

Notice is hereby given that an ordinary meeting of the Horowhenua District Council will be held on:

Date: Wednesday 11 December 2019
Time: 4.00 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council

OPEN AGENDA

MEMBERSHIP

Mayor	Mr Bernie Wanden	
Deputy Mayor	Mrs Jo Mason	
Councillors	Mr David Allan	
	Mr Wayne Bishop	
	Mr Ross Brannigan	
	Mr Todd Isaacs	
	Mr Sam Jennings	
	Mrs Victoria Kaye-Simmons	
	Mr Robert Ketu	
	Mrs Christine Mitchell	
	Ms Piri-Hira Tukapua	
Reporting Officer	Mr David Clapperton	(Chief Executive)
Meeting Secretary	Mrs Karen Corkill	

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Full Agendas are available on Council's website
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 or by phoning 06 366 0999.

See over the page for further information on Public Participation.

3 Late Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

4 Declarations of Interest

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

5 Confirmation of Minutes

5.1 Meeting minutes Council, 13 November 2019

5.2 Meeting minutes Extraordinary Meeting of Council, 27 November 2019

6 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 too 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

Proceedings of the Community Wellbeing Committee 19 November 2019

File No.: 19/511

1. Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 19 November 2019

2. Recommendation

- 2.1 That Report 19/511 Proceedings of the Community Wellbeing Committee 19 November 2019 be received.
- 2.2 That the Council receives the minutes of the Community Wellbeing Committee meeting held on 19 November 2019.

3. Issues for Consideration

There are no items that require further consideration.

Attachments


There are no attachments for this report.

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 benefits and costs, 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)	Sharon Bowling Executive Assistant	
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Approved by	Nicki Brady General Manager - H2040 & Partnership Development	
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Community Wellbeing Committee

OPEN MINUTES

Minutes of a meeting of the Community Wellbeing Committee held in the Council Chambers, Horowhenua District Council, 126-148 Oxford Street, Levin on Tuesday 19 November 2019 at 1.00 pm.

PRESENT

Chairperson	Cr Victoria Kaye-Simmons	
Deputy Chairperson	Cr Jo Mason	
Members	Mr James Etuale	Department of Internal Affairs
	Mr Mike Fletcher	Ministry Social Development
	Ms Eve Fone	Oranga Tamariki
	Mr Jim Greening	Ministry of Education
	Ms Eleanor Gully	Access & Inclusion Rep
	Ms Angela Williams on behalf of Mr Keith Hilson	Kainga Ora (prev. Housing NZ Inc.)
	Ms Pauline Holland	MidCentral DHB
	Ms Alice Mose-Tuialii	Horowhenua-Ōtaki Children's Team
	Ms Angela Rainham	MidCentral DHB
	Ms Brenda Rea	THINK Hauora (prev. MidCentral DHB)
	Mr Patrick Rennell	HLC – Horowhenua Learning Centre
	Mayor Bernie Wanden	Ex-Officio
	Ms Margaret Williams	Grey Power Rep

IN ATTENDANCE

Reporting Officer	Mrs Lacey Winiata	Community Engagement Manager
	Mrs Nicki Brady	GM H2040 & Partnership Development
	Mrs Cathryn Pollock	Community & Youth Development Manager
	Ms Michelle Rogerson	Community Development Advisor
	Mr David McCorkindale	GM Strategy & Development
	Miss Sharon Bowling	Meeting Secretary

ALSO IN ATTENDANCE

Tracee Te Huia	General Manager Māori, MidCentral DHB
Victoria Gregory	Te Whare Mahana
Faalele Puluseu	Te Whare Mahana

PUBLIC IN ATTENDANCE

There were no members of the public in attendance at the commencement of the meeting.

Meeting opened with Karakia

1 Apologies

Apologies were received from Katie Brosnahan, Beth Purcell, Sister Sosefina, Betty-Lou Iwikau, Keith Hilson and Mark Robinson.

Round table introductions were made.

2 Public Participation

No requests for public participation had been received.

3 Confirmation of Minutes

MOVED by Mr Patrick Rennell, seconded Cr Jo Mason:

That the minutes of the meeting of the Community Wellbeing Committee held on Tuesday, 13 August 2019, be confirmed as a true and correct record.

CARRIED

4 Reports

4.1 Community Services Report to 19 November 2019

To present to the Community Wellbeing Committee the Community Services Report 19 November 2019.

MOVED by Cr Jo Mason, seconded Ms Eleanor Gully:

THAT Report 19/160 on Community Services Report to 13 August 2019 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Lacey Winiata requested that the report be taken as read, highlighting some of the salient points:

- 14 Community Capacity Building workshops have been held over the last 6 months, including a Child Protection workshop held this morning at HDC; Extensive plans are in place for the next 6 months.
- Refugee Resettlement: Red Cross is the provider of the services in Levin; the ethnic group being welcomed are Columbians. Next steps entails facilitating meetings between Red Cross and our community to best support resettlement.

Expanding on the Community Capacity Building workshops, Cathryn Pollock covered off the purpose and variety of content covered (citing examples), and for whom the workshops catered for – organisations/agencies that are unable to provide them for their employees. It was acknowledged that there could be gaps in our community (e.g. voluntary groups) which may need assistance with providing workshops, and sought committee members to bring such organisations/groups to the attention of the Community Development Team.

The workshops have proved beneficial to build discussion and/or networks within our community. They are provided free or funded by koha; noting that the workshops are not restricted to Levin, are held district wide with transport provided if need be.

Eleanor Gully advised that a number of capacity buildings workshops are also hosted/held at Te Whare Mahana covering e.g. financial, governance topics. It was suggested Te Whare Mahana and Council could partner to provide workshops around e.g. First Aid.

5 Reports – Focus Areas

The latest updates for each of focus areas were provided as information only at the time of the Agenda dispatch.

(CWC Focus Area updates will be **attached** to the official minutes)

- **Children’s Workforce**

Link to the Child & Youth Wellbeing Strategy

<https://dpmc.govt.nz/our-programmes/child-and-youth-wellbeing-strategy>

- **Community of Learners**

6

- **Family Harm**

7

- **Health & Wellbeing**

Highlights: Improving access and health care – Pasifika health care now established in the Horowhenua, helping to connect families with health services, taking programmes out to child care centres, schools etc.; Changes around primary care – frustration with waiting times, and the shortage of GPs is an ongoing issue in the Horowhenua. This is being better managed by way of e.g. phone triaging/phone portals, taking some of the pressure off; In the mental health space, a prevention team was established in Horowhenua/Ōtaki this year, with workshops held for mental health/addiction/suicide prevention at schools. Feedback from the CoL indicate that more children are presenting with anxiety and depression nationally.

The challenge around access will always exist. There is more acknowledgement and more work around the need to break down barriers to access, however it is hard to address the actual statistics (definitely signs of improvement has been made in the Pacific peoples area). The continued GP shortage is a major issue in primary care.

Concern was expressed around the District’s growth and the impact on these issues; and the need to develop strategies to work together and address. It was assured that considerations around population increases and future needs are being given; with MidCentral keen to collaborate.

Appropriate to the topic, Brenda Rea spoke about the recruitment challenges in attracting General Practitioners to the Horowhenua District. With the ageing GP population, it is becoming a critical issue. For three years in a row, enrolment in the GP training programme has reduced and coupled with the latest news that 53 students will be denied graduation following the discovery of an overseas placement rort the outlook is more than concerning.

There is a desperate need to encourage GPs to the Horowhenua; and it is the hardest area to recruit to.

Acknowledging that there are different ways to address the shortage of GPs, Brenda said unfortunately the paradigm is slow. This has a roll on effect/impact on Palmerston North Hospital, and numbers have escalated exponentially. Concluding, that if the mid central area is not an attractive area to live and work for GPs, then the challenge sat around the benefits of living and working in the Horowhenua District.

It was suggested this issue be addressed in the New Year.

- **Growth**

A PowerPoint was presented covering Horowhenua’s population and growth, growth trends, and housing expectations.

(PowerPoint will be **attached** to the official minutes)

○ **Housing**

Housing NZ Inc. has been renamed – Kāinga Ora, Homes and Communities. The agency is keen to attend and participate in the Horowhenua housing forums/hui. It was noted that there have been no new builds happening in the Horowhenua (and no more conversations recently around that happening); there is some transitional housing, but nothing has come of that to date.

The Chair requested that Angela Williams follow up on the housing build situation for the Horowhenua and feed back to the CWC.

8 Pokohiwi ki te pokohiwi – Shoulder to shoulder

Covered in agenda item 5 re General Practitioner shortage.

In closing, the Chair advised the next CWC meeting will be held on 11 February 2020.

It was requested that members give consideration prior to the February meeting around the current CWC meeting time, day and frequency and if the scheduling still suits.

Deputy Chair Jo Mason suggested the possibility of having another facilitated workshop in 2020 to find out what the CWC wants as a group. The Chair concurred with the suggestion, if the CWC was comfortable with this.

Closing Karakia

14:19 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE COMMUNITY WELLBEING
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

Proceedings of the Foxton Community Board 25 November 2019

File No.: 19/510

1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 25 November 2019.

2. Recommendation

- 2.1 That Report 19/510 Proceedings of the Foxton Community Board 25 November 2019 be received.
- 2.2 That the Council receives the minutes of the Foxton Community Board meeting held on 25 November 2019.
- 2.3 That the Horowhenua District Council approves that funding from the Foxton Beach Freeholding Account be granted to the Foxton Beach Community Centre (up to 50% of the purchase price) of a new vehicle, subject to the balance of the funding being available from other sources.

3. Issues for Consideration

The following item considered by the Foxton Community Board meeting held on 25 November 2019 requires further consideration by the Horowhenua District Council:

Foxton Beach Community Centre Inc – Request for funding from the Foxton Beach Freeholding Account

THAT the Foxton Community Board recommends to Council that funding from the Foxton Beach Freeholding Account be granted to the Foxton Beach Community Centre (up to 50% of the purchase price) of a new vehicle, subject to the balance of the funding being available from other source(s).

The issues for consideration are covered in the **attached** Officer's Report to the FCB (Report) 19/494, the supporting information from the Foxton Beach Community Centre and the FCB minutes.

Attachments

No.	Title	Page
A	Foxton Community Board Report Foxton Beach Community Centre Inc - Request for funding from the Foxton Beach Freeholding Account 25 November 2019	23
B	Foxton Beach Community Centre - letter to FCB requesting funding from the FB Freeholding Account - 16 November 2019	25
C	Foxton Beach Community Centre - letter to FCB 15 November 2019	26
D	FBCC Resolution	27
E	FBCC Honda Quote RC2801	28
F	FBCC Honda Quote RC2796	29
G	FBCC Toyota Quote	30
H	Foxton Beach Community Centre - further supporting letter 4 December	31

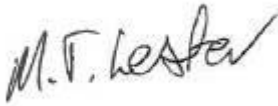

	2019	
I	Foxtton Beach Community Centre - total trips from 1 November 2018 to 4 December 2019	32
J	Foxtton Beach Community Centre - Performance Report for the year ended 31 March 2019	33
K	Foxtton Beach Freeholding Account Strategy and Policy	43

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 benefits and costs, 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)	Mark Lester Group Manager - Corporate Services	
Approved by	David Clapperton Chief Executive	

Foxton Community Board

OPEN MINUTES

Minutes of a meeting of the Foxton Community Board held in the Blue Room, Te Awahou Nieuwe Stroom, 92 Main Street, Foxton, on Monday 25 November 2019 at 6.00 pm.

PRESENT

Chairperson	Mr D J Roache
Deputy Chairperson	Ms P R Metcalf
Members	Cr D A Allan Cr R J Brannigan Mr T J Chambers Mr J F Girling Mrs N J Newland

IN ATTENDANCE

Reporting Officer	Mr M J Lester	(Group Manager – Corporate Services)
	Mrs K J Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

Mayor B P Wanden

PUBLIC IN ATTENDANCE

There were ten members of the public in attendance at the commencement of the meeting.

1 Apologies

There were no apologies.

2 Public Participation

Olaf Eady	7.1	<u>Foxton Beach Community Centre Inc – Request for funding from the Foxton Beach Freeholding Account</u>
Christina Paton	7.1	<u>Foxton Beach Community Centre Inc – Request for funding from the Foxton Beach Freeholding Account</u>
Ted Melton	7.2	<u>Monitoring Report</u> - 17/39 – Foxton Beach Reserves Investment Plan & Review - 19/7 – Foxton Beach Carpark Fore-dune Works

- 19/150 – New Carpark Design near Pump Track at Holben Reserve
- 19/162 – Holben Reserve Wetland Development

7.3 Reporting Officer's Report

3.4 – Foxton Beach Progressive Association – Chairperson's Report.

3 Late Items

There were no late items.

4 Declaration of Interest

None declared.

5 Confirmation of Minutes

MOVED by Mr Girling, seconded Cr Allan:

THAT the minutes of the meeting of the Foxton Community Board held on Wednesday, 30 October 2019, be confirmed as a true and correct record.

CARRIED

6 Announcements

There were no announcements.

7 Reports

7.1 **Foxton Beach Community Centre Inc - Request for funding from the Foxton Beach Freeholding Account**

Purpose

For the Foxton Community Board to consider the request for funding from the Foxton Beach Freeholding Account by the Foxton Beach Community Centre Inc.

MOVED by Cr Allan, seconded Cr Brannigan:

THAT Report 19/494 Foxton Beach Community Centre Inc - Request for funding from the Foxton Beach Freeholding Account be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Mr Roger Cook was welcomed to the table to speak to the Foxton Community Centre's request for funding from the Foxton Beach Freeholding Account for a new vehicle. Mr Cook gave an overview of the shuttle service that had been in operation for 30 years with volunteers providing an invaluable service to the Foxton Beach community assisting vulnerable people to access health, and other, services. He explained why they were looking in this instance to purchase a new rather than a second hand vehicle, providing information on the age, state and maintenance requirements of the current three vehicles in use.

Mr Cook responded to queries giving an example of the number of trips and people assisted on a daily and weekly basis. He commented on the Trust's financial circumstances and confirmed that, with only 50% of any vehicle purchase price being available from the Foxton Beach Freeholding Account should it be approved, the Trust

had enough money in the bank to fund the other 50%, noting that the Trust was also applying to other sources, such as the Eastern & Central Community Trust for funding. In terms of covering the costs for travel and maintenance, the Trust did have a set donation which generally sufficed.

Ms Metcalf noted that she was the Trust's auditor and did have background knowledge of its finances.

With regard to relationships with other shuttle services, Mr Cook said he was aware of them and how they operated. However, the Foxton Beach service was different in that it offered a door to door service, which the others did not.

As one of the first volunteers when the service was instituted, Mrs Christina Paton said she highly commended this application and whilst appreciating that it needed to be well scrutinised, suggested considering the value of the number of hours that the Community Centre volunteers put in, to the benefit of not only Foxton Beach, but also Foxton and some outlying townships, to put into context the money requested. Noting the current Foxton Beach Freeholding Account Strategy and Policy, Mrs Paton then referenced a document from 1990 on the Foxton Beach Township Endowment Land which she said set out very clearly how the freeholding fund should be spent which would accommodate this application.

As a recipient on a number of occasions of the service provided, Mr Olaf Eady also spoke in favour of this application, commenting as well on the further request for garaging on the site used by the Community Centre which had been classified by Council in its Property Strategy as non-core to its business.

Noting the response from Council to the request for additional garaging on the Community Centre site, Mr Lester said should there be an appetite to revisit this, it would need to occur via the Annual Plan or Long Term Plan process.

With Board Members expressing their support for the application in principle, the requirement in the Policy for the fund only to be used for items in the Long Term Plan was raised and considered with it noted that care had been taken in the past with regard to exceptions. The request going through the Annual Plan process would also allow the people at Foxton Beach to have their say.

Mr Cook returned to the table to respond to questions from Board Members with regard to urgency as the outcome from the Annual Plan process could take seven or so months. Mr Cook said the issue was the old van which the Trust had had for a long time. It was the back-up van, but was being used two or three times a week because of an increase in workload. Whilst its WOF was not due until September, it would shortly need three new tyres and there could be other unforeseen expenses. If the grant was available from the Freeholding Fund immediately they would go ahead and use the funding they had in the bank to purchase a vehicle as soon as they could.

The need to review the Policy as soon as possible was reiterated as was the need to revisit the Property Strategy with regard to the garaging issue.

MOVED by Mr Roache, seconded Mr Girling:

THAT the Foxton Community Board recommends to Council that funding from the Foxton Beach Freeholding Account be granted to the Foxton Beach Community Centre (up to 50% of the purchase price) of a new vehicle, subject to the balance of the funding being available from other source(s).

With there being five for and two against because of an issue with what was provided for in the Policy and Strategy, the motion was:

CARRIED

With there being a number of matters the Board needed to consider, Mr Lester suggested that the Board's first workshop in the New Year should look at a work programme to include the Foxton Beach Freeholding Account Policy and Strategy and the Property Strategy.

7.2 Monitoring Report to 23 September 2019

Purpose

To present to Foxton Community Board the updated monitoring report covering requested actions from previous meetings of the Community Board.

MOVED by Ms Metcalf, seconded Mr Girling:

THAT Report 19/467 Monitoring Report to 23 September 2019 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

It was requested, going forward, that Officers include a date when they did an update to provide context.

Mr Ted Melton spoke to a number of Monitoring Report items, tying them in with his Foxton Beach Progressive Association's Chairperson's Report which was appended to the Reporting Officer's report. He said his remarks related to the item on the Review of the Foxton Beach Reserves Investment Plan and the items pertaining to Holben Reserve. He proposed that the Board set up a working party rather than just call Officers or people to give information to a workshop to try and get some energy and speed behind a master plan to deal with all facets of what was proposed for the whole precinct, including parking. He suggested this approach would get a better, more integrated, result, outlining some the things that could be considered to get better utilisation of the area.

Responding to a query as to what a working group would achieve that a workshop would not, Mr Melton said that such a group could meet more often as proposed workshops were bi-monthly and could be more focussed on the details, which would include interaction with stakeholders. However, everything would still come back to the Community Board.

In terms of how he saw the make-up of the working group, Mr Melton said it could include one or two Community Board Members, a couple of people from the community and also Council Officers as it could not be done without their input.

Outlining the work that had already been done, Mr Roache expressed his reluctance to set up another committee.

Mr Lester said he did not think that a decision was required this evening as it was not an Agenda item. He would go back and talk to the Parks and Property team as to what plans they had going forward.

Reminding members of Jim Diers' community-led development approach, Cr Brannigan suggested that there did need to be a wider approach to the conversation and the community, as well as the Foxton Beach Progressive Association (FBPA), needed to be involved, not just having input from Officers. A working group might be a way to achieve that.

Saying it would be an exercise in democracy, Mr Girling also spoke in support of working with the public and the FBPA, as well as Officers, to pull ideas together.

Mr Allan observed that it was about momentum and these projects having some energy; however, there were no delegated powers. There would be two very useful parallel processes, with the community having a say from the beginning. It was just a matter of process as to how that was mandated to happen.

Commenting that it was about process design, Mr Lester said Officers did not want to develop something in a vacuum. With the leave of the Board, he would go back to the Parks and Property team about early engagement with the community, the FBPA and other stakeholders. It was about getting the process done correctly and getting the right outcome.

Speaking to 19/7 – Update on the Proposed Foxton Beach Carpark Foredune Works, as noted in his Chairperson’s Report, Mr Melton said there appeared to be general approval of what had been done with the foredunes; however, a reasonably significant question had been raised about the potential for wind-blown sand and the activity of the weather and waves on the beach to cause issues for car-parking and nearby streets and dwellings which could require expensive on-going maintenance. He requested that the Board keep an eye on that.

He noted that Parks & Property Officer, Rachel Carr, was working on designing a cheaper, wooden, version of the wall than the one that had been considered earlier in the year. He queried whether if it would be acceptable under the existing consent.

Mr Lester said he would check the consent conditions and report back to the Board.

7.3 Reporting Officer's Report to 25 November 2019

Purpose

To present to the Foxton Community Board, for information, issues relating to the Foxton Community Board area.

MOVED by Cr Allan, seconded Ms Metcalf:

THAT Report 19/468 Reporting Officer's Report to 25 November 2019 be received.

THAT these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

3.1 Meeting Frequency & Commencement Time

Mr Lester outlined the issues the Board needed to consider such as whether or not to continue with the half hour public meeting prior to the formal meeting as with workshops proposed in the intervening months there was the option for workshops to be open to the public or to invite key stakeholders to attend and there was no reason why they could not be publicly advertised. If there were sensitive matters to be considered then a briefing could be held. No decisions could be taken at workshops and they were not governed by Standing Orders but they did need to be well structured and chaired.

The commencement time for meetings was discussed with Members offering comment on their personal preference. After consideration of the options, including the time implications for officers, it was:

MOVED by Mr Roache, seconded Cr Brannigan:

THAT the Foxton Community Board adopts a meeting commencement time for 2020 of 6.00 pm.

On being put there were four for and three against the motion, which was therefore

CARRIED

MOVED by Mr Roache, seconded Mr Chambers:

THAT the Foxton Community Board adopts a workshop commencement time for 2020 of 4.00 pm.

CARRIED

MOVED by Mr Roache, seconded Cr Allan:

THAT the Foxton Community Board adopts the meeting and workshop schedule for the period January to December 2020.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Board notes that additional ordinary or extraordinary meetings may be scheduled from time to time in consultation with the Chair and the Reporting Officer.

CARRIED

3.3 Foxton Community Board Representation

Board representation on the various agencies and organisations was discussed. With some Board Members already involved with a number of the entities in other capacities, it was agreed that it would be logical for them to also represent FCB.

Wildlife Foxton Trust was added to the list, with Proudly Foxton removed as it was an adjunct of the Foxton Tourist and Development Association.

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Ross Brannigan as its representative on the Foxton Area Community Medical Trust.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Tricia Metcalf as its representative on MavTec.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Ngaire Newland as its representative on the Foxton Tourist & Development Association.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints John Girling as its representative on the Save Our River Trust.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Tricia Metcalf as its representative on the Manawatu Estuary Trust.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Tricia Metcalf and Ngaire Newland as its representatives on the Foxton Beach Progressive Association.

CARRIED

MOVED by Ms Metcalf, seconded Mr Roache:

THAT the Foxton Community Board appoints John Girling as its representative on Shared Pathways.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints John Girling and Trevor Chambers as its representatives on the Manawatū River Loop Working Party.

CARRIED

MOVED by Cr Allan, seconded Mr Roache:

THAT the Foxton Community Board appoints Ngaire Newland as its representative on the Wildlife Foxton Trust.

CARRIED

3.4 Foxton Beach Progressive Association – Chairperson’s Report

Mr Melton raised the issue of better care and enhancement of the Ramsar site so that it could be enjoyed in line with its international status. He suggested it would be helpful to have a Community Board Member and/or Ward Councillor attend the twice yearly Manawatū Estuary Management Team meetings.

He further noted that bids were being considered from suppliers for CCTV cameras for Foxton Beach. This matter would be brought to the Board in the New Year. The system proposed would connect recorded data to the Foxton Beach Police and the Levin Police and could accommodate Foxton in the future.

3.2 Pre-meeting for Public Engagement

Following prior comments on this, it was agreed it would continue in the meantime, although with regular public workshops that position might change.

3.5 Foxton Beach Freeholding Account

An updated Foxton Beach Freeholding Fund projected forecast was tabled.

7.4 Foxton Beach Progressive Association - Memorandum of Understanding

Purpose

For the Foxton Community Board to consider endorsing the Memorandum of Understanding (MOU) it has with the Foxton Beach Progressive Association for the 2019-2022 triennium.

MOVED by Cr Allan, seconded Mr Girling:

THAT Report 19/493 Foxton Beach Progressive Association - Memorandum of Understanding be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

MOVED by Cr Allan, seconded Mr Girling:

THE Foxton Community Board endorses the Memorandum of Understanding with the Foxton Beach Progressive Association for the 2019-2022 triennium.

CARRIED

7.5 Resource Consenting (Planning) Matters Considered Under Delegated Authority

Purpose

To present, **for information**, details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Mr Girling, seconded Cr Allan:

THAT Report 19/470 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

7.37 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE FOXTON COMMUNITY
BOARD HELD ON

DATE:.....

CHAIRPERSON:.....

Foxton Beach Community Centre Inc - Request for funding from the Foxton Beach Freeholding Account

File No.: 19/494

1. Purpose

For the Foxton Community Board to consider the request for funding from the Foxton Beach Freeholding Account by the Foxton Beach Community Centre Inc.

2. Recommendation

- 2.1 That Report 19/494 Foxton Beach Community Centre Inc - Request for funding from the Foxton Beach Freeholding Account 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 recommends/does not recommend to Council that funding from the Foxton Beach Freeholding Account be granted to the Foxton Beach Community Centre (up to 50% of the purchase price) of a new vehicle, subject to the balance of the funding being available from other source(s).

3. Background

- 3.1 As outlined in the attached correspondence (attachments A and B), the Foxton Beach Community Centre provides a health shuttle service to the community.
- 3.2 Because of the demand for its service, the Centre has now approached the Foxton Community Board seeking funding from the Foxton Beach Freeholding Account to purchase a new replacement vehicle, similar to what is currently being operated, and also to erect a double garage on the Council-owned land currently occupied by the Centre.
- 3.7 The Centre will also be seeking funding from other sources such as the Eastern & Central Community Trust (see Attachment C).

