

Te Awamutu Community Board 13 April 2020

Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu

AM Holt (Chairperson), CG Derbyshire, RM Hurrell, J Taylor, KG Titchener,
Councillor LE Brown, Councillor SC O'Regan



13 April 2021 06:00 PM

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TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **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 Chairperson (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 community board business where their absence is a result of a commitment made on behalf of the community board.

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



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Disclosure of Members' Interests**

Members are reminded to stand aside from decision making when a conflict arises between their role as an elected member and any private or external interest they may have.



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Late Items**

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting as an agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas and content.



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Confirmation of Order of Meeting**

1 RECOMMENDATION

That the Te Awamutu Community Board confirm the order of the meeting.



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Public Forum**

Public forums are designed to enable members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of the local authority. In the case of a community board any issue, idea or matter raised in a public forum must fall within the terms of reference of that body.

Requests to attend the public forum must be to the Governance Team (Governance.Support@waipadc.govt.nz) at least one clear day before the meeting. Requests should outline the matters that will be addressed by the speaker.

Speakers can speak for up to five (5) minutes. No more than two speakers can speak on behalf of an organisation during a public forum. At the conclusion of the presentation elected members may ask questions of speakers. Questions are to be confined to obtaining information or clarification on matters raised by a speaker. Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Minutes of the Previous Meeting**

1 SUMMARY

To confirm the minutes of the ordinary meeting held 9 March 2021.

2 RECOMMENDATION

That the Te Awamutu Community Board confirm the minutes of the meeting held 9 March 2021, as circulated with the agenda, as a true and correct record of proceedings.



Minutes for Te Awamutu Community Board 9 March 2020

09/03/2021 | 06:00 PM - NZST

Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu

Present

AM Holt (Chairperson); CG Derbyshire; RM Hurrell; J Taylor; KG Titchener; Councillor S O'Regan (Via Zoom)

Attendees

Tofeeq Ahmed, Reserves Planner
Sally Sheedy, Manager Community Services
John Miles, Manager Property Services
Bryan Hudson, Manager Transportation
Public

Apologies

RESOLVED

6/21/11

That the Te Awamutu Community Board accept the apologies of Councillor L Brown for non-attendance.

Taylor/Hurrell

RESOLVED

6/21/12

That the Te Awamutu Community Board accept the apologies of Board Member Titchener for lateness.

Taylor/Derbyshire

Disclosure of Members' Interests

There were no disclosures of interest.

Late Items

There were no late items.

Confirmation of Order of Meeting

RESOLVED

6/21/13

That the Te Awamutu Community Board confirm the order of the meeting

Taylor/Derbyshire

Public Forum

Lois Titchener of the Kihikihi Temple Cottage and Police House Charitable Trust was seeking support from the community board for council funding of \$2,000.00 each year for the organisation for the next three years. Information had been sent to the community board and would be discussed at the April meeting.

Board Member Titchener arrived at 6.10pm

Irene Cochrane, as resident of the Habitat for Humanity houses in Palmer Street, queried the safety of the street particularly in regards to street lighting, crossing Vaile Street and no driveway entrances.

Murray Downs on behalf of the War Memorial Maintenance Committee queried whether the classification of Memorial Park was correct.

Mark Dawson provided information on research he had completed on Memorial Park.

Confirmation of Minutes

RESOLVED

6/21/13

That the Te Awamutu Community Board confirm the minutes of the meeting held 9 February 2021, as circulated with the agenda, as a true and correct record of proceedings with a correction to the name of the Waste Minimisation Officer Sally Fraser on Proposed Kerbside Food Scrap Collection item.

Taylor/Derbyshire

Draft Memorial Park Concept Plan - Public feedback and staff recommendations

The purpose of this report, included in the agenda, was to provide a summary of community feedback on the draft Memorial Park Concept Plan (draft plan) and to seek endorsement of staff's recommended changes to the draft plan in response to the feedback. Tofeeq Ahmed, Reserve Planner, provided an overview of the changes that had been made to the draft concept plan since it had gone out for public consultation.

RESOLVED

6/21/14

That the Te Awamutu Community Board:

- a) *Receive the report titled Draft Memorial Park Concept Plan – Public feedback and staff recommendations from Tofeeq Ahmed, Reserve Planner (Document number 10555464); and*
- b) *Endorse staff recommended changes to the draft Memorial Park Concept Plan as set out in appendices 4 and 5 (Document number 10555464).*

Hurrell/Derbyshire

Councillor O'Regan abstained

Chairperson Holt and Board Member Titchener requested that their vote against the motion be recorded

3 for/2 against

Motion carried

Quarterly Reports

The purpose of the quarterly reports was to provide information on the activities pertaining to the the Community Services, Property Services and Transportation units. The reports contained matters that are of a purely administrative nature or information that did not require a decision from the community board.

Sally Sheedy, Manager Community Services, provided highlights from the Community Services report and introduced community librarians Christine Lewis and Hilary Newton. She answered questions from the community board including strategies to stop members of the public parking on reserves and unlawful activities in cemeteries.

John Miles, Manager Property Services, provided highlights from the Property Services report and answered question from the community board including an upcoming sale of a property, issues raised from the Kihikihi Summer Stroll including the war memorial clock tower, the water tower on Turata Reserve and pensioner housing on Cambridge Road.

Bryan Hudson, Manager Transportation, provided highlights from the Transportation report including road and footpath maintenance works about to start in Te Awamutu and Kihikihi. He answered questions from members of the community board including issues raised in the public forum.

RESOLVED

6/21/15

That the Te Awamutu Community Board receive:

- a) *Community Services Quarterly Report (Document 10541654) of Sally Sheedy, Manager Community Services,*
- b) *Quarterly Property Services Report (Document 10544375) of John Miles, Manager Property Services, and*
- c) *Transportation Report (Document 10531890) of Bryan Hudson, Manager Transportation*

Taylor/Derbyshire

Community Board Rural Tour 2021

The purpose of this report, included in the agenda, was to establish a Te Awamutu Community Board annual rural tour and confirm the dates of the rural tour for 2021.

RESOLVED

6/21/16

That the Te Awamutu Community Board

- a) *Receive the report Te Awamutu Community Board Rural Tour 2021 (document 10566367) of Keryn Phillips, Governance Officer*
- b) *Confirm that the Te Awamutu Community Board will establish an annual rural tour of the Kakepuku Ward*
- c) *Confirm Saturday 22 and 29 May 2021 for the Te Awamutu Community Board Rural Tour 2021.*

O'Regan/Titchener

Treasury Report

The report detailed the funds available to the Te Awamutu Community Board for the allocation of discretionary grants and was included in the agenda.

RESOLVED

6/21/17

That the 'Treasury Report – Te Awamutu Community Board' of Nada Milne, Financial Accountant for the period ended 31 January 2021 be received.

Titchener/Taylor

Discretionary Fund Application

An application from Te Awamutu and Districts Memorial RSA for discretionary funding was received. The organisation requested \$1,470.00 plus GST towards the costs of providing a sound system for the ANZAC dawn and civic services.

The full application including financial information was sent to the Te Awamutu Community Board separate to the agenda.

RESOLVED

6/21/18

That the Te Awamutu Community Board receive the applications for discretionary funding requesting \$1,470.00 plus GST from Te Awamutu and Districts RSA (Document 10565952).

Taylor/Derbyshire

RESOLVED

6/21/19

That \$1,470.00 plus GST be allocated to the Te Awamutu RSA from the Te Awamutu Community Board discretionary fund.

Derbyshire/Hurrell

Chairperson's Report

The Chairperson's Report was included in the agenda.

RESOLVED

6/21/20

That the Te Awamutu Community Board receive the Chairperson's Report (Document 10565346) of Angela Holt, Chairperson.

Chairperson Holt/Titchener

Board Members Report from Meetings attended on behalf of the Te Awamutu Community Board

Board Member Derbyshire reported that the railway platform was recently cleared up and the shelter painted. It was immediately vandalised and since the KiwiRail representative has decided to remove the shelter from the platform.

Chairperson Holt had spoken to Dean Taylor of the Te Awamutu Rose Trust about a number of issues including asking for support for a fence between the bike skills park and the rose gardens, replacing the stone wall and lighting in the fountain.

Date of Next Meeting

The next Te Awamutu Community Board meeting is to be held at 6.00pm on Tuesday, 13 April 2021.

That being all the business the meeting closed at 8.49pm

TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Kirsty Downey, Manager Strategy
Subject: **Consultation Document for the Long Term Plan 2021-2031**
Meeting Date: 13 April 2021
File Reference: 10578285

1 EXECUTIVE SUMMARY

The purpose of this report is to present on the Consultation Document for the Long Term Plan 2021-2031.

Staff and Councillors will provide an overview of the public engagement process for the Long Term Plan 2021-2031.

In particular, feedback is being sought to help councillors decide which of five projects should go ahead and how they will be funded.

2 RECOMMENDATION

That the Te Awamutu Community Board receives the report 'Consultation Document for the Long Term Plan 2021-2031' (Document 10578285) by Kirsty Downey, Manager Strategy.

3 LONG TERM PLAN 2021-2031

What is a Long Term Plan?

The Long Term Plan is Council's most important planning tool that sets out what Council plans to do over the next 10 years and how it will be paid for. It includes detailed information on the activities, services and projects we intend on delivering, when we will deliver them, where and how. Ultimately the Long Term Plan will tell you what your rates may look like for the next 10 years.

By law, we must review the Long Term Plan and consult with our residents every three years.

Consultation Document for the Long Term Plan 2021-2031

Our vision, *Waipā Home of Champions: Building connected communities* is all about making Waipā a great place to live. Our Consultation Document outlines what we are looking at over the next 10 years to achieve this vision, and we need the community's feedback.

We are trying to predict the future in a time where we are still trying to understand the full impact of the global COVID-19 pandemic. Coupled with that, housing affordability has become a huge issue for New Zealand and the Waipā district. New Zealand has also declared a climate change emergency, which impacts many parts of our business including stormwater management, management of water supply, roading, property, emergency management, and the issue of planning and building consents.

While we do have some challenges ahead, it is vital we continue working towards our goal of building vibrant, connected and liveable communities. Public places like parks, playgrounds, cycleways and walkways, as well as infrastructure like roads, water, wastewater and stormwater, must be well-planned and provide for community wellbeing.

The Consultation Document for the Long Term Plan 2021-31 outlines the proposed major projects and people, including the Te Awamutu Community Board, can have their say either online at www.whatsnextwaipa.nz or by completing a hard copy submission form and dropping it off to one of our Council offices; or by posting it.

The Consultation Document doesn't include every project we'll be working on, but provides an overview of projects or issues that have a significant cost, have high community interest or are different from what we said we would do in our last Long Term Plan. We've made sure all of these areas have been considered in our draft plan, and we have prioritised areas of work that respond to COVID-19 recovery, affordability and climate change.

More detailed information to support the Consultation Document can be found at www.whatsnextwaipa.nz.

We need feedback by 5pm on Tuesday 27 April 2021.

4 FEEDBACK ON FIVE BIG ISSUES

In particular, we need feedback on the following five issues:

1. Pirongia - Ngā Roto - Te Awamutu cycling connection

We are working to create a recreational cycling route between Te Awamutu and Pirongia, via Lake Ngā Roto. A cycling route between Te Awamutu and Pirongia, via Lake Ngā Roto has the potential to showcase some of the district's most significant natural and cultural sites and encourage visitors to stay longer. A decision needs to be made about which route to take.

The 2018-2028 Long Term Plan set aside funding for a section of the cycleway between Te Awamutu and Lake Ngā Roto.

We want feedback on three proposed options between Lake Ngā Roto and Pirongia, which are included in the Consultation Document.

2. Urban mobility network

We are looking to roll out an urban mobility network around Te Awamutu and Cambridge to better connect places like schools, shops and places of work for cyclists, pedestrians and scooter users.

One of the greatest things we experienced during the COVID-19 lockdown was our streets busy with people walking, cycling and scootering. Vehicles were parked up, only to be used for essential purposes. This could be our new normal if we improved our infrastructure to make it safer and easier for people to get around.

We want feedback on the two proposed options to either leave the current network as is, or to build 3.5km of network in Cambridge and 3.2km in Te Awamutu.

3. Lake Te Koo Utu concept plan implementation

Improving the natural health of the lake and telling its history has been a priority of the community for some time.

A concept plan was developed for Lake Te Koo Utu in partnership with mana whenua and the community and it is clear that there is a huge amount of support to get this work underway.

We want feedback on the two proposed options to either source external funding/sell assets to fund the project; or halt major works in this area at this time.

4. Memorial Park concept plan implementation

We reached out to the community last year to understand their aspirations for Te Awamutu's premier park, and we received a passionate response.

Council is still to adopt a final Concept Plan for Memorial Park, however is keen to ensure that key aspects of the plan can be progressed in partnership with mana

whenua, the Te Awamutu & District Memorial RSA and local community members, to ensure the park remains a place our community enjoys visiting and is proud of.

We want feedback on the two proposed options to either source external funding/sell assets to fund the project; or halt major works in this area at this time.

5. Resource Recovery Centre

At the moment we are throwing away items like leftover building materials, clothing, scrap metal, concrete and other second-hand items that could easily be reused. This is a real concern considering the Ministry for the Environment says New Zealand's disposal to municipal landfills has increased by 48 per cent in the last decade.

We want feedback on whether we should continue with waste collection as it currently is in Waipā; or enter into a joint venture with one or both local private transfer stations to add resource recovery service; or partner with a community organisation or group to develop a resource recovery centre; or partner with a community organisation to develop a purpose-built resource recovery facility so we can on-sell, repair, re-use and recycle more products.

5 WHAT IS NOT INCLUDED IN THE LONG TERM PLAN?

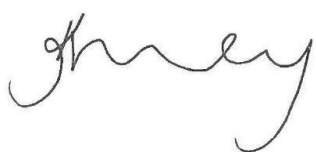
Waipa District Council cannot afford to do everything. We need to prioritise and make sure rates are affordable for our community, so a number of projects have been considered by Council which at this stage, are not being funded.

These projects are:

- Third bridge for Cambridge
- Food scrap collection service
- Cemeteries land acquisition
- New Cambridge library
- Development of growth cells

6 ATTACHMENT

Appendix 1 – Long Term Plan 2021-2031 Consultation Presentation



Kirsty Downey
Manager Strategy

It's time to decide
WHAT'S NEXT FOR WAIPĀ
FOR THE NEXT 10 YEARS.

For more info visit whatsnextwaipa.nz



10 YEARS IN 10 POINTS...



1

Adjusting to the impacts of the global COVID-19 pandemic
(economic and social recovery)



2

Affordability to live



3

Growth (including infrastructure like pipes and roads)



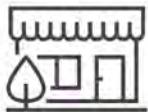
4

Other issues - managing climate change, water and ageing infrastructure



5

Debt levels



6

Investment in creating vibrant towns



7

A 'spatial plan' - or 'blueprint' - for Waipā



8

Achieving our vision, Waipā Home of Champions: Building Connected Communities



9

Have your say!

