



# KAWERAU DISTRICT COUNCIL

Te Kaunihera ā rohe o Kawerau

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TAONGA O TE WHENUA - TREASURE OF THE LAND

**The Ordinary Meeting of the  
Kawerau District Council will be held  
on Wednesday 26 November 2025  
in the Council Chambers  
commencing at 9.00am**

# **A G E N D A**

## **GUIDELINES FOR PUBLIC FORUM AT MEETINGS**

1. A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council or Standing Committee meeting, which is open to the public. This period may be extended on by a vote by members.
2. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues, which are confidential, personal, or the subject of a formal hearing.
3. Each speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time.
4. Standing Orders are suspended for the duration of the public forum.
5. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised.
6. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

**The Ordinary Meeting of the Kawerau District Council  
will be held on Wednesday 26 November 2025  
in the Council Chambers commencing at 9.00am**

## **A G E N D A**

**1 Karakia Timatanga | Opening Prayer**

**2 Apologies**

**3 Leave of Absence**

**4 Declarations of Conflict of Interest**

Any member having a “conflict of interest” with an item on the Agenda should declare it, and when that item is being considered, abstain from any discussion or voting. The member may wish to remove themselves from the meeting while the item is being considered.

**5 Meeting Notices**

**6 Nga Mihimihi | Acknowledgements**

**7 Public Forum**

**8 CONFIRMATION OF COUNCIL MINUTES**

**8.1 Ordinary Council – 24 September 2025**

**Pgs. 1 - 6**

**Recommendation**

*That the Minutes of the Ordinary Council Meeting held on 24 September 2025 be confirmed as a true and accurate record.*

**8.2 Ordinary Council – 29 October 2025**

**Pgs. 7 - 10**

**Recommendation**

*That the Minutes of the Ordinary Council Meeting held on 29 November 2025 be confirmed as a true and accurate record.*

**8.3 Extraordinary Council – 12 November 2025**

**Pgs. 11 - 16**

**Recommendation**

*That the Minutes of the Extraordinary Council Meeting held on 12 November 2025 be confirmed as a true and accurate record.*

## **9 RECEIPT OF COMMITTEE MINUTES**

### **9.1 Iwi Liaison Committee Meeting – 18 August 2025**

**Pgs. 17 - 19**

#### **Recommendation**

*That the Minutes of the Iwi Liaison Committee meeting held on 18 August 2025 be received.*

### **9.2 Regulatory and Services Committee Meeting – 12 November 2025**

**Pgs. 20 - 24**

#### **Recommendation**

*That the Minutes of the Regulatory and Services Committee meeting held on 12 November 2025 be confirmed as a true and accurate record.*

## **10 RECEIPT OF REGIONAL MINUTES**

### **10.1 Regional Transport Committee Meeting – 19 September 2025**

**Pgs. 25 - 35**

#### **Recommendation**

*That the Minutes of the Regional Transport Committee meeting held on 19 September 2025 be received.*

### **10.2 Bay of Plenty Civil Defence Emergency Management Group Joint Committee Meeting – 26 September 2025**

**Pgs. 36 - 46**

#### **Recommendation**

*That the Minutes of the Bay of Plenty Civil Defence Emergency Management Group Joint Committee meeting held on 26 September 2025 be received.*

## **11 Her Worship the Mayor's Report (101400)**

**Pgs. 47 - 51**

#### **Recommendation**

*That Her Worship the Mayor's report for the period Thursday 25 September to Wednesday 26 November 2025 be received.*

## **12 Action Schedule (101120)**

**Pgs. 52 - 56**

#### **Recommendation**

*That the updated Action Schedule of resolutions/actions requested by Council be received.*

## **13 Standing Orders 2025 – 2028 (Chief Executive Officer) (101105)**

Attached is a report from the Chief Executive Officer covering the Standing Orders 2025 – 2025.

**Recommendations**

1. *That the report “Standing Orders 2025 - 2028” be received.*
2. *That the Standing Orders as proposed are adopted as the Council’s Standing Orders for the 2025 to 2028 triennium and shall apply to all meetings of the Council, its committees and subcommittees.*
3. *That Council confirms the amendments to the standing orders as follows:*
  - i. *That clause 28.4: Minutes of last meeting before election/Ngā meneti o te hui whakamutunga i mua i te pōtitanga, be amended to:*

*The chief executive and the relevant chairpersons may sign, or agree to have their digital signature inserted, to the minutes of the last meeting of the local authority and any committee, local and community boards before or following the next election of members. If the relevant chairperson is not part of the new Council, it is appropriate that a reappointed Councillor as recommended by the Chief Executive can counter sign the minutes.*

- ii. *That under clause 13.8: Member’s Status: Quorum/Te tūnga a te mema: kōrama be amended to:*

*Members who attend meetings by electronic link will be counted as present for the purposes of a quorum*

**14 Code of Conduct (Chief Executive Officer) (101300)**

Attached is a report from the Chief Executive Officer covering the Code of Conduct.

**Recommendations**

1. *That the report “Code of Conduct” be received.*
2. *That Council adopts the Code of Conduct.*
  - a) *As presented with no amendments*

*OR*

  - b) *As presented with the amendment adding the following dress code to the Code of Conduct:*

***Dress Code:***

*Elected members should maintain an appropriate standard of dress at meetings of Committees and Council.*

*It is recognized that the standard of dress will be in accordance with the level of formality of the meeting they are attending.*

*Some principles for guidance are:*

- *Casual dress is appropriate at briefing (workshops);*
- *Committee meetings involve engaging with members of the public, therefore a neat and tidy standard of dress is appropriate;*
- *Council meetings are a formal occasion therefore a more formal standard of dress is appropriate.*

**15 Annual Plan Performance for the three months ended 30 September 2025 (Group Manager, Finance and Corporate Services) (110400)**

**Pgs. 165 - 199**

Attached is a report from the Group Manager, Finance and Corporate Services covering the Annual Plan Performance for the three months ended 30 September 2025.

**Recommendations**

*That the report “Annual Plan Performance for the three months ended 30 September 2025” be received.*

**16 Adoption of Performance Report Porritt Glade Lifestyle Village for year ended 30 June 2025 (Group Manager, Finance and Corporate Services) (201000)**

**Pgs. 200 - 215**

Attached is a report from the Group Manager, Finance and Corporate Services covering the Adoption of Performance Report for Porritt Glade Lifestyle Village ended 30 June 2025.

**Recommendations**

1. *That the report “Adoption of Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025” be received.*
2. *That Council adopts the Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025.*
3. *That the Mayor and Chief Executive Officer are delegated to sign the Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025, following the adoption by Council.*

**17 Recruitment for the Eastern Bay of Plenty District Licensing Committee (Group Manager, Regulatory and Compliance) (308000)**

**Pgs. 216 - 219**

Attached is a report from the Group Manager, Regulatory and Compliance covering the Recruitment for the Eastern Bay of Plenty District Licensing Committee.

**Recommendations**

1. *That the report “Recruitment for the Eastern Bay of Plenty District Licensing Committee” be received.*
2. *That Council approves the extension of the current Commissioner until the recruitment of the Commissioner role is concluded.*

3. *That Council approves the shortlisting of candidates by associated Group Managers from each of the Eastern Bay District Councils (Whakatane, Opotiki and Kawerau).*
4. *That Council nominates one Council member to undertake interviews of the shortlisted applicants.*

## **18 Council Appointments to Committees and Various Organisations (Chief Executive Officer) (109000)**

**Pgs. 220 - 226**

Attached is a report from the Chief Executive Officer covering the Council Appointments to Committees and Various Organisations.

### **Recommendations**

*That the report "Recruitment for the Eastern Bay of Plenty District Licensing Committee" be received.*

## **19 Exclusion of the Public**

### **Recommendation**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

#### **1. Minutes for Confidential Meeting Held on 24 September 2025**

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

<b><i>General Subject of the matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under section 48(1) for the passing of this resolution</i></b>
<i>1. Minutes for Confidential Meeting Held on 24 September 2025.</i>	<i>Maintain the effective conduct of public affairs through the free and frank expression of opinions.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)</i>

*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

## **20 Karakia Whakamutunga | Closing Prayer**

M Godfery

**Chief Executive Officer**

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**Minutes of the Ordinary Meeting of the Kawerau District Council  
held on Wednesday 24 September 2025  
in the Council Chamber commencing at 9.00am**

**Present:** Her Worship the Mayor F K N Tunui  
Deputy Mayor A Rangihika  
Councillor C J Ion  
Councillor R Andrews  
Councillor B J Julian  
Councillor S Kingi  
Councillor J Ross  
Councillor R G K Savage

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Operations and Services (R Nel)  
Group Manager, Regulatory and Planning (M Glaspey)  
Communications & Engagement Manager (T Humberstone)  
Economic and Development Manager (L Barton)  
Administration Officer (L Kerei)  
Mayoral Aide (M Rogers)

**1 Karakia Timatanga | Opening Prayer**

*Pastor Mark Kingi opened the meeting with a prayer.*

**2 Apologies**

*Apologies from Councillor Godfery were received.*

**Councillors Kingi / Andrews  
CARRIED**

**3 Leave of Absence**

*No Leave of Absence were received.*

**4 Declarations of Conflict of Interest**

*No Declarations of Conflict of Interest were received.*

**5 Meeting Notices**

*The Chief Executive Officer gave the following meeting notices:*

- *Tabled are the Mayor's Report and the Action Schedule.*
- *Acknowledgement from all staff and the Management Team to the Elected Members for their service to the community over the past three years.*



## 6 **Nga Mihimihi | Acknowledgements**

*On behalf of tangata whenua of Kawerau, Ngāti Tūwharetoa and Council's Cultural Advisor and Iwi Liaison condolences and acknowledgements of the passing of Tumu Te Heuheu.*

## 7 **Public Forum**

**Anne Kubler** raised the following:

- There is an exposed pipe on the pavement outside the Presbyterian Church on Onslow Street and requesting this be covered in some way.

Chief Executive Officer thanked Mrs Kubler for raising the health and safety risk and advised that this will be raised with the contractor, Horizon as they are currently doing work in this area.

### **Action Item:**

- Council staff to advise the contractor, Horizon about the Health and Safety risk of the pipe.

**Brett Pacey** raised the following:

- There is currently work going on adjacent to the Kawerau Presbyterian Church and has been opened up for the past 4 months now, but the project seems to be at a standstill. The concern is that it is an eye sore.
- There are no speed signs in the town to advise what the speed should be. Mr Pacey recommends having speed signs around town to advise drivers what the speed limit is and to slow down.
- A concern is the state of Tarawera River and the embankment. The river embankment is starting to crumble into the river at Boyce Park and the riverbank needs to be stabilised. There is sediment build up from the land erosion up river. Mr Pacey requested Council to get hold of Regional Council asking to address the issues as low lying areas will be affected. Mr Pacey outlined the Health and Safety risk this is.
- The walkways along the river are starting to get narrow, to the point where it is difficult to walk across. Mr Pacey suggested getting a hold of the local motorcross group to do a survey of all the walkways.
- Suggested for the town pools install a digital clock on the front gate to advise when the pools will open. Also, have what the temperature is of the pools and spa at the entrance of the Centre.

Councillor Julian thanked Mr Pacey for raising his concerns around the speed limit drivers do around Kawerau and for his suggestion to install speed signs. Councillor Julian advised this will be raised at the Eastern Bay of Plenty Road Operational Group meeting, on 3 October 2025.

The Chief Executive Officer will work with Mr Pacey to contact the relevant authorities at Bay of Plenty Regional Council (BOPRC) as they take care of river embankments,

to inspect the embankments. An appointment with Mr Pacey will be scheduled after the Council meeting.

Her Worship the Mayor advised that there may be an opportunity to connect with Ngāti Rangitahi Settlement as there is a Tarawera Awa Restoration Strategy Group, regarding the embankment issues.

**Action Item:**

- Chief Executive Officer to schedule an appointment with Mr Pacey to discuss with the relevant authorities at BOPRC about the embankment.

## **8 CONFIRMATION OF COUNCIL MINUTES**

### **8.1 Ordinary Council – 27 August 2025**

**Corrections:**

- That "... public calls Horizon *it is noted down and Kawerau Council is advised*" be added to the second paragraph under Brett Pacey in Public Forum.
- That a note be added in the second resolution of item 13 – Approval to raise a loan (2025) from Local Government Funding Agency that "medium term loan for water reticulation estimated interest rate of 4.14%). That it is also noted the loan is for the on-going water reticulation.

**Resolved**

*That the minutes of the Ordinary Council Meeting held on 27 August 2025 be confirmed as a true and accurate record.*

**Deputy Mayor Rangihika / Councillor Savage  
CARRIED**

### **8.2 Extraordinary Council – 3 September 2025**

**Correction:**

- On page 12 of the agenda remove C J Ion as the Acting Chairperson and add F K N Tunui Mayor.

**Resolved**

*That the minutes of the Extraordinary Council Meeting held on 3 September 2025 be confirmed as a true and accurate record.*

**Councillors Julian / Kingi  
CARRIED**

## 9 **CONFIRMATION OF COMMITTEE MINUTES**

### 9.1 **Regulatory and Services Committee Meeting – 10 September 2025**

**Correction:**

- Page 15 of the agenda under the action item add "... Kawerau Youth Council through their Bay of Plenty Regional coordinator".

**Resolved**

*That the minutes of the Regulatory and Services Committee Meeting held on 10 September 2025 be confirmed as a true and accurate record.*

**Councillors Ion / Savage  
CARRIED**

## 10 **Her Worship the Mayor's Report**

9.45am Chief Executive Officer departed the meeting

9.47am Chief Executive Officer returned to the meeting

**Resolved**

*That Her Worship the Mayor's report for the period Thursday 21 August to Sunday 21 September 2025 be received.*

**Her Worship the Mayor / Deputy Mayor Rangihika  
CARRIED**

## 11 **Action Schedule (Chief Executive) (101120)**

**Action Item:**

- The Action Schedule be separated into strategic and operational items.

**Resolved**

*That the updated Action Schedule of resolutions/actions as updated and amended requested by Council be received.*

**Councillors Ross / Ion  
CARRIED**

**12 Annual Plan Performance for the year ended 30 June 2025 (Group Manager, Finance and Corporate Services) (110400)**

Council discussed the report on the Annual Plan Performance for the year ended 30 June 2025.

**Group Manager, Finance and Corporate Services Update:**

- The infrastructure assets revaluation data was received yesterday (23.09.2025). This is still to be audited.
- Manager explained why there was a loss on disposal of property, plant and equipment.

**Correction:**

- On page 28 of the agenda the “Surplus (deficit) of capital funding (C – D)” should be 232,672 not 232,372.

**Resolved**

*That the report “Annual Plan Performance for the year ended 30 June 2025” be received.*

**Councillors Kingi / Andrews  
CARRIED**

**13 Dog Control Act s10A – Policy and Practices Report 2024/2025 (Group Manager, Regulatory and Planning) (307000)**

Council discussed the report on the Dog Control Act s10A – Policy and Practices Report 2024/2025.

**Elected Members Comments:**

- Acknowledged the small Animal Control team Kawerau Council has and the work they do in the community – well done.

**Resolved**

1. *That the report “Dog Control Act s10A – Policy and Practices Report 2024/2025” be received.*
2. *That Council adopts and publicly notifies the Dog Control Act s10A – Policy and Practices Report for the 2024/2025 year and forwards a copy to the Secretary, Department of Internal Affairs.*

**Councillors Ion / Kingi  
CARRIED**

**14 Exclusion of the Public – 10.37am****Resolved**

*That the public is excluded from the following part of the proceedings of this meeting, namely:*

- 1. Minutes for Confidential Meeting Held on 27 August 2025**
- 2. Stoneham Park Residential Development Phase 2 Engineering Contract**
- 3. Asset Management Data Standard Project**

**Councillors Ross / Andrews  
CARRIED**

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

<b><i>General Subject of the matter to be considered</i></b>	<b><i>Reason for passing this resolution in relation to each matter</i></b>	<b><i>Ground(s) under section 48(1) for the passing of this resolution</i></b>
1. Minutes for Confidential Meeting Held on 27 August 2025. 2. Stoneham Park Residential Development Phase 2 Engineering Contract. 3. Asset Management Data Standard Project.	Maintain the effective conduct of public affairs through the free and frank expression of opinions.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48 (1) (a) (i)

*This resolution is made in reliance on Section 48(1) (a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by Section 7 (2) (b) (i) of that Act.*

**11.17am Elected Members took the time to acknowledge and reflect on the three years.**

**15 Karakia Whakamutunga | Closing Prayer**

**Pastor Mark Kingi closed the meeting with a Karakia at 11.49am.**

F K N Tunui

**Mayor**

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**Minutes of the Inaugural Meeting of the Kawerau District Council  
held on Wednesday 29 October 2025  
at Rautahi Marae commencing at 9.30am**

**Present:** Her Worship the Mayor F K N Tunui  
Councillor M Dowie  
Councillor T Hill  
Councillor B J Julian  
Councillor S Kingi  
Councillor G Leokava-Taani  
Councillor J Ross  
Councillor A R Worsley

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Operations and Services (R Nel)  
Group Manager, Regulatory and Planning (M Glaspey)  
Communications & Engagement Manager (T Humberstone)  
Economic and Development Manager (L Barton)  
Senior Executive to the Mayor and CEO (P Maxwell)  
Mayoral Aide (M Rogers)

## **1 Powhiri**

The inaugural meeting commenced with a Powhiri to welcome the new and returning Elected Members, their whanau (families) and the community of Kawerau.

The formalities were led by Te Waraki Te Ruki of Rautahi Marae and Lincoln Savage of Ngati Tuwharetoa ki Kawerau Hauora. Council's Iwi Liaison and Cultural Advisor, Te Haukakawa Te Rire responded on behalf of Her Worship the Mayor and Councillors.

Her Worship the Mayor and Councillors read out and completed a Statutory Declaration pursuant to Clause 14, Schedule 7 of the Local Government Act 2002 and addressed the community of Kawerau following the Powhiri process.

Her Worship the Mayor Faylene Tunui and Councillors Sela Kingi and Justin Ross read their declaration in both English and Te Reo Māori

The Powhiri process concluded at 11am in Karakia by Council's Iwi Liaison and Cultural Advisor Te Haukakawa Te Rire. Refreshments were available in the Wharekai for Elected Members, whanau (families) and the community of Kawerau.

Following the Powhiri the meeting adjourned to allow Elected Members and visitors to have refreshments.

The Meeting reconvened in Te Aotahi Wharenui at 2.05pm

## 2 **Karakia Timatanga | Opening Prayer**

Pastor Mark Kingi opened the meeting with a Karakia

## 3 **Apologies**

Apologies from Councillor Elect Waikite Apiata were received.

**Councillors Ross / Kingi  
CARRIED**

## 4 **Public Forum**

No Public Forum were received.

## 5 **Declaration of Election Results – District of Kawerau**

Pursuant to section 86 of the Local Electoral Act 2001, CEO Morgan Godfery formally declared the results of the election and Māori Wards poll as follows:

- Faylene Karen Ngareta Tunui elected as Mayor
- Berice Julian and Sela Kingi elected as District-wide Councillors
- Tracy Hill, Justin Ross and Anthony Worsley elected as General Ward Councillors
- Waikite Apiata, Mal Dowie and Gloria Leokava-Taani elected as Māori Ward Councillors
- The option to keep Māori wards for Kawerau District Council, effective for the 2028 and 2031 triennial elections was passed.

### **Resolved**

*That the report “Declaration of Election Results – District of Kawerau” be received.*

**Councillors Julian / Kingi  
CARRIED**

## 6 **Declaration by the Mayor and Councillors**

CEO Morgan Godfery formally recorded that Her Worship the Mayor and seven Councillors completed their Statutory Declaration pursuant to clause 14, Schedule 7 of the Local Government Act 2002 as part of the Powhiri process.

### **Declaration by Mayor and Members in English**

“I [*first name, surname*], declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of District of Kawerau, the powers, authorities, and duties vested in, or imposed upon, me as [*Mayor or Member*] of the Kawerau District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

### **Declaration by Mayor and Members in Māori**

E whakapono ana ahau, [first name, surname] kia mau oku oati i runga i oku pukenga, ki te whai, me te mahi nga mahi o te kaunihera-a-rohe o Kawerau, me te whakatakoto i nga wawata o te hāpori, kua uhia nei ki runga ki ahau, kia ai hoki ki te Ture Kāwanatanga-ā-Taiao rua mano ma rua (2002), ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui, kotahi mano, iwa rau, waru tekau ma whitu (1987), me ētahi Ture anō rānei.

Mayor Tunui explained that Councillor Elect Apiata will make his declaration at a later Council meeting.

### **Resolved**

*That the report “Declaration by the Mayor and Councillors” be received.*

**Councillors Ross / Kingi  
CARRIED**

## **7 Adoption of Annual Report and Summary for year ended 30 June 2025 (Group Manager, Finance and Corporate Services) (201000)**

Council discussed the report on the Adoption of Annual Report and Summary for year ended 30 June 2025.

### **Group Manager, Finance and Corporate Services Updates:**

- Group Manager, Finance and Corporate Services provided an overview of the Annual Report and Summary for year ended 30 June 2025 and advised of late minor adjustments from Audit New Zealand as follows:

#### **Late Audit Changes to Annual Report for year ended 30 June 2025**

Page 36	Note 7 Impairment of receivables was (note 10) not (note 9)
Page 62	Water Supply was 99.95% not 99.85%
Page 90	Under Taumata Arowai typo should be “four” not for step scale

#### **Late Audit Changes to Summary Annual Report for year ended 30 June 2025**

Page 13	Statement of Service Performance should be 59 to 109 not 57 to 107
Page 14	Activity table for Environmental Services the result should be 62% not 73%
Page 14	Democracy annual works completed was 73% not 72%
Page 14	Environmental Services targets not met – the wording for the residents surveyed, was reworded to be consistent with the full Annual Report.
Page 15	Water Supply was 99.95% not 99.85%
Page 16	Completion of 60% drinking water had in the word District changed to Community to be consistent with Full Annual Report

- Manager Butler advised that Audit New Zealand, was issuing a clear/unqualified opinion that says the financial statements as presented are true and correct. There will be a note in the Audit Opinion relating to Local Water Done Well which is consistent across all Councils due to the uncertainty of delivery.



**Elected Members Comments:**

- Elected Members discussed the report and acknowledged the previous Council table and staff for the work and results as presented.

**Resolved**

1. *That the report "Adoption of Annual Report and Summary for the year ended 30 June 2025" be received.*

**Councillors Ross / Kingi  
CARRIED**

2. *That Council adopts the Annual Report and Annual Report Summary including amendments as tabled for the year ended 30 June 2025.*

**Councillors Kingi / Ross  
CARRIED**

3. *That the Mayor and Chief Executive Officer are delegated to sign the Annual Report for the year ended 30 June 2025 following the adoption by Council.*

**Councillors Kingi / Ross  
CARRIED**

## **8 Karakia Whakamutunga | Closing Prayer**

Pastor Mark Kingi closed the meeting with a Karakia at 2.42pm

F K N Tunui

**Mayor**

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**Minutes of the Extraordinary Meeting of the Kawerau District Council  
held on Wednesday 12 November 2025  
commencing at 9.04 am**

**Present:** Her Worship the Mayor F K N Tunui  
Deputy Mayor S Kingi  
Councillor W Apiata  
Councillor M Dowie  
Councillor T Hill  
Councillor B J Julian  
Councillor G T Leokava-Taani  
Councillor J Ross  
Councillor A R Worsley

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (R Nel)  
Communications & Engagement Manager (T Humberstone)  
Economic and Community Development Manager (L Barton)  
Administration Officer (L Kerei)  
Mayoral Aide (M Rogers)

**1 Karakia Timatanga | Opening Prayer**

*Pastor Mark Kingi opened the meeting with a karakia | prayer.*

**2 Apologies**

*No Apologies were received.*

**3 Leave of Absence**

*No Leave of Absence were received.*

**4 Declarations of Conflict of Interest**

*No Declarations of Conflict of Interest were received.*

**5 Meeting Notices**

*Chief Executive Officer advised the following have been tabled:*

- *Run sheet for the day.*
- *An additional item to the agenda (13) and change of order of business.*
- *A short print out of the agenda with the change to the order of business.*

## 6 **Nga Mihimihi | Acknowledgements**

*No Nga Mihimihi | Acknowledgements were received.*

## 7 **Public Forum**

*No Public Forum were received*

## 8 **Declaration by Councillor Waikite Apiata (Chief Executive Officer) (101285)**

The following declaration was made and signed:

### **Declaration by Member in Māori**

E whakaponono ana ahau, Waikite Shane Apiata kia mau oku oati i runga i oku pukenga, ki te whai, me te mahi nga mahi o te kaunihera-a-rohe o Kawerau, me te whakatakoto i nga wawata o te haponi, kua uhia nei ki runga ki ahau, kia ai hoki ki te Ture Kāwanatanga-ā-Taiao rua mano ma rua (2002), ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui, kotahi mano, iwa rau, waru tekau ma whitu (1987), me ētahi Ture anō rānei.

### **Declaration by Member in English**

"I Waikite Shane Apiata, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of District of Kawerau, the powers, authorities, and duties vested in, or imposed upon, me as a Member of the Kawerau District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."

## 9 **Appointment of Deputy Mayor (Chief Executive Officer) (103000)**

Council discussed the report on the Appointment of Deputy Mayor.

### **Resolved**

1. *That the report "Appointment of Deputy Mayor" be received.*
2. *That Council notes that Cr Kingi is appointed to the position of Deputy Mayor in accordance with the provisions of section 41A (3) of Local Government Act 2002.*

**Councillors Ross / Julian  
CARRIED**

## 10 **Explanation of Legislation affecting Elected Members (Chief Executive Officer) (103000)**

Council discussed the report on the Explanation of Legislation affecting Elected Members.

### **Resolved**

*That the report "Explanation of Legislation affecting Elected Members" be received.*

**Councillors Dowie / Hill  
CARRIED**

## 11 **Council Structure and Meeting Schedule (Chief Executive Officer) (103000)**

Council discussed the report on the Council Structure and Meeting Schedule.

### **Chief Executive Officer Comment:**

- Acknowledged Her Worship the Mayor and the Mayoral Aide for the work they did to put together the Terms of References (TORs) and the new council Structure.

### **Elected Members Comments:**

- Her Worship the Mayor explained the change of the Council Structure and the reasons for it.
- Councillors acknowledged Her Worship and the Mayoral Aide for the work that was done to form the TORs and the new council structure as this gives a clear indication and understating of the role of each committee.
- An invitation to go out to the Kawerau Principals' Association to discuss or include in the membership of the Kawerau Accessibility Group.

### **Resolved**

1. *That the report "Council Structure and Meeting Schedule" be received.*
2. *That Council notes:*
  - 2.1 *That a Regulatory and Services Committee is established according to the Terms of Reference contained in Appendix 1.*
  - 2.2 *That all Elected Members sit as members of the Regulatory and Services Committee.*
  - 2.3 *That the subordinate committees to the Regulatory and Services Committee are established according to the Terms of Reference specified in Appendix 1.*
  - 2.4 *That Deputy Mayor Kingi is appointed Regulatory and Services Committee chairperson.*

**Councillors Ross / Dowie  
CARRIED**

### **Resolved**

- 2.5 *That an Iwi Liaison / Cultural Advisor Committee is established according to the Terms of Reference contained in Appendix 1.*
- 2.6 *That Her Worship Mayor Tunui is appointed Iwi Liaison / Cultural Advisor Committee chairperson.*

**Deputy Mayor Kingi / Councillor Apiata  
CARRIED**

**Resolved**

- 2.7 *That a Risk and Assurance Committee is established according to the Terms of Reference contained in Appendix 1.*
- 2.8 *That the Independent Member is appointed Risk and Assurance Committee chairperson.*

**Councillor Julian / Deputy Mayor Kingi  
CARRIED**

**Resolved**

- 2.9 *That a He Hapori Ora / Thriving Community Committee is established according to the Terms of Reference contained in Appendix 1.*
- 2.10 *That the subordinate committees to He Hapori Ora / Thriving Community Committee are established according to the Terms of Reference as specified in Appendix 1.*
- 2.11 *That Cr Ross is appointed He Hapori Ora / Thriving Community Committee chairperson.*

**Deputy Mayor Kingi / Councillor Hill  
CARRIED**

**Resolved**

- 2.12 *That a Hearings Committee is established according to the Terms of Reference in Appendix 1.*
- 2.13 *That Cr Julian is appointed Hearings Committee chairperson.*

**Councillor Ross / Deputy Mayor Kingi  
CARRIED**

**Resolved**

- 2.14 *That Her Worship the Mayor exercise her powers under the Local Government Act 2002 to appoint all other Committee members as specified in the Terms of Reference in Appendix 1, as well as members of regional committees.*
  - 2.15 *That Terms of Reference and appointments to Committees will be reviewed after 12 months.*
3. *That the meeting schedule for Ordinary Meetings of Council and meetings of the specified Committees in Appendix 2 be adopted.*

**Councillors Apiata / Worsley  
CARRIED**

**12 Elected Members' Remuneration – Following Elections to 30/06/2026 (Group Manager, Finance and Corporate Services) (101310)**

Council discussed the report on the Elected Members' Remuneration – Following Elections to 30/06/2026.

**Group Manager, Finance and Corporate Services Comments:**

- Highlighted the timing and how the allowances are calculated.
- The highlighted clauses on pages 80 and 83 of the agenda relate to amendment clauses to the Local Government Elected Members (2025/26) Determination 2025.

**Resolved**

1. *That the report "Elected Members' Remuneration – Following Elections to 30/06/2026" be received.*

**Councillors Ross / Dowie  
CARRIED**

**Resolved**

2. *That elected members confirm:*
  - a) *the three positions of additional responsibility of the Deputy Mayor & Chair Regulatory and Services Committee (combined), Chair of Thriving Community Committee and Chair Hearings Committee and recommend the following proposed remuneration to the Remuneration Authority:*
    - *Deputy Mayor & Chair of Regulatory & Services Committee \$55,244*
    - *Chair of Thriving Community Committee \$39,899*
    - *Chair of Hearings Committee \$39,899*
    - *Councillor (with no additional responsibilities) \$30,691*

**Councillors Julian / Apiata  
CARRIED**

**Resolved**

3. *That elected members approve the elected members' allowances as listed for approval by the Remuneration Authority.*

**Councillor Apiata / Deputy Mayor Kingi  
CARRIED**

**13 Water Service Delivery Plan acceptance (Chief Executive Officer) (404000)**

Council discussed the report on the Water Service Delivery Plan acceptance.