4. Issues for Consideration

- 4.1 The Board needs to consider whether or not the request is consistent with the Strategy and Policy for the Foxton Beach Freeholding Account (bearing in mind that the Strategy and Policy was put in place in 2009 and is due for review), which sets out:

Spending Policy

"Expenditure shall be governed by the following principles:

<i>Sustainability</i>	<i>The fund shall be applied to enhance the current and future wellbeing of the inhabitants of Foxton Beach</i>
<i>Beneficial</i>	<i>The fund shall be applied to services and amenities in ways that consider the social, environmental, cultural and economic wellbeing of the inhabitants of Foxton Beach</i>
<i>Complementary</i>	<i>The fund is not the sole resource for funding infrastructure and other development, and should be used in a way complementary to other sources to maintain a sense of community responsibility, ownership and fairness</i>
<i>Responsiveness</i>	<i>The fund shall be applied for infrastructure, but also retain some flexibility to meet needs that are currently unforeseen."</i>

The fund will be used for Capital Works only, on existing and future infrastructure.

The fund will only be used on items included in the Council's LTCCP (10 year plan) or Annual Plan.:

Maximum level of contribution

The maximum contribution from the fund will be 50% of any total project cost."

- 4.2 Three quotes for the type of vehicle sought are appended for information (Attachments D, E & F).
- 4.3 4.3 The Centre offers a valuable service to residents of Foxton Beach. Supporting this initiative could be considered as investing in the social infrastructure and well-being of the community.
- 4.3 With regard to the request for funding to build a garage to house the third vehicle, a similar request was made to Council in early 2018 (see Attachment G). Due to the area on which the Community Centre is located being classified as non-core to Council's business, the Centre was advised that Council would not be looking to lock the land up with any long-term lease as the site will ultimately be considered for transfer/divestment (see Attachment H). This situation still pertains, so the request for funding for a garage is not able to be considered unless the Board wishes to seek a reclassification by Council. Any reclassification would need to occur via the Property Strategy.

Attachments

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 benefits and costs, 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)	Mark Lester Group Manager - Corporate Services	
Approved by	Mark Lester Group Manager - Corporate Services	

Foxton Beach Community Centre Inc.

**108 SEABURY AVENUE
FOXTON BEACH 4815**

Telephone: (06 363 8387)

All Correspondence to:

Hon. Secretary/Treasurer

Mrs M Hoseason

15th November 2019

Foxton Beach Community Board

We at the Foxton Beach Community Centre provide a Health Shuttle service to the community. With the help of 18 Volunteers, we convey the elderly and frail members of the community to various appointments, who cannot drive. These appointments are predominantly medical, but also include Clinics, Lawyers, Banks, Optometrists, Hearing Clinics, Podiatrists and airports.

The service that we provide has been operating for 30 years. We ask for a set donation per trip, which covers most of our expenses, but leaves very little to build up a fund to buy replacement vehicles.

When we have to replace a vehicle it is always a second hand vehicle, which we have to maintain straight away and with escalating costs these days, we are struggling sometimes to keep everything on and "even keel". We have two vans which operate Monday to Friday, and a third van we use as a backup vehicle, which is being used more and more due to the increase of people wanting to use our service.

With the population getting older and living longer we are finding our services are getting used more and more. Every week we hear comments from our customers, "that is if wasn't for our services, they would not be able to live here".

A new vehicle would take a lot of pressure off the administration and provide an ongoing, reliable transportation service for the community.

Many thanks

Roger Cook
Funding Officer
Foxton Beach Community Centre

Foxton Beach Community Centre Inc.

**108 SEABURY AVENUE
FOXTON BEACH 4815**

Telephone: (06 363 8387)

All Correspondence to:

Hon. Secretary

Mrs M Hoseason

16th November 2019

Further to my funding request from the Foxton Beach Free Holding fund, I have a written quote from Honda for vehicle similar to what we are operating with now.

The original quote (\$54,000) was for top of the range model, but a cheaper model would be just as suitable for our use. A quote for this is attached as well as one from Toyota.

As well as vehicle funding we also need to build a garage to house the third vehicle. At present the third vehicle is kept at my own place, where it has been for the last two years.

Your meeting on the 28th November will be attended by myself and Lance Pederson to answer any questions you might have.

Any help from the Foxton Community Board would be greatly appreciated by ourselves and the communities of Foxton and Foxton Beach.

Many thanks

Roger Cook

Funding Officer
Foxton Beach Community Centre

Foxton Beach Community Centre Inc.

108 SEABURY AVENUE
FOXTON BEACH 4815

Telephone: (06 363 8387)

All Correspondence to:

Hon. Secretary

Mrs M Hoseason

14th September 2019

The Foxton Beach Community Centre Committee resolved the following resolution:

Mr Roger Cook has authority to act as the FBCC Grants & Funding Officer. He has authority to apply on our behalf to the Eastern & Central Grants Committee for funding to the amount of \$36,000 for the purchase of a new vehicle to transport members of the public to Medical appointments within the Horowhenua/Manawatu district.

Approved and Passed by all.

Signed:



Roger Cook
Grants & Funding Officer



Merle Hoseason
Secretary/Treasurer



Honda New Zealand Limited
455 Broadway, Newmarket
PO Box 9590, Newmarket
Auckland 1149
0800 382 382
www.honda.co.nz

Honda Vehicle and Accessories Quote - New Vehicle

Date: **25/09/2019**
Valid until: **02/10/2019** *Subject to stock availability at quoted price.*
To be delivered by: **22/10/2019**

Quote No.: **RC2801**
Quote ID: **314753**

Prepared for: **Foxton Beach Community Centre**
Mr Roger Cook

Phone: **0274 428 003**

Vehicle Details



Honda Odyssey L Sensing 2.4L DOHC i-VTEC CVT (New)

Preferred Colour: _____

	Amount (Incl GST)
New Car Price	\$53,990.00
On Road Costs	\$795.00
Total Price	\$54,785.00

Including 5yr Service Plan.

- Note:**
- Honda New Zealand Limited does not guarantee the availability of the vehicles and/or accessories specified above.
 - This quote is valid at all approved agents of Honda New Zealand Limited and is valid for vehicle delivered within 20 days of the 'Valid Until' date and conditions specified above.
 - The prices above include GST and the costs of installing the accessories specified above.
 - Provision of this quote by Honda New Zealand Limited does not create an obligation for you to purchase the vehicle and/or accessories specified above.
 - Sales and purchase of this vehicle and/or accessories specified above shall be completed only using standard sale and purchase documentation with an approved agent of Honda New Zealand Limited.



Honda New Zealand Limited
455 Broadway, Newmarket
PO Box 9590, Newmarket
Auckland 1149
0800 382 382
www.honda.co.nz

Honda Vehicle and Accessories Quote - New Vehicle

Date: **25/09/2019**
Valid until: **02/10/2019** *Subject to stock availability at quoted price.*
To be delivered by: **22/10/2019**

Quote No.: **RC2796**
Quote ID: **314748**

Prepared for: **Foxton Beach Community Centre**
Mr Roger Cook

Phone: **0274 428 003**

Vehicle Details



Honda Odyssey S 2.4L DOHC i-VTEC CVT (New)

Preferred Colour: _____

	Amount (Incl GST)
New Car Price	\$45,990.00
On Road Costs	\$795.00
Total Price	\$46,785.00

Including 5yr Service Plan.

- Note:**
- Honda New Zealand Limited does not guarantee the availability of the vehicles and/or accessories specified above.
 - This quote is valid at all approved agents of Honda New Zealand Limited and is valid for vehicle delivered within 20 days of the 'Valid Until' date and conditions specified above.
 - The prices above include GST and the costs of installing the accessories specified above.
 - Provision of this quote by Honda New Zealand Limited does not create an obligation for you to purchase the vehicle and/or accessories specified above.
 - Sales and purchase of this vehicle and/or accessories specified above shall be completed only using standard sale and purchase documentation with an approved agent of Honda New Zealand Limited.



**MANAWATU &
TRC TOYOTA**

QUOTATION

Palmerston North - New
DeBren Enterprises Ltd
Phone: 06 356 7169
Fax: 06 359 2024
Email: sales@manawatu.toyota.co.nz

GST No: 88-094-751
66 Waijding Street
PO Box 4040
Palmerston North
www.manawatu.toyota.co.nz

CUSTOMER :	QUOTE DETAILS:
Foxton Beach Community Centre Incorporated 108 Seabury Avenue Foxton Beach Foxton 4815 E: enquiries@foxton.org.nz P: 063635150	Date : 01/11/2019 Quote : 34488 () Department : 100 Palmerston New Agency Toyota Consultant : Mike McRedmond Stock No :

The following quotation lists all the items included in the purchase of a new vehicle, as per your request.
It also identifies who you will be purchasing each item from.
** Please see over page for terms and conditions relating to this Quotation **

Quoted from Toyota New Zealand Limited

MOTOR VEHICLE

Hiace ZR 2.8DT 6AT RWD MB/4D/10S (HSMA-NM1)	\$53,990.00
TCSA	Included
Vehicle Colour - French Vanilla	Included
1 Tank of Fuel	Included
Registration	Included
RUC 1000 Kms	Included
WOF/COF	Included
TCSA Prepayment	\$1,320.00

Quoted from Manawatu Toyota

ACCESSORIES / OTHER

Interior, Protection Floor Mats, Rubber -Front (Black)	Included
--------------------------------------------------------	----------

TOTAL PAYABLE	\$55,310.00
Includes GST \$7,214.35	

BALANCE PAYABLE	\$55,310.00
------------------------	--------------------

Foxton Beach Community Centre Inc.

**108 SEABURY AVENUE
FOXTON BEACH 4815**

Telephone: (06 363 8387)

All Correspondence to:

Hon. Secretary

Mrs M Hoseason

4th December 2019

Foxton Community Board

Further to our previous correspondence in regards to funding for a new Health Shuttle for the Foxton Beach Community Centre. Please find enclosed a copy of our annual accounts. Also a mention of the numbers of trips to our various destinations and approx number of people transported.

We are also wishing to build a double garage on the adjoining property at the Foxton Beach Community Centre, already fenced off to store one of the shuttles. Financing is not required for this project now. After talking to local builders to what we were wanting to do, they clubbed together and canvassed local builders merchants, and all of the building materials and labour are being donated, and this has become very quickly a community project.

All we are asking for is permission from the Council to build on the section next to the Foxton Beach Community Centre.

Many Thanks

Roger Cook
Funding Officer
Foxton Beach Community Centre

Foxton Beach Community Centre Inc.

**108 SEABURY AVENUE
FOXTON BEACH 4815**

Telephone: (06 363 8387)

All Correspondence to:

Hon. Secretary

Mrs M Hoseason

4th December 2019

The following figures are total trips travelled to Palmerston North, Levin and Foxton from
1st November 2018 to 4th December 2019

To Palmerston North	307 trips
	325 people
To Levin	268 trips
	283 people
To Foxton	120 trips
	135 people

These figures as at 4th December 2019



M Hoseason

Secretary

FOXTON BEACH
COMMUNITY CENTRE

PERFORMANCE
REPORT

For the Year ended 31 March 2019

Patricia Metcalf Chartered Accountant

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

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P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

DISCLAIMER OF LIABILITY

The attached statements have been compiled from information and instructions furnished to us for the year ended 31 March 2019.

Foxton Beach Community Centre and does not involve the verification of that information supplied by the client. We

Further, the financial statements have been prepared at the request of and for the purposes of Foxton Beach Community Centre, therefore we do not accept any responsibility on any grounds what so ever, including liability in negligence, to any other person.



Patricia Metcalf Chartered Accountant
Dated: 20 June 2019

P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

ENTITY INFORMATION
FOR THE YEAR ENDED 31 MARCH 2019

Name of Entity	Foxton Beach Community Centre
Type of Entity	Incorporated Society and Registered Charity
Charitable Trust Registration Number	CC53031 5823.3
Registration Date:	15 January 2016

Entity's Purpose

- a. To foster the health, welfare and well-being of the Foxton Beach community.
- b. To manage the Foxton Beach Community Centre and services necessary to achieve the objectives of the Society.
- c. To make representations to appropriate authorities on behalf of the Foxton Beach community on any matter relevant to the objectives of the Society.
- d. To represent the Foxton Beach community on any organisation when such representation would advance the objectives of the Society.
- e. To raise and manage funds necessary to achieve the objectives of the Society but not for any form of pecuniary gain.

Entity Structure

Management of the Society is carried out only by an Executive Committee in accordance with any policies adopted by a majority of Members present at the preceding Annual General Meeting. The Executive Committee consists of not more than ten members of the Society elected at the Society's Annual General Meeting. Not more than two members of the Executive Committee shall live outside of Foxton Beach at the time of their election. The Executive Committee has the power to establish sub-committees of the Society. No individual member of the Executive Committee shall make any decision on behalf of the Society unless delegated to do so by resolution of the Society.

Main Source of Entity's Cash and Resources

Donations by those transported in the Society's vehicles to health related appointments. Subsidies for the same from Regional Council and Health Authorities. Profit from the sale of frozen meals. Proceeds from the sale of donated used goods and clothing. Receipts from hall and room hire from health related organisations (clinics etc.) Donations from the public and bequests.

Main Method used by the Entity to Raise

We hold several garage sales of donated goods each year, often timed to coincide with other local events. We also apply for grants from various groups for major purchases if necessary.

Entity's Reliance on Volunteers and

We are totally reliant on volunteers to man the office, taking bookings for the vehicles, to sell the goods and to drive the vehicles, as well as all of the Executive Committee's functions.

Address for Service:	108 Seabury Avenue, Foxton Beach 4815
Physical Address:	108 Seabury Avenue, Foxton Beach 4815
Email:	foxtonbeachcommunitycentre@outlook.com
Bankers:	Westpac
Accountant:	P R Metcalf 23A Lady's Mile, Foxton 4814

P R. METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

Statement of Service Performance For The Year ended 31 March 2019

The Society provides door to door transport for residents of Foxton and Foxton Beach to health related appointments in Foxton, Levin and Palmerston North, and return. Provides rooms for visiting health workers to provide clinics for the benefit of local residents. Sells frozen meals.

Description and Quantification of Outputs	Actual	Budget	Actual
	This Year	This Year	Last Year
Transport to Palmerston North	364		352
Transport to Levin	486		553
Transport to Foxton	206		245
Transport to Wellington and Lower Hutt	5		2
Sale of Frozen Meals	315 meals		490 meals
Hire of Hall and Clinics	\$2,045		\$2,573
# Sales of donated goods at garage sales, book sales and staff sales	\$1,249		\$1,687

Additional Information

Note: # There were no garage sales this year accounting for the fall in income here.

P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

**Statement of Receipts and Payments
For The Year ended 31 March 2019**

	Notes	2019	2018
		\$	\$
Operating Receipts	2		
Donations, fund raising and other similar receipts		18,015	16,128
Fees, subscriptions and other receipts from Members		-	-
Receipts from Providing Goods and Services		9,105	10,700
Interest, dividends and other investment receipts		514	512
Other Operating Receipts		214	51
Total Operating Receipts		27,848	27,391
Operating Payments	3		
Payments related to public fundraising		170	68
Volunteer and Employee related Party Payments		-	350
Payments made to providing goods and services		24,486	24,153
Grants and Donations Paid		-	-
Other operating payments		500	500
Total Operating Payments		25,156	25,071
Operating Surplus		2,692	2,320
Capital Receipts	2		
Receipts from sale of resources		-	-
Receipts from borrowings		-	-
Total Capital Receipts		-	-
Capital Payments	3		
Purchase of resources		-	26,990
Repayment of borrowings		-	-
Total Capital Payments		-	26,990
Increase/(Decrease) in Bank Accounts and Cash		2,692	(24,670)
Cash Balances			
Cash and cash equivalents at beginning of period		24,036	48,706
Cash and cash equivalents at end of period		26,728	24,036
Represented by:			
Cheque Account		4,755	1,620
Savings Account		5,823	6,457
Term Deposits		16,039	15,531
Cash Sales Account		591	428
Business Credit Card		(480)	-
Total Bank Accounts and Cash at the end of the Financial Year		26,728	24,036

Approval of Financial Report

The Trustees are pleased to present the approved financial report for the year ended 31 March 2019

Approved by:

Name: Val Hayes

Chairperson

Val Hayes

Name: Bruce Rockell

Treasurer

Bruce Rockell

Date:

P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

**Statement of Resources and Commitments
As at 31 March 2019**

Schedule of Resources		
	2019	2018
	\$	\$
Bank Accounts and Cash		
	26,728	24,036
Total Bank Accounts and Cash	<u>26,728</u>	<u>24,036</u>
Money Held on Behalf of Others		
No money on behalf of others.	-	-
Money Owed to the Entity	\$	\$
Accounts Receivables - transport subsidies owed to the entity	678	438
	<u>678</u>	<u>438</u>
Other Resources	\$	\$
Furniture and Fittings at current valuation	10,000	10,000
Office Equipment at cost	698	698
Toyota Estima Van 2001 FJC493 @ Current Value	2,000	2,000
Toyota Estima Van GYB173 (Purchased 2013/14)	13,490	13,490
Toyota Estima Van 2010 KYA312 (Purchased 2017/18)	26,990	26,990
	<u>53,178</u>	<u>53,178</u>

Schedule of Commitments		
	\$	\$
Unpaid invoices for payments for goods or services	2,097	1,943
Overpayment refund	-	1,130
	<u>2,097</u>	<u>3,073</u>

Schedule of Other Information

There are no Grants or Donations with Conditions attached and not met at balance date (2018: Nil)

No Resources have been pledged as security (2018: Nil)

P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

Notes to the Performance Report For The Year ended 31 March 2019

1 Accounting Policies

Basis of Preparation*

Foxton Beach Community Centres permitted by law to apply PBE SFR-C (NFP) Public Benefit Entity Simple Format Reporting - Cash (Not-For-Profit) and has elected to do so. All transactions are reported in the Statement of Receipts and Payments and related Notes to the Performance Report on a cash basis.

Foxton Beach Community Centre is not registered for GST. Therefore amounts recorded in the Performance Report are inclusive of GST (if any).

This statement has been prepared without conducting an audit or review engagement, and should be read in conjunction with the attached Compilation Report.

P R METCALF CHARTERED ACCOUNTANT

CHARTERED
ACCOUNTANTS

Foxton Beach Community Centre

**Notes to the Performance Report
For The Year ended 31 March 2019**

2 Analysis of Receipts

Receipt Item	Analysis	2019 \$	2018 \$
Fundraising Receipts	Sales of goods and clothing	1,249	1,510
	Garage sales etc	-	250
Total		1,249	1,760

Receipt Item	Analysis	2019 \$	2018 \$
Grants and Donations	Donations/Koha from the public	1,657	364
	Grants not directly related to service delivery	-	-
	Donations from users of our health shuttle service	15,109	14,004
Total		16,766	14,368

Receipt Item	Analysis	2019 \$	2018 \$
Receipts from Members	Donations, Koha or offerings from members	-	-
Total		-	-

Receipt Item	Analysis	2019 \$	2018 \$
Receipts from Providing goods or Services	Receipts from grants or contracts for service with local government	2,501	2,152
	Receipts from grants or contracts for service with non-governmental agencies	2,250	2,250
	Receipts from sales to the public - frozen meals	2,189	3,725
	Lease or rental receipts - hire of hall and clinics	2,165	2,573
Total		9,105	10,700

Receipt Item	Analysis	2019 \$	2018 \$
Interest, dividends and other investment receipts	Interest	514	512
Total		514	512

Receipt Item	Analysis	2019 \$	2018 \$
Other Receipts	Receipts from photocopying	11	16
	Miscellaneous	203	35
Total		214	51

Receipt Item	Analysis	2019 \$	2018 \$
Capital Receipts		-	-
Total		-	-



**HOROWHENUA
DISTRICT
COUNCIL**

FOXTON BEACH FREEHOLDING ACCOUNT (AKA FOXTON BEACH ENDOWMENT FUND)

STRATEGY AND POLICY

**Adopted by the
Horowhenua District Council
on 7 October 2009**

FOXTON BEACH FREEHOLDING ACCOUNT (AKA FOXTON BEACH ENDOWMENT FUND) STRATEGY AND POLICY

Introduction

This strategy and policy document applies to the current and future use of the Foxton Beach freeholding account (also known as the Foxton Beach endowment fund), and referred to herein as the fund.

The Horowhenua District Council decided it would be wise to develop a strategy in consultation with the Foxton Beach community to guide the use of the fund to ensure that the considerable sum of money available from the lease, freeholding and sale of the original land, additional land purchased and other investment return by the fund is used in a way that meets the legislative requirements of the endowment and provides for the wellbeing of the inhabitants of Foxton Beach.

Background

Land for the Foxton Harbour Board, initially 407 acres, was scheduled in 1876, but this was increased under pressure from Council and others and a new Harbour Board was established in 1908 with approximately 1000 acres of land endowed by the Minister of Marine.

What became the Freeholding account came from land (leasehold payments) endowed by the Crown under the Reserves and Other Lands Disposal Act 1956 to the Manawatu County Council as the Corporation administering and controlling the land after the Harbour Board's abolition in 1955. The Council paid a negotiated amount for the endowment, allowing for the need to upgrade roads, and was entitled to lease areas of land under 21 year perpetually renewable leases.

The lands were later increased by the freeholding of land after passage of the Reserves and Other Lands Disposal Act 1965 (acknowledging claims and making payment extinguishing Maori rights to certain parcels of land) and the Reserves and Other Lands Disposal Act 1968 (allowing the sale of freehold land to leaseholders and the sale of unleased land). The latter Act placed conditions on the use of funds:

"The Council shall from time to time spend the net proceeds from the sale or lease of any of the endowment land on the provision of services and public amenities for the benefit of the inhabitants of Foxton Beach township, or on the improvement, maintenance, or repair of any existing services on public amenities. For the purpose of this subsection, the term "services" includes roads, road lighting, water supply, drainage, sewerage, and other public works."

Freehold sections at Foxton Beach were sold by the Manawatu County and District Councils or subsequently the Horowhenua District Council to current owners under this legislation, and the proceeds of those sales have been added to the fund for use as provided for (offsetting reduced lease income after freeholding).

In November 1989 the Horowhenua District Council in line with the directions of the Local Government Commission on the vesting of property laid down in the Reorganisation Scheme for the Horowhenua District received property (and funds), located at Foxton Beach commonly known as the Foxton Beach Township Endowment Land.

Over the intervening years the Horowhenua District Council has with the support of the Foxton Community Board, utilised the Freeholding Fund to carry out both major and minor projects to the benefit of the beach community.

From its initial application towards the upgrading of Seabury Avenue, commenced during the later years of Manawatu District Council's control, the Freeholding Fund has been used for water and sewerage reticulation, stormwater drainage, development of the Pinewood Motor Camp, foreshore

protection works and land acquisition (for future subdivision in conjunction with Council owned land).

Over more recent years the fund has been applied towards the subdivision of endowment land, creating new sections to meet the growing demand for property within the Beach settlement. This was undertaken as a means of generating more income for the fund as leaseholders purchased the Freeholding rights to their properties, reducing the annual revenue for the fund from this source.

Over the period 1989 to the present time the Foxton Community Board has during its various terms of office recommended to Council the use of the fund to offset funding shortfalls from Council to advance projects/works that might not have progressed without this fund. Council was also able to bring forward works listed on the various Council programmes identified for Foxton Beach using the fund.

Strategy

Vision

Foxton Beach will continue to benefit indefinitely from the fund realised through the lease and sale of endowment land and investment of those funds.

Principles

- Sustainability:** The fund shall be applied to enhance the current and future wellbeing of the inhabitants of Foxton Beach
- Beneficial:** The fund shall be applied to services and amenities in ways that consider the social, environmental, cultural and economic wellbeing of the inhabitants of Foxton Beach
- Complementary:** The fund is not the sole resource for funding infrastructure and other development, and should be used in a way complementary to other sources to maintain a sense of community responsibility, ownership and fairness
- Responsiveness:** The fund shall be applied for infrastructure, but also retain some flexibility to meet needs that are currently unforeseen
- Managed Risk:** The fund monies excess to current requirements shall be invested as per Council's Investment Policy, with all investment returns being retained in the Foxton Beach Freeholding Account

Goal

Application of the fund shall enhance the wellbeing of inhabitants of Foxton Beach. The fund shall be managed in such a way as to assist the inhabitants of Foxton Beach in accessing or benefiting from services and amenities in the present, and to maintain the ability to continue to do so in the future.

Sustainability

To sustain the fund indefinitely Council will sell Endowment land and other land purchased by the fund. The proceeds through the sale of subdivided land, funded through the fund, will be retained in the fund.

Council will access expertise in order to maximise profits from the sale of Freeholding Account land or subdivided land funded through the fund.

Over the next 10 years the fund will be built up to \$5m worth of current assets, at which time this amount will become the minimum balance. Funds in excess of \$5m will be available for expenditure on services and amenities as per the policy.

Until the balance reaches \$5m Council will progressively increase the current balance (\$495k at 30 June 2008) whilst still applying the fund to priority expenditure identified in Council's LTCCP.

An indicative budget will be prepared on an annual basis to show the management of the fund over the next 10 years.

The fund balance will be prudently managed as per Council's Investment Policy ensuring an acceptable return on investment.

Revenue and expenditure from the Pinewood Motor Camp will be included in the Free-holding Account balances.

Policy

Objectives of policy

The policy will ensure that the Foxtton Beach inhabitants' wellbeing is enhanced by the application of the fund to providing services and amenities, *and that the fund retains the capability to benefit both current and future inhabitants of the area.*

Purpose of policy

This policy has been developed to support the Foxtton Beach Freeholding Account Strategy, and to assist with decision-making on the application of funds and prioritisation of the use of the fund.

