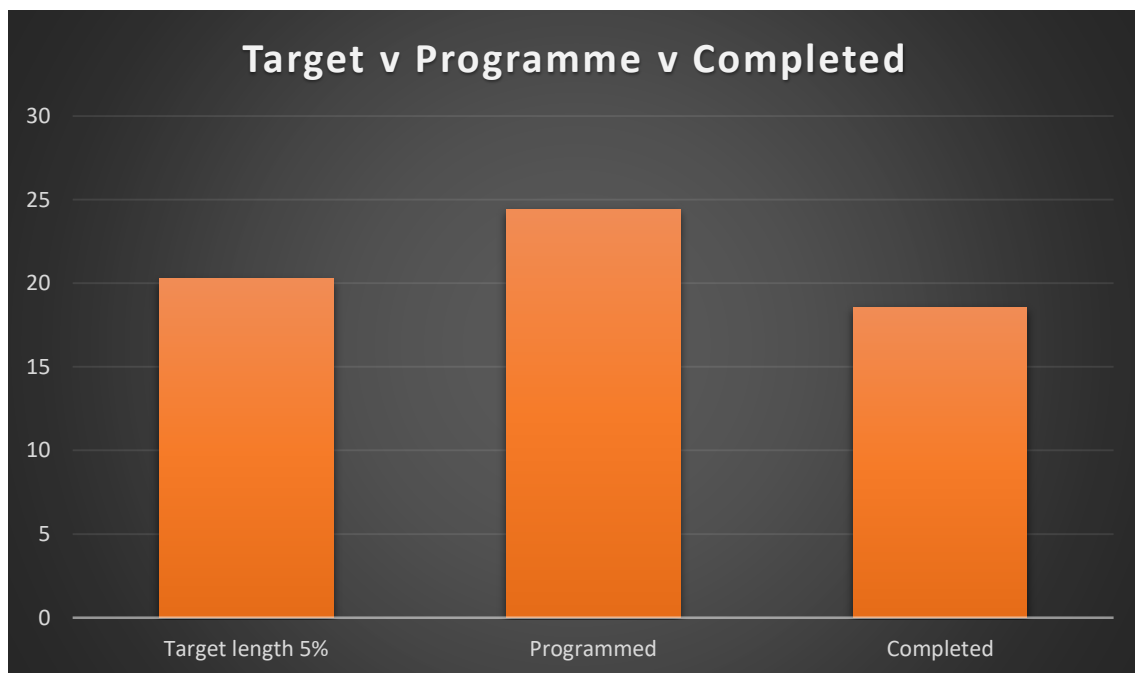




#### 9.4 Key Performance Indicators (Year to date reporting)

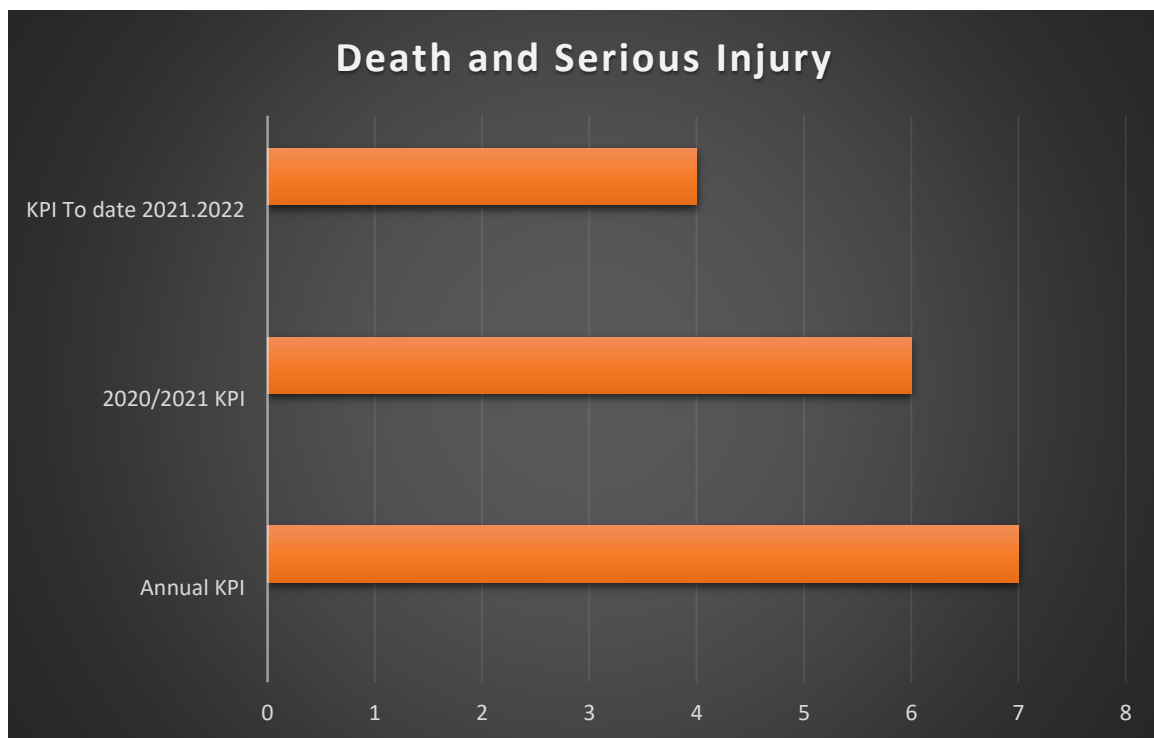
*5% of sealed roads are resealed each year subject to availability of NZTA subsidy*