**Resolved**

*That the report "Water Service Delivery Plan acceptance" be received.*

**Councillor Julian / Deputy Mayor Kingi**

12 **Karakia Whakamutunga | Closing Prayer**

*Pastor Mark Kingi closed the meeting with a karakia | prayer at 10.24am.*

F K N Tunui

**Mayor**

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**Minutes of the Iwi Liaison Committee  
Held on Monday 18 August 2025  
Commencing at 11.00am  
In the Kawerau District Council Mayor's Office**

**Present:**

Kahika | Mayor Faylene Tunui  
Iwi Liaison and Cultural Advisor Te Haukakawa (Boycie) Te Rire  
Tumu Whakarae | CEO Morgan Godfery  
Roopu Kaiwhakahaere, Whakaritenga me Hanga Tikanga | GM Regulatory & Planning Michaela Glaspey  
Kaiawhina | Senior EA to Mayor and CEO Pari Maxwell  
Kaitautoko | Mayoral Aide Majeane Rogers

**1. Karakia Timatanga | Opening Prayer**

Te Haukakawa Te Rire opened the hui | meeting with a Karakia | Prayer.

**2. Apologies**

Koromatua Waha Tuara | Deputy Mayor Aaron Rangihika

**3. Confirmation of Minutes – 21 July 2025**

That the Minutes of the hui | meeting held on Monday, 21 July 2025 be received, with minor changes.

**4. Verbal Update on Cultural Mahi****4.1 Marukaa (Te Puna Wai me te Pā o Marukaa)****4.1.1 Proposed change of Reserve name**

Roopu Kaiwhakahaere, Whakaritenga me Hanga Tikanga | GM Regulatory & Planning Michaela Glaspey tabled a site map outlining the area currently designated as the Dump Reserve. She explained that there will be two options for Council to consider and was seeking the Committee's preferred option.

1. To subdivide a portion of the Dump Reserve and name it after the chief Marukaa. This option will likely be costly and time consuming with DOC and LINZ approval processes required.
2. To name the whole area of the Dump Reserve after the chief Marukaa. This option will include the area where the Transfer Station is located. Staff will need to ensure that the Transfer Station is not referred to as Marukaa however KDC is limited in its ability to restrict the community from referring to the transfer station as Marukaa.

Koro Te Haukakawa shared that, other hapu | sub-tribes lived in the area titled 'Dump Reserve'. The location of the pa site of Marukaa was only near the spring.

Kahika | Mayor Tunui shared that while the Surveyors map had pre-determined the whole area to be named Dump Reserve, which currently includes the pa site and spring of Marukaa, that the longer process of subdividing maybe necessary to honour the Chief and his pa site. Kahika | Mayor Tunui asked staff to work closely with Tangata Whenua and the Community to ensure that the name Marukaa Reserve would be protected and not used in reference to the Transfer Station, should the renaming process be undertaken.

The Committee's recommendation was to propose the renaming of the Dump Reserve to Marukaa Reserve to honour the Chief Marukaa, his pa site and spring while continuing to explore both options and any associated cost and approval processes i.e. DOC and LINZ.

Roopu Kaiwhakahaere, Whakaritenga me Hanga Tikanga | GM Regulatory & Planning Michaela Glaspey will re-engage with Ngati Tuwharetoa BoP Settlement Trust seeking their feedback on the Committee's recommendation. Once their



feedback has been provided, a report will go to Council seeking approval to change the name from Dump Reserve to Marukaa Reserve in honour of the Chief.

#### 4.1.2 QR Code on Marukaa Plaque

The korero | information provided by Koro Te Haukaka was passed on to staff to create a QR Code. The Committee will be notified once the QR Code has been placed on the Marukaa Plaque, located near the water station.

#### 4.2 Te Reo, Waiata, Powhiri, Poroporoaki, Cultural Awareness and Organisation Karakia

- Waiata Lessons

Iwi Liaison and Cultural Advisor Te Haukaka Te Rire invited Council Kaimahi | staff to join him at the Tuwharetoa ki Kawerau Hauora.

Tumu Whakarae | CEO Godfery shared that Nikorima and Rocky Broughton, of Tuwharetoa ki Kawerau Hauora, offered to hold waiata lessons with our Kaimahi | staff at Council. The aim was to start during Maori Language Week.

Kahika | Mayor Tunui acknowledged the manaaki | help from Tumu Whakarae Kererua Savage and his Kaimahi | staff. She supported those that were comfortable going across to the Hauora with Koro Te Haukaka as well as those that preferred to meet with Nikorima and Rocky for waiata lessons at the Council office.

#### 4.3 Local Body Elections 2025

- A list of 14 candidates for 9 elected member representative roles for Mayor, At Large, General and Maori Ward were tabled as well as a timetable for Meet the Candidates.
- Kahika | Mayor Tunui clarified that those on the Maori Electoral Roll, can vote for 1 Mayor, 2 District Wide (At Large) Councillors and 3 Maori Ward Councillors and whether to keep or remove Maori Wards.
- Kahika | Mayor Tunui also noted that those on the General Electoral Roll, can vote for 1 Mayor, 2 District Wide (At Large) Councillors and 3 General Ward Councillors and whether to keep or remove Maori Wards.
- Iwi Liaison and Cultural Advisor Te Haukaka Te Rire enquired as to what happens with his role after the elections. Kahika | Mayor Tunui assured him that regardless of the makeup of the table, his mahi | work would continue, the same as Tumu Whakarae | CEO Godfery and Kaimahi | Staff.

#### 4.4 Stoneham Park Proposed Housing Development Name

- Tumu Whakarae | CEO Godfery followed up with Ngāti Tūwharetoa Settlement Trust regarding the alternate development names proposed by Tangata Whenua. The name proposed by the Settlement Trust was in recognition of being the first Tuwharetoa descendant to be the Mayor of Kawerau.
- Iwi Liaison and Cultural Advisor Te Haukaka Te Rire cautioned the Committee not to name the development after the current Mayor to protect her and her whanau. He recommended that we have a korero with the Settlement Trust to find an agreed name.
- Kahika | Mayor Tunui thanked Tumu Whakarae | CEO Godfery for sharing the proposed name from the Settlement Trust, however she recommended to look at a name that reflected the values and attributes of leadership of both Tangata Whenua and Council. She acknowledged that there had been a former long-serving Mayor of 21 years that would take precedence before her.
- Kahika | Mayor Tunui proposed the name Manaia, which had been mooted in earlier discussions, as this was the name of Tuwharetoa when he was born.
- The Committee decided to korero | discuss further then feedback to Council.

**ACTION: Staff to report to Council to formalise consultation with the Community on a proposed Development Name, pending other suggested names from Tangata Whenua.**

#### 4.5 Hardie Avenue Housing Development - Ngāti Tūwharetoa Settlement Trust (NTST)

- Tumu Whakarae | CEO Godfery received positive feedback from NTST regarding the updated Memorandum of Understanding (MOU). He was yet to organise a hui | meeting to finalise the next steps regarding an MOU signing ceremony.

#### 4.6 Council-Led Briefing on Local Water Done Well

- Council presented to Ngāti Tūwharetoa Settlement Trust on Tuesday 12 August at the NTST Office. The Trust was in support of Council's delivery option which was to deliver water services in-house via an internal business unit.

#### 4.7 Invitation to Geothermal Week – 30-31 July 2025, held in Taupo

- Kahika | Mayor Tunui attended the launch of the Government's draft Geothermal Strategy in support of Ngāti Tūwharetoa BoP Settlement Trust with the Chair.
- In attendance were Minister for Regional Development, Resources and Associate Minister for Energy Hon. Shane Jones, MP for Taupo Hon. Louise Upston and Minister of Science Innovation and Technology, Hon. Dr Shane Reti.

### **Karakia Whakamutunga**

Koro Te Haukakawa closed the meeting with a Karakia | Prayer at 12.15pm

F K N Tunui

**Kahika | Mayor**

**Minutes of the Regulatory & Services Committee  
held on Wednesday 12 November 2025  
commencing at 11.00am**

**Present:** Deputy Mayor S Kingi (Chairperson)  
Her Worship the Mayor F K N Tunui  
Councillor W Apiata  
Councillor M Dowie  
Councillor T Hill  
Councillor B J Julian  
Councillor G T Leokava-Taani  
Councillor J Ross  
Councillor A R Worsley

**In Attendance:** Chief Executive Officer (M Godfery)  
Group Manager, Finance and Corporate Services (L Butler)  
Group Manager, Regulatory and Planning (M Glaspey)  
Group Manager, Operations and Services (R Nel)  
Communications & Engagement Manager (T Humberstone)  
Economic and Community Development Manager (L Barton)  
Administration Officer (L Kerei)  
Mayoral Aide (M Rogers)

**1 Karakia Timatanga | Opening Prayer**

*Pastor Mark Kingi opened the meeting with a prayer.*

**2 Apologies**

*No Apologies were received.*

**3 Leave of Absence**

*No Leave of Absence were received.*

**4 Declarations of Conflict of Interest**

*No Declarations of Conflict of Interest were received.*

**5 Public Forum**

*No Public Forum were received.*

**PART A – REGULATORY****6 Monthly Report - Regulatory and Planning Services (Group Manager, Regulatory and Planning) (340000)**

The Committee discussed a report from the Group Manager, Regulatory and Planning covering activities for the months of September and October 2025.

**Group Manager, Regulatory and Planning Comments/Updates:**

- The Public Alcohol Hearings that were listed in item 3, scheduled for November have been cancelled as an agreement has been met.
- The approval for an exemption for the District Plan Review is still underway but there is no flow on effect, and all consents continue to be processed under Councils current processes.

**Action Item:**

- Group Manager to inform elected members about what the acronym IANZ stands for.

**Resolved**

*That the report from the Group Manager, Regulatory and Planning for the months of September and October 2025 is received.*

**Councillors Julian / Apiata  
CARRIED**

**PART B – NON-REGULATORY****7 Monthly Report – Finance and Corporate Services (Group Manager, Finance and Corporate Services) (211000)**

The Committee discussed a report from the Group Manager, Finance and Corporate Services covering activities for the months of September and October 2025.

**Group Manager, Finance and Corporate Services Comment:**

- That the invoice paid to NZTA in October was a reimbursement to them as this was paid twice by NZTA.

**Correction:**

- On page 11 of the agenda, the overall decreased funds should state \$975,873 not \$1,011,873.

**Elected Members Comments:**

- Elected Members queried if Council would require Zero Fibres Asbesto Consultants Ltd in the future for Central Cove and any new development that may occur in that area. Communications and Engagement Manager advised that this will possibly be the last time as Council believes the section that had asbestos removed was the last. It was also noted that everytime a new house/section is sold it is tested for asbestos.

- Acknowledged the Sir James Fletch Kawerau Museum team for the displays and the care they take when it comes to the taonga stored at the Museum.

### **Resolved**

*That the report from the Group Manager, Finance and Corporate Services for the months of September and October 2025 is received.*

**Councillor Ross / Her Worship the Mayor  
CARRIED**

## **8 Monthly Report - Operations and Services (Group Manager, Operations and Services) (440000)**

The Committee discussed a report from the Group Manager, Operations and Services covering activities for the months of September and October 2025.

### **Group Manager, Operations and Services Comment/Update:**

- Advised the activity area each of projects comes under in Appendix 2.

### **Elected Members Comments:**

- The paint in the main pool at the Maurie Kjar Aquatics Centre is already lifting and bubbling after being painted during the maintenance shutdown at the pools. Elected Members queried if the contractor is responsible for this issue and there be no cost to ratepayers. Group Manager, Operations and Services advised Council has an 8-year guarantee with the supplier so this will be repaired free of charge.
- Acknowledged the operations team for the planned installation of the shade sails at the skate park.

### **Action Item:**

- Group Manager, Operations and Services to query Horizon on the timeframe and targets for streetlights in the Kawerau District
- Communications to go out to the community regarding why there was a change of the kerbside for recycling for paper not being collected.

### **Resolved**

*That the report from the Group Manager, Operations and Services for the months of September and October 2025 is received.*

**Councillors Ross / Apiata  
CARRIED**

**9 Monthly Report - Economic and Community Development (Economic and Community Development Manager) (309005)**

The Committee discussed a report from the Economic and Community Development Manager covering activities for the months of September and October 2025.

**Economic and Community Development Manager Update:**

- Council has confirmed two additional local businesses as funders for Christmas in the Park, Kajavala Forestry Limited and Māori Investment Limited.
- This year will possibly be the last time for Lion Foundation to help fund Christmas in the Park as they have exited from Kawerau.

**Elected Members Comments:**

- Elected Members extended an invitation to Kawerau Youth Council to share their year and highlights to Elected Members
- Acknowledged Mayors Taskforce for Jobs and Kawerau's coordinator for the work they do in Kawerau.
- Acknowledged the 21 rangatahi | youth that received an award at the young achievers awards and the event planners, Kawerau Youth Council.

**Action Item:**

- An invitation to go out to the community for contribution to the Project Revamp.
- A bound copy of the Economic Development Strategy Refresh for the Eastern Bay of Plenty to be given to elected members.

**Resolved**

*That the report from the Economic and Community Development for the months of September and October 2025 be received.*

**Councillor Julian / Apiata  
CARRIED**

**10 Monthly Report – Communications and Engagement (Communications and Engagement Manager) (340100)**

The Committee discussed a report from the Communications and Engagement Manager covering activities for the months of September and October 2025.

**Communications and Engagement Manager Update:**

- The Communications and Operation teams are working together to promote the kerbside and transfer station changes especially during the summertime.
- Communications will be going out in regards to water usage throughout the summer period.
- A meeting with BOPRC has been confirmed for Stoneham Park, this will take place Wednesday, 19 November.

**Elected Members Comments:**

- An invitation was made for governance to be included in the meeting with BOPRC regarding Stoneham Park and for it to be held in the Kawerau District.

**Resolved**

*That the report from the Communications and Engagement Manager for the months of September and October 2025 is received.*

**Councillor Ross / Worsley  
CARRIED**

**11 Karakia Whakamutunga | Closing Prayer**

*Pastor Mark Kingi closed the meeting with a prayer at 12.14pm.*

S Kingi

**Chairperson and Deputy Mayor**

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# Regional Transport Committee

## Open Minutes

<b>Commencing:</b>	Friday 19 September 2025, 9:30 AM
<b>Venue:</b>	Council Chambers, Regional House, 1 Elizabeth Street, Tauranga and via Zoom (Audio Visual Meeting)
<b>Chairperson:</b>	Cr Lyall Thurston – Toi Moana Bay of Plenty Regional Council (BOPRC)
<b>Deputy Chairperson:</b>	Cr Ken Shirley – BOPRC
<b>Members:</b>	<p>Mayor Faylene Tunui – Kawerau District Council (KDC)</p> <p>Mayor David Moore – Ōpōtiki District Council (ODC)</p> <p>Andrew Corkill – NZ Transport Agency Waka Kotahi (NZTA) (via Zoom)</p> <p>Cr Andrew von Dadelszen – Alternate, BOPRC</p> <p>Mayor Tania Tapsell – Rotorua Lakes Council (RLC) (via Zoom)</p> <p>Mayor James Denyer – Western Bay of Plenty District Council (WBOPDC)</p> <p>Deputy Mayor Lesley Immink – Alternate, Whakatāne District Council (WDC)</p> <p>Lisa de Coek – KiwiRail (non-voting)</p> <p>Deputy Mayor Jen Scoular – Alternate, Tauranga City Council (TCC)</p>
<b>External Advisors:</b>	Greg Pert – Freight Advisor, Marie Rutherford – NZ Automobile Association Advisor, Paul Wilson – NZ Police Road Safety Advisor
<b>In Attendance:</b>	<p>Cr Kat Macmillan, Cr Stuart Crosby (via Zoom), Oliver Haycock – Director, Public Transport, Amanda Namana – Committee Advisor</p> <p><b><u>Presenters:</u></b> As listed in the minutes.</p>
<b>Apologies:</b>	Cr Conan O’Brien – Alternate, RLC, Dan Kneebone – Port of Tauranga Advisor, Mayor Victor Luca – WDC, Mayor Mahé Drysdale – TCC

### 1. Apologies

#### Resolved

#### That the Regional Transport Committee:



- 1 Accepts the apologies from Cr O'Brien, Dan Kneebone, Mayor Luca and Mayor Drysdale tendered at the meeting.**

**Thurston/Shirley  
CARRIED**

## **2. Chair's Statement**

The Chair reminded all present that the meeting was being livestreamed and recorded, and would be made available on the Bay of Plenty Regional Council website following the meeting: [Regional Transport Committee - 19 September 2025](#)

### **2.1 Update on Wright Road Barriers**

*Presentation: Public Forum - Wright Road* ➡

*Tabled Document 1 - Executive Summary* ➡

*Tabled Document 2 - Roundabout and Intersection data since installation of roundabouts SH2 corridor 2023-24* ➡

*Tabled Document 3 - Transport and Infrastructure Select Committee Petition Submission - SH2 to Ōmōkoroa* ➡

*Tabled Document 4 - Resident Testimonies Collected July 2025* ➡

*Tabled Document 5 - SH2 Katikati South Review Letter to NZTA 1 August 2024 from Al McOnie* ➡

*Tabled Document 6 - Wright Road Detour Costs* ➡

*Tabled Document 7 - Letter to the BOP Regional Transport Committee from Rochelle Zajco RE: Petition to Reinstate the Right Turn at Wright Road* ➡

Presented By: Mike Williams, Alan Thorn, Rochelle Zajco and Fin McDonald

#### **Key Points:**

- Urged NZTA to acknowledge the strong community concern and make provision for right hand turns into and out of all State Highway (SH) 2 lateral roads between Katikati and Ōmōkoroa
- Considered that NZTA had not allowed time for Option 3 safety improvements to prove their effectiveness before proceeding with median barrier installation works
- Willing to meet with NZTA at any time to discuss potential solutions
- Displayed photos taken before the Wright Road turning bay was installed, and of the Option 3 safety improvements undertaken which the community supported and commended
- Maps presented to the community at a "cottage meeting" with NZTA were unclear and responses to residents around whether the road would be blocked were inconclusive
- Wright Road was classed as a significant side road with over 700 cars per day and residents felt they were not sufficiently consulted
- Motorists were frequently performing dangerous driving actions to avoid the barriers e.g. driving on the wrong side of the road to turn right
- A meeting was arranged with NZTA which was subsequently cancelled, following which a petition by residents was submitted to the Transport and Infrastructure Select Committee
- Highlighted crash data at the Wright Road intersection over 25 years, with no accidents being recorded between 2021 and 2024 following the implementation of the safety improvements for Option 3

- Disputed data provided by NZTA and expressed the view that the intersection was now more dangerous
- The community had not been opposed to the installation of centreline barriers at any time, but wanted right turn access reinstated
- The most significant impacts to residents included reduced property values, increases in vehicle running costs, feelings of isolation, cost to local businesses, reduction of school bus services, reduced access to emergency services, closure of tsunami escape routes and negative effects on health and wellbeing
- Expressed concern that the NZTA Board were not provided the full realm of data to inform their decision to consider the reinstatement of right hand turns and would like the opportunity to discuss this.

**Key Points - Members:**

- Noted the presence of NZ Police at the meeting who heard the road safety concerns raised
- Supported the community's frustration with NZTA regarding the intransigence of the situation
- Although safety was of paramount importance, there were always trade-offs with communication, functionality and connectivity between communities.

**Key Points – Cr Margaret Murray-Benge (WBOPDC) :**

- Driver expectations were causing additional safety concerns due to the new imposed limits to access which caused motorists to perform unexpected manoeuvres e.g. going all the way around the roundabout on the state highway.

**In Response to Questions:**

- Additional safety implication now included unsafe actions by drivers, difficulty in navigating the intersection, increased accidents at the roundabouts and vegetation obscuring indicators
- Shortening the barrier at each end would allow large trucks in and out of the Seeka packhouse and the winery
- Considered that the original Option B3 would have provided a high safety outcome and questioned why the decision was made against this being a sufficient solution.

10.25 am – The meeting **adjourned.**

10.30 am – The meeting **reconvened.**

### **3. Declaration of Conflicts of Interest**

None declared

### **4. Minutes**

#### **Minutes to be Confirmed**

#### **4.1 Regional Transport Committee Minutes - 27 June 2025**

**Resolved**

**That the Regional Transport Committee:**

- 1 Confirms the Regional Transport Committee Minutes - 27 June 2025 as a true and correct record.**

**Tunui/Shirley  
CARRIED**

## **5. Presentations**

### **5.1 Tarawera Awa Restoration Strategy Group's Draft Strategy Document**

*Presentation: Tarawera Awa Restoration Strategy Group Draft Strategic Objectives*



Presented by: Dr Frances Teinakore-Curtis (Project Manager) and Jane Waldon (Co-Governance Secretariat)

**Key Points:**

- The project team was developing a legislative strategy to clean up the Tarawera Awa and surrounding areas as a catchment-wide initiative
- Highlighted the iwi/hapū and Council groups that were involved in this mahi
- Outlined the draft strategic objectives, with a focus on the last four (Objectives 11-14) which had relevance to regional transport in relation to Te Awa o Te Atua (Matatā Lagoon)
- Matatā was a unique space for natural hazards and adaptation projects were being worked through with GNS Science/Earth Science New Zealand
- There was strong potential for growth in Matatā and the team were considering ways to draw people to stay, rather than just stopping in/passing through
- Ensuring rail and road networks were safe and protected was critical and any new ventures to be undertaken would consider the impacts to this. Supported building a mechanism for participation in this space to support a collaborative approach
- An aspiration of the strategy group was to rejoin the Tarawera River back to the Matatā Lagoon and have the lagoon empty out directly into the ocean, as it did before the diversion.

**Key Points - Members:**

- Matatā was a major freight corridor for transportation via road
- Broader thinking around contributing factors to assist restoration work included collaborating with KiwiRail toward a solution for resilience.

**In Response to Questions:**

- Resilience work in this project was still in its infancy and gauging which historical feasibility studies could be used and compared with the current situation would inform decisions for moving forward. Formulating actions from the objectives would then occur over time
- Resilience and safety were current focus areas of the current Regional Land Transport Plan (RLTP), with the opportunity for the Committee to consider

initiatives in this space in preparation for the next RLTP. Noted that these activities ultimately rested with NZTA and KiwiRail

- Interested in working with KiwiRail on ensuring resilience from kaitiaki of the assets and understanding how they could help and work together

**Key Points - Jake Barbarich, KiwiRail Upper North Island Regional Infrastructure Manager (via Zoom):**

- Supported the work of the group and the aspirations held for Matatā.

**Resolved**

**That the Regional Transport Committee:**

- 1 Receives the Presentation, Tarawera Awa Restoration Strategy Group's Draft Strategy Document.**

**Tunui/Immink  
CARRIED**

10.57 am - Mayor Tapsell **withdrew** from the meeting.

10.57 am - The meeting **adjourned**.

11.17 am - The meeting **reconvened**.

## **5.2 Golden Triangle Electrification project update**

*Presentation: Golden Triangle Electrification Programme* [⇒](#)

Presented by: Walter Rushbrook, KiwiRail Programme Director - North Island Investments

**Key Points:**

- Although the project was in its early stages, it would have significant opportunities and benefits to the region, and the country as a whole
- KiwiRail carried 25% of New Zealand's export products and were an important part of the economy, particularly in the Bay of Plenty region
- Trains were already a low carbon emission mode of transport and KiwiRail aimed to decarbonise the transport system further to provide a more attractive option internationally, as well as locally
- The Golden Triangle was the busiest part of the rail freight network and focusing on decarbonisation throughout this part of the network would achieve the greatest reduction in carbon emissions from rail
- A comprehensive business case around electrification options of the corridor had been undertaken and was now in the final phases
- The preferred solution to date was a battery electric hybrid locomotive which ran off overhead wires when available, with battery power used when they were not. Double cabs placed at each end of the locomotives ensured an effective and efficient solution which did not require turning around
- Provided details of the existing overhead wires in the current network
- Extending the overhead lines south from Pukekohe would potentially provide an opportunity for future regional/ long distance passenger trains

- The same locomotive would also have functionality to service all feeder lines outside the wider golden triangle
- Next steps included further work with stakeholders and investigation of funding options for each delivery stage.

**In Response to Questions:**

- Hydrogen fuel options had been explored but required a significant amount of electricity, for which a large part of energy produced was not retained, therefore leveraging off the existing electrification system was the preferred option
- Installing overhead wires was expensive so using part battery operation for the network would create optimal balance
- Moving to electric freight trains would make passenger rail more viable through the Kaimai tunnel
- Operational modelling had been undertaken, including options for passenger trains - there was high capacity for this with relatively minor improvements. Noted that it was not KiwiRail's role to initiate regional passenger services, but they would happily work with any councils wanting to investigate this option.

**Resolved****That the Regional Transport Committee:**

- 1 Receives the Presentation, Golden Triangle Electrification project update.**

**Tunui/Immink  
CARRIED**

**5.3 KiwiRail update to Bay of Plenty Regional Transport Committee**

*Presentation: Update from KiwiRail* ➡

Presented by: Lisa De Coek - KiwiRail Acting Group Manager - Government Engagement

**Key Points**

- Provided an update on the Rail Network Investment Programme (RNIP) which was in its second cycle
- Additional track renewals had been completed above those forecasted
- Slope stability works had been undertaken in Hamilton, which ensured the continuity of the East Coast Main Trunk Line
- Any failure, anywhere along the line would stop services which was why planned works focused on supporting reliability and resilience
- The next RNIP was in the planning phase and was a three year programme with a ten year forecast, to be reset each year to maximise outcomes
- Fonterra and New Zealand ports were key KiwiRail customers
- The Golden Triangle was expected to remain a priority for New Zealand, regardless of which government was in place.

**In Response to Questions:**

- A stakeholder engagement plan design was underway for the next RNIP and would be discussed with regional transport committees in 2026 to

establish how best to engage and incorporate regional priorities.

## **Resolved**

### **That the Regional Transport Committee:**

- 1 Receives the Presentation, KiwiRail update to Bay of Plenty Regional Transport Committee.**

**Scoular/Shirley  
CARRIED**

## **6. Reports**

### **6.1 Chairperson's Report**

#### **Resolved**

#### **That the Regional Transport Committee:**

- 1 Receives the report, Chairperson's Report.**

**Thurston/Immink  
CARRIED**

### **6.2 NZTA Waka Kotahi Quarterly Update**

*Presentation: NZ Transport Agency Waka Kotahi Update* [⇒](#)

Presented by: Andrew Corkill – Director Regional Relationships (via Zoom)

#### **Key Points:**

- Outlined the national transition underway to New Zealand guide to temporary traffic management (NZGTTM)
- Future speed limit reviews would focus on locations required for roading projects
- Community requests to review speed limits on highways would be added to a register for future consideration
- Outlined emergency repairs and recovery works in the Eastern Bay of Plenty
- Takitimu North Link (TNL) Stage 1:
  - Wairoa River Bridge beams had arrived to connect the East and West sides of the river
  - Two cranes were onsite as a result of piling works at Fifteenth Ave, with beams to be installed later in 2025
  - Completion was expected 2028
- TNL Stage 2 update:
  - Statutory approvals for consent had been lodged under the Fast-Track Approvals Act 2024 and eligibility had been confirmed, meaning the project could now commence once funding was available
- Tauriko West update:
  - Omanawa Bridge replacement had a \$42M construction contract awarded and would commence in October 2025

- Provided a safety improvement update covering SH2 Waihi to Ōmokoroa, SH2 Wainui Rd to Ōpōtiki, SH5 Tairau to Tārukenga and the safety camera programme.

**In Response to Questions:**

- NZTA were providing guidance for Road Controlling Authorities (RCA's) to assist them in navigating the new temporary traffic management guidelines and how to implement this.

**Resolved**

**That the Regional Transport Committee:**

- 1 Receives the report, NZTA Waka Kotahi Quarterly Update;**
- 2 Recommends that right hand turns be reinstated into and out of Wright Road;**
- 3 Writes to the CEO of NZTA, copying the Chairman of the NZTA Board and the Minister of Transport, seeking a detailed explanation and justification for the sustained refusal to enable a right hand turn into and out of Wright Rd from SH2 in spite of the expressed wish of the broader community, also urging that NZTA officials engage openly with the community on this issue.**

**Shirley/Denyer  
CARRIED**

**Andrew Corkill abstained from voting and took no part in the discussion.**

**Information Only**

**6.3 RLTP 2021-31 Annual Monitoring Report**

Presented by: Katri Harmoinen – Senior Transport Planner and Andrew Williams – Manager, Transport Strategy

**In Response to Questions:**

- There was limited influence over some of the RLTP measures due to broader transport trends driven by unforeseen changes in policy and funding
- Anything that supported delivering mode shift would support a shift in the statistics
- Noted that the report card was focused on policy that was set regionally in 2021 and the new RLTP would have a change in priority due to a new central government focus.

**Resolved**

**That the Regional Transport Committee:**

- 1 Receives the report, RLTP 2021-31 Annual Monitoring Report .**

**Thurston/Tunui  
CARRIED**

## 6.4 2024 Regional Land Transport Plan - Implementation Report

Presented by: Tapuwaerenga Hall – Transport Planner and Andrew Williams – Manager – Transport Strategy

### Resolved

**That the Regional Transport Committee:**

- 1 Receives the report, 2024 Regional Land Transport Plan - Implementation Report.**

**Thurston/Immink  
CARRIED**

## 6.5 Highlights of the Triennium 2022-2025

Presented by: Oliver Haycock – Director, Public Transport

### Key Points:

- Highlighted the significant work programme achieved by the Committee over the triennium and the work undertaken in development of the current RLTP. Commended the input and support of members throughout this process, given the uncertain and challenging external environment in regards to policy and funding
- Acknowledged the strong advocacy provided by the Committee throughout the triennium.

### Resolved

**That the Regional Transport Committee:**

- 1 Receives the report, Highlights of the Triennium 2022-2025.**

**Shirley/Scoular  
CARRIED**

## 7 Verbal Updates from Committee Members and Advisors

### 7.1 Verbal Update from Committee Members and Advisors

#### Key Points – Greg Pert, Freight Advisor:

- 93% of freight by tonne was moved by road, and freight was a significant component of New Zealand's productivity and efficiency
- Decisions made by the Committee needed to look holistically at what was best for the entire region.