Purpose of the Freeholding Account

The Reserves and Other Lands Disposal Act 1968 specified conditions on the use of funds, which still apply:

*The council shall from time to time spend the net proceeds from the sale or lease of any of the endowment land on the provision of **services and public amenities for the benefit of the inhabitants** of Foxtton Beach Township, **or on the improvement, maintenance, or repair of any such services and amenities, or on the improvement, maintenance, or repair of any existing services or public amenities.** For the purposes of this subsection, the term "services" includes roads, road lighting, water supply, drainage, sewerage, and other public works.*

Council has added to this purpose of the Freeholding Account as:

- Providing an alternative source of funding
- Advancing capital works
- Reducing rates for water and sewerage
- Facilitating amenities and services of Foxtton Beach that may not be provided by Council

Custodian of account

The Horowhenua District Council is the appointed 'Corporation' controlling the fund, and the Foxtton Community Board will perform an advocacy or advisory role.

Beneficiaries of the Freeholding Account fund

The beneficiaries of the Foxtton Beach Freeholding Account funds are the residents of Foxtton Beach.

Investment Policy

The fund monies excess to current requirements shall be invested as per Council's Investment Policy with all investment returns being retained in the Foxtton Beach Freeholding Account.

The key clauses from the Investment policy relevant to the fund include:

1. Legislation Provisions

The Local Government Act 2002 requires:

- investments to be managed prudently and in a manner that promotes the current and future interests of the community (s.101 (1))
- an Investment Policy to be adopted by Council (s.102 (4)(c))
- specific content of such a policy (s.105)

The Council must also make its investments in accordance with the provisions of the Trustees Act 1956 as they apply to the investment of trust funds. In exercising its powers of investment Council is required to exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of others.

2. Objectives

- In making investments, Council may consider:
- the desirability of diversifying investments
- the nature of existing investments
- the risk of capital loss or depreciation
- the potential for capital appreciation
- likely income returns
- the length of term of proposed investments
- the marketability of proposed investments, both during their term and upon maturity
- the effect of proposed investments in relation to tax liability
- the likelihood of inflation affecting the value of a proposed investment

The objectives of the Investment Policy are, in a hierarchy of priority:

- firstly, to minimise the risk of loss of capital
- secondly, to ensure that planned expenditures are not hindered by a lack of available funds, and
- thirdly, to maximise the returns from investment

3. TREASURY INVESTMENTS

3.1 Investment Limits and Management of Credit Risks

Financial instrument investments will be limited to the following issuers, instruments and limits:

Issuers	Minimum Long Credit Rating	Instruments	Limit Overall	Limit Per Credit
NZ Govt	A1	Treasury Bills Government Stock	100%	Unlimited
Local Authorities	A (if rated)	Local authority stock Local authority debentures (Pledged from rates)	100%	\$1m
Major Registered Banks	A-	Money market call deposits Money market term deposits Transferable certificates of deposit Negotiable certificates of deposit Bank bills Promissory notes	100%	\$2.5m
State Owned Enterprises (with prior approval of Council)	A-		10%	\$0.5m

These are considered to be low risk investments. There will be no exposure to medium to high-risk investments.

3.2 Management of Interest Rate Risks

The mix of financial instrument investments shall be limited as follows:

- Fixed rate investments as a percentage of total financial instrument investments: 50%-90%
- Floating rate investments as a percentage of total financial instrument investments: 10%-50%
- Call investments will not be less than \$250,000
- Fixed rate investments with a duration of:
 - Less than 1 year: 50%-90%
 - 1-2 year: 10%-30%
 - 2-5 years: 10%-30%
 - 5+ years: 0%-10%

The potential use of interest rate instruments will be monitored, but their use will require a specific approval by Council and be backed by prior independent advice as to an assessment of risks and revenues.

3.3 Management of Liquidity Risks

The duration and liquidity of investments will be managed to provide sufficient funds for planned expenditure and to otherwise allow the payment of obligations as they fall due.

3.4 Disposition of Income and Proceeds

Returns from investments will be applied in proportion to any special designated funds, and otherwise to form part of general operating revenues.

3.5 Accountabilities

The management of treasury investments will be carried out by the Accountant under delegation from the District Treasurer.

To measure the performance of investment management the weighted average rate of interest will be compared to prevailing 90-day bill rates and shall not be more than 0.5% less than those rates.

The District Treasurer will report quarterly to Finance & Strategic Planning Committee meetings on investment portfolio status, comparison of interest rates to benchmarks and any instances where the policy has not been able to be complied with.

3.6 Internal borrowing

Council may, from time to time, instead of raising loans or borrowing on overdraft, internally borrow from any Special Fund accounts on such terms and conditions as it thinks appropriate in any instance, but without interrupting the normal cash flow requirements of any such fund. Such terms and conditions may include, amongst other matters, a nil rate of interest and deferral or future waiving of repayments.

Repayments may be made directly to the source fund or through an internal Loan Repayment Fund.

Internal borrowing arrangements will not be subject to clauses 3.2 or 4 of the Investment Policy.

4 Community Group Advances

As at 30 June 2005 Council held secured advances to community groups to the value of \$0.03m.

Interest from these advances is used to offset general rates.

Advances may only be made pursuant to a specific resolution of Council.

Such advances will only be made in the future where such advances will strategically fit Council's core activities. There is no such provision in the LTCCP.

5 Foxton Beach Endowment Property

As at 30 June 2007 Council owned \$6.3m in Foxton Beach endowment property. Rental income from these properties is credited to the Foxton Beach Freeholding Fund.

Use of this fund is governed by Section 21 of the Reserves And Other Lands Disposals Act 1956 and subsequent amendments, and is made only pursuant to a specific resolution of Council or by incorporation in the annual budgets.

Council has a general preparedness to dispose of endowment property by way of sale to lessees at market valuation or subdivision and sale at market valuations. Any proceeds from sale will be credited to the Foxton Beach Freeholding Fund.

6 General Property

As at 30 June 2005 Council owned \$17.5m in land and buildings other than those referred to above or used for infrastructural assets, parks or reserves.

Rental income from these properties is used to offset general rates.

The properties are only purchased, sold or leased pursuant to a specific resolution of Council.

Such properties will only be purchased in the future where such acquisitions will strategically fit Council's activities. The LTCCP identifies the need to purchase property for possible roading, sporting, civic and cemetery needs.

Council has an ongoing policy to rationalise its ownership of property. The LTCCP identifies the possible disposal of rental housing other than pensioner flats, surplus recreational and rural hall land. Any proceeds from sale will be set aside for major renewal or capital expenditure projects.

7 Foreign Exchange

Council has occasional exposure to foreign exchange in purchasing goods and services in the normal course of business, but any other foreign exchange dealings are prohibited.

Spending Policy

The fund has the potential to continue for an extended period, if managed appropriately. Proceeds from the ongoing sale/freehold of properties and remaining leases can be used to provide for current and future services and amenities, including infrastructure upgrades and other services.

An inflation-adjusted proportion of income from the fund will be retained with the base principal to ensure that future generations are also able to benefit from the endowment.

Expenditure shall be governed by the following principles:

Sustainability: The fund shall be applied to enhance the current and future wellbeing of the inhabitants of Foxtton Beach

Beneficial: The fund shall be applied to services and amenities in ways that consider the social, environmental, cultural and economic wellbeing of the inhabitants of Foxtton Beach

Complementary: The fund is not the sole resource for funding infrastructure and other development, and should be used in a way complementary to other sources to maintain a sense of community responsibility, ownership and fairness

Responsiveness: The fund shall be applied for infrastructure, but also retain some flexibility to meet needs that are currently unforeseen

The fund will be used for Capital Works only, on existing and future infrastructure. The fund will not be used for operating or maintenance costs of existing infrastructure, which will be funded from rates or other revenue sources

The fund will only be used on items included in the Council's LTCCP (10 year plan) or Annual Plan.

Expenditure items identified in the LTCCP or Annual Plan will be derived from the Horowhenua Development Plan (refer Appendix A for Development Plan infrastructure capital items) or relevant Asset Management Plan (refer to Appendix B for Asset management expenditure items for Foxtton Beach that are not included in the Horowhenua Development Plan)

Any works related to growth should be funded from Development Contributions and not the Free-holding a/c.

Generally the fund will be used on capital projects within the Foxtton Beach boundary. However, the fund can be used where a service or amenity is not provided within the Foxtton Beach boundary but will benefit the residents of Foxtton Beach. The service or amenity must be located within the Kere Kere Ward.

Maximum level of contribution

The maximum contribution from the fund will be 50% of any total project cost.

Prioritisation

The following will be used by Council as a guide to the prioritisation of funds and how/where the funds will be used.;

- Whether expenditure has been identified in the LTCCP
- Priority items identified by the Foxton Community Board in the Annual Plan/ LTCCP process
- Community consultation during the Annual Plan / LTCCP process
- The Principles of the Foxton Beach Freeholding Account Policy have been met
- Whether the minimum account balance level will be breached during the proceeding 12 months

APPENDIX A

Horowhenua Development Plan

In 2008 Council adopted the Horowhenua Development Plan which provided the strategy to direct future growth in the Horowhenua District. The Development Plan establishes a future form and function for the district's urban and rural areas.

The following are the components for the Foxton Beach development plan:

Town Centre

Foxton Beach currently does not have an identifiable town centre or focal point of commercial/social activity. The existing commercial and community facilities are dispersed along the main roads. It is proposed to recognise two locations, one near the beach and Holben Reserve at the Signal Street/ Bond Street intersection, and the other on Seabury Avenue. The Signal Street/Bond Street centre would have a recreational/ tourism focus and the Seabury Avenue centre would provide for the commercial needs for the local community.

No provision has been made for industrial land in Foxton Beach, as it is considered more appropriate to locate this type of activity in Foxton to service the local community needs.

Residential Land Use

Residential development in Foxton Beach is anticipated to cater to two house types, being the permanent resident and the holiday home. These two forms of residential occupation present some challenges and opportunities in managing residential development. To cater for both forms of residential development, a range of densities have been provided for.

As discussed above, it is proposed to create a focal point for commercial and community activities around the Signal Street/Bond Street intersection. To support the concentration of commercial/community activity in this location, it is proposed to provide for more intensive residential development than currently permitted in Foxton Beach. This form of residential development is termed "medium density", which could be a mix of town houses or terraced residential units. Three areas have been identified for this form of development which have similar qualities. For efficient development patterns and to minimise amenity conflicts between standard residential development and medium residential development, whole street blocks have been proposed for medium density development. Developments may consist of three residential units on a single property through to 20 residential units on a group of existing properties. It would be expected that this greater density would happen incrementally over time depending on demand and landowner aspirations. The release of "new" residential land will be required to be planned in advance to recognise market indications, infrastructure planning and community/landowner aspirations. It is proposed that Council in consultation with landowners will prepare an overall structure plan for the main greenfield areas in advance of rezoning. This structure plan will establish the spatial arrangement of key streets and linkages, open spaces, densities, and infrastructure. It will also enable financial contributions to be determined such that the costs of development are

appropriately equated between developers and existing ratepayers.

The Development Plan has identified the following growth areas for Foxtton Beach;

AREA 1 – Bond Street/Nash Parade/Dewe Terrace/Signal Street/Nelson Street/Holben Parade: Town Centre & Medium Density-9ha

This area is located in the western part of Foxtton Beach around the western periphery of Holben Reserve. For efficient development patterns and to minimise amenity conflicts between standard residential development and medium residential development, whole street blocks have been proposed for medium density development. Developments may consist of three residential units on a single property through to 20 residential units on a group of existing properties. Development in the medium density areas would be connected to the existing reticulated infrastructure networks and established local roading patterns. There is a mix of size in existing landholdings.

AREA 2 – Seabury Avenue/Dawick Street: Town Centre-0.5 ha

This area is located on the corner of Seabury Avenue and Dawick Street in a central location for Foxtton Beach settlement. A small area for growth of local retail and community amenities for the permanent community in Foxtton Beach is provided in this location. Development in the town centre area would be connected to the existing reticulated infrastructure networks and established local roading patterns. There is a mix of size in existing landholdings.

AREA 3 – Thomas Place/Warren Place: Standard Residential-20ha

This area is located on the northern side of Foxtton Beach and has a total area of approximately 20 hectares. It is bordered by rural land to the north and east and existing residential development to the west and south. It is proposed that this area be developed as “Standard Residential”. Development in the growth area would be connected to the existing reticulated infrastructure networks and established local roading patterns.

AREA 4 – Cousins Avenue/Marine Parade North - Standard Residential-6.1ha

This area is located in the northwest part of Foxtton Beach. This area is subject to the Foxtton Beach Coastal Reserve Management Plan and future development in this area would be need to be subject to any provisions within that Plan.

AREA 5 – Mack Street/ Barber Street- Standard Residential-3.4ha

This area is located in the southwest part of Foxtton Beach. This area is subject to the Foxtton Beach Coastal Reserve Management Plan and future development in this area would be need to be subject to any provisions within that Plan.

AREA 6 – Palmer Road/Edinburgh Terrace: Standard Residential-10.2ha

This option is located in the north-east corner of Foxtton Beach and has a total area of approximately 10 hectares. It is bordered by rural land to the west, north and east, and residential land to the south. It is proposed that this area be developed as “Standard Residential”. Development in the growth area would be connected to the existing reticulated infrastructure networks and established local roading patterns.

This area is located on the northern side of Foxtton Beach and has a total area of approximately 22 hectares. It is bordered by rural land to the east, north and west, and existing residential development to the south. It is proposed that this area be developed as “Low Density Residential”. Development in the growth area would be connected to the existing reticulated infrastructure networks and established local roading patterns.

Assets that will be required to service growth areas for Foxton Beach in the Horowhenua Development Plan include:

Roading.

The roading network within the Soo block will need to be upgraded from 6 metre to 11 metres with a foot path on one side and kerb and channel both sides. There is 1200 metres within the Soo block plus 150 metres of Taylor Street that needs this treatment. **\$890,000.**

A road link (150 metres) across the lake reserve lot 58 within the Soo block will be required to connect two cul-de sacs. These will be serving too many properties to be left with a single access point. This road will need partial reclamation of the western edge of the lake. **\$245,000.**

900 metres of road within the block east of the council land will require council contribution for building to full standard since each subdivider will need to build only for his own small subdivision. Allow 50% of full new road cost **\$410,000.**

Palmer Road will need to be widened from 5.8 to 8 metres sealed over a distance of 2,500 metres. Palmer Road will need a separate cycle path of 3 metres width. **\$1,035,000**

An upgrade of Nash, Bond, Signal, Mack and Holben will be required to service the medium density area. This will include widening from an average of 5.5 to 11 metres over a distance of 1,920 metres plus the provision of kerb and channel and footpath on two sides. **\$1,470,000**

	width	length
Nash	5.6	227
Bond	5.8	550
Signal	4.8	237
Signal	5.7	263
Mack	4.9	363
Holben	6	280
	5.5	1920

Recreational Walkways

In addition to the Palmer Road cycleway which is provided as a commuter route, there is a need for existing footpaths to be upgraded, linked and extended into the development areas to pass alongside the lakes. Upgrade 1 kilometre of existing path, provide 2 kilometres of new paths through reserve areas. **\$230,000**

Water Supply:

The development of the areas east of the Council's block is likely to be piecemeal and HDC will need to take easements to ensure that the whole block can be serviced. This will be HDC cost rather than the subdividers' and also we will need to contribute to some reticulation where the size required for the full development is greater than what is needed in any particular subdivision. Allow a further **\$100,000.**

Storm water.

A new pump station has recently been commissioned servicing a catchment of 116 hectares (1160 lots) including part of the already developed area and an area north of Palmer road. It will discharge through a 500mm main to the river. Total cost is \$600,000. This pump is operated from a stand-by generator. As the area develops and better provision for mains power is provided there will be an opportunity to link this pump into the mains. Allow **\$50,000**

Sewerage.

A new pump station has recently been commissioned servicing 40% of the existing town and the development area. It will pump direct to the existing treatment plant. Total cost is \$500,000

As the town develops the treatment plant will need to be relocated and a new plant, possibly combined with Foxton will be established. This treatment plant will cost \$6,235,186 shared between the two towns. The growth part of this cost is \$3,399,514 and over the life of the asset 1360 new lots are projected - \$2,500 per lot. At Foxton Beach an additional pump station on the site of the existing treatment plant will be needed. The total cost will be 881,763, of which \$817,015 is attributable to growth and is spread over 960 new lots at \$739 per lot.

As for water supply, the development of the areas east of the council's block is likely to be piecemeal and HDC will need to take easements to ensure that the whole block can be serviced. This will be HDC cost rather than the subdividers' and also we will need to contribute to some reticulation where the size required for the full development is greater than what is needed in any particular subdivision. Allow a further **\$100,000**.

Growth will be by way of infill, the rezoning of the Soo block (area 2) and the northern part of the Council block and land east of that block (areas 3 and 4). to residential and creating medium density residential development in the Holben area (area 1). These developments will bring housing within 300 metres of the sewage treatment plant requiring its relocation to establish an 800 metres buffer, possibly combining it with Foxton's.

A percentage of the funding could come from the Foxton Beach Freeholding Account.

APPENDIX B

Commitments in LTCCP 2006-2016

Stage 3 of subdivision and the proposed development of the Andrews Street subdivision and other proposed works will see a substantial drawdown of the Freeholding Account over the period 2006/07 to 2013/14. offset by sales revenue (not shown in LTCCP)

works in current LTCCP

Holben reserve	\$163,800
Water supply capacity	\$597,500
Treatment plant relocation	\$4,885,700

Proceedings of the Finance, Audit & Risk Committee 27 November 2019

File No.: 19/512

1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Committee meeting held on 27 November 2019.

2. Recommendation

- 2.1 That Report 19/512 Proceedings of the Finance, Audit & Risk Committee 27 November 2019 be received.
- 2.2 That the Council receives the minutes of the Finance, Audit & Risk Committee meeting held on 27 November 2019.

3. Issues for Consideration

There are no items considered by the Finance, Audit & Risk Committee that require further consideration by Council.

Attachments



There are no attachments for this report.

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 benefits and costs, 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)	Doug Law Chief Financial Officer	
Approved by	David Clapperton Chief Executive	

Finance, Audit & Risk Committee

OPEN MINUTES

Minutes of a meeting of the Finance, Audit & Risk Committee held in the Council Chambers, Horowhenua District Council, Levin, on Wednesday 27 November 2019 at 4.00 pm.

PRESENT

Chairperson	Mr P Jones
Deputy Chairperson	Mrs C B Mitchell
Members	Mr D A Allan
	Mr W E R Bishop
	Mr R J Brannigan
	Mr T N Isaacs
	Mr S J R Jennings
	Mrs V M Kaye-Simmons
	Mr R R Ketu
	Mrs J F G Mason
	Ms P Tukapua
	HWTM B P Wanden

IN ATTENDANCE

Reporting Officer	Mr D Law	(Chief Financial Officer)
	Mr D M Clapperton	(Chief Executive)
	Mr M J Lester	(Group Manager – Corporate Services)
	Mr D McCorkindale	(Group Manager – Strategy & Development)
	Mr I McLachlan	(Group Manager – Customer & Regulatory Services)
	Mr K Peel	(Group Manager – Infrastructure Services)
	Mr J Paulin	(Finance Manager)
	Mrs L Slade	(Acting Senior Manager – People & Culture)
	Mrs T Glavas	(Health & Safety Advisor)
	Mrs K J Corkill	(Meeting Secretary)

PUBLIC IN ATTENDANCE

There were five members of the public in attendance at the commencement of the meeting.

1 Apologies

There were no apologies.

2 Public Participation

There had been no requests to speak.

3 Late Items

There were no late items.

4 Declarations of Interest

Cr Ketu recorded a conflict of interest with regard to the Projects Updates for Tokomaru Wastewater, Tokomaru Water and Shannon Water because of his association with Te Roopu Taiao o Ngati Whakatere and CIA preparation.

As the information was just being received, the Chair said he did not see any direct conflict of interest; therefore Cr Ketu did not need to withdraw when those items were considered.

5 Announcements

There were no announcements.

6 Reports

6.1 Health & Safety - Quarterly Report

Purpose

To provide an update to the Finance Audit and Risk (FAR) Committee on health and safety matters at Horowhenua District Council for the three-month period to 30 September 2019.

Council's Acting Senior Manager - People & Culture, Lisa Slade, and Health & Safety Advisor, Tanya Glavas, joined the table to speak to the report, with Mrs Glavas, being a recent Council appointment, introducing herself and giving an overview of her experience in the Health & Safety field.

Queries from Members were then responded to in relation to:

- employee health and safety training – this was part of the on-boarding process for all employees;
- drug and alcohol testing – this was a requirement of working at Council and was done on an ad hoc basis;
- sharps procedures – all parks and recreation staff did have containers and equipment to deal with sharps;
- cabling replacement – all testing procedures aligned with WorkSafe best practice;
- Working Alone draft policy – there was a policy in place that was being updated. It was compliant with the Safety at Work Act 2015 and Health and Safety Regulations 2016;
- reporting – Health & Safety reporting was retrospective;
- NZTA Driver Check Initiative – there was a driver check system in place for everyone who drives a Council vehicle;
- sharp disposal containers in public places – this was something that could be looked at and would be checked with Recreation Services as to how they handled such materials;
- recent incidents requiring evacuation at the Aquatic Centre – procedures had been changed. the first of the two incidents was a faulty sensor and that had been checked; the second incident was in relation to dosing of the pool and procedures had been changed to ensure it did not happen again. There was confidence that what was being done now was working well;

- the form of report in terms of its content and types of information included - this had partly come from what the Committee required and also what Council wanted to know. The report was adaptable to the information that was required;
- the significant drop off in reporting for this quarter and what was happening across the organisation to embed and grow a culture of safe practice at work – with there being a recent change in management at the Aquatic Centre, there were some reports that had not come through for two months. With a new manager appointed, it was expected that reporting would be back to required levels. More would be provided on this in the next Health & Safety report.

Addressing the meeting in relation to this and the other reports in the Agenda, Mr Lester said that with a new FAR Committee there could be new expectations in terms of reporting and Officers needed to get an understanding of what those expectations might be. In terms of the Health & Safety Report, it could be reporting at a higher level and understanding not only what had happened but what the future work programme was around Health & Safety.

His Worship the Mayor raised the issue of the terminology used around risk, with critical risk used in the Health & Safety Report, whereas in the finance area risks were described as being significant or extreme. There was a need to ensure there was an understanding as to the various risk levels as significant and critical might be different. With regard to critical risks, how critical were they: were they critical or were they extreme.

Mrs Slade responded that the risks were not as significant as those for the financial reports, but going forward the same terminology would be used for clarity.

Also requested with regard to the report was a more risk-based approach, putting matters such as training into context and articulating around actual performance and what the numbers meant.

Responding to a concern raised by the Chair about the low number of reported near misses which he would have expected over time to have increased, Mrs Glavas said that H & S best practice was to encourage reporting of near misses because that provided the opportunity to address issues at an early stage. Her job was to support improved reporting and that was something that she was working on.

In terms of critical risk, also raised was the fact that external contractors were not included as a significant risk and did they need to be considered.

Mrs Glavas agreed that they did need to be considered and she had commenced work on prequalification of the contractors that Council used. It was starting to gain momentum and would be reviewed in terms of critical risks and where they fitted in to the Risk Management Register.

In relation to near misses and how did staff know what constituted a near miss, Mrs Glavas said it depended on the situation where a near miss occurred. Raising awareness of what a near miss looked like and then encouraging reporting was being worked on.

Mrs Slade also confirmed that the issue of low reporting in August and September because of a change of management had been picked up and was being worked on to ensure it did not recur.

MOVED by Cr Brannigan, seconded Cr Allan:

THAT Report 19/489 Health & Safety - Quarterly Report be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

6.2 Projects Update

Purpose

To provide the Finance, Audit and Risk (FAR) Committee with an update of the projects being undertaken by the Infrastructure Projects Team.

Requesting the report be taken as read, Mr Clapperton responded to queries in relation to the various projects:

A. Tokomaru Wastewater Supply Overview

- Funding had come through the River Leaders Forum from the Freshwater Fund that was administered by Horizons Regional Council. An application had been made eighteen months ago and part of that funding was used for the purchase of the land. The balance would be used for the discharge to land.
Mr Clapperton's comments were supported by Cr Ketu.
- In terms of any potential boundary change, the advantage was that Council was applying for a short term consent (five years) which would provide for consideration of a long term solution. PNCC was aware of the issues, for not only this but also Tokomaru Water and other things within the catchment. If there was to be a boundary change, it would be known before going down the path of a long term consent.

B. Foxton Beach Stormwater

- Modelling of the network did include the subdivision in Forbes Road and the Kilmister Block.
- The Manawatu Estuary Trust would be included in consultation and the effects on the RAMSAR site would be considered.
- The proposed Holben Development would be considered by the Infrastructure team and the roading discharge and water discharge would be accounted for.

C. North East Levin Stormwater

- This had been notified and submissions received. Council would be working through with the submitters the things that had been raised.
- One of the key submitters was HRC and that submission was about more than just management of urban stormwater, it was about the management of the catchment itself.
- In terms of cost, Council would know more once there had been engineering engagement with HRC and what the position might be when working on a long term solution. Council would be focusing on areas of responsibility and some of those things were clearly in the Regional Council's areas of statutory and financial responsibility.
- Whether or not what was proposed would have the capacity needed was covered in the application and the retention dams would be able to manage a 100-year event. Council had made its application based on the best information available; however that might be countered by Horizons. If there was a difference of opinion that was when the engineers would be involved.
- Confirmation would be provided that the engagement with Kereru Marae had taken place.

