Kaiapoi-Tuahiti Community Board

Agenda

Monday 19 February 2018

4.00pm

Meeting Room 1 (upstairs)
Ruatanewha Kaiapoi Civic Centre
176 Williams Street, Kaiapoi

Members:
Jackie Watson (Chair)
Chris Greengrass (Deputy Chair)
Neville Atkinson
Roger Blair
Martin Pinkham
Philip Redmond
Sandra Stewart
AGENDA FOR THE MEETING OF THE KAIAPOI-TUAHIWI COMMUNITY BOARD TO BE HELD IN MEETING ROOM 1 (UPSTAIRS), RUATANIWHA KAIAPOI CIVIC CENTRE, 176 WILLIAMS STREET, KAIAPOI ON MONDAY 19 FEBRUARY 2018 AT 4PM.

RECOMMENDATIONS IN REPORTS ARE NOT TO BE CONSTRUED AS COUNCIL POLICY UNTIL ADOPTED BY THE COUNCIL

BUSINESS

1 APOLOGIES

2 CONFLICTS OF INTEREST

3 CONFIRMATION OF MINUTES
   3.1 Minutes of the Kaiapoi-Tuahiwi Community Board – 18 December 2017

RECOMMENDATION

THAT the Kaiapoi-Tuahiwi Community Board:
   (a) Confirms the circulated minutes of the Kaiapoi-Tuahiwi Community Board meeting, held 18 December 2017, as a true and accurate record.

4 MATTERS ARISING

5 DEPUTATIONS AND PRESENTATIONS
   5.1 Kaiapoi River Update – Environment Canterbury and Waimakariri District Council staff.

6 ADJOURNED BUSINESS

   Nil.

7 REPORTS
   7.1 Property Lease/Licence Renewals 01 January 2018 to 31 December 2018
       – Monese Ball (Property Officer)

RECOMMENDATION

THAT the Kaiapoi-Tuahiwi Community Board:
   (a) Receives attached report number 180119004337, with spreadsheet 180119004352.
   (b) Notes the upcoming renewals, status and nature of the lease/licence agreements.
7.2 Adoption of Community Board Standing Orders – Edwina Cordwell (Governance Advisor)

RECOMMENDATION
THAT the Kaiapoi-Tuahiwi Community Board:
(a) Receives report No. 180207011818.
(b) Adopts the Draft Waimakariri District Council Community Boards’ Standing Orders (Trim 180124006310) effective from 20 March 2018.

8 MATTERS REFERRED FROM COUNCIL AND COMMITTEES

Item 8.1 is referred from the Regeneration Steering Group meeting of 4 December 2017. A copy of report 171114123505 is attached.

8.1 Licence to Occupy, Waimakariri Sailing and Power Boat Club, Kairaki–Roxanne Ramsay (Project Administrator – District Regeneration)

RECOMMENDATION
THAT the Kaiapoi-Tuahiwi Community Board:
(a) Receives report No.171114123505.
(b) Approves staff issuing a Licence to Occupy with the Waimakariri Sailing and Power Boat Club on the basis of the attached Draft Licence to Occupy for the use of a section of Red Zone land adjacent to the Kairaki Beach Car Park Reserve for the purpose of boat rigging and storage.
(c) Notes that the lease fee would be set at an amount of $1.00 per annum with the lease term initially being 1 year from December 2017.

9 CORRESPONDENCE

RECOMMENDATION
THAT the Kaiapoi-Tuahiwi Community Board:
Draft Stormwater Drainage Bylaw
(a) Notes the letter of support from the Board to the Draft Stormwater Drainage Bylaw 2018 (Trim 171207133332).
(b) Receives the acknowledgement of letter of support to the Draft Stormwater Drainage Bylaw 2018 (Trim 180122004941).

10 CHAIRPERSON’S REPORT

10.1 Chair’s Diary for January - February 2018

RECOMMENDATION
THAT the Kaiapoi-Tuahiwi Community Board:
(a) Receives report No. 180209013099.
11 MATTERS REFERRED FOR INFORMATION

11.1 Oxford-Ohoka Community Board meeting minutes – 7 December 2017
(Trim No. 171129129618)

11.2 Woodend-Sefton Community Board meeting minutes – 11 December 2017
(Trim No. 171205131874).

11.3 Rangiora-Ashley Community Board meeting minutes – 13 December 2017
(Trim No. 171127128450).

11.4 Utilities and Roading Activity Management Plans 2018 – Report to Utilities
and Roading Committee 12 December 2017 (Trim No. 171122126970).

RECOMMENDATION

THAT the Kaiapoi-Tuahiwi Community Board receives the information in items
11.1-11.4.

Note: Items were circulated to Board members separately.

12 MEMBERS’ INFORMATION EXCHANGE

The purpose of this exchange is to provide a short update to other members in
relation to activities/meetings that have been attended or to provide general
Board related information.

13 CONSULTATION PROJECTS

There are no current consultation projects.

14 REGENERATION PROJECTS

14.1 Town Centre, Kaiapoi

Updates on the Kaiapoi Town Centre projects are emailed regularly to Board
members. These updates can be accessed using the link below:

http://www.waimakariri.govt.nz/your-council/district-development/kaiapoi-
town-centre

14.2 Kaiapoi Regeneration Steering Group

The next meeting of the Kaiapoi Regeneration Steering Group will be held in
Meeting Room 1, Ruataniwha Kaiapoi Civic Centre, 4pm on Monday 5 March
2018. This meeting is open to the public.

15 BOARD FUNDING UPDATE

15.1 Board Discretionary Grant

Balance as at 19 February 2018: $2,400.

15.2 General Landscaping Budget

Balance as at 19 February 2018: $60,080.
16 MEDIA ITEMS

17 QUESTIONS UNDER STANDING ORDERS

18 URGENT GENERAL BUSINESS UNDER STANDING ORDERS

NEXT MEETING
The next meeting of the Kaiapoi-Tuahiwi Community Board is scheduled for 4pm, Monday 19 March 2018 at the Ruataniwha Kaiapoi Civic Centre.

Workshop
1. Speed Limits on Rangiora-Woodend Road and adjacent roads particularly Boys and Tuahiwi Roads - Bill Rice (Senior Transport Engineer).
2. Members’ Forum: opportunity for members to share potential new ideas and initiatives.
MINUTES OF THE MEETING OF THE KAIAPOI-TUAHIWI COMMUNITY BOARD
HELD IN MEETING ROOM 1 (UPSTAIRS), RUATANIWHA KAIAPOI CIVIC CENTRE,
176 WILLIAMS STREET, KAIAPOI ON MONDAY 18 DECEMBER 2017
COMMENCING AT 4PM.

PRESENT
J Watson (Chair), C Greengrass (Deputy Chair), R Blair, M Pinkham, P Redmond and S Stewart.

IN ATTENDANCE
Councillors J Meyer and A Blackie, Mayor D Ayers
J Palmer (Chief Executive), G Cleary (Manager Utilities and Roading), O Davies (Drainage Asset Manager), J Fraser (Utilities Planner), K Graham (Journey Planner/Road Safety Coordinator), T Sturley (Community Team Manager), S Hart (Business and Centres Manager), and A Smith (Committee Advisor)

1 APOLOGIES
There were no apologies

2 CONFLICTS OF INTEREST
No conflicts of interest were noted. N Atkinson subsequently declared a conflict of interest (in his role with Tag Busters), during questions in Item 5.2, Painting of the Kaiapoi Skate Park Bowl art project.

3 CONFIRMATION OF MINUTES
3.1 Minutes of the Kaiapoi-Tuahiwi Community Board – 20 November 2017

Moved J Watson seconded C Greengrass

THAT the Kaiapoi-Tuahiwi Community Board:

(a) Confirms the circulated minutes of the Kaiapoi-Tuahiwi Community Board meeting, held 20 November 2017, with the following corrections, as a true and accurate record.

Item 5.1, M Pinkham comment, addition of the word “left” to clarify that concerns were with the left turning traffic at the intersection.

Item 7.3, replace last paragraph page 5, final comments from S Stewart to read as follows:

S Stewart questioned the applicability of a denitrification wall in the Silverstream environment where the high nitrate levels are a result of farming practices considerable distances upstream. S Stewart understands as a practical tool the walls have not had wide uptake as a successful treatment option. While an interesting research topic, S Stewart doubts whether this is a worthwhile undertaking and relevant in the Waimakariri zone environment.

CARRIED
4 MATTERS ARISING

4.1 The Board noted its 24 November 2017 submission to the District Licencing Committee regarding the application for an off licence by Bottle'O Silverstream Limited. (Trim 171121125924).

J Watson thanked Board members P Redmond and C Greengrass for attending the recent District Licencing Committee hearing, representing the Board in presenting its opposition to the Bottle'O Silverstream off-licence application.

5 DEPUTATIONS AND PRESENTATIONS

5.1 Jill Waldron, Chairperson of the Waimakariri Access Group spoke to the Board regarding the role of the group (Refer Item 7.2 Appointment to Advisory Groups and Outside Organisations – Waimakariri Access Group).

J Waldron has been a member of the Group since 2004, and Chairperson for six years.

With the aid of a PowerPoint presentation, J Waldron provided an overview of the Access Group and its beginnings. The group was started as The North Canterbury District Committee on Disability in 1999. Original membership included representatives from Police, Safer Rangiora, Presbyterian Support Injury Prevention, National Council of Women, Rest Home Association and other independent members.

The original aim of the group was to heighten public awareness to some of the difficulties people with impairments had in carrying out normal activities of daily living. Support and advocacy was provided to people when there were issues that needed to be worked through to improve accessibility.

Today the Waimakariri Access Groups primary aim is to promote access to public places and facilities and have a barrier free inclusive environment for all people. Membership of the group comprises volunteers with a high level of expertise in the area of disability and accessibility issues in the community.

The group is guided by the NZ Disability Strategy, the United Nations Convention on Rights of Disabled People and the Waimakariri Accessibility Strategy. The group see plans for public amenities and facilities from concept stage and through various stages of development to provide information and experiences on physical access to libraries, swimming pools and community buildings. Ideas are contributed so the design of Council housing and facilities is appropriate, accessible, safe and available for everyone, including people with impairments.

The Group heightens public awareness of the difficulties that some people with impairments and challenges experience in undertaking normal community activities. Meetings are held on the second Tuesday of each month at the Council Rangiora Service Centre at 11am. New members and interest groups are always welcome.

5.2 Andrew Besuyen, co-chair of the Youth Council, spoke to the Board regarding the Kaiapoi Skate Park Bowl art project.

The Youth Council have secured funding from Creative Communities to apply Graffiti Art to the skate park Bowl. Conditions of the grant were that the Youth Council seek the support of the Kaiapoi-Tuahiwi Community Board and also work with the Council's Greenspace Unit on the detailed arrangements for the Graffiti Art creation day.

The Youth Council have contacted a Christchurch artist and intend to engage all the local high schools to be part of this project. The Youth Council seeks the support of the Community Board for this project. There will need to be
consideration of the actual paint used and how this can be hardwearing and withstand the use of the skateboarders. This is something that will need discussion with the painter.

At this stage, N Atkinson declared a conflict of interest in this item and withdrew from the table.

C Greengrass queried how those currently graffit’ing the skate park could be approached to work on this project? The Youth Council did not know how this could be achieved and that the plan was to approach the high schools. S Stewart suggested contacting the Police who may know the people who do the graffiti.

There was unanimous support for this project from all the Board members. It was agreed that the Board would be comfortable with writing a letter of support to the Police if this were needed at any point.

5.3 Environment Canterbury (Ecan) and Council staff provided an update to the Board with regard to upcoming maintenance works on the Kaiapoi River and surrounds.

Andrew Arps (Zone Delivery Team Manager, ECan) and Owen Davies (Drainage Asset Manager, Waimakariri District Council), were present.

A Arps provided information on the plantings that are planned for the riverbanks. It is proposed to plant willow trees and dependant on the site, a narrow range of indigenous trees.

The recent removal of some of the trees was due to them being dangerous or obstructive.

The proposal with new plantings is not to obstruct any views, rather to enhance biodiversity, with self-seeding varieties. Part of the mix of varieties that are being suggested for planting is as a consequence of this. Planting areas will be approximately 30 metres long and 5 metres wide. These are not necessarily dense plantings. It is planned to start this project in April 2018.

N Atkinson suggested that there were several interest groups in Kaiapoi with whom the planting plan should have been shared, including the Kaiapoi River Rehabilitation Working Party, the Kaiapoi Town Centre Plan Committee and the Regeneration Steering Group.

Mr Palmer suggested that Kaiapoi River Rehabilitation Working Group would be the lead group in this area, though other groups could also workshop this matter. G Cleary suggested that there could be a workshop planned with the River Rehabilitation Group, and invite representatives from any of the other groups mentioned as well.