#### Key Points – Members:

- Members paid tribute to the strong style and successful chairing Cr Thurston had brought to the Committee during the triennium.



**Key Points – Paul Wilson, Acting District Road Policing Manager:**

- Provided detail on the road policing deployment which was funded by the Road Policing Investment Programme which targeted strong levels of enforcement. In the Bay of Plenty this included approximately 80 officers deployed to the open roads
- 83% of fatal crashes occurred on rural roads – through June 2025 there were 6 fatal crashes in the region, followed by 5 in July 2025. In 2023/24 there was an average of one per month
- Removing the risk and identifying the causes of this was a strong focus of NZ Police and NZTA
- Some themes included icy conditions, right hand bends in the road without signage and driver impairment
- Deploying the road policing resource to the rural roads aimed to prevent these issues.

**Key Points – Marie Rutherford, Acting NZ Automobile Association (NZAA) Advisor:**

- Expressed gratitude to the Committee for being invited to participate in meetings as it provided a deeper understanding of issues and projects around the region which assisted their members
- NZAA Council aimed to raise awareness around their commitment to road safety and infrastructure, and advocacy to central government on behalf of members and the broader community where necessary
- NZAA had been campaigning on safety improvements on SH2 and considered that although NZTA had achieved strong outcomes on new and improved intersections, further work needed to be carried out for this
- NZAA on behalf of members sought that new tolling requirements on the Tauranga Eastern Link (TEL) be fair and reasonable to all motorists, whether they were using all or a portion of the road. Also supported that any funds raised were used for repayment and maintenance costs of the TEL.

**Key Points – Deputy Mayor Immink, Whakatāne District Council**

- Highlighted the value of the Committee and the importance of members sharing the details and outcomes of each meeting with their respective councils.

**Key Points – Mayor Tunui, Kawerau District Council:**

- Commended the work undertaken to achieve the current RLTP
- Acknowledged the change in TCC membership during the triennium and extended best wishes for all Committee members standing for re-election.

**Key Points – Cr Thurston, Bay of Plenty Regional Council**

- The Chair thanked members, staff and NZTA for their work and service to the Committee over the triennium.

**12.56 pm – the meeting closed.**

**CONFIRMED 3 OCTOBER 2025**

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Cr Lyall Thurston  
Chairperson, Regional Transport Committee

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Fiona McTavish  
Chief Executive - Bay of Plenty Regional Council

**28.4 Minutes of last meeting before election (Standing Orders)**

*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, its committees and subcommittees before the next election of members.*

# Bay of Plenty Civil Defence Emergency Management Group Joint Committee

## Open Minutes

<b>Commencing:</b>	Friday 26 September 2025, 10:00am
<b>Venue:</b>	Tauranga City Council Chambers, Level 1, 90 Devonport Road, Tauranga and via Zoom (Audio Visual Meeting)
<b>Chairperson:</b>	Mayor Faylene Tunui - Kawerau District Council (KDC)
<b>Deputy Chairperson:</b>	Mayor James Denyer - Western Bay of Plenty District Council (WBOPDC) (via Zoom)
<b>Members:</b>	<p><b><u>Ōpōtiki District Council (ODC):</u></b> Mayor David Moore</p> <p><b><u>Tauranga City Council (TCC):</u></b> Mayor Mahé Drysdale, Cr Kevin Schuler (Alternate)</p> <p><b><u>Whakatāne District Council (WDC):</u></b> Mayor Victor Luca (Via Zoom), Deputy Mayor Lesley Immink (Alternate)</p> <p><b><u>Rotorua Lakes Council (RLC):</u></b> Deputy Mayor Sandra Kai Fong (Alternate) (via Zoom)</p> <p><b><u>Bay of Plenty Regional Council Toi Moana (BOPRC):</u></b> Cr Malcolm Campbell</p> <p><b><u>National Emergency Management Agency (NEMA)</u></b> Shona Morgan - Senior Regional Emergency Management Advisor and Ian Wilson - Regional Emergency Management Advisor (both via Zoom)</p>
<b>In Attendance:</b>	<p><b><u>Emergency Management Bay of Plenty (EMBOP):</u></b> Mark Crowe - Director; James Jefferson - Principal Advisor, Emergency Management; Stace Tahere - Manager, Operations; Paul Greenshields - Manager, Planning; Paul Bourton - Senior Advisor, Operations; Shell Brandt - Advisor, Planning; Samme Moore - Advisor Communications; Ben Neave - Advisor, Planning; Andrea Thompson - Executive Assistant</p> <p><b><u>TCC:</u></b> Paula Naude - Head of Community Outcomes &amp; Emergency Management</p> <p><b><u>WBOPDC:</u></b> Miriam Taris - Chief Executive</p> <p><b><u>WDC:</u></b> John Eruera - Emergency Management Officer</p> <p><b><u>BOPRC:</u></b> Fiona McTavish, Chair of Coordinating Executive Group (CEG) and Chief Executive; Reuben Fraser - General Manager, Regulatory Services; Hayley Sheridan - Legal Counsel, Merinda Pansegrouw - Committee Advisor</p> <p><b><u>KDC:</u></b> Lee Barton - Economic and Community Development Manager</p>

**Te Puni Kōkiri:** Erena Temara - Emergency Management Team Leader

## Apologies:

Mayor Tania Tapsell (RLC), Deputy Mayor Jen Scoular (TCC Alternate), Cr Ron Scott (BOPRC Alternate) and Lily Foulds (NEMA)

## Declaration of Public Recording

Committee members were reminded that the meeting was being recorded and that the recording would be made available on the BOPRC website and archived for a period of three years: [Civil Defence Emergency Management Group Joint Committee Meeting - 26 September 2025](#)

## Opening Karakia

Provided by Stace Tahere.

## 1. Apologies

### Resolved

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Accepts the apologies from Mayor Tania Tapsell (RLC), Deputy Mayor Jen Scoular (TCC Alternate), Cr Ron Scott (BOPRC Alternate) and Lily Foulds (NEMA) as tendered at the meeting.**

**Campbell/Moore  
CARRIED**

## 2. Order of Business

Item 8.8 "National Emergency Management Agency (NEMA) Update Bay of Plenty CDEM Group Joint Committee" was considered before Item 8.7 "Verbal Update: Director, Emergency Management Bay of Plenty".

## 3. Declaration of Conflicts of Interest

None declared.

## 4. Minutes

### Minutes to be Confirmed

### 4.1 Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 4 July 2025

### Resolved

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 **Confirms the Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 4 July 2025 as a true and correct record.**

**Campbell/Denyer  
CARRIED**

## **5. Reports**

### **Decisions Required**

#### **5.1 Bay of Plenty CDEM Group Statutory Appointments**

Presented by: Mark Crowe – Director, EMBOP.

#### **Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 **Receives the report, Bay of Plenty CDEM Group Statutory Appointments;**
- 2 **Approves the appointment of Tina Gedson, Operations and Office Manager, Opotiki District Council as Local Controller for the Bay of Plenty Civil Defence Emergency Management Group as defined under s27(1) of the CDEM Act 2002;**
- 3 **Approves the appointment of Peter Edwards, Building and Planning Manager, Opotiki District Council, as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group as defined under s30(1) of the CDEM Act 2002;**
- 4 **Approves the appointment of Annette Munday, Environmental Health and Compliance Manager, Opotiki District Council, as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group as defined under s30(1) of the CDEM Act 2002;**
- 5 **Approves the appointment of Jo Lynskey, Team Lead Emergency Management, Western Bay of Plenty District Council as Local Recovery Manager for the Bay of Plenty Civil Defence Emergency Management Group as defined under s30(1) of the CDEM Act 2002; and**
- 6 **Approves the rescindment of Paul Davidson and Sam Fellows, Tauranga City Council as Local Controllers for the Bay of Plenty Civil Defence Emergency Management Group as defined under s27(1) of the CDEM Act 2002.**

**Moore/Drysdale  
CARRIED**

#### **5.2 Draft Bay of Plenty CDEM Group Annual Report 2024-2025**

Presented by: Paul Greenshields - Manager, Planning.

##### **Item for Staff Follow Up:**

- Following clarification that the financial figures presented on page 21 of the 2024-2025 Annual Report were expressed in thousands, staff to amend the report by adding three zeros for clarity.

## **Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the Bay of Plenty CDEM Group Annual Report 2024-25; and**
- 2 Endorses the Bay of Plenty CDEM Group Annual Report 2024-25.**

**Campbell/Denyer  
CARRIED**

## **Information Only**

### **5.3 Bay of Plenty CDEM Group Annual Review of Controllers and Recovery Managers 1 July 2024 - 30 June 2025**

Presented by: Mark Crowe – Director, EMBOP.

#### **Key Points:**

- Annual reviews for key leadership roles (Controller, Recovery Manager) were required under the development pathway document (Guide to Development Recovery Manager and Controllers). Reviews assessed training, engagement, professional development, and response/recovery experience
- Where engagement was lacking, follow-up actions were taken to support further development. One local controller was currently being supported with additional training and exposure.

#### **Key Points - Members:**

- Recognised that climate change-related events were increasing and required stronger community engagement and preparedness; accordingly emphasised the importance of public awareness and education around Civil Defence and emergency preparedness
- Highlighted the significance to better communicate the value and impact of emergency management to communities
- Acknowledged the ongoing challenge of elevating emergency management as a public priority, while reaffirming its critical importance to community resilience and preparedness
- Suggested improved visibility of council efforts and collaboration with other agencies and expressed support for councils to proactively communicate their roles and readiness to the public to raise public awareness of emergency preparedness.

#### **Key Points - Staff:**

- Acknowledged the challenge of making emergency management visible and relatable to the public
- Reinforced the importance of the collaborative effort to empowering communities with knowledge and preparedness tools
- Noted that while emergency management might not always be a visible priority, significant investment and progress had been made over the past decade; emphasis had been placed on the need for continued evolution, collaboration, and proactive risk reduction, particularly in land use planning.

**Items for Staff Follow Up:**

- Staff to prepare a report for presentation at a future meeting, outlining ongoing initiatives related to collaboration and investment into public education and community emergency awareness / provide feedback to members on upcoming programmes/initiatives, including summer engagement efforts
- Regional Council to consider leveraging its resident survey to develop a coordinated understanding of community emergency preparedness.

**Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, Bay of Plenty CDEM Group Annual Review of Controllers and Recovery Managers 1 July 2024 - 30 June 2025.**

**Campbell/Moore  
CARRIED**

**5.4 Bay of Plenty CDEM HazardScape Report**

*Presentation 2025-09-26 BOPCDEM HazardScape Report JC ➡*

Presented by: Paul Greenshields - Manager, Planning and Ben Neave - Advisor, Planning.

**Key Points:**

- Draft Bay of Plenty Hazardscape Report was developed to improve the understanding of regional hazards and support public education
- Provided a comprehensive overview of the hazards that posed a risk to the Bay of Plenty region; outlined both natural and human-induced hazards that could impact the Bay of Plenty across the four environments (natural/built/social/economic)
- Consolidated an extensive range of scientific research, geospatial data, historical records, and expert input from across local, regional, and national agencies. Integrated information about over 20 different hazards, including geological, meteorological, biological, technological, and climate-related risks
- Aligned with statutory obligations under the Civil Defence Emergency Management Act 2002 (CDEM Act) and NEMA Guidelines
- Included plain-English summaries of hazards, with context, historical impacts, and management approaches. The report was intended for use across councils, communities, and staff, with annual updates planned to ensure relevance
- Bespoke resources would be developed to support targeted public education campaigns - was intended to be a living resource that continued to evolve alongside new science, community needs, and strategic priorities.

**Key Points - Members:**

- Expressed appreciation for the simplicity and adaptability of the presented Hazardscape Report, noting its potential to be tailored for various

communities facing different risks. Acknowledged the inclusion of economic impacts, particularly infrastructure replacement and devastation.

- Commented on coastal property purchases, highlighting increasing difficulties in securing insurance despite no recent incidents in some areas. Suggested possible engagement with real estate agents through educational sessions, providing factual, safety-focused information to assist buyers in making informed decisions.

**In Response to Questions:**

- Confirmed that the next phase of the Hazardscape Report project involved broader community engagement based on an appropriate rollout strategy which would include outreach to both the private sector and local authority staff
- Confirmed that the GNS Science Active Fault Map (interactive web-based tool) had been used where appropriate, however noted that the GNS Science website was outdated; undertook to contacting GNS Science/Earth Sciences New Zealand suggesting an update.

**Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, Bay of Plenty CDEM HazardScape Report.**

**Campbell/Denyer  
CARRIED**

## **5.5 Declaring States of Local Emergency during Local Government Elections**

Presented by: Mark Crowe – Director, EMBOP.

**Key Points:**

- Provided an overview of the process for declaring a state of emergency during the upcoming Local Government Elections 2025 period
- Typically, this involved consultation with the Minister for Emergency Management or convening an urgent meeting to enable emergency powers
- However, for Elections 2025, three elected members from Tauranga City Council would remain on the Joint Committee during the transition, allowing declarations to be signed off before new councils were sworn in
- This was not a consideration normally, but a result of the special circumstance of the four year term currently being served by Tauranga City Council elected members.

**Item for Staff Follow Up:**

- EMBOP and TCC Emergency Management Staff to coordinate and ensure a clearly defined process would be in place for declaring a state of emergency during the upcoming Local Government Elections 2025 period.

**Resolved**



**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, Declaring States of Local Emergency during Local Government Elections.**

**Campbell/Moore  
CARRIED**

## **5.6 Bay of Plenty CDEM Group Training KPI Measurement**

Presented by: Stace Tahere - Manager, Operations.

### **Key Points - Members:**

- Acknowledged challenges experienced by councils regarding staff engagement and attendance at training
- Noted that upcoming legislative changes may impact training priorities
- Recognised the importance of releasing staff for CDEM training to maintain operational readiness as failure to do so could leave councils vulnerable during emergencies
- Acknowledged that the dual responsibilities of council staff—balancing core roles with civil defence obligations—remained a challenge, and that this issue had been consistently raised throughout the triennium, including in submissions to the Civil Defence Reform Review
- Concurred that investment in training was essential.

### **Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, Bay of Plenty CDEM Group Training KPI Measurement.**

**Luca/Kai Fong  
CARRIED**

## **5.7 National Emergency Management Agency (NEMA) Update Bay of Plenty CDEM Group Joint Committee - 26 September 2025**

Presented by: Shona Morgan, Senior Regional Emergency Management Advisor, NEMA (via Zoom)

### **Key Points:**

- Highlighted updates on the Emergency Management Bill:
  - 324 submissions had been received on the proposal document
  - Bill expected to go to Select Committee by end of year
  - Further opportunity for submissions on the draft bill would be available
- Discussed the Emergency Management System Improvement Programme (EMSIP):
  - Budget bids (for the 2026/2027 financial year) planned for:
    - Regional support teams
    - Public readiness and community development
    - Increasing the Resilience Fund
  - Timeline for budget bids included in update report
- CDEM Resilience Fund:

- Bay of Plenty had previously made strong use of the fund
- Applications to close 31 January 2026; encouraged early preparation.

## **Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, National Emergency Management Agency (NEMA) Update Bay of Plenty CDEM Group Joint Committee - 26 September 2025.**

**Moore/Campbell  
CARRIED**

## **5.8 Verbal Update: Director, Emergency Management Bay of Plenty**

Presented by: Mark Crowe - Director, EMBOP.

### **Key Points:**

- Vacancy Management: recruitment was underway for five roles, including two short-term summer assistant positions
- CDEM Resilience Fund clarification: the budget process for the CDEM Resilience Fund was managed internally by NEMA. Information on [CDEM-Resilience-Fund-IS-3-August.pdf](#)
- Western Bay wind event: a recent wind event caused significant damage to the horticultural sector, particularly avocado growers in Katikati. EMBOP Principal Advisor, Recovery, Julian Reweti had proactively engaged NEMA and the Ministry for Primary Industries (MPI), ensuring support for affected communities. Acknowledged his efforts supporting the community
- Tsunami Mapping Improvements: a new initiative was underway to address delays in tsunami threat assessments. A contract with GNS Science/Earth Sciences New Zealand was in place to develop a “playbook” that would provide immediate threat assessments based on geolocation and magnitude data. Aimed at improving response times and community safety. Completion was expected by February 2026
- Elected Member Induction and Training 2025: CDEM Induction Seminar for incoming elected members was scheduled for 8 December 2025. In addition, a training schedule had been mapped out for the next 12-18 months, which would include short sessions following Joint Committee meetings and a potential midterm refresher
- North Island CDEM Conference: Bay of Plenty Group was initiating a North Island Civil Defence conference to fill a national gap in professional development. The first event had been planned for September 2027 and was intended to be cost-neutral; further details to be reported closer to the time.

### **Item for Staff Follow Up:**

- Western Bay wind event: staff to follow up with MPI regarding potential financial assistance for avocado growers affected by the recent wind event in the Western Bay, and report back to members on details once further information was available.

## **Resolved**

**That the Bay of Plenty Civil Defence Emergency Management Group Joint Committee:**

- 1 Receives the report, Verbal Update: Director, Emergency Management Bay of Plenty.**

**Denyer/Campbell  
CARRIED**

## **6. Public Excluded Section**

### **Resolved**

#### **Resolution to exclude the public**

- 1 Excludes the public from the following parts of the proceedings of this meeting as set out below:**

**The general subject of each 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:**

<b>Item No.</b>	<b>Subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds under Section 48(1) for the passing of this resolution</b>	<b>When the item can be released into the public</b>
6.1	Public Excluded Bay of Plenty Civil Defence Emergency Management Group Joint Committee Minutes - 4 July 2025	As noted in the relevant Minutes.	As noted in the relevant Minutes.	To remain in public excluded.
6.2	Bay of Plenty CDEM Whakaari/White Island Coronal Inquiry Update 26 September 2025	Withholding the information is necessary to maintain legal professional privilege.	48(1)(a)(i) Section 7 (2)(g).	On CDEMG Chair and the Director EMBOP's approval.

**Campbell/Kai Fong  
CARRIED**

### **6.1 Recognition of Service: Barbara Dempsey**

Presented by: Mayor Faylene Tunui, CDEM Group Joint Committee Chair.

Welcomed Barbara Dempsey, Acting General Manager: City Operations and Spaces and Places, Tauranga City Council.

**Key Points:**

- Acknowledged and celebrated Barbara's 27 years of dedicated service to CDEM, including her significant contributions across multiple councils in the Bay of Plenty region
- Barbara began her CDEM journey in 1997 at Ruapehu District Council, later serving in key response and leadership roles at Whakatāne and Ōpōtiki District Councils, and most recently at Tauranga City Council. Her involvement included responses to major events such as the Ohura Floods, Matatā Regeneration, Edgecumbe Floods, and Cyclones Debbie and Cook
- Barbara has played a pivotal role in strengthening emergency management capability, notably growing Tauranga City Council's CDEM team and enhancing staff engagement. Her leadership, experience, and commitment have been instrumental to the Bay of Plenty CDEM Group
- On behalf of the Committee, expressed appreciation and best wishes to Barbara as she was transitioning away from the CDEM portfolio
- Acknowledged that her expertise and presence would be greatly missed.

Mayor Tunui presented Barbara with a plaque to acknowledge her 27 years of dedicated service to civil defence, thanking her for her unwavering support and acknowledging the many years of service to Civil Defence Emergency Management.

Committee members and staff thanked Barbara for 27 years of leadership in civil defence, acknowledging her impact on emergency management and support for elected members.

## **7. Consideration of General Business**

### **7.1 Reflections and Acknowledgements - End of 12<sup>th</sup> Triennium**

**Key Points - Members:**

- Shared reflections on their time with the Bay of Plenty CDEM Joint Committee over the 12<sup>th</sup> Triennium; expressed appreciation for the collaborative work, the importance of civil defence in their roles, and the dedication of emergency management staff across the region
- Acknowledged the challenges and responsibilities of leadership during emergencies. Particular recognition was given to the courage shown by elected members in declaring states of emergency, including during Cyclone Gabrielle, and the importance of timely decision-making to protect communities
- Recognised the increasing complexity of the hazard landscape, particularly in relation to climate change and extreme weather events, and emphasised the importance of preparedness and strong leadership
- Noted the evolution of Civil Defence Emergency Management from a lesser-known function to a highly professional and essential service
- Expressed appreciation for the dedication and support of CDEM staff, especially during high-pressure situations. The importance of teamwork, resilience, and clear communication was emphasised
- The Chair concluded by acknowledging the transition between Directors and reaffirming confidence in the preparedness and professionalism of the Bay of Plenty CDEM Group.

Members wished each other well for the upcoming elections, with hopes to reconvene in the next triennium.

## Closing Karakia

Provided by Stace Tahere.

**11:25am - the meeting closed.**

## CONFIRMED

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Mayor Faylene Tunui  
Chairperson, Bay of Plenty Civil Defence  
Emergency Management Group Joint Committee

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Fiona McTavish  
Chief Executive - Bay of Plenty Regional Council  
Administering Authority

### **28.4 Minutes of last meeting before election (Standing Orders)**

*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, its committees and subcommittees before the next election of members.*

**Meeting** Council

**Meeting Date:** 26 November 2025

**Subject:** Her Worship the Mayor's Report

**File No.** 101400

## 1 **Purpose**

The purpose of this report is to outline meetings, functions and events that I have hosted, attended and/or participated in for the period Thursday, 25 September to Wednesday 19 November 2025.

<b><u>September</u></b>	
Fri 27	<ul style="list-style-type: none"> <li>• Attended the Bay of Plenty Civil Defence Joint Committee meeting, held at Tauranga City Council. <ul style="list-style-type: none"> <li>○ Bay of Plenty CDEM Group Statutory Appointments <ul style="list-style-type: none"> <li>○ Bay of Plenty Civil Defence Emergency Management Group Appointed Controllers</li> <li>○ Bay of Plenty Civil Defence Emergency Management Group Appointed Recovery Manager</li> </ul> </li> <li>○ Draft Bay of Plenty CDEM Group Annual Report 2024-2025</li> <li>○ Bay of Plenty CDEM Group Annual Review of Controllers and Recovery Managers 1 July 2024 - 30 June 2025</li> <li>○ Bay of Plenty CDEM Hazard Scape Report</li> <li>○ Declaring States of Local Emergency during Local Government Elections</li> <li>○ Bay of Plenty CDEM Group Training KPI Measurement</li> <li>○ Verbal Update: Director, Emergency Management Bay of Plenty</li> <li>○ National Emergency Management Agency (NEMA) Update Bay of Plenty CDEM Group Joint Committee - 26 September 2025  <a href="https://infocouncil.boprc.govt.nz/Open/2025/09/CDEM_20250926_AGN_490_4_AT.PDF">https://infocouncil.boprc.govt.nz/Open/2025/09/CDEM_20250926_AGN_490_4_AT.PDF</a> </li> </ul> </li> <li>• Attended the Annual Kawerau Young Achievers ceremony hosted by the Kawerau Youth Council in the Town Hall, supported by Opotiki Mayor David Moore.</li> </ul>
Mon 29	<ul style="list-style-type: none"> <li>• Attended the Mihi Whakatau for new Emergency Management Officer for KDC, Justin Douglas, and kaimahi hou   new staff of Tuwharetoa ki Kawerau Hauora held in the Town Hall.</li> <li>• Hearings Committee Meeting, Chaired by Chair Ion, held in the Council Chambers.</li> </ul>
<b><u>October</u></b>	
Fri 03	<ul style="list-style-type: none"> <li>• Attended the Elected Member End of Triennium Dinner, held at Firmin Lodge.</li> </ul>
Mon 06	<ul style="list-style-type: none"> <li>• Hui   Meeting with Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust and Council's Iwi Liaison / Cultural Advisor committee re: proposed renaming of the dump reserve, Stoneham Park Housing Development &amp; Hardie Avenue Housing Development, held at the NTST office.</li> <li>• Call with Interim CEO of Local Government New Zealand, Scott Necklen re: CEO Performance Review, held in the Mayor's office.</li> </ul>
Wed 08	<ul style="list-style-type: none"> <li>• Extraordinary Council Meeting, Chaired by Mayor Tunui, held in the Council Chambers. <ul style="list-style-type: none"> <li>○ CONFIDENTIAL – CEO Performance Review</li> </ul> </li> <li>• Hearings Committee Meeting, Chaired by Chair Ion, held in Council Chambers.</li> </ul>
Wed 15	<ul style="list-style-type: none"> <li>• Hui   Meeting with MTFJ Coordinator, Amy Hayes and CEO Godfery re: Shortlisting for MTFJ support position, held in the CEO's office.</li> </ul>

Mon 20	<ul style="list-style-type: none"> <li>Day 1 of LGNZ Mayor's School to meet and greet incoming Mayors from around New Zealand, preparing for the role and incoming triennium for 2025 – 2028, held at Te Papa in Wellington.</li> </ul>
Tue 21	<ul style="list-style-type: none"> <li>Day 2 of LGNZ Mayor's School – preparing Mayor's with key insights into functions of LGNZ, held at Te Papa in Wellington.</li> </ul>
Wed 22	<ul style="list-style-type: none"> <li>One on one meetings with returning Councillors – Ross, Julian and. Kingi to congratulate them and prepare for the new triennium, held in the Mayor's office.</li> </ul>
Thu 23	<ul style="list-style-type: none"> <li>One on one meeting with incoming Councillors - Worsley, Leokava-Taani, Dowie, Hill and Apiata to congratulate them and prepare for the new triennium, held in the Mayor's office.</li> <li>Elected Members Meet and Greet afternoon tea, for returning and newly elected members to connect with each other and their whānau   family, held in the Council Chambers.</li> </ul>
Tue 28	<ul style="list-style-type: none"> <li>Attended the Ōpōtiki District Council inaugural swearing in ceremony with Crs. Julian and Hill, held at the Ōpōtiki District Council.</li> </ul>
Wed 29	<ul style="list-style-type: none"> <li>Kawerau District Council Elected Member Inaugural Swearing in Ceremony, held at Rautahi Marae</li> </ul>
Thu 30	<ul style="list-style-type: none"> <li>Meet and Acknowledgment catch-up with the Wastewater Treatment Plant team re: personally, thanking them for their work after the approval of the Water Services Delivery Plan from the Department of Internal Affairs, held at the Water Treatment Plant.</li> <li>Attended the Bay of Plenty Regional Council inaugural swearing in ceremony with Crs Leokava-Taani, Hill and Dowie, held at the BOP Regional Council in Whakatāne.</li> </ul>
Fri 31	<ul style="list-style-type: none"> <li>Attended the 2025 Tarawera High School Senior Prize Giving, held at Tarawera High School.</li> <li>Attended the Central North Island Wood Council Forestry Awards Ceremony with Mayor of Rotorua Tania Tapsell and Cr Thomas Lee of South Waikato, held at the Energy Centre in Rotorua.</li> </ul>
<b><u>November</u></b>	
Tue 04	<ul style="list-style-type: none"> <li>Meeting with CEO Godfery and Mayoral Aide Rogers re: Terms of Reference confirmation and amendment's, held in the Mayor's office.</li> </ul>
Wed 05	<ul style="list-style-type: none"> <li>Attended the Western Bay of Plenty Inaugural Swearing in Ceremony with Crs Kingi, Dowie, Julian, and Hill, held at the Western BOP District Council.</li> </ul>
Thu 06	<ul style="list-style-type: none"> <li>Attended the Whakatāne District Council Inaugural Swearing in Ceremony with Crs Dowie, Julian, Hill and Worsley held at Te Mānuka Tutahi Marae and Whakatāne District Council.</li> </ul>
Fri 07	<ul style="list-style-type: none"> <li>Attended the Kaumatua Whakanui hosted by Tūwharetoa ki Kawerau Hauora, held in the Town Hall.</li> </ul>
Mon 10	<ul style="list-style-type: none"> <li>Catch-up with Mayoral Aide Rogers re: Committee Structures, held in the Mayor's Office</li> <li>Phone call with Independent Chair for the Risk and Assurance committee, Phillip Jones, held in the Mayor's office.</li> </ul>
Tue 11	<ul style="list-style-type: none"> <li>Attended and Participated at the 2025 Armistice Remembrance Day ceremony recognises the ending of World War 1 and those who had fallen, held at the Naval Club Kawerau.</li> </ul>

Wed 12	<ul style="list-style-type: none"> <li>Extraordinary Council Meeting, chaired by Mayor Tunui, held in the Council Chambers. <ul style="list-style-type: none"> <li>Declaration by Councillor Waikite Apiata</li> <li>Appointment of Deputy Mayor</li> <li>Explanation of Legislation affecting Elected Members</li> <li>Council Structure and Meeting Schedule</li> <li>Elected Members' Remuneration – Following Elections to 30/06/2026</li> <li>Water Service Delivery Plan Acceptance</li> </ul> <a href="https://www.kaweraudc.govt.nz/sites/www.kaweraudc.govt.nz/files/document/s/event-calendar/extraordinary_2025.11.12-compressed.pdf">https://www.kaweraudc.govt.nz/sites/www.kaweraudc.govt.nz/files/document/s/event-calendar/extraordinary_2025.11.12-compressed.pdf</a> </li> <li>Regulatory and Services Meeting, chaired by Deputy Mayor Sela Kingi, held in the Council Chambers. <ul style="list-style-type: none"> <li>Monthly Report - Regulatory and Planning Services</li> <li>Monthly Report - Finance and Corporate Services</li> <li>Monthly Report - Operations and Services</li> <li>Monthly Report - Economic and Community Development</li> <li>Monthly Report – Communication and Engagement</li> </ul> <a href="https://www.kaweraudc.govt.nz/sites/www.kaweraudc.govt.nz/files/document/s/event-calendar/rs_agenda_2025.11.12.pdf">https://www.kaweraudc.govt.nz/sites/www.kaweraudc.govt.nz/files/document/s/event-calendar/rs_agenda_2025.11.12.pdf</a> </li> </ul>
Thu 13	<ul style="list-style-type: none"> <li>Attended the Rural and Provincial Sector meeting with Crs Hill and Ross – gaining key insights into the latest on political, economic and social shifts, key conversation with the DIA, Ministry for the Environment and NZTA, giving Mayor's an update and a chance to ask questions, held in Wellington.</li> </ul>
Fri 14	<ul style="list-style-type: none"> <li>Apologies for Mayors Taskforce for Jobs meeting due to travelling back to Kawerau from Wellington.</li> </ul>
Sat 15	<ul style="list-style-type: none"> <li>Invited and attended the Fire and Emergency Annual Awards ceremony for Kawerau, held at the Kawerau Bowling Club.</li> </ul>
Mon 17	<ul style="list-style-type: none"> <li>Meeting with Manager Barton, Manager Humberstone and Mayoral Aide Rogers re: Update on Pathways to Prosperity event, on Thursday 13<sup>th</sup> November, held in the Mayor's office.</li> <li>Meeting with Manager Butler re: Risk and Assurance meetings and upcoming councillor induction session, held in the Mayor's office.</li> <li>Meeting with Manager Nel and Ray Barton re: Waste minimisation and landfill concerns, held in the Mayor's office.</li> </ul>
Wed 19	<ul style="list-style-type: none"> <li>Elected Members Induction Day 1 - providing key updates on functions of council and how to better equip elected members in their role for the triennium, held in Council Chambers.</li> </ul>

## 2 Mayoral Correspondence

25/09	Email received from LGNZ president Sam Broughton re: key updates for LGNZ, Local Body Elections and acknowledgements for the triennium.
26/09	Email received from constituent Valerie Reid re: concerns around financial stability and request for Mayor's support.
29/09	Email received on-behalf of Minister for Building and Construction Chris Penk re: new announcement with the Prime Minister proposing legislative changes to the earthquake prone building system (EPB).
29/09	Email received from Four Winds regional director David Stone re: funding summary for Kawerau, providing an overview of Kawerau applicants and distributions.
30/09	Email received from Executive Assistant for Tūwharetoa ki Kawerau Hauora, Jennifer Lacy on be-half of CEO Kererua Savage re: Introduction to new staff for the Hauora.
01/10	Email received from Malcolm Mulholland re: Buller Declaration for the health system, providing key updates from around NZ.



