
Thursday, 8 December 2022

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Attachments – Vol 2

Te Rā Hui:
Meeting date: **Thursday, 8 December 2022**

Te Wā:
Time: **10.00am**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

**Watch Council meetings
streamed live on our website
www.hastingsdc.govt.nz**

HASTINGS DISTRICT COUNCIL
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
Phone **06 871 5000** | www.hastingsdc.govt.nz
TE KAUNIHERA Ā-ROHE O HERETAUNGA

ITEM	SUBJECT	PAGE
10.	PERFORMANCE AND MONITORING REPORT, QUARTER 1, 30 SEPTEMBER 2022	
	Attachment 1: Performance and Monitoring Report - Quarter 1, 2022-2023	3
13.	ADOPTION OF REGISTER OF DELEGATIONS & COUNCILLOR APPOINTMENTS TO COMMITTEES, SUBCOMMITTEES AND EXTERNAL ORGANISATIONS	
	Attachment 1: 2022-2025 Committee and Rural Community Board Register of Delegations - pdf	109
	Attachment 2: Schedule of Appointments to Committees and Subcommittees 2022-2025 - pdf	159
	Attachment 3: Schedule of Appointments to External Organisations 2022-2025 - pdf	167
16.	REVIEW OF STANDING ORDERS	
	Attachment 1: DRAFT Council Standing Orders - Revised 2022-25 Triennium	171
17.	CODE OF CONDUCT	
	Attachment 1: DRAFT Council 2022 Code of Conduct - pdf	235



Contents

Executive summary	3	Community Safety.....	72
The economic powerhouse.....	5	Community Grants and Assistance	74
Hastings Trends and Data	6	Multicultural Strategy and Welcoming Communities	75
Economic Development.....	8	Cemeteries	77
Industrial Land	11	Corporate Communications.....	79
Council Controlled Organisations.....	12	Customer Services.....	80
Homes for our people	13	Risk Management	87
Residential Growth.....	14	Information Management and Business Transformation (IMBT)	89
Community Housing.....	21	Marketing & Communications.....	92
Getting around	22	Media Communications.....	93
Roads and Transport.....	23	Digital Communications.....	94
Rural living.....	25	Events	97
Bridges and Roads	26	Community Engagement Activities	98
Rural Support.....	27	Key Projects.....	99
Our natural treasures	28	Glossary.....	101
3 Waters	29	Acronyms, Terms and Māori Translations	102
Water Supply	30	Appendices	104
Wastewater	34	HDC Strategic Risk Register	105
Stormwater.....	36		
Refuse	37		
Environmental Enhancement	42		
Hastings alive	43		
Hastings City Centre	44		
Pathways for people.....	46		
Youth Development	47		
Enhancing where we live	52		
Recreation/Leisure	53		
Aquatics	65		
Playgrounds, Reserves and Parks	67		
Community Planning.....	69		

Executive summary

As Chief Executive, I am proud to present our Performance and Monitoring Report for Quarter 1 (July-September) 2022-23 to Council.

This report marks the end of the 2019-22 Council’s time in office, and we welcome first time elected Councillors to take office including three Takitimu Ward Councillors elected by residents on the Māori roll. While there has been some change at the Council table, Mayor Hazlehurst’s return ensures stability and continuity in leadership. As our district moves through this time of transition, it is important to celebrate the success of the previous Council and signal some of the challenges and work ahead for the new team of Councillors.

The 2019-22 Council has delivered on the district’s largest ever capital works programme marked by significant investment in three waters, arts and culture and delivering homes for our people. The fruits of these efforts are already beginning to be seen with the recent completion of Toitō and the Municipal Building, water supplies at Waipātiki and Waimārama, and the beginning of significant residential construction across several sites in Flaxmere.

We have also implemented a new kerbside waste service that promises to reduce the amount of domestic waste going to landfill. At the same time, we have been working with the community and local business to bring increasing vibrancy to our CBD. This has been a focus of the Council this triennium as we recognise that a vibrant and flourishing CBD is important for the wellbeing of our residents. The Hastings CBD has been a hive of activity with a range of events such as the recent expanded and enhanced Blossom Festival and improvements to our streetscapes such as the Eastside Eat Street project.

The previous triennium was one of considerable uncertainty. COVID-19 forced us into new ways of working and saw a number of staff diverted to support local Civil Defence welfare efforts during the first and second lockdowns. Our community’s way of life was impacted significantly during this time and I’m proud of the way this Council responded with agility and innovation to meet the shifting needs of our residents.

Over the last three years the Council has been confronted with several once-in-a-generation reforms being pursued by Central Government. Three Waters reform, Resource Management Act reform and the Future for Local Government Review are all

challenges that the previous Council was introduced to, and ones that will have to be met during the 2022-25 Triennium which promises to be a time of considerable transition.

In the past triennium, the Hastings District Council has won countless awards and recognition at the national level. Our parks are the best in the country and our work in community development and housing has been recognised as an example of sector best practice. This is in no small part due to the commitment of the previous Council and the efforts of our staff.

Looking ahead to the next three years, our Council will continue to build on the momentum of the past triennium with a number of important projects nearing completion. By the time this report is presented, we would have had the opening for the Frimley Water Treatment and Storage Facility marking another major milestone in the implementation of our Drinking Water Strategy. With Waiaroha on track for completion by Matariki 2023, we would have invested over \$80m to ensure safe and reliable water supplies for our residents.

We are on track to support the delivery of a number of new residential subdivisions during the next three years. These include approximately 150 new homes on Council owned land in Flaxmere. Council has had a focus on Flaxmere for several years now and we are entering an exciting time for the area with both residential and commercial development occurring all across Pāharakeke. While Flaxmere remains a high priority for Council, we are now looking to have an increased focus on Camberley, working with Camberley whānau to understand their ambitions and assisting them to achieve their goals.

Planning for the future and ensuring Hastings is well placed to respond to coming challenges is a priority at present. We have recently commenced work on the Future Development Strategy with partners from Hawke’s Bay Regional Council, Napier City Council and Mana Whenua. Strong regional collaboration on this project will produce a coherent vision of how the Hastings-Napier Urban Area will grow over the coming years. Councillors can expect to see a Long Term Plan amendment soon and should also

prepare to be heavily involved over the next 18 months in the preparation of the 2024-34 Long Term Plan.

The next three years are expected to be challenging. While the Hastings Economy remains strong, our residents are facing cost of living pressures and inflation continues to be high. There is significant pressure on the Council to manage cost increases while continuing to deliver the services our residents expect. Key pieces of government reform remain uncertain at this point in time but will require Council to remain agile and adapt as required. I am confident that, together with our community, we can successfully navigate this challenging period.

I look forward to seeing Hastings District Council continue to deliver quality outcomes for our residents.



Nigel Bickle
Chief Executive



Hastings Trends and Data



Hastings high level indicators (year ending 30 June 2022)

Source: Infometrics Quarterly Economic Monitor (June 2022)

Indicator	Hastings (YE 30 June 2022)	Hastings change v previous Qtr	Hastings 3 year average	Current national average
GDP Growth (% Annual Growth)	1.4%	-4.3% ↓	3.97% ↓	0.9% ↑
Card Spending (% Annual Growth)	2.1%	-6.5% ↓	7.05% ↓	0% ↑
Employment Growth (% Annual Growth)	4%	+0.9% ↑	2.27% ↑	3.2% ↑
Unemployment (% Annual Average)	3.1%	+0.2% ↑	4.21% ↓	3.3% ↓
Jobseeker support (# Annual Average)	2899	-117 ↓	2884 ↑	-
Tourism spend (\$ Annual Spend)	\$167m	-\$4m ↓	\$160m ↑	-
Residential Consents (# per Quarter)	85	+11 ↑	127 ↓	-
Non- Residential Consents (\$ Annual Value)	\$211.6m	+\$17.2m ↑	\$158.6m ↑	-
House value growth (% Annual Growth)	16.3%	-2.4% ↓	19.52% ↑	9.6% ↑

Housing affordability ratio (Annual Ratio)	7.0	N/C	5.9	8.5
House sales (# Annual)	914	-72	1121	-
Rental affordability (Annual Ratio)	21.2	N/C	20.0	22.2

Economic Growth and Consumer Spending

The Hastings economy continues to grow at a rate exceeding the national average posting a 1.4% increase in GDP for the year to 30 June 2022. However economic growth in Hastings and the country as a whole is trending downward. This is in part due to rising interest rates and inflation, supply chain disruptions and worker shortages. Consumer spending grew modestly but any increases are being driven by inflationary pressures at present. In real terms, New Zealanders are spending less, and consumer confidence is low.

Employment

Despite the labour market being stretched, employment in Hastings rose 4% in the past year. This is driven by strong job gains in the horticulture and construction sectors along with healthcare, retail trade, professional services, and manufacturing. Unemployment remains very low, and the number of Jobseeker Support recipients has fallen for the fifth consecutive quarter.

Housing and Consents

Residential consents in Hastings have fallen below the three year average for the third consecutive quarter. House price inflation has also begun to slow as rising interest rates cool the housing market at the national level. House prices in Hastings are beginning to fall and this is likely to be reflected in future reporting periods which may positively impact housing affordability. Demand for housing is also having an effect on this as the number of annual house sales continues to decline. The 914 house sales recorded is the lowest since the March 2015.

Looking ahead

Economy and Employment

The economic environment is likely to continue to be extremely volatile for the next 6-12 months. The continued effects of high inflation, supply chain issues and worker shortages are projected to result in muted economic growth. Net migration outflows are forecast to continue well into 2023 meaning that current challenges with staff retention and recruitment are likely to remain.

However, almost two-thirds (60%) of Hastings Jobseekers are considered 'Work Ready' and their numbers were 38% higher in the June 2022 quarter compared with the (pre-pandemic) June 2019 quarter. These trends suggest that, with the right support, there are additional workers available. A significant effort is underway to meet seasonal employment needs over the coming months.

Housing

Rising interest rates and a cooling of demand is already contributing to declining house prices. Most forecasts expect prices to continue to fall until the middle of 2023. Nationally, residential consent numbers are expected to continue declining during 2023 and 2024 to a level that is more in line with pre-pandemic numbers. This is not expected to have a major impact on Council's residential enabling works but will continue to be closely monitored.

Population

Stats NZ recently released their population estimates for the Year Ended 30 June 2022. Population in the Hastings District rose 0.4% to 90,600. This level of growth is well below pre-pandemic levels and is reflective of low migration during the period of COVID-19 restrictions. It will be important for Hastings to continue to position itself as an attractive place for migrants as the borders reopen. This is necessary to ensure that jobs created by recent economic growth can be filled.