A Blackie suggested the Rūnanga needs to be involved in discussions regarding any planting. A Arps said this plan was prepared by ECan's Parks Department and considered they would have spoken with the Runanga about this.

S Stewart believed all the inputs from the Council side need to get together and discuss this, particularly the Kaiapoi Town Centre Plan Committee. S Stewart suggested that before March 2018, there needs to be a wide ranging workshop to discuss this.

6 ADJOURNED BUSINESS

Nil.
7 REPORTS

7.1 40km/h Advisory School speed signs Clarkville School, Heywards Road – Kathy Graham (Journey Planner/Road Safety Co-ordinator)

K. Graham presented this report seeking approval from the Board for the installation of ‘40km/h when children are present’ advisory school zone signs outside Clarkville School, on Heywards Road. These signs are approved for general use by the New Zealand Transport Agency (NZTA).

Clarkville School currently has an unofficial crossing point where cones are put out for crossing before and after school hours. The current speed limit on the stretch of Heywards Road near the school is 70kph. A traffic survey has noted that the average speeds during drop off and pick up was 42kph, though there was some vehicles also recorded travelling at 100kph. Ohoka School has also recently had similar signage installed outside their school, as has West Eyreton School. The signs are large and are easily visible to drivers approaching. Signs are estimated to cost $600 - $1000 to install.

Moved J Watson seconded C Greengrass

THAT the Kaiapoi-Tuahiwi Community Board:

(a) Receives report No 171207133080.

(b) Approves the installation of “40km/h when children present” school advisory signs on Heywards Road outside Clarkville School on Heywards Road as shown on the attached documents (Trim 150629103361 and 171207133082).

(c) Circulates this report to the Utilities and Roading Committee.

CARRIED

7.2 Appointment to Advisory Groups and Outside Organisations – Waimakariri Access Group – Edwina Cordwell (Governance Advisor)

This report requests that the Board consider appointing a representative to the Waimakariri Access Group (WAG). It was suggested that there be an individual representative from this Board, rather than the Council representative John Meyer, also being the representative for this Board. It was noted that all the other Community Boards have each appointed a representative.

Moved J Watson seconded N Atkinson

THAT the Kaiapoi-Tuahiwi Community Board:

(a) Receives report No. 171122126748.

(b) Approves the appointment of Board Member C Greengrass as the Board’s representative and liaison person to the Waimakariri Access Group.

CARRIED
8 CORRESPONDENCE

Moved J Watson seconded C Greengrass

THAT the Kaiapoi-Tuahiwi Community Board:
(a) Receives the letter acknowledging Kaiapoi-Tuahiwi Community Board submission on the Draft Accessibility Strategy. (Trim 171114123698)

CARRIED

9 CHAIRPERSON’S REPORT

9.1 Chair’s Diary for November- December 2017

In addition to events noted in this report, J Watson advised she had also attended The Pines Beach Christmas Party.

Moved J Watson seconded P Redmond

THAT the Kaiapoi-Tuahiwi Community Board:
(a) Receives report No. 171212134795.

CARRIED

10 MATTERS REFERRED FOR INFORMATION

10.1 Oxford-Ohoka Community Board meeting minutes – 9 November 2017 (Trim No. 171108121373)

10.2 Rangiora-Ashley Community Board meeting minutes – 8 November 2017 (Trim No. 171108121421).

10.3 Woodend Sefton Community Board meeting minutes – 13 November 2017 (Trim No. 171108121357)

10.4 Library Update – Report to Community and Recreation Committee 21 November 2017 (Trim No. 171109122261).


10.6 Annual Report for Te Kohaka o Tuhaitara Trust for the year ended 3 June 2017 – Report to Audit and Risk Committee 28 November 2017 (Trim No. 171103119209).

10.7 Community Facilities Provision – Report to Community and Recreation Committee 21 November (Trim No. 171026115830)

10.8 Capital Projects Report for the period ended 30 September 2017 - Report to Audit and Risk Committee 28 November 2017 (Trim No. 171107120949).

10.10 **Annual Report for Enterprise North Canterbury for the year ended 30 June 2017** Report to Audit and Risk Committee 28 November 2017 (Trim No. 171103119284).

10.11 **Summary of Discretionary Grant Accountability 1 January 2017 to 30 June 2017** – Report to Oxford-Ohoka Community Board 7 September 2017 (Trim No. 170825091888).

10.12 **Summary of Discretionary Grant Accountability 1 January 2017 to 30 June 2017** – Report to Rangiora-Ashley Community Board 13 September 2017 (Trim No. 170831094272).

10.13 **Summary of Discretionary Grant Accountability 1 January 2017 to 30 June 2017** – Report to Woodend-Sefton Community Board 11 September 2017 (Trim No. 170830093802).

10.14 **Tram Road Speed Limit, Mandeville North** – Report to Council 5 December 2017 (Trim No. 171121126353).

10.15 **Adoption of Council Standing Orders** – Report to Council 5 December 2017 (Trim No. 171115124385).

10.16 **Earthquake Infrastructure Recovery Programme – November 2017 Update** Report to Council 5 December 2017 (Trim No. 171122127014).


10.18 **Licence to Occupy, Waimakariri Sailing and Power Boat Club, Kairaki** – Report to Regeneration Steering Group 4 December 2017 (Trim No. 171114123505).

10.19 **Extension of Recycling and Refuse Kerbside Collection Contract 10/16** Report to Council 27 October 2017

Regarding Item 10.15, Adoption of Council Standing Orders. P Redmond noted that it is proposed the Board consider adopting a new version of Standing Orders in March 2018. LGNZ have overhauled the current version into a more readable and easy to navigate form. LGNZ have provided two documents (Council and Community Board) but the actual Standing Orders contained within them are consistent with each other and with those already used by WDC. P Redmond suggested there could be some more detailed engagement prior to the report being presented. Mr Palmer noted that this could be a good topic for a subsequent joint All Boards workshop.

Moved J. Watson seconded P Redmond

THAT the Kaiapoi-Tuahiwi Community Board receives the information in items 10.1-10.19.

CARRIED

11 **MEMBERS’ INFORMATION EXCHANGE**

The purpose of this exchange is to provide a short update to other members in relation to activities/meetings that have been attended or to provide general Board related information.

**P Redmond**

Attended Accessibility Workshop and experienced travelling around Rangiora in a motorised mobility scooter.
24th November attended the DLC Hearing for Bottle’O Silverstream Off Licence application and presented the Board’s Submission.

28th November – attended Miss Lilly’s book launch

Attended the Regeneration Steering Group December 4 meeting

Waimakariri Health Advisory Group (WHAG) – Kathy Sinclair is the newly appointed Independent Chair

Tessa Sturley will be taking over from Madeleine Burdon from early 2018 on the WHAG. Noted at the last meeting that there are issues with a shortage of volunteer drivers

Attended Kaiapoi Maritime Book Launch for “Taking the Bar”. Suggested a copy of the book be given to the Council.

Attended Kaiapoi Carnival evening function for the concert.

Participating in the Carnival Parade with the Mayor and Mayoress.

Attended the Rangiora Christmas Parade

Went to the Kaiapoi RSA Christmas function

Attended the WDC Long Service Awards function

Attended Christmas Carols in Trousellot Park.

**Martin Pinkham**

Attended the ‘Taking the Bar book launch. Congratulated the Maritime Trust on this book

Attended Young Parents’ College prize giving at Kaiapoi High School

Attended Kaiapoi Christmas Carnival on the Friday night which was well attended, with not so many in attendance at the Christmas Parade on the Saturday. Consideration needs to be given in future whether a two day carnival is feasible.

Has been working with Enterprise North Canterbury(ENC) on the Cycling Strategy around North Canterbury.

**John Meyer**

2018 is looking like being a busy year, a lot of work has been going on behind the scenes by staff, and a lot of work coming up in the New Year.

Attended the Kaiapoi Christmas Carnival and also noted that numbers of those attending were down.

**Sandra Stewart**

Attended the Hui a Iwi, at Tuahiwi Marae at the end of November, over 3 days, which was an impressive event.

Noted that the Stormwater Drainage Bylaw Review period has closed.

Attended Water Zone Committee Workshop and meeting held on 11 December.

Recent media reports suggest it is possible that deep groundwater from Waimakariri may be flowing beneath the river and towards Christchurch aquifers. This water may become contaminated with nitrates from intensive farming. This is based on recent studies undertaken by ECan scientists. More detail will be brought back to the Water Zone Committee on this matter in the New Year.

S Stewart asked when ECan are going to come and speak to the Board on the salinisation in Kaiapoi River.

Kaiapoi Carnival –suggests there needs to be discussion at the Community Board on the future running of this event.
C Greengrass
Attended Pines Kairaki Christmas Party
Attended the Waimakariri Access Group workshop and took part in practical demonstrations. This was an informative day.
Attended the ‘Taking the Bar’ book launch and congratulated the Maritime Trust on this book
Attended the Darnley Club Christmas party
Attended Red Cross Lunch
Noted that You Me We Us are considering forming a sub-committee to hold a River Carnival on Waitangi Day in 2019.
Amazing Race day on Sunday 3 December was a great success.

R Blair
Attended the Darnley Club Christmas party
North Canterbury Neighbourhood Support group have had end of year function.

Al Blackie
Pegasus Bay Bylaw Implementation Group – Appointed Chair of this group
Attended the Hui a Iwi, manned Council stall for half a day
Attended the ‘Taking the Bar’ Book Launch – congratulated Phillip Redmond in his role as Master of Ceremonies for the event.
Attended Local Heroes event in Christchurch.

Neville Atkinson
District Development Strategy Deliberations meeting 13 December
District Licensing Committee Hearing 24 November
Noted there were two fails in a controlled purchasing operation at licensed premises on the weekend in the district, and very disappointed to note that there have been ten fails in the past 12 months.

12 CONSULTATION PROJECTS
There are no current consultation projects.

13 REGENERATION PROJECTS

13.1 Town Centre, Kaiapoi
Updates on the Kaiapoi Town Centre projects are emailed regularly to Board members. These updates can be accessed using the link below:

13.2 New Arterial Road, Kaiapoi
Regular updates on the progress of the new Arterial Road will be posted on the Council’s website. There are also links to intersection layout plans for each of the new intersections. The updates can be located using the link below:
13.3 Kaiapoi Regeneration Steering Group
The next meeting of the Kaiapoi Regeneration Steering Group will be held in Meeting Room 1, Ruataniwha Kaiapoi Civic Centre, 4pm on Monday 29 January 2018. This meeting is open to the public.

14 BOARD FUNDING UPDATE
14.1 Board Discretionary Grant
Balance as at 16 October: $2,400.

15 MEDIA ITEMS
No media items.

16 QUESTIONS UNDER STANDING ORDERS
Philip Redmond asked: Why festive signage and decorations is not evident in the town centre of Kaiapoi?
N Atkinson noted that previously the Kaiapoi Promotions Association have undertaken arrangements for the Christmas decorations in Kaiapoi town centre and this has not been arranged through the Community Board.

17 URGENT GENERAL BUSINESS UNDER STANDING ORDERS
There was no urgent general business.

NEXT MEETING
The next meeting of the Kaiapoi-Tuahiwi Community Board is scheduled for 4pm, Monday 19 February 2018 at the Ruataniwha Kaiapoi Civic Centre.

There being no further business, the meeting closed at 5.35pm.

CONFIRMED

________________________________________________________
Chairperson

________________________________________________________
Date
1. **Briefing (Public Excluded)**
   
   Fire and Emergency Services New Zealand (FENZ) were present.

2. **Members’ Forum.**
WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO: cpr-06-0986 / 180119004337

REPORT TO: Kaiapoi-Tuahiwi Community Board

DATE OF MEETING: 19 February 2018

FROM: Monese Ball

SUBJECT: Property Lease/Licence Renewals 01 January 2018 to 31 December 2018

1. SUMMARY

1.1. The purpose of this report is to advise Community Board Members of leases/licences that are due for renewal over 2018, and to also provide information on what Leases/Licences are held within their area.

1.2. The Property Unit manage over 300 property leases/licences on behalf of the Council and are held for generally recreation, community facilities, farming, roading and drainage activities. The following attachment shows those licences/leases within this Ward and highlights those that are due for renewal or review in the upcoming year (in yellow)

1.3. The nature, vicinity and use of the land for both Lessee and Council often determine what value Council receives for the land/lease property.

1.4. Licences/Leases with $1 if demanded payment are associated to Council’s Community Recreation Team and are normally community based activities or sporting clubs that offer a service to the local community and in some instances assist in the maintenance of the leased land.

1.5. There are a number of gravel pit reserves in our district and in most instances they form part of neighbouring farm land. The rental amount can be lower due to the condition of the land and the saving to Council, in the maintenance costs associated to the land.