03/10	Email received from Interim CEO for LGNZ Scott Necklen re: updates on the first Rural and Provincial meetings for the year in Wellington on November 13.
03/10	Email received from Nicola Hadlington from BOPRC providing the Regional Transport Committee minuets for the meeting held on 19 December 2025.
06/10	Email provided from Katrina Magill from Research NZ re: survey request for Sports Bay of Plenty's performance.
06/10	Email received from Jo Seddon, community relations lead for Chorus NZ re: updaters on their latest work on infrastructure priorities programme, digital strategy and community co-funded fibre builds.
14/10	Invitation received from CEO of Chorus, Mark Aue re: end of year function in Wellington on November 12, 2025, with the Chair and Senior Leadership Team, allowing the time to connect and collaborate.
15/10	Email received from the Central North Island Wood Council re: latest AGM update.
15/10	Email received from Neville Johnson and Robyn Goile re: update about a new non-drug based electronic technology for the treatment of viral infections.
15/10	Email received from Interim CEO for LGNZ, Scott Necklen re: information relevant to the upcoming Mayor's school, LGNZ national council nominations and Zone 2 sector chairs processors.
16/10	Email received from Tammie Metcalfe from MTFJ re: update on sponsorship for Outward Bound, allowing Kawerau to seek a young person from (18-24 years old) to participate in their adventures programme.
16/10	Email provided from CEO of Tūwharetoa ki Kawerau Hauora, Kererua Savage – sending through the minuets and report for the EBOP Housing hui on 06 October 2025.
17/10	Invitation received from Laura Goddard from Tarawera High School re: Senior Prize Giving.
20/10	Email received from Isha Kaur from the NZ Veterinary Association, providing a local government briefing, which provides an overview of key updates and initiatives relevant to the veterinary profession and its collaboration with local government.
20/10	Invitation received from New World Owner Clare Gallagher re: New World Value Awards and Christmas function held on November 29 at Tarawera Park.
21/10	Email received on-behalf of the Minister for Arts, Culture and Heritage, Paul Goldsmith re: the lowering of all NZ flags on government facilities, marking the passing of former Prime Minister Rt Hon, Jim Bolger for 23 October 2025.
22/10	Invitation received from Rachel McGillivray from the Royal New Zealand Plunket Board re: formal pōwhiri at Te Mānuka Tūtahi to welcome the new Chair Fiona Wiremu on November 26, 2025.
22/10	Invitation received from the CEO of Central North Island Wood Council Damita Mita re: Forestry awards ceremony held in Rotorua on October 31, 2025.
23/10	Email received from Board Chair Fiona Cassidy from NZ Remembrance Army, providing a letter about modernising war memorials.
23/10	Invitation received from CEO of Western Bay DC for the Inaugural Swearing in Ceremony for newly Elected Members held on 05 November.
24/10	Invitation letter received from the Kawerau Fire and Emergency team re: annual awards ceremony held at the Bowling Club on November 15.
24/10	Invitation received from CEO of Whakatāne District Council Steven Perdia re: pōwhiri and Inaugural Swearing in Ceremony for newly Elected Members held on November 06.
27/10	Email received from Bill Turnbull re: overgrowth at the drains and culvert at the top of Beattie Road, indicating its successful defences to date and request for regular maintenance on clearing debris and grass.
28/10	Email received from Gowan Andresen re: concerns with a large tree located near her home and fears the regular windy weather may topple the tree over – requesting for council support for the topping of the tree.

28/10	Email received from Audit Director Rene Van Zyl re: 2025 audit report for the Kawerau District Council.
29/10	Email received from Malcolm Mulholland re: upcoming nationwide hikoi for the Buller Declaration for the state of NZ health system.
30/10	Email received on be-half of Minister for Civil Defence and Recovery Mark Mitchell re: summary of prepared resources for elected officials, helping navigate and understand the CDEM space.
31/10	Invitation received from Te Aokahari Niao for the Annual General meeting for Bay Wide Community law held on November 14 in Whakatāne.
31/10	Workshop invitation received from CEO Kererua Savage re: insights into Kawerau's social fabric providing an understanding of the community's realities and services provided by the hauora.
31/10	Invitation received from Nikorima Broughton from Tūwharetoa ki Kawerau Hauora re: kaumātua whakanuia kapa haka, held in the Town Hall on 07 November.
02/11	Email received from Susan Foster from Rotary re: Monthly Bulletin.
03/11	Email received from Sonny Kahika from Tumeke FM re: request for a monthly media radio update, providing a summary of what's happening in Kawerau and Council.
05/11	Email received from Four Winds regional director David Stone re: funding summary for Kawerau, providing an overview of Kawerau applicants and distributions.
05/11	Email received from Managing Director of Silvereye Jo Coughlan re: proposed catch-up to discuss regional priorities.
07/11	Email received from Jazmin Henare from Tuia te Here Tangata, seeking expressions of interest to the Tuia Rangatahi Development program for 2026.
11/11	Email received from Gary Kirkland from Manaaki Services re: seeking for potential government agencies to be provided with cleaning services ranging from commercial cleaning to biohazard remediation.
14/11	Email received from Heemi Hill and Te Rina Ransfield re: proposal for the establishment of a Whare Tapere for Kawerau.
16/11	Email received from Tom Rose from Newsroom re: seeking a conversation about the winner of the Lotto at New World Kawerau on 15 November.
17/11	Email received on be-half of Labour MP Tangi Utikere re: local body elections victory.
18/11	Email received on be-half of Minister for Local Government Simon Watts re: local body elections victory and strengthening better partnerships together.
21/11	Email received from Mayor Tapsell re: Housing initiative that have been set up in Rotorua in partnership with Iwi and community housing providers.
23/11	Email received from Ian Holding re: seeking projects or initiatives needing support with his specified field in Finance.

### 3 **RECOMMENDATION**

That Her Worship the Mayor's report for the period Thursday, 25 September to Wednesday 19 November 2025 be received.



Faylene Tunui  
**Kahika | Mayor**

## ACTION SCHEDULE FOR BOTH STRATEGIC AND OPERATIONAL MEETING ACTIONS

Meeting Date	Strategic Action	Operational Action	Comments	Status	Estimated Date
OC 26.06.24	<b>Activity Review for Economic Development</b> <b>ECDM</b> to provide additional information including the return on investment that Council makes to external partners and agencies.		EBOP Economic Development Refresh was adopted by all partner authorities.  An internal Economic Development steering group was formed, including: CEO - M Godfery, E&CDM - L Barton, C&EM - T Humberstone, MA – M Rogers, SNR EA – P Maxwell  ED Steering group meet regularly to develop options and an ED plan for future consideration by Elected Members.  Economic Development event Pathway to Prosperity was held on Thursday 13 November 2025 at Firmin Lodge.	In Progress	
			Update (21/11/2025) KDC ED Steerco will brief Council early 2026 on next steps towards development of a Kawerau led Economic Development Strategy.	Completed	
			Activity Review will be returned back to Council as part of Long Term Plan (LTP) process, with additional information as requested by Elected Members.	In Progress	Feb/Mar 2026
OC 26.06.24	<b>Activity Review for Pensioner Housing</b> <b>C&amp;EM</b> to return the report with additional information including history of the partnership between Council and Kawerau Social Services Trust (that operates Mountain View) and further detail on the implications of any future expansion plans.			In Progress	Post-Election 2025

Meeting Date	Strategic Action	Operational Action	Comments	Status	Estimated Date
	<u>R&amp;S 16.10.24</u> <b>C&amp;EM</b> to provide a timeline for all Housing Development.		Suitable timeframe for the activity review to be returned.  Timeline for the history of the housing development leading to Porritt Glade, will be provided as part of the S17A Activity Review for Pensioner Housing.  An additional report will be provided with the history of other Council-led housing developments comprising Central Cove, Bell Street and Hine Te Ariki and Stoneham Park.		
OC 27.11.24	<b>Adoption of Porritt Glade Lifestyle Village Performance Report for year ended 30 June 2024</b>  <b>GM, F&amp;CS</b> to refresh Elected Members on Porritt Glade Lifestyle Village reporting and accounting principles through a meeting with Audit New Zealand.		Working with Auditors when they are likely to be at KDC on site and when there is an opportunity to present to the new Council.	In Progress	February 2026
OC 26.03.25		<b>Action Schedule</b>  <b>ECDM</b> to provide designs created by the previous Youth Council for the skatepark and basketball area. This will be added to and developed on.	Elected Members were emailed a copy of the Recreation Centre proposal.  <u>Update 22/08/2025</u> Youth Council Members and Sports BOP presented at a workshop on 13/08/2025, re: engagement in the community highlighting the need to develop the skate park, BMX track, basketball court, playground and Rec Centre site  Staff are establishing a steering group, with a view to further youth sector engagement and developing concept plans, in preparedness for a feasibility study and funding plan.	Completed  In Progress	

Meeting Date	Strategic Action	Operational Action	Comments	Status	Estimated Date
		<u>R&amp;S 12.11.25</u> <b>ECDM</b> to send an invitation out to the community for contribution to the Project Revamp.	Internal project team currently focused on methodology around project planning, design and delivery. Community call to action will occur early 2026.	In Progress	March 2026
R&S 13.08.25	<b>Monthly Report – Economic and Community Development</b> <b>ECDM</b> to advise Elected Members following the debrief session with the Ministry of Youth Development (MYD), the reasons the funding application was declined.		As reported to Council in the R&S September 2025 meeting, MYD awarded funding contracts to 12 organisations to deliver youth services under the 'Expanding Youth Enterprise and Education Funding Stream'.  Council still awaits a debrief session appointment from MYD.	In Progress	November 2025
OC 27.08.25	<b>Adoption and Hearing of Submissions to the Draft Waste Management and Minimisation Plan 2025-2031</b> <b>C&amp;EM</b> to go out to the community with the next steps and a timeline for the Waste Management and Minimisation Plan 2025-2031.		Development of the outputs and key actions into the second phase communications' plan taken on board the submissions to the Draft Waste Management and Minimisation Plan.	Planned in parallel with the adoption of the VMMP	Key timeline being finalised as part of the phase 2 comms' plan
R&S 10.09.25		<b>Monthly Report - Economic and Community Development</b> <b>ECDM</b> to engage with the Programme Facilitators of the Young Enterprise Trust to see what support they can provide to the Kawerau Youth Council.	Staff to research opportunities and engage with the organisation.  <u>Update (21/11/2025)</u> Current research indicates a range of educational resources are available on the Trusts website, aimed at upskilling young people in commerce related business. No on the ground and in the region face to face services are offered. Trust has been contacted via website to further engage and await reply. <a href="https://youngenterprise.org.nz/resources">https://youngenterprise.org.nz/resources</a>	In Progress	December 2025

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OC: Ordinary Council      EC: Extraordinary Council      A&R: Audit & Risk Committee      R&S: Regulatory & Services Committee  
GMF&CS: GM, Finance & Corporate Services      GMR&P: GM, Regulatory & Planning  
C&EM: Communication & Engagement Manager      ECDM: Economic & Community Development Manager      GMR&P: GM, Regulatory & Planning

## Completed Items

R&S 12.11.25	<b>Monthly Report - Economic and Community Development</b> <b>ECDM</b> to arrange a bound copy of the Economic Development Strategy Refresh for the Eastern Bay of Plenty for elected members.	Copies were provided to Council on the day as requested. Further copies are available on request, and ample stock is available and encouraged to be distributed at will.
OC 28.05.25	<b>Kawerau Accessibility Group Meeting – 6 March 2025</b> CEO to review the Terms of Reference (TOR) for the Accessibility Group.	TOR for the Accessibility Group will be reviewed at the November Council meeting as part of a suite of TORs
OC 24.09.25	<b>Public Forum – Anne Kubler</b> <b>GM, O&amp;S</b> to advise Horizon about the Health and Safety risk of the exposed pipe outside the Presbyterian Church on Onslow Street and update Ms Anne Kubler.	Horizon were notified of the exposed pipe. Remedial work has now been completed, and the pipe has been covered.
OC 24.09.25	<b>Public Forum – Brett Pacey</b> <b>CEO</b> will work with Mr Pacey to contact the relevant authorities at Bay of Plenty Regional Council (BOPRC) as they take care of river embankments, to inspect the embankments.  Her Worship the Mayor advised that there may be an opportunity to connect with Ngāti Rangitihiri Settlement as there is a Tarawera Awa Restoration Strategy Group, regarding the embankment issues.	CEO Godfery met with Mr Pacey on Wednesday 1 December to discuss the matters he raised.  Mr Pacey was also given the contact details for the Tarawera Awa Restoration Strategy Group to request an audience with the Group regarding the embankment issues.
R&S 12.11.25	<b>Monthly Report - Regulatory and Planning Services</b> GM, R&P to inform elected members about what the acronym IANZ stands for.	IANZ stands for International Accreditation New Zealand which was explained at the Elected Members Induction on Wednesday 19 November.
R&S 12.11.25	<b>Monthly Report - Operations and Services</b> GM, O&S to contact Horizon and query the timeframe and targets for streetlights in the Kawerau District	Streetlight issues that were reported through service requests were addressed promptly. However, lights with cable faults may take longer to repair due to the extensive scope of work and the numerous resources required. The R&S report for September and October 2025 indicated that there were zero overdue streetlight faults. The set target is to complete 90% of faults within 14 days and 10% of faults within 28 days.

	<p>Communications to go out to the community regarding why there was a change of the kerbside for recycling.</p>	<p>The kerbside recycling collection changes have been published on the website and social media. Further updates in the Council newsletter will take place 21/11/25 and the upcoming December issue.</p> <p>Community education is a key focus for the Waste Management and Minimisation Plan and further communication to the community is being planned by Council's Operations and Services and Communications and Engagement teams</p> <p>Further comms' planned for the 2025/26 summer holiday period and in the December issue of the Council Panui, and through-out 2026</p>
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**Meeting:** Council

**Meeting Date:** 26 November 2025

**Subject:** Standing Orders 2025 - 2028

**File No.:** 101105

## 1 **Purpose**

The purpose of this report is to provide Council with a set of Standing Orders for adoption.

## 2 **Background**

The Local Government Act 2002 requires Council to adopt standing orders. Local Government New Zealand in 2022 reviewed and updated the model standing orders. The main reason for the 2022 updates was to recognise the changes that have resulted from technology and to have a consistent meeting process for councils across the country.

The current Standing Orders are attached in the Appendix and are essentially the same as the previous code which was drafted by Local Government New Zealand (LGNZ). There are two recommended amendments to the current standing orders, as detailed in the report in relation to signing of minutes and the quorum for members attending via electronic link.

A 75% majority vote is required to amend Standing Orders.

## 3 **Updates to Standing Orders for Consideration**

The standing orders are the same as Council's previous standing orders apart from two recommended changes for Council's consideration, that are as follows:

- i) An update is recommended regarding the signing of minutes following an Election being section 28.4 which reads as follows:

**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.

The logistics and practicalities of signing minutes within this timeframe is restrictive, especially if there are Council meetings close to the Election date. It is recommended the clause be amended as follows:



#### **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 may sign, or agree to have their digital signature inserted, to the minutes of the last meeting of the local authority and any committee, local and community boards before or following the next election of members. If the relevant chairperson is not part of the new Council, it is appropriate that a reappointed Councillor as recommended by the Chief Executive can counter sign the minutes.*

- ii) A recommended update by LGNZ is to allow members attending meetings by electronic link to be counted as part of the quorum. Council's current standing orders state, "Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

Should members support this recommended change the clause can be updated with the removal of the word "not".

#### **4 Policy and Plan Considerations**

The Standing Orders are not in conflict with any Council policy or plan.

#### **5 Significance and Engagement**

Community views have not been sought on this matter, nor is it considered necessary. The level of significance is considered low and the Standing Orders represent best practice and guidance from Local Government New Zealand.

#### **6 Financial Considerations**

There are no financial implications from the adoption of Standing Orders.

#### **7 Legal Considerations**

The Local Government Act requires Council to adopt Standing Orders, and a 75% majority is required to amend Standing Orders.

#### **8 Conclusion**

The attached Standing Orders reflect the legislation contained in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987. There are no significant changes proposed to the Standing Orders and these Standing Orders worked effectively for the last triennium. It is recommended that the Standing Orders be adopted, with the two recommended changes for the minutes signing post the election and that members attending via electronic link being counted in the quorum.

## 9 **RECOMMENDATIONS**

1. That the report “Standing Orders 2025 - 2028” be received.
2. That the Standing Orders as proposed are adopted as the Council’s Standing Orders for the 2025 to 2028 triennium and shall apply to all meetings of the Council, its committees and subcommittees.
3. That Council confirms the amendments to the standing orders as follows:

- i. That clause 28.4: Minutes of last meeting before election/Ngā meneti o te hui whakamutunga i mua i te pōtitanga, be amended to:

The chief executive and the relevant chairpersons may sign, or agree to have their digital signature inserted, to the minutes of the last meeting of the local authority and any committee, local and community boards before or following the next election of members. If the relevant chairperson is not part of the new Council, it is appropriate that a reappointed Councillor as recommended by the Chief Executive can counter sign the minutes.

- ii. That under clause 13.8: Member’s Status: Quorum/Te tūnga a te mema: kōrama be amended to:

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum



Morgan Godfery

**Chief Executive Officer**

Z:\KDC Taxonomy\Governance\Democratic Services\Meetings\Council\Rep



Territorial Authority

Mana ā-rohe

# Standing Orders

## Ngā Tikanga Whakahaere Hui

LGNZ Template 2022

*26 November 2025*

## Kupu whakapuaki /Preface

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, regarding 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 local authorities adopt standing orders for the conduct of their meetings, it is not necessary that they are adopted every triennium. However, LGNZ recommends that every council, committee, subordinate body and local and community board review their standing orders within at least the first six months following an election to ensure that they fully meet their needs for effective and inclusive meetings (see LGA 2002, sch 7, cl 27).

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.

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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; the Guide 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" (LGA 2002, s 39).

## 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 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.

**Audiovisual 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 s 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 cl 30A of sch 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.

**Conflict of Interest** means any pecuniary interest and any interest arising because of that person's position as a trustee, director, officer, employee or member of another body or because of any personal non-pecuniary interest, such as pre-determination or bias.

**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 audiovisual link.

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

**Extraordinary meeting** has the same meaning as defined in cl 22 of sch 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 cl 30A of sch 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 s 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 ss 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 24.1 – 24.7.

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

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

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

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

**Public notice** 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 of sch 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).

**Second** 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 20<sup>th</sup> of December and the 10<sup>th</sup> 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, unless required by the local authority. Workshops may include non-elected members. Workshops may also 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.

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

#### 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.

*LGA 2002, sch 7, cl 27(3).*

#### 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.

*LGA 2002, sch 7, cl 16(1).*

#### 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.

*LGA 2002, sch 7, cl 27(4).*

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. Please Note: in the event of suspension, those Standing Orders prescribed in statute will continue to apply, such as the quorum requirements.

### **3.6 Ngā whakawā a te Kaunihera/Quasi-judicial proceedings**

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

### **3.7 Physical address of members/Ngā wāhi noho ō 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. Ngā hui/ Meetings**

### **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 two 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.

*LGA 2002, sch, cl 21(1) - (4).*

#### **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 LGA 2002, sch 7, cl 21(4)).

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 LGA 2002, sch 7, cl14;
- (b) The election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under LGA 2002, sch 7, cl 14;
- (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 ss 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 the LGA 2002, sch7, cl 17.

*LGA 2002, sch 7, cl 21(5).*

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 sch 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.

*LGA 2002, s 41A(3).*

### **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 LGA 2002, s 41A, the council (or a committee, if directed by the council) must elect those positions in accordance with Standing Order 5.4.

*LGA 2002, sch 7, cl 31.*

### **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 sch 7, 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 s 189 of the Sale and Supply of Alcohol Act 2012.

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

## **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 LGA 2002, s 41A to appoint a deputy Mayor, or committee chairs. See the LGNZ Guide to Standing Orders for more information.

*LGA 2002, sch 7, cl 25.*

## **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 the Standing Order 5.1, or elected by the council, can only be removed in accordance with cl 18, sch 7, of the LGA 2002. See Appendix 9.

*LGA 2002, sch 7, cl 18.*

## **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.

*LGA 2002, sch 7, cl 25.*

## 6. Delegations/Te tuku mana

### 6.1 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 to delegate to a community board if the delegation will enable the community board to best achieve its role.

*LGA 2002, sch 7, cl 32(6).*

**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.

### 6.2 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.

*LGA 2002, sch 7, cl 32 (1).*



### **6.3 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.

*LGA 2002, sch 7, cl (2) & (3).*

### **6.4 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.

*LGA 2002, sch 7, cl 32(2),(3), and (4).*

### **6.5 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.

*LGA 2002, sch 7, cl 30 (6).*

### **6.6 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.

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

## **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.

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

## **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.

*LGA 2002, sch 7, cl 30 (5) & (7).*

**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. The same is true for District Licensing Committees (see the LGNZ Guide to Standing Orders).

## **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.

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

## **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.

*LGA 2002, sch 7, cl 31(4).*

## **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), sch 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.

*LGA 2002, sch 7, cl 31(5).*

## **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.

*LGA 2002, s 41A(5).*

## **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.

*LGA 2002, sch 7, cl 29.*

## **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.

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

## **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.

*LGA 2002, sch 7, cl 30A(5).*

## **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.

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

## 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).

*LGOIMA, s 46.*

#### 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.

*LGA 2002, sch 7, cl 19(5).*

#### 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).

*LGA 2002, sch 7, cl 22(1).*

#### 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 the 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.

*LGA 2002, sch 7, cl 22(3).*

## **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.

*LGA 2002, sch 7, cl 22A(1).*

## **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.

*LGA 2002, sch 7, cl 22A(2).*

## **8.7 Public notice – emergency and extraordinary meeting/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.

*LGOIMA, s 46(3).*

## **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.

*LGOIMA, s 46(6).*

## **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.

*LGOIMA, s 51A.*

## **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 publicly notify each meeting.

*LGA 2002, sch 7, cl 19(6).*

## **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.

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

## **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 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**

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.

## **9.6 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 its 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.

*LGOIMA, ss 5 & 46A.*

### **9.8 Public inspection of agenda/Te tirotiro 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.

*LGOIMA, s 46A(1).*

### **9.9 Withdrawal of agenda items/Te tango take i te rārangi 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 rārangi 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 rārangi 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/Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa**

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.

*LGOIMA, s 46A(7).*

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 rārangi 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.

*LGOIMA, s 46A(7A).*

### **9.14 Public excluded business on the agenda/Ngā take o te rārangi 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.

*LGOIMA, s 46A(9).*

### **9.15 Qualified privilege relating to agenda and minutes/Te maru whāiti e pā ana ki te rārangi 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.

*LGOIMA, s 52.*

## **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.

*LGA 2002, sch 7, cl 23(3)(a).*

### **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.

*LGA 2002, sch 7, cl 23(3)(b).*

### **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.

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

### **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.

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

## **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.

*LGOIMA, s 47 & 49(a).*

## **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 that person's behaviour is likely to prejudice the orderly conduct of the meeting.

*LGOIMA, s 50(1).*

## **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.

*LGA 2002, sch 7, cl 19(2).*

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 s48 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 Mayor (or acting chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

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

### **13.5 Recording apologies/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.

*LGA 2002, sch 7, cl 5(d).*

### **13.7 Right to attend by audio or audiovisual 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.

*LGA 2002, sch 7, cl 25A(4).*

### **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 audiovisual 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.

*LGA 2002, sch 7, cl 25A(3).*

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

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 audiovisual 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 audiovisual 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 SO 13.16).

### **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:

- (f) Transmitting it electronically;
- (g) Using the audio visual link; or

- (h) Any other manner that the chairperson thinks fit.

*LGA 2002, sch 7, cl 25(A)(6).*

### **13.15 Link failure/Ina mūhore te hononga**

Where an audio or audiovisual 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.

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

### **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.

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

### **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 appointment 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.

#### **15.1 Time limits/Ngā tepenga wā**

A period of up to 30 minutes be provided for a public forum at the commencement of each Council and Regulatory and Services Committee meeting. That each speaker is limited to 3 minutes (however this may be extended with the discretion of the Chair). Members are permitted to ask questions of the speakers on matters of clarification only. At the conclusion of the public forum, Council or the Regulatory and Services Committee will determine the appropriate action on the issues raised.

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 five 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 s 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.

*LGOIMA, s 48.*

### **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.

*LGOIMA, s 48(6).*

### **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.

*LGOIMA, s 46A(8).*

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

## **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 board) must be decided at a meeting through a vote exercised by the majority of the members that are present and voting.

*LGA 2002, sch 7, cl 24(1).*

### **19.2 Open voting/Te pōti tuwhera**

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

*LGA 2002, sch 7, cl 24(3).*

### **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.

*LGA 2002, sch 7, cl 24(2).*

### **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 members' reason for their vote or abstention, is not permitted.

### **19.7 Members may abstain**

### **19.8 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 s 6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s 6.

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

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

*LAMIA, ss 6 & 7.*

## **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.

*LGOIMA, s 53.*

## **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 as a result of any other enactment or rule of law applying to any meeting of the local authority.

*LGOIMA, s 53.*

## **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 of 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 A 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.

**Council confirmed option B**

### **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 Kōwhiringa C/Option C**

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

## **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 kaua 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:

- a) Not directly relevant
- b) In conflict with a carried amendment
- c) Similar to a lost amendment
- d) Would negate a committee decision if made under delegated authority
- e) In conflict with a motion referred to the governing body by that meeting
- f) Direct negative.

Please note that amendments that are significantly different must comply with the decision-making provisions of 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 Carried amendments/Ngā whakahoutanga i whakaaetia**

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 Lost amendments/Ngā whakahoutanga i whakahēngia**

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 chair 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.

*LGA 2002, sch 7, cl 30(6).*

## **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 where, in the opinion of the chairperson:

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

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

## **24.5 Revocation or alteration by resolution at same meeting/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.



*LGA 2002, sch 7, cl 30(6).*

## **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 chair, then the chair will refer the point of order to the deputy chair 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.

*LGA 2002, sch 7, cl 28.*

### **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, so as to be able to be used for subsequent reference.

*Public Records Act 2002, s 17.*

### **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.

*Contract and Commercial Law Act 2017, s 229(1).*

### **29.3 Inspection/Te tiroiro**

Whether held in hard copy or in electronic form minutes must be available for inspection by the public.

*LGOIMA, s 51.*

### **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/Āpitihanga 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.

*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.

*LGOIMA, s 48.*

## Appendix 2: Sample resolution to exclude the public/Āpitianga 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"> <li>i. be contrary to the provisions of a specified enactment; or</li> <li>ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li> </ul>
		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"> <li>i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li> <li>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)).</li> </ul>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would; 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"><li>• a resource consent, or</li><li>• a water conservation order, or</li><li>• a requirement for a designation or</li><li>• an heritage order,</li></ul> (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).