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





### 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		
<b>Total</b>	<b>4</b>	<b>2</b>	<b>3</b>

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			
<b>Total</b>	<b>5</b>	<b>1</b>	<b>1</b>



## 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					###									
	GREYTOWN								FEATHERSTON								MARTINBOROUGH												
Visit Type	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	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	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	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	0	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	0	overcast	
14/12/2021		6	0	0		0	0	0	overcast		1	0	0		1	0	1	overcast		45	2	0		0		3	0	raining	
15/12/2021		19	8	5		2	1	6	sunny		10	6	9		7	7	5	overcast		39	5	3		2		7	0	overcast	
16/12/2021		11	4			1	0	0	raining		1	0	0		1	0	0	raining		3	0	0		0		3	0	raining	
17/12/2021		45	9	2		10	1	12	sunny		45	9	3		5	0	7	sunny		37	7	13		1		21	0	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	0	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	0	sunny	
20/12/2021		56	13	16		16	7	18	hot		25	6	3		11	3	7	sunny		44	22	5		9	1	8	0	sunny	
21/12/2021		33	0	0		9	0	8	hot		24	10	0		18	0	6	sunny		43	22	5		3	0	7	0	windy	
22/12/2021		61	22	20		24	9	15	hot		61	8	9		20	3	12	sunny		37	25	14		6	4	12	0	sunny	
23/12/2021		75	18	3		74	3	10	hot		63	29	1		22		21	hot		70	36	13		25	19	17	0	sunny	
24/12/2021		57	18	3		24	3	12	hot		39	9	9		18	3	13	hot		31	21	4		14	2	10	0	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	0	sunny	
27/12/2021		71	17	17		72	23	20	hot		16	0	11		9	11	4	overcast		51	11	16		33	19	15	0	hot	
28/12/2021		23	7	2		18	1	6	raining		5	0			1	0	0	raining		13	0	0		9	0	1	0	raining	
29/12/2021		38	4	0		20	0	9	raining		3	0	4		0	4	0	cold		35	2	0		6	0	18	0	sunny	
30/12/2021		120	28	1		50	3	42	hot		45	8			23	0	1	hot		66	26	10		32	9	25	0	sunny	
31/12/2021		126	38	24		115	30	33	hot		36	4	3		17	1	6	hot		68	19	13		30	10	25	0	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 25<sup>th</sup> 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			

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						Reduce funding from Waka Kotahi
<b>Low Cost low Rick Special Purpose Rd</b>	<b>\$250K</b>	<b>Jan 22 - Jun 22</b>				
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						
<b>Road to Zero</b>		<b>Jan 22 - Jun 22</b>				
Consult re speed review and impliment programme over 3 years		↓				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

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 Care950k

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
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Peace Garden, Featherston35k

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
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Earthcare750k

Refuse and recycling						Budget on target, Earthcare now under the umbrella od Smart Enviromental, Possisible Omicron rish with availability of staff.Confident they will manage BN
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CLM (Swimming pools)245k