1.6. It has been indicated where rental has been set by way of Tender.

1.7. Due to the extended information now given in this report, it is attached by way of spreadsheet

Attachment:

i. Spreadsheet of Leases/Licences for Kaiapoi-Tuahiwi Community Board ward area.

2. RECOMMENDATION

THAT the Kaiapoi Tuahiwi Community Board:

(a) Receives attached report number 180119004337, with spreadsheet 180119004352.

(b) Notes the upcoming renewals, status and nature of the lease/licence agreements.
3. **ISSUES AND OPTIONS**

3.1. Often land is adjacent to farm land, or can be land locked esplanade reserve in isolated areas, where the return achieved is often set at a rate that equates to a “best option” and sometimes the only lease option where it is beneficial to receive some nominal fee as well as ensuring the land is well maintained.

3.2. Where there is an economic return/high interest in the land, this is generally advertised through a tender process.

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

4. **COMMUNITY VIEWS**

4.1. Have not been specifically sought.

4.2. Where the land has significant interest, the land is leased through the Council’s tendering process.

5. **FINANCIAL IMPLICATIONS AND RISKS**

5.1. Receiving nominal rental is quite often the best option, where the Lessee is maintaining the land, as well as fencing, vegetation and security.

5.2. Not to lease for a nominal fee can be detrimental to Council, through an increase in maintenance costs.

6. **CONTEXT**

6.1. **Policy**

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

6.2.2. Under Council’s Treasury Policy, where land is identified as surplus to requirements, and land is sold and generally applied to general rates or the activity the land related to.

6.2.3. Council is consulting with the community on a policy in respect of the rational for charges relating to Community Facilities and Reserves.

6.2.4. Under the Delegations to the Community Board (reference S-DM 1041);

15. Delegated authority on matters in the Community Board Ward in accordance with Council policies and guidelines in respect of the following matters:

- Granting of new leases or licences on reserve land; excluding the airfield. (The Board also receives an annual report on existing reserve land leases). Any easements for underground works/services is an operational matter under delegation of Utilities & Roading or Property staff.

Monese Ball
Property Officer
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<th>Full Details</th>
<th>Land Use</th>
<th>Reserve</th>
<th>Rent Review</th>
<th>Term Renewal</th>
<th>Expiry Due</th>
<th>Term of Lease</th>
<th>Comments</th>
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<td>16/09/2021</td>
<td>60YR</td>
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<tr>
<td>Sims Road, infront of 34 Sims Road, Residential Encroachment - Aaron Lock</td>
<td>Landscaping encroachment</td>
<td>no</td>
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<tr>
<td>Part of 298 Old North Road, Stock Grazing - KQ &amp; AM Atkin</td>
<td>Stock Grazing</td>
<td>Yes</td>
<td>31/05/2019</td>
<td>60YR</td>
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<tr>
<td>Part of 298 Old North Road, Stock Grazing - KQ &amp; AM Atkin</td>
<td>Stock Grazing</td>
<td>Yes</td>
<td>31/05/2019</td>
<td>60YR</td>
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<tr>
<td>Part of M Old North Road, Sheep Grazing - Graeme McDonald</td>
<td>Stock Grazing</td>
<td>Yes</td>
<td>31/10/2019</td>
<td>60YR</td>
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<td>Adderley Terrace, Landscaping / Gardens - Marilyn Lifecare Trust (Annaliese Haven Rest Home)</td>
<td>Landscaping encroachment</td>
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<td>117 Raven Quay, Car Parking - 4WMC Car Parking</td>
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<tr>
<td>104 Williams Street, Car Parking - Kay Buchanan Family Trust</td>
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<td>Part 176 Williams Street, Car Parking - Subway Real Estate</td>
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<td>30/05/2026</td>
<td>60YR</td>
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<tr>
<td>Adjacent to 3 Chichester Street, Unformed Legal Road - J P Stevens &amp; A M M P Agata</td>
<td>Residential encroachment</td>
<td>no</td>
<td>31/10/2018</td>
<td>60YR</td>
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<tr>
<td>78 Raven Quay, Club Rooms - Kaiapoi Rugby League Club</td>
<td>Club Rooms</td>
<td>Yes</td>
<td>31/10/2025</td>
<td>60YR</td>
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<tr>
<td>107 Island Road, Storage Garage - Kaiapoi Association Football Club Inc.</td>
<td>Storage Garage</td>
<td>yes</td>
<td>1/04/2027</td>
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<tr>
<td>93 South Eyre Road - Kaiapoi Pony Club</td>
<td>Pony Club grounds</td>
<td>yes</td>
<td>1/10/2020</td>
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<tr>
<td>107 Island Road, Kendall Park - Waimak United Football Club</td>
<td>Club rooms</td>
<td>yes</td>
<td>1/04/2027</td>
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<td>82 Williams Street, Kaiapoi, Road Reserve Signage - Colliers international</td>
<td>Signage on Road</td>
<td>no</td>
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<tr>
<td>416 Perati Street, Kaiapoi, Air Monitoring - Environment Canterbury</td>
<td>Air monitoring site</td>
<td>no</td>
<td>11/07/2018</td>
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<tr>
<td>Main North Road and Barrens Road, Kaiapoi, Commercial road - Christchurch Ready Mix Concrete Ltd</td>
<td>Commercial</td>
<td>no</td>
<td>1/05/2018</td>
<td>60YR</td>
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<tr>
<td>1 Sidey Quay, Land lease and club rooms only - Kaiapoi Football Club Inc.</td>
<td>Commercial</td>
<td>no</td>
<td>1/03/2023</td>
<td>60YR</td>
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<tr>
<td>10 Ranfurly Street, Portacan on Kaiapo Domain Reserve for Kindergarten - Ministry of Education - Sublime to Kidsfirst</td>
<td>Commercial/Education</td>
<td>no</td>
<td>Indefinite</td>
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<tr>
<td>Part Silverstream 85 South Eyre Road Environmental Science and Research Ltd</td>
<td>Commercial</td>
<td>no</td>
<td>30/11/2022</td>
<td>60YR</td>
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<tr>
<td>93 South Eyre Road - Chris Miller</td>
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<td>yes</td>
<td>31/10/2019</td>
<td>60YR</td>
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<tr>
<td>51B and 53 Hilton Street Kaiapoi - Go Bus Ltd</td>
<td>Commercial</td>
<td>no</td>
<td>1/07/2018</td>
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<tr>
<td>61 Featherstone Avenue Kaikaraki - J &amp; S Boite licence to occupy Road - Residential Encroachment</td>
<td>Residential encroachment</td>
<td>no</td>
<td>Indefinite</td>
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<tr>
<td>Power Road Unformed legal road - Linc Odgers</td>
<td>Power Road</td>
<td>no</td>
<td>1/09/2018</td>
<td>Indefinite</td>
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<tr>
<td>Mullocks Road Water pipeline 19 to 77 – J Stephens</td>
<td>Pipe under ground</td>
<td>no</td>
<td>18/09/2023</td>
<td>Indefinite</td>
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<td>121 Raven Quay Footpath area - Coffee Culture Kaiapoi</td>
<td>Commercial</td>
<td>no</td>
<td>10/03/2020</td>
<td>60YR</td>
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<tr>
<td>69 Tushael Road - J &amp; L Ford - Stormwater Drainage in Road Reserve</td>
<td>Pipe under ground</td>
<td>no</td>
<td>10/03/2020</td>
<td>60YR</td>
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<tr>
<td>Adj 5 Mooyds Road, Unformed legal road - RI &amp; GE Wilson</td>
<td>Stock Grazing</td>
<td>no</td>
<td>Indefinite</td>
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<tr>
<td>9a Old North Road, Esplanade Reserve - Mervyn &amp; Sandra RADFORD - Grazing</td>
<td>Stock Grazing</td>
<td>yes</td>
<td>30/03/2025</td>
<td>60YR</td>
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<tr>
<td>358 Dunie Eyre, Pines Beach - Prime Rural Fire Force</td>
<td>Commercial</td>
<td>no</td>
<td>30/12/2017</td>
<td>60YR</td>
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<tr>
<td>Adj 106/117 Fullers Road Kaiapoi - Roger Palmer</td>
<td>Pipe under ground</td>
<td>no</td>
<td>Indefinite</td>
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<tr>
<td>Bowler Street Kaiapoi - Chook Time Ltd</td>
<td>Fence encroachment</td>
<td>no</td>
<td>30/10/2020</td>
<td>60YR</td>
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<tr>
<td>Adjacent 2 Greigs Rd - Road Reserve, WI &amp; LE Bailey Farming Ltd</td>
<td>Pipe under ground</td>
<td>no</td>
<td>Indefinite</td>
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<tr>
<td>2 Tom Ayres Drive, Morgen Williams Reserve - Kaiapoi Railway Station Trust</td>
<td>Commercial</td>
<td>no</td>
<td>31/08/2020</td>
<td>60YR</td>
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<tr>
<td>unformed legal road adj 392 Heywards Road - Alastair Blackie</td>
<td>Stock Grazing</td>
<td>no</td>
<td>30/05/2026</td>
<td>60YR</td>
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<td>155 South Eyre Road - Kaiapoi Pony Club</td>
<td>Residential encroachment</td>
<td>no</td>
<td>31/08/2019</td>
<td>60YR</td>
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<td></td>
<td></td>
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<tr>
<td>107 Island Road, Kendall Park - Waimak United Football Club</td>
<td>Club rooms</td>
<td>yes</td>
<td>31/08/2019</td>
<td>60YR</td>
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<tr>
<td>78 Dunie Eyre, Pines Beach - Prime Rural Fire Force</td>
<td>Awaiting new lease with PFE NZ</td>
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<td>9 Cass Street, Park Station - Kaiapoi Volunteer Fire Brigade</td>
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<td>no</td>
<td>14/11/2018</td>
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<tr>
<td>32 Fonopaukai Road - Brenda Batchelor Areas A, B, C</td>
<td>Residential encroachment</td>
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<td>Indefinite</td>
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<tr>
<td>Part 431 Heywards (253 South Eyre Rd) - Julie Anderson grazing past Silverstream Reserve</td>
<td>Stock Grazing</td>
<td>yes</td>
<td>30/08/2022</td>
<td>60YR</td>
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<td>Part 431 Heywards Road (253 South Eyre Rd) - Stephen and Tina FROST</td>
<td>Commercial</td>
<td>no</td>
<td>30/08/2019</td>
<td>60YR</td>
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<tr>
<td>9 Cass Street part parkcam - Kaiapoi toy Library</td>
<td>Commercial/Community</td>
<td>yes</td>
<td>1/04/2018</td>
<td>60YR</td>
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<td>Subway Real Estate 116 Williams Street, Lease of Premises for Shop</td>
<td>Commercial</td>
<td>no</td>
<td>1/03/2018</td>
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<tr>
<td>Part of 176 Williams Street, part use new service centre for Museum activities - Kaiapoi District Historical Society Inc.</td>
<td>Museum</td>
<td>no</td>
<td>1/01/2045</td>
<td>60YR</td>
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<td>24 Sewell Street, Meeting Room for Senior Citizens Group - Darnley Club</td>
<td>Community</td>
<td>no</td>
<td>1/03/2018</td>
<td>28/02/2000</td>
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<tr>
<td>107 – 112 Island Road, Kaiapoi, Kendall Park - Waimak United Football Club</td>
<td>Club rooms</td>
<td>yes</td>
<td>1/03/2018</td>
<td>60YR</td>
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<tr>
<td>13 – 19 Belcher Street / 52 – 54 Fairweather Crescent, Land Lease only - Kaiapoi Riverside Bowling Club</td>
<td>Bowling/bowling</td>
<td>yes</td>
<td>31/05/2036</td>
<td>23YR</td>
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<td>33 Batten Grove - Kenneth Richards Land Lease</td>
<td>Land Lease</td>
<td>no</td>
<td>1/01/2022</td>
<td>1/08/2017</td>
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<td>39 Dennis Avenue - Murray Roberts Land Lease</td>
<td>Lease hold land</td>
<td>no</td>
<td>1/01/2022</td>
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<tr>
<td>50 Batten Grove - Wayne &amp; Helen Sellars - Land Lease only</td>
<td>Lease hold land</td>
<td>no</td>
<td>1/01/2021</td>
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Series of complaints and has blocked access to water way. Licence not being renewed and request made to remove structures.
<table>
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<tr>
<th>Address</th>
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<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Years</th>
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<tr>
<td>5 Rennie Place, Hilary Te Aika</td>
<td>Lease hold land</td>
<td>no</td>
<td>1/01/2017</td>
<td>31/12/2031</td>
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<tr>
<td>65 Featherstone Avenue, Waimakariri Sailing &amp; Power Boat Club Inc</td>
<td>Commercial</td>
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<td>1/10/2018</td>
<td>30/09/2033</td>
<td>20Yr</td>
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<td>7 Dunns Avenue, Pines Kairaki Beach Association Inc</td>
<td>Commercial</td>
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<td>31/05/2030</td>
<td>21Yr</td>
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<tr>
<td>Featherstone Avenue, Kairaki Beach Camp Alan and Bronwyn Waters</td>
<td>Camp Ground</td>
<td>yes</td>
<td>31/12/2017</td>
<td>18Yr</td>
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<tr>
<td>5 Cass Street Kaiapoi, part Portacom, North Canterbury Swim Club</td>
<td>Sporting</td>
<td>no</td>
<td>1/04/2018</td>
<td>31/03/2038</td>
<td>10Yr</td>
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<tr>
<td>51a Hilton Street Kaiapoi, Order of St John Kaiapoi</td>
<td>Commercial</td>
<td>no</td>
<td>1/10/2017</td>
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<tr>
<td>45 Charles Street Kaiapoi, Riverside Community Church</td>
<td>Commercial</td>
<td>no</td>
<td>20/06/2022</td>
<td>20/06/2037</td>
<td>20Yr</td>
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<td>20 Sewell Street Kaiapoi, Scout Association of NZ</td>
<td>Land Lease only</td>
<td>No</td>
<td>30/11/2026</td>
<td>30/11/2046</td>
<td>10Yr</td>
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</tbody>
</table>

New rental assessed by Lessee passed away December 2017. Currently awaiting Solicitor info for Estate info. Leasehold land

New Lease to be created for new premises on new site

Short term lease 01/01/2018 to 30/04/2018 whilst report prepared for lease options for Kairaki Camp

This has been on hold since earthquakes. Investigations still continue regarding co location with FENZ and Go Bus location
1. SUMMARY

1.1. The purpose of this report is seek the Kaiapoi-Tuahiwi Community Board’s adoption of amended Standing Orders for Community Boards.