D. Shannon Water Supply

- One of the considerations, as with other consents such as Levin and

Tokomaru, was in terms of the amount of water that could be taken in low flows. Council was looking at how that might be mitigated. Regional Council had suggested Council should be looking at storage. At Shannon there might be other mitigation options available. That would be brought back to Council once other options had been identified as there may be some budget requirements.

- Water loss - one major leak had been identified and there had been a breach of Council's water bylaw which had resulted in a prosecution.

E. Levin Stormwater Consent

- It was requested that the Industrial Site Stormwater Audit be expanded on at the proposed Council briefing.
- The data or comparisons supporting the comment that "urban stormwater was of similar or better quality than typical urban stormwater runoff" would be provided as requested.
- Additional time for further monitoring had been requested as information was being gathered from different parts of the network, which was challenging. Information was being captured from outside the urban catchment to understand what was flowing into the catchment, which included rural as well as groundwater discharge. It varied at the five discharge monitoring points. It should be completed in the first quarter of next year, with data having been collected for 4 or 5 months already. Some monitoring would be ongoing as it was difficult to treat something if its composition was not understood.

F. Tokomaru Water Supply

- The CIA had been received. It was understood that there needed to be a little more work done with other hapu to ensure they were comfortable with what had been provided, but Council was happy with what had been received.
- In terms of the budget being exceeded and if it would increase, an assessment on that would be provided.
- the draft conditions that were awaited from HRC had been received, which included some suggested conditions around low flow and the water take, which Council did not support. Council's ecologist's view was different to that of the Regional Council's ecologist and they would need to get together to get an understanding of the differences.
- Confirmation would be provided as to whether Rangitaane had been involved at any point in the CIA for Tokomaru.

MOVED by Cr Mason, seconded Cr Isaacs:

THAT Report 19/419 Projects Update be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Mr Jones proposed addressing the two following reports simultaneously.

The reinstatement of columns in the Statement of Loans and Interest by Activity which compared loans with those for the year before was requested, with Mr Law explaining it had been the intention to include that information but it had not been possible because of resourcing constraints. The information would, however, be included in the report for the December quarter.

Referencing the Statement of Loans by Parcel, the refinancing of the loans that had higher interest rates was raised, with Mr Law saying Council was actually doing some of that right now, and proposed doing more, and that could be seen in the Treasury Report.

In that regard, Mr Clapperton suggested that there needed to be a broader discussion around risk and Council's appetite for risk and where that might lie going forward, with the Chair saying he had already had a discussion with the Mayor before the meeting about looking at this as part of a workshop prior to bringing it back to the FAR Committee for consideration. Both the negative as well as the positive consequences of risk needed to be considered.

Mr Clapperton provided a response to queries received in relation to the Statement of Sundry Debtors and debts that were over 90 days outstanding.

Performance measures in relation to LGOIMA requests and the timeliness of responses was raised, with the improvement in performance from the 18/19 financial year noted. Mr Lester responded that whilst Council's performance year to date had improved, the key reason for the previous year's under-performance was due to the sheer volume of requests received and also the complexity around those. The trend appeared to be slowing down. Council also did not have a dedicated LGOIMA Officer so that did put increased pressure on staff over and above their usual work. There had been improvements in relation to the LGOIMA Register and escalations and Council had responded to the recommendations from the Office of the Ombudsman's investigation with 25 out of the 27 recommendations implemented so far which had assisted Council's performance.

Responding to a supplementary question about what the legislation required of Council with regard to responding to a request for information and whether that had to be provided within 20 working days, or just had to be responded to, Mr Lester said that legislation required an acknowledgement to the requestor advising whether or not the information would be provided within 20 working days and Council did seek to provide the requested information within that time frame wherever possible.

The wording of the LGOIMA performance measure "requests responded to within 20 working days" was raised and it was suggested that it could be worded better for clarity. The wording "requests are responded to" was also in several other performance measures and it was further suggested that that wording also needed to be reviewed and clarified.

6.3 Three Month Report 1 July - 30 September 2019

Purpose

To present to the Finance, Audit & Risk (FAR) Committee the financial report for the three months ending 30 September 2019.

MOVED by Cr Bishop, seconded Cr Allan:

THAT Report 19/492 Three Month Report 1 July - 30 September 2019 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

6.4 Four Month Report 1 July - 31 October 2019

Purpose

To present to the Finance, Audit & Risk (FAR) Committee the financial report for the four months ended 31 October 2019.

MOVED by Cr Bishop, seconded Cr Allan:

THAT Report 19/420 Four Month Report 1 July - 31 October 2019 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

6.5 Treasury Report

Purpose

To present to the Finance, Audit & Risk (FAR) Committee the Bancorp Treasury Report for the September 2019 quarter.

Again commenting on the incredibly low interest rates, Mr Law noted that the cost of funds had levelled out with the cost of funds to the end of October being 3.09; with it now being 3.10, having gone up one basis point in a month.

Responding to a query from the Chair with regard to FRNs and FRBs referred to in the Treasury Report, Mr Law clarified that FRNs were Floating Rate Notes and FRBs were Fixed Rate Bonds, explaining the difference between the two.

At the request of His Worship the Mayor, for newly Elected Members Mr Law explained recent changes to Council's Liability Management Policy as passed at Council's June meeting and what it meant in terms of Council no longer risking breaking its hedging policy bands.

Following on from earlier comments about locking in interest rates while they were low, Mr Jones said Council did have the ability under its Policy to purchase what was known forward start swaps to lock in current low interest rates to refinance future loans. He suggested this was something that should be talked over with Council's Treasury advisors.

Mr Law noted that Council had discussions with Bancorp every three months and it would be possible for them to come and talk to Council direct.

Mr Jones suggested it would be worthwhile to have such a presentation in public so members of the public could also understand what was proposed and what the benefits would be, as well as the downside.

MOVED by Cr Bishop, seconded Cr Mitchell:

THAT Report 19/488 Treasury Report be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

6.6 Release of the Summary Annual Report for the year ended 30 June 2019

Purpose

To provide, **for information**, Release of the Summary Annual Report for the year ended 30 June 2019.

Reiterating that this was provided for information, Mr Law noted the provision of a Summary Annual Report was something that Council was legally required to do. There had been some very minor wording changes going through the Audit process but there had been no change to the actual information it contained. It would be posted on Council's website tomorrow.

MOVED by Mr Jones, seconded Cr Allan:

THAT Report 19/487 Release of the Summary Annual Report for the year ended 30 June 2019 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

5.30 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE FINANCE, AUDIT & RISK
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

File No.: 19/456

Adoption of Standing Orders

1. Purpose

For the Horowhenua District Council to adopt Standing Orders for the conduct of its meetings and committees.

2. Executive Summary

- 2.1 Council is required to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.
- 2.2 Standing Orders are important in that they provide Councils with a framework of rules for open, transparent and fair decision-making.

3. His Worship the Mayor's Recommendations

- 3.1 That Report 19/456 Adoption of Standing Orders be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That the Horowhenua District Council, in line with draft Standing Order 6.6, reviews the delegations to the Foxton Community Board during the 2020/21 Annual Plan process which will include resources and financial delegation;
AND FURTHER
That this review will be carried out in conjunction with the Foxton Beach Freeholding Account review.
- 3.4 That the Council resolves that the default option for speaking and moving motions is:
(b) Option B or (c) Option C.
- 3.5 That in accordance with clause 27, Schedule 7 of the Local Government Act 2002, with effect from 12 December 2019, the Horowhenua District Council, its Committees and Subcommittees adopts the attached Standing Orders as amended.

4. Background / Previous Council Decisions

- 4.1 Traditionally Council adopted Model Standing Orders NZS9202.2003 published by Standards New Zealand, with some amendments. Prior to the 2016 local body elections, those Model Standing Orders were reviewed by a working party of Governance Administrators from various Councils, under the auspices of Local Government New Zealand (LGNZ), and were updated in terms of language and included legislative changes. The updated version of Standing Orders was not only fully compliant with legislation and best practice in the conduct of meetings, it was also easy to use and could be tailored to meet each Council's specific requirements.
- 4.2 A further review was undertaken prior to this year's elections with some minor changes made in terms of language and legislative changes, such as the inclusion of emergency meetings (see Standing Orders clauses 8.5 – 8.7).

5. Discussion

- 5.1 The Council is required to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.
- 5.2 Standing Orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner. All members of a local authority must abide by Standing Orders.
- 5.3 The updated Standing Orders fulfil the requirements of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, and reflect current best practice with regard to the conduct of meetings.
- 5.4 There are specific issues that require a decision from Council which are outlined below and included in the recommendations;

- a. Delegation to Community Boards (HWTM Recommendation 3.3)

6.6 *Duty to consider delegations to community boards*

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

cl. 32(6) Schedule 7, LGA 2002.

Currently the district has one community board – the Foxton Community Board which has no delegated authority. HWTM has recommended that a review of delegations to the Foxton Community Board take place during the 2020/21 Annual Plan process which will include a review of resources and financial delegation. Further, HWTM recommends that this be carried out in conjunction with the Foxton Beach Freeholding Account review.

- b. The Choice of a default option for speaking and moving motions (HWTM Recommendation 3.4)

The model Standing Orders offers Councils a choice for speaking to and moving motions and amendments. Council's choice between Option B or C as the default option is sought:

- Option B is less formal than Option A. While limiting the ability of movers and seconders of motions to move amendments, it allows any other members, regardless of whether they have spoken to the motion or substituted motion, or move or second an amendment.
- Option C provides substantial flexibility by removing the limitations placed on movers and seconders by the other two options.

- 5.5 There are some changes to the model Standing Orders that have been included in the draft document, of which the more significant changes are;

- a. A Members' right to attend by audio or audio visual link (clauses 13.11 – 13.16). The member is able to participate in the meeting and vote, but is not counted as part of the meeting quorum. Specifically;

Noting Standing Order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting.

Examples of situations where approval can be given include:

- (a) where the member is at a place that makes their physical presence at the meeting impracticable or impossible;

- (b) where a member is unwell; and
- (c) where a member is unable to attend due to an emergency.”

Notice is to be given by the Member to the Chairperson or Chief Executive at least two working days in advance.

- b. HWTM has recommended not to include the Mayor’s casting vote option in the draft Standing Orders which is a change to previous Standing Orders. The draft Standing Orders reads:

19.3 Chairperson does not have a casting vote

“The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, does not have a casting vote.”

- c. Keeping a record of Workshops - the date, those present and the general subject matter(s) covered in Council workshops will be recorded and reported to Council on a quarterly basis.

- 5.6 It is now possible for Councils to archive/store their minutes electronically therefore upon adoption of these Standing Orders, Minutes will be kept electronically. A secure location has been set up in Council’s records management system for this to occur. Minutes confirmed at a meeting will have the Chairperson’s electronic signature affixed and then they will be securely filed in Council’s EDRMS. These will continue to be accessible under LGOIMA and made available on Council’s website. Standing Orders states;

29.2 Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- (a) the provision of a reliable means of assuring the integrity of the information is maintained; and
- (b) the information is readily accessible so as to be usable for subsequent reference.

- 5.7 Adoption of and/or any change to Standing Orders requires the support of not less than 75% of the members present.

6. Options

Council is required to adopt Standing Orders unless there is not less than 75% support by the members present to amend or adopt the Standing Orders.

6.1 Cost

There are no cost considerations.

6.1.1 Rate Impact

There is no impact on rates.

6.2 Community Wellbeing

There are no community wellbeing considerations.

6.3 Consenting Issues

Not applicable.

6.4 LTP Integration

There are no LTP implications.

7. Consultation

Public consultation is not required.

8. Legal Considerations

There are no legal considerations.

9. Financial Considerations

There are no financial considerations.

10. Other Considerations

There are no other considerations.

11. Next Steps

If the recommendations are accepted in accordance with Section 27, Schedule 7, Part 1 of the Local Government Act 2002, with effect from 12 December 2019 the Horowhenua District Council, its Committees and Subcommittees will operate under the Standing Orders **attached** to this report.

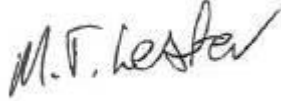
12. Supporting Information

Strategic Fit/Strategic Outcome N/A
Decision Making N/A
Consistency with Existing Policy N/A
Funding N/A

<p><u>Confirmation of statutory compliance</u></p> <p>In accordance with section 76 of the Local Government Act 2002, this report is approved as:</p> <ul style="list-style-type: none">a. containing sufficient information about the options and their benefits and costs, 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.

13. Appendices

No.	Title	Page
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Author(s)	Mark Lester Group Manager - Corporate Services	
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Approved by	David Clapperton Chief Executive	
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Standing Orders

Date standing orders adopted

Preface

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.

In doing so the application of standing orders contributes to greater public confidence in the quality of local governance and democracy in general.

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies, and local and community boards. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

It is mandatory that councils adopt standing orders for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7 of the Local Government Act 2002).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the Chairperson of each meeting to make a ruling.

All members of a local authority must abide by standing orders.

LGNZ has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.

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1. Introduction

These standing orders have been prepared to enable the orderly conduct of local authority meetings. They incorporate the legislative provisions relating to meetings, decision making and transparency. They also include practical guidance on how meetings should operate so that statutory provisions are complied with and the spirit of the legislation fulfilled.

To assist elected members and officials the document is structured in three parts:

- Part 1 deals with general matters.
- Part 2 deals with pre-meeting procedures.
- Part 3 deals with meeting procedures.

The Appendix, which follows Part 3, provides templates and additional guidance for implementing provisions within the standing orders. Please note, the Appendix is an attachment to the standing orders and not part of the standing orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition, the 'Guide to Standing Orders' provides additional advice on the application of the standing orders and are also not part of the standing orders.

1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- conduct its business in an open, transparent and democratically accountable manner;
- give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- make itself aware of, and have regard to, the views of all of its communities;
- take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA; and
- ensure that decision-making procedures and practices meet the standards of natural justice.

These principles are reinforced by the requirement that all local authorities act so that "governance structures and processes are effective, open and transparent" (s. 39 LGA 2002).

1.2 Statutory references

The standing orders consist of statutory provisions about meetings along with guidance on how those provisions should be applied in practice. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases, the language in the statutory provision has been modernised for ease of interpretation or amended to ensure consistency with more recently enacted statutes.

It is important to note that statutory references in the standing orders apply throughout the period of a meeting, regardless of whether or not parts or all of the standing orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word 'must', unless otherwise stated, identifies a mandatory legislative requirement.

1.3 Acronyms

LGA 2002	Local Government Act 2002
LGOIMA	Local Government Official Information and Meetings Act 1987
LAMIA	Local Authorities (Members' Interests) Act 1968.

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups unless specifically included in their terms of reference.

2. Definitions

Adjournment means a break in the proceedings of a meeting. A meeting, or discussion on a particular business item, may be adjourned for a brief period, or to another date and time.

Advisory group means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working group, panels, forums, portfolio groups, briefings and other similar bodies.

Agenda means the list of items for consideration at a meeting together with reports and other attachments relating to those items in the order in which they will be considered. It is also referred to as an 'order paper'.

Amendment means any change of proposed change to the original or substantive motion.

Audio link means facilities that enable audio communication between participants at a meeting when one or more of the participants is not physically present at the place of the meeting.

Audio visual link means facilities that enable audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Chairperson means the person presiding at a meeting – the presiding member.

Chief executive means the chief executive of a territorial authority or regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these standing orders, any other officer authorized by the chief executive.

Clear working days means the number of working days (business hours) prescribed in these standing orders for giving notice and excludes the date of the meeting and date on which the notice is served.

Committee includes, in relation to a local authority:

- (a) A committee comprising all the members of that authority;
- (b) A standing committee or special committee appointed by that authority;
- (c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and
- (d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

Community board means a community board established under s.49 of the LGA 2002.

Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

Council means, in the context of these standing orders, the governing body of a local authority.

Deputation means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson and which may be made in English, te reo Māori or New Zealand Sign Language.

Electronic link means both an audio and audio visual link.

Emergency meeting has the same meaning as defined in cl. 22A of Schedule 7 of the LGA 2002.

Extraordinary meeting has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

Foreshadowed motion means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

Internet site means, in relation to a local authority or other person or entity, an Internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

Joint committee means a committee in which the members are appointed by more than one local authority in accordance with clause 30A of Schedule 7 of the LGA 2002.

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

Lawfully excluded means a member of a local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

Leave of absence means a pre-approved absence for a specified period of time consistent with the council policy should one be in place.

Local authority means in the context of these standing orders a regional council or territorial authority, as defined in s. 5 of the LGA 2002, which is named in these standing orders, and any subordinate decision-making bodies established by the local authority.

Mayor means the Mayor of a territorial authority elected under the Local Electoral Act 2001.

Meeting means any first, inaugural, ordinary, or extraordinary meeting of a local authority, subordinate decision-making bodies and any community or local board of the local authority convened under the provisions of LGOIMA.

Member means any person elected or appointed to the local authority.

Mihi whakatau means a brief welcome typically delivered by one person without any further formalities.

Minutes means the record of the proceedings of any meeting of the local authority.

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

Notice of motion means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

Open voting means voting that is conducted openly and in a transparent manner (i.e. *enables an observer to identify how a member has voted on an issue*) and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

Order paper means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

Ordinary meeting means any meeting, other than the first meeting, of a local authority publicly notified in accordance with sections 46(1) and (2) of LGOIMA.

Petition means a request to a local authority which contains at least 20 signatures.

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

Present at the meeting to constitute quorum means the member is to be physically present in the room.

Presiding member means the person chairing a meeting.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 24.1 – 24.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

- Any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority; and
- Any other information which has not been released by the local authority as publicly available information.

Public excluded session, also referred to as confidential or in-committee session, refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

Public forum refers to a period set aside usually at the start of a meeting for the purpose of public input.

Public notice in relation to a notice given by a local authority, means one that is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's Internet site. And in addition, is published in at least one daily newspaper circulating in the region or district of the local authority, or one or more other newspapers that have a combined circulation in that region or district which is at least equivalent to that of a daily newspaper circulating in that region or district.

Publicly notified means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a council's website.

Qualified privilege means the privilege conferred on member by s. 52 and s. 53 of LGOIMA.

Quasi-judicial means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

Quorum means the minimum number of members required to be present in order to constitute a valid meeting.

Regional Council Chairperson means the member of the governing body of a regional council elected as Chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

Resolution means a motion that has been adopted by the meeting.

Right of reply means the right of the mover of a motion to reply to those who have spoken to the motion. (The right does not apply to an amendment).

Secunder means the member who seconds a motion.

Sub judice means under judicial consideration and therefore prohibited from public discussion elsewhere.

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not local or community boards or joint committees.

Substantive motion means the original motion. In the case of a motion that is subject to an amendment, the substantive motion is the original motion incorporating any amendments adopted by the meeting.

Substantive resolution means the substantive motion that has been adopted by the meeting or a restatement of a resolution that has been voted on in parts.

Subcommittee means a subordinate decision-making body established by a council, or a committee of a council, local board or community board. See definition of “Committee”.

Working day means a day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign’s birthday, and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;
- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing 20 December in any year and ending 10 January in the following year.

Should a local authority wish to meet between 20 December and 10 January of the following year any meeting must be notified as an extraordinary meeting, unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

Working party means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

Workshop, means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of “advisory group”. Workshops are also described as briefings.

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Local boards and community boards must also adopt standing orders. Standing orders must not contravene any Act.

cl. 27(1) & (2), Schedule 7, LGA 2002.

3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board the adoption of standing orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

cl. 27(3) Schedule 7, LGA 2002.

3.3 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders. Local boards and community boards which have adopted these standing orders must also comply with them.

cl. 16(1) Schedule 7, LGA 2002.

3.4 Application of standing orders

These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies. They will also apply to any local boards and community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

3.5 Temporary suspension of standing orders

Any member of a council, committee, subcommittee and subordinate body, and local and community board, may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

cl. 27(4), Schedule 7, LGA 2002.

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6 Quasi-judicial proceedings

For quasi-judicial proceedings the local authority or a local or community board may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.

3.7 Physical address of members

Every member of a local authority, local board and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within five (5) working days of the publication of the declaration of the election results.

4. Meetings

4.1 Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and
- (c) These standing orders.

A meeting can be adjourned to a specified time and day if required by resolution of the meeting.

4.2 Meeting duration

A meeting cannot continue more than six (6) hours from when it starts (including any adjournments) or after 10.30pm, unless the meeting resolves to continue. If there is no such resolution any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting or transferred to an extraordinary meeting.

No meeting can sit for more than two (2) hours continuously without a break of at least ten minutes unless the meeting resolves to extend the time before a break.

4.3 Language

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A Chairperson may require that a speech is translated and printed in English or te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori when the normal business of the meeting is conducted in English, they must give prior notice to the Chairperson not less than two (2) working days before the meeting.

Where the normal business of the meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than two (2) working days before the meeting.

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 5.

4.5 First meeting (inaugural)

The first meeting of a local authority following a local authority triennial general election must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than seven (7) days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

cl. 21(1) - (4), Schedule 7, LGA 2002.

4.6 Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the Chairperson has made an oral declaration and attested the declaration (see cl. 21(4), Schedule 7 (LGA 2002)).

The business to be conducted at the first meeting following a general election must include the following:

- (a) The making and attesting of the declarations required of the mayor (if any) and members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the chief executive, of:
 - i. LGOIMA; and
 - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy Mayor or deputy Chairperson in accordance with cl.17 Schedule7, (LGA 2002).

cl. 21(5), Schedule 7, LGA 2002.

It is common for councils to adopt standing orders at the first meeting; however, this is not always necessary as, if not amended, standing orders will remain in force after each triennial election.

Please note that the election of a deputy mayor is not required if the Mayor has already made the appointment under s. 41A (3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a deputy Mayor from office in accordance with cl.18 of Schedule 7 LGA 2002.

5. Appointments and elections

5.1 Mayoral appointment of deputy Mayor, committee chairs and members

A Mayor may appoint the deputy Mayor, the Chairperson and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint him or herself.

s. 41A (3) LGA 2002.

5.2 Council Discharge of a Mayoral Appointment

Nothing, however, limits or prevents a territorial authority from discharging the deputy Mayor, a Chairperson or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a deputy Mayor or committee Chairpersons in accordance with s.41A LGA 2002, the council (or a committee, if so directed by the council) must elect those positions in accordance with standing order 5.4.

cl. 31, Schedule 7 LGA 2002.

5.3 Establishment of committees by the Mayor

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A then any decision to establish committees must follow the processes set out in these standing orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 of Schedule 7, LGA 2002, a committee established by the Mayor or appointing more committees in addition to any established by the Mayor.

Please note that a Mayor is a member of every committee unless specific legislation provides otherwise, for example a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

s. 41A (3) and (4) LGA 2002.

5.4 Elections of regional Chairpersons, deputy Mayors and deputy Chairpersons

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.6) when electing people to the following positions:

- the Chairperson and deputy Chairperson of a regional council;
- the deputy Mayor;
- the Chairperson and deputy Chairperson of a committee; and

- a representative of a local authority.

Please note, this provision does not apply in situations where a Mayor has used their appointment powers under s.41A to appoint a deputy Mayor or committee chairs. See Appendix 9.

cl. 25 Schedule 7, LGA 2002.

5.5 Removal of a deputy Mayor

A deputy Mayor, whether appointed by the Mayor under Standing Order 5.1 or elected by the council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 10.

cl. 18, Schedule 7, LGA 2002.

5.6 Voting system for chairs, deputy Mayors and committee chairs

When electing a regional council chair, a deputy Mayor or a committee chair the local authority must resolve to use one of the following two voting systems.

System A

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) there is a first round of voting for all candidates;
- (b) if no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) if no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

System B

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) there is only one round of voting; and
- (b) if two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations

Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body,

community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- (a) the power to make a rate;
- (b) the power to make a bylaw;
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) the power to adopt a long-term plan, annual plan, or annual report;
- (e) the power to appoint a chief executive;
- (f) the power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) *Repealed*; and
- (h) the power to adopt a remuneration and employment policy.

cl. 32 (1) Schedule 7, LGA 2002.

6.2 Committees may delegate

A committee, subcommittee, subordinate decision-making body, local board, community board, member, or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

cl. (2) & (3), Schedule 7, LGA 2002.

6.3 Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

cl. 32(2) & (3)(4) Schedule 7, LGA 2002.

6.4 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision. The same requirement applies to a local board and community board in relation to any committees or subcommittees with delegated authority.

cl. 30 (6), Schedule 7, LGA 2002.

6.5 Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given to them.

cl. 30 (3) & (4), Schedule 7, LGA 2002.

6.6 Duty to consider delegations to community boards

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

cl. 32(6) Schedule 7, LGA 2002.

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in. See the 2019 Guide to Standing Orders for further information.

7. Committees

7.1 Appointment of committees and subcommittees

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the council.

cl. 30(1) & (2), Schedule 7, LGA 2002.

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

- (a) a local authority may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) a committee may discharge or reconstitute a subcommittee.

A committee, subcommittee, or other subordinate decision-making body is, unless a council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

cl. 30 (5) & (7), Schedule 7, LGA 2002.

Please note: s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. This may also apply to District Licensing Committees (see SO Guide).

7.3 Appointment or discharge of committee members and subcommittee members

A council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

cl. 31 (1) & (2), Schedule 7, LGA 2002.

7.4 Elected members on committees and subcommittees

The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. In the case of a committee established by a local board or community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

cl. 31(4) Schedule 7, LGA 2002.

7.5 Local authority may replace members if committee not discharged

If a local authority resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl. 30 (7) Schedule 7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

cl. 31(5) Schedule 7, LGA 2002.

7.6 Membership of Mayor

The Mayor is a member of every committee of the local authority unless specific legislation provides otherwise, such as a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

s. 41A (5), LGA 2002.

