

Council Public Agenda 30 May 2023

Council Chambers
101 Bank Street
Te Awamutu



Chairperson
Her Worship the Mayor SC O'Regan

Members
AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MG Montgomerie, MJ Pettit, EM Stolwyk, CS St Pierre, BS Thomas, Vacancy

30 May 2023 09:00 AM

Agenda Topic	Presenter	Time	Page
Opening Karakia		09:00 AM-09:02 AM	
1. Her Worship the Mayor Opening Comments	Chairperson	09:02 AM-09:04 AM	3
2. Apologies	Chairperson	09:04 AM-09:05 AM	4
3. Disclosure of Members' Interests	Chairperson	09:05 AM-09:06 AM	5
4. Late Items	Chairperson	09:06 AM-09:07 AM	6
5. Confirmation of Order of Meeting	Chairperson	09:07 AM-09:08 AM	7
6. Confirmation of Minutes - 26 April 2023	Chairperson	09:08 AM-09:09 AM	8
6.1 Unconfirmed Open Minutes - 26 April 2023	Chairperson		9
7. Documents signed under Council Seal	Chairperson	09:09 AM-09:11 AM	15
8. Adoption of Fees and Charges 2023-24	Graham Pollard	09:11 AM-09:21 AM	16
9. Adoption of Standing Orders	Jo Gread	09:21 AM-09:36 AM	66
10. Elected Member Code of Conduct	Jo Gread	09:36 AM-09:51 AM	211
11. Civic Financial Services Ltd Notice of AGM and Annual Report 2022	Jolanda Hechter	09:51 AM-09:56 AM	286
12. Consultation on Potential Part Sale of 1262 Cambridge Road to Kainga Ora	Andrew Don	09:56 AM-10:26 AM	332

13.	Resolution to Exclude the Public	Chairperson	10:26 AM-10:27 AM	467
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COUNCIL AGENDA



OPENING COMMENTS FROM HER WORSHIP THE MAYOR

Her Worship the Mayor will provide opening comments.

COUNCIL AGENDA



APOLOGIES

COUNCIL AGENDA



DISCLOSURE OF MEMBERS' INTERESTS

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

COUNCIL AGENDA



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 the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full 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, agenda format and content.

COUNCIL AGENDA



CONFIRMATION OF ORDER OF MEETING

Recommendation

That Council confirms the order of the meeting.

COUNCIL AGENDA



To: Her Worship the Mayor and Councillors
From: Governance
Subject: **CONFIRMATION OF MINUTES**
Meeting Date: 30 May 2023

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson’s manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the open minutes of the Waipā District Council meeting held on 26 April 2023, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

3 ATTACHMENT - ĀPITITANGA

Council Minutes – 26 April 2023

COUNCIL MINUTES



Time: 9am
Date: Wednesday 26 April
Venue: Council Chambers, Waipā District Council
101 Bank Street, Te Awamutu

PRESENT

Chairperson

Her Worship the Mayor SC O'Regan

Members

AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MG Montgomerie, MJ Pettit, EM Stolwyk, CS St Pierre, BS Thomas, (Vacancy)

Opening Prayer – Garry Dyet

1 HER WORSHIP THE MAYOR OPENING COMMENTS

Mayor O'Regan acknowledged the work undertaken by the RSA, elected members, council staff and the community with regards to the ANZAC Day commemorations.

2 APOLOGIES

There were no apologies

3 DISCLOSURE OF MEMBERS' INTERESTS

None

4 LATE ITEMS

None

COUNCIL MINUTES



5 CONFIRMATION OF ORDER OF MEETING

RESOLVED

1/23/17

That Council confirm the order of the meeting.

Councillor Gordon / Councillor Coles

6 CONFIRMATION OF MINUTES

RESOLVED

1/23/18

That the open minutes of the Waipā District Council meeting held on 28 March 2023 having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

Mayor O'Regan / Councillor A Brown

7 DOCUMENTS SIGNED UNDER COUNCIL SEAL

Council policy and delegated authority provides for use of the Council seal prior to notification to Council in specified cases.

RESOLVED

1/23/19

That the following schedule of documents to which the Common Seal of the Waipā District Council has been applied under delegated authority be received:

a) *Warrants as set out below:*

Position for Warrant	Name of Staff
<i>Playground Assets Officer</i>	<i>William Goodwin</i>
<i>Senior Planner</i>	<i>Victoria Gorter</i>
<i>Graduate Planner</i>	<i>Jack Cooper</i>
<i>Intermediate Planner</i>	<i>Dominic Harris</i>
<i>Graduate Development Engineer</i>	<i>James Brott</i>

Councillor Pettit / Councillor Gower

COUNCIL MINUTES



8 APPOINTMENT OF MEMBERS TO THE FUTURE PROOF TRANSPORT SUB COMMITTEE

The purpose of this report was to appoint the Waipā District Council representative to the Future Proof Public Transport Sub Committee and to appoint one alternate to the membership, should the appointed member be absent.

An amendment was made to recommendation c) appoint Mayor Susan O'Regan to appoint Councillor Roger Gordon.

RESOLVED

1/23/20

That Council

- a) **RECEIVE** the report of David Totman Principal Policy Advisor 'Appointment of Members to the Future Proof Public Transport Sub Committee' (ECM Number 10990454);
- b) **APPOINT** Deputy Mayor Liz Stolwyk (as provided for in the Terms of Reference) to be Waipā District Council's representative on the Future Proof Public Transport Sub Committee; and
- c) **APPOINT** Councillor Roger Gordon to be an alternate for their membership.

Councillor Coles / Councillor Pettit

9 UPDATE TO THE FUTURE PROOF AGREEMENT AND TERMS OF REFERENCE

The purpose of this report was to seek Council approval of the updated Future Proof Implementation Committee Agreement and Terms of Reference.

RESOLVED

1/23/21

That Council

- a) **RECEIVE** the report of David Totman Principal Policy Advisor 'Update to Future Proof Agreement and Terms of Reference' (ECM Number 10990462);
- b) **APPROVE** the amended Future Proof Implementation Committee Agreement and Terms of Reference and agrees to execute the updated Agreement to give effect to the updated Terms of Reference.

COUNCIL MINUTES



Councillor Gower / Councillor A Brown

10 UPDATES TO COUNCIL DELEGATIONS APRIL 2023

The purpose of this report was to seek approval for some minor updates to Council delegations as a result of some minor team restructuring.

RESOLVED

1/23/22

That Council

- a) **RECEIVES** the information contained in the report titled 'Updates to Council Delegations April 2023' (document number 10995565) of Diana Aquilina, Legal Counsel;
- b) **DELEGATES** pursuant to section 34A of the Resource Management Act 1991 its functions, powers and duties as follows:
 - i. the new role of Senior Planning Technical Officer is delegated the same functions, powers and duties under the Resource Management Act 1991 as currently delegated to the role of Planning Technical Officer; and
 - ii. the new role of Senior Project Engineer is delegated the same functions, powers and duties under the Resource Management Act 1991 as currently delegated to the role of Project Engineer (Major Capital Works).
- c) **AGREES** for the Delegations Register to be updated accordingly.

Councillor St Pierre / Councillor L Brown

11 ADOPTION OF WAIKATO TRIENNIAL AGREEMENT

The purpose of this report was to present to Council the draft 2022-2025 Waikato Triennial Agreement (Triennial Agreement) for adoption.

RESOLVED

1/23/23

That Council

- a) *Receives the report of Jo Gread, Manager Governance titled Adoption of Waikato Triennial Agreement (ECM Number 10992933); and*
- b) *Adopts the Waikato Triennial Agreement 2022-2025 as included in Appendix 1 of this report (document number 10992950) as endorsed by the Mayoral Forum on 27 March 2023.*

COUNCIL MINUTES



Councillor Stolwyk / Councillor Thomas

12 RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED

1/23/24

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
13. Public Excluded Minutes – 28 February 2023 14. Property Sale Pirongia	Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:

Item No.	Section	Interest
13	Section 7(2)(i)	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
14	Section 7(2)(h)	To enable the council to carry out, without prejudice or disadvantage, commercial activities.



Councillor Gordon / Councillor L Brown

The meeting went into Public Excluded session at 9.21am
There being no further business the meeting closed at 9.31am

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON: _____

DATE: _____

COUNCIL AGENDA



To: Her Worship the Mayor and Councillors
From: Governance
Subject: **DOCUMENTS SIGNED UNDER COUNCIL SEAL**
Meeting Date: 30 May 2023

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Council policy and delegated authority provides for use of the Council seal prior to notification to Council in specified cases.

2 RECOMMENDATION– TŪTOHU Ā-KAIMAHI

That the following schedule of documents to which the Common Seal of the Waipā District Council has been applied under delegated authority be received:

a) *Warrants as set out below:*

Position for Warrant	Name of Staff
<i>Enforcement Officer (Contractor)</i>	<i>Callum McHugh</i>
<i>Senior Building Compliance Officer - Inspections</i>	<i>Riki Comins</i>
<i>Project Engineer – Project Delivery</i>	<i>Jean de Villiers</i>
<i>Project Engineer – Project Delivery</i>	<i>Richard Dahlenburg</i>
<i>Transportation Safety Officer</i>	<i>Marion Fleming</i>
<i>Trade Waste Officer</i>	<i>Ellise Ostem</i>
<i>Trade Waste Officer</i>	<i>Anna Coman</i>
<i>Trade Waste Officer</i>	<i>Christian Shouler</i>
<i>Trade Waste Officer</i>	<i>Kahla McAdam</i>
<i>Trade Waste Officer</i>	<i>Tainui Forrester</i>
<i>Trade Waste Officer</i>	<i>Sophie Cole</i>
<i>Planner Consents</i>	<i>Shweta Mahajan</i>
<i>Project Engineer – Water Services</i>	<i>Michael Huxtable</i>
<i>Animal Control Officer</i>	<i>Peter Crocker</i>

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Strategic Projects Driver
Subject: **Adoption of Fees and Charges 2023-24**
Meeting Date: 30 May 2023

1 PURPOSE - TAKE

The purpose of this report is to adopt the Schedule of Fees and Charges 2023-24.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Council's draft Schedule of Fees and Charges 2023-24 has completed the Special Consultative Procedure, resulting in 19 submissions and 30 submission points. These have been considered by the Strategic Planning and Policy Committee on 2 May 2023, which has recommended to Council that the draft Schedule be adopted, and for the fees and charges to commence on 1 July 2023.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) **RECEIVES** the report of Graham Pollard, Strategic Projects Driver titled 'Adoption of Fees and Charges 2023-24' (document number 11005409);
- b) **ADOPTS** pursuant to sections 12, 83 and 150 of the Local Government Act 2002, the proposed fees and charges for 2023/24 as set out in the document Waipā District Council Schedule of Fees and Charges 2023-24 (attached as Appendix 1 of this report, document number 10909936), to be effective from 1 July 2023;
- c) Council **RESOLVES** that the fees and charges in relation to Dog Control, be advertised in local papers in June 2023, pursuant to the Dog Control Act 1996.

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Fees and charges have been reviewed as part of the annual budget setting process. Council's Revenue and Financing Policy provides the rationale for the use of fees and charges as a funding source, based on the distribution of benefits arising from each activity.

A period of public consultation on all draft fees and charges was held from 13 March to 13 April 2023, and resulted in 19 submissions. The Strategic Planning and Policy Committee resolved on 2 May 2023 to accept the staff recommendations for all submissions, and resolved to recommend that Council adopts the draft Schedule of Fees and Charges.

There were minor amendments that have been made to the document since it was approved by Strategic Planning and Policy Committee on 2 May 2023, which are shown as track changes in the attached document. These are in the sections: 'Council Professional Fees', 'Resource Management fees and charges', and 'Wastewater connections'. The Graduate Policy Advisor role is to be charged at an hourly charge previously consulted on for other roles.

The amended draft Schedule of Fees and Charges 2023-24 is attached to this report as Appendix 1.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Each of the fees and charges amendments recommended by staff were assessed against Council's Significance and Engagement Policy (2021). Based on this assessment, some fees and charges warranted public consultation. However, all proposed fees and charges were made available for public consultation in March and April 2023.

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report now have a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Adoption	<ul style="list-style-type: none"> ▪ Fees and charges can be applied from 1 July 2023 ▪ Invoices for dog registration due on 1 July 2023 can be sent to registered dog owners in advance of 30 June 2023. ▪ Changes to fees and charges can be made within Council's internal financial system ready for application on 1 July 2023. ▪ Consent and permit applicants are able to make applications prior to any increases in fees and charges. 	<ul style="list-style-type: none"> ▪ N/A

Option	Advantages	Disadvantages
Option 2: Do nothing	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Revised, and new, fees and charges cannot be applied from 1 July 2023. Council revenues from current year fees and charges may be insufficient to fund some Council services.

The recommended option is Option 1. The reason for this is to enable revised fees and charges to be administered from 1 July 2023 for the 2023-24 financial year.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

Adoption of the draft Schedule of Fees and Charges 2023-24 will enable Council services to continue delivering their agreed levels of service to June 2024.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the adoption of the draft Schedule of Fees and Charges 2023-24 complies with Council’s legal and policy requirements. These include the Local Government Act 2002, Resource Management Act 1991, Food Act 2014, Dog Control Act 1996 and Council’s Revenue and Financing Policy 2021.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no further costs associated with adopting the draft Schedule of Fees and Charges 2023-24 other than making a copy available to each Council Customer Support Centre and Library.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

8 NEXT ACTIONS

Action	Responsibility	By When
Provide copies of the Schedules to Council Customer Support Centres and Libraries	Strategy	30 June 2023
Enter new fees and charges information into financial processes and IT systems	Finance	30 June 2023
Provide new dog registration invoices to all registered dog owners	Animal Control	30 June 2023

9 APPENDIX - ĀPITITANGA

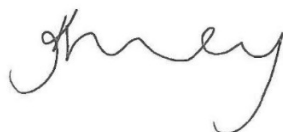
No:	Appendix Title
1	Waipā District Council Schedule of Fees and Charges 2023-24 (document number 10909936)



GRAHAM POLLARD
STRATEGIC PROJECTS DRIVER



Reviewed by Melissa Russo
MANAGER STRATEGY



Approved by Kirsty Downey
GROUP MANAGER STRATEGY

APPENDIX 1

Waipā District Council Schedule of Fees and Charges 2023-24 (*document number 10909936*)

DRAFT

Schedule of Fees and Charges 2023-2024

For adoption – 30 May 2023

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Notes:

- A. Fees become operative from 1 July 2023.
- B. All charges are stated inclusive of GST, unless noted.
- C. The purpose of each charge is to recover the actual and reasonable costs incurred by Council.
- D. Remission of fees and charges may be considered, in accordance with any specific legislation. Please refer to the specific fees and charges for any remission guidance.
- E. Fees and charges were adopted by resolutions of Waipā District Council on 30 May 2023. Development contributions were adopted by resolution of Waipā District Council on xxxx 2023.

Administration fees

Description	2023/24
Fee for issuing a refund for an overpayment in rates and/or user fees and charges	\$23.00
Printing / copying	
Scanning – per page	\$1.00 for first page, then \$0.50 for each additional page to a maximum charge of \$10.00
Single sided – per page A4 (black and white)	\$0.40
Double sided – A4 (black and white)	\$0.80
A4 – per page/side (colour)	\$1.00
Double sided (colour)	\$2.00
A3 – per page (black and white)	\$1.50
A3 - double sided (black and white)	\$1.50
A3 – per page (colour)	\$2.00
A3 - double sided (colour)	\$4.00
Fax	
New Zealand (sending or receiving) – per page	\$1.00
International (sending or receiving) – per page	\$4.00

Building control fees

	Project Category	Fees & charges 2023/24	
No mileage charged for these categories	1 Solid Fuel Heater	\$456.75	
	2 Minor Works (1 inspection hour) Plumbing or drainage – External Drainage only Insulation Garden shed (10m ² to 20m ²) Solar heating panels	\$503.50	
		Project Information Memorandum (PIM)	\$130.00
	3 Minor Building Work (1.5 inspection hours) Carports Demolition (any building size) Swimming pool/Spa pool fence only (swimming pool exempt under schedule 1) Decks/pergolas Shade-sails/archgolas Effluent tanks Fence/signage Retaining walls Marquee inspection (over 100m ² floor area)	\$798.50	
		Project Information Memorandum (PIM)	\$185.00

		Project Category	Fees & charges 2023/24
4		Other Buildings (2 inspection hours) Garages Hay barns Implement sheds Swimming pool/spa pool Conservatories	\$863.50
		Project Information Memorandum (PIM)	\$185.00
5		Detached habitable buildings – Up to 30m ² no plumbing or drainage, e.g. sleep out, office, studio. (2 inspection hours) Alterations and additions up to 30m ² – no plumbing or drainage Cowshed extensions	\$1,025.00
		Project Information Memorandum (PIM)	\$253.00
6		Detached habitable buildings Up to 30m ² with plumbing and drainage, e.g. sleep out with toilet and shower. (4 inspection hours) Alterations and additions up to 30m ² with plumbing or drainage	\$1,655.00
		Project Information Memorandum (PIM)	\$253.00
7		Alterations and additions up to 60m ² (5 inspection hours) Other new buildings up to 60m ² , e.g. industrial workshop, commercial office (excludes dwellings). <i>Note: for work over 60m², dwelling or commercial/industrial fees apply</i>	\$2,061.75
		Project Information Memorandum (PIM)	\$253.00
8		Dairy sheds (5 inspection hours)	\$2,155.00
		Project Information Memorandum (PIM)	\$253.00
9		Re-sited dwellings (6 Inspection hours)	\$2,601.50
		Project Information Memorandum (PIM)	\$350.00
10		Dwelling single storey – up to 100m ² (8 inspection hours)	\$3,138.00
		Project Information Memorandum (PIM)	\$350.00
11		Dwelling single storey – up to 250m ² (9 inspection hours)	\$3,588.00
		Project Information Memorandum (PIM)	\$350.00
12		Dwelling single storey – in excess of 250m ² (10 inspection hours)	\$4,038.00
		Project Information Memorandum (PIM)	\$350.00
13		Multi-unit dwelling single story - first unit as per fees above Plus per unit charge after 1 st unit	\$1170.00 + \$180 per Inspection charge
14		Dwelling two storey or more – up to 250m ² (10 inspection hours)	\$4,308.00
		Project Information Memorandum (PIM)	\$350.00
15		Dwelling two storey or more – in excess of 250m ² (11 inspection hours)	\$4,848.00
		Project Information Memorandum (PIM)	\$350.00
16		Multi-unit dwelling two story or more - first unit as per fees above Plus per unit charge after 1st unit	\$1440.00 + \$180 per Inspection charge

	Project Category	Fees & charges 2023/24
17	Small commercial/industrial – up to 300m ² (8 inspection hours)	\$3,948.00
	Project Information Memorandum (PIM)	\$470.00
18	Commercial/industrial – in excess of 300m ²	\$180.00 per hour
	Project Information Memorandum (PIM)	\$630.00
19	Transportable Build (Partnership fee)	\$2,030.00

Building consent

Description		Fees & charges 2023/24
BRANZ	For every consent with an estimated value of \$20,000 and over	\$1.00 per \$1,000
MBIE	For every consent with an estimated value of \$20,444 and over	\$1.75 per \$1,000
Hourly rate	Building Compliance Officer	\$180.00
Inspections	Additional inspections where client requests an inspection but project was not ready or inspection was not covered by the standard fee	\$180.00
Secondhand building	Inspection of secondhand building to be relocated in the District: Additional travel costs of \$0.83 per km apply to inspections outside the District	\$519.00
Travel costs	Applies to inspections in excess of 5km from the office where the consent was issued.	\$0.83 per km
Section 77	Certificate for construction over two or more allotments (Section 77 Building Act 2004)	\$260.00
	Internal process by council staff Council's solicitor to prepare notice	At Cost
Section 73	Notice when building on land subject to a natural hazard (Section 73 Building Act 2004)	\$260.00
	Internal process by council staff Council's solicitor to prepare notice	At Cost
Certificate of Acceptance	Applications for Certificate of Acceptance (Section 97 Building Act 2004). In addition to the fees that would have been payable had the owner or previous owner applied for a building consent before carrying out the building work.	\$180.00 per hour plus BC fees
Certificate for Public Use	Applications for Certificate for Public Use (Sections 363A and 363B Building Act 2004)	\$550.00
Certificate for Public Use (CPU) extension of time	Applications for Certificate for Public Use extensions (Sections 363A and 363B Building Act 2004)	\$180.00
Building Consent Exemption	Exemption from requirement to obtain a building consent under Schedule 1 clause 2	\$180.00 + officers hourly rate
Compliance Schedules	New compliance schedules (Section 111 Building Act 2004)	\$360.00
	Amendments to existing compliance schedule (Sections 106 and 107 Building Act 2004)	\$180.00

Description		Fees & charges 2023/24
BWOF	Building Warrant of Fitness (BWOF) audit inspections (Section 111 Building Act 2004)	\$180.00 per hour
Variations	Applications for variations to a Building Consent (Section 45 Building Act 2004)	\$150.00 + \$180.00 per hour processing time
Peer review	Peer review of specific designs by external agents, e.g. Structural Engineer, Fire Engineer, Lift Engineer, Mechanical Engineer	Cost plus 5% handling fee
Pool inspection	Inspection of existing swimming pool fence – includes inspection, registration and letter of compliance:	
	First inspection	\$108.00
	Subsequent inspections	\$60.00
Waivers or modifications	Applications for waivers or modifications in relation to means of restricting access to residential pools (Section 67A Building Act 2004)	\$780.00
Extension of time requests	Application to extend time for which a building consent is valid - Fee covers application only, processing time will be charged separately at the applicable hourly rate.	\$180.00
Amusement device permits	For one device, for the first 7 days	\$11.50
	For each additional device operated by the same owner for the first 7 days	\$2.30
	For each device for each further period of 7 days.	\$1.15
	Section 11 Amusement Device Regulations 1978. These fees are set by the Regulations	
Exemption to carry out seismic work	Process application for exemption from requirement to carry out seismic work on a building subject to an earthquake-prone building notice. (Section 133AN Building Act 2004)	\$519.00
Building Consent Checks	Check building consents for planning compliance under the Resource Management Act	\$100 fixed

Notes:

1. Fees are to be paid in full.
2. All references herein to Section and Schedule matters are to the Sections and Schedules of the Building Act 2004 unless otherwise specified.
3. Should any particular job significantly exceed the stated fee, an additional charge will be payable.
4. Where external expertise is necessary in processing building consents, the charge for those services will be passed onto the applicant.
5. This scale of fees does not include a structural checking fee.
6. Fees for project categories 1, 2 and 3 are to be paid in full on application. For all other categories paid on granting of consent.
7. Marquees over 100m² floor area require a building consent, and therefore require inspection. Marquees of less than 100m² floor area may be inspected at the erector's request; the same fee will apply.
- 7-8. Building consent exemptions can be applied for in respect of marquees that have been professionally erected.
- 8-9. Travel costs of \$0.83 per km will apply to categories 4 – 15, where the project is located in excess of 5kms from the nearest Council office.
- 9-10. Building Consent fees include the cost of the Code Compliance Certificate.
- 10-11. Project Information Memorandum fees are payable in full on application.
- 11-12. Council is required to collect fees on behalf of others:
 - a. **Building Research Association Levy**
 - i. For every building consent with an estimated value of \$20,000 and over, \$1.00 per \$1,000 is payable.

b. **Building Levy**

- i. For every building consent with an estimated value of \$20,444 and over, \$1.75 per \$1,000 is payable.

Cambridge council meeting room charges

Description	Fees & charges 2023/24	
	Profitable Organisation / Private Function	Non-Profit Organisation
Bond (payable when booking is outside business hours)	\$255.00	\$102.00
Removal/reinstatement of furniture by Council staff (optional)	\$102.00	\$102.00
Half day or less		
Whole facility	\$90.00	\$60.00
Committee room (per room)	\$45.00	\$30.00
Meeting room (per room)	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00
Full day – 8.00am to 5.00pm		
Whole facility	\$175.00	\$115.00
Committee room (per room)	\$80.00	\$50.00
Meeting room (per room)	\$70.00	\$40.00
Kitchen	\$50.00	\$20.00
Night – 5.00pm onwards		
Whole facility	\$90.00	\$60.00
Committee room (per room)	\$45.00	\$30.00
Meeting room (per room)	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00
Day and night – 8.00am to late at night		
Whole facility	\$220.00	\$132.00
Committee room (per room)	\$107.00	\$56.00
Meeting room (per room)	\$40.00	\$30.00
Kitchen	\$35.00	\$20.00
Weekend – Friday 5.00pm to Sunday 10.00pm		
Whole facility	\$325.00	\$215.00
Committee room (per room)	\$170.00	\$90.00
Meeting room (per room)	\$50.00	\$30.00
Kitchen	\$50.00	\$40.00
Security token (replacement or lost)		\$50.00
Furniture damage	Whole bond (minimum) or cost	
Extraction carpet clean		\$160.00
Damage to facility	Whole bond (minimum) or cost	
Call out fee for insecure building	\$170.00	\$170.00

Description	Fees & charges 2023/24	
	Profitable Organisation / Private Function	Non-Profit Organisation
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)	\$50.00	\$50.00

Cambridge Town Hall

Fees and charges for Cambridge Town Hall room hire are no longer set or administered by Waipā District Council. They are now the responsibility of the Cambridge Town Hall Trust.

External lighting of the Cambridge Town Hall façade and Cambridge Clock Tower remain the responsibility of Waipā District Council. The lighting of both can be changed as part of community events.

Description	Fees & charges 2023/24
Event lighting changes: Cambridge Town Hall façade only	\$250.00
Event lighting changes: Cambridge Clock Tower only	\$250.00
Event lighting changes: combined Town Hall façade and Clock Tower	\$500.00

Cemetery fees

Description	Fees & charges 2023/24
Interments	
All casket (Burial) interment	\$1,050.00
Stillborn	\$88.00
Children under nine	\$146.00
Ashes	\$116.00
After hours extra fees After 2:00pm Monday – Friday. After 12:00 noon Weekends / Public Holidays. Before 10.00am Monday or the day after a public holiday.	\$150.00 + any additional hours
<i>All interments in the Waipā District Council will be double depth (2.27m) unless stated</i>	
Disinterment/Reinterment	
Within 12 months	At cost
After 12 months	At cost
Ashes	At cost

Description	Fees & charges 2023/24
Reopening fee	At cost (+ Interment fees)
Plot purchase (including maintenance)	
Adult plots	\$2,109.00
Children's plots (aged under nine years)	\$554.00
Ashes <i>(This fee does not include a plaque – the plaque shall be supplied by the applicant and shall be of such dimensions to fit on a standard berm)</i>	\$500.00
RSA	No charge
Surcharge on reserved plots	\$167.00
Natural burial	
Natural burial plot	\$1,948.00
Out of district burials	
Add 50% to all costs for persons that have lived less than five years within Waipā District during their life time	
Memorial installation	
Permit processing fee	\$50.00

Council professional fees

Description	Fees & charges 2023/24
Manager (any)	\$245.00/hr
Team Leader (any)	\$230.00/hr
Principal Policy Advisor	
Consultant Engineer	
Senior Planner	\$216.00/hr
Senior Policy Advisor	
Senior Engineer	
Project Planner	
Biodiversity Planner/Ecologist	
Senior Building Compliance Officer	
Development Contributions Officer	
Intermediate Engineer	\$200.00/hr
Intermediate Planner	
Planner	\$194.00/hr
Policy Advisor	

Description	Fees & charges 2023/24
Reserves Planner	
Engineer	
Environmental Health Officer	
Building Compliance Officer	\$180.00/hr
Senior Enforcement Officer	\$156.00/hr
Property Advisor	
Graduate Planner	\$151.00/hr
<u>Graduate Policy Advisor</u>	
Duty Planner	
Graduate Engineer	
Technical Officer	
Monitoring and Enforcement Officer	
Governance Officer	\$105.00/hr
Administrative Officer	
Technical Administrative Officer	
Mileage	\$0.83/km
Disbursements	At cost as charged to Council by the provider

Development contribution fees

Description of service	Fees & charges 2023/24
Development Agreement preparation and negotiation	Actual staff time
Development Contribution pre-application estimates and advice	
Development contributions objections	All actual and reasonable costs in accordance with section 150A of the Local Government Act 2002

Notes:

1. Development contributions are not actual fees, but are contributions paid towards the costs of infrastructure development.
2. Development contribution summary table outlines the levy imposed per Household Equivalent Unit (HEU) by catchment (all costs include GST) and updated for 1st July 2023.
3. Stormwater for C1, C2 and C3 are treated as one catchment.

A NEW TABLE FOR 2023/24 HERE WHEN DEVELOPMENT CONTRIBUTIONS ARE AGREED IN JUNE 2023.

Funding Areas	Roading	Storm water	Water	Waste water	Community Infrastructure	Reserves	Total
Bond Rd	\$68	\$10,176	\$18,621	\$5,876	\$0	\$0	\$34,741
C1	\$24,898	\$27,406	\$5,524	\$8,219	\$130	\$7,005	\$73,182
C2	\$22,169	\$27,406	\$3,923	\$6,228	\$132	\$7,005	\$66,863
C3	\$22,169	\$27,406	\$3,923	\$6,228	\$130	\$7,005	\$66,861
C4	\$5,170	\$0	\$1,891	\$4,177	\$130	\$692	\$12,060
C6	\$5,170	\$0	\$1,891	\$0	\$130	\$692	\$7,883
Cambridge / Karāpiro	\$5,170	\$0	\$1,891	\$4,177	\$130	\$692	\$12,060
Cambridge North	\$5,789	\$24,065	\$4,144	\$10,099	\$130	\$4,365	\$48,592
Hautapu	\$5,777	\$30,017	\$5,898	\$8,640	\$0	\$3,420	\$53,752
Kihikihi	\$11,673	\$7,764	\$0	\$5,883	\$130	\$0	\$25,450
Ngāhinapōuri	\$21,429	\$0	\$0	\$0	\$130	\$0	\$21,559
Picquet Hill	\$19,949	\$42	\$7,854	\$11,533	\$130	\$456	\$39,964
Pirongia	\$68	\$0	\$6,765	\$0	\$130	\$0	\$6,963
Pukerimu	\$0	\$0	\$3,491	\$0	\$130	\$0	\$3,621
Rural	\$68	\$0	\$0	\$0	\$130	\$0	\$198
T1	\$2,307	\$0	\$8,271	\$6,137	\$130	\$5,080	\$21,925
T2	\$2,307	\$0	\$8,271	\$6,137	\$130	\$5,080	\$21,925
T3	\$71	\$3,184	\$11,586	\$5,883	\$130	\$456	\$21,310
T6	\$71	\$0	\$6,765	\$0	\$130	\$456	\$7,422
T7	\$68	\$0	\$6,765	\$5,883	\$130	\$456	\$13,302
T8	\$71	\$0	\$6,765	\$5,883	\$130	\$456	\$13,305
Te Awamutu	\$71	\$0	\$6,765	\$5,883	\$130	\$456	\$13,305

Dog registration and impounding fees

Description	Fees & charges 2023/24	
	Standard if paid by 31 July 2023	including 50% penalty if paid on or after 1 August 2023
Urban Fee (for full year):		
No rebates	\$92.00	\$138.00
Neutered Rebate (\$10.00)	\$82.00	\$123.00

Fencing Rebate (\$15.00)	\$77.00	\$115.50
Fencing and Neutered Rebates (\$25.00)	\$67.00	\$100.50
Rural Fee (for full year)	\$53.00	\$79.50
Out of District Fee (for impounded dogs only)	\$53.00	\$79.50

Notes:

1. Dog registration fees are due by 30 June 2023, and must be paid by 31 July 2023.
2. The above fees are prescribed and apply to all dogs over the age of 3 months.
3. A penalty will apply for late payment each year, from 1 August, the applicable fee will increase by 50% as provided for in the Dog Control Act 1996.
4. The penalty does not apply within 14 days of acquiring a dog, or within 14 days of the dog attaining three months of age.
5. No fee is payable in respect to certified assistance dogs provided re-registration is completed by the due date, after which the standard fees apply.
6. Registration fees for dogs re-homed by Council, or dogs in the care of any registered charity organisation approved by the Animal Control Team Leader for subsequent rehoming, may be waived.
7. Urban and rural areas for the purpose of dog registration fees are shown on Council maps and may be subject to adjustment.
8. A pro-rata rate will apply to any puppy aged less than 3 months after the penalty date, based on the number of complete months remaining in the registration year.
9. To receive the fencing rebate, an application must be made to Council prior to 1 April and the property must be inspected by an Animal Control Officer, and approved as suitable for the type of dog. Applications received after 1 April may be processed but rebate will not apply until the following registration year.
10. To receive the neutered dog rebate, a veterinary certificate must be provided at the time of, or prior to, registration.
11. Dogs classified as dangerous pursuant to the Dog Control Act 1996 will pay an additional 50% of the usual fee that would apply to that dog if it was not classified.
12. Any owner entitled to a refund of a registration fee may choose to donate that fee to Council for use in rehoming activities, or a welfare organisation approved by the Animal Control Team Leader.
13. Replacement registration tags are available for \$3.00 each.

Permits

14. A permit is required from Council if you own or are keeping more than:
 - a. Two dogs on any property in an urban area; or
 - b. Five dogs per dwelling on any property in a rural area in the District.
15. Urban/rural property for the purpose of permits is defined in the Dog Control Policy and are the same areas as used for determining registration fees, and are subject to adjustment.
16. The application fee for a new permit is \$65.00 and the permit, if approved, lasts for three years.
17. The application fee for renewal of an existing permit on the same property is \$30.00.
18. If more than one inspection is required prior to approval, a further fee of \$30.00 will apply per visit. Application forms are available from Council offices or application may be made online at www.waipādc.govt.nz

Definitions

19. "Property" means a property or a collection of properties under common occupancy or ownership, and in a single record of title.

Impounding fees for dogs

Description	Fees & charges 2023/24
Fee for seizure/custody or first impounding	\$75.00
Fee for each subsequent impounding within the current registration year	\$100.00

Fee for micro chipping	\$28.00
Sustenance (per day)	\$10.00
Sundry Items (when available)	
Slip Leads/Clip Leads - 3/8 inch width	\$18.00
Slip Leads/Clip Leads - ½ inch width	\$20.00
Doggy Doo Bags – x4 rolls (12 bags per roll)	\$3.00

Notes:

20. The destruction or disposal fee for any unwanted/unclaimed/surrendered/ impounded dog is \$55.00 plus applicable sustenance fees.
21. The owner of an impounded dog that is not claimed or signed over to Council remains liable for all impounding and sustenance fees irrespective of the fate of the dog.
22. Micro chipping is to be booked and paid in advance, and will occur at times and locations specified by Council. Other arrangements may incur additional fees.

Kerbside recycling service

Recycling bin

Description	Fees & charges 2023/24
240L Mixed Recycling Wheelie Bin	\$79.00 per bin
140L Glass Only Wheelie Bin	\$68.50
Partial charge for new rated properties	Full months of rating year remaining ÷ annual charge
Administration Fee (where the annual recycling rate is not levied)	\$33.50

Any replacement wheelie bins needed because of customer damage or loss will be charged at the fee indicated above.

Notes:

1. The cost of the bins are included in rates if they're paid by 1 July. Where a new property has been rated for the service after 1 July, they will be required to pay a partial charge for the recycling service. The partial charge is based on the remaining full months in the rateable year divided by the current annual kerbside recycling targeted rate.
2. In all other cases the bins will be charged at the fee indicated above.

Library fees

Description	Fees & charges 2023/24
Annual library subscription for non-resident patron (per family)	\$70.00 (plus item charges)
Monthly library subscription for non-resident patrons (per family) <i>Applies only to months when library services are used.</i>	\$6.00 (plus item charges)
Rest Homes/Private Hospitals annual subscription (<i>alternatively residents may opt to pay charges on each item borrowed</i>)	\$105.00

Description	Loan Period	Fees & charges 2023/24
New adult book fee – adult books up to 2 years old (determined by original copyright date)*	21 days	\$1.50
Adult books over 2 years old*	21 days	\$0.00
Magazines (excluding children’s and teens magazines) up to 1 year old	7 days	\$1.00
Magazines (excluding children’s and teens magazines) over 1 year old	7 days	\$0.50
Children’s and teenage books	21 days	No charge
Children’s and teenage magazines	7 days	No charge
Audio books (for non-print disabled patrons) <i>Print disabled patrons entitled to free use of audio books on presentation of suitable proof</i>	21 days	\$2.00
Jigsaw puzzles	21 days	\$1.00
Children’s jigsaw puzzles	21 days	\$0.50
DVDs	7 days	\$2.50
E-audio book fee	21 days	\$2.00
Renewals – same charge as original issuing of item		

Services	Fees & charges 2023/24
Replacement library card	\$3.00
Internal reserves (Waipā Libraries) – adult items	\$1.50
Internal reserves (Waipā Libraries) – children’s / teen items	\$1.00
Interloan requests (from other Libraries)	\$8.00 to \$25.00
Sale books	Prices as marked
Library bags	\$2.50
Internet access (public computers) – per 30 minutes or part thereof	\$0.00
Book covering service	\$5.00-\$10.00
Event costs	As advertised
Laminating – A4 – per page	\$2.00
Laminating – A3 – per page	\$4.00

Note:

1. For all photocopying / printing / scanning fees please refer to the “Administration fees” section.

Overdue charges	2023/24
Adult books (two days grace)	\$0.00
Magazines (one day grace)	\$0.00
Audio books (two days grace)	\$0.00
DVDs (one day grace)	\$0.00
Lost and/or damaged materials notice	Account for cost of items plus \$10.00 processing charge

Library community space (Te Awamutu)

Description	Fees & charges 2023/24	
	Commercial Use or Private Hire	Event or Community Use
Bond (payable when booking is outside business hours)	\$0.00	\$0.00
Deposit payable on booking	\$0.00	\$0.00
Community room and adjacent kitchen		
Full day hire (maximum 12 hour use)	\$325.00	\$175.00
Half day hire (maximum 4 hour use)	\$215.00	\$110.00
Sundry charges associated with use of complex		
Security token (replacement or lost)		\$50.00
Client preparation or pack down time before or after booking (if available)		\$18.00 per hour flat rate
Furniture damage	Whole bond (minimum) or cost	
Extraction carpet clean		\$160.00
Damage to facility	Whole bond (minimum) or cost	
Call out fee for insecure building		\$170.00
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)		\$50.00

Mapping/GIS charges

Map prints and photo maps

Existing Maps Printed By Council Staff – colour print	Paper Size	Fees & charges 2023/24
Includes: Street/Ward maps District maps Recycling/Refuse maps Non-aerial and aerial photo maps any custom map prepared by GIS staff	A4	\$1.00
	A3	\$2.00
	A2	\$10.00
	A1	\$17.50
	A0	\$30.00
Additional charge where labour is 30 minutes or more		\$78.00 per hour or part thereof
Maps for Emergency Services (Police, Fire & Ambulance), schools and students (using maps as part of their study): Maps Labour (30 minutes or more)		Free \$40.00 per hour or part thereof

Maps - Produced from INTRAMAPS – colour print	Paper Size	Fees & charges 2023/24
Any map produced directly from INTRAMAPS	A4	\$1.00
	A3	\$2.00

Unprocessed aerial photography digital data	Fees & charges 2023/24
High Resolution Aerial Imagery Tile (georeferenced TIFF)	\$68.00 each
Medium Resolution Aerial Imagery Tile (georeferenced TIFF)	
High Resolution Aerial Imagery for individual locations of Cambridge/Karapiro, Te Awamutu/Mystery Creek, Te Miro, Ohaupo, Pirongia, Waipā SE or Waipā West (georeferenced ECW)	\$135.00 each
High Resolution Aerial Imagery for complete Waipā District (georeferenced ECW)	Actual staff time
Any Aerial Imagery produced by GIS staff (georeferenced ECW, JPEG or TIFF)	\$78.00 per hour or part thereof
Collation of digital data and writing to media (no charge for organisations undertaking work on behalf of Council)	

Note:

1. All maps are available in either paper or digital formats. Digital format refers to Adobe PDF or JPEG images of the maps.

Mighty River Domain – Lake Karāpiro – Room Hire

Sir Don Rowlands Centre	Fees & charges 2023/24	
	Corporate or Private Function	Event or Community Use*
Booking deposit	Payable on request	
Bond	Payable on request	
Main Hall (includes car parking and Main Kitchen, if required)		
Full day hire (maximum 12 hour use)	\$1670.00	\$915.00
Main Kitchen (if Main Hall is not hired)		
Full day hire (maximum 12 hour use)	\$255.00	\$247.00
Half day hire (maximum 4 hour use)	\$190.00	\$185.00
Foyer and/or Servery (stand-alone hire)		
Full day hire (maximum 12 hour use)	\$170.00	\$117.00
Ground level Event/Conference Room (Waipā Room)		
Full day hire (maximum 12 hour use)	\$363.00	\$157.00
Half day hire (maximum 4 hour use)	\$133.00	\$92.00
First floor Event/Conference Room and adjacent kitchen (Karāpiro Room)		
Full day hire (maximum 12 hour use)	\$520.00	\$274.00

Sir Don Rowlands Centre	Fees & charges 2023/24	
	Corporate or Private Function	Event or Community Use*
Half day hire (maximum 4 hour use)	\$244.00	\$156.00
Kitchen – stand-alone hire (maximum 12 hour use)	\$173.00	
Te Manawa O Matariki Room		
Full day hire (maximum 12 hour use)	\$458.00	\$268.00
Half day hire (maximum 4 hour use)	\$239.00	\$143.00
Sundry charges associated with use of complex		
Access to facility for set up etc. prior to hireage period	By negotiation	
Staff assistance with event organisation/ venue set up	Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request	
Stage & Lectern hire	\$132.00	
Post hire clean-up (if required – per staff member per hour)	\$27.00	
Scissor Lift – equipment hire only (up to 6 hours use)	\$132.00	
Scissor Lift – operator hire (per hour, minimum 1 hour charge)	\$39.00	
Carpet deep clean (if required)	Full cost to be passed onto complex user	
Internet service during hire period	Full cost to be passed onto complex user	
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user	
Repair of damage to facility	Full cost to be passed onto complex user	
Security call out (if required)	Full cost to be passed onto complex user	
Replacement of key/access card	Full cost to be passed onto complex user	
Security staff attendance at function	Full cost to be passed onto complex user	

Perry Community Water Sports Centre, Home of the Cambridge Yacht Club	Fees & charges 2023/24	
	Corporate or Private Function	Event or Community Use*
Booking deposit	Payable on request	
Bond	Payable on request	
Full day hire (maximum 12 hour use)	\$394.00	\$196.00
Half day hire (maximum 4 hour use)	\$200.00	\$100.00
Sundry charges associated with use of complex		
Access to facility for set up etc. prior to hireage period	By negotiation	
Staff assistance with event organisation/venue set up	Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request	

Post hire clean-up (if required – per staff member per hour)	\$27.00
Internet service during hire period	Full cost to be passed onto complex user
Carpet deep clean (if required)	Full cost to be passed onto complex user
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user
Repair of damage to facility	Full cost to be passed onto complex user
Security call out (if required)	Full cost to be passed onto complex user
Replacement of key/access card	Full cost to be passed onto complex user
Security staff attendance at function	Full cost to be passed onto complex user

Notes:

1. Facility users are required to complete a hire contract prior to using the facility. Bookings are accepted and/or prioritised as stipulated in the 'hire protocols' for the site.
2. 'Event or Community Use' charges apply to event hosts who are using the site for an event and have hired one or more zones and not for profit community organisations that are based and operate in the Waipā District. Out of District not-for-profit community organisations may apply to receive 'Event or Community Use' hire rates. The merit of such applications will be considered on a case by case basis.

Museum fees (Te Awamutu)

Description	Fees & charges 2023/24
Minimum fee for public programmes	\$2.00
Self-research	No charge
Research Service time including searching, retrieval, reproduction, distribution and replacement material – no charge for the first 15 mins	\$25.00 per half hour
Charges additional to research time as above	
Digital images (per image) <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$10.00-\$40.00
Publication Fees (NZ Rights)	\$50.00-\$250.00 + \$20 per half hour for staff
Publication Fees (World Rights)	\$50.00-\$200.00 + \$20 per half hour for staff
Photographic prints <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$5.00 - \$40.00

Note:

1. For all other photocopying / printing / scanning fees please refer to the "Administration fees" section.

ELC (Fees set within MoE contract)

Description	Fees & charges 2023/24
Education Entry Rate for students	\$3.00 per student
Accompanying Adult for Education programme	No charge
Cancellation Fee – charged to the school if programme is cancelled less than 2 days prior to booking without just cause	\$20.00

Official Information Requests (LGOIMA)

In line with the Local Government and Official Information and Meetings Act 1987 (LGOIMA), Council is required to make available certain public or personal information which it holds.

The Act also makes provision for Council to make a charge for this information but the charge must be reasonable and is for the cost of labour and materials involved in making the information available. If the request is urgent then the Council may have to use additional resources to gather the information promptly and the Act permits Council to charge for these extra resources.

The Council will advise the applicant of the likely charges, if any, before it commences with the request and will give the applicant the opportunity to decide whether or not to proceed with the request. In such cases, the Council may require that the whole or part of the charge be paid in advance before commencing to process the request.

The following charges and procedures for the provision of official information are approved by Government and endorsed by the office of the Ombudsman.

Existing charges to remain

There are currently areas where access to official information is given free of charge or pursuant to an existing charging arrangement.

Fixing the amount of charge

The amount of charge will be determined by:

- Establishing whether or not the request is made by an identifiable natural person seeking access to any personal information about that person.
- Such requests are **not** subject to any charge.
- The aggregate amount of staff time exceeding one hour spent in actioning the request.
- This will include search and retrieval of information, the provision of transcripts and the supervision of access.
- The number of pages of A4 sized of foolscap photocopy to be provided exceeding 20.
- For any other cost, the amount actually incurred in responding to the request.
- This will cover the provision of copies of video, audio and film tapes, computer time or other situations where a direct charge is incurred.

Where repeated requests are made in respect of a common subject over intervals of up to eight weeks, the Council will aggregate these requests for charging purposes. This means that the second and subsequent requests will not be subject to half an hour of free time and 20 free standard A4 photocopies.

The charge should represent a reasonable fee for access given. It may include time spent:

- In searching an index to establish the location of the information.
- In locating (physically) and extracting the information from the place where it is held.
- In reading and reviewing the information.
- In supervising the access to the information.

The charge should **not** include any allowance for:

- Locating and retrieving information which is not where it ought to be; or
- Time spent deciding whether or not access should be allowed and in what form.

Where the free threshold is only exceeded by a small margin it is a matter of discretion whether any fee should be paid and, if so, how much.

Staff time

Time spent by staff searching for relevant material, abstracting and collating, copying, transcribing and supervising access where the total time is in **excess of one hour** should be charged out as follows:

- An initial charge of \$38.00 for the first chargeable half hour or part thereof; and
- Then \$38.00 for each additional half hour or part thereof.

The rate of charge applies irrespective of the seniority or grading of the officer who deals with the request.

Time spent in deciding whether or not to approve access and in what form should **not** be charged.

Photocopying

Photocopying on standard A4 or foolscap paper should be charged out as follows:

- No charge 0 to 20 pages.
- After the first 20 pages, printing costs will be charged as per the administration fees outline in this Schedule.

Actual costs

- All other charges incurred should be fixed at an amount, which recovers the actual costs involved.
- Producing a document by the use of a computer or other like equipment.
- Reproducing a film, video or audio recording.
- Arranging for the applicant to hear or view an audio or visual recording.
- Providing a copy of any map, plan or other document larger than A4 or foolscap size.

Remission of charges

The liability to pay any charge may be modified or waived at the discretion of the department or organisation receiving the request under delegated authority. Full or partial remissions may be considered. Any request for remissions must be made in writing and must include:

- the requester details
- the legal status of the requester (e.g. individual, incorporated society, company, charitable trust etc)
- the reasons for the request
- the amount of remission that is requested.

Such decisions should have regard to the circumstances of each request. However, it would be appropriate to consider inter alia:

- Whether payment might cause the applicant financial hardship.
- Whether remission or reduction of the charge would facilitate enhanced relations with the public or assist the Council or applicant organisation in its work.
- Whether remission or reduction of the charge would be in the public interest because it is likely to contribute significantly to public understanding or of effective participation in the operations or activities of local government, and the disclosure of the information is not primarily in the commercial or private interest of the requester.
- Whether the applicant has formal charitable status under the Charities Act 2005, or otherwise provides a recognised service to the community
- Is the use of the information, activity or service likely to make a significant contribution to operations and activities of local government?
- Is the use of information, activity or service likely to improve or enhance the understanding of the subject by the public at large as opposed to the individual understanding of the requester or a narrow segment of interested people?
- Is the information relating to the charge meaningful or informative about operations and activities of government that have a direct connection to the reason for the request?
- Is the information relating to the charge already in the public domain in either the same or similar form, which the requester could acquire without substantial cost?
- Is the public at large the primary beneficiary of the expenditure of public funds or is it the requester or a narrow segment of interested people?
- Are there elements of the charges that will have a public benefit and/or is there a public/private benefit split that could be attributed to the charges?
- Is the information, activity or service primarily in the commercial or private interest of the requester rather than the public interest? While it might appear on initial consideration that requests for information, for say, research purposes or to write a book or to have available in a library, might be considered in the 'public interest' and answer some of the criteria; this may not necessarily be so. There should still be reasonable evidence to show that the wider public benefit will accrue as a result of the research, or book or library depository. In the case of the media however, it can be

reasonably assumed that they do have access to means of public dissemination. Each request should be considered on a case-by-case basis in light of all relevant information.

Members of Parliament may be exempted from charge for official information provided for their own use. In exercising this discretion it would be appropriate whether remission of charges would be consistent with the need to provide more open access to official information for Members of Parliament in terms of the **reasonable** exercise of their democratic responsibilities.

Deposits

A deposit may be required where the charge is likely to exceed \$90.00 or where some assurance of payment is required to avoid waste of resources. A deposit may only be requested after a decision has been made to make the information available.

The applicant should be notified of the amount of deposit required, the method of calculating the charge and the likely final amount to be paid. Work on the request may be suspended pending receipt of the deposit.