All SWDC pools						Budget on target no risks involved, season ends March 14 BN
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SWDC Tree asset management20k

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
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Featherston Stadium50k

Upgrade to kitchen, seating and ablutions						Awaiting on quotes from builders TD
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Ngawi Community Hall30k

Upgrade septic system						Completed main installation prior to Xmas. Planting will be completed in April BN
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Cemetery Data Project70kMar-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
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Tauherenikua Bridge1.3k

IRG funding						On Budget, Work on Bridge to begin last week of January. Delay due to Covid in Northland BN
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Pain Farm garage

Repair damaged garage structure						Insurance involved, awaiting quotes TD
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SWDC Lease review programmetbc

Complete review of leases						Working thru outstanding and new leases SC, BN
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Hua Ariki Marae435k

IRG funding						Awaiting on further consents on fire and Building due to unknown circumstances. Awaiting on finacial apraval for variations. BN
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Considine Park Lime Path5kJan-22

Lime path extension						Path in place but minor work still required BN
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Wheels Park greytown1.0k

Park Cotter and Peirce street						Civil Company quoting on Roding infrastructure BN
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Greytown Pavilion1.0k

Upgrade						New Design completed, under action moving forward BN
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Status key:



*On track/achieving*



*Some concern*



*Off Track/Major concern*

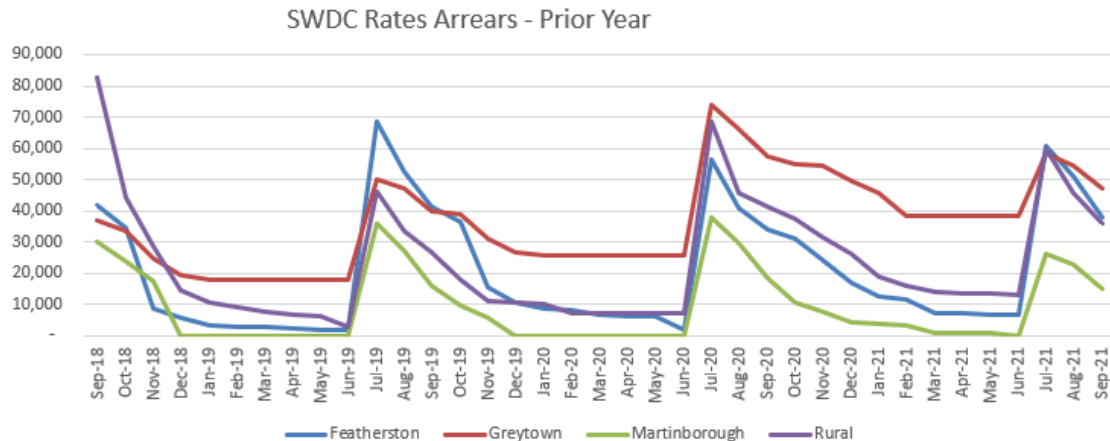


## Rates Arrears

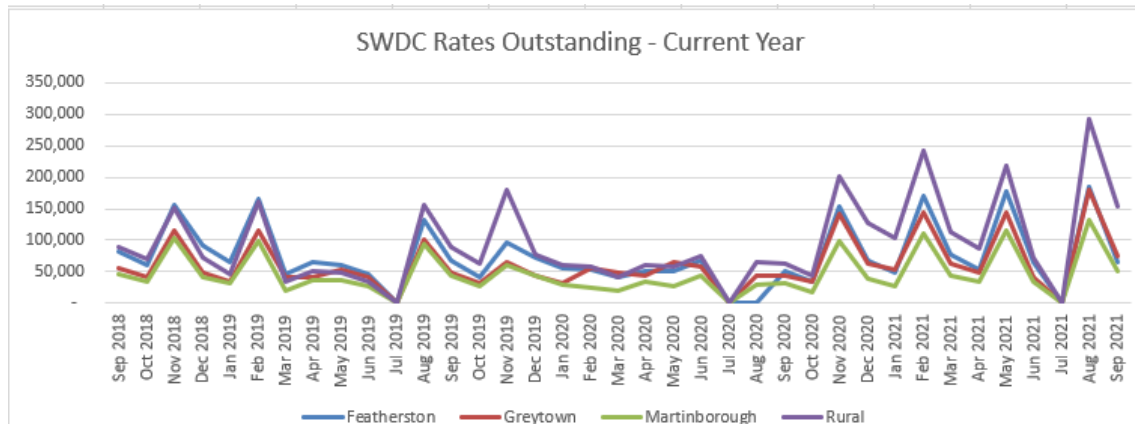
This report was presented to the Finance, Audit and Risk Committee on 1 December 2022.