7.7 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a local authority, committee, local board and community board is not invalidated if:

1. there is a vacancy in the membership of the local authority, committee, local or community board at the time of the decision; or
2. following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

cl. 29, Schedule 7, LGA 2002.

7.8 Appointment of joint committees

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:

- (a) the number of members each party may appoint;
- (b) how the Chairperson and deputy Chairperson are to be appointed;
- (c) the terms of reference of the committee;
- (d) what responsibilities, if any, are to be delegated to the committee by each party; and
- (e) how the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

cl. 30A (1) & (2), Schedule 7, LGA 2002.

7.9 Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

cl. 30A (5), Schedule 7, LGA 2002.

7.10 Power to appoint or discharge individual members of a joint committee

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

cl. 30A (6)(a), Schedule 7, LGA 2002.

Pre-meeting

8. Giving notice

Please note; the processes described in this section (standing orders 8.1 – 8.13) apply as appropriate to local boards and community boards.

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than fourteen (14) days and not less than five (5) days before the end of the current month, together with the dates, the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than ten (10) nor less than five (5) working days before the day on which the meeting is to be held. (See Guide to Standing Orders for more information).

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

The chief executive must give notice in writing to each member of the local authority of the date, time and place of any meeting. Notice must be given at least fourteen (14) days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least fourteen (14) days before the first meeting on the schedule.

cl. 19 (5), Schedule 7, LGA 2002.

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) resolution of the council, or
- (b) a requisition in writing delivered to the chief executive which is signed by:
 - i. the Mayor; or
 - ii. not less than one third of the total membership of the council (including vacancies).

cl. 22 (1) Schedule 7, LGA 2002.

8.4 Notice to members - extraordinary meetings

The chief executive must give notice, in writing, of the time and place of an extraordinary meeting called under standing order 8.3, as well as the general nature of business to be considered to each member of the council at least three (3) working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

cl. 22 (3), Schedule 7, LGA 2002.

8.5 Emergency meetings may be called

If the business a council needs to deal with requires a meeting to be held at a time earlier than is allowed by the notice requirements for holding an extraordinary meeting and it is not practicable to call the meeting by resolution, an emergency meeting may be called by:

- (a) The Mayor; or
- (b) If the Mayor is unavailable, the chief executive.

cl. 22A(1), Schedule 7 LGA 2002.

8.6 Process for calling an emergency meeting

The notice of the time and place of an emergency meeting, and of the matters in respect of which the emergency meeting is being called, must be given by the person calling the meeting or by another person on that person's behalf.

The notice must be given, by whatever means is reasonable in the circumstances, to each member of the local authority, and to the chief executive, at least 24 hours before the time appointed for the meeting.

cl. 22A (2), Schedule 7 LGA 2002.

8.7 Public notice – emergency and extraordinary meetings

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the local authority must cause that meeting and the general nature of business to be transacted at that meeting:

- (a) To be publicly notified as soon as practicable before the meeting is to be held; or
- (b) If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's Internet site and in any other manner that is reasonable in the circumstances.

s. 46 (3) LGOIMA.

8.8 Meetings not invalid

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

- that the meeting occurred without proper notification;
- the general nature of the business transacted; and
- the reasons why the meeting was not properly notified.

s. 46 (6), LGOIMA.

8.9 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless:

- (a) the resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) the extraordinary meeting was publicly notified at least five (5) working days before the day on which the meeting was held.

s. 51A, LGOIMA.

8.10 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

cl. 19 (6) Schedule 7, LGA 2002.

8.11 Non-receipt of notice to members

A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority or board unless:

- (a) it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- (b) the member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

cl. 20 (1) & (2) Schedule 7, LGA 2002.

8.12 Meeting cancellations

The Chairperson of a scheduled meeting may cancel the meeting if, in consultation with the chief executive, they consider this is necessary for reasons that include lack of business, lack of quorum or clash with another event.

The chief executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.

9. Meeting agenda

9.1 Preparation of the agenda

It is the chief executive's responsibility to prepare an agenda for each meeting listing and attaching information on the items of business to be brought before the meeting so far as is known, including the names of the relevant members.

When preparing business items for an agenda the chief executive should consult the Chairperson.

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 12.

9.3 Chief executive may delay or refuse request

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective Chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

If a member makes a direct request to a chief executive asking that a report is prepared the chief executive may refuse. In such cases an explanation should be provided to the member.

9.4 Order of business

The order of business for Council, its Committees and the Foxton Community Board shall be:

Procedural

1. Apologies
2. Public Participation
3. Late Items
4. Declarations of Interest
5. Confirmation of Minutes
6. Announcements
7. Proceedings of Committees

Reports

In Committee

At the meeting, the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

9.5 Chairperson's recommendation

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

9.6 Chairperson's report

The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting, as described in its terms of reference.

9.7 Public availability of the agenda

All information provided to members at a local authority, or local or community board, meeting must be publicly available except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least two (2) working days before a meeting, all agendas and associated reports circulated to members of the local authority and local and community boards relating to that meeting. The agenda:

- (a) must be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- (b) must be accompanied by either:
 - i. the associated reports; or
 - ii. a notice specifying the places at which the associated reports may be inspected.

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

If justified by circumstances an agenda item may be withdrawn by the chief executive. In the event of an item being withdrawn the chief executive should inform the Chairperson.

9.10 Distribution of the agenda

The chief executive must send the agenda to every member of a meeting at least two (2) clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.5).

The chief executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

9.11 Status of agenda

No matter on a meeting agenda, including recommendations, may be considered final until determined by formal resolution of that meeting.

9.12 Items of business not on the agenda which cannot be delayed

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA.

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

Items that are likely to be discussed under public excluded must be indicated on each agenda and state the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will or improper advantage has been taken of the publication.

s. 52, LGOIMA.

Meeting Procedures

10. Opening and closing

Local authorities, local boards and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

11. Quorum

11.1 Council meetings

The quorum for a meeting of the council is:

- (a) half of the members physically present, where the number of members (including vacancies) is even; and
- (b) a majority of the members physically present, where the number of members (including vacancies) is odd.

cl. 23 (3)(a) Schedule 7, LGA 2002.

11.2 Committees and subcommittee meetings

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution provided that it is not less than two members. (See also 7.4).

In the case of subcommittees, the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a local board or community board, the relevant board.

cl. 23 (3)(b) Schedule 7, LGA 2002.

11.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

cl. 30A (6)(c) Schedule 7, LGA 2002.

11.4 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

cl. 23(1) & (2) Schedule 7, LGA 2002.

11.5 Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

Should a quorum be lost the meeting will lapse if the quorum is not present within 15 minutes.

11.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting and this is notified by the chief executive.

12. Public access and recording

12.1 Meetings open to the public

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the local authority, its committees, subcommittees, local boards and community boards, must be open to the public.

s.47 & 49(a), LGOIMA.

12.2 Grounds for removing the public

The Chairperson may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting.

12.3 Local authority may record meetings

Meeting venues should contain clear signage indicating and informing members, officers and the public that proceedings may be recorded by the local authority and may be subject to direction by the Chairperson.

12.4 Public may record meetings

The filming and recording of Council and all Committee meetings (including In Committee) and Council briefings is not permitted by Elected Members or members of the public unless resolved otherwise by the Council or the Committee on a case by case basis.

13. Attendance

13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

cl. 19(2), Schedule 7, LGA 2002.

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

13.2 Attendance when a committee is performing judicial or quasi-judicial functions

When a committee is performing judicial or quasi-judicial functions, members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

13.3 Leave of absence

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a member's privacy.

The Mayor may approve a member's application, and the Council may approve an application from the Mayor. The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

13.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Mayor (or acting chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

13.5 Recording apologies

The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined and the time of arrival and departure of all members.

13.6 Absent without leave

Where a member is absent from four (4) consecutive meetings of the council, local board or community board without leave of absence or an apology being accepted (not including extraordinary or emergency meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

cl. 5 (d) Schedule 7, LGA 2002.

13.7 Right to attend by audio or audio visual link

Provided the conditions in standing orders 13.11 and 13.12 are met members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the Chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.8 Member's status: quorum

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

cl. 25A (4), Schedule 7, LGA 2002.

13.9 Member's status: voting

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audio visual link, the Chairperson must ensure that:

- (a) the technology for the link is available and of suitable quality; and
- (b) procedures for using the technology in the meeting will ensure that:
 - i. everyone participating in the meeting can hear each other;
 - ii. the member's attendance by audio or audio visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
 - iii. the requirements of Part 7 of LGOIMA are met; and
 - iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

cl. 25A (3) schedule 7, LGA 2002.

13.11 Conditions for attending by audio or audio visual link

Noting standing order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) where a member is unwell; and
- (c) where a member is unable to attend due to an emergency.

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the chief executive at least two (2) working days' notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

13.13 Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting; and
- (d) the quality of the link is no longer suitable.

13.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) transmitting it electronically;
- (b) using the audio visual link; or
- (c) any other manner that the Chairperson thinks fit.

cl. 25(A) (6) schedule 7, LGA 2002.

13.15 Link failure

Where an audio or audio visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

13.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

14. Chairperson's role in meetings

14.1 Council meetings

The Mayor must preside at meetings of the council unless they vacate the chair for a part or all of a meeting. If the Mayor is absent from a meeting or vacates the chair, the deputy Mayor must act as chairperson. If the deputy Mayor is also absent the local authority members who are present must elect a member to be the Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Mayor for that meeting.

cl. 26(1), (5) & (6) Schedule 7, LGA 2002.

14.2 Other meetings

In the case of committees, subcommittees and subordinate decision-making bodies, the appointed Chairperson must preside at each meeting unless they vacate the chair for all or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson. This person may exercise the meeting responsibilities, duties and powers of the Chairperson.

cl. 26(2), (5) & (6), schedule 7 LGA 2002.

14.3 Addressing the Chairperson

Members will address the Chairperson in a manner that the Chairperson has determined.

14.4 Chairperson's rulings

The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson's ruling or direction constitutes contempt.

14.5 Chairperson standing

Whenever the Chairperson stands during a debate members are required to sit down (if required to stand to address the meeting) and be silent so that they can hear the Chairperson without interruption.

14.6 Member's right to speak

Members are entitled to speak in accordance with these standing orders. Members should address the Chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the Chairperson.

14.7 Chairperson may prioritise speakers

When two or more members want to speak the Chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:

- (a) raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) move a motion to terminate or adjourn the debate; and/or
- (c) make a point of explanation; and/or
- (d) request the Chair to permit the member a special request.

15. Public Participation

15.1 Requests to speak to Agenda items

There is an opportunity for people to speak to items on a Council or Foxton Community Board Agenda. A request must be lodged with the Chairperson, Chief Executive or other appropriate officer of Council, or via email public.participation@horowhenua.govt.nz by 12 noon on the day of the meeting and must identify the specific item to which a person wishes to speak. Requests will not be accepted for:

- matters that do not appear on a meeting agenda;
- proceedings of committees that do not have a substantive resolution for adoption;
- procedural items and reports which are for information only.

15.2 Approval by Chairperson

In all cases the request to speak shall be referred to the Chairperson of the meeting to confirm acceptance.

15.3 Applicant Advised of Outcome

The person requesting to speak shall be advised whether or not their request has been accepted. If declined, the applicant shall be advised of the reasons why. The author of any report to which there are requests to speak shall also be advised.

15.4 Time Limits

Unless the meeting determines otherwise, a limit of five (5) minutes is placed on each speaker.

16. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations should be approved by the Chairperson, or an official with delegated authority, five (5) working days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

16.1 Time limits

Speakers can speak for up to five (5) minutes, or longer at the discretion of the Chairperson. No more than two speakers can speak on behalf of an organisation's deputation.

16.2 Restrictions

The Chairperson has the discretion to decline to hear or terminate a deputation at any time where:

- a speaker is repeating views presented by an earlier speaker at the meeting;
- the speaker is criticising elected members and/or staff;
- the speaker is being repetitious, disrespectful or offensive;
- the speaker has previously spoken on the same issue;
- the matter is subject to legal proceedings; and
- the matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

16.3 Questions of a deputation

At the conclusion of the deputation members may, with the permission of the Chairperson, ask questions of any speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

16.4 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda and once a motion has been moved and seconded.

17. Petitions

17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least twenty (20) signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least five (5) working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for five (5) minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least five (5) working days before the date of the meeting concerned.

17.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) the petition;
- (b) the petitioners' statement; and
- (c) the number of signatures.

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) the general subject of each matter to be excluded;
- (b) the reason for passing the resolution in relation to that matter; and
- (c) the grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

s. 48 LGOIMA.

18.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

s.48 (6) LGOIMA.

18.3 Public excluded items

The chief executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

18.4 Non-disclosure of information

No member or officer may disclose to any person, other than another member, officer or person authorised by the chief executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where a meeting has resolved to make the information publicly available or where the chief executive has advised, in writing, that one or both of the following apply:

- (a) there are no grounds under LGOIMA for withholding the information; and

- (b) the information is no longer confidential.

18.5 Release of information from public excluded session

A local authority may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

Each public excluded meeting must consider and agree by resolution, what, if any, information will be released to the public. In addition, the chief executive may release information which has been considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist. The chief executive will inform the subsequent meeting of the nature of the information released.

19. Voting

19.1 Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation or standing orders, the acts of and questions before a local authority (or local and community boards) must be decided at a meeting through a vote exercised by the majority of the members of that meeting voting.

cl. 24 (1), Schedule 7, LGA 2002.

19.2 Open voting

An act or question coming before the local authority must be done or decided by open voting.

cl. 24 (3) Schedule 7, LGA 2002.

19.3 Chairperson does not have a casting vote

The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, does not have a casting vote.

cl. 24 (2) Schedule 7, LGA 2002.

19.4 Method of voting

The method of voting must be as follows:

- (a) the Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) the Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- (c) where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division, and the result publicly displayed and notified to the Chairperson who must declare the result.

19.5 Calling for a division

When a division is called, the chief executive must record the names of the members voting for and against the motion and abstentions and provide the names to the Chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

19.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters e.g. reason for the vote or abstention is not permitted.

19.7 Members may abstain

Any member may abstain from voting.

20. Conduct

20.1 Calling to order

When the Chairperson calls members to order they must be seated and stop speaking. If the members fail to do so, the Chairperson may direct that they should leave the meeting immediately for a specified time.

20.2 Behaviour consistent with Code of Conduct

No member, at any meeting, may act inconsistently with their Code of Conduct or speak or act in a manner which is disrespectful of other members, staff or the public.

20.3 Retractions and apologies

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chairperson may call upon that member or speaker to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the Chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

20.4 Disorderly conduct

Where the conduct of a member is disorderly or is creating a disturbance the Chairperson may require that member to leave the meeting immediately for a specified time.

If the disorder continues the Chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The Chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

20.5 Contempt

Where a member is subject to repeated cautions by the Chairperson for disorderly conduct the meeting may, should it so decide, resolve that the member is in contempt. Any such resolution must be recorded in the meeting's minutes.

20.6 Removal from meeting

A member of the police or authorised security personnel may, at the Chairperson's request, remove or exclude a member from a meeting.

This standing order will apply where the Chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting and attempted to re-enter it without the Chairperson's permission.

20.7 Financial conflicts of interests

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless an exception set out in s.6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s.6.

Members with a financial interest should physically withdraw themselves from the table unless the meeting is in public excluded in which case they should leave the room.

Neither the Chairperson nor the meeting may rule on whether a member has a financial interest in the matter being discussed. The minutes must record any declarations of financial interests and the member's abstention from any discussion and voting on the matter.

s. 6 & 7 LAMIA.

20.8 Non-financial conflicts of interests

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority (or local or community board) could be affected by some other separate interest or duty of that member in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.

The member must leave the table when the matter is considered, but does not need to leave the room. The minutes must record the declaration and member's subsequent abstention from discussion and voting.

Neither the Chairperson nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.

20.9 Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will or took improper advantage of the occasion of publication.

s. 53, *LGOIMA*.

20.10 Qualified privilege additional to any other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies as a result of any other enactment or rule of law applying to any meeting of the local authority.

s. 53, *LGOIMA*.

20.11 Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting.

Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

21. General rules of debate

21.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak or when a chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the Chairperson.

21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) movers of motions when speaking to the motion – not more than five (5) minutes;
- (b) movers of motions when exercising their right of reply – not more than five (5) minutes; and
- (c) other members – not more than five (5) minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

21.3 Questions to staff

During a debate, members can ask staff questions about the matters being discussed. Questions must be asked through the Chairperson and how the question should be dealt with is at the Chairperson's discretion.

21.4 Questions of clarification

At any point of a debate a member may ask the Chairperson for clarification about the nature and content of the motion which is the subject of the debate and the particular stage the debate has reached.

21.5 Members may speak only once

A member may not speak more than once to a motion at a meeting of the council, except with permission of the Chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the Chairperson's permission.

21.6 Limits on number of speakers

If three speakers have spoken consecutively in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.

Members speaking must, if requested by the Chairperson, announce whether they are speaking in support of, or opposition to, a motion.

21.7 Seconder may reserve speech

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

21.8 Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment to which they are speaking.

The Chairperson's rulings on any matters arising under this standing order are final and not open to challenge.

21.9 Restating motions

At any time during a debate a member may ask, for their information, that the Chairperson restate a motion and any amendments; but not in a manner that interrupts a speaker.

21.10 Criticism of resolutions

A member speaking in a debate may not unduly criticise the validity of any resolution except by a notice of motion to amend or revoke the resolution.

21.11 Objecting to words

When a member objects to any words used by another member in a speech and wants the minutes to record their objection, they must object at the time when the words are used and before any other member has spoken. The Chairperson must order the minutes to record the objection.

21.12 Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not. In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original, substantive or substituted motion or at the end of the debate on a proposed amendment.

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

21.13 No other member may speak

In exercising a right of reply, no other member may speak:

- (a) after the mover has started their reply;
- (b) after the mover has indicated that they want to forego this right; and
- (c) where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions

The carrying of any motion to adjourn a meeting must supersede other business still remaining to be disposed of. Any such business must be considered at the next meeting. Business referred to, or referred back to, a specified committee or local or community board, is to be considered at the next ordinary meeting of that committee or board, unless otherwise specified.

21.15 Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.

However, the Chairperson must put a closure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment. If a closure motion is carried, the mover of the motion under debate has the right of reply after which the Chairperson puts the motion or amendment to the vote.

22. General procedures for speaking and moving motions

22.1 Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees, and any local or community boards.

Option A applies unless, on the recommendation of the Chairperson at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option B or Option C for the meeting generally, or for any specified items on the agenda.

22.2 Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original or substituted motion may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.3 Option B

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.4 Option C

- The mover and seconder of a motion can move or second an amendment.
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.5 Procedure if no resolution reached

If no resolution is reached the Chairperson may accept a new motion to progress the matter under discussion.

23. Motions and amendments

23.1 Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion.

Amendments and motions that are not seconded are not valid and are not entered in the minutes.

23.2 Motions in writing

The Chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

23.3 Motions expressed in parts

The Chairperson, or any member, can require a motion that has been expressed in parts to be decided part by part.

23.4 Substituted motion

Where a motion is subject to an amendment the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

23.5 Amendments to be relevant and not direct negatives

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. An amendment cannot be a direct negative to the motion or the amended motion.

Please note that amendments that are significantly different must comply with the decision-making provisions of the Part 6, LGA 2002.

23.6 Chairperson may recommend amendment

A Chairperson, when moving the adoption of a recommendation from a committee or sub-committee to the council can include in the motion an amendment to the committee or sub-committee's recommendation.

23.7 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments as well as the nature of the content of those amendments.

23.8 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

23.9 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

23.10 Where a motion is lost

In a situation where a motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

23.11 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

23.12 No speakers after reply or motion has been put

A member may not speak to any motion once:

- (a) the mover has started their right of reply in relation to the motion; and
- (b) the Chairperson has started putting the motion.

24. Revocation or alteration of resolutions

24.1 Member may move revocation of a decision

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:

- (a) the resolution or part of the resolution which the member proposes to revoke or alter;
- (b) the meeting date when the resolution was passed;
- (c) the motion, if any, which the member proposes to replace it with; and
- (d) sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report.

24.2 Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

cl. 30 (6) Schedule 7, LGA 2002.

24.3 Requirement to give notice

A member must give notice to the chief executive at least five (5) working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

Exceptions apply where, in the opinion of the Chairperson:

- (a) the practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the chief executive.

24.5 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.

24.6 Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the Chairperson, chief executive, or any committee or subcommittee, local or community board, may revoke or alter all or part of a resolution passed by a previous meeting. The chief executive must give at least two (2) clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

cl. 30 (6) Schedule 7, LGA 2002.

25. Procedural motions

25.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded, the Chairperson must put it to the vote immediately, without discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and two against or, in the Chairperson's opinion, it is reasonable to accept the closure motion.

25.2 Procedural motions to close or adjourn a debate

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:

- (a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);
- (c) that the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) that the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- (e) that the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

25.3 Voting on procedural motions

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

25.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

25.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

25.6 Business referred to the council, committee or local or community board

Where an item of business is referred (or referred back) to a committee or a local or community board, the committee or board will consider the item at its next meeting unless the meeting resolves otherwise.

25.7 Other types of procedural motions

The Chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

26. Points of order

26.1 Members may raise points of order

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) Disorder – to bring disorder to the attention of the Chairperson;
- (b) Language – to highlight use of disrespectful, offensive or malicious language;
- (c) Irrelevance – to inform the chair that the topic being discussed is not the matter currently before the meeting;
- (d) Misrepresentation – to alert the chair of a misrepresentation in a statement made by a member, an officer or a council employee;
- (e) Breach of standing order – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- (f) Recording of words – to request that the minutes record any words that have been the subject of an objection.

26.3 Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

26.4 Point of order during division

A member may not raise a point of order during a division, except with the permission of the Chairperson.

26.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The Chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

27. Notices of motion

27.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least five (5) clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

Once the motion is received the chief executive must give members notice in writing of the intended motion at least two (2) clear working days' notice of the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) is disrespectful or which contains offensive language or statements made with malice; or
- (b) is not related to the role or functions of the local authority or meeting concerned; or
- (c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

27.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

27.4 Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

Notices of motion that are not moved when called for by the Chairperson must lapse.

27.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority or a local or community board must be referred to that committee or board by the chief executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

27.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

28. Minutes

28.1 Minutes to be evidence of proceedings

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the *prima facie* evidence of the proceedings to which they relate.

cl. 28 Schedule 7, LGA 2002.

28.2 Matters recorded in minutes

The chief executive must keep the minutes of meetings. The minutes must record:

- (a) the date, time and venue of the meeting;
- (b) the names of the members present;
- (c) the Chairperson;
- (d) any apologies or leaves of absences;
- (e) the arrival and departure times of members;
- (f) any failure of a quorum;
- (g) a list of any external speakers and the topics they addressed;
- (h) a list of the items considered;
- (i) the resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;

- (j) the names of all movers, and seconders;
- (k) any objections made to words used;
- (l) all divisions taken and, if taken, a record of each members' vote;
- (m) the names of any members requesting that their vote or abstention be recorded;
- (n) any declarations of financial or non-financial conflicts of interest;
- (o) the contempt, censure and removal of any members;
- (p) any resolutions to exclude members of the public;
- (q) the time at which the meeting concludes or adjourns; and
- (r) the names of people permitted to stay in public excluded.

Please Note: hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3 No discussion on minutes

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

28.4 Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign, or agree to have their digital signature inserted to, the minutes of the last meeting of the local authority and its committees, subcommittees and local and community boards before the next election of members.

29. Keeping a record

29.1 Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, so as to be able to be used for subsequent reference.

s. 17 Public Records Act 2005.

29.2 Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- (a) the provision of a reliable means of assuring the integrity of the information is maintained; and
- (b) the information is readily accessible so as to be usable for subsequent reference.

s. 229(1) of the Contract and Commercial Law Act 2017.

29.3 Inspection

Whether held in hard copy or in electronic form, minutes must be available for inspection by the public.

s. 51 LGOIMA.

29.4 Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

Appendix 1: Grounds to exclude the public

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. disclose a trade secret; or
 - ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
 - (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. be likely otherwise to damage the public interest.
 - (d) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (f) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (g) Maintain legal professional privilege; or
 - (h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - (i) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

See s.7 LGOIMA 1987.

Where A2 of this Appendix applies the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest, that the public not be excluded.

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
- (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where:
 - i. a right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
 - ii. the Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - iii. proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

See s. 48 LGOIMA.

Appendix 2: Sample resolution to exclude the public

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is **moved**:

- 1 that the public is excluded from:
- The whole of the proceedings of this meeting; *(deleted if not applicable)*
 - The following parts of the proceedings of this meeting, namely; *(delete if not applicable)*

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— <ul style="list-style-type: none"> i. be contrary to the provisions of a specified enactment; or ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"> i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).