The unused portion of any deposit should be refunded forthwith to the applicant together with a statement detailing how the balance was expended.

Review of decisions on charges

Section 27(1)(b) of the Official Information Act 1982 provides that the Ombudsman may investigate and review any decision on the charge to be paid in respect of a request for access to official information.

A record should be kept of all costs incurred. Wherever a liability to pay is incurred the applicant should be notified of the method of calculating the charge and this fact noted on the record.

Overweight permit fees

Description	Fees & charges 2023/24
Single Overweight Permit fee (5 day processing) - per application	\$140.00
Single Overweight Permit fee (24 hour processing) - per application	\$165.00
Overweight Permit fee (24 month period) - per application	\$235.00

Note:

1. Charged in accordance with the NZ Transport Agency Overweight Permit Manual.

Permits under Waipā District Public Places Bylaw 2018 and Alcohol Control Bylaw 2015

Mobile traders

Description	Fees & charges 2023/24
Fee - New application	\$160.00
Annual Permit fee	\$320.00
Site assessment fee	\$160.00
Temporary (up to three months)	\$320.00

Notes:

1. *Definition of **Mobile Trader** – means any person who in a public place (a) solicits for orders; or (b) offers, distributes, or sells any goods or services by foot or from any vehicle or stall or part thereof.*
2. *The annual permit fee is applicable to any individual or business issued with a permit to trade from a public place (new application or renewal). New applications will also incur the new application fee due to the extra administration involved.*
3. *The application fee is required to be paid at the time the application is submitted. The authorised council officer has discretion to determine if a full refund or partial refund is applicable in the event that the application is declined.*
4. *The site assessment fee is charged by actual staff time. It applies to assessment of requested trading sites for new permit applications or inquiries (annual or temporary) and for changes to existing permit locations.*
5. *The above fees only cover permission to trade from a public place. Traders applying to sell food and beverages may also require a food registration permit under the Food Hygiene Regulations 1974 (see Registration of Premises section).*
6. *Organisers of markets or large events may, under the bylaw, apply for a single permit to cover all participating mobile traders. All participating traders must be listed on the permit and must adhere to the terms and conditions of that permit. Participating traders are not required to hold individual mobile trading permits in addition to the event permit.*

Café tables and chairs and displays of goods for sale

Description	Fees & charges 2023/24
Fee – new permit application	\$257.00
Annual fee – permit renewal	\$85.00
Annual occupation fee – per 1m ² occupied	\$23.00

Notes:

1. *Schedule 1 of the Waipā District Public Places Bylaw 2018 applies to café tables and chairs.*
2. *Clause 17 and Schedule 1 of the Waipā District Public Places Bylaw 2018 applies to displays of goods for sale.*

Signs in public places

Description	Fees & charges 2023/24
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Fee – new permit application	\$257.00
Annual fee – permit renewal	\$85.00

Notes:

3. Clause 12 and Schedules 1 and 2 of the Waipā District Public Places Bylaw 2018 apply to the installation and display of signs.
4. These fees may apply to any permit issued for the display of signs in public places, including signs advertising businesses or events, Clause 10.1 of the Public Places Bylaw 2018.
5. A temporary sign is defined as a sign displayed for no more than eight weeks in any 12-month period for the purpose of advertising or giving direction to community, cultural, sports or other similar events.
6. Temporary signs complying with all relevant guidelines, standards, controls, policies and codes of practice, set by resolution of Council, may be approved by an authorised officer, without the requirement for a permit.

Dispensations under Waipā Public Places Alcohol Control Bylaw 2015

Description	Fees & charges 2023/24
Charge for dispensations	\$85.00

Property file information

Description	Fees & charges 2023/24
Simple property file (in electronic media form)	\$30.00
Property file viewed at counter	\$30.00
Complex property file (in electronic media form) e.g. business or industrial establishment	\$60.00
Material cost e.g. USB	\$27.00
Postage of e-link e.g. USB to NZ address	\$5.00
Property file administration e.g. scanning, printing, postage etc	Charges may apply as per the Local Government Official Information and Meetings Act 1987 section earlier in this schedule

Property and lease charges

Description	Fees & charges 2023/24
Lease and License charges	
Annual administration fee for Community Leases	\$357.00
Renewal of Commercial Lease/s Council owned land	\$306.00

Description	Fees & charges 2023/24
	administrative charge plus reimbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
New Lease/assignment or licence to occupy Council land	\$612.00 administrative charge plus reimbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
Charges related to temporary occupation of Reserve Land (including Road Reserve)	
Commercial use	\$255.00 per day (12 hours maximum) or \$125.00 per half day (4 hours maximum) plus \$550.00 deposit (refundable if reserve left undamaged)
Community group	No charge
Property services	
First ½ hour spent on enquiry/request	No charge
Subsequent time spent on enquiry	Minimum charge of \$76.50 per ½ hour (\$153.00 per hour). Actual and reasonable costs will be calculated on a case by case basis and reimbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)

Registration of Premises (Food/Health)

Food Act 2014 – Food Control Plans and National Programmes

Description	Fees & charges 2023/24
Fees applicable to all registration types	
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based in the Waipā District.	\$168.00 per hour plus \$0.83 per km
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based outside the Waipā District.	\$224.00 per hour plus \$0.83 per km
Cancellation of scheduled verification within 24 hours or key personnel not available for the verification	\$168.00
Fees applicable to Food Control Plans	
Application for registration of template Food Control Plan	\$418.00 plus hourly rate after the first hour

Description	Fees & charges 2023/24
Application for renewal of registration of template Food Control Plan	\$326.00 plus hourly rate after the first hour
Application for a significant amendment [section 45(3)]of registration of template Food Control Plan, or move from Food Control Plan to National Programme during registration year	\$168.00 plus hourly rate after the first hour
Application for a minor amendment [section 45(2)]of registration of template Food Control Plan,	\$76.00 plus hourly rate after the first hour
Voluntary suspension of food control plan	\$87.00 plus hourly rate after the first hour
Fees applicable to National Programs	
Application for registration of National Program	\$418.00 plus hourly rate after the first hour
Application for renewal of registration of National Program	\$326.00 plus hourly rate after the first hour
Application for significant amendment [Section 81]of registration of National Program or move from National Program to Food Control Plan during the registration year.	\$168.00 plus hourly rate after the first hour
Voluntary suspension of National Program	\$88.00 plus hourly rate after the first hour
Issue of improvement notice, or review of an improvement notice	\$168.00 plus hourly rate after the first hour
Exercising any power referenced by and for the purposes expressed in Section 298 of the Act (except for Sections 302 and 303), which results in a sanction(s) being imposed by the Food Safety Officer or some form of corrective action being required of the operator.	\$168.00 plus hourly rate after the first hour
Application for statement of compliance	\$168.00 plus hourly rate after the first hour
Copies of Food Control Plan folder and documents	\$30.00

Temporary food premises in Waipā District

Holders of Food Control Plans (FCP) or National Programs (NP) registered with their home authority will be permitted to trade at events or locations in the Waipā District provided the mobile / off site retail activity is included in that FCP/NP. Any tasks related to these will be charged as per Food Act 2014 fees above. Such traders will require separate Public Places Bylaw approval where appropriate.

Registrations under Health Act 1956

Description	Fees & charges 2023/24
Offensive trades (Health Act 1956)	\$144.00
Camping grounds(Camping Ground Regulations 1985)	\$144.00

Description	Fees & charges 2023/24
Hairdressers (Health (Hairdressers) Regulations 1980)	\$144.00
Funeral Directors/Mortuaries (Health (Burial) Regulations 1946)	\$144.00
Change of occupier/owner – All registration groups	\$85.00
Replacements or copies of certificates	\$50.00

Sale and Supply of Alcohol Act 2012

Description	Fees & charges 2023/24
Request for excerpts of sale of alcohol database (section 66(2))	\$50.00 as per regulation
Applications for waiver pursuant to section 208 of the Act	\$50.00

Other fees and charges

Description	Fees & charges 2023/24
Pre-purchase inspections and/or reports	\$168.00 per hour plus \$0.83 per km
Pre-application meetings and consultation (food or sale of alcohol)	\$168.00 per hour
General inspection fee where not stated above (e.g. swimming pools, housing)	\$168.00 per hour plus \$0.83 per km
Information requests other than the above	As per official information request charges
Replacements or copies of certificates (Food, Health, Alcohol etc)	\$50.00

Regulatory – Other fees and charges

Type	Description	Fees & charges 2023/24
Land Information Memorandum (LIM) pursuant to LGOIMA		
Urgent (5 working days) Properties Zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$485.00
Non Urgent (10 working days) Properties zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$336.00
All other Zones in District Plan not listed above	Prepare and issue LIM	\$430.00
Overseas Investment Certificates		

Type	Description	Fees & charges 2023/24
	For determining and issuing	\$320.00
Section 348 – Right of Way (ROW)		
Application for ROW under LGA 1974	Processing ROW application	\$715.00
Sale and Supply of Alcohol Act		
Section 100(f) certificates certifying that the proposed use of the premises meets the requirements of the RMA	Existing premises	\$163.00
	New or altered premises	\$255.00
Advertising of alcohol licence applications on Council's website		\$134.00
Alcohol Licence hearing costs not associated with the application itself (e.g. translation services etc) will be charged at actual cost.		
Hazardous activities and industries list determinations (HAIL)		
For supplying specific information to determine if a potentially contaminating activity has occurred on a property		\$82.00
Record of Title search		
For searching for Records of Title through Land Information New Zealand (LINZ)		\$20.00

Resource management fees and charges

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
General		
Pre application	Pre application meeting	Actual staff time except for the first half hour of the first meeting, which will not be charged
Pre-hearing meeting	For any meeting or mediation held (s99)	Actual staff time
Joint subdivision and landuse	For any joint application <i>Note – for joint applications, this is the only deposit that applies.</i>	\$5,100.00
Limited notified consent (land use and subdivision)	Any resource consent that requires limited notification	\$7,300.00
Notified consent (land use and subdivision)	Any resource consent that requires public notification	\$11,800.00
Landuse Consents		
Non-notified	All landuse consents, except as otherwise provided below	\$2,550.00

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
	Resource consents for a Controlled or Restricted Discretionary Activity with non compliance with <u>one</u> bulk and location rule only <i>Note: if you are unsure whether this deposit is applicable, please discuss with a member of the Planning team before submitting your application.</i>	\$1,225.00
	Non Complying (excludes road boundary setbacks which will require the standard \$2,500 \$2,550.00 deposit)	\$3,570.00
	Cultural Landscape area	F
	Character Precinct	\$1,225.00
	Protected Trees <i>Note: a remission up to the full cost of the fixed fee, including the cost of an arborist assessment, will apply where the maintenance of a protected tree is assessed by a qualified arborist as being necessary for safety reasons, or to maintain the health of the tree</i>	F \$900.00
Resource consent exemptions (Section 87 (B)(a) and Section 87 (B) (b) notices)	Boundary Activities	F \$305.00
	Marginal or Temporary rule breaches	\$640.00
Subdivision consents		
Non-notified	≤ 9 lots, where no road/reserves proposed	\$3,980.00
	≤ 9 lots, where roads and/or reserves are proposed	\$5,100.00
	≥ 10 lots, (including roads and reserves)	\$9,000.00
	Non Complying Activities	\$4,600.00
Subdivision processes (post approval)		
Section 221	Consent Notice - preparation, authorization, change or cancellation	\$305.00
Section 223 certification	For subdivisions ≤ 2 lots	F \$305.00
Section 223 certification	For subdivisions ≥ 3 lots	F \$640.00
Section 224C certification	All subdivisions	\$340.00 +actual staff time
Section 226	Restriction upon issue of record of title	\$510.00
Section 241	Cancellation/partial cancellation of amalgamation condition	\$510.00
Section 243	Easement approval or revocation	\$510.00
Subdivision miscellaneous		

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
Engineering	For inspections of any works for conditions, including checking engineering plans and any amendments	Actual staff time
	RAMM Collection (minimum of 2km carriageway)	\$835.00 per day
Technical costs	CCTV data uploaded to Reticulation Manager (minimum 100 metres)	Minimum \$245.00 plus \$2.45 per lineal metre
Cross lease	Amendments to flats plan	\$640.00
Urgent signing fee for subdivision post approval processes	To sign any documentation within a 24 hour period <i>Note: This does not guarantee urgent signing will be possible, refer to notes below for further information.</i>	\$100.00
	Asset collection, ≤ 9 lots	\$2,170.00
	Asset collection, ≥ 10 lots	\$4,180.00
Other resource management activities		
Section 125/126	Applications for extensions of consent periods	\$870.00
Section 127	Change or cancellation of a condition/s of consent (non-notified only)	\$1,630.00
Section 128 - 132	Review of consent conditions (non-notified only)	\$870.00
Section 134	Transfer of holder's interest in a consent	F \$200.00
Section 138	Application to surrender resource consent	\$670.00
Section 139	Application for certificate of compliance	\$2,360.00
Section 139A	Existing use right determination	\$2,360.00
Section 357	Objections pursuant to section 357(A) or (B) of RMA <i>Note: Not invoiced if objection upheld in full. A part charge may be made if the objection is upheld in part.</i>	\$510.00
National Environmental Standards	Confirmation of compliance with National Environmental Standards	Actual staff time
Other	Any application pursuant to the RMA not listed elsewhere	\$1,615.00
Designations		
Public or Limited notified	Notice of Requirement for designation	\$11,200.00
Non-notified	Notice of Requirement for designation	\$5,900.00
Section 176	Application for outline plan	\$815.00
Section 176A(2)	Waiver of requirement for outline plan	\$185.00

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
Sections 177, 178	Request to the Requiring Authority responsible for an earlier designation Application to do anything which would prevent or hinder the public work or project	\$660.00
Section 180	Transfer of rights and responsibilities for designations	\$1,120.00
Sections 181, 182	Requirement for alteration or removal/partial removal of a designation	\$1,735.00
Section 184/184A	Application to determine designation lapsing	\$3,370.00
Heritage Orders		
Sections 189/189A, 196, 177	Requirement for Heritage Order Requirement for removal of Heritage Order Request to Requiring Authority responsible for the earlier heritage order	\$1,600.00
Private Plan Change application to amend the District Plan		
1 st Schedule	Processing, considering and determining a private plan change application	\$59,600.00
Compliance and monitoring		
General	Administration, review, correspondence	Actual staff time
Inspections (excluding engineering)	To monitor progress with giving effect to any resource consent, and compliance with consent conditions	\$160.00 per inspection
Monitoring permitted activities <i>(National Environmental Standard for Freshwater 2020 - councils may charge for monitoring of permitted activities including land uses relating to farm activities, vegetation clearance and earthworks).</i>	Monitoring costs relating to permitted activities, if recovery of costs is authorised under any under National Environmental Standard, National Policy Statement, national direction, or other regulation	\$160.00 per inspection
Engineering	For any inspection required	Actual staff time
Miscellaneous charges		
Legal instruments	Search for easement documents, covenants, encumbrances or any other document registered on Records of Title	Actual staff time + LINZ costs
Affixing Council's seal/ authorising document	For administration costs incurred in affixing Council's seal and/or signature to any document where a charge is not otherwise listed	\$180.00
Variation/cancellations	Variation or cancellation of any legal instrument not otherwise listed	\$480.00
Public notice	Costs associated with public notices	Actual staff time + advertisement fees
Signs	Affixing signs on site	\$35.00 per sign

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
Delegated approvals	Staff decision on application, acting under delegated authority	\$115.00
Bonds	Preparation, release and signing of any bond (excluding engineering)	\$320.00
	Preparation, release and signing of any bond - Engineering (roading and servicing works)	\$430.00
	Partial Bond release	Actual staff time
Consultants	The applicant will reimburse Council for any fees paid by Council to any Consultants	Actual consultant costs + actual costs
Noise control	Application fee for the consideration of the return of equipment seized under RMA	F \$160.00
	Costs incurred in rendering noise source inoperable (e.g. removing vehicles, disabling alarms etc)	Actual costs
Hearings		
Attendance – Council Staff or Consultant	A charge will be made for the costs of all staff and/or consultants required to attend a hearing	Actual staff/consultant time
Attendance – Commissioner / Regulatory Committee Members / Hearing Panel members	A charge will be made for the costs of all Commissioners, Committee or Hearing Panel members required to attend a hearing	Actual costs
Postponement/withdrawal or cancellation	If applicant fails to give a minimum of 5 working days written notice of a request for cancellation, withdrawal or postponement of a scheduled hearing	Actual costs
Venue	Hiring a venue for hearing	Actual costs
Request for information and supply of resource management documents		
Providing general advice	Providing advice and considering proposed applications <i>May include, but is not limited to: administration costs, research, meetings (including pre-lodgement), written correspondence.</i>	Actual staff time except for the first half hour of the first meeting, which will not be charged
Providing information	Any request to provide information in respect of the District Plan or any consent	Actual staff time
Providing copies	For the copying of information relating to consents and Council's resource management functions under Section 35 of the RMA, and the supply of any document	Actual staff time + photocopying charges
Waipā District Plan	Full printed copy of text	\$200.00
	Planning maps	\$150.00
	Provided on CD or USB drive (text, planning maps)	\$10.00

Type	Description	Fees & charges 2023/24 "F" are fixed charges, all others are deposits
Hazardous Activities and Industries List (HAIL) determinations		
Investigation fee		\$155.00

Application for Public Benefit Remission of Resource Management Act Charges

Council is able to recover actual and reasonable charges under the Resource Management Act 1991. Resource Consent applicants occasionally seek a remission or reduction in resource consent fees on the basis of public benefit. Applicants also have the ability to formally object to additional resource management charges under section 357B of the Resource Management Act.

Applications for public benefit remission of resource consent fees and charges (other than formal objections to additional charges under s357B of the Resource Management Act) will be considered as follows. Applications which do not relate to a public benefit will not be considered.

- a. The application for public benefit remission must be in writing, and be submitted either on a form provided by council, or must include the following information:
 - a. Applicant's contact details
 - b. The legal Status of the applicant.
 - c. The amount of remission being sought (in full or in part).
 - d. The reasons for the remission.
- b. Applications which are in accordance with the requirements above will be assessed based on the following criteria:
 - a. Will the proposal result in a clear public benefit, whether entirely or in part?
 - b. If there is a clear public benefit, what apportionment of this could be reasonably applied to the proposal?
 - c. Is the applicant a charitable trust, incorporated community group, or otherwise delivering a public benefit?
 - d. Is there any impact on Council's budgeted operational costs of remitting all or part of the charge?
- c. The decision whether to accept an application for a remission in part, or in full, will be made under the relevant delegated authority.

Notes:

1. *These fees and charges become Operative on 1 July 2023 and will apply for all work carried out and decisions issued on or after 1 July 2023 irrespective of when the application was lodged with Council.*
2. *Where an "F" is noted in the charges column, this means the fee is a fixed rate, and no additional charges will be made for that activity. Where there is no such notation, the charge is a deposit only and actual staff time (plus mileage where relevant) incurred over and above the deposit will be charged.*
3. *The fixed charge ("F") for non-notified land use consents will only apply when there is no other matter of non-compliance with the District Plan, where other rules are breached, the full deposit will apply.*
4. *"Consultant" includes any Commissioners, consultants, advisers, solicitors and any other creditors related to any matter connected with a resource consent or certificate application.*
5. *Where "actual staff time" is noted, this:*
 - (a) *Will include a charge for any mileage incurred as a result of any inspections required; and*
 - (b) *Includes any consultant engaged by Council; and*
 - (c) *For the avoidance of doubt, "actual costs" also includes "actual staff time".*

6. Where legal fees are incurred by Council for the registration of any documents required due to any process, the actual legal costs will be charged in full (i.e. for registration of consent notices, bonds, easement cancellations etc.).
7. For the avoidance of doubt, any application which requires either limited or public notification, will be charged the limited or public notification fee, as applicable (regardless of the type of consent, or the section of the RMA the application is made under).
8. Urgent signing fee: When a request is made to sign documentation urgently for subdivision processes (post subdivision consent approval), an additional charge will be made. A request will be considered urgent if the return of the signed document is sought within a 24 hour period. Note: This does not guarantee documents will be able to be signed urgently. An Authorised Officer must be available to sign documentation, and may not always be available. Please check with Council's Planning administration team prior to any request.

Fixed charges

9. The charges set out in the Schedule are charges which are fixed pursuant to Section 36 of the Resource Management Act 1991 (RMA).
10. All fixed charges are payable in full in advance. Pursuant to Section 36AAB(2) of the RMA, Council will not perform the action or commence processing the application to which the charge relates until it has been so paid.
11. Documentation or certificates will not be issued until payment of charges have been cleared.

Additional charges

12. Where a fixed charge is in any particular case inadequate to enable Council to recover its actual and reasonable costs in respect of the matter concerned, Council will require the applicant to pay a deposit, followed by an additional charge to cover actual and reasonable costs.
13. The following may also be included as additional charges:
 - (a) If it is necessary for the services of a consultant to be engaged by Council (including their attendance at any hearing or meeting) then the consultant's fees will be charged in full to the applicant as an additional charge;
 - (b) If any legal fees are incurred by Council in relation to legal advice obtained for any particular application, including any fees incurred if Council's solicitor is required to be present at any hearing, mediations or meetings, these fees will be charged in full to the applicant as an additional charge; and
 - (c) If any Commissioner hearing fees and associated costs are incurred in considering and determining any particular application, these fees will be charged in full to the applicant as an additional charge.

Charge-out rates for Council officers and mileage

14. Charge-out rates for Council officers are set out in this Schedule and:
 - (a) Are fixed charges;
 - (b) If reference is made in the schedule to actual staff time, it will be charged in accordance with the relevant hourly charge-out rates;
 - (c) The charge-out rates for Council officers and for mileage will apply to all matters listed in the Schedule so that:
 - i. if the fixed charge which has been paid in advance is greater by more than \$20.00 than the actual and reasonable costs incurred by Council relating to that application, a refund will be given when those costs are finally assessed; and
 - ii. if the actual and reasonable costs incurred by Council relating to that application are inadequate to enable Council to recover its actual and reasonable costs then additional charges calculated for staff time at the same rate will be payable (as well as any other items of additional charge which may have been incurred).

Additional fixed fees

15. At any time after the receipt of an application and before a decision has been made Council may fix a fee pursuant to Section 36(1) of the RMA which is in excess of the fixed charge set out in this schedule. In that event:
 - (a) Council may require that no further action will be taken in connection with the application until that fixed fee is paid in accordance with Section 36AAB(2) of the RMA; and
 - (b) May also, pursuant to Section 36(5) of the RMA make additional charges.

Remission of fees

16. Staff with delegated authority may consider a reduction in any charge, on application to the Council. Any remissions will be in accordance with Section 36AAB(1) of the RMA.

Rural Address Property Identification System number plates

Description	Fees & charges 2023/24
Application for new rapid number (includes plate)	\$84.00
Supply (only) number plate	\$20.00 per plate

Stock droving and crossings

Description	Fees & charges 2023/24
Application for permit	\$405.00
Re-inspection fee	\$210.00

Notes:

1. Permit for stock droving on a road must be in accordance with Waipā District Public Places Bylaw 2018.
2. Stock crossings are dedicated positions along a road where stock is moved from one side of the road reserve to the other.
3. All stock crossings must be installed in accordance with the Waipā District Public Places Bylaw 2018 and any other conditions set.

Stock impound fees

First impounding

Description	Fees & charges 2023/24	
	First animal	Per animal thereafter
Horses, cattle, mules, asses, deer and pigs	\$69.00 plus transport costs	\$24.00
Sheep, goats and others	\$69.00 plus transport costs	\$24.00
Subsequent impounding within the same financial year involving animals owned by the same person or organisation	Number of impoundings x relevant fee	
Additional after-hours fee (5pm to 8am, weekends and statutory holidays)	\$71.00	

Driving charges

Responding to complaints, driving stock from road to pound or owner's property or other place.

\$163.00 per hour per officer and mileage at \$0.83 per km local government rate for Animal Control Officer/Ranger's time plus any other reasonable costs incurred.

Grazing per day

Description	Fees & charges 2023/24
Horses, cattle, mules, ass, deer and pigs	\$8.00
Sheep, goats and others (plus costs of any hard feeds, i.e. hay, grain)	\$2.00

All other costs incurred as the result of impoundment are payable by the owner on release of the animal/s. Such costs may include cartage, droving, advertising, feed, veterinary attention, etc.

Stormwater connections

Stormwater connection approval and inspection fee

Description	Fees & charges 2023/24
Domestic standard connection (100mm diameter)	
Stormwater application	\$380.00
Stormwater inspection	\$360.00
Manhole reconstruction	\$520.00

Notes:

1. All new stormwater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.
2. The application fee is for processing the application and is non-refundable.
3. The inspection fee would be refundable if the application is unsuccessful.
4. An inspection fee of \$353.00 also applies to every subsequent inspection until the connection is accepted as complete.
5. The above fees may apply to each:
 - a) Dwelling; or
 - b) Separate building; or
 - c) Paved area in excess of 250m² (or part thereof) catchment area.
6. A single domestic connection fee will be accepted after an approved retention system is constructed. All other connections will be separately quoted.
7. All connections must be installed by a registered Drain Layer.

Structures on the road reserve

Description	Fees & charges 2023/24
Erect a structure on road reserve	
Application for permit to erect structure	\$665.00
Annual safety inspection of structure (per annum) if required as condition of permit.	\$405.00
Erection of temporary fence on road reserve for stock grazing	
Application for permit	\$405.00

Notes:

1. The above fees apply for applications to construct private structures located on or under roads on the Waipā District Roading Network. Examples could include: Private bus shelters; Stock underpasses; Fence encroachments; Property access ramps or stairs.
2. Application must be made and consent gained from Waipā District Council to ensure the structure is safe, not a hazard to travelling public, is durable and has a nominated owner responsible for maintenance and removal when no longer required.
3. Application for permit includes an initial inspection. If the structure is erected for less than twelve months as per its permit, no annual safety inspection fee will apply. If a building consent is required for the structure then a separate building consent fee will also apply.

Exclusions:

4. Standard rural mail boxes and shop veranda required by the District Plan do not require a permit.

Stock underpass

Description	Fees & charges 2023/24
Application for stock underpass.	Actual staff time will be charged but with a minimum of \$955.00
Inspection	\$470.00

Note:

1. Stock underpass is a dedicated permanent structure for the passage of stock under a road. All stock underpasses must have a lease agreement or licence to occupy with Waipā District Council

Te Awamutu council room charges

Description	Fees & charges 2023/24	
	Profitable Organisation / Private Function	Non-Profit Organisation
Bond (payable when booking is outside business hours)	\$255.00	\$100.00
Removal/reinstatement of furniture by Council staff (optional)	\$100.00	\$100.00
Half day or less		
Whole facility	\$138.00	\$66.00
Council Chamber	\$60.00	\$40.00
Committee rooms (per room)	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00

Description	Fees & charges 2023/24	
	Profitable Organisation / Private Function	Non-Profit Organisation
Full day – 8.00am to 5.00pm		
Whole facility	\$265.00	\$122.00
Council Chamber	\$112.00	\$71.00
Committee rooms (per room)	\$71.00	\$40.00
Kitchen	\$50.00	\$20.00
Night – 5.00pm onwards		
Whole facility	\$138.00	\$66.00
Council Chamber	\$60.00	\$40.00
Committee rooms (per room)	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00
Day and night – 5.00pm onwards		
Whole facility	\$377.00	\$163.00
Council Chamber	\$220.00	\$92.00
Committee rooms (per room)	\$97.00	\$50.00
Kitchen	\$102.00	\$35.00
Weekend – Friday 5.00pm to Sunday 10.00pm		
Whole facility	\$643.00	\$337.00
Council Chamber	\$480.00	\$245.00
Committee rooms (per room)	\$138.00	\$76.00
Kitchen	\$209.00	\$76.00
The Bond is refundable – items covered by the bond are: key, breakage of equipment, damage to facility and/or theft of equipment or extraction clean		
Deduction as follows		
Key (replacement or lost)		\$26.00
Security access token (replacement or lost)		\$50.00
Furniture damage	Whole bond (minimum) or cost	
Extraction carpet clean		\$160.00
Damage to facility	Whole bond (minimum) or cost	
Call out fee for insecure building		\$170.00
Cleaning and re-stock of toilet consumables fee (for bookings longer than 1 consecutive day)		\$50.00

Town Hall hire – Kihikihi and Pirongia

Town Hall Hire – Kihikihi and Pirongia	Fees & charges 2023/24	
	Corporate or Private Function	Community Group Use
Bond payable on booking	\$200.00	\$100.00
Deposit payable on booking	25%	25%
<i>Community Group bookings longer than 3 consecutive days will receive a 25% discount</i>		
Kihikihi Town Hall – Whole complex		
Half day hire (4 hour use)	\$50.00	\$20.00
Full day hire (maximum 12 hour use)	\$132.00	\$65.00
Pirongia Hall – Whole complex		
Half day hire (4 hour use)	\$50.00	\$20.00
Full day hire (maximum 12 hour use)	\$132.00	\$65.00

Notes:

1. Facility users are required to complete a hire contract prior to using the facility.
2. Community use charges apply to not for profit organisations that are based and operate within the Waipā District providing a benefit for the Waipā Community.

Trade waste

Administration Charges	Fees & charges 2023/24
Application fees	
Application fee – Permitted/Controlled Discharge (including final inspection)	\$224.00
Application fee – Conditional Consent (covering 4 hours work including final inspection, including tanker disposal)	\$417.00
Hourly rate for applications	\$118.00
Temporary discharge (including final inspection)	\$224.00
Renewal Fee for controlled, permitted or conditional Trade Waste Consents (plus additional hourly rate for more than 1 hour of time noting that site inspection charges may also apply)	\$111.00
Variation/Change of Details Request for permitted or conditional consents (plus additional hourly rate for more than 30 minute time noting that site inspection charges may also apply)	\$59.00
Special Trade Waste agreements, variations or renewals. Actual costs recovered including but not limited to consultant or legal fees	Actual cost
Site inspection fees	
Permitted/Controlled Discharge – Site Inspection/audit (per site visit)	\$158.00
Conditional Consent – Site Inspection (per site visit)	\$252.00

Administration Charges	Fees & charges 2023/24
Temporary Discharge – Inspection / audit (per site visit)	\$252.00
Site Inspection / audit -Non Compliance (per site visit)	\$252.00
Annual charge	
Permitted/Controlled/Special/discharge	\$59.00
Conditional/Special/discharge- Risk Class 3	\$1,763.00
Conditional/Special/discharge - Risk Class 2	\$1,005.00
Any temporary discharge	\$224.00
Independent Monitoring (per sample collected)	\$241.00
Tankered discharge	\$769.00
Tankered Waste Disposal	
Tankered waste disposal to Wastewater Treatment Plant or reticulation in accordance with Trade Waste Bylaw \$/m ³	\$78.00

Notes:

1. Tankered waste may not be accepted at the Waters Manager's sole discretion.
2. Tankered waste disposal to Wastewater Treatment Plant or reticulation not in accordance with Trade Waste Bylaw will require a conditional or special agreement in accordance with the Trade Waste Bylaw.
3. For addresses in the district associated with an existing trade waste consent, the consent's charging provisions will supersede the tankered waste volumetric rate.

Charging formula

The formula for calculation of the load based trade waste charge is as set out below.

$$(V \times V_c) + (SS \times SS_c) + (BOD \times BOD_c) + (TKN \times TKN_c) + (TP \times TP_c)$$

Parameter	Fees & charges 2023/24
V _c Flow Volume	\$1.37/M ³
SS _c Suspended solids	\$1.17/kgSS
BOD _c Organic Loading	\$1.31/BOD
TKN _c Total Kjeldahl Nitrogen	\$1.37/kgTKN
TP _c Total Phosphorus	\$5.57/kgTP
Connection or disconnection fee	\$480.00

Table of parameters with descriptions			
V	The volume discharged	BOD _c	The unit BOD Charge \$/kg
V _c	The unit volume charge \$/ M ³	TKN	The mass of Total Kjeldahl Nitrogen (TKN) discharged
SS	The mass of suspended solids discharged	TKN _c	The unit TKN charge \$/kg
SS _c	The unit SS charge \$/kg	TP	The mass of Total Phosphorus (TP) discharged
BOD	The mass of BOD discharged	TP _c	The unit TP charge \$/kg

Traffic Management Plan (TMP) reviews

Description	Fees & charges 2023/24
Approval of simple TMP for Vehicle Crossings	\$195.00
Approval of complex TMP	\$195.00 per hour (excludes travel allowances)
Actions required to address non-compliance with TMP conditions	\$195.00 per hour (excludes travel allowances)
Non-compliance for not having a TMP or an approved TMP	\$425.00
Extension of TMP application	\$95.00
Issue of Stop Work Order	\$135.00
Late Completion of Works or failure to return sites to pre-existing conditions as per TMP	\$405.00

Notes:

1. TMP require evaluation and approval by the Council Traffic Management Coordinator to ensure public safety, the costs of which are charged to the applicant

Utility access requirements

Description	Fees & charges 2023/24
Single Occurrence Permit	
Isolated street opening permit application (plus the applicable trenching fee and Traffic Management Plan fee)	\$175.00
Multiple occurrence permit for utility maintenance works	
Multiple opening permit application covering a 12 month period (One off set up fee then occurrence fee plus the applicable trenching fee)	\$350.00 + \$60.00 for each occurrence
Excavation, trenching or drilling	
1 – 99m (This is the minimum fee in conjunction with the permit fee)	\$95.00
100 – 499m	\$170.00
> 500m	\$285.00
Non-compliance with conditions	\$195.00 per hour
Additional inspections required for complex projects, changes to project extents and conditions, or as required to address non-compliance with conditions.	\$195.00 per hour (includes travel allowances)
Extension of Work Access Permit (WAP) application	\$95.00
Issue of Stop Work Order	\$135.00

Description	Fees & charges 2023/24
Late Completion of Works or failure to sign off completed works as per WAP.	\$405.00

Notes:

1. For all work to be undertaken on road reserve (including within footpaths, berms and carriageways) a Corridor Access Request (CAR) is required. The CAR allows Council to approve, track and ensure proper reinstatement to works undertaken in the street.
2. The Utilities Access Act 2010 provides for applications for permission to excavate in streets and roads for services such as electricity, three waters, gas, telecoms etc.
3. Under certain circumstances Waipā District Council will accept 12 month access opportunities under our multiple occurrence coverage formats. This is for maintenance works only not new projects.
4. All access requests may be inspected by Council staff or agents at any time for compliance with permit conditions
5. Trenching costs are in addition to the Permit application fee and reflect the work involved in doing completion and maintenance inspections based on length of work sites.

Vehicle crossing applications

Description	Fees & charges 2023/24
Vehicle – Application fee – Urban and Rural	\$440.00
Re-inspection fee	\$200.00
Mileage if site visit required	\$0.83 per km

Notes:

1. A Traffic Management Plan and/or Corridor Access Request is required for a vehicle crossing application to be processed.
2. Entrance ways can only be installed with the permission of Council.

Wastewater connections

Description	Fees & charges 2023/24
<i>Domestic standard gravity connection (100mm diameter)</i>	
Wastewater connection application and approval	\$390.00
Wastewater inspection	\$360.00

Notes:

1. All new wastewater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.
2. The application fee is for processing the application and is non-refundable.
3. The inspection fee would be refundable if the application is not approved.
4. An inspection fee of ~~\$353~~\$360.00 also applies to every subsequent inspection until the connection is accepted as complete.

5. All Connections must be installed by a registered Drain Layer, inspected by the Assets Team and As-Builts provided to the Asset Team.

Water connections and bulk water sales

Description	Fees & charges 2023/24
Water connection application fee	
Urban	\$470.00
Rural	\$865.00
Ordinary supply – install new standard single 20mm diameter residential connection, up to 4 metres from a Council owned reticulated main (excluding bulk mains). All other connections will require a fixed quote from Waipā District Council)	
Urban	\$1,630.00
Rural	\$2,138.00
Restrictor adjustment	\$370.00
Meter and/or restrictor testing fee (if tests show compliance then applicant shall be liable for fee. If out of adjustment no fee shall apply)	\$410.00
Final Water Meter Reading	
Conduct and process final reading	\$60.00
Disconnection fees	
Disconnection from rural water supply scheme	\$810.00
Disconnection from water supply upon removal or demolition of a building	\$810.00

Note:

1. Statutory public health requirements prevent anyone other than authorised Council employees or authorised contractors from carrying out any work on water reticulation services.

Purchase of water by permit

Description	Fees & charges 2023/24
Administration fee	\$25.00/month
Water per cubic metre (1000 litres)	\$3.10/cu metre

Notes:

2. A permit must be obtained before removing water from a Council system. A permit is to be obtained for each 12-month period that water is drawn from a designated bulk fill point.
Rural water supply, where the service is available at the gate, may be restricted in area or flow. All other connection sizes and/or configurations will require quotation from Waipā District Council.

Backflow Prevention Devices

Description	Fees & charges 2023/24
Connection, disconnection and replacement of backflow prevention devices	Staff time and actual and reasonable costs
Administration fee	\$375.00

Draft for Council adoption

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Manager Governance
Subject: **ADOPTION OF STANDING ORDERS**
Meeting Date: 30 May 2023

1 PURPOSE - TAKE

The purpose of this report is to present an updated version of Standing Orders for adoption.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The Local Government Act 2002 (LGA) requires Council to adopt a set of Standing Orders to guide the orderly conduct of its meetings and those of its committees (clause 27 of Schedule 7 of the Local Government Act 2002).

Local Government New Zealand (LGNZ) has provided an updated version of the Standing Orders template for use by councils throughout New Zealand, along with a guide. Attached to this report is the revised Standing Orders for adoption and 'The guide to LGNZ Standing Orders' produced by LGNZ for use by councils, which includes a table in Appendix 5 of the guide highlighting the changes made from the 2019 template.

The LGNZ Standing Orders template contains three optional provisions for consideration, which are discussed in the background section of this report.

Note that adoption of a new set of Standing Orders requires a vote of not less than 75% of the members present.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council:

- a) *Receives the report of Jo Gread, Manager Governance titled 'Adoption of Standing Orders' (ECM Number 11010569);*

- b) *Adopts the set of Standing Orders attached in Appendix 1 of this report (ECM Number 11010568) to replace the Council's current Standing Orders, noting in doing so that:*
- a. *The casting vote is available for use by the chairperson.*
 - b. *Audio link or audio-visual link are available options if the appropriate quality conditions can be met.*
 - c. *The default position for the speaking and moving motions is Option C.*
- c) *With the exception of the Audit and Risk Committee, sets the quorum for its committees and subcommittees as:*
- a. *Half of the members to be physically present, where the number of members (including vacancies) is even; or*
 - b. *A majority of the members to be physically present, where the number of members (including vacancies) is odd;*
- d) *Sets the quorum for the Audit and Risk Committee as three members; and*
- e) *In accordance with Standing Order 13.3, delegates authority to the Mayor to grant a leave of absence to a Councillor or an Appointed Member of a Committee or Sub-Committee.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

The Council must adopt a set of Standing Orders for the conduct of its meetings and those of its committees. The adoption of a new set of Standing Orders requires the support of not less than 75% of the members present.

LGNZ produces a new template for Standing Orders each triennium, which staff have reviewed and updated the current version of Standing Orders as appropriate. Amendments are shown as track changes in the version of Standing Orders attached in Appendix 1 of this report.

LGNZ produced a table of changes they made to the 2019 LGNZ template. This table of changes is included in the Guide in Appendix 2 of this report.

Council needs to determine which of the options, if any, will be included in the Council's Standing Orders for:

- Provision for a casting vote by the Chairperson (clauses 19.3)
- Option to join meetings by audio and audio-visual link (clauses 13.11 - 13.16)
- Ways to deal with motions and amendments (SO 22).

The Chairperson's casting vote (Standing Order 19.3)

Clause 24(2) Schedule 7 of the Local Government Act 2002 states that the provision of a chairperson casting vote is optional. The current Standing Orders and the revised

Standing Orders recommended for adoption both allow the casting vote to be exercised at the discretion of the Chairperson.

Including the casting vote provision reduces the risk of not being able to conclude important business which might result in a significant statutory timeframe being exceeded.

Audio Link or Audio-visual Link for meeting attendance by members (Standing Order 13.11- 13.16)

Clause 25(5) Schedule 7 of the Local Government Act 2002 allows the possibility of utilising an audio link or audio-visual link to enable members to join meetings.

The members' attendance via audio link or audio-visual link is subject to meeting certain conditions for quality and while the members not present can take part in discussions and can vote, they are not part of the quorum. This provision for audio-link exists in our current Standing Orders and the version presented for adoption.

Options for speaking and moving motions (Standing Order 22)

In Standing Orders there is the ability to use different rules for speaking to and moving motions so as to give greater flexibility when dealing with different situations.

Three options are provided:

- Option A limits the ability of members to move amendments if they have previously spoken.
- Option B provides more flexibility by allowing any member, regardless of whether they have spoken before, to move or second an amendment
- Option C provides for further flexibility -
 - The mover and seconder of a motion can move or second an amendment.
 - Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
 - The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
 - Members can speak to any amendment.
 - The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

In the proposed Standing Orders Option C applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves (by simple majority) to adopt either Option A or Option B for the meeting generally, or for any specified items on the agenda. Option C is proposed by staff as this is the option which is most often practiced at meetings.

Standing Order 13.3 makes provision for Council to delegate the power to grant a leave of absence of a member to the Mayor in order to protect a members' privacy. A recommendation delegating this power has been included in the recommendations in this report.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matters in this report have a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> No further action required – the current standing orders would still apply 	<ul style="list-style-type: none"> Unable to take advantage of the improvements to Standing Orders proposed by LGNZ in the new template.
Option 2: Adopt the revised Standing Orders presented	<ul style="list-style-type: none"> Able to take advantage of the improvements to Standing Orders proposed by LGNZ in the new template. 	<ul style="list-style-type: none"> Nil

The recommended option is Option 2 in order to take advantage of the improvements to Standing Orders proposed by the latest LGNZ template.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council's Vision and Strategic Priorities

Standing Orders set the meeting procedures for our Council and Committee meetings, where important governance decisions related to the delivery of Council's vision and strategic priorities are made.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the Option 2 complies with Council's legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no costs associated with adopting an updated set of Standing Orders for Council and Committee meetings.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

8 NEXT ACTIONS

Action	Responsibility	By When
Standing Orders updated in Diligent	Governance	5 June 2023

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Standing Orders for Adoption
2	The guide to LGNZ Standing Orders' produced by LGNZ



Jo Gread
MANAGER GOVERNANCE



Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Standing Orders for Adoption (ECM number 11010568)

STANDING ORDERS

Ngā Tikanga Whakahaere Hui

2023



Preface/Kupu whakapuaki

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

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

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

Although, it is mandatory that councils adopt standing orders for the conduct of their meetings, it is not necessary that they are adopted every triennium. (see cl. 27 Schedule 7 of the LGA 2002).

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

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

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

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1. Introduction/Kupu Whakataki

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

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

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

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

1.1 Principles/Ngā Mātāpono

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

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these standing orders comply with the decision-making provisions of Part 6 of the LGA 2002; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

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

1.2 Statutory references/Ngā tohutoro ā-ture

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

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

1.3 Acronyms/Ngā/kupu rāpoto

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

1.4 Application/Te hāngaitanga

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

2. Definitions/Ngā whakamārama

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

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

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

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

Appointed member means a member of a committee, or subsidiary organisation of a council, who is not elected.

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

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

Chairperson means the person in a position of authority in a meeting – or other gathering, also known as the presiding member.

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

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

Committee includes, in relation to a local authority:

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

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

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

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

Debate means discussion by members that occurs once a motion has been moved/seconded.

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

Division means a formal vote at a Council, committee or subcommittee meeting whereby the names of those members present, including the mayor/chair, are formally recorded as voting either for or against. This includes a vote where the names and votes are recorded electronically.

Electronic link means both an audio and audio visual link.

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

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

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

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

Item means a substantive matter for discussion at a meeting.

Leave of the meeting means agreement without a single member present dissenting.

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

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

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

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

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

Member of the Police means a Constable of the New Zealand Police within the definition of s 4 of the Policing Act 2008.

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

Officer means any person employed by the council either full or part time, on a permanent or casual or contract basis.

Pecuniary Interest includes any interest described in sections 3 and 6 of the Local Authorities (Members Interests) Act 1968.

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

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

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

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

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

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

Presiding member means the chairperson.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 25.1 – 25.7.

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

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

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

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

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

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

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

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

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

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

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

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

Seconder means the member who seconds a motion or amendment.

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

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

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

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

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

Working day means a day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, Matariki and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;

- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

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

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

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

General matters/Ngā take whānui

3. Standing orders/Ngā tikanga whakahaere hui

3.1 Obligation to adopt standing orders/Te kawenga ki te whakatū tikanga whakahaere hui

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

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

3.2 Process for adoption and alteration of standing orders/Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui

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

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

3.3 Members must obey standing orders/Me whai ngā mema i ngā tikanga whakahaere hui

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

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

3.4 Application of standing orders/Te whakahāngai i ngā tikanga whakahaere hui

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

3.5 Temporary suspension of standing orders/Te tārewa taupua i ngā tikanga whakahaere hui

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

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

A motion to suspend standing orders may be taken before or during a debate. The motion to suspend Standing Orders must also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6 Quasi-judicial proceedings/Ngā whakawā a te Kaunihera

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

3.7 Physical address of members/Ngā wāhi noho o ngā mema

Every member of a local authority, local board and community board must give to the Chief Executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results. Public access to those addresses is subject to the Privacy Act.

4. Meetings/Ngā hui

4.1 Legal requirement to hold meetings/Te tikanga ā-ture ki te whakahaere hui

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

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

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

4.2 Meeting duration/Te roa o ngā hui

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

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

4.3 Language/Te reo

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

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

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

4.4 Webcasting meetings/Te pāho mataora i ngā hui

Webcast meetings should be provided in accordance with the protocols contained in Appendix 7.

4.5 First meeting (inaugural)/Te hui tuatahi

The first meeting of a local authority, following a local authority triennial general election, must be called by the Chief Executive as soon as practicable after the results of the election are known. The

Chief Executive must give elected members not less than 7 days' notice of the meeting. However in the event of an emergency the Chief Executive may give notice of the meeting as soon as practicable.

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

4.6 Requirements for the first meeting/Ngā tikanga mō te hui tuatahi

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

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

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

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

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

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

5. Appointments and elections/Ngā kopounga me ngā pōtitanga

5.1 Mayoral appointment of deputy Mayor, committee chairs and members/Te kopounga a te Koromatua i te Koromatua tuarua, ngā ūpoko o ngā komiti me ngā mema

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

s. 41A (3) LGA 2002.

5.2 Council Discharge of a Mayoral Appointment/Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua

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

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

cl. 31, Schedule 7 LGA 2002.

5.3 Establishment of committees by the Mayor/Te whakatū a te koromatua i ngā komiti

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

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

Please note, a Mayor is a member of every committee unless specific legislation provides otherwise, such as a committee established under section 189 of the Sale and Supply of Alcohol Act 2012.

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

5.4 Elections of regional Chairpersons, deputy Mayors and deputy Chairpersons/Te pōti i ngā ūpoko ā-rohe, ngā Koromatua tuarua me ngā ūpoko tuarua

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

- The Chairperson and deputy Chairperson of a regional council;
- The deputy Mayor;
- The Chairperson and deputy Chairperson of a committee; and
- A representative of a local authority.

Please note, this provision does not apply in situations where a mayor has used their powers under the LGA 2002 section 41A to appoint a deputy Mayor or committee chairs. See the LGNZ Guide to Standing Orders for more information.

cl. 25 Schedule 7, LGA 2002.

5.5 Removal of a deputy Mayor/Te whakakore i te tūranga a tētahi Koromatua tuarua

A deputy Mayor, whether appointed by the Mayor under standing order 5.1 or elected by the council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 9.

cl. 18, Schedule 7, LGA 2002.

5.6 Voting system for chairs, deputy Mayors and committee chairs/Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti

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

System A

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

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6. Delegations/Te tuku mana

6.1 Limits on delegations/Ngā tepenga o te tuku mana

Unless clearly stated in the LGA 2002 or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

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

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

6.2 Committees may delegate/Ka taea e ngā komiti te tuku mana

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

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

6.3 Use of delegated powers/Te whakamahi i ngā mana tuku

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

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

6.4 Decisions made under delegated authority cannot be rescinded or amended/E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku

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

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

6.5 Committees and sub committees subject to the direction of the local authority/Kei raro ngā komiti me ngā komiti āpiti i te mana a te mana ā-rohe

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

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

6.6 Duty to consider delegations to community boards/Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hapori

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

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

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

7. Committees/Ngā komiti

7.1 Appointment of committees and subcommittees/Te kopounga o ngā komiti me ngā komiti āpiti

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

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

7.2 Discharge or reconstitution of committees and subcommittees/Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti

Unless expressly provided otherwise in legislation or regulation:

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

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

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

Please note: Section 12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election.

7.3 Appointment or discharge of committee members and subcommittee members/Te kōupounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti

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

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

7.4 Elected members on committees and subcommittees/Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti

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

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

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

7.5 Local authority may replace members if committee not discharged/Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti

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

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

7.6 Membership of Mayor/Te mematanga a te Koromatua

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

s. 41A (5), LGA 2002.

7.7 Decision not invalid despite irregularity in membership/Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematanga

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

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

cl. 29, Schedule 7, LGA 2002.

7.8 Appointment of joint committees/Te kopounga o ngā komiti hono

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

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

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

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

7.9 Status of joint committees/Te tūnga o ngā komiti hono

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

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

7.10 Power to appoint or discharge individual members of a joint committee/Te mana ki te kopou me te whakakore i ngā mema takitahi o tētahi komiti hono

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

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

Pre-meeting/I mua i te hui

8. Giving notice/Te tuku pānui

Please note; the processes described in this section (standing orders 8.1 – 8.12) apply as appropriate to local boards and community boards.

8.1 Public notice – ordinary meetings/Te pānui tūmatanui – ngā hui noa

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the

21st day of the month public notification may be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held. (See the LGNZ Guide to Standing Orders for more information).