Economic Development



Overview

Note: Some economic data is delayed and takes longer to prepare hence the different reporting timeframes with some of the data quoted in this report.

Highlights for Hastings

- GDP increase of 6.1% for the year to March 2022. Hastings' growth exceeds the New Zealand average (5.2%).
- Provisional GDP was \$5,038 million in Hastings District for the year to March 2022 (2021 prices).
- Annual GDP growth in Hastings is slightly down from its peak of 8.5% in the year to June 2021.

Consumer Spending

- Electronic card consumer spending in Hastings District as measured by MarketView, increased by 2.1% over the year to June 2022, compared to a year earlier. This compares with no change in New Zealand.
- Around 40% of recent growth in spending is due to inflation, and underlying spending trends for larger and nonessential items has started to decline as consumer confidence remains low.

Employment

- Employment for residents living in Hastings District was up 4% for the year to June 2022, compared to a year earlier, higher than the national average of 3.2%
- An average of 43,137 people living in Hastings District were employed in the year to June 2022.

Unemployment Rate

- The annual average unemployment rate in Hastings District rose slightly to 3.1% (up from 2.9% in the previous quarter). This is lower than the national average of 3.3%.

Tourism Expenditure

- Total tourism expenditure in Hastings District decreased by 8.2% in the year to June 2022, compared to a year earlier. This compares with a decrease of 6.6% in New Zealand.
- The June 2022 year includes the half year of Delta restrictions and then half year of Omicron disruption, and compares to the boost in spending after the original Level 4 lockdown and strong performance at the start of 2021

Residential Consents

- On an annual basis the number of consents in Hastings District decreased by 17.8% compared with the same 12- month period a year before. This compares with an increase of 14.4% in New Zealand over the same period.
- The latest quarterly numbers for Hastings are well below the three year quarterly average (127).

Non-Residential Consents

- Non-residential building consents to the value of \$211.6 million were issued in Hastings District during the year to June 2022.
- The value of consents in Hastings District increased by 21.7% over the year to June 2022, compared to a year earlier. In comparison, the value of consents increased by 15.8% in New Zealand over the same period.
- Non-residential consent demand remains strong for Hastings.

Growing Meaningful Work and Higher Valued Jobs

FoodEast Haumako

Construction Update:

Earthworks on the site at Hanui Road have started (Press Release 25th October), with completion forecast for December 2022.

Building B is in the final design stage at Hastings District Council awaiting consent and it is proposed to construct a four-bay building which is larger than the original design. The estimated construction costs have been received from the Quantity Surveyor. The tenders for construction will be received on 10th November 2022.

Building A is in developed design stage with updated concept designs from RTA Architects presented to the board. The Quantity Surveyor estimate has been received. When the final stage is approved the designs will be tendered in January 2023. Construction is estimated to be completed in December 2023.

Innovation Workshop the FoodEast

Haumako Board of Directors invited young food entrepreneurs to participate and provide input. The purpose of the day was to begin to build the innovation business itself “the software” of FoodEast.

Representative from Kanoa provided discussion on their expectations. Attendees discussed the FoodEast Board skill set required to successfully launch and run the business. Two representatives from the New Zealand food innovation network spoke of lessons learnt in previous food innovation initiatives.

The following themes were discussed at the workshop:

- Update on timeframes
- Overview of ownership structure
- Funding
- Proposed staffing
- Key points MBIE contract
- Regional Economic Development Agency - Food & Beverage
- Defining and activating food innovation

- Developing the appropriate culture
- Enabling food innovation

Edmund Hilary Foundation Fellows

The Edmund Hillary Fellowship is a partnership between the Hillary Institute and Kiwi Connect that has created a world-first, impact-focused immigration programme, with its three-year Global Impact Visa offering a path to permanent residence for high-impact entrepreneurs and investors.

Great Things Grow Here has taken the opportunity to speak directly to these professionals about the wide-ranging potential of relocating to Hawke’s Bay, in a 45-minute video. This has resulted in meetings with three high net worth individuals looking to relocate to Hawke’s Bay with further engagement to continue in 2023.

Sustainable is Attainable

‘Sustainable is Attainable’ has been the focus of the Hawke’s Bay food and beverage programme, supported by the region’s five councils since August 2021.

Three areas of opportunity to engage in recycle/reuse have been identified and activated:

- Black Pallet Shroud, including atrial with Hawk Packaging
- Pallet strapping collection, shredding and reuse of the plastics into a polymer locally.
- Coordination of label backing recycling from the Apple industry.

The Bio-resource Processing Alliance (BPA) are funding a Masters Student to investigate by-product stabilisation unit that can stabilise waste streams during the “Season” for further processing at a later date.

The SiA cluster have identified a symposium on legislative changes potential impact on food producers/processors which will be delivered in November.

The 3R Group will host 3 students for 10 weeks to continue validation and identification of waste stream data from regional food processors.

Focus on Business

The business community welcomed Mavis Mullins as the speaker for Focus on Business on the 21st of September 2022. Approximately 240 attended the breakfast event at Toitoto to hear about Mavis's journey and lessons learnt along the way as she traversed from the shearing shed to an impressive list of commercial and governance roles. Planning is well underway for the next speaker; this will be held as a regional lunch event.

Great Things Grow Here

The website for Great Things Grow Here and online brochure for have both been refreshed to provide up to date regional information to attract business investment and talent to Hawke's Bay.

City Centre Strategy – 10 Year Review

The City Centre Strategy 10 Year Review is currently in phase one. This involves completing a stocktake of the goals and catalyst projects identified 10 years ago and identifying whether they have been actioned, the impact they have made and whether they are relevant for the next 10 years. Results from a survey are currently being collated and will be used to assist the next phase of the project which will start to look to the future and include more engagement with external stakeholders as well as input from external experts and advisory.

Guide for Buying, Leasing & Starting a Business in Hastings

The CBD Forum identified the need to have a guide that provided the public with more information about what to consider when buying and leasing buildings in Hastings including the Façade Enhancement Scheme, converting inner city commercial buildings to residential and rules around signage. A guide with all this information can now be found on Hastingsnz.com and has also been shared with the Hastings City Business Association and Real Estate Agents.

Matariki REDS

Matariki has been in a state of resuscitation since June 2022 with a return to more normalised living following the impacts of COVID-19 lockdowns and subsequent outbreaks in the Hawke's Bay communities. Relationships have been strengthened during COVID and there has been a renewed energy recently to work collectively to

achieve the original vision of Matariki 'Every whānau & every household is actively engaged in and benefitting from growing a thriving Hawke's Bay economy' as the region moves ahead.

In August 2022, Matariki Governance Group (MGG) supported Executive Steering Group's (ESG) approach to rescope Pou 1, 2 & 3, as priority Pou, to park Pou 4/5 until the Hawke's Bay Regional Economic Development Agency (REDA) is established, and to define priorities for collective action and agreement. This work commenced during August and September.

In October 2022, MGG agreed with ESG's position of key priority focus for the Matariki plan as:

1. Equity & Opportunities
2. Housing
3. Progressive Procurement
4. Climate Change.

Other priorities within each Pou exist but these were the ones that linked across Pou, could be leveraged across actions and would positively impact growing and prospering communities and the economy.

The three Pou have now reshaped their actions and are working through key performance indicators that will help measure progress and success, and an outcomes reporting and monitoring framework is in development.

It is anticipated that at the December 9th MGG/ESG meeting that MGG will review the current plan draft and framework and support finalising their development.

Industrial Land



Ōmāhu Road (North) Industrial Zone

In the first quarter of the 22/23 Financial Year, there were four building consents and one resource consent submitted for activities in the Ōmāhu Road North zone. These include a building consent for the rebuild of front of house facilities for a long established winery on Ōmāhu Road, part of a greater redevelopment of the facility.

All the recent, major infrastructure work has been completed for the zone. Additional road improvements and urbanisation from Wilson to Jarvis Roads are expected to begin in early 2023 with the works taking place over approximately 12 weeks. This is the first of two stages of works.

Irongate Industrial Zone

Two building consents and three resource consents submitted for activities in the Irongate Industrial Zone. These include a building consent for an 18,640 square metre coolstore, Stage 2 of an already existing large coolstore. Stage one of the development included a 12,635 square metre coolstore which has been in operation for three years.

The award for works associated with the construction of the new roundabout at York and Maraekāhō Roads is expected to occur in the new year.

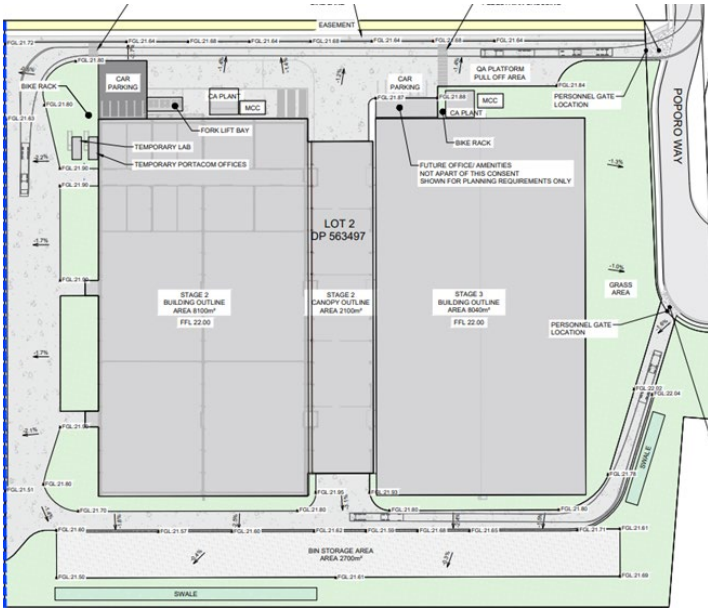


Image of a new 18,640m2 coolstore planned for the Irongate Industrial Zone

Council Controlled Organisations



Foodeast

The key focus this quarter has been the completion of the high-level redesign of the buildings within a reduced construction cost envelope. Quantity surveyor estimates have been provided for the redesign work and final quotes are expected in November. The estimated construction cost is now slightly above the prior estimate of \$10m, largely driven by an increase in the size of Building B to utilise the site more efficiently. This is expected to generate additional income streams.

The directors of FoodEast Haumako and BWR Chartered Accountants have been working through their audit completion for the 2022 financial year with an expected publication date of the annual report in October.

