Woodend-Sefton Community Board

Inaugural Meeting Agenda

Wednesday 26 October 2016

7.00pm

Waikuku Beach Hall
1 Bridge Street
Waikuku Beach

Members:
John Archer
Neville Atkinson
Al Blackie
Karen Eastwood
Rhonda Mather
John Meyer
Shona Powell
Sandra Stewart
Andrew Thompson
**AGENDA FOR THE MEETING OF THE WOODEND-SEFTON COMMUNITY BOARD**

**WOODEND-SEFTON COMMUNITY BOARD**

TO BE HELD IN THE WAIKUKU BEACH HALL, 1 BRIDGE STREET, WAIKUKU BEACH ON WEDNESDAY 26 OCTOBER 2016 AT 7PM.

Karyn Ward
Community Board Advocate

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**RECOMMENDATIONS IN REPORTS ARE NOT TO BE CONSTRUED AS COUNCIL POLICY UNLESS ADOPTED BY THE COUNCIL.**

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**BUSINESS**

At the commencement of the meeting the Chief Executive Jim Palmer, or an appointed representative, will take the Chair.

1 **APOLOGIES**

2 **CONFLICTS OF INTEREST**

3 **BOARD MEMBERS’ DECLARATIONS**

The Waimakariri District Council adheres to the following legislation with regard to the swearing in of elected members:

3.1 **Local Government Act 2002 - Schedule 7 – Clause 14: Declaration by Member**

   (1) A person may not act as a member of a local authority until:

   (a) that person has, at a meeting of the local authority following the election of that person, made an oral declaration in the form set out in subclause (3); and

   (b) a written version of the declaration has been attested as provided under subclause (2).

   (2) The written declaration must be signed by the member and witnessed by:

   (a) the chairperson; or

   (b) the mayor; or

   (c) a member of the local authority; or

   (d) the chief executive of the local authority; or

   (e) in the absence of the chief executive, some other officer appointed by the chief executive.

   (3) The form of the declaration must consist of the following elements:

   Declaration by mayor or chairperson or member.

   “I, [Full Legal Name], declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [region or district], the powers, authorities, and duties vested in, or imposed upon, me as [mayor or chairperson or member] of the [local authority] by virtue of the Local Government Act.
2002, the Local Government Official Information and Meetings Act 1987, or any other Act
Dated at: [place, date]
Signature: Signed in the presence of: [mayor or chairperson or member or chief executive of local authority].”.

The Chief Executive, or an appointed representative, will invite the Board members to read and sign declaration forms:

John Archer
Karen Eastwood
Rhonda Mather
Shona Powell
Andrew Thompson

4 REPORTS

4.1 Appointment of Chairperson and Deputy Chairperson – Karyn Ward (Community Board Advocate)

RECOMMENDATION

THAT the Woodend-Sefton Community Board:
(a) Receives Report No: 161004102387
(b) Resolves to call for nominations of Chairperson and Deputy Chairperson, and uses system (A) for voting in the event of more than one member being nominated.

AND

(c) Appoints Board Member………………………….. as Chairperson of the Woodend-Sefton Community Board to take immediate effect from 27 October 2016 until the end of the 2016-19 triennial term.

The Chief Executive will then vacate the Chair in favour of the elected Chairperson.

AND

(d) Appoints Board Member ……………………… .as Deputy Chairperson of the Woodend-Sefton Community Board to take immediate effect from 26 October 2016 until the end of the 2016-19 triennial term.

4.2 Local Government Act - First Meeting following the Triennial General Election Requirements – Jim Palmer (Chief Executive)

RECOMMENDATION

THAT the Woodend-Sefton Community Board:
(a) Receives report No 161004102134.
(b) Receives legislative material that has been circulated.
4.3 **Code of Conduct – Jim Palmer (Chief Executive)**

**RECOMMENDATION**

THAT the Woodend-Sefton Community Board:

(a) **Receives** report No. 161004102269.

(b) **Adopts** the Waimakariri District Council Code of Conduct as the Community Board’s Code of Conduct (Trim 161018107391).

*Note: attachment (iii) for this report will be circulated separately.*

4.4 **Meeting and Workshop Dates for 2016/17 – Sarah Nichols (Governance Manager)**

**RECOMMENDATION**

THAT the Woodend-Sefton Community Board:

(a) **Receives** Report No.: 161005102535.

(b) **Resolves** to hold meetings predominantly at the Woodend Community Centre, School Road, Woodend, commencing at 7.00pm, on the following dates:

- 14 November 2016  (Woodend)
- 12 December 2016 (Woodend)
- 13 February 2017  (Woodend)
- 13 March 2017    (Woodend)
- 10 April         (Waikuku)
- 8 May            (Woodend)
- 12 June          (Woodend)
- 10 July          (Woodend)
- 14 August        (Woodend)
- 11 September     (Woodend)
- 9 October        (Waikuku)
- 13 November      (Woodend)
- 11 December 2017 (Woodend)

4.5 **Woodend-Sefton Community Board Discretionary Grant Budget Post-Election update - Karyn Ward (Community Board Advocate)**

**RECOMMENDATION**

THAT the Woodend-Sefton Community Board:

(a) **Receives** report No. 161006103022.

(b) **Notes** that the approved 2016/17 Woodend-Sefton Discretionary Grant Budget has a balance of $1,620.

4.6 **Woodend-Sefton Community Board General Landscaping Budget Post-Election Update for 2016-17 - Karyn Ward (Community Board Advocate) and Grant Stephens (Green Space Community Engagement Officer)**

**RECOMMENDATION**

THAT the Woodend-Sefton Community Board:
(a) **Receives** report No. 161006102960.

(b) **Notes** each Community Board is allocated money from the Waimakariri District Council’s Annual Plan for a General Landscaping Budget.

(c) **Notes** the General Landscaping Budget is a discretionary sum the Board can allocate towards ward Green Space projects that the Board may initiate from within, or in response to information brought to the Board’s attention by their community. The total may be allocated to one project or divided between multiple projects.

(d) **Notes** that Green Space staff could arrange a seminar with each board in early 2017 to explore options for the allocation of funds from the general landscaping budget should the board support this.

(e) **Notes** that the approved 2016/17 Woodend-Sefton Community Board’s General Landscaping Budget is $15,278.71. This is made up of the $11,650 allocated from the Annual Plan (as reported in previous agendas since July 2016), and a carry-over of $3628.71.

5 **MINUTES**

5.1 **Minutes of the Woodend-Ashley Community Board – 19 September 2016**

**RECOMMENDATION**

**THAT** the Woodend-Sefton Community Board:

(a) **Receives** the minutes of the Woodend-Ashley Community Board meeting held 19 September 2016.

6 **CONSULTATION PROJECTS**

6.1 **Draft Walking and Cycling Strategy**

The Council is seeking community views on the Draft Walking and Cycling Strategy. Submissions can be submitted online through the Council’s website or using forms that can be collected from the Council’s service centres in Rangiora, Kaiapoi or Oxford. Submissions close Monday 7 November 2016.


6.2 **Waimakariri District Development Strategy**

The Council will be putting together a draft Strategy over the coming months and wants to hear community views early in relation to some of the key issues, opportunities and priorities facing the Waimakariri District over the next 30 years. This is a conversation starter and will be key to informing a draft Strategy in due course. A feedback form can be found on the Council’s website and needs to be returned by Friday 11 November 2016.

6.3 **Let's Talk About Speed Limits**

Should the Council change the speed limit on Fernside Road, Flaxton Road and Todds Road? The Council is proposing to put in place an 80km/h speed limit on the following roads:

- Fernside Road, between Flaxton Road and Townsend Road
- Flaxton Road, from north of Camwell Park to the existing 50km/h speed limit at Kingsford Smith Drive
- Todds Road, from the intersection with Fernside Road to the existing 70km/h speed limit

The closing date for feedback is 5pm, Monday 14 November 2016.


7 **REVITALISATION PROJECTS**

Regular updates on the Woodend Pegasus area projects are emailed regularly to Board members. These updates can be located at the link below:


8 **QUESTIONS UNDER STANDING ORDERS**

9 **URGENT GENERAL BUSINESS UNDER STANDING ORDERS**

**NEXT MEETING**

The next meeting of the Woodend-Sefton Community Board is scheduled for 7pm, Monday 14 November 2016 at the Woodend Community Centre.
1. SUMMARY

1.1. The purpose of this report is to facilitate the appointment of the Chairperson and Deputy Chairperson of the Board. The Board is required to appoint a Chairperson in accordance with clause 37 of schedule 7, part 2 of the Local Government Act.

Attachments

i) Appendix from the Remuneration Authority on Elected Members Job Descriptions

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

(a) Receives Report No: 161004102387

(b) Resolves to call for nominations of Chairperson and Deputy Chairperson, and uses system (A) for voting in the event of more than one member being nominated.

AND

(c) Appoints Board Member…………………………….. as Chairperson of the Woodend-Sefton Community Board to take immediate effect from 27 October 2016 until the end of the 2016-19 triennial term. The Chief Executive will then vacate the Chair in favour of the elected Chairperson.

AND

(d) Appoints Board Member ……………………………….as Deputy Chairperson of the Woodend-Sefton Community Board to take immediate effect from 26 October 2016 until the end of the 2016-19 triennial term.

3. ISSUES AND OPTIONS

3.1. The Board may elect a member immediately to the role of permanent Chairperson for the Triennial term 2016-19.

3.2. Staff acknowledge that Board members may find it difficult to choose a permanent Chairperson until they have worked together for some months, and had a chance to learn what each member would potentially bring to the role. An option to consider is
electing a temporary Chairperson from one of the elected Councillor representatives who have experience of Chairing meetings until a specified date, such as 1 February 2017; at which time a permanent Chairperson would be elected from amongst the Board members.

3.3. During the 2010-13 and 2013-16 terms a Community Board operated an annual rotation of Chairperson, whereby the Deputy Chairperson became the Chairperson and a new Deputy Chairperson was appointed every twelve months. However this system showed itself to be less effective in strengthening the Community Board when compared to those who chose to elect one Chairperson for the entirety of the triennial term. Consequently staff would not recommend this option to the incoming Board.

3.4. Whilst it is not a legal requirement that a Deputy Chairperson be appointed, it is highly recommended one is appointed to act in place of the Chair as required or deputised.

3.5. **Appointment Process**

Section 37 (schedule 7, part 2) of the Local Government Act 2002 states:

37. **Chairpersons of community boards**—

(1) A community board must have a chairperson.

(2) Clause 25 applies to the election of chairpersons of community boards.

Should there be more than one nomination for the position of Chairperson or Deputy Chairperson, the procedure to be followed is outlined in Section 25 (schedule 7, part 1) as follows:

25. **Voting systems for certain appointments**—

(1) This clause applies to—

(a) the election or appointment of the chairperson and deputy chairperson of a regional council; and

(b) the election or appointment of the deputy mayor; and

(c) the election or appointment of the chairperson and deputy chairperson of a committee; and

(d) the election or appointment of a representative of a local authority.

(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:—

(a) the voting system in sub clause (3) (**system A**):

(b) the voting system in sub clause (4) (**system B**).