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings/Te pānui ki ngā mema – ngā hui noa

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

cl. 19 (5), Schedule7, LGA 2002.

8.3 Extraordinary meeting may be called/Ka āhei ki te karanga hui Motuhake

An extraordinary council meeting may be called by:

- (a) Resolution of the council, or
- (b) A requisition in writing delivered to the Chief Executive which is signed by:
 - i. The Mayor; or
 - ii. Not less than one third of the total membership of the council (including vacancies).

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

8.4 Notice to members - extraordinary meetings/Te pānui ki ngā mema – ngā hui Motuhake

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

cl. 22 (3), Schedule7, LGA 2002.

8.5 Emergency meetings may be called/Ka āhei ki te karanga hui ohotata

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

- (a) The Mayor; or
- (b) If the Mayor is unavailable, the Chief Executive.

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

8.6 Process for calling an emergency meeting/Te pūnaha mō te karanga hui ohotata

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

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

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

8.7 Public notice – emergency and extraordinary meetings/Te pānui tūmatanui – ngā hui ohotata me te Motuhake

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

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

s. 46 (3) LGOIMA.

8.8 Meetings not invalid/Kāore e manakore ngā hui

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

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

s. 46 (6), LGOIMA.

8.9 Resolutions passed at an extraordinary meeting/Ngā tatūnga i whakamanahia i te hui Motuhake

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

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

s. 51A, LGOIMA.

8.10 Meeting schedules/Ngā hōtaka hui

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

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

8.11 Non-receipt of notice to members/Te kore e whiwhi pānui a ngā mema

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

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

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

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

8.12 Meeting cancellations/Te whakakore hui

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

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

9. Meeting agenda/Te rārangi take o ngā hui

9.1 Preparation of the agenda/Te whakarite i te rārangi take

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

When preparing business items for an agenda the Chief Executive (or Group Manager or Manager responsible for a committee agenda) must consult, unless impracticable, such as in the case of the inaugural meeting, the chairperson, or the person acting as chairperson for the coming meeting.

9.2 Process for raising matters for a decision/Te pūnaha mō te whakatakoto take hei whakatau

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

9.3 Chief Executive may delay or refuse request/Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi tono

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

Where a Chief Executive refuses a member's request to prepare a report, an explanation for that refusal should be provided to the member.

9.4 Order of business/Te raupapatanga o ngā mahi

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 10.

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

9.5 Chairperson’s recommendation/Te marohi a te ūpoko

9.6 A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson’s recommendation varies significantly from an officer’s recommendation the reason for the variation must be explained. A recommendation that differs significantly from the officer’s recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

Chairperson may prepare report/Te pūrongo a te ūpoko

The Chairperson of a meeting has the right to prepare a report to be included in the agenda on any matter which falls within the responsibilities of that meeting, as described in the terms of reference.

For clarity, any recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

9.7 Public availability of the agenda/Te wātea o te rārangi take ki te marea

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

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda/Te tiro tiro a te marea i te rārangi take

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

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

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items/Te tango take i te rārangī take

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

9.10 Distribution of the agenda/Te tuari i te rārangī take

The Chief Executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.10).

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

9.11 Status of agenda/Te tūnga o te rārangī take

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

9.12 Items of business not on the agenda which cannot be delayed/Te tūnga o te rārangī take

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

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

s. 46A (7), LGOIMA.

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

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

9.13 Discussion of minor matters not on the agenda/Te kōrerorero i ngā take iti kāore i runga i te rārangī take

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda/Ngā take o te rārangī take kāore e whārikihia ki te marea

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes/Te maru whāiti e pā ana ki te rārangī take me ngā meneti

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

s. 52, LGOIMA.

Meeting Procedures/Ngā Tikanga Hui

10. Opening and closing/Te whakatuwhera me te whakakapi

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

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

11. Quorum/Kōrama

11.1 Council meetings/Ngā hui Kaunihera

The quorum for a meeting of the council is:

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

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

11.2 Committees and subcommittee meetings/Ngā hui komiti me te komiti āpiti

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

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

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

11.3 Joint Committees/Ngā komiti hono

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

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

11.4 Requirement for a quorum/Te herenga mō te kōrama

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

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

11.5 Meeting lapses where no quorum/Ka tārewa te hui mēnā karekau he kōrama

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

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

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

11.6 Business from lapsed meetings/Ngā take mai i ngā hui tārewa

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

12. Public access and recording/Te urunga a te marea me te hopunga

12.1 Meetings open to the public/E tuwhera ana ngā hui ki te marea

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

s.47 & 49(a), LGOIMA.

12.2 Grounds for removing the public/Ngā take e panaia ai te marea

The Chairperson may require any member of the public to be removed from the meeting if they believe such person's behaviour is likely to prejudice the orderly conduct of the meeting.

s 50(1), LGOIMA.

12.3 Local authority may record meetings/Ka āhei te mana ā-rohe ki te hopu i ngā hui

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

12.4 Public may record meetings/Ka āhei te marea ki te hopu i ngā hui

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings should be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

Where circumstances require the Chairperson may direct the recording to stop for a period of time.

13. Attendance/Te taenga

13.1 Members right to attend meetings/Te mōtika a ngā mema ki te tae ki ngā hui

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

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

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

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

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

13.2 Attendance when a committee is performing judicial or quasi-judicial functions/Te tae ki ngā hui ina whakahaere whakawā te komiti

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

13.3 Leave of absence/Te tuku tamōtanga

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a members' privacy, and the Council may approve an application from the Mayor. The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

13.4 Apologies/Ngā whakapāh

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 council business where their absence is a result of a commitment made on behalf of the council.

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

13.5 Recording apologies/Te hopu whakapāha

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

13.6 Absent without leave/Te tamōtanga kāore i whakaaetia

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

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

13.7 Right to attend by audio or audio visual link/Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei

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

13.8 Member's status: quorum/Te tūnga a te mema: kōrama

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

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

13.9 Member's status: voting/Te tūnga a te mema: te pōti

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

13.10 Chairperson's duties/Ngā mahi a te ūpoko

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

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

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

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

13.11 Conditions for attending by audio or audio visual link/Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei

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

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

13.12 Request to attend by audio or audio visual link/Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei

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

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

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

13.13 Chairperson may terminate link/Ka āhei te ūpoko ki te whakakore i te hononga

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

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting;
- (d) The quality of the link is no longer suitable;
- (e) Information classified as confidential may be compromised (see also SO13.16)

13.14 Giving or showing a document/Te tuku, te whakaatu rānei i tētahi tuhinga

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

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the Chairperson thinks fit.

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

13.15 Link failure/Ina mūhore te hononga

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

13.16 Confidentiality/Te matatapu

A member who is attending a meeting by audio, or audio visual link, must ensure that the meeting's proceedings remain confidential during any time that the public is excluded. At such a time, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the chairperson is not satisfied by the explanation, they may terminate the link.

14. Chairperson's role in meetings/Te mahi a te ūpoko i roto i ngā hui

14.1 Council meetings/Ngā hui kaunihera

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

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

14.2 Other meetings/Ētahi atu hui

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

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

14.3 Addressing the Chairperson/Me pēhea te whakaingoa i te ūpoko

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

14.4 Chairperson's rulings/Ngā whakataunga a te ūpoko

The Chairperson will decide all procedural questions, including points of order, where insufficient provision is made by these standing orders (except in cases where a point of order questions the

chairperson's ruling). Any refusal to obey a Chairperson's ruling or direction constitutes contempt (see SO 20.5).

14.5 Chairperson standing/Ina tū te ūpoko

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

14.6 Member's right to speak/Te mōtika a te mema ki te korero

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

14.7 Chairperson may prioritise speakers/Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero

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

- (a) Raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) Move a motion to terminate or adjourn the debate; and/or
- (c) Make a point of explanation; and/or
- (d) Request the chair to permit the member a special request.

15. Public Forums/Ngā Matapakinga a te Marea

Public forums are a defined period of time, usually at the start of an ordinary meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters of their choice, not necessarily on the meeting's agenda, to the attention of the local authority.

In the case of a committee, subcommittee, local or community board, any issue, idea or matter raised in a public forum must fall within the terms of reference of that body.

Note: Public forums are optional and in Waipa District are provided by the Community Boards.

15.1 Time limits/Ngā tepenga wā

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled Community Board meeting. Requests must be made to the Governance Team at least one clear day before the meeting; however, this requirement may be

waived by the Chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

Speakers can speak for up to 5 minutes. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

15.2 Restrictions/Ngā Herenga

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

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

15.3 Questions at public forums/Ngā pātai i ngā matapakinga a te marea

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

15.4 No resolutions/Kāore he tatūnga

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. (See the LGNZ Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

16. Deputations/Ngā Teputeihana

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

16.1 Time limits/Ngā tepenga wā

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

16.2 Restrictions/Ngā Herenga

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

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

16.3 Questions of a deputation/Te pātai i ngā teputeihana

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

16.4 Resolutions/Ngā tatūnga

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

17. Petitions/Ngā Petihana

17.1 Form of petitions/Te āhua o ngā petihana

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

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the Chief Executive at least 5 working days before the meeting at which they will be presented; however, this requirement may be waived by the Chairperson.

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

17.2 Petition presented by petitioner/Te petihana ka whakatakotohia e te kaipetihana

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

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

17.3 Petition presented by member/Te petihana ka whakatakotohia e tētahi mema

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

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

18. Exclusion of public/Te aukati i te marea

18.1 Motions and resolutions to exclude the public/Ngā mōtini me ngā tatūnga ki te aukati i te marea

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

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

- (a) The general subject of each matter to be excluded;
- (b) The reason for passing the resolution in relation to that matter; and

- (c) The grounds on which the resolution is based.

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

s. 48 LGOIMA.

18.2 Specified people may remain/Ka āhei ngā tāngata ka tohua ki te noho mai

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

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

s.48 (6) LGOIMA.

18.3 Public excluded items/Ngā take e aukatihia ana ki te marea

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

s.46A (8) LGOIMA.

18.4 Non-disclosure of information/Te kore e whāki i ngā mōhiohio

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

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

- (a) There are no grounds under LGOIMA for withholding the information; and
- (b) The information is no longer confidential.

18.5 Release of information from public excluded session/Te tuku i ngā mōhiohio nō te nohoanga aukati ki te marea

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

Each public excluded meeting may consider and agree by resolution, what, if any, information will be released to the public. In addition the Chief Executive and Deputy Chief Executive may release

information which has been considered at a meeting from which the public has been excluded where the Chief Executive or Deputy Chief Executive determines the grounds to withhold the information no longer exist.

19. Voting/Te pōti

19.1 Decisions by majority vote/Mā te nuinga e whakatau

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

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

19.2 Open voting/Te pōti tuwhera

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

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

19.3 Chairperson has a casting vote/Kei te ūpoko te pōti whakatau

The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, has a casting vote.

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

19.4 Method of voting/Te tikanga pōti

The method of voting must be as follows:

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

19.5 Calling for a division/Te tono i te wehenga

When a division is called, the Chief Executive must record the names of the members voting for and against the motion, and abstentions, and provide the names to the Chairperson to declare the

result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

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

19.6 Request to have votes recorded/Te tono kia tuhi i ngā pōti

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

19.7 Members may abstain/Ka āhei ngā mema ki te noho puku

Any member may abstain from voting.

20. Conduct/Ngā whanonga

20.1 Calling to order/Te tono kia tau ngā mema

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

20.2 Behaviour consistent with Code of Conduct/Ngā whanonga e hāngai ana ki te Tikanga Whakahaere

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

20.3 Retractions and apologies/Te tango kōrero me te whakapāha

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

20.4 Disorderly conduct/Ngā whanonga kino

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

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

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

20.5 Contempt/Te whakahāwea

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

A member who has been found to be in contempt and continues to be cautioned by the Chairperson for disorderly conduct, may be subject to Standing Order 20.6.

20.6 Removal from meeting/Te pana i te tangata i te hui

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

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

20.7 Financial conflicts of interests/Ngā take taharua ahumoni

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

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

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

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

s. 6 & 7 LAMIA.

20.8 Non-financial conflicts of interests/Ngā take taharua ahumoni-kore

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

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

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

20.9 Qualified privilege for meeting proceedings/Te maru whāiti mō ngā whakaritenga hui

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

s. 53, LGOIMA.

20.10 Qualified privilege additional to any other provisions/He āpitihanga te maru whāiti ki ētahi atu whakaritenga

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

s. 53, LGOIMA.

20.11 Electronic devices at meetings/Ngā pūrere hiko i ngā hui

Electronic devices and phones can only be used to advance the business of a meeting. Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if:

- i. its use is likely to distract a meeting from achieving its business, or,
- ii. a member is found to be receiving information or advice from sources not present at the meeting that may affect the integrity of the proceedings.

21. General rules of debate/Ngā tikanga whānui mō te tautohetohe

21.1 Chairperson may exercise discretion/Kei te ūpoko te tikanga

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

21.2 Time limits on speakers/Te tepenga wā mā ngā kaikōrero

The following time limits apply to members speaking at meetings:

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

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

21.3 Questions to staff/Ngā pātai ki ngā kaimahi

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

21.4 Questions of clarification/Ngā pātai whakamārama

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

21.5 Members may speak only once/Kotahi noa iho te wā e āhei ai te mema ki te korero

A member, depending on the choice of options for speaking and moving set out in SO 22.2 -22.4, may not speak more than once to a motion at a meeting of the council, except with permission of the Chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

21.6 Limits on number of speakers/Ngā tepenga mō te maha o ngā kaikōrero

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

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

21.7 Secunder may reserve speech/Ka āhei te kaitautoko ki te whakatārewa i tana korero

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

21.8 Speaking only to relevant matters/Me hāngai ngā kōrero ki ngā take whai panga

Members may only speak to;

- i. any matter before the meeting;
- ii. a motion or amendment which they propose; and
- iii. to raise a point of order arising out of debate.

Members must confine their remarks strictly to the motion or amendment they are speaking to.

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

21.9 Restating motions/Te whakahua anō i te mōtini

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

21.10 Criticism of resolutions/Te whakahē i ngā tatūnga

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

21.11 Objecting to words/Te whakahē kupu

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

Note: This provision does not preclude a member from making a complaint at any time during, or after, a meeting about the use of inappropriate or offensive language.

21.12 Right of reply/Te mōtika ki te whakautu

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

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

The original mover may speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried, the mover of the motion may use their right of reply before the motion or amendment is put to the vote. The mover of the original motion may choose to indicate that they wish to reserve their right or reply until the closure motion.

21.13 No other member may speak/E kore e āhei tētahi atu mema ki te korero

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

- i. After the mover has started their reply;
- ii. After the mover has indicated that they want to forego this right; and
- iii. Where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

21.14 Adjournment motions/Ngā mōtini hei hiki i te hui

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

21.15 Chairperson's acceptance of closure motions/Te whakaae a te ūpoko ki ngā mōtini whakakapi

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

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

22. General procedures for speaking and moving motions/Ngā tikanga whānui mō te kōrero me te mōtini

22.1 Options for speaking and moving/Ngā kōwhiringa mō te kōrero me te mōtini

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

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

22.2 Option A/Kōwhiringa A

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

22.3 Option B/Kōwhiringa B

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

22.4 Option C/Kōwhiringa C

- The mover and seconder of a motion can move or second an amendment.

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

23. Motions and amendments/Ngā mōtini me ngā whakahoutanga

23.1 Proposing and seconding motions/Te whakatakoto me te tautoko mōtini

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion. A motion should be moved and seconded before debate but after questions. Amendments and motions that are not seconded are not valid and should not be entered in the minutes.

Note: Members who move or second a motion are not required to be present for the entirety of the debate.

23.2 Motions in writing/Te tuhi i ngā mōtini

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

23.3 Motions expressed in parts/Ngā mōtini i whakawehea

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

23.4 Substituted motion/Te whakakapi mōtini

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

23.5 Amendments to be relevant and not direct negatives/Me hāngai ngā whakahoutanga me kua e whakahē i te mōtini

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

be a direct negative to the motion or the amended motion. Reasons for not accepting an amendment can include:

- i. Not directly relevant
- ii. In conflict with a carried amendment
- iii. Similar to a lost amendment
- iv. Would negate a committee decision if made under delegated authority
- v. In conflict with a motion referred to the governing body by that meeting
- vi. Direct negative.

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

23.6 Foreshadowed amendments/Ngā whakahoutanga kua kōrerotia kētia

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

23.7 Lost amendments/Ngā whakahoutanga i whakahēngia

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to it, and may move or second a further amendment.

23.8 Carried amendments/Ngā whakahoutanga i whakaaetia

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

23.9 Where a motion is lost/Ina whakahēngia tētahi mōtini

In a situation where a substantive motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

23.10 Withdrawal of motions and amendments/Te tango i ngā mōtini me ngā whakahoutanga

Once a motion or amendment has been seconded the mover cannot withdraw it without the agreement of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

23.11 No speakers after reply or motion has been put/Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti

A member may not speak to any motion once:

- (a) The mover has started their right of reply in relation to the motion; and
- (b) The Chairperson has started putting the motion.

24. Revocation or alteration of resolutions/Te whakakore, te whakahou rānei i ngā tatūnga

24.1 Member may move revocation of a decision/Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga

A member may give the Chief Executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of Part 6, of the LGA 2002.

If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the Chief Executive for consideration and report.

24.2 Revocation must be made by the body responsible for the decision/Mā te rōpū nāna te whakatau e whakakore

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

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

24.3 Requirement to give notice/Te herenga ki te tuku pānui

A member must give notice to the Chief Executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution/Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

Exceptions apply if, in the opinion of the Chairperson:

- (a) The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) By reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the Chief Executive.

24.5 Revocation or alteration by resolution at same meeting/Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.

24.6 Revocation or alteration by recommendation in report/Te whakakore, te whakahou rānei mā te marohi ki rō Pūrongo

The local authority, on a recommendation in a report by the Chairperson, Chief Executive, or any committee or subcommittee, local or community board, may revoke or alter all or part of a resolution passed by a previous meeting. The Chief Executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

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

25. Procedural motions/Ngā mōtini whakahaere

25.1 Procedural motions must be taken immediately/Me pōti ngā mōtini whakahaere i taua wā tonu

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and two against or, in the chairperson's opinion, it is reasonable to accept the closure motion.

25.2 Procedural motions to close or adjourn a debate/Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:

- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);
- (c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- (e) That the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

25.3 Voting on procedural motions/Te pōti mō ngā mōtini whakahaere

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

25.4 Debate on adjourned items/Te tautohetohe i ngā take i whakatārewatia

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

25.5 Remaining business at adjourned meetings/Ngā take e toe ana i ngā hui i whakatārewatia

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

25.6 Business referred to the council, committee or local or community board/Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei

Where an item of business is referred (or referred back) to a committee or a local or community board, the committee or board will consider the item at its next meeting unless the meeting resolves otherwise.

25.7 Other types of procedural motions/Etahi atu momo mōtini whakahaere

The Chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

26. Points of order/Te tono ki te whakatika hapa

26.1 Members may raise points of order/Ka āhei ngā mema ki te tono ki te whakatika hapa

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order/Ngā kaupapa mō te whakatika hapa

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) Disorder – to bring disorder to the attention of the Chairperson;
- (b) Language – to highlight use of disrespectful, offensive or malicious language;
- (c) Irrelevance – to inform the chair that the topic being discussed is not the matter currently before the meeting;
- (d) Misrepresentation – to alert the chair of a misrepresentation in a statement made by a member, an officer or a council employee;
- (e) Breach of standing order – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and

- (f) Recording of words – to request that the minutes record any words that have been the subject of an objection.

26.3 Contradictions/Ngā whakahē

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

26.4 Point of order during division/Te tono whakatika hapa i te wā o te wehenga

A member may not raise a point of order during a division, except with the permission of the Chairperson.

26.5 Chairperson’s decision on points of order/Te whakatau a te ūpoko mō ngā tono whakatika hapa

The Chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The Chairperson’s ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

Should a point of order concern the performance of the Chairperson, then the Chairperson will refer the point of order to the Deputy Chairperson or, if there is no deputy, another member to hear arguments and make a ruling.

27. Notices of motion/Te pānui i ngā mōtini

27.1 Notice of intended motion to be in writing/Me tuhi te pānui mō te mōtini e takune ana

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the Chief Executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

Once the motion is received the Chief Executive must give members notice in writing of the intended motion at least 2 clear working days’ notice of the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion/Te whakahē i te pānui mōtini

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or

- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive officer may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of the LGA 2002, ss 77-82. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the Chief Executive for consideration and report; or
- (f) Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

27.3 Mover of notice of motion/Te kaimōtini o te pānui mōtini

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

27.4 Alteration of notice of motion/Te whakarerekē i te pānui mōtini

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse/Ka tārewa te pānui mōtini

Notices of motion that are not moved when called for by the Chairperson must lapse.

27.6 Referral of notices of motion/Te tuku i ngā pānui mōtini

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority or a local or community board must be referred to that committee or board by the Chief Executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

27.7 Repeat notices of motion/Ngā pānui mōtini tārua

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

28. Minutes/Ngā meneti

28.1 Minutes to be evidence of proceedings/Ka noho ngā meneti hei taunakitanga mō te hui

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the *prima facie* evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002.

28.2 Matters recorded in minutes/Ngā take ka tuhi ki ngā meneti

The Chief Executive must keep the minutes of meetings. The minutes must record:

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The Chairperson;
- (d) Any apologies or leaves of absences;
- (e) Member absent without apology or leave of absence;
- (f) Member absent on council business;
- (g) The arrival and departure times of members;
- (h) Any failure of a quorum;
- (i) A list of any external speakers and the topics they addressed;
- (j) A list of the items considered;
- (k) Items tabled at the meeting;
- (l) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (m) The names of all movers, and seconders;
- (n) Any objections made to words used;
- (o) All divisions taken and, if taken, a record of each members' vote;
- (p) the names of any members requesting that their vote or abstention be recorded;
- (q) Any declarations of financial or non-financial conflicts of interest;
- (r) The contempt, censure and removal of any members;
- (s) Any resolutions to exclude members of the public;
- (t) The time at which the meeting concludes or adjourns; and
- (u) The names of people permitted to stay in public excluded.

Please Note: hearings under the RMA 1991, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3 No discussion on minutes/Kāore e āhei te whakawhiti kōrero mō ngā meneti

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

28.4 Minutes of last meeting before election/Ngā meneti o te hui whakamutunga i mua i te pōtitanga

The Chief Executive and the relevant Chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

29. Keeping a record/Te whakarite mauhanga

29.1 Maintaining accurate records/Te whakarite i ngā mauhanga tika

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, to be able to be used for subsequent reference.

s. 17 Public Records Act 2005.

29.2 Method for maintaining records/Te tikanga mō te tiaki i ngā mauhanga

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

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

s. 229(1) of the Contract and Commercial Law Act 2017.

29.3 Inspection/Te tiroiro

Whether held in hard copy or in electronic form minutes must be available for inspection by the public.

s. 51 LGOIMA.

29.4 Inspection of public excluded matters/Te tiroiro i ngā take aukati marea

The Chief Executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Referenced documents/Ngā tohutoro tuhinga

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

Appendix 1: Grounds to exclude the public/Āpitihianga 1: Ngā take e aukatihia ai te marea

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) To endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. Disclose a trade secret; or
 - ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
 - (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. Be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. Be likely otherwise to damage the public interest.
 - (d) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (f) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (g) Maintain legal professional privilege; or

- (h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (i) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

See s.7 LGOIMA 1987.

Under A2 (above) the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest, that the public not be excluded.

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
 - (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
 - (a) Any proceedings before a Council where:
 - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

See s. 48 LGOIMA.

Appendix 2: Sample resolution to exclude the public/Āpitiḡanga 2: He tauira mō te tatūnga ki te aukati i te marea/

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is **moved**:

1 that the public is excluded from:

- The whole of the proceedings of this meeting; *(deleted if not applicable)*
- The following parts of the proceedings of this meeting, namely; *(delete if not applicable)*

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— <ul style="list-style-type: none"> i. be contrary to the provisions of a specified enactment; or ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"> i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; <ul style="list-style-type: none"> i. disclose a trade secret; or ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for; <ul style="list-style-type: none"> • a resource consent, or • a water conservation order, or • a requirement for a designation or • an heritage order, (s 7(2)(ba)).

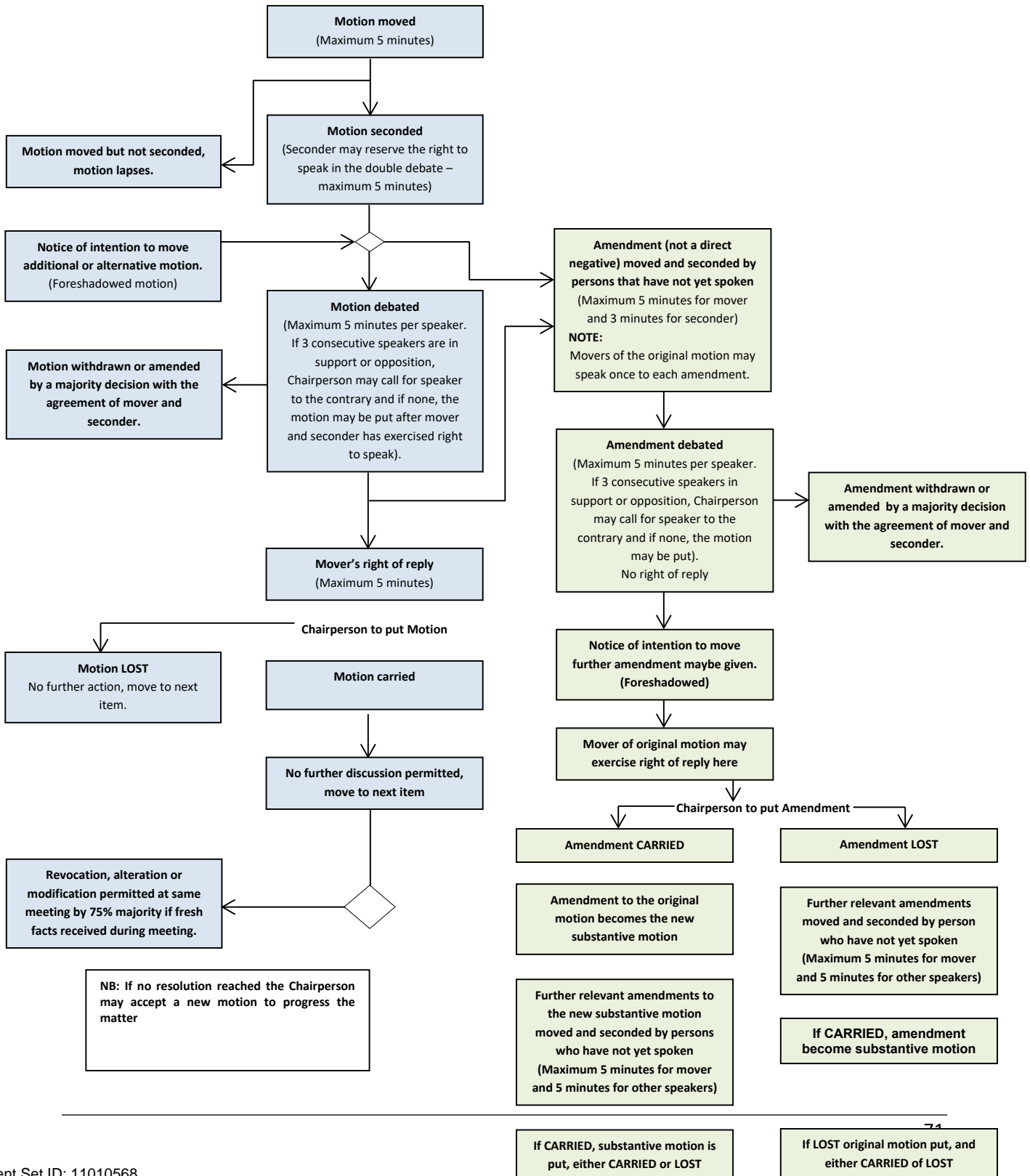
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: <ul style="list-style-type: none"> i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

2. That *(name of person(s))* is permitted to remain at this meeting after the public has been excluded because of their knowledge of *(specify topic under discussion)*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*. *(Delete if inapplicable.)*

Appendix 3: Motions and amendments (Option A) / Āpitianga 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A)

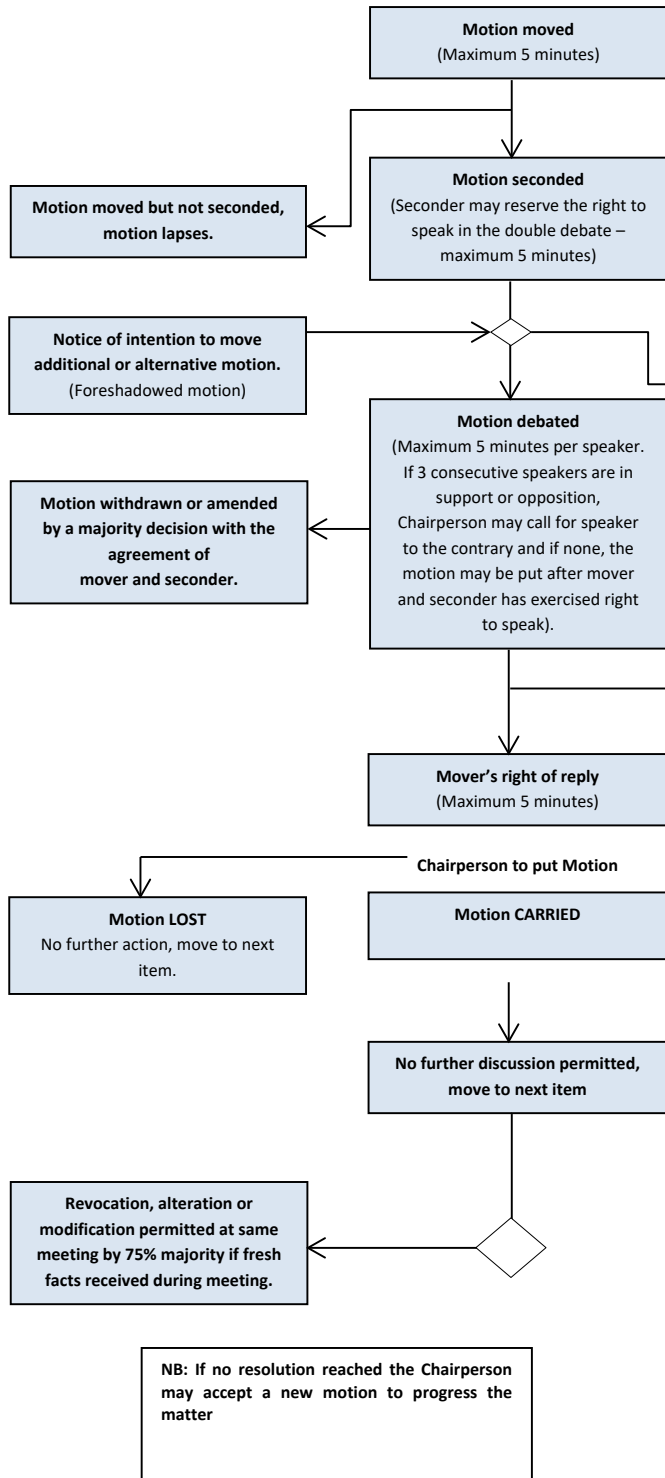
Motions without amendments

Motions with amendments

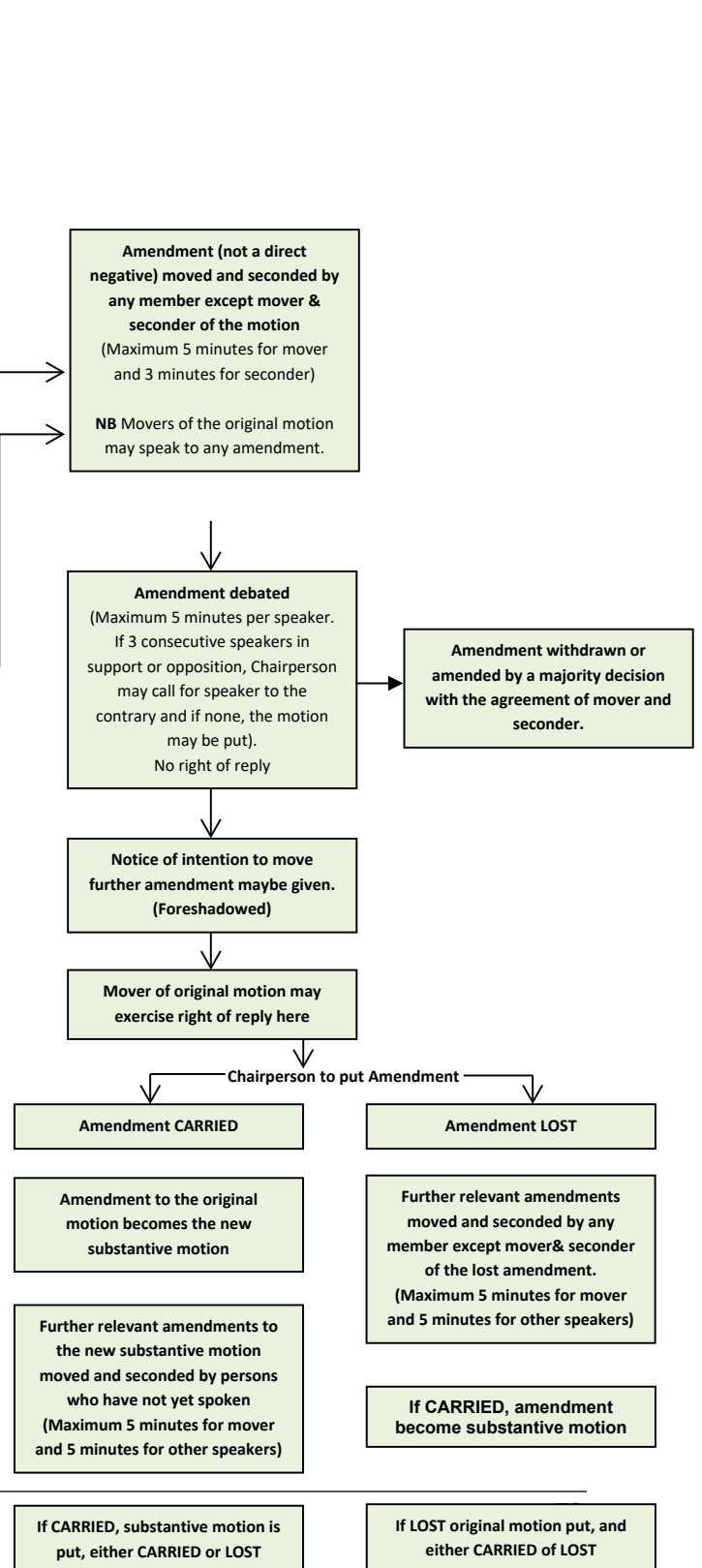


Appendix 4: Motions and amendments (Option B) / Āpiti hanga 4: Ngā mōtini me ngā whakahoutanga (Kōwhiringa B)

Motions without amendments



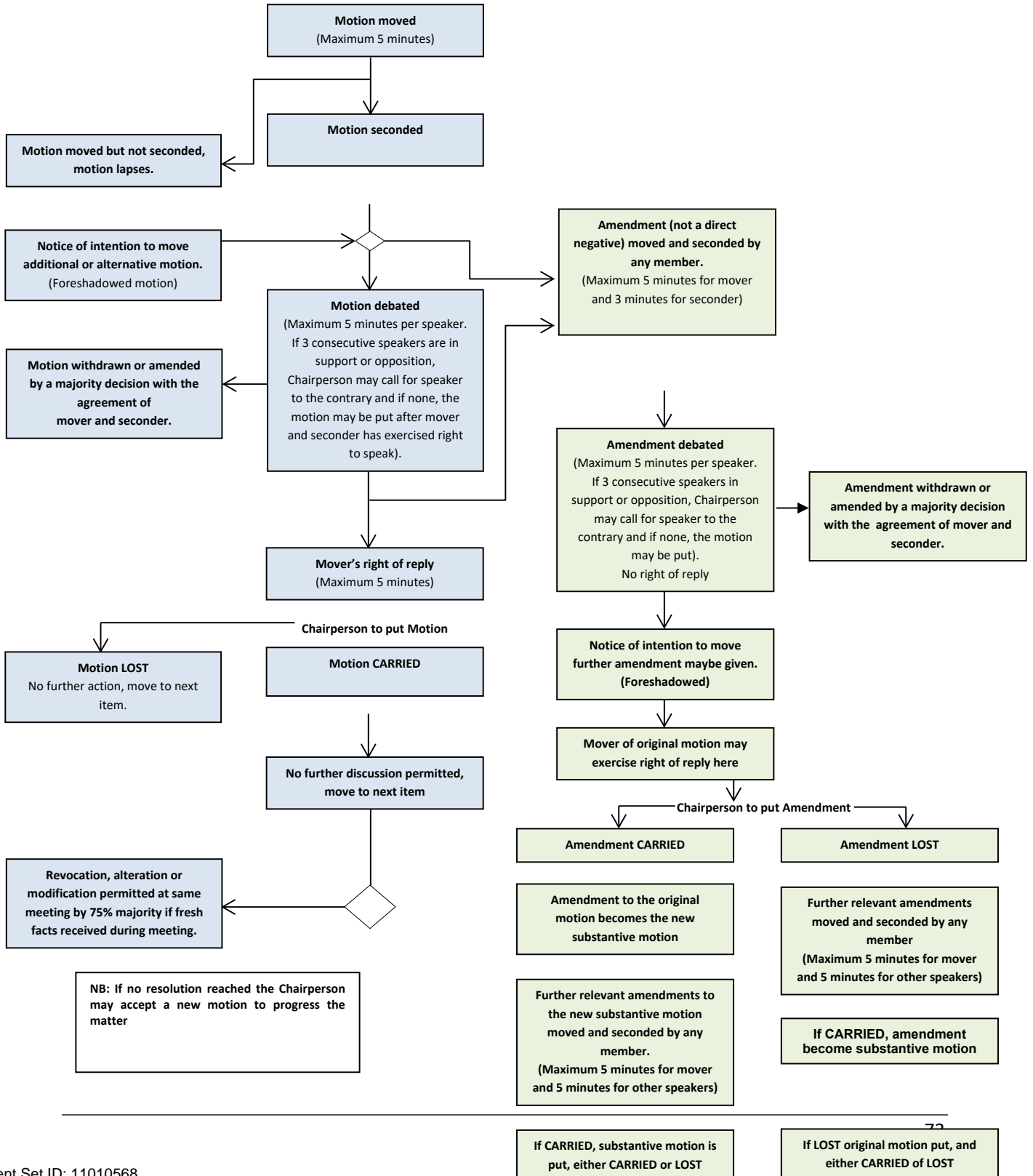
Motions with amendments



Appendix 5: Motions and amendments (Option C) / Āpitianga 5: Ngā mōtini me ngā whakahoutanga (Kōwhiringa C)

Motions without amendments

Motions with amendments



Appendix 6: Table of procedural motions/Āpiti hanga 6: Tūtohi mō ngā mōtini whakahaere

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	

(f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14
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Appendix 7: Webcasting protocols/Āpitiḡanga 7: Ngā tikanga mō te pāhotanga mataora

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

1. The default shot will be on the Chairperson or a wide-angle shot of the meeting room.
2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
3. Generally interjections from other members or the public are not covered. However if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

Appendix 8: Powers of a Chairperson/Āpitiḡanga 8: Ngā Mana Whakahaere a te Ūpoko

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.

Chairperson to decide points of order (SO. 26.5)

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda (SO.9.12)

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson's report (SO.9.6)

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation (SO.9.5)

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson's voting (SO19.3)

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing (SO.23.2)

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts (SO.23.3)

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion (SO.27.2)

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the Chief Executive may have made; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions (SO.24.4)

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion (SO.27.7)

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Revocation or alteration of previous resolution (SO. 24.6)

A Chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

Chairperson may call a meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next scheduled meeting; and
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition (SO.21.8)

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

Taking down words (SO.21.11)

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising (SO.14.5)

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places (SO.14.6)

The Chairperson may permit members to leave their place while speaking.

Priority of speakers (SO.14.7)

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes (SO.28.1)

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and Chief Executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Questions of speakers (SO.16.3)

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions (SO.20.3)

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson's rulings (SO.14.4)

Any member who refuses to accept a ruling of the Chairperson, may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour (SO.20.4)

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting (SO.20.6)

If a member or member of the public who is required, in accordance with a Chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson's request, remove or exclude that person from the meeting.

Audio or audio visual attendance (SO.13.10)

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

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other;
 - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;

- iii. The requirements of Part 7 of LGOIMA are met; and
- iv. The requirements in these standing orders are met.

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

Appendix 9: Process for removing a Chairperson or deputy Mayor from office/Āpitianga 9: Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei

1. At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its Chairperson, deputy Chairperson, or deputy Mayor from office.
2. If a Chairperson, deputy Chairperson, or deputy mayor is removed from office at that meeting, the territorial authority or regional council may elect a new Chairperson, deputy Chairperson, or deputy mayor at that meeting.
3. A meeting to remove a Chairperson, deputy Chairperson, or deputy Mayor may be called by:
 - (a) A resolution of the territorial authority or regional council; or
 - (b) A requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
4. A resolution or requisition must:
 - (a) Specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) Indicate whether or not, if the Chairperson, deputy Chairperson, or deputy Mayor is removed from office, a new Chairperson, deputy Chairperson, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
6. The Chief Executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
7. A resolution removing a Chairperson, deputy Chairperson, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

Appendix 10: Sample order of business/Āpitihanga 10: He taura mō te whakaraupapatanga o ngā take

Open section

- (a) Apologies
- (b) Declarations of interest
- (c) Confirmation of minutes
- (d) Leave of absence
- (e) Acknowledgements and tributes
- (f) Petitions
- (g) Public input
- (h) Local and/or community board input
- (i) Extraordinary business
- (j) Notices of motion
- (k) Reports of committees
- (l) Reports of local and/or community boards
- (m) Reports of the Chief Executive and staff
- (n) Mayor, deputy Mayor and elected members' reports (information)

Public excluded section

- (o) Reports of committees
- (p) Reports of the Chief Executive and staff
- (q) Mayor, deputy Mayor and elected members' reports (information)

Appendix 11: Process for raising matters for a decision/Āpiti hanga 11: Te pūnaha mō te whakatakoto take hei whakatau

Matters requiring a decision at a meeting, may be placed on the meeting's agenda by a:

- Report of Chief Executive;
- Report of a Chairperson;
- Report of a committee;
- Report of a community or local board; or
- Notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- Report of the Chief Executive; or
- Report of the Chairperson.

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the chairperson.

APPENDIX 2

The guide to LGNZ Standing Orders' produced by LGNZ (ECM number 11012412)

The guide to LGNZ standing orders:

He aratohu i te anga
tikanga whakahaere
hui a LGNZ:

Ākuhata 2022
// August



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p/6 Local government obligations under Te Tiriti o Waitangi // Ngā kawenga a te kāwanatanga ā-rohe i raro i te Tiriti o Waitangi

p/6 Acknowledging the mandate of mana whenua as the traditional governors
Te tūtohu i te mana o te mana whenua hei kāwana tuku iho

p/7 Enabling the participation of Māori as citizens
Te whakarite i te āheinga a Māori ki te whai wāhi hei kirirarau

p/9 Before adopting the standing orders template: // I mua i te whakamana i te anga whakahaere hui:

p/9 1. Should members have a right to attend by audio or audio-visual link?
1. Me whai mōtika ngā mema kia tae mā te hononga ā-oro, ataata-rongo rānei?

p/9 2. Should mayors/chairs have a casting vote?
2. Me riro mā te koromatua/ūpoko rānei te pōti whakatau?

p/10 3. Speaking and moving options
3. Ngā kōwhiringa kōrero me te mōtini

p/10 4. Time needed for kaimahi (staff) to prepare advice
4. Te roa o te wā mā ngā kaimahi ki te whakarite tohutohu

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p/11 Proposed resolution for adopting standing orders
Te tatūnga i tūtohua hei whakamana i ngā tikanga whakahaere hui

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Te mana ki te kopou, ki te whakakore rānei i ngā mema kiritahi o tētahi komiti hono
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Introduction

// Kupu whakataki

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

Your kaunihera (council) standing orders (SO) aims to achieve just this. They are a critical element of good governance and great local democracy, as well-run meetings and hui should increase community understanding of kaunihera decision-making processes and trust in our local political institutions.

Standing orders also have an important role to play in assisting kaunihera to meet their obligations and responsibilities under Te Tiriti o Waitangi, whether those responsibilities are set in legislation or reflect respectful practice.

Local authorities, local boards and community boards must adopt standing orders for the orderly conduct of their meetings. In the world of local government, the word 'meeting' has a specific meaning that refers to gatherings that conform to rules and regulations laid down in the Local Government Act (LGA) 2002.

The LGNZ standing orders template¹ draws heavily on those published by Te Mana Tautikanga o Aotearoa Standards New Zealand in 2001 and the Department of Internal Affairs' Guidance for Local Authority Meetings published in 1993.

The template is updated every three years to ensure it reflects new legislation and incorporates evolving standards of good practice.

It contains a range of options to enable a kaunihera to adapt the template to meet their own styles and preferences. It is essential that kaunihera consider these options before adopting the standing orders.

We recommend that kaunihera delay adopting new standing orders until after the new governing body, local and community boards have had a period operating under the incumbent ones. That way, the discussion about options will be informed by experience, especially from new members who may not be familiar with how standing orders work.

We also recommend that kaimahi should encourage members to set time aside, at least once a year, to review how they are working and whether their decision-making structures are effective. For suggestions on building inclusive cultures and self-assessment see LGNZ's Guide to the Code of Conduct.

The team at LGNZ are continually looking at ways to make the standing orders more accessible to members and flexible enough to enable adjustment to local circumstances. We are always keen to hear your feedback.



¹ All standing order references refer to the territorial authority standing orders template. Numbers may vary slightly in the regional council and community boards templates.

Local government obligations under Te Tiriti o Waitangi

// Ngā kawenga a te kāwanatanga ā-rohe i raro i te Tiriti o Waitangi

Local governments are part of the governing framework of Aotearoa New Zealand with obligations that flow from the Crown's duties under Te Tiriti o Waitangi. In addition, as mechanisms through which communities make decisions about what matters to them, kaunihera can only be successful by building and operating through a wide network of community relationships. Chief amongst these are those iwi and hapū, who hold traditional and indigenous authority in their hapori (community).

Local government's empowering statute, the Local Government Act (LGA) 2002, along with other acts of parliament, sets out the expectations and requirements of local governments, that relate directly to the Crown's obligations to Māori.

Standing orders provide a mechanism for achieving the following:

// **1** Acknowledging the mandate of mana whenua as the traditional governors of Aotearoa New Zealand and the area of your kaunihera.

// **2** Enabling the participation of Māori as citizens in kaunihera decision-making processes.

Acknowledging the mandate of mana whenua as the traditional governors // Te tūtohu i te mana o te mana whenua hei kāwana tuku iho

Iwi and hapū have a mandate based on their role as the indigenous governors of the land. This is quite different from the 'stakeholder' status given to many local organisations kaunihera works with. It is a status that would exist even if it wasn't enshrined in Te Tiriti o Waitangi.

It is incumbent on local authorities to work with relevant iwi and hapū to determine how best to recognise their status. A common approach involves developing a joint memorandum or charter of understanding which can provide clarity around expectations, including how current and future engagement should occur.

The scope of an agreement could include:

- >> Processes for ensuring relevant mana whenua concerns can be incorporated in governing body and committee hui agendas.
- >> Mechanisms for ensuring that papers and advice going to meetings incorporates the views and aspirations of mana whenua. Such mechanisms might include the co-design and co-production of policy papers and allowing mana whenua themselves to submit papers.
- >> A role for kaumatua in formal kaunihera processes, such as:
 - // the inaugural hui, having a local kaumatua or mana whenua representative chair the hui and swearing in of members, or
 - // enabling kaumatua or other mana whenua representatives to sit at the governing body table as advisors.

Other initiatives that can be included in standing orders and recognise the mandate of mana whenua, are:

- >> placing information about significant aspects of your area's history as a regular item on the governing body's agenda,
- >> holding hui on marae and other places of significance to Māori,
- >> providing presentations at governing body meetings highlighting the history of the local area; and
- >> inviting mana whenua organisations to appoint representatives on kaunihera committees and working parties.

Enabling the participation of Māori as citizens // Te whakarite i te āheinga a Māori ki te whai wāhi hei kirirarau

Standing orders are a mechanism for enabling members to work collectively to advance the public interests of their hapori: they are a tool for promoting active citizenship. Enabling the participation of Māori citizens is one of the duties that the Crown has placed on local governments to give effect to Te Tiriti o Waitangi obligations, as set out in Article 3.

In the words of the Waitangi Tribunal:

In article 3, the Crown promised to Māori the benefits of royal protection and full citizenship. This text emphasises equality.²

To recognise and respect these responsibilities and to maintain and improve opportunities for Māori to contribute, parts 2 and 6 of the LGA provide principles and requirements for local authorities that aim to achieve these objectives (LGA 2002, section 4, Treaty of Waitangi).

The emphasis in this section is on facilitating the participation of Māori in decision-making processes. Local government decisions are made in meetings which are governed by standing orders. Kaunihera must consider how their standing orders facilitate such participation and proactively take steps to make it easy and encourage Māori citizens to become involved in decision-making processes.

The legislation itself provides some help, namely that local authorities must:

- >> establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority, (LGA 2002 section 14(1)(d)),

² The Waitangi Tribunal considers both the English Treaty of Waitangi and the Māori Te Tiriti o Waitangi in coming to an interpretation.

>> consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority, and

>> provide relevant information to Māori for the purposes of contributing to, and building ‘capacity’ to contribute to, the local authority’s decision-making processes.

In relation to the LGA 2002 ‘capacity’ is the ability of a person (or group) to participate knowledgeably, given their resources and their understanding of the requisite skills, tools, and systems. Ways to build capacity include:

- >> providing training and guidance on how kaunihera meeting and decision-making processes work,
- >> holding meetings and workshops on marae and other community settings to help demystify local government processes, and
- >> providing information about meetings in te reo Māori, including agendas and papers.