Horse of the Year (Hawke’s Bay) Limited

Horse of the Year organisers are in full swing with planning for the 2023 event. Following Council’s decision to support Horse of the Year (Hawke’s Bay) Limited with financial support, stabling has been ordered from Australia and is on track to be received as expected.

Hawke’s Bay Airport Limited

2023 looks bright for Hawke’s Bay Airport. Flight schedules have returned strongly and are edging close to pre-COVID levels (60,000 passengers per month) which is a fantastic sign of the demand for travel to and from Hawke’s Bay. There are several contributing factors to the recovery and of course Hawke’s Bay’s thriving horticultural and commercial sectors are a big driver but one of the major factors behind the rebound is that Hawke’s Bay is a wonderful place to live, work, and visit.

Completion of the terminal and forecourt has taken longer than anticipated due to supply shortages of materials, COVID-19 workforce shortages, weather events, and

design updates. The final stage of the development saw the forecourt opened and blessed in November.

Health, safety, and security remain a key focus. Safety and security are embedded at every level of the airport’s operation.

The Board remains committed to its goal of becoming New Zealand’s most sustainable airport. Even with the ongoing impact of COVID-19 on the business, strong progress was made toward this goal by securing sustainability-linked funding from ASB; the first of its kind for a New Zealand airport.

To diversify its revenue streams, progress is being made on plans for a large-scale solar farm. The proposed development would be the first large-scale photovoltaic installation on airside land and would make Hawke’s Bay Airport the first solar-powered airport in New Zealand. They have set themselves the goal of achieving carbon neutrality by 2030.





Residential Growth



Please note: This section is for information purposes only.

Discussions and decision making regarding housing and growth-related initiatives will be held through the Strategy and Policy Committee.



Proposed Plan Change 5

Council is currently consulting on changes to its District Plan which seeks to make it easier to build more houses in our residential areas; for example, terraced homes, low rise apartments and three storey homes.

Consent applications that meet the proposed intensification rules will proceed without notification.

As well as meeting the Government’s directive, we will be providing homes without impacting on the Heretaunga Plains, and homing our people near where shops, parks and community facilities are sited.

Through this change we will ensure that the design and quality of homes is high, by measuring consent applications against the ‘design rules’ in the Hastings Residential Intensification Design Guide.

Residential Areas of Interest

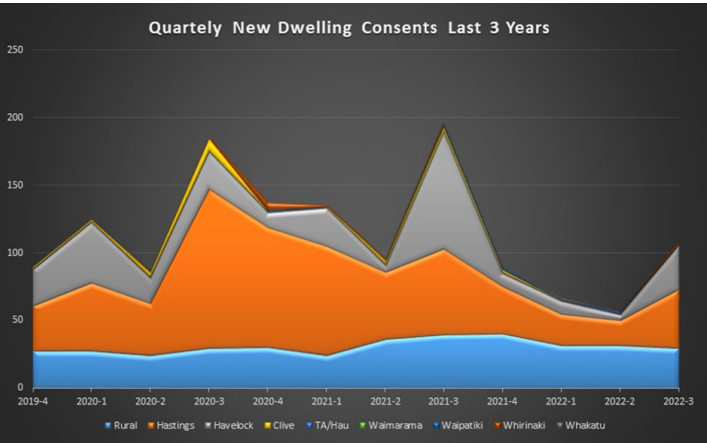
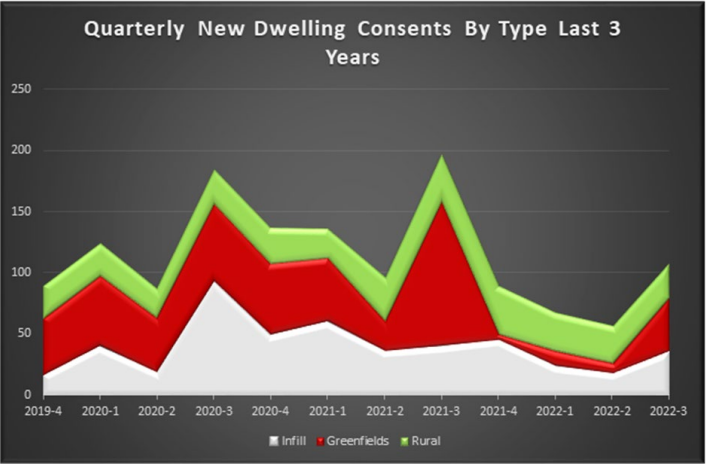
The list below provides a snapshot of residential subdivision activity over the third quarter of 2022 (July to September 2022).

Location	Description	Number of Lots
Te Awanga Downs	Titles have been issued on 45 residential lots and construction is underway.	45
Brookvale	Construction is underway to create 96 residential lots. Earthworks consent lodged on Area B	96
Tōmoana Road	Consent has been granted for a 5 lot Unit Title Comprehensive Residential Development	5
	Construction is underway on a 7 lot Comprehensive Residential Development	7
Keirunga, Havelock North	Consent has been granted for a 19 lot subdivision.	19
Havelock Road	Construction is underway for an 8 Unit Title Comprehensive Residential Development	8
Frederick Street	Construction is underway to create a 8 Unit Title Comprehensive Residential Development	8
Tōmoana Road	Consent has been granted for a 5 Unit Title Comprehensive Residential Development	5

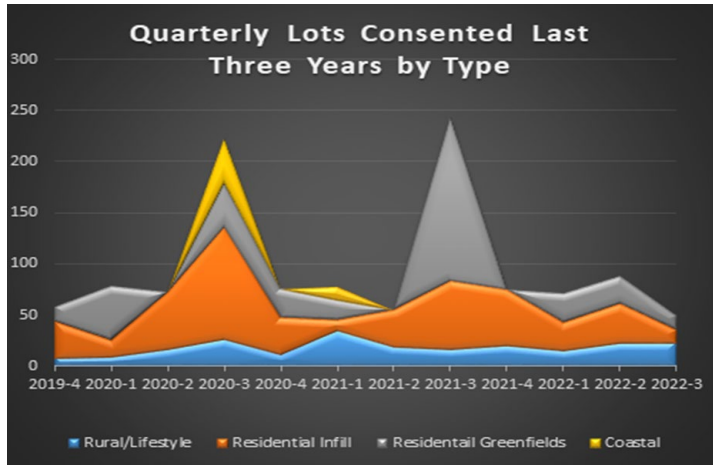
Lyndhurst	Titles (10x) issued on the first stage of a 50 lot subdivision	50
	Titles (31x) issued on first stage of a 62 lot subdivision	62
	Titles (31x) issued on first stage of a 62 lot subdivision	28
	Consent has been granted for a 28 lot subdivision	
Flaxmere	Construction of service is nearing completion on a 32 lot residential subdivision at 244 Flaxmere Ave.	32
	40 lots planned for Flaxmere Town Centre	40
	60 lots planned for the 72 Caernarvon Drive Block	60
	12 social houses planned for 80 Caernarvon Drive (Wesley Community Action/MHUD)	12
Oliphant Road	Consent has been granted for a 8 Unit Title Comprehensive Residential Development	8
Southland Road	Earthworks consent has been approved for a Comprehensive Medium Density development	20+
Howard Street	Consent has been granted for a 9 lot subdivision (Stage 1)	9
Total		514+

Dwellings Consented

New dwelling consents remain steady in Quarter 1 for most types of development, although there was an increase in Greenfield dwelling activity, reflecting the recent issuing of titles in Lyndhurst Stage 2.



New lot creation continues to trend upwards for the rural/lifestyle sector, with Greenfields remaining steady. There was a marked decline in Infill consents this quarter although a number of HNZ/KO proposals have been recently lodged which may see that corrected in future quarters.



Kāinga Ora Plans for Hastings

The Regional Housing Programme, as stated by Kaingā Ora, makes the most efficient use of land to build hundreds of new warm and dry homes, to meet the demand for more state housing across the country.

The development programme is accelerating with over 150 residential dwellings now completed. Kaingā Ora plans to deliver 300 household units in Hastings between January 2022 and July 2024. Significant residential developments have recently been completed in Kauri Street and Cunningham Crescent.

Update on Greenfield Development Areas

Lyndhurst Stage 2, Frimley, Hastings

41 new titles recently issued with construction of new dwellings underway.

Te Awanga Downs, Te Awanga

45 new titles recently issued with construction of new dwellings underway.

Flaxmere, Hastings

Development in Korowai St and Whariki Cres continues to progress with landowners now having lodged building consents and construction underway on 84% of sites, 20 residential units are currently being lived in.

Enabling works at 244 Flaxmere Ave are 95% complete, awaiting the installation of the Wastewater pump station, due to occur in December 2022.

The Flaxmere Town Centre development is progressing with civil works anticipated to be completed in February 2023

New World Supermarket lodged building consent for its new site in December 2022 and is expecting to commence construction in March 2023.

Downer have been awarded the Civil Works package for 72 Caernarvon Drive. Ground was broken early October, with Earthworks well underway.

Council is negotiating with developers in order to deliver the housing outcomes for the community, Council anticipates having these development agreements in place December 2022.

Brookvale Road, Havelock North

An earthworks consent has been submitted for land located within Area B.



Brookvale Future Subdivision

Howard Street, Parkvale, Hastings

Consent granted for nine residential sections. Work on the bulk services and roading started in September and are programmed to be complete in November 2023.

Structure Planning Update

Structure Planning is being undertaken for the following HPUDS identified growth areas:

- Irongate/ York
- Lyndhurst Extension
- Kaiapo Road

Council will carefully monitor the levels of growth to decide when the rezoning of these areas will be required. Council has identified Irongate/York as a priority area.

Growth Management

As part of its focus on delivering homes for its people, Council is planning development capacity for future residential development (as well as for industrial and commercial development). This work involves strategic planning for growth, planning and commissioning of growth infrastructure and funding of growth infrastructure.

Future Development Strategy

The National Policy Statement on Urban Development 2020 (NPS-UD) requires Council to provide at least sufficient development capacity for housing and business land. In planning for this development capacity, the Council, together with Napier City Council and the Hawke's Bay Regional Council, is required to prepare a Future Development Strategy (FDS) for the Napier-Hastings Urban Environment. The purpose of the FDS is to broadly set out where development capacity will be provided over the next 30 years to meet demand, to assist integrating planning decisions with infrastructure planning and finding decisions and to help achieve a well-functioning urban environment. The FDS needs to be completed to in time to influence the next Council Long-Term Plan, by June 2024.