1.2. Adoption or amendment of the Community Board’s Standing Orders requires a resolution supported by 75% or more of the members present.

1.3. Standing Orders should be consistent across Council, Hearing Panels, Committees and Community Boards.

Attachments:

i. Draft Waimakariri District Council 2018 Community Boards’ Standing Orders. (Trim 180124006310)

2. RECOMMENDATION

THAT the Kaiapoi-Tuahiwi Community Board:

(a) Receives report No. 180207011818.

(b) Adopts the Draft Waimakariri District Council Community Boards’ Standing Orders (Trim 180124006310) effective from 20 March 2018.

3. ISSUES AND OPTIONS

3.1. Community Boards are required to operate with Standing Orders for the conduct of meetings and those of any Committees. Standing Orders must not contravene any Act.

3.2. Standing Orders do not ‘expire’ at the end of a triennial although it is usual for them to be presented to incoming Councils and Community Boards for adoption at the start of the new electoral term.

3.3. All board members were provided with a copy of these WDC Standing Orders in October 2016. (Trim 120313013431)
3.4. During 2015 Local Government New Zealand (LGNZ) undertook a fundamental review of Standing Orders and a Generic Model was developed in 2016 for both Councils and Community Boards.

3.5. It was decided by management to wait until the outcome of this review and feedback from other Councils (both staff and elected members) before presenting Standing Orders for adoption to the Council and Community Boards.

3.6. Up until 2016 LGNZ had always proposed a single set of generic Standing Orders for use by Councils, Local Boards, Hearing Panels and Community Boards. Each Council would then review this generic model and adopt Standing Orders as appropriate for the specific authority.

3.7. Both Council and Community Boards adopting the same suite of Standing Orders to ensure consistency for all concerned (elected members, staff, members of the public and other stakeholders).

3.8. LGNZ recognised that whilst the fundamental Standing Orders (the rules) should not be altered there was a need to overhaul the sequence, presentational style and general indexing and navigation of the generic document to make it easier to read and follow.

3.9. LGNZ also decided to create two generic documents. One for Councils, Council Committees and Hearing Panels and a second ‘mirror’ version for Community Boards. In essence both these documents are identical except that the Council version has specific additional ‘Council only’ Standing Orders (for example those relating to the Mayor and Mayoral appointments).

3.10. During 2017 a thorough analysis was undertaken of the LGNZ generic Standing Orders and those already in force within the Waimakariri District Council. The opportunity was also taken to engage with The Mayor, Chief Executive and Councillors throughout this process.

3.11. The resultant Council Standing Orders were adopted by the Council on 5 December 2017, effective 8 January 2018 for all Committee, Sub-Committee and Hearing Panel Standing Orders.

3.12. A copy of the Report to Council and these Standing Orders was formally circulated to all Community Boards as part of their December Agenda papers (Trim 171115124385).

**OPTIONS**

3.13. At its 8 January 2018 meeting the Council resolved: that any proposed Standing Orders for Community Boards should be consistent with the Council, Committee, Sub-Committee and Hearing Panel Standing Orders except for those areas which relate specifically to Community Boards.

3.14. The attached Draft Waimakariri District Council Community Boards’ Standing Orders are identical to those adopted by the Council with the exception of **Clause 4.2 Meeting Duration** where the Council decided to extend the maximum overall Council meeting time to 10 hours rather than six which has been retained in the attached draft Community Board Standing Orders.

3.15. The Board may wish to consider the current six hour limit.

3.16. The Council also decided to extend the time period for a Quorum to be present from 10 minutes to 15 minutes (**Clause 10.5 Meeting Lapses where no Quorum**) and this is also reflected in the attached draft Community Board Standing Orders.

3.17. The Board may wish to retain the current 10 minute period before the meeting lapses.
3.18. Should the Board wish to consider any other aspect of Standing Orders, specific to Community Boards, it is recommended that staff investigate the implications for the Board and Council’s expectation of consistency across all Community Boards and report back to a future meeting (noting that the current Standing Orders would continue to apply).

3.19. Specific training on the legislative requirements applying to all formal decision making meetings and the application of Standing Orders was undertaken during October to December 2016 following the election.

3.20. This has been supplemented by targeted training and support during 2017 for Board Chairs and a number of Community Boards.

3.21. A further training/familiarisation session has also been scheduled for Wednesday 21 March 2018 at 5.30 pm in the Council Chamber.

3.22. Further opportunities will be provided given the importance of Standing Orders as applied to formal decision making meetings.

3.23. 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 by legislation to adopt Standing Orders. There are no financial implications as Standing Orders relates to a process of orderly conduct of meetings.

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: Clause 27(1) & (2) Schedule 7.

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.

Edwina Cordwell
Governance Adviser
Waimakariri District Council

Standing Orders

For Meetings of the Waimakariri District Council’s
Community Boards
Preface

These standing orders have been designed specifically for community boards and meet the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 and are recommended for the use of community boards by the Community Board Executive.

Community boards are required under cl. 27 Schedule 7 the Local Government Act 2002 (LGA 2002) to adopt a set of standing orders for the conduct of their meetings and those of its committees and subcommittees.

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

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

For clarification whenever a question about the interpretation or application of these standing orders arises, particularly if the matter is not provided for in the standing orders, it is the responsibility of the Chairperson to make a ruling.

All members of a community board must abide by these standing orders.
Pre-meeting

8. Giving notice
   8.1 Public notice – ordinary meetings
   8.2 Notice to members - ordinary meetings
   8.3 Extraordinary meeting may be called
   8.4 Notice to members - extraordinary meetings
   8.5 Public notice - extraordinary meetings
   8.6 Process for calling an extraordinary meeting at an earlier time
   8.7 Notification of extraordinary meetings held at an earlier time
   8.8 Chief executive may make other arrangements
   8.9 Meetings not invalid
   8.10 Resolutions passed at an extraordinary meeting
   8.11 Meeting schedules
   8.12 Non-receipt of notice to members
   8.13 Meeting cancellations

9. Meeting agenda
   9.1 Preparation of the agenda
   9.2 Order of business
   9.3 Chairperson’s recommendation
   9.4 Chairperson’s report
   9.5 Public availability of the agenda
   9.6 Public inspection of agenda
   9.7 Agenda to be made available to public who are at meetings
   9.8 List of community board members publicly available
   9.9 Withdrawal of agenda items
   9.10 Distribution of the agenda
   9.11 Status of agenda
   9.12 Items of business not on the agenda which cannot be delayed
   9.13 Discussion of minor matters not on the agenda
   9.14 Public excluded business on the agenda
   9.15 Qualified privilege relating to agenda and minutes

Meeting Procedures

10. Quorum
    10.1 Community Board
    10.2 Committees and subcommittees
    10.3 Joint Committees
    10.4 Requirement for a quorum
10.5 Meeting lapses where no quorum 29
10.6 Business from lapsed meetings 29
10.7 Exclusions for meetings at which no resolutions or decisions are made 29

11. Public access and recording 29
11.1 Meetings open to the public 29
11.2 Grounds for removing the public 29
11.3 Community board may record meetings 30
11.4 Public may record meetings 30

12. Attendance 30
12.1 Members right to attend meetings 30
12.2 Attendance when a committee is performing judicial or quasi-judicial functions 30
12.3 Leave of absence 30
12.4 Apologies 31
12.5 Recording apologies 31
12.6 Absence without leave 31

13. Chairperson’s role in meetings 31
13.1 Community board 31
13.2 Committees 31
13.3 Addressing the Chairperson 32
13.4 Chairperson’s rulings 32
13.5 Chairperson standing 32
13.6 Member’s right to speak 32
13.7 Chairperson may prioritise speakers 32

14. Public Forums 32
14.1 Time limits 32
14.2 Restrictions 33
14.3 Questions at public forums 33
14.4 No resolutions 33

15. Deputations 33
15.1 Deputations where heard 33
15.2 Urgency or major public interest 34
15.3 Time limits 34
15.4 Restrictions 34
15.5 Questions of a deputation 34
15.6 Resolutions 34

16. Petitions 34
16.1 Form of petitions 34
16.2 Petition presented by petitioner 35
16.3 Petition presented by member

17. **Exclusion of public**
17.1 Motions and resolutions to exclude the public
17.2 Specified people may remain
17.3 Public excluded items
17.4 Non-disclosure of information
17.5 Release of information from public excluded session

18. **Voting**
18.1 Decisions by majority vote
18.2 Open voting
18.3 Chairperson has a casting vote
18.4 Method of voting
18.5 Calling for a division
18.6 Restating the motion
18.7 Request to have votes recorded
18.8 Members may abstain

19. **Conduct**
19.1 Calling to order
19.2 Disrespect
19.3 Retractions and apologies
19.4 Disorderly conduct
19.5 Contempt
19.6 Removal from meeting
19.7 Financial conflicts of interests
19.8 Non-financial conflicts of interests
19.9 Qualified privilege for meeting proceedings
19.10 Qualified privilege additional to any other provisions
19.11 Electronic devices at meetings

20. **General rules of debate**
20.1 Chairperson may exercise discretion
20.2 Time limits on speakers
20.3 Questions to staff
20.4 Questions to be in writing
20.5 Questions may be deferred
20.6 Questions to be concise
20.7 Questions of clarification
20.8 Members may speak only once
20.9 Limits on number of speakers
20.10 Seconder may reserve speech
20.11 Speaking only to relevant matters
20.12 Reading of speeches
20.13 Personal explanation
20.14 Explanation of previous speech
20.15 Restating motion
20.16 Criticism of resolutions
20.17 Objecting to words
20.18 Right of reply
20.19 No other member may speak
20.20 Adjournment motions
20.21 Chairperson’s acceptance of closure motions

21. General procedures for speaking and moving motions
21.1 Options for speaking and moving
21.2 Procedure if no resolution is reached

22. Motions and amendments
22.1 Proposing and seconding motions
22.2 Motions in writing
22.3 Motions expressed in parts
22.4 Substituted motion
22.5 Amendments to be relevant and not direct negatives
22.6 Foreshadowed amendments
22.7 Lost amendments
22.8 Carried amendments
22.9 Where a motion is lost
22.10 Withdrawal of motions and amendments
22.11 No speakers after reply or motion has been put
22.12 Amendment once moved
22.13 Procedure until resolution

23. Revocation or alteration of resolutions
23.1 Member may move revocation of a decision
23.2 Revocation must be made by body responsible for the decision
23.3 Requirement to give notice
23.4 Restrictions on actions under the affected resolution
23.5 Revocation or alteration by resolution at same meeting
23.6 Revocation or alteration by recommendation in report

24. Procedural motions
24.1 Procedural motions must be taken immediately
24.2 Procedural motions to close or adjourn a debate
24.3 Closure motion on amendments
24.4 Voting on procedural motions
24.5 Debate on adjourned items
24.6 Remaining business at adjourned meetings
24.7 Business referred to a committee
24.8 Other business not superseded
24.9 Business referred to the council, committee or community board

25. Points of order
25.1 Members may raise points of order
25.2 Subjects for points of order
25.3 Contradictions
25.4 Point of order during division
25.5 Chairperson’s decision on points of order

26. Notices of motion
26.1 Notice of intended motion to be in writing
26.2 Refusal of notice of motion
26.3 Mover of notice of motion
26.4 Alteration of notice of motion
26.5 When notices of motion lapses
26.6 Referral of notices of motion
26.7 Repeat notices of motion
26.8 Second repeat where notice of motion rejected

27. Minutes
27.1 Minutes to be evidence of proceedings
27.2 Matters recorded in minutes
27.3 No discussion on minutes
27.4 Minutes of last meeting before election

28. Minute books
28.1 Inspection
28.2 Inspection of public excluded matters

Referenced documents
Appendix 1: Grounds to exclude the public
Appendix 2: Sample resolution to exclude the public
Appendix 3: Motions and amendments
Appendix 4: Table of procedural motions
Appendix 5: Powers of a Chairperson
Appendix 6: Process for removing a Chairperson or deputy Chairperson
1. Introduction

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

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

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

Following Part 3 the Appendices provide templates and additional guidance for implementing provisions within the Standing Orders. Please note, the Appendix is an attachment to the standing orders and is not part of the standing orders as adopted by the community board.