Kaunihera also need to look at the degree to which their facilities are culturally welcoming and incorporate Māori tikanga values and customs.

This is about incorporating practices, protocols and values from mātauranga Māori or Māori knowledge.

Examples to achieve this include:

- >> appropriate use of local protocol at the beginning and end of formal occasions, including pōwhiri and mihi whakatau,
- >> using karakia timatanga for starting meetings and hui,
- >> closing meetings and hui with karakia whakamutunga,
- >> re-designing order papers and report formats to include te reo Māori, including headings,
- >> reviewing kaunihera processes and cultural responses through a Te Tiriti o Waitangi lens, and
- >> offering members the option of making the declaration in te reo Māori.

// MEMBERS DECLARATION

I, [.....], declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [name of region or district], the powers, authorities, and duties vested in or imposed upon me as a member of the [name of local authority] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Ko ahau, ko _____, e oati ana ka whai ahau i te pono me te tōkeke, i runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua uhia ki runga i a au kia whiwhi painga mō te takiwā o Te Wairoa hei kaikaunihera o te Kaunihera-a-rohe o Te Wairoa, e ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei.

He mea whakaū tēnei i Te Wairoa i tēnei rā rua tekau mā rua o Whiringa-ā-nuku i te tau rua mano tekau mā toru.

Waitohu: _____

Waitohu mai ki mua i a: _____

Before adopting the standing orders template:

// I mua i te whakamana i te anga whakahaere hui:

Local authorities, local boards and community boards must adopt standing orders for the orderly conduct of their meetings. In the world of local government, the word 'meeting' has a specific meaning that refers to gatherings that conform to rules and regulations laid down in the Local Government Act (LGA) 2002.

To ensure that standing orders assist the governing body to meet its objectives in an open and transparent manner while also enabling the full participation of members, any governing body or local or community board intending to adopt the LGNZ template, must decide from the following options and ensure the standing orders template is updated to reflect these decisions.

// 1

Should members have a right to attend by audio or audio-visual link? // Me whai mōtika ngā mema kia tae mā te hononga ā-oro, ataata-rongo rānei?

The LGA 2002 allows members to participate in meetings, if they are not physically present, via audio or audio-visual means.

However, members attending by audio or audio-visual means are not counted as part of a quorum of a meeting.

Should a governing body, local or community board decide they do not wish to allow members to do this, then this section of the standing orders SO 13.7 Right to attend by audio or audio-visual link must be deleted from the template before it is adopted. (see Part 3: Meeting Procedures for more information).

// 2

Should mayors/chairs have a casting vote? // Me riro mā te koromatua/ūpoko rānei te pōti whakatau?

The LGA 2002 allows a chairperson (chair) to use a casting vote if this is specified in standing orders. The vote can be used when there is a 50/50 split in voting. The LGNZ standing orders template includes the casting vote option. Should a governing body, local or community board decide that it does not wish for its chairs to have a casting vote, then SO 19.3 Chairperson has a casting vote, will need to be deleted before the template is adopted.

Before adopting the standing orders template:

// I mua i te whakamana i te anga whakahaere hui:

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// 9

Some kaunihera have opted for an intermediate position, in which a casting vote can only be used for prescribed types of decisions, such as when there is an equality of votes for the adoption of statutory plans (see Part 3: Meeting Procedures for more information).

// 3

Speaking and moving options

// Ngā kōwhiringa kōrero me te mōtini

The LGNZ template offers kaunihera a choice of three frameworks for speaking to and moving motions and amendments, see the discussion on SO 22.1 for more information.

Option A (SO 22.2) is the most formal of the three and limits the number of times members can speak and move amendments. For example, members who have moved and seconded a motion cannot then move and second an amendment to the same motion and only members who have not spoken to a motion or substituted motion may move or second an amendment to it. This is the framework used in the 2003 Standards New Zealand Model Standing Orders.



Option B (SO 22.3) is less formal. While limiting the ability of movers and seconders of motions to move amendments, this option allows any other member, regardless of whether they have spoken to the motion or substituted motion, to move or second an amendment.

Option C (SO 22.4) is the least formal. It gives members more flexibility by removing the limitations on movers and seconders speaking which exist in the other two options.

The kaunihera might also consider which of the three should apply to committees. Given that committees are designed to encourage more informal debate, and promote dialogue with communities, the informal option, Option C is recommended.

// 4

Time needed for kaimahi (staff) to prepare advice // Te roa o te wā mā ngā kaimahi ki te whakarite tohutohu

Standing orders provide for members of the community to engage with kaunihera, their various committees and local or community boards. It is common for officials (kaimahi) to be asked to prepare advice on the items to be discussed.

Two examples are SO.16 Deputations and SO.17 Petitions. In both cases the default standing orders give officials five days in which to prepare the advice; whether this is practical will depend upon the size of a kaunihera and the way it works.

Before adopting the LGNZ template, the kaunihera should ensure that the five-day default is appropriate and practicable.

Adopting and reviewing your standing orders

// Te whakamana me te arotake i ō tikanga whakahaere hui

There is a tendency for new kaunihera, to adopt the standing orders, the code of conduct and the governance arrangements, of the former kaunihera, soon after they are formed. This is not recommended.

These matters should be discussed in detail at the initial members' induction hui or at a specially designed workshop held a few months after the elections, allowing time for new members to fully understand how local government works and whether the existing standing orders and governance structures are working or not.

It is important that elected members fully understand the policies and frameworks that will influence and guide their decision-making over the three years of their term, and the implications they bring. This applies to standing orders, your code of conduct, and your governance structures, such as whether to have committees or not and what powers those committees will have to make decisions.

Please note that the approval of at least 75 per cent of members present at a meeting is required to adopt (and amend) standing orders. In addition, it is good practice for members to reassess their governance arrangements, including standing orders, in the middle of the second year of their term to ensure they remain inclusive and effective against the shifts in community make-up, values and expectations.

Proposed resolution for adopting standing orders // Te tatūnga i tūtohua hei whakamana i ngā tikanga whakahaere hui

Once a decision has been reached on which discretionary clauses to incorporate, then a resolution to adopt the original or amended standing orders can be tabled. Such a resolution could, for example, take the following shape:

That the kaunihera adopt the standing orders with the following amendments:

// 1

That the standing orders enable members to join hui by audio visual link - yes/no.

// 2

That the chair be given the option of a casting vote - yes/no.

// 3

That Option X be adopted as the default option for speaking and moving motions.

LGNZ recommends that local and community boards, and joint committees, undertake the same considerations before adopting their standing orders.



1

PART 1 – GENERAL MATTERS >>

Ngā take
whānui >>

Wāhanga ONE

THIS SECTION OF THE GUIDE DEALS WITH THOSE MATTERS THAT APPLY TO THE OVERALL CONTEXT IN WHICH STANDING ORDERS OPERATE INCLUDING THE ROLE OF MAYORS AND CHAIRS AND THE NATURE OF DECISION-MAKING BODIES.

IT COVERS THE FOLLOWING:

- // MAYORAL APPOINTMENTS
- // MEETING THE DECISION-MAKING REQUIREMENTS OF PART 6, LGA 2002
- // APPOINTMENT OF KAIMAHI TO SUB-COMMITTEES
- // APPROVING LEAVE FOR MEMBERS OF THE GOVERNING BODY
- // THE RELATIVE ROLES OF EXTRAORDINARY AND EMERGENCY HUI, AND
- // GOOD PRACTICE FOR SETTING AGENDAS

SO 5:

Appointments and elections - can you appoint co-chairs?

// Ngā kopounga me ngā pōtitanga
– ka taea te kopou i ngā
ūpoko takirua?

The provisions of Schedule 7 Local authorities, local boards, community boards and their members, LGA 2002, do not support this option, referring explicitly to individual members.

It would be a challenge for co-chairs to fulfil those standing order provisions that require a chair to make specific rulings, such as a ruling on member conduct or a ruling on whether to accept a Notice of Motion. What is the provision, where co-chairs are sharing chairperson duties, by which the co-chairs make a joint decision? What if they cannot agree on a ruling?

If the objective is to give committee or board members experience of being a chair, then an agreement by which a chair stands down to enable a deputy to chair the hui on an occasional or semi-formal way, might be more practicable (see below).

SO 5.1:

Mayoral appointments

// Ngā kopounga koromatua

It is critical that the chief executive advises their mayor about their powers under section 41A Role and powers of mayors, LGA 2022 as soon as possible after election results have been confirmed. This is to ascertain whether the mayor wishes to make use of those powers.

Included in the standing orders are provisions regarding the ability of mayors to establish committees and appoint deputy mayors, committee chairs and committee members.

Where a mayor chooses to use these powers, a kaunihera must ensure the results are communicated as soon as practicable to members of the governing body. We recommend that the information is provided by the mayor or chief executive, in the mayor's report for the first meeting of the governing body that follow the mayor's appointments.

Appendix four sets out a recommended process for making appointments.

SO 5.5:

Removing a chair, deputy chair or deputy mayor

// Te whakakore i te tūranga a te ūpoko, te ūpoko tuarua, te koromatua, te koromatua tuarua rānei

Clause 18, Schedule 7 of the LGA 2002 sets out the process for removing a chair, deputy chair or deputy mayor. It is a detailed process that requires firstly, a resolution by the relevant meeting to replace the chair or deputy, and secondly, a follow up meeting, to be held not less than 21 days after the resolution, at which the change occurs.

A common question is whether the individual facing a challenge to their position, should be able to speak and vote. The answer is yes. Both natural justice and the nature of the question to be resolved, allows those directly involved to be able to speak and lobby on their own behalf.

SO 7:

Committees - appointment of staff to sub-committees

// Ngā komiti – te kopounga o ngā kaimahi ki ngā komiti-āpiti

While non-elected members such as community experts, academics, or business representatives, etc., may be appointed to committees and sub-committees, council kaimahi (staff), can only be appointed to a sub-committee. When appointing a sub-committee, a kaunihera or committee should ensure the terms of reference provide clarity of the skills and competencies required. This may involve:

- >> requesting that the chief executive, or their nominee, determine which member of kaimahi is appropriate to be a member of the sub-committee, or
- >> identifying a specific position, such as the chief executive, city planner or economist, to be a member of the sub-committee.

SO 7.10:

Power to appoint or discharge individual members of a joint committee - committees that are not discharged

// Te mana ki te kopou, ki te whakakore rānei i ngā mema kiritahi o tētahi komiti hono – ngā komiti kāore anō kia whakakorehia

A kaunihera, or a group of kaunihera in the case of a joint committee, can resolve that a committee continues beyond a triennial election, although for this to be the case all participating kaunihera would need to so resolve. In the case of joint committees, the appointment of new members and discharge of existing members sits with the Kaunihera that they are members of.

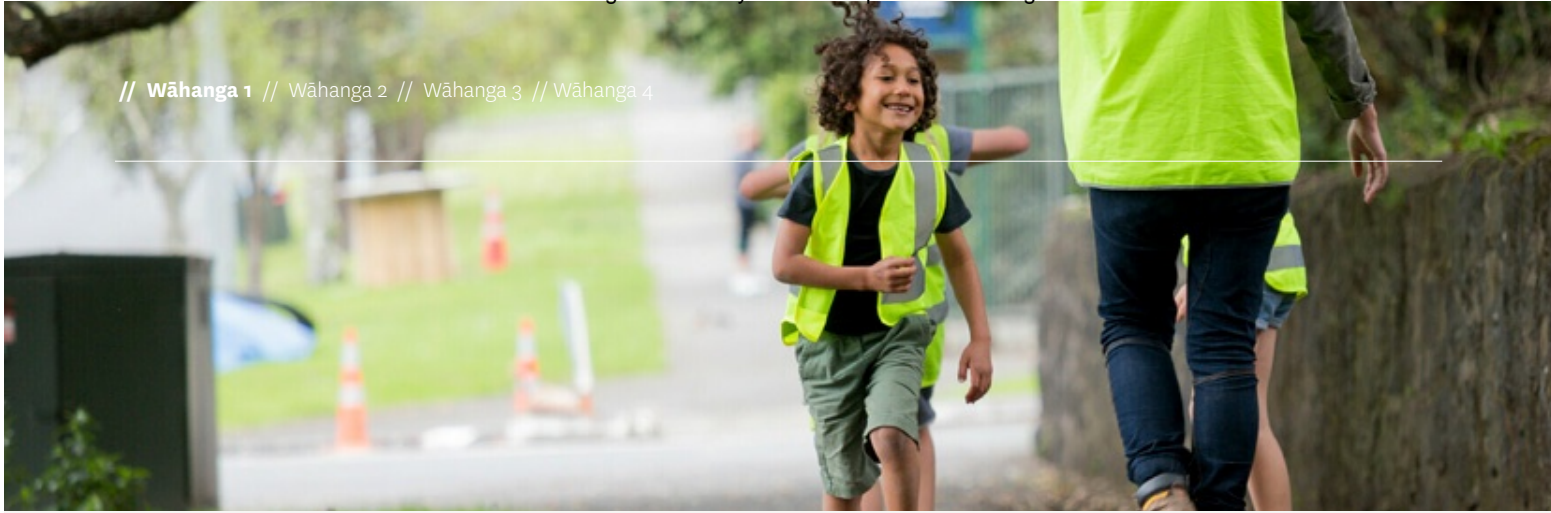
A related and often asked question is whether appointments to District Licensing Committees (DLCs), unlike other committees, can be made for longer than a term. This is possible as DLCs are statutory committees that are not automatically discharged at the end of a term.

SO 8:

Regarding extraordinary and emergency meetings

// Mō ngā hui motuhake, ohotata hoki

Extraordinary meetings are designed to consider specific matters that cannot, due to urgency, be considered at an ordinary meeting.



For this reason, extraordinary meetings can be held with less public notification than ordinary ones.

Standing orders recommend that extraordinary meetings should only deal with the business and grounds for which they are called and should not be concerned with additional matters that could be considered at an ordinary meeting. Public forums should not be held prior to an extraordinary hui.

If kaunihera need to hold meetings that are additional to those specified in their schedule, then they should amend their schedule to include additional ordinary meetings, rather than call them extraordinary meetings, to address what might be the general business of the kaunihera.

Enacted in 2019, the Local Government Regulatory Matters Act has provided for a new type of meeting referred to as ‘emergency’ meetings. The key differences between extraordinary and emergency meetings are outlined below.

Table 1 >>

Extraordinary and emergency meeting compared

	// EXTRAORDINARY MEETING	// EMERGENCY MEETING
Called by:	A resolution of the local authority or requisition in writing delivered to the chief executive and signed by: <ul style="list-style-type: none"> >> the mayor or chair, or >> not less than one-third of the total membership of the local authority (including vacancies). 	The mayor or chair; or if they are unavailable, the chief executive
Process:	Notice in writing of the time and place and general business given by the chief executive.	By whatever means is reasonable by the person calling the meeting or someone on their behalf.
Period:	At least three days before the meeting unless by resolution and not less than 24 hours before the meeting.	Not less than 24 hours before the meeting.
Notifications of resolutions	With two exceptions a local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting. ³	No similar provision exists for emergency meetings however good practice would suggest adoption of the same process as applies to extraordinary meetings.

³ The exceptions apply to decisions made during public excluded session or if the meeting was advertised at least 5 working days before the day on which it was held.

SO 9.5:

Chair's recommendation - ensuring the decision-making requirements of Part 6 are met

// Te tūtohunga a te ūpoko – te whakarite i tutuki ngā herenga o te Wāhanga 6

Part 6 is shorthand for sections 77-82 of the LGA 2002, which impose specific duties on kaunihera when they are making decisions. The duties apply to all decisions, but the nature of compliance depends on the materiality of the decision.

The most important provisions are found in s. 77 (bullets a-c) below) and s. 78 (bullet d) below), which require that local authorities must, while making decisions:

// a

seek to identify all reasonably practicable options for the achievement of the objective of a decision,

// b

assess the options in terms of their advantages and disadvantages,

// c

if any of the options identified under paragraph a) involves a significant decision in relation to land or a body of water, consider the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga, and

// d

consider the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

The level of compliance needs to be considered in light of the kaunihera's Significance and Engagement Policy. It is also important to be aware that these obligations apply to the following:

>> recommendations made as part of a chair's report, and

>> recommendations made by way of a Notice of Motion (NOM)

Chair's report // Te pūrongo a te ūpoko

It is common for a chair to use their report to raise a new matter for council deliberation. If that matter is more than minor it should be accompanied by an officer's report setting out options, their relative strengths and weaknesses and include evidence that any citizen affected by the recommendation has had a chance to have their views considered. The same applies to a notice of motion that seeks members' agreement.

What to do if a chair's recommendation or a notice of motion are inconsistent with Part 6? // Me aha mēnā kāore te tūtohunga a te ūpoko, te pānui mōtini rānei i hāngai ki te Wāhanga 6?

A chair should refuse to accept a NOM that addresses possibly significant matters, unless it is accompanied by an officials' report assessing the level of significance and the applicability of Part 6. The same also applies to a recommendation made in a chair's report.

Where a matter triggers the requirements of Part 6, the chair or mover of the NOM, should:

>> ask the chair or mover of the NOM to amend their motion so that it asks for a kaimahi report on the matter, or

>> require members submit a draft NOM to kaimahi in advance to determine whether it is likely to trigger the need to comply with Part 6.

This guidance also applies to Standing Order 27.2 Refusal of notice of motion, and allows a chair to refuse to accept a NOM that fails to include sufficient information to satisfy the requirements of sections 77 – 82 of the LGA.

To reduce the risks of this happening, some councils:

>> require the mover of a notice of motion to provide written evidence to show that their motion complies with Part 6, or

>> ask members to submit a proposed NOM to staff before a meeting so that an accompanying report can be prepared.

SO 13.3:

Leave of absence

// Te tamōtanga

The standing orders provide for a kaunihera to delegate the authority to grant a leave of absence to a mayor or regional kaunihera chair. When deciding whether to grant a leave of absence, a consideration should be given to the impact of this on the capacity of the kaunihera to conduct its business.

Requests should be made in advance of a meeting and would generally apply to several meetings that the member knows they will be unable to attend.

Kaunihera will need to establish their own policy as to whether a person who has a leave of absence for a length of time will continue to receive remuneration as an elected member, for example, a policy may provide for remuneration to continue to be paid for the first three months of a leave of absence.

SO 13.4:

Apologies

// Ngā whakapāha

Apologies are usually given when a member cannot attend a forthcoming meeting or inadvertently missed one, in which cases the apologies are made retrospectively.

SO 13.6:

Absent without leave

// Te tamōtanga kāore i whakaaetia

If a member is absent from four consecutive meetings without their leave or apologies approved, an extraordinary vacancy is created. This occurs at the end of a meeting at which a fourth apology has been declined, or a member had failed to appear without a leave of absence.



2

PRE-MEETING ARRANGEMENTS >>

Ngā whakaritenga i
mua i te hui >>

Wāhanga TWO

THE PRE-MEETING SECTION OF THE STANDING ORDERS COVERS THE VARIOUS PROCESSES THAT NEED TO BE UNDERTAKEN FOR A MEETING TO BEGIN, INCLUDING THE PREPARATION OF AN AGENDA. THIS SECTION OF THE GUIDE INCLUDES:

- // SETTING AND ADVERTISING MEETING
- // RELOCATING MEETINGS AT THE LAST MINUTE
- // PUTTING MATTERS ON THE AGENDA

Setting meeting times

// Te whakarite wā hui

Consideration should be given to choosing a meeting time that is convenient for members and will enable public participation. One approach could be to use the kaunihera induction workshop to seek agreement from members on the times that will best suit them, their kaunihera, and their hapori.

SO 8:

Giving notice

// Te pānui i ngā hui

Section 46(1) and (2) of the Local Government Official Information and Meetings Act 1986 (LGOIMA) prescribes timeframes for publicly advertising meetings. This is so the community has sufficient notice of when meetings will take place. However, the wording of these subsections can cause some confusion.

>> Section 46(1) suggests providing a monthly schedule, published 5-14 days before the end of the month.

>> Section 46(2) suggests that meetings in the latter half of the month may not be confirmed sufficiently in advance to form part of a monthly schedule published before the start of the month.

Therefore, Section 46(2) provides a separate option for advertising meetings held after the 21st of the month. These can be advertised 5-10 working days prior to the meeting taking place.

Basically, kaunihera must utilise the monthly schedule in Section 46(1) for hui held between the 1st and 21st of the month, however, both methods for advertising meetings can be used for meetings held after the 21st.

SO 8.1 : & SO 8.2:

Public notice and notice to members - definitions

// Te pānui tūmatanui me te pānui ki ngā mema
– ngā whakamārama

Prior to the last election the Standing Orders were updated to include new definitions of what constitutes a 'public notice' and how 'working days' are defined. The full provisions are:

PUBLIC NOTICE, in relation to a notice given by a local authority, means that:

// **a**

It is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's Internet site; and

// **b**

It is published in at least:

(i) One daily newspaper circulating in the region or district of the local authority; or

(ii) One or more other newspapers that have a combined circulation in that region or district at least equivalent to that of a daily newspaper circulating in that region or district.

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

WORKING DAY means a day of the week other than:

// **a**

Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, Matariki, and Waitangi Day;

// **b**

If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday;

// **c**

The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and

// **d**

A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

SO 8.10 :

Meeting schedules – relocating meetings at the last minute

// Ngā hōtaka hui – te panoni i te wāhi hui i te mineti whakamutunga

Local authorities must hold meetings at the times and places as advertised, so if an appointed meeting room becomes unavailable at the last minute (i.e. after the agenda has been published), and an alternative room in the same venue or complex cannot be used, the meeting can be re-located but will become an 'extraordinary' meeting and the requirements set out in Standing Orders 8.4 and 8.9 will need to be met.

If a meeting is relocated, we recommend informing the public of the change in as many ways as possible, for example:

- >> alerting customer services,
- >> changing meeting invitations to elected members,
- >> updating notices visible outside both old and new venues,
- >> a sign on the original meeting room door, and
- >> updates on the kaunihera website and social media pages.

SO 9.8 :

Managing confidential information

// Te whakahaere mōhiohio matatapu

Occasionally kaunihera must address the issue of how confidential agenda items should be handled where there is a possibility, that the information in the agenda could benefit a member or individual, should it become public. Some kaunihera address this risk by tabling confidential papers at the meeting on the day and ensuring those papers are returned before members leave.

SO 9.1 :

Preparation of the agenda – good practice

// Te whakarite i te rārangi take
– ngā mahi tika

Deciding what to put on an agenda and the process used to make that decision is an important consideration. An agenda is ultimately the responsibility of the chair of the meeting and the chief executive, with the collation of the agenda and its contents sitting with the chief executive's control. The process varies between kaunihera, and is heavily influenced by its size. Some principles of good practice include:

- >> Start the process with a hui of the kaunihera committee chairs to identify upcoming issues and determine which committee will address them first.
- >> To strengthen relationships, mana whenua organisations could be invited on a regular basis to contribute items for an agenda or share their priorities, for consideration by a future meeting.
- >> Seek regular public input into forthcoming agendas by engaging with a representative panel of community members.
- >> Ensure elected members themselves can identify matters for upcoming hui agendas.

If a member wants a new matter discussed at a meeting, they should give the chair early notice, as the matter may require the chief executive to prepare an accompanying report.

Matters may be placed on the agenda by the following means:

// 1

By a direct request to the chair of the meeting, chief executive, or an officer with the relevant delegated responsibility.

// 2

By asking the chair to include the item in their report, noting that the matter might require a kaimahi report if it involves a decision.

// 3

By the report of a committee. Committees are a mechanism for citizens, or elected members, to raise issues for kaunihera consideration. A committee can make recommendations to the governing body.

// 4

Through a local or community board report. Community boards can raise matters relevant to their specific community for consideration by the governing body. A councillor could approach a community board to get their support on a local issue.

// 5

Through a Notice of Motion (NOM). See Standing Order 27.1 for more detail. A NOM must still comply with the decision-making provisions of Part 6 LGA 2002 before it can be considered. Generally, a NOM should seek a meeting's agreement that the chief executive prepare a report on the issue of concern to the mover.

Where a matter is urgent but has not been placed on an agenda, it may be brought before a meeting as ‘extraordinary business’ via a report by the chief executive or the chair. This process gives effect to section 46A (7) and (7A) of the Local Government Official Information and Meetings Act (LGOIMA) 1987.

The topic of any request must fall within the terms of reference, or the scope of delegations, given to the meeting or relevant committee, board or subsidiary body. For example, business referred to a community board should concern a matter that falls within the decision-making authority of the board.

Making agendas available

// Te whakawātea i ngā rārangi take

Underpinning open and transparent government is the opportunity for members of your community to know in advance what matters will be debated in which meeting. Making kaunihera and committee agendas publicly available, whether in hard copy or digitally, is critical.

Different communities will have different challenges and preferences when it comes to how they access information. Not all communities have reliable access to the internet and you need to consider the abilities of young, old and visually or hearing impaired. Distributing information using a range of digital and traditional channels with consideration for accessibility needs will be a step toward strengthening trust in local democracy and narrowing the gap between kaunihera and their communities.

SO 9.14 :

Public excluded business - returning to an open session

// Ngā take e aukatihia ana ki te marea – te hoki ki te hui tuwhera

Kaunihera take different approaches to the way in which a meeting moves from public excluded to open status. There are two approaches:

// **1**

Meeting resolution, whereby the chair, or a member, moves that since the grounds for going into public excluded no longer exist the public excluded status is hereby lifted.

// **2**

End of the public excluded item, whereby public excluded status is ‘tagged’ to only those items that meet the criteria in the sample resolution set out in Appendix Two of the Standing Orders. Status is automatically lifted once discussion on that item is concluded.

Generally, option two should be followed. However, option one might apply where, during a substantive item, it is necessary to go into public excluded for a section of that item. In this case the chair, or a member, should signal through a point of order that the grounds for excluding the public no longer apply. It is only a question of style as to whether a motion to return to open meeting is required.



3

MEETING PROCEDURES >>

Ngā tukanga hui >>

Wāhanga THREE

PROCEDURES FOR MAKING DECISIONS ARE THE HEART OF KAUNIHĒRA STANDING ORDERS.
THIS SECTION OF THE GUIDE INCLUDES:

- // OPENING AND CLOSING YOUR MEETING WITH A KARAKIA TIMATANGA OR REFLECTION
- // VOTING SYSTEMS
- // CHAIR'S OBLIGATION TO PRESIDE AND CHAIR'S CASTING VOTE
- // JOINING BY AUDIO-VISUAL MEANS
- // MEMBER CONDUCT
- // QUORUMS
- // REVOKING DECISIONS
- // MEMBERS ATTENDING MEETINGS THAT THEY ARE NOT MEMBERS OF
- // MOVING AND DEBATING MOTIONS
- // DISCHARGING COMMITTEES

SO 10 :

Opening and closing your meeting

// Te whakatuwhera me te whakakapi i tō hui

There is no obligation on a local authority to start their meeting with any reflection or ceremony, however, it is an increasingly popular approach.

An example of a reflection used at the start of a meeting is the following karakia. This approach allows for tangata whenua processes to be embraced.⁴

Opening formalities

// Karakia timatanga

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air.
He tio, he huka, he hau hū	
Tīhei mauri ora.	A touch of frost, a promise of a glorious day.

⁴ Examples of karakia, and general advice on the use of tikanga Māori, can be found via an APP, Titled Kōra, developed by MBIE and available from most APP stores.

SO 11.4:

Requirement for a quorum - what happens when a member is 'not at the table'?

// Te herenga kia whai kōrama – ka aha mēnā kāore te mema 'i te tēpu'?

Whether or not members must be 'at the table' to constitute a quorum is a question that usually arises in response to a member standing aside due to a conflict of interest.

Standing order 10.4 states "*a meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote*". 'Present' is to be in the room, not necessarily around the table. If a member is excluded from the room due to a financial conflict of interest they are no longer considered 'present' for the purposes of the quorum.

SO 13.1:

Do members have to be present to vote?

// Te mōtika o ngā mema ki te haere ki ngā hui katoa

The legislation (cl. 19(2) Schedule 7, LGA 2002) and these standing orders are clear that members can attend any meeting unless they are 'lawfully excluded' (the definition of lawfully excluded is in the Standing Orders). If attending, elected members have the same rights as the public. They may be granted additional speaking rights if permitted by the chair.

Many kaunihera require non-members to sit away from the meeting table or in the public gallery to make it clear they are not a committee member.

Whether a member can claim allowances for attending the meeting of a committee they are not a member of is a question that should be addressed in a kaunihera allowances and expenses policy.

Do members have to be present at hearings to vote? // Me tae ā-tinana ngā mema ki ngā whakawā e taea ai te pōti?

The rules vary according to the legislation under which the hearing or submission process is occurring.

Hearings under the LGA 2002, such as Annual Plan or Long-Term Plan hearings, do not require all elected members to have participated in the submission process to vote on the outcomes of that process. Elected members who cannot participate at all, or who miss part of a hearing, should review all submissions and the analysis provided by officials before taking part in any debate and voting on the item under consideration.

It is good practice to make it clear in the minutes that the members who were absent had been provided with records of all submissions oral and written submissions, prior to deliberations.

The Auditor General recommends that members should be present for the whole of a hearing "*to show a willingness to consider all points of view*" (OAG, Conflicts of Interest, August 2004 p. 43). The guidance suggests that lengthy periods of non-attendance at a hearing could suggest an element of pre-determination.

SO 14.1:

Council meetings - must the mayor or chair preside?

// Ngā hui Kaunihera – me koromatua, ūpoko rānei te kaiwhakahaere?

Schedule 7, Clause 26(1) of the LGA 2002 provides that the mayor (or chair of a regional kaunihera) must preside over each kaunihera meeting they are present at. This reflects the mayor's leadership role set out in section 41A. However, the requirement is subject to the exception "*unless the mayor or chair vacates the chair for a particular meeting*". This exception would usually be invoked if there is a situation in which they should not lead for some legal reason such as where they have a conflict of interest or are prohibited from voting and discussing by virtue of section 6 of the Local authorities (Members' Interests) Act 1968.

It is implicit in clause 26(1), that the mayor or chair will still be present in the meeting, and except in situations where the law prevents them from discussing and voting on a particular matter, they can continue to take part as a member. The clause only relates to vacating the chair, not leaving the meeting.

SO 13.7:

Right to attend by audio or audio visual link

// Te mōtika kia tae mā te hononga ā-oro, ataata-ronga rānei

Local authorities can allow members to participate in meetings online or via phone. This can reduce travel requirements for councillors in large jurisdictions and facilitates participation for councillors when travelling. If a kaunihera wishes to allow members to join remotely, then provision must be made in the standing orders. The LGNZ template contains the relevant provisions. If not, then standing orders 13.7 – 13.16 should be removed before the template is adopted.

While a member can take part in discussions and vote when joining a hui electronically, they are not part of the quorum. Please note, the requirement to have a physical quorum is suspended while the Epidemic Preparedness Notices are in force.

SO 13.16:

Protecting confidentiality at virtual meetings

// Te tiaki i te mātatapu i ngā hui mariko

Some members have raised concerns about the risk to confidentiality at virtual hui. Concerns relate to the difficulty of ensuring that a member is alone or that confidentiality is not compromised where that member joins by audio means alone.

Kaunihera should avoid, if possible, dealing with public excluded items in a meeting that allows people to join virtually. While this may not be possible in extraordinary circumstances, we have strengthened the ability of a chair to terminate a link if they believe a matter, which should be confidential, may be at risk of being publicly released, see SO 13.13.

SO 15 :

Public forums

// Ngā matapaki tūmatanui

The standing orders provide for a period of up-to 30 minutes, or longer if agreed by the chair, for members of the public to address the meeting.

The template allows this to be for up-to five minutes each on items that fall within the delegations of the meeting, unless it is the governing body and provided matters raised are not subject to legal proceedings or related to the hearing of submissions. Speakers may be questioned by members through the chair, but questions must be confined to obtaining information or clarification on matters the speaker raised. The chair has discretion to extend a speaker's time.

While the forum is not part of the formal business of the meeting, it is recommended that a brief record is kept. The record should be an attachment to the minutes and include matters that have been referred to another person, as requested by the meeting.

SO 16 :

Deputations

// Ngā teputeihana

In contrast to public forums, deputations allow individuals or groups to make a formal presentation to a meeting, as an item on the agenda. Given the additional notice required for a deputation, kaimahi may be asked to prepared advice on the topic, and members may move and adopt motions in response to a deputation.

SO 18.5 :

Release of information from public excluded session

// Te tuku i ngā mōhiohio nō te wāhanga aukati ki te marea

Kaunihera have different processes for releasing the reports, minutes and decisions from public- excluded meetings which is material considered confidential under Section 6 or Section 7 of LGOIMA. Documents may be released in part, with only parts withheld.

The reasons for withholding information from the public does not necessarily endure, for example, information that was confidential due to negotiations may not need to remain confidential when negotiations have concluded.

Information may only be publicly released by a decision of the meeting or the chief executive. Each kaunihera will have systems and policy for controlling the release of information.

When a report is deemed to be ‘in confidence’, information can be provided on whether it will be publicly released and when. Regarding any items under negotiation, there is often an end point when confidentiality is no longer necessary.

If no release clause is provided, a further report may be needed to release the information creating more work. The following clause can be included in report templates (if in confidence) to address this issue:

“That the report/recommendation be transferred into the open section of the meeting on [state when the report and/or recommendation can be released as an item of open business and include this clause in the recommendation].”

SO 19.3 :

Chair’s casting vote

// Te pōti whakatau a te ūpoko

Standing Order 19.3 allows the chair to exercise a casting vote where there is a 50-50 split. Including this in standing orders is optional under Schedule 7, cl. 24 (2), LGA 2002. The casting vote option has been included in the template to avoid the risk that a vote might be tied and lead to a significant statutory timeframe being exceeded.

There are three options:

// 1

The casting vote provisions are left as they are in the default standing orders.

// 2

The casting vote provision, Standing Order 19.3, is removed from the draft standing orders before the standing orders are adopted.

// 3

The standing orders are amended to provide for a ‘limited casting vote’ that would be limited to a prescribed set of decisions only such as statutory decisions, for example: *where the meeting is required to make a statutory decision e.g., adopt a Long-Term Plan, the chair has a casting vote where there is an equality of votes.*

SO 19.4:

Method of voting

// Te tikanga pōti

One of the issues that arose during preparation of the new standing orders concerned the performance of some electronic voting systems and whether the way in which they operate is consistent with what we understand as ‘open voting’.

LGNZ have taken the view that open voting means members should be able to see how each other votes ‘as they vote’, as opposed to a system in which votes are tallied and then a result released in a manner that does not show how individuals voted.

It is also important to note, when using electronic voting systems, that the LGNZ standing orders template supports the right of members to abstain from voting, see standing order 19.7.

SO 19.5:

Calling for a division

// Te tono i te wehenga

Under standing order 19.5, a member can call for a 'division' for any reason. If one is called, the standing orders require the chief executive to record the names of the members voting for and against the motion, as well as abstentions, and provide the names to the chair to declare the result. This must also be recorded in the minutes.

There are options for gathering this information. For example:

>> When asking each individual member how they voted vary the order in which elected members are asked e.g., alternate between clockwise and anti-clockwise.

>> To get a clear picture ask members who voted for or against a motion or amendment to stand to reflect how they voted i.e., "all those in favour please stand" with votes and names, recorded, followed by "all those against please stand" etc.

SO 20 :

Members' Conduct

// Ngā Whanonga a ngā Mema

Section 20 of the standing orders deals with elected member's conduct at meetings. One feature of the LGNZ Standing Orders is the cross reference made to a council's Code of Conduct, which sets standards by which members agree to abide in relation to each other. The Code of Conduct template, and the draft policy for dealing with breaches, can be found at www.lgnz.co.nz.

At the start of a triennium, kaunihera, committees and local and community boards, should agree on protocols for how meetings will work, including whether members are expected to stand when speaking and if there are specific dress requirements.

SO 20.7 & 20.8:

Conflicts of interest

// Ngā take taharua

While the rules are clear that a member of a local authority may not participate in discussion or voting on any matter before an authority in which they have with a financial or non-financial conflict of interest, determining whether one exists can be more challenging.

Financial conflicts of interest:

(SO 20.7)

// Ngā take taharua ahumoni:
(SO 20.7)

It is an offence under the Local Authorities Members' Interests Act 1968 to participate in any matter in which a member has a financial interest, defined by the Auditor General as:

"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 involved"

(p. 25 Conflicts of Interest OAG 2004).

The rule makes it an offence for an elected member with a financial conflict of interest discussing and voting on a matter, for example, where an interest is in common with the public.

The Auditor General can grant exemptions from this rule, allowing a member to participate. Members should be referred to the Auditor General if there is a possibility that their case would qualify for an exemption or declaration (see OAG's guide on Conflicts of Interest published in 2004).

Non-financial conflicts of interest: (SO 20.8)

// Ngā take taharua ahumoni-kore: (SO 20.8)

The Auditor General defines a non-financial conflict of interest or 'bias' as:

“is there, to a reasonable, fair minded and informed observer, a real danger of bias on the part of a 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 Auditor General cannot provide an exemption or declaration for non-financial conflicts of interest. Bias, both actual and perceived, is a form of non-financial conflict of interest. A claim of bias can be made on the grounds of predetermination. A member who believes they may have a non-financial conflict of interest, or be perceived as having a bias, should:

- >> declare they have a conflict of interest when the matter comes up at a meeting,
- >> ensure that their declaration is recorded in the minutes, and
- >> refrain from discussing or voting on the matter.

In such cases the member should leave the table and not take part in any discussion or voting on the matter.

In determining the level of conflict, members should discuss the matter with the meeting chair, chief executive, or their nominee, however, the decision whether to participate or not must be made by the members themselves.

SO 22.1:

Options for speaking and moving motions

// Ngā kōwhiringa ki te kōrero me te mōtini

One of the new features in these standing orders is the ability to use different rules for speaking to, and moving, motions to give greater flexibility when dealing with different situations.

Standing Orders 22.1 – 22.5 provide for three options. Option A repeats the provisions in the Standards New Zealand Model Standing Orders which limit the ability of members to move amendments if they have previously spoken. Option B provides more flexibility by allowing any member, regardless of whether they have spoken before, to move or second an amendment, while Option C allows still further flexibility.

When a kaunihera, committee, or community board, comes to adopt their standing orders, it needs to decide which of the three options will be the default option; this does not prevent a meeting from choosing one of the other two options, but it would need to be agreed by a majority of members at the start of that specific meeting.

The formal option A tends to be used when a body is dealing with a complex or controversial issue and the chair needs to be able to limit the numbers of speakers and the time taken to come to a decision.

In contrast, options B and C enable more inclusive discussion about issues, however some chairs may find it more difficult to bring conversations to a conclusion.

For joint committees the decision could be simplified by agreeing to adopt the settings used by whichever member kaunihera is providing the administrative services.

SO 23.10:

Where a motion is lost

// Ina whakakorea tētahi mōtini

This standing order was added in 2019 to make it clear that when a motion is lost, it is possible to move an additional motion if it is necessary to provide guidance or direction. For example, if a motion *“that the council’s social housing stock be sold”* was defeated, the organisation might be left without direction regarding the question of how the stock should be managed in the future.

Standing Order 23.10 enables a meeting to submit a new motion if required to provide direction to management where this might be required.

SO 24.2:

Revoking a decision

// Te whakakore i te whakataunga

A kaunihera cannot directly revoke a decision made and implemented by a subordinate decision-making body which has the delegation to make the decision, provided its decision-making powers were exercised in a lawful manner.

Where a decision has been made under delegated authority but has not been implemented, a kaunihera can remove the specific delegation from that body and resolve to implement an alternative course of action.

SO 25.2:

Procedural motions to close or adjourn a debate - what happens to items left on the table

// Ngā mōtini tikanga whakahaere hei whakakapi i tētahi tautohetohe – ka ahatia ngā take e tārewa tonu ana

Standing Order 25.2 provides five procedural motions to close or adjourn a debate.

When an item is left to lie on the table, it is good practice wherever possible to state what action is required to finalise it and when it will be reconsidered. Item (d) states: *“That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired)”*.

We recommend that at the end of the triennium, any such matters should cease to lie on the table and are withdrawn.

When to schedule the last ordinary meeting

// Āhea whakaritea ai te hui noa whakamutunga

When putting together the schedule of meetings for the last year of a triennium how close to polling day should the last meeting occur?

Kaunihera take different approaches and practice may be affected by the nature of business that a kaunihera is facing prior to the coming elections.

Given that the election campaign properly starts four weeks before polling day, common practice would be to schedule the last ordinary kaunihera hui in the week before the campaign period begins.

This allows retiring members to make valedictory speeches away from the political atmosphere of the election.

Kaunihera business continues in the four weeks before polling day so expect some committees and sub-committees to still be meeting to deal with ongoing work, whether it is preparation of a submission or oversight of a local project. Urgent matters can still be addressed through an extraordinary or emergency meeting.

What about issues emerging in the interim?

// Pēhea ngā take ka puta i te wā tārewa?

From the moment that the final results are released and the first meeting of the new kaunihera, issues can arise that require an urgent decision. Given that councillors are yet to be sworn in, it is the chief executive who should make these decisions. To enable this a kaunihera, before the elections (preferably at the first or second ordinary council meeting when delegations are approved) should agree a time-limited delegation to the chief executive, giving them a broad discretion to act on behalf of the local authority.

A standard delegation for the chief executive might read, for example: *“That from the day following the Electoral Officer’s declaration, until the new council is sworn in, the chief executive is authorised to make decisions in respect of urgent matters, in consultation with the mayor elect. All decisions made under this delegation will be reported to the first ordinary meeting of the new council.”*





4

**KEEPING
RECORDS >>**

Te whakarite
mauhanga >>

Wāhanga FOUR

Recording reasons for decisions

// Te hopu i ngā take mō ngā whakataunga

Recent legal judgements have highlighted the importance of recording decisions in a manner that clearly and adequately explains what was decided and why.

In the decisions, the Courts acknowledged that giving of reasons is one of the fundamentals of good administration by acting as a check on arbitrary or erroneous decision-making. Doing so assures affected parties that their evidence and arguments have been assessed in accordance with the law, and it provides a basis for scrutiny by an appellate court. Where this is not done, there is a danger that a person adversely affected might conclude that they have been treated unfairly by the decision-maker and there may be a basis for a successful challenge in the courts, (Catey Boyce, Simpson Grierson 2017).

While each situation is different the Court considered that the extent and depth of the reasoning recorded should consider:

- >> the function and role of the decision maker,
- >> the significance of the decision made upon those affected by the decision,
- >> the rights of appeal available; and
- >> the context and time available to make a decision.

In short, the level of detail should be sufficient so that any 'reasonably informed' reader of the minutes would have no difficulty identifying and understanding the reasons for the recommendations. A useful guide to the appropriate level of detail would be the Significance and Engagement Policy of a kaunihera.

Hard copy or digital // Tānga pepa, tānga matihiko rānei

Te Rua Mahara o te Kāwanatanga Archives New Zealand has released guidance on the storage of records by digital means. **You can read it here.** General approval has been given to public offices to retain electronic records in electronic form only, after these have been digitised, subject to the exclusions listed below.

The following categories of public records are excluded from the general approval given:

- >> Unique or rare information, information of importance to national or cultural identity or information of historical significance;
- >> Unique or rare information of cultural value to Māori (land and people) and their identity; and
- >> All information created prior to 1946.

For more detail on each of these categories, refer to the guide 'Destruction of source information after digitisation 17/G133'. Te Rua Mahara o te Kāwanatanga Archives New Zealand will consider applications to retain public records from these categories in electronic form only on a case-by-case basis.

The Authority to retain public records in electronic form only is issued by the Chief Archivist under Section 229(2) of the Contract and Commercial Law Act 2017 (CCLA).

Compliance with Section 229(1) of the CCLA // Te ū ki te Wāhanga 229 (1) o te CCLA

A public office can retain public records in electronic form, and destroy the source information, only if the public record is covered by an approval given in this Authority (or specific authorisation has otherwise been given by the Chief Archivist), and the conditions of Section 229(1) of the CCLA are met.

The two conditions of Section 229(1) are:

// **1**

The electronic form provides a reliable means of assuring that the integrity of the information is maintained, and

// **2**

The information is readily accessible to be usable for subsequent reference

NOTE: Public offices should be aware that Section 229 of the CCLA does not apply to those enactments and provisions of enactments listed in Schedule 5 to the CCLA (Enactments and provisions excluded from subpart 3 of Part 4). For further clarification, the Authority should be read in conjunction with the guide Destruction of source information after digitisation 17/G13.⁵

Information tabled at meetings

// Ngā mōhiotio ka tāpaetia i te hui

Any extra information tabled after the reports and agendas have been distributed should be specified and noted in the minutes, with copies made available in all places that the original material was distributed to. A copy must also be filed with the agenda papers for archival purposes.

Chair's signature // Te waitohu a te Ūpoko

Where kaunihera capture and store minutes digitally the traditional practice for authorising minutes of the Chair's signature is not at all practical. For the digital environment one approach would be to include, with the motion to adopt the minutes, a sub-motion to the effect that the Chair's electronic signature be attached/inserted.

SO 28. :**Keeping minutes**

// Te tuhi i ngā meneti

What to record? // Me tuhi i te aha?

The purpose of taking minutes is to meet legal requirements set out in LGOIMA 1987, that is to “create an audit trail of public decision-making and to provide an impartial record of what has been agreed”. This also strengthens accountability and helps build confidence in our local democracy.

The level of proceedings recorded will vary according to the preferences however the style adopted should be discussed with, and agreed to, by those groups whose discussions and decisions are being minuted.

One way of doing this is to include, as part of the resolution adopting the minutes, either a stand-alone motion stating the level of detail that will be recorded or including this within the Standing Orders themselves.

GOOD PRACTICE

- >> Minutes should be a clear audit trail of decision-making.
- >> Less is best.
- >> Someone not in attendance will be able to understand what was decided.
- >> Anyone reading the minutes in 20 years' time will understand them.

⁵ See [Authority to retain public records in electronic form only – Archives New Zealand](#)

SO 28.2:

Matters recorded in minutes

// Ngā take ka tuhia ki ngā meneti

SO 28.2 sets out what the minutes must record. In addition, it is recommended a record is made of the reasons given for a meeting not having accepted an officer's recommendations in a report; this might be important for future audit purposes.

When recording Māori place names, or discussion in Te Reo Māori, please make sure to use correct and local spelling.

Regarding non-LGA 2002 hearings

// Mō ngā hui whakawā kāore i te hāngai ki te LGA 2002

The LGNZ Standing Orders are designed to comply with the LGA 2002 and LGOIMA 1987. Other statutes under which kaunihera may have meetings and hearings can have different requirements. For example:

Minutes of hearings under the Resource Management Act, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 include additional items, namely:

- >> record of any oral evidence,
- >> questions put by panel members and the speaker's response,
- >> reference to tabled written evidence, and
- >> right of reply.

Information required in minutes of hearings of submissions under a special consultative procedure, such as Long-Term Plan hearings, include:

- >> records of oral submission,
- >> questions put by elected members and the
- >> speaker's response to them, and
- >> reference to tabled written submission.

In cases where a kaunihera chooses a course of action in response to submissions which is contrary to advice provided by officials, the reasons why it chose not to follow official advice should be recorded.

In summary:

- >> For procedural matters a pre-formatted list of statements can be useful for slotting in the minutes as you go.
- >> Avoid attributing statements to specific politicians as it creates opportunity for debate during the confirmation of minutes.
- >> Do not attribute statements when given as expert advice.
- >> Be flexible. Minutes are live recordings of real events – the rules will not always help you.

Affixing the Council seal

// Te tāpiri i te hīra a te Kaunihera

The requirement to have a common seal was removed by the LGA 2002. However, there is an implied requirement for a kaunihera to continue to hold a common seal as there are some statutes that refer to it. A kaunihera may decide to require or authorise the use of its common seal in certain instances.

For example:

>> Section 174(1) of the LGA 2002, states that if an officer of a local authority or other person is authorised by the LGA 2002 or another enactment to enter private land on behalf of the local authority, the local authority must provide a written warrant under the seal of the local authority as evidence that the person is so authorised.

>> Section 345(1)(a) of the LGA 1974, which provides for the kaunihera conveying or transferring or leasing land, which is no longer required as a road, under common seal.

>> Section 80 of the Local Government (Rating) Act 2002, which provides that the kaunihera must, in the case of sale or lease of abandoned land, execute under seal a memorandum of transfer (or lease) on behalf of the ratepayer whose interest has been sold or leased.

>> Clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA), which provides that approvals of proposed policy statements or plans must be affected by affixing the seal of the local authority to the proposed policy statement or plan.

However, given that there are no requirements in these provisions as to how the common seal may be affixed, it is therefore up to each local authority itself to decide. Where such requirements continue to exist the legal advice we have seen (sourced from Simpson Grierson) recommends that local authorities have deeds signed by two elected members. While the common seal could be affixed in addition to this, it is not legally required.

If a kaunihera continues to hold a common seal, then it is up to the kaunihera to decide which types of documents it wishes to use it for, and which officers or elected members have authority to use it. The process for determining this should be laid out in a delegation's manual or separate policy.



Appendix

Apitihanga



**Alternatives
to formal
meetings >>**

He momo hui
ōkawa rerekē >>

Workshops

// Ngā awheawhe

Workshops are frequently a contentious issue in local government because they are often held in public-excluded sessions and lack minutes, undermining principles of transparency and accountability. They are, however, an effective way to have ‘blue skies’ discussions and to give feedback to officials on policy work before an issue is too far advanced, such as identifying a range of options that would be comfortable to elected members.

Workshops are best described as informal briefing sessions where elected members get the chance to discuss issues outside the formalities of a kaunihera meeting. Informal hui can provide for freer debate than meetings where formal standards of discussion and debate apply. There are no legislative rules for the conduct of workshops and no requirement to allow the public or media access, although it is unlawful to make decisions at a workshop.

It is also unlawful to take a ‘de facto’ decision, that is agree a course of action and then vote it into effect at a following kaunihera meeting without debate.

To build trust in kaunihera decision-making, kaunihera should, unless dealing with confidential matters, make all workshops open to the public.