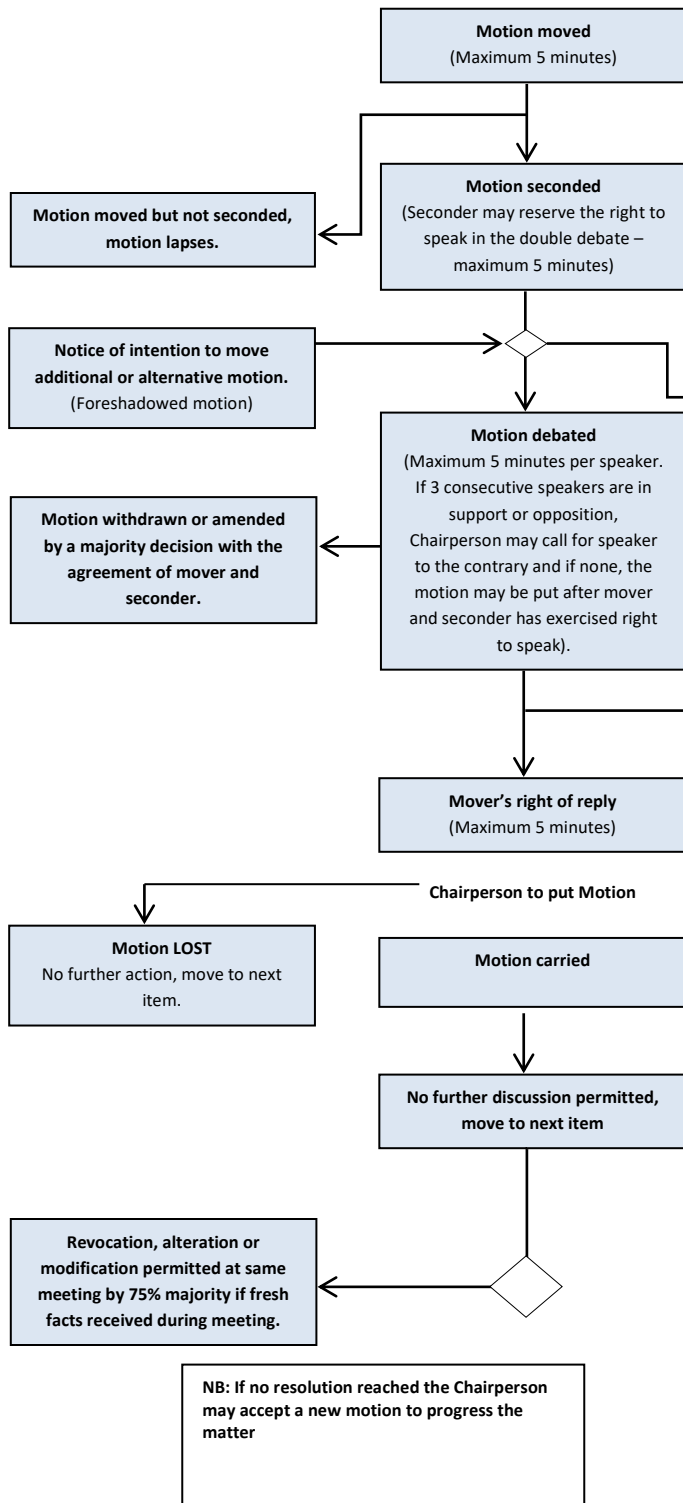
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; <ul style="list-style-type: none"> i. disclose a trade secret; or ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for; <ul style="list-style-type: none"> • a resource consent, or • a water conservation order, or • a requirement for a designation or • an heritage order, (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: <ul style="list-style-type: none"> i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

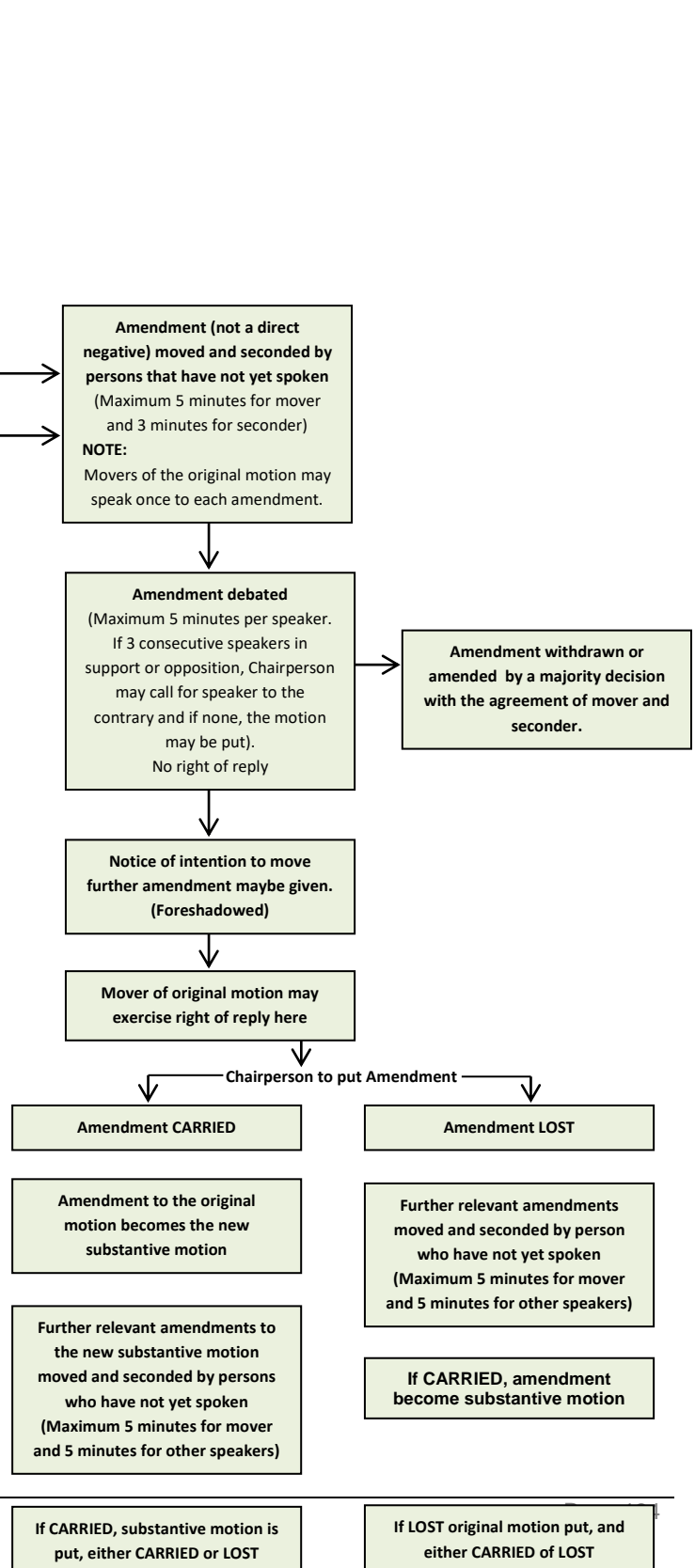
2. That *(name of person(s))* is permitted to remain at this meeting after the public has been excluded because of their knowledge of *(specify topic under discussion)*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*. *(Delete if inapplicable.)*

Appendix 3: Motions and amendments (Option A)

Motions without amendments

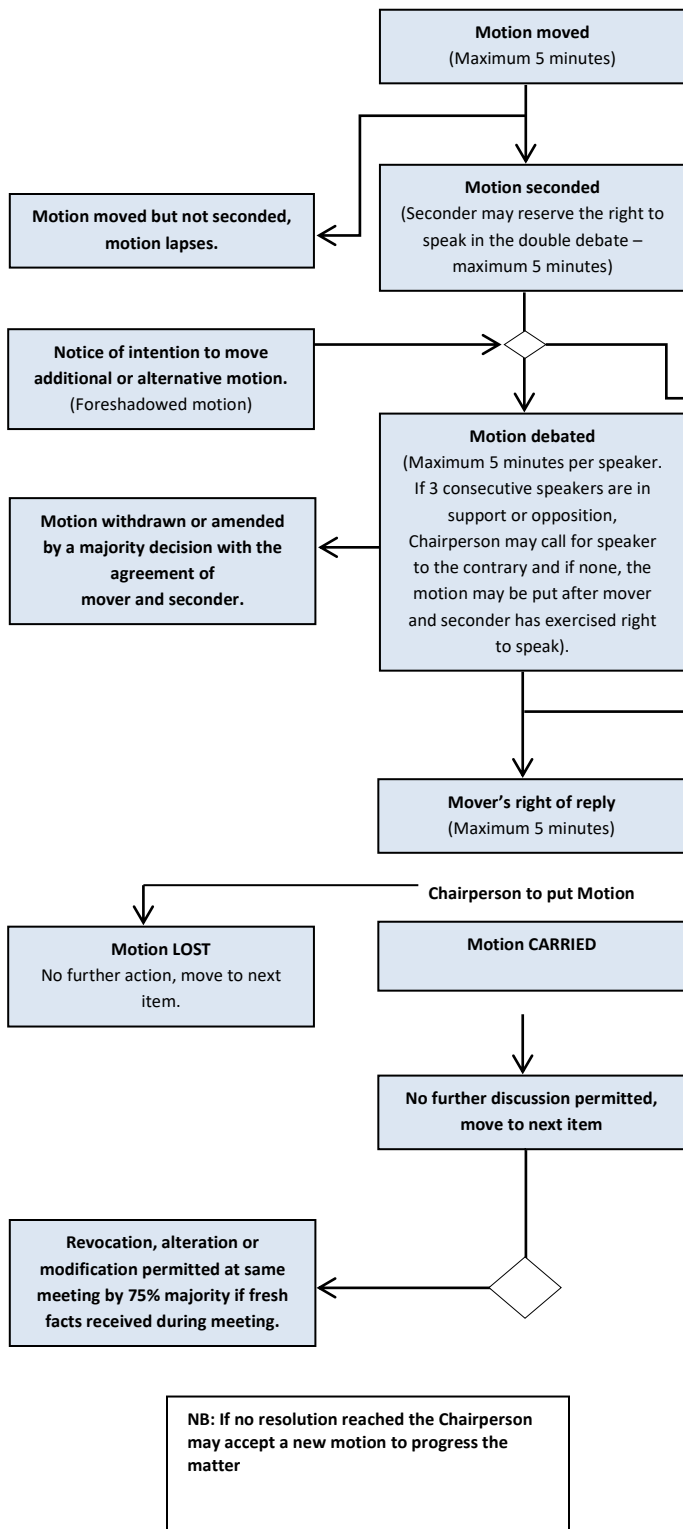


Motions with amendments

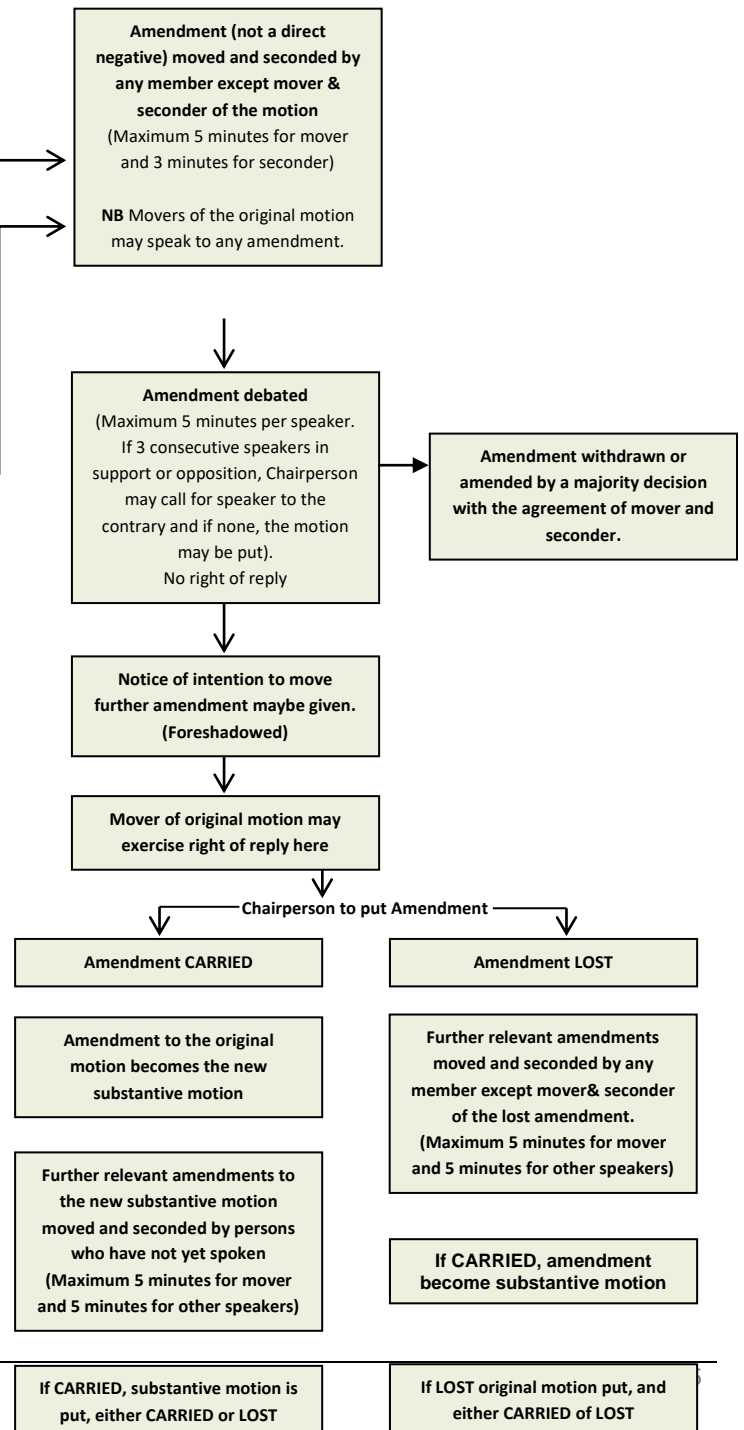


Appendix 4: Motions and amendments (Option B)

Motions without amendments

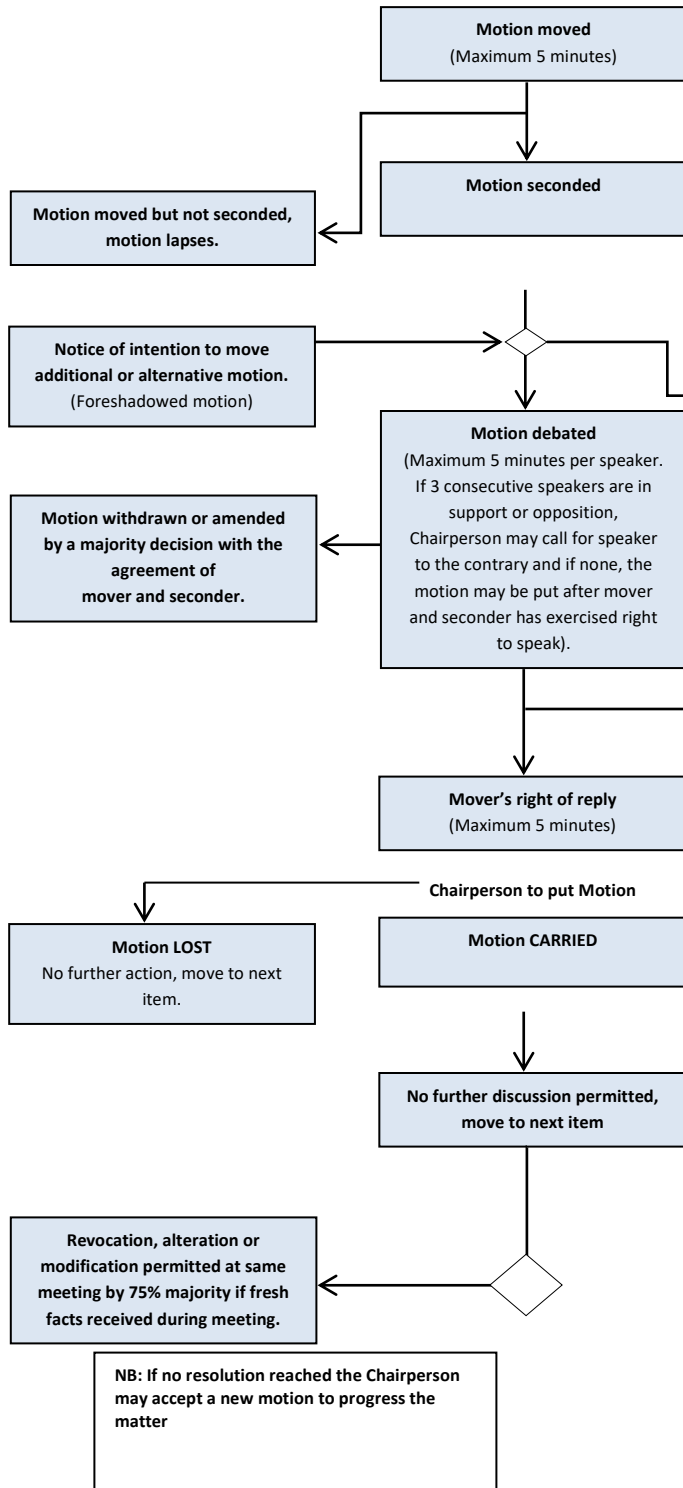


Motions with amendments

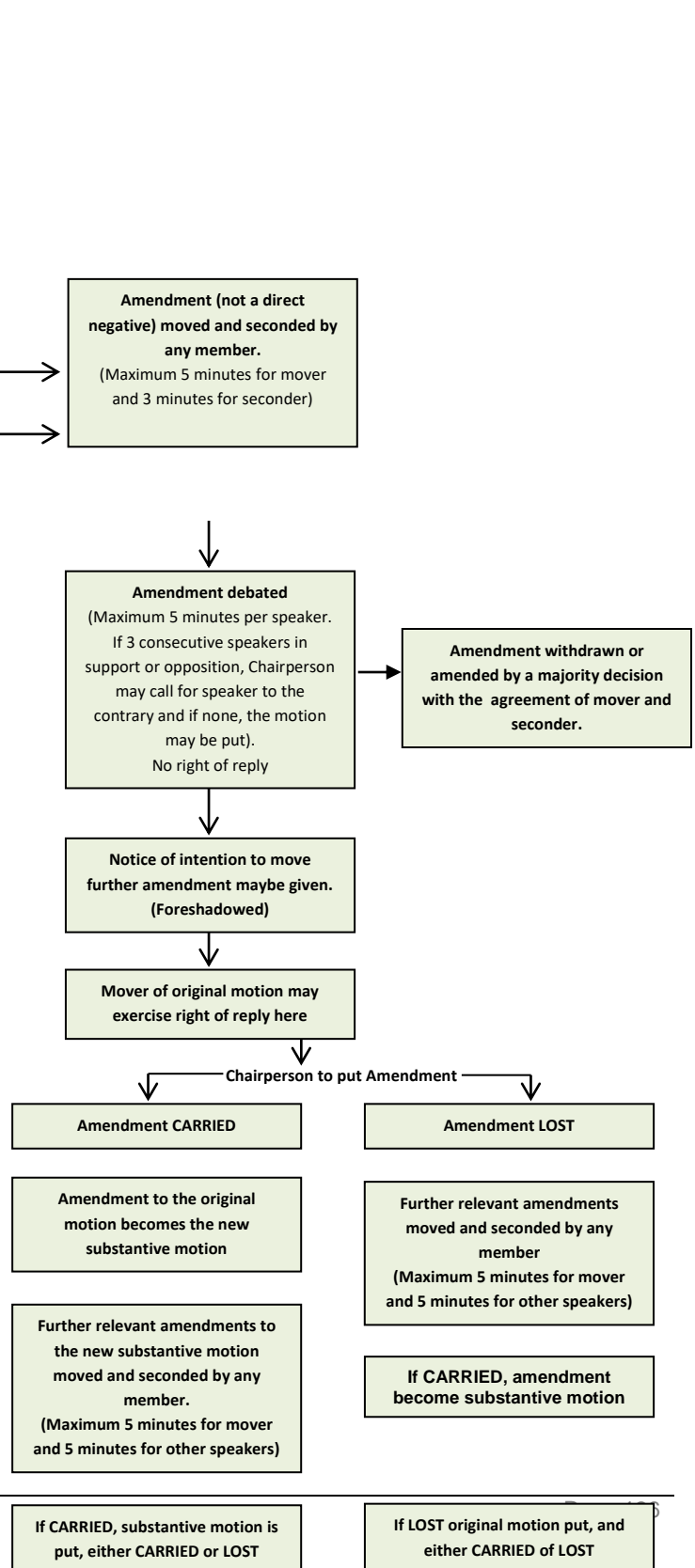


Appendix 5: Motions and amendments (Option C)

Motions without amendments



Motions with amendments



Appendix 6: Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled	Are previous participants in debate entitled to move this	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to speak?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

Appendix 7: Webcasting protocols

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

1. The default shot will be on the Chairperson or a wide-angle shot of the meeting room.
2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
3. Generally, interjections from other members or the public are not covered. However, if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

Appendix 8: Powers of a Chairperson

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.

Chairperson to decide points of order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson's report

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson's voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) is disrespectful or which contains offensive language or statements made with malice;
or
- (b) is not within the scope of the role or functions of the local authority; or
- (c) contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Revocation or alteration of previous resolution

A Chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

Chairperson may call a meeting

The Chairperson:

- (a) may call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting; and
- (b) may requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

Taking down words

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places

The Chairperson may permit members to leave their place while speaking.

Priority of speakers

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes

The Chairperson is to sign the minutes and proceedings, either manually or electronically, of every meeting once confirmed. The Chairperson and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Questions of speakers

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson's rulings

Any member who refuses to accept a ruling of the Chairperson, may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour

The Chairperson may:

- (a) require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

If a member or member of the public who is required, in accordance with a Chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson's request, remove or exclude that person from the meeting.

Audio or audio visual attendance

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. everyone participating in the meeting can hear each other;
 - ii. the member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;
 - iii. the requirements of Part 7 of LGOIMA are met; and
 - iv. the requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

Appendix 9: Mayors' powers to appoint under s.41A

The role of a Mayor is:

- (a) to provide leadership to councillors and the people of the city or district.
- (b) to lead development of the council's plans (including the long term and annual plans), policies and budgets for consideration by councillors.

The Mayor has authority to:

- (a) appoint the deputy Mayor.
- (b) establish Council committees, their terms of reference, appoint the Chairperson of each of those committees and the members.
- (c) appoint themselves as the Chairperson of a committee.
- (d) decline to exercise the powers under clause (a) and (b) above but may not delegate those powers to another person.

The Council retains the ability to:

- (a) remove a deputy Mayor appointed by the Mayor.
- (b) discharge or reconstitute a committee established by the Mayor.
- (c) discharge a committee Chairperson who has been appointed by the Mayor.

The Mayor is a member of each committee of the Council.

Appendix 10: Process for removing a Chairperson or deputy Mayor from office

1. At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its Chairperson, deputy Chairperson, or deputy Mayor from office.
2. If a Chairperson, deputy Chairperson, or deputy mayor is removed from office at that meeting, the territorial authority or regional council may elect a new Chairperson, deputy Chairperson, or deputy mayor at that meeting.
3. A meeting to remove a Chairperson, deputy Chairperson, or deputy Mayor may be called by:
 - (a) a resolution of the territorial authority or regional council; or
 - (b) a requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
4. A resolution or requisition must:
 - (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) indicate whether or not, if the Chairperson, deputy Chairperson, or deputy Mayor is removed from office, a new Chairperson, deputy Chairperson, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than fourteen (14) days before the day specified in the resolution or requisition for the meeting.
7. A resolution removing a Chairperson, deputy Chairperson, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

Appendix 11: Workshops

Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular matters, receive briefings and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting.

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted.

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) a resolution of the local authority or its committees
- (b) the Mayor,
- (c) a committee Chairperson or
- (d) the chief executive.

Process for calling workshops

The chief executive will give at least 24 hours' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- (a) state that the meeting is a workshop;
- (b) advise the date, time and place; and
- (c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required and workshops can be either open to the public or public excluded.

Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location and duration of workshop;
- those present; and
- General subject matter covered.

Appendix 12: Process for raising matters for a decision

Matters requiring a decision may be placed on an agenda of a meeting by a:

- Report of chief executive;
- Report of a Chairperson;
- Report of a committee;
- Report of a community and/or local board; or
- Notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- Report of chief executive; or
- Report of Chairperson.

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.

Adoption of Code of Conduct

1. Purpose

For Council to adopt its Code of Conduct, and to identify any areas for amendment at the beginning of this new triennium.

2. Executive Summary

- 2.1 Council is required under Clause 15 of Schedule 7 of the Local Government Act 2002 to adopt a Code of Conduct for its members as soon as practical after the commencement of this Act.
- 2.2 The 2016 LGNZ reviewed and updated the Code of Conduct template to incorporate legislative changes, new approaches to good governance and provide better advice dealing with alleged breaches.
- 2.3 The 2019 template now includes a section on social media and has a new process for dealing with trivial, minor and frivolous complaints.

3. His Worship the Mayor's Recommendations

- 3.1 That Report 19/452 Code of Conduct be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That the Horowhenua District Council adopts the Code of Conduct November 2019-2022.
- 3.4 That the Horowhenua District Council endorses the independent investigators as proposed.

4. Background / Previous Council Decisions

- 4.1 Clause 15 of Schedule 7 of the Local Government Act 2002 requires a local authority to adopt a Code of Conduct for its members "as soon as practicable after the commencement of this Act".
- 4.2 The Code of Conduct may not be revoked without replacement.
- 4.3 Any amendment to, or a replacement of, the Code of Conduct requires a vote in support by 75% of the members present.
- 4.4 There is no statutory requirement for review or confirmation following an election, but given changes in the membership of Council, it is considered timely to consider adopting a version more aligned to current best practice.

5. Discussion

- 5.1 The Code of Conduct **attached** (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, 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.

The above purpose is given effect through the values, roles, responsibilities and specific behaviors documented in the Code.

5.2 The Code has been adopted in accordance with clause 15 of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of community boards that have agreed to adopt it. The Code is designed to deal with the behavior of members towards:

- each other;
- the chief executive and staff;
- the media; and
- the general public.