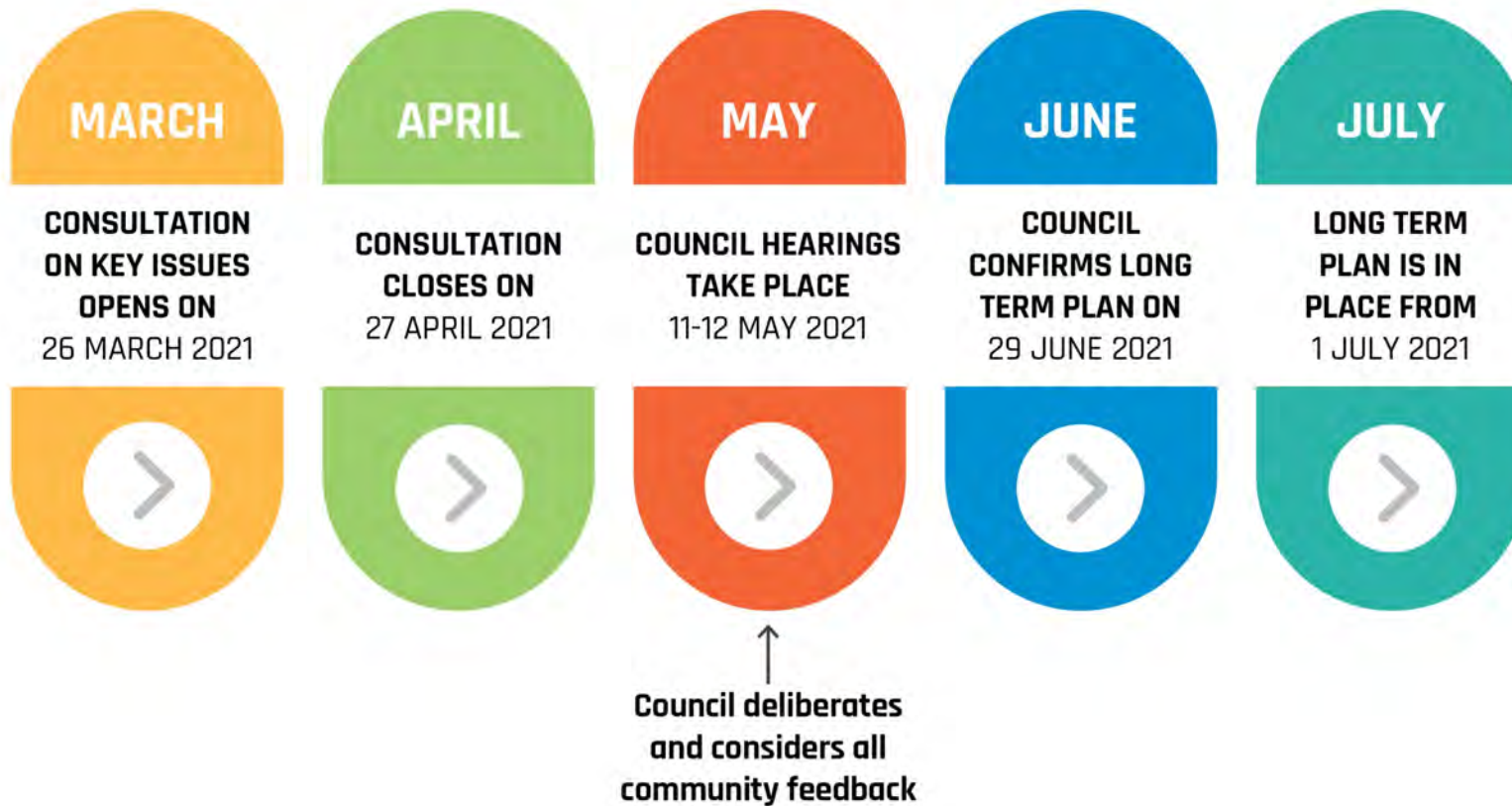


10

Consultation document

For more info visit whatsnextwaipa.nz

SO, HOW DOES IT ALL WORK?



For more info visit whatsnextwaipa.nz

THERE'S A LOT TO BE PROUD OF!

HERE ARE SOME OF OUR HIGHLIGHTS SINCE OUR LAST LONG TERM PLAN.

- Cambridge Pool
- Cycleways and walkways
- Growth
- Hanlin Road intersection
- Plan changes
- Heritage – significant sites
- Housing for the elderly
- New facility at Lake Karāpiro
- Ōhaupō Sport and Recreation Centre
- Place shaping (concept plans)
- Playgrounds & pump track
- Recycling
- Resilience
- COVID-19 response
- Speed limits
- Stormwater infrastructure
- Te Ara Wai
- Wastewater treatment plant upgrades
- Water supply

For more info visit whatsnextwaipa.nz

COMMUNITY OUTCOMES



**SOCIALLY
RESILIENT**



**CULTURAL
CHAMPIONS**



**ENVIRONMENTAL
CHAMPIONS**



**ECONOMICALLY
PROGRESSIVE**

For more info visit whatsnextwaipa.nz

OVER THE NEXT 10 YEARS...

We are budgeting on spending

\$2.0 BILLION

ON OUR DISTRICT

including capital and operating costs



\$0.91 BILLION

(just under half of our overall budget)

WILL BE FUNDED BY RATES

We are looking at an average rates increase for all rate types after growth, of

1.8% OVER 10 YEARS*

WITH A MAXIMUM AVERAGE INCREASE OF

4.2% IN THE FIRST 2 YEARS.



BY 2027/28 OUR DEBT IS SET TO PEAK AT

\$304 MILLION

For more info visit [whatsnextwaipa.nz](https://www.whatsnextwaipa.nz)

BY 2050:

**Cambridge is
expected to be home to**

28,000 PEOPLE

(adding 10,000 to the 18,000 who
currently live there).

**Te Awamutu and Kihikihi
is expected to be home to**

17,000 PEOPLE

(adding to the 14,700 people who
currently live there).





**WE'D LIKE YOUR
FEEDBACK ON
FIVE
BIG ISSUES**

For more info visit whatsnextwaipa.nz



**ISSUE
1**

**THE TE AWAMUTU –
PIRONGIA – NGĀ ROTO
CYCLEWAY.**

For more info visit whatsnextwaipa.nz



**ISSUE
2**

**URBAN
MOBILITY**

For more info visit whatsnextwaipa.nz



**ISSUE
3**

**LAKE TE
KOO UTU**

For more info visit whatsnextwaipa.nz



**ISSUE
4**

**MEMORIAL
PARK**

For more info visit whatsnextwaipa.nz



**ISSUE
5**

**RESOURCE
RECOVERY
CENTRE**

For more info visit whatsnextwaipa.nz

WHAT'S NOT INCLUDED?



**CAMBRIDGE
THIRD
BRIDGE**



**FOOD WASTE
COLLECTION
SERVICE**



**CEMETERIES
LAND
ACQUISITION**



**NEW CAMBRIDGE
LIBRARY**



**DEVELOPMENT OF
GROWTH CELLS**

For more info visit whatsnextwaipa.nz

PROPOSED RATES CHANGES

Here's a rough idea of the average increase on rates for your property in year one of our plan.



RESIDENTIAL Te Awamutu

AVERAGE INCREASE **4.8%**
2019 valuation \$560,000
Actual rates 2020/21 \$2,557
Proposed rates 2021/22 \$2,679

An extra
\$2.34
PER WEEK



RESIDENTIAL Cambridge

AVERAGE INCREASE **5.7%**
2019 valuation \$700,000
Actual rates 2020/21 \$2,804
Proposed rates 2021/22 \$2,963

An extra
\$3.06
PER WEEK



RURAL

AVERAGE INCREASE **3.6%**
2019 valuation \$5,000,000
Actual rates 2020/21 \$9,220
Proposed rates 2021/22 \$9,549

An extra
\$6.33
PER WEEK



RESIDENTIAL LIFESTYLE Te Awamutu

AVERAGE INCREASE **2.9%**
2019 valuation \$1,070,000
Actual rates 2020/21 \$2,484
Proposed rates 2021/22 \$2,555

An extra
\$1.38
PER WEEK



RESIDENTIAL LIFESTYLE Cambridge

AVERAGE INCREASE **3.8%**
2019 valuation \$1,110,000
Actual rates 2020/21 \$2,577
Proposed rates 2021/22 \$2,675

An extra
\$1.88
PER WEEK



COMMERCIAL

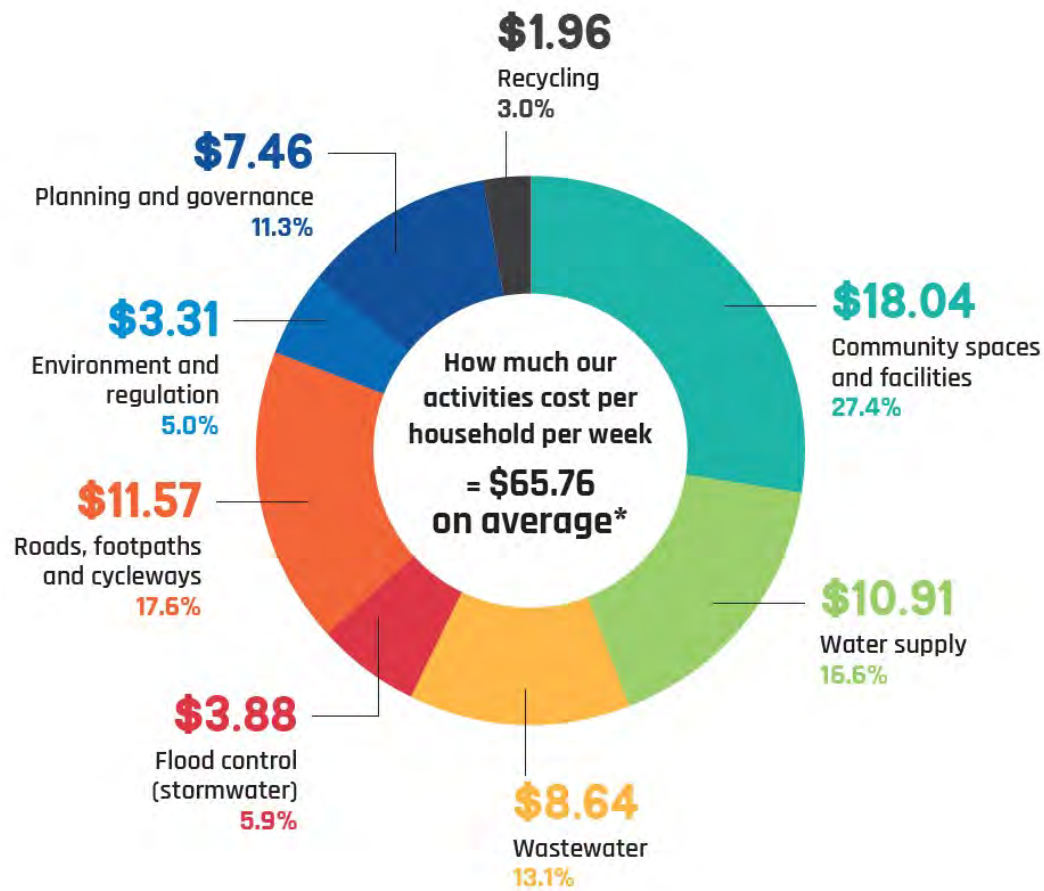
AVERAGE INCREASE **4.7%**
2019 valuation \$960,000
Actual rates 2020/21 \$5,801
Proposed rates 2021/22 \$6,075

An extra
\$5.26
PER WEEK

Compare your rates on our rates calculator at www.whatsnextwaipa.nz or give us a call on 0800 WAIPADC (0800 924 723).



Average weekly costs per household





TELL US WHAT YOU THINK!

WE NEED YOUR FEEDBACK BY 5PM, TUESDAY 27 APRIL 2021.

For more info visit whatsnextwaipa.nz

Questions?



For more info visit whatsnextwaipa.nz

TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Quarterly Report**
Meeting Date: 13 April 2021

1 SUMMARY

The Water Services Quarterly Report is included in the agenda.

2 RECOMMENDATION

That the Te Awamutu Community Board receive the Water Services Quarterly Report (Document 10561202) of Martin Mould, Manager Water Services



INFORMATION ONLY

To: The Chairperson and Members of the Service Delivery Committee
From: Manager Water Services
Subject: **Water Services Quarterly Report**
Meeting Date: 16 March 2021
File Reference: 004.06

1 Executive Summary

The purpose of this report is to provide information on the activities pertaining to the Water Services Team's activities for the period from October 2020 to December 2020. This report contains matters that are of a purely administrative nature, or information that does not require a decision from Council. As such, this report does not address any matters that are significant in terms of Council's obligations as set out in the Local Government Act 2002 or Council's Significance and Engagement Policy.

Of particular note:

- The Abatement notices served on Council for the Cambridge Wastewater Treatment Plant non-compliance have been withdrawn as we have moved into compliance with the new short term consent.
- The Detailed Business Case for the Hamilton-Waikato Metro Area was due to be presented to the Governance Group 26 February 2021. However, this has been deferred to allow wider consideration of growth timing and testing the sensitivity of growth assumptions.
- The Request For Information project (for the Department of Internal Affairs), as part of the Water Reform Programme of works is complete (achieved before the 1 February 2021 deadline). The workload to complete the spreadsheet and the comprehensive nature of the request has meant that several staff were removed from business as usual duties to ensure completion of the work.
- Reticulation staff have been kept busy with an increased number of minor leaks being reported and repaired. The majority of these are on old galvanised

pipes supplying one or two properties. In some of these cases a new rider main has been installed to reduce the number of road crossings for these pipes.

For this reporting period (and financial year to date), all water treatment plants are compliant for both bacteria and protozoa, and all zones are compliant for this period.

2 Recommendation

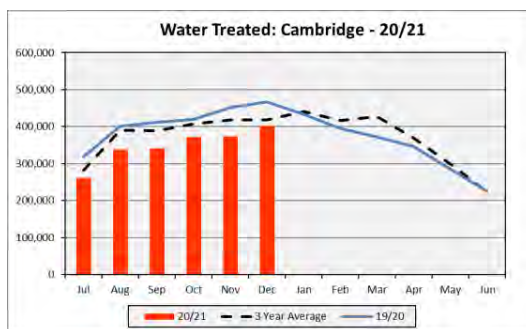
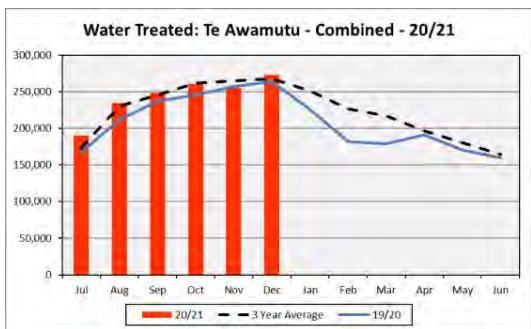
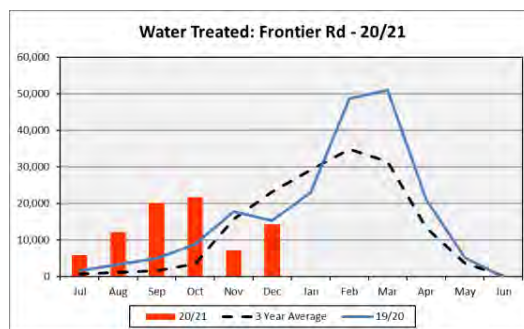
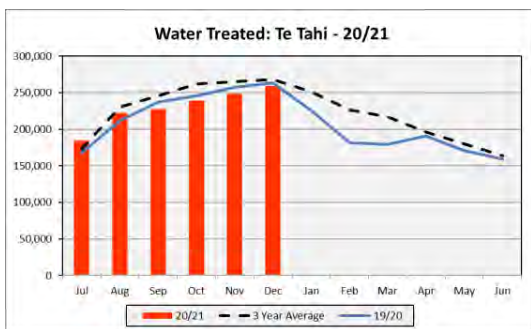
That

- a) The report titled *Water Services Quarterly Report*, (document number 10561202) of Martin Mould, Manager Water Services, be received.