In addition the Standing Orders Guide provides advice and good practice tips for Chairpersons and staff on the implementation of the standing orders.

1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular local government is transparent and accountable. Standing orders give effect to the principles which underpin good governance. Key principles are that a local authority and consequently a community board should:

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

In addition, the LGA 2002 requires that all local authorities act so that “governance structures and processes are effective, open and transparent” (s. 39 LGA 2002).

1.2 Statutory references

The Standing orders combine statutory provisions with guidance on their application. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases the language in the statutory provision may have been modernised or amended to
ensure consistency with more recently enacted statutes. Original versions of each statutory provision are included in the Standing Orders’ Guidelines, the companion document.

It is important to note that during a meeting any statutory references in the standing orders apply throughout the period of the meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made.

Please note, where it is employed the word ‘must’, unless otherwise stated, identifies a mandatory legislative requirement.

1.3 Acronyms

LGA 2002 Local Government Act 2002
LGOIMA Local Government Official Information Act 1987
LAMIA Local Authority (Elected) Members’ Interests Act 1968

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups.

2. Definitions

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

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

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

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

**Briefing** (this has a specific meaning and is NOT the same as a Workshop) it is any non-decision making, information sharing session, update for elected members by staff or other individuals and which is specifically Public Excluded.

**Chairperson** means the person presiding at a meeting – the presiding member.
Chief Executive means the chief executive of a territorial or regional authority appointed under section 42 of the LGA 2002, and includes for the purposes of these standing orders, any other officer authorized by the local authority.

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

Committee includes, in relation to a local authority:

(a) A committee comprising all the members of that authority;

(b) A standing committee or special committee appointed by that authority;

(c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and

(d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

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

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

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

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

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

Lawfully excluded means a member of a community board who has been removed from a meeting due to contempt.

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

Mayor means the Mayor of a territorial authority elected under the Local Electoral Act 2001.
**Meeting** means any first, inaugural, ordinary, or extraordinary meeting of a local authority, subordinate decision-making bodies and any community or local board of the local authority convened under the provisions of LGOIMA.

**Member** means any person elected or appointed to the community board.

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

**Minutes** means the record of the proceedings of any meeting of the community board.

**Motion** means a formal proposal to a meeting.

**Mover** means the member who initiates a motion.

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

**Notice of Motion** means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these Standing Orders.

**Open voting** means voting that is conducted openly and in a transparent manner and may be conducted by electronic means. The result of the vote must be announced immediately it has concluded. Secret ballots are specifically excluded.

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

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

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

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

**Presiding member** means the person chairing a meeting.

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

**Public excluded information** refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:
• any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority or community board;

• any other information which has not been released by the local authority or community board as publicly available information.

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

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

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

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

**Quasi-judicial** refers to a meeting that involves the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

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

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

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

**Right of Reply** means the right of the mover of a motion to sum up the debate and reply to those who have spoken against the motion. (The right can also apply to an amendment.

**Seconder** means the member who seconds a motion.

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

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

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

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

**Subcommittee** means a subordinate decision-making body established by a council, or a committee of a council, local board or community board. See definition of “Committee”.
Working day means any day of the week other than:

(a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s Birthday, Canterbury Anniversary Day and Labour Day and, if Waitangi Day or Anzac Day falls on a weekend, the following Monday.

(b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

Should a local authority or community board wish to meet between the 25th of December and the 15th day of January in the following year any meeting must be notified as an extraordinary meeting unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

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

**Workshop**, (this is NOT a Briefing and can be open to the public) means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of “advisory group”.

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PROPOSED
General matters

3. Standing orders

3.1 Obligation to adopt standing orders

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

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

3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the community board through a vote of not less than 75% of the members present. Any amendments also require a vote of not less than 75% of the members of the community board.

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

3.3 Members must obey standing orders

All members of the community board and its committees and subcommittees must obey these standing orders.

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

3.4 Application of standing orders

These standing orders apply to all meetings of the community board and its committees and subcommittees. This includes meetings and sessions that the public are excluded from.

3.5 Temporary Suspension of standing orders

Any member of a community board may move a motion to suspend standing orders. Any such motion must include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must vote in favour of the suspension if it is to pass.

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

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.
3.6 Exclusions for meetings at which no resolutions or decisions are made

For the avoidance of doubt, any provision of these standing orders relating to the making of decisions and the passing of resolutions does not apply to any meeting of the local authority or of any committee or subcommittee or other subordinate decision-making body of the local authority which has been properly constituted as a meeting at which no resolutions or decisions are to be made under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

3.7 Quasi-judicial proceedings

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

3.8 Physical address of members

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

4. Meetings

4.1 Legal requirement to hold meetings

A community board must hold meetings for the good government of its community. Meetings must be called and conducted in accordance with:

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

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

4.2 Meeting duration

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

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

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

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

4.4 First meeting (inaugural)

The first meeting of a community board following a local authority triennial general election must be called by the chief executive following the declaration of the final results. The chief executive must give members not less than 7 days’ notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

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

4.5 Requirements for the first meeting

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

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

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

cl. 21(5), Schedule 7, LGA 2002.
In addition, a community board will normally adopt its standing orders at the first meeting, although this is not a requirement (unless amendments are made at the meeting) as standing orders remain in force after each triennial election.

5. **Appointments and elections**

5.1 **Elections of Chairpersons and deputy Chairpersons**

When electing a Chairperson or deputy Chairperson the community board (or a committee making the appointment) must decide by resolution to use one of two voting systems set out in Standing Order 5.2.

5.2 **Voting system for Chairperson and deputy Chairperson**

When electing a Chairperson or deputy Chairperson the community board must resolve to use one of the following two voting systems.

**System A**

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

1. **there is a first round of voting for all candidates;**
2. **if no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and**
3. **if no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.**

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

**System B**

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

1. **there is only one round of voting; and**
2. **if two or more candidates tie for the most votes, the tie is resolved by lot.**

*cl. 25 Schedule 7, LGA 2002.*
6. **Delegations**

6.1 **Community boards may delegate**

A community board may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the council.

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

6.2 **Use of delegated powers**

A committee, subcommittee, member or officer to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the community board, exercise or perform them in the like manner and with the same effect as the community board itself could have exercised or performed them.

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

6.3 **Decisions made under delegated authority cannot be rescinded or amended**

Nothing in these standing orders allows a community board to rescind or amend a lawfully made decision of a committee, subcommittee or person carried out under a delegation authorising the making of that decision.

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

7. **Committees**

7.1 **Appointment of committees and subcommittees**

A community board may appoint the committees and subcommittees that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the community board.

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

7.2 **Discharge or reconstitution of committees and subcommittees**

Unless expressly provided otherwise in legislation or regulation:

- (a) a community board may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) a committee may discharge or reconstitute a subcommittee.
A committee, subcommittee, or other subordinate decision-making body is, unless a community board resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

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

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

7.3 Appointment or discharge of committee and subcommittee members

A community board may appoint or discharge any member of a committee or subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the community board.

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

7.4 Elected members on committees and subcommittees

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

At least one member of a committee must be an elected member of the community board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

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

7.5 Community board may replace members if committee not discharged

If a community board resolves that a committee or subcommittee is not to be discharged under cl. 30 (7) Schedule 7, LGA 2002, it may replace the members of that committee or subcommittee after the next triennial general election of members.

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

7.6 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a community board is not invalidated if:

1. there is a vacancy in the membership of the community board at the time of the decision; or
2. following the decision some defect in the election or appointment process is discovered and/or that a person on the community board at the time is found to have been ineligible of being a member.
7.7 Minimum numbers on committees and subcommittees

The minimum number of members is three for both committees and subcommittees.

(cl. 31(6), Schedule 7, LGA)

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification must be given not more than 10, nor less than 5, working days before the day on which the meeting is to be held.

s. 46, LGOIMA

8.2 Notice to members - ordinary meetings

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

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

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

(a) a resolution of the community board, or
(b) a requisition in writing delivered to the chief executive which is signed by:
   i. the Chairperson, or
   ii. no less than one third of the total membership of the community board (including vacancies).

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

8.4 Notice to members - extraordinary meetings

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

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

8.5 Public notice - extraordinary meetings

Where an extraordinary meeting of a community board was called and notice of that meeting was inconsistent with these standing orders the community board must, as soon as practicable following the meeting, give public notice stating that

(a) the meeting has occurred;
(b) the general nature of business transacted; and
(c) the reasons why it was not correctly notified.

s. 46(3) & (4), LGOIMA.

8.6 Process for calling an extraordinary meeting at an earlier time

If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified in standing order 8.4, a meeting may be called by the Chairperson, or if the Chairperson is not available, the chief executive.

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

8.7 Notification of extraordinary meetings held at an earlier time

Notice of the time and place of a meeting called under Standing Orders 8.6, and of the matters for which the meeting is being called, must be given by the person calling the meeting, or by another person on that person’s behalf, to each member of the community board and the chief executive by whatever means is reasonable in the circumstances at least 24 hours before the time appointed for the meeting.

cl. 22(4), Schedule 7 LGA 2002.

8.8 Chief executive may make other arrangements

The chief executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the community board may, from time to time, determine.

s. 46(5) LGOIMA.

8.9 Meetings not invalid

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

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

s. 46(6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting

A community board must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the community board unless -

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

s. 51A, LGOIMA.

8.11 Meeting schedules

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

cl. 19 (6) Schedule 7 LGA 2002.

8.12 Non-receipt of notice to members

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

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

A member of a community board may waive the need to be given notice of a meeting.

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

8.13 Meeting cancellations

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

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

9.1 **Preparation of the agenda**

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

The chief executive should consult the Chairperson on any business items being prepared for the agenda.

9.2 **Order of business**

At the meeting the business is to be dealt with in the order in which it stands on the agenda unless the Chairperson or the meeting decides otherwise. An example of a default order of business is set out in Appendix 9.

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

9.3 **Chairperson’s recommendation**

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

9.4 **Chairperson’s report**

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

9.5 **Public availability of the agenda**

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

s. 5 & 46A, LGOIMA

9.6 **Public inspection of agenda**

Any member of the public may, without payment of a fee, inspect, during normal office hours, within a period of at least 2 working days before every meeting, all agendas and associated reports circulated to members of the community board and relating to that meeting. The agenda:
must be available for inspection at the public offices of the local authority (including service delivery centres), at public libraries under the authority’s control and on the council’s website, and:

(b) must be accompanied by either:

i. the associated reports; or

ii. a notice specifying the places at which the associated reports may be inspected.

s. 46A (1), LGOIMA

9.7 Agenda to be made available to public who are at meetings

Additional copies of the agenda and further particulars indicating the nature of the items to be discussed must be available at meetings in sufficient numbers to enable any spare copies to be provided for members of the public to take away with them free of charge.

(s. 49, LGOIMA)

9.8 List of community board members publicly available

The members of each community board are to be named on the relevant agenda.

9.9 Withdrawal of agenda items

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

9.10 Distribution of the agenda

The chief executive must send the agenda to every member of the community board at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting (see Standing Order 8.4).

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

9.11 Status of agenda

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

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

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

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

s. 46A (7), LGOIMA

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

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002.

9.13 Discussion of minor matters not on the agenda

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting of the community board is open to the public and a member of the public is supplied with a copy of the agenda or the minutes of that meeting the publication of any defamatory matter included in the agenda or in the minutes is privileged, unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

s. 52, LGOIMA.
Meeting Procedures

Opening and closing

At the start of a meeting a community board may choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau. Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

10. Quorum

10.1 Community Board

The quorum for a meeting of the community board is:

(a) half of the members physically present, where the number of members (including vacancies) is even; and

(b) a majority of the members physically present, where the number of members (including vacancies) is odd.

