

Notice is hereby given that an extraordinary meeting of the Foxton Community Board will be held on:

**Date:** Monday 22 March 2021  
**Time:** 5.00pm  
**Meeting Room:** Stuart Ellwood & Blue Room  
**Venue:** Te Awahou Nieuwe Stroom  
92 Main Street  
Foxton

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## Foxton Community Board

### OPEN AGENDA

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#### MEMBERSHIP

|                           |                     |                   |
|---------------------------|---------------------|-------------------|
| <b>Chairperson</b>        | Mr David Roache     |                   |
| <b>Deputy Chairperson</b> | Ms Tricia Metcalf   |                   |
| <b>Members</b>            | Cr David Allan      |                   |
|                           | Cr Ross Brannigan   |                   |
|                           | Mr Trevor Chambers  |                   |
|                           | Mr John Girling     |                   |
|                           | Ms Ngaire Newland   |                   |
| <b>Reporting Officer</b>  | Mr David Clapperton | (Chief Executive) |
| <b>Meeting Secretary</b>  | Ms Chloe Marheine   |                   |

Contact Telephone: 06 366 0999  
Postal Address: Private Bag 4002, Levin 5540  
Email: [enquiries@horowhenua.govt.nz](mailto:enquiries@horowhenua.govt.nz)  
Website: [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)

Full Agendas are available on Council's website  
[www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)

Full Agendas are also available to be collected from:  
Horowhenua District Council Service Centre, 126 Oxford Street, Levin  
Te Awahou Nieuwe Stroom, Foxton,  
Shannon Service Centre/Library, Plimmer Terrace, Shannon  
and Te Takeretanga o Kura-hau-pō, Bath Street, Levin



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**1 Apologies**

**2 Public Participation**

Notification to speak is required by 12 noon on the day of the meeting. Further information is available on [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) or by phoning 06 366 0999.

See over the page for further information on Public Participation.

**3 Declaration of interest**

Members are reminded of their obligation to declare any conflicts of interest in writing they might have in respect of the items on this Agenda.

**4 Announcements**

Public Participation (further information):

The ability to speak at Council and Community Board meetings provides the opportunity for members of the public to express their opinions/views to Elected Members as they relate to the agenda item to be considered by the meeting.

Speakers may (within the time allotted and through the Chairperson) ask Elected Members questions as they relate to the agenda item to be considered by the meeting, however that right does not naturally extend to question Council Officers or to take the opportunity to address the public audience be that in the gallery itself or via the livestreaming. Council Officers are available to offer advice to and answer questions from Elected Members when the meeting is formally considering the agenda item i.e. on completion of Public Participation.

Meeting protocols

1. All speakers shall address the Chair and Elected Members, not other members of the public be that in the gallery itself or via livestreaming.
2. A meeting is not a forum for complaints about Council staff or Council contractors. Those issues should be addressed direct to the CEO and not at a Council, Community Board or Committee meeting.
3. Elected members may address the speaker with questions or for clarification on an item, but when the topic is discussed Members shall address the Chair.
4. All persons present must show respect and courtesy to those who are speaking and not interrupt nor speak out of turn.
5. Any person asked more than once to be quiet will be asked to leave the meeting.

# Foxton War Memorial Hall Submission

File No.: 21/82

## 1. Purpose

To discuss the Foxton War Memorial Hall Submission to the Horowhenua District Council 2021-2041 Long Term Plan, submitted by Mr David Roache on behalf of the interim Foxton War Memorial Hall incorporated society seeking support from the Foxton Community Board.

## 2. Recommendation

- 2.1 That Report 21/82 Foxton War Memorial Hall Submission be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Foxton Community Board support the submission to the Horowhenua District Council 2021-2041 Long Term Plan, to return the Foxton War Memorial Hall to Foxton Community ownership through the sale or gifting of the hall to a Foxton Based incorporated society.

## 3. Background/Previous Council Decisions

At the Foxton Community Board meeting of Monday 22 February 2021. Mr David Roache, on behalf of the interim Foxton War Memorial Hall incorporated society, requested to present and seek support from the Foxton Community Board for its submission to the Horowhenua District Council 2021-2041 Long Term Plan.

The Foxton War Memorial Hall Submission was withdrawn from the Foxton Community Board agenda on Monday 22 February 2021 by Chief Executive, Mr Clapperton, and left on the table for a future meeting due to the lack of a quorum and the perceived conflict of interest for some Board Members.

## 4. Issues for Consideration

The Foxton War Memorial Hall submission is seeking the Horowhenua District Council to consider the inclusion of the following actions in the 2021-2041 Long Term Plan:

- Sale or gifting of the Foxton War Memorial Hall to a Foxton based incorporated society for a nominal fee if needed of \$1.00 (inclusive of gst and free of any other financial encumbrances);
- That an annual grant of \$10,000 (excl GST) towards the operating costs for a period of six (6) years be included, paid in July of each year.