Key attributes are:

- >> Workshops can give guidance to kaimahi (for example to prepare a report covering various options).
- >> There are no legal requirements relating to a quorum.
- >> Standing orders do not apply, unless voluntarily complied with.

Workshops can have multiple functions. In their guide to hui structures, Steve McDowell and Vern Walsh, from Meetings and Governance Solutions, describe workshops as a “forum held to provide detailed or complicated information to councillors which if undertaken at a kaunihera or committee hui could take a significant amount of time and therefore restrict other business from being transacted. Workshops provide an opportunity for councillors to give guidance to kaimahi on next steps (direction setting).”⁶

They note that workshops provide an opportunity to:

- >> receive detailed technical information,
- >> discuss an approach or issues around a topic without time restrictions or speaking restrictions,
- >> enable members to question and probe a wide range of options,
- >> enable kaimahi to provide more detailed answers to questions and explore options that might otherwise be considered not politically viable.

When not to use workshops // Āhea e kore ai e whakamahi awheawhe

Some kaunihera have taken to holding regular workshops that alternate with meetings of their governing bodies. The rationale is that the workshops enable members to be fully briefed on the governing body agenda and seek additional information that might complicate formal meetings.

Such practices are regarded with concern by both the Ombudsman and the Auditor General as they are seen as inconsistent with transparency and openness. If kaunihera find this a useful approach, then the pre-governing body workshop must be open to the public to avoid the suspicion that “de-facto” decisions are being made.

⁶ See <https://www.meetinggovernance.co.nz/copy-of-learning-and-development>

// Briefings

Ngā hui tohutohu

One of the unique features of local government is that all councillors, sitting as the kaunihera, have 'equal carriage' of the issues to be considered. For example, when the budget is under consideration, there is no minister for finance or treasurer to assume executive authority or to guide the decision-making process. All councillors have an equal accountability.

Accordingly, all councillors are required to satisfy themselves about the integrity, validity and accuracy of the issues before them.

Councillors have many complex issues about which to make decisions and rely on the advice they receive from the administration. Complex issues often require more extensive advice processes which culminate in the council report.

A key feature of these processes are briefings. These are closed-door sessions during which councillors are provided with detailed briefings, oral and written, and provide councillors with the opportunity to discuss the issues between themselves and with senior kaimahi. They often involve robust discussion and the frank airing of controversial or tentative views.

The content and form of these briefings mean that they are not held in the public arena. This gives councillors the opportunity to work through the issues in a way that would not be possible in an open kaunihera meeting. Councillors do not commit to formal decisions at these sessions.

Features of kaunihera briefings:

- » They should be used when complex and controversial issues are under consideration.
- » They should involve all councillors and relevant senior kaimahi.

» Written briefing material should be prepared and distributed prior to the hui in order that the same information and opportunity to prepare is given to all councillors and officers.

» They need to be chaired in such a way that open and honest communication takes place and all issues can be explored. Because time and availability are often limited, the Chair must ensure that discussions are kept on track and moving towards a conclusion.

» For more complex strategic issues, multiple briefings are usually necessary.

When briefings are being planned it is important that issues of transparency and accountability are considered. If councillors use a briefing or workshop to determine a policy position, and only go through a brief or perfunctory endorsement at the meeting of kaunihera, they are making a de-facto-decision (without fulfilling the requirements of the LGA 2002, or natural justice).

Such practice can impact adversely on the public's ability to follow the decision-making process and expose the kaunihera to judicial review, as well as investigation by a parliamentary agency.

To ensure transparency and accountability, it is important that the administration is made accountable for the formal advice it provides to the kaunihera meeting which subsequently takes place. This advice may or may not be entirely consistent with the discussions which took place at the briefing.

Councillors who are well briefed are more likely to be able to debate the matter under discussion and ask relevant questions which will illuminate the issue more effectively. However, consideration should be given to opening kaunihera briefings to the public, unless confidential matters are to be considered. Public trust in institutions like local governments is highly correlated with openness.

// Calling a workshop or briefing

Te karanga awheawhe, hui tohutohu rānei

Workshops, briefings and working parties may be called by:

- >> a resolution of the local authority or its committees,
- >> a committee chair, or
- >> the chief executive.

The chief executive must give at least 24 hours' notice of the time, place and matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

// a

state that the session is not a meeting but a workshop,

// b

advise the date, time and place, and

// c

confirm that the hui is primarily for the provision of information and discussion and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required, and workshops can be either open to the public or public excluded.

// Making a record

Te tuhi mauhanga

A written record of the workshop should be kept and include:

- >> time, date, location, and duration of workshop,
- >> people present, and
- >> general subject matter covered.

Please note, when deciding to hold a workshop or briefing the first question that should be considered is whether there is a convincing reason for excluding the public. The default position should be to allow public access.

Appendix

Apitihanga



**Preparing for the
next triennial
election >>**

Te whakarite mō te
pōtitanga ā-toru tau
e whai ake ana >>

// Governance handovers

Te tuku i te mana whakahaere

To assist new kaunihera to get up to speed, prior to an election, incumbent members may like to prepare a letter, or report, for their successor (noting that this may also involve many existing members).

This is to provide new members with an insight into what the outgoing kaunihera considered as the major challenges and what they learned during their term in office that they might have done differently.

Whether or not to prepare advice for an incoming kaunihera and what that might be, is ideally a discussion that a mayor or regional kaunihera chair should have with their respective governing body before the last scheduled kaunihera meeting. It may be an ideal topic for a facilitated workshop.

// Reviewing decision-making structures

Te arotake i ngā pūnaha whakatau take

One of the first matters that new kaunihera must address is to decide their governance and decision-making structures. Frequently, new kaunihera end up adopting the decision-making body of their predecessors without much discussion.

When it comes to your governance arrangements, however, there is a wide menu of options. Kaunihera need to fully consider these to determine which best fits the culture they wish to establish over their term, and which will be best given the characteristics their communities.

One way of doing this is to survey your elected members towards the end of the triennium to identify what worked well about their decision-making structure and what could be improved. Based on surveys and interviews the incoming kaunihera should be presented with a menu of decision-making options with the strengths and weaknesses of each set out clearly, see www.lgnz.co.nz.

Appendix

Apitihanga

3:

**Mayors' powers
to appoint under
s.41A >>**

Te mana o te
koromatua ki te
kopou i raro i te
wāhanga 41A >>

The role of a mayor is:

- // **a** To provide leadership to councillors and the people of the city or district.
- // **b** To lead development of the council's plans (including the long-term and annual plans), policies and budgets for consideration by councillors.

The mayor has authority to:

- // **a** Appoint the deputy mayor.
- // **b** Establish council committees, their terms of reference, appoint the chair of each of those committees and the members.
- // **c** Appoint themselves as the chair of a committee.
- // **d** Decline to exercise the powers under clause a) and b) above but may not delegate those powers to another person.

The council retains the ability to:

- // **a** Remove a deputy mayor appointed by the mayor.
- // **b** Discharge or reconstitute a committee established by the mayor.
- // **c** Discharge a committee chair who has been appointed by the mayor.
- // **d** The mayor is a member of each committee of the council.

Mayors' powers to appoint under S.41A

// Te mana o te koromatua ki te kopou i raro i te wāhanga 41A



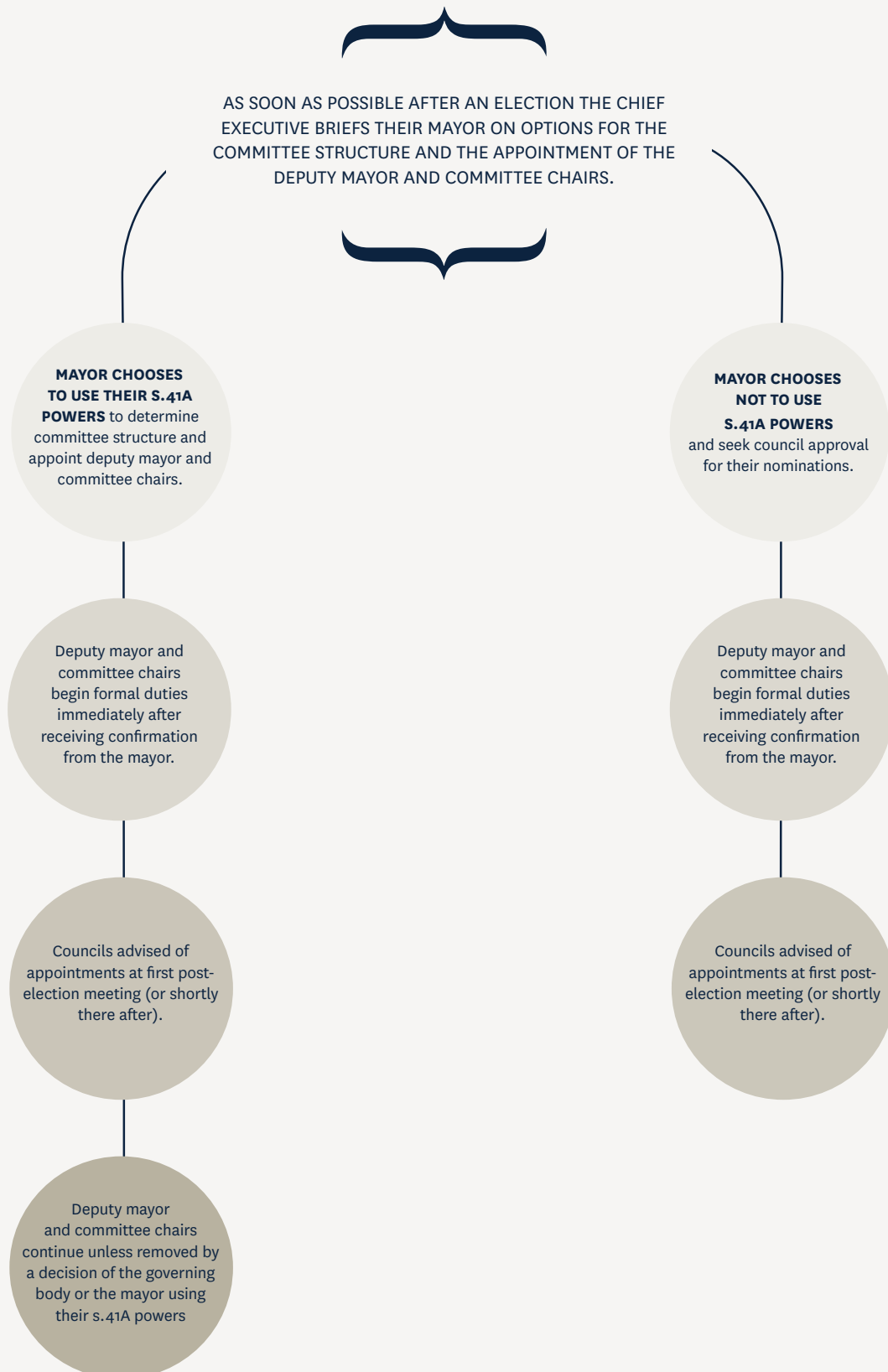
Appendix

Apitihanga

4 :

**Process for
implementing
s. 41A >>**

Te tukanga mō te
whakatinana i te
wāhanga 41A >>



Appendix

Apitihanga

5 :

**Changes made
to the 2019 SO
template >>**

Ngā panonitanga
ki te anga SO
nō 2019>>

// STANDING ORDER**// CHANGES MADE TO THE 2019 LGNZ STANDING ORDERS TEMPLATE (2022)**

Definitions	New definitions and amendments:
	<ul style="list-style-type: none"> >> Matariki as a public holiday >> Member of the Police >> Appointed member >> Emergency under “meeting” >> debate >> conflict of interest, >> division, >> Item, >> leave of the hui, >> officer, >> open voting, and >> pecuniary interest >> definition of chair and presiding member tweaked >> definition of workshops tweaked with change to standing orders advice >> definition of seconder expanded by addition of ‘amendment’.
3.5	Motion to suspend standing orders – ‘may’ replaced with ‘must identify the specific standing orders to be suspended’.
7.2	Confirmed that District Licensing Committees do not need to be reconstituted.
9.1	Preparation of an agenda – amended to make it clear that a chief executive prepares an agenda on behalf of the chairperson and ‘must’ consult the chair, or person acting as chair, when preparing it.
9.5	Chair’s recommendation – an addition, to make it clear that any recommendation by a chair must comply with the decision-making provisions of Part 6, LGA 2002.
12.2	Statutory reference inserted - s. 50 LGOIMA.
12.4	Public may record hui - slight amendments to improve practicality.
13.3	Leave of absence – amended to remove ambiguity.
13.7 & 13.17	To confirm that if a chairperson is concerned that confidential information might be at risk, they may terminate an audio and/or audio-visual link
18.5	Release of public excluded information - requirement that the CEO will inform the subsequent hui, has been deleted due to administrative impracticality.
19.1	Decisions by majority vote - tweaked to better align with statutory reference in Schedule 7, LGA 2002.
21.12	Clarification made to the option that allows a member who moves a motion to reserve their right of reply.
23.1	Commas after ‘motion’ and ‘debate’.
23.1	Proposing and seconding – amended to make it clear that movers and seconders are NOT required to stay for the subsequent debate.

// STANDING ORDER**// CHANGES MADE TO THE 2019 LGNZ STANDING ORDERS TEMPLATE (2022)**

23.5	Amendments to be relevant - this Standing Order has been expanded with a list of reasons that can be used for not accepting amendments.
23.6 (previous)	'Chairperson may recommend an amendment' - deleted.
23.6 (formerly 23.7)	Foreshadowed amendments – changes to better communicate intent.
23.10 (formerly 23.11)	Withdrawal of motion – changes made to clarify standing order intent.
27.7	Repeat notices of motion – the phrase, 'in the opinion of the chairperson', deleted as not helpful.
28.2	Matters recorded in the minutes - new bullet point (i) added to clarify that "items tabled at the hui" should be included in the minutes.
Appendix 8	Specific standing order references have to the powers of a chair where relevant.
Appendices shifted to Standing Order Guide	>> Process for applying S.41A >> Workshops



COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Manager Governance
Subject: **ELECTED MEMBER CODE OF CONDUCT**
Meeting Date: 30 May 2023

1 PURPOSE - TAKE

The purpose of this report is to seek the adoption of a revised code of conduct for this triennium.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

A code of conduct sets out the understanding and expectations of Council in relation to the conduct of Elected Members in their role.

A draft Waipā District Council Code of Conduct 2023 (the Code) is presented in Appendix 1 for adoption by Council, with track changes showing the amendments proposed to the current code of conduct. Adopting a new code of conduct requires the support of not less than 75% of the members present at the meeting. As Council is required by clause 15 of Schedule 7 of the Local Government Act 2002 to have a code of conduct in place, if the Council does not adopt the proposed new code of conduct, the existing code will remain in place.

This report also proposes a new policy on investigating and ruling on alleged breaches of the Code.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Jo Gread Manager Governance titled Elected Member Code of Conduct (ECM Number 11012675); and*
- b) *Adopts the Waipā District Council Code of Conduct 2023 (Appendix 1 of the report, document number 11012818) and revokes the existing Code of Conduct (Appendix 2 of the report, document number 10485242) with immediate effect, in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002.*

- c) *Adopts the Waipā District Council Policy for investigating and ruling on alleged breaches of the Code of Conduct and the Processes for determining and investigating complaints (Appendix 3 of the report, document number 11012858)*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

When the Local Government Act 2002 came into force, all Councils were required to adopt a code of conduct. Once adopted, a 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.

A code of conduct sets out the understanding and expectations of Council in relation to the conduct of Elected Members in their role.

A draft Waipā District Council Code of Conduct 2023 is provided as Appendix 1, with track changes showing the amendments proposed to the current code of conduct. These changes have been informed by a newly issued Local Government New Zealand template.

While the structure and much of the content of Council's current code of conduct is considered fit for purpose, it is considered beneficial to include a more detailed section on behaviours (to replace the current relationships section) and to replace the breaches of the code and penalties and action provisions with a new policy for investigating and ruling on alleged breaches of the Code.

The new policy dealing with complaints is designed to ensure the process is independent and focused on serious rather than minor or trivial complaints. It adopts a two-step process where the chief executive refers all complaints to an initial assessor who determines whether the complaint is valid and, if so, can refer the complaint to the Mayor or recommend that the parties undertake mediation. Where the nature of a breach is significant and where mediation is not an option (or not agreed to) then the initial assessor will refer the complaint to an independent investigator, who may also re-assess the complaint.

The LGNZ template considers two options for decision making in regards to recommendations from an investigator. The Council can either agree to be bound by an independent investigator's recommendations or make their own decision on receipt of the independent investigator's recommendations. The proposed policy leaves the decision with Council, but it is important to note that any process for investigating an alleged breach must be politically independent and be seen to be so.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter in this report has a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	<ul style="list-style-type: none"> No further action required – the current code of conduct will still apply 	<ul style="list-style-type: none"> Unable to take advantage of the more detailed behaviours and breach provisions
Option 2:	<ul style="list-style-type: none"> Able to take advantage of the more detailed behaviours and breach provisions 	<ul style="list-style-type: none"> Nil

The recommended option is Option 2 in order to include more detailed behaviours and new breach provisions for the Code of Conduct.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council's Vision and Strategic Priorities

The Code of Conduct sets out the understanding and expectations of Council in relation to the conduct of Elected Members in their role. Elected members make important governance decisions related to the delivery of Council's vision and strategic priorities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that Option 2 complies with Council's legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no costs associated with adopting an updated Code of Conduct.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

8 NEXT ACTIONS

Action	Responsibility	By When
Code of Conduct updated in Diligent and on the Council website	Governance	5 June 2023

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Proposed Code of Conduct 2023
2	Existing Code of Conduct 2020
3	Waipā District Council Policy for investigating and ruling on alleged breaches of the Code of Conduct



Jo Gread
MANAGER GOVERNANCE



Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Waipā District Council Code of Conduct 2023 (ECM number 11012818)

CODE OF CONDUCT

2023

Adopted ~~24 November 2020~~ 30 May 2023

1. Introduction

This Code of Conduct (the Code) sets out the standards of behavior expected from:

- [His/Her](#) Worship the Mayor and Councillors at Waipa District Council (Council), and
- [Any](#) Council-appointed members of the following Council Committees:
 - Strategic Planning and Policy Committee,
 - Service Delivery Committee,
 - Finance and Corporate Committee,
 - Regulatory Committee, and
 - Audit and Risk Committee

(together referred to as “Members” and individually “Member”) 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 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 Councillors and [His/Her](#) Worship the Mayor. It also applies to [any](#) appointed members of the following Council committees in relation to their role on the committee: Strategic Planning and Policy Committee, Service Delivery Committee, Finance and Corporate Committee, Regulatory Committee and Audit and Risk 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

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 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, 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

This Code of Conduct is designed to strengthen the good governance of our District. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

4.1 Members

The role of the governing body includes:

- representing the interests of the people of the district;
- 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 on behalf of Council, the staff of the local authority,(including negotiation of the terms of employment for those staff).

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

~~5. Relationships~~

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

~~-~~

~~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, honest and courteous~~
- ~~▪ is focused on issues rather than personalities;~~
- ~~▪ avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and~~
- ~~▪ avoids aggressive, bullying or offensive conduct, including the use of disrespectful or malicious language.~~

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

~~5.2 Relationships with staff~~

~~An important element of good governance involves the relationship between 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:** 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 Relationships between Members and Community Board Members~~

~~Given the importance of relationships to the effective performance of Council, Members will conduct their dealings with Cambridge and Te Awamutu Community Board members in a manner that:~~

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

~~5.4 Relationship with the public~~

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

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

5. Behaviours

To promote good governance and build trust between the Council, its Members, and citizens, Members agree to the following standards of conduct when they are:

- conducting the business of Council,
- acting as a representative of Council,
- acting as a representative of their electorate,

- communicating with other Members, community board members, the media, the public and staff, and
- using social media and other communication channels.

Where a Member's conduct falls short of these standards, Members accept that they may be subject to a complaint made under the Council's "Policy for investigating and ruling on alleged breaches of the Code of Conduct".

5.1 Respect

Members will treat all other Members, community board members, staff, and members of the public, with respect.

Respect means politeness and courtesy in behaviour, speech, and writing. Debate and differences are all part of a healthy democracy. As a Member of a local authority you can challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You must not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in, your local authority. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the Council, the relevant social media provider or the police.

5.2 Bullying, harassment, and discrimination

Members will treat all people fairly and will not:

- bully any person,
- harass any person, or
- discriminate unlawfully against any person.

For the purpose of the Code of Conduct, bullying is offensive, intimidating, malicious, or insulting behaviour. It represents an abuse of power through means that undermine, humiliate, denigrate, or injure another person. It may be:

- a regular pattern of behaviour, or a one-off incident,
- occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or

at work social events, and

- may not always be obvious or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination occurs when a person is treated unfairly, or less favourably, than another person because of any of the following¹:

<u>age</u>	<u>skin, hair, or eye colour</u>	<u>race</u>
<u>disability</u>	<u>employment status</u>	<u>ethical belief</u>
<u>ethnic or national origin</u>	<u>family status</u>	<u>marital status</u>
<u>political opinion</u>	<u>religious belief</u>	<u>gender identity</u>
<u>sex</u>	<u>sexual orientation.</u>	

5.3 Provide equitable contribution

Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.

Being a Member is a position of considerable trust, given to you by your community to act on their behalf. To fulfil the expectations of your constituents and contribute to the good governance of your area it is important that you make all reasonable efforts to attend meetings and workshops, prepare for meetings, attend civic events, and participate in relevant training seminars.

The local government workload can be substantial, and it is important that every Member contributes appropriately. This requires Members to often work as a team and avoid situations where the majority of the work falls on the shoulders of a small number of Members.

5.4 Disrepute

Members will not bring the Council into disrepute.

¹ See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>

Members are trusted to make decisions on behalf of their communities and as such their actions and behaviours are subject to greater scrutiny than other citizens. Members' actions also reflect on the local authority as well as themselves and can serve to either boost or erode public confidence in both.

Behaviours that might bring a local authority into disrepute, and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit a Member's ability to hold the local authority and fellow Members to account or constructively challenge and express concerns about decisions and processes undertaken by their local authority.

5.5 Use of position for personal advantage

Members will not use, or attempt to use, their position to improperly advantage themselves or anyone else, or disadvantage another person.

Being a Member of a local authority comes with certain opportunities and privileges, including the power to make choices that can impact on others. Members must not take advantage of such opportunities to further their own or others' private interests or to disadvantage anyone unfairly. A Member found to have personally benefited by information gained as an elected member may be subject to the provisions of the Secret Commissions Act 2010.

5.6 Impartiality

Members will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, Council.

Officers work for the Council as a whole and must be politically neutral (unless they are political assistants). They must not be coerced or persuaded to act in a way that would undermine their neutrality. Members can question officers to gain understanding of their thinking and decision-making, however, they must not seek to influence officials to change their advice or alter the content of a report, other than in a meeting or workshop, if doing so would prejudice their professional integrity. Members should:

- make themselves aware of the obligations that the Council and Chief Executive have as employers and always observe these requirements, such as the obligation to be a good

[employer, and](#)

- [observe any protocols put in place by the Chief Executive concerning contact between Members and employees, and not publicly criticise individual staff.](#)

[If you have concerns about the behaviour of an official, whether permanent or contracted, you should raise your concerns with the Council's Chief Executive, or, if the concerns are to do with the Chief Executive, raise them with the Mayor, or Chief Executive Performance Committee.](#)

6. 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 Council. 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, 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 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 is the first point of contact for an official view on any 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.

6.2 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;
- 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;
- 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.

7. Information

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

7.1 Confidential information

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

7.2 Information received in capacity as a Member

Members will disclose to other Members and, where appropriate the Chief Executive, any information received in their capacity as a 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.

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

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

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the Member's spouse/partner has a pecuniary interest, such as through a contract with 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 Council. Failure to observe these requirements could also leave the Member open to prosecution (see Appendix B). In the event of a conviction, Members can be ousted from office.

9. 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 Council; 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.

10. 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.

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 or evaluation of Council’s performance and operating style

during the triennium.¹

- 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.

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 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~~

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

- ~~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.~~

~~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 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, only Members and the Chief Executive may make a complaint under this Code.~~

~~Complaint referred to Mayor~~

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

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

~~12.3 Materiality~~

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

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

~~13. 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.~~

~~13.1 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 committee chair, deputy committee chair or portfolio holder;~~

- ~~6. restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);~~
- ~~7. limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;~~
- ~~8. suspension from committees or other bodies to which the Member has been appointed;
or~~
- ~~9. invitation to the Member to consider resigning from Council.~~

~~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 by the Committee.~~

~~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.~~

~~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 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 Member liable for criminal prosecution).~~

Breaches of this code will be dealt with in accordance with the Waipa District Council Policy for investigating and ruling on alleged breaches of the Code of Conduct.

14.13. 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. 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.

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all elected 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" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in personal or unofficial online communications that may also refer to your Council.

1. Adhere to the Code of Conduct and other applicable policies. Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. You are responsible for your actions. Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. Be an "advocate" for compliments and criticism. Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. Let the subject matter experts respond to negative posts. Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. Take care mixing your political (Council) and personal lives. Members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. Never post sensitive and confidential information provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. Elected members' social media pages should be open and transparent. When commenting on matters related to Council 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 into disrepute.

Appendix B: Legislation bearing on the role and conduct of 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/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

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

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

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

Determining whether a pecuniary interest exists

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 an elected 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 elected 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 Members is the fact that the chairperson has the responsibility to maintain order at meetings, but all Members should accept a personal responsibility to maintain acceptable standards of address and debate. No Member should:

- create a disturbance or a distraction while another Councillor or His Worship the Mayor 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 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 an elected member (or officer) to:

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

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

Financial Markets Conduct Act 2013

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

The Local Government Act 2002

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

Although having qualified privilege, elected members can be held personally accountable for losses incurred by 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.

Elected 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 elected member's knowledge;
- b) with the elected member's knowledge but against the elected member's protest made at or before the time when the loss occurred;
- c) contrary to the manner in which the elected member voted on the issue; and
- d) in circumstances where, although being a party to the act or failure to act, the elected 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 elected members will also be responsible for paying the costs of proceedings (s.47 LGA 2002).

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Protected Disclosures (Protection of Whistleblowers) Act 2022 is designed to facilitate the disclosure and investigation of serious wrongdoing in the workplace, and to provide protection for employees and other workers who report concerns. A protected disclosure occurs when the discloser believes, on reasonable grounds, that there is, or has been, serious wrongdoing in or by their organisation, they

disclose in accordance with the Act, and they do not disclose in bad faith.

A discloser is a person who has an employment type relationship with the organisation they are disclosing about and includes current and former employees, homeworkers, secondees, contractors, volunteers, and board members. Serious wrongdoing includes:

- an offence
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial
- an unlawful, corrupt, or irregular use of public funds or public resources
- oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government.

Council need to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General. Ombudsmen are also an “appropriate authority” under the Protected Disclosures (Protection of Whistleblowers) Act 2022.

The Serious Fraud Office Act 1990

The Serious Fraud Office (SFO) is the lead law enforcement agency for investigating and prosecuting serious financial crime, including bribery and corruption. The SFO has an increasing focus on prevention by building awareness and understanding of the risks of corruption – noting that the extent of corruption is influenced by organisational frameworks and support given to staff. The SFO encourages organisations

to adopt appropriate checks and balances and build a culture based on ethics and integrity.

The four basic elements of best practice organisational control promoted by the SFO involve:

- Operations people with the right skills and experience in the relevant areas, with clear accountability lines.
- Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.
- Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
- Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

The Local Government (Pecuniary Interests Register) Act 2022

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, a local authority must now keep a register of the pecuniary interests of their members, including community and local board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,
- if the member is employed, the name of each employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,

- the name of any organisation or trust and a description of the main activities of that organisation or trust if the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust, and the organisation or trust receives funding from the local authority, local board, or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if the member is a beneficiary of the trust and it is not a unit trust (disclosed under subclause 20) or a retirement scheme whose membership is open to the public.

Each council must make a summary of the information contained in the register publicly available; and ensure that information contained in the register is only used or disclosed in accordance with the purpose of the register; and is retained for seven years.

The Health and Safety Act at Work Act 2015

The Health and Safety at Work Act 2015 aims to create a new culture towards health and safety in workplaces. A council is termed a Person Conducting a Business or Undertaking (PCBU) - all involved in work, including elected members, are required to have a duty of care. Elected members are “officers” under the Act and officers are required to exercise due diligence to ensure that the PCBU complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty. Despite this, as officers, the key matters to be mindful of are:

- stepping up and being accountable,
- identifying and managing your risks,
- making health and safety part of your organisation’s culture, and
- getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- adopting a charter setting out the elected members' role in leading health and safety – with your chief executive,
- publishing a safety vision and beliefs statement,
- establishing health and safety targets for the organisation with your chief executive,
- ensuring there is an effective linkage between health and safety goals and the actions and priorities of your chief executive and their senior management, or
- having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through their chief executive need to ensure their organisations have sufficient personnel with the right skill mix and support, to meet the health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.

The Harmful Digital Communications Act 2015

The Harmful Digital Communications Act (HDCA) was passed to help people dealing with serious or repeated harmful digital communications. The Act covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online. Under the Act a digital communication should not:

- disclose sensitive personal facts about an individual
- be threatening, intimidating, or menacing
- be grossly offensive to a reasonable person in the position of the affected individual
- be indecent or obscene
- be used to harass an individual
- make a false allegation

- contain a matter that is published in breach of confidence
- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual
- incite or encourage an individual to commit suicide
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation or disability

More information about the Act can be found at Netsafe.

~~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:~~

~~the complaint is trivial or frivolous and should be dismissed;~~

~~the complaint is outside the scope of the Code and should be redirected to another agency or institutional process;~~

~~the complaint is minor or non-material; or~~

~~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:~~

~~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;~~

~~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 2020 (ECM number 10485242)

CODE OF CONDUCT

Adopted 24 November 2020

1. Introduction

This Code of Conduct (the Code) sets out the standards of behavior expected from:

- His Worship the Mayor and Councillors at Waipa District Council (Council), and
- Council-appointed members of the following Council Committees:
 - Strategic Planning and Policy Committee,
 - Service Delivery Committee,
 - Finance and Corporate Committee,
 - Regulatory Committee, and
 - Audit and Risk Committee

(together referred to as “Members” and individually “Member”) 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 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 Councillors and His Worship the Mayor. It also applies to appointed members of the following Council committees in relation to their role on the committee: Strategic Planning and Policy Committee, Service Delivery Committee, Finance and Corporate Committee, Regulatory Committee and Audit and Risk 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

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 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, 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

This Code of Conduct is designed to strengthen the good governance of our District. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

4.1 Members

The role of the governing body includes:

- representing the interests of the people of the district;
- 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 on behalf of Council, the staff of the local authority,(including negotiation of the terms of employment for those staff).

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

5. Relationships

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

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

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

5.2 Relationships with staff

An important element of good governance involves the relationship between 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: 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 Relationships between Members and Community Board Members

Given the importance of relationships to the effective performance of Council, Members will conduct their dealings with Cambridge and Te Awamutu Community Board members in a manner that:

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

5.4 Relationship with the public

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

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

6. 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 Council. 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, 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 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 is the first point of contact for an official view on any 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.

6.2 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;
- 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;
- 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.

7. Information

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

7.1 Confidential information

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

7.2 Information received in capacity as a Member

Members will disclose to other Members and, where appropriate the Chief Executive, any information received in their capacity as a 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.

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

Members will maintain a clear separation between their personal interests and their duties as Members in order to ensure that they are free from bias (whether real or perceived). Members

therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the Member's spouse/partner has a pecuniary interest, such as through a contract with 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 Council. Failure to observe these requirements could also leave the Member open to prosecution (see Appendix B). In the event of a conviction, Members can be ousted from office.

9. 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 Council; 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.

10. 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.

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 or evaluation of Council's performance and operating style during the triennium.¹
- 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.

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 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

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

- 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.

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 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, only Members and the Chief Executive may make a complaint under this Code.

Complaint referred to Mayor

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

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

12.3 Materiality

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

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

13. 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.

13.1 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 committee chair, deputy committee chair or portfolio holder;

6. restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
7. limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
8. suspension from committees or other bodies to which the Member has been appointed; or
9. invitation to the Member to consider resigning from Council.

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 by the Committee.

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.

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 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 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. 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.

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all elected 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" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in personal or unofficial online communications that may also refer to your Council.

1. Adhere to the Code of Conduct and other applicable policies. Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. You are responsible for your actions. Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. Be an "advocate" for compliments and criticism. Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. Let the subject matter experts respond to negative posts. Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. Take care mixing your political (Council) and personal lives. Members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. Never post sensitive and confidential information provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. Elected members' social media pages should be open and transparent. When commenting on matters related to Council 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 into disrepute.

Appendix B: Legislation bearing on the role and conduct of 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/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

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

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

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

Determining whether a pecuniary interest exists

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 an elected 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 elected 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 Members is the fact that the chairperson has the responsibility to maintain order at meetings, but all Members should accept a personal responsibility to maintain acceptable standards of address and debate. No Member should:

- create a disturbance or a distraction while another Councillor or His Worship the Mayor 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 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 an elected member (or officer) to:

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

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

Financial Markets Conduct Act 2013

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

The Local Government Act 2002

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

Although having qualified privilege, elected members can be held personally accountable for losses incurred by 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.

Elected 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 elected member's knowledge;
- b) with the elected member's knowledge but against the elected member's protest made at or before the time when the loss occurred;
- c) contrary to the manner in which the elected member voted on the issue; and
- d) in circumstances where, although being a party to the act or failure to act, the elected 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 elected 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 3

Waipā District Council Policy for investigating and ruling on alleged breaches of the Code of Conduct (ECM number 11012858)

Waipā District Council Policy for Investigating and Ruling on alleged breaches of the Code of Conduct

Adopted 30 May 2023

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Principles

The following principles will guide the investigation into, and assessment of, complaints made against a Member for breaching the Code of Conduct:

- The complaints process will be independent, impartial, and respect Members' privacy.
- Members will be given due notice that an investigation is underway and will be provided with an opportunity to be heard.
- Members will have a right to seek independent advice, be represented, and, if they choose, be accompanied by a support person throughout the process.
- Complaints will be resolved at the lowest level of resolution as possible, with priority given to finding a mediated settlement.
- Complainants, and Members subject to a complaint, will have access to advice and support for the time it takes to find a resolution.

Who can make a complaint?

The Code of Conduct is designed to be a self-regulatory instrument and complaints regarding a breach of the Code can only be made by Members themselves, or the Chief Executive, who can make a complaint on behalf of their staff. On receipt of a complaint, the Chief Executive must forward the complaint to an independent person, either an independent investigator or an initial assessor, for an assessment.

The term 'Member(s)' in this policy shall have the same meaning as in the adopted Waipa District Council Code of Conduct.

Role of the initial assessor¹

On receipt of a complaint an initial assessor will undertake an assessment to determine the relative merit and seriousness of the complaint, and the nature of the subsequent process that will be followed. The complaint may be dismissed if the initial assessor finds them to be trivial, vexatious, frivolous, or politically motivated.

¹ See Attachment 3.2 for advice on the appointment of an Initial Assessor.

If a complaint is not dismissed, the initial assessor may initiate one of the following:

1 Refer to the Mayor

In the case of a breach that is not serious or amendable to mediation, the initial assessor may refer the person responsible for the alleged breach to the Mayor for their advice and guidance. These will not be reported to Council. A meeting or meetings with the Mayor will be regarded as sufficient to resolve the complaint. Where a Member is referred to the Mayor, the initial assessor may also recommend, for the Mayor's consideration:

- that the Member attends a relevant training course,
- that the Member work with a mentor for a period,
- that the Member tenders an apology.

2 Mediation

If the complaint concerns a dispute between two Members, or between a Member and another party, the initial assessor may recommend mediation. If mediation is agreed by both parties, then its completion will represent the end of the complaints process. The outcomes of any mediation will be confidential and, other than advising that a complaint has been resolved through mediation, there will be no additional reporting unless the complaint is referred to an independent investigator, usually due to a failure of the mediation.

3 Refer to an independent investigator

Where the initial assessor finds that the complaint is serious or no resolution can be reached and/or mediation is refused, the initial assessor will refer the complaint to an independent investigator. The independent investigator will be selected from the Council's independent investigators' panel assembled by the Chief Executive, or an independent investigator service that is contracted to the Council. Complaints that involve the Mayor or Chief Executive will be referred directly to the independent investigator.

Complaints that are dismissed, referred to the Mayor, or resolved by mediation, will not be reported to a Council meeting.

Role of the independent investigator²

The independent investigator will:

- determine whether a breach has occurred,
- if so, determine the seriousness of the breach, and
- determine recommended actions for Council to consider in response to the breach.

Any recommended actions made in response to a complaint that has been upheld will be presented to a Council meeting for consideration.

² See Attachment 3.2 for advice on the appointment of an Independent Investigator.

Determining the significance of an alleged breach

The independent investigator may take whatever actions they need to determine the significance of a complaint, within the budgetary constraints set down, including re-assessing the complaint.

The independent investigator will undertake an investigation appropriate to the scale of the breach, which may include interviews with other affected parties, and prepare a report for the Chief Executive which will set out the rationale for their findings and may include recommendations for resolving the breach and appropriate penalties.

When considering the issue of significance, the independent investigator will need to consider a range of factors before deciding, such as:

- Was the breach intentional or unintentional?
- Did it occur once or is there a pattern of recurring behaviour?
- Does the breach have legal or financial ramifications for the Council?
- What is the impact of the breach on other elected members, on Council staff and on the community in general?

Independent investigator recommendations

On completing their investigation, an independent investigator may dismiss a complaint or make a recommendation to Council on the actions they suggest be taken. The independent investigator's ruling will be contained in a report to the Chief Executive which will form the basis of a consequent report to a Council meeting to inform them of the recommendation and the actions to consider.

Please note: All actions taken in the implementation of a policy must be consistent with the Bill of Rights Act 1990. No appeal right is included in the Code of Conduct. Members who are unhappy with an independent investigator's decision have access to judicial review and/or the Ombudsman's Office.

Costs and support

Council must ensure that Members who make a complaint are not left to meet any costs created by doing so. Members, those who make complaints, and those who are subject to a complaint, should be given appropriate and reasonable support.

The costs of assessment and investigatory services will be met by Council.

Part 3: Attachments - Processes

3.1: Process for determining and investigating complaints

Step 1: Chief Executive receives complaint

All complaints made under this Code of Conduct must be made in writing and forwarded to the Chief Executive who will refer the complaint to the initial assessor. The Chief Executive will also:

- inform the complainant that the complaint has been referred to the independent person (named) and refer them to the process for dealing with complaints as set out in the Code of Conduct; and
- inform the respondent that a complaint has been made against them and the name of the independent investigator overseeing the process and refer them to the policy for dealing with complaints as set out in the Code of Conduct.

Step 2: Initial assessor makes an assessment and arranges to refer the matter to the Mayor or mediation

1. The initial assessor will undertake an assessment of the merits of the complaint. If they consider it is not valid, the complaint will be dismissed. The complainant will have no recourse or appeal. Grounds for concluding that a complaint has no merit include that it is trivial, vexatious, frivolous, or politically motivated.
2. In the case of a breach that is not serious or amendable to mediation, the initial assessor may refer the person responsible for the alleged breach to the Mayor for their advice and guidance.
3. If deemed to have merit, the initial assessor will contact the parties to seek their agreement to independently facilitated mediation. If the parties agree and the issue is resolved by mediation the matter will be closed and no further action is required.
4. If the parties do not agree to mediation, or mediation is unsuccessful in resolving the matter, the initial assessor will refer the complaint to an independent investigator selected from a panel established by the Chief Executive at the start of the triennium, or service contracted to the Council. The initial assessor will also inform the complainant and the respondent that the complaint has been referred to the independent investigator and the name of the independent investigator.

Step 3: Independent investigator to inquire and conclude on the matter

If the complaint is found to be a breach of the Code of Conduct the independent investigator will inform the initial assessor, who will inform the complainant and respondent. The independent investigator will then assess the nature and effect of the breach and prepare a report for the Council on the seriousness of the breach and recommend actions commensurate with that breach. In preparing that report the independent 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.

At any stage in their inquiry the independent investigator may find that a breach has not occurred, or the matter should be referred to a relevant agency. If this is the case the independent investigator will inform the initial assessor who will inform the complainant and respondent that the complaint is dismissed or has been referred to a relevant named agency.

On receipt of the independent investigator's report the Chief Executive, or initial assessor, will prepare a report for a Council meeting to consider the findings and implement any recommended actions. The report will include the full report prepared by the investigator.

Step 4: Process for considering the investigator's report

The process for responding to the independent investigator's report is as follows:

- The Chief Executive's report, containing the independent investigator's recommendations and report, will be presented to the governing body, or committee/sub-committee with delegated authority to consider code of conduct complaints.
- The governing body, or local/community board, will ensure that Members with an interest in the complaint are not present during the discussion on the independent investigator's recommendations.
- The report will be received in public meeting unless grounds, such as s.48 LGOIMA, exist for the exclusion of the public.
- The Chief Executive's report may also outline the plan for the report's public release, for the governing body's information and comment.
- The governing body, local/community board, or committee/sub-committee with delegated authority, may accept the investigator's recommendations or, if they believe it is justified, amend the independent investigator's recommendations. As part of these considerations the complainant may be asked to appear before the governing body, board or committee and answer questions from Members.
- The penalty or sanction that might be applied will depend on the seriousness of the breach and may include actions set out in section 3.3.

3.2: Selecting the initial assessor and independent investigator

Selecting an initial assessor

The Chief Executive is responsible for this. In selecting the initial assessor, the Chief Executive will consult with the Council.

The initial assessor should be a person, or a position, that is independent of the Council's political governance, while also being easily accessible, as their role is crucial if complaints are to be expedited quickly and without controversy. For example:

- the external appointee on a Council's Audit and Risk Committee,
- a member of staff, such as an internal ombudsman or ethics adviser, as long as they have operational independence from the Chief Executive (similar to the independence afforded an Electoral Officer),
- a retired local authority Chief Executive,
- a retired local authority politician,
- a member of the public with relevant experience and competency.

Selecting an independent investigator

The Chief Executive is responsible for compiling a panel or list of independent investigators.

At the beginning of each triennium the Chief Executive, in consultation with the Council, will compile a list of independent investigators. In selecting them, a Chief Executive may consider:

- the council's legal advisers,
- a national service specialising in public sector integrity,
- a national service providing assessment and investigation services, or
- an individual with relevant skills and competencies.

Please note: Given the litigious nature of some code of conduct disputes independent investigators should have relevant liability insurance, provided on their own behalf or by the Council. The Chief Executive also needs to ensure that investigations are undertaken within budgetary limits negotiated in advance.

3.3: Actions that may be applied when a breach has been confirmed

Where a complaint that the Code of Conduct was breached has been upheld, any actions taken against the Member found to be in breach should be consistent with the following principles.

- Actions should be commensurate with the seriousness of the breach.
- Actions should be applied in a manner that is culturally appropriate and safe for the Members involved.
- Actions should, to the degree practical, contribute to an inclusive culture in the Council by focusing on constructive mediation, learning, and Member improvement.

In determining a response to a breach of the Code of Conduct, one or more of the following could be selected:

1. That no action is required.
2. That the Member meets with the Mayor for advice.
3. That the Member attends a relevant training course.
4. That the Member agrees to cease the behaviour.
5. That the Member work with a mentor for a period.
6. That the Member tenders an apology.
7. That the Member participates in voluntary mediation (if the complaint involves a conflict between two Members).
8. That the local authority sends a letter of censure to the Member.
9. That the local authority passes a vote of no confidence in the Member.
10. That the Member loses certain Council-funded privileges (such as attendance at conferences).
11. That the Member loses specific responsibilities, such as committee chair, deputy committee chair or portfolio holder.
12. That the Member be subject to restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed).
13. That the Member be subject to limitations on their dealings with Council staff, other than the Chief Executive or identified senior manager(s).
14. That the Member be suspended from committees or other bodies to which the Member has been appointed.
15. That the Member be invited to consider resigning from the Council.

Please note: Actions 1-7 will typically not be reported to a Council meeting. Actions 8-15, which have a high degree of public interest, namely democratic representation, should be considered in an open meeting, unless there are grounds, such as those set out in LGOIMA, for not doing so.

Responses to statutory breaches

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

- Breaches relating to Members' interests (where Members may be liable for prosecution by the Auditor-General under LAMIA).
- Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under section 44 LGA 2002 which may result in the Member having to make good the loss or damage).

- 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).

COUNCIL REPORT



To: Her Worship the Mayor and Councillors
From: Manager Finance
Subject: **Civic Financial Services Ltd Notice of AGM and Annual Report 2022**
Meeting Date: 30 May 2023

1 PURPOSE - TAKE

The purpose of this report is to seek authority to make a proxy vote on behalf of Council at the upcoming Civic Financial Services Limited Annual General Meeting.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Notice has been received of the Annual General Meeting of Civic Financial Services Limited (Civic). There are only two substantive matters for shareholders to vote on – the receiving of the Annual Report and the appointment of the Auditor. Council authority is sought for these matters to be voted on by way of proxy. The matter is being brought to this meeting as the next Finance and Corporate Committee meeting which would normally determine a matter like this will not take place until after the AGM.

Elected members will also note that the notice of AGM papers indicate that this Council's Deputy Chief Executive, Ken Morris, has been elected unopposed to a Director position on the Civic Board.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council

- a) *Receives the report of Jolanda Hechter Manager Finance titled Civic Financial Services Ltd Notice of AGM and Annual Report 2022 (ECM Number 11015234);*
- b) *Provides authority for the Chief Executive to complete and forward the Annual General Meeting Proxy Form to Civic Financial Services, with:*
 - a. *The proxy to be completed in favour of receiving the Annual Report for the year ended 31 December 2022; and*

- b. *The proxy to be completed in favour of the appointment of the Auditor-General as the auditor to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Annual General Meeting

Notice for the Civic Financial Services Limited Annual General Meeting, scheduled for 16 June 2023, has been received.

There are only two substantive matters for shareholders to vote on – the receiving of the Annual Report and the appointment of the Auditor. Council authority is sought for these matters to be voted on by way of proxy.

The Notice of meeting also notes that Council’s Deputy Chief Executive, Ken Morris, has been elected unopposed to Civic’s Board of Directors. This appointment will take effect immediately after the Annual General Meeting.

A copy of the notice of meeting including the blank proxy form can be found as Appendix 1 to this report.

Annual Report 2022

Total revenue has decreased from the 2021 financial year mainly due to a deliberate minimisation of administration fees charged to members of Civic’s Kiwisaver and other Superannuation schemes. This reduction in revenue was partly countered by higher interest income in the 2022 financial year.

The company achieved a pre-tax profit for the 2022 financial year of \$142,232. The operating expenses have increased from 2021 mainly due to higher amounts of amortisation of software, increased compliance costs and higher employee costs.

The net asset value of the company has decreased by around \$1 million, as a result of a very large taxation expense arising from prior year tax losses being derecognised.

A copy of the Annual Report 2022 is attached as Appendix 2 to this report.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matters in this report have a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Grant authority for the proxy to be completed in line with the recommendation above	<ul style="list-style-type: none"> Participating in decision making of the entity 	<ul style="list-style-type: none"> No known disadvantages
Option 2: Don't grant authority for the proxy to be completed in line with the recommendation above	<ul style="list-style-type: none"> No known advantages 	<ul style="list-style-type: none"> Potential reputational damage as we do not participate in decision making

The recommended option is Option 1.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the staff recommendation complies with Council's legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There are no financial implications associated with the proposed option.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

8 NEXT ACTIONS

Action	Responsibility	By When
Proxy form completed and submitted to Civic Financial Services.	Chief Executive	31 May 2023

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Civic Financial Services Limited Notice of Annual General Meeting 2023 (ECM: 11015238)
2	Civic Financial Services Limited Annual Report 2022 (ECM: 11015242)



Jolanda Hechter
MANAGER FINANCE



Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Civic Financial Services Limited Notice of Annual General Meeting 2023 (ECM: 11015238)

16 May 2023

NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of Civic Financial Services Limited will be held in the Civic Boardroom, Civic Chambers, Level 7, 116 Lambton Quay, Wellington on Friday 16 June 2023 commencing at 2:00pm for the purpose of transacting the following business:

ORDINARY BUSINESS

- 1. Apologies**
To receive apologies.
- 2. Minutes of 2022 Annual General Meeting**
To approve Minutes of the AGM held 17 June 2022.
- 3. Annual Report and Financial Statements**
To receive and consider the Annual Report which includes financial statements for the year ended 31 December 2022 and the report of the auditor therein.
- 4. Directorate**
To approve the appointment of two Directors in accordance with the Constitution.

Existing Directors retiring at the Annual General Meeting are John Melville and Jo Miller, neither of whom will be seeking re-election. No motion has been proposed to not fill either office.

Ken Morris has been nominated by Waipa District Council and Marty Grenfell has been nominated by Tauranga City Council as Directors and offer themselves for election. The remainder of the Board support Ken Morris' and Marty Grenfell's candidacies for election.

As there are two vacancies and two people standing, in accordance with the Constitution there is no requirement for an election. Therefore Ken Morris and Marty Grenfell be duly elected as Directors from the close of the AGM.

- 5. Director Remuneration**
At the 2017 Company AGM a shareholder resolution was passed for Director remuneration to be adjusted by the annual increase in the Consumer Price Index (CPI) from 1 July 2017. The Directors have decided to reject the CPI increase for the 2023/24 year and will adjust their remuneration by the (lower) Labour Cost Index instead.

6. **Appointment and Remuneration of Auditor**

To record the appointment of the Auditor-General as auditor (pursuant to Section 207 of the Companies Act 1993 and Section 15 of the Public Audit Act 2001) to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.

Note: The Auditor-General has appointed Mr Hamish Anton of Deloitte to undertake the audit.

7. **To transact any other business** that may be properly brought before the meeting.