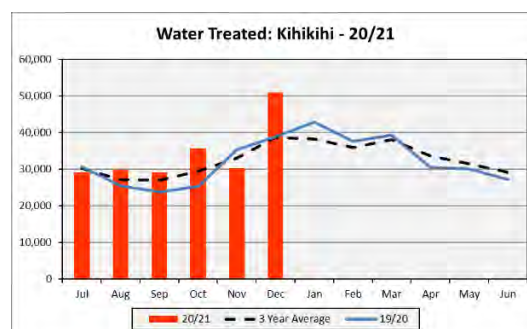
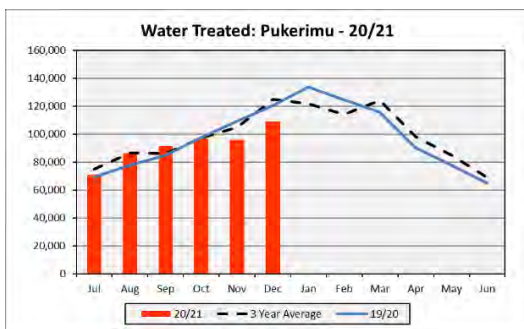
3 Water Demand

3.1 Current Demand – Water Production

Demand patterns across the district are normal for this period of the year with the exception of reduced production at the Frontier Road bore, and high demand in Kihikihi during December 2020. Less reliance on the bore was required in November, while high demands in Kihikihi were due to planned maintenance of the bores and the subsequent flushing when bringing them back into service.



Sensitivity: General



4 Demand Management Activities

4.1 Rainwater Harvesting

- Council received a letter from a local student (Vienna) following the rainwater harvesting workshops, who is passionate about sustainability. She asked Council for a voucher for a rainwater tank (similar to those provided during the workshops in November) for Te Awamutu Primary School, a school she associates closely with for their Enviroschools programme (she is home schooled).
- Council has partnered with Designer Tanks and agreed to donate and present a rainwater harvesting tank (300 litre) to Vienna and Te Awamutu Primary School.
- There is a presentation to be made at the school assembly where the Mayor and Designer Tanks will present the tank.
- Further scoping is being made into the potential development of a rainwater harvesting programme for schools with the aims to educate tamariki and their whanau on rainwater collection and water conservation.
- Hamilton City Council has a current project, funded as part of the water reform stimulus package, to assess the benefits, costs, opportunities and risks of establishing principles and rules for use of rain water tanks. Staff at Hamilton City have undertaken to share the outputs of this investigation.

4.2 Smart Water Education

- The 2020/21 annual plan for the Smart Water campaign has the following areas of focus:
 - Shorter Showers: Campaign targeting non-residential businesses like hotels, motels and gyms with residential type consumption (showering) to encourage users to be conservative with their use outside of the home or when visiting our district.
 - Roll out has started with local businesses and some online promotion.
 - Swimming Pools: Campaign targeting behaviour change and education around swimming pools leading up to higher demand summer periods. This campaign encourages pool covers, pool water treatment, and avoidance of regular emptying and filling of temporary pools.
 - Project plan has been developed, and delivery occurring first week of March following some delays.
 - Schools Outreach: School programme celebrating United Nations World

Water Day (UNWWD – 22 March 2021) and encouraging schools to sign up and participate in engaging activities and pledges with a water conservation theme. This will be a focus in the new school year.

- Currently only limited Waipa schools have signed up for this programme.
- Water Restrictions Review: Longer term project focused on a higher level review of the restrictions campaign, ensuring all restrictions are still fit for purpose and aligned to best practice.
 - Delaying the delivery of this due to the Long Term Plan consultation timeframes and Communications Team resourcing.

4.3 Summer Campaign

- Summer campaign has been implemented and Waipa District is currently on split levels:
 - *Te Awamutu and Pukerimu water schemes on Water Alert Level Two*
 - *Cambridge and Kihikihi water schemes on Water Alert Level One.*
- Communication tactics are being worked through as per the Communications Plan, that is, newspaper advertising, public notices, and road signage, and social media postings.
- Hamilton City Council (HCC) and Waipa District Council remain in the sub-regional partnership and have continued to align any required movements in alerts together.
 - *HCC is also on Water Alert Level Two.*
- Weekly water monitoring and reporting has commenced, together with fortnightly operational status meetings internally to discuss current water situations and whether restrictions are implemented or not.
- Current situational status:
 - Demand is managing well and no significant spikes or peaks being experienced so far this season.
 - Periodic rainfall has allowed catchments to ‘top-up’ and help levels in Mangauika Stream increase.
 - Community awareness seems to be high as a follow-on from the severe drought last season and Alert Level Four in parts of the district.

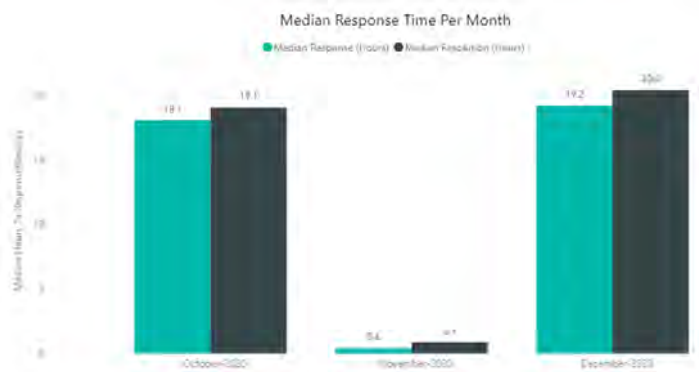
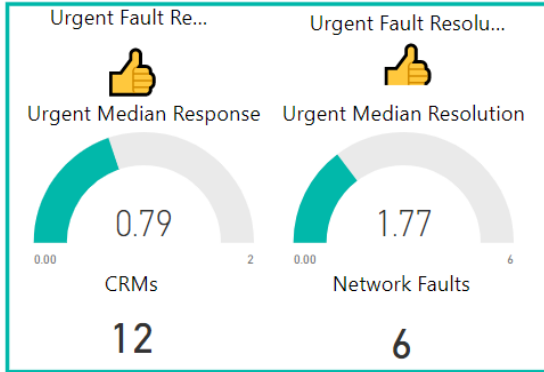
5 Levels of Service & Performance Measures

The Customer Request based measures shown below are part of the Department of Internal Affairs (DIA) Non-Financial Performance Measures.

5.1 Water

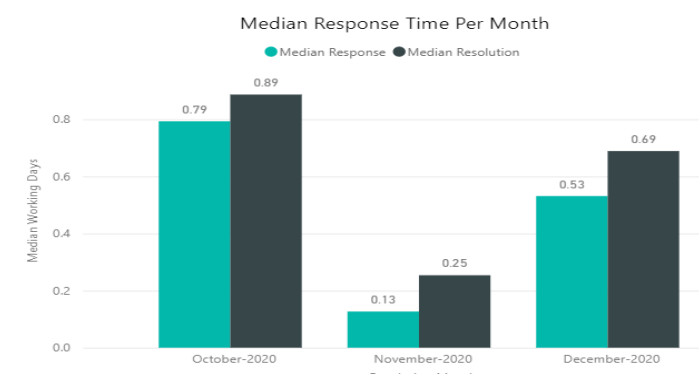
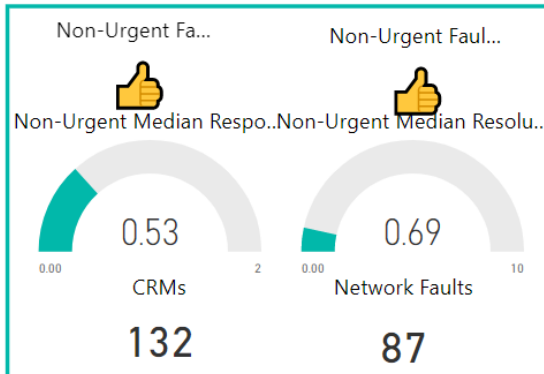
Urgent Water Network Faults

Median response and resolution time (hours) for call-outs in response to a fault of unplanned interruption to the network: urgent

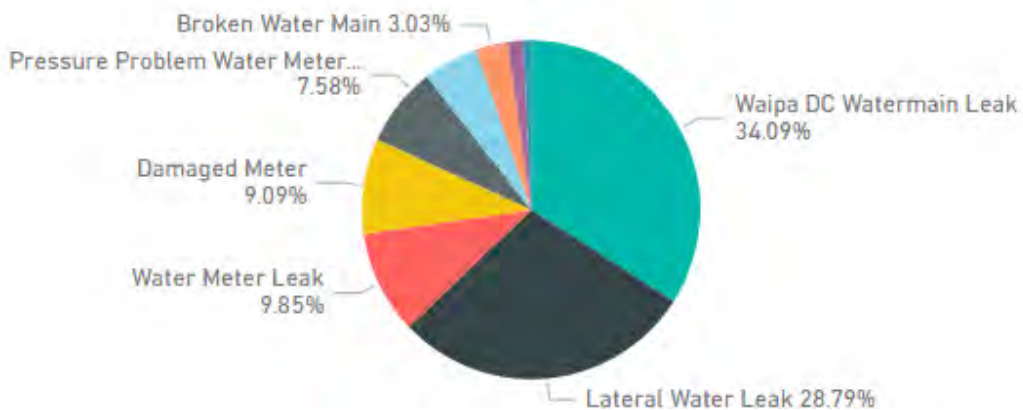


Non-Urgent Water Network Faults

Median response and resolution time (days) for call-outs in response to a fault of unplanned interruption to network: non-urgent

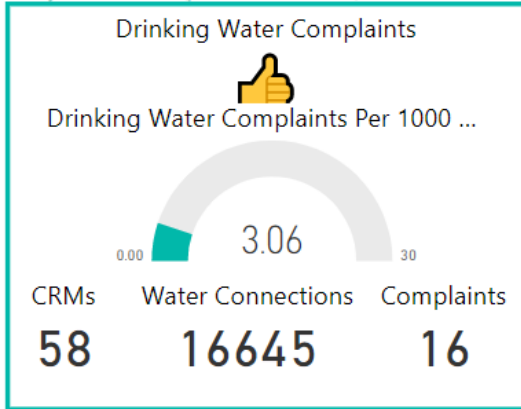


Categories



Drinking Water Complaints (Per 1000 Connections)

The total number of complaints received about any of the following: odour, system faults, blockages, and response to any of these issues (per 1000 connections)



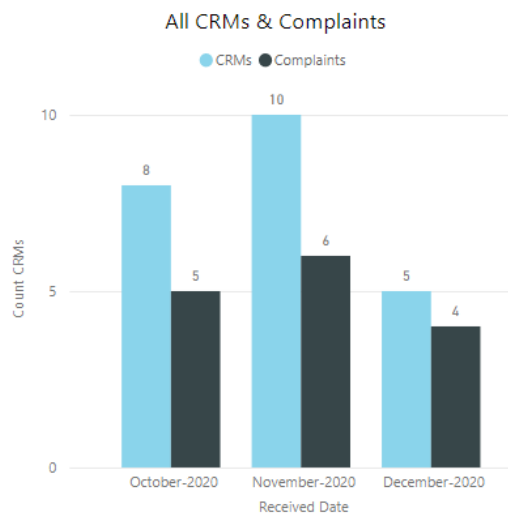
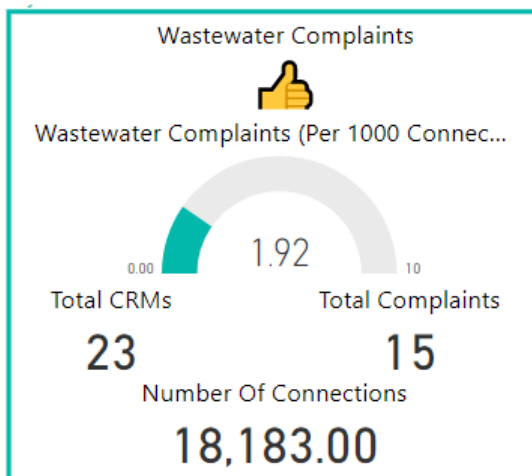
The increase in complaints was largely due to the type of contracts that were underway, involving alterations/upgrades to the reticulation network. A 1080 drop occurred in the Te Tahi water catchment in the month of September, triggering some complaints from those opposing the use of 1080.

5.2 Wastewater - Dry Weather Sewerage Overflows and Response to Call Outs

During this period there were no overflows or calls to respond to issues. There was a complaint regarding odour in Herbert Street, Kihikihi. The Network Team is investigating lid sealing to resolve this issue.

Wastewater Complaints (Per 1000 Connections)

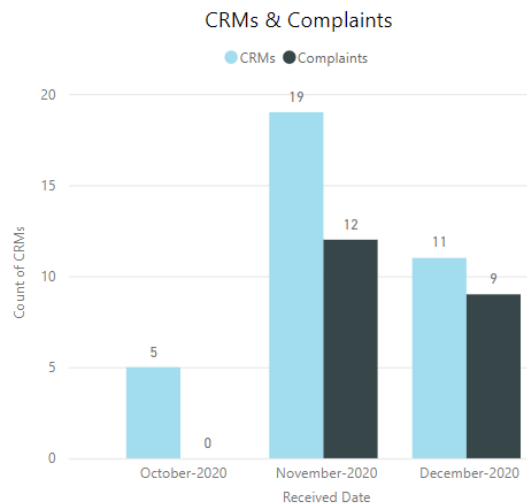
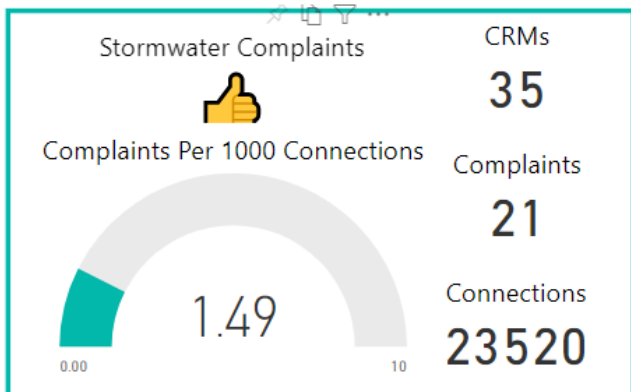
The number of complaints received about any of the following: odour, system faults, blockages, and the response to any of these issues



5.3 Stormwater

Stormwater Complaints (Per 1000 Connections)

The number of complaints received about the performance of the stormwater system (per 1000 connections)



5.4 Compliance – Drinking Water Standards July is the start of the Compliance year

Water Supply Drinking Water Standards (KPI Measures) – Treatment Plants

Treatment Plants		Bacterial Compliance												
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Cambridge	Alpha St	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-	-	-	-
	Karapiro	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Te Awamutu & Pirongia	Te Tahī	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
	Frontier Rd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Kihikihi	Rolleston St	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Ohaupo & Pukerimu	Parallel Rd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Commentary	All requirements of the Drinking Water Standards, bacterial compliance were met for the water treatment plants (outstanding data loss issues to be confirmed) N/A = plant offline/ not in use													

Treatment Plants		Protozoa Compliance												
		Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Cambridge	Alpha St	N/A	N/A	N/A	N/A	N/A	N/A	N/A	-	-	-	-	-	-
	Karapiro	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Te Awamutu & Pirongia	Te Tahī	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
	Frontier Rd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Kihikihi	Rolleston St	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Ohaupo & Pukerimu	Parallel Rd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Commentary	All requirements were tested and met compliance N/A = plant offline/ not in use													

Water Supply Drinking Water Standards (KPI Measures) – Reticulation Zones

Reticulation Zones	Bacterial Compliance												
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Cambridge	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Karapiro Village	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Kihikihi	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Maungatautari	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Ohaupo	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Pirongia	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Pukerimu	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-	-	-	-	-	-
Te Awamutu Township	Yes	Yes	Yes	No*	Yes	Yes	Yes	-	-	-	-	-	-
Commentary:	*E. coli was detected in routine sample. No evidence was found to support a failure in the water treatment system nor an actual contamination event. It is suspected that there may have been an issue with the sampling methodology so improvements have been identified in the Shared Services sampling practices; these matters are being worked on.												