### 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).



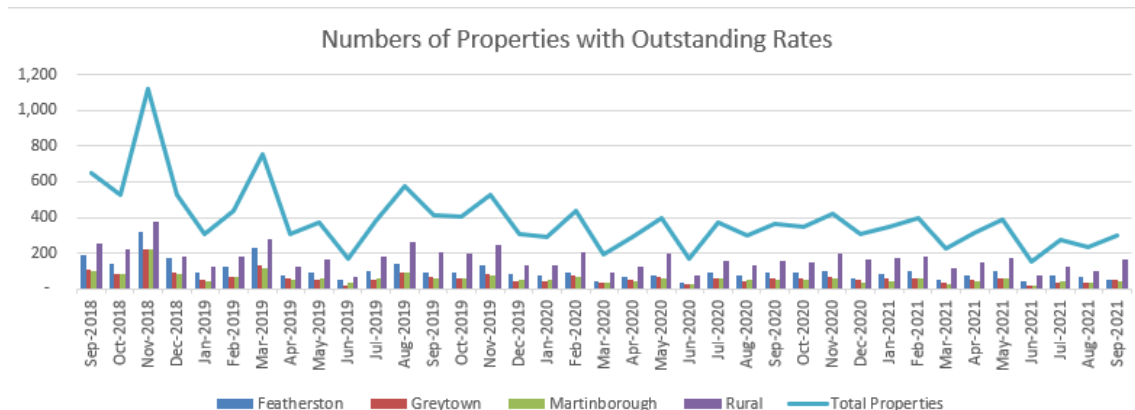
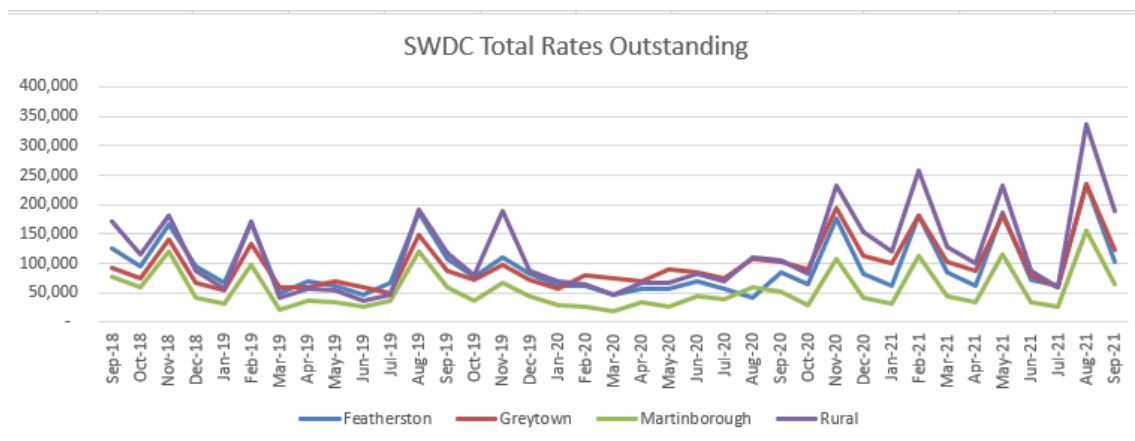
Prior years arrears have decreased \$14.6k (10%) from the same time last year.



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

# MARTINBOROUGH COMMUNITY BOARD

24 FEBRUARY 2022

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## AGENDA ITEM 9.2

### INCOME AND EXPENDITURE STATEMENTS

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#### **Purpose of Report**

To present the Community Board with the most recent Income and Expenditure Statements.

#### **Recommendations**

Officers recommend that the Community Board:

1. *Receive the Income and Expenditure Statement for the period ending 31 January 2022.*
2. *Retrospectively approve funding for \$111.90 for the Memorial Gate Centennial Celebration morning tea.*

#### **1. Executive Summary**

The draft Income and Expenditure Statement for the period ending 31 January 2022 is attached in Appendix 1.