PROXIES/APPOINTED REPRESENTATIVES

A shareholder entitled to attend and vote but unable to do so may appoint a proxy for this meeting. Alternatively, the shareholder may appoint a representative to exercise its right at the meeting, pursuant to Clause 14.3 of the Constitution of the Company. A completed proxy form/notice in writing of appointment of a representative signed by the shareholder must be lodged at the registered office of the Company by 2.00pm one business day before the start of the meeting i.e. 15 June 2023.

By Order of the Board
Glenn Watkin, Chief Financial Officer



**Civic Financial Services Limited
Proxy Form**

_____ of
(Shareholder Name)

_____ being a shareholder of Civic Financial Services Limited, hereby appoints
(Location)

_____ of _____ or, failing him/her
(Name) (Employer)

_____ of _____ as its proxy to vote for
(Name) (Employer)

and on its behalf at the Annual General Meeting of Shareholders of Civic Financial Services Limited, to be held in the Civic Boardroom, Civic Chambers, Level 7, 116 Lambton Quay, Wellington on Friday 16 June 2023 commencing at 2:00pm and at any adjournment of that meeting.

Unless otherwise directed as below, the proxy will vote or abstain from voting as he or she thinks fit.

Should the shareholder wish to instruct its Proxy or representative how to vote the following should be completed:

Agenda Item **For (✓)** **Against (✓)**

Ordinary Business

1. **Receive apologies.**

2. **Approve the Minutes of the AGM held 17 June 2022.**

3. **To receive the Annual Report**

To receive the Annual Report which includes the financial statements for the year ended 31 December 2022 and the report of the auditor therein.

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4. **Directorate**

Confirm the election of Ken Morris and Marty Grenfell as Directors of the Company.

5. **Director Remuneration**

At the 2017 Company AGM a shareholder resolution was passed for Director remuneration to be adjusted by the annual increase in the CPI from 1 July 2017. The Directors have decided to reject the CPI increase for the 2023/24 year and will adjust their remuneration by the (lower) Labour Cost Index instead.

6. **Appointment and Remuneration of Auditor**

To record the appointment of the Auditor-General as auditor (pursuant to Section 207 of the Companies Act 1993 and Section 15 of the Public Audit Act 2001) to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.

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7. **To transact any other business**

EXECUTED this _____ day of _____ 2023.

Signature(s) of Shareholder

Position(s) Held

Please return to: Chief Financial Officer, Civic Financial Services Ltd, PO Box 5521, Wellington 6140, or email to lisa.lummis@civicfs.co.nz to be received prior to 2.00pm 15 June 2023.

ATTENDANCE AT MEETINGS OF THE COMPANY

The Constitution provides for members to be represented at meetings of the Company only by proxies or appointed representatives.

Clause 14.3 (as amended in May 2004) provides:

“A shareholder may exercise the right to vote by being present by a representative or by proxy.

The representative or proxy for a shareholder is entitled to attend and be heard and vote at a meeting of shareholders as if the representative or proxy were a shareholder.

A proxy must be appointed in writing signed by the shareholder and the notice must state whether the appointment is for a particular meeting or a specified term not exceeding twelve months.

No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced to the registered office of the company not later than twenty-four hours before the start of the meeting.

A shareholder may appoint a representative to attend a meeting of shareholders on its behalf in the same manner as that in which it could appoint a proxy”.

Accordingly, proxies/notification of appointed representatives must be lodged at the registered office of the Company by 2.00pm 15 June 2023.

It would be appreciated if shareholders, when considering who to appoint as their representative/proxy holder, would contact Lisa Lummis thereby facilitating a quorum for the AGM.

Lisa Lummis
Governance EA
Phone: (04) 978 1264
Email: lisa.lummis@civicfs.co.nz

APPENDIX 2

Civic Financial Services Limited Annual Report 2022 (ECM: 11015242)



ANNUAL REPORT 2022

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ANNUAL REPORT AND STATEMENT OF ACCOUNTS FOR THE YEAR ENDED 31 DECEMBER 2022

Your Directors have pleasure in submitting the 62nd Annual Report of the affairs of the Company (formerly New Zealand Local Government Insurance Corporation Ltd trading as Civic Assurance) for the year ended 31 December 2022, which is to be presented at the Annual General Meeting of Members in June 2023.

Directors operate under a Charter which outlines the specific role and responsibilities of the Board. Each Director must be assessed as being fit and proper in accordance with Civic's Fit and Proper Policy and at least two Directors must be independent, being neither a member or an employee of a local authority. The Directors are all subject to Civic's Code of Ethics. The Board has a Risk and Audit Committee which is governed by its own Charter and is responsible for maintaining the Board's risk management processes and policies, including ensuring compliance with regulatory and legal standards.

1. PERFORMANCE

Civic's before-tax profit in 2022 was \$142,232.

This compares unfavourably to the forecasted before-tax surplus of \$243,512 as set out in the 2022 Statement of Intent.

This decreased profit is primarily due to receiving lower than anticipated administration fees from the superannuation schemes as a result of investment market losses over the year.

2. OPERATIONS**Administration Services**

Fees in 2022 from providing services to LAPP, Riskpool, the SuperEasy Superannuation Scheme and the SuperEasy KiwiSaver Superannuation Scheme were \$2,904,682 (2021: \$3,100,598).

Investment Revenue

Income from investments was \$266,148 (2021: \$116,935).

Sponsorship and Support for the Sector

Civic continues as a sponsor of Taituarā – Local Government Professionals Aotearoa (previously known as SOLGM – Society of Local Government Managers) events both at a regional and national level.

3. ASSOCIATED ENTITIES**Local Government Superannuation Trustee Limited**

Local Government Superannuation Trustee Limited (LGST) is a 100% subsidiary of Civic and is the trustee to the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes.

Both Schemes are administered by Civic and are registered with the Financial Markets Authority. Director appointments to LGST are made by Local Government New Zealand (two), Civic (one), Council of Trade Unions (one), Taituarā (one) and one, who must be a Licensed Independent Trustee, by the LGST Board.

The Schemes feature low member charges and simple administration for councils. The Schemes offer an 'Automatic Fund', in which each member's risk exposure is gradually and automatically switched from growth assets to income assets as the member gets older. The SuperEasy website is www.supereasy.co.nz.

The Schemes have a combined membership of over 11,000, with funds under management as at December 2022 of \$496 million (December 2021 \$530 million). Of the councils that have a preferred provider for KiwiSaver, 69 out of 73 (94%) have appointed Civic. The investments of the funds are managed by Harbour Asset Management Limited and ANZ New Zealand Investments Limited.

LAPP Disaster Fund

LAPP is a charitable trust that was set up by LGNZ and Civic in 1993 to assist with the reinstatement of lost or damaged local government underground infrastructure. LAPP's membership is 23. LAPP's website is: www.lappfund.co.nz. Civic is the administration and fund manager for LAPP.

LAPP is currently managing Marlborough District Council's claim that resulted from the severe flood damage that hit the Marlborough region in July 2021. At the time of writing it is unknown how much this claim will be, but it will be well within LAPP's ability to pay, providing the benefit of full cover for all of the flood damaged assets registered with LAPP.

DIRECTORS' REPORT

Riskpool / Civic Liability Pool (CLP)

Riskpool provides public liability and professional indemnity cover for councils and has done so since 1997. Riskpool is a mutual liability fund governed by a trust deed and can call on its member councils for financial support. CLP is similar to Riskpool but has no facility for calls. With reducing council support for Riskpool, it became increasingly difficult to offer competitively priced cover and risk management services. Consequently Riskpool/CLP decided to cease providing cover from 1 July 2017 and is now in run-off mode. Riskpool members have been advised that a final call will be made when Riskpool is wound up.

Local Government Mutual Funds Trustee Limited (LGMFT) is the trustee of Riskpool and CLP. Civic is the Fund Manager and Scheme Manager for Riskpool and Administration Manager for CLP.

Civic has entered into arm's length, secured loan facility agreements on commercial terms with LGMFT to enable Riskpool to manage its cashflows.

4. DIRECTORS

As at 31 December 2022 there were five directors: John Melville, Jo Miller, Nicola Mills, Basil Morrison, and Craig Stevenson.

Director attendances at Board meetings held in 2022:

John Melville	6 / 6
Jo Miller	5 / 6
Nicola Mills	5 / 6
Basil Morrison	5 / 6
Craig Stevenson	6 / 6

Section 139 of the Companies Act 1993

All Civic directors are directors of LGMFT except Basil Morrison who resigned from LGMFT in March 2019 to ensure that one Civic director was independent of LGMFT.

There are no other notices required under section 139 of the Companies Act 1993 except for Directors' remuneration. Changes to the Directors' fee pool are approved by shareholders at an AGM. The Board determines the allocation per Director based on the duties of the individual Director. The Director fees for subsidiary companies are set by the Civic Board.

For the year ended 31 December 2022, Directors' remuneration was:

John Melville	\$32,319
Jo Miller	\$16,159
Nicola Mills	\$19,968
Basil Morrison	\$16,159
Craig Stevenson	\$16,159
	\$100,764

In addition, the following Directors received fees in relation to their directorships of Riskpool or LGST:

John Melville	(Riskpool)	\$16,620
Jo Miller	(Riskpool & LGST)	\$11,260
Nicola Mills	(Riskpool)	\$8,010
Basil Morrison	(LGST)	\$13,713
Craig Stevenson	(Riskpool)	\$8,310
		\$57,913

DIRECTORS' REPORT**Interests Register**

Directors' interests are tabled at the beginning of each Board meeting. Directorship and other disclosures as at 31 December 2022 were:

John Melville	Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance with the LGMFT.
Jo Miller	Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance the LGMFT; Member of SuperEasy KiwiSaver Superannuation Scheme; Chief Executive of Hutt City Council; Vice President of Taituarā Executive Council; Board Member Hutt Valley Chamber of Commerce.
Nicola Mills	Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd, a party to agreement for finance with LGMFT, Board Member of Sport Waitakere; General Manager Financial & Business Performance at Auckland Council.
Basil Morrison	Chair of Local Government Superannuation Trustee Ltd; Basil J Morrison & Associates Ltd; Member of SuperEasy KiwiSaver Superannuation Scheme; Trustee of Civic Property Pool; Trustee of the Martha Trust; Trustee of Hauraki Railtrail Charitable Trust; Waitangi Tribunal Member; Independent Hearings Commissioner for Auckland Council; Honorary Consul for Uganda; Thames-Coromandel District Council Hearings Panel; Waikato Regional Council Hearings Commissioner; NZ Freshwater Commissioner; Accredited Commissioner – RMA.
Craig Stevenson	Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance with the LGMFT; Member of Local Government Superannuation Scheme and SuperEasy KiwiSaver Superannuation Scheme; Trustee of Ratanui Trust.

The Company provides Directors and officers with, and pays the premiums for, Directors' and Officers' liability insurance to the full extent allowed for in accordance with the requirements of the Companies Act 1993. The renewal of the Company's Directors' and Officers' liability insurance was entered in the Interests Register pursuant to sections 162 and 163 of the Companies Act 1993. The insurance does not cover liabilities arising from criminal actions or deliberate and reckless acts or omissions by the Directors. The cover includes indemnity of costs and expenses incurred in defending an action that falls within the scope of the indemnity.

Use of Information

Directors, individually or collectively, may obtain independent professional advice relating to any matters concerning the Company's business or in relation to the discharge of the Director's responsibilities. Subject to approval of the Chair the Company will reimburse the Director(s) some or all of the reasonable costs of the advice. During the reporting period, no Director has sought leave to obtain such advice.

Loans to Directors

No loans or advances have been made to Directors, their spouses or dependants, or to related parties during the year.

5. EMPLOYEE REMUNERATION

Detailed below is the number of employees who received remuneration of \$100,000 or more in their capacity as employees during the year ended 31 December 2022.

Remuneration	Number of Employees
\$100,000 – \$110,000	1
\$110,000 – \$120,000	1
\$150,000 – \$160,000	1
\$230,000 – \$240,000	1

The above remuneration includes Company contributions to employees' superannuation (KiwiSaver and other), medical insurances and discretionary bonus payments.

DIRECTORS' REPORT

6. AUDIT AND RISK MANAGEMENT

Pursuant to Section 15 of the Public Audit Act 2001 the Company's auditor is the Auditor General who has appointed Hamish Anton using the staff and resources of Deloitte Limited to carry out the audit on his behalf.

The Risk and Audit Committee comprises the full Board. Nicola Mills was appointed Chair of this committee on 17 June 2022. The Committee met five times in 2022: the Auditor attended two of those meetings and at one of those meetings proceedings took place without management present.

7. DONATIONS

No donations have been made during the year by any Company in the Group (2021: \$0).

8. STAFF

The Directors sincerely thank the staff - Charlie Howe, Glenn Watkin, Ian Brown, Sylvia Jackson, Ivy Liang, Lisa Lummis, Jen McGahan, Chathuri Mendis, Tim Sole and Sue Tong - for their work and support during the year.



John Melville **Chair**
March 2023

DIRECTORS

John Melville (Chair)
Johanna Miller
Nicola Mills
Basil Morrison CNZM JP
Craig Stevenson

EXECUTIVE OFFICERS

Chief Executive : Charlie Howe
Chief Financial Officer : Glenn Watkin

COMPANY REGISTRATION NO: 13271

AUDITORS

The Auditor General, who has appointed Hamish Anton, Deloitte Limited to carry out the audit on his behalf

BANKERS

ANZ Banking Group (New Zealand) Limited

LEGAL ADVISERS

Dentons Kensington Swan

REGISTERED OFFICE

Level 7, Civic Chambers, 116 Lambton Quay, Wellington 6011

POSTAL ADDRESS

Civic Financial Services Ltd, PO Box 5521, Wellington 6140

OTHER CONTACT DETAILS

Telephone: (04) 978 1250
Email: admin@civicfs.co.nz
Website: www.civicfs.co.nz

The Company is a participant in the Insurance & Financial Services Ombudsman Scheme (Inc)
Participant Number 2000427



INDEPENDENT AUDITOR'S REPORT

TO THE READERS OF CIVIC FINANCIAL SERVICES LIMITED'S FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2022

The Auditor-General is the auditor of Civic Financial Services Limited and its subsidiaries (the 'Group'). The Auditor-General has appointed me, Hamish Anton, using the staff and resources of Deloitte Limited, to carry out the audit of the consolidated financial statements of the Group on his behalf.

OPINION

We have audited the consolidated financial statements of the Group on pages 10 to 32, that comprise the consolidated statement of financial position as at 31 December 2022, the consolidated statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the consolidated financial statements that include accounting policies and other explanatory information.

In our opinion, the consolidated financial statements of the Group:

- present fairly, in all material respects:
 - its financial position as at 31 December 2022; and
 - its financial performance and cash flows for the year then ended; and
- comply with generally accepted accounting practice in New Zealand in accordance with Public Sector Public Benefit Entity Standards Reduced Disclosure Regime (PBE Standards RDR).

Our audit was completed on 17 March 2023. This is the date at which our opinion is expressed.

The basis for our opinion is explained below. In addition, we outline the responsibilities of the Board of Directors and our responsibilities relating to the consolidated financial statements, we comment on other information and we explain our independence.

BASIS FOR OUR OPINION

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the Responsibilities of the auditor section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

RESPONSIBILITIES OF THE BOARD OF DIRECTORS FOR THE CONSOLIDATED FINANCIAL STATEMENTS

The Board of Directors is responsible on behalf of the Group for preparing consolidated financial statements that are fairly presented and that comply with generally accepted accounting practice in New Zealand. The Board of Directors is responsible for such internal control as it determines is necessary to enable it to prepare financial statements that are free from material misstatement, whether due to fraud or error.



INDEPENDENT AUDITOR'S REPORT

In preparing the consolidated financial statements, the Board of Directors is responsible, on behalf of the Group, for assessing the Group's ability to continue as a going concern. The Board of Directors is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the Board of Directors intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

The Board of Directors' responsibilities arise from the Companies Act.

RESPONSIBILITIES OF THE AUDITOR FOR THE AUDIT OF THE CONSOLIDATED FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers taken on the basis of these consolidated financial statements.

We did not evaluate the security and controls over the electronic publication of the consolidated financial statements.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risk of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board of Directors.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Board of Directors and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements, or if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- We evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Board of Directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.



INDEPENDENT AUDITOR'S REPORT

INDEPENDENCE

We are independent of the Group in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: *International Code of Ethics for Assurance Practitioners* issued by the New Zealand Auditing and Assurance Standards Board.

Other than in our capacity as the auditor, we have no relationship with, or interests in, the Group.

A handwritten signature in blue ink, appearing to be "Hamish Anton".

Hamish Anton
Deloitte Limited
On behalf of the Auditor-General
Wellington, New Zealand

Statement of Accounts

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME

FOR THE YEAR ENDED 31 DECEMBER 2022

	NOTE	2022 \$	2021 \$
REVENUE			
Administration Fees	17	2,904,682	3,100,598
Interest Income	4	266,148	116,935
Other Income		487	775
Total Revenue		3,171,317	3,218,308
EXPENDITURE			
Audit Fee	14		
Statutory Audit of the Financial Statements		52,367	41,580
Other Fees Paid to Auditors for Assurance Services		28,750	30,368
Other Fees Paid to Auditors for Entities Administered by Civic		72,049	62,116
Depreciation	7	20,101	18,169
Amortisation	7	68,859	12,047
Directors' Remuneration	3	100,764	100,901
Interest Expense		-	12,264
Other Expenses	6	1,702,942	1,617,381
Employee Remuneration	3	954,251	797,637
Superannuation Subsidies		29,001	23,677
Total Expenditure		3,029,085	2,716,141
Surplus Before Taxation		142,232	502,167
Taxation Expense	10	1,165,613	141,639
TOTAL COMPREHENSIVE SURPLUS AFTER TAX ATTRIBUTABLE TO OWNERS OF THE COMPANY	15	(1,023,381)	360,528

This statement is to be read in conjunction with the notes on pages 14 to 32.

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

AS AT 31 DECEMBER 2022

	NOTE	2022 \$	2021 \$
SHAREHOLDERS' EQUITY			
Issued and Paid-Up Ordinary Shares			
Ordinary Shares fully paid up	15	10,763,506	10,763,506
Retained Earnings	15	(604,487)	418,894
TOTAL EQUITY		10,159,019	11,182,400
Represented By:			
CURRENT ASSETS			
Cash & Cash Equivalents		522,056	335,363
Term Deposits		4,556,993	5,914,564
Accrued Interest Receivable		61,354	21,349
Sundry Debtors and Prepayments	12	494,001	649,448
Loan Receivable	13	3,799,963	2,408,002
Total Current Assets		9,434,367	9,328,726
NON CURRENT ASSETS			
Property, Plant and Equipment	7	42,730	46,297
Intangible Assets (Software)	7	91,826	158,838
Deferred Tax Asset	10	1,043,193	2,208,806
Total Non Current Assets		1,177,749	2,413,941
TOTAL ASSETS		10,612,116	11,742,667
CURRENT LIABILITIES			
Sundry Creditors and Accrued Charges	12	325,568	412,593
Accrued Holiday Pay		87,863	88,752
CLP / Riskpool Admin Fee Reserve		39,666	52,530
Total Current Liabilities		453,097	553,875
NON-CURRENT LIABILITIES			
CLP / Riskpool Admin Fee Reserve		-	6,392
Total Non Current Liabilities		-	6,392
TOTAL LIABILITIES		453,097	560,267
EXCESS OF ASSETS OVER LIABILITIES		10,159,019	11,182,400

For and on behalf of the Directors



JOHN MELVILLE Chair 17 March 2023



BASIL MORRISON Director 17 March 2023

This statement is to be read in conjunction with the notes on pages 14 to 32.

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 31 DECEMBER 2022

	NOTE	2022 \$	2021 \$
OPENING EQUITY		11,182,400	10,821,872
Total Comprehensive Surplus Net of Tax		(1,023,381)	360,528
Dividend Payment		-	-
Ordinary Shares issued during the year	15	-	-
CLOSING EQUITY		10,159,019	11,182,400

This statement is to be read in conjunction with the notes on pages 14 to 32.

CONSOLIDATED STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 31 DECEMBER 2022

	NOTE	2022 \$	2021 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash was provided from:			
Administration Fees Received		3,006,916	3,028,083
Other Income		487	775
		3,007,403	3,028,858
Cash was applied to:			
Payments to Suppliers and Employees		2,919,194	2,639,025
		2,919,194	2,639,025
Net Cash Flow from Operating Activities	11	88,209	389,833
CASH FLOWS FROM INVESTING ACTIVITIES			
Cash was provided from:			
Investment Income		74,063	45,648
Term Deposits		1,864,564	85,000
Loans Repaid from Related Parties		501,500	2,271,655
		2,440,127	2,402,303
Cash was applied to:			
Term Deposits		506,993	1,264,564
Purchase of Property, Plant and Equipment		18,637	35,738
Loans Issued to Related Parties		1,816,013	2,026,299
		2,341,643	3,326,601
Net Cash Flow from / (used in) Investing Activities		98,484	(924, 298)
CASH FLOWS FROM FINANCING ACTIVITIES			
Cash was provided from:			
Loan Interest Received		-	330
		-	330
Cash was applied to:			
Interest Paid		-	12,264
		-	12,264
Net Cash Flow (used in) / from Financing Activities		-	(11,934)
Net Increase / (Decrease) in Cash Held		186,693	(546,398)
Opening Cash Balance as at 1 January		335,363	881,761
Closing Cash Balance as at 31 December		522,056	335,363
Being:			
Cash & Cash Equivalents		522,056	335,363

This statement is to be read in conjunction with the notes on pages 14 to 32.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 1 REPORTING ENTITY

The reporting entity is Civic Financial Services Ltd (the "Company"). The Group comprises the Company and its subsidiaries listed in note 2 (b). The Group provides financial services principally for New Zealand local government.

Statement of Compliance

The Group is a Tier 2 Public Sector Public Benefit Entity and the financial statements have been prepared in accordance with and comply with Tier 2 Public Sector Public Benefit Entity (PBE) Standards.

NOTE 2 STATEMENT OF ACCOUNTING POLICIES**General Accounting Policies**

The measurement and reporting of profits on a historical cost basis have been followed by the Group, except for specific policies as described below. The reporting currency is New Zealand dollars.

Critical Judgements and Estimates in Applying the Accounting Policies

In the application of the PBE Standards the Directors are required to make judgements, estimates and assumptions about the carrying value of assets and liabilities that are not readily apparent from other sources. These are based on historical experience and other various factors and are reviewed on an ongoing basis.

The Directors believe that, as at the date of these financial statements, there are no significant sources of estimation uncertainty that have not been disclosed in these notes. The most significant judgements, estimates and assumptions made in the preparation of these financial statements are in respect of the recognition of the deferred tax asset (Note 10).

Particular Accounting Policies

The following particular accounting policies which materially affect the measurement of surplus and financial position have been applied. Further particular accounting policies are contained in the relevant notes to the financial statements.

(a) Consolidation of Subsidiaries

The Group financial statements incorporate the financial statements of the Company and its subsidiaries. All inter-company transactions, balances and unrealised profits are eliminated on consolidation.

(b) Investment in Subsidiaries

At 31 December 2022 the Company had three wholly owned subsidiaries which are all incorporated in New Zealand. Two of these, Local Government Superannuation Trustee Limited and SuperEasy Limited with balance dates of 31 December and Local Government Mutual Funds Trustee Limited (LGMFTL) with its balance date of 30 June did not have any significant assets, liabilities, revenue or expenses during the years ended 31 December 2021 and 31 December 2022.

LGMFTL is the trustee of New Zealand Mutual Liability Riskpool ("Riskpool") and Civic Liability Pool ("CLP"). The Company provides administrative services to Riskpool and CLP.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 2 STATEMENT OF ACCOUNTING POLICIES CONTINUED**(c) Administration Fees**

Administration fees are recognised at the agreed amounts based on time and expenses incurred. Administration fees collected during the year that will be utilised in future periods are held within the administration fee reserve on the Statement of Financial Position, until the point in time where administration services have been provided.

(d) Employee Benefits

Provision is made for benefits accruing to employees in respect of wages and salaries and annual leave when it is probable that settlement will be required and they are capable of being measured reliably.

Provisions made in respect of employee benefits are measured at their nominal values using the remuneration rate expected to apply at the time of settlement.

(e) Basis of Measuring Other Income and Expenses

Income and expenses are accounted for on an accruals basis. All revenue is exchange revenue.

(f) Changes in Accounting Policies

There have been no material changes in the accounting policies during the year. All policies have been applied on a basis consistent with those used in the prior year.

NOTE 3 KEY MANAGEMENT PERSONNEL

The compensation of the Directors and executives, being the key management personnel of the Group, is set out below.

	2022	2021	2022	2021
	Number		\$	\$
Short term employee benefits				
Executive Management Personnel	4	4	569,107	506,726
Directors	5	5	100,764	100,901
			669,871	607,627

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 4 FINANCIAL INSTRUMENTS*Accounting Policies:***i) Classification and Measurement**

Financial instruments are transacted on a commercial basis to derive an interest yield / cost with the terms and conditions having due regard to the nature of the transaction and the risks involved. Financial instruments are recognised and accounted for on a settlement date basis.

Loans and Receivables

Other receivables are measured at initial recognition at fair value, and are subsequently measured at amortised cost using the effective interest rate.

Bank and Cash Equivalents

Bank and cash equivalents are measured at amortised cost using the effective interest rate.

Financial Liabilities

Financial liabilities include Sundry Creditors, Accrued Charges and Subordinated Debt. Financial liabilities are recorded initially at fair value, net of transaction costs. Subsequent to initial recognition, liabilities are measured at amortised cost.

ii) Offsetting Financial Instruments

Financial assets and liabilities are not offset as there is no legally enforceable right to set-off.

iii) Asset Quality**Impairment of Financial Assets**

Financial assets measured at amortised cost are reviewed at each balance date to determine whether there is any objective evidence of impairment. If any such condition exists, the asset's recoverable amount is estimated and provision is made for the difference between the carrying amount and the recoverable amount.

As at the date of these Financial Statements, no such evidence of impairment exists.

iv) Fair Value of Financial Instruments

Fair value measurements recognised in the Statement of Financial Position

Financial instruments are categorised into 3 levels:

- Level 1 fair value measurements are those derived from quoted prices (unadjusted) in active markets for identical assets or liabilities;*
- Level 2 fair value measurements are those derived from inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly (i.e. as prices) or indirectly (i.e. derived from prices); and*
- Level 3 fair value measurements are those derived from valuation techniques that include inputs for the asset or liability that are not based on observable market data (unobservable inputs).*

v) Derivatives

The Group do not use any derivative financial instruments.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED**(1) Income Relating to Financial Assets**

	2022 \$	2021 \$
Loans		
Interest Received – Loans	152,081	65,334
Cash & Cash Equivalents		
Interest Received – Short Term Deposits	114,067	51,601
Total Interest Income	266,148	116,935

(2) Financial Assets and Liabilities

The carrying amounts of all financial assets and liabilities are considered to be equivalent to their market value, which for these assets and liabilities is also considered to be fair value.

The Subordinated Debt is measured at amortised cost which is considered to be fair value.

All fixed interest investments were managed around a 90 day duration and carry a minimum Standard and Poors credit rating of "A" or equivalent.

Loans are secured against Riskpool's future contributions and repayable with six months notice (refer to Note 13).

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED**(2) Financial Assets and Liabilities** continued*Carrying value of Financial Assets and Financial Liabilities*

	2022 \$	2021 \$
Financial Asset: Loans and Receivables		
Sundry Debtors	416,660	537,894
Loans	3,799,963	2,408,002
Total Loans and Receivables	4,216,623	2,945,896
Financial Asset: Amortised Cost		
Cash & Cash Equivalents	522,056	335,363
Term Deposits	4,556,993	5,914,564
Total Financial Assets: Amortised Cost	5,079,049	6,249,927
Financial Liability: Amortised Cost		
Sundry Creditors & Accrued Charges	325,568	412,593
Total Financial Liabilities: Amortised Cost	325,568	412,593

(3) Financial Risk – Structure and Management

The Group manages its capital to ensure that the entities in the Group will be able to continue as a going concern. The Group's overall strategy is reviewed annually and remains unchanged.

Financial instruments which potentially subject the Group to a concentration of credit risk consist principally of cash, debtors and interest bearing deposits. The Group has no debt liability instruments.

Apart from security against Riskpool's future contributions, the Group does not require collateral or other security to support financial instruments with credit risk. As such, no collateral exists for any of the investments held by the Group. The maximum credit risk exposure is the carrying amount of the individual debtor and investment balances.

The Group has placed interest bearing deposits and funds to be managed with financial institutions and limits its amount of credit exposure to any one such institution.

(a) Market Risk

All financial assets and liabilities are New Zealand Dollar based and are recorded at amortised cost, therefore changes in interest rates and foreign currency values do not impact on their carrying value.

(b) Carrying Amount and Fair Value

The carrying amounts of all financial assets and liabilities are considered to be equivalent to their fair value.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED**(3) Financial Risk – Structure and Management** continued**(c) Liquidity Risk**

Liquidity Risk is the risk that the Group will encounter difficulties in raising funds at short notice to meet commitments associated with financial instruments. Management of liquidity risk is designed to ensure that the Group has the ability to meet financial obligations as they fall due.

The following tables include an analysis of the contractual undiscounted cash flows relating to the Group's financial assets and liabilities categorised by the maturity dates.

Maturity Analysis as at 31 December 2022						
	Interest Rate Spread %	Within 6 months \$	6 to 12 months \$	1 to 2 years \$	2 to 5 years \$	Total \$
Assets						
Cash & Cash Equivalents	0% to 2.85%	522,056	-	-	-	522,056
Term Deposits & Accrued Interest	2.5% to 5.05%	4,618,347	-	-	-	4,618,347
Other Receivables	n/a	416,660	-	-	-	416,660
Loans	3.47% to 6.53%	3,799,963	-	-	-	3,799,963
Total Financial Assets		9,357,026	-	-	-	9,357,026
Liabilities						
Sundry Creditors & Accrued Expenses	n/a	325,568	-	-	-	325,568
Total Financial Liabilities		325,568	-	-	-	325,568
Maturity Analysis as at 31 December 2021						
	Interest Rate Spread %	Within 6 months \$	6 to 12 months \$	1 to 2 years \$	2 to 5 years \$	Total \$
Assets						
Cash & Cash Equivalents	0% to 0.15%	335,363	-	-	-	335,363
Term Deposits & Accrued Interest	0.8% to 1.7%	3,732,341	2,203,572	-	-	5,935,913
Other Receivables	n/a	537,894	-	-	-	537,894
Loans	2.93% to 3.28%	2,408,002	-	-	-	2,408,002
Total Financial Assets		7,013,600	2,203,572	-	-	9,217,172
Liabilities						
Sundry Creditors & Accrued Expenses	n/a	412,593	-	-	-	412,593
Total Financial Liabilities		412,593	-	-	-	412,593

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED**(3) Financial Risk – Structure and Management** continued**(d) Credit Risk**

All investments are in the form of cash held at registered banks and loans. The registered banks have a credit rating of "A" or better. Loans are with Riskpool (refer to Note 13).

(i) Exposure to Credit Risk

	2022 \$	2021 \$
Cash & Cash Equivalents	522,056	335,363
Term Deposits & Accrued Interest	4,618,347	5,935,913
Other Receivables	416,660	537,894
Loans	3,799,963	2,408,002
Total	9,357,026	9,217,172

(ii) Concentration of Credit Exposure

94% of the Company's credit exposure is in the form of cash and term deposits held with registered banks and loans to Riskpool.

NOTE 5 OPERATING LEASE COMMITMENTS

	2022 \$	2021 \$
Operating Lease Expense Commitments:		
not later than one year	71,733	70,763
later than one year but not later than five years	115,482	184,629
later than five years	-	-
	187,215	255,392

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 6 OTHER EXPENSES

	2022 \$	2021 \$
Compliance Costs	176,876	77,324
Consultants	134,789	115,200
Legal Fees	58,142	109,289
Other Expenses	1,333,136	1,315,568
Total	1,702,942	1,617,381

NOTE 7 PROPERTY, PLANT & EQUIPMENT AND INTANGIBLE ASSETS**Accounting Policy:**

Assets are depreciated on a straight line basis at rates calculated to allocate the assets' cost, in equal instalments over their estimated useful lives which are assessed and regularly reviewed.

Depreciation Rates	
Office Furniture and Equipment	up to 17 years
Intangibles – Software	2.5 years

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 7 PROPERTY, PLANT & EQUIPMENT AND INTANGIBLE ASSETS CONTINUED

	2022 \$	2021 \$
(a) Property, Plant and Equipment		
Office Furniture and Equipment – cost	175,510	139,772
Plus Additions	16,789	35,738
Less Disposals	(7,779)	-
Closing Value – cost	184,520	175,510
Office Furniture and Equipment – Accumulated Depreciation	(129,213)	(111,044)
Less Depreciation Charge	(20,101)	(18,169)
Less Disposals	7,524	-
Closing Accumulated Depreciation	(141,790)	(129,213)
Net Book Value	42,730	46,297

The Total Comprehensive Surplus After Tax in the Statement of Comprehensive Income includes losses on disposal of fixed assets of \$255 (2021: \$nil).

	2022 \$	2021 \$
(b) Intangible Assets		
Software – cost	435,064	601,403
Plus Additions	1,847	-
Less Disposals	-	(166,339)
Closing Value – cost	436,911	435,064
Software – Accumulated Amortisation	(276,226)	(430,518)
Less Amortisation Charge	(68,859)	(12,047)
Less Disposals	-	166,339
Closing Accumulated Amortisation	(345,085)	(276,226)
Net Book Value	91,826	158,838

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 8 ANALYSIS OF FINANCIAL ASSETS NOT IMPAIRED

There are no financial assets that are impaired or past due at balance date (2021: \$nil).

NOTE 9 CONTINGENT LIABILITIES

There are no contingent liabilities (2021: \$nil).

NOTE 10 TAXATION**Accounting Policies:****i) Current Tax**

The current income tax expense charged against the profit for the year is the estimated liability in respect of the taxable profit. It is calculated using tax rates and tax laws that have been enacted or substantively enacted by reporting date. Current tax for the current and prior periods is recognised as a liability (or asset) to the extent that it is unpaid (or refundable). Tax assets are offset only when there is a legally enforceable right to set off the recognised amounts, and an intention to settle on a net basis.

ii) Deferred Tax

The liability method of accounting for deferred taxation is applied on a comprehensive balance sheet basis in respect of temporary differences between the carrying amounts of assets and liabilities in the financial statements and the corresponding tax base of those items.

Deferred tax liabilities are recognised for all temporary differences. Deferred tax assets are reviewed at each balance date and reduced to the extent that it is no longer probable that sufficient taxable profits will be available to allow all or part of the asset to be recovered.

Deferred tax is calculated at the tax rates that are expected to apply in the period when the liability is settled or the asset is realised. Deferred tax is charged or credited in the Statement of Comprehensive Income.

Significant judgements, estimates and assumptions are made in respect of the recognition of the deferred tax asset. It is recognised that the deferred tax asset will be utilised over a relatively long time period. The Entity expects to remain profitable and have a steady income stream over the medium to long term, matching its low margin long dated products.

iii) Goods and Services Tax (GST)

Revenue, expenses, assets and liabilities are recognised net of the amount of GST except:

- When the GST incurred on a purchase of goods and services is not recoverable from the taxation authority the GST is recognised as part of the cost of the acquisition of the assets or as part of the expense item as applicable.
- Receivables and payables, which are stated with the amount of GST included.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables in the Statement of Financial Position.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 10 TAXATION CONTINUED**(a) Income tax recognised in the Statement of Comprehensive Income**

	2022 \$	2021 \$
Tax expense comprises:		
Current tax expense	40,265	-
Adjustments recognised in the current year in relation to the current tax of prior years	86	-
Deferred tax relating to temporary differences	1,125,262	141,639
Total tax expense	1,165,613	141,639
Attributable to:		
Continuing operations	1,165,613	141,639
	1,165,613	141,639

The prima facie income tax expense on pre-tax accounting profit from operations reconciles to the income tax expense in the financial statements as follows:

	2022 \$	2021 \$
Surplus before tax	142,232	502,167
Income tax calculated at 28%	39,825	140,607
Tax effect of permanent differences	440	1,032
Derecognition of tax losses	1,125,262	-
Prior Period Adjustment	86	-
Income Tax Expense	1,165,613	141,639

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 10 TAXATION CONTINUED**(b) Current tax assets and liabilities**

	2022 \$	2021 \$
Tax refund receivable	-	-
	-	-

(c) Deferred tax balances

	2022 \$	2021 \$
Deferred tax assets comprise:		
Temporary differences and tax losses	1,042,939	2,208,172
	1,042,939	2,208,172
Deferred tax liabilities comprise:		
Temporary differences	255	634
	255	634
Net Deferred Tax balance	1,043,193	2,208,806

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 10 TAXATION CONTINUED**(c) Deferred tax balances continued**

Gross taxable and deductible temporary differences for the Group arise from the following:

	Opening Balance \$	Charged to Income \$	Charged to Equity \$	Prior Period Adjustment \$	Closing Balance \$
2022	Property and equipment	2,269	(1,051)	-	914
		2,269	(1,051)	-	914
	Employee entitlements	84,452	(4,216)	-	80,236
	Losses carried forward	7,801,875	(4,157,331)	-	3,644,544
		7,886,328	(4,161,547)	-	3,724,781
	Attributable to:				
	Continuing operations	7,888,597	(4,162,598)	-	3,725,995
	Total	7,888,597	(4,162,598)	-	3,725,995
	Tax effect at 28%	2,208,806	(1,165,527)	-	1,043,193
	2021	Property and equipment	2,987	(718)	-
		2,987	(718)	-	2,269
Employee entitlements		62,036	22,416	-	84,452
Losses carried forward		8,329,428	(527,552)	-	7,801,875
		8,391,464	(505,136)	-	7,886,328
Attributable to:					
Continuing operations		8,394,451	(505,854)	-	7,888,597
Total		8,394,451	(505,854)	-	7,888,597
Tax effect at 28%		2,350,445	(141,639)	-	2,208,806

No liability has been recognised in respect of the undistributed earnings of subsidiaries because the Group is in a position to control the timing of the reversal of the temporary differences and it is probable that such differences will not reverse in the foreseeable future.

The deferred tax asset relating to tax losses carried forward has been recognised as the financial forecasts anticipate the Group maintaining sufficient profitability in future financial years to utilise these losses (refer Note 20). The deferred tax asset does not include unrecognised tax losses of \$4,091,540 (unrecognised deferred tax asset effect at 28% of \$1,145,631).

(d) Imputation Credit Account

	2022 \$	2021 \$
Closing Balance	1,593,490	1,593,490

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 11 RECONCILIATION OF COMPREHENSIVE INCOME AFTER TAX WITH CASH FLOW FROM OPERATING ACTIVITIES**Accounting Policy:**

The Statement of Cash Flows is prepared exclusive of GST, which is consistent with the method used in the Statement of Comprehensive Income. The GST component of cash flows arising from investing and financing activities, which is recoverable from or payable to, the taxation authority is classified as operating cash flow.

The following are definitions of the terms used in the Statement of Cash Flows:

- *Bank comprises cash on hand and demand deposits.*
- *Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of Cash and which are subject to insignificant risk of changes in value.*
- *Cash flows are inflows and outflows of cash and cash equivalents.*
- *Operating activities are the principal revenue producing activities of the entity and other activities that are not investing or financing activities.*
- *Investing activities are the acquisition and disposal of long-term assets.*
- *Financing activities are activities that result in changes in the size and composition of the contributed equity and borrowings of the entity.*

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 11 RECONCILIATION OF COMPREHENSIVE INCOME AFTER TAX WITH CASH FLOW FROM OPERATING ACTIVITIES CONTINUED

	2022 \$	2021 \$
Total Comprehensive Surplus	(1,023,381)	360,528
Add/(less) non cash items		
Loan Interest	(152,079)	(65,003)
Depreciation	20,101	18,169
Amortisation	68,859	12,047
Movement in CLP/ Riskpool Admin Fee Reserve	(19,256)	(19,257)
Movement in Deferred Tax Asset	1,165,613	141,639
Net change in fair value of investment property	-	-
	1,083,238	87,596
Add/(less) movements in other working capital items		
Sundry Debtors, Prepayments and Accrued Interest	115,442	(129,232)
Sundry Creditors and Accrued Charges	(87,913)	104,657
Tax Refund Due	-	-
	27,529	(24,576)
Add/(Less) Items Classified as Investing Activity	(73,809)	(45,979)
Add/(Less) Items Classified as Financing Activity	74,632	12,264
Net Cash Flow from Operating Activities	88,209	389,833

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 12 SUNDRY DEBTORS AND CREDITORS**(a) Sundry Debtors and Prepayments**

	2022 \$	2021 \$
Sundry Debtors	416,658	537,894
Prepayments	77,343	109,000
GST Receivable	-	2,554
Sundry Debtors and Prepayments	494,001	649,448

(b) Sundry Creditors and Accrued Charges

	2022 \$	2021 \$
Sundry Creditors and Accrued Charges	322,630	337,961
Related Party Loan Payable to CLP	-	74,632
GST Payable	2,938	-
Sundry Creditors and Accrued Charges	325,568	412,593

NOTE 13 LOANS***Loan Receivable***

Local Government Mutual Funds Trustee Limited is the trustee of Riskpool and Civic Liability Pool (CLP). The Company provides administrative services to Riskpool and CLP.

Related Party Loans Receivable

	2022 \$	2021 \$
Riskpool	3,799,963	2,408,002
Civic Liability Pool	-	-
Total Related Party Loans Receivable	3,799,963	2,408,002

Secured loan agreements between the Company and Local Government Mutual Funds Trustee Limited on behalf of Riskpool were entered into in February 2017, August 2017 and again in November 2018 to assist with Riskpool's cashflow. The amounts made available under the 2017 agreements were reduced in 2018 to provide facilities of \$2,250,000 each (2017: \$3,000,000) and under the terms of the loans the interest rate is set as BKBM plus a margin. The November 2018 agreement provided a loan facility of \$4,000,000, which was repaid in full in August 2019 (and is no longer available). Under the terms of the loan agreement the interest rate is set at the ANZ Bank lending rate plus a margin. Riskpool may repay the loans and any interest at any time without penalty. The Company may require repayment of the loans (including all interest) in full or in part at any time with six months' notice. Either party may terminate the agreements on six months' notice or any other such period that both parties agree to. On termination, the loan outstanding and any interest due to the date of repayment must be paid within the period of notice. The loan outstanding at 31 December 2022 is \$3,779,963 (2021: \$2,408,002). Interest received by the Company relating to the loans for the year to 31 December 2022 was \$152,081 (2021: \$65,334).

The Company and Local Government Mutual Funds Trustee Limited on behalf of CLP have an agreement whereby the Company funds any claims payable for CLP under the Trust Deed, without charge to the Trust, which will be reimbursed by CLP in respect of any such claim payments when CLP receives the applicable reinsurance payments on the claims. The loan outstanding at 31 December 2022 is \$nil (2021: \$nil).

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 14 AUDIT FEES

A breakdown of the fees paid to the auditors is below:

	2022 \$	2021 \$
Statutory Audit of the Financial Statements		
Civic Financial Services	52,367	41,580
Civic Liability Pool	18,085	17,640
Local Government Superannuation Trustee	53,964	44,476
Total Statutory Audit of the Financial Statements	124,416	103,697
Other Fees Paid to Auditors for Assurance Services	28,750	30,368
Other Fees Paid to Auditors for Tax Compliance	-	-
Total Fees Paid to the Auditors	153,166	134,065

NOTE 15 SHAREHOLDERS' EQUITY

The Share Capital of the Group comprises solely authorised and issued ordinary shares with each share ranking equally in votes, dividends and surpluses. In 2021 there were no shares issued. There were no shares issued during 2022.

	2022 \$	2021 \$
Retained Earnings		
Opening Balance	418,894	58,366
Net Surplus After Taxation	(1,023,381)	360,528
Dividend Payment	-	-
Closing balance	(604,487)	418,894
Shareholders Capital		
Opening Balance	10,763,506	10,763,506
Ordinary Shares issued during the year	-	-
Closing balance	10,763,506	10,763,506
Number of Ordinary Shares Fully Paid	11,249,364	11,249,364
Par Value per Share	\$0.90	\$0.99
Dividend Payment per Share	\$0.00	\$0.00

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 16 EQUITY RETAINED FOR FINANCIAL SOUNDNESS

All shareholder equity is retained to ensure the financial soundness of the Group with cash being retained for cash flow purposes.

NOTE 17 RELATED PARTIES

The Company provided administration services to related parties during the year to NZ Local Authority Protection Programme (LAPP), NZ Mutual Liability Riskpool (Riskpool), Local Government Superannuation Trustee (Trustee of the Local Government Superannuation Scheme (LGSS) and SuperEasy KiwiSaver Superannuation Scheme (SKSS) and Civic Property Pool (CPP). There were no related party transactions with CPP in either of the last two years.

The income derived from the administration services as well as year end accounts receivable are detailed in the table below. Refer to Note 12 and Note 13 for the terms and information relating to loans with related parties.

Administration Fees

	2022 \$	2021 \$
LGSS & SKSS	2,425,046	2,606,612
LAPP	305,000	304,000
Riskpool	155,380	170,730
Civic Liability Pool	19,256	19,256
Administration Fees from Related Parties	2,904,682	3,100,598

Accounts Receivable

	2022 \$	2021 \$
LGSS & SKSS	416,355	537,516
LAPP	-	378
Accounts Receivable from Related Parties	416,355	537,894

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2022

NOTE 18 SUBSEQUENT EVENTS

On 17 March 2023 the Company entered into a further loan agreement to Riskpool, on the same terms as the previous agreements, providing a facility up to a maximum of \$2,500,000. This is considered a non-adjusting event.

There have been no other material events subsequent to 31 December 2022 that require adjustment to or disclosure in the financial statements.

NOTE 19 CAPITAL COMMITMENTS

The Company has no capital commitments at balance date (2021: \$nil).

NOTE 20 GOING CONCERN

The financial statements have been prepared on a going concern basis.

The profitability of financial services supports the going concern assumption for Civic Financial Services Ltd as a whole. The deferred tax asset is reviewed regularly and at balance date against forecast profits and future business opportunities. The Directors believe that it is probable that sufficient taxable profits will be available in the future against which the unused tax losses can be utilised.

CIVIC FINANCIAL SERVICES SHAREHOLDERS AS AT 31 DECEMBER 2022

SHAREHOLDER MEMBER	NO. OF SHARES		SHAREHOLDER MEMBER	NO. OF SHARES	
CITY COUNCILS			DISTRICT COUNCILS (Cont'd)		
Auckland	2,195,042	19.51%	Rangitikei	35,338	0.31%
Christchurch	1,417,704	12.60%	Rotorua	175,906	1.56%
Dunedin	470,966	4.19%	Ruapehu	56,666	0.50%
Hamilton	202,729	1.80%	South Taranaki	135,496	1.20%
Hutt	479,822	4.27%	South Waikato	42,374	0.38%
Invercargill	407,927	3.63%	South Wairarapa	53,930	0.48%
Napier	283,842	2.52%	Southland	13,715	0.12%
Nelson	95,543	0.85%	Stratford	65,608	0.58%
Palmerston North	411,737	3.66%	Tararua	99,972	0.89%
Porirua	140,146	1.25%	Tasman	65,584	0.58%
Tauranga	124,242	1.10%	Taupo	83,971	0.75%
Upper Hutt	51,209	0.46%	Thames-Coromandel	27,120	0.24%
Wellington	526,821	4.68%	Timaru	230,118	2.05%
DISTRICT COUNCILS			Waikato	41,070	0.37%
Ashburton	56,016	0.50%	Waimakariri	88,172	0.78%
Buller	27,698	0.25%	Waimate	30,458	0.27%
Carterton	23,642	0.21%	Waipa	149,082	1.33%
Central Hawke's Bay	28,580	0.25%	Wairoa	22,992	0.20%
Central Otago	91,238	0.81%	Waitaki	120,000	1.07%
Clutha	33,711	0.30%	Waitomo	16,940	0.15%
Far North	85,440	0.76%	Western Bay of Plenty	28,142	0.25%
Gisborne	99,404	0.88%	Westland	28,356	0.25%
Gore	54,589	0.49%	Whakatane	38,788	0.34%
Grey	33,742	0.30%	Whanganui	289,660	2.57%
Hastings	129,170	1.15%	Whangarei	63,524	0.56%
Hauraki	63,434	0.56%	REGIONAL COUNCILS		
Horowhenua	110,689	0.98%	Bay of Plenty	55,000	0.49%
Hurunui	14,000	0.12%	Canterbury	152,696	1.36%
Kaikoura	10,000	0.09%	Hawke's Bay	20,000	0.18%
Kaipara	13,629	0.12%	Horizons	2,000	0.02%
Kapiti Coast	15,060	0.13%	Southland	10,000	0.09%
Kawerau	31,161	0.28%	Taranaki	1,000	0.01%
Manawatu	203,964	1.81%	Waikato	22,000	0.20%
Marlborough	86,022	0.76%	Wellington	80,127	0.71%
Masterton	127,230	1.13%	OTHER		
Matamata-Piako	122,554	1.09%	TrustPower	137,251	1.22%
New Plymouth	441,456	3.92%			
Opotiki	20,000	0.18%			
Otorohanga	5,000	0.04%			
Queenstown-Lakes	31,149	0.28%			
Total Shares				11,249,364	



To: Her Worship the Mayor and Councillors
From: Property Projects Specialist
Subject: **CONSULTATION ON POTENTIAL PART SALE OF 1262 CAMBRIDGE ROAD TO KĀINGA ORA**
Meeting Date: 30 May 2023

1 PURPOSE - TAKE

The purpose of this report is to inform Council on the outcome of the recently completed public consultation on the potential part sale of the property at 1262 Cambridge Road to Kāinga Ora, to allow Council to deliberate on the matter, and to seek approval for the sale to proceed.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report summarises the results of the consultation process, in order for Council to deliberate on this matter, and recommends that Council resolve to complete the part sale of this property to Kāinga Ora.