Wastewater Consent Compliance (KPI Measures)

	Target	YTD
Abatement Notices	0	2*
Infringement Notices	0	0
Enforcement Orders	0	0
Convictions	0	0
Commentary:	*Two Abatement Notices received for Cambridge Wastewater Treatment Plant have been officially withdrawn as of January 2021 following the granting of the new short term consent.	

Te Awamutu Wastewater Treatment Plant (TAWWTP) – PLC Failure Event - Update

A fault occurred at the TAWWTP on Saturday, 22 August 2020 with the Programmable Logic Controller (PLC). The fault caused a series of failures within the plant which created a non-compliant status of the final discharge. Waikato Regional Council (WRC) was notified of the event at the time and have since had their Enforcement Decision Group investigating the incident. They visited Council in December 2020 and have sought further information which has been provided. Outcomes from WRC's investigation have still not been received.

Stormwater Consent Compliance (KPI Measures)

	Target	YTD
Abatement Notices	0	0
Infringement Notices	0	0
Enforcement Orders	0	0
Convictions	0	0
Commentary:	No notices, orders or convictions related to stormwater consent compliance.	

6 Risk Management

6.1 Health & Safety Assessments and Events

- A new structure for Waters Services is providing increased support for Health and Safety.
- Top five risks identified for the business unit – a process to address and monitor

is underway.

- Separation of hazards as they relate to individual teams within Water services has now been completed to align to the new structure, full reviews to commence.
- Continuation of monthly area Health and Safety meetings, outcome increased awareness and ownership for Health and Safety.
- Overall safety score for major projects underway is very pleasing, with zero lost time or medical treatment events reported.

6.2 Health & Safety – Initiatives

- A project to develop generic Job Safety Analyses for field teams where common hazards and tasks has been identified.
- New structure of Team Leaders and Senior Operators to support risk register reviews.
- Review of safe work procedures for the wastewater plants to ensure current best practice standards are in place.
- Process in place to achieve increased focus on contractor auditing agreed.

7 Activity Management

7.1 Asset Planning

Renewals

The scoping of renewals across the three waters assets has commenced for the 2021/22 – 2023/24 Long Term Plan period. This work will facilitate the design and procurement of physical works contracts for the coming years.

Three Waters AMPs & Infrastructure Strategy

The Three Water AMPs and Infrastructure Strategy have been through review by the Group Manager are now with Audit New Zealand for review in conjunction with the Long Term Plan.

Three Waters Revaluation

The two yearly revaluation of the three waters assets is underway for the year ending 30 June 2021. The independent valuation of three waters assets includes the revision of useful lives and current replacement costs. Recent work has identified that previous valuations of above ground assets has utilised lower replacement costs than we are currently experiencing when we are now renewing these assets. This potentially impacts on the anticipated adjustments to the values of above ground assets as part of 2021 3-Waters Asset Valuation. Those potential impacts being increases in replacement costs and subsequent increase in depreciation, over and above that driven by inflation and network growth.

Stormwater Model Update

The final stages of the stormwater model peer review are currently being completed as the precursor to the field survey of at risk properties' finished floor levels (FFLs). Once the FFLs of identified at risk properties are confirmed, we will be confident in informing affected property owners; the Communications and Engagement team has

developed a plan for this, and a set of Frequently Asked Questions. The Assets Team is also working with the GIS team to develop a flood hazard viewer for public and internal use, along with a flood viewer disclaimer.

District Wide Comprehensive Stormwater Consent Renewal

Work has commenced in regard to renewal of the district's stormwater discharge consent for the urban centres. Various studies to support this consent renewal including ecology, groundwater and catchment management planning have commenced.

7.2 Maintenance & Service Contracts

Water Meter Reading Contract (27-19-06)

Since November 2019, Wells Instrument and Electrical Services Ltd has been appointed to read water meters for Waipa District Council. Meters currently read include all commercial/industrial and residential customers across the Waipa district. Current performance of the contractor is satisfactory.

Stormwater Maintenance Contract (27-19-01)

Since August 2019, Waipa's stormwater maintenance contract has been undertaken by Camex Ltd. All works are continuing as normal, with all the programmed cyclical works.

The contract includes a cyclical inspection and reactive maintenance of our stormwater network, treatment devices and structures, outlets, ponds and swales, CCTV stormwater network inspections, and the Council maintained rural drainage network.

The contract also includes reactive works that include emergency works, network repairs and replacement works.

Current performance of the contractor is satisfactory.

Waipa District Water Network Asset Inspections Contract (27-19-35)

Since November 2019, Waipa Civil Ltd has been engaged to inspect assets for Waipa District Council. The contract aimed for the assessment and general maintenance requirements of 20% of the assets within a 5km radius of Cambridge CBD. The contract was completed on time (31 October 2020) with satisfactory contractor performance.

7.3 Projects – Water Renewals 2019-2020

27-18-15 District Wide Rider Main Installation 18/21

Three-year contract to carry out installation of rider mains across the district until 30 June 2021. The contract was awarded to Waipa Civil, with Separable Portion C (Financial Year 20/21) commencing in November 2020. There are six work portions; namely Shakespeare Street, Richmond Street, Florida Place, Williams Street, Bockett Avenue, and Picquet Hill Road.

27-19-03 District Wide Watermain Renewals 19/21

A two-year contract to carry out watermain replacement across the district. The contract was awarded to Cambridge Excavator Ltd (Camex). Practical completion was achieved for the works under Separable Portion A (2019/2020 year) in November 2020 where after the works under Separable Portion B commenced, with all works to be completed by 30 June 2021. There are five work portions; namely Gorst Avenue - Ohaupo Road, Te Awamutu; Wallace Terrace, Te Awamutu; Cambridge Road, Te Awamutu; Queen Street, Cambridge; and McClure Street, Pirongia.

7.4 Projects – Wastewater Renewals 2020/2021**27-18-37 District Wide Wastewater CCTV 18/21**

A three-year contract to carry out CCTV pipe inspections across the district until 30 June 2021. This contract was awarded to Hydrotech Ltd with Separable Portion C (2020/2021) ongoing. Contractor performance is under review following delays due to resource constraints.

7.5 Projects – Stormwater Renewals 2019-2020**27-19-05 District Wide Stormwater Network Renewals 19/20/21**

Contract for the rehabilitation of stormwater pipes across the district. The contract was awarded to Cambridge Excavator Ltd (Camex). Three work sites have been awarded under Separable Portion 2 (2020/2021 year), namely SH3 / Kihikihi Road, Fraser/Elizabeth Avenue and Churchill/Mahoe Road. Work to a site in Palmer Street (Habitat for Humanity) is under review pending further modelling and on-site investigation. Work has commenced on Fraser/Elizabeth Avenue, with satisfactory contractor performance.

7.6 Major Capital Project Delivery**Te Awamutu Wastewater Treatment Plant Upgrade**

The contractor has now completed the majority of the work at the TAWWTP. The new clarifier has been in service since December, and the upgrades have been completed on the existing clarifier. The contractor has applied for Practical Completion and is currently working through the preparation of the appropriate documentation to allow this to be issued. The optimisation of the current plant is currently underway, signalling that the end to the current upgrade is very near.

Parallel Road Water Supply Upgrades

Physical construction of the bulk watermain from Parallel Road to Taylors Hill has now been completed. While all the appropriate quality inspections and testing has been undertaken, the final commissioning of the bulk main has not been undertaken. This will be carried out as part of the commissioning programme of the new water treatment plant.

The treatment plant upgrade is progressing well with site works now underway. The main building is substantially complete, with the treatment process equipment starting to be installed. The external tanks are nearing completion. With good progress

being made, it is expected that the plant will be complete in June 2021, although the contractual completion date remains late October 2021.

Waikeria Wastewater Project

The Waikeria project is fast coming to completion. The new wastewater pump station at Albert Park has been operational since late December 2020 and has been working faultlessly during this time. The existing Albert Park pump station has been demolished and the reinstatement of the park is largely complete. Of note however, is that the grass reinstatement and planting has been delayed until the weather conditions are more appropriate for success.

The new wastewater pump station at the prison is due to come online in mid-March, with the project reaching completion in early April.

Christie Avenue Wastewater Pump Station Improvements

Work is progressing well on the Christie Avenue project. The emergency storage tank on site has been built, and the contractor is currently preparing the tank to receive its first wastewater and be put into service as a temporary pump station. This will allow the existing pump station to be taken offline and work to commence upgrading the existing structure. The majority of the work has also been completed on the new rising main from the pump station to the Mutu/Mangapiko Street intersection. Work is currently programmed to be completed in August 2021. We are currently experiencing issues with the existing pipework immediately upstream of the pump station. These issues are resulting in the project team looking at the proposed construction methodology which has the potential to impact on the projects duration and increase the approved contract sum.

8 Shared Services

Waipa District Council has been working with Hamilton City Council for a number of years, developing and enhancing the shared service provisions between the partner Councils. There are currently 17 people employed within the Shared Services Team, undertaking activities of Tradewaste, Sampling and Analysis and the Smart Water programme. In early September 2020 the board of the Waikato Local Authority Shared Services (WLASS) approved a the business case associated with a project to expand Shared Services to other Councils within the WLASS. The Shared Services Manager has been seconded across to WLASS and service level agreements for all interested Councils are in the process of being signed.

8.1 Smart Water:

Smart Water education projects are discussed earlier in this report under Section 5: Demand Management.

8.2 Trade Waste:

There were 16 non-compliances detected over the reporting period July – September 2020 (quarter 1 2020/21). 100% were responded to within the timeframe the Trade Waste Team set for the consent holders. In the same reporting period 90% of those non-compliances were resolved or a non-

compliance response plan was received and approved within the timeframes set by the Trade Waste team.

Trade Waste summary:

- 390 active customers in Waipa, including 207 Controlled, 21 Conditional, 153 Permitted and 9 tankered customers.
- 283 audits undertaken during the period October – December 2020 (quarter 2 2020/21) across the sub- region.

8.3 Sampling and Analysis:

- The Sampling and Analysis Team collected 1,953 samples and completed 12,228 tests for on those samples across the sub-region during the period October – December 2020.
- The Sampling and Analysis team is currently undergoing training and getting accredited for analysis using two new automated analysers.

9 Current/Upcoming

9.1 Network Maintenance

- An increased number of water leaks has kept Reticulation staff busy with an increased number of minor leaks being reported and fixed. The majority of these are on old galvanised pipes supplying one or two properties. In some of these cases a new rider main has been installed to reduce the number of road crossings for these pipes. This will impact on level of renewals planned being reduced to stay within budget.

9.2 Cambridge Wastewater Treatment Plant

- Due to the delays in the Sub-regional Business Case, staff are preparing to start work on a Cambridge standalone wastewater treatment plant and will be engaging with Iwi and consultants to start preparing a consenting strategy and a discharge options report, along with preliminary discussions with adjoining landowners to the Cambridge plant to explore options.
- Discussions with Fonterra Hautapu to explore any possibilities on working together on a combined plant/ solution have commenced to determine if a combined plant is technically and practically achievable.



Martin Mould
MANAGER WATER SERVICES



Approved by: Dawn Inglis
GROUP MANAGER SERVICE DELIVERY



To: The Chairperson and Members of the Te Awamutu Community Board
From: Manager Governance
Subject: **COMMUNITY BOARD CODE OF CONDUCT**
Meeting Date: 13 April 2021

1 EXECUTIVE SUMMARY

The purpose of this report is to seek the adoption of a revised Code of Conduct for the Te Awamutu Community Board.

A draft Community Board Code of Conduct 2021 is provided as Appendix 1, which is based on the Local Government New Zealand (LGNZ) Community Board template and adapted for Waipa. The main changes from the current version of the code adopted by the Community Board in July 2017 have been made to align the code with the LGNZ template. A summary of the changes made are included in this report.

If the Te Awamutu Community Board wishes to adopt the new Code of Conduct this requires a vote in support of the new Code of not less than 75% of the members present at the meeting.

2 RECOMMENDATION

That the Te Awamutu Community Board

- a) Receives the report 'Community Board Code of Conduct' (document 10577001) of Jo Gread, Manager Governance; and*
- b) Adopts the Community Board Code of Conduct 2021 (Appendix 1 to the staff report, document number 10572918), and revokes the existing Code of Conduct (Appendix 2 to the staff report, document number 10375775) with immediate effect.*

3 OPTIONS AND ASSESSMENT

Code of Conduct

When the Local Government Act 2002 came into force, all Councils were required to adopt a Code of Conduct. Once adopted, the Code can only be amended or replaced with a new Code by a vote of support of not less than 75% of the members present at the meeting.

Community Boards are not required to have a Code of Conduct, but it is good practice to do so. The Te Awamutu Community Board adopted its current Code of Conduct in July 2017.

The Code of Conduct sets out the understanding and expectations in relation to the conduct of Elected Members in their role.

Local Government New Zealand (LGNZ) has provided a new template for a Code of Conduct with accompanying guidelines. The LGNZ Code of Conduct template has four objectives in assisting Councils namely:

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

A draft Community Board Code of Conduct 2021 is provided as Appendix 1, which is based on the LGNZ template and adapted for Waipa District Council. The main changes have been to align the code with the LGNZ template and clarify processes around breaches of the code. This includes the establishment a Code of Conduct Advisory Group. A summary of the changes are set out below.