(3) System A—

(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:—

(i) there is a first round of voting for all candidates; and
(ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

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

(iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

[(4) System B—

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

(i) there is only 1 round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

4. **COMMUNITY VIEWS**

4.1 Not sought.

5. **FINANCIAL IMPLICATIONS AND RISKS**

5.1 **Remuneration**

Elected members payments are set by the Remuneration Authority. The annual remuneration for the Woodend-Sefton Community Board Chairperson is $13,716. The annual remuneration for the Woodend-Sefton Community Board Deputy Chairperson is that of an elected member for that ward, being $6,858. Remuneration and communications allowance will be adjusted accordingly if any change in chairmanship results.

5.1. **Computer, Internet and Associated Consumables Expenses** (Communications Allowance)

Reimbursement for the costs of an Internet connection to their residential address to provide computer access to the Council and related consumables, as follows:

The Mayor and Councillors to receive an allowance of $33 per month
Community Board Chairpersons to receive an allowance of $33 per month
Community Board members to receive an allowance of $25 per month.

In lieu of the Council providing consumables such as paper, a monthly payment of $10 per month is claimable by the Mayor, Councillors and Community Board Chairs.

5.2. **Telephone** (Communications Allowance continued)

Reimbursement for the costs of their telephones (including cell phones), as follows:

Mayor and Councillors to receive an allowance of $33 per month.
Community Board Chairpersons to receive an allowance of $30 per month.
Community Board members to receive $20 per month.

6. **CONTEXT**

6.1. **Policy**
This matter is not a matter of significance in terms of the Council’s Significance Policy.

6.2. **Legislation**

Local Government Act 2002 – schedule 7 part 1 clause 17 and 25 (2004 amendment); part 2 clause 25. Clause 54 of the Act provides the application of provisions to community boards, with all the necessary modifications, as if they were local authorities.


6.3. **Community Outcomes**

6.3.1. There are wide ranging opportunities for people to contribute to the decision making by local, regional and national organisations that affects our District.

6.3.2. There are wide ranging opportunities for people to contribute to the decision making and people are friendly and caring, creating a strong sense of community in our District.

Karyn Ward
Community Board Advocate
WAIMAKARIRI DISTRICT COUNCIL

ROLE DESCRIPTION

ROLE: COMMUNITY BOARD CHAIRPERSON
DATE: October 2016

PURPOSE
The purpose of the Chair of a Board is to co-ordinate, lead and direct the business of the Board in a manner consistent with the powers delegated by Council.

KEY TASKS

• Chairing meetings of the community board.
• Representing the community board to a high standard in the areas of activity and business delegated.
• Promoting and supporting good governance by the community board.
• Developing a clear understanding of the terms of reference of their community board, and of the scope and range of delegations in order to carry out the role of community board Chair.
• Ensuring sufficient familiarity with parent council’s Standing Orders and procedures that they can chair community board meetings and any other sessions for which they have responsibility.
• Undertaking sufficient preparation before the meetings they are chairing to allow them to effectively carry out the role of chair.
• Ensuring meetings they chair operate within the powers delegated by the parent council as set out in the parent council’s Delegation Manual.
• Managing the progress of business during meetings, including ensuring adherence to the parent council’s Standing Orders and to other statutory obligations and requirements.
• Ensuring that all participants in meetings have an opportunity to make an appropriate contribution within the bounds of Standing Orders and due process.
• Maintaining and ensuring due order and decorum throughout meetings they chair.
• Commenting to the media (or other agencies) as the community board spokesperson, where delegated/ authorised to do so, on issues that pertain to the community board.
• Liaising with appropriate council staff in respect of the areas of delegated council business for which the community board has responsibility.
• Providing leadership to the community board in helping form a consensus that is representative of the community.
• Working closely with other members of the community board to ensure smooth community board decision-making.
• Keeping abreast of all issues facing the community board.
ROLE DESCRIPTION

ROLE: COMMUNITY BOARD MEMBER

DATE: October 2016

PURPOSE

A key element of the Board member role is the function it performs as a conduit between the community and the Board.

The purpose of the role of Board member is to represent local community interests, contributing to its ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the community’s financial resources.

REPRESENTATION AND ADVOCACY

• Representing and acting as an advocate for the interests of their community.
• Considering and reporting on all matters referred to them by the council, or any matters of interest or concern to the community board.
• Communicating with community organisations and special-interest groups in the community.
• Bringing the views of their community to the attention of council.
• Listening to the concerns of their community on issues pertaining to the community board.
• Maintaining an overview of services provided by the council in the community, and commenting on any services delivered by the parent council.
• Maintaining contact with various community representatives and other local stakeholders.
• Championing causes which best relate to the interests of their community and campaigning for the improvement of the quality of life in their community.

GOVERNANCE

• Participating constructively and effectively in the good governance of the community board as a whole.
• Understanding and ensuring that basic principles of good governance are a part of the approach of the community board.
• Understanding and respecting the differing roles of community board chair and community board members; the roles of the parent council’s Mayor, Deputy Mayor, committee chairs / portfolio holders and Councillors; and the very different roles of the managers and staff of the parent council with whom the community board might work.
• Recognising that the governance role does not extend to operational matters or to the management of any implementation.
• Having a good understanding of the community board processes set out in the Standing Orders that determine how community board meetings are run and how decisions are made.
• Developing and maintaining a working knowledge of council services, management processes, powers, duties and constraints.
• Ensuring familiarity with agendas and other community board reports before meetings of the community board.
• Being familiar with and complying with the statutory requirements of a community board member.
• Identifying, being aware of and declaring any potential personal conflicts of interest, whether these are pecuniary or non-pecuniary.
1. SUMMARY

1.1. The purpose of this report is to outline legislation, which members need to be aware of. Clause 21 (5)(c), Schedule 7, part 1 of the Local Government Act 2002 requires that at the first meeting of a local authority following a triennial general election, an explanation be provided to Community Board members of the appropriate provisions of the Local Government Official Information and Meetings Act 1987, appropriate provisions of the Local Authority (Members’ Interests) Act 1968, Section 99, 105 and 105a of the Crimes Act 1961, Securities Act 1978, and the Secret Commissions Act 1910. An additional extract has been attached dealing with the indemnification of Members and also the situation where Members could be liable for loss.

1.2. An Audit Office publication entitled “A Guide to the Local Authorities (Members Interests) Act 1968 and non-pecuniary Conflicts of Interest” has been provided to Community Board members. Elected members have been asked to familiarise themselves with the above legislation. Elected members have also been asked to direct any questions they may have about the legislation to either the Governance Manager or the Chief Executive.

1.3. Matters relating to Disclosure of Interest Register is subject to a separate report.

1.4. A copy of the Local Government Official Information and Meetings Act 1987 is available from the Governance Manager or on the New Zealand Legislation website www.legislation.co.nz.

Attachments:

i. Extract from Crimes Act 1961
ii. Extract from Local Government Act 2002 – Members indemnified; Members may be liable for loss.

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

(a) Receives report No 161004102134

(b) Receives legislative material that has been circulated.
3. **ISSUES AND OPTIONS**

3.1. **Crimes Act 1961**

S.105 and 105A of the Crimes Act draws attention to the fact that an employee or any member of a local authority may be imprisoned for up to seven years for corruptly accepting a bribe.

3.2. **Secret Commissions Act 1910**

Section 4 of this Act states that it is an offence, under certain circumstances to accept gifts.

Section 5 imposes a requirement to disclose pecuniary interests.

Section 8 discusses secret rewards for procuring contracts.

Section 16 describes who is deemed to be an agent.

3.3. **The Local Authorities Members’ Interests Act 1968**

Section 3 states that a member shall not enter into contracts with the Council in any one financial year for a total amount exceeding $25,000 including GST. The Section clarifies who is deemed to be a member and what circumstances exceptions are permitted. Should the value of contracts entered exceed $25,000, and Audit Office approval has not been granted, then the member is deemed to no longer be a member of Council.

Section 6 states that a member shall not vote on or take part in the discussion of any matter before the appropriate committee or the Council in which the member has a direct or indirect pecuniary interest.

Section 8 places the onus on the Audit Office to investigate and if necessary institute appropriate proceedings against a member.

Elected members who may have a pecuniary interest in any matter that the Council deals with should seek the advice of the Audit Office.

3.4. **Local Government Official Information and Meetings Act 1987.**

The introduction to the Act states this is “An Act to make official information held by local authorities more freely available, to provide for proper access by each person to official information relating to that person which is held by local authorities, to provide for the admission of the public to meetings of local authorities, to protect official information held by local authorities and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy, and to establish procedures for the achievement of those purposes.”

Section 4 of the Act states:

*The purposes of the Act are*

4(a) To increase progressively the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order -

(i) To enable more effective participation by the public in the actions and decisions of local authorities; and

(2) To promote the accountability of local authority members and officials,

And thereby to enhance respect for the law and to promote good local government in New Zealand.
4(b) To provide for proper access by each person to official information relating to that person;

4(c) To protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

Sections 6, 7 and 8 of the Act provides reasons for withholding Official Information. The principle of the Act is that information held shall be made available unless there is good reason for withholding it. Reasons for withholding are the outlined in sections 6 and 7 where making the information available would be likely to prejudice the maintenance of the law; endanger the safety of any person; protect the privacy of natural persons; and to carry out commercial activities, as examples of some of the reasons.

Section 27 of the Act gives the Ombudsman certain investigative and review powers about the decision of the local authority not to provide Official Information.

Section 46 lays down requirements for all meetings of local authorities to be publicly notified, and further provides that agendas and reports are to be available prior to all meetings and are available as public documents.

Section 48 gives a local authority the right to exclude the public from a meeting when business is being discussed provided that decision is based on one of the statutory grounds set out in Section 48. The meeting needs to consider each report, which is recommended to be considered with the public excluded, and decide if the reasons given are appropriate. The reasons are similar to some of the examples outlined under Sections 6, 7 and 8. In the majority of cases, matters being considered with the public excluded are considered as the last item on the agenda.

3.5. Local Government Act 2002

Members of local authority liable for loss

If the Council incurs a loss as outlined in section 44 (1) (a), (b), (c) and (d), the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally. Whilst I am not aware of any case where this has occurred, members need to be aware of the possibility and that these actions or omissions are not able to be insured.


Certain Members Indemnified

The Local Government Act provides for members being indemnified as outlined in section 48 (F). This will include members who have been appointed to a committee), community board (Councillors appointed to the Community Boards), or other subordinate decision-making body of the Waimakariri District Council. This gives the effect that members will not be responsible for costs, providing they act in good faith and come within the provisions of the section outlined and it will be the responsibility of the Council to meet the costs, or to claim from the appropriate parties.

3.7. Health and Safety at Work Act 2015

The new Health and Safety at Work Act 2015 places additional obligations on Councillors as they are considered ‘Officers’ under the legislation.
As officers under the new legislation, Councillors and the Chief Executive have specific positive due diligence duties that are non-delegable. Hence, staff will be reporting directly to the Council meeting on health and safety matters on a monthly basis, as well as to the Audit Committee on less time-sensitive health and safety matters.

While Councillors are not liable to prosecution in their role as an officer, they still have a responsibility to discharge those duties. Management of the Council will support officers in discharging those duties.