The **attached** submission and appendices outline the proposed operating budget for a seven year period, the draft constitution for Community ownership as an Incorporated Society and the proposed timeline explaining the scope of works to fund and carry out the earthquake strengthening of the Hall.

## Attachments

| No. | Title  | Page |
|-----|--|------|
| A   | Foxton Memorial Hall Submission - to Horowhenua District Council 2021-2041 LTP | 9    |

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

**Signatories**

|           |  |   |
|-----------|--|---|
| Author(s) | Chloe Marheine<br><b>Executive Assistant</b> |  |
|-----------|--|---|

|             |  |   |
|-------------|--|---|
| Approved by | David Clapperton<br><b>Chief Executive</b> |  |
|-------------|--|---|



## **Foxton War Memorial Hall**



**Submission to  
Horowhenua District Council  
2021 to 2027 Long Term Plans**

**For Community Ownership, Restoration  
and Preservation**

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Signed Submission

Draft Operating budget Appendix A

Explanatory Notes for Budget Appendix B

Draft Constitution to create Community ownership  
and management Appendix C

Timeline Scope of Works Appendix D

Profiles: Instigation committee and advisors Appendix E

## Submission to Horowhenua District Council Long Term Plans

Re: Returning Foxton War Memorial Hall to Foxton Community Ownership, Restoration and Preservation

We, the undersigned wish to submit to the long term plan of Horowhenua District Council for the following actions be included:

1. Sale or gifting of the FWMH to a Foxton based incorporated society for nominal fee if needed of \$1.00 (inclusive of GST and free of any other financial encumbrances);
2. That an annual grant of \$10,000.00 (excl GST) towards the operating costs for a period of 6 years be included, paid in July of each year.

This submission is supported by a number of appendices:


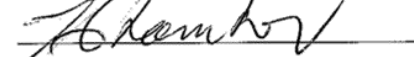
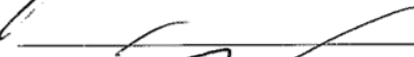
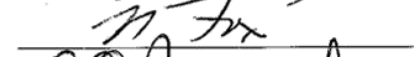
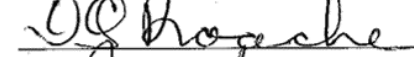
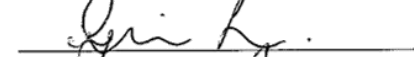

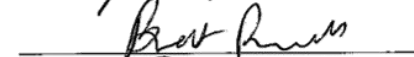
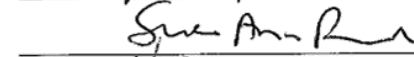
- Appendix A: Draft Operating Budget for 7 years;
- Appendix B: Explanatory Notes for budget;
- Appendix C: Draft Constitution for Community Ownership in an Incorporated Society;
- Appendix D: A Timeline explaining the scope of works to fund and carry out earthquake strengthening of the Hall;
- Appendix E: Profiles of the committee and advisors behind this submission.

We can provide a large number of local letters of support for this initiative if required.

Our aim is to ensure that the Foxton War Memorial Hall's ownership is retained by the Foxton & Foxton Beach community; and is operated in a safe and commercial manner to service and benefit that community.

We look forward to working closely with Horowhenua District Council support as we progress towards the major funding applications required for earthquake strengthening to public use standards.

Should you require any further details, please contact us via David Roache.

|   |                 |
|---|-----------------|
|  | Karen Adams     |
|  | Trevor Chambers |
|  | Nola Fox        |
|  | David Roache    |
|  | Ngaire Newland  |
|  | Tony Robinson   |
|  | Brett Russell   |
|  | Sue-Ann Russell |
|  | Basil Vertongen |

QSM

Appendix A

**Foxton War Memorial Hall proposed Incorporated Society Submission to HDC**

Draft Operational Budget Foxton War Memorial Hall For Period 01/07/2021 to 30/06/2028