Summary of key changes proposed

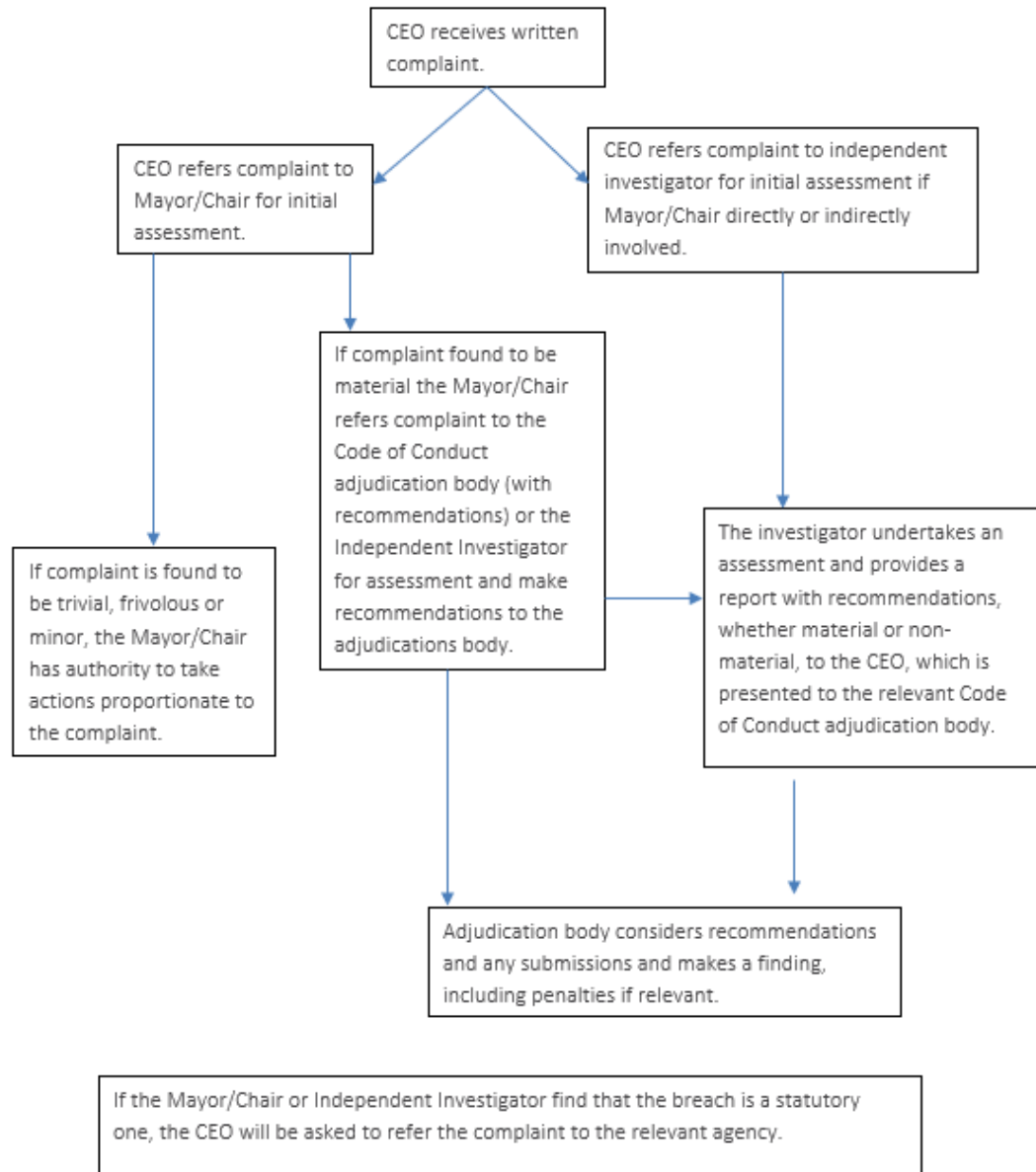
- LGNZ has produced a Code of Conduct template specifically for Community Boards and it is proposed to use this template, adapted with the relevant Waipa specific provisions.
- Section 4 (Relationships) - Amendments to align with LGNZ template, but retained Waipa-specific item under relationships with staff - “avoid anything which might compromise, or could be seen as compromising, the impartiality of an employee.” A new section has been added to cover relationships between Community Board members and Councillors.
- Section 5 (Media) - Retained Waipa provisions as the previous provisions includes authority to provide media comment on behalf of Council and more comprehensive restrictions in relation to expressing a personal view in the

media. New provisions have been added for speaking on behalf of the Community Board. The social media provisions have been brought in from the LGNZ template and section 6.2 has been extended so that the provisions in relation to expressing a personal view apply not only to the media but also to social media.

- Section 8 (Register of Interests) - Amendments made to align with LGNZ template, which include the following underlined amendment at paragraph c) “a description of any land in which the member has a beneficial interest within the jurisdiction of the Community Board,” in the current code this is the jurisdiction of Council.
- Section 11 (Breaches of the Code) – Updated to align with the LGNZ template. Complaints about a Member will initially be dealt with by the Mayor and a process has been included for the steps for the Mayor to follow. If the complaint is trivial, frivolous or minor or a mutually agreed solution can be reached, the matter will be dealt with by the Mayor. Alternatively the Mayor can decide to have the matter investigated by an independent investigator. Once the complaint has been investigated recommendations from either the Mayor or the independent investigator (as applicable) will be put to the Code of Conduct Advisory Group to determine and make a binding recommendation to Council. A copy of the LGNZ complaints procedure – flow diagram has been included following on from this table to this report as a reference guide for the complaint process.
- Appendix A: Guidelines on the personal use of social media - New provisions from LGNZ template on social media. Adapted to ensure these guidelines also relate to community board related business.
- Appendix C: Process where a complaint is referred to an independent investigator - Updated to align with LGNZ template, including the incorporation of a Code of Conduct Advisory Group into the process.

Complaints Procedure – Flow Diagram

Appendix E: Complaints Procedure – Flow Diagram



LGNZ code of conduct guidelines

Code of Conduct Committee

A Code of Conduct Advisory Group has been established to consider the recommendations of the investigation into any complaint. The Advisory Group includes external representation and consists of the Mayor, with the Deputy Mayor and Independent Chair of the Audit and Risk Committee as alternates, an independent legal advisor, with the potential for an additional person to be co-opted onto the committee if the Mayor or their alternate consider it appropriate.

The purpose of the Code of Conduct Committee is to:

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

In fulfilling its purpose, the Code of Conduct Advisory Group will:

- In considering a report from the Chief Executive, ask, if necessary, the investigator to provide a briefing on their findings and invite the complainant and/or respondent to speak to any submissions that might have been made;
- On consideration of the evidence, decide whether a material breach of the Code has occurred and what, if any, penalty or action should occur in response to the breach; and
- Ensure that penalties or actions recommended in response to a serious breach of the Code are proportionate to the breach and consistent with the actions set out in clause 12.1 of the Code.

While it is proposed that the complaint is considered and recommendations formulated by the small informal Code of Conduct Advisory Group, which includes independent advisors, it is proposed that the recommendations are then put before Council for adoption.

The draft of the Code of Conduct states that the report, including recommendations from the Code of Conduct Committee, will be heard and accepted by the Council in an open session, unless grounds for excluding the public exist, without debate. The purpose of the Council accepting the recommendations without debate is to avoid the complaint being litigated twice.

Significance and Engagement Policy

The process to adopt and maintain a Code of Conduct is a statutory one, and there is no requirement in the Local Government Act 2002 to consult or engage with the community in relation to the Code. It is very much a matter for Elected Members who will be required to conduct themselves in accordance with the Code. For these reasons, the assessment is considered to be low in terms of the Significance and

Engagement Policy and the Code of Conduct will be available for information purposes only for the public.

Financial status

There is no cost involved with the adoption of the new Code of Conduct with the template being provided by LGNZ. There may be cost associated with the appointment of an external party to investigate breaches of the Code of Conduct or costs associated with the Code of Conduct Advisory Group but this would be a rare occurrence and able to be covered by existing Council budgets.

If the revised Code (or an amended version) is not adopted by the Te Awamutu Community Board, the current code will continue to operate until it is replaced.



Jo Gread
MANAGER GOVERNANCE

APPENDIX 1

Proposed Community Board Code of Conduct (document number 10572918)

COMMUNITY BOARD CODE OF CONDUCT

Adopted April 2021



1. Introduction

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

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

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

2. Scope

The Code applies to all community boards and their members 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;
- Councillors;
- the media; and
- the general public.

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

This 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 Community Board's Standing Orders.

3. Values

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

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner.
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials.
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this 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.

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.

4. Relationships

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

4.1 Relationships between members

Given the importance of relationships to the effective performance of 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.

4.2 Relationships with staff

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

- raise any concerns about employees, officers or contracted officials with the Chief Executive;
- raise any concerns about the performance or behaviour of the Chief Executive with the Mayor or the chairperson of the Chief Executive performance review committee (however described);
- make themselves aware of the obligations that Council and the Chief Executive have as employers and observe those 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;
- observe any protocols put in place by the Chief Executive concerning contact between members and employees;

- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Please note: community board members should be aware that failure to observe this portion of the Code may compromise Council’s obligations to be a good employer and consequently expose Council to civil litigation.

4.3 Relationships between community board members and councillors

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

- maintains public confidence;
- is open, honest and courteous; and
- is focused on issues rather than personalities.

4.4 Relationship with the public

Given the essential role that democratic local government plays in our communities it is important that community boards earn the respect and trust of their citizens. To facilitate this respect and trust members will:

- ensure their interactions with citizens are fair, honest and respectful,;
- be available to listen and respond openly and honestly to citizens’ concerns;
- Represent the views of citizens and organisations accurately, regardless of the member’s own opinions of the matters raised; and
- ensure their interactions with citizens and communities uphold the reputation of the community board.

5. Contact with the 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 the community board. Any failure by a member to comply with the provisions of this section can represent a breach of this Code.

From time to time individual members will be approached to comment on a particular issue either

on behalf of Council, the community board, or as a member in their own right. When responding to requests for comment members must be mindful that operational questions should be referred to the Chief Executive and policy-related questions related to Council referred to the Mayor, or the Councillor with the appropriate delegated authority. Policy-related questions related to the community board must be referred to the Chair of the relevant community board or to the relevant member where a liaison member has been appointed for that area by the community board.

When speaking to the media more generally members will abide by the following provisions:

5.1 Media contact on behalf of Council

- the Mayor is the first point of contact for an official view on any Council issue, unless delegations state otherwise. Where the Mayor is absent requests for comment will be referred to the Deputy Mayor or relevant committee chairperson or portfolio holder;
- the Mayor may refer any matter to the relevant committee chairperson or to the Chief Executive for their comment; and
- no other member may comment on behalf of Council without having first obtained the written approval of the Mayor or Deputy Mayor.

5.2 Media contact on behalf of Community Board

- the Chair of the community board is the first point of contact for an official view on any Community Board issue, unless the matter relates to an area where a liaison member has been appointed and then the relevant member will be the first point of contact.
- Where an official view is required from the Chair and the Chair is absent requests for comment will be referred to the Deputy Chair, where one has been appointed.

5.3 Media/Social media comment on a Member's own behalf

Members are free to express a personal view in the media or social media, at any time, provided the following rules are observed

- members must make it clear that any comments made reflect a personal view and do not represent the views of council or the community board;
- comments which are contrary to a council or community board decision or policy must

clearly state that they do not represent the views of the majority of members of the council or community board;

- comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticise, or compromise the impartiality or integrity of staff;
- comments must not be misleading and should be fair and accurate within the bounds of reasonableness;
- social media pages managed by members and used for making observations relevant to their role as members should be open and transparent and observe the requirements of the code; and
- social media posts about others, 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).

These rules should also be applied with letters to the Editor.

6. Information

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

6.1 Confidential information

In the course of their duties members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member. This includes business conducted in Public Excluded meetings and workshops, until any such business is made public.

6.2 Information received in capacity as a community board member

Members will disclose to other members and, where appropriate the Chief Executive, any information received in their capacity as a member that concerns the community board's or council's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Please note: failure to observe these provisions may impede the performance of council by inhibiting information flows and undermining public confidence. It may also expose council to prosecution under the Privacy Act and/or civil litigation.

7. Conflicts of Interest

Members will maintain a clear separation between their personal interests and their duties as community board members in order to ensure that they are free from a conflict of interest (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 Community Board 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 Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests. There are also Guidelines available from the Office of the Auditor General to assist members and staff in relation to conflicts and interests (see www.oag.govt.nz).

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 the LAMIA could potentially invalidate the decision made, or the action taken, by the Community Board. Failure to observe these requirements could also leave the community board member open to prosecution (see Appendix

B). In the event of a conviction, community board members can be ousted from office.

8. Register of Interests

Members shall, at least annually, make a declaration of interest. The elected member declarations are recorded in a public Register of Interests maintained by 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 Community Board; and
- d) a description of any land owned by council 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.

9. Ethical behavior

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 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 Council 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 this Code.

9.1 Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the Chief Executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.

10. 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 council for the purpose of facilitating agreement on council’s vision, goals and objectives and the manner and operating style by which members will work.
- Elected members taking all reasonable steps to acquire the required skills and knowledge to effectively fulfill their Declaration of Office (the Oath) and contribute to the good governance of the district.

11. Breaches of the Code

Members must comply with the provisions of this Code (LGA 2002, schedule 7, s. 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.

11.1 Principles

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

- That the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged breach;
- 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 this Code. This includes, conditional on the nature of an alleged breach, that 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.

11.2 Complaints

All complaints made under this 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 or, where the Mayor is a party to the complaint, an independent investigator, selected from a list agreed in advance by the Mayor and the Chief Executive.

Please note, complaints under this Code can only be made by community board members and the Chief Executive.

Complaint referred to Mayor

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

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.

- Assess the complaint to determine materiality.
- Where a complaint is assessed by the Mayor to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor, to the Code of Conduct Advisory Group established by the Council to assess and rule on complaints made under the Code.

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

Complaint referred to Independent Investigator

On receipt of a complaint from a member which concerns the Mayor, or from the Mayor after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Code of Conduct Advisory Group for assessing and ruling on complaints.

The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

11.3 Materiality

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

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

12. Penalties and actions

Where a complaint is determined to be material and referred to the Code of Conduct Advisory Group established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

12.1 Material breaches

In the case of material breaches of this Code the Code of Conduct Advisory Group, may recommend one of the following:

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

The Code of Conduct Advisory Group may recommend 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.

On the advice of the Code of Conduct Advisory Group, the Council may impose any of the above actions recommended.

A report, including recommendations from the Code of Conduct Advisory Group, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.

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.

12.2 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 the LAMIA);
- Breaches which result in Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s. s. 44 LGA 2002 which may result in the elected 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 community board member liable for criminal prosecution).

13. Review

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

Community Boards 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 community board members have the opportunity to provide their views on the Code's provisions.

Appendix A: Guidelines on the personal use of social media

There's a big difference in speaking "on behalf of Council or Community Board" and speaking "about" the Council or the Community Board. 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 or Community Board.

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 the Community Board and 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 or Community Board'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 or the Community Board, 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 the Community Board and its activities online that you believe are important you are encouraged to share them with the Council.
4. Let the subject matter experts respond to negative posts. Should you come across negative or critical posts about the Council or the Community Board and 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 Community Board) 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 Community Board/Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council or the Community Board 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 Council or Community Boards no members should represent themselves falsely via aliases or differing account names or block. Elected members should not 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 or Community Board into disrepute.

Appendix B: Legislation bearing on the role and conduct of Community Board Members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of community board 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 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 a community board members' family trust and the Council.

Determining whether a pecuniary interest exists

Community board 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 of the relevant committee 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 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 Council (or committee of 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 community board members is the fact that the chairperson has the responsibility to maintain order at meetings, but all community board members should accept a personal responsibility to maintain acceptable standards of address and debate. No community board member should:

- create a disturbance or a distraction while another member 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 Council or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

Under this Act it is unlawful for a community board 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 seven years. 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 a community board 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.

Community board 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, community board members can be held personally accountable for losses incurred by Council where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

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

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

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

In certain situation members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

Appendix C: Process where a complaint is referred to an independent investigator

Step 1: Chief Executive receives complaint

On receipt of a complaint under this Code, whether from a member (because the complaint involves the Mayor) or from the Mayor after an initial assessment, the Chief Executive will refer the complaint to an independent investigator selected from a list agreed in advance by the Mayor and the Chief Executive.

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 redirected 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 for guidance and/or
- that the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters resulting in the complaint.

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

Before making any decision on a specific complaint, the relevant body will give the respondent an opportunity to appear and speak in their own defence. Members with an interest in the proceedings, including the complainant and the respondent, may 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 section 13.1 of this Code.

The report, including recommendations from the Code of Conduct Advisory Group, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.

APPENDIX 2

Existing code of conduct (document number 10375775)

CODE OF CONDUCT

Adopted 30 May 2017

1. Introduction

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

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

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in this 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 elected members, including the members of any community boards that have agreed to adopt it. It also applies to appointed members of Council committees and sub-committees in relation to their role on the committee or sub-committee. 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 Council to give effect to its statutory responsibilities

This 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 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 and uphold the values of honesty, integrity, accountability and transparency.
3. **Ethical behaviour:** members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behavior.
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 this 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 ensure they 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.

These values complement, and work in conjunction with, the principles of s.14 of the LGA 2002 and the governance principles of s.39 of the LGA 2002.

4. Role and responsibilities

Good governance requires clarity of roles and respect between those charged with responsibility for the leadership of Council and those responsible for advice and the implementation of Council decisions. The key roles are:

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 Council against stated goals and objectives set out in its long term plan;
- providing prudent stewardship of Council's resources;
- employing and monitoring the performance of the Chief Executive; and
- ensuring Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

4.2 Chief Executive

The role of the Chief Executive includes:

- implementing the decisions of 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 Council;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
- providing leadership for the staff of Council; and
- employing staff on behalf of Council (including negotiation of the terms of employment for those staff).