Activity completed in this reporting period:

- Agreement to undertake and co-fund FDS developed and signed between Napier City, Hawke's Bay Regional and Hastings District Councils
- Procurement exercise for FDS planning and project management services conducted; Lead consultant (Barker and Associates) appointed
- Information gathering work to support FDS development carried out
- Māori engagement discussions initiated

Regional Spatial Strategy

The Government has signalled via its proposed Strategic Planning Act that it will introduce a requirement for regions to undertake Regional Spatial Strategies (RSS). The RSS will address spatial planning across the Hawke's Bay Region, integrating decision-making at both local and central government levels, and involving council, iwi/Māori and Government agencies. Councils in Hawke's Bay wish to commence development of the RSS as soon as possible and have commissioned a Scoping report.

Activity completed in this reporting period:

- Initial work on the scoping report for a Hawke’s Bay RSS undertaken – first partner and stakeholder interviews conducted; scoping issues assessed
- Māori engagement and participation processes in discussion
- The scoping report is likely to be presented to partner Councils in early 2023

Local Area Plans

Council has recently had its Medium Density Housing Strategy reviewed. One recommendation from the review was to develop Local Area Plans (LAP) for areas where medium density housing is to be specifically provided for. LAPs will serve a similar purpose in brownfield, medium density areas as structure plans do in greenfield areas, ensuring infrastructure, amenity and planning decision-making are integrated at a local level to deliver positive urban outcomes. Work to initiate the programme of LAPs has recommenced.

Activity completed in this reporting period:

- Assessment of Medium Density Strategy Review recommendations and analysis
- LAP Programme Manager role designed and advertised

Growth Infrastructure

As well as enabling development capacity within the FDS and planning tools, Council needs to ensure development capacity is infrastructure ready on a timely basis. Recent rapid growth in Hastings has used up a significant proportion of available infrastructure capacity, particularly in the urban wastewater network.

Essential Services Development Constraints Report

An analysis of existing infrastructure networks is being undertaken to identify constraints to growth. Activity completed in this reporting period:

- Wastewater network modelling undertaken
- Consultant support for Programme Manager: Growth Infrastructure engaged
- Constraints Report analysis and preparation significantly advanced

The draft Constraints report should be complete in November/December 2022. The work done to date, together with the business case work referred to below, has already enabled a number of required main trunk wastewater investments to be identified.

Wastewater Growth Infrastructure Business Case and Commissioning

Network analysis commenced in 2021 identified that additional wastewater network capacity was critical in order to cater for planned and future growth, including in the short-term. Options for delivering additional network capacity were developed, and a programme for refining and selecting an option initiated.

Activity completed in this reporting period:

- Wastewater Growth Infrastructure Business Case developed and submitted to Kāinga Ora as part of Infrastructure Acceleration Fund negotiation process
- Business Case refinement in progress
- Design and commissioning of main trunk wastewater projects (Irongate/York to Ōmāhu, Ōmāhu/SH2 to Coventry and Karamū/Waipatū to Otene Link) initiated in conjunction with Major Capital Projects team

Essential Services Development Plans

Essential Services Development Plans will be developed for each category of infrastructure (i.e., wastewater, drinking water, stormwater, transport, parks and reserves, community facilities) alongside and informed by the FDS. These will set out where and how (and at what cost) infrastructure capacity will be provided to cater for growth. Work on these plans will commence early 2023.

Long-Term Plan Amendment

Given the scale of investment required and the likely timing of investment relative to the Government’s Three Waters reforms, an amendment to the Council’s Long Term Plan is to be considered.

Council will be briefed on the proposed growth planning, growth infrastructure and funding approaches in the period October to December 2022, with consideration of the draft LTP amendment in February 2023.

Growth Infrastructure Funding

A key component of the future growth programme is funding of required growth infrastructure. Development Contributions are the primary mechanism for Council to ensure the growth community pays a fair share of the costs incurred in providing infrastructure to cater for growth demand. Council is also attempting to reduce costs of infrastructure provision by applying for Government funds made available for infrastructure to enable housing.

Infrastructure Acceleration Fund (IAF) Funding

Council has been successful in gaining IAF funding from Government of \$18.5 million to assist in constructing infrastructure to enable housing development. This will contribute toward the major wastewater projects identified above, in addition to wastewater, drinking water and transport projects to support papakāinga development

Development Contributions Policy Review

Council is undertaking a review of its Development Contributions Policy aligned with the proposed infrastructure investment outlined above. This will be considered by Council as part of the Annual Plan and LTP Amendment. In the reporting period, assessment of the impact of proposed investment on development contributions has commenced.

Papakāinga

Council staff have been working to assist the development of a number of papakāinga projects where such assistance is useful or necessary. This assistance has included incorporation of enabling infrastructure projects within Council's IAF application, facilitation of planning and infrastructure solutions, and assistance to access various Government funding schemes.

Consents

Resource Consents

Total resource consents received July – September 2022	143
Applications received that required further information from the applicant before they could proceed to decision	68

Themes/Notable Consents

There remains a number of complex resource consents (land use and subdivision) being submitted across all areas of development e.g. commercial, industrial, residential. The number of resource consents received for the year to the end of September (420) is about four weeks ahead of 2020, but around four weeks behind last year (2021).

Notable consents include:

- Kāinga Ora – Hood/Beatty Street 24 new dwellings.
- Council's 206 Queen Street West development for apartments, car parking and open space.

Means of managing

Recruiting

We remain at high workloads with a number of complex consents coming off hold (RMA s92) and being continued to be processed, high levels of pressure remains in terms of consent processing requirements and related enquiries.

Use of consultants to process resource consents on behalf of HDC

We continue to use consultants where they are available to process resource consents. In the past we have used consultants for more complex consents only and we wish to return to this approach.

In the meantime, we have been continuing to use them for more simple to medium complexity consents when required. Council’s internal Planning Policy team has also been assisting consents staff with processing.

Consent timeframes

Due to the overall complexity, backlog of consents that are coming off hold, and total number of resource consents received, there remains a challenge to meet the statutory working day timeframes on resource consents. Over August - September, we have been making progress on reducing the amount of consents going over 20 working days.

Building Consents

Building Control	April – June 2022	July-September 2022
Amendments Issued	87	101
Amendment over Time	32	37
Amendments % compliance	63%	63%
CCC Issued	345	433
CCC overtime	18	25
CCC % compliance	95%	94%
BC Granted	389	349
BC overtime	135	112
BC % compliance	65%	68%
Value of Building Work	\$98,499,538	\$129,157,017
BC Accepted	403	359
New Dwelling Consents	53	69

Notable Consents include:

- Construction of new private hospital – Stage 2 or 3 part building consent (architectural envelope, internal fire-rated inter-tenancy walls, lifts) – Orchard Road.
- Coolstore and Canopy – Stage 1: Earthworks, foundations and slabs and structural steelwork – Poporo Way.
- Stage 3 Packhouse envelope, services, finishes. Fire report, stairs, access platforms and linkways – Anderson Road.
- Stage 7 Units – 43-46, 57, 59, 61 63 & 65, Stage 9 Units – 47-56, 77, 78, 80, 82 & 84 – Te Aute Road.
- New Factory and Office – Poporo Way.
- New Teaching Block – Karamū Road South.
- Development of Lot 2 DP 27978 to be 12 residential lots as new multi-proof dwellings – Dennis Place.

Other

- Inspection team fully staffed. Inspection timeframes are coming down and are presently down to 15/16 days from a high of 26 two months ago.
- Main issue at the moment is meeting the 20 day compliance. However, the processing teams have staff dedicated to working consents less than 20 days.
- There are still a number of over 20 day consents especially in commercial areas.

Community Housing



Senior Housing

We welcomed Leon and Jada to our team who are looking after Senior Housing with our previous manager leaving. From Te Taiwhenua o Heretaunga, Leon is the Tenancy, Property and Maintenance Manager and Jada is the Senior Housing Cadet. This brings opportunities for our tenants to receive added benefits through Te Taiwhenua o Heretaunga, such as health and wellbeing services.

Throughout September the six-monthly property inspections were completed. This gave Leon and Jada the opportunity to meet the tenants.

As we move into summer the tenants have been preparing their gardens with spring flowers and vegetables.

A Request for Quote is currently out at present for a Healthy Homes Assessment.



Roads and Transport



Key Routes - Corridors and Roundabouts

Karamū Road corridor / St Aubyn Street corridor

Final corridor study will be reported on to Strategy and Policy Committee in the second quarter of the 2022/23 financial year.

- Pākōwhai Road corridor (Maraekākaho Road to St Aubyn Street)

Revised study was received in July 2022. Further investigation being undertaken to identify practicable options. Looking to report to Council in the second quarter of the 2022/23 financial year.

- North Eastern corridor (longer term)

Funding for the development of a Single Stage Business case approved by Waka Kotahi. Stantec has been engaged to undertake this phase which will confirm the preferred alignment at the first stage, and preparation of the assessment of environmental effects associated with the preferred option at the second stage.

-

Efficient Streets

LED Street Light Conversion

Tree trimming and luminaire cleaning has commenced through the maintenance contract to increase illumination on streets with sub-standard lux levels. Kiwi Street lighting upgrade is underway.

Walking and Cycling

Complete network development strategy

- Tauroa Road shared path – Design for Phase 2 (to Chambers Carpark) underway.
- Middle Road shared path – Construction complete.
- Skills training in schools has continued as possible around school holidays. Training programmes have been delivered to several schools, and have included cycle and scooter skills, and excursions to the skate park.

Ageing Roads

Safety Improvements

- Ruahāpia Road / Otene Road boy racer prevention trial installed in April has been positive so far and it is having the desired effect at this location. Construction is beginning in November for the Ruahāpia Road north section.
- Maraekākaho Road / Stock Road intersection safety improvements completed.
- The design for St George’s Road / Hassalls Lane intersection and curve safety improvements is complete. Construction to begin in the 2022/23 financial year pending available budget.
- Napier Road / Crosses Road roundabout will be operational by mid-November 2022. All other incidental work such as landscaping to be completed by mid-December 2022.
- Caroline Road / Frederick Street improvements - traffic study completed. Two options – traffic signals or a roundabout – are currently being modelled further to identify the preferred option to take forward.

- Maraekākaho Road / York Road roundabout – tender documents in preparation with contract to be tendered later this year.
- Whakatū Traffic Calming construction is complete.