Under the Health and Safety at Work Act 2015 Officers have a positive due diligence responsibility and must ensure that they discharge their duties as ‘Officers’ under the legislation.

Councillors and the Chief Executive are considered to be Officers, in terms of the legislation, as they hold significant influence over the allocation of resources within the Council.


The main purpose of this Act are to promote the confident and informed participation of businesses, investors and consumers in the financial markets and to promote and facilitate the development of fair, efficient, and transparent financial markets.

Under the Financial Markets Conduct Act 2013 essentially places elected members in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equity securities). Elected members may be personally liable if documents that are registered under the Act, such as a product disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

4. COMMUNITY VIEWS

Not applicable.

5. FINANCIAL IMPLICATIONS AND RISKS

There is a risk to individual elected members whereby non-compliance to Acts of legislation such as the Crimes Act 1961 may include imprisonment for up to seven years for corruptly accepting a bribe and the Local Government Act 2002 whereby if the Council incurs a loss as outlined in section 44 (1)(a),(b),(c) and (d) the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally. Elected members must give full respect to the law at all times.

6. CONTEXT

6.1. Policy

This matter is not a matter of significance in terms of the Council’s Significance Policy.

6.2. Legislation


6.4. Community Outcomes

A strong sense of community – the key organisations and groups in the District will communicate and consult with the community in an honest and effective manner.
Appendix 1

Extract from Crimes Act 1961

Part 6

99. Interpretation—

In this Part, unless the context otherwise requires,—

bribe means any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect

judicial officer means a Judge of any court, or a District Court Judge, Coroner, Justice of the Peace, or Community Magistrate, or any other person holding any judicial office, or any person who is a member of any tribunal authorised by law to take evidence on oath

law enforcement officer means any constable, or any person employed in the detection or prosecution or punishment of offenders

official means any person in the service of the Sovereign in right of New Zealand (whether that service is honorary or not, and whether it is within or outside New Zealand), or any member or employee of any local authority or public body, or any person employed in the education service within the meaning of the State Sector Act 1988.

105 Corruption and bribery of official—

(1) Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or herself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in his or her official capacity.

(2) Every one is liable to imprisonment for a term not exceeding 7 years who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by him or her in his or her official capacity.

105A. Corrupt use of official information—

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses or discloses any information, acquired by him or her in his or her official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself or any other person.
Appendix 2

Extract from Local Government Act 2002 Part 4

43. Certain members indemnified—

(1) A member of a local authority (or a committee, community board, or other subordinate decision-making body of that local authority) is indemnified by that local authority, whether or not that member was elected to that local authority or community board under the Local Electoral Act 2001 or appointed by the local authority, for—

(a) costs and damages for any civil liability arising from any action brought by a third party if the member was acting in good faith and in pursuance (or intended pursuance) of the responsibilities or powers of the local authority (or committee, community board, or other subordinate decision-making body of that local authority); and

(b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.

(2) Subsection (1) does not apply to a member's liability for a loss under section 46.

(3) To avoid doubt, a local authority may not indemnify a director of a council-controlled organisation for any liability arising from that director's acts or omissions in relation to that council-controlled organisation.

44. Report by Auditor-General on loss incurred by local authority—

(1) For the purposes of this section and sections 45 and 46, a local authority is to be regarded as having incurred a loss to the extent that any of the following actions and omissions has occurred and the local authority has not been fully compensated for the action or omission concerned:

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

(2) If the Auditor-General is satisfied that a local authority has incurred a loss, the Auditor-General may make a report on the loss to the local authority, and may include in the report any recommendations in relation to the recovery of the loss or the prevention of further loss that the Auditor-General thinks fit.

(3) The Auditor-General must send copies of the report to the Minister and every member of the local authority.

45. Local authority to respond to Auditor-General—

(1) On receipt of a report from the Auditor-General, the local authority must, within 28 days, respond in writing to the Auditor-General, and send a copy of the response to the Minister.

(2) The local authority's response must—

(a) respond to each of the Auditor-General's recommendations; and

(b) include a statement as to what action, if any, the local authority intends to take in respect of the loss.
(3) The Minister may extend the period of time within which the local authority must forward its response.

(4) An individual member of the local authority may respond to the Auditor-General—

(a) by making a separate response to the Auditor-General, and sending a copy to the local authority and the Minister, within the time required for the local authority’s response; or

(b) with the consent of the local authority, by incorporating that member’s response in the local authority’s response.

(5) The local authority must, as soon as practicable after the expiry of the time for forwarding its response, table in a meeting of the local authority that is open to the public a copy of the Auditor-General’s report, the local authority’s response, and any response of an individual member of the local authority not incorporated in the local authority’s response.

46. Members of local authority liable for loss—

(1) If the Auditor-General has made a report on a loss to a local authority under section 44, then, without limiting any other person’s liability for the loss, the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally.

(2) If the members of the local authority or any other person or persons do not pay the amount of the loss to the Crown or the local authority within a reasonable time, the Crown may commence proceedings to recover the loss from any or all of those members.

(3) Any amount recovered by the Crown under subsection (2), less all costs incurred by the Crown in respect of the recovery, must be paid by the Crown to the local authority concerned.

(4) It is a defence to any proceedings under subsection (2) if the defendant proves that the act or failure to act resulting in the loss occurred—

(a) without the defendant’s knowledge; or

(b) with the defendant’s knowledge but against the defendant’s protest made at or before the time when the loss occurred; or

(c) contrary to the manner in which the defendant voted on the issue at a meeting of the local authority; or

(d) in circumstances where, although being a party to the act or failure to act, the defendant acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any of the following persons:

(i) an employee of the local authority whom the defendant believed on reasonable grounds to be reliable and competent in relation to the matters concerned:

(ii) a professional adviser or expert in relation to matters that the defendant believed on reasonable grounds to be within the person’s professional or expert competence.

47. Members may be required to pay costs of proceeding in certain cases—

(1) This section applies if, in a proceeding commenced by the Attorney-General, the local authority is—

(a) held to have—
(i) disposed of, or dealt with, any of its property wrongfully or illegally; or
(ii) applied its property to any unlawful purpose; or
(iii) permitted the reserves that it must manage to be used for purposes not authorised by law; or

(b) restrained from acting in the ways referred to in paragraph (a).

(2) If subsection (1) applies, costs and other expenses arising out of the proceeding or incurred in doing the things to which the proceeding relates—

(a) must not be paid out of general revenues by the local authority; and
(b) must be paid, by order of the court, by the members of the local authority who, by voting or otherwise, assented to the acts concerned.

(3) The court must not make an order under subsection (2) against a member of the local authority if the member proves that, in doing the act concerned,—

(a) the member acted in good faith and in accordance with the written advice of the solicitor to the local authority; or
(b) the member acted honestly and reasonably and, having regard to all the circumstances of the case, the member ought fairly to be excused.
Appendix 3

Extract from Secret Commissions Act 1910

4 Acceptance of such gifts by agent an offence

(1) Every agent is guilty of an offence who corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, or solicits from any person, for himself or for any other person, any gift or other consideration as an inducement or reward for doing or forbearing to do, or for having done or forborne to do, any act in relation to the principal's affairs or business (whether such act is within the scope of the agent's authority or the course of his employment as agent or not), or for showing or having shown favour or disfavour to any person in relation to the principal's affairs or business.

(2) Every agent who diverts, obstructs, or interferes with the proper course of the affairs or business of his principal, or fails to use due diligence in the prosecution of such affairs or business, with intent to obtain for himself or for any other person any gift or other consideration from any person interested in such affairs or business, shall be deemed to have corruptly solicited a consideration within the meaning of this section.

5 Duty of agent to disclose pecuniary interest in contract

(1) Every agent is guilty of an offence who makes a contract on behalf of his principal and fails to disclose to his principal, at the time of making the contract or as soon as possible thereafter, the existence of any pecuniary interest which the agent has in the making of the contract, unless to the knowledge of the agent the existence of such pecuniary interest is already known to his principal.

(2) For the purposes of this section any pecuniary interest which a parent, husband, wife, civil union partner, de facto partner, child, or partner of the agent has in the making of the contract shall be deemed to be the pecuniary interest of the agent, unless he proves that he had no knowledge of that interest at the time when he made the contract.

(3) For the purposes of this section an agent shall not be deemed to have any pecuniary interest in the making of a contract by reason merely of the fact that he or any person mentioned in the last preceding subsection is a shareholder in an incorporated company having more than 20 members.

8 Receiving secret reward for procuring contracts an offence

(1) Every person is guilty of an offence who advises any person to enter into a contract with a third person and receives or agrees to receive from that third person, without the knowledge and consent of the person so advised, any gift or consideration as an inducement or reward for the giving of that advice or the procuring of that contract, unless the person giving that advice himself acts as the agent of the third person in entering into the contract, or is to the knowledge of the person so advised the agent of that third person.

(2) For the purposes of this section a person shall be deemed to advise another person to enter into a contract if he makes to that other person any statement or suggestion with intent to induce him to enter into the contract.

16 Persons deemed to be agents within the meaning of this Act

(1) For the purposes of this Act—
(a) Every officer of a corporation and every member of a governing body of a
corporation shall be deemed to be an agent of the corporation:

(b) Every officer or member of any local authority, Board, Council, committee, or
other body of persons, whether incorporated or unincorporated, charged by
statute with any public functions shall be deemed to be an agent of that local
authority, Board, Council, committee, or other body:

(c) Every person in the service of the Crown, or acting for or on behalf of the
Crown, or holding any office in the public service, shall be deemed to be an
agent of the Crown:

(d) Every partner in a firm shall be deemed to be an agent of the firm:

(e) An executor, administrator, or trustee shall be deemed to be an agent of the
beneficiaries under the will, intestacy, or trust:

(f) The committee of the estate of a person of unsound mind shall be deemed to
be the agent of that person:

(g) An arbitrator, umpire, or valuer shall be deemed to be an agent of every party
to the arbitration or valuation:

(h) A liquidator of a company shall be deemed to be an agent of the company.

(2) If by virtue of the provisions of this Act any agent is deemed to be the agent of 2 or
more principals in respect of the same matter, this Act shall apply to each of those
principals in the same manner as if he was the sole principal.

(3) Nothing in this section shall be so construed as to restrict in any manner the meaning
of the terms agent or principal as used in this Act.
WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO: GOV-26-09-08 / 161004102269

REPORT TO: Woodend-Sefton Community Board

DATE OF MEETING: 26 October 2016

FROM: Jim Palmer, Chief Executive

SUBJECT: Code of Conduct

SIGNED BY:

Department Manager

Chief Executive

1. SUMMARY

1.1. The purpose of this report is for the Community Boards to receive the Code of Conduct.

1.2. Amendments to the Community Board’s Code of Conduct require a resolution supported by 75% or more of the members present.

1.3. The Code of Conduct was accepted by the three Community Boards at their meetings following the October 2013 triennial local body elections.

1.4. An amended Code of Conduct was approved by the Council 25 October 2016, and this is being sought to be adopted by the Community Boards for consistency.