Under s.42 of the LGA 2002 the Chief Executive is the only person *directly* employed by Council itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive. Further information is available on roles and conduct in Council's Governance Statement.

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public.

5.1 Relationships between members

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

- maintains public confidence;
- is open and honest;
- is 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, offensive or abusive conduct, including the use of disrespectful or malicious language.

Any failure by members to act in the manner described in s.5.1 represents a breach of this Code.

Please note that nothing in this section of the Code is intended to limit robust debate within Council as long as it is conducted in a respectful and insightful manner.

5.2 Relationships with staff

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

- raise any concerns about employees, officers or contracted officials with the Chief Executive;
- raise any concerns about the performance or behaviour of the Chief Executive with the Mayor or the chairperson of the Chief Executive performance review committee (however described);
- make themselves aware of the obligations that Council and the Chief Executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- observe any protocols put in place by the Chief Executive concerning contact between members and employees;

- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Any failure by members to act in the manner described above represents a breach of this Code.

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

5.3 Relationship with the public

Given that the performance of Council requires the trust and respect of individual citizens, members will:

- interact with members of the public in a fair, respectful, equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- consider all points of view or interests when participating in debate and making decisions;
- treat members of the public in a courteous manner; and
- act in a way that upholds the reputation of Council.

Any failure by members to act in the manner described above represents a breach of this Code.

6. Contact with the media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council.

From time to time individual members will be approached to comment on a particular issue either on behalf of Council, or as an elected member in their own right. When responding to requests for comment members must be mindful that operational questions should be referred to the Chief Executive and policy-related questions referred to the Mayor, or the member with the appropriate delegated authority.

When speaking to the media more generally members will abide by the following provisions:

6.1 Media contact on behalf of Council

- the Mayor or chairperson is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor/chair is absent requests for comment will be referred to the deputy Mayor/chair or relevant committee chairperson or portfolio holder;
- the Mayor/chair may refer any matter to the relevant committee chairperson or to the Chief Executive for their comment; and
- no other member may comment on behalf of Council without having first obtained the written approval of the Mayor/chair.

6.2 Media comment on a member's own behalf

Elected members are free to express a *personal view* in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of Council;
- media comments which are contrary to a Council decision or policy must clearly state that they do not represent the views of the majority of members;
- media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticise, or compromise the impartiality or integrity of staff; and
- media comments must not be misleading and should be accurate within the bounds of reasonableness.

These rules should also be applied with letters to the Editor.

Any failure by members to meet the standards set out above represents a breach of this Code.

7. Information

Access to information is critical to the effective performance of a local authority and the level of public trust felt by the public.

7.1 Confidential information

In the course of their duties members will occasionally receive information 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. This includes business conducted in Public Excluded meetings and workshops, until any such business is made public.

7.2 Information received in capacity as an elected member

Members will disclose to other members and, where appropriate the Chief Executive, any information received in their capacity as an elected member that concerns Council's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Any failure by members to act in the manner described above represents a breach of this Code.

Please note: failure to observe these provisions may impede the performance of Council by inhibiting information flows and undermining public confidence. It may also expose Council to prosecution under the Privacy Act and/or civil litigation.

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) – see Appendix A.

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 contracts with the authority or has a pecuniary interest. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests. There are also Guidelines available from the Office of the Auditor General to assist members and staff in relation to conflicts and interests (see www.oag.govt.nz).

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 the LAMIA could potentially invalidate the 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 A). In the event of a conviction, elected members can be ousted from office.

9. Register of Interests

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

- a) any employment, trade or profession or business interest carried on by the member or the members' spouse for profit or gain;
- b) any company, trust, partnership etc for which the member or their spouse is a director, partner or trustee;
- c) the address of any land in which the member has a beneficial interest within the jurisdiction of Council; and
- d) the address of any land owned by Council in which the member or their spouse is:
 - a tenant; or
 - the land is tenanted by a firm in which the member or spouse is a partner, a company of which the member or spouse is a director, or a trust of which the member or spouse 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 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 Council 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 this Code.

10.1 Undischarged bankrupt

In accordance with clause 15(5) of Schedule 7 (LGA 2002) any member who is an “undischarged bankrupt” will notify the Chief Executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the Chief Executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.

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 Council for the purpose of facilitating agreement on Council’s vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment of Council’s overall performance and operating style during the triennium.¹
- Taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfill their Declaration of Office and contribute to the good governance of the, district or region.

¹ A self assessment template is provided in the Guidance to this Code.

12. Breaches of the Code

Members must comply with the provisions of this Code (LGA 2002, schedule 7, s. 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 this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles 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 this Code. This requires, conditional on the nature of an alleged breach, that 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 a right to seek appropriate advice and be represented; and
 - have their privacy respected.

12.2 Complaints

All complaints made under this Code must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward that complaint, to an Assessor to undertake a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation. The role of Assessor will be performed by the Mayor and Chief Executive or if the complaint involves the Mayor, by the Executive Committee which will be chaired in this instance by the Deputy Mayor.

Only members and the Chief Executive may make a complaint under this Code.

12.3 Investigation, advice and decision

The process, following receipt of a complaint, will follow the steps outlined in Appendix B.

12.4 Materiality

An alleged breach under this Code is material if, in the opinion of the Assessor, it would, if proven, bring a member or Council into disrepute or, if not addressed; reflect adversely on another member of Council.

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

- Intimidate or harass another member or employee
- Damage another member's reputation
- Obtain a political advantage
- Influence Council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- Avoid disciplinary action under this Code
- Prevent or disrupt the effective administration of this Code.

13. Penalties and actions

Where a complaint is determined to be material and referred to Council or a Council Committee, 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 this Code Council, or a committee 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. a vote of no confidence in the member;
4. removal of certain council-funded privileges (such as attendance at conferences);
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 so that they are confined to the Chief Executive only;
7. suspension from committees or other bodies; or
8. an invitation for the member to consider resigning from Council.

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

- attend a relevant training course; and/or

- work with a mentor for a period of time; and/or
- participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- tender an apology.

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 the LAMIA);
- breaches which result in Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s. 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, a Code of Conduct continues in force until amended by Council. The Code can be amended at any time but cannot be revoked unless Council replaces it with another Code. Once adopted, amendments to the Code require a resolution supported by 75 per cent of the members of Council present at a Council meeting where the amendment is considered.

Council may formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by Council in regard to potential changes for improving the Code.

Appendix A: 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 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 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 or partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- a person, or their spouse or 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 Council's Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is "concerned or interested" in contracts with 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 Council (or committee of 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 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 persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. 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. Provisions directly relevant to this Code include:

Personal liability of members

Although having qualified privilege, elected members can be held personally accountable for losses incurred by Council where, following a report from the Auditor General under s.44 LGA 2002, it is found that one of the following applies:

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

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

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

In certain situation members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

Appendix B: Process for the determination and investigation of complaints

Step 1: Chief Executive receives complaint

On receipt of a complaint under this Code the Chief Executive will refer the complaint to an Assessor.

If the complaint is about a member, the role of the Assessor will be performed by the Chief Executive and Mayor. If the complaint is about the Mayor, the role of Assessor will be performed by the Executive Committee which in this instance will be chaired by the Deputy Mayor.

The Chief Executive will also:

- inform the complainant that the complaint has been referred to the Assessor and the details of the Assessor, 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 details of the Assessor and refer them to the process for dealing with complaints as set out in the Code.

Step 2: Assessor makes preliminary assessment

On receipt of a complaint the Assessor will assess whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; and
4. the complaint is material and a full investigation is required.

In making the assessment the Assessor may make whatever initial inquiry is necessary to determine the appropriate course of action. The Assessor has full discretion to dismiss any complaint which, in their view, fails to meet the test of materiality.

On receiving the Assessor's preliminary assessment the Chief Executive will:

1. where an Assessor determines that a complaint is frivolous or without substance, inform the complainant and respondent directly and inform other members (if there are no grounds for confidentiality) of the Assessor's decision;

2. in cases where the Assessor 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 both the complainant and respondent of the action.

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

If the subject of a complaint is found to be non-material the Assessor will inform the Chief Executive and, if they choose, recommend a course of action appropriate to the breach, such as;

- that the respondent seek guidance from an appropriate mentor or source
- that the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters leading to the complaint.

The Chief Executive will advise both the complainant and the respondent of the Assessor'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 Council.

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

If the subject of a complaint is found to be material the Assessor will inform the Chief Executive, who will inform the complainant and respondent. The next step is for a full investigation to be undertaken. Depending on the nature and seriousness of the complaint, the investigation will be undertaken by either the Mayor and Chief Executive, or in the case of a serious complaint or a complaint about the Mayor, referred to the Executive Committee which should then appoint an external suitably qualified person to act as investigator and report on the complaint.

The investigator will then prepare a report on the investigation.

In preparing that report the investigator may:

- consult with the complainant, respondent and any affected parties;
- 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 Executive Committee, 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 full report prepared by the investigator.

Step 5: Process for considering the Chief Executive's report

Depending upon the nature of the complaint and alleged breach the Chief Executive's report may be considered by the Executive Committee or if of a very serious nature, referred to Council, (excluding the complainant, respondent and any other 'interested' members), with the Deputy Mayor to chair Council if the complaint relates to the Mayor. Where the matter is referred to

Council, the references to the Executive Committee in the next four paragraphs will be deemed to refer to Council.

The Executive Committee will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.

Before making any decision in respect of the Chief Executive's report the Executive Committee will give the member against whom the complaint has been made an opportunity to appear and speak in their own defence. Members with an interest in the proceedings, including the complainant and the respondent, may not take part in these proceedings.

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

In accordance with this Code. Councils will agree to implement the recommendations of the Executive Committee without debate.

TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Nada Milne
Subject: **TREASURY REPORT – TE AWAMUTU COMMUNITY BOARD**
Meeting Date: 13 April 2021

1 BACKGROUND

The report details the funds available to the Te Awamutu Community Board for the allocation of discretionary grants.

2 RECOMMENDATION

That the 'Treasury Report – Te Awamutu Community Board' of Nada Milne, Financial Accountant for the period ended 28 February 2021 be received.

3 COMMENT

3.1 Discretionary Grants – funds of \$15,800.00 have been committed from the prior year, with \$3,000.00 having been paid to date. Funds of \$47,788.50 have been committed from the current year, with \$39,746.31 having been paid to date.

There is a balance of \$12,852.37 in uncommitted funds.

Nada Milne
Financial Accountant

Sarah Davies
MANAGER FINANCE

**TE AWAMUTU COMMUNITY BOARD
DISCRETIONARY GRANTS**

Balance as at 1 July 2020	26,356.87	
2020/21 Allocation from Council	49,600.00	
		75,956.87
Revenue		
Kihikihi Presbyterian Retirement Village - Returned Funds	484.00	
		484.00
Less Committed Projects	63,588.50	
		63,588.50
Uncommitted funds		<u>12,852.37</u>
Summary of Uncommitted Funds		
Annual Grants		<u>12,852.37</u>
		<u>12,852.37</u>

TE AWAMUTU COMMUNITY BOARD

Summary of Committed Funds

Current Year Commitments	Committed	Expenditure	Balance
Commitments 2020/21	47,788.50	39,746.31	8,042.19
Current Year Commitments Total	47,788.50	39,746.31	8,042.19

Prior Year Commitments	Committed	Expenditure	Balance
Prior Year Commitments	15,800.00	3,000.00	12,800.00
Prior Year Commitments Total	15,800.00	3,000.00	12,800.00

Total Commitments	63,588.50	42,746.31	20,842.19
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Commitments 2020/21	Resolution No	Committed	Expenditure	Balance
Discretionary Grants	8/20/70	32,561.50	29,111.51	3,449.99
Kainga Community House	6/20/81	2,000.00	2,000.00	-
Rotary Te Awamutu	6/20/82	3,000.00	3,000.00	-
Te Awamutu Youth Academy	6/20/83	2,000.00	2,000.00	-
DIY Garage Sale promotional video	6/20/112	1,700.00	-	1,700.00
Promotional Flags	6/20/113	500.00	-	500.00
Waikato Sheet Plastics & Fabrication	6/20/93	780.00	780.00	-
2020 Lights in the Christmas Tree	6/20/100	2,695.50	2,695.50	-
Kihikihi Summer Stroll	6/20/101	700.00	-	700.00
Rainwater & Greywater Retention Event	6/20/102	300.00	77.80	222.20
2020 Lights in the Christmas Tree	6/21/09	81.50	81.50	-
Te Awamutu RSA	6/21/19	1,470.00	-	1,470.00
Total		47,788.50	39,746.31	8,042.19

Prior Year Commitments	Resolution No	Committed	Expenditure	Balance
Rangiaowhia Historic Trust	6/16/10 - Feb 16	7,300.00	-	7,300.00
Project Battery	6/19/26 - Mar 19	2,500.00	-	2,500.00
Silability Waikato Trust	6/19/101 - Aug 19	3,000.00	-	3,000.00
CommSafe	6/20/39 - Jun 20	3,000.00	3,000.00	-
Total		15,800.00	3,000.00	12,800.00

TE AWAMUTU COMMUNITY BOARD REPORT



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Inwards Correspondence**
Meeting Date: 13 April 2021

1 SUMMARY

Correspondence has been received from Luke East proposing a commemorative plaque honouring the Queen's lifetime of service; Residents of the Habitat for Humanity village on Palmer and Vaile Streets about driveway entrances to the units; and Kihikihi Police House and Temple Cottage Charitable Trust requesting endorsement by the community board for a request for funding from Council.

2 RECOMMENDATION

That the Te Awamutu Community Board receive the inwards correspondence from Luke East (Document 10583810), Residents of the Habitat for Humanity village (Documents 10551394 and 10551395) and Police House and Temple Cottage Charitable Trust (Document 10583795).

APPENDIX 1

Commemorative Plaque Proposal (document number 10583810)

Commemorative Plaque Proposal

HONOURING THE QUEEN'S
LIFETIME OF SERVICE

20
21



HER MAJESTY QUEEN ELIZABETH II
ADDRESSES THE CROWD IN TE AWAMUTU,
JANUARY 1954

Commemorative Plaque Proposal

HONOURING THE QUEEN'S LIFETIME OF SERVICE

WAIPA'S UNIQUE ROYAL BOND

Members of the Royal Family, including a great many future monarchs, have been visiting Waipa and the Waikato for over 150 years. In that time the institution of monarchy has provided stability, security and sober judgment to both New Zealand and the Commonwealth as a whole. Our region has been visited by every future Monarch from King Edward VII right up to Prince George.

PRESERVING OUR HISTORY

The proposal to install a plaque in the main street of Te Awamutu, near to the site on which HM The Queen and Prince Philip stood on New Year's Day 1954 when they visited Te Awamutu, is in-line with Waipa District Council's emphasis on preserving and celebrating our local history, as well as with the New Zealand Government's changes to the school curriculum to ensure all Kiwis learn about their history.

In 1820 two local Maori Chiefs travelled to Great Britain to meet His Majesty King George IV, the trip strengthened Maori-Crown relations & paved the way for the 1835 Declaration of Independence (sent to King William IV by Maori with the request that he make New Zealand a British Protectorate) & later the 1840 Treaty of Waitangi.

Since New Zealand officially embraced the monarchy in 1840 there have been scores of Royal visits, many of which encompassed Waipa and the wider-Waikato region.

HM Queen Elizabeth II became the first reigning monarch to visit New Zealand when she and Prince Philip spent over a month travelling the country, in Te Awamutu hundreds packed the main street to catch a glimpse of HM, while in Cambridge over 10,000 people gathered by the town hall to see their new Queen. In 2001 a film about the tour, called 'Her Majesty', was filmed in Te Awamutu and Cambridge and won more than a dozen accolades from around the world.