Renewals

- Maintenance resealing of rural network commenced in October 2022.
- Maintenance resealing of urban network to commence in February 2023.
- Traffic services - Line marking renewals complete.
- Eastbourne Street 300 block asphalt resurfacing including the Hastings/Eastbourne Street roundabout to be completed in conjunction with streetscape upgrade works.
- Mt Erin Road. The construction was split into two separable portions 1 and 2:
 - Separable portion 1: Starting from Crystal Road for 1km - Construction complete.
 - Separable portion 2: Consists of the remainder of Mt Erin Road and Te Aute/Mt Erin/St George's Roads intersection for safety improvements. This work is underway with completion end of November 2022
- Design work underway for the following sections – Waimārama Road RP 12950 - 14000, Kahuranaki Road RP 7480 - 8450 and Te Mata Peak Road RP 340 – 2650



Bridges and Roads



Bridge Strategy

Strengthening Programme

- Officers are reworking existing budgets due to cost and minor scope increases. A report will be taken to Council and RCB to consider options for funding.
- Tawa and Heays Gorge Bridge works are underway and the work is expected to be complete in November.
- Peach Gully bridge works underway
- Awanui bridge works to commence in January 2023
- Aroapaonui, Lambs and Kaiwaka to be tendered in December 2022

Ageing Roads

Renewals

- Unsealed road metalling – ongoing activity with a focus on logging routes.
- Te Mata Peak Road, Waimārama Road in design. The scope/scale/options for the upgrade and renewal of Te Mata Peak Road will require further discussions with Council.

Storms

October storm event – clean up still progressing. Overall cost estimated at +/- \$200k.

Rural Support



Rural Halls Funding

Maintaining and enhancing the district’s rural halls is an important way to support the wellbeing of rural communities.

Council supports 21 halls in the plains and rural district of Hastings. In the 2022/23 year, the Rural Halls Subcommittee allocated just over \$130,000 for a variety of improvements, earthquake assessments and upgrades to nine halls.

- Tūtira Community Hall - \$17,861 – to install a new septic system.
- Waikare and Districts Sports Club - \$6,300 – to upgrade their water filtration system.
- Pākōwhai War Memorial Hall - \$11,500 – towards roof repairs.
- Poukawa Hall - \$2000 – towards replacing the main heritage doors.
- Kererū Hall Society - \$17,151 – towards bathroom renovations.
- Clive Community Hall - \$3,254 – to repair water damage and lighting.
- Sherenden Hall Society - \$1,800 – to install gutter guard.
- Matapiro District Recreation Society Inc - \$2,036 – Maintenance of their accessibility ramp.

Kaiwaka, Tūtira, Sherenden, Pākōwhai, Kererū, Matapiro Halls all also received a share of \$70,000 to enable detailed earthquake assessment and strengthening reports to be undertaken.



3 Waters



Transition

- 3 Waters National Transition Unit (NTU) is requesting information and working directly with HDC staff in the areas of People & Capability, Finance, ICT, Growth, and of course, 3 Waters. The multiple requests for information and workshops have covered; employment conditions, organisational design, debt, LTP and 30 year forward work programs, operating expenditure, systems information (from records management to operational technology), compliance readiness, stormwater, emergency response and engineering code of practice.
- HDC made a submission and presentation to the Select Committee about Water Services Entities Bill #1 in August. At time of writing there has been no response from the Select Committee on Bill #1, and Bill #2 has not been introduced into parliament. Indications are that Bill #1 will have its second reading and Bill #2 will have its first reading before the end of the year.
- Hawke’s Bay GMs have been working on how we can have a sub-regional approach to working with the NTU and the council related works that the NTU are not considering, such as how the councils will function when 3W is gone. Morrison Low is engaged to coordinate the work.

Water Supply

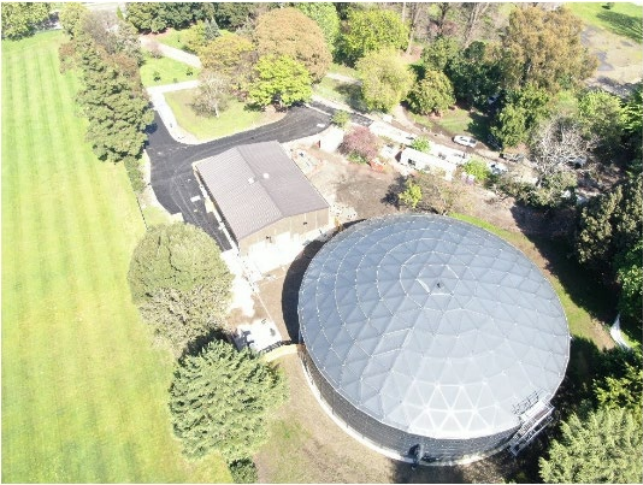


Drinking Water Strategy

Work is continuing in accordance with programme and schedule, with the following major components undertaken during the reporting period.

Frimley

- All three new bores have been installed within the park, with headworks, pipework and pump installation complete and available for commissioning. Protective covers are to be installed over each bore.
- Reservoir tank has been full of water over the past six months to induce any settlement, with monthly settlement survey showing acceptable results.



Frimley Plan View

- Water treatment plant construction is now complete with pumps and motors, UV reactor units, treatment equipment and major wiring now completed in preparation for the testing and commissioning phase. Pre commissioning is now complete, with wet commissioning planned through November. Exterior works are also substantially complete with access road construction and fencing complete and final groundworks tidy up in progress.
- Work on the demolition of the former works depot yard in Frimley Park has been completed except for the clay shed which will be demolished once the old WTP can be switched off.



Frimley Water Treatment Plant Building



Frimley Reservoir

Waiaroha

Work is concurrently progressing on this project, with the following work completed during the reporting period:

- Reservoirs – Both tanks are now complete to full height and are being filled with water for leak and settlement monitoring. The addition of architectural fins has commenced on the southern tank.



Southern tank Architectural Fin installation

- Bore – Work commenced on the new Eastbourne bore on site on 17 September and is due for completion prior to Christmas. This new bore will be integrated with three of the existing Eastbourne bores, providing water to the Waiaroha plant.



New Eastbourne Bore

- Water treatment plant – The ground works have been completed during the period and the installation of the concrete wall panels and pour of the main floor is near complete. The focus up to Christmas is installation of the roof structure and roof.



Water Treatment Plant Building

- Waiaroha Education Building – Work is also proceeding concurrently on this project, with the primary foundations works now complete. A date has been committed to of 13 July 2023 – Matariki - for a scheduled opening of the Waiaroha project.
- COVID Impacts –While the actual impacts of COVID by way of sickness are becoming less of an issue for work on the ground, we are still being affected by;
 - Delays on some relatively minor but key items of equipment.
 - Material costs increases, across the board.
 - Competing demands as contractors and subcontractors attempt to manage workloads.
 - Staffing and resource challenges in the contracting market.

Small Community Water Treatment Upgrades

Work on the Small Community upgrades is nearing completion.

- The Parkhill Booster Pump upgrade is completed and in operation.
- Waipātiki - This plant is in the final stages of testing and commissioning and is anticipated to be in full production by mid-November. A site blessing (completed by Bevan Taylor, Maungaharuru-Tangitū Trust) and community open morning was held on Saturday 15th October.
- Whakatū - Construction of the plant and reservoir is complete. Electrical fitout is 90% complete and commissioning and testing of the plant is expected to commence early December. It is anticipated the plant will be in full production early in the new year. Works on the associated Ngāruroro Avenue Reserve park upgrade was hampered by the wet weather over winter and early spring however is now progressing well. The park upgrade is due to be completed late November and expected to be opened to the public early December.



New Ngāruroro Avenue Reserve Park Shelter, Whakatū

Demand Management Strategy

- There was a Council workshop on the Water Conservation and Demand Management Strategy in late August to inform council of the options that will be analysed in the integrated water cycle management approach used in this strategy review. We expect to provide draft findings in the first quarter of 2023.
- Water use and fault counts are being monitored on an ongoing basis and targeted leak detection has occurred in Haumoana/Te Awanga and Flaxmere. The next step is the investigation and repair of the potential leaks where increased usage is identified.

Renewals and Consent Compliance

Renewals

- The Drinking Water component of the Eastern Interceptor project has been progressing well and is programmed to be completed in October.

Consent Compliance

- The annual Drinking Water compliance monitoring report was provided to HBRC as required in early October.
- Targeted works were identified to resolve some minor non-compliance issues within the current reporting period relating to specific high use within the Ōmāhu and Haumoana Supplies.
- Minor non-compliances from previous reporting periods associated with the need to decommission disused bores and verify meters are being completed alongside WTP upgrades as agreed with HBRC.
- An amendment to the Hastings Urban consent was lodged in May 2022 seeking to allow a step under the consent to occur earlier and to transfer allocation from two consents that are not currently being exercised into the Hastings Urban consent. This action along with prioritisation of works to continue to reduce leakage and demand will help future growth to be facilitated within the bounds of the consented allocation in the immediate future. The consent amendment has since been approved. Further investigation occurring in this space is mentioned in the Demand Management Strategy section of this report.

Drinking Water Standards Compliance

- Subject to final audit, all HDC drinking water supplies are assessed as compliant with the Bacteriological compliance criteria for Quarter 1 of the 2022/23 compliance year.
- Subject to final audit, all drinking water supplies capable of meeting the Protozoal compliance criteria have been assessed as compliant for Quarter 1 of the 2022/23 compliance year. Refer to the Drinking Water Strategy section of this report for progress towards implementing treatment to allow all sites to meet Protozoal compliance.
- Taumata Arowai has published the new Drinking Water Standards, Drinking Water Aesthetic Values and Drinking Water Quality Assurance Rules. The new standards and rules come into effect on the 14th November 22 with reporting against the new criteria required from 1 January 23.
- Works are in progress to ensure practices, documentation, monitoring and reporting is updated in line with the new requirements.

Wastewater



Eastern Interceptor Trunk Wastewater Main (Stage 2)

- This contract was advertised, and tenders are closing in October.
- The supply of the glass-reinforced pipes (GRP) was awarded, and the pipes are being manufactured.

Maraekākaho, Campbell, Bledisloe Upgrades

- Work has started on these works with Maraekākaho programmed to be completed in October.

Inland Trunk Sewers – Relining

- This 5-year term contract was advertised and tenders are closing in November.

Inland and Urban Wastewater Trunk Investigations

- This 5-year term contract was advertised and tenders are closing in October.

Pump Station Upgrades

- Condition assessments to inform the renewals strategy are on-going

Treatment Plant Renewals

East Clive

- The Nine Yearly Review of the consent is underway with workshops planned with the Tangata Whenua Wastewater Joint Committee to develop the scope of the review.
- Planning for the renewal Steel Manifold section of the ocean outfall is underway. This critical infrastructure is in poor condition and will require a specialist contractor(s) to be involved.
- Planning for the commissioning of the Emergency Beach Outfall is currently underway.
- The East Clive Waste Water Treatment Plant control system upgrade project has been restarted after putting on hold to allow the Water Treatment Plant commissioning program to advance as a priority.
- Several key minor renewals projects have been completed and are underway to ensure the ongoing high standard of treatment of the district’s wastewater.
- Renewal planning is ongoing to ensure key renewals are identified and funded over the next 10 years.