1.5. The Council re-confirmed the Code of Conduct at its meeting held on 25 October 2016.

Attachments:

i. Local Government Act 2002 clause 15 (schedule 7, part 1) – Attachment 1

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

(a) Receives report No. 161004102269
(b) Adopts the Waimakariri District Council Code of Conduct as the Community Board’s Code of Conduct (Trim 161018107391)

3. ISSUES AND OPTIONS

3.1. The recommended code is based on that adopted by the Council 25 October 2016 apart from changes to reflect the name of the Community Board from the Waimakariri District Council, together with references to elected members. The Community Boards adopted a Code of Conduct in 2013.

3.2. The recommended Code of Conduct has been based on the Local Government New Zealand template, which has been designed to incorporate recent legislative change, new approaches to good governance and provide better advice for Boards having to
deal with alleged breaches. The focus has been widened from controlling poor behaviour to promoting an inclusive and positive governance culture. Good governance assists with being trusted and respected and the greater ability to enlist the support of the community and other agencies in the goal of improving outcomes and meeting strategic goals. The Code would apply to Councillors and Board members in their dealings with each other, Council officers, the public and the media.

3.3. New features of the Code include:
- refinement of the principles including a new principle that highlights the importance of elected members “pulling their weight”;
- simplification of the roles and responsibilities section;
- encouragement for members to participate in activities to build and maintain collaborative and cooperative cultures within the council;
- a new process for investigating and assessing complaints, including a ‘materiality’ test;
- additional guidance on penalties or sanctions;
- clarification that complaints can only be made by members and chief executives; and
- a more empowering and less prescriptive approach.

3.4. The new Code has four objectives:
- to enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region;
- to promote effective decision-making and community engagement;
- to enhance the credibility and accountability of the local authority to its communities; and
- to develop a culture of mutual trust, respect and tolerance between members of the local authority and between members and management.

3.5. Minor breaches of the Code may be dealt with by the Community Board Chair. In the past where issues have arisen, an approach seeking early low-level resolution has often proved successful.

3.6. Whilst the Board does not presently have a Code of Conduct Committee, this could be established at relatively short notice if required. Where there are no statutory provisions for a breach of the code, a list of options is available to the Board.

3.7. Adopting the revised code would provide uniformity through the district if all boards adopt the code.

3.8. The Management Team has reviewed this report and supports the recommendations.

4. **COMMUNITY VIEWS**

Not applicable.

5. **FINANCIAL IMPLICATIONS AND RISKS**

The Council is required to adopt a Code of Conduct. The Community Boards are not required to adopt a code, but a process is in place for members guidance and use where required.

6. **CONTEXT**

6.1. **Policy**
This matter is not a matter of significance in terms of the Council’s Significance Policy.

6.2. **Legislation.**


6.3. **Community Outcomes**

There are wide ranging opportunities for people to contribute to the decision-making by local, regional and national organisations that affect our District.

Jim Palmer
Chief Executive
ATTACHMENT i

Extract from Local Government Act 2002 schedule 7 part 1

15. Code of conduct—
   (1) 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.
   (2) The code of conduct must set out—
       (a) 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—
           (i) behaviour toward one another, staff, and the public; and
           (ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that—
               (A) is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and
               (B) relates to the ability of the local authority to give effect to any provision of this Act; and
       (b) 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.
   (3) A local authority may amend or replace its code of conduct, but may not revoke it without replacement.
   (4) A member of a local authority must comply with the code of conduct of that local authority.
   (5) 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.
   (6) 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.
   (7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.
Elected Members
Code of Conduct

CODE OF CONDUCT

Adopted - Council 1 July 2003
Amended - Council 1 June 2004
Edited - Audit Cttee Chair 5/10/04
Amended - Council 26 October 2004
Amended - Council 19 October 2010
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WAIMAKARIRI DISTRICT COUNCIL
CODE OF CONDUCT

INTRODUCTION

Schedule 7 of the Local Government Act 2002 (the Act) requires each local authority to adopt a code of conduct. Once adopted, all elected members are required to comply with the code.

1. This code of conduct provides guidance on the standards of behaviour that are expected from the Mayor and elected members of the Waimakariri District Council. The code applies to elected members in their dealings with:
   - each other
   - the Chief Executive
   - all staff employed by the Chief Executive on behalf of the council
   - the media
   - the general public.

2. This code does not apply to members of any Community Boards. Boards prepare their own code (substantially similar to this one).

3. The objective of the code is to enhance:
   - the effectiveness of the council as the autonomous local authority with statutory responsibilities for the good local government of the Waimakariri District
   - the credibility and accountability of the council within its community
   - mutual trust, respect and tolerance between the elected members as a group and between the elected members and staff.

4. This code of conduct seeks to achieve its objectives by recording:
   - an agreed statement of roles and responsibilities
   - agreed general principles of conduct
   - specific codes of conduct applying to particular circumstances or matters

5. Elected members are primarily accountable to the electors of the district through the democratic process. However members must note that the Auditor-General may hold them to account for unlawful actions or expenditure or for breaches of the Local Authorities (Members’ Interests) Act 1968.
ROLES AND RESPONSIBILITIES OF ELECTED MEMBERS

This part of the code describes the roles and responsibilities of elected members, the additional role of the Mayor and Deputy Mayor, and the role of the Chief Executive.

6. **Elected Members**

ElectedMembers have declared that:

They will faithfully and impartially, and according to the best of their skill and judgement, execute and perform, in the best interests of the Waimakariri District Council the powers, authorities and duties vested in or imposed upon them as Councillors of the Waimakariri District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Elected members, acting as the council, are responsible for –

- the development and adoption of council policy;
- monitoring the performance of the council against its stated objectives and policies;
- prudent stewardship of council resources;
- employment of the Chief Executive; and
- representing the interests of the residents and ratepayers of the Waimakariri District Council. (On election, the members' first responsibility is to the district as a whole.)

Unless otherwise provided in the Local Government Act 2002 or in standing orders, the council can only act by majority decisions at meetings. Each member has one vote. Any individual member (including the Mayor) has no authority to act on behalf of the council unless the council has expressly delegated such authority.

7. **Mayor**

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of council. The Mayor also has the following roles as a –

- presiding member at council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council;
- ceremonial head of council;
- providing leadership and feedback to other elected members on teamwork and chairmanship of committees; and
- Justice of the Peace (while the Mayor holds office).

The Mayor must follow the same rules as other elected members about making public statements and committing the council to a particular course of action, unless acting in accordance with the rules for media contact on behalf of the council under a delegation of authority from the council.
8. **Deputy Mayor**

The Deputy Mayor must be elected by the members of council, at the first meeting of the council. The Deputy Mayor exercises the same roles as other elected members, and if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers, of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of council.

9. **Committee Chairpersons**

The council may create one or more committees of council. A committee chairperson presides over all meetings of the committee, ensuring that the committee acts within the powers delegated by council, and as set out in the council's *Delegations Manual*. Committee chairpersons may be called on to act as an official spokesperson on a particular issue. They may be removed from office by resolution of council.

**RELATIONSHIPS AND BEHAVIOURS**

This part of the code sets out the council's agreed standards of behaviour. Some of the matters described in this part of the code reflect other legislation such as the Local Authorities (Members' Interests) Act 1968 (refer Appendix 1). The majority of the code is material that the council has decided to include of its own initiative, based on the principles contained in Appendix 2.

10. **Relationships with Other Members**

Successful teamwork is a critical element in the success of any democratically elected organisation. No team will be effective unless mutual respect exists between members. With this in mind elected members will conduct their dealings with each other in ways that –

- maintain public confidence in the office to which they have been elected;
- are open and honest;
- focus on issues rather than personalities; and
- avoid aggressive, offensive or abusive conduct.

11. **Relationships with Staff**

The effective performance of council also requires a high level of cooperation and mutual respect between elected members and staff. To ensure that level of cooperation and trust is maintained, elected members will –

- recognise that the Chief Executive is the employer (on behalf of council) of all council employees, and as such only the Chief Executive may hire, dismiss or instruct or censure an employee;
- make themselves aware of the obligations that the council and the Chief Executive have as employers and observe those requirements at all times;
- treat all employees with courtesy and respect (including the avoidance of familiar, aggressive, offensive or abusive conduct towards employees);
- observe any guidelines that the Chief Executive puts in place regarding contact with employees;
• not do anything which compromises, or could be seen as compromising, the impartiality of an employee;
• avoid publicly criticising any employee in any way; and
• raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive only with the Mayor or the CE Review Committee.

Elected members should be aware that failure to observe this portion of the code of conduct may compromise the council’s obligations to act as a good employer and may expose the council to civil litigation and audit sanctions.

The Chief Executive’s obligations under the Local Government Act 2002 are set out in Appendix 3.

12. **Relationships with the Community**

Effective council decision-making depends on productive relationships between elected members and the community at large.

Members should ensure that individual citizens are accorded respect in their dealings with the council, have their concerns listened to, and deliberated on in accordance with the requirements of the Act.

Members should act in a manner that encourages and values community involvement in local democracy.

13. **Contact with the Media**

The media plays an important part in local democracy. In order to fulfil this role the media needs access to accurate, timely information about the affairs of council. From time to time, individual members will be approached to comment on a particular issue either on behalf of council, or as an elected member in their own right. This part of the code deals with the rights and duties of councillors when speaking to the media on behalf of council, or in their own right.

The rules that apply for media contact on behalf of council are contained within the Council’s policy manual and are generally outlined as:

Official Council statements may be made by either the Mayor, Deputy Mayor, a committee Chairperson or the Kaiapoi Community Board Chairperson. Elected members are free to express a personal view in the media, at any time, provided the following rules are observed –

- media comments must not state or imply that they represent the views of council;
- where an elected member is making a statement that is contrary to a council decision or council policy, the member must not state or imply that his or her statements represent a majority view; and
- media comments must observe the other requirements of the code of conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.
14. **Confidential Information**

In the course of their duties members will occasionally receive information that may need to be treated as confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation.

Elected members must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the elected member.

Elected members should be aware that failure to observe these provisions will impede the performance of council by inhibiting information flows and undermining public confidence in the council. Failure to observe these provisions may also expose council to prosecution under the Privacy Act 1993 and/or civil litigation.

15. **Conflicts of Interest**

Elected members must be careful that they maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that people who fill positions of authority carry on their duties free from bias (whether real or perceived). Members therefore need to familiarise themselves with the provisions of the Local Authorities (Members’ Interests) Act 1968 which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

The Local Authorities (Members Interest) Act 1968 provides that an elected member is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed $25,000 in any financial year, without the authority of the Audit Office.

- Additionally, elected members are prohibited from participating in any council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member’s spouse contracts with the authority or has a pecuniary interest. Members must declare their interests at council meetings where matters in which the have a pecuniary interest arise.

If the member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately.

16. **Non Pecuniary Interest**

By declaring any non-financial interests in matters before Council, elected members will ensure that an impression is not created that they are using their position to promote a private or personal interest.

For example, interests can arise through the involvement of family of friends in organisations that deal with the Council, and through membership of clubs, societies and voluntary bodies.