Since her first Royal Tour HM has returned to New Zealand at least a further 9 times, her son and heir Prince Charles has toured NZ almost as many times.

In 2015 HM The Queen became our longest-reigning monarch and in 2022 she will celebrate 70 years on the throne. Now is most certainly the right time to recognise HM's lifetime of service with a plaque in our main street.



Clockwise: the future King George V in the Waikato 1901, the future King George VI visits the Waikato 1927, thousands gather to see The Queen in Waipa 1954, The Queen Mother visits Te Awamutu 1966, The Queen in Waipa 1990, the Duke & Duchess of Cambridge in Waipa 2014.

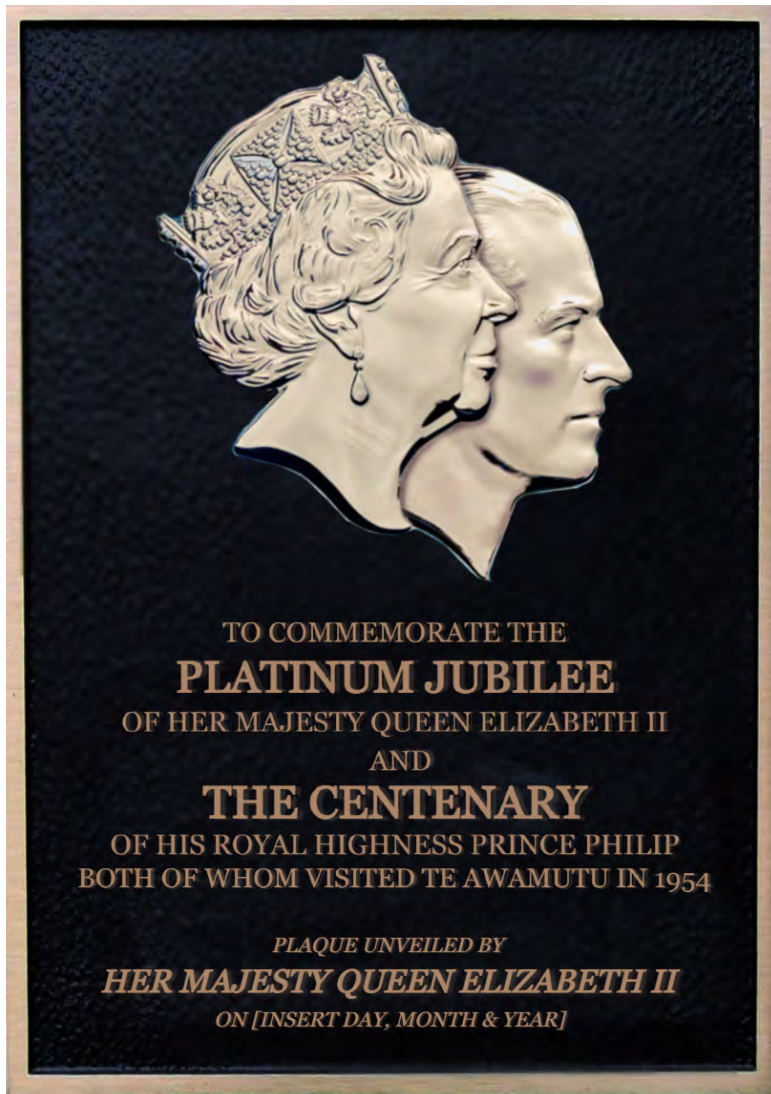
TIMELINE OF ROYAL VISITS TO OUR REGION

- 1869: HM Queen Victoria's son Prince Alfred visited the region
- Late 19th Century: The future King Edward VII is said to have also visited the area
- 1901: The future King George V visited the Waikato region
- 1920: The future King Edward VIII toured the region
- 1927: The future King George VI visited the Waikato
- 1934: The Duke of Gloucester (son of King George V) visited Waipa to play polo, he spent more than a month in NZ
- 1946: Lord Louis Mountbatten (Prince Philip's uncle) travelled to the area
- 1953-54: HM Queen Elizabeth and Prince Philip visited Te Kuiti, Waitomo, Te Awamutu, Cambridge, Karapiro, Tirau and more besides
- 1956: Prince Philip returned to NZ and again visited the region
- 1958: HM The Queen Mother visited the Waikato for the first time since 1927
- 1966: HM The Queen Mother again travelled to the region and attended Morning Prayer in Te Awamutu at St John's Church
- Since 1966 there have been at least a further 7 Royal visits to our region and to Waipa

Commemorative Plaque Proposal

HONOURING THE QUEEN'S LIFETIME OF
SERVICE

THE PROPOSED DESIGN



THE PROPOSED SITE

As Her Majesty, Prince Philip and the then-Mayor of Te Awamutu spoke from a platform in front of the old Post Office (now Paterson Burn and House of Travel) and given that the building is already adorned with a magnificent rendering of the Royal coat of arms it seems that would be the perfect place to install the plaque.

THE ORIGINS OF THIS PROPOSAL

On September 9th 2015 HM Queen Elizabeth II became our longest-reigning monarch and in 2022 she will celebrate 70 years on the throne making her one of the four longest-reigning monarchs in world history.

HM is not just our Head of State but also the Head of our Armed Forces, the guarantor of the Treaty of Waitangi, the Head of the Commonwealth, a WWII veteran, the fount of justice (i.e the person in whose name the law is maintained and carried out), Head of the Anglican Church, the patron of more than 600 charities and organisations and the ultimate check-and-balance on those in power.

HM is the latest in an unbroken line of monarchs which stretches back over 1000 years. This year HM turns 95 and her husband Prince Philip (who has been by her side throughout her entire reign) turns 100, as our thoughts turn to celebrating Prince Philip's centenary this year and HM's Platinum Jubilee next year, now seems the opportune moment to install a plaque commemorating the 1954 Royal Visit to Te Awamutu and celebrating the longevity of our sovereign and her consort.

In 1960 Cambridge erected the Coronation Steps in Victoria Square to commemorate both their 1954 visit from HM Queen Elizabeth II and her 1953 coronation. Some 63 years prior the Cambridge Borough Council created both Jubilee Gardens and Victoria Square to celebrate HM Queen Victoria's 60th Jubilee. Te Awamutu's Victoria Park (formerly Victoria Jubilee Park) was also opened to celebrate Queen Victoria's jubilee. Thus now that HM The Queen has overtaken her great-great grandmother's longevity it seems appropriate for Waipa District Council to commemorate the occasion with a plaque, just as in the past the Councils of Waipa opened parks and buildings in celebration of their sovereign. We may be 120 years on from the reign of HM Queen Victoria but monarchy continues to provide New Zealand with stability and security and continues to be relevant.

APPENDIX 2

Residents of the Habitat for Humanity village (document numbers 10551394 & 10551395)



Freeman Court

387 Roche Street
Te Awamutu, 3800
P. 07 871 5260
www.freemancourt.co.nz

Mr Lew Brown
Councillor
Waipa District Council
Te Awamutu
29.1.2021

Dear Lew

I would like to draw to your attention the dangerous situation on the corner of Vaile street and Roche street, where our Elderly Residents' are at a high risk of being hit by vehicles travelling at speed at times when travelling from lower Vaile street when crossing the road. Cars are parked right on the corner, and there is no clear view of cars coming up the hill, and our Elderly residents nor members of the public cannot see on coming vehicle's.

There have been two occasions where there have been near misses, of a resident nearly being hit by oncoming cars.

I realise there is a parking shortage in Te Awamutu however we are also getting members of the public parking their cars outside the home during working hours, and walking into the centre of town to work, which is leaving no parking spaces for our residents' family members, visitors not to mention parking for staff while on duty.

As a councillor I am asking if you would consider investigating the situation and coming to have a chat with me re the situation at Freeman Court?

Please contact me at Freeman Court.

I await your reply

Yours faithfully
Erin Lyford
Residential Manager
Freeman Court

A handwritten signature in black ink, appearing to read "Erin Lyford", written over a horizontal line.

**Unit 4
175 Vaile St
Te Awamutu
3800**

RE: Driveway entrances off Vaile and Palmer Streets

To whom it may concern

I am writing on behalf of the residents that abide at The Village on Palmer and Vaile Streets Te Awamutu.

I have spoken with Lou Brown, a councillor at Te Awamutu Council, and have also shown him the concerns we have.

We have up to thirty-four residence and have only one safe driveway for us all. These concerns have been brought before the council a few times with each time baring no results.

We would like to have more driveway entrances as at the moment we have metal poles in the drain upon which we have to drive over so that we can get to our units. This is not good for our vehicles and I'm sure not good for the curbs.

The residents are in the process of trying to improve their units and the grounds, to help improve their mental well-being and I am sure you would agree this problem which is easily solved would help tremendously.

We find ourselves in the unenviable position of having to rely on others for that which we cannot change ourselves.

I look forward to hearing from some-one who is in the position to help us.

Thank you Lou for taking our concerns on board.

Yours sincerely

Irene Cochrane (Mrs)

Irene Cochrane (Mrs)

A Owens.

P. Bees.
Bunny Ngahwi

~~S~~

Lillian Bateman

I. W. Leake

E Kato

A J Howell

J. P. J.

R Ludby.

Mike Cronin . 4/1/14

~~A. P. J.~~
(Amanda Paracore)

T. Singh.

PAUL COUGH.

J. L. M.

A. B. J.

M. K.

P. S.

V. A. Torrey

h. G. Simpson

G. L. P. J.

G. P. Heke

APPENDIX 3

Police House and Temple Cottage Charitable Trust (document number 10583795)

KIHIKIHI POLICE HOUSE TEMPLE COTTAGE CHARITABLE TRUST

Funding Submission 2021, 2022, 2023



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Business Plan Purpose and Funding

To foster the objectives of the Kihikihi Police House Temple Cottage Charitable Trust (KKPHTCC Trust):

- continue to increase community awareness of the facilities
- provide and maintain a repository for historical artefacts including oral, written and visual histories
- provide an interactive and educational experience for school children to connect with local and pioneer history
- provide a venue for visitors to the area, whose interest lies in the preservation of history and in the sources of historical recording

Business Details

Business name	KIHIKIHI POLICE HOUSE TEMPLE COTTAGE CHARITABLE TRUST
Business address Email address	20 Lyon Street, Kihikihi templepolice2019@gmail.com
Financial years	April 1 2020 - March 31 2021 April 1 2021 - March 31 2022 April 1 2022 - March 31 2023
Structure	Charitable Trust / Incorporated Society
Dates registered	Charitable Trust (19/02/2009) Incorporated Society (10/12/2007)
Registration Numbers	KKPHTCC Trust CC21240 Incorporated Society 2072498
NZBN	9429043155811

Contact Details

Chairperson	Lois Titchener/Trustee loistitchener@gmail.com
Deputy Chair Collections Keeper	Jan Burch/Trustee 07 871 3685
Secretary	Angela Brown/Trustee templepolice2019@gamil.com
Treasurer	Trevor Hall/Trustee trevhall@xtra.co.nz
Committee	Hazel Barnes/Trustee edithhazelbarnes@gmail.com
Committee	Nancy Danaher nznancyd@gmail.com
Committee	Mike Proffit Michael.Proffit@gmail.com
Committee	Ken Hancock/Trustee trishandken@xtra.co.nz
Committee	Bruce Addison/Trustee bl.rmaddison@xtra.co.nz
Committee	Bruce Barton brucesueb@gmail.com
Volunteer	Steve Baldwin smbaldwin@xtra.co.nz

The Mission

Mission Statement:

- To preserve the history associated with the Kihikihi Police House and Temple Cottage buildings.
- To provide local and wider education in relation to the historical and heritage diversity of the area.

What We Do and How We Do It

Target Beneficiaries:

- Kihikihi and Te Awamutu urban and rural primary school children
- Kihikihi and Te Awamutu urban and rural communities
- Visitors to Kihikihi including outside schools
- Service clubs and historic and heritage focused organisations

Value to our Beneficiaries:

- A small museum which offers tactile and fun experiences connected to the past. Thus our customers leave with memories which are real and enduring and knowledge which seeks to establish historical facts and encourage interest and enthusiasm.

Business Background

The History:

The northern entry to Kihikihi is characterised in part by an assortment of Council-owned parcels located on the western side of State Highway 3 (SH3). The parcels comprise a combination of Local Purpose Reserve and fee simple land. The Local Purpose reserves generally mark the site of the colonial Rata Tu Redoubt. Also located on the Reserve are the Historic Kihikihi Police House and Isabella Temple Cottage.

The old Police House was designed by the Public Works Department in 1907. It was built by McKinnon and Miller of Hamilton and remained in use as a Police Station until 1967. In 1985, the Police House was added to the Register of the New Zealand Historic Places Trust as Category 2 Historic Place.

The Isabella Temple Cottage was built by Charles Temple in 1870 and was originally located on the Alexandra Stockade Reserve in Kihikihi. Charles Temple was a Forest Ranger under Major Jackson and a member of the Armed Constabulary. Isabella Temple (Charles's granddaughter) was born in the cottage in 1898 and lived there until shortly before her death in 1990. The cottage was bequeathed to the Te Awamutu Historical Society who relocated it to the Rata Tu Redoubt Reserve in 1992/93. The heritage value of the cottage stems from a combination of its architectural significance and its sociological connections with early colonial settlers. (Waipa District Council Rata Tu Management Plan (Kihikihi Heritage Precinct) December 2013).

The Progress

In 2007, a Charitable Trust was formed to lease the Kihikihi Police House from the Waipa District Council with the aim of converting it into an early

policing museum. Upon more reflection, it was decided that this vision should expand to include Temple Cottage and be reflective of the Rata Tu Redoubt Reserve which the buildings sat on.

By amalgamating the Police House and Temple Cottage, the vision developed along historical lines, with the intention of building on Kihikihi's historical past.

The Current Position

The Kihikihi Police House and Temple Cottage buildings are maintained as a business with the NZ Charitable Services www.charities.govt.nz.

The committee is made up of local volunteers and includes 7 trustees, one of whom is a local Councillor. Members of the KKPHTCC Trust elect a management committee as listed above.

The achievement levels for the 2021 financial year have been positive in spite of Covid-19 shut down restrictions on open days. Visitors continue to enjoy examining the collections and appreciate being able to learn about the history of the area and the diverse stories which go with that history. However, the review of revenue certainty remains an issue of concern. Some regular funding has ceased such as from Kihikihi Rotary which is now amalgamated with Te Awamutu Rotary. Te Awamutu Rotary did not respond to our funding application to them in 2020.

There was a noticeable drop off in school visits and in visits from retirement village groups during 2020. These visits generate reliable funding and while it is disappointing to have noticed this change, it is suggested that with more informative advertising and a resolution of the Covid-19 threat, attendance levels will be restored.

We have been fortunate to have attracted some new members and volunteers to our committee and the enthusiasm, skills and interests they bring are valuable assets to the overall function of the KKPHTCC Trust.

Covid-19 Pandemic

The overall effect of the Covid-19 Pandemic, from its onset in February 2020, was the periodic closure of the Police House and Temple Cottage buildings. This occurred throughout March and April and, as indicated in the Output Measures listed below, this resulted in a falloff in all statistics. However from late 2020 and up to the near end of the 2021 Financial Year, the open days have operated at a normal level.

Output Measures 2021, 2020 Financial Years

FINANCIAL YEAR	2021	2020
Total visitors	230	396
Total volunteer hours	447	886
Committee meetings	6	14
Wednesday open days 1-3pm	25	38
Open days on first Sunday of month 10am – 3pm	5	9
Private arranged visits - 1 school, 1 rest home, 1 meeting	3	12
Year End Balance	\$1282.13* 02/03/2021	\$1368.06 31/03/2020

NB: Expected Direct Debit accounts for Electricity and Security, due before 31/03/2021 will be expected to equate to \$80.00 (approx). This will decrease the balance shown in the table above at the end of the 2021 Financial Year.