Waipātiki

- A pathway forward has been identified to resolve compliance issues (see below for compliance issues).

Consent Compliance

East Clive

- Routine quarterly sampling has been completed for the first quarter of the 2022-2023 reporting period with no complications.
- Annual compliance report has been submitted to HBRC for 2021/2022. The WWTP had a non-compliance event following the overflow at the Whakatū Diversion Chambers which results in approximately 140m³ of domestic wastewater being discharged into the industrial sewer which lead to a non-compliance of condition 5b of the discharge consent at East Clive WWTP
- HBRC are still yet to release a compliance summary report for the 2020-2021 compliance period.

Waipātiki

- Routine quarterly sampling has identified that the wastewater treatment plant is not meeting the effluent quality required of the consent. This is due to its inability to denitrify and remove nitrate.
- HBRC have been notified and we have agreed on a pathway forward to becoming compliant in the interim while investigations are carried out as part of the consent renewal process. Investigations are ongoing to determine the cause of the compliance issue.

Reticulation

- No overflows into the receiving environment have occurred for this quarter

Trade Waste

- As part of our routine compliance inspections, officers monitor compliance with the trade waste users to confirm that they are operating within their approved conditions. This work is ongoing and ensures that industrial discharges do not impact on our resource consent or create adverse conditions within our piped network, e.g. hydrogen sulphide which corrodes the internal concrete linings.

Stormwater



Stormwater Quality Improvement

Lowes Pit

- Officers and consultants have developed a three barrier “multiple barrier” approach to manage stormwater pollution in and around Lowes Pit and the wider Ōmāhu Industrial Area.
- Construction works commenced July 2022 with an expected completion in November 2022. Due to discovery of a small quantity of dumped asbestos concrete pipes onsite, subsequent investigations required to clear the site for construction to continue as well as unusually high water levels within the pit the project has been delayed. Site works are now expected to be completed March 2023.
- Initial discussions with HBRC and Iwi on the proposed Barrier 1 strategy prior to approaching high risk Ōmāhu industrial sites on “at source” stormwater pollution management requirements were held toward the end of 2021. On 12 January 2022, iwi representatives visited Lowes Pit to see the area first-hand and to gather information on water quality.

•

Updated Lowes Pit Delivery Programme	
Industry onsite stormwater pollution management strategy confirmed	June 2022
Construction of first flush and end of pipe systems	July 2022 – March 2023
Implementation of industry stormwater Pollution Management Strategy	2023

Consent Compliance

- The annual stormwater compliance monitoring report was submitted to HBRC on Friday 5th August in line with the new ‘global consent application’ rather than 5 individual reports. This report is still with HBRC. No feedback has been received to date.
- The global stormwater consent application submitted to HBRC in February 2022 is presently on hold with HBRC while discussions are continuing with mana whenua as part of co-governance.
- A programme of compliance monitoring is proposed to be developed on the back of the initial investigations in the Ruahāpia and Ōmāhu Road areas with SCO consultants continuing to provide additional support. HDC is proactively trying to work with industry to improve compliance and the quality of stormwater in the Ōmāhu and Tōmoana/Ruahāpia areas.
- Industrial development consent applications are being regularly received by HDC and this is increasing the workload for processing, auditing and future monitoring.

Refuse



WMMP Waste Minimisation

Henderson Road Refuse Transfer Station and Blackbridge Refuse Transfer Station
(Blackbridge is operated by Bin Hire Company)

- A project to make improvements to the Henderson Road Refuse Transfer Station to increase resource recovery is in the initial stages.
- Repair work has been completed to strengthen the concrete corners in pit entry at Henderson Road. See photo below.

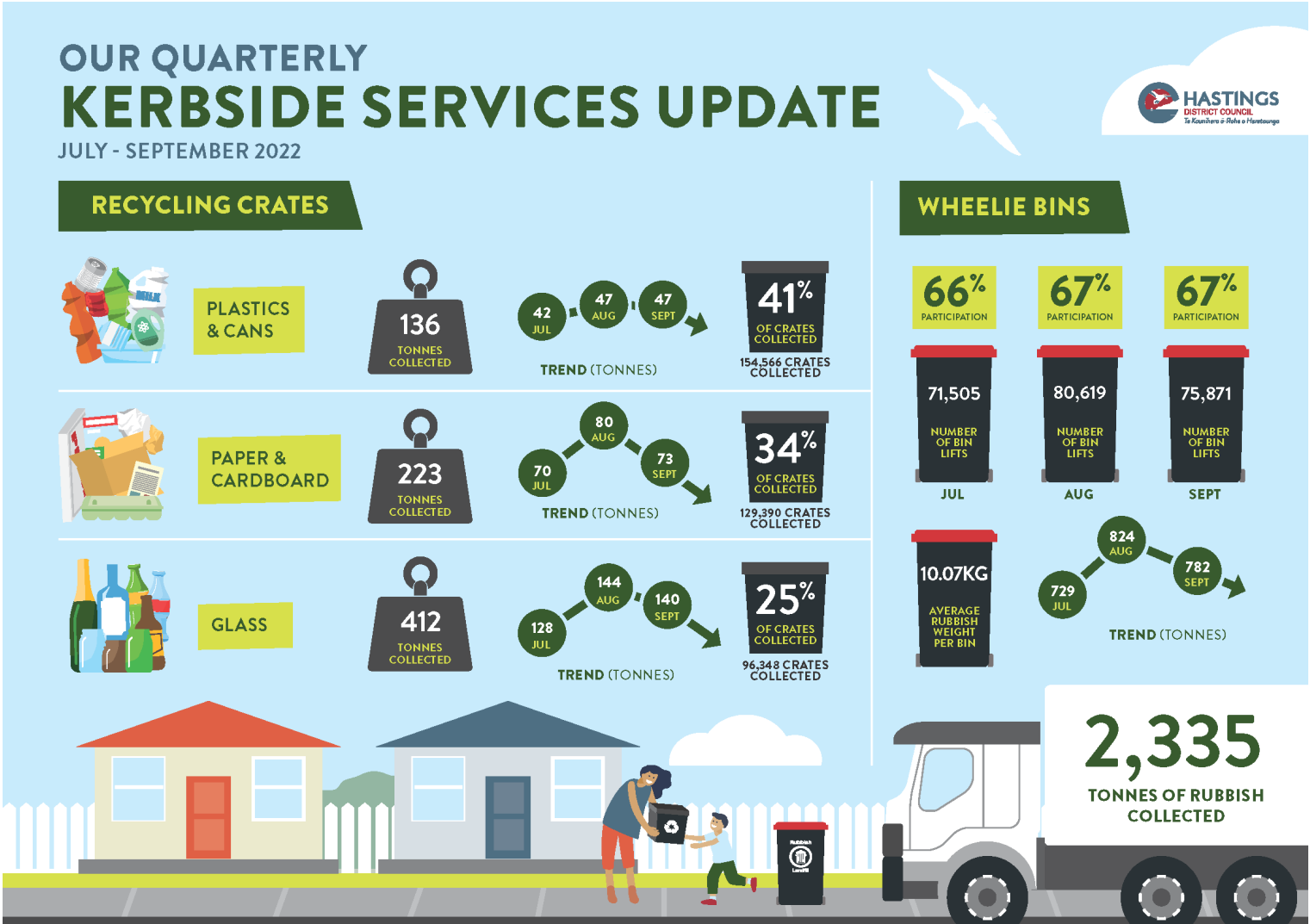


Rural recycling sites

- Fully operational with reports of only minor contamination over all sites. Overall contamination remains low at less than 2% which is very pleasing.
- When incidents of illegal dumping and contamination have occurred, letters have been sent to residents where evidence was found.

Kerbside Recycling and Rubbish Services

- Kerbside collection services for refuse and recycling have been delivered in line with the contracts over this quarter with no change to the agreed level of service.
- Customer Request Managements (CRMs) have continued to remain low.
- Officers continue to audit both kerbside recycling and rubbish bins and proactively educate residents on what they could do better to assist them with consistent collections.
- Officers completed a visual audit of all kerbside rubbish truck loads for the last week of June to compare against last year's visual audit and the three yearly SWAP survey. The results were very similar and very little green waste present.
- An Infographic below details the kerbside recycling and rubbish collection statistics from the past quarter, July - September 2022.



Waste Management and Minimisation Plan Implementation Update

Current Initiatives

Education Building Plans

- A building consent for the education building was issued in February 2022. No construction work has commenced on the site yet.
- The Ōmarunui Joint Landfill Committee approved the budget increase to \$700,000 (ex GST) for the construction of an Education Building and Office at the landfill after two pricing estimates were received earlier in the year.
- It is still the intention to use as much of the recovered materials stored on the site in the building and Officers will make these arrangements with the construction company.
- The Ōmarunui Joint Landfill Committee also ratified that any surplus/unused funds or contingency associated with the project could be used for solar or other “green star” environmental building practices (and the like) as part of the building work, in line with the Hastings District Council’s Eco District Strategy intent.

Community Communication Activities

- A “Be Great With Your Crates” campaign is being developed to be used as a reminder campaign to be implemented across the kerbside collection areas.
- A review has been completed of all waste related website content and changes are being made by the Communications team. The review was to replace or remove any old or irrelevant content. There was also a focus on usability and re-categorising the sections to help users easily find what they need.
- The Waste Minimisation Team has teamed up with the Napier City Council team and had a joint stand at the Go Green Expo on 21 & 22 August. At the stand we were promoting waste minimisation to visitors with displays on recycle and store your food right.

Internal communications

- The internal promotion of Plastic Free July to HDC staff, with information shared on the Infokete intranet, a Bee’s wrap wax making session and a staff challenge to avoid the use of single use plastic items for the month.
- Promotion of second hand clothes shopping and interview with the Waste Minimisation Officer.

Plastic Free July

- The Senior Waste Minimisation Officer participated in the national Plastic Free July working group who have developed a series of challenges.
- This year the national campaign has been facilitated online. Officers shared two articles in our June and July “Waste Awareness Newsletter”, three articles on Council’s intranet “Infokete” and three Facebook posts across the month.