17. **Standing Orders**

Standing Orders are a set of rules of debate that provide greater formality in the way that an organisation conducts its meetings. Standing Orders are also a means of recording organisations’ agreed principles of behaviour within meetings.
Elected members must adhere to any standing orders adopted by the council. These standing orders are subject to the same legal requirements as a code of conduct with regard to their adoption and amendment.

18. **Ethics**

Waimakariri District Council seeks to promote the highest standards of ethical conduct amongst its elected members. Accordingly, elected members will –

- claim only for legitimate expenses as laid down by any determination of the Remuneration Authority then in force, and any lawful policy of council developed in accordance with that determination;
- not influence, or attempt to influence, any council employee to take actions that may benefit the member, or the member’s family or business interests;
- not use council resources for personal business (including campaigning);
- not solicit, demand, or request any gift, reward or benefit by virtue of their position; and
- where a gift to the value of $100 or more is offered to a member, and accepted, immediately notify the Chief Executive.

19. **Disqualification of Members from Office**

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members' Interests) Act 1968.

Under the Local Government Act 2002, local authorities, when adopting a code of conduct, must consider whether or not they will require members to declare whether they are an undischarged bankrupt. This council believes that bankruptcy does raise questions about the soundness of a person’s financial management skills and their judgment in general. The council therefore requires elected members who are declared bankrupt to notify the Chief Executive as soon as practicable after being declared bankrupt.
COMPLIANCE AND REVIEW

This part deals with ensuring that elected members adhere to the code of conduct and mechanisms for the review of the code of conduct.

Compliance

20. Elected members must note that they are bound to comply with the provisions of this code of conduct (Local Government Act 2002, Schedule 7, section 15(4))

21. Members are also bound by the Local Government Act 2002, the Local Authorities (Members’ Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1961 and the Securities Act 1978. The Chief Executive will ensure that an explanation of these Acts is made at the first meeting after each triennial election and that copies of these Acts are freely available to elected members. Short explanations of the obligations that each of these has with respect to conduct of elected members is attached in the Appendix to this code.

22. Alleged breaches of the Code shall be reported to the Chief Executive Officer or Mayor as appropriate. Where it is a minor matter, the Mayor may require a Member to apologise at a subsequent Council meeting. Where it is considered that the matter is of substance, a report shall be submitted for the consideration of the Code of Conduct Committee in accordance with the Committee’s Terms of Reference.

23. Where the Committee recommends to the Council any action, the exact nature of the action the Council may take depends on the nature of the breach and whether there are statutory provisions dealing with the breach.

24. Where there are statutory provisions:

- Breaches relating to members’ interests render members liable for prosecution by the Auditor-General under the Local Authority (Member’s Interests) Act 1968.
- Breaches which result in the Council suffering financial loss or damage may be reported on by the Auditor-General under the Local Government Act 2002, which may result in the member having to make good the loss or damage.
- Breaches relating to the commission of a criminal offence may leave the elected member liable for criminal prosecution.

In these cases the Council may refer an issue to the relevant body, any member of the public may make a complaint, or the body itself may take action of its own initiative.

25. Where there are no statutory provisions, the Council may take the following action:

- Request an apology
- Censure
- Removal of the elected member from Council committees and/or other representative type bodies.
- Dismissal of the elected member from a position as Deputy Mayor or Chair of a committee.

A decision to apply one or more of these actions requires a Council resolution to that effect.

26. Review
Once adopted, a code of conduct continues in force until amended by the Council. The code can be amended at any time but cannot be revoked unless the Council replaces it with another code. Once adopted, amendments to the code of conduct require a resolution supported by 75 per cent or more of the members of the Council present.

Council will formally review the code as soon as practicable after the beginning of each triennium. The results of that review will be presented to Council for their consideration and vote.
APPENDIX 1:

LEGISLATION BEARING ON THE ROLE AND CONDUCT OF ELECTED MEMBERS

This is a summary of the legislation requirements that has some bearing on the duties and conduct of elected members. Copies of these statutes can be found in the councillor’s lounge or in the office of the Administration Manager.

A. Local Authority (Members’ Interests) Act 1968

This Act regulates situations where a members’ personal interests impinge, or could be seen as impinging on their duties as an elected member.

The Act provides that an elected member is disqualified from office if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed $25,000 in any financial year.

Additionally, elected members are prohibited from participating in any council discussion or voting on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member’s spouse contracts with the authority or has a pecuniary interest.

Members may also contact the Audit Office for guidance as to whether that member has a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. The Chief Executive must also seek approval from the Audit Office for contractual payments to members, their spouses or their companies that exceed the $25,000 annual limit.

Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authority (Members’ Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

The Audit Office publication Financial Conflicts of Interests of Members of Governing Bodies (2001) provides further guidance on this Act.

B. Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements. Of particular importance for the roles and conduct of elected members is the fact that the chair has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should –

• create a disturbance or a distraction while another councillor is speaking;
• be disrespectful when they refer to each other or other people; or
• use offensive language about the council, other councillors, any employee of the council or any member of the public.

A publication by the Department of Internal Affairs entitled “Local Authority Meetings”, provides further guidance.
C. Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to council.

If convicted of any offence under this Act a person can be imprisoned for up to 2 years, or fines up to $1000, or both. A conviction therefore would trigger the ouster provisions of the Local Government Act 2002 and result in the removal of the member from office.

D. Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to –

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of council;
- use information gained in the course of their duties for their, or another persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment of 7 years or more. Elected members convicted of these offences will also be automatically ousted from office.

E. Securities Act 1978

The Securities Act 1978 essentially places elected members in the same position as company directors whenever council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.
APPENDIX 2:

GENERAL PRINCIPLES OF GOOD GOVERNANCE

The code of conduct that follows is based on the following general principles of good governance –

(a) **Public interest**
   Members should serve only the interests of the district as a whole and should never improperly confer an advantage or disadvantage on any one person.

(b) **Honesty and integrity**
   Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

(c) **Objectivity**
   Members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members should also note that, once elected, their primary duty is to the interests of the entire district, not the ward that elected them.

(d) **Accountability**
   Members should make decisions on merit. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with the scrutiny appropriate to their particular office.

(e) **Openness**
   Members should be as open as possible about their actions and those of the council, and should be prepared to justify their actions.

(f) **Personal judgment**
   Members can and will take account of the views of others, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.

(g) **Respect for others**
   Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the council staff.

(h) **Duty to uphold the law**.
   Members should uphold the law, and on all occasions, act in accordance with the trust the public places in them.

(i) **Stewardship**
   Members must ensure that the council uses resources prudently and for lawful purposes, and that the council maintains sufficient resources to meet its statutory obligations.

(j) **Leadership**
   Members should promote and support these proposals by example, and should always endeavour to act in the best interests of the community.
APPENDIX 3:

LOCAL GOVERNMENT ACT 2002

Chief Executive

The Chief Executive is appointed by the council in accordance with sections 42 of the Local Government Act 2002. The Chief Executive is responsible for implementing and managing the council's policies and objectives within the budgetary constraints established by the council. In terms of section 42 of the Act, the responsibilities of the Chief Executive are –

(a) implementing the decisions of the council;

(b) providing advice to the council and community boards;

(c) ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;

(d) managing the activities of the local authority effectively and efficiently;

(e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;

(f) providing leadership for the staff of the local authority;

(g) employing staff on behalf of the local authority (including negotiation of the terms of employment for the staff of the local authority).

Under section 42 of the Local Government Act 2002 the Chief Executive employs all other staff on behalf of the local authority.
1. SUMMARY

1.1. The purpose of this report is to adopt the meeting dates for the period to December 2017. The dates are based on meeting each month on the second Monday of the month. The primary meeting venue is recommended to be the Woodend Community Centre with some to be also held at Waikuku Beach Community Hall; however this does not preclude other venues within the community if the need arises.

1.2. The meeting schedule does not preclude additional meetings or workshops on other dates.

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

a) Receives Report No.: 161005102535.

b) Resolves to hold meetings predominantly at the Woodend Community Centre, School Road, Woodend, commencing at 7.00pm, on the following dates:

14 November 2016 (Woodend)
12 December 2016 (Woodend)
13 February 2017 (Woodend)
13 March (Woodend)
10 April (Waikuku TBC)
8 May (Woodend)
12 June (Woodend)
10 July (Woodend)
14 August (Woodend)
11 September (Woodend)
9 October (Waikuku TBC)
13 November (Woodend)
11 December 2017 (Woodend)
3. **ISSUES AND OPTIONS**

3.1. All scheduled meetings are advertised and operate under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

3.2. During the 2013-16 term the Community Board had met on the second Monday of the month at 7pm in the Woodend Community Centre for half the year, and then in the Council Chambers at the Rangiora Service Centre for the second half of the year. Staff would not recommend using venues outside of the Community Board’s area as this impedes opportunity for the public to access meetings and observe democracy and transparency.

3.3. In past years, the Board has not met in January and this is recommended to continue. However, the Board may wish to consider a staff briefing on developing a plan of achievements for the term.

3.4. Briefings and workshops are generally held after the Board meeting where possible, however if a significant timeframe is anticipated a separate meeting at a mutually agreed time will be scheduled.

3.5. Comments have been made regarding low numbers of public attending past Community Board meetings (other than specific deputations). Utilising a venue within the area has been more conducive to greater accessibility for the public and the opportunities for them to observe democracy and transparency.

3.6. Therefore it is recommended that meetings occur predominantly at the Woodend Community Centre, School Road, Woodend as this is the most appropriate venue. Occasional meetings occurring in other areas within the community, should there be topical items of interest on the agenda, are feasible.

3.7. In the event of insufficient business for any one month, the Board may wish to hold a workshop on topical matters. It is the responsibility of the Chairperson to cancel any meeting, in consultation with Council staff.

3.8. The Management Team has reviewed this report and supports the schedule.

4. **COMMUNITY VIEWS**

4.1. The established pattern of the Community Board meetings has generally worked well for members, taking into account other community commitments. The earlier starting time will enable business to be concluded at a more acceptable time. Other Community Board meetings start between 4.00pm and 7.00pm.

4.2. Community views were not sought. We are not aware of any adverse comments from the public on meeting times.

4.3. Discussion with Board members were informally held prior to this report being written.

5. **FINANCIAL IMPLICATIONS AND RISKS**

5.1. Not applicable. All meetings are serviced from existing Council budgets. Meeting venues are generally Council owned assets and are not charged. The remuneration payable to the Community Board members is based on an annual sum set by the Remuneration Authority.
6. **CONTEXT**

6.1. **Policy**

This matter is not a matter of significance in terms of the Council’s Significance Policy.

6.2. **Legislation**

Local Government Act 2002 schedule 7 clause 19.

6.3. **Community Outcomes**

There are wide ranging opportunities for people to contribute to the decision-making by local, regional and national organisations that affect our District.

Sarah Nichols
Governance Manager
WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO and TRIM NO: GOV-26-09-05 / 161006103022

REPORT TO: Woodend-Sefton Community Board

DATE OF MEETING: 26 October 2016

FROM: Karyn Ward, Community Board Advocate

SUBJECT: Woodend-Sefton Community Board Discretionary Grant Budget

Post-election Update for 2016-17

SIGNED BY: (for Reports to Council or Committees)

Department Manager

Chief Executive

1. SUMMARY

1.1. The purpose of this report is to provide an update to the Board in regards to the availability of the 2016/17 Woodend-Sefton Discretionary Grant Budget.