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

10.2 Committees and subcommittees

A community board sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution provided that it is not less than two members - in the case of subcommittees if a quorum is not stated then the quorum will be two members.

In the case of committees (other than subcommittees) at least one member of the quorum must be a member of the community board.

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

10.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 10.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each community board or any party.

_ cl. 30A (6)(c) Schedule 7, LGA 2002._
10.4 Requirement for a quorum

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

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

10.5 Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacates the chair, if a quorum is not present within 15 minutes of the advertised start of the meeting.

No business may be conducted while waiting for the quorum to be reached. Where a meeting lapses because there is no quorum, this will be recorded in the minutes, along with the names of the members who attended.

10.6 Business from lapsed meetings

Where a meeting lapses the remaining business will be adjourned to be the first items on the agenda for the next ordinary meeting, unless the Chairperson sets an earlier meeting and this is notified by the chief executive.

10.7 Exclusions for meetings at which no resolutions or decisions are made

For the avoidance of doubt, these standing orders only apply to decision making meetings and do not apply to any non-decision making meeting of the local authority which has been properly constituted as a meeting under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

11. Public access and recording

11.1 Meetings open to the public

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

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public

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

If any member of the public who is required in accordance with Standing Orders to leave a meeting, refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting
without the permission of the chairperson, any police officer or employee of the local authority may, at the request of the chairperson, remove or exclude that member of the public from the meeting.

11.3 Community board may record meetings

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

11.4 Public may record meetings

Members of the public may record meetings which are open to the public. Any recording of meetings must be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

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

12. Attendance

12.1 Members right to attend meetings

A member of a community board has, unless lawfully excluded, the right to attend any meeting of any committees or subcommittees established by the board. They may, with the leave of the Chairperson, take part in the meeting’s discussions, however, if the member of the community board is not an appointed member of the committee they may not vote on any matter before the committee.

A community board member attending a meeting of a committee or subcommittee of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. If the community board resolves to exclude the public any members who are not appointed to those bodies may remain unless they are lawfully excluded.

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

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

If a committee of a community board is performing judicial or quasi-judicial functions members of the board who are not members of the committee are not entitled to take part in the proceedings.

12.3 Leave of absence

The community board may grant a member leave of absence. Members must apply for such leave.

The community board may delegate the power to grant leave of absence to the Chairperson in order to protect a members’ privacy. The Chairperson will advise all community board members whenever
a member has leave of absence granted under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

12.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. For clarification, the acceptance of a member’s apology constitutes a grant of leave of absence for that meeting.

12.5 Recording apologies

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

12.6 Absence without leave

Where a member is absent, without leave of absence from the community board, from four consecutive meetings (other than extraordinary meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

\textit{cl. 5 (d) Schedule 7, LGA 2002.}

13. Chairperson’s role in meetings

13.1 Community board

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

\textit{cl. 26(1), (5) & (6) Schedule 7, LGA 2002.}

13.2 Committees

The appointed Chairperson of a committee must preside at all committee meetings unless they vacate the chair for a particular meeting or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent or has not been appointed, the committee members who are present must elect a member to act as Chairperson at that meeting who may exercise the meeting responsibilities, duties and powers of the Chairperson.

\textit{cl. 26(2), (5) & (6), Schedule 7 LGA 2002.}
13.3 Addressing the Chairperson

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

13.4 Chairperson’s rulings

The Chairperson will decide all procedural questions where no or insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson’s ruling or order constitutes contempt.

13.5 Chairperson standing

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

13.6 Member’s right to speak

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

13.7 Chairperson may prioritise speakers

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

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

14. Public Forums

Public forums are a defined period of time, usually at the start of a meeting, which is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters to the attention of the community board. Any issue, proposal or matter raised in a public forum must also fall within the terms of reference of that meeting.

14.1 Time limits

A period of up to 30 minutes, or such longer time as the community board may determine, will be available for the public forum at each scheduled community board meeting. Requests must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.
Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6, in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

14.2 Restrictions

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

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

14.3 Questions at public forums

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

14.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda.

15. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting’s terms of reference. Deputations are approved by the Chairperson or an official with delegated authority.

15.1 Deputations where heard

Deputations may be received by the local authority or any of its committees provided an application for admission setting forth the subject has been lodged with the Chief Executive or Governance Staff at least two working days before the date of the meeting concerned, and has been subsequently approved by the Chairperson. The Chairperson may refuse requests for deputations which are repetitious or offensive.
15.2 Urgency or major public interest

Notwithstanding Standing Order 15.1 where in the opinion of the chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the chairperson may determine that the deputation be received.

15.3 Time limits

Speakers can speak for up to 10 minutes. No more than two speakers can speak on behalf of an organisation’s deputation.

15.4 Restrictions

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

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

15.5 Questions of a deputation

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

15.6 Resolutions

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

16. Petitions

16.1 Form of petitions

Petitions may be presented to the community board. Petitions must contain at least 20 signatures and consist of fewer than 100 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 qualified privilege). They may be written in English or te reo Māori. Petitioners
planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

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

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

16.3 Petition presented by member

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

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

17. Exclusion of public

17.1 Motions and resolutions to exclude the public

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

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

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

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

s. 48 LGOIMA.
17.2 Specified people may remain

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

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

s.48 (6) LGOIMA.

17.3 Public excluded items

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

s.46A (8) LGOIMA

17.4 Non-disclosure of information

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

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

(a) there are no grounds under LGOIMA for withholding the information;
(b) the information is no longer confidential.

17.5 Release of information from public excluded session

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

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

18.1 Decisions by majority vote

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

_cl. 24(1), Schedule 7, LGA 2002._

18.2 Open voting

An act or question coming before the community board must be done or decided by open voting.

_cl. 24(3) Schedule 7, LGA 2002._

18.3 Chairperson does not have a casting vote

The Chairperson or any other person presiding at the meeting has a deliberative vote and, in the case of an equality of votes, has NO casting vote.

_cl. 24(2) Schedule 7, LGA 2002._

18.4 Method of voting

The method of voting must be as follows:

(a) the Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;

(b) the Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and

(c) where a suitable electronic voting system is available, that system may be used instead of a show of hands, vote by voices or division, and the result displayed notified to the Chairperson who must declare the result.

18.5 Calling for a division

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

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

18.6 Restating the motion

The chairperson may, immediately prior to any vote being taken, request the chief executive or the minute taker to restate the motion upon which the vote is to be taken.
18.7 Request to have votes recorded

If, immediately following a vote a member requests it, the minutes must record the member’s vote or abstention.

18.8 Members may abstain

Any member may abstain from voting.

19. Conduct

19.1 Calling to order

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

19.2 Disrespect

No member may speak or act in a manner which is disrespectful of other members or inconsistent with the community board’s Code of Conduct at any meeting.

19.3 Retractions and apologies

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

19.4 Disorderly conduct

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

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

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

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

19.6 Removal from meeting

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

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

19.7 Financial conflicts of interests

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

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

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

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

s. 6 & 7 LAMIA

19.8 Non-financial conflicts of interests

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

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

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

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

s. 53, LGOIMA.

19.10 Qualified privilege additional to any other provisions

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

s. 53, LGOIMA.

19.11 Electronic devices at meetings

Electronic devices and phones should only be used to support the business of the meeting. Where personal use is unforeseen prior to the meeting, members should seek permission from the chair to leave the meeting to deal with such matters. It is not deemed good practice or indeed appropriate to convey any aspect of meeting content or decision via personal electronic devices prior to the conclusion of the meeting.

20. General rules of debate

20.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the Standing Orders, such as the number of times a member may speak, is subject to the discretion of the Chairperson.

20.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

(a) movers of motions when speaking to the motion – not more than 10 minutes;
(b) movers of motions when exercising their right of reply – not more than 5 minutes;
(c) other members – not more than 5 minutes.

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

20.3 Questions to staff

During a debate members can ask staff questions about the matters being discussed. Questions must be asked through the Chairperson and are at the Chairperson’s discretion as to how the question should be dealt with.
20.4 Questions to be in writing
Questions shall be in writing and handed to the chairperson prior to the commencement of the meeting at which they are to be asked and in time for an appropriate answer to be prepared.

20.5 Questions may be deferred
If an answer to the question cannot be given at that meeting it shall, at the discretion of the Chairperson, be placed on the agenda for the next local authority meeting.

20.6 Questions to be concise
Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question or upon the answer.

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

20.8 Members may speak only once
A member may not speak more than once to a motion at a meeting of a community board except with permission of the Chairperson.

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

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

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

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

The Chairperson’s rulings on any matters arising under this standing order are final and not open to challenge.
20.12 Reading of speeches

Members shall not read their speeches, except with the permission of the chairperson, but may refresh their memory by reference to notes.

20.13 Personal explanation

Notwithstanding Standing Order 20.5, members may make a personal explanation with the permission of the chairperson, provided that the matter is personal to the member, deals with fact and not denigratory in nature. Such matters may not be debated.

20.14 Explanation of previous speech

With the permission of the chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.

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

20.15 Restating motion

A member, at any time during a debate for their information, may ask that the Chairperson restate a motion and any amendments, but not so as to interrupt a speaker.

20.16 Criticism of resolutions

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

20.17 Objecting to words

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

20.18 Right of reply

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

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

However, the original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.
20.19 No other member may speak

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

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

20.20 Adjournment motions

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

20.21 Chairperson’s acceptance of closure motions

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

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

21. General procedures for speaking and moving motions

21.1 Speaking and moving

- The mover and seconder of a motion cannot move or second an amendment.
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the main motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.
21.2 Procedure if no resolution is reached

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

22. Motions and amendments

22.1 Proposing and seconding motions

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

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

22.2 Motions in writing

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

22.3 Motions expressed in parts

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

22.4 Substituted motion

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

22.5 Amendments to be relevant and not direct negatives

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. Any amendment which, if carried, would have the effect of defeating a previous motion that was carried is a direct negative and is therefore not allowed.

22.6 Foreshadowed amendments

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

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

22.8 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

22.9 Where a motion is lost

In a situation where a motion that recommends a course of action is lost a new motion may be proposed, subject to the agreement of a majority of members present and voting. The new motion must be on a matter that has been previously publicly notified, on the Agenda, for that meeting.

22.10 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

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

22.11 No speakers after reply or motion has been put

A member may not speak to any motion once:
   
   (a) the mover has started their right of reply in relation to the motion; and
   (b) the Chairperson has started putting the motion.

23. Revocation or alteration of resolutions

23.1 Member may move revocation of a decision

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

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

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

23.2 Revocation must be made by body responsible for the decision

If a resolution is made under delegated authority by a committee only that body may revoke or amend the resolution, assuming the resolution is legally made.

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

23.3 Requirement to give notice

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

23.4 Restrictions on actions under the affected resolution

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

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

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

23.5 Revocation or alteration by resolution at same meeting

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

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

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

24. Procedural motions

24.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, other than points of order and rights of reply. If the procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate.

24.2 Procedural motions to close or adjourn a debate

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

(a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
(b) that the motion under debate should now be put (a closure motion);
(c) that the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
(d) that the item of business being discussed should lie on the table and not be further discussed at this meeting;
(e) that the item being discussed should be referred (or referred back) to the relevant committee.

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

24.3 Closure motion on amendment

When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

24.4 Voting on procedural motions

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

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

24.6 Remaining business at adjourned meetings

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

24.7 Business referred to a committee

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

24.8 Other business not superseded

The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting.

24.9 Business referred to the council, committee or community board

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

25. Points of order

25.1 Members may raise points of order

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

25.2 Subjects for points of order

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

(a) disorder – bringing disorder to the attention of the Chairperson;
(b) language – use of disrespectful, offensive or malicious language;
(c) irrelevance – the topic being discussed is not the matter currently before the meeting;
(d) misrepresentation – misrepresentation of any statement made by a member or by an officer or council employee;
(e) breach of standing order – the breach of any standing order while also specifying which standing order is subject to the breach;

(f) request the recording of words, such as a request that the minutes record words that have been the subject of an objection.

25.3 Contradictions

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

25.4 Point of order during division

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

25.5 Chairperson’s decision on points of order

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

26. Notices of motion

26.1 Notice of intended motion to be in writing

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

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

26.2 Refusal of notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

(a) is disrespectful or which contains offensive language or statements made with malice; or

(b) is not related to the role or functions of the community board or meeting concerned; or

(c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
(d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned

(e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 of the LGA 2002; or

(f) concerns a matter where decision-making authority has been delegated to a committee or subcommittee.

Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

26.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

26.4 Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a Notice of Motion.

26.5 When notices of motion lapses

Notices of motion that are not put when called by the Chairperson must lapse.