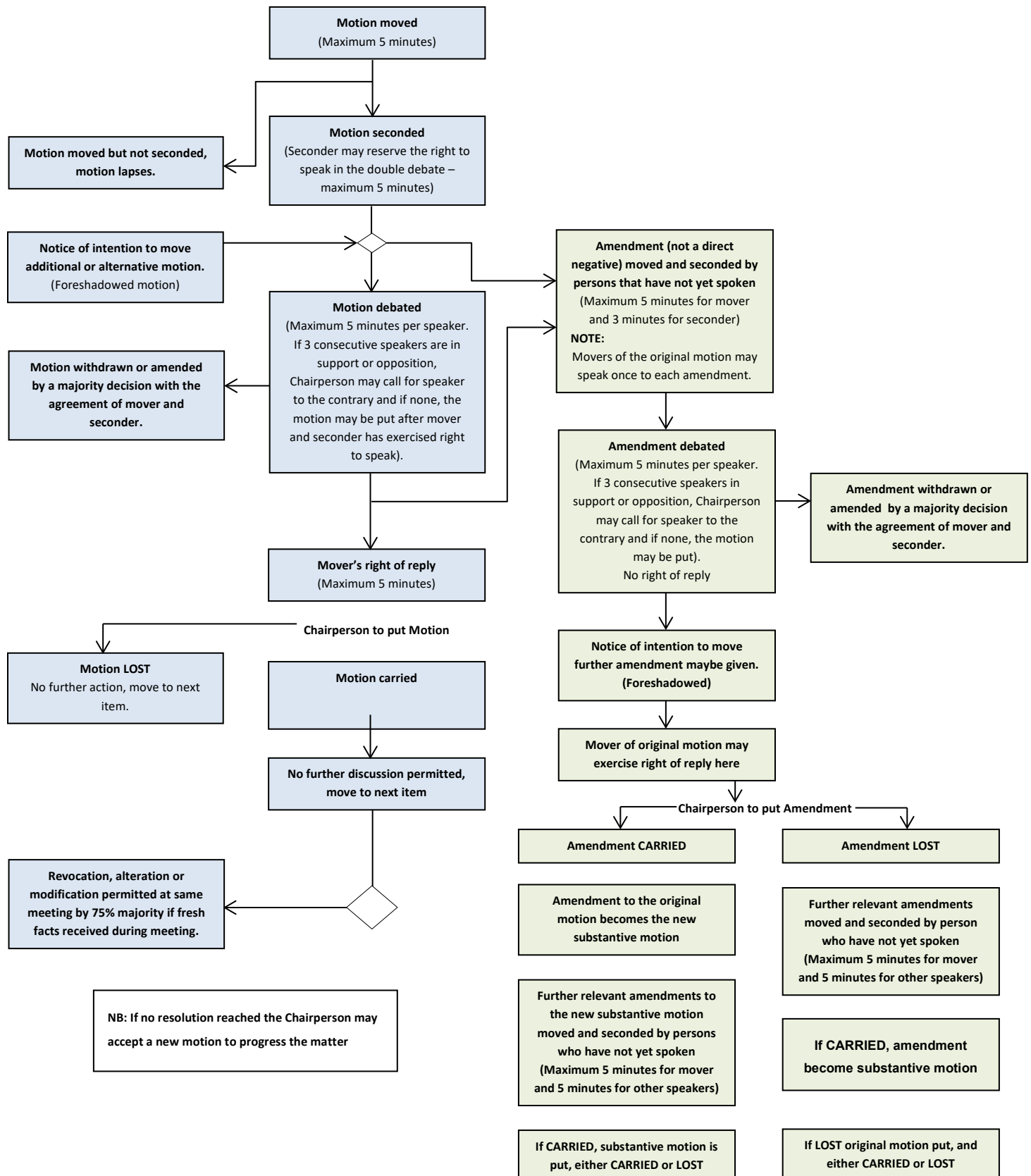
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

2. That (*name of person(s)*) is permitted to remain at this meeting after the public has been excluded because of their knowledge of (*specify topic under discussion*). This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because (*specify*). (*Delete if inapplicable.*)

## Appendix 3: Motions and amendments (Option A)/Āpitianga 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A)

### Motions without amendments

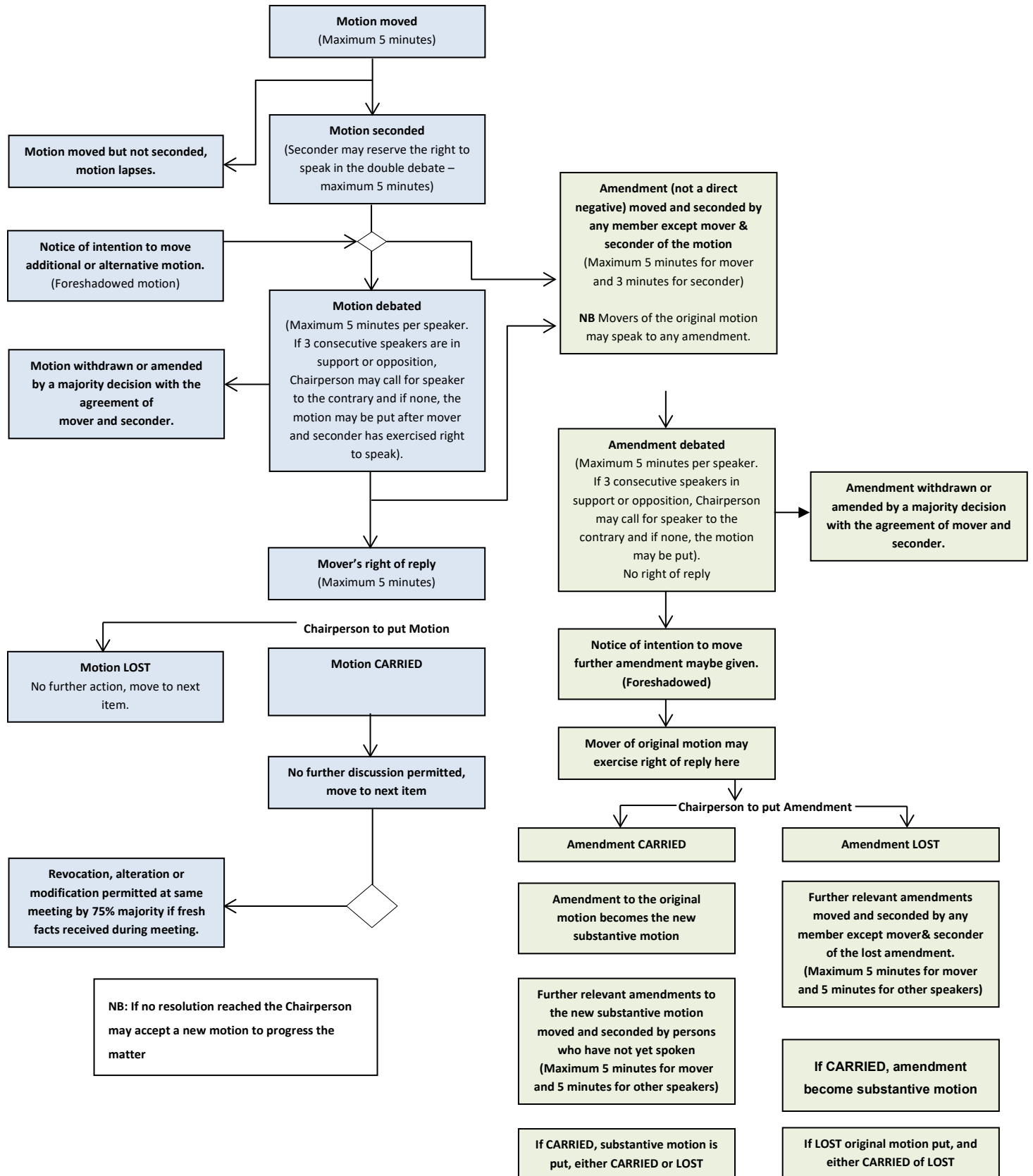
### Motions with amendments



## Appendix 4: Motions and amendments (Option B)/Āpitianga 4: Ngā mōtini me ngā whakahoutanga (Kōwhiringa B)

### Motions without amendments

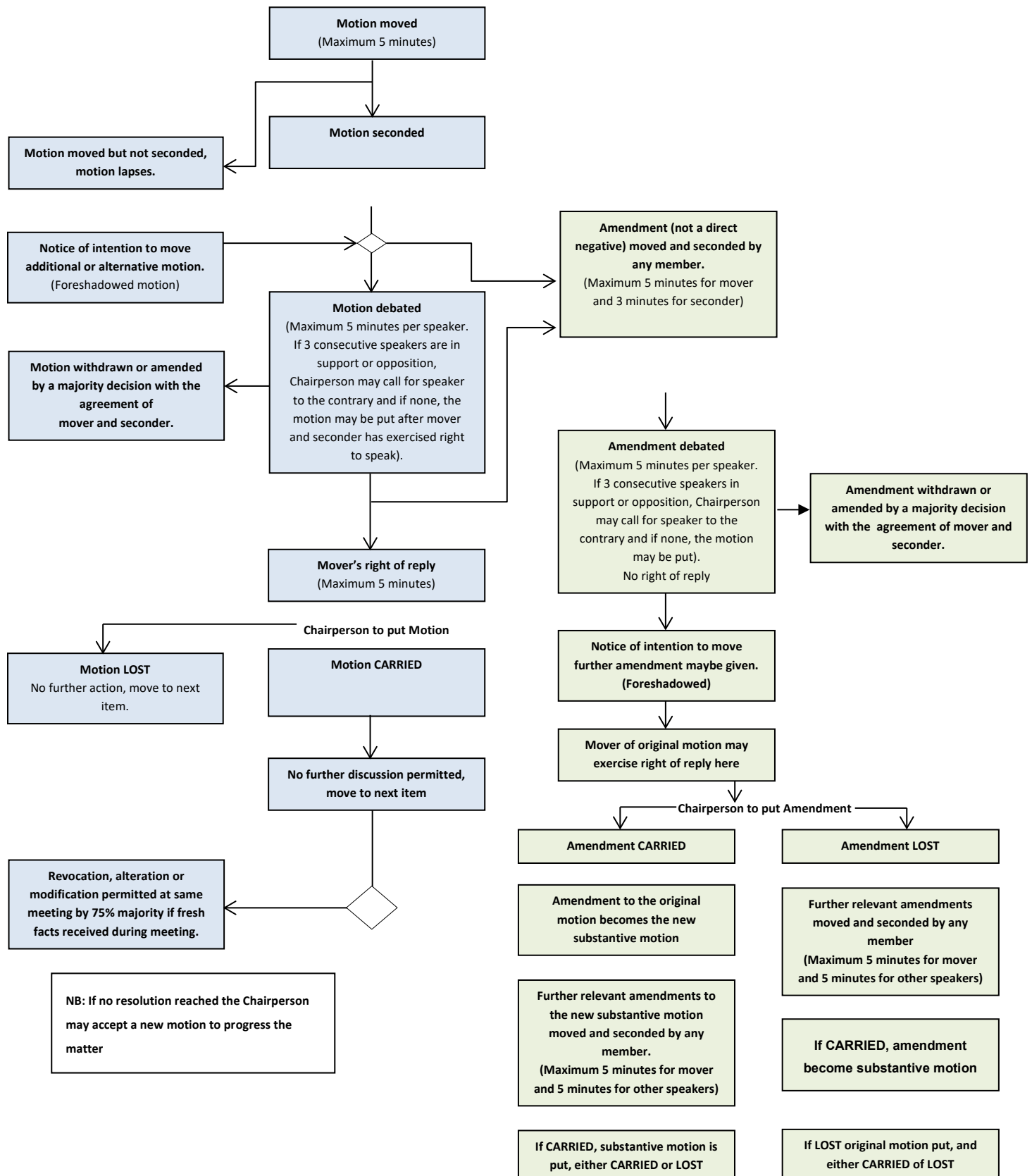
### Motions with amendments



## 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/Āpitiwhanga 6: Tūtohi mō ngā mōtini whakahaere**

Motion	Has the Chair discretion to refuse this Motion?	Is a second 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 second order 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, for time reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	131
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

## **Appendix 7: Webcasting protocols/Āpitihanga 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/Āpitihanga 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 (SO.19.3)**

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.**

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**

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 be 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.

*LGA 2002, sch 7, cl 18.*

## **Appendix 10: Sample order of business/Āpitihanga 10: He tauira 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/Āpitianga 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 the chief executive;
- Report of the 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.

**Meeting:** Council

**Meeting Date:** 26 November 2025

**Subject:** Code of Conduct

**File No.:** 101300

## **1 Purpose**

The purpose of this report is to review Council's Code of Conduct, which governs the behaviour of elected members, as well as the Policy for Dealing with Alleged Breaches.

## **2 Background**

In December 2003, Council adopted its first code of conduct for members of Council as required by the Local Government Act 2002. At the beginning of the last triennium, the Council reaffirmed the code of conduct.

The adopted code of conduct may be amended but cannot be revoked unless Council adopts a replacement code. Amendment of a code of conduct requires a 75 percent (or more) majority vote of the elected members present at the meeting.

The code of conduct is attached in the Appendix and there are no changes from the previous code which was drafted by Local Government New Zealand (LGNZ) and was adopted by most councils.

For the first time at the start of the 2022 triennium, Council adopted a policy for dealing with alleged breaches, as prior Council did not have a policy.

Council is not required to consult the public on the content of a code of conduct.

There is current legislative reform through the Local Government (Systems Improvements) Amendment Bill, that will allow the Secretary of Local Government the powers to approve and issue a code of conduct for members of local authorities, the timeframe for this legislative change is uncertain.

## **3 Code of Conduct**

The code of conduct sets out the standards of behaviour expected from individual elected members in the exercise of their duties.

It sets out understandings and expectations adopted by Council about the manner in which members may conduct themselves while acting in their capacity as members. This includes behaviour towards other members, staff and the general public.

The code of conduct reflects an agreement between elected members as to what they expect from one another. It therefore relies heavily on individual goodwill and

the ability of Council to act as a collective to exert moral persuasion to deter individual members from behaviour that might breach the code.

The code of conduct is not a means of preventing elected members from expressing their views. It promotes effective working relationships within Council and between Council and the community. Also, a code of conduct should promote free and frank debate, which should in turn promote good decision-making. Codes of conduct should not be used in a way that stifles debate.

One area for consideration that Elected Members could add to the Code of Conduct is a dress code for meetings. Other Councils do have this included in their Code of Conduct and at present for KDC this is a policy outside of the Code of Conduct. The current policy is attached to this report and was established back in 1997.

The Dress Code included in other Councils code of conduct is as follows:

#### **Dress Code**

Elected members should maintain an appropriate standard of dress at meetings of committees and Council.

It is recognised that the standard of dress will be in accordance with the level of formality of the meeting they are attending.

Some principles for guidance are:

- Casual dress is appropriate at briefings (workshops);
- Committee meetings involve engaging with members of the public, therefore a neat and tidy standard of dress is appropriate;
- Council meetings are a formal occasion therefore a more formal standard of dress is appropriate.

Council could include the Dress Code as above into the Code of Conduct or review the current policy that sits outside of the code of conduct and update accordingly.

It is proposed that the current Council Code of Conduct (being the LGNZ template) be adopted as presented, with the addition of the Dress Code should Council wish for this to be included.

## **4 Policy for Dealing with Alleged Breaches**

In the last triennium Council adopted for the first time a policy for dealing with any alleged breaches of the Code of Conduct, which was based on the LGNZ template for a policy on dealing with alleged breaches of the Code of Conduct.

There were two key areas that Council considered, firstly the assessment process and then determining if the recommendations of the investigator are to be binding or non-binding. Council determined that the policy makes the recommendations from an investigator binding.

## **5 Policy and Plan Considerations**

The code of conduct is not inconsistent with any other Council policy or plan.

## **6 Significance and Engagement**

Council is not required to consult the public on the content of a code of conduct.

## **7 Financial Considerations**

The costs of assessment and investigatory services will be met by Council.

## **8 Legal Considerations**

A code of conduct must set out:

1. understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including
  - a. behaviour toward one another, staff, and the public; and
  - b. disclosure of information, including (but not limited to) the provision of any document, to elected members that
    - i. is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and
    - ii. relates to the ability of the local authority to give effect to any provision of this Act; and
2. general explanation of
  - a. the Local Government Official Information and Meetings Act 1987; and
  - b. any other enactment or rule of law applicable to members.

## **9 Conclusion**

After considering all issues, options and the known views of those affected, as well as giving consideration to the level of significance and the legal and financial implications, the recommendation of this report is that Council adopts the code of conduct as presented and confirms the preferred approach for the Dress Code.

## **10 RECOMMENDATIONS**

1. That the report “Code of Conduct” be received.
2. That Council adopts the Code of Conduct:
  - a) As presented with no amendments
  - or
  - b) As presented with the amendment adding the following dress code to the Code of Conduct:

**Dress Code**

*Elected members should maintain an appropriate standard of dress at meetings of Committees and Council.*

*It is recognised that the standard of dress will be in accordance with the level of formality of the meeting they are attending.*

*Some principles for guidance are:*

- *Casual dress is appropriate at briefing (workshops);*
- *Committee meetings involve engaging with members of the public, therefore a neat and tidy standard of dress is appropriate;*
- *Council meetings are a formal occasion therefore a more formal standard of dress is appropriate.*



M Godfery

**Chief Executive Officer**

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**COUNCIL POLICY**

**SUBJECT:** COUNCIL/COMMITTEE  
MEETINGS/WORKSHOPS - DRESS  
GUIDELINES

**COMMITTEE:** COUNCIL

**DATE:** 9 December 1997

**FILE REFERENCE:** 101300

**MINUTE BOOK PAGE(S):** 24160

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**COUNCIL MEETINGS**

(a) Daylight Savings

Jackets not required  
Tie for men if wearing long pants  
No tie for men if wearing dress shorts

(b) Non-daylight Savings

Jackets for men required  
Tie for men  
No dress shorts

**COMMITTEE MEETINGS/WORKSHOPS**

Informal but tidy  
Jackets and ties not required



## CODE OF CONDUCT

### Wāhanga Tuatahi: Anga Tikanga Whanonga

The Kawerau District Council Code of Conduct has been adopted in accordance with the requirements of the Clause 15, Schedule 7 of the LGA 2002, which requires every local authority to adopt a code of conduct for members of the local authority.

#### **Members' commitment | Ngā herenga a ngā mema**

These commitments apply when conducting the business of the local authority as its representative or the representative of an electorate, and communicating with other members, the media, the public, or staff. By adopting the Code of Conduct members agree that they will:

1. treat all people fairly,
2. treat all other members, staff, and members of the public, with respect,
3. share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties,
4. operate in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi,
5. make it clear, when speaking publicly, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the local authority,
6. take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of a member,
7. not bully, harass, or discriminate unlawfully against any person,
8. not bring the local authority into disrepute,
9. not use their position to improperly advantage themselves or anyone else or disadvantage another person,
10. not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority,
11. not disclose information acquired, or given, in confidence, which they believe is of a confidential nature.

**Please note:** a failure to act in accordance with these commitments may result in a complaint being taken against you.

The Code of Conduct sets standards for the behaviour of members towards other members, staff, the public, and the media. It is also concerned with the disclosure of information that members receive in their capacity as members. Members of a local authority must comply with the Code of Conduct of that local authority. More detail explaining the Code of Conduct is set out in Appendix 1.

A copy of clause 15 of Schedule 7 of the LGA, which sets out the requirements for a code of conduct, is contained in Appendix 2.

# Appendix 1: The Code of Conduct explained

## He whakamārama mō te Tikanga Whanonga

### 1. Definitions

For the purposes of this Code “member” means an elected or appointed member of:

- the governing body of the local authority,
- any committee or sub-committee of the local authority,
- any local board of the local authority, or
- any community board of the local authority.

Local authority means the kaunihera, local board or community board which has adopted this Code.

### 2. Te Tiriti o Waitangi

The Kawerau kaunihera commits to operating in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi and acknowledges the following principles:

1. **Tino Rangatiratanga:** The principle of self-determination provides for Māori self-determination and mana motuhake. This requires local authorities to be open to working with mana whenua partners in the design and delivery of their work programmes,
2. **Partnership:** The principle of partnership implies that local authorities will seek to establish a strong and enduring relationship with iwi and Māori, within the context of iwi and Māori expectations. Kaunihera should identify opportunities, and develop and maintain ways, for Māori to contribute to kaunihera decisions, and consider ways kaunihera can help build Māori capacity to contribute to council decision-making,
3. **Equity:** The principle of equity requires local authorities to commit to achieving the equitable delivery of local public services,
4. **Active protection:** The principle of active protection requires local authorities to be well informed on the wellbeing of iwi, hapū and whanau within their respective rohe,
5. **Options:** The principle of options requires local authorities to ensure that its services are provided in a culturally appropriate way that recognises and supports the expression of te ao Māori.

### 3. Principles of Good Governance

Members recognise the importance of the following principles of good governance.

- **Public interest:** members should act solely in the public interest.
- **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
- **Tāria te wā and kaitiakitanga/stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective well-being.
- **Objectivity:** members should act and take decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
- **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing.

- **Honesty:** members should be truthful and not misleading.
- **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

#### 4. Behaviours

To promote good governance and build trust between the local authority, its members, and citizens, members **agree** to the following standards of conduct when they are:

- conducting the business of the local authority,
- acting as a representative of the local authority,
- acting as a representative of their electorate,
- communicating with other 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 alleged breaches of the Code of Conduct".

#### ***Respect***

Members will treat all other 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 local authority, the relevant social media provider or the police.

#### ***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 following<sup>1</sup>:

age	skin, hair, or eye colour	race
disability	employment status	ethical belief
ethnic or national origin	family status	marital status
political opinion	religious belief	gender identity
sex	sexual orientation.	

### ***Sharing information***

Members will share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties.

Occasionally members will receive information in their capacity as members of the governing body, which is pertinent to the ability of their kaunihera to properly perform its statutory duties. Where this occurs members will disclose any such information to other members and, where appropriate, the chief executive. Members who are offered information on the condition that it remains confidential will inform the person making the offer that they are under a duty to disclosure such information, for example, to a governing body meeting in public exclusion.

### ***Expressing Personal Views Publicly***

Members, except when authorised to speak on behalf of the local authority, will make it clear, when speaking to the media, on social media, or in hui and presentations, that statements reflect their personal view.

The media play an important role in the operation and efficacy of our local democracy and need accurate and timely information about the affairs of the local authority to fulfil that role. Members are free to express a personal view to the media and in other public channels at any time, provided the following rules are observed:

- they do not purport to talk on behalf of the local authority, if permission to speak on behalf of the authority has not been given to them
- their comments must not be inconsistent with the Code, for example, they should not disclose confidential information or criticise individual members of staff, and
- their comments must not purposefully misrepresent the views of the local authority or other members.

Members will abide by the social media protocols described in Attachment A, LGNZ's Good Governance Guide, available at <https://www.lgnz.co.nz/assets/Induction/The-Good-Governance-Guide.pdf>

<sup>1</sup> See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>

### ***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.

### ***Disrepute***

Members will not bring the local authority into disrepute.

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.

### ***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.

### ***Impartiality***

Members will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority 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 local authority 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 local authority's chief executive, or, if the concerns are to do with the chief executive, raise them with the mayor, the council chairperson, or chief executive performance committee.

### ***Maintaining Confidentiality***

Members will not disclose information acquired, or given, in confidence, which they believe is of a confidential nature, unless.

1. they have the consent of a person authorised to give it,
2. they are required by law to do so,
3. the disclosure is to a third party to obtain professional legal advice, and that the third party agrees not to disclose the information to any other person, or
4. the disclosure is reasonable and in the public interest, is made in good faith, and in compliance with the reasonable requirements of the local authority.

## **Appendix 2: Requirement for a Code of Conduct**

### **Te herenga kia whai Tikanga Whanonga**

Clause 15, Schedule 7 of the Local Government Act 2002 requires every local authority to adopt a code of conduct for members of the local authority. It states:

#### **15 Code of Conduct**

A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.

The code of conduct must set out –

1. understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including:
  - a. behaviour towards one another, staff, and the public; and
  - b. disclosure of information, including (but not limited to) the provision of any document, to elected members that –
    - i. is received by, or is in possession of, an elected member in his or her capacity as an elected member; and
    - ii. relates to the ability of the local authority to give effect to any provision of this Act; and
  - c. a general explanation of –
    - i. the Local Government Official Information and Meetings Act 1987; and
    - ii. any other enactment or rule of law applicable to members.
2. A local authority may amend or replace its code of conduct but may not revoke it without replacement.
3. A member of a local authority must comply with the code of conduct of that local authority.
4. A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.
5. After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.
6. To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.

# Kawerau District Council Policy for investigating and ruling on alleged breaches of the Code of Conduct

Te kaupapahere o te Kaunihera o Kawerau hei tiroiro me te whakatau i ngā whakapae kua takahia te Tikanga Whanonga

## 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.

## Role of the Initial Assessor

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.

If a complaint is not dismissed, the initial assessor may initiate one of the following:

### 1 Refer to a Chair or 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 chair or mayor for their advice and guidance. These will not be reported to the local authority. A meeting or meetings with the chair will be regarded as sufficient to resolve the complaint. Where a member is referred to the chair, the initial assessor may also recommend, for the chair'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 reporting that a complaint has been resolved through mediation, there will be no additional report to the local authority 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 local authority's independent investigators' panel assembled by the chief executive, or an independent investigator service that is contracted to the kaunihera. Complaints that involve a chairperson or chief executive will be referred directly to the independent investigator.

Complaints that are dismissed, referred to a chairperson, or resolved by mediation, will not be reported to the local authority.

### Role of the Independent Investigator

The independent investigator will:

- determine whether a breach has occurred,
- if so, determine the seriousness of the breach, and
- determine actions that a local authority should take in response to the breach.

Any recommended actions made in response to a complaint that has been upheld are binding on the local authority. This is to ensure the process for investigation is free of any suggestion of bias and reduces the cost of the complaints process, by reducing the time spent on it, by members and officials.

#### 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 kaunihera?
- What is the impact of the breach on other elected members, on kaimahi (officials) and on the community in general?

Independent investigator can make a binding rule

On completing their investigation, an independent investigator may dismiss a complaint or make a binding ruling which the governing body will implement. The independent investigator's ruling will be contained in a report to the kaunihera chief executive which will form the basis of a consequent report to the governing body to inform them of the decision and the actions that they may be required to take.

**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**

Kaunihera 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 the relevant kaunihera.

## **Attachments Ngā tāpiritanga**

### **Process for determining and investigating complaints**

Te tukanga whakataua me te tiroiro i ngā amuamu

#### ***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 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. 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.
3. 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 local authority. 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 kaunihera 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 the kaunihera, which will meet 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***

Where the council's policy for determining and investigating complaints provides for an independent investigator's recommendations to be binding on the local authority, then:

- the chief executive's report, containing the independent investigator's recommendations and their full report, will be presented to the governing body for its information only.
- 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 report will be received in public meeting unless grounds, such as s.48 LGOIMA, exist for the exclusion of the public.

### **Selecting the Initial Assessor and Independent Investigator**

Te kōwhiri i te tangata motuhake me te kaitirotiro motuhake

#### ***Selecting an Initial Assessor***

The chief executive is responsible for this. In selecting the initial assessor, the chief executive will consult with the local authority.

The initial assessor should be a person, or a position, that is independent of a local authority'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 kaunihera'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 kaunihera, 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, provide on their own behalf or by the local authority. The chief executive also needs to ensure that investigations are undertaken within budgetary limits negotiated in advance.

## **Actions that may be applied when a breach has been confirmed**

### **Ngā mahi ka whāia pea ina whakatauhia tētahi takahanga**

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 local authority 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/chair 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 kaunihera-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 kaunihera 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 kaunihera staff, other than the chief executive or identified senior manager.
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 1-6 will typically not be reported to the local authority. Actions 7-15, 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).

## **Legislation which sets standards for ethical behaviour**

### **Ngā ture e whakatakoto ana i ngā paerewa mō ngā whanonga matatika**

Clause 15 of Schedule 7 of the Local Government Act (the Act) 2002, requires that the Code of Conduct provides members with a general explanation of the Local Government Official Information and Meetings Act 1987, and any other enactment or rule of law that affects members.

The key statutes that promote ethical behaviour are the Local Government Act 2002 (LGA), Local Government Official Information Act 1987 (LGOIMA), the Local Authorities (Members' Interests) Act 1968 (LAMIA), the Protected Disclosures (Protection of Whistleblowers) Act 2022, the Serious Fraud Office Act 1990, the Local Government (Pecuniary Interests Register) Act 2022, the Health and Safety at Work Act 2015, and the Harmful Digital Communications Act 2015.

### ***The Local Government Act 2002***

The LGA 2002 is local government's empowering statute. It establishes our system of local government and sets out the rules by which it operates. Those rules include the principles underpinning kaunihera decision-making, governance principles, Te Tiriti obligations as set by the Crown, and the role of the chief executive which is:

1. implementing the decisions of the local authority,
2. providing advice to members of the local authority and to its community boards, if any and
3. ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed, or exercised,
4. ensuring the effective and efficient management of the activities of the local authority,
5. facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001,
6. maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority,
7. providing leadership for the staff of the local authority,
8. employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy), and
9. negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

### ***The Local Government Official Information and Meetings Act 1987***

The LGOIMA sets rules for ensuring the public are able to access official information unless there is a valid reason for withholding it. All information should be considered public and released accordingly unless there is a compelling case for confidentiality. Even where information has been classified as confidential, best practice is for it to be proactively released as soon as the grounds for confidentiality have passed.

There are both conclusive and other reasons for withholding information set out in sections 6 and 7 of LGOIMA, which include:

Conclusive reasons for withholding – if making the information available would likely:

- prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial; or
- endanger the safety of any person.

Other reasons for withholding – withholding the information is necessary to:

- protect the privacy of natural persons, including that of deceased natural persons;
- protect information where it would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- in the case of an application for resource consents or certain orders under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu;
- protect information the subject of an obligation of confidence, where making that information available would prejudice the supply of similar information (and it is in the public interest for this to continue), or would be likely otherwise to damage the public interest;
- avoid prejudice to measures protecting the health or safety of members of the public;
- avoid prejudice to measures that prevent or mitigate material loss to members of the public;
- maintain the effective conduct of public affairs through free and frank expression of opinions between or to members and local authority employees in the course of their duty or the protection of such people from improper pressure or harassment;
- maintain legal professional privilege;
- enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- prevent the disclosure or use of official information for improper gain or improper advantage.

Regarding these ‘other’ reasons, a public interest balancing test applies. In these cases the kaunihera must consider whether the withholding of that information is outweighed by other considerations that render it desirable, in the public interest, to make that information available. Decisions about the release of information under LGOIMA need to be made by the appropriately authorised people within each kaunihera, and elected members must work within the rules adopted by each kaunihera.

The LGOIMA also sets the rules that govern public access to meetings and the grounds on which that access can be restricted, which occurs when meetings consider matters that are confidential.

### **The role of the Ombudsman**

An Ombudsman is an Officer of Parliament appointed by the Governor-General on the recommendation of Parliament. An Ombudsman’s primary role under the Ombudsmen Act 1975 is to independently investigate administrative acts and decisions of central and local government departments and organisations that affect someone in a personal capacity. Ombudsmen investigate complaints made under LGOIMA.

Anyone who has a complaint of that nature about a local authority may ask an Ombudsman to investigate that complaint. Investigations are conducted in private. The Ombudsman may obtain whatever information is considered necessary, whether from the complainant, the chief executive of the local body involved, or any other party. The Ombudsman’s decision is provided in writing to both parties.

If a complaint is sustained, the Ombudsman may recommend the local authority takes whatever action the Ombudsman considers would be an appropriate remedy. Any such recommendation is, however, not binding. Recommendations made to the local authority under this Act will, in general, become binding unless the local authority resolves otherwise. However, any such resolution must be recorded in writing and be made within 20 working days of the date of the recommendation.

## ***The Local Authorities (Members' Interests) Act 1968***

### **Pecuniary interests**

The LAMIA provides rules about members discussing or voting on matters in which they have a pecuniary interest and about contracts between members and the council. LAMIA has two main rules, referred to here as the contracting rule (in section 3 of the LAIMA) and the participation rule (in section 6 of the LAIMA).