The Chair may ask Council officers for comment and all members may ask the Council officers for clarification and information through the Chair.

#### **2. Appendices**

Appendix 1 – Draft Income and Expenditure Statement for period ending 31 January 2022

Prepared By: Hayley McDonald, Assistant Accountant  
Reviewed By: Charly Clarke, Finance Manager

# **Appendix 1 – Draft Income and Expenditure Statement for period ending 31 January 2022**

## Martinborough Community Board

Income & Expenditure for the Period Ended 31 January 2022

### Personnel & Operating Costs

#### Budget

Members' salaries	26,680.00
Mileage reimbursements	1,000.00
Operating expenses	7,000.00
<b>Total Personnel &amp; Operating Costs Budget 2021-2022</b>	<b>34,680.00</b>

#### Expenses

##### Personnel Costs

Members' Salaries	18,160.16
Communications reimbursements	-
<b>Total Personnel Costs to 31 January 2022</b>	<b>18,160.16</b>

##### Operating Expenses

8/27/2021 Local Government NZ	Community board levy 2021/22	275.00
30/11/2021 Staff Expenses		197.30
<b>Total Operating Expenses to 31 January 2022</b>		<b>472.30</b>

#### Committed funds

Resolution date	Original commitment	Spent to date	Remaining commitment
Members' Salaries	26,680.00	18,160.16	8,519.84
Communications reimbursements	1,000.00	-	1,000.00
Honorarium payment to student rep (\$50 per meeting)	200.00	50.00	150.00
<b>Total Commitments</b>			<b>9,669.84</b>

#### TOTAL OPERATING EXPENSE BUDGET AVAILABLE\*

**6,377.70**

\* 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	-
<b>Total Income for 2021-2022</b>	<b>4,500.00</b>

#### LESS: Grants paid out

8/16/2021 Martinborough Music Festival		500.00
8/16/2021 Kahutara Hall Society	High Tea & Evening Ball celebrating 100 years	850.00
8/16/2021 Martinborough Youth Fund	Communit Fireworks Event	500.00
9/4/2021 Martinborough Business Association	Christmas Decorations for Martinborough	750.00
<b>Total Grants paid out to 31 January 2022</b>		<b>2,600.00</b>

#### LESS: Committed Funds

Resolution date		Original commitment	Spent to date	Remaining commitment
5/21/2020 Wairarapa Maths Association	Annual maths competition 2021-22	300.00		300.00
8/13/2020 Kidz Need Dadz	Father's Day bowling event	200.00	-	200.00
8/13/2020 Martinborough Community Garden	Contribution to ongoing costs	800.00	-	800.00
	Contribution to water tank	1,000.00		1,000.00
				-
<b>Total Commitments</b>				<b>4,900.00</b>

#### PLUS: Balance Carried forward from previous year\*

**2,069.23**

\* excludes Swimming Pool funds

#### TOTAL GRANTS FUNDS AVAILABLE

**(930.77)**

**Martinborough Community Board**  
**Beautification Fund for the Period Ended 31 January 2022**

Income

Annual Plan 2021-2022 allocation 11,000.00

**Total Income 2021-2022** **11,000.00**

Beautification grants - operating

11/5/2021	Leafland	Northern Rata Tree for Considine Park	165.00
21/06/21	PaperStreet	Planting of tree Considine Park	57.42
3/8/2021	OneSource	Matariki Flags Remainder owing for changes	304.00

**Total Beautification grants - operating to 31 January 2022** **526.42**

Beautification grants - capital

**Total Beautification grants - capital to 31 January 2022** **-**

LESS: Committed Funds

Resolution date		Original commitment	Spent to date	Remaining commitment
12/17/2020	Tree to be planted in celebration of 150 years of Martinborough Township	500.00	222.42	277.58
8/16/2021	Martinborough Business Assn Christmas Garland decorations in MBO	750.00		750.00
<b>Total Commitments</b>				<b>1,027.58</b>

**PLUS: Balance Carried forward from previous year** **3,763.57**

**TOTAL BEAUTIFICATION FUNDS AVAILABLE** **13,209.57**

\* An adjustment was made to record this spend in the final accounts of June 2020 after the August report had already been completed.

\*\* There are further fountain invoices to be accounted for but will need to manually collate these in the year end process.