Council has consulted with the community on its proposed selling of 1.4ha (subject to survey) of land at 1262 Cambridge Road, Te Awamutu, to Kāinga Ora for a housing development comprising what was initially planned to be a minimum of 25 single level dwellings for over 55's. Subsequently Kāinga Ora have indicated they will provide 30 dwellings as demonstrated in Appendix 1. The targeted letter to properties in the vicinity of the proposed development is provided in Appendix 2.

Sixty-five (65) submissions were received through the consultation exercise. Thirty-seven (37) of the submissions (57%) were in support, 8 (12%) recorded partial support, and 20 (31%) were against. Appendix 3 provides a summary of the submissions and Appendix 5 contains the submission forms in full.

We have also received significant social media feedback, with 204 posts. Feedback across the posts had similar themes, many saying this is exactly what is needed for our aging population, some who agreed but had reservations about the piece of land's suitability, and others very anti "another" Kāinga Ora development, or sceptical that it will be kept to over 55s. Appendix 4 provides a summary of the social media feedback.

Staff recommend that Council resolve to complete the part sale of this property to Kāinga Ora for the following reasons:

- Council will enable a project which will provide much needed housing for the over 55 cohort.
- Sale proceeds can be utilised for other projects.
- Demonstrates Council is adhering to Our Vision, Purpose and Community Outcomes.
- Aligns with Council’s vision when purchasing the site.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That Council:

- a) *Receives the report of Andrew Don, Property Projects Specialist, titled Consultation on Potential Part Sale of 1262 Cambridge Road to Kāinga Ora (ECM number 11016095).*
- b) *Notes that Council entered into a sale and purchase agreement commencing 24 November 2022 (“Sale and Purchase Agreement”) for the sale to Housing New Zealand Limited of land at 1262 Cambridge Road, Te Awamutu for an amount of Two Million, Six Hundred and Eighty Two Thousand, Five Hundred Dollars (\$2,682,500) plus GST (“Sale”), subject to Council approving the Sale following consultation with the local community;*
- c) *Receives and considers the written submissions on the Sale following consultation, as attached in Appendix 5.*
- d) *Pursuant to clause 21.5(b) of the Sale and Purchase Agreement, approves the Sale proceeding in accordance with that agreement; and*
- e) *Delegates authority to the Group Manager Business Support to execute any documents necessary to give effect to recommendation d).*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Sale and Purchase Agreement

In 2017 Council purchased 3.7535 hectares of rural zoned land located at 1262 Cambridge Road, Te Awamutu, being Lot 1 on DP 46927 and held within Record of Title SA41B/692. The property was purchased via an open market ‘willing seller willing buyer’ process for future provision of pensioner/community/affordable housing.

On 15 November 2022 approval was sought from Council to enter into a Sale & Purchase Agreement with Kāinga Ora to purchase 1.4ha of this land. The Sale & Purchase Agreement included a condition requiring public consultation to determine wider community and mana whenua views of the merits or otherwise of the proposal.

This was approved via Resolution IC1/22/44 –

IC1/22/44

That Council

- a) *Receives the report of John Miles, Manager Property Services, titled Potential Sale of Land, Te Awamutu (document number 10918715);*
- b) *Approves entering into a Sale and Purchase agreement of similar form and with similar terms to the one attached as Appendix 4 of this report (except that clauses 27.4 and 27.5 be varied to be similar to those used in the agreement with Habitat for Humanity for the sale of the Palmer Street Pensioner Housing complex), for the sale approximately 1.4ha of land at 1262 Cambridge Road, Te Awamutu, being part of Lot 1 Deposited Plan South Auckland 46927, and being part of the land contained in Record of Title SA41B/692, for an amount of Two Million, Six Hundred and Eighty Two Thousand, Five Hundred Dollars (\$2,682,500) plus GST, if any, with the sale to be made to Housing New Zealand Limited, subject to Council undertaking public consultation on the sale, and Council's subsequent approval of the sale following consultation;*
- c) *Subject to the Council approval sought in part b) of this recommendation, authority is delegated to the Group Manager Business Support, to finalise negotiations on, and execute any sale and purchase agreement in relation to the sale of the land, and to execute any other documents necessary to give effect to this resolution;*
- d) *Approves the release of the resolutions at the discretion of the Chief Executive or the Deputy Chief Executive.*

The Sale and Purchase Agreement was entered into on this basis on 24 November 2022.

The key terms of the Agreement include:

- a) Under clause 21.5, the agreement is conditional on Council :
 - i) undertaking consultation with local community on the sale before 30 April 2023; and
 - ii) obtaining a resolution from Waipā District Council approving the sale, in its absolute discretion, following the satisfaction of the condition of clause (i) above
- b) Under clause 27.1, the purchaser's commitments must
 - i) commence development of the land within 24 months of the settlement date; and
 - ii) develop the site with a minimum of 25 residential units for the over 55 year old cohort
- c) Under clauses 27.2 and 27.3, if the purchaser has not commenced plans or provided a design concept within 20 months of the settlement date, the Council

and purchaser will consult with each other and evaluate the expected timeframe for completion of the development. If the Council is not satisfied with the outcome of this, it may purchase back the property for the same purchase price as it was sold.

- d) Under clause 27.4, the purchaser has agreed that the purpose of buying the land is to provide housing for over 55 year olds and provision of elderly housing for at least the next 50 years (“use”). On that basis the purchaser has agreed that if, following completion of the development, they are unable to comply with the ongoing use of the property due to a demonstrable reduction and demand for elderly housing and a corresponding increase in demand for housing in a non-elderly demographic, then the parties will meet in good faith to identify and agree an alternative use that the property can be put to.
- e) Under Clause 27.5, the Call option and ongoing compliance requirements set out in Clause 27.4 shall be set out in an encumbrance instrument.

Consultation

Kāinga Ora’s plan is to develop the 1.4ha with 30 single level dwellings for people over 55 years of age.

Council developed and implemented a consultation plan which included a targeted letter drop to surrounding neighbours of the property, and a public meeting was held which was attended by Kāinga Ora and Council staff. The meeting was attended by around 30 people including owners of surrounding properties and the general public. The targeted letter is provided in Appendix 2 of this report. Media releases and social media posts initiated by Council ensured good general awareness of the proposal, the public meeting and the ability of anyone in the community to make a submission.

Mana Whenua have been consulted on the proposal and no objections have been raised. If the sale is confirmed Kāinga Ora will further engage with Mana Whenua as the development proceeds.

Analysis of Submissions

65 submissions were received. The submissions are summarised as follows:

Support	Against	Partial	Total
37	20	8	65
57%	31%	12%	100%

The full submissions are appended in Appendix 5.

The themes of the submissions are separated into the following categories:

Support Comments

- Need for more affordable housing generally and particularly for older people
- Good location for this project

Against Comments

- Negative impact on surrounding property values
- 'Riff raff' coming into the neighbourhood
- Oversupply of housing for elderly people
- Retain in Council ownership – they are an 'unbiased' owner
- Why 55 plus age group not 65 – age discrimination
- Young offenders, beneficiaries and 'riff raff' coming into the neighbourhood
- Poor design and loss of rural outlook
- Impact on driveway – neighbour
- Impact on business – neighbour
- Isolated community anti-social behaviours
- Negative impact on Cambridge with Kāinga Ora involvement
- Kāinga Ora have a poor track record - gang involvement at other KO communities

Partial Supportive Comments

- Supportive but concerned about water pressure
- Kāinga Ora Management
- Should be for Waipa residents only
- Ensuring 55 years plus only rules are followed
- The property being utilised for emergency housing
- Traffic safety
- Rooding design

Summary

Those in support of this development, via submissions (57%), commented on the need for affordable housing generally and particularly for older people.

Those against the development (31%) were primarily concerned with:

- The impact on the values of surrounding properties
- The development will have a negative impact on the look and feel of the existing area
- Kāinga Ora's ability to manage and maintain the development
- Introduction of gangs into the area

The partial submitters identified the following areas of concern:

- Kāinga Ora's ability to manage and maintain the development
- Traffic safety

- That the property will be utilised for emergency housing

Social Media Feedback Summary

The communication and engagement team published three posts, two on the Waipā District Council Facebook page (on 20 April and 9 May), and one on the Te Awamutu community grapevine. Engagement on all three posts was high overall.

The post on 20 April received 107 comments, and nine shares. Some comments were from members of the community who are in favour and also made suggestions as to what they think would add to the development, other comments weren't in favour of the development being a Kāinga Ora project, and some were complaining about the number of rest homes in the district.

The post on the Waipā District Council Facebook page on 9 May only received six comments on our own page but was shared to the Te Awamutu Grapevine page and received much more engagement there.

The shared post to Te Awamutu Grapevine post (formally known as A Better Te Awamutu & Surrounding Areas Grapevine), on the same day, received 91 comments, with mixed reactions.

Feedback across each of the posts had similar themes, many saying this is exactly what is needed for our aging population, some who agreed but had reservations about the piece of land's suitability, and others very anti "another" Kāinga Ora development, or sceptical that it will be kept to over 55s. Some people shared their frustrations on other Council issues, and us referring to the land as "Council owned" rather than ratepayer owned.

Over 55s requirement

This was a topic that regularly arose in the consultation and social media feedback.

As noted above, the Sale and Purchase Agreement includes a condition whereby an encumbrance will be registered on the new title ensuring that the 55 year plus cohort will be maintained for at least the next 50 years.

There is ability for this to be varied if Kāinga Ora is unable to comply due to a demonstrable reduction and demand for elderly housing and a corresponding increase in demand for housing in a non-elderly demographic. This however requires Council and Kāinga Ora to meet in good faith to identify and agree an alternative use that the property can be put to. This provision has been modelled on a very similar condition put in place when Council's Palmer Street housing for the elderly village was sold to Habitat for Humanity.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matters in this report have a high level of significance. For that reason a consultation process was conducted and is presented to Council for deliberation.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana
Mana Whenua have been consulted on the proposal and no objections have been raised. If the sale is confirmed Kāinga Ora will further engage with Mana Whenua as the development proceeds.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<p>Option 1: Accept staff recommendation</p>	<ul style="list-style-type: none"> ▪ Council will be part of a project which will enable much needed housing for the over 55 years cohort. ▪ Sale proceeds can be utilised for other projects. ▪ Demonstrates Council is adhering to Our Vision, Purpose and Community Outcomes. ▪ Aligns with Council's vision when purchasing the site. ▪ Is consistent with the majority view from the Community following consultation on the proposal. 	<ul style="list-style-type: none"> ▪ Staff recommendation will not be a universally well-received outcome for all the community.
<p>Option 2: Decline recommendation</p>	<ul style="list-style-type: none"> ▪ This will enable Council to consider other options i.e., Council funding the development and maintain ownership and control of the land. ▪ Opportunity to find another entity to partner with e.g., Habitat for Humanity. 	<ul style="list-style-type: none"> ▪ Delay in the provision of housing where a need has been established. ▪ If Council were to own and deliver the project our pensioner housing policy only allows for subsidised housing which will impact on Councils return. ▪ The land was purchased for the provision of housing and not

		<p><i>delivering on this is counter to the original resolution to purchase the land.</i></p> <ul style="list-style-type: none"> ▪ <i>May affect relationship with Kāinga Ora who have been positively working with Council on this project.</i> ▪ <i>Is inconsistent with the majority view on the proposal.</i>
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The recommended option is Option 1. The reason for this is that it fills an identified need for housing and aligns with the intention of the purchase of the land in 2017, as well as aligning with the majority of the community views as identified through the consultation process.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

The proposal increases the supply of housing that is affordable for the tenants that will be housed in this development. This proposal is consistent with Council’s Vision and Community Outcomes.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that option 1 complies with Council’s legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

There is no cost associated with the sale of the property to Kāinga Ora and it assists in meeting part of the asset sales programme targets set out in the 2021/31 LTP.

Risks - Tūraru

Some sections of our Community are against this development, and we anticipate some negative feedback should the sale proceed.

There is potential for negative reactions towards Council in the longer term if the development is not well managed i.e., the age limits are not adhered to, and the development detracts from the surrounding properties.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

Please note that Kāinga Ora are driving the development and local iwi have been engaged.

Climate Change – Hurihanga Āhuarangi

This question was raised in some submissions i.e., does the council have the necessary infrastructure in place to cope with all these new housing developments. The answer is yes, we do.

8 NEXT ACTIONS

Action	Responsibility	By When
Advise Kainga Ora of Council decision and proceed with settlement.	Property Team	May 2023

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	1262 Cambridge Road Kainga Ora Housing Development Plan
2	Property Owner Letter
3	Summary of Submissions
4	Facebook Comments
5	Full Submission Forms (redacted)

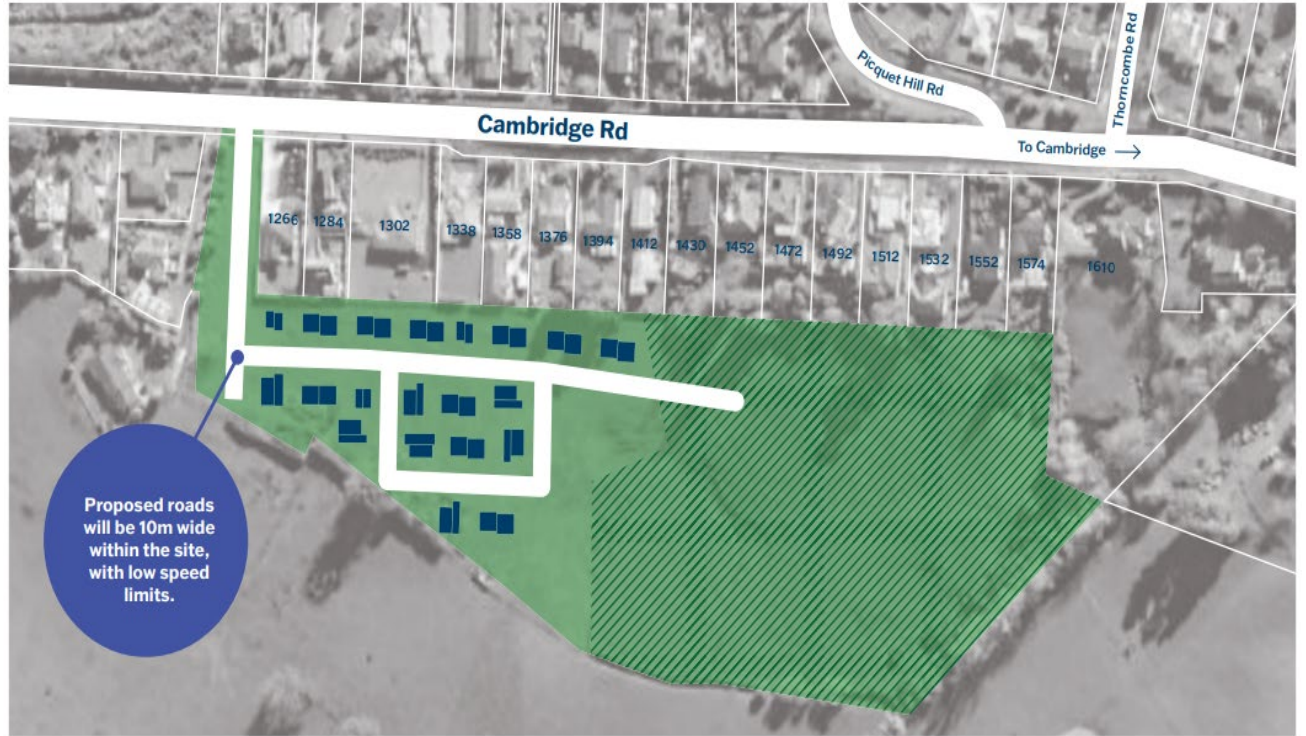
Andrew Don
PROPERTY PROJECTS SPECIALIST

Reviewed by David Varcoe
PROPERTY MANAGER

Approved by Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

1262 Cambridge Road, Kāinga Ora Housing Map – (ECM number 10998544)



Proposed land sale of 1262 Cambridge Road

Key

- Subdivision boundary
- ▨ Land to be retained by Council

Proposed houses

- All single-storey houses
- 7 x 2 bed standalone
- 3 x 1 bed standalone
- 20 x 1 bed duplex
- 30 x dwellings total**



APPENDIX 2

Property Owner Letter. Proposed Land Sale. 1262 Cambridge Rd Te Awamutu
(ECM number 11000353)



Postal Address
Private Bag 2402
Te Awamutu 3840
New Zealand

Head Office
07 872 0030
101 Bank Street
Te Awamutu 3800

Cambridge Office
07 823 3800
23 Wilson Street
Cambridge 3434

18 April 2023

Proposed sale of Council-owned land: 1262 Cambridge Road, Te Awamutu

Dear property owner,

In 2017, Council purchased 1262 Cambridge Road with the intention of developing it for affordable housing, including housing for the elderly.

There is a significant shortage of affordable housing in the Waipā district. The location was considered ideal for the elderly because services like a supermarket, bank and medical centre are close-by.

Waipā District Council has been approached by government agency Kāinga Ora to purchase a portion of this land in order to provide housing for Waipā people aged over 55.

Council sees a lot of benefit in this:

- Kāinga Ora has the means to build on the land much faster than Council could, meaning housing will be available sooner for those who most need it.
- It gives over 55s in our district an opportunity to live independently, affordably, and ideally close to family or support.
- The money from the land sale would be used to repay the debt on the original purchase of this land, with the remaining balance available for potential investment in other community projects.

Council supports the sale but no confirmed agreement has been made. Before any agreement is reached, Council wants to know what you as a neighbouring property, and the wider community, think.

Of the 3.75ha piece of land, Kāinga Ora has offered to buy 1.4ha of this from Council. Kāinga Ora would like to build around 30 single storey, one and two bedroom housing units on the land.

The map included with this letter shows the area of land Kāinga Ora would like to develop, if the land sale goes ahead. You can find out more details on the proposed development on their website by visiting kaingaora.govt.nz/waikato.

If the sale goes ahead, more detailed concept plans will be developed which Council would expect Kāinga Ora to share with you.

We'd like to hear what you think about this proposal. Please visit waipadc.govt.nz/haveyoursay to have your say by 5pm, Thursday 11 May or you can fill out a hard copy feedback form that's included with this letter and return it to either of Council's offices in Te Awamutu or Cambridge.

We are also holding an information session on Thursday 27 April at the Burchell Pavilion, next to the Te Awamutu i-SITE (1 Gorst Avenue) from 4-7pm. There will be representatives from Kāinga Ora and Council there to answer any questions you may have.

If you have any questions on the proposed sale of land, please contact Ken Morris, group manager - business support at Waipā District Council on 0800 WAIPA DC (0800 924 723).

If you have any questions on what Kāinga Ora is proposing to build, please contact Andy Mannering, community engagement and partnerships manager at Kāinga Ora on 027 220 3723.

Kind Regards,



Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

See some questions outlined below.

1. *What guarantees are there to ensure only 55+ tenants are housed in the units?* It's a condition of the proposed sale and purchase agreement. If this doesn't happen, the development/land must be returned to Council at a discount.
2. *Will the units be multi-storey buildings?* No, single storey.
3. *When will construction of the units begin?* Council has required the build to start within two years. If not, the site must be returned to Council.
4. *If the sale goes ahead, what will the money be used for?* Some of it will be used to repay the debt incurred to purchase the land. The remaining money is likely to be invested into community projects but that is something Council has yet to discuss; no decisions on this have been made.
5. *What happens if sale to Kāinga Ora doesn't go ahead?* There would be significant delay in Council delivering this project with its own resource.
6. *This is only part of the landholding; what will the rest of the land be used for?* The rest of the site is not as suitable for high density development. Council will potentially sell or develop this for larger lot sizes.
7. *Why would Council not build its own housing for the elderly units?* This project is large and requires significant investment in both the build and the infrastructure provision. Kāinga Ora has this resource available to it, Council does not.
8. *Why are 55+ tenants being prioritised when there are young families in Waipā without housing?* Because there is an identified need for this and this location is great for this age group due to the services in close proximity, supermarket, bank, medical, etc. It should also be noted that some of the people most likely to go into this development are currently in larger 3-4 bedroom homes that would be freed up for families if they were to relocate.
9. *How many units will be put on the land?* Approximately 30.
10. *Will they all be one-bedroomed units?* The units will be a mix of one-bedroom and two-bedroom.

11. *Who will pay to upgrade the water, wastewater and stormwater services and if Council, is this reflected in the sale price?*

Wastewater: The development will feed into the proposed Wastewater pump station that will service the T11 area (which this block of land resides in).

Council is funding this system via a combination of existing rates and localised development contribution funding tied to the growth cell.

Water supply: There are no localised upgrades necessary to service the development. The development will need to connect to infrastructure at the developer's expense.

Stormwater: there are no localised upgrades planned for the T11 growth cell and no development contributions for stormwater in this growth cell. It's expected the Kāinga Ora development won't be detrimental to the downstream land owners, or they will work with the downstream land owners to provide something mutually beneficial.

12. *Do mana whenua support the sale?* Initial feedback from mana whenua has been supportive.
13. *Will Council have a say on what tenants are placed in the development?* No, Council will not have a say.
14. *Does Council still have plans to build more of its own housing for the elderly? If so, where?* Yes, there is a current, budgeted proposal to build ten units at Vaile Court, Cambridge.
15. *Will there be any urban design criteria for this site?* Kāinga Ora have a strong urban design team involved in this project.

APPENDIX 3

Summary of Submissions. Proposed Land Sale. 1262 Cambridge Rd Te Awamutu
(ECM number 11016781)

Submission Forms

Proposed Land Sale
1262 Cambridge Rd, Te Awamutu

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
1	11005971	✓			The more housing we have for this age group, the more housing will be freed up for families and this is desperately needed.	Stephanie Owen
2	11005967	✓			Is there going to be anything done with regards to people's mobility needs on Cambridge Rd? Really need to do something about safety ie. Wider footpath.	Allan John Stanley
3	11004556		✓		No comment	Rheanna Kingma
4	11004552		✓		No comment	Andrew Cumming
5	11004548	✓			Good to have development with smaller homes but Council should buy more and do shared equity for other homes, of different sizes.	Sally Fraser

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
6	11004523		✓		As a resident of Cambridge Rd we will have no say on who moves in, I see standard of our homes being brought down in value with 'riff raff' persons coming and going.	Lynette Karam-Whalley
7	11004518	✓			Not Councils job to be involved in property development. Will Council be subject to any claims later on should it flood etc?	Neil Aberhart
8	11004307	✓			No comment	Peter Leach
9	11004304	✓			I am a financial mentor, many people are struggling to pay rent heading into retirement this development would assist some of our most vulnerable, Great location.	Susan Patricia Goodridge
10	11004301	✓			Te Awamutu needs more affordable housing for low income and retirement people. I myself will be looking to retire in approx. 4 years.	Derek Flint

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
11	11003048			✓	Supportive of project but concerned about water pressure as already low due to pumping up hill, more dwellings may make this worse.	Peter J Spence
12	11001432		✓		There is a ton of old folks housing being built. The town is too crammed. Create a park instead.	Amanda Smith
13	11001301	✓			It's not fair for pensioners to pay market rate for rental homes as pension doesn't cover, they need warm dry housing. This will free up more rental housing for others.	Samantha Gibson
14	11001295	✓			IF this helps our elderly community have lower rent price so they can live their retired years not struggling, then yes, all for this.	Renee Stapleton
15	11001290		✓		Keep as town ownership, having an unbiased owner for housing our elders is important.	Benjamin Yates

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
16	11001284	✓			Waipa is extremely short of suitable housing for seniors. Concerned Council bought this land 6 years ago and nothing done, I wonder why Kainga Ora didn't buy in the first place.	Heather Colgan
17	11000724	✓			No comment	Sharon Cousins
18	11000719			✓	I want clauses to ensure it was 55+ people only. Last thing we need is the usual gangs and other riff raff that a lot of their other houses have.	Elizabeth Ann Quilty I
19	11000716	✓			We get appropriate housing sooner.	Tom Davies
20	1100713	✓			I am nearly 70 and lucky enough to support myself. For those not able, this is a great option, awful to get to this stage of life and be able to do so.	Margaret Lelieveld-Grover

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
21	11000260		✓		I am disgusted, there are already Kainga Ora houses going in Norfolk Downs. Cambridge is going down hill and losing the village feel 100 percent against it. Sell to anyone but Kainga Ora.	Sue Hazlewood
22	11000257	✓			This is a good place for this project, close to amenities that the elderly will need such as doctors and supermarkets. We should also be doing this in Cambridge.	Rebekah Bright
23	11000247	✓			Waipa does good things for community but leave this to a property developer.	Jason Trower
24	11000240		✓		Retirement age is 65 why is 55+ considered elderly? Area is near school, we don't want young offenders in area. Kainga Ora may not be best option, have you compared to other retirement villages. You should consider pedestrian crossing.	Dhara Shyamal
25	11000234	✓			Over 55s desperately need this affordable housing as many are locked out of housing market, in debt poverty to meet private rental rates.	Jillian Zanders

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
26	11000229			✓	Housing priority should only be given to long term Waipa residents instead of bringing in people from other towns. More affordable housing makes an area less desirable.	Sian Broughton
27	11000223		✓		No confidence that Kainga Ora will administer it in the best interest of Cambridge elderly. Council should build and add to portfolio and get ROI, maybe do joint venture with local developer.	Ann Robbie
28	11000208	✓			Great Idea, homes for elderly are needed.	Bryan Clements
29	11000201	✓			As population ages we need resources and 50+ housing in sooner rather than later. Include reserve/green areas as a requirement of sale to promote wellbeing and community.	Vicky Finlayson
30	11000200	✓			Leave the building to Kainga Ora – We have social obligation to provide housing for those less fortunate and those disadvantaged by colonisation.	Tania Ruki

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
31	1000076	✓			Expediency of construction will provide an earlier benefit to the community. Include a provision in the sale and purchase agreement to have the title revert to Waipa DC if Kainga Ora do not complete by a specified date.	Dave Hallett
32	11008755		✓		Refers to land being in Cambridge. It is age discrimination, which is illegal and council will have no control. It is a lie to say this is a long term project. (please refer to ECM to view letter with 15 points raised)	James Parlane
33	11009573	✓			Very much in support. Hope local elderly are given priority. Discusses lots of issues for the elderly including high suicide rate due to low self-esteem, hoping this development will help many.	Kane Kahora Rangitonga
34	11009586	✓			According to plan shown in Te Awamutu Courier, there are no garages. People will want to store various outdoor equipment in garages not their houses.	Jonathan Watson
35	11009587			✓	Only support if it is strictly over 55s and that there are rules around who can stay there ie. No extended family permanently residing there.	Sarah Johnston

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
36	11009590		✓		No comment	James Mackay
37	11009594	✓			We are in desperate need of good housing for our seniors.	Veronica Apps
38	11009602	✓			We need more housing like this for the over 55's and social housing.	Pam Thomson
39	11009605	✓			Affordable appropriate accommodation is required for elderly. Age, however should be 65 not 55.	Dianne Tautari
40	11009607	✓			Government has ethical responsibility to provide warm dry housing for anyone who needs it. Ideally located, this is a good proposition.	Alice Hicks

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
41	11009616	✓			Seems an obvious decision to tackle disheartening shortage of affordable housing for elderly.	Sydney Berkers
42	11009794		✓		Kainga Ora has a very poor track record	J Haworth
43	11010304			✓	Concerned this is emergency housing that may become 'rough rental' with lack of maintenance. Important people move in for right reason and look after their property.	Phoebe Craw
44	11010310		✓		Should sell it privately, KO will only bring in beneficiary.	Jasmeet Singh
45	11010314		✓		Kainga Ora should not be involved. The people they house and their visitors will be terrible for this area. Waipa DC needs to take responsibility and develop this land for the elderly.	Maria Heslop

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
46	11010317	✓			There is dire need for housing in TA especially for low income & elderly people. Good location, ideal site. Good to have smaller homes not big sections no one can afford. Go for it.	Topsey Uerata
47	11010326		✓		I don't understand what legal protections there is to ensure it is used for pensioners over time it may become social housing. Council should sell on open market. Council must take NO responsibility for any servicing cost of the development. No public services in private land.	Carl Smith
48	11010367		✓		Concerns about the design character of the properties as the street is dominated by freestanding properties & undefined future of remaining piece of land. The development may devalue the surrounding.	Kevin Shum
49	11010629	✓			I am concerned at lack of affordable housing for all age groups. Many cases of people having to leave their homes causing insecurity and disengagement with support services, schools & wider community.	Julie Guest

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
50	11010632		✓		I grew up in Dinsdale & experience the devastation when KO properties are built, it ruins & devalues neighbouring properties. Gang affiliated, constant police visits. Cheap shoddy construction. Won't stay at 55+, stupid reason to use KO just to speed up construction. My friend committed suicide as he couldn't deal with undesirables who moved in when KO built next to him, I feel the same.	Craig John Greene
51	11010635	✓			We have a need for affordable housing for people over 55.	Craig Holz
52	1101640			✓	Concerned about losing our rural outlook, increased noise & lack of privacy, affect on our property valuation. How will properties be managed & maintained. What guarantees are there that it will remain in hand of KO & over 55s, will this be written in agreements & covenants imposed. Also worried that land platform directly behind our private property is not raised or elevated further to completely block our rural views to the south	Rob & Sue Sinclair

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
53	11010647	✓			Excellent use of the land – more housing & free up homes for families.	Rebecca Baldwin
54	11010652		✓		Premium location, beautiful views – social housing in cul de sac will create an isolated community, leading to anti-social behaviour. Nothing to stop 10 people living in same house. You will have problems selling rest of land.	Allan Shum
55	11010655		✓		Same as above – submitted again with other comment – I am the owner of *****	Allan Shum
56	11010658	✓			Parish of St John vestry together wish to support this proposal. We have been concerned for some time. The site, proximate to services is appropriate to the purpose.	Reverend Julie Guest
57	11010845	✓			I works as volunteer at CAB there is not enough accommodation, we are always asked. I hope they will be future proofed ie. Wheelchair access & mobility scooters etc.	Katherine Anne Jones

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
58	11010885	✓			Effective way to support homeless in our community. I suggest council looks at ways elderly can use this site safely, ie. Handrails and appropriates materials under foot.	Samuel Kain Pullenger
59	11010888			✓	Needed but we must ensure it's safe and accessible, consider upgrading road with a crossing, there are narrow curb cuts. Traffic calming as 10m residential rd is very wide and may encourage speeding.	Rick Bosacker
60	11011000		✓		Directly on our boundary line, will impact our drive way & current living. Will make opening our business from home more difficult. Not overly keen on KO stigma. I wouldn't of bought had I of known this 18 months ago. Council should use for private housing not seek profit over lifestyle.	Caitlin Georgantas
61	11011039 & 11011205			✓	Jay EI is seeking to deliver a development in the direct vicinity of the subject site. We will have shared boundary and access from Cambridge Road. Keen interest in ensuring quality, cohesive design to ensure a desirable place to live. (Please see ECM for full submission which includes much more detail & plans)	Jay EI Limited – Veros Sean Haynes Director Veros Property

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
62	11011147		✓		KO Properties alter our privacy and will devalue our property. We've worked hard to get our home. Plans not mentioned to us by real estate agent who is or was from Waipa DC. We have plans to operate our business now the access will be changed which limits access & advertising. Who is going to oversee the implementation of 55+? Who do we speak to if we have issues. Will Tenants be loitering all day? These properties will be on our back fence, I am not a fan.	Hayden Stockman
63	11011352	✓			Kia noho haumaruru i ngaa whaanau kiihai he tuanui. Manaakitia te rawakore. Tokomaha ngaa whaanau o Apakura, o Hinetuu e noho kiihai he tuanui. Teena ra taatou katoa, Me matua moohio moata mai i ngaa hui e paa ana ki teenei kaupapa. Kiihai i kite i ngaa meneti mai i ngaa hui tawhito. Kia tiakina te whenua tupu o a maatou Tuupuna. Pai maarire ki runga i a taatou katoa	Tiaki Ana Tikamaiwhea Ormsby Ka Puta Ka Ora

Submission No.	ECM	Support	Against	Partially	Submission Summary	Contact Name
64	11011362	✓			Shortage of affordable housing. Ko can get this up & tenanted in 2 years. Seniors living in damp cold homes can be upgraded and allow bigger homes for families. Great location. We would like to see council continue with LTP to provide more pensioner housing for those that don't meet the criteria of Kainga Ora.	Ange Holt Te Awamutu & Kihikihi Community Board
65	11011685	✓			I support sale to Kainga Ora after being reassured by Ken Morris that sale of Palmer St unis has not been used in the funding of Cambridge Rd land and is being used in the best interest of the elderly of Waipa. Maybe beneficial to use sale funds for development of remaining 2.35HA and community projects so land does not become a burden.	Mervyn John Fulford

Support	Against	Partially	Total Submissions
37	20	8	65
<hr/>			
<hr/>			

APPENDIX 4

Facebook Comments. Proposed Land Sale. 1262 Cambridge Rd Te Awamutu
(ECM number 11016241)

Entry	Facebook Comments
1	I hope a small community building is included so that the residents in the new development can meet as a community. A shared or community orchard and gardens too. Social and food needs need to be met too.
2	What about first time buyers
3	Amazing that the council actually asks for feedback. Unlike Hamilton. In one really nice street in Hamilton North developers have been buying up houses to build units for Kainga Ora. These are not single level so not suitable for the elderly. From the houses sold it looks like 60-80 units being built in this street alone. No public consultation. (family member lives in this street)
4	Already got Kaianga Ora housing coming to town..let's add a bit more.
5	You need more homes not rest homes I understand there is alot more older people but of you want to attract more People to move to Cambridge you need more homes than anything
6	You won't actually on what we think so why ask
7	There is a shortage of affordable accommodation suitable for older people throughout NZ. It is a good idea for Kainga Ora to facilitate a small community for people 55+ to live within easy access of services. Like others, I believe it will be incumbent on Kainga Ora to ensure these homes are built with mobility issues tenants may have as they grow older, such as wider hallways and doorways for wheelchairs, accessible showers, accessible work surfaces in the kitchen.
8	Waipā District Council since this area would be targeted at the older demographic who often have mobility issues, will better public transport be offered to include this new development area?
9	We Need more green areas around Cambridge Road and less Housing

Entry	Facebook Comments
10	WE are still waiting for the council to issue our certificate of title so we can build, 18 months and counting with increasing costs. So well done Waipa Council.
11	So many retirement villages in Cambridge. Housing the younger family's surely is more important
12	Lets add more people to Cambridge and spend more money doing that! BUT dont bother building another bridge because that would cost money! Lets hope the high level bridge holds up for another 100 plus years!
13	Will an Occupational Therapist be consulting to ensure these builds are actually suitable for elderly peoples needs?
14	I don't live in that area, but I would hope that this housing scheme is not built like some of the retirement villages in Cambridge where you can hardly back out of your garage without knocking the neighbours letter box over. I know they are owned by corporations in the main but the houses are so close together and roads so narrow you really are concerned about meeting a car, also parking for visitors is often quite a way from their homes, and some who are elderly would struggle to walk the distance. From what you have written it sounds as if this is just another street area with more affordable housing. Will some be rentals as some folk have reached that stage in life through no fault of their own, where they can only afford rentals, not purchase.
15	As long as it is used for that purpose, for the elderly I mean then that is great. I read an article recently about some land in Auckland that had been gifted for the elderly and kianga ora have repurposed it for social housing. Make sure whatever agreement is in place that it is solid and Kianga Ora can't do with it willy nilly.
16	Why for people over 55? Pension age is 65. Surely a 55 year old would still be working and not considered elderly.
17	Do the rate payers own this land?
18	Who owns them now ?

Entry	Facebook Comments
19	That land was for pensioners when bought 😬 why would you even consider mixing vulnerable older people with welfare families - some which have caused major problems for their neighbours? Council was selling older pensioner units and they were building there to replace them!
20	How can council say who will live in them thou? Once sold it's out of your hands and they can place who they like in them.
21	Such a brilliant idea. How will you ensure they are and will remain designated for the elderly?
22	Council owns land? Wow
23	Arthur Stacey Once it is in Kainga Ora's hands, council has no say who they are going to tenant these properties. It is not up to them...Anything to do with Kainga Ora I would take a wide berth. Sadly the ones that are deserving for a home are not the ones that get it unless you know somebody within the system, Winz is similar
24	This land is own by my nanny not council lol did you ask the iwi
25	Time to go through rubbish bags!! Surely a waste of ratepayers money ?? WDC You can do better than this!!
26	1- educate on how to waste less 2- provide small food scrap bins 3- community worm farms where scraps can be turned into compost for a community garden.
27	Hamilton has a food waste collection it sounds like a good idea
28	Perhaps providing compost bins along with the recycling bins that could be collected same day as the general waste each week would see it not go to landfill and in all honesty I must say I'm not excited about people rifling through our rubbish. What reassurance do we have that your not sticky beaking at people's personal info
29	I find this so wierd....

Entry	Facebook Comments
30	This is exactly what's needed, but does the council have the necessary infrastructure in place to cope with all these new housing developments –
31	Don't you mean public /tax payer owned land
32	No such thing as council owned land.
33	Tax payers and rate payers are not the same and not even close. Home owners are rate payers, those renting are not rate payers
34	I've taken a look at this site and concerned that it's up a steep hill and far out from town .What about older people who don't drive or have trouble walking. I've seen more appropriate land next to mitre 10 garden center and there is spare land further down Cambridge Rd near to the round about. Much better for older people.
35	As long as not to kāinga ora, they don't accomodate elderly, and take way too long to build.
36	#LandBack
37	Is that Ngāti Apakura whenua?
38	Really? I hope its unproductive land which is what farmers have to build on if they want another house on farm. So many double standards
39	Your not considering your going to sell this land to them
40	Is there any point in having your say? A majority of people voted against the velodrome and it was ignored. Council needed/wanted the cash and did it anyway. A bit like the 50 plus development on Cambridge Road. It was known by many that it would flood easily. Council granted permission and boom. Flooded in it's first year. I lived on the neighbouring property and saw it all unfold. As for selling to a crowd such as this, lock your cars. Because sadly, it seems it's not those in genuine need that get the homes. More like dropkick gang members and feral hangers on. Keep an eye out for the real estate signs.

Entry	Facebook Comments
41	Housing shortage but yet we can't put a section in because of 'High Class soil' wtf!!
42	We've tried too, but can't because there's a minimum area of 40ha. I don't know how when there's already lots of houses and sections on our road without land attached.
43	Exactly!!! housing shortage and we have sections that can help that BUT NO. Waipā District Council?? let us subdivide!!
44	I feel sorry for the home owners around this. No one wants to live near Kainga Ora
45	aw how awful for them. I guess families living in emergency housing don't wanna keep living there either
46	yeah it would be awful living next door to violent gang members that terrorise their neighbours. The poor home owners working hard for their home to be ruined by scum.
47	so every emergency housing family are gang members now? White people stole our land, should I assume your a thieving scumbag too?
48	Will you publish the submission results?
49	I would like to know why council is playing around with property. So I would like to know when this was bought, for how much and will it be sold for more (so a financial benefit for ratepayers?) Who is going to pay for the development costs? It's well known that developers are not always paying the full amount. (A statement made by the planning manager) so more costs for ratepayers?.
50	<p>Firstly I am totally disgusted with WDCs position here, the money in part, initially contributed to the purchasing of such land, came by way of the sale of Palmer Street Units - and a promise was made by WDC at the time that it would be used to provide more affordable housing - yet here they are looking to hand it over to someone else, and ratepayers enduring yet another failed promise in my opinion.</p> <p>Secondly, anyone familiar with the site would know that it's gradient is not suited to those over 55 or having limited mobility, you would have to be a mountain goat to live here.....this is not an appropriate site for such, anyone with common sense can see that. The amount of battery drain on mobility scooters to just negotiate the gradients to go to Pak N Save and back will scare any novice mobility scooter user.</p> <p>Thirdly, if the land is sold, just where is that money going? Are ratepayers going to see a rates reduction with the funds acquired?</p>

Entry	Facebook Comments
51	I thought the same about the gradient. Not suitable for the elderly.
52	I think it's good if the run down Palmer Street pensioner flats in town are demolished and sold off as private sections for new homes. The flat land out by Pak n Save closer to the shops and medical facilities would be better suited for the elderly. However, don't really think there should be any Kainga Ora involvement and development included, should all just be council owned to have full control of the land, buildings and tenants. Once again though, such short notice and timeframe for submissions closing on the 11th May..
53	Waipā District Council you bought that piece of and how long ago? 3 or 4 years? It could have been subdivided by now and houses built...
54	There goes the neighborhood
55	Anyone else roll their eyes so hard they did a backflip when they read "council owned land."? Like they don't control all the land already
56	It doesn't solve the housing crisis. There is a criteria you have to meet to qualify for these homes
57	Given the number of hundred year floods there have been around the country this year. Where does this land sit in relation to Waipa 100 year flood assessment?
58	As long as it has a lot of greenspace, and isn't jampacked in, I think it's a good idea...and we share the boundary with this proposed development so are quite invested in its outcome. We've all seen the 'proposed initial development' and then the actual developments be quite different *cough*, Kihikihi medium density development *cough*. What assurances will there be that what we agree upon will remain that way in actuality with Kainga Ora?
59	Selling it back to the original owners you stole it off..... what a joke

Entry	Facebook Comments
60	<p>Waipā District Council Be honest. In short, the answer is actually NO!</p> <p>And the actual long of it William Melville T.A has no stormwater system to speak of & as it turns out, nor do they plan to in any future developments either. Although they (WDC) have been VERY well aware of the NEED to replace the (inherited) aged pipes & upgrade systems as far back as 2005/2006, (according to WDC Minutes).</p> <p>And if you read between the lines, BOTH WDC & K/O, it seems their plan is to, as usual, pass the buck onto the developers who will get the green light with oversized culverts & soakholes thinking that'll be good enough. Maybe so if it was just THAT development. But it's not!!!</p> <p>And as a landowner 'downstream', I assure you, we are already highly affected NOW!</p> <p>How about stopping directing all of towns run-off in the direction of our Streams and utilising it instead</p>
61	<p>Well I suppose right now the council like all councils are in a bit of a predicament, they don't know what's going to happen to the water infrastructure they own and invest in, as far as they know the government is going to take it away from them without recompense.</p> <p>And as for the floods in your area, it's not because of urban development in town, it's the result of a high amount of rain falling in the hills and the water just backing up because of the high volumes of it, and it's not just your local stream. All the arbitrary streams and rivers that flow into the Waipa and Waikato are causing a knock on affect where the water is just building up because the streams are only capable to handle so much. And it's a natural thing for it to do is flood the plains, that's what it's done for thousands of years, but people build stop banks which then sends the floods further upstream.</p>



APPENDIX 5

Full Submission Forms – Redacted (ECM number 11019210)

Submission Forms

Proposed Land Sale
1262 Cambridge Rd, Te Awamutu

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230522991
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation may be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at [waipadc.govt.nz/privacy-statement](https://www.waipadc.govt.nz/privacy-statement) for further information.

reCaptcha True
Section1
Full name Stephanie Owen
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone

Please let us know why

I personally know of two people over 55 who have had to move out of Te Awamutu once their husbands died because they needed to downsize and couldn't afford anything currently available here. Neither wanted to do this as it meant leaving friends and support groups they belonged to. The more housing we have for this age group, the more housing will be freed up for families and this is desperately needed.

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230513586
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Allan John Stanley

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

People need somewhere to live

Are there any other comments you'd like to make about the proposed sale

Is there going to be anything done with regards to people's mobility needs on Cambridge Road? There really needs to be something put in place to enable people to get about using their various mobility aids as well as the cyclists and pedestrians that use this route. Included in this is the need for proper crossing points for the people living in the lifestyle village on Gleneagles to safely cross the road to the shopping center and also another crossing point on SH3 down by repco. Please remember older people are getting more active and with some of the aids available to them now, accessing town is not that hard. Apart from the crossing points, none of this accessway should be part of the roading network, i.e. a wider footpath. Thank you

101 Bank Street
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Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230479888
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Rheanna Kingma
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone
Please let us know why
Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230479886
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Andrew Cumming
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone
Please let us know why
Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230478983
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Sally Fraser

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

Sounds great. Good to have faster development that's specifically smaller homes. Everything getting built privately are massive 4 bed 2 bath homes, which makes them unaffordable for many.

Are there any other comments you'd like to make about the proposed sale

That it would be good if they bought more and did shared equity for other homes, of different sizes, to allow those who are stuck renting, but can actually pay a mortgage, but can't save while paying rent.

Proposed sale of 1262 Cambridge Road to Kāinga Ora



Submission form

Submissions close: 5pm, Thursday 11 May 2023

Full name: Lynnette Kavanagh-Whalley

Organisation: (if applicable) [Redacted]

Address for correspondence: [Redacted]

Email: [Redacted]

Phone: [Redacted]

For office use only:

Submission No.

Privacy statement: The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation may be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at waipadc.govt.nz/privacy-statement for further information.

Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

Yes Partially No

Please let us know why

Because as a resident of Cambridge Road we will have no say over who moves into these homes and I can see the standard of our homes being brought down in value.

(if these homes are not very well looked after. Plus with raff persons coming and going)

Are there any other comments you'd like to make about the proposed sale?

Handwritten scribbles and a large curved line across the comment area.

I have attached additional information: Yes No

Signature of person making submission or person authorised to sign on behalf of person making submission

Date

Handwritten signature and date: 30/4/2023

Submissions can be:



Online:

waipadc.govt.nz/haveyoursay



Emailed to:

submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"



Posted to:

Waipā District Council
Private Bag 2402
Te Awamutu 3840
Attn: Cambridge Road land sale



Delivering it to Council offices:

Waipā District Council OR Waipā District Council
101 Bank Street 23 Wilson Street
Te Awamutu Cambridge
Attn: Cambridge Road Attn: Cambridge Road
land sale land sale

Important Dates to Remember:
Submissions open Wednesday 19 April 2023
Submissions close 5pm, Wednesday 11 May 2023

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230478162
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha	True
Section1	
Full name	Neil Aberhart
Organisation (if applicable)	
Address for correspondence	[REDACTED]
Email	[REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?	Yes
Phone	[REDACTED]
Please let us know why	It is not the councils job to be involved in Property Developments
Are there any other comments you'd like to make about the proposed sale	Is this land subjected to any flooding (is it a flood plain) If so could the Council be subject to any claims later on should it flood etc

Proposed sale of 1262 Cambridge Road to Kāinga Ora

Submission form

Submissions close: 5pm, Thursday 11 May 2023



Full name

Peter Leach

Name of organisation (if applicable)

Kingston Group

Address

[Redacted]

Phone number (optional)

[Redacted]

Email (optional)

[Redacted]

Privacy statement:

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Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

- Yes
 Partially
 No

Please let us know why

Are there any other comments you'd like to make about the proposed sale?

Submissions can be:

Made online: waipadc.govt.nz/haveyoursay

Emailed to: submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"

Posted to: Waipā District Council Private Bag 2402 Te Awamutu 3840
Attn: Proposed land sale, Cambridge Road

Delivering to Council offices: Waipā District Council 101 Bank Street Te Awamutu Waipā District Council 23 Wilson Street Cambridge Attn: Proposed land sale, Cambridge Road

Important Dates:

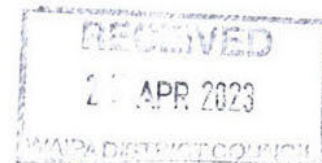
Submissions open: Wednesday 19 April

Submissions close: 5pm, Wednesday 11 May 2023

Proposed sale of 1262 Cambridge Road to Kāinga Ora

Submission form

Submissions close: 5pm, Thursday 11 May 2023



Full name

SUSAN PATRICIA GOODRIDGE [Sue]

Name of organisation (if applicable)

KĀINGA AROHA COMMUNITY HOUSE

Address

[Redacted address]

Phone number (optional)

[Redacted phone number]

Email (optional)

[Redacted email address]

Privacy statement:

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Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

- Yes
- Partially
- No

Please let us know why

In my role as financial mentor I speak with many people struggling to afford market rents and heading towards retirement. This proposed development would assist some of our most vulnerable community members

Are there any other comments you'd like to make about the proposed sale?

A great site close to local amenities

Submissions can be:

Made online: waipadc.govt.nz/haveyoursay

Emailed to: submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"

Posted to: Waipā District Council Private Bag 2402 Te Awamutu 3840

Attn: Proposed land sale, Cambridge Road

Delivering to Council offices: Waipā District Council 101 Bank Street Te Awamutu Waipā District Council 23 Wilson Street Cambridge Attn: Proposed land sale, Cambridge Road

Important Dates:

Submissions open: Wednesday 19 April

Submissions close: 5pm, Wednesday 11 May 2023

Proposed sale of 1262 Cambridge Road to Kāinga Ora

Submission form

Submissions close: 5pm, Thursday 11 May 2023



Full name

DEREK FLINT

Name of organisation (if applicable)

Address

[REDACTED]

Phone number (optional)

[REDACTED]

Email (optional)

[REDACTED]

Privacy statement:

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Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

- Yes
- Partially
- No

Please let us know why

Te Awamutu desperately needs more housing for low-income and retirement people. I myself will be looking for somewhere shortly as I currently rent but am due to retire in approx. 4 years.

Are there any other comments you'd like to make about the proposed sale?

[Empty box for additional comments]

Submissions can be:

Made online: waipadc.govt.nz/haveyoursay

Emailed to: submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"

Posted to: Waipā District Council Private Bag 2402 Te Awamutu 3840

Attn: Proposed land sale, Cambridge Road

Delivering to Council offices: Waipā District Council 101 Bank Street Te Awamutu Waipā District Council 23 Wilson Street Cambridge Attn: Proposed land sale, Cambridge Road

Important Dates:

Submissions open: Wednesday 19 April

Submissions close: 5pm, Wednesday 11 May 2023

Proposed sale of 1262 Cambridge Road to Kāinga Ora



Submission form

Submissions close: 5pm, Thursday 11 May 2023



Full name: PETER J. SPENCE

Organisation: (if applicable) [REDACTED]

Address for correspondence: [REDACTED]

Email: [REDACTED]

Phone: [REDACTED]

For office use only:

Submission No.

Privacy statement: The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation may be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at waipadc.govt.nz/privacy-statement for further information.

Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

Yes Partially No

Please let us know why

HAPPY TO SUPPORT THE NEW HOUSING DEVELOPMENT WITH ONE QUERY:
ALREADY OUR WATER PRESSURE IS BELOW THE NORM -
THIS IS DUE TO GRAVITY OF UP HILL -
ADDITIONALLY, SINCE THE PUMPING STATION HAS BEEN MOVED FURTHER UP THE HILL, THERE HAS BEEN A FURTHER PRESSURE REDUCTION -
MY CONCERN BEING, WILL IT BE AFFECTED BY ADDITIONAL HOUSING DRAWING OFF THE SUPPLY.

[Signature]

Are there any other comments you'd like to make about the proposed sale?

Multiple horizontal lines for writing comments.

I have attached additional information: Yes No

Signature of person making submission or person authorised to sign on behalf of person making submission

Handwritten signature

Date

27/4/23

Submissions can be:

Online: waipadc.govt.nz/haveyou

Emailed to: submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"

Posted to: Waipā District Council Private Bag 2402 Te Awamutu 3840 Attn: Cambridge Road land sale

Delivering it to Council offices: Waipā District Council 101 Bank Street Te Awamutu Attn: Cambridge Road land sale OR Waipā District Council 23 Wilson Street Cambridge Attn: Cambridge Road land sale

Important Dates to Remember:

Submissions open Wednesday 19 April 2023

Submissions close 5pm, Wednesday 11 May 2023

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Mon, 24 Apr 2023 11:48:57 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230466787.pdf
Categories: Donna

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A new Proposed land sale submission form has been submitted

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230466787
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Amanda Smith
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone
Please let us know why There is a ton of old folks housing being built. The town is too crammed.
Are there any other comments you'd like to make about the proposed sale Create a park instead.

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Sun, 23 Apr 2023 22:21:53 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230465885.pdf
Categories: Donna

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Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230465885
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Samantha Gibson
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone

Please let us know why

Because it's neither fair nor reasonable that pensioners are having to pay market rate for rental homes. The pension does not pay enough for them to do so and be able to live a reasonable standard. Also purpose built warm dry accessible housing would greatly improve their standard of living. It would also free up more rental housing for other users.

Are there any other comments you'd like to make about the proposed sale

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Sun, 23 Apr 2023 21:25:02 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230465848.pdf
Categories: Donna

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Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230465848
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Renee Stapleton
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone
Please let us know why If this helps our elderly community have lower rent price so they can live their retired years not struggling then yes all for this
Are there any other comments you'd like to make about the proposed sale

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Sun, 23 Apr 2023 05:09:37 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230465279.pdf
Categories: Donna

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Private Bag 2402
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New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230465279
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Benjamin Yates
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone [REDACTED]
Please let us know why I think it's better kept as town ownership, having an unbiased owner for housing our elders is important.
Are there any other comments you'd like to make about the proposed sale

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Fri, 21 Apr 2023 23:01:57 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230464633.pdf
Categories: Donna

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A new Proposed land sale submission form has been submitted

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Private Bag 2402
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New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230464633
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Heather Colgan

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

Waipa is extremely short of suitable rental housing for seniors. Im concerned Council purchased this land 6 years ago for social and pensioner housing but had done nothing to progress this issue and admits it would still be some time before they could as they don't have the resources available. I wonder why this land wasn't bought by Kianga ora in the first place.

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230461302
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Sharon Cousins
Organisation (if applicable) Waka Kotahi NZTA Hamilton
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why
Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230461021
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Elizabeth Ann Quilty
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially
Phone [REDACTED]
Please let us know why I would want clauses to ensure it was 55+ people only in this area. Last thing we need is the usual gangs and other riff raff a lot of their other houses have.
Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230460982
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha	True
Section1	
Full name	Tom Davies
Organisation (if applicable)	n/a
Address for correspondence	[REDACTED]
Email	[REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?	Yes
Phone	[REDACTED]
Please let us know why	Because we get appropriate housing sooner.
Are there any other comments you'd like to make about the proposed sale	

From: "info@waipadc.govt.nz" <info@waipadc.govt.nz>
Sent: Thu, 20 Apr 2023 17:13:23 +1200
To: "Submissions" <Submissions@waipadc.govt.nz>
Subject: External Sender:
Attachments: REF230460860.pdf
Categories: Donna

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A new Proposed land sale submission form has been submitted

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Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230460860
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Margaret Lelieveld-Grover
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why I am nearly 70 and am lucky enough to be able to support myself. For those not able it is a great option , would be awful to get to this stage of life and not be able to do so
Are there any other comments you'd like to make about the proposed sale Go for it

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230459503
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha	True
Section1	
Full name	Sue Hazlewood
Organisation (if applicable)	Waikato dhb
Address for correspondence	[REDACTED]
Email	[REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?	No
Phone	[REDACTED]
Please let us know why	I am disgusted by this decision. Already Kainga Ora houses going in Norfolk Downs. Cambridge is going down hill and losing the village feel. 100 percent against it.
Are there any other comments you'd like to make about the proposed sale	Sell to anyone but Kainga Ora.

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230459292
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Rebekah Bright

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

This is a good place for this project, close to amenities that the elderly will need such as doctors and supermarkets. Housing is needed by so many.

Are there any other comments you'd like to make about the proposed sale

We should also be doing this in Cambridge.

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230459216
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Jason Trower

Organisation (if applicable)

Address for correspondence

Email

Phone

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Please let us know why

The council does a lot of really good things for the residents of Waipa but should be a property developer. Leave that to others who specialise in this area. We need quality housing for tenants and this will provide that

Are there any other comments you'd like to make about the proposed sale No

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230459162
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Dhara Shyamal
Organisation (if applicable)
Address for correspondence
Email
Phone
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?

Please let us know why

The retirement age is 65. Why is the housing for 55+ considered as elderly? You have to absolutely ensure that all occupants (not just the owners of those houses) are elderly. This area is close to a school. School aged students (young girls) walk there. We absolutely do not want any young offenders coming in this area. 65+ is elderly. Not 55+. Also, have you considered selling to some retirement village people? The private sale might bring in more money for the council as well as bring much better jobs for nurses etc. Just being KO approached you, doesn't mean that is the best option. You have to compare them with other accommodation for elderly. Is there a proper investigation done on that aspect? Also, with more traffic and probably wheelchair traffic coming in this area, any change of adding pedestrian crossing button to go from one side of the cambridge road to another?

Are there any other comments you'd like to make about the proposed sale

The retirement age is 65. Why is the housing for 55+ considered as elderly? You have to absolutely ensure that all occupants (not just the owners of those houses) are elderly. This area is close to a school. School aged students (young girls) walk there. We absolutely do not want any young offenders coming in this area. 65+ is elderly. Not 55+. Also, have you considered selling to some retirement village people? The private sale might bring in more money for the council as well as bring much better jobs for nurses etc. Just being KO approached you, doesn't mean that is the best option. You have to compare them with other accommodation for elderly. Is there a proper investigation done on that aspect? Also, with more traffic and probably wheelchair traffic coming in this area, any change of adding pedestrian crossing button to go from one side of the cambridge road to another?

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Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230459147
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Jillian Zanders

Organisation (if applicable)

Address for correspondence

Email

Phone

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Please let us know why

Over 55's desperately need access to safe affordable housing as many are locked out of the housing market & are in debt poverty to meet private rental rates

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230458972
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Sian Broughton

Organisation (if applicable)

Address for correspondence

Email

Phone

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?

Please let us know why

Waipa District is a more desirable place to live as it is more expensive to own. By making it more affordable, it becomes less desirable.

Are there any other comments you'd like to make about the proposed sale

If the sale does go ahead, priority should be given to long term residents of Waipa only, instead of bringing in people from other towns.

101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230458863
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Ann Robbie

Organisation (if applicable)

Address for correspondence

Email

Phone

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?

Please let us know why

I feel council should build the housing and add it to their portfolio. I have no confidence that kaingaroa would administer it in the best interest of cambridge elderly.

Are there any other comments you'd like to make about the proposed sale

Please don't sell administer yourself you will get the roi when rented maybe a joint venture with a local developer.

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Proposed land sale submission form

Reference Number: REF230458875
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Bryan Clements
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Phone [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Please let us know why It's a great idea. Houses for elderly are needed.
Are there any other comments you'd like to make about the proposed sale

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New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
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Proposed land sale submission form

Reference Number: REF230457904
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Vicky Finlayson
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Phone [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Please let us know why As the population ages we need to start putting resources and 50+ housing into place sooner rather than later.
Are there any other comments you'd like to make about the proposed sale Include reserve/green areas/trees and the such as a requirement of sale. It is widely known safe, green open spaces promote wellbeing and community.

101 Bank Street
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New Zealand

Telephone 00 64 7 872 0030
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Proposed land sale submission form

Reference Number: REF230457754
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Tania Ruki
Organisation (if applicable) home owner, within area
Address for correspondence [REDACTED]
Email [REDACTED]
Phone
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Please let us know why We have a social obligation to provide as much quality house for those less fortunate, those less financially able and those whom have been disadvantaged through colonisation.
Are there any other comments you'd like to make about the proposed sale Leave the specialist field of building project to Kianga Ora.

101 Bank Street
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New Zealand

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Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230457444
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name David Hallett
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Phone [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Please let us know why Expediency of construction will provide an earlier benefit to the community.
Are there any other comments you'd like to make about the proposed sale The reason why we are selling is to ensure expediency of the build. Therefore include a provision in the sale and purchase agreement to have the title revert to Waipa DC if Kainga Ora have not completed construction of a given number of habitable dwellings by a specified date.

Proposed sale of 1262 Cambridge Road to Kāinga Ora



Submission form

Submissions close: 5pm, Thursday 11 May 2023

Full name:

Jared Vakee

Organisation: (if applicable)

Address for correspondence:

Email:

see Attached

Phone:



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Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

Yes Partially No

Absolutely not

Please let us know why

Attached

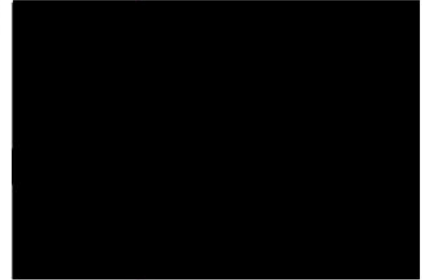
I would like to be heard in respect of this.

P.S. If [redacted] has written anything about this they are likely to be wrong and should be treated with extreme caution

JAMES PARLANE

B.Soc. Sci, PG Dip. (Psyc). LL.B. Dip. Bus. Stud,(Urban Valuation), G.Dip. O.H.S.

Property Consultant and Tactician



7 May 2023

Waipa District Council

Private Bag

Te Awamutu

Hand Delivery

Re: Sale of 1262 Cambridge rd Te Awamutu.

This property was no doubt purchased because it was “strategic”.

What the Council staff are now proposing is another “giveaway” similar to the sale of the Palmer St Pensioner Flats.


I am opposed to this proposal for the following reasons which are enumerated corresponding to the points made in the council's proposal to sell.;

1. The property is ideally suited to council choosing due to its proximity. Therefore the Council should remain in control of the land.
2. It is illegal under the Residential Tenancies Act to discriminate against tenants on the grounds of age and so

therefore a proposal to let property to people over 55 years old is illegal. It is an abuse under the Human Rights Act also. The only permitted discriminations are against smokers and pets. All proposed tenants are entitled to be considered on their merits and their need for housing. Age is not one of those. Everybody needs a home. Of Course *Vulnerable Children* need homes too and are not getting them. Disabled people need long term homes and make very good tenants. All things must be considered when setting up residential precincts.

3. This council now sees the initiative as in the “too hard basket”. This is an easy development and has been done before with the Pensioner Flats. The claim that another organisation is able to “do it quicker” is spurious and untrue.
4. If the council is to sell land then it should do so in a transparent way and ^{not} to do “sweetheart” deals with organisations who approach it. There is a legal obligation on the council to sell land on the open market and give the chance to every potential buyer and to also get the best possible price for public land. This proposal fails to do that.
5. The claim that money would repay debt is also unlikely. Council is clearly not worried about debt. It is well known that the Council is looking for money to build a new museum that was not needed by the community and was slipped through the long term plan process taking the place of more important and strategic purchases like emergency housing.

6. Council is in receipt of a large tranche of money due to the governments "compensation" for the Three Waters. That would fund an emergency housing development and such a development would be self-funding by rents if the council need not buy land at today's market rates.
7. Subdivision of the land is expensive and not needed if the council continues the proposal. Subdivision as another drain n public money.
8. No proper research has been done by the council on this issue and it is unknown what size dwellings are realistically needed. In reality credible housing includes small 3 bedroom houses such as the Versatile "Kapiti" a 70 Sq. m home. One and two bedroom units were at the Pensioner flats. Most if not all of the one bedroom ones were converted to two bedroom. There is no control once the land leaves ownership and a "ghetto" could easily develop.
9. 30 units cannot be agreed until plans and proposals are drawn up. this may be too big. Council must retain the Ability to regulate these matters and if the property is sold with a "nod and a wink" that 30 units can be built then the council has acted precipitously and not in the public interest. The council must not be seen to favour one party over another. Maori Organisations such as Kainga Ora, are not entitled to any favours. All applicants must be treated equally.
10. The time to share concept plans is before the sale as after the sale it is too late. This is another "rush job" by council. [REDACTED]

- 
11. The council don't really want to hear from us. This is likely to be a done deal. This development should be done by the council and it should be funded in such a way that it makes money for the community. That is possible if the council wants to do this and puts it ahead of nice to haves like museums and libraries.

The Questions Proposed by Council Staff, related to the proposal which along with the proposal document are numbered.

1. There is no guarantee of the age of the tenants and as stated above this is illegal to enforce as stated above. Once sold the council has no control.
2. If the developer wants multi story then the application can be made and the government has put permissions in place for 3 story ultra high density housing. The only way to prevent this is by owning the land.
3. Council cannot enforce this clause and would not do so in a "sweetheart" deal as it is trying to give now.
4. Council will spend the money on it's current proposals. It is telling lies if it says it has no present plans or decisions on it's books.
5. Council are not phased by delay. This was intended to be a long term project. It need not be. If the Council wanted to

do this the development could start tomorrow. This comment is a lie.

6. Clearly Kaianga Ora want the “ best bit” and are leaving *the rubbish* land for the council. All of that land is suitable for housing and the council could make a lot of money for the community and solve a problem by having a good portfolio of nice rental properties. The *rubbish* land will become parks.
7. Council has the same resources available as the proposed purchasers. As more renters come on board more money is available. That is what Kainga Ora will do and that is what the council can do. They have not thought the thing through properly and when the land was purchased they must have been satisfied that it was workable. It must still be.
8. Answer 8 on the councils “ questions” makes no sense and is a lie and all tenants are faced with the same issues. We have not been told how many “ elderly” are renting excess capacity. In the market we have it is likely to be none.
9. Once sold the council must permit as many units as the government will make it provide or it faces a trail of litigation until the developer gets what it wants as happened with the Pac n Save development.
10. The pensioner flat example shows that one bedroom units do not work. People need to be able to have visitors to stay and grandchildren to stay etc. The reality is they do not know what the developer will do other than

maximise profit. The only way to keep control is to keep that land.

11. Normally the developer would upgrade the facilities at their cost. Obviously the council have told Kainga Ora that they will take care of it and the cost is unknown at present. There are no plans to upgrade waste water and with an unknown number of new connections the cost cannot be known. More homework is needed and we should be told the cost. It appears from this answer that the general public of Te Awamutu will fund these costs in their rates as the tenants will not be paying these costs except for water rates, perhaps.
12. Anything with a Maori name and funding by others will be supported by ~~the~~ mana Whenua of course. There is an implication by the name of the proposed purchaser that will be "Maoris first", again.
13. Response 13 says it all.
14. Rental housing in Cambridge is of no use to Te Awamutians.
15. A final piece of bullshit.

No. I do not support any of this and the council is off on another a rampage of wastefulness and dodgy behaviour again.

James Parlane



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New Zealand

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Proposed land sale submission form

Reference Number: REF230537491
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha	True
Section1	
Full name	Kane Kahora Rangitonga
Organisation (if applicable)	████████████████████
Address for correspondence	██
Email	████████████████████
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?	Yes
Phone	████████████████

Please let us know why

Kainga Aroha engages regularly with elderly individuals as well as the families who have elderly family members living with them or being cared for, by family. Many of the elderly we engage with, are quite capable of meeting their daily care needs and responsibilities, preferring to live alone. Many other elderly are having to seek residence with their children or family members due to an inability to continue to meet the financial demands of present residence, landlords returning to, or selling homes, or an inability to self-care due to health and wellbeing issues. Some, elderly, who are having to reside with extended family members are subject to abuse, isolation and financial dependency. Other elderly are invited to live with family members and then find out they become regular 'babysitters', and cannot enjoy the benefits associated with reaching an elderly status. A few elderly clients have even sacrificed their independence, to care for their mokopuna (grandchildren), due to the inability or lack of responsibility by parents, to provide the necessities for their children to grow and develop. These are the many stories of the lives that elderly in our community are having to live in today. While we can support our elderly with the many social services available regarding finances and resources, their rights to protection, and support when dealing with Government, Community organisations (WINZ, Doctors, Insurance, Real Estate, Foodbank) and whanau. Many of those we have engaged with, and I am confident that there will be more in the future, are stating to me that if they were able to afford somewhere for themselves, many other issues would not exist in their lives (Misbehaving children, Ignorant parents, financial stress, low self esteem and confidence). Suicide statistics for this area has an alarming number of elderly included in the statistics. Everyone is reminded about the high rate of youth suicides but elderly suicides are not usually featured in media reports. I have no hesitation in supporting the proposal for Kainga Ora to purchase the land stated (Cambridge Road, Te Awamutu) to erect housing specifically for the elderly. I would like to believe that the elderly, who are presently residing in Te Awamutu, will be given first priority, before other elderly from outside Te Awamutu and the wider Waipa District.

Are there any other comments you'd like to make about the proposed sale

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Te Awamutu 3840
New Zealand

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Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230537869
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Jonathan Watson
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why Makes sense to get houses built for those in need.
Are there any other comments you'd like to make about the proposed sale
My concern is that from what I can see of the plan shown in the Te Awamutu Courier on 27.4.23 there do not appear to be any garages for cars. Garages also store bicycles, fitness equipment, tools, lawnmowers and many other things which people will not want inside their houses.

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New Zealand

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Proposed land sale submission form

Reference Number: REF230538987
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name Sarah Johnston

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially

Phone

Please let us know why

Only support if it is strictly for >55 yr olds and that there are rules around who can stay there - i.e. no extended family permanently residing there

Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Proposed land sale submission form

Reference Number: REF230539116
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name James Mackay

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
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Te Awamutu 3840
New Zealand

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Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230539188
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Veronica Apps
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone
Please let us know why We are in desperate need of good housing for our seniors
Are there any other comments you'd like to make about the proposed sale

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Te Awamutu 3840
New Zealand

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Fax 00 64 7 872 0033
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Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230539571
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Pam Thomson
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why We need more housing like this for the over 55's and Social housing.
Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Fax 00 64 7 872 0033
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Proposed land sale submission form

Reference Number: REF230539700
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Dianne Tautari
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why Affordable appropriate accommodation is required for elderly. Age, however should be 65 not 55.
Are there any other comments you'd like to make about the proposed sale

101 Bank Street
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Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
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Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230539767
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True

Section1

Full name Alice Hicks

Organisation (if applicable) NA

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

I firmly believe councils/ governments have an ethical responsibility to provide warm dry housing for anyone who requires it This land is in an ideal location and in wa king / cycling distance to food retailers/ medical care/ and other important resources The central town area is also within close proximity and schools are within distance I presume bus services to the larger centre's of the District are able to be readily accessed as well Ideally playgrounds and safe cycling access around the area plus into the town will be factored in as well A good proposition Nga mihi nui Alice Hicks Kihikihi

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
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New Zealand

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Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230539820
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name sydney berkers

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

It seems an obvious decision to tackle to disheartening shortage of affordable housing for all but in particular our elderly of Waipa. I would be very happy to see this be actioned and know we are doing our part to create and equitable community.

Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230540129
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name J Haworth
Organisation (if applicable)
Address for correspondence [REDACTED]
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone
Please let us know why KO's very poor track record
Are there any other comments you'd like to make about the proposed sale

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Fax 00 64 7 872 0033
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Proposed land sale submission form

Reference Number: REF230540641
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Phoebe Craw
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially
Phone

Please let us know why

I am all for getting people into their own homes 100%, however being emergency housing, I am concerned that in time the houses will become similar to rough rental properties with a lack of maintenance and tenants that may not look after it (I ke most emergency housing blocks become like). It is important for the neighbouring houses, that they have people moving in who genuinely need their own space and aren't living a lifestyle that may bring trouble and neglect to for their property and those around them.

Are there any other comments you'd like to make about the proposed sale

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Te Awamutu 3840
New Zealand

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Proposed land sale submission form

Reference Number: REF230540771
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Jasmeet Singh
Organisation (if applicable)
Address for correspondence [REDACTED]
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone
Please let us know why Should sell it privately, KO will only bring in beneficiary
Are there any other comments you'd like to make about the proposed sale

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Proposed land sale submission form

Reference Number: REF230540875
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name Maria Heslop

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

Kainga Ora should not be involved. Whether we like it or not their customers tend to be lower socio economic and so are the people that visit them. This will be terrible for this area. By all means build for the elderly, they need it. Just do it in the right way. Keep Kainga Ora out of it. We would rather wait for council to get around to the build that have a bunch of badly maintained, half empty, poorly managed, rough, low socio economic houses in a prime position for amenities for the elderly which could actually be really lovely.

Are there any other comments you'd like to make about the proposed sale

Waipa DC needs to take responsibility and develop this land for our elderly.

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Proposed land sale submission form

Reference Number: REF230540952
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name Topsey Uerata

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

There is a dire need for more accommodation/housing in TA especially for low income people and older people. This would be good for them as they will be near facilities at the Pak N Save complex which also has doctors and handy For those who are not so mobile. Ideal site. I'm glad there will be smaller one and two bedroom homes rather than big three bedroom houses with a big section which we don't need and which don't how's many people.

Are there any other comments you'd like to make about the proposed sale

Go for it

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New Zealand

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Proposed land sale submission form

Reference Number: REF230541282
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name Carl Smith

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

Council purchased the land for pensioner housing. I don't understand what legal protections are available to ensure that it will only be used for purposes of pensioner housing. I can almost guarantee over time the "pensioner" component will be diluted and it will just become another social housing development. And if that is the case then Council should just sell the land on the open market to the highest, maximise the return on the investment over the past few years and use that to pay down Council Debt.

Are there any other comments you'd like to make about the proposed sale

Any development on this parcel of land is out of phase with the surrounding developing land. It is not easy to service because of its topography. If it were to be sold to KO (contrary to my support), Council must take NO responsibility for any servicing cost (permanent or temporary) of the development. KO should be treated equally the same as any other private land holder and Waipa DC should incur no additional operational costs for infrastructure. No public services in private land, single points of supply/connection in accordance with bylaws, etc. etc.

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Proposed land sale submission form

Reference Number: REF230542452
Completed On:
Completed By: ANONYMOUS

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reCaptcha True

Section1

Full name Kevin Shum

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

We have concerns about: 1. the design character of the properties (duplexes) as the street is dominated by freestanding properties 2. this development may devalue the surrounding private properties in the area 3. the undefined future of the remaining piece of land represents an even greater future concern

Are there any other comments you'd like to make about the proposed sale

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Proposed land sale submission form

Reference Number: REF230543397
Completed On:
Completed By: ANONYMOUS

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reCaptcha True

Section1

Full name Julie Guest

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes

Phone

Please let us know why

I am concerned at lack of affordable housing, including rentals, for all age groups in Te Awamutu. I am aware of many cases where people have had to leave the home they lived in for some time because of changed circumstances, wither their own or their landlord's. This has caused insecurity and disruption to the family and, if housing is not found soon, has lead to disengagement with support services, schools and wider community.

Are there any other comments you'd like to make about the proposed sale

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Proposed land sale submission form

Reference Number: REF230543462
Completed On:
Completed By: ANONYMOUS

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reCaptcha True
Section1
Full name Craig John Greene
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone

Please let us know why

Because I grew up in Dinsdale, Hamilton and have experienced the devastation first hand when Kainga Ora properties are built where it ruins the area and devalues existing neighbouring properties. Kainga Ora property becomes gang affiliated, have constant police visits, noise control complaints and are much more poorly built with cheap shoddy construction materials not built to last when compared to other privately owned builds. Most neighbours end up selling and moving away losing hundreds of thousands of dollars on the market value of their property just to get away. It won't make a difference if it's targeted to age 55+ groups only. In 5-10 years time there will be an over supply of housing and it's a stupid reason to include Kainga Ora just to speed up construction. My old neighbour in Dinsdale, Hamilton experienced a Kainga Ora development constructed next door a couple of years ago and ended up committing suicide as they couldn't live with the undesirable dodgy people living in the housing provided by Kainga Ora. Kainga Ora did not care about how existing neighbours were affected on a daily basis either. It has made me think and I myself would prefer to commit suicide over living next door to a Kainga Ora development. I live close to the two Kainga Ora houses on Rewi Street which are soon to be demolished and more homes built. If it ends up being like the Hamilton developments, I will have to sell and leave Te Awamutu.

Are there any other comments you'd like to make about the proposed sale

Please sell the Palmer Street run down units and move these to new council owned townhouses next door to Pak n Save on the flat land handy to the doctors and shopping centre. Please sell off the Palmer Street land to private property developers. It's a prime location and would earn good rates revenue. It's run down and scummy with the current housing there. Palmer Street isn't flat and too hilly for retired persons as it is. Please keep all development 100% council owned and controlled. If Kainga Ora has any involvement, council will have no say and lose control without a voice.

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New Zealand

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Proposed land sale submission form

Reference Number: REF230543622
Completed On:
Completed By: ANONYMOUS

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reCaptcha True
Section1
Full name Craig Holz
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why We have a need for affordable housing for people aged over 55
Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Proposed land sale submission form

Reference Number: REF230543626
Completed On:
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reCaptcha True
Section1
Full name Rob &Sue Sinclair
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially
Phone

Please let us know why

We are concerned about our rural outlook being diminished, increased noise and lack of privacy from back boundary neighbours, and effects on our property valuation. Also concerned about how the property would be managed and maintained once established. But also realise that it was only a matter of time, before the property would eventually be built on and ruin our serene and peaceful rural outlook.

Are there any other comments you'd like to make about the proposed sale

If the property is sold to Kainga Ora, what guarantees are there that the land will remain in their hands, will be designated for over 55's, single storey dwelling and only 1-2 bedrooms? Will this be written into any enforceable agreement or land covenants imposed? Also concerned that the land platform directly behind our private property is not raised or elevated further beyond what it currently is. As this would completely block out our rural views to the south, once built on.

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Proposed land sale submission form

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Privacy

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reCaptcha True
Section1
Full name Rebecca Baldwin
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why Excellent use of the land - more housing and free up homes for suit families.
Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Proposed land sale submission form

Reference Number: REF230543855
Completed On:
Completed By: ANONYMOUS

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reCaptcha True

Section1

Full name allan shum

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

1262 Cambridge Rd is a premium location with beautiful views, of the surrounding area, suitable for retirees or other owner occupiers Social housing in a "cul de sac" with high density occupation will create an "isolated" community which will lead to anti-social behaviour. Although Waipa will have a say in the size of these 1 or 2 bedroom houses, there is nothing to stop 10 people living in the same house. And this will only compound any problems as mentioned above What would Waipa do with the remaining area? The value of the remaining half would be substantially reduced (if not lost altogether)by the Kainga Ora, meaning you will have problems selling or developing it in the future

Are there any other comments you'd like to make about the proposed sale

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New Zealand

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Proposed land sale submission form

Reference Number: REF230543875
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name allan shum

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No

Phone

Please let us know why

1262 Cambridge Rd is a premium location with beautiful views, of the surrounding area, suitable for retirees or other owner occupiers Social housing in a "cul de sac" with high density occupation will create an "isolated" community which will lead to anti-social behaviour. Although Waipa will have a say in the size of these 1 or 2 bedroom houses, there is nothing to stop 10 people living in the same house. And this will only compound any problems as mentioned above What would Waipa do with the remaining area? The value of the remaining half would be substantially reduced (if not lost altogether)by the Kainga Ora, meaning you will have problems selling or developing it in the future

Are there any other comments you'd like to make about the proposed sale

i am the owner of

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Te Awamutu 3840
New Zealand

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Proposed land sale submission form

Reference Number: REF230544113
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Reverend Julie Guest
Organisation (if applicable) Anglican Parish of St John, Te Awamutu
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why The Parish of St John vestry together wish to support this proposal. This parish has been concerned at the lack of housing for all ages in Te Awamutu. As an aging group we are particularly concerned at those nearing retirement who are reliant on rental accommodation who will struggle if rents rise, especially if they stop working.
Are there any other comments you'd like to make about the proposed sale The site, proximate to services is appropriate to the purpose.

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Proposed land sale submission form

Reference Number: REF230544504
Completed On:
Completed By: ANONYMOUS

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reCaptcha True
Section1
Full name Katherine Anne Jones
Organisation (if applicable)
Address for correspondence
Email
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone

Please let us know why

Yes, because I feel we need low cost housing for our elderly as soon as possible, there just isn't enough housing for lower income people in general, as I work as a volunteer at our local CAB I know the number of clients that contact us wanting accommodation locally and a number of them are elderly.

Are there any other comments you'd like to make about the proposed sale

The only thing here is I would like to know and hope is that all the houses are going to be future proofed ie accessible to those with the likes of walkers, wheelchairs etc and storage for the likes of mobility scooters and like.

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Proposed land sale submission form

Reference Number: REF230544638
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Samuel Kain Pullenger
Organisation (if applicable)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone
Please let us know why I believe this will be an effective way of continuing to support those who are homeless in our community.
Are there any other comments you'd like to make about the proposed sale Due to this being a focus on house for those who are in their later years. I would suggest that the council look at ways the lot sold can be developed in a way that enables elderly to traverse the grounds safely. For example the use of handrails and materials that would be appropriate for walking accessories.

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Proposed land sale submission form

Reference Number: REF230544774
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True

Section1

Full name Rick Bosacker

Organisation (if applicable)

Address for correspondence

Email

Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially

Phone

Please let us know why

Housing is needed but but we should ensure affordable housing and developments that are safe, accessible, and affordable to manage long term from a council perspective. Please consider upgrading road with at grade crossing for better accessibility. Narrow curb cuts are a hazard, especially for anyone needing assistance (walker, wheelchair, mobility scooter).

Are there any other comments you'd like to make about the proposed sale

10 m is a very wide residential road and being straight, it will encourage faster driving, irrespective of the speed limit. If this wide, it must include reasonable traffic calming whether its raised pedestrian crossings, chicanes, etc. Thank you.

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New Zealand

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Proposed land sale submission form

Reference Number: REF230545363
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha	True
Section1	
Full name	Caitlin Georgantas
Organisation (if applicable)	
Address for correspondence	[REDACTED]
Email	[REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora?	No
Phone	[REDACTED]
Please let us know why	Because it is directly on our boundary line, will impact our drive way and current living circumstances. Will make opening the business from home we are planning much more difficult as we are losing our main road access and frontage. Not overly keen with the kainga ora 'stigma' being on our doorstep, probably wouldn't have bought if known this was happening 18months ago
Are there any other comments you'd like to make about the proposed sale	Counsel should use it for private housing and not be seeking profit over lifestyle

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Proposed land sale submission form

Reference Number: REF230545727
Completed On:
Completed By: ANONYMOUS

Privacy

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reCaptcha True
Section1
Full name Sean Haynes
Organisation (if applicable) Veros Property (on behalf of Jay EI Limited)
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially
Phone [REDACTED]

[refer letter from Veros Property to Ken Morris, dated 11 May 2023] Dear Ken, This submission is made by Veros Property (Veros) on behalf of our client, Jay EI Limited (Jay EI) in response to the proposed land sale at 1262 Cambridge Road (Subject Site), Te Awamutu (Proposal) by Waipa District Council (WDC). Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Partially. Background: Jay EI is a subsidiary company of Park Road Holdings Limited, the landowner directly adjoining the Subject Site, Park Road Holdings landholding spans over 100 hectares and includes the bulk of land within the T11 and T14 growth cells in Te Awamutu. The family has a strong association with Te Awamutu and, after decades of farming this land, intends develop parts of this property into residential housing to meet the growing housing needs of the community. Veros is an experienced property development firm assisting Jay EI in achieving a high quality, well thought-out new neighbourhood. Initial consents have been approved for the first stage of their subdivision, comprising 77 new residential allotments, and Jay EI intend to proceed with construction as soon as market conditions support development. Jay EI is seeking to deliver a quality development with well-considered streetscape, landscaping and housing design in the direct vicinity of the Subject Site. This development is anticipated to be delivered progressively over the next 10+ years, hence we are taking a long-term view in our approach to all matters. The Subject Site will have a shared boundary and shared access from Cambridge Road at what will be one of the primary entries to the future neighbourhood. We therefore have a keen interest in ensuring a quality, cohesive design is implemented on both sides of the boundary and the neighbourhood is an attractive and desirable place to live. Our Position: Jay EI partially supports the Proposal. We recognise the need for affordable housing within the local community, dedicated housing to cater for those in the 55+ year age group. We also recognise and understand the benefit in partnering with Kinga Ora (KO) to expedite the provision of housing. Our primary concerns in seeing this happen are: 1.Intent: Ensuring that the intention to cater for 55+ residents is put into effect and will be enduring 2.Quality: Ensuring that whilst the proposed development is tailored to the needs of the residents, that best practice design principles and quality materials are employed. Often the focus on delivering affordable housing can result in sub-optimal outcomes with poor urban form, spartan landscaping and poor-quality materials. 3.Infrastructure: Ensuring appropriate infrastructure upgrades and augmentation are catered for in the agreement between WDC and KO. We have previously discussed our concerns and potential solutions to roading, wastewater and stormwater services in particular in this area where it is clear there is risk and complexity that needs to be worked through. We therefore request that, should WDC proceed with the Proposal, the following mechanisms are put in place to protect our interests, the interests of the community, and the interests of future residents: A.A suitable legal encumbrance on the title of the Subject Site stipulating that residents are to meet criteria generally adopted for elder (+55) housing. B.Inclusion in the land sale or development agreement (or whichever method Council and KO use) between Council and KO of expectations in terms of the quality of urban design and architecture as well as collaboration with Jay EI in design development. We would welcome the opportunity to collaborate through the design process and provide input and peer reviews of proposed designs. C.Allowance in the land sale or development agreement to ensure infrastructure is designed and delivered with consideration to Jay EI's future development plans and any necessary upgrades or augmentation. Jay EI welcomes the opportunity to work collaboratively on these matters and to play its part, however does not want to be left to carry the entire cost and responsibility for infrastructure that has a wider benefit. Further Detail: Jay EI intend to deliver a quality master planned community progressively over the next decade or so. A substantial amount of effort has been expended in compiling a masterplan that creates a high level of open space and amenity, carefully locates a diverse range of housing

Please let us know why

of open space and amenity, carefully locates a diverse range of housing typologies, centralises a boutique neighbourhood centre, and provides infrastructure and engineering solutions that are sympathetic to the existing topography. The figure below illustrates the proposed masterplan including the Subject Site. The Subject Site shares one of the primary access ways from Cambridge Road with the proposed first stage of Jay EI's development, shown as Road 2 in the diagram below (the bold red line indicates the boundary). It is considered likely that the development outcome of the Proposal will impact the perception of the Jay EI development and vice versa. We are seeking increased certainty that the intended development outcomes of the Proposal will be met and that ongoing collaboration with Jay EI is integrated into WDCs agreement or contract with KO. With respect to quality, we understand that affordable does not automatically equate to poor quality, however appropriate checks and balances are required to prevent sub-optimal outcomes. The desirability of the adjacent Jay EI development will likely be influenced by the perception of how the Proposal is delivered. Any urban design team appointed should be required to demonstrate a comprehensive integrated housing design and be held to the same level of scrutiny as WDC would if it were to progress the development. Jay EI have developed design guidelines to provide an architectural baseline to control how a house appears from the street, whilst maintaining flexibility for construction materials and interior fitout. We proposed that a similar guideline is drafted to exclude build designs that are associated with poorly designed housing. With respect to the intended future residents, we understand WDC originally purchased the Subject Site with the intent of developing for elderly housing. It is our expectation that, in any sale to KO, that future property owners maintain this use. We propose that an encumbrance registered on the Title of the Subject Site, and subsequent Record's of Title post subdivision (if subdivision is proposed), would be the appropriate mechanism to provide certainty in this regard. We appreciate the consideration of our submission and would welcome further discussion to clarify or provide further information on the proposed recommendations. Yours faithfully Sean Haynes Development Director Veros Property For and on behalf of Jay EI Limited

Are there any other comments you'd like to make about the proposed sale

Proposed Land Sale: 1262 Cambridge Rd

Submission by Jay El Limited



11 May 2023

Waipa District Council
101 Bank Street
Te Awamutu, 3800

Attn: Ken Morris

RE: Submission on Waipa District Council's proposed sale of 1262 Cambridge Road, Te Awamutu to Kainga Ora

Dear Ken,

This submission is made by Veros Property (Veros) on behalf of our client, Jay El Limited (Jay El) in response to the proposed land sale at 1262 Cambridge Road (Subject Site), Te Awamutu (Proposal) by Waipa District Council (WDC).

Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora? Partially.

Background:

Jay El is a subsidiary company of Park Road Holdings Limited, the landowner directly adjoining the Subject Site, Park Road Holdings landholding spans over 100 hectares and includes the bulk of land within the T11 and T14 growth cells in Te Awamutu. The family has a strong association with Te Awamutu and, after decades of farming this land, intends develop parts of this property into residential housing to meet the growing housing needs of the community. Veros is an experienced property development firm assisting Jay El in achieving a high quality, well thought-out new neighbourhood. Initial consents have been approved for the first stage of their subdivision, comprising 77 new residential allotments, and Jay El intend to proceed with construction as soon as market conditions support development.

Jay El is seeking to deliver a quality development with well-considered streetscape, landscaping and housing design in the direct vicinity of the Subject Site. This development is anticipated to be delivered progressively over the next 10+ years, hence we are taking a long-term view in our approach to all matters. The Subject Site will have a shared boundary and shared access from Cambridge Road at what will be one of the primary entries to the future neighbourhood. We therefore have a keen interest in ensuring a quality, cohesive design is implemented on both sides of the boundary and the neighbourhood is an attractive and desirable place to live.

Our Position:

Jay El partially supports the Proposal. We recognise the need for affordable housing within the local community, dedicated housing to cater for those in the 55+ year age group. We also recognise and understand the benefit in partnering with Kāinga Ora (KO) to expedite the provision of housing. Our primary concerns in seeing this happen are:

1. Intent: Ensuring that the intention to cater for 55+ residents is put into effect and will be enduring
2. Quality: Ensuring that whilst the proposed development is tailored to the needs of the residents, that best practice design principles and quality materials are employed. Often the focus on delivering affordable housing can result in sub-optimal outcomes with poor urban form, spartan landscaping and poor-quality materials.
3. Infrastructure: Ensuring appropriate infrastructure upgrades and augmentation are catered for in the agreement between WDC and KO. We have previously discussed our concerns and potential solutions to roading, wastewater and stormwater services in particular in this area where it is clear there is risk and complexity that needs to be worked through.

We therefore request that, should WDC proceed with the Proposal, the following mechanisms are put in place to protect our interests, the interests of the community, and the interests of future residents:

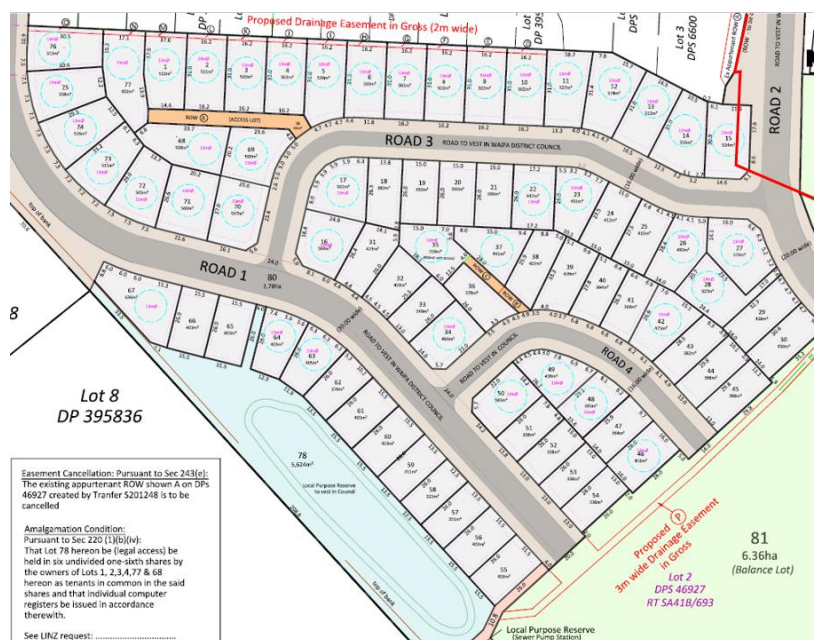
- A. A suitable legal encumbrance on the title of the Subject Site stipulating that residents are to meet criteria generally adopted for elder (+55) housing.
- B. Inclusion in the land sale or development agreement (or whichever method Council and KO use) between Council and KO of expectations in terms of the quality of urban design and architecture as well as collaboration with Jay EI in design development. We would welcome the opportunity to collaborate through the design process and provide input and peer reviews of proposed designs.
- C. Allowance in the land sale or development agreement to ensure infrastructure is designed and delivered with consideration to Jay EI's future development plans and any necessary upgrades or augmentation. Jay EI welcomes the opportunity to work collaboratively on these matters and to play its part, however does not want to be left to carry the entire cost and responsibility for infrastructure that has a wider benefit.

Further Detail:

Jay EI intend to deliver a quality master planned community progressively over the next decade or so. A substantial amount of effort has been expended in compiling a masterplan that creates a high level of open space and amenity, carefully locates a diverse range of housing typologies, centralises a boutique neighbourhood centre, and provides infrastructure and engineering solutions that are sympathetic to the existing topography. The figure below illustrates the proposed masterplan including the Subject Site.



The Subject Site shares one of the primary access ways from Cambridge Road with the proposed first stage of Jay EI's development, shown as Road 2 in the diagram below (the bold red line indicates the boundary). It is considered likely that the development outcome of the Proposal will impact the perception of the Jay EI development and vice versa. We are seeking increased certainty that the intended development outcomes of the Proposal will be met and that ongoing collaboration with Jay EI is integrated into WDCs agreement or contract with KO.



With respect to quality, we understand that affordable does not automatically equate to poor quality, however appropriate checks and balances are required to prevent sub-optimal outcomes. The desirability of the adjacent Jay EI development will likely be influenced by the perception of how the Proposal is delivered. Any urban design team appointed should be required to demonstrate a comprehensive integrated housing design and be held to the same level of scrutiny as WDC would if it were to progress the development.

Jay EI have developed design guidelines to provide an architectural baseline to control how a house appears from the street, whilst maintaining flexibility for construction materials and interior fitout. We proposed that a similar guideline is drafted to exclude build designs that are associated with poorly designed housing.

With respect to the intended future residents, we understand WDC originally purchased the Subject Site with the intent of developing for elderly housing. It is our expectation that, in any sale to KO, that future property owners maintain this use. We propose that an encumbrance registered on the Title of the Subject Site, and subsequent Record's of Title post subdivision (if subdivision is proposed), would be the appropriate mechanism to provide certainty in this regard.

We appreciate the consideration of our submission and would welcome further discussion to clarify or provide further information on the proposed recommendations.

Yours faithfully

Sean Haynes
 Development Director
 Veros Property
 For and on behalf of **Jay EI Limited**



101 Bank Street
Private Bag 2402
Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230545422
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

The Local Government Act 2002 requires submissions to be made available to the public. Your name and/or organisation may be published with your submission and made available in a report to elected members and to the public. Other personal information supplied will be used for administration and reporting purposes only. Please refer to Council's Privacy Statement at [waipadc.govt.nz/privacy-statement](https://www.waipadc.govt.nz/privacy-statement) for further information.

reCaptcha True
Section1
Full name Hayden Stockman
Organisation (if applicable) Wraphaus TeAwamutu
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? No
Phone [REDACTED]

Please let us know why

The addition of Government / Kainga Ora properties alter our privacy and will devalue our property. My partner and I have worked very hard to get into our "Forever home". This may not be the case with the proposed addition. Plans were not initially mentioned by the real estate agent who is or was on the Waipa Council. We have plans to operate a small signage business from our property. We have been told that our driveway will be changed from Cambridge road to the new right of way. This will affect business for us as it will limit access and any advertising. Our first property was in the heart of Nawton, we have experienced what Government homes bring to the surrounding environment first hand. I see they're advertising for 55+ tenants only, who is going to over see this? Who do we speak to if we have issues? Are the tenants to be employed full time, or loiter all day? The sections are planned to literally be on our back fence. Our property will be affected the most. Personally I'm not a fan, and I highly doubt that my neighbors are stoked either.

Are there any other comments you'd like to make about the proposed sale

101 Bank Street
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Te Awamutu 3840
New Zealand

Telephone 00 64 7 872 0030
Fax 00 64 7 872 0033
Email info@waipadc.govt.nz
Website www.waipadc.govt.nz



Proposed land sale submission form

Reference Number: REF230545985
Completed On:
Completed By: ANONYMOUS

Privacy

Privacy statement:

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reCaptcha True
Section1
Full name Tiaki Ana Tikamaiwhea Ormsby
Organisation (if applicable) Ka Puta Ka Ora
Address for correspondence [REDACTED]
Email [REDACTED]
Do you support Council selling a portion of 1262 Cambridge Road to Kinga Ora? Yes
Phone [REDACTED]
Please let us know why
Kia noho haumaru i ngaa whaanau kiihai he tuanui. Manaakitia te rawakore. Tokomaha ngaa whaanau o Apakura, o Hinetuu e noho kiihai he tuanui.
Are there any other comments you'd like to make about the proposed sale
Teena ra taatou katoa, Me matua moohio moata mai i ngaa hui e paa ana ki teenei kaupapa. Kiihai i kite i ngaa meneti mai i ngaa hui tawhito. Kia tiakina te whenua tupu o a maatou Tuupuna. Pai maarire ki runga i a taatou katoa

Submission re Land Sale 1262 Cambridge Rd to Kainga Ora**By Te Awamutu and Kihikihi Community Board****Submitted by Ange Holt, Chairperson****Comments**

The Te Awamutu and Kihikihi Community Board support the sale of this parcel of land for the following reasons:

1. There is a shortage of affordable housing for the 55 + age group (actually a shortage for everyone)
2. If this land is sold to Kanga Ora they can get the 30 houses up and tenanted within 2 years whereas council will take a lot longer - it has been mentioned that it may take between 5 and 10 years to get a project of this size completed.
3. By having KO build these houses it will also enable them to move some of the seniors who are still living in large damp and cold homes that are due to be upgraded. This will mean they can be in warmer homes that are more manageable for them and allow for the bigger homes to have families in them again.
4. As an employee that works in social services I see on a daily basis the need for housing.
5. It is a great location for seniors being close to the PaknSave complex and medical centre there.
6. This is a prudent and sensible way to quickly reduce our lack of housing issue. By working collectively to create more efficient and beneficial outcomes

Other Comments

As the criteria to get into a Kainga Ora home is generally high, ie you currently need to be on the housing list and financially unable to afford market rentals then we also believe there is still a need for pensioner housing here in Te Awamutu for those who do not meet such a threshold. So it is still important for us to be able to provide some affordable housing to our seniors and we would like to see council continue with a long term plan to provide some more pensioner houses that are available using the same criteria as you do currently to fill that gap.



Proposed sale of 1262 Cambridge Road to Kāinga Ora

Submission form

Submissions close: 5pm, Thursday 11 May 2023



Full name

MERVYN JOHN FULFORD

Name of organisation (if applicable)

Address

[Redacted]

Phone number (optional)

[Redacted]

Email (optional)

[Redacted]

Privacy statement:

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Do you support Council selling a portion of 1262 Cambridge Road to Kāinga Ora?

- Yes
- Partially
- No

Please let us know why

I support the sale to Kainga Ora but have been concerned at funds available after debt repayment being used for community projects. Having spoken with Mr Ken Morris I am relieved and happy to know that money from the sale of the Palmer Street units has not been used in the funding of the Cambridge Road land and is being used in the best interest of the elderly of Waipā.

Are there any other comments you'd like to make about the proposed sale?

Some of the sale proceeds are earmarked for community projects. It may be beneficial to use these funds for the development of the remaining 2.35 HA and the resulting sale proceeds going towards community projects.
Otherwise the land will languish. Maybe an eyesore and a burden.

Submissions can be:

Made online: waipadc.govt.nz/haveyoursay

Emailed to: submissions@waipadc.govt.nz Subject heading should read: "Cambridge Road land sale"

Posted to: Waipā District Council Private Bag 2402 Te Awamutu 3840

Attn: Proposed land sale, Cambridge Road

Delivering to Council offices: Waipā District Council 101 Bank Street Te Awamutu Waipā District Council 23 Wilson Street Cambridge Attn: Proposed land sale, Cambridge Road

Important Dates:

Submissions open: Wednesday 19 April

Submissions close: 5pm, Wednesday 11 May 2023

COUNCIL AGENDA



To: Her Worship the Mayor and Councillors
From: Governance
Subject: RESOLUTION TO EXCLUDE THE PUBLIC
Meeting Date: 30 May 2023

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTANGA MATUA

A local Authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting under section 48(1) of the Local Government Official Information and Meetings Act 1987.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
14. Public Excluded Minutes – 26 April 2023 15. Acquisition of Land C1 16. Compulsory Acquisition of Land C1 17. Proposed Lease of Recreation Reserve 18. Reserves Act 1977 – Exercise of Ministerial Delegation (Lease of Recreation Reserve)	<i>Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987</i>	<i>Section 48(1)(a)</i>

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected

by Section 6 or Section 7 of that Act, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:

Item No.	Section	Interest
15,17,18	7(2)(i)	<i>To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>
14,16	7(2)(h)	<i>To enable the council to carry out, without prejudice or disadvantage, commercial activities.</i>