- The **contracting rule** prevents a member from having interests in contracts with the local authority that are worth more than \$25,000 in any financial year, unless the Auditor-General approves the contracts. Breach of the rule results in automatic disqualification from office.
- The **participation rule** prevents a member from voting or taking part in the discussion of any matter in which they have a financial interest, other than an interest in common with the public. The Auditor-General can approve participation in limited circumstances. Breach of the rule is a criminal offence, and conviction results in automatic disqualification from office.

Both rules have a complex series of subsidiary rules about their scope and exceptions.

The LAMIA does not define when a person is “concerned or interested” in a contract (for the purposes of section 3) or when they are interested “directly or indirectly” in a decision (for the purposes of section 6). However, it does set out two situations where this occurs. These are broadly where:

- a person’s spouse or partner is “concerned or interested” in the contract or where they have a pecuniary interest in the decision; or
- a person or their spouse or partner is involved in a company that is “concerned or interested” in the contract or where the company has a pecuniary interest in the decision.

However, in some situations outside the two listed in the Act a person can be “concerned or interested” in a contract or have a pecuniary interest in a decision, for example, where a contract is between the members family trust and the kaunihera.

### **Non-pecuniary conflicts of interest**

In addition to the issue of pecuniary interests, which are addressed through the LAMIA, there are also legal rules about conflicts of interest more generally. These are rules that apply to non-pecuniary conflicts of interest and include the common law rule about bias. To determine if bias exists, consider this question: 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. This is in line with the principle that justice should not only be done but should be seen to be done. Whether or not you believe that you are not biased is irrelevant. The focus should be on the nature of any 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:

- statements or conduct indicate that a member has predetermined the decision before hearing all relevant information (that is, they have a “closed mind”), or
- a member has close relationship or involvement with an individual or organisation affected by the decision.



### Seeking exemption from the Auditor-General

Members who have a financial conflict of interest that is covered by section 6 of the LAMIA, may apply to the Auditor-General for approval to participate. The Auditor-General can approve participation in two ways.

1. Section 6(3)(f) allows the Auditor-General to grant an exemption if, in their opinion, a member's interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor when voting or taking part in the discussion.
2. Section 6(4) allows the Auditor-General to grant a declaration enabling a member to participate if they are satisfied that:
  - a. the application of the rule would impede the transaction of business by the council; or
  - b. it would be in the interests of the electors or residents of the district/region that the rule should not apply.

More information on non-pecuniary conflicts of interest and how to manage them can be found in the Auditor-General's Guidance for members of local authorities about the law on conflicts of interest.

### ***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

Kaunihera 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 30 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 of their 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 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

**Meeting:** Council

**Meeting Date:** 26 November 2025

**Subject:** Annual Plan Performance for the three months ended 30 September 2025

**File No.:** 110400

## 1 **Purpose**

The purpose of this report is to review and compare Council's actual financial and non-financial performance for the three months to 30 September 2025 with the Annual Plan for 2025/26.

Comments are provided where expenditure/revenue is likely to vary from budget, or the performance target is unlikely to be achieved for the year.

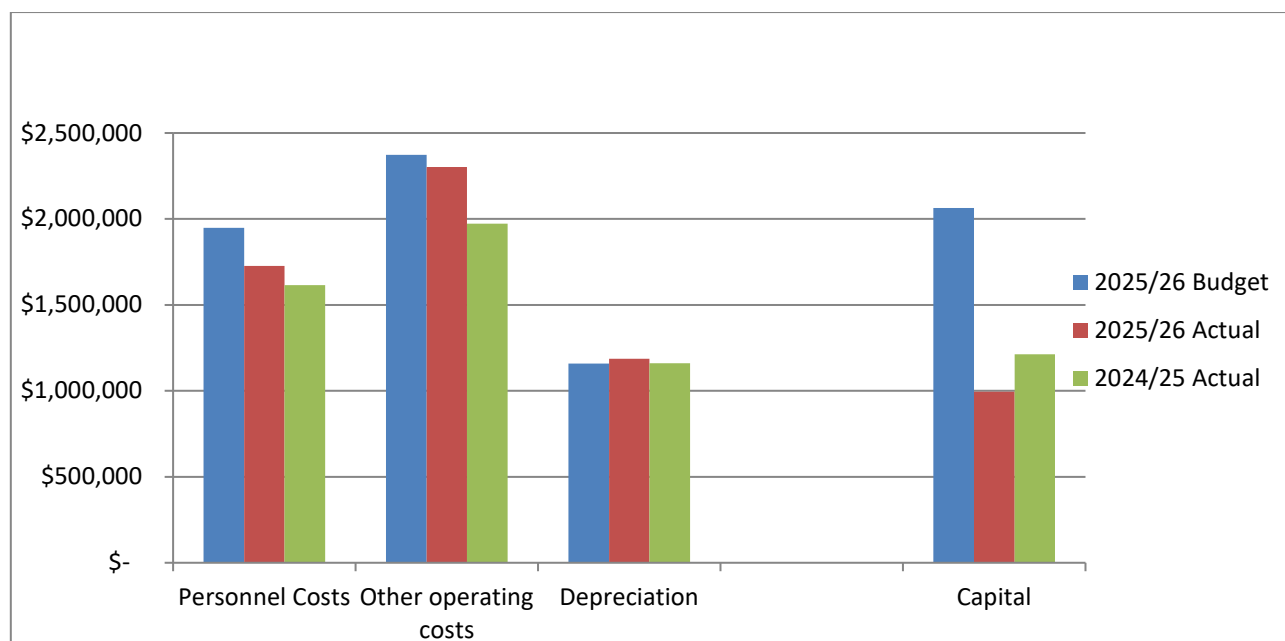
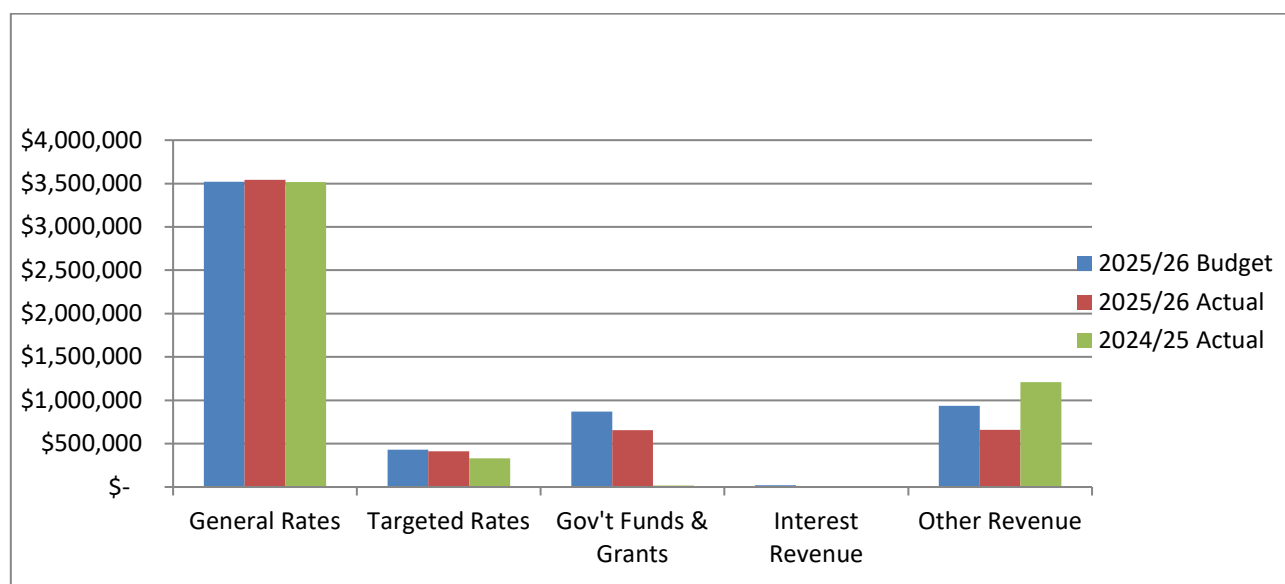
## 2 **Financial Performance**

### 2.1 **Statement of Comprehensive Revenue and Expense**

The following table shows Council's financial performance for the three months compared to the adopted annual budget. The capital budget for 2025/26 has been amended to include the carried forward figures as well as any budget amendments approved by Council. NB: There will be timing differences for some revenue and expenditure.

	<b>Adopted Budget</b>	<b>Budget 30-09-2025</b>	<b>Actual 30-09-2025</b>	<b>Comments</b>
<b>Revenue:</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	
Rates	15,811,210	3,952,802	3,953,823	
Subsidies and Grants	3,473,480	868,370	655,666	Budget Includes Stoneham Park Grant
Interest Revenue	85,500	21,375	11,147	
Fees and Charges	2,275,830	568,958	644,364	
Other Revenue	1,462,960	365,740	13,571	Petrol Tax, Sales
<b>Total Revenue</b>	<b>23,108,980</b>	<b>5,777,245</b>	<b>5,278,571</b>	
<b>Expenditure:</b>				
Personnel Costs	7,792,040	1,948,010	1,726,000	
Depreciation	4,634,610	1,158,652	1,186,838	
Finance Costs	460,500	115,125	70,013	
Other Expenses	9,032,370	2,258,093	2,231,703	
<b>Total Expenditure</b>	<b>21,919,520</b>	<b>5,479,880</b>	<b>5,214,554</b>	
<b>Surplus (Deficit)</b>	<b>1,189,460</b>	<b>297,365</b>	<b>64,017</b>	
	<b>Revised Budget</b>		<b>Actual 30-09-25</b>	
<b>Capital Expenditure</b>	<b>8,257,292</b>	<b>2,064,323</b>	<b>994,141</b>	

Council's expenditure and revenue for the year to date are shown in the graphs below, compared to the budget and expenditure/revenue for last year 2024/25.

**Expenditure to 30 September 2025****Revenue to 30 September 2025****2.2 Statement of Financial Position**

The following table shows Council's financial position at 30 September 2025 compared to the budget.

The financial position does not include all the accruals for receivables and payables.

	Budget at 30/6/2026	Actual at 30 September 2025	Comments
<b>Assets:</b>			
<b>Current assets:</b>			
Cash & cash equivalents	\$3,117,720	\$2,446,085	
Receivables	\$2,564,490	\$1,685,353	
Inventories	\$5,211,290	\$2,466,140	Sections, Bell St
<b>Non-current assets:</b>			
Property, plant and equipment	\$131,674,677	\$135,096,887	
Intangible assets	\$112,500	\$105,147	
Other financial assets	\$386,250	\$336,252	
<b>Total Assets</b>	<b>\$143,066,927</b>	<b>\$142,135,864</b>	
<b>Liabilities:</b>			
<b>Current liabilities:</b>			
Payables, provisions & employee benefits	\$5,005,760	\$3,174,350	
Resident's Liability	\$7,997,650	\$9,039,728	Porritt Glade
Borrowing	\$17,800	\$9,264	
<b>Non-current liabilities:</b>			
Provisions & employee benefits	\$136,397	\$61,322	
Borrowing	\$8,051,010	\$6,024,718	
Deferred Revenue	\$66,820	\$125,714	
<b>Total Liabilities</b>	<b>\$21,275,437</b>	<b>\$18,435,096</b>	
<b>Ratepayers Equity</b>	<b>\$121,791,490</b>	<b>\$123,700,768</b>	
<b>Total liabilities &amp; Ratepayers equity</b>	<b>\$143,066,927</b>	<b>\$142,135,864</b>	

### 2.3 Statement of Cashflow

The cashflow statement shows an increase of \$184,860 in Council's cash position.

	Budget at 30/6/2026	Actual to 30 Sept 2025	Comments
<b>Cashflow from operating activities:</b>			
Rates	\$15,724,640	\$4,284,214	
Subsidies & Grants	\$3,473,480	\$822,666	
Fees & Charges & Other Revenue	\$3,485,757	\$693,437	
Interest Received	\$85,500	\$11,147	
Payments to suppliers and employees	\$(18,161,487)	\$(4,685,694)	
Interest paid on debt	\$(460,500)	\$(0)	Paid in October
<b>Net cashflow from Operations</b>	<b>\$4,147,390</b>	<b>\$1,125,770</b>	
<b>Net cashflow from investing:</b>			
Disposal of Assets/Contributions ORA	\$0	\$221,859	
Property, Plant & Equipment/Inventory	\$(6,494,020)	\$(1,162,769)	
<b>Net cashflow from investing:</b>	<b>\$(6,494,020)</b>	<b>\$(940,910)</b>	
<b>Net cashflow from financing:</b>			
Loans raised	2,000,000	\$0	
Debt repayment	\$(17,800)	\$0	
<b>Net cashflow from financing</b>	<b>\$1,982,200</b>	<b>\$0</b>	
<b>Total Net cash inflow/(outflow)</b>	<b>(\$364,430)</b>	<b>\$184,860</b>	
Opening balance (1/7)	\$3,482,150	\$2,261,225	
<b>Closing cash balance</b>	<b>\$3,117,720</b>	<b>\$2,446,085</b>	

### 3 **Capital Expenditure**

The following is Council's capital budget (including carry forwards and amendments) and expenditure for the first three months to 30 September 2025.

Activity	2025/26 Budget	Actual	Comments
Economic & Community Development	\$1,188,730	\$8,729	Stoneham infrastructure development
Environmental Services	\$581,962	\$7,472	New Dog Pound
Roading	\$543,180	\$42,203	
Stormwater	\$0	\$0	
Water Supply	\$2,469,253	\$313,876	Pipe renewals
Wastewater	\$2,559,864	\$435,400	WW pipe renewals
Solid Waste	\$0	\$0	
Leisure & Recreation	\$468,616	\$89,783	
Plant, Depot and Office	\$445,690	\$96,678	New plant/vehicles, PCs & office building renewals
<b>Total</b>	<b>\$8,257,295</b>	<b>\$994,141</b>	

### 4 **Non-Financial Performance**

The following is a summary of the non-financial targets performance to date:

Activity	2025/26 No. of Targets	On Target to Achieve 2025/25	2024/25 Achievement Rate
Democracy	5	5	67%
Economic & Community Development	5	5	60%
Environmental Services (excludes N/As)	10	10	62%
Roading (including Footpaths)	9	8	29%
Stormwater	3	3	100%
Water Supply	13	13	93%
Wastewater	8	8	86%
Solid Waste Management	5	5	100%
Leisure and Recreation	19	19	83%
<b>TOTAL</b>	<b>77</b>	<b>76</b>	<b>74%</b>

NB: those targets to be measured have been included as "on target to achieve", which includes the triennial community survey targets.

### 5 **RECOMMENDATION**

That the report "Annual Plan Performance for the three months ended 30 September 2025" be received.



Lee-Anne Butler, CA, BMS

#### **Group Manager Finance & Corporate Services**

## ACTIVITY GROUP 1: DEMOCRACY

### Funding Impact Statement

	Budget to 30/06/26	Budget to 30/09/25	Actual to 30/09/25	
Operating funding – Rates & Charges (A)	982,550	245,638	380,374	
Applications of operating funding – Staff & Suppliers (B)	(964,920)	(241,230)	(302,156)	Includes MTF-Js expenditure and funding
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>17,630</b>	<b>4,408</b>	<b>78,218</b>	
Sources of capital funding (C)	0	0	0	
Less (D):				
Renewals/capital	0	0	0	
Increase/(decrease) in reserves	17,630	4,408	78,218	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(17,630)</b>	<b>(4,408)</b>	<b>(78,218)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>0</b>		<b>0</b>	



## Statement of Service Provision: Democracy to 30 September 2025

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
The community has confidence in the quality of democracy and representation provided by their Elected Members	Community satisfaction with Mayor and Councillors	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026.
Financial management is prudent, effective and efficient	Community satisfaction with the Way Rates are Spent	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026.
	Percentage completion of the annual work programme	90%	To be measured	There are 35 significant projects in the annual work programme, most of which will be completed later in the financial year.
Quantity Indicators				
Council informs the community about key issues and activities.	Number of Community Engagements (includes newsletters, public publications, public meetings).	At least 20 community engagements	On track to achieve	7 newsletters were published to 30 September 2025
Responsiveness Indicators				
Council encourages the community to contribute to Council decision-making	Provision of a public forum at public Council and Committee meetings	Every meeting	On track to achieve	Public forums have been available every meeting to 30 September 2025.

## ACTIVITY GROUP 2: ECONOMIC AND COMMUNITY DEVELOPMENT

### Funding Impact Statement

	Budget to 30/06/26	Budget to 30/09/25	Actual to 30/09/25	Comment
Operating funding – Rates & Charges (A)	3,143,620	785,905	611,166	Includes Stoneham Park Grant
Applications of operating funding – Staff & Suppliers (B)	(4,562,400)	(1,140,600)	(414,882)	Includes Stoneham Park Expenditure
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>(1,418,780)</b>	<b>(354,695)</b>	<b>196,284</b>	
Sources of capital funding (C)	2,676,000	669,000	108,876	Grants funding Stoneham Park
Less (D):				
Renewals/capital	1,188,730	297,183	8,729	
Increase/(decrease) in reserves	68,490	17,122	296,431	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>1,418,780</b>	<b>354,695</b>	<b>(196,284)</b>	
<b>Funding balance ((A - B) + (C - D))</b>	<b>0</b>	<b>0</b>	<b>0</b>	

### Capital Renewals

Item	Budget	Actual	Comment
Stoneham Park Infrastructure	\$1,146,430	\$0	
Renewals Firmin Lodge	\$6,690	\$0	
Renewals isite	\$35,610	\$0	
Renewals Porritt Glade	\$0	\$8,729	New gate
<b>Total</b>	<b>\$1,188,730</b>	<b>\$8,729</b>	

## Statement of Intended Service Provision: Economic and Community Development

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
Council provides an Information Centre which suits community needs	Community satisfaction with the Information Centre <sup>1</sup>	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026.
Council supports young people to develop skills and attitudes needed to take a positive part in society	Satisfaction with youth council collaboration from collaborating groups <sup>2</sup>	95%	To be measured	This survey is distributed at the end of the financial year to collaborators.
Council encourages positive perceptions of Kawerau by supporting local events	Frequency of events from February to December	One event each month	On track to achieve	<p><u>July</u></p> <ul style="list-style-type: none"> <li>Whakatane Bird Show; 5/6<sup>th</sup> - Town Hall</li> <li>Elevate Kawerau; 12<sup>th</sup> - Rec Centre</li> <li>Kawerau Krusher (Wildwater Canoe Race); 13<sup>th</sup> – Waterhouse St. Res.</li> <li>EBOP JAB; 26<sup>th</sup> – Tarawera Park</li> </ul> <p><u>August</u></p> <ul style="list-style-type: none"> <li>CSBOP Club Race; 9/10<sup>th</sup> – Waterhouse St. Res.</li> </ul> <p><u>September</u></p> <ul style="list-style-type: none"> <li>It's in the Ballot; 13<sup>th</sup> – Town Hall</li> </ul>

<sup>1</sup> The target is based on the 2023 user satisfaction results provided by SIL Research. Council has selected this target of 88% to ensure Council is at a minimum continuing to meet the 2023 user satisfaction target

<sup>2</sup> Target based on 2023/24 results and set to maintain Council's standards, target set at 95%

				National Clean up Week; 21 <sup>st</sup> – Maurie Kjar Aquatics Centre (and other sites)
				National Clean up Week; 21 <sup>st</sup> – Maurie Kjar Aquatic Centre (and other sites)
Council provides a local Information Centre which is accessible to visitors and the local community	Number of days open each year <sup>3</sup>	Open 364/365 days	On track to achieve	Open 92/365 days <i>Note: isite closed Christmas Eve and Day (24<sup>th</sup> &amp; 25<sup>th</sup> December)</i>
Council supports young people to develop skills and attitudes needed to take a positive part in society.	Youth Council in place	Annual appointments made	On track to achieve	Youth Council usually sworn in each year in March. Monthly meetings:

<sup>3</sup> Council's target for the local information centre being open at least 360 days of the year is to ensure high accessibility for all visitors, residents and ratepayers to the Information Centre (isite)

## ACTIVITY GROUP 3: ENVIRONMENTAL SERVICES

### Funding Impact Statement

	Budget to 30/06/26	Budget to 30/09/26	Actual to 30/09/26	Comment
Operating funding – Rates & Charges (A)	1,676,680	419,170	467,756	
Applications of operating funding – Staff & Suppliers (B)	(1,641,230)	(410,308)	(339,008)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>35,450</b>	<b>8,862</b>	<b>128,748</b>	
Sources of capital funding (C)	0	0	0	
Less (D):				
Renewals/capital	581,962	145,491	7,472	Dog Pound
Increase/(decrease) in reserves	(546,512)	(136,629)	121,276	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(35,450)</b>	<b>(8,862)</b>	<b>(128,748)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

# Statement of Intended Service Provision: Environmental Services

## Building Control

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
Service users consider Council's Building Control Activity to be effective	Council meets statutory timeframes for processing building consents <sup>4</sup>	100%	On target to achieve	100% to date
Quantity Indicators				
Council provides in-house building consent, inspection and approval services	Bi-annual Building Consent Authority accreditation re-assessment <sup>5</sup>	Accreditation and registration retained	On target to achieve	Audit takes place in November 2025

## Resource Management

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
Service users consider Council's Resource Management Activity to be effective	Council meets statutory timeframes for processing resource consents. <sup>6</sup>	100%	On target to achieve	100% to date

<sup>4</sup> The target is set per the statutory requirement of 100% and the time it takes to process is measured according to MBIE and IANZ guidelines per the Building Act 2004.

<sup>5</sup> Accreditation as a as a Building Control Authority allows Council the ability to provide in-house Building Control Services. This requires meeting the Building Act requirements, which includes being audited every 2 years by International Accreditation New Zealand (IANZ)

<sup>6</sup> The target is set per the statutory requirement of 100%. The nature of the timeframe differs depending on the nature of the resource consent.

## Environmental Health

Level of Service	Measure	Target 2025/26	Status	Comment
Quantity Indicators				
Council ensures environmental and public health standards are maintained	Licensed food premises are inspected as per required inspection timeframes <sup>7</sup>	100%	On track to achieve	3/24 inspections completed to date
	Registered Premises are inspected for compliance with relevant standards <sup>8</sup>	100%	On track to achieve	0/6 inspections completed to date
Premises licensed under the Sale and Supply of Alcohol Act 2012 comply with licence conditions	Inspection of licensed premises for compliance at least once a year, except for special licences <sup>9</sup>	100%	On track to achieve	0/13 inspections completed to date
Responsiveness Indicators				
Council responds to complaints and service requests for environmental health conditions (noise complaints, nuisance conditions/health risks)	Timeliness of response to priority one <sup>10</sup> noise complaints (excludes antenno and email requests)	Priority 1 response time 80% within 30 minutes	On track to achieve/	Priority 1 - 82% within 30 minutes
	Response to other Environmental Health service requests/ complaints <sup>11</sup>	100% within 1 working day	On track to achieve	4/4 (100%) within 1 working day

## Dog Registration and Control

Level of Service	Measure	Target 2025/26	Status	Comments
Quality Indicators				
Council maintains community satisfaction levels for the Dog Control service	Community satisfaction with Dog Control Service <sup>12</sup>	Community satisfaction is equal to or above NZ Benchmark	To be measured	The community survey will be completed in April/May 2026.

<sup>7</sup> All food premises are inspected either every year, 18 months or two years. The target is set at 100% of those requiring inspection each year. The regularity of the inspections is determined by the grading they receive in compliance with the Food Safety Standards. The number of non-compliance standard determines the inspection timeframes, if more non-compliance the shorter the inspection period applies.

<sup>8</sup> The registered premises are Hairdressers and Funeral Homes, which are inspected annually to ensure compliance with the relevant legislation applicable to the business type, therefore target 100%.

<sup>9</sup> All premises with a license under the Sale and Supply of Alcohol Act are inspected yearly to ensure compliance with their license conditions, therefore target set at 100%.

<sup>10</sup> Priority 1 noise complaints are those where the noise is still occurring and the complaints are made by phone.

<sup>11</sup> Given the health aspects of such complaints, Council's target is set to ensure complaints are addressed quickly.

<sup>12</sup> The New Zealand Benchmark is provided by SIL Research, Council has selected this target to ensure Council is meeting the New Zealand Benchmark as a minimum standard.

Level of Service	Measure	Target 2025/26	Status	Comments
Responsiveness Indicators				
Council responses to complaints and service requests for dog control matters	Timeliness of response from time dispatched to priority one dog complaints (excluding jobs received by antenno or email.)	Priority 1 response time 80% within 30 minutes <sup>13</sup>	On track to achieve	Priority 1- 83% within 30 minutes

<sup>13</sup> This target while aspirational, reflects the level of service Council would like to aim for, however important to note the service is delivered by contractor outside of normal Council work hours.



## ACTIVITY GROUP 4: ROADING

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	1,597,330	399,333	386,551	
Applications of operating funding – Staff & Suppliers (B)	(1,156,890)	(289,223)	(257,461)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>440,440</b>	<b>(110,110)</b>	<b>129,090</b>	
Sources of capital funding (C)	342,020	85,505	31,541	
Less (D):				
Renewals/capital	543,180	135,795	42,203	
Increase/(decrease) in reserves	239,280	59,820	118,428	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(440,440)</b>	<b>(110,110)</b>	<b>(129,090)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

### Capital Renewals

Item	Budget	Actual	Comment
Kerb replacement	\$84,000	\$0	
Street light renewals and upgrades	\$40,500	\$28,500	
Reseals	\$136,700	0	
Pavement treatment	\$76,700	0	
Stormwater Catchment	\$60,000	\$2,352	
Reseals Carparks	\$54,700	\$0	
Footpath repairs/Paving	\$58,100	\$11,203	
Bins/seating/music system/lights/Cameras	\$32,480	\$148	
<b>Total</b>	<b>\$543,180</b>	<b>\$42,203</b>	

## Statement of Intended Service Provision - Roading

Level of Service	Measure	Target 2025/26	Status	Comments
Quality Indicators				
Council maintains community satisfaction levels for roading activity	Community satisfaction with roading assets (based on user satisfaction)	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026.
Council provides a network of roads which facilitates the safe movement of people and vehicles around the District	The change from the previous financial year in the number of fatalities and serious injury crashes on the local road network, expressed as a number	Increase of zero or less	To be measured	Data received at the end of the financial year.
Road quality	The average quality of ride on a sealed local road network, measured by smooth travel exposure <sup>14</sup>	No less than 95%	To be measured	The STE – Road Roughness Survey is to be undertaken in June 2026
Quantity Indicators				
Road maintenance	The percentage of the sealed local road network that is resurfaced.	>5%	To be measured	Resealing to be undertaken from November 2025 to February 2026.
Responsiveness Indicators				
Response to service requests	The percentage of customer service requests relating to roads to which Council responds within the timeframe specified.	Potholes: 90% repaired within 14 days and 100% within 28 days	On track to achieve	8 Potholes Reported - 8 (100%) responded to within 14 days - 0 (0%) within 28 days and 0 (0%) exceeded 28 days to repair.
		Streetlights: 90% repaired within 14 days and 100% within 28 days	Not achieved (reliance on external contractor)	48 Streetlight outages reported, 37 (77%) repaired within 14 days and 7 (92%) within 28 days and 4 (8%) exceeded 28 days.

<sup>14</sup> The percentage of Vehicle Kilometres Travelled in the District exposed to roads with roughness less than the threshold for urban roads set by the National State Highway Strategy

Level of Service	Measure	Target 2025/26	Status	Comments
				Please note Council engage Horizon Networks to repair the streetlights within the District. Council is therefore reliant on the external contractor to meet the performance timeframes.
Quality Indicators				
Council provides an appropriate network of footpaths for pedestrian use	Community satisfaction with footpaths (based on user satisfaction)	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026.
Footpath condition	Percentage of footpaths that fall within the level of service or service standard for the condition of footpaths set out in the Activity Management Plan	>95%	To be measured	Independent Survey of footpaths to be undertaken by June 2026.
Responsiveness Indicators				
Response to service requests	The percentage of footpath-related customer service requests to which Council responds within the timeframe specified.	100% within 14 days	On track to achieve	8 Footpath issues reported – 8 (100%) footpaths repaired within 14 days and 0 (0%) took longer than 14 days

## ACTIVITY GROUP 5: STORMWATER

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	197,550	49,388	41,512	
Applications of operating funding – Staff & Suppliers (B)	(69,140)	(17,285)	(17,271)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>128,410</b>	<b>32,103</b>	<b>24,241</b>	
Sources of capital funding (C)	0	0	0	
Less (D):				
Renewals/capital	0	0	0	
Increase/(decrease) in reserves	128,410	32,103	24,241	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(128,410)</b>	<b>(32,103)</b>	<b>(24,241)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

## Statement of Intended Service Provision: Stormwater

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
Council provides an effective stormwater network which removes stormwater to protect dwellings from flooding (System adequacy)	The number of flood events that occur in the District.	No more than 10	On track to achieve	There were no flooding events where habitable dwellings were flooded during the period.
	For each flood event, the number of habitable floors affected (expressed per 1,000 properties connected to Council's stormwater system).	N/A (mandatory measure)	Not applicable	Not applicable
	The number of complaints received by Council about the performance of its stormwater system (expressed per 1,000 properties connected to Council's stormwater system).	N/A (mandatory measure)	Not applicable	Not applicable
Responsiveness Indicators				
Response times	The median response time to attend a flooding event, measured from the time that Council receives notification to the time that service personnel reach the site.	Less than one hour	On track to achieve	There were no flooding events during the period.
Discharge compliance	<p>Compliance with Council's resource consents for discharge from the system, measured by the number of:</p> <ul style="list-style-type: none"> <li>• abatement notices</li> <li>• infringement notices</li> <li>• enforcement orders, and</li> <li>• convictions,</li> </ul> <p>received by Council in relation to those resource consents.</p>	No notices, orders or convictions	On track to achieve	Council did not receive any notice, orders or convictions during the period.