# MARTINBOROUGH COMMUNITY BOARD

24 FEBRUARY 2022

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## AGENDA ITEM 9.3

### ACTION ITEMS REPORT

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#### **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 in Appendix 1. 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 18 February 2022

Contact Officer: Kaitlyn Carmichael, Committee Advisor

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

## **Appendix 1 – Action Items to 18 February 2022**



Number	Raised Date	Responsible Manager	Action or Task details	Status	Notes
176	19-Sep-19	4 & 5 – K Neems	<p>MCB RESOLVED (MCB 2019/70) that:</p> <p>1b. Officers report to the next full Community Board with a maintenance schedule for the homestead, cottage and surrounding land. (Moved Cr Maynard/Seconded Roy) Carried</p> <p>1c. Whilst work is being undertaken on the house and cottage, that officers report to the Board at each meeting (6 weekly) on the progress of maintenance until the work is completed, and Thereafter, officers report 6 monthly on the condition of the homestead, cottage, surrounding land, and farm. (Moved Cr Colenso/Seconded Beattie) Carried</p> <p>2. The repairs and maintenance work to bring the homestead and cottage up to an acceptable standard for rental purposes be undertaken as a matter of priority. (Moved Cr Colenso/Seconded Beattie) Carried</p> <p>3. The exterior painting of the homestead be undertaken as the next priority and that the Board recommends Council approves up to \$30,000 for this work. (Moved Cornelissen/Seconded Cr Colenso) Carried</p> <p>4. That Council review the overhead cost allocation model for the Pain Farm.</p> <p>5. That following this review, that Council consider whether any overhead allocations for the last three years should be credited back to the Pain Farm account. (Moved Read/Seconded Cornelissen) Carried</p>	Open	<p>Review of the overhead cost allocation model to be done as part of the Long-Term Plan.</p> <p>05/11/20: Members discussed timeframes of the cost allocation model review, scope of original request and sought an update to clarify the connection between the overhead cost allocation model and crediting of funds back to the Pain Farm account.</p> <p>08/12/20:—It is considered efficient to look at the review of the costs at the same time as the allocation model is reviewed for the LTP. Due to resourcing constraints this has been pushed to early next year. As mentioned in a previous report it is unlikely any Corporate Support costs will be credited as they cover governance and secretarial duties, financial accounts, debt collection, internal administrative time etc for the residential accommodation, refuse station, and farm. The portion of the Professional Services which covers property management for these three income streams will form the basis of the review. The time taken for Officers to project manage the entire property including the recent upgrade to the house and farm fencing will also be taken into account.</p> <p>29/4/21: Awaiting confirmation of LTP.</p> <p>29/6/21: Report to be presented to FAR for discussion 11/08/21.</p> <p>09/8/21: Due to resourcing constraints report is to be presented to the next FAR meeting 27/10/21.</p> <p>25/11/21: Update requested by MCB.</p>
95	27-Feb-20	MCB	Investigate forming a Martinborough Tree Group with representatives from the community and the Martinborough Community Board.	Open	<p>02/7/20: Mayor Beijen and Michael Honey have started the process of establishing a Martinborough Tree Group.</p> <p>14/8/20: Four representatives identified but group not yet established.</p> <p>24/9/20: Still in progress of forming group.</p> <p>17/12/20: Mayor Beijen updated members progress has been made and invitations would be sent within the coming weeks.</p> <p>29/4/21: Work in progress.</p> <p>25/11/21: Michael Honey undertook continuing this project.</p>
429	13-Aug-20	MCB	Investigate entering into a funding partnership agreement with Martinborough Community Garden for the remainder of the triennium.	Parked	<p>24/8/20: Funding partnership offered through correspondence on grant. Martinborough Community Garden has requested to meet with MCB first and this request has been forwarded to the Chair.</p> <p>27/10/20: Chair of MCB met with Martinborough Community Garden who has requested relocation options first be considered (refer to action 489).</p> <p>27/10/20: A potential site behind the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street has been identified.</p> <p>05/11/20: Members discussed the proposed location for the Martinborough Community Garden at the Cecily Martin Housing for Seniors area on the corner of Venice and Regent Street and sought clarification on the land available before members discussed the proposed location with the Martinborough Community Garden (refer Action 617)</p> <p>8/12/20: The land area is approximately 1270m2 and maps of the area were provided in Appendix 3 of the Action Items Report to the meeting on 17/12/20. It is suggested if the Board wants to explore this that a community board representatives works with the Martinborough Community Garden to present a proposal to officers for consideration.</p>
495	24-Sep-20	K Neems	Confirm if the commitments for the Waihinga Centre and water fountain need to be retained or whether these can be released back to the beautification fund	Open	<p>Waihinga \$30k was journaled against the project as part of the year-end adjustments. This was done after the last I&amp;E statement was completed and has been updated in the latest I&amp;E statement showing there is no commitment remaining to be released. Officers need to manually collate the remaining water fountain invoices before confirming the amount remaining for release.</p> <p>20/4/21: The water fountain invoices will be manually collated at the end of the financial year (30-Jun-21)</p> <p>09/8/21: This will be done as part of year-end reconciliations, completed in time for annual reporting.</p> <p>25/11/21: Update requested by MCB.</p>
497	24-Sep-20	MCB	To continuing working with mana whenua on a Martinborough town sign entrance	Open	
727	17-Dec-20	MCB	Consider putting forth a list of road names for use in the Martinborough Ward	Open	