26.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the community board must be referred to that committee by the chief executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

26.7 Repeat notices of motion

When a motion has been considered and rejected by the community board, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the communities board no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.
26.8  Second repeat where notice of motion rejected

If such a repeat notice of motion as provided for in Standing Order 26.7 is also rejected by the local authority, any further notice prior to the expiration of the original period of six months must be signed by a majority of all members, including vacancies.

27.  Minutes

27.1  Minutes to be evidence of proceedings

The community board and any committees and subcommittees must keep minutes of their proceedings. These minutes must be kept in hard copy, signed and included in the council’s minute book and, when confirmed by resolution at a subsequent meeting and signed by the Chairperson, will be prima facie evidence of the proceedings they relate to.

*cl. 28 Schedule 7, LGA 2002.*

27.2  Matters recorded in minutes

The chief executive must keep the minutes of meetings. The minutes must record:

(a)  the date, time and venue of the meeting
(b)  the names of the members present
(c)  the Chairperson
(d)  any apologies or leaves of absences
(e)  the arrival and departure times of members
(f)  any failure of a quorum
(g)  a list of any external speakers and the topics they addressed
(h)  a list of the items considered
(i)  the resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders
(j)  the names of all movers, and seconders
(k)  any objections made to words used
(l)  all divisions taken and, if taken, a record of each members’ vote
(m)  the names of any members requesting that votes or abstentions be recorded
(n)  any declarations of financial interest or conflicts of interest
(o)  the contempt, censure and removal of any members
(p)  any resolutions to exclude members of the public
(q)  the time at which the meeting concludes or adjourns
(r)  the names of people permitted to stay in public excluded.

**Please Note:** hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.
27.3  No discussion on minutes

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

27.4  Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign the minutes of the last meeting of the community board and its committees or subcommittees before the next election of members.

28.  Minute books

28.1  Inspection

A hard copy of the community board’s minute books must be kept by the chief executive and be open for inspection by the public. This does not preclude the complementary use of electronic minutes in accordance with the Electronics Transactions Act.

The public is entitled to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded free of charge.

s. 51 LGOIMA.

28.2  Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting or part of a meeting from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.
Referenced documents

- Commissions of Inquiry Act 1908
- Control and Sale of Alcohol Act 2012
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910


**Appendix 1: Grounds to exclude the public**

A community board may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

**A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:

(a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or

(b) to endanger the safety of any person.

**A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

(a) Protect the privacy of natural persons, including that of deceased natural persons; or

(b) Protect information where the making available of the information would:

   i. disclose a trade secret; or

   ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or,

(c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu; or

(d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:

   i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or

   ii. be likely otherwise to damage the public interest; or

(e) Avoid prejudice to measures protecting the health or safety of members of the public; or

(f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or

(g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or

(h) Maintain legal professional privilege; or

(i) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or

(j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
(k) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where A2 of this Appendix applies the public may be excluded unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:

(a) Be contrary to the provisions of a specified enactment; or
(b) Constitute contempt of Court or of the House of Representatives.

A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).

A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:

(a) Any proceedings before a Council where
   i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings; or
   ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
Appendix 2: Sample resolution to exclude the public

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- Name of report(s) .................................................................

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

<table>
<thead>
<tr>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Put in name of report</strong></td>
<td>Good reason to withhold exists under Section 7.</td>
</tr>
<tr>
<td></td>
<td>Good reason to withhold exists under Section 7.</td>
<td>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists. Section 48(1)(a)</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2</td>
<td></td>
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<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4  

*Hearings Committee*

To enable the Committee to consider the application and submissions.

OR

To enable the Committee to consider the objection to fees and charges.

OR

To enable the Committee to.

That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where:

i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or

ii) the community board is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.

Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).

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

<table>
<thead>
<tr>
<th>Item No</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Enable any community board holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))</td>
</tr>
<tr>
<td></td>
<td>Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))</td>
</tr>
<tr>
<td></td>
<td>Maintain legal professional privilege (Schedule 7(2)(g))</td>
</tr>
<tr>
<td></td>
<td>Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))</td>
</tr>
<tr>
<td>Item No</td>
<td>Interest</td>
</tr>
<tr>
<td>---------</td>
<td>----------</td>
</tr>
</tbody>
</table>
|         | Protect information where the making available of the information  
(i) would disclose a trade secret; or  
(ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b)) |
|         | In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to Tikanga Māori, or to avoid the disclosure of the location of waahi tapu (Schedule 7(2)(ba)) |
|         | Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information -  
(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or  
(ii) would be likely otherwise to damage the public interest (Schedule 7(2)(c)) |
|         | Avoid prejudice to measures protecting the health or safety of members of the public (Schedule 7(2)(d)) |
|         | Avoid prejudice to measures that prevent or mitigate material loss to members of the public (Schedule 7(2)(e)) |
|         | Maintain the effective conduct of public affairs through the protection of members or officers or employees of the Council, and persons to whom Section 2(5) of the Local Government Official Information and Meetings Act 1987 applies in the course of their duty, from improper pressure or harassment (Schedule 7(2)(f)(ii)). |
|         | Enable any community board holding the information to carry out, without prejudice or disadvantage, commercial activities (Schedule 7(2)(h)) |

**THAT** XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.
Appendix 3: Motions and amendments

Motions without amendments

Motion moved
(Maximum 5 minutes)

Motion seconded
(Seconder may reserve the right
to speak in the double debate –
maximum 5 minutes)

Motion debated
(Maximum 5 minutes per
speaker. If 3 consecutive
speakers are in support or
opposition, Chairperson may call
for speaker to the contrary and if
none, the motion may be put
after mover and seconder has
exercised right to speak.)

Mover’s right of reply
(Maximum 5 minutes)

Chairperson to put Motion

Motion LOST
No further action, move to next
item.

No further discussion permitted,
move to next item

Revocation, alteration or
modification permitted at same
meeting by 75% majority if fresh
facts received during meeting.

Motions with amendments

Amendment (not a direct
negative) moved and seconded
by persons that have not yet
spoken
(Maximum 5 minutes for mover
and 3 minutes for seconder)

NOTE:
Movers of the original motion

Amendment debated
(Maximum 5 minutes per
speaker. If 3 consecutive
speakers in support or
opposition, Chairperson may call
for speaker to the contrary and if
none, the motion may be put).
No right of reply

Notice of intention to move
further amendment maybe
given.

Mover of original motion may
exercise right of reply here

Amendment CARRIED

Amendment LOST

Further relevant amendments
to the new substantive motion
moved and seconded by persons
who have not yet spoken
(Maximum 5 minutes for mover
and 5 minutes for other)

If CARRIED, amendment
become substantive motion

If LOST original motion put, and
either CARRIED or LOST
## Appendix 4: Table of procedural motions

<p>| Motion                                                                 | Has the Chair discretion to refuse this Motion? | Is seconder required? | Is discussion in order? | Are amendments in order? | Is mover of procedural motion entitled to reply? | Are previous participants in debate entitled to move this motion? | Can a speaker be interrupted by the mover of this motion? | If lost, can motion be moved after an interval? | Position if an amendment is already before the Chair | Position if a procedural motion is already before the Chair | Remarks                                                                 |
|-----------------------------------------------------------------------|-----------------------------------------------|-----------------------|-------------------------|-------------------------|-----------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| (a) “That the meeting be adjourned to the next ordinary meeting, or to a stated time and place” | No                                             | Yes                   | No                      | As to time and date only | No                                             | No                                                               | Yes – 15 minutes                                      | If carried, debate on the original motion and amendment are adjourned | If carried, debate on the original motion and procedural motion are adjourned | On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again |
| (b) “That the motion under debate be now put (closure motion)”         | No                                             | Yes                   | No                      | No                      | No                                             | No                                                               | Yes – 15 Minutes                                      | If carried, only the amendment is put                 | If carried, only the procedural motion is put           | The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put          |
| (c) “That the item of business being discussed be adjourned to a stated time and place” | No                                             | Yes                   | No                      | As to time and date only | No                                             | No                                                               | Yes – 15 minutes                                      | If carried, debate on the original motion and amendment are adjourned | If carried, debate on the original motion and procedural motion are adjourned |                                                                                                                                           |</p>
<table>
<thead>
<tr>
<th>Motion</th>
<th>Has the Chair discretion to refuse this Motion?</th>
<th>Is seconder required?</th>
<th>Is discussion in order?</th>
<th>Are amendments in order?</th>
<th>Is mover of procedural motion entitled to reply?</th>
<th>Are previous participants in debate entitled to move this motion?</th>
<th>Can a speaker be interrupted by the mover of this motion?</th>
<th>Position if an amendment is already before the Chair</th>
<th>Position if a procedural motion is already before the Chair</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) “That the item of business being discussed does lie on the table and not be discussed at this meeting”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 minutes</td>
<td></td>
<td></td>
<td>Motion not in order</td>
</tr>
<tr>
<td>(e) “That the item of business being discussed be referred (or referred back) to the community board or to the relevant committee”</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes – 15 minutes</td>
<td>If carried, the original motion and amendment are both laid on the table</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(f) “Points of order”</td>
<td>No – but may rule against</td>
<td>No</td>
<td>Yes – at discretion of Chairperson</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td>See standing order 3.14</td>
</tr>
</tbody>
</table>
Appendix 5: Powers of a Chairperson

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson’s ruling is final and not open to debate.

Chairperson to decide points of order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the community board and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the community board may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson’s report

The Chairperson, by report, has the right to direct the attention of the community board to any matter or subject within the role or function of the community board.

Chairperson’s recommendation

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson’s recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson’s voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has NO casting vote where standing orders make such provision.
Motion in writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

(a) Is disrespectful or which contains offensive language or statements made with malice; or
(b) Is not within the scope of the role or functions of the community board; or
(c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
(d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the community board, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the community board, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the community board, including vacancies.

Revocation or alteration of previous resolution

A Chairperson may recommend in a report to the community board the revocation or alteration of all or part of any resolution previously passed. In responding to the Chairperson’s recommendation the meeting must act in accordance with these standing orders.
Chairperson may call a meeting

The Chairperson:

(a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting;

(b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

The Chairperson’s ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or indulging in needless repetition is final and not open to challenge.

Taking down words

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places

The Chairperson may permit members to leave their place while speaking.

Priority of speakers

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a community board prior to the next election of members.
Questions of speakers

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson’s rulings

Any member who refuses to accept a ruling of the Chairperson, may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour

The Chairperson may:

(a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.

(b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

If a member or member of the public who is required, in accordance with a Chairperson’s ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the community board may, at the Chairperson’s request, remove or exclude that person from the meeting.
Appendix 6: Process for removing a Chairperson or deputy Chairperson

1. At a meeting that is in accordance with this clause, a community may remove its Chairperson or deputy Chairperson from office.

2. If a Chairperson or deputy Chairperson is removed from office at that meeting, the community board may elect a new Chairperson or deputy Chairperson at that meeting.

3. A meeting to remove a Chairperson or deputy Chairperson may be called by:
   (a) a resolution of the community board; or
   (b) a requisition in writing signed by the majority of the total membership of the community board (excluding vacancies).

4. A resolution or requisition must:
   (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
   (b) indicate whether or not, if the Chairperson or deputy Chairperson, is removed from office, a new Chairperson or deputy Chairperson is to be elected at the meeting if a majority of the community board (excluding vacancies) so resolves.

5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.

6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.

7. A resolution removing a Chairperson or deputy Chairperson carries if a majority of the total membership of the community board (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.
Appendix 7: Workshops/Briefings

Definition of workshop/Briefing

Workshops, however described, provide opportunities for members to discuss specific matters, receive briefings and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting. A briefing is specifically Public Excluded (PX).

Application of standing orders to workshops and briefings

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing (PX) or working party should be conducted.

Calling a workshop/briefing

Workshops, briefings (PX) and working parties may be called by:

(a) a resolution of the community board
(b) the community board Chairperson or
(c) the chief executive.

Process for calling workshops/briefings

The chief executive or governance staff will give at least 24 hours’ notice of the time and place of the workshop/briefing and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

(a) state that the meeting is a workshop
(b) advise the date, time and place
(c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop or briefing is not required.