School Education

- Work is underway to see how we can better engage with schools to help them reduce waste.
- Officers from HDC, Napier City Council and Hawke’s Bay Regional Council are investigating waste arising in schools and their access to suitable disposal facilities, and the barriers.
- The HDC and Napier City Council waste teams have engaged a provider to develop the content for an Ōmarunui Landfill region waste minimisation education programme for schools in line with the national curriculum.

Events Waste Minimisation

- Work previously paused on the event waste minimisation programme is back underway and the material will be available for the 22/23 summer event season. This includes a waste minimisation station trailer for the community to use which will be available for hire from mid-November 2022.
- The team are also supporting event organisers who have reached out for advice such as the A&P Show.

Sustainable is Attainable

- Is an initiative to support and promote better utilisation of waste in the primary production with thirty Hawke’s Bay producers and food processors participating to minimise, or add value to, the waste they produce.
- The programme aims to develop viable alternatives for the waste and by-products generated during food processing and manufacturing, through collaboration across businesses, universities and research and development organisations.
- The project is progressing well with Bioresource Processing Alliance (BPA) funding now approved for a Masters’ student at Auckland University to research options for a mobile stabilisation unit.
- This research will begin to address the issue of biological by-products being generated at peak season when businesses can’t spare resources to focus on extracting value from them. With stabilisation, businesses can turn their attention to extraction of value during the off-season.
- Funding has been sourced for three students as summer interns to undertake more quantitative work for possible value-add opportunities.
- 3R Group have now completed a trial of reprocessing black plastic shroud. The trial has proven that used shroud can be collected and turned into a resin that can be made into thicker plastic sheets. Further trials are being carried out with the aim to reprocess the used shroud into shroud again.

Commercial and Industrial Waste Minimisation

- A set of pamphlets to support the business community in minimising and managing waste has been developed and is available to guide the SME sector on making first steps to reduce their waste.
- Three construction and demolition “Tradie Breakfast” talks were held on 23 August, 6 September and 20 September after being postponed due to an increase in COVID-19 case numbers.
- These talks were facilitated by the 3R team, and covered the principles of reducing waste, material recovery strategies and procurement and design for waste reduction.
- The three events were well attended with 25 people attending the last two, over 65 people signed-up to attend the series.

Waste Minimisation Local Contestable Fund

- Support community groups, education providers, Iwi/Māori organisations, businesses, charities, and individuals undertake projects or trials that result in waste minimisation.
- Since the fund’s launch in mid-2020, there have been fourteen applications to the Monthly Waste Minimisation Contestable Fund, with ten grants approved up to a value of \$2,000.
- This year, the fund has supported a sustainable fashion market, a recycling system for a business, a trial for bag-in-box packaging, and a science kit for Hastings schools to learn about plastics and recycling.
- In 2021, Council’s Annual Large Waste Minimisation Contestable Fund received six applications. Two were granted with funding, three were declined, and one was contacted outside the funding process to look in to running their programme using waste education funds.
- The funding round for the 2022 Large Waste Minimisation Contestable Fund is currently open and closes on Friday 4 November.

Pan Pac treated timber disposal option

- The team has worked with Pan Pac, Hawke’s Bay Regional Council, and Napier City Council and submitted an expression of interest to the National Waste Minimisation Fund in 2021. The application is for funds to support a trial to test whether burning treated timber is feasible in the boilers at Pan Pac. Supporting this application (if successful) could provide an alternative solution for ~ 14,000 tonnes of timber per annum, significantly helping to progress the Joint WMMP goal of reducing organic waste by 30%. The funding request has been approved and Pan Pac are progressing with the project.

Solid Waste Bylaw Review

- The District Planning and Bylaws Subcommittee supported the new approach presented at the last meeting to align the review of the Solid Waste Bylaw with the pending changes to national policy, strategy and legislation.

Solid Waste Analysis Protocol

- The Solid Waste Analysis Protocol (SWAP) surveys were undertaken in June 2022 with the report still being compiled at the time of writing this report. The SWAP survey is undertaken every three years to monitor the composition of waste in the region. This was a joint survey with Napier City Council.

Ōmarunui Landfill

The Ōmarunui Landfill operates under a Heads of Agreement (HOA) between the HDC and NCC. This HOA currently allows for the representation of four HDC and two NCC councillors on the Ōmarunui Joint Refuse Landfill Committee. This ratio of NCC and HDC councillors is reflective of the ownership percentage each council holds in the facility. During the process of obtaining new resource consents to continue landfilling at Ōmarunui (Area B of the site), a relationship with the Ngāti Parau hapū was formed to answer and address the concerns that the hapū had about the landfill site and its operation. As a result of this relationship the matter of representation on the landfill committee was raised. This was also something discussed by the hearing commissioners and referenced through the later parts of the resource consent application process. Officers, working with both Councils, now need to work through the necessary requirements to enable the opportunity for a full role on the landfill committee.

Landfill Operations

- Maintenance work has been carried out on both the gas flare and gas to energy plant during the course of the year. The work is never programmed to occur at the same time and as a result landfill gas has always been continuously captured and destroyed at the site. Both the flare and engine are operating without issue.
- An upgraded and improved deodoriser system that helps minimise and neutralise offensive odour is currently being installed at the site. This should help when problematic loads are delivered to the site. This is partly in operation.
- Due to the amount of rain received during the year, leachate levels have been higher than normal. Leachate is therefore being carted (by tanker) off site for disposal. This work will continue until levels are back to, or lower than normal. The cost of this work is covered by the Leachate Reserve Fund and therefore has no impact on annual budgets.

- Six old concrete water tanks have been demolished and have been replaced by 8 plastic tanks that have been relocated from within the site.

Landfill Development

- Area D – earth liner work continues in Stage 4 of the area. A shortage of clay has slowed progress; however, new sources of clay have been identified off site which will allow construction to continue once the material dries out and weather allows for the construction of earth liner.
- Bulk earth works in the Stage 3 area are being carried out so that the area can be lined during the 2022/23 summer months.
- The landfill now has resource consent to extend the landfill into Area B of the site. This space is required so that waste can continue to be received at the site beyond 2025. The current filling area (Area D) will be full by 2025. The resource consent and alteration of designation applications were publicly notified.
- Design work on the Area B extension is being carried out by Tonkin & Taylor and an access road into the area is currently being constructed by our onsite contractor (M W Lissette Ltd). Work relating to the first stages of Area B construction will soon be tendered. It is anticipated that a contract will be awarded before the end of the calendar year and that actual construction work will start mid-January 2023.
- As required by the resource consent for Area B a peer review panel has been established. The two appropriately qualified and experienced engineers selected for the panel are Peter Askey (WSP NZ) and Nigel Mark-Brown (Environmental Context Ltd). This panel was required to be established and maintained so that the design, and other related matters, were meeting the resource consent conditions.

Closed Landfills

- The 2021 Roy's Hill closed landfill annual report was submitted to the HBRC mid Dec 2021. The site remains compliant with only occasion maintenance work required on the cap.
- All other closed landfills reported no issues.

Environmental Enhancement



Biodiversity HB Support

- Care groups continue to maintain “the gap” at the Napier airport. Officers are providing advice and support where required.
- Officers continue to support BHB with planning and design of the Des Ratima memorial planting at Te Ara Kahikatea.

Pop-up Irrigation

- Flaxmere Pop-Up Irrigation is complete. Planning for Windsor Park to start in the New Year.

Havelock North Stream Enhancement

- The banks of the Karituwhenua Stream have slipped and slumped significantly in several areas due to the unusually high rainfall. Officers have engaged Resource Development Consultants Ltd to complete a geo tech report and provide options for remediation and guide decision making. This report is due early November.

Care Group Support

- Winter planting has largely finished with care groups shifting towards post planting care and weed control. Work has been hampered in places due to slips and track closures, but these are expected to be remediated in the coming weeks as the weather improves. The natural areas team continue to provide support when requested.
- Council supported Iglesia Ni Kristo and the Haumoana Ecology Group on World Clean Up Day (17 September). Together we removed 600kg of rubbish from a 4km stretch of the Cape coastline.
- The signs for Save the Dotterels Hawke’s Bay have helped to reduce offending over the first two months of the breeding season and several chicks have successfully fledged at Waipūreku. Save the Dotterels have been working with HDC animal control to try and educate those remaining dog walkers that continue to ignore the signs.



Hastings City Centre



CBD Vibrancy and Activation Plan

Vibrancy Plan

- Ice Rink in the City Centre – complete.
- Mini Golf in the City Centre – complete.
- Music on the stage City Centre
- Music on the Stage – Landmarks Square
- Blossom Festival support
- Taste Hastings – FAWC! Event Heretaunga East 200

Façade Enhancement

- Old Briscoes building Queen street West – in progress.
- XL Dairy, Heretaunga St East – in progress.

Activation Plan

- Foto Festival – Delivered September/October.
- Additional Christmas Tree lighting – installation commencing mid November.
- Activation plan actions have been reduced and modified due to the purchase of a projector.

Civic Square and Central Mall Projects

- Completion of outdoor hospitality areas outside Cafe Westermans and Breakers Restaurant in the East 100 block and outside John’s Bakery and Cafe Madeleines in the West 300 block
- Commencement of Eastbourne Street 300 East in October with completion planned April 2023.
- Upgrade of Queen Street outside Tribune Building now complete bar arrival of last planter boxes and shrubs.
- Design work and consultation for the King Street 100 blocks to commence in December/January

Cultural Precinct

Municipal Building

During this quarter the last of the tenancies was completed with Cellar 495 opening its doors on September 9th. The new space called Cedric’s was opened in time to support the Hawke’s Bay Arts Festival in October and is currently being managed by Toitōi as a space for hire.



Museum Storage and Research Facility

Progress continues to be made with Detailed Design completed and building consent lodged. A Request for Tender has been developed and issued to the construction market with five construction companies invited to participate.

We continue to wait on an announcement of funding from the Ministry for Culture and Heritage which is typically seen as a fund of last resort for projects of this nature.

Hastings City Church

The Hastings City Church at 305 Heretaunga Street East was purchased by Council on 27th September. Staff will establish a project team to being optioneering opportunities for this site.

340 Heretaunga Street East (City Fitness Building)

Property management services have been put in place with Insight Equities and the transition through the change of ownership has gone well.



Youth Development



Youth Potential

The Youth Potential Awards were held on 30th August in the Assembly Ballroom, Toitoto. It was a great night with 21 rangatahi being recognised for their resilience in the face of adversity. Councillor and local barber Peleti Oli was the guest speaker and Hastings Ambassador Councillor Henare O'Keefe was the MC. Entertainment was provided by the Respect Junior dance crew and Te Roopu Manu Huia (Hastings Boys Kapa Haka).