Attachments:

i. Woodend-Sefton Community Board Discretionary Grant Application “Information to assist groups with their application”

ii. Woodend-Sefton Community Board Discretionary Grant Application “Criteria for application”

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

(a) Receives report No. 161006103022.

(b) Notes that the approved 2016/17 Woodend-Sefton Discretionary Grant Budget has a balance of $1,620.

3. ISSUES AND OPTIONS

3.1. The approved 2016/17 Woodend-Sefton Community Board Discretionary Grant budget total was $2,910.

3.2. The former Woodend-Ashley Community Board allocated a total of $1,290 prior to the 8 October 2016 election.

3.3. The Woodend-Sefton Community Board has a total balance of $1,620 within the Board’s Discretionary Grant budget for the remainder of the 2016/17 financial year.

3.4. The Management Team has reviewed this report.
4. COMMUNITY VIEWS
Not applicable.

5. FINANCIAL IMPLICATIONS AND RISKS
5.1. The current balance of the Woodend-Sefton Discretionary Grant Budget for the 2016/17 financial year is $1,620.

6. CONTEXT
6.1. Policy
This matter is not a matter of significance in terms of the Council’s Significance Policy.

6.2. Legislation
Reserves Act 1977

6.3. Community Outcomes
6.3.1. People are friendly and caring, creating a strong sense of community in our District.

6.3.2. There are wide ranging opportunities for people of different ages to participate in community and recreational activities.

Karyn Ward
Community Board Advocate
**Information to assist groups with their application**

The purpose of the Board discretionary grants is to assist projects that enhance community group capacity and/or increase participation in activities.

When assessing grant applications the Board consider a number of factors in their decision making. These include, but are not limited to; type of project, time frame, benefits to the community and costs being contributed. The more information you as a group can provide on the project and benefits to participants the better informed the Board is. You are welcome to include a cover letter as part of your application. The decision to grant funds is the sole discretion of the Board.

The Board cannot accept applications from individuals. All funding is paid to non-profit community based organisations, registered charities or incorporated societies. Council funding is publicly accountable therefore the Board need to demonstrate to the community where funding is going and what it is being spent on. This is one of the reasons the Board require a copy of your financial profit/loss statements and balance sheet for the previous/current financial year. Staff cannot process your application without financial records.

The Board encourages applicants, where practically possible, to consider using local businesses or suppliers for any services or goods they require in their application. The Board acknowledges that this may result in a higher quote.

It would be helpful to the Board to receive an expense summary for projects that cost more than the grant being requested to show the areas funds are being spent and a paragraph on what fund raising the group has undertaken towards the project, or other sources considered (i.e. voluntary labour, businesses for supplies).

<table>
<thead>
<tr>
<th>Examples (but not limited to) of what the Board cannot fund:</th>
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<tbody>
<tr>
<td>✗ Wages</td>
</tr>
<tr>
<td>✗ Debt servicing</td>
</tr>
<tr>
<td>✗ Payment for volunteers (including arrangements in kind eg petrol vouchers)</td>
</tr>
<tr>
<td>✗ Stock or capital market investment</td>
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<tr>
<td>✗ Gambling or prize money</td>
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<tr>
<td>✗ Funding of individuals (only non-profit organisations)</td>
</tr>
<tr>
<td>✗ Payment of any legal expenditure or associated costs</td>
</tr>
<tr>
<td>✗ Purchase of land and buildings</td>
</tr>
<tr>
<td>✗ Activities or initiatives where the primary purpose is to promote, commercial or profit-oriented interests</td>
</tr>
<tr>
<td>✗ Payment of fines, court costs or mediation costs, IRD penalties</td>
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<table>
<thead>
<tr>
<th>Examples (but not limited to) of what the Board can fund:</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ New equipment</td>
</tr>
<tr>
<td>✓ Toys/educational aids</td>
</tr>
<tr>
<td>✓ Sporting equipment</td>
</tr>
<tr>
<td>✓ Safety equipment</td>
</tr>
<tr>
<td>✓ Costs associated with events</td>
</tr>
<tr>
<td>✓ Community training</td>
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Criteria for application

• Grant applications will be considered every month by the Woodend-Sefton Community Board. Applications are recommended to be received three weeks prior to Board meeting dates for processing.

• Generally funding grants will be a maximum of $500 in any one financial year (July 2016 to June 2017) but the group can apply up to twice in that year, providing it is for different projects.

• The grant funding is limited to projects within the Board area or primarily benefiting the residents of the ward.

• Applications will only be accepted from non-profit community-based organisations, registered charities or incorporated societies.

• The group should have strong links with the community of the Woodend-Sefton Ward.

• The applications should clearly state the purpose for which the money is to be used.

• The applicants should submit a 1-2 page balance sheet and an income and expenditure statement which shows their current financial assets and liabilities. Applications cannot be processed until financial information is received.

• Where possible, or feasible, applicants must declare other sources from which funding has been applied for, or granted from, for the project being applied to the Woodend-Sefton Community Board.

• The Board support a wide range of community activities but the application will only be considered if it is deemed of the nature listed in the table of examples of what the Board can fund (see previous page).

• An accountability form must be provided to Council outlining how the funds were applied, within six months of the grant being allocated, when funds are spent, or prior to a new application. A new application will not be accepted until the previous accountability form has been completed and returned. The group should maintain accurate records around the grant including, but not limited to: receipts, banks statements and invoices. In the event that funds are not spent on the project or activity applied for the recipient may be required to return the grant funding to the Council.

What happens now?
Return your completed application form (with financial records and any supporting information which you believe is relevant to this application) to:

Community Board Advocate
Woodend-Sefton Community Board
C/- Waimakariri District Council
Private Bag 1005
Rangiora 7440

Or hand deliver to either

• Oxford Library & Service Centre, Pearson Park Pavilion, Oxford.
• Rangiora Service Centre, 215 High Street, Rangiora.
• Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi.

What happens next?
• Your application will be processed and presented to the Board at the next appropriate meeting.
• Following the meeting a letter will be sent to notify you of the Board decision and if successful an invoice and your organisation's bank account details will be requested.
• On receipt of this information payment will be processed to your organisation's bank account.
1. SUMMARY

1.1. The purpose of this report is to provide an update to the Board in regards to the availability of the 2016/17 Woodend-Sefton General Landscaping Budget.

2. RECOMMENDATION

THAT the Woodend-Sefton Community Board:

(a) Receives report No. 161006102960.

(b) Notes each Community Board is allocated money from the Waimakariri District Council’s Annual Plan for a General Landscaping Budget.

(c) Notes the General Landscaping Budget is a discretionary sum the Board can allocate towards ward Green Space projects that the Board may initiate from within, or in response to information brought to the Board’s attention by their community. The total may be allocated to one project or divided between multiple projects.

(d) Notes that Green Space staff could arrange a seminar with each board in early 2017 to explore options for the allocation of funds from the general landscaping budget should the board support this.

(e) Notes that the approved 2016/17 Woodend-Sefton Community Board’s General Landscaping Budget is $15,278.71. This is made up of the $11,650 allocated from the Annual Plan (as reported in previous agendas since July 2016), and a carry-over of $3628.71.
3. **ISSUES AND OPTIONS**

3.1. Each Board is allocated money from the Waimakariri District Council’s Annual Plan for a General Landscaping Budget.

3.2. This money is a discretionary sum the Board can allocate towards ward Green Space projects that the Board may initiate from within, or in response to information brought to the Board’s attention from their community. The total sum may be allocated to one project or divided between multiple projects.

3.3. Background: Members of local communities often have suggestions for minor landscaping improvements, such as an additional seat, some paving or signage or something similar. Equally Community Boards often identify community landscaping enhancement projects such as a new pathway, drinking fountain etc that can be a Board initiative. Originally all of these requests came directly to staff and around 2007 the Council agreed that the decision making on such items should be with the Boards and since then the Council has included a General Landscaping Budget for each Board.

3.4. Decisions made by the pre-election Woodend-Ashley Community Board during the 2015/16 financial year allocated money to landscape planting projects, installation of a scooter and bike stand at Pegasus Lake playground, and as a contribution to stage two of the Woodend Beach cycle/walkway.

3.5. The 2016/17 Woodend-Sefton Community Board General Landscaping budget as approved in the 2016/17 Annual Plan was $11,650.

3.6. Greenspace staff have identified that there is additional money left over from the previous year which has been carried forward to this financial year. This is because occasionally there is a variation between the amount allocated toward a project by the board and the final actual cost of the project. This has been added to the annual plan allocation and combined make the amount available to spend by the Board in this financial year $15,278.71.

3.7. The former Woodend-Ashley Community Board chose not to use any of this money prior to the 8 October 2016 election.

3.1. Staff are happy to work with the Boards on suggestions for utilising the funds and provide advice on costs for the Board to make a decision. Should the Board support this, Green Space staff could arrange a seminar with the Rangiora-Ashley Community Board in early 2017 to explore options for the allocation of funds from the General Landscaping Budget.

3.2. Green Space Staff recommend that where possible it would be beneficial for the Board to decide upon General Landscaping Budget projects before March of each year. This would allow the department to initiate projects before the end of a financial year.

3.3. Staff also suggest it may be beneficial to the Board if in June (the end of each financial year), Staff present a report summarising the General Landscaping accounting for that year and what sum is remaining that may be carried over to the following financial year should there be a project proposed that this could be used for.

3.4. The Management Team has reviewed this report.
4. **COMMUNITY VIEWS**

4.1. Each general landscape project may require consultation. This will depend on the nature of the project and who may be affected.

5. **FINANCIAL IMPLICATIONS AND RISKS**

5.1. The current balance of the Woodend-Sefton General Landscaping Budget for the 2016/17 financial year is $15,278.71.

6. **CONTEXT**

6.1. **Policy**

   This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

6.2. **Legislation**

   Reserves Act 1977

6.3. **Community Outcomes**

   6.3.1. Public spaces and facilities are plentiful, accessible and high quality.

   6.3.2. There are wide ranging opportunities for people to contribute to the decision making by local, regional and national organisations that affects our district.

Karyn Ward, Community Board Advocate & Grant Stephens, Green Space Community Engagement Officer
MINUTES OF A MEETING OF THE WOODEND-ASHLEY COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA ON MONDAY 19 SEPTEMBER 2016 AT 7.00PM.

PRESENT

K Eastwood (Chair), D Lundy, K Barnett, R Cable, J Ensor, P Farrant, K Nelson and C Prickett.

IN ATTENDANCE

S Markham (Manager Strategy and Engagement), K Simpson (3 Waters Manager), C Roxburgh (Water Asset Manager), G Stephens (Green Space Community Engagement Officer), K Ward (Community Board Advocate) and E Stubbs (Minute Secretary).

1 APOLOGIES

There were no apologies tendered.

2 CONFLICTS OF INTEREST

Items 7.1 and 7.2 - D Lundy, Chair of the Loburn Domain Advisory Group.