Workshops can be open to the public whereas Briefings are specifically public excluded.
Appendix 8: Sample order of business

(a) Apologies
(b) Conflicts of interest
(c) Confirmation of minutes
(d) Matters arising
(e) Petitions
(f) Deputations and Presentations
(g) Adjourned Business
(h) Notice(s) of Motion
(i) Reports
  - Decision
  - Information
(j) Matters referred for decision
(k) Correspondence
(l) Chairperson’s report
(m) Matters for Information
(n) Elected members’ reports (information)
(o) Consultation projects
(p) Regeneration projects
(q) Board funding update
(r) Media items
(s) Questions under Standing Orders
(t) Urgent general business under Standing Orders
Appendix 9: Process for raising matters for a decision

Matters requiring a decision may be placed on an agenda of a meeting by a:

- report of chief executive
- report of a Chairperson
- report of a committee
- notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- report of chief executive or his/her delegate
- report of Chairperson

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.
WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO and TRIM NO: RGN-02-01 / 171114123505

REPORT TO: Regeneration Steering Group

DATE OF MEETING: 4 December 2017

FROM: Roxanne Ramsay, Project Administrator – District Regeneration

SUBJECT: Licence to Occupy, Waimakariri Sailing and Power Boat Club, Kairaki

1. SUMMARY

1.1. The purpose of this report is to seek approval to issue a Licence to Occupy to the Waimakariri Sailing and Power Boat Club to enable them to have access to use the Waimakariri District Council regeneration area land within the Kairaki Regeneration area for the purpose of boat rigging and/or storage.

Attachments:

i. Draft Licence to Occupy (Trim Reference Number 171120125533).
ii. Location Plan

2. RECOMMENDATION

THAT the Regeneration Steering Group:

THAT the Kaiapoi Tuahíwi Community Board:

(a) Receives report No.171114123505.

(b) Approves staff issuing a Licence to Occupy with the Waimakariri Sailing and Power Boat Club on the basis of the attached Draft Licence to Occupy for the use of a section of Red Zone land adjacent to the Kairaki Beach Car Park Reserve for the purpose of boat rigging and storage.

(c) Notes that the lease fee would be set at an amount of $1.00 per annum with the lease term initially being 1 year from December 2017.

3. ISSUES AND OPTIONS

3.1. Background

3.1.1. As outlined in the Waimakariri Residential Red Zone Recovery Plan it was proposed that the red-zoned lot adjacent to the Waimakariri Sailing and Power Boat Club be divested to the Council as reserve and that this area could then be made available for lease to the Waimakariri Sailing and Power Boat Club for boat rigging and storage.

This is the preferred use for the area given the heavy use of the car park and the strong support of the Waimakariri Sailing and Power Boat Club.
3.2. The particulars of the parcel of land concerned are 63 Featherstone Avenue, Kairaki. Title number CB12A/826, Lot 27 DP7293. The parcel of land is a 648sqm area. This land is currently owned by the Crown, and included within the Interim Lease agreement between the Crown and Waimakariri District Council. The land is expected to be divested from the Crown to Waimakariri District Council in the second half of 2018. The land is currently in fee-simple title.

3.3. Initial discussions have been held with the Waimakariri Sailing and Power Boat Club and they are very keen to progress with an agreed Licence to Occupy for a long-term lease for the purpose of boat rigging and/or storage. The Waimakariri Sailing and Power Boat Club have expressed an interest to have exclusive rights to this area.

3.4. The Waimakariri Sailing and Power Boat Club have indicated that they may propose to erect a permanent structure on the property such as a farm shed type building for storage purposes. If so, they would be required to go through the normal consenting process. The Recovery Plan and the terms of the Crown/Waimakariri District Council Interim Lease do not preclude construction of permanent structures on this particular site.

3.5. An email has been sent to LINZ to seek their permission for Waimakariri District Council to enter into the Licence to Occupy as per the Interim Lease Agreement between the Crown and Waimakariri District Council, Section 6 – Assignment and Subletting.

3.6. Staff will arrange for an on-site meeting with the Waimakariri Sailing and Power Boat Club to further discuss details once a formal written approval has been received from LINZ.

3.7. Once this arrangement has been finalised there would be a requirement of staff to arrange a variation to the existing Delta Maintenance contract for this particular parcel of land to be removed from the contract.

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

4. **COMMUNITY VIEWS**

4.1. There has been no formal consultation undertaken as it was proposed in the Waimakariri Residential Red Zone Recovery Plan that a lease to the sailing club or use as a carpark would be an appropriate use of this particular area of land.

5. **FINANCIAL IMPLICATIONS AND RISKS**

5.1. It is proposed that an annual lease fee be payable to the Waimakariri District Council by the Waimakariri Sailing and Power Boat Club for a fee amount $1.00 per annum.

5.2. The terms of the Licence to Occupy include a requirement that the Licensee is responsible for maintenance and upkeep of the land.

5.3. **Risks**

5.3.1. The terms of the Licence to Occupy include the provision that the land is made available on an ‘as-is’ basis, with no warranty given as to the suitability of the land for the licensee’s intended purpose/use.

5.3.2. The terms of the Licence to Occupy include specific provisions around obligations under the Health and Safety at Work Act and notification of Waimakariri District Council of any new hazards arising, proposed building works, or incidents/accidents.
5.3.3. The land subject to the proposed Licence to Occupy formally had a residential structure on site, with associated services. The site is immediately adjacent to the Ecan stopbank. A recently constructed stormwater outfall pipe crosses the north extent of the site. This will need protection in place and will not be built or developed over, through normal building activity controls. The site is generally low-lying and subject to occasional flooding, particularly during spring high tides. The Licensee is aware of these limitations.

6. CONTEXT

6.1. Policy

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

6.1.2. The authority to approve leases or licences on non-reserve land rests with the Council under the Delegations Policy.

6.2. Legislation

- Reserves Act 1977
- This project gives effect to the Waimakariri Red Zone Recovery Plan, which was prepared in accordance with the Greater Christchurch Regeneration Act 2016.

6.3. Community Outcomes

- There is a safe environment for all.
- Public spaces and facilities are plentiful, accessible and high quality.
WAIMAKARIRI DISTRICT COUNCIL

LICENSE TO OCCUPY RED ZONE LAND

THIS IS AN AGREEMENT made this __________ day of ________________________ 2017

BETWEEN

THE WAIMAKARIRI DISTRICT COUNCIL     (the Council)

AND

Waimakariri Sailing and Power Boat Club (Inc.)   (the Licensee)

THE COUNCIL HEREBY GRANTS to the licensee the right to occupy part of the Kairaki Red Zone Land, formally known as 63 Featherstone Avenue, Lot 27 DP 7293, being an area of 645 square, as shown on the attached plan. This is Crown-owned Land that is currently leased by Council in accordance with the Interim Lease Agreement between Waimakariri District Council and LINZ dated July 2017.

THE TERM of licence shall be 12 months from 1st December 2017 at an annual fee of $1 if demanded per annum plus Goods and Services Tax payable in advance on the 1st day of December each year.

SUBJECT TO the following conditions it is hereby agreed between the parties that:

1. The Licensee will punctually pay the fee (if applicable) shown in this licence when it shall become payable to the Council free from any deduction whatsoever.

2. The Land shall be used for the purposes of temporary car parking, storage of boats and trailers, and boat rigging associated with the Licensee’s activities and no other purpose.

3. The Licensee may erect on a portion of the land a building which is used for related purposes of the Licensee’s activities. Prior to applying for any required Resource or Building Consent, the draft plans shall be approved by the Manager Community and Recreation at Waimakariri District Council.

4. Access must be maintained to the stop bank for vehicles from Featherstone Avenue.

5. The Licensee shall keep the Land in a neat and tidy condition and will be responsible for all fencing and will keep all fences, gates and other improvements erected on the said land in good order and conditions (damage by fire, earthquake or other inevitable accident excepted) and will permit the Council or their agents at all reasonable times to enter upon the land under licence for the purpose of viewing the state or repairing, maintaining or improving the condition of the improvements thereon.

6. The Licensee will not assign, sub-let or part with the possession of the said land or any part thereof.

7. The Licensee will not at any time undertake anything on the land which shall be a disturbance, nuisance or annoyance to the Council or the occupiers or owners of adjoining lands.

8. The Licensee shall not be entitled to any fee refund on termination should the termination be due in any way to a failure to perform by the licensee.
9. That if the fee specified herein is in arrear for the space of one calendar month or if the Licensee shall make breach or non-observance of any of the conditions of this license it shall be lawful for the Council to re-enter upon the land thus terminating the licence but without prejudice to any claim for fees due or accrued due or associated damages.

10. The Council or Licensee may terminate this licence at any time by giving to the other three months’ notice in writing and on the expiration of such notice this licence shall absolutely cease and determine and the licensee shall leave the land in good order and condition. The licensee may at the time remove any fencing material supplied by him/her.

11. The costs of any work required by the Council to remedy any failure by the licensee to comply with the terms of this licence may be recovered by Council as a debt.

12. The Licensee will comply with the requirements and obligations imposed by the Health and Safety at Work Act 2015 and will take all necessary steps to ensure that the obligations imposed on the Council as owner under the Health and Safety at Work Act 2015 will at all times be complied with including:

(i) notify the Council immediately if the Licensee becomes aware of any hazard or risk, or any notifiable event (as defined in section 25 of the HSW Act), on the Land, or in the vicinity of the Land, which might, or may have the potential to, harm any person and for which the Council would be liable to remedy.

13. Where any part of the Land is or becomes from time to time a workplace as defined in the HSW Act, the Licensee must provide to the Council a copy of the health and safety management plan for that part of the Land having regard to the Licensee’s intended use and occupation of that part of the Land, and a site specific hazard register. If the Licensee reviews any plans it will submit the reviewed plan to the Council. The Council may make recommendations to any plan, or revised plan, from time to time, and the Licensee will take those recommendations into consideration.

14. The Land is made available ‘as-is’ and Council are not obligated to provide utility services on the Land.

15. The Council does not warrant that the Land is or will remain suitable or adequate for any of the purposes of the Licensee including the Permitted Use.

16. The Licensee accepts the Land as being satisfactory in all respects and with full knowledge of and subject to any prohibitions or restrictions on the use of the Land.

Signed by the two parties:

THE COMMON SEAL OF THE
WAIMAKARIRI DISTRICT COUNCIL
Hereunto affixed

In the presence of:

____________________________________
Authorised Officer

____________________________________
Authorised Officer
SIGNED as Licensee
Waimakariri Sailing & Power Boat Club Inc.

Licensee

In the presence of:

Witness Signature

Witness Name
To: The Waimakariri District Council
Submission: Draft Stormwater Drainage Bylaw

From: The Kaiapoi-Tuahiwi Community Board
Contact: Edwina Cordwell - Governance Advisor
Email: Edwina.cordwell@wmk.govt.nz
Phone: 03 311 8900

The Kaiapoi-Tuahiwi Community Board (the Board) supports the Draft Stormwater Drainage Bylaw.

The Board believes that the Bylaw proposals are clear and well thought through.

The Board would also wish to reiterate the importance of ongoing communication and the provision of public information particularly for those properties that may be affected by the proposed bylaw.

Thankyou,

Jackie Watson
Chair: Kaiapoi-Tuahiwi Community Board
Monday 22\textsuperscript{nd} January 2018

The Kaiapoi-Tuahiwi Community Board

Dear Edwina Cordwell,

\textbf{Waimakariri District Council Storm water Drainage Bylaw 2018}

Thank you for your submission on the Storm water Drainage Bylaw. It has been received and processed by the Council.

You have indicated that you do not wish to present your submission in person. If you would like to change your mind, please contact Gina Maxwell at the Council (03) 311 8900 extension 8657, by \textbf{Friday 23\textsuperscript{rd} February 2018} at the latest, to arrange a time to come and speak to the Hearing Panel regarding your submission.

The public hearing, which you are most welcome to attend, will be held on: Tuesday 27\textsuperscript{th} February 2018, 9.00 am - 1.00 pm in the Rangiora Service Centre, Council Chambers.

Yours sincerely

\[GLMaxwell\]

Gina Maxwell
Policy Technician
WAIMAKARIRI DISTRICT COUNCIL

REPORT

FILE NO and TRIM NO: GOV-26-08-06/180209013099

REPORT TO: Kaiapoi-Tuahiwi Community Board

DATE OF MEETING: 19 February 2018

FROM: Jackie Watson, Chair: Kaiapoi-Tuahiwi Community Board

SUBJECT: Chair’s Report for January/February 2018

1. SUMMARY

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>22 January</td>
<td>Pines Kairaki Committee Meeting</td>
</tr>
<tr>
<td>28 January</td>
<td>Open Day at Kaiapoi Food Forest</td>
</tr>
<tr>
<td>29 January</td>
<td>Opening of new build at Kaiapoi North School</td>
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<td></td>
<td>Kaiapoi Regeneration Steering Group Meeting</td>
</tr>
<tr>
<td>6 February</td>
<td>Kaiapoi’s Waitangi Day Celebrations</td>
</tr>
<tr>
<td>8 February</td>
<td>Kaiapoi Town Centre Plan Review Workshop</td>
</tr>
</tbody>
</table>

2. RECOMMENDATION

THAT the Kaiapoi-Tuahiwi Community Board:

(a) Receives report No. 180209013099.

Jackie Watson
Chair
Kaiapoi-Tuahiwi Community Board