Number	Raised Date	Responsible Manager	Action or Task details	Status	Notes
731	17-Dec-20	Cr Colenso	Investigate who originally designed the historical information sign at Bidwill's Cutting	Open	29/4/21: Still work in progress 08/7/21: Local graphic designer, Andy Shaw, expressed interest in designing the Bidwill's Cutting sign. Martinborough Automotive Ltd would fund the design drafting costs which would then be presented to the Board. 25/11/21: Ongoing
127	29-Apr-21	MCB	Investigate the process for submitting an application to South Wairarapa Rotary Club for funding of new FlagTrax in Martinborough subject to confirmation that the Martinborough Community Board is able to apply for external funding	Open	27/5/21: The Board is able to apply externally for funds. Cr Colenso updated members an application would be presented to the next MCB meeting for consideration. 25/11/21: Cr Colenso drafting application
316	8-Jul-21	H Wilson	Invite those of Ruamāhanga Roads, a shared roading maintenance contract between South Wairarapa and Carterton District Councils, to present to the Board on the roading programme and processes for roading maintenance across the district	Open	29/6/21: Programme is not ready as budgets are still being developed by NZTA. 29/9/21: To present to future MCB meeting as not available 7-Oct-21.
501	13-Oct-21	H Wilson	MCB RESOLVED (MCB 2021/67) to seek a report from Council Officers to advised what the risk assessment was that was used and all information the CE used to closed the Tora Campground and inform the decision that has been made. Following that, what are the implications for the campers and the Tora Community and the next steps. (Moved Fenwick/Seconded Cr Colenso) Carried	Actioned	25/11/21: Report on the Tora and TeAwati campsite reserves presented to the board.
616	25-Nov-21	S Corbett	To report to the next Community Board meeting the status and progress made on Mr Firth's items of concern: Whakapuni Hill Road; Lupin and brush impacting driver visibility; and signage along the Tora Costal Walk	Actioned	17/2/22: Update to be provided at 24/2/22 MCB meeting. White Rock Rd at Whakapuni hill was repaired in December Lupin will be sprayed in the Autumn spray cycle Speed review and public consultation will determine the speed limit. Pedestrian signage is present. Tora Walk is a commercial business and should identify their hazards and mitigate their own risks
620	25-Nov-21	S Corbett	To provide clarification to the board on urban and rural berm mowing zones	Actioned	18/2/22: Map provided to MCB.
623	25-Nov-21	K Neems	To confirm the funds for the Christmas decorations to the Martinborough Business Association and the Rata tree planting for the 150th celebration were issued from the correct fund	Actioned	2/17/22: I&E Report updated to reflect correct account.
624	25-Nov-21	A Bradley	To follow up on the status of outstanding grant funds for events impacted by changed Covid-19 levels.	Actioned	2/17/22: One event was impacted by Covid-19 and request to return outstanding funds has been sent.
626	25-Nov-21	H Wilson	To request, through the Chief Executive, a timeline for a report on the flooding risks of all South Wairarapa Campgrounds	Open	2/17/22: This will be reviewed for an upcoming meeting.