3 CONFIRMATION OF MINUTES

3.1 Minutes of the Woodend-Ashley Community Board Meeting – 8 August 2016

Moved J Ensor seconded K Nelson

THAT the Woodend-Ashley Community Board:

(a) Amends the minutes of the Woodend-Ashley Community Board meeting held on 8 August 2016. Item 7.1, recommendation (g), page 4, should read:

(g) Approves that the remaining budget of $674,400; the capital less the investigation costs, be held aside with further investigation pending for a connection between Pegasus to Waikuku.

(b) Confirms the minutes of the Woodend-Ashley Community Board meeting held on 8 August 2016, having been circulated as a true and correct record.

CARRIED

4 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

5 DEPUTATIONS AND PRESENTATIONS

The scheduled deputation was deferred at the presenter's request.
6 ADJOURNED BUSINESS

There was no adjourned business.

7 REPORTS

7.1 Loburn Domain Fields Extension – Grant Stephens (Green Space Community Engagement Officer)

G Stephens spoke to the report noting its purpose was to seek approval from the Board to clear an area in the Loburn Domain for two additional sports fields. Approximately 200 semi-mature trees were left standing after a strong wind event in 2013. These and undergrowth will need to be removed. The fields are required due to growth of the Ashley Rugby Club over the last few years.

G Stephens noted that in March 2015 the Board had approved the removal of 360 pine trees within the Domain and if approved, the work would be completed at the same time to minimise costs.

Council staff supported the proposal to remove the pine trees for a number of reasons including that the remaining trees and scrub had minimal ecological and amenity value.

There had been no public consultation in relation to the tree removal however there had been a meeting with the Ashley Rugby Club and Loburn Domain Advisory Group who both recommended the tree removal.

Regarding financial implications: the Ashley Rugby Club and Loburn Domain Advisory Group would undertake the tree removal and site remediation with no cost to the Council. Due to the nature of the trees, there was unlikely to be a profit. Before felling work commenced, a site specific health and safety plan and risk assessment for the works would be submitted to the Green Space Manager.

Regarding establishing fields and ongoing maintenance: C Prickett queried capacity with the current irrigation. G Stephens noted irrigation needed to be addressed and was an ongoing process. C Prickett highlighted the Club was unlikely to get water from a bore and the Hurunui District Council would need to be contacted regarding increased water allocation for the grounds. G Stephens advised there was approval to investigate a bore; other options were also being investigated. As Chair of the Loburn Domain Advisory Group, D Lundy responded to the issues regarding irrigation and parking. He stated that the Loburn Irrigation Scheme was currently supplying water to the fields and planning was underway for the increased water supply required.

C Prickett noted there would be an increase in parking and asked if the need for more parking had been raised as part of that process. Staff advised parking was not a new issue and was a general symptom of growth in the Waimakariri district.

J Ensor queried whether the tree removal would impact on shelter. It was noted the new area of trees to be removed was still surrounded by trees.

R Cable asked what would happen to the slash. D Lundy believed it would be mulched and buried.

K Barnett queried whether there had been a conversation regarding carbon credits and the loss of revenue from the mature trees. G Stephens commented there had been a conversation regarding the previous lot of
proposed trees to be removed. He was comfortable any revenue would offset the cost of the works without there being a profit. K Barnett noted that the trees were not relevant to carbon credits and recommended that in future staff discussed the matter with the forestry unit.

Moved C Prickett seconded J Ensor

**THAT** the Woodend-Ashley Community Board:

(a) **Receives** report No. 160908093237.

(b) **Notes** that the Ashley Rugby Club and the Loburn Domain Advisory Group have requested permission to develop two new fields primarily for junior rugby in a currently undeveloped area of Loburn Domain.

(c) **Approves** the removal of approximately 200 semi mature trees at Loburn Domain and scrubby undergrowth within the area to be developed for two new rugby fields.

(d) **Notes** that the proposed tree removal works will be undertaken by the Ashley Rugby Club, who will engage a contractor, at no cost to Council, subject to the provision of an adequate, site specific, health and safety plan and risk assessment.

**CARRIED**

D Lundy abstained

C Prickett was in favour of the work commencing as it increased the prospects for the club and its members. There were no major negatives with regard to wind by removing the trees. He believed parking would be an issue but it was prudent to proceed even without adequate parking.

J Ensor had confidence that those in the Loburn Domain Advisory Group would set a good standard in relation to health and safety requirements.

7.2 **Loburn Domain, War Memorial Sculpture – Grant Stephens (Green Space Community Engagement Officer)**

*Having declared a conflict of interest D Lundy left the room at 7.26pm.*

G Stephens advised the report was to update the Board on the design of the Loburn Domain war memorial and request that the Board make the $5,000 previously granted available for the new design.

The background of the project was outlined and G Stephens advised that since the Board had approved the war memorial design, there been a considerable shift in the design from a trench concept to a ‘Birch Hill’ style. The change would reduce crime prevention and maintenance issues.

C Prickett asked if staff were at the ‘design’ or ‘concept’ stage of the project. G Stephens replied it was at the concept stage. C Prickett asked if the previously indicated timeframe and cost was still relevant. G Stephens confirmed that it was. Using outside contractors, the estimated cost was $40,000; the Advisory Group indicated they would carry out some of the work themselves.

C Prickett asked if the type of stone proposed had been decided on. G Stephens replied there were a variety of options and no firm decisions had been made.

P Farrant asked if there was adjacent gate access and whether consideration had been given to signage. G Stephens replied there was a
gate and that it would not be blocked by the memorial. Signage had not been considered at this stage but he would take it to the group as a suggestion.

Regarding process: K Barnett queried if the Board were approving the revised design or endorsing the concept. It was agreed the Board were being asked to endorse the proposed concept.

Moved C Prickett seconded J Ensor

THAT the Woodend-Ashley Community Board:

(a) Receives report No. 160908093156.

(b) Endorses the concept for a WWI memorial at Loburn Domain being similar to the current memorial at Birch Hill Cemetery.

(c) Confirms that the previously allocated $5,000 from Woodend-Ashley Community Board General Landscape Budget (GL 100.319.000.522) be applied to the new design.

(d) Notes that the Loburn Domain Advisory Group are still in the process of sourcing additional funding for the memorial and currently have secured funding from Veterans Affairs $5000, Loburn Development Fund $5000 and the Woodend Ashley General Landscape Budget $5000. The total estimated cost of the memorial is $40,000.

CARRIED

C Prickett was disappointed the original design was not feasible and believed it was appropriate that the Loburn Domain Advisory Group had come back to the Board with the new concept. He believed it was important the project be moved forward.

J Ensor was supportive and reiterated C Prickett’s comments.

D Lundy returned to the meeting at 7.43pm.

7.3 Combining of Woodend and Pegasus Water Supplies - Feedback from Community Consultation – Alicia Klos (Project Engineer), Colin Roxburgh (Water Asset Manager), Gary Boot (Senior Engineering Advisor)

C Roxburgh spoke to the report which was the result of public consultation on the proposed joining of the Pegasus and Woodend water supplies. C Roxburgh noted the key benefits of the joining of the supplies including increased resilience and reduced costs. A key risk was that a water supply is more susceptible to contamination if unchlorinated, but there was also a flavour issue which the public were asked to weigh up in the consultation process.

The response rate was 20% with 73% of the respondents from Woodend and 74% from Pegasus supporting the proposal. C Roxburgh outlined the key reasons people were opposed:

1. Contamination risk by ceasing chlorination: staff believed this risk could be managed. Water was from deep (150-200m) secure groundwater and there had never been a contamination transgression associated with the source. There was the possibility of adding a UV filter as part of the upgrade. An additional barrier was an emergency chlorination system.

2. Not wanting to subsidise other schemes or developers: the Council had a policy on infrastructure that required developers to fund upgrade work to ensure water supply kept up with growth. In terms of rates, Pegasus
rates increased in the short term but there would be rates savings in the long term.

3. Manganese discolouration: staff believed the issue could be better managed in the future with the proposed improved treatment system and careful management of the reticulation. Combining the wells meant the lower manganese source could be optimised.

4. Cultural concerns with water entering Pegasus: some Tuahiwi residents were opposed to Pegasus Town and as part of that were opposed to water associated with Pegasus. One mitigating factor could be the possible connection of the Bramleys Road well to the combined water supply which, if connected, would mean Tuahiwi residents would be supplied by the Bramleys Road well.

P Farrant congratulated staff on the thoroughness and completeness to which they had responded to the questions raised. He requested clarification on the level of hardness with the water and the health/risk benefit associated with that. K Simpson advised hardness was an aesthetic not a health issue. Both Woodend and Pegasus waters were ‘moderately hard’ and staff were not planning anything additional to address hardness. The staff would provide more information to residents regarding maintenance of their home appliances.

P Farrant asked what sort of flow staff were expecting to get from the Bramley’s Road well. C Roxburgh advised staff were applying for 15L/s through the consenting process.

R Cable asked what capacity was being built into the Pegasus scheme to allow for expansion. C Roxburgh replied the area was sufficient as the biological treatment process required a smaller area. Regarding the Ravenswood development: the option of a separate well was being investigated, however there had not yet been a final decision. The developers would cover the cost regardless of outcome. R Cable commented that at a public meeting with Ravenswood the developers had advised they would be joining their supply to Woodend. C Roxburgh noted that the commercial area would connect to Pegasus in the short term.

C Prickett asked if location of the responses had been tracked, as a number of comments were counterintuitive to the final result. C Roxburgh advised that the locations had not been tracked, however service requests were analysed for patterns.

C Prickett asked if dead water occurred with pumping from two different ends. C Roxburgh replied he had not noticed any patterns to that effect.

J Ensor referred to the E.coli outbreak in Havelock North and the belief that the Mandeville scheme was secure, however the scheme had been tested positive for E.coli in the past. He asked if staff would be investigating chlorination in the future with a weekly or monthly dose. C Roxburgh advised that in the light of the Havelock North contamination, staff were undertaking a review including looking at procedures and an audit of reservoirs. He commented that due to the Havelock North contamination the consultation had happened when the community fully understood the risk. If the community had been supportive of chlorination then the Council would not oppose it; it is a community decision.

K Barnett noted that for the Pegasus community there was a sudden rise in rates when the infrastructure was new and asked if the rate change in Pegasus could be staged. C Roxburgh replied it would be possible. It was a difficulty faced when doing a financial amalgamation. K Simpson commented that in the long term combining rates financially from day one of the amalgamation was fair.
Regarding the Ravenswood development: K Eastwood queried the developer’s contributions. C Roxburgh replied in the long term Ravenswood would be part of the scheme which would need to increase to accommodate the development. K Eastwood asked how that would affect rates. C Roxburgh replied that it was cost neutral so should not affect rates; after it was connected the rating base would grow.

J Ensor referred to the letter from the Canterbury District Health Board (CDHB) and the recommendation for an additional disinfection barrier. C Roxburgh advised it would be covered if staff used UV as part of the biological filter. J Ensor queried if it was related to storage tanks. C Roxburgh acknowledged that the detailed design had not been completed and at this stage could not confirm whether UV disinfection would be utilised.

C Prickett asked whether staff were investigating if Woodend Beach would be brought into the scheme. C Roxburgh referred to Council policy which requires anyone joining a scheme to pay a fee to do so. With new developments drawing closer to the beach that would make a difference to those costs.