| Description              | 21/22               | 22/23               | 23/24               | 24/25               | 25/26               | 26/27               | 27/28               | Notes |
|--------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-------|
| <b>Income:</b>           |                     |                     |                     |                     |                     |                     |                     |       |
| Balance carried forward  | \$ 4,280.00         | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | 1     |
| HDC Grant                | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | \$ 10,000.00        | 2     |
| Hall Hire - Casual       | \$ 4,000.00         | \$ 4,400.00         | \$ 8,000.00         | \$ 8,000.00         | \$ 9,000.00         | \$ 10,000.00        | \$ 15,000.00        | 3     |
| Room Hire - Lease        | \$ 3,000.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 6,000.00         | \$ 8,000.00         | 4     |
| In Kind Volunteer work   | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | 5     |
| Other seed grants        | \$ 7,000.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,000.00         |       |
| <b>Total Income</b>      | <b>\$ 25,200.00</b> | <b>\$ 22,600.00</b> | <b>\$ 11,200.00</b> | <b>\$ 24,200.00</b> | <b>\$ 25,200.00</b> | <b>\$ 27,200.00</b> | <b>\$ 24,200.00</b> |       |
| <b>Expenditure</b>       |                     |                     |                     |                     |                     |                     |                     |       |
| Cleaning                 | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | \$ 1,200.00         | 6     |
| Booking Commission       | \$ 400.00           | \$ 700.00           | \$ 800.00           | \$ 800.00           | \$ 900.00           | \$ 1,000.00         | \$ 1,500.00         | 7     |
| Hall Maintenance         | \$ 800.00           | \$ 800.00           | \$ 800.00           | \$ 800.00           | \$ 800.00           | \$ 800.00           | \$ 800.00           | 8     |
| Vandalism Repairs        | \$ 300.00           | \$ 300.00           | \$ 300.00           | \$ 300.00           | \$ 300.00           | \$ 300.00           | \$ 300.00           | 9     |
| Exterior Clean           | \$ 500.00           | \$ 500.00           | \$ 500.00           | \$ 500.00           | \$ 500.00           | \$ 500.00           | \$ 500.00           | 10    |
| Hall Management          | \$ 7,000.00         | \$ 7,000.00         | \$ 7,000.00         | \$ 7,000.00         | \$ 7,000.00         | \$ 7,000.00         | \$ 7,000.00         | 11    |
| WOF/IQP Inspections      | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | 12    |
| Gardening + Lawns        | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | \$ 1,500.00         | 13    |
| Rates                    | \$ 1,500.00         | \$ 1,545.00         | \$ 1,600.00         | \$ 1,650.00         | \$ 1,700.00         | \$ 1,750.00         | \$ 1,800.00         | 14    |
| Insurance                | \$ 2,500.00         | \$ 2,500.00         | \$ 2,500.00         | \$ 2,500.00         | \$ 2,500.00         | \$ 2,500.00         | \$ 2,500.00         | 15    |
| Pest Control             | \$ 120.00           | \$ 120.00           | \$ 120.00           | \$ 120.00           | \$ 120.00           | \$ 120.00           | \$ 120.00           | 16    |
| Electricity & Gas        | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | 17    |
| Phone                    | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | 18    |
| Internet                 | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | \$ 600.00           | 19    |
| Asset Replacement        | \$ 1,400.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 4,000.00         | \$ 4,000.00         | \$ 4,000.00         | \$ 4,000.00         | 20    |
| <b>Total Expenditure</b> | <b>\$ 20,920.00</b> | <b>\$ 21,865.00</b> | <b>\$ 11,120.00</b> | <b>\$ 24,070.00</b> | <b>\$ 24,220.00</b> | <b>\$ 24,370.00</b> | <b>\$ 20,920.00</b> |       |
| Net Profit/Loss          | \$ 4,280.00         | \$ 735.00           | \$ 80.00            | \$ 130.00           | \$ 980.00           | \$ 2,830.00         | \$ 3,280.00         |       |

Foxton War Memorial Hall proposed Incorporated Society Submission to HDC

Appendix B

Foxton War Memorial Hall Society Incorporated DRAFT Operational Budget notes

| Note | Explanation   |
|------|---|
| 1    | HDC Grant 6 years, showing year 7 objective to be self-sufficient   |
| 2    | Hall hire income has been split into 2 types. Casual hire is seen as party and events   |
| 3    | This line represents ability to develop some permanent tenants in rooms alongside the hall plus regular group hires such as a dance group                             |
| 4    | Being part of community, this budget line is to represent contributions of members of community in supporting maintenance of Hall – e.g. possible gardening and lawn. |
| 5    | 1 <sup>st</sup> year COGS & apply ECCT grass roots operational funding; COGS 2 <sup>nd</sup> year onwards   |
| 6    | Calculated at \$100 a month being once a week cleaning of toilets   |
| 7    | Possible expense if we have to pay a booking commission on casual hirers  |
| 8    | Planning for normal maintenance – light bulbs, small plumbing issues etc  |
| 9    | Based on HDC previous expenditure this needs to be allowed for  |
| 10   | Allowance for minimum yearly external wash & windows  |
| 11   | Wages for an administrator @ 5 hours week, living wage plus associated employment costs. Possibility could also do some secretary work of committee                   |
| 12   | Annual building WOF and IQP plus Health & Safety costs  |
| 13   | Anticipated net cost \$300 after in-kind community support for lawns/gardens  |
| 14   | Rates @ 21/22 year +3% annual increase  |
| 15   | Building, public liability and Committee insurance  |
| 16   | Based on HDC costs  |
| 17   | Electricity and gas have been based on HDC costs  |
| 18   | A \$50 a month cell phone as contact for bookings to ensure contact availability  |
| 19   | Building should have internet for users   |
| 20   | Fixture and Fittings replacement plus emergency maintenance fund – reassess year 7  |

Explanation of 23/24 year given in Draft Timeline Scope of Works document.