5.3 The Code 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.

5.4 As mentioned above, the Code can only be amended 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.

5.5 It is important to note that Part 7 of the Local Government Official Information and Meetings Act applies to all meetings of the Council and Community Boards, as well as to committees and sub-committees of those bodies.

5.6 Provided for in the Code is for the Chief Executive, in consultation with the Mayor, to prepare names of independent investigators to which complaints would be referred for a preliminary assessment to determine whether the issue is sufficiently serious to be further addressed.

5.7 Recommended independent investigators are Bruce Robertson and Robert Buchanan. A short bio for each outlining their experience and suitability for the role will be circulated prior to the meeting.

6. Options

Council is required to confirm the Code of Conduct as soon as practical under Clause 15 of Schedule 7 of the Local Government Act 2002.

6.1 Cost

There are no cost implications.

6.1.1 Rate Impact

There is no rating impact to consider.

6.2 Community Wellbeing

It has no community wellbeing implications.

6.3 Consenting Issues

There are no consenting issues.

6.4 LTP Integration

There are no LTP considerations.

7. Consultation

The Code of Conduct does not require consultation.

8. Legal Considerations

Legal considerations are set out in the Code of Conduct.

9. Financial Considerations

There are no financial considerations.

10. Other Considerations

There are no other financial considerations.

11. Next Steps

Upon adoption, the Code of Conduct 2019-2022 will become operational and replace the Code of Conduct adopted in February 2017.

12. Supporting Information

Strategic Fit/Strategic Outcome N/A
Decision Making N/A
Consistency with Existing Policy N/A
Funding N/A

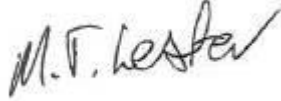
Confirmation of statutory compliance

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 benefits and costs, 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.

13. Appendices

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Author(s)	Mark Lester Group Manager - Corporate Services	
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Approved by	David Clapperton Chief Executive	
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Horowhenua District Council

Code of Conduct

Adopted on the

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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, 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 deal with 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. Members will respect the impartiality and integrity of officials.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.¹

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

4. Role and responsibilities

The Code of Conduct is designed to strengthen the good governance of our district. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

4.1 Members

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.

¹ See Code of Conduct Guide for examples.

4.2 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.

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 and Mayor;
- 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 upholds the reputation of the local authority.

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 member to comply with the provisions of this section can represent a breach of the Code.

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 shall be consistent with the Code;

- comments must not purposefully misrepresent the views of the Council or the views of other members;
- social media pages controlled by members and used for making observations relevant to their role as an elected member should be open and transparent, except where abusive or inflammatory content is being posted; and
- 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).

7. 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.

7.1 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.

7.2 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.

8. 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.

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:

- a) any employment, trade or profession carried on by the member or the members' spouse/partner for profit or gain;
- b) any company, trust, partnership, etc, for which the member or their spouse/partner is a director, business partner or trustee;
- c) a description of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
- d) 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.
- e) 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:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;

- not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;
- 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
- not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

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

11. Creating a supportive and inclusive environment

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

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

12. 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.

12.1 Principles

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

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged breach;

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

- 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
- 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.

12.2 Complaints

All complaints made under the Code 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/Chair or, where the Mayor/Chair is a party to the complaint, an independent investigator, drawn from a pool of names or agency agreed in advance.

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

Complaint referred to Mayor/Chair

On receipt of a complaint made under the provisions of the Council's Code of Conduct the Mayor/Chair 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/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 Council or an adjudicative body established by the Council to assess and rule on complaints made under the Code.³

If the Mayor/Chair 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

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

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

12.3 Materiality

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

13. 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.

13.1 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:

1. a letter of censure to the member;
2. a request (made either privately or publicly) for an apology;
3. removal of certain Council-funded privileges (such as attendance at conferences);
4. removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
5. restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
7. a vote of no confidence in the member;
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.

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

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.

13.2 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).

14. Review

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

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

Appendix A: Guidelines on the personal use of social media⁵

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

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

⁵ Based on the Ruapehu District Council Code of Conduct.

Appendix B: Legislation bearing on the role and conduct of elected members

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

The Local Authorities (Members' Interests) Act 1968

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

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

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

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

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

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

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

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

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?

- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the Mayor/Chair 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 local/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.⁸⁹⁰

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

The following process is a guide only and Councils are encouraged to adapt this to their own specific circumstances.

Step 1: Chief Executive receives complaint

On receipt of a complaint under the Code, whether from a member (because the complaint involves the Mayor/Chair) or from the Mayor/Chair after an initial assessment, the Chief Executive will refer the complaint to an investigator selected from a list agreed at the start of the triennium. 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 attends 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.

Monitoring Report to 11 December 2019

File No.: 19/463

1. Purpose

To present to Council the updated monitoring report covering requested actions from previous meetings of Council.

2. Recommendation

- 2.1 That Report 19/463 Monitoring Report to 11 December 2019 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

Attachments



No.	Title	Page
A	Horowhenua District Council Monitoring Report	174

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 benefits and costs, 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)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

MONITORING REPORT

HOROWHENUA DISTRICT COUNCIL

Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Completed	Officer Comment
17/534	27 November 2017	Provisional Local Alcohol Policy – Appeals	<i>THAT Council resolves that the Hearings Committee of Council be directed to act on behalf of Council on this matter as may be required following notification by the Licensing Authority.</i>	V Miller			ARLA directed HDC to reconsider 5 elements of the PLAP. Next step is to re-confirm the negotiated changes to the PLAP with Foodstuffs / Woolworths and resubmit to ARLA for acceptance. Submitters to the draft LAP to be informed.
18/171	18 April 2018	CE's Report to 18 April 2018 – Electric Vehicle Charging Stations	<i>THAT the Chief Executive be requested to investigate a commercial rental or other revenue source from the placement of Electric Vehicle charging stations on Council-owned land.</i>	D McCorkindale		Completed	Contract was signed by the parties in early November 2019. Electra and Charge Net are working towards having the Foxton chargers installed early December and the Shannon chargers early 2020.
18/575	10 October 2018	Options for Potential Disposal – Court House Museum	<i>THAT Council resolves not to retain the Court House Museum as per the original Officer recommendation. THAT Horowhenua District Council disposes of the Foxton Court</i>	A Nelson	26 February 2019		A draft EOI has been produced Officers are currently undertaking due diligence and researching any encumbrances upon the title. Due diligence has identified some

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Completed	Officer Comment
	14 August 2019		<p><i>House Museum using an Expression of Interest process that requires proponents to complete seismic strengthening whilst preserving the heritage and character of the building.</i></p> <p><i>THAT the Chief Executive be delegated the authority to execute the disposal of Foxton Court House Museum.</i></p>	<p>A Nelson</p> <p>28.03.2019</p> <p>27.06.2019</p> <p>05.11.2019</p>			<p>encumbrances relating to the property and these are still being assessed. Parks & Property are talking to the Foxton Historic Society in respect of a potential proposal to take over the building as one option for disposal. Officers are still awaiting a proposal from the Foxton Historic Society.</p>
19/27	13 March 2019	CE's Report – Foxton Beach Freeholding Account Strategy & Policy Review	<p><i>THAT the Horowhenua District Council gives approval for the Foxton Beach Freeholding Account Strategy and Policy to be reviewed with feedback to be sought from the Foxton Beach Community.</i></p>	M Lester			<p>Project Plan to be developed.</p> <p>Due to the proximity of triennial elections this matter is to be held over to be dealt with by the new council and community board. With a new Board in place Project Planning will commence with both the Foxton Beach Progressive Association</p>

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Completed	Officer Comment
							and the Foxton Community Board. The intention being to have a project plan agreed at the second meeting of the Foxton Community Board.
19/199	12 June 2019	Proceedings of the Foxton Community Board 27 May 2019	<i>THAT as recommended by the Foxton Community Board, the Horowhenua District Council supports the development of a detailed design for a wetland at Holben Reserve and requests officers to progress to a detailed design through an RFP process.</i>	A Nelson	05.12.2019		A contract has been awarded to Boffa Miskell to complete the detailed design for the wetland.
19/387 & 19/388	2 October 2019	Proposed National Policy Statements – Highly Productive Land & Urban Development	<i>THAT the Chief Executive be requested to write to the appropriate Ministers on behalf of the Horowhenua District Council strongly expressing concerns in relation to the proposed National Policy</i>	D Clapperton			The letters to the Ministers have been drafted. Waiting on the completion of Council's Advocacy Strategy to check for alignment before sending.

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Completed	Officer Comment
			<i>Statement and requesting a meeting with those Ministers, with that meeting preferably to be in the Horowhenua.</i>				

Chief Executive's Report to 11 December 2019

File No.: 19/504

1. Purpose

For the Chief Executive to update Councillors, or seek endorsement on, a number of matters being dealt with.

2. Recommendation

- 2.1 That Report 19/504 Chief Executive's Report to 11 December 2019 be received.
- 2.2 That these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Meeting Schedule for 2020 be amended as follows:
Council: Annual Plan 2020 deliberation dates to change from 3 & 4 June to 27 & 28 May.
Finance, Audit & Risk Committee: April meeting to change from 22 to 29 April;
September meeting to change from 23 to 30 September.

3. Chief Executive Updates

3.1 Council and Committee Meeting Schedule 2020

After further consideration, the following minor changes are proposed in the 2020 meeting schedule to assist with financial reporting:

Council: Annual Plan 2020 deliberation dates to change from 3 & 4 June to 27 & 28 May.

Finance, Audit & Risk Committee: April meeting to change from 22 to 29 April;
September meeting to change from 23 to 30 September.

Ratification of the change is now sought.

3.2 Growth Dashboard - December 2019

Data recently released from the 2018 Census shows population growth in the Horowhenua District has been exceeding the projections adopted by Council in the Long Term Plan 2018-38 by 45% (Sense Partners 50th percentile). The Census figures show the District is actually tracking along the 95th percentile. This increase in population means the pressure to enable and build housing to keep up with growth is intensified. Planning for this change will be a key focus for the District in 2020.

3. Quarterly Economic Monitor

The Horowhenua economy is still in good shape and growing ahead of the national economy. Infometrics' provisional estimates show that the local economy expanded by 2.8% in the 12 months to September 2019. Two other key indicators of broad economic activity support our view that the local economy is still healthy. Traffic flows grew by 1.4%, slightly higher than national growth, and consumer spending grew by a robust 6.2%, nearly double the national average.

Horowhenua's population has been growing faster than previously estimated. Following the release of the 2018 Census StatsNZ has revised Horowhenua's 2018 population to 34,300, up from the previous estimate of 33,000. In the year to June 2019 the district's population has increased a further 2.0% to reach 35,000. Horowhenua's population growth has now

exceeded national growth for four successive years. Growth in health enrolments of 2.7% in the year to September 2019 indicate that the population is continuing to grow rapidly.

Strong population growth is boosting the demand for housing and the average house value increased by nearly 20% in the year to September 2019. This was the fourth fastest growth among 66 territorial authorities.

Residential construction has responded to the strong demand for housing. Nearly 290 residential consents were issued in the 12 months to September which is more than double the 10-year average of 135. Non-residential construction is also booming, with consents to the value of nearly \$16m being issued in the 12 months to September, about 50% higher than the 10-year average.

Horowhenua's labour market is benefitting from an expanding economy and is in better shape than we previously thought. Infometrics has revised Horowhenua's unemployment rate downwards following the release of the 2018 Census. Infometrics estimate the unemployment rate to be 6.7% in the year to September 2019. There has been an uptick in Jobseeker Support recipients but the growth in Horowhenua (4.6%) is well below the national rate (10.3%).

Attachments



No.	Title	Page
A	Growth Dashboard Report for Council Meeting 11 December (December 2019)	181

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 benefits and costs, 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)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

Growth Dashboard

December 2019



Overview of Horowhenua District

Horowhenua is growing ahead of the national economy with local economy expanding by 2.8% in the 12 months to September 2019 compared to 2.4% nationally. Consumer spending grew by 6.2%, almost double the national average of 3.4%. This indicates that more money is being spent within the District, which can be linked to an increase of guest nights, tourism expenditure and traffic flow.

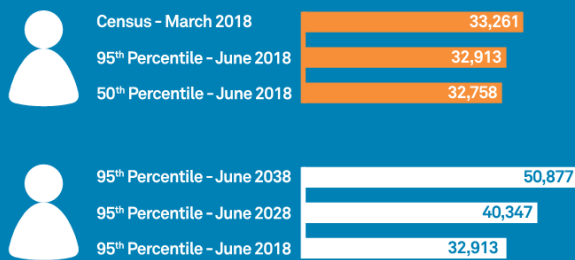
Strong population growth is boosting the demand for housing with the average house value increased by nearly 20% in the year to September 2019. This was the fourth fastest growth among 66 territorial authorities, prices reaching a record high of \$362,518 reducing the affordability. 701 houses in the Horowhenua District were sold in the year leading to September 2019; this is an increase to the ten-year average of 613 houses sold per annum in the District.

In summary the Horowhenua District is experiencing growth that is not only overtaking the national average but is also exceeding previously made projections. With growth comes the need to adapt and cater for the change within the District. Planning for this change will be a key focus for the District in 2020.

Growth Trends

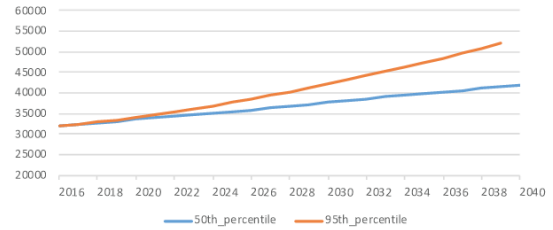
- Horowhenua is the fastest growing district in the Manawātū/Whanganui region and top third in NZ.
- At the current rates, the population could increase by 33% over the next 10-15 years.
- Statistics NZ Population Estimate (Provisional June 2019) = 35,000 people.
- Horowhenua was not forecasted to reach 35,000 tracking on the 95th percentile until 2022 showing the District is growing faster than expected.

Horowhenua Populations



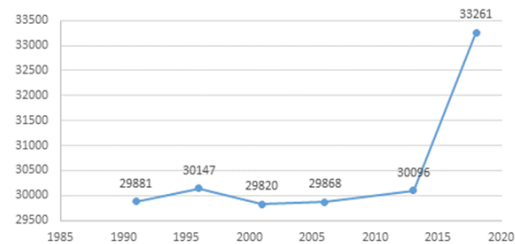
Population Projections

(Horowhenua District)



Sense Partners were commissioned in 2017 to provide a population forecast. HDC adopted the 50th Percentile or medium growth rate, however the current census data is showing that the Horowhenua District is tracking along the 95th Percentile meaning the population is growing a lot faster than initially anticipated.

Horowhenua District Population Census Data



Population Growth across the Region

Annual Average Growth Rate (2013-2018)

Horowhenua District	2.0%
Manawātū District	1.9%
Whanganui District	1.5%
Rangitikei District	1.4%
Tararua District	1.3%
Palmerston North City	1.1%
Ruapehu District	0.8%

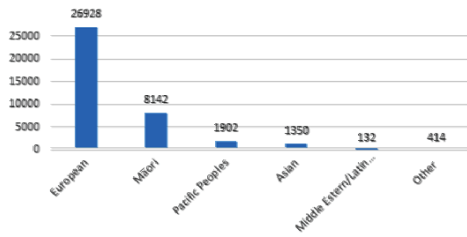


Population Change by Age Group Census Comparison

Age Group	2006-2013	2013-2018
<15 years	-579	324
15-29 years	201	780
30-64 years	-558	984
65+ years	1,170	1,074

Ethnic Group Distribution

Census 2018 (Horowhenua District)



Of the residents new to Horowhenua, 42% identified as Asian, 38% Pacifica and 26% Māori. It is important to understand the heritage and backgrounds of new people joining our community so we can make sure we communicate effectively with these groups, respond to their needs, and celebrate the variety of cultures present within our community.

Please note that some people identify as more than one ethnic group.

Housing

Household Census
(March 2018)

15,891



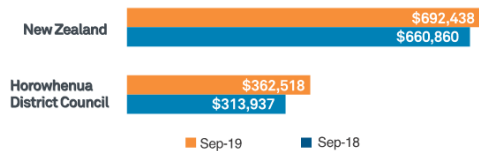
Household Forecast
(June 2018)

15,984

- Population of 35,000 people (provisional population June 2019 estimate) would require 17,000 houses.
- Previous forecasts indicated 4,900 extra houses would be needed over the next 20 years.
- At the current growth rate we will need the same number of houses (4,900) in less than 10 years to keep up.
- This means increasing from 244 extra houses a year to 440.

Average Current House Value

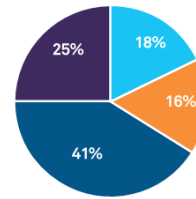
Average for 12 months to September 2019



The average current house value in Horowhenua District was up 19.9% in September 2019 compared with a year earlier. This was higher than New Zealand, where prices increased by 1.9%.

Age Group Distribution

2018 Census (Horowhenua District)



■ <15 years ■ 15-29 years ■ 30-64 years ■ 65+ years

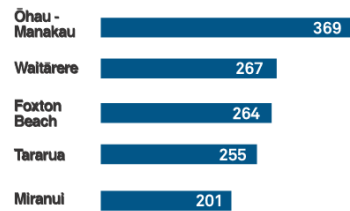
Health Enrolments

Annual Average % change (Horowhenua District)
September 18 - September 19

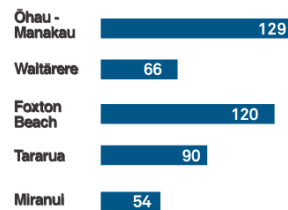


The number of people enrolled with a primary health organisation in the Horowhenua District in the year to September 2019 increased by 2.7% compared with the previous year. Growth was higher relative to New Zealand, where the number of enrolments increased by 2.0%.

Top 5 Population Increase by Statistical Area Census 2013-2018



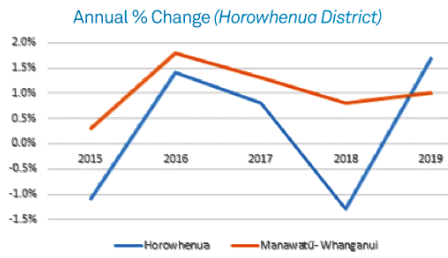
Top 5 Dwellings Built by Statistical Area Census 2013-2018



For designated areas, please refer to map on page 3.

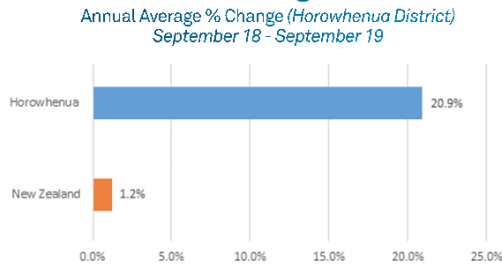


School Roll



Horowhenua Districts school roll grew by 1.7% in the past year which was faster than the Manawatu-Whanganui Region.

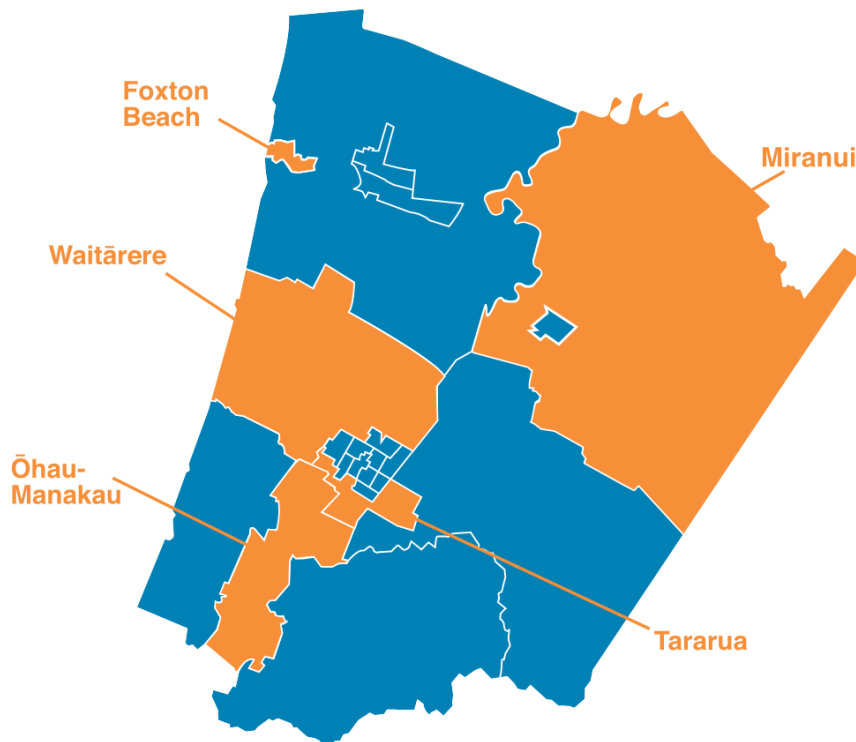
Guest Nights



Total guest nights in Horowhenua District increased by 20.9% in the year to September 2019. This compares with an increase of 1.2% in New Zealand.

Visitors stayed a total of 105,790 nights in Horowhenua District during the year to September 2019, which was up from 87,486 a year ago.

Chart	Data Source	Timeframe
School Roll	Ministry of Education	January - December yearly
Guest Nights	Infometrics - http://www.infometrics.co.nz/	September 2018 - September 2019
Health Enrolments	Infometrics - http://www.infometrics.co.nz/	September 2018 - September 2019
Average Current House Value	Infometrics - http://www.infometrics.co.nz/	September 2018 - September 2019
Population Projections	Sense Partners – Socio-economic Projections – July 2017	January 16 - December 2040
Growth Trends	Census 2018 - Statistics https://www.stats.govt.nz/ Infometrics - http://www.infometrics.co.nz/	March 18 - June 2038
Ethnic Group	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2018
Age Group Distribution	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2018
Housing	Census 2018 - Statistics https://www.stats.govt.nz/ HDC Reporting	March & June 2018
Top 5 Population Increase	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2013 – 2018
Top 5 Dwellings Built by Area	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2013 – 2018
Growth across the Region	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2013 – 2018
Horowhenua Population	Census 2018 - Statistics https://www.stats.govt.nz/	Census 1991 – 2018
Population Change by Age Group	Census 2018 - Statistics https://www.stats.govt.nz/	Census 2006 – 2018



Documents Executed and Electronic Transactions Authorities Signed

File No.: 19/464

1. Purpose

To present to Council, **for information**, the documents that have been executed, Electronic Transactions Authorities and Contracts that have been signed by two elected Councillors, which now need ratification.

2. Recommendation

- 2.1 That Report 19/464 Documents Executed and Electronic Transactions Authorities Signed 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 Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:
 - (a) Electronic Transaction Authority relating to the sale of 207 Oxford Street, Levin to Anthony James Flynn, Gertruda Johanna Flynn & Peter James Connor, contained in Certificate of Title WN55B/886.
 - (b) Electronic Transaction Authority relating to the caveat placed on 15-19 Durham Street, Levin, contained in Certificate of Titles WN183/282, WN176/207, WN202/102, WN569/80, WN518/58.

3. Issues for Consideration

This report provides a mechanism for notifying the execution of formal documents by two elected Councillors and signing of Electronic Transactions Authorities.

Attachments


There are no attachments for this report.

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 benefits and costs, 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)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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File No.: 19/509

Elected Members' Allowances and Recovery of Expenses Policy

1. Purpose

For the Horowhenua District Council to adopt the 2019 Elected Members' Allowances and Recovery of Expenses Policy.

2. Executive Summary

This Policy sets out rules for paying allowances, claiming of expenses by Elected Members and the resources that will be available during their term of office.

3. Recommendation

- 3.1 That Report 19/509 Elected Members' Allowances and Recovery of Expenses Policy be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That the Horowhenua District Council adopts the Elected Members – Allowances and Recovery of Expenses Policy.

4. Background / Previous Council Decisions

- 4.1 From time to time Elected Members incur expenses on Council's behalf which need to be reimbursed. This reimbursement and the use of Council-supplied resources applies only to Elected Members personally, and only while they are acting in their official capacity as elected members.
- 4.2 Changes from the existing policy, some of which are set by the Remuneration Authority in its Determination, are:

Item	Existing Policy	Draft Policy
Communications Technology Allowance	\$9.26 per fortnight	\$23.08 per fortnight This is within the limits of the Remuneration Authority Determination.
LGNZ Conference	Mayor and five persons, either Elected Members or spouses/ partners, to be funded to attend.	Mayor and up to four Councillors to be funded to attend.
Vehicle Mileage	a) At 76 cents per kilometre for the first 14,000 km b) 26 cents per km for distances over that for petrol or diesel vehicles	a) At 79 cents per kilometre for the first 14,000 km b) 30 cents per km for distances over that for petrol or diesel vehicles

	<p>c) 18 cents per km for distances over that for petrol hybrid vehicles</p> <p>d) 9 cents per km for distances over that for electric vehicles.</p>	<p>c) 19 cents per km for distances over that for petrol hybrid vehicles</p> <p>d) 9 cents per km for distances over that for electric vehicles.</p> <p>This is as per of the Remuneration Authority Determination.</p>
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4.3 Council's Policy on Elected Members' Allowances and Recovery of Expenses is updated following determination from the Remuneration Authority.

4.4 Pages 1 – 10 of the Local Government Members 2019/20 Determination is attached to this report which outlines allowances mentioned in this report and policy.

5. Discussion

5.1 Costs for expenses must have a justifiable business purpose, be moderate and conservative having regard to the circumstances, and be appropriate in all respects.