## ACTIVITY GROUP 6: WATER SUPPLY

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	2,323,310	580,828	562,524	
Applications of operating funding – Staff & Suppliers (B)	(1,859,810)	(464,953)	(404,143)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>463,500</b>	<b>115,875</b>	<b>158,381</b>	
Sources of capital funding (C)	2,000,000	500,000	0	Loan borrowed in 2 <sup>nd</sup> quarter
Less (D):				
Renewals/capital	2,469,253	617,313	313,876	
Increase/(decrease) in reserves	(5,753)	(1,438)	(155,495)	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(463,500)</b>	<b>(115,875)</b>	<b>(158,381)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

### Capital Renewals

Item	Budget	Actual	Comment
Pipework replacement	\$2,240,417	\$233,667	
Toby replacement	\$50,000	\$972	
Valve Refurbishment	\$0	\$0	
UV Tube Replacement	\$15,836	\$1,390	
Pump Refurbishment	\$30,000	\$2,361	
Headworks, Dosing and Hydrants	\$133,000	\$75,486	
<b>Total</b>	<b>\$2,469,253</b>	<b>\$313,876</b>	

## Statement of Intended Service Provision - Water

Level of Service	Measure	Target 2025/26	Status	Comments
Water Supply				
Quality Indicators				
Provision of a quality water supply	Community satisfaction with water supply	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
Customer satisfaction	<p>The total number of complaints received about any of the following:</p> <ul style="list-style-type: none"> <li>a) drinking water clarity</li> <li>b) drinking water taste</li> <li>c) drinking water odour</li> <li>d) drinking water pressure or flow</li> <li>e) continuity of supply, and</li> <li>f) Council's response to any of these issues</li> </ul>	<ul style="list-style-type: none"> <li>a) No more than 4 per 1000 connections</li> <li>b) No more than 2 per 1000 connections</li> <li>c) No more than 1 per 1000 connections</li> <li>d) No more than 2 per 1000 connections</li> <li>e) No more than 2 per 1000 connections</li> <li>f) 0 per 1000 connections</li> </ul>	Achieved to date	<p>Council has 2,903 connections. To date Council received (per 1,000 connections)</p> <ul style="list-style-type: none"> <li>a) 0.0 water clarity complaints</li> <li>b) 0.34 water taste complaints</li> <li>c) 0.0 water odour complaints</li> <li>d) 0.0 water pressure complaints</li> <li>e) 0.0 continuity of supply complaints</li> <li>f) 0.0 complaints regarding Council's response</li> </ul>
	<p>The extent to which the drinking water supply complies with the following parts of the drinking water quality assurance rules:</p> <ul style="list-style-type: none"> <li>a) Bacterial Rules:</li> <li>b) Protozoal Rules</li> <li>c) Microbiological Monitoring Rules</li> </ul>	<p>100% complies with</p> <ul style="list-style-type: none"> <li>a) 4.10.1 T3 Bacterial Rules</li> <li>b) 4.10.2 T3 Protozoal Rules</li> <li>c) 4.11.5 D3 29 Microbiological Monitoring Rules</li> </ul>	Achieved to date	<p>Results to achieved to date</p> <ul style="list-style-type: none"> <li>a) 100%</li> <li>b) 100%</li> <li>c) 100%</li> </ul>
Safety of drinking water in compliance with Drinking Water Quality Assurance Rules 2022				

Level of Service	Measure	Target 2025/26	Status	Comments
Maintenance of the reticulation network	The percentage of real water loss from the Council's networked reticulation system, measured using the minimum night flow (MNF) analysis method contained in the DIA Guidelines <sup>15</sup> .	<200 litres per connection per day	On track to achieve	Water loss estimated to be <200 litres per connection per day
Quantity Indicators				
Demand management	The average consumption of drinking water per day per resident within the district.	<0.6 m3	On track to achieve	The average daily consumption to date is <0.38m3 per person per day.
Responsiveness Indicators				
Fault response times	Where the local authority attends a call-out in response to a fault or unplanned interruption to its networked reticulation system, the median response times are			
	Median response time for attendance for urgent call-outs: from the time that Council receives notification to the time that service personnel reach the site, and	Median response time - Less than two hours	Achieved to date	5 urgent call-outs and median response time was 12 minutes
	Median resolution time of urgent call-outs: from the time that Council receives notification to the time that service personnel confirm resolution of the fault or interruption.	Median resolution time - Less than 8 hours	Achieved to date	100% within 8 hours (median resolution was 2 hours and 56 minutes)
	Median response time for attendance of non-urgent call-outs: from the time that Council receives notification to the time that service personnel confirm	For non-urgent call-outs attendance response time of less than 24 hours	Achieved to date	16 non-urgent call-outs (median response time of 49 minutes - all less than 24 hours)

<sup>15</sup> Measured using the minimum night flow (MNF) analysis method contained in the DIA Guidelines.



Level of Service	Measure	Target 2025/26	Status	Comments
	resolution of the fault or interruption			
	Resolution of non-urgent call-outs: from the time that Council receives notification to the time that service personnel confirm resolution of the fault or interruption	For non-urgent call-outs resolution time of less than 48 hours	Achieved to date	100% within 48 hours (median resolution was 12 hours and 18 minutes)

Level of Service	Measure	Target 2025/26	Status	Comments
Water Supply (Continued)				
Reliability Indicators				
The water supply is reliable and has minimal disruptions	Number of unplanned shutdowns – reticulation	No more than 12	Achieved to date	3 - unplanned shutdown
	Number of unplanned shutdowns – pump stations	None	Achieved to date	No unplanned shutdowns of the pump station occurred
	Number of water main breaks	No more than 8	Achieved to date	2 - water main breaks
Environmental Indicators				
Water is sourced with minimal environmental effects	Compliance with BOP Regional Council water supply resource consents as reported in Annual Consents and Compliance Field Sheet <sup>16</sup> .	Compliance with consents	On track to achieve	Compliance with old consent

<sup>16</sup> BOPRC inspection reports state either compliance or non-compliance.

## ACTIVITY GROUP 7: WASTEWATER

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	2,325,880	581,470	570,017	
Applications of operating funding – Staff & Suppliers (B)	(1,880,340)	(470,085)	(445,176)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>445,540</b>	<b>111,385</b>	<b>124,841</b>	
Sources of capital funding (C)	0	0	0	
Less (D):				
Renewals/capital	2,559,864	639,966	435,400	
Increase/(decrease) in reserves	(2,114,324)	(528,581)	(310,559)	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(445,540)</b>	<b>(111,385)</b>	<b>(124,841)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

### Capital Renewals

Item	Budget	Actual	Comment
Pipework Renewal	\$1,621,858	\$28,511	
Milliscreen bearings/replacement	\$40,326	\$0	
Wastewater treatment plant upgrade	\$852,480	\$406,889	
Pumping Station	\$45,200	\$0	
<b>Total</b>	<b>\$2,559,864</b>	<b>\$435,400</b>	

## Statement of Intended Service Provision: Wastewater

Level of Service	Measure	Target 2025/26	Status	Comment
Quality Indicators				
Provision of domestic wastewater collection and primary treatment	Community satisfaction with wastewater disposal	Community satisfaction is equal to or above NZ benchmark	To be measured <sup>17</sup>	The community survey will be completed in April/May 2026.
Customer satisfaction	The total number of complaints received about any of the following: a) sewage odour b) sewerage system faults c) sewerage system blockages, and d) Council's response to issues with its sewerage system, expressed per 1,000 connections to the sewerage system.	a) No more than 1 per 1,000 connections b) No more than 15 per 1,000 connections c) No more than 15 per 1,000 connections d) 0 per 1000 connections	Achieved to date	Council has 2,880 connections a) 0.0 odour complaints b) 0.0 connection faults reported c) 0.34 blockages reported d) No complaints about response to service.
Quantity Indicators				
System adequacy	The number of dry weather sewage overflows from Council's sewerage system, expressed per 1000 connections to that sewerage system.	0 per 1000 connections to the sewerage system	Achieved to date	No dry weather overflows reported

<sup>17</sup> The New Zealand Benchmark is provided by SIL Research, Council has selected this target to ensure Council is meeting the New Zealand Benchmark as a minimum standard.

Level of Service	Measure	Target 2025/26	Status	Comment
<b>Responsiveness Indicators</b>				
Fault response times	Where Council attends to sewage overflows resulting from a blockage or other fault in its sewerage system, the median response times are:			
	a) median attendance time: from the time that Council receives notification to the time that service personnel reach the site, and	Less than 1 hour	Achieved to date	No overflows reported
	b) median resolution time: from the time that Council receives notification to the time that service personnel confirm resolution of the blockage or other fault.	Less than 8 hours	Achieved to date	No overflows reported
<b>Reliability Indicators</b>				
Council provides a reliable domestic wastewater collection and disposal service	Number of disruptions to wastewater collection service	No more than 15 disruptions to wastewater service	Achieved to date	There have been no disruptions to the wastewater collection service.

Level of Service	Measure	Target 2025/26	Status	Comments
Wastewater (Continued)				
Environmental Indicators				
Discharge compliance	<p>Compliance with resource consents for discharge from Council's sewerage system measured by the number of:</p> <p>a) abatement notices</p> <p>b) infringement notices</p> <p>c) enforcement orders, and</p> <p>d) convictions, received in relation to those resource consents.</p>	<p>Achieved</p> <p>a) 0</p> <p>b) 0</p> <p>c) 0</p> <p>d) 0</p>	No notices, orders or convictions	No notices, orders or convictions
The wastewater treatment plant operates effectively	<p>Compliance with wastewater treatment plant resource consents as reported in annual Consents and Compliance Field Sheet <sup>18</sup></p>	No notices, orders or convictions.	Achieved to date	Council has not received any infringement notices, orders or convictions to date.

<sup>18</sup> BOPRC inspection reports state either compliance or non-compliance.

## ACTIVITY GROUP 8: SOLID WASTE

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	3,958,340	989,585	888,517	
Applications of operating funding – Staff & Suppliers (B)	(3,921,160)	(980,290)	(869,653)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>37,180</b>	<b>9,295</b>	<b>18,864</b>	
Sources of capital funding (C)	0		0	
Less (D):				
Renewals/capital	0	0	0	
Increase/(decrease) in reserves	(37,180)	(9,295)	18,864	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(37,180)</b>	<b>(9,295)</b>	<b>(18,864)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

## Statement of Intended Service Provision : Solid Waste

Level of Service	Measure	Target 2025/26	Status	Comment
Refuse Collection and Disposal				
Quality Indicators				
Provision of a cost effective refuse collection and disposal that will encourage a healthy, clean and tidy district	Community satisfaction with refuse collection (based on user satisfaction) <sup>19</sup>	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
	Community satisfaction with refuse disposal (based on user satisfaction) <sup>20</sup>	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
Environmental Indicators				
Council's refuse collection and disposal services meet the needs of the Kāwerau Community and help maintain public health and a clean environment	Level of compliance with BOP Regional Council refuse disposal resource consents as reported in annual Consents and Compliance Field Sheet	No notices, abatement notices, enforcement orders or convictions.	On track to achieve	Compliance - No notices, abatement notices, enforcement orders or convictions
Zero Waste (Recycling)				
Quality Indicators				
Council's refuse collection and disposal services meet the needs of the Kāwerau Community	Community satisfaction with recycling services (based on user satisfaction) <sup>21</sup>	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
Quantity Indicators				
Material that would otherwise go to landfill as household refuse is collected by the recycling collection service	Average amount of recyclable material collected from each household.	No less than 178kg per annum	On track to achieve	> 178 kg per household per annum is anticipated to be diverted.

<sup>19</sup> The New Zealand Benchmark is provided by SIL Research, Council has selected this target to ensure Council is meeting the New Zealand Benchmark as a minimum standard.

<sup>20</sup> The New Zealand Benchmark is provided by SIL Research, Council has selected this target to ensure Council is meeting the New Zealand Benchmark as a minimum standard.

<sup>21</sup> The target is based on the 2023 user satisfaction results provided by SIL Research, Council has selected this target of 81% to ensure Council is at a minimum continuing to meet the 2023 user satisfaction target.

## ACTIVITY GROUP 9: LEISURE AND RECREATION

### Funding Impact Statement

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	5,281,380	1,320,345	1,324,749	
Applications of operating funding – Staff & Suppliers (B)	(4,764,270)	(1,191,068)	(1,257,686)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>517,110</b>	<b>129,277</b>	<b>67,063</b>	
Sources of capital funding (C)	0	0	160,354	
Less (D):				
Renewals/capital	468,616	117,154	89,783	
Increase/(decrease) in reserves	48,494	(12,123)	137,634	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(517,110)</b>	<b>129,257</b>	<b>(67,063)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

### Capital Renewals

Item	Budget	Actual	Comment
Library:			
Collection renewals	\$79,090	\$15,528	Replacement books
Equipment, Fixtures and Fittings	\$4,961	\$0	
Building	\$63,240	\$0	
Swimming Pool	\$158,280	\$52,761	Plant Room cabling, Spa Pool, Pool Floor, & clubrooms.
Museum	\$13,725	\$0	Museum software
Recreation Centre	\$7,190	\$0	Roof, Air Extractors
Town Hall	\$2,980	\$0	
Concert Chambers	\$3,900	\$0	
Rangji Delamere Centre	\$3,700	\$0	
Sports fields and amenity buildings	\$41,080	\$0	
Passive Reserves	\$58,360	\$14,534	Boundary fences, carparks and sprinkler replacements
Playgrounds	\$32,110	\$6,960	Playground renewal
<b>Total</b>	<b>\$468,616</b>	<b>\$89,783</b>	



## Statement of Intended Service Provision – Leisure and Recreation

Level of Service	Measure	Target 2025/26	Status	Comment
Library				
Quality Indicators				
Council provides public library services and resources which suit Community needs	Community satisfaction with the Public Library (based on user satisfaction)	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
	Number of Library programmes provided to the community (includes Holiday and Adult programmes)	> 6 programmes provided	On track to achieve	The Library have provided 4 Programmes to 30 September 2025, which were: * The Night Library * July School holidays (6 sessions) * Winter Reading * September School holiday (5 sessions)
Quantity Indicators				
The library is accessible to the public	Total number of people visiting the library for the year.	>50,000	On track to achieve	The number of library visitors to 30 September 2025 was 14,895
Museum and Archives				
Quality Indicators				
Council provides a museum service which reflects Community needs	Community satisfaction with the Museum (based on user satisfaction)	Community satisfaction is >77% user satisfaction	To be measured	The community survey will be completed in April/May 2026
Quantity Indicators				
Council provides a museum service which reflects Community needs	Number of exhibitions held	6 exhibitions	On track to achieve	2 exhibitions held to date
	Number of objects processed	200	On track to achieve	60 objected processed to 30 September 2025

Level of Service	Measure	Target 2025/26	Status	Comment
Swimming Pools				
Quality Indicators				
Council provides a swimming pool complex which reflects Community needs	Community satisfaction with Public Swimming Pools (based on user satisfaction)	Community satisfaction is equal to or above NZ benchmark	To be measured	The community survey will be completed in April/May 2026
Swimming pool water meets water quality standards	Level of compliance with standards	Full compliance in 95% of tests	Achieved to date	Full compliance in 100% of tests
Quantity Indicators				
Council provides a Swimming Pool Complex which is accessible to the Community	Weeks open per year	Open at least 48 weeks	On target to achieve	Open every week from 1 July to 30 September 2025. Closures for annual maintenance began in October.
Public Halls and Facilities				
Quality Indicators				
Council provides public halls and facilities which reflect the community's needs.	User satisfaction with Public Halls	Community satisfaction is >93% user satisfaction	To be measured	The community survey will be completed in April/May 2026
	User satisfaction with Public Toilets	Community satisfaction is >87% user satisfaction	To be measured	The community survey will be completed in April/May 2026
Quantity Indicators				
All Community Halls and Facilities are available for hire	Number of weeks public halls available for hire	Each hall is available for 50 weeks <sup>22</sup>	On target to achieve	Each hall was available for the July to Sept quarter.

<sup>22</sup> Each hall is closed for scheduled maintenance for up to two weeks per year.

Level of Service	Measure	Target 2025/26	Status	Comment
Public toilets are provided in the central business district	Town centre public toilets are open for at least 360 days	Open at least 360 days	On target to achieve	Open every day from July to September 2025
Parks and Reserves				
Quality Indicators				
Council provides parks and reserves which meet Community needs	Community satisfaction with Parks and Reserves	Community satisfaction is >93% user satisfaction	To be measured	The community survey will be completed in April/May 2026
Sports field playing surfaces meet requirements of codes for which they are used	Implementation of recommendations of NZ Sports Turf Institute advisory reports.	100%	On target to achieve	
Quantity Indicators				
Bedding displays are attractive and updated to suit the season	Number of bedding displays	2 (1 summer and 1 winter)	On target to achieve	
Responsiveness Indicators				
Playground equipment is safe for children to use	Monthly inspections of all playground equipment	12 inspections conducted		12 inspections conducted
Cemetery				
Quality Indicators				

Level of Service	Measure	Target 2025/26	Status	Comment
The Kawerau cemetery meets Community interment needs in the present and the medium term	Community satisfaction with the Cemetery	Community satisfaction is >78% user satisfaction	To be measured	The community survey will be completed in April/May 2026
Quantity Indicators				
The Kawerau cemetery meets Community interment needs in the present and the medium term	Number of burial plots available	At least enough plots for five years	On target to achieve	There are at least enough for the next five years

## SUNDRY (VANDALISM, PLANT AND ELIMINATIONS)

### Funding Impact Statement

These activities include vandalism, plant and eliminations. Eliminations mostly include the rates charged to Council properties.

Vandalism expenditure to date = \$4,907

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	(1,230,380)	(307,595)	(290,273)	
Applications of operating funding – Staff & Suppliers (B)	(1,647,790)	(411,947)	(421,448)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>417,408</b>	<b>104,352</b>	<b>131,175</b>	
Sources of capital funding (C)	0	0	0	
Less (D):				
Renewals/capital	213,565	53,391	78,548	Plant & vehicles
Increase/(decrease) in reserves	203,843	50,961	52,627	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(417,408)</b>	<b>(104,352)</b>	<b>(131,175)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>0</b>		<b>0</b>	

## ACCOMMODATION AND CORPORATE OVERHEADS

### Funding Impact Statement

These activities include the buildings costs as well as overheads (CEO's and Managers' cost centres). These costs are allocated and are included in the other activities costs, which is required for reporting purposes.

	Budget to 30/06/2026	Budget to 30/09/2025	Actual to 30/09/2025	Comment
Operating funding – Rates & Charges (A)	75,710	18,928	135,325	Grant for CCTV
Applications of operating funding – Staff & Suppliers (B)	4,588,872	1,147,218	1,322,714	
<i>Less allocated to activities</i>	(4,588,872)	(1,147,218,)	(1,322,714)	
<b>Surplus (deficit) of operating funding (A - B)</b>	<b>75,710</b>	<b>18,928</b>	<b>135,325</b>	
Sources of capital funding (C)	0		0	
Less (D):				
Renewals/capital	232,125	58,032	18,130	IT and building renewals
Increase/(decrease) in reserves	(156,415)	(39,104)	117,195	
<b>Surplus (deficit) of capital funding (C - D)</b>	<b>(75,710)</b>	<b>18,928</b>	<b>(135,325)</b>	
<b>Funding balance ((A – B) + (C – D))</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**Meeting:** Council

**Meeting Date:** 26 November 2025

**Subject:** **Adoption of Performance Report Porritt Glade Lifestyle Village for year ended 30 June 2025**

**File No:** 201000

## **1 Purpose**

The purpose of this report is to adopt the Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025 and provide an overview of the village's financial performance for the year.

## **2 Background**

Council, following consultation with the community, resolved in 2020 to develop a 29 unit retirement village as there appeared to be a demand for this type of housing in the community. Council set prices for the units that recovered costs (not make a profit) principally to make them affordable. Also, there would be additional rating income from these units and larger homes would become available in the community for families.

As Porritt Glade Lifestyle Village is a retirement village, Council is required to comply with the Retirement Villages Act 2003, which includes preparing a separate audited annual report, which records the financial performance for the village.

The retirement village is not a Council Controlled Organisation (CCO), which means Council does not have to undertake all the requirements of a CCO listed in the Local Government Act.

As at 30 June 2025, there was full occupancy of the Village's 29 units.

At the time of writing this report, Council's auditors had not fully completed their final checks of the Performance Report for the village, therefore some minor amendments may still be required. If there are any subsequent amendments these will be tabled at the Council meeting.

## **3 Performance for the year ended 30 June 2025**

For the Statement of Financial Performance, there was a surplus of \$20,777 which is close to the budgeted surplus of \$17,500. The surplus compares favourably to the deficit of \$46,252 in 2023/24, which was due to increased insurance and depreciation expenditure and slightly lower fees income with two vacant units.

For 2024/25 the village had full occupancy for the majority of the year, with total revenue of \$489,163 compared to the budget of \$477,500 and 2023/24 income of \$426,658. Expenses for the year were \$468,386, a decrease compared to \$472,910 in 2023/24, but slightly over the budget of \$460,000.

The Statement of Financial Position shows:

- Net Assets deficit of \$209,820, which is an improvement on 2023/24 of \$230,587, and this deficit is expected to continue to gradually improve in subsequent years.
- Council has an advance to the village of \$370k compared to the \$1.4m in 2023/24. The advance has decreased significantly with occupation lease agreements in place for all 29 units.
- The Residents' Liability has increased to \$9.04m which is the amount Council would need to refund residents if the village ceased operation at 30 June 2025. This has increased from \$8.48m in 30 June 2024 due to the final two units being occupied.

The Statement of Cash Flow shows that the village's cash position has decreased from \$437,648 at the beginning of the year, to \$134,273 at the end of the year. The cash movement reflecting the reduced cashflows from operating activities and movements in the Council Advance, which was due to the proceeds from the occupation leases.

Overall, the Village's financial performance and position at 30 June 2025 is reasonably healthy, with full occupancy as at 30 June 2025.

#### 4 **RECOMMENDATIONS**

1. That the report "Adoption of Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025" be received.
2. That Council adopts the Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025.
3. That the Mayor and Chief Executive Officer are delegated to sign the Performance Report for Porritt Glade Lifestyle Village for year ended 30 June 2025, following the adoption by Council.



Lee-Anne Butler, CA, BMS

#### **Group Manager Finance and Corporate Services**

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# **Performance Report**

Porritt Glade Lifestyle Village  
For the year ended 30 June 2025

## Contents

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# Entity Information

## Porritt Glade Lifestyle Village For the year ended 30 June 2025

### Entity Structure

Porritt Glade Lifestyle Village is a Department of Kawerau District Council. The Porritt Glade Lifestyle Village is managed by the Kawerau District Council.

The financial statements of the Porritt Glade Lifestyle Village for the year ended to 30 June 2025. The financial statements are authorised for issue by Council on 26 November 2025.

### Entity's Purpose or Mission

To aim to provide secure and low cost accommodation for independent aged people.

### Entity's Operational Structure

Porritt Glade Lifestyle Village is a registered Retirement Village. It is operated by the Kawerau District Council.

### Entity's Governance Arrangements

Porritt Glade Lifestyle Village is a Department of Kawerau District Council and comes under the Governance of the of the Kawerau District Council Elected Members.

### Main Sources of Entity's Cash and Resources

Maintenance and License Fees - The residents pay a fee that covers the cost of a proportion of the outgoings incurred in the operation of the village. The initial License fee gives the resident the right to occupy a site.

### Main Methods Used by Entity to Raise Funds

Services and Rating charges.

### Physical Address

Porritt Drive, Kawerau

### Solicitors

Holland Beckett  
Tauranga

### Auditor

Audit New Zealand  
Wellington

# Statement of Service Performance

## Porritt Glade Lifestyle Village For the year ended 30 June 2025

### Our Outcomes

To develop infrastructure and to build residential rental units as part of Kawerau District Council operations.

To build units that provide safe, secure and affordable accommodation and grounds for residents.

To allocate units to appropriate residents through License to Occupy Agreements.

### Our Outputs

Output 1	2025 (actual)	2025 (budget)	2024 (actual)
<u>Dwelling Units Completed</u>			
To complete the construction of new units and infrastructure	29 units	29 units	29 units
<u>License to occupy Agreements</u>			
To sell License to Occupy Rights for completed units.	29 Licenses	29 Licenses	27 Licenses

F K N Tunui

MAYOR

M Godfery LLB

CHIEF EXECUTIVE OFFICER

Date (Report approved and authorised for issue): .....

# Statement of Financial Performance

**Porritt Glade Lifestyle Village**  
**For the year ended 30 June 2025**

\$ 2024		NOTES	\$ BUDGET	\$ 2025
<b>Revenue</b>				
	<b><u>Revenue service delivery contracts (non-government)</u></b>			
169,140	Fees, charges from residents		200,000	197,632
250,134	Amenity Fees		275,500	286,710
<b>419,274</b>	<b>Total Revenue service delivery contracts (non-government)</b>		<b>475,500</b>	<b>484,342</b>
7,384	Interest, dividends and other investment revenue		2,000	4,821
<b>426,658</b>	<b>Total Revenue</b>	1	<b>477,500</b>	<b>489,163</b>
<b>Expenses</b>				
0	Employee remuneration and other related expenses		0	840
258,718	Other expenses related to service delivery		254,000	256,862
214,192	Other Expenses		206,000	210,684
<b>472,910</b>	<b>Total Expenses</b>	2	<b>460,000</b>	<b>468,386</b>
<b>(46,252)</b>	<b>Surplus/(Deficit)</b>		<b>17,500</b>	<b>20,777</b>

# Statement of Financial Position

**Porritt Glade Lifestyle Village**  
**For the year ended 30 June 2025**

\$ 2024		NOTES	\$ 2025
<b>Assets</b>			
<b>Current Assets</b>			
437,648	Bank accounts and cash	3	134,273
11,325	Debtors and Prepayments		15,152
10,000	License to Occupy Deposit – held by Covenant Trustees		0
<b>458,973</b>	<b>Total Current Assets</b>		<b>149,425</b>
<b>Non-Current Assets</b>			
<b><u>Property, Plant and Equipment</u></b>			
1,455,441	Land and Improvements	4	1,435,502
7,807,134	Buildings	4	7,644,194
<b>9,262,575</b>	<b>Total Property, Plant and Equipment</b>		<b>9,079,696</b>
<b>9,262,575</b>	<b>Total Non-Current Assets</b>		<b>9,079,696</b>
<b>9,721,548</b>	<b>Total Assets</b>		<b>9,229,121</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
25,522	Creditors and accrued expenses		28,942
1,432,006	Advance – Kawerau District Council	6	370,271
8,484,617	Residents Liability	7	9,039,728
10,000	License to Occupy Deposits Received		0
<b>9,952,145</b>	<b>Total Current Liabilities</b>		<b>9,438,941</b>
<b>9,952,145</b>	<b>Total Liabilities</b>		<b>9,438,941</b>
<b>(230,597)</b>	<b>Total Assets less Total Liabilities (Net Assets)</b>		<b>(209,820)</b>
<b>Accumulated Funds</b>			
<b>(230,597)</b>	<b>Accumulated surpluses/(deficits)</b>	10	<b>(209,820)</b>
<b>(230,597)</b>	<b>Total Accumulated Funds</b>		<b>(209,820)</b>

# Statement of Cash Flows

Porritt Glade Lifestyle Village  
For the year ended 30 June 2025  
Cash Basis

\$ 2024		NOTES	\$ 2025
<b>Statement of Cash Flows</b>			
<b>Cash Flows from Operating Activities</b>			
<u><b>Cash was received from</b></u>			
1,294,140	Funding from non-government service delivery contracts		1,039,453
7,384	Interest, dividends and other investment receipts		4,821
<b>1,301,524</b>	<b>Total Cash was received from</b>		<b>1,044,274</b>
<u><b>Cash was applied to</b></u>			
(6,874)	Employee Remuneration and Other related expenses		(840)
(260,740)	Payments Related to Service Delivery		(284,219)
(30,471)	Other Payments		(0)
<b>(298,085)</b>	<b>Total Cash was applied to</b>		<b>(285,059)</b>
<b>1,003,439</b>	<b>Net Cash Flows from Operating Activities</b>		<b>759,215</b>
<b>Cash Flows from Other Activities</b>			
<u><b>Cash was received from</b></u>			
129,920	Movement from Council Advance		88,266
<b>129,920</b>	<b>Total Cash was received from</b>		<b>88,266</b>
<u><b>Cash was applied to</b></u>			
(975)	Payments to acquire property, plant and equipment		(855)
(900,000)	Movement to Council Advance		(1,150,000)
<b>(900,975)</b>	<b>Total Cash was applied to</b>		<b>(1,150,855)</b>
<b>(771,055)</b>	<b>Net Cash Flows from Other Activities</b>		<b>(1,062,589)</b>
<b>232,384</b>	<b>Net increase/(Decrease) in Cash</b>		<b>(303,374)</b>
<b>205,264</b>	<b>Opening Cash Balance</b>		<b>437,648</b>
<b>437,648</b>	<b>Closing Cash Balance</b>		<b>134,273</b>

# Statement of Accounting Policies

## Porritt Glade Lifestyle Village For the year ended 30 June 2025

### Statement of Compliance and Basis of Preparation

The Porritt Glade Lifestyle Village is a registered retirement village under the Retirement Village Act 2002 and therefore is required to comply with the requirements of this legislation including financial reporting. The Porritt Glade Lifestyle Village is eligible to apply reporting requirements for Tier 3 Public Sector Entities on the basis that it does not have public accountability and has total annual expenses of equal or less than \$5,000,000.

The entity has elected to report in accordance with the reporting requirements for Tier 3 Public Sector Entities. All transactions in the Performance Report are reported using the accrual basis of accounting.

The accounting principles recognised as appropriate for the measurement and reporting of the Statement of Financial Performance and Statement of Financial Position on a going concern basis are followed by the entity, unless otherwise stated in the Specific Accounting Policies.

The information is presented in New Zealand dollars. All values are rounded to the nearest dollar.

The Performance Report is prepared under the assumption that the entity will continue to operate in the foreseeable future. The entity began its activities in July 2019.

During the year the entity incurred a net surplus of \$24,907 (2024: \$(46,252)), and as at 30 June 2025 had net liabilities of \$205,690 (2024: \$230,597). The entity has obtained financial support from the Kawerau District Council for a period of at least 12 months from the approval of these financial statements.

On the basis of this pledge of financial support Council has agreed that it is appropriate for these financial statements to be prepared on the going concern basis.

### Specific Accounting Policies

#### **a) Income Tax**

The reporting entity is a Department of the Kawerau District Council and is wholly exempt from New Zealand income tax having fully complied with all statutory conditions for these exemptions.