Last Updated: 01/02/2021

Page 1 of 1

**Foxton War Memorial Hall Society Incorporated**  
**Constitution**

**1. TITLE**

The Title of the Society shall be "Foxton War Memorial Hall Society Incorporated".

**2. INTERPRETATION**

- 2.1 "Society" means the Foxton War Memorial Hall Society incorporated.
- 2.2 "Committee" means the Management Committee of the Society elected at annual general meetings for three (3) year rotations.
- 2.3 "Financial member" means any person who has paid the Society's annual subscription for that year.
- 2.4 "Term of office" means a three (3) year tenure dating from the election of the management committee at an annual general meeting.
- 2.5 "The Foxton area" means the area defined by local government boundaries for the Foxton and Foxton Beach Area only.
- 2.6 "The Act" means the Incorporated Societies Act 2008.
- 2.7 "Honorary Member" means any person who has been accorded free membership following a resolution to that effect by the Committee.
- 2.8 "The Hall" means the Foxton War Memorial Hall and its surrounding gardens of its legal boundaries.

**3. REGISTERED OFFICE**

The Registered Office shall be situated at the address of the Secretary or any such place as determined by the Management Committee.

**4. OBJECTIVES**

The objectives of the Society are:

- 4.1 To retain community ownership of the Foxton War Memorial Hall and operate it in an efficient, safe and commercial manner to service the community while maintaining the character of a community War Memorial.
- 4.2 To bring the Hall up to the required earthquake strength at the earliest opportunity as funds allow.
- 4.3 To promote community-based activities in the Hall for the benefit of residents in the Foxton Area.
- 4.4 To enable the pursuit of a variety of revenue raising activities to fund long term self-sufficiency.
- 4.5 Advocate on behalf of members on local government matters pertaining to historical or buildings and sites of historical significance.
- 4.6 Liaise with like-minded organisations throughout the Horowhenua and New Zealand.

#### **4 POWERS**

In order to achieve its objectives, the Society has the authority to

- 4.1 Operate a bank account.
- 4.2 Raise funds.
- 4.3 Undertake any lawful activity to achieve the Society's aims.

#### **5 MEMBERSHIP**

- 5.1 Membership is available to any person who resides or who is an owner of a property within the Foxton and Foxton Beach Area.
- 5.2 Any other person may become a member whose membership is approved by the Committee.

#### **6 SUBSCRIPTIONS**

- 6.1 Members over the age of 18 shall become financial members upon payment of the subscription fee which shall be set at the Annual General Meeting of the Society.
- 6.2 Only financial members shall have the right to vote at meetings.
- 6.3 Subscription fees fall due on 1 July each year.

#### **7 RESIGNATIONS**

- 7.1 A member may resign from membership at any time by written notice to the Secretary.
- 7.2 The financial membership of any member shall lapse upon default of the appropriate subscription more than three months after the due date or the member becomes ineligible to remain a member.

#### **8 MANAGEMENT**

The Management Committee elected at the Annual General Meeting shall be responsible for the management of the Society during their term of office.

#### **9 MANAGEMENT COMMITTEE**

- 9.1 The Management Committee shall be financial members elected at the Annual General Meeting to serve for the term of office for three (3) years.
- 9.2 The Management Committee shall comprise the following: Chairperson, Deputy Chairperson, Secretary, Treasurer and no more than three other committee members.
- 9.3 The Management Committee shall at the first meeting following an Annual General meeting elect from the newly elected committee members a Chairperson, Deputy Chairperson, Secretary and Treasurer to hold office for the Committee's term of office.
- 9.4 The Management Committee shall have the right to elect a replacement if any Officer vacates office during their term of office.
- 9.5 The Chairperson shall chair all meetings, or in the absence of the Chairperson, the Deputy Chairperson will chair the meeting. In the absence of both the Chairperson and the Deputy Chairperson, the members present shall vote a person to chair this meeting.
- 9.6 The Management Committee shall have the right to determine the date, time and venue for Management Committee meetings.