5.2 The process for reimbursement of claims includes the following principles:

- any expenses to be reimbursed must be on an actual and reasonable basis and in line with Council policy
- full original receipts are required to accompany the expense claim form
- expense claims are to be approved by the Chief Executive in the case of the Mayor, and Group Manager Corporate Services or Governance & Executive Support Team Leader in the case of all other Elected Members
- reimbursements will be made electronically into a nominated bank account in line with payroll dates.

5.3 In the case of one-off expenditure such as travel to conferences, the process and prior approvals required are detailed in this policy.

5.4 Vehicle mileage km rates set in the policy are as described in the 2019/20 Remuneration Authority's Determination.

5.5 The Communications Technology Allowance set in this policy does not exceed the 2019/20 Remuneration Authority's Determination and allows for use of a member's own mobile device and home internet service for Council or Community Board business.

5.6 The Council's internal audit work programme includes sampling expense claims and allowances paid to elected members.

6. Options

The updated Elected Members' Allowances and Recovery of Expenses Policy takes effect immediately on adoption and replaces the existing policy.

6.1 Cost

All expenditure that falls under this policy has been approved within Long Term Plan budget.

6.1.1 Rate Impact

There are no rate impacts to consider.

6.2 Community Wellbeing

There are no Community Wellbeing considerations.

6.3 Consenting Issues

There are no consenting issues to consider.

6.4 LTP Integration

There are no LTP integration considerations.

7. Consultation

Consultation is not required.

8. Legal Considerations

This Policy complies with all legislative requirements.

9. Financial Considerations

Each year a budget is set aside to cover Elected Members' allowances and recovery of expenses. It is not expected that the adoption of the policy will have any impact on costs. All expenditure that falls under this policy is approved on the condition that it can be met within relevant budget provisions.

10. Other Considerations

There are no other considerations.

11. Next Steps

Policy implementation from day of adoption.

12. Supporting Information

Strategic Fit/Strategic Outcome N/A
Decision Making N/A
Consistency with Existing Policy N/A
Funding N/A

Confirmation of statutory compliance

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

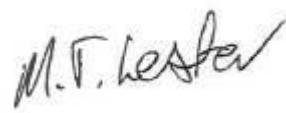
- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance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

decision.

13. Appendices

No.	Title	Page
A	DRAFT Elected Members - Allowances and Recovery of Expenses Policy - November 2019	191
B	Local Government Members' 2019/20 Determination - pages 1 - 10	196

Author(s)	Sue Hori Te Pa Governance and Executive Team Leader	
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Approved by	Mark Lester Group Manager - Corporate Services	
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Elected Members' Allowances and Recovery of Expenses Policy

Commencing 11 December 2019

PART ONE: INTRODUCTION

This policy sets out rules for the payment of allowances and for claiming of expenses by Elected Members.

Contact person for queries: Governance & Executive Support Team Leader

PART TWO: DOCUMENTATION OF POLICIES

In addition to this document, the following documents set out the policies, rules and procedures relating to the expenses and allowances payable to Elected Members:

- Local Authority Vehicle Mileage Allowance - updated by the Remuneration Authority 1 July 2019
- Sensitive Expenditure Policy – July 2019

PART THREE: AUTHENTICATION OF EXPENSE REIMBURSEMENTS AND ALLOWANCES

From time to time Elected Members incur expenses on the Council's behalf, which need to be reimbursed. This reimbursement and the use of Council-supplied resources apply only to Elected Members personally, and only while they are acting in their official capacity as Elected Members.

Costs for expenses must have a justifiable business purpose, be moderate and conservative having regard to the circumstances, and be appropriate in all respects.

The process for reimbursement of claims includes the following principles:

- any expenses to be reimbursed must be on an actual and reasonable basis and in line with Council policy
- full original receipts are required to accompany the expense claim form
- expense claims are to be approved by the Chief Executive in the case of the Mayor, and Group Manager Corporate Services or Governance & Executive Support Team Leader in the case of all other Elected Members
- reimbursements will be made electronically into a nominated bank account in line with payroll dates.

In the case of one-off expenditure such as travel to conferences, the process and prior approvals required are detailed in this policy.

In the case of vehicle mileage, travel time and communications, all limits set in this document do not exceed the Remuneration Authority's Determination.

The Council's internal audit work programme includes sampling expense claims and allowances paid to Elected Members and staff.

All expenditure that falls under this policy is approved on the condition that it can be met within relevant budget provisions.

PART FOUR: DEFINITIONS

"Actual" means as evidenced by the original receipt attached to the expense claim form.

"Reasonable" means that it is within the amount specified by this policy or as deemed reasonable by the Mayor and/or Chief Executive.

"Council business" includes: formal Council and Community Board meetings, committee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups, meetings with members of the public. It does not include events where the primary focus is on social activity.

"Remuneration Authority" is an independent body established by the Remuneration Authority Act 1977, with responsibilities under the Local Government Act 2002 to determine remuneration and expense/allowance rules for local authority members.

PART FIVE: ALLOWANCES AND EXPENSES BY ELECTED MEMBERS

Position	Expense / Allowance	Description
Elected Members	Taxis	<p>Taxis may be used for Council business, instead of private vehicles or public transport, for the following reasons:</p> <ul style="list-style-type: none"> a) safety/security reasons, and b) when travelling outside the district if a taxi is the most appropriate form of transport. <p>Taxis may not be used if significant travel distances mean that use of a taxi is not the most cost effective option. Rental cars booked by staff should be considered as an option in such circumstances.</p> <p>Costs paid for directly by the individual for unanticipated travel within New Zealand or for international travel will be reimbursed on presentation of actual receipts.</p>
Elected Members	Exceptional circumstances for Council related meetings	<p>Elected Members may arrange overnight accommodation when travel or business requirements do not allow for the return on the same day, e.g. if it is unreasonable for an Elected Member to travel to their home after a late meeting.</p>

Position	Expense / Allowance	Description
Elected Members	Domestic Air Travel	All Elected Members are entitled to utilise domestic air travel for Council related travel, generally where travel by air is the most cost effective travel option.
	International Air Travel	As a general policy all Elected Member international air travel is by way of economy class, where all or part of the costs of the fares are to be met by the Council. The approval of the Council is required for exceptions, e.g. where Premium Economy or the equivalent air travel is desirable for health or other compelling reasons.
	Air Points	Air points accumulated while on Council business cannot be utilised for personal use.
	Private accommodation provided by friends/relatives	Payment of \$50 per night when staying in private accommodation, to cover accommodation, breakfast and dinner. It is intended that at least a portion of this allowance is paid to the accommodation provider.
	Fixed Meal Allowance	A fixed meal allowance of \$60 is payable before receipts are required in the event of out of district approved Council business.
	Parking Expenses	Reimbursement of casual car parking costs related to community board or council business held at any council premises. This will be on receipt of a signed claim accompanied by a receipt.
Mayor	Car Parking	Use of an assigned car park in Civic Building.
Councillors	Car Parking	Use of one of four 'Councillor' assigned car parks in the Civic Building.
Elected Members	Rental Cars	Rental cars may be utilised when attending meetings or conferences in other centres, where this is the most cost effective travel option.
Elected Members	Annual Function	Council will fund an annual function for Elected Members and their partners/spouses.
Mayor	Entertainment and Hospitality	The Mayor holds a credit card to pay directly for any entertainment or hospitality expenses incurred while carrying out Council business. Full receipts and details of the names of parties entertained and reasons for the entertainment are to be provided. Reimbursement of costs incurred while hosting official visitors to the Council, or while travelling on Council business. These costs can cover a range of items

Position	Expense / Allowance	Description
		including, but not limited to, tea/coffee, and catering including alcohol with meals.
Elected Members	Communications Technology, Stationery and Consumables	<p>IPads to be provided to all Elected Members with the internet service charge paid for by Council.</p> <p>Internet connection for home – all Elected Members will receive an allowance of \$23.08 per fortnight (\$600 per year) for use of home internet and cellphone, for Council business.</p> <p>Stationery and consumables - supply of reasonable amounts of paper and printer consumables for council business. Council to provide on request.</p>
Elected Members	General Community Related Expenses	<p>From time to time Elected Members may have unforeseen costs arise for items relating to community events, e.g. payment of koha, or purchasing a wreath for attendance at a commemorative event.</p> <p>Reimbursement of such expenditure should have prior approval by the Chief Executive. The items should be appropriate to the occasion and expenditure should be moderate and conservative.</p>
Elected Members	Vehicle mileage	<p>A vehicle mileage allowance for Elected Members using their own vehicle will be paid as follows for petrol or diesel:</p> <ul style="list-style-type: none"> a) At 79 cents per kilometre for the first 14,000 km b) 30 cents per km for distances over that for petrol or diesel vehicles c) 19 cents per km for distances over that for petrol hybrid vehicles d) 9 cents per km for distances over that for electric vehicles. <p>Mileage to be paid on receipt of a completed and signed claim form.</p>
Mayor and Councillors	Travel and conferences, courses and seminars	<p>Conference, course, seminar or training attendance must be relevant and contribute to the Elected Member's ability to carry out Council business.</p> <p>Attendance at these events when held in New Zealand must be approved by both the Mayor and the Chief Executive.</p> <p>Attendance at these events when held overseas must be approved by the Council.</p> <p>Council will fund the cost of attendance of the Mayor and up to four Elected Members, at the annual LGNZ Conference.</p> <p>This is to be formally endorsed by Council prior to</p>

Position	Expense / Allowance	Description
		attending.
Community Board Members	Conferences	Council will fund the cost of attendance of the Board Chair and one other Board Member, together with their partner/spouse, at the bi-annual New Zealand Community Board Conference. This is to be formally endorsed by the Foxton Community Board.

This policy will apply from 11 December 2019.

Adopted: <enter date>



Local Government Members (2019/20) Determination 2019

Pursuant to the Remuneration Authority Act 1977 and to clauses 6 and 7A(1) and (5) of Schedule 7 of the Local Government Act 2002, the Remuneration Authority, after having regard to the matters specified in clause 7 of that schedule, makes the following determination (to which is appended an explanatory memorandum).

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Determination

- 1 Title**
This determination is the Local Government Members (2019/20) Determination 2019.
- 2 Commencement**
This determination comes into force on 1 July 2019.
- 3 Expiry**
This determination expires on the close of 30 June 2020.

Interpretation

- 4 Interpretation**
In this determination, unless the context otherwise requires,—
ATA panel means a panel appointed by an accord territorial authority under section 89 of HASHA
board means—
 - (a) a community board of a territorial authority other than the Auckland Council; or
 - (b) a local board of the Auckland Council**determination term** means the period from the coming into force of this determination to its expiry
HASHA means the Housing Accords and Special Housing Areas Act 2013
hearing has the meaning given to it by clause 5
hearing time has the meaning given to it by clause 6
local authority means a regional council or a territorial authority
member means,—
 - (a) in relation to a local authority (other than the Canterbury Regional Council) or a board, a person who is declared to be elected to that local authority or board under the Local Electoral Act 2001 or who, as the result of further election or appointment under that Act or the Local Government Act 2002, is an office holder in relation to the local authority or board (for example, a chairperson);
 - (b) in relation to the Canterbury Regional Council, a person who has been elected or appointed to membership in the transitional governing body in

Local Government Members (2019/20) Determination
2019

cl 6

accordance with the Environment Canterbury (Transitional Governance Arrangements) Act 2016, or who, as the result of further election or appointment, is an office holder in relation to the Canterbury Regional Council (for example, a chairperson)

on local authority business includes on the business of any board of the local authority

regional council means a regional council named in Part 1 of Schedule 2 of the Local Government Act 2002

RMA means the Resource Management Act 1991

territorial authority means a territorial authority named in Part 2 of Schedule 2 of the Local Government Act 2002.

5 Meaning of hearing

In this determination, **hearing** means—

- (a) a hearing that is held by an ATA panel arising from—
 - (i) a resource consent application under subpart 2 of Part 2 of HASHA; or
 - (ii) a request for a plan change or for a variation to a proposed plan under subpart 3 of Part 2 of HASHA; or
- (b) a hearing arising from a resource consent application made under section 88 of the RMA; or
- (c) a meeting for determining a resource consent application without a formal hearing; or
- (d) a hearing arising from a notice of requirement (including one initiated by the local authority); or
- (e) a pre-hearing meeting held under section 99 of the RMA in relation to a hearing referred to in paragraph (b) or (d); or
- (f) a hearing as part of the process of the preparation, change, variation, or review of a district or regional plan or regional policy statement; or
- (g) a mediation hearing in the Environment Court as part of an appeal from a decision of a local authority; or
- (h) a hearing on an objection against a charge fixed by a local authority under section 36 of the RMA.

6 Meaning of hearing time

In this determination, **hearing time** means the time spent on any of the following:

- (a) conducting a hearing;
- (b) formal deliberations to decide the outcome of a hearing;
- (c) participating in an official group site inspection related to a hearing;

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- (d) determining a resource consent application where a formal hearing does not take place:
- (e) up to a maximum of the aggregate of the time referred to in paragraphs (a) and (b), preparing for a hearing and participating in any inspection of a site for the purposes of a hearing (other than an official group site inspection under paragraph (c)):
- (f) writing a decision arising from a hearing or communicating for the purpose of the written decision.

Entitlement to remuneration, allowances, and hearing fees

7 Remuneration, allowances, and hearing fees payable

Remuneration

- (1) For the period beginning on 1 July 2019 and ending on the close of the day on which the official result of the 2019 election is declared under section 86 of the Local Electoral Act 2001 in relation to a local authority, a member of that local authority or a board of that local authority is entitled to the applicable remuneration set out in Schedule 1 (adjusted under clause 9 if applicable).
- (2) On and from the day after the date on which the official result of the 2019 election is declared under section 86 of the Local Electoral Act 2001 in relation to a local authority, a member of that local authority or a board of that local authority is entitled to the applicable remuneration set out in Schedule 2 (adjusted in accordance with clause 9 if applicable).
- (3) If a member of a territorial authority is also elected or appointed to a board, the member is entitled only to the remuneration that is payable to the member as a member of the territorial authority.

Allowances and hearing fees

- (4) A member of a local authority or a board is also entitled to—
 - (a) the applicable allowances payable under clauses 10 to 14:
 - (b) the applicable hearing fees payable under clause 15.

8 Acting mayor or chairperson

- (1) This clause applies to a member who acts as a mayor or chairperson during a period when, because of a vacancy or temporary absence, the remuneration or allowances that would usually be paid to the mayor or chairperson are not being paid.
- (2) While acting as mayor or chairperson, the member must be paid the remuneration and allowances usually payable to the mayor or chairperson, instead of the member's usual remuneration, allowances, and hearing fees.

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9 Motor vehicles for mayors and regional chairpersons

- (1) A local authority may provide to the mayor or regional chairperson of the local authority either—
- (a) a motor vehicle (which may be provided for restricted private use, partial private use, or full private use); or
 - (b) a vehicle mileage allowance under clause 11.
- (2) The maximum purchase price that may be paid for a motor vehicle purchased by a local authority for provision to a mayor or regional chairperson during the determination term is,—
- (a) in the case of a petrol or diesel vehicle, \$55,000 (including goods and services tax and any on-road costs); and
 - (b) in the case of an electric or a hybrid vehicle, \$65,000 (including goods and services tax and any on-road costs).
- (3) If a motor vehicle is provided to a mayor or regional chairperson for restricted private use, no deduction may be made from the annual remuneration payable to the mayor or regional chairperson under Schedule 1 or 2 in respect of the provision of that motor vehicle.
- (4) If a motor vehicle is provided to a mayor or regional chairperson for partial private use or full private use,—
- (a) the annual remuneration payable to the mayor or regional chairperson under Schedule 1 or 2 must be adjusted by the local authority in accordance with subclause (5) or (6) (as applicable); and
 - (b) the adjustment must take effect on and from—
 - (i) the date of commencement of this determination (in the case of a motor vehicle provided to the person before that date); or
 - (ii) the date of provision of the motor vehicle to the person (in the case of a motor vehicle provided during the determination term).
- (5) If a motor vehicle is provided to a mayor or regional chairperson for partial private use, the amount calculated in accordance with the following formula must be deducted from the remuneration payable to that person:
- $$v \times 41\% \times 10\%$$
- where v means the actual purchase price of the vehicle, including goods and services tax and any on-road costs.
- (6) If a motor vehicle is provided to a mayor or regional chairperson for full private use, the amount calculated in accordance with the following formula must be deducted from the remuneration payable to that person:
- $$v \times 41\% \times 20\%$$
- where v means the actual purchase price of the vehicle, including goods and services tax and any on-road costs.

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(7) In this clause,—

full private use means—

- (a) the vehicle is usually driven home and securely parked by the mayor or regional chairperson; and
- (b) the vehicle is available for the mayor or regional chairperson's unrestricted personal use; and
- (c) the vehicle is used by the mayor or regional chairperson for both local authority business and private use; and
- (d) the vehicle may also be used by other local authority members or staff on local authority business, with the permission of the mayor or regional chairperson

partial private use means—

- (a) the vehicle is usually driven home and securely parked by the mayor or regional chairperson; and
- (b) the vehicle is used by the mayor or regional chairperson for both local authority business and private purposes; and
- (c) the vehicle may also be used by other local authority members or staff on local authority business, with the permission of the mayor or regional chairperson; and
- (d) all travel in the vehicle is recorded in a log-book; and
- (e) the use of the vehicle for private purposes accounts for no more than 10% of the vehicle's annual mileage

restricted private use means—

- (a) the vehicle is usually driven home and securely parked by the mayor or regional chairperson; and
 - (b) the vehicle is otherwise generally available for use by other local authority members or staff on local authority business; and
 - (c) the vehicle is used solely for local authority business; and
 - (d) all travel in the vehicle is recorded in a log-book.
- (8) To avoid doubt, subclause (2) does not apply to a motor vehicle provided to a mayor or regional chairperson before 1 July 2018.

Allowances

10 Definition of member

For the purposes of payment of allowances under clauses 11 to 14, **member**, in relation to a territorial authority, includes a member of a board of the territorial authority.

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11 Vehicle mileage allowance

- (1) A local authority may pay to a member a vehicle mileage allowance to reimburse that member for costs incurred in respect of eligible travel.
- (2) A member's travel is eligible for the allowance if—
 - (a) it occurs on a day when the member is not provided with a motor vehicle by the local authority; and
 - (b) the member is travelling—
 - (i) in a private vehicle; and
 - (ii) on local authority business; and
 - (iii) by the most direct route that is reasonable in the circumstances.
- (3) The allowance payable to a member for eligible travel is,—
 - (a) for a petrol or diesel vehicle,—
 - (i) 79 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
 - (ii) 30 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term:
 - (b) for a petrol hybrid vehicle,—
 - (i) 79 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
 - (ii) 19 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term:
 - (c) for an electric vehicle,—
 - (i) 79 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
 - (ii) 9 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term.

12 Travel time allowance

- (1) A local authority may pay a member (other than a mayor or a regional chairperson) an allowance for eligible travel time.
- (2) A member's travel time is eligible for the allowance if it is time spent travelling within New Zealand—
 - (a) on local authority business; and
 - (b) by the quickest form of transport that is reasonable in the circumstances; and
 - (c) by the most direct route that is reasonable in the circumstances.
- (3) The travel time allowance is \$37.50 for each hour of eligible travel time after the first hour of eligible travel time travelled in a day.

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- (4) However, if a member of a local authority resides outside the local authority area and travels to the local authority area on local authority business, the member is only eligible for a travel time allowance in respect of eligible travel time—
 - (a) after the member crosses the boundary of the local authority area; and
 - (b) after the first hour of eligible travel within the local authority area.
- (5) The maximum total amount of travel time allowance that a member may be paid for eligible travel in a 24-hour period is 8 hours.
- (6) Despite subclause (1), the Chatham Islands Council may pay the Mayor of the Chatham Islands Council an allowance for eligible travel time.

13 Communications allowance

Equipment

- (1) If a local authority determines that particular information or communications technology equipment is required by members to perform their functions and requests that members use their own equipment for those purposes, the local authority may pay an allowance in accordance with subclause (2).
- (2) The matters in respect of which an allowance is payable and the amounts that may be paid for the determination term are as follows:
 - (a) for the use of a personal computer, tablet, or laptop, including any related docking station, \$200;
 - (b) for the use of a multi-functional or other printer, \$40;
 - (c) for the use of a mobile telephone, \$150.

Services

- (3) If a local authority requests a member to use the member's own Internet service for the purpose of the member's work on local authority business, the member is entitled to an allowance for that use of \$400 for the determination term.
- (4) If a local authority requests a member to use the member's own mobile telephone service for the purpose of the member's work on local authority business, the member is entitled, at the member's option, to—
 - (a) an allowance for that use of \$400 for the determination term; or
 - (b) reimbursement of actual costs of telephone calls made on local authority business upon production of the relevant telephone records and receipts.
- (5) If a local authority supplies a mobile telephone and related mobile telephone service to a member for use on local authority business and allows for its personal use, the local authority may decide what portion, if any, of the local authority's costs reasonably attributable to such personal use must be paid by the member.

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Pro-rating

- (6) If the member is not a member for the whole of the determination term, subclauses (2) to (5) apply as if each reference to an amount were replaced by a reference to an amount calculated in accordance with the following formula:

$$(a \div b) \times c$$

where—

- a is the number of days that the member held office in the determination term
- b is the number of days in the determination term
- c is the relevant amount specified in subclauses (2) to (5).
- (7) The Remuneration Authority may approve rules proposed by a local authority to meet the costs of installing and running special equipment or connections where, because of distance or restricted access, normal communications connections are not available.

14 Childcare allowance

- (1) A local authority may pay a childcare allowance, in accordance with subclauses (2) and (3), to an eligible member as a contribution towards expenses incurred by the member for childcare provided while the member is engaged on local authority business.
- (2) A member is eligible to be paid a childcare allowance in respect of childcare provided for a child only if—
- (a) the member is a parent or guardian of the child, or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and
- (b) the child is aged under 14 years of age; and
- (c) the childcare is provided by a person who—
- (i) is not a family member of the member; and
- (ii) does not ordinarily reside with the member; and
- (d) the member provides evidence satisfactory to the local authority of the amount paid for childcare.
- (3) A local authority must not pay childcare allowances to a member that total more than \$6,000 per annum, per child.
- (4) In this regulation, **family member of the member** means—
- (a) a spouse, civil union partner, or de facto partner;
- (b) a relative, that is, another person connected with the member within 2 degrees of a relationship, whether by blood relationship or by adoption.

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Hearing fees

15 Fees related to hearings

- (1) A member of a local authority or a board who acts as the chairperson of a hearing is entitled to be paid a fee of up to \$100 per hour of hearing time related to the hearing.
- (2) A member of a local authority or a board who is not the chairperson of a hearing is entitled to be paid a fee of up to \$80 per hour of hearing time related to the hearing.
- (3) For any period of hearing time that is less than 1 hour, the fee must be apportioned accordingly.
- (4) This clause does not apply to—
 - (a) a mayor or a member who acts as mayor and is paid the mayor's remuneration and allowances under clause 8(2); or
 - (b) a chairperson of a regional council or a member who acts as chairperson of a regional council and is paid the chairperson's remuneration and allowances under clause 8(2).

Revocation

16 Revocation

The Local Government Members (2018/19) (Local Authorities) Determination 2018 (LI 2018/124) is revoked.

Resource Consenting (Planning) Matters Considered Under Delegated Authority

File No.: 19/465

1. Purpose

To present, **for information**, details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

2. Recommendation

- 2.1 That Report 19/465 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Issues for Consideration

The following decisions were made under delegated authority:

- (i) Subdivision and Land Use Consents Approved:

Subdivision Resource Consents Approved – 02/11/19 – 02/12/19

Approved Date	File Ref	Applicant	Address
11/11/2019	502/239	Hinamit Investments Limited	137 Winchester Street, Levin
11/11/2019	502/241	B A Squire	Williams Road, Tokomaru Rural
25/11/2019	502/245	C L Hamer & W J Cocker	20 Nelson Street, Foxton Beach
25/11/2019	502/250	Woodhaven Gardens Limited	Honi Taipua Street, Levin Rural
25/11/2019	502/197	K C & D L Bunker	77 McLeavey Road, Levin Rural
26/11/2019	502/254	M P Weastell	7 Matipo Street, Levin
27/11/2019	502/259	Rocksolid Construction Limited	5 Fairfield Road, Levin
27/11/2019	502/257	B G Lockyer	55 Nash Parade, Foxton Beach
29/11/2019	502/258	P J Cameron	7 Huia Street, Foxton Beach
29/11/2019	502/243	C How	176 State Highway 1, Foxton/Himatangi

Land Use Resource Consents Approved – 02/11/19 - 02/12/19

Approved Date	File Ref	Applicant	Address
07/11/2019	501/142	T M & H A Love	3 Toutouwai Terrace, Levin
12/11/2019	501/141	R J Leger	21 Tame Porati Street, Manakau Township
15/11/2019	501/140	Two Degrees Mobile Limited	56 Pratt Avenue, Foxton Beach
18/11/2019	501/135	Robbie Builders Limited	13 Awahou Place, Foxton
18/11/2019	501/139	P J Moran & A C Saywell	1 Engles Road, Shannon
21/11/2019	501/144	A D Robinson	40-46 Te Rohenga Road, Levin Rural

22/11/2019	501/129	MADE Studio	63 Tiro Tiro Road, Levin
26/11/2019	501/145	E C Brookie	53 Shortt Street, Foxton Beach
28/11/2019	501/147	C & J Hillman	16 Matai Street, Levin

(ii) Road Names Approved

None during the reporting period.

Attachments

There are no attachments for this report.


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 benefits and costs, 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)	Megan Leyland Consents Manager	
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Approved by	Ian McLachlan Group Manager - Customer & Regulatory Services	
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