#### **b) Goods and Services Tax**

The entity is not registered for GST. Therefore, all amounts are stated inclusive of GST (if any). Any GST transactions are processed within the Kawerau District Council, of which Porritt Lifestyle Village is a department.

GST on infrastructure costs is claimable by the Kawerau District Council and as such these costs are stated in the financial statements net of GST. Any GST that is claimable is claimed by the Kawerau District Council and accounted for by the council, and therefore there is no specific GST balance payable or receivable at year end, instead this balance is reflected in the net balance payable to the Kawerau District Council.

#### **c) Changes in Accounting Policies**

The Entity applied the Tier 3 (PS) standard for the first time this year. As a result of the first-time application of this standard, changes to the descriptions and aggregation of revenue and expenses in the Statement of Financial Performance were made to reflect the requirements of the standard. The notes to the financial statement were updated to include the revenue and expenses breakdown, previously disclosed in the statement of financial performance. Comparative figures have been presented in accordance with the requirements of this standard.

To ensure more faithful representation and relevant information of specific assets and liabilities in the Statement of Financial Position and cashflow transactions in the Statement of Cashflows that relate to Retirement Villages, the descriptions have been maintained on the face of the accounts.

There have been no other changes in accounting policies since the date of the last audited performance report.

#### **d) Revenue Recognition**

Revenue is recognised to the extent that it is probable that the economic benefit will flow to the entity and revenue can be reliably measured. Revenue is measured at fair value of the consideration received.



**Fees**

Fees and subscriptions from members are recorded evenly over the period the item is provided, or where the value varies recorded proportionally on the basis of value in relation to total estimated value.

**Interest**

Interest income is recognised as it is earned.

**Maintenance Fees**

The residents pay a fee, which covers the cost of a proportion of the outgoings, which the Operator incurs in the operation of the village. The Maintenance Fees are recognised as revenue when they are earned.

**Amenity Fees**

The Occupation Right Agreement (ORA) conferring the right to occupancy are considered leases under PBE IPSAS 13 – Leases. The amenities fee is calculated as a percentage of the ORA amount and accrues monthly, for a set period, based on the terms of the individual contracts and treated as lease income over the period. The current Disclosure Statement and ORA accrues amenity fees at the rate of 3% per annum for a maximum of 10 years.

The amenities fee is recognised on a straight-line basis in the Statement of Comprehensive Revenue and Expense over the average expected length of stay of residents.

The amenities fee is payable by the resident at the time of repayment (to the resident) of the refundable ORA amount due. At year end, the amenities fee receivable that has yet to be recognised in the Consolidated Statement of Comprehensive Revenue and Expense as amenities fee revenue is recognised as deferred amenities fee on the Consolidated Balance Sheet.

The timing of the recognition of amenities fee is a critical accounting estimate and judgement. The management fee is recognised on a straight-line bases in the Statement of Comprehensive Revenue and Expenditure over the average expected length of stay of residents. The current assessments are as follows:

Expected average length of stay	30 June 2024	30 June 2025
Independent living units	10 years	10 years

There is uncertainty regarding how long resident stays, as they have complete autonomy to terminate their ORA when and for such reasons as they see fit. As the village is new, there is limited data to determine the length of stay. At 30 June 2025, an increase in the average expected length of stay of residents by one year would reduce the amenities fee revenue by \$26,065 (2024:\$22,740) and a decrease of one year would increase amenities fee by \$31,857 (2024:\$27,793)

**e) Expenditure**

Administrative Expenses includes overhead cost allocations which are indirect costs. Indirect costs are charged using appropriate cost drivers such as actual usage and staff numbers. Financing costs are an indirect cost. All other costs are direct costs which are directly attributable to the Village.

**f) Refundable Occupation Right Agreements**

Occupation right agreements (ORA) conferring the right to occupancy are considered leases under PBE IPSAS 13 – Leases. A new resident is charged a refundable security deposit on being issued the right to occupy which is refunded to the resident on termination, after the subtraction of the capital deduction. The Operator (Council) has a legal right to set off any amounts owing to the Operator by a resident against that resident's deposit, including amenities fee, loans receivable, service fees and village fees. As the agreement can be cancelled by the resident with one month's notice, the liability is considered to have a demand feature and is therefore shown at face value and classified in full as a current liability.

The right of residents to occupy the properties of the Operator (Council) are protected by the Statutory Supervisor restricting the ability of the Operator to fully control these assets without undergoing a consultation process with all affected parties. Residents do not have a right to participate in capital gains.

**g) Property, Plant and Equipment****Recognition and Measurement**

Items of Property, Plant and Equipment are initially measured at cost, except those acquired through non exchange transactions which are instead measured at fair value as their deemed cost at initial recognition.

All of the entity's items of Property, Plant and Equipment are subsequently measured in accordance with the cost model.

Cost includes expenditure that is directly attributable to the acquisition of the asset.

When an item of Property, Plant and Equipment is disposed of, any gain or loss is recognised in the income statement and is calculated as the difference between the sale price and the carrying value of the item.

### **Depreciation**

Depreciation is calculated on either a straight line or diminishing value basis over the estimated useful life of the asset as indicated below, except for land. Land is not depreciated.

The following estimated depreciation rates have been used:

Land Improvements - 1% to 8.33% SL & DV

Buildings Structures & Fitout- 2% SL

Depreciation methods, useful lives and residual values are reviewed at each reporting date and are adjusted if there is a change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset.

An item of property, plant and equipment or investment property is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal. Any gain or loss arising on derecognition of the asset (calculated as the difference between the net disposal proceeds and the carrying amount of the asset) is included in the Statement of Financial Performance in the year the asset is derecognised.

### **h) Accounting Estimates and Judgements**

The preparation of Financial Statements requires management to make judgements, estimates and assumptions. Estimates and judgements are continually evaluated and are based on historical experience and other factors including expectations of future events that are believed to be reasonable under the circumstances.

### **i) Refundable Occupation Right Agreement Receivables**

Occupation right agreement receivables are recognised once an occupation right agreement settles and the funds are held by the Statutory Supervisor. The receivable is recorded at its nominal value and collection terms are based on the specific terms of the individual occupation right agreements.

### **j) Bank Accounts and Cash**

Bank accounts and cash in the Statement of Cash Flows comprise cash balances and bank balances (including short term deposits) with original maturities of 90 days or less.

### **k) Trade and Other Payables**

Trade and other payables are recognised when the entity has an obligation which can be reliably measured at balance date as a result of a past event and it is probable that the company will be required to settle the obligation.

Provisions are measured based on a best estimate of the expenditure required to settle the obligation at balance date. Movements in the best estimate are recorded in the Statement of Financial Performance.

### **l) Loans**

Loans are recorded when the amount borrowed has been received and measured at cost. Interest expense is recognised on an accruals basis.

### **m) Equity**

Accumulated revenue and expense is the entity's accumulated surplus or deficit since its formation.

# Notes to the Performance Report

**Porritt Glade Lifestyle Village**  
**For the year ended 30 June 2025**

\$ 2024		\$ 2025
<b>1. Revenue</b>		
	<b><u>Revenue service delivery contracts (non-government)</u></b>	
169,140	Fees, Charges from Residents	197,632
250,134	Amenities Fee	286,710
<b>419,274</b>	<b>Total Revenue service delivery contracts (non-government)</b>	<b>484,342</b>
	<b><u>Interest, dividends and other investment revenue</u></b>	
7,384	Interest Received	4,821
<b>7,384</b>	<b>Total interest, dividends and other investment revenue</b>	<b>4,821</b>
<b>426,658</b>	<b>Total Revenue</b>	<b>489,163</b>
<b>2. Expenses</b>		
	<b><u>Employee remuneration and other related expenses</u></b>	
6,874	Salaries and wages	840
	Contractor costs	
	Other employee- related costs	
<b>6,874</b>	<b>Total employee related costs</b>	<b>840</b>
	<b><u>Other expenses related to service delivery</u></b>	
68,650	Administration Expenses	75,110
32,765	Insurance	41,632
	<b><u>Other expenses related to service delivery to residents</u></b>	
72,436	Rates	97,126
39,844	Repairs and Maintenance	29,817
11,723	Statutory Supervision Expenses	12,372
2,513	Sundry Expenses	804
<b>227,931</b>	<b>Total Other expenses related to service delivery to residents</b>	<b>256,862</b>
<b>234,805</b>	<b>Total Other expenses related to service delivery</b>	<b>257,702</b>
	<b><u>Other Expenses</u></b>	
19,094	Audit Fees	18,004
183,721	Depreciation	183,734
4,819	Legal Expenses	8,946
30,471	Interest Expense	0
<b>238,105</b>	<b>Total Other Expenses</b>	<b>210,684</b>
<b>\$472,910</b>	<b>Total Expenses</b>	<b>\$468,386</b>
<b>3. Bank Accounts and Cash</b>		
437,648	BNZ Bank – 001 Account	134,273
<b>437,648</b>	<b>Total Bank Accounts and Cash</b>	<b>134,273</b>

\$ 2024		\$ 2025
<b>4. Property, Plant and Equipment</b>		
	<b><u>Cost or Valuation</u></b>	
	<b><u>Land</u></b>	
834,327	As at 1 July	834,327
0	Additions	0
<b>834,327</b>	<b>Total Land</b>	<b>834,327</b>
	<b><u>Land Improvements</u></b>	
705,987	As at 1 July	705,987
0	Additions	0
<b>705,987</b>	<b>Total Land Improvements</b>	<b>705,987</b>
	<b><u>Buildings</u></b>	
8,189,149	As at 1 July	8,189,149
0	Additions	855
<b>8,189,149</b>	<b>Total Buildings</b>	<b>8,190,004</b>
<b>9,729,463</b>	<b>Total Cost or Valuation</b>	<b>9,730,318</b>
	<b><u>Accumulated Depreciation</u></b>	
	<b><u>Land Improvements</u></b>	
64,932	As at 1 July	84,873
19,941	Depreciation and/or Impairments	19,939
<b>84,873</b>	<b>Total Land Improvements</b>	<b>104,812</b>
	<b><u>Buildings</u></b>	
218,235	As at 1 July	382,015
163,780	Depreciation and/or Impairments	163,796
<b>382,015</b>	<b>Total Buildings</b>	<b>545,811</b>
<b>466,888</b>	<b>Total Accumulated Depreciation</b>	<b>650,623</b>
	<b><u>Book Value at 30 June</u></b>	
834,327	Land	834,327
621,114	Land Improvements	601,175
7,807,134	Buildings	7,644,193
<b>9,262,575</b>	<b>Total Book Value at 30 June</b>	<b>9,079,695</b>

Land and Buildings are presented in the Statement of Financial Position at cost.  
The nature of Land Improvements includes Roading, Stormwater, Water and Wastewater and fencing which are land development costs.

\$  
2024\$  
2025**5. Related Parties****Advances**

1,432,006	Advance from Kawerau District Council (The Porritt Glade Lifestyle Village is a department of the Kawerau District Council)	370,271
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0	Amounts due to/from Kawerau District Council	0
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<b>1,432,006</b>	<b>Total</b>	<b>370,271</b>
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The administration fee, interest, rates, staffing cost and other overhead cost transactions between Council and the Village is \$173,077 (2024: \$180,489).

**6. Advances & Loans****Advance from Kawerau District Council**

The advance from Kawerau District Council of \$370,271 (2024: \$1,432,006) is unsecured. It is an interdepartmental advance within the Kawerau District Council. The advance is to finance capital and operational funding requirements for the village as one of the business units of Council.

No interest is charged on the Advance's running balance pertaining to operational receipts and payments.

**7. Liability to Residents**

6,366,500	Residents liability – refundable Occupational Right Agreements -	6,930,000
2,118,117	Residents liability – refundable amenities fee	2,109,728
<b>8,484,617</b>	<b>Total refundable occupational rights agreements</b>	<b>9,039,728</b>

Refundable Occupational Right Agreements and Amenity fees are liabilities for liquidity purposes as the entity does not have an unconditional right to defer these. A terminating resident occupational license deposit is repaid once the license has been assigned to an incoming resident.

It is expected that the new residents deposits will generally exceed the repaid residents deposits and will represent a positive cash flow for Council

**8. Residents Liability - Refundable Occupation Right Agreements**

5,579,000	Balance at Beginning of Period	6,366,500
0	Less Amounts Repaid on Termination	(486,500)
787,500	Plus Amount Received on New ORAs Issued	1,050,000
<b>6,366,500</b>	<b>Total Occupation Right Agreements</b>	<b>6,930,000</b>

**9. Residents Liability – Refundable Amenities Fee**

2,030,752	Balance at Beginning of Period	2,118,117
337,500	Amounts Received for new Occupation Right Agreements Licenses	278,321
(250,135)	Amenities Fees for the Year	(286,710)
<b>2,118,117</b>	<b>Total Refundable Amenities Fee</b>	<b>2,109,728</b>

\$ 2024		\$ 2025
<b>10. Accumulated Funds</b>		
(184,345)	Opening Balance	(230,597)
(46,252)	Accumulated surpluses or (deficits)	20,777
<b>(230,597)</b>	<b>Total Accumulated Funds</b>	<b>(209,820)</b>
<b>11. Commitments</b>		
There are no commitments as at 30 June 2025 (2024: nil)		
<b>12. Contingencies</b>		
There are no contingencies as at 30 June 2025 (2024: nil).		
<b>13. Events after balance date</b>		
There were no events after 30 June 2025.		
<b>14. Variation from Budget</b>		
There were only minor variances to budget, with both expenditure and revenue being very close to what was anticipated.		

**Meeting:** Council

**Meeting Date:** 26 November 2025

**Subject:** **Recruitment for the Eastern Bay of Plenty District Licensing Committee**

**File:** 308000

## **1 Purpose**

The purpose of this report is to provide an update on the recruitment for the District Licensing Committee (DLC) and appoint the recruitment panel. The DLC through the appointment of the Commissioner and List Members enables the ongoing consideration of contested licences to be considered under the Sale and Supply of Alcohol Act 2012.

## **2 Background**

The DLC considers all alcohol licence applications for on and off, and club licences, renewals, temporary authorities, managers certificates and special licences.

Most of these decisions are uncontested, meaning the Police or District Health Board do not object to the issue of the licence or to the “character” of the manager. In these cases, the Commissioner can consider and decide these applications based on the papers, on his own (without a full committee).

Applications contested by Police and the Health Board must be heard by the DLC with a quorum of three appointed members. The DLC has previously been made up of representatives from each of the three Eastern Bay Councils, with the requirement of a local representative from the respective district when a hearing is necessary in that area. This is recommended to be continued.

The majority of alcohol licencing applications are received from the Whakatāne District Council (67%) and most applications are unopposed, meaning that the Commissioner has made the bulk of the decisions over the years. It has meant that Kawerau and Ōpōtiki representatives have had a more limited role in decision-making in their respective areas, only due to the number of applications received. There is opportunity for all appointed List Members to participate in hearings across the Eastern Bay where they have time available.

With the current contracts coming to an end in December 2025 (Commissioner) and March 2026 (List Members), it was considered appropriate to advertise all roles to enable other members of the community to be considered for the roles.

### **3 Situation**

The contracts for the currently appointed DLC members expire in December 2025 (Commissioner) and March 2026 (List Members). It was considered appropriate to advertise all roles to enable other members of the community to be considered for the roles.

The current Commissioner, Russell Orr, has indicated a willingness to extend the term of his role while recruitment is concluded. This will enable licences to continue to be issued over this period.

The Commissioner and List Member roles were advertised on 24 October 2025 and closed on 14 November 2025. There were eighteen applications received for the seven roles (1 commissioner and 6 list members). These applications come from a range of backgrounds and include existing members and new applicants.

### **4 Options**

#### **Recruitment Process**

The District Licensing Committee must act independently in its role. As such, it is important that appropriate appointments are made. It is for this reason Elected Members may wish to interview the applicants, to ensure the DLC reflects the larger goals and aspirations for the community.

It is recommended that one elected member from each Council is represented on the recruitment panel, and one Council Officer to assist with questions that may arise (this may come from any of the three Councils).

Council staff will shortlist the candidates ensuring those interviewed have the required skills and knowledge.

Previously the Commissioner has been appointed early in the process, to enable them to participate in the interviews of the List Members. This is recommended to ensure a cohesive team with a broad knowledge base and perspectives.

The alternative option would be to have Council staff complete the interview and recruitment process.

Under each process the final recommendations for appointment will come back to Council for approval.

#### **Commissioner Role**

A Commissioner must be appointed by 15 December 2025 to enable the continued processing of alcohol licences received. While this is possible prior to this date, it is recommended to extend Russell Orr's contract until the appointment of a Commissioner has been made, ensuring the ongoing



completion of alcohol licence applications throughout this process, and provide sufficient time for negotiation of start dates where required.

The alternative is to appoint a Commissioner who is able to commence work from 15 December 2025. This is a very tight timeframe and may reduce the available candidates.

The preferred option is to extend Russell Orr's contract to enable a robust recruitment process.

## **5 Financial Considerations**

The DLC operation is budgeted for in the current annual plan. The recruitment and appointment of the new DLC is unlikely to have any significant financial impact, as the fees are set through legislation, and the operation will be very similar to the current DLC operation.

## **6 Risks**

The extension of the current Commissioner's contract will reduce the risk, as the current Commissioner's contract is near completion.

The recruitment process will help ensure all members of the DLC will be of a high calibre reducing the risk of poor decision making.

## **7 Conclusion**

Elected Members are asked to approve the proposed process and nominate an Elected Member to interview the candidates for the DLC.

## **7 RECOMMENDATIONS**

1. That the report "Recruitment for the Eastern Bay of Plenty District Licensing Committee" be received; and
2. That Council approves the extension of the current Commissioner's contract until the recruitment of the Commissioner role is concluded; and
3. That Council approves the shortlisting of candidates by the associated Group Managers from each of the Eastern Bay District Councils (Whakatāne, Ōpōtiki and Kawerau); and

4. That Council nominates one Elected Member to undertake interviews of the shortlisted applicants.



Michaela Glaspey

**Group Manager Regulatory and Compliance**

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<b><u>Meeting:</u></b>	Council
<b><u>Meeting Date:</u></b>	26 November 2025
<b><u>Subject:</u></b>	<b>Council Appointments to Committees and External Organisations</b>
<b><u>File No:</u></b>	101130

## **1 Purpose**

This report invites Council to confirm appointments to internal committees and external organisations.

The report follows from the Extraordinary Council meeting on Wednesday 12 November 2025 when the internal committee structure, Terms of Reference, and Chairs were confirmed. In that meeting all Elected Members were also confirmed as members of the Regulatory and Services Committee.

## **2 Background**

Council representation is sought on the committees listed below. In the recommendations section committee members are named in table format, including chairs and “alternates”.

The alternate is the member who, for internal Council and Council-administered committees, may act in the Chair where the ordinary Chairperson is unavailable. In external organisations the alternate is the member who may speak and vote on behalf of Council where the ordinary member is unavailable.

Under section 41A(5) of the Local Government Act 2002, the Mayor is an “ex-officio” member of all committees meaning the Mayor is entitled to attend any committee meeting and participate in its proceedings.

The committee appointments below were formulated in partnership with Her Worship the Mayor who may, under sections 41A(3) and (4), establish committees and appoint chairs. The workload model allocates a higher level of responsibility to Her Worship Mayor Tunui, Deputy Mayor Kingi, Chair Julian, and Chair Ross who take on the majority of chairing and alternate responsibilities for internal and Council-administered committees as well as the exclusive responsibility for representing Council on external committees.

### **2.1 Council Internal Committees**

- He Hāpori Ora | Thriving Community Committee Iwi Liaison and Cultural Advisor Committee
- Risk and Assurance Committee
- Hearings Committee
- Chief Executive Officer Performance Review Committee
- Climate Adaptation and Future Proofing Committee
- Finance and Infrastructure Committee

- Kawerau Road Safety Committee
- Kawerau District Council Civil Defence Committee
- Kawerau Youth Committee
- Community Grants Committee
- Community Awards Committee
- Class 4 Gambling (Pokie) Trust Liaison

## **2.2 Council Administered Committees**

- Creative Communities Assessment Committee
- Community Safety Committee
- Kawerau Accessibility Group Committee

## **2.3 Eastern Bay of Plenty (EBOP) Committees**

- EBOP Joint Committee
- EBOP Road Safety Advisory Committee

## **2.4 Bay of Plenty (BOP) and Statutory Committees**

- BOP Mayoral Forum
- Joint Waters Working Group
- Regional Transport Committee
- BOP Emergency Management Group
- Tarawera Awa Restoration Strategy Group
- Kawerau Local Leadership Group

# **3 Organisations and Committees**

In the report to Extraordinary Council on 12 November 2025, Council's internal committees were established and discussed, including a tabled document containing the purpose and Terms of Reference of each committee. Council also administers several committees alongside other community members and national bodies, and Council participates in regional bodies as well. The administered and regional bodies are briefly discussed below:

## **3.1 Creative Communities Assessment Committee (CCAC) (2 members)**

Council operates the Kawerau Assessment Committee for the Creative Committees New Zealand Funding Scheme as part of a contract with Creative New Zealand. The Committee's function is to distribute funds received from Creative New Zealand. The contract with Creative New Zealand requires that membership of the Committee be made up as follows:

- Council – two representatives being no more than 50% of the members of the CCAC
- Community Arts Council – one representative (should they so choose)
- Community member(s)– unspecified number
- Local Iwi representative(s) – at least one representative

It is recommended that the Council representatives on the Committee be delegated authority to appoint the Community representatives (The Community Arts Council and Local Iwi nominate their own representatives).

A person may serve a maximum of three consecutive years as Chair.

### **3.2 Community Safety Committee (2 members)**

In 2015, Council established a Crime Reduction Forum (renamed the Community Safety Committee to better reflect its purpose) with representatives from Police, community crime reduction organisations, and Council to foster good working relationships, share information and work collaboratively on matters of shared interest or concern. The Forum is chaired by an Elected Member.

### **3.3 Kawerau Accessibility Group (2 members)**

In 2020, Council established the Kawerau Accessibility Group with community members who work in the disability sector or experience accessibility issues in their own lives. The Committee's task is to identify and prioritise areas for action and recommend possible solutions to Council.

### **3.4 Eastern BOP Joint Committee (2 members)**

The Eastern Bay of Plenty Joint Committee is a committee of the Kawerau, Ōpōtiki and Whakatāne District Councils and the Bay of Plenty Regional Council. The purpose of the Joint Committee is to form, explore and make recommendations for strategic and collaborative initiatives between the partner councils to respond to subregional issues.

The role of Chairperson is rotated between member Councils. The Mayor is a member ex-officio and Council appoints one other member.

### **3.5 Eastern Bay of Plenty Road Safety Advisory Committee (1 member + an alternate)**

This Committee is a joint committee of the Bay of Plenty Regional Council and the Kawerau, Ōpōtiki and Whakatāne District Councils. Its purpose is to provide strategic direction, oversight and leadership to ensure Eastern Bay roads are increasingly free of death and serious injury.

### **3.6 Regional Transport Committee (1 member + an alternate)**

This is a committee of Bay of Plenty Regional Council, to which Kawerau District Council has the right to appoint one member plus an alternate. Committee tasks include developing regional land transport strategies for all forms of transport, prioritising roading capital projects, passenger transport for the region and all regional road safety.

### **3.7 BOP Civil Defence Emergency Management Group (1 member + an alternate)**

The Bay of Plenty Civil Defence Emergency Management Group is a joint committee of the Bay of Plenty Councils constituted under the Civil Defence Emergency Management Act 2002. It is responsible for the strategic and operational planning to manage hazards and risk over the region and preparing for responses and recovery in the event of an emergency.

Under the Act, Her Worship the Mayor or her appointee is Council's representative to the Group. The Mayor may also appoint an alternate member.

### **3.8 Tarawera Awa Restoration Strategy Group (1 member + an alternate)**

The Tarawera Awa Restoration Strategy Group is a permanent co-governance partnership established under the Ngāti Rangitahi Claims Settlement Act 2022 (Subpart 9 – Tarawera River). Bay of Plenty Regional Council, in partnership with Te Mana o Ngāti Rangitahi Trust, administers the body.

The purpose of the Strategy Group is to support, coordinate, and promote the integrated restoration of the mauri of the Tarawera awa and catchment. Other statutory partners include Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust and Whakatāne District Council.

Under the partnership the Mayor sits as a member of the group with the Deputy Mayor as alternate. Council's Iwi Liaison and Cultural Advisor Koro Te Haukaka Te Rire and Chief Executive Morgan Godfery also attend as advisors.

### **3.9 Kawerau Local Leadership Group (1 member + alternate)**

The Public Service Commission convenes and administers the Kawerau Local Leadership Group, a body made up of public service and iwi representatives who provide services to the Kawerau community. Hosting and chairing alternates between Council and Tūwharetoa mai Kawerau ki te Tai. When Council hosts, the chair is Her Worship the Mayor. The group includes representatives from the Ministry of Education, Ministry for Social Development, Police, Department of Corrections, Department of Conservation, Ministry of Business, Innovation, and Employment and other representatives.

## **4 Policy and Plan Considerations**

There are no Council policies or plans that impede Council's ability to make these appointments. In terms of Council's Significance and Engagement Policy, it is considered that the proposed appointments do not have a high degree of significance. Council is therefore not required to conduct a community engagement process in relation to the proposed appointments.

## **5 Financial Considerations**

Meeting costs for Council representation on the above groups and committees should be included in Council's Annual Plan budgets.

## **6 RECOMMENDATIONS**

1. That the report "Council Appointments to Committees and External Organisations" be received.
2. That Council makes appointment to internal committees and Council-administered committees as listed in the table below:

Committee	Members
<b>CEO Performance Review</b>	<ul style="list-style-type: none"> <li>• All Elected Members</li> <li>• Her Worship Mayor Tunui (Chair)</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>
<b>Regulatory &amp; Services Meeting</b>	<ul style="list-style-type: none"> <li>• All Elected Members</li> <li>• Deputy Mayor Kingi (Chair)</li> <li>• Chair Julian (alternate)</li> </ul>
<b>Iwi Liaison / Cultural Advisor Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui (Chair)</li> <li>• Deputy Mayor Kingi (alternate)</li> <li>• Cr W Apiata</li> <li>• Cr M Dowie</li> <li>• Cr G Leokava-Taani</li> <li>• Cr Tracy Hill</li> </ul>
<b>Risk &amp; Assurance Committee</b>	<ul style="list-style-type: none"> <li>• Independent Member Phillip Jones (Chair)</li> <li>• Her Worship Mayor Tunui (alternate)</li> <li>• Chair Julian</li> <li>• Cr Worsley</li> </ul>
<b>He Hāpori Ora   Thriving Community Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Chair Ross (Chair)</li> <li>• Chair Julian (alternate)</li> <li>• Cr Apiata</li> <li>• Cr Dowie</li> </ul>
<b>Hearings Committee</b>	<ul style="list-style-type: none"> <li>• Chair Julian (Chair)</li> <li>• Her Worship Mayor Tunui (alternate)</li> <li>• Deputy Mayor Kingi</li> </ul>
<b>Climate Adaptation &amp; Future Proofing Committee</b>	<ul style="list-style-type: none"> <li>• Deputy Mayor Kingi (Chair)</li> <li>• Chair Ross (alternate)</li> <li>• Chair Julian</li> <li>• Cr Dowie</li> <li>• Cr Worsley</li> </ul>
<b>Finance &amp; Infrastructure Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Mayor Kingi</li> <li>• Chair Julian (Chair)</li> <li>• Cr Hill</li> <li>• Cr Worsley (alternate)</li> </ul>
<b>Kawerau Road Safety Committee</b>	<ul style="list-style-type: none"> <li>• Chair Ross (Chair)</li> <li>• Cr Hill (alternate)</li> <li>• Chair Julian</li> <li>• Cr Leokava-Taani</li> <li>• Cr Worsley</li> </ul>
<b>KDC Civil Defence Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui (Chair)</li> <li>• Deputy Mayor Kingi</li> <li>• Cr Leokava-Taani (alternate)</li> <li>• Chair Ross</li> <li>• Cr Apiata</li> </ul>
<b>Community Safety Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui (Chair)</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>

<b>Kawerau Accessibility Group Committee</b>	<ul style="list-style-type: none"> <li>• Cr Julian (Chair)</li> <li>• Cr Worsley (alternate)</li> </ul>
<b>Youth Committee</b>	<ul style="list-style-type: none"> <li>• Cr Ross (Chair)</li> <li>• Cr Leokava-Taani (alternate)</li> </ul>
<b>Creative Communities Committee</b>	<ul style="list-style-type: none"> <li>• Chair Ross (Chair)</li> <li>• Cr Dowie (alternate)</li> </ul>
<b>Class 4 Gambling (Pokies) Trust Liaison Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui (Chair)</li> <li>• Deputy Mayor Kingi (alternate)</li> <li>• Cr Apiata</li> <li>• Cr Hill</li> <li>• Cr Worsley</li> </ul>
<b>Community Grants Committee</b>	<ul style="list-style-type: none"> <li>• Deputy Mayor Kingi (Chair)</li> <li>• Chair Julian (alternate)</li> <li>• Cr Apiata</li> <li>• Cr Hill</li> <li>• Cr Worsley</li> </ul>
<b>Community Awards Committee</b>	<ul style="list-style-type: none"> <li>• Chair Julian (chair)</li> <li>• Deputy Mayor Kingi (alternate)</li> <li>• Cr Worsley</li> </ul>

3. That Council makes appointment to external and statutory committees as listed in the table below:

<b>Committee</b>	<b>Members</b>
<b>Eastern Bay of Plenty Joint Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Sela Kingi (alternate)</li> </ul>
<b>Eastern Bay of Plenty Road Safety Committee</b>	<ul style="list-style-type: none"> <li>• Chair Julian</li> <li>• Cr Hill (alternate)</li> </ul>
<b>Bay of Plenty Mayoral Forum</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>
<b>Bay of Plenty Emergency Management Group (CDEM) Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>
<b>Regional Transport Committee</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Chair Julian (alternate)</li> </ul>
<b>Tarawera Awa Restoration Strategy Group</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>
<b>Kawerau Local Leadership Group</b>	<ul style="list-style-type: none"> <li>• Her Worship Mayor Tunui</li> <li>• Deputy Mayor Kingi (alternate)</li> </ul>



4. That Council's representatives on the Creative Communities Assessment Committee be delegated authority to appoint the Community representatives (the Community Arts Council and Local Iwi will nominate their own representatives).



Morgan Godfery

**Chief Executive Officer**

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