- 9.7 Each member of the Management Committee shall have the right to cast one vote on motions put to the meeting.
- 9.8 Proxy votes in writing to the Chairperson will be accepted.
- 9.9 In the event of equality of votes, the Chairperson should have a casting vote.
- 9.10 Unless or until set aside by financial members attending a general meeting, any resolution passed by the Management Committee shall be final.
- 9.11 The Management Committee has the authority to delegate any party authority to act on any matter, and to set any terms of reference.
- 9.12 The Management Committee has the authority to set sub-committees subject to terms of reference set in advance.
- 9.13 The Management Committee has the authority to expend funds in order to advance the objectives of the Society, and to reimburse any member or Committee member for reasonable expenses.
- 9.14 Any member of the Management Committee who fails to attend more than three (3) consecutive committee meetings without reasonable explanation may be removed from the committee upon resolution of the Management Committee.
- 9.15 The Management Committee shall have the authority to co-opt financial members onto the Committee to fill any vacancy or for a specific purpose during the Committee's term of office.
- 9.16 Where a member is co-opted for a specific purpose, the Management Committee's complement is permitted to exceed seven (7).
- 9.17 Co-opted members shall be granted speaking rights. Co-opted members to fill a vacancy shall have voting rights. Provision of voting rights for other co-opted members shall be determined by the Committee before that member is co-opted onto the Committee.
- 9.18 The Management Committee reserves the right to exclude members and observers from the meeting in order to discuss matters considered to be of a sensitive nature.
- 9.19 The Management Committee shall set a policy on the attendance of financial members and other observers at Committee meetings.
- 10 ANNUAL GENERAL MEETING**
- 10.1 The Annual General Meeting of the Society shall be held not later than the thirty-first day of October each year, at a time, date and place set by the Management Committee.
- 10.2 Fourteen clear days' notice shall be given by the Secretary of such time, date and place of the Annual General Meeting. Such notification shall be to the community by means deemed suitable by the committee.
- 10.3 The outgoing Chairperson shall chair the Annual General Meeting, but if seeking re-election shall vacate the Chair for the Election of the Management Committee.
- 10.4 Proxy votes from fully paid members shall be accepted only if in writing and handed to the Chairperson before the start of the meeting.
- 10.5 The following business shall be transacted at the Annual General Meeting:
- a) Adoption of Minutes for previous Annual General Meeting
  - b) The presentation of the Chairperson's Annual Report
  - c) The presentation of the Treasurer's Report



- d) The presentation of reviewed or audited Financial Statements in line with regulatory requirements of Charitable entity reporting
- e) Election of the Management Committee members on rotation
- f) Appointment of an Independent Financial Reviewer or Auditor
- g) Setting subscription fees for the forthcoming year
- h) Any general business raised by members.

#### 11 SPECIAL GENERAL MEETING

- 11.1 A Special General Meeting may be called for a specified purpose by:
- a) No less than four (4) members of the Management Committee.
  - b) No less than five (5) financial members of the Society.
- 11.2 The written request for a Special Meeting can be sent to any Committee member. Committee members are bound to pass requests onto all other Committee members as soon as practicable.
- 11.3 The Management Committee shall set the date, time and place for the Special General Meeting, although it shall take place no later than one month after receiving a request for a special general meeting.
- 11.4 Notification of the Special General Meeting, the date, time and venue shall be conveyed to financial members by e-mail or delivery no less than seven days before the Special General Meeting takes place.
- 11.5 The Chairperson or a person delegated by the Chairperson shall chair the Special General Meeting.
- 11.6 Any other business shall be conducted at the Special General Meeting with the majority vote of financial members attending.
- 11.7 Voting on any notice of motion shall be by show of hands unless a majority of members attending vote in favour of a secret poll.
- 11.8 Proxy votes shall be in writing and handed to the Chairperson before the start of the meeting.

#### 12 QUORUM

- 12.1 The Quorum for an Annual General or Special General Meeting shall be ten (10) financial members.
- 12.2 The Quorum for meetings of the Management Committee shall be four (4) members of the Management Committee.
- 12.3 No business shall be conducted at any meeting unless a quorum is present. Such a meeting shall be adjourned to another date.
- 12.4 Where two (2) attempts of an Annual or Special Meeting have been undertaken without success meeting quorum, then a third (3<sup>rd</sup>) attempt is to be undertaken with a quorum set at seven (7) financial members.

#### 13 ELECTION OF THE MANAGEMENT COMMITTEE

- 13.1 The Management Committee of no more than seven (7) members shall be elected at the first Annual General Meeting.
- 13.2 At the second Annual General Meeting and subsequent Annual General Meetings onwards, two (2) committee member positions must be offered for election, allowing a minimum of six (6) committee positions available for re-election over three (3) years.

- 13.3 All financial members are eligible for nomination.
- 13.4 All nominations must be proposed and seconded by financial members.
- 13.5 Nominations can be advised in advance of meeting to member or taken from the floor at time of elections during the meeting. Nominees are required to give a short verbal presentation of skills and attributes they would bring to the Committee to allow members to ensure Committee has a balance of skilled members.
- 13.6 Nominations are called for and closed by the chair during the Annual General Meeting.
- 13.7 If seeking re-election, the Chairperson shall vacate the chair for the election of the Management Committee and prior to the Annual General Meeting, the Management Committee shall appoint an independent person to chair the meeting during the election of the Management Committee.
- 13.8 The rulings of the independent chairperson shall be final.

#### **14 MANAGEMENT AND CONTROL OF PROPERTY**

The management and control of all real and person property owned by the Society shall be vested in the Management Committee, who may exercise all such powers and do all such things as may be exercised by the Society and are not thereby or by statute expressly directed or required to be exercise or done by the Society in a General meeting.