Financial Strategy

To maintain the financial viability of the KKPHTCC Trust operation.

Action Plan:

Description	Review Date
Develop a funding strategy which maintains the viability of operational and project costs and considers risk factors.	Review 6 monthly at April and October general meetings.
Promote the KKPHTCC Trust to schools, school holiday programmes and local groups (retirement facilities, service groups, church committees).	Review 6 monthly at April and October general meetings.
Maintain advertising opportunities via the local press, library, community radio, school newsletters and special press features.	Review as these strategies progress. Results recorded in monthly minutes.
Recruit new members so that a good spread of support is available for open days, functions etc and that a varied skill mix is achieved.	Good community communication has resulted in a positive increase in new members.

Financial Planning:

Funding is achieved via local council grant applications and through funding applications to charitable trusts. The following chart illustrates an expenditure and revenue analysis for the 2020 and 2019 financial years and this has guided the operational budget forecasting for 2021 and going forward. These figures do not allow for any unexpected costs or for project provision. It is suggested that because project provision is essential to capture the interest and experience of our target market, our financial strategy must include funding to ensure this vision is achievable.

Expenditure Forecast 2021

Expenses	2020	2019	Total	Average
Electricity DD	600.18	530.61	1130.79	565.39
Security Alarm DD	276.00	276.00	552.00	276.00
Security Call Out	228.97		228.97	228.97
Ventilation System	-	-		129.00 *
Accounts Review		50.00	50.00	50.00
Advertising	230.39 *	35.94	266.33	133.16
Housekeeping Catering	67.70	285.84	353.54	176.77
Stationary, Photocopying	29.20	121.81	151.01	75.50
Gardening	325.00	583.00	908.00	454.00
Budget Expenditure Forecast for 2021				2088.79

Revenue Forecast 2021

Donations	2020	2019	Total	Average
WDC	1000.00 *	1000.00	2000.00	1000.00
Kihikihi Lions		200.00	200.00	100.00
Kihikihi Rotary		250.00	250.00	125.00
Kihikihi Autos	250.00	200.00	450.00	225.00
Schools	40.00	376.00	416.00	208.00
General Donations	575.10	362.90	938.00	469.00
WWMC		250.00	250.00	125.00
TOTAL	1865.10	2638.90	4505.00	2252.00
Budget Revenue Forecast for 2021				2252.00

Notes:

- * Advertising in 2020 was elevated because of the figure related to Brochure printing.
- * The WDC grant of \$1000.00, while included in the income figures for 2020, was not received until 02/04/2020, therefore it appears to inflate the 2021 financial revenue forecast. In actual fact, the revenue for the 2020 financial year was well below previous averages.
- * No maintenance of the DVS Ventilation System was provided during 2019 and 2020 financial years. The system is necessary to provide a drier environment for the protection of the archival material and was chosen to emulate the same system used by the Firth Museum in Matamata. An actual allowance of \$129.00 has been included in the average column for this service which is required to be provided annually.

Business Continuity Plan

Risk	Policy
Security Alarm System breakdown or callout costs or other unexpected events	Maintain a funding buffer of \$1000.00 to cover unexpected cost outlay.
Failure of any planned funding strategy	Ensure a funding buffer (as above) is available to cover unexpected expenditure.
Poorly maintained database and contact options	Secretary to maintain an up to date committee contact list and distribute as membership alters. Maintain regular communication via electronic systems.
Secure electronic communication including online banking	Secretary and one other Trustee to have access to KKPHTCC Trust email address. Secretary and Treasurer to perform Administrator roles with Westpac Online Banking. One other KKPHTCC Trust Trustee to have active access to Online Banking as an Authoriser and one KKPHTCC Trust Trustee to have passive Authorisation role.
Unspecified storage plan for electronic and non-electronic data	Review how and where data storage is managed. Secretary and Treasurer currently store electronic data on their home hard drives. It is expected that back-up systems are practised. Non-electronic files are stored in the KKPHTCC Trust steel filing cabinet on the premises.
Open day personnel security	KKPHTCC Trust open days must be managed by no less than two committee members according to the roster schedules. If one party is unable to attend then the contact list can be accessed to make substitute arrangements.

Expenditure Forecast, Project Planning and Business Continuity Budgeting

A funding plan to cover the budget expenditure forecast, project planning and business continuity to the end of the 2021 year and on into the 2022 and 2023 years has been developed according to review of past performances.

The Budget Expenditure Forecast shows that a sum of \$2,000 is required to meet operational and project costs to the end of the 2021 year and it is suggested that this figure is unlikely to change for the 2022 or 2023 years.

The KKPHTCC Trust risk management policy suggests that a buffer of \$1000.00 should be maintained to cover any unexpected financial outlay.

Based on these figures it is recognised that revenue must be secured to ensure that a total figure of \$3000.00 is available for the 2021 financial year and will need to be replicated ongoing into the 2022 and 2023 years.

It is suggested that this figure is the tight amount required for the financial operation of KKPHTCC Trust and leaves little room for error. However, donations or koha which are received at the door on open days are used for groceries, stationary and cleaning materials. Any other unexpected donations, such as from visiting schools or groups, are welcomed so as to ensure the KKPHTCC Trust financial situation is sound.

Operational and Project Funding

Identification

Over the course of the first half of the 2021 financial year, the following projects were begun:

- Re-curtaining of the Police House windows
- Professional cleaning of the interiors of the Police House and Temple Cottage buildings
- Widespread garden restoration and management
- Purchase of new shelving for the educational room book and toy displays
- Collection cleaning and garden restoration preparation

The above projects have been funded by means of a Waipa District Council (WDC) Discretionary Funding grant and a Kihikihi Lions Club donation.

The balance of WDC Discretionary Funding is earmarked to cover two further cleaning activities by the end of the 2021 financial year and further work to complete the garden restoration project. This fund remains subject to Accountability Reporting.

A WDC Grant of \$1000.00 for the 2020 Financial Year was received on 02/04/2020, a distance of 19 months since the prior Grant for the same amount. The effect shows an artificially buoyant picture at the beginning of the 2021 financial year and a poor picture for the 2020 financial year.

The Current Picture

The following chart shows revenue and expenditure to the near end of the 2021 Financial Year and presents a picture of the areas of expenditure which the Trust is committed to covering.

Actual Expenses 2021 Financial Year	2021 01/04/2020 02/03/2021	Actual Revenue 2021 Financial Year	2021 01/04/2020 02/03/2021
Electricity DD	530.30 (Op)	WDC Discretionary Fund (2019 year)	1000.00
Security Alarm DD	253.00 (Op)	Kihikihi Lions Club	700.00
Ventilation System	129.00 (Op)	WDC Discretionary Fund	700.00
Curtaining	616.68 (Project)	Refund	82.23
New Bookshelf	474.00 (Project)		
Gardening/Plants	279.58 (D Fund)		
Housekeeping	100.00 (D Fund)		
Advertising	28.75 (Op)		
Brochure Reprint	120.00 (Op)		
First Aid Supply	36.85 (Op)		
Operational Costs	1097.90	Actual revenue	1482.23
Discretionary Fund	379.58	Actual revenue from	1000.00
Projects	1090.68	2020 year	
TOTAL	2568.16		2482.23

- No public donations have been recorded
- No allowance has been made for catering and groceries

Summary

Opening Balance at 01/04/2020	1368.06
Actual revenue to 31/03/2021	1482.23
Out of date revenue	1000.00
<u>Total Balance</u>	<u>3850.29</u>

Operational expenditure to 30/09/2020	1097.90
Project expenditure to 30/09/2020	1090.68
Discretionary Fund	379.58
<u>Total Expenditure</u>	<u>2568.16</u>

Total Bank Balance at 03/03/2021 **1282.13**

- It is expected that a further sum of around \$80.00 will be required for Electricity and Security to the end of the 2021 Financial Year
- Project expenditure for the 2021 financial year is complete
- The WDC Discretionary Fund of \$700.00 has a credit balance of \$320.42 remaining for housekeeping and gardening
- KKPHTCC Trust Risk Management Policy requires \$1000.00 to remain in situ as a buffer fund, ongoing
- Anticipated funding to service operational and project costs going forward is \$2000.00
- An application to Trust Waikato for the sum of \$1000.00 to cover Security, Electricity and Ventilation for the 2021 year was submitted on 10/02/2021

- The opening bank balance for the 2021 financial year was \$1368.06. It is suggested that an annual grant, possibly from WDC Long Term Plan Community Services and Facilities Funding would enable the KKPHTCC Trust to achieve reliable financial planning.

THE SUBMISSION

The most critical expenditure managed by the KKPHTCC Trust committee, is related to the following issues and is ongoing in nature:

- **The prevention of intrusion and thereby the protection of the historic houses**
- **The preservation of the internal environment so as to protect the archival material contained within**
- **The development of projects which ensure that the presentation of the KKPHTCC Trust collections are maintained to a high standard and that these collections are consistently reviewed, secured and expanded.**

Projects are also required to ensure that the internal maintenance of the buildings is achieved in relation to cleaning, refurbishing of curtaining and furniture.

The appearance of the gardens has been enhanced as the result of restoration work achieved by means of the WDC Discretionary Fund 2021. The maintenance of the gardens is ongoing and would continue to be achieved under project planning.

The KKPHTCC Trust Financial Plan seeks to approach funding requests according to the above targets. As previously shown in the expenditure forecast for 2021 the following table illustrates funding applications to service the 2021, 2022 and 2033 financial years.

Expenses	2021	2022	2023	Funding Submission
Electricity Security Ventilation	\$1000.00			Trust Waikato application submitted 10/02/2021
Project Planning	\$1000.00	\$1000.00	\$1000.00	Waipa District Council Long Term Plan Community Services and Facilities Funding
Risk Management	\$1000.00	\$1000.00	\$1000.00	The KKPHTCC Trust Risk Management Policy requires \$1000.00 to remain in situ as a buffer fund, ongoing

It is hoped that this plan forecast will satisfy the funding submission to the WDC Long Term Plan Community Services and Facilities and will result in the fostering of the objectives of the KKPHTCC Trust.

TE AWAMUTU COMMUNITY BOARD REPORT



To: Members of the Te Awamutu Community Board
From: Angela Holt, Chairperson
Subject: **Chairperson's Report**
Meeting Date: 13 April 2021

1 LONG TERM PLAN 2021-2031

The community board met recently to discuss what we will be putting in our submission for the Long Term Plan 2021-2031. This is a very important document as it determines where Council will spend its money for the next 10 years.

We are proposing to include the following in our submission:

Pirongia – Ngā Roto – Te Awamutu Cycling Connection

The Te Awamutu Community Board certainly supports this initiative (Issue 1 in the consultation document) and agree that Option 2, off road alignment, via Macky Access, in the consultation document is the best option

Urban Mobility

We support the concept of urban mobility and to build dedicated cycleways and shared pathways in Te Awamutu and Kihikihi (Option 2 of Issue 2 in the consultation document). There is definitely an increase in mobility scooters being used around the towns and it would be great to see more wide pathways for all users. In the proposed routes we do have concerns about the dangerous nature of some of the intersections that have been chosen to be crossed, such as George and Arawata Streets and the Cambridge Road roundabout.

We do need to remember that Te Awamutu is a rural service town and many of our motor vehicles are rural residents who do not have an alternative form of transport other than their car, ute or truck. As such, we do not want our existing car parks to be removed by a cycling route.

Memorial Park

The Te Awamutu Community Board supports Option 2 of this issue in the consultation document, that council fund the development of this park, when possible, through the sale of assets.

Resource Recovery Centre

One of the key strategies of the Te Awamutu Community Board is to promote and encourage waste minimisation and it agrees that this initiative is a great step forward for the Waipa district. We support Option 3, that Council partner with a community organisation or group to develop a resource recovery centre.

Te Awamutu Town Entrance

This is one project the community board has been advocating for a number of years now. Our town entrances, in particular the Ohaupo Road entrance, are important visual indicators to both residents and visitors on how great this town is. At the moment, it is not a very good looking entrance.

Parking in Te Awamutu

The community board believes that there is still improvement to be made on educating locals on where we can all park in Te Awamutu.

There is still work to be completed in the George Street car park and the community board would like to see that the proposed works be allocated funding in the Long Term Plan.

Centennial Park

We support the allocation of funding for a bike skills and pump tracks in Centennial Park. We also believe that it is important in the planned improvements for this park, that pedestrian access over the railway bridge in Rewi Street be improved.

CCTV

The Te Awamutu Community Board supports the continued expansion of CCTV in Kihikihi. An upgrade of cameras throughout the current system that are fit for purpose to provide better coverage so vehicles and people can be clearly identified should also be included in the Long Term Plan.

Te Awamutu Stadium Public Toilets

Te Awamutu Stadium is home to Te Awamutu Athletics, the Te Awamutu Football Club and is used by numerous schools throughout the year. We encourage Waipa District Council to include an upgrade of the public toilets in the stadium in the Long Term Plan. I understand that the Te Awamutu Football Association will be submitting on this matter also.

Core Infrastructure Services

The Te Awamutu Community Board supports the proposed operating and capital expenditure of the core services of fresh water supply, waste water, storm water and transportation.

We would like to encourage council to consider road markings on Vaile and Arawata Streets to improve traffic speed and flow.

Other Key Services

We are supportive of the proposed expenditure on property, playgrounds (and are very excited to see Te Awamutu and Kihikihi will be getting new playgrounds), community facilities and maintaining our many parks and reserves.

The community board appreciates the effort that Council has put into finding the right balance for demand of services and keeping the rates down as much as possible.

2 RECOMMENDATION

That the Te Awamutu Community Board receive the information contained in the Chairperson's Report (Document 10584978) of Angela Holt, Chairperson.

That the Te Awamutu Community Board submit to the Long Term Plan 2021-2031 on the following topics, with the final details of the submission to be approved by the chairperson:

- a) Support the off-road alignment for the Pirongia – Ngā Roto – Te Awamutu cycling connection,*
- b) Support building dedicated cycleways and shared pathways in Te Awamutu and Kihikihi,*
- c) Support funding the development of Memorial Park,*
- d) Support that council partner with a community organisation or group to develop a resource recovery centre,*
- e) Advocate that the Te Awamutu town entrances be included in the Long Term Plan,*
- f) Support for the continued upgrade of the George Street car park,*
- g) Support allocation of funding to pursuits in Centennial Park, including improving the pedestrian crossing of the Rewi Street bridge,*
- h) Support the continued roll-out of CCTV in Kihikihi,*
- i) Upgrade of the public toilets in the Te Awamutu Stadium park, and*
- j) Support the proposed capital and operating expenditure of the core infrastructure and other key council services,*

A handwritten signature in blue ink that reads "Angela Holt".

Angela Holt
Chairperson



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Board Members Report from Meetings Attended on Behalf of the Te Awamutu Community Board**

Board members who have attended meetings on behalf of the Te Awamutu Community Board may give feedback to the Board. (Discussion item only, resolutions not appropriate.)

Sports Sector (Hurrell)
Environmental Sector (Hurrell)
Youth Sector (Taylor/Titchener)
Service Group Sector (Taylor/Titchener)
Music/Arts Sector (Derbyshire)
Aged Sector (Derbyshire)
Social Services Sector (Holt)
Council (O'Regan/Brown)



To: The Chairperson and Members of the Te Awamutu Community Board
From: Governance
Subject: **Next Meeting**
Meeting Date: 13 April 2021

The next Te Awamutu Community Board meeting is to be held at 6.00pm on Tuesday, 11 May 2021.