Moved K Barnett  seconded J Ensor

THAT the Woodend-Ashley Community Board:

(a) Receives report No. 160824085330.

Recommends that the Utilities and Roading Committee:

(b) Notes that approximately 73% of the Woodend, Tuahiwi and Pegasus submissions were in favour of the proposal to join the Pegasus and Woodend water supplies. Approximately 73% of Woodend and Tuahiwi respondents support the proposal, and 74% of Pegasus respondents support the proposal.

(c) Resolves to join the Woodend and Pegasus water supplies physically and financially.

(d) Notes that the financial amalgamation of the Woodend and Pegasus water supply schemes will occur in the 2017/18 financial year and will be consulted as part of the 2017/18 draft Annual Plan.

(e) Requests the Utilities and Roading Committee consider a two year phase-in of the financial amalgamation also be consulted on as part of the 2017/18 Draft Annual Plan in response to feedback from Pegasus residents.

(f) Notes that Council staff have commenced a wider review into the safety of the district water supplies in light of the Havelock North contamination event, and this review will be completed prior to the programmed discontinuation of chlorination on the Pegasus water supply.

(g) Notes that Council staff will write to the scheme members, the Canterbury District Health Board, and the Pegasus Residents’ Group to advise the outcome of the consultation and the proposed way forward.

CARRIED

In speaking to that motion, K Barnett noted that at a recent Pegasus Residents’ meeting, residents had commented on the new infrastructure they were now being asked to pay for as a large jump in rates. K Barnett stated there were mechanisms to use to phase in the joining of water supplies. In addition, the Council may be looking at combining other water
supplies in the future with greater disparity and it was a good time to look at less painful mechanisms of financial amalgamation. If it were not feasible, then the recommendation would not come to anything.

P Farrant asked if the incoming Council would be responsible for investigating K Barnett’s suggestion. C Roxburgh noted staff could not add detailed additional options with the timeframe to the final Council meeting in October, but could recommend the financial amalgamation be staggered. S Markham highlighted the recommendation from the current Council could not financially bind the incoming Council in that particular respect.

J Ensor commented that an emergency procedure for chlorination did not work due to the timeframe of effect and detection, however he believed there were enough comments regarding the issue for staff to take on board.

C Prickett was concerned that the issue would go back out to consultation when 73-74% of both Pegasus and Woodend residents had agreed. There would be no benefit whatsoever, rather extra cost and delay. He was concerned with the second half of the (e) recommendation. K Eastwood agreed that it did not need to go back out to consultation. S Markham commented it would not be the whole proposal to go to consultation rather the rating consequences. If the motion was carried, then it would require investigation and consideration as part of preparing the Council’s 2017/18 budgets.

Regarding staggering the rates increase: P Farrant commented the Woodend community would be concerned at the change in focus. If it did go to the Council’s Annual Plan process, it was a new scenario. He believed they could not do anything with it until the time of considering the budget implications otherwise they could be challenged. It would need to be left until the Annual Plan process. If there was no comment the new Council could go ahead with the joining of the schemes. However, if the Council chose to do it now then they would need to advise the Woodend community that what they proposed had been changed.

As right of reply, K Barnett stated she had never suggested further consultation, and acknowledged the clear preference to join the two schemes. She believed staging the rates rise could be looked at in the budget of the Annual Plan and noted smoothing was carried out all the time. It was in response to feedback from the community. Woodend would still have a significant decrease in rates and Pegasus could have a smaller increase the first year and a larger increase in the second year.

K Eastwood supported the smoothing of financial implications.

7.4 **Application for Woodend-Ashley Community Board Discretionary Grant – Karyn Ward (Community Board Advocate)**

K Ward spoke to the report noting that it was a time sensitive grant and it may not be appropriate to consider deferment. K Ward noted that it was suggested in July the Woodend-Ashley Community Board could grant up to a maximum of $727.50 in the remaining term and leave a fair balance for the new Woodend-Sefton Community Board. In August a total of $790 was granted. The amount requested by the Okuku Pony Club was $500 and if granted would leave a balance of $1,620.

C Prickett requested confirmation the Woodend-Sefton Community Board would be inheriting the funds to further allocate. K Ward advised that the Council had decided to set the remaining sums of funds on the new ward boundaries rather than current ward boundaries. The Board was right to
consider that grants incoming at this point could be outside of consideration come 8 October.
Moved K Eastwood  seconded C Prickett

THAT the Woodend-Ashley Community Board:

(a) Receives report No. 160902090428.

(b) Approves a grant of $500 to the Okuku Pony Club towards accommodation costs while attending the Springston Trophy event.

CARRIED

K Eastwood commented the Springston Trophy was a good event and acknowledged the high cost to participants, having competed in the event herself.

R Cable noted the two previous grants had been to the Pegasus/Woodend area and this grant would balance that out. They had gone over the recommended limit but were still within budget.

J Ensor supported the recommendation and an estimated 100 people would benefit.

D Lundy noted it was an example of where recreation was not necessarily within the bounds of Parks and Reserves.

8 MATTERS REFERRED FOR INFORMATION

8.1 Rangiora Community Board Minutes – 10 August 2016
(Trim No 160711066317)

8.2 Kaiapoi Community Board Minutes – 15 August 2016
(Trim No. 160713067661)

8.3 Report Summary Update Kaiapoi Community Board Discretionary Grant – K Ward (Community Board Advocate) Report to Kaiapoi Community Board 15 August 2016 (Trim No. 160701063275)

8.4 Oxford-Eyre Ward Advisory Board Minutes – 17 August 2016
(Trim No. 160810079001)

8.5 Aquatic Facilities Update Report – S Milne (Aquatics Facilities Manager) - Report Community and Recreation, 16 August 2016 (Trim No. 160804076390)

8.6 Library Update – P Ashbey (Libraries Manager) - Community and Recreation, 16 August 2016 (Trim No. 160805076756)

8.7 Designated Fire Hydrant Filling Points for Contractor Water Tanks – S de Roo (Utilities Engineering Officer) – Utilities and Roading Committee, 16 August 2016 (Trim No. 160805076724)

8.8 Road Safety Action Plan Results 2015/16 – K Graham (Journey Planner/Road Safety Coordinator) – Utilities and Roading Committee, 16 August 2016 (Trim No. 160805076748)

8.9 Interim Update on use of Herbicides, including Glyphosate, for Council Weed Control Operations – G Cleary (Manager Utilities and Roading) and J Fraser (Utilities Planner) – Council, 6 September 2016 (Trim No. 160805077062)
8.10 **Earthquake Infrastructure Recovery Programme – September 2016 Update – G Boot (Senior Engineering Advisor)** – Council, 6 September 2016 (Trim No. 160824085906)

8.11 **Request for Additional Budget for Woodend, Waikuku and Oxford Rural No.1 Water Renewals – C Roxburgh (Water Asset Manager)** – Council, 6 September 2016 (Trim No. 160829087374)


Moved R Cable seconded D Lundy

THAT the information in 8.1-8.11 be received.

CARRIED

9 **CORRESPONDENCE**

There was no correspondence.

10 **CHAIRPERSON'S REPORT**

10.1 **Chairperson's End of Term Report**

Moved K Nelson seconded J Ensor

THAT the Woodend-Ashley Community Board:

(a) Receives report No. 160912093653.

CARRIED

11 **MEMBERS' INFORMATION EXCHANGE**

11.1 **P Farrant**

- Council: time of transition being close to elections.

11.2 **R Cable**

- Attended the Woodend Community Association meeting where there was a presentation by Ravenswood. It would be 18 months before there were any titles and 100 sections needed to be sold prior to development starting. Sections needed to be built on within two years.
- Attended the Woodend School Fair.

11.3 **J Ensor**

- Rangiora Health Hub: since the Burwood Birthing Unit closed numbers going through had doubled.
- Ashley River Bridge: noted issues with late winter sun.
- Pegasus public toilets: commented they were working well.
- Pegasus roundabout: requires ongoing monitoring.
- Community Service Awards 2016.
- Attended opening of Salvation Army Church.
- Waimakariri Road Safety Committee: recommended the Committee have Community Board representation.
- Noted funding was in place for beach lifeguards.
- Congratulated K Eastwood for work as Chairperson over the past year and the support of the Council staff.
- Noted he would be representing the community on the new Oxford-Ohoka Community Board after 18 years in the Woodend area and
wished the new Woodend-Sefton Community Board well. K Eastwood thanked J Ensor for all his input.

11.4 **C Prickett**
- Attended meetings for water supply proposal and commented that staff did a good job presenting but it could be difficult to get the message through.

11.5 **D Lundy**
- Attended Loburn Domain Advisory Group meeting.
- Attended Woodend Community Association meeting with the Ravenswood presentation.
- Noted the Pegasus/Woodend area had created great interest.

11.6 **K Barnett**
- Natural Hazards Plan Change: there had been pre-consultation with some residents and there had been great feedback which provided input into issues that needed to be clarified before it went out to wider community consultation. It was a difficult issue that raised the question ‘how risk averse are we?’.
- Woodend Spring Flower Show: Saturday 1 October 1-4pm.

11.7 **K Eastwood**
- Attended Woodend Community Association meeting with the Ravenswood presentation.
- Attended the Woodend School Fair.
- Attended the Community Service Awards: wonderful to see the input people put into their community.
- Christmas by the Lake was progressing.
- Attended New Zealand Transport Authority meeting with various stakeholders including MWH New Zealand Limited, Hurunui District Council and Woodend School. They were pushing for the Woodend Bypass to be progressed as soon as possible.
- Gladstone Park developments were underway.
- Thanked everyone on the Community Board for their participation. The Board had made a lot of progress in a lot of areas and focused on what they wanted to achieve for the community.

12 **STAFF UPDATE**

12.1 **S Markham**
- In reflecting on consultation, a lot of people’s concerns were not necessarily opposed to a particular view. It was difficult to test views and sentiment and weigh those up.

13 **CONSULTATION PROJECTS**

13.1 **Local Body Elections**
Voting closes 12pm, noon Saturday 8 October.
http://www.waimakariri.govt.nz/your-council/local-body-elections

The Board noted the consultation project.
14 BOARD FUNDING

14.1 Board Discretionary Grant Balance as at 14 September 2016 $2,120. At its August meeting the Board approved $400 to the Pegasus Residents’ Group towards costs for activities at a Christmas event, ‘Christmas on the Lake’ and $390 to Reflections Community Trust towards the costs of funding Pedalmania to be part of the Waimakariri Light Party 2016 event.

14.2 General Landscaping Budget Balance as at 14 September 2016 $11,650.

The Board noted the balances.

15 MEDIA WORTHY ITEMS

There were no media worthy items.

16 MEMBERS’ QUESTIONS UNDER STANDING ORDERS

There were no members’ questions under Standing Orders.

17 URGENT GENERAL BUSINESS UNDER STANDING ORDERS

There was no urgent general business under Standing Orders

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS CLOSED AT 8.58PM.

CONFIRMED

______________________  _______________________
Chairperson                    Chief Executive

______________________  _______________________
Date                        Date