#### **15 INDEMNITY**

The Management Committee and any person acting under the delegated authority of the Management Committee shall be indemnified against all disbursements, expenses, liabilities and losses incurred by them in or about the discharge of their duties except such as happens from their wilful act, neglect, or default in breach of the provisions of Charitable or Incorporated Society legislation.

#### **16 COMMON SEAL**

The Society will not use a Common Seal. All legal documents will be signed by three (3) committee members with evidence provided by meeting minutes that the document has been approved for signing.

#### **17 FINANCE**

- 17.1 The financial year shall end on the thirtieth day of June.
- 17.2 All funds received by the Society shall be paid into the Society's bank account. An official receipt shall be issued for any cash funds received. Official receipts will be provided upon request for direct bank payments received.
- 17.3 At the first meeting of the Management Committee following the Annual General Meeting, the Management Committee will appoint no less than three bank signatories. No signatory shall be the spouse or partner of another signatory.
- 17.4 All accounts shall be processed by two of the appointed signatories.
- 17.5 Subscriptions are valid for the period from 1<sup>st</sup> July until 30<sup>th</sup> June each year.
- 17.6 Financial statements shall be prepared by the Treasurer and reviewed by the Independent Reviewer or Auditor for presentation and approval by members at the Annual General Meeting.

- 17.7 The financial statement shall provide a record of the Receipts and Payments, Income and Expenditure, a Balance Sheet and any other statement required under the Act.
- 17.8 Once adopted by members attending the Annual General Meeting, a copy of the financial statements shall be forwarded to the Registrar of Incorporated Societies, accompanied by a certificate signed by the Chairperson stating:  
I certify that the foregoing statement had been submitted to and approved by the members at the Annual General Meeting held on the ..... (day) of ..... (year) at ..... (place)
- 17.9 The Independent Reviewer shall at all reasonable times have access to the books and accounts of the Society and shall be entitled to any information deemed desirable for audit purposes.
- 17.10 The Independent Reviewer shall not be a member of the Management Committee and preferably will not be a financial member of the Society.

#### 18 TREASURER

The Treasurer shall:

- 18.1 Collect and account for all Members' subscriptions and Society funds, issuing a receipt for all cash transactions and when requested for bank payments.
- 18.2 Each month update the Secretary on new members and details.
- 18.3 Bank promptly all monies of the Society and pay all accounts once passed for payment.
- 18.4 Keep a record of all revenue and expenditure, as well as any potential liabilities or assets.
- 19.3 At the conclusion of the financial year, prepare the Annual Account and Balance Sheet within sufficient time for the Independent Reviewer to complete the review and print off copies for circulation at the Annual General Meeting.
- 19.4 Recommend at the ultimate Committee meeting prior to the Annual General Meeting subscription fees for the forthcoming year.

#### 20 SECRETARY

The Secretary shall:

- 20.1 Record the minutes of each meeting, including the time, date, venue, Chairperson, persons present, and resolutions passed.
- 20.2 Receive all inwards correspondence and liaise with the Treasurer over financial matters of an urgent nature.
- 20.3 Compose and sign all outwards correspondence.
- 20.4 Keep a record of all inwards and outwards correspondence.
- 20.5 Maintain a register of financial members and contact details.
- 20.6 Notify members of meetings, including the annual general meeting.

#### 21 CHAIRPERSON

The Chairperson shall:

- 21.1 Chair all meetings of the Management Committee and general meetings, with the exception of an election if seeking re-election.
- 21.2 Prepare the Agenda of all meetings in consultation with the Secretary and/or the Treasurer.

21.3 Prepare an annual report for the Annual General Meeting.

## 22 PRIVACY ACT 1993

In accordance with the Society's obligations under the Privacy Act 1993 and 2020.

22.1 No information obtained from members to meet the Society's obligations as an Incorporated Society shall be used for any other purpose other than for which it is obtained, unless prior written authorisation has been obtained from each member affected.

22.2 All information obtained from members shall be stored with sufficient safeguards to protect against loss or unauthorised access.

22.3 Any person holding information about a member shall not be entitled to disclose that information to anybody else without authorisation from the member concerned or in certain limited situations to meet the requirements of the Act.

22.4 If a serious breach of privacy occurs that impacts upon the member/s then the Office of the Privacy Commissioner will be advised as soon as practicable.

## 23 CONFLICTS OF INTEREST

23.1 If any member of the Management Committee has a conflict of interest on any matter considered by the Management Committee, that member shall declare that conflict of interest and withdraw from discussing or voting on that matter.

## 24 COMPLAINTS

24.1 Any complaint about the conduct of any member shall in the first instance be referred to the Chairperson, or a Committee member.

24.2 If the complaint cannot be resolved in this first instance, the complaint shall then be placed in writing, signed by the complainant and forwarded to the Secretary.

24.3 The Secretary shall convene a meeting of the Management Committee at the earliest possible convenience, and until this meeting has been held, no committee member is permitted to discuss this complaint with any member other than another committee member.

24.4 At all times, the Management Committee shall observe the principles of natural justice, namely the right of both parties to be heard and the right to a fair hearing.

24.5 After hearing both parties, the Management Committee shall have the discretion to:

a) Censure that member in writing.

b) If that member is a member of the Management Committee, either suspend that member for a finite period or remove that member from the Management Committee.

24.6 Any decision of the Management Committee shall be final.

## 25 MANAGEMENT COMMITTEE VACANCY

A vacancy exists on the Management Committee if:

25.1 A member dies; or

25.2 A member resigns in writing to the Secretary; or

25.3 A member is removed from the Management Committee; or

25.4 A member is absent from three consecutive meetings without reasonable explanation; or

- 25.5** A member is sentenced to a period of imprisonment of a year or more, although the disqualification does not take effect until the expiration of time for appealing against conviction or if there is an appeal until the appeal is determined.
- 25.6** A member becomes a mentally disordered person within the meaning of the Mental Health (Compulsory Assessment and Treatment) Act 1992.
- 26 ALTERATION TO CONSTITUTION AND RULES**
- 26.1** This Constitution shall be amended, added to or rescinded only by a resolution to that effect passed by not less than a two-thirds majority of the financial members present and voting at an Annual General Meeting or alternatively a Special General Meeting convened for that purpose.
- 26.2** Written notice of the general meeting and proposal to amend, add to or replace this Constitution shall be provided by the Secretary no less than twenty-one days before this meeting to all financial members.
- 26.3** No addition or alteration or rescission of this Constitution shall be adopted if it in any way affects liquidation (Clause 26) unless it shall be approved by the Inland Revenue Department.
- 26.4** No amendment or replacement of this Constitution and Rules shall take effect until the Registrar of Incorporated Society has acknowledged receipt of the amendment or replacement.
- 27 IN RECESS**
- Where the Management Committee is of the opinion that for any reason whatsoever, the Society can no longer for the time being, function they shall:
- 27.1** Report the matter in an Annual General Meeting or a Special General Meeting so convened for that purpose setting out the reason they consider that for the time being the Society can no longer function.
- 27.2** Where two-thirds of financial members attending such Annual General or Special General Meeting are satisfied that the Society can no longer for the time being function, they may:
- i) Move that the Society liquidate in accordance with the provisions of this Constitution or
  - ii) Move that the Society go into recess for an undetermined or specified period.
- 27.3** Where two-thirds of members attending such Annual General or Special General resolve that the Society go into recess, they shall appoint three Trustees to manage the affairs of the Society for such time as is necessary for the Society to function.
- 27.4** The members present at such Annual General Meeting or Special General Meeting shall direct the Management Committee to:
- i) Notify the Registrar of Incorporated Societies of such recess and
  - ii) Deliver forthwith to such Trustees all record and assets of the Society for safekeeping.

**28 LIQUIDATION**

- 28.1 In the event of the liquidation of the Society or its dissolution by the Registrar of Incorporated Societies, the funds and assets of the Society remaining after payment in satisfaction of its debts, liabilities, costs and expenses of liquidation, shall be distributed by the Society in a General Meeting to any non-profit organisation operating within the Foxton Area.
- 28.2 The Procedure and requirements of liquidation of the Society shall be in accordance with Section 24 of the Incorporated Societies Act 1908.

**29 MATTERS NOT PROVIDED FOR**

- 29.1 If any matter shall arise which is not or which in the opinion of the Management Committee is not provided for by or under this Constitution, the same shall be determined by the Management Committee in such manner as it shall deem fit.
- 29.2 Every determination shall be binding upon the Society unless and until set aside by a resolution of an Annual General or Special Meeting.

This Constitution is dated:

Chairperson

Secretary

Deputy Chairperson

## Timeline Scope of Works

To provide more detail in planning that has begun around the proposed submission and subsequent work, below is our starting list of actions creating the initial scope in 3 years leading up to completion of earthquake strengthening before a full programme of activities can happen in the Hall:

### 2021/2022 Financial Year

- Submission accepted into HDC Long Term Plan
- Creation of an incorporated society to manage hall (including public meetings)
- Transfer of ownership into the society
- HDC Annual Grant paid to society
- Additional seed grants applied for by society
- Part-time employment position created
- Promotion of Hall for event hire started
- Call for quotes on earthquake strengthening
- Friends of Society created to support in-kind contributions to Hall maintenance

### 2022/2023 Financial Year

- Annual grant received
- Large funding applications completed based on quotes received
- Quotes and/or tendering finalised and agreements signed
- Continue promotion of Hall for events

### 2023/2024

- Earthquake strengthening work commences if funding successful
- Otherwise continue with funding applications
- Expenditure reduced as work happening on hall – allowed for whole year but might be able to only be closed to hirers for ½ of year.
- Create marketing and events planning for when strengthening completed.

**Interim instigation Committee for Foxton War Memorial Hall  
Incorporated Society members and advisor profiles**

- in alphabetical order -

**Karen Adams – NZIM Certificate Management**

I am an experienced project support co-ordinator with a demonstrated history working in a variety of roles within the Military. Skilled in logistics, planning and analysis, communication, networking, emergency response co-ordination and personnel management, team building and facilitation. I have strong networking and management professional skills. Currently I am on executive Team of NZ Remembrance Army and am the local co-ordinator. I am giving my time to this project as I want to see the Hall be retained for community use and become the thriving hub it once was when I was a child.

**Trevor Chambers – Kia ora whānau of Foxton and Foxton Beach.**

I am standing for the support of the Foxton Memorial Hall. I am on the Foxton Community Board and a Rugby Club member.

The Memorial Hall has great potential for our future generations. It has served us all over many years and stands proud to still serve us. It has created lots of memories for many of our local families. Ka taea tenei Lets do this!

**Nola Fox - PGrad ALT (Massey), NZ Cert Commerce -Accounting, Dip Māori Visual Arts – Raranga (TWOA – level 5)**

After training in Accountancy I have had a career in business analyst and training work with IBM and then as independent consultant before moving into the not-for-profit sector holding significant governorship, financial and education roles in Central District Playcentre Association at local, regional and national levels.

I bring an in-depth working knowledge of governance vs management to help support the new organisation to successfully fulfil its vision and strategic plans.

I have extensive experience in H&R processes and procedures, as well as Health & Safety systems to support the organisation in compliance.

I have stepped up to supporting the work involved to help ensure local assets of historical and cultural significance are retained in the community for the community.

**David Roache – Acting Chair**

I am a born and bred resident of Foxton, and Managing Director of Roaches Concrete Products Ltd since 1971.

My service to the community began in 1985 with the Foxton Borough Council, Horowhenua District Council, through to the present day on the Foxton Community Board

I believe I have a wealth of experience, knowledge and dedication to give to the Community in their endeavour to retain the Foxton War Memorial Hall as a community asset, with the driving force being the purpose of the building of the Memorial Hall as a memorial to our citizens of Foxton & Foxton Beach who served our country and ultimately to those who lost their lives.



**Ngairé Newland**

I am from a local family with strong historical links to the area. I work for the community as a Foxton Community Board member and as Secretary of Foxton Tourist and Development Association. I have a strong work ethic and integrity as well as extensive personal assistant, secretarial and administration skills, and a sound understanding of local government processes. My past employment has included senior level personal assistant roles to senior management at both Council and Health Board. I have also run my own business as a real estate agent. I believe the Foxton War Memorial Hall could be an asset to the area as a self-sufficient commercial venture which will enhance the community.

**Tony Robinson**

Tena koutou. My name is Tony Robinson and I would like to offer my services to be on the committee to save the Foxton War Memorial Hall. My wife and I are both born and raised in Foxton and we have lived here all our lives, so we both share a strong connection with our town and the people who reside here. For the past 29 years I have serviced many local vehicles as the owner and operator of Tony Robinson Motors Foxton. I served 10 years on the BOT for Coely Street School, with 1 term as the Chairperson. I have coached the Manawatu 1<sup>st</sup> XV and Foxton Rugby Club Senior A's and I continue to be an active member of the Foxton Karate Club, which I have done so for 27 years. The Foxton Memorial Hall holds great significance to those who served in the world wars and those within our community. My family and friends have attended multiple events at the Memorial Hall over the years, making the Hall an asset to Foxton and surrounding areas. I believe I can be a voice for the people to save the memorial hall and help develop our town for future generations.

**Nga Mihi**

**Brett Russell B.H**

Brett Russell is qualified with an MA Hons degree majoring in History from the University of Canterbury and an MBA degree from Massey University. He runs a successful IT company, ZawBre Ltd, which provides ICT services to a range of clients. He is a long standing Foxton resident who is particularly interested in Second World War History and recognises the Foxton War Memorial Hall, with its provenance, is a symbol of selfless duty and ultimate sacrifice. A transformation of our War Memorial Hall is long over due so that, once again, it can be fully utilised by and for our local community.

**Sue-Ann Russell – B.BA Accountancy (Massey).**

My accounting career has involved contract work for Government Agencies and a permanent position with Radio New Zealand. I am a longstanding resident with my family having been in Foxton for forty years. As such the Foxton War Memorial Hall's preservation for community use is an important goal for me to achieve.

Foxton War Memorial Hall proposed Incorporated Society Submission

Appendix E

Basil Vertongen QSM-Patron

I am a born and bred resident of Foxton. I commenced my service to the community on the Foxton Borough Council in 1986, followed by 27 years on the Foxton Community board, with 15 of those years as a Chairman. Also, 50+ years at the Foxton Surf Life Saving Club. The Memorial Hall is a community asset and I support every endeavour made to achieve community ownership.