Four Hastings Youth Councillors supported the awards by ushering whānau, recipients and Councillors into the event.

The Youth Potential Project is currently under review. The aim of the review is to evaluate the effectiveness of the actions and the current plan and to see if a new direction or approach is required.

The Youth Potential Forum continues to meet quarterly, and it is a good opportunity to connect with the Youth Potential Providers.



Youth Employment

This quarter the Mahi for Youth team met the He Poutama Rangatahi contracted numbers for rangatahi who are engaged with our service and who have gained meaningful and sustainable employment.

The Youth Connectors are working closely with our clients, supporting them to ensure that they are 'work ready.' This includes supporting the development of a standout CV and cover letter and providing them with tools around effective communication so that they are well prepared for job interviews with practice sessions.

The Mahi for Youth team have been meeting with key partners to strengthen relationships with youth service providers including meeting with a group of Correction's Service Providers to share employment opportunities for local tāne on their release.

Our rangatahi continue to present with a range of challenging and complex needs. One of the biggest challenges currently is the lack of suitable housing and accommodation and rangatahi who have difficulties with their social communication skills.

There are two new Youth Coordinators based at the Flaxmere and Camberley Community Centres, respectively. Both have lifelong connections back to Flaxmere and Camberley, and they work with our Youth Connectors to pathway rangatahi into education, training, and employment.

During this quarter the Mahi for Youth Team met the Care and Protection and Youth Justice social workers at the Hastings Oranga Tamariki Offices to strengthen our understanding of each other's work. One of the key strengths with the Mahi for Youth programme is the time spent fostering good working relationships with rangatahi. The more time spent with rangatahi the more the team get to understand the range of barriers they have to navigate on their employment pathway.

EIT Discovery Day 25 August

The Mahi for Youth Team supported an industry event at EIT. Many training and education providers were there and it was valuable to network with these organisations.



Hawke's Bay Youth Futures Providers Event

An event was held on 13 September, hosted by the Hawke's Bay Youth Futures Trust, Ministry of Education, Hawke's Bay Regional Skills Leadership Group and Ministry of Social Development to map 'who's who' in the space of pre-employment programmes across Hawke's Bay. There was a range of rangatahi from providers speaking about their very personal journeys from long term unemployment to successful training and employment opportunities and was attended by many of the He Poutama Rangatahi providers and other providers from around the region.



Employer Connector Update

There has been increased recruitment activity from seasonal employers as the summer season approaches with more opportunities available for our rangatahi.

The Senior Employer Connector has been supporting the Hawke's Bay Fruit Growers Association led (Pick the Bay) event being held at the Tōmoana Show grounds on 3rd November.

The focus remains on ensuring rangatahi are work ready and then finding a role that best suits their skill set and interests. Over this next quarter more site visits and work experience days are planned to provide rangatahi with a view of 'work,' often something they have little to no understanding of. This allows both the employer and the young person to test the waters before committing to employment.

Youth Council

The 2022 Youth Council is made up of 16 rangatahi who live, work, and/or attend a school or alternative education in the Hastings District. Members are aged between 15 to 20 years of age.

At the Youth Council Planning Day at the beginning of the year the Youth Council set their vision, aims and objectives and developed their annual plan. An update from each Youth Council Subcommittee is provided at informal and formal meetings to ensure projects are on task and achieved within the required time frames.

All projects have been divided up between the four subcommittees that make up the Youth Council. Marketing and Communications, Environmental, Sustainable Communities and Youth and Community Engagement.



Projects completed to date

Submission to the New Zealand Youth Parliament

Due to a lack of public submissions, the Youth Parliament Select Committee sent an email to Youth Councils around New Zealand allowing verbal submissions to be made on Tuesday 19 July via zoom.

The topics for discussion were:

- Justice: How can government better meet its obligations under the Te Tiriti when considering policy or legislation?
- Economic Development, Science and Innovations: How can we better include our most marginalised groups (i.e., women, youth, Māori and Pacific) to participation in economic growth?
- Education and Workforce: How do we get the most out of relationships and sexuality education in New Zealand schools?

- Environment: How will we meet our Carbon Zero by 2050 commitments?
- Māori Affairs: How do we improve and ensure sustainability in the primary production sector?
- Social Services and Community: How can we improve the affordability of housing in New Zealand?

The Youth Councillors completed submissions on Economic Development, Science and Innovation: How Parliament can better include our most marginalised groups to participation in economic growth. Through providing subsidised study, employment programmes and education outside the classroom (EOTC) activities.

Submission for Tainui, Tanner, Tauroa and Hikanui Reserve Management Plan

The Hastings Youth Council submission supported Council looking into providing education opportunities for this space and suggested that this reserve is considered an on-lead dog area.

VTNZ Hui held on 14 September

At a regular monthly meeting with Mayor Hazlehurst, the Youth Council discussed the issues rangatahi face when trying to obtain a restricted license. Hastings has alarmingly high licence fail rates. The Youth Council invited a staff member from VTNZ (Operations consultant) to attend a hui that was held with the Youth Council and Mayor Hazlehurst via Zoom to help shed some light on what are the common reasons rangatahi are failing these tests which include:

- Speeding through road works, schools and when passing buses
- Failing to give way
- Not looking checks – i.e. When driving over railway crossings
- Coming to a complete stop

From this discussion, the youth council are initiating a working group aimed to understand the learnings from projects already in communities, and how we could begin to explore options for rangatahi of Hastings to be able to achieve their learners or restricted licence in school.

Festival of the Future

Two Hastings Youth Councillors attended the Festival of the Future 2022, a three-day summit held July 29 – 31, 2022, at Wellington’s Spark Arena. This is a national event with a global reach to 40+ countries. This conference provided an opportunity to connect and network with a diverse range of entrepreneurs and leaders to engage in conversations that matter, build ideas and skills in the hope to create positive impacts towards a sustainable future.



Hastings Youth Strategy

In August, Youth Councillors presented the Hastings Youth Strategy to the Great Communities Subcommittee meeting which was then endorsed by Council on 8 September 2022. The strategy can be found here: www.hastingsdc.govt.nz/youth



Real Talk held on 20th August

Youth Councillors were provided tickets to attend this event. Two attended as this event clashed with several school balls being held on the same evening.

Aimed to empower rangatahi, this event showcased many local young people and adults who have faced countless challenges throughout their lives, sharing their story and how they never allowed what happened to them define who they are today. These stories encompassed love, loss, many forms of abuse, trials and tribulations to showcase that youth today do not need to hide the challenges they face but to reach out and ask for help.

Candidates Evening

The Youth Councillors planned and implemented a candidate evening to help encourage participation of 18–24-year-olds to vote.

Held at Karamū High School on Wednesday 21 September, 19 candidates attended and participated in the event. Questions were collected via the Youth Council’s social media accounts and the wider Youth Council to ensure all questions were directly from the rangatahi and community. With a toast masters system set up, the candidates had to draw a question out of a hat and were given 1min each to answer these questions.



Social Media Account Updates

Youth Council have been activating their social media accounts through sharing local event fliers and creating videos and photo posts.

They have supported:

- Tongan Language week – Posting a video of rangatahi teaching basic introduction sentences.
- Candidates evening – video promoting the event and presenting the highlights of the evening.
- Blossom Parade – Vlog of 2022 Hastings Blossom Parade.

Hastings Youth Council's Instagram page has 527 followers and Facebook has 1.3k followers.

Youth Facility

One of the outcomes in the 2022 Youth Strategy is the need for a designated youth facility. A full business case is currently being developed for Council consideration. Further work will continue over the next year.



Integrated Community Hub

The Integrated Community Hub opened its doors in August 2022. It provides a safe space, day-time facilities and individualised wrap-around support for the most vulnerable in Hastings, many of whom suffer through chronic homelessness, addiction, violence, disability, and mental health challenges.

The hub provides a place for service users to connect with service providers such as Te Whatu Ora Hawke's Bay, Ministry of Social Development and other local agencies. This enables users to build trusting relationships and encourages personal agency through participation in person-centric positive outcomes.

The tri-party working group has successfully engaged with key stakeholders across sectors, including health and housing, to create an operating model, budget, and business case garnishing broad support from organisations like MSD, Te Whatu Ora, Community Police and others. With robust governance in place, significant resources, and a solid plan in place for the next five years Connect Community Trust is confident the Integrated Community Hub will be sustainable for the benefit of the most vulnerable in Hastings.

What Success Looks Like at the Hub

At 8am every morning whānau sign in and get right to preparing their own breakfast. On Mondays and Fridays some generous members of the community serve a hot cooked breakfast – Eggs, Bacon, Sausages, and Potatoes to go with the usual hot drinks, cereal, fruit, toast, and noodles.

After breakfast some whānau are taken to shower facilities and, using the clean towels and toiletries provided, get refreshed for the day. Others engage with staff from various service providers including, MSD, He Kakano, Workbridge, Housing First, and Community Mental Health (to name a few). Having secured their belongings in their own locker, whānau are fresh and ready for the day - Some heading off to work, others heading to various other.

Connect Community Trust has hired three of the whānau who have been volunteering in the Hub. Previously they were unemployed and experiencing homelessness. Each of them is now housed, employed, and well supported – giving back to the community.

A visiting Artist has begun providing creative workshops at the Hub. In October, they will be launching the Nurse-Led clinic, something many whānau are eagerly anticipating.



Recreation/Leisure



Arts & Culture Facilities

Te Whare Toi o Heretaunga/Hastings City Art Gallery (HCAG)

Visitor Numbers			
April	2,460	July	4,216
May	4,175	August	3,438
June	3,648	September	3,584
Total student and public programmes over the quarter	1,551		3,504
TOTAL	11,834		14,742

Visitor numbers for April to October over the past six years were as follows:

2022	21,738	Terminus
2021	13,049	
2020	5,745	
2019	8,390	
2018	10,251	
2017	8,062	
2016	22,770	Lego Exhibition

The HCAG strategy talks to an exhibition every five years that crosses all boundaries. These exhibitions are free and allow everyone in our community to experience an interactive arts encounter.

Current Exhibitions

Terminus: Jess Johnson and Simon Ward, 30 April – 24 Oct.

With their pioneering use of virtual reality, artists Jess Johnson and Simon Ward, have created a mysterious virtual reality universe of alien architecture populated by humanoid clones and cryptic symbols, traversed via a network of travellers and gateways.

Landscapes of Loss: Lisa Chandler, 10 September – 4 December.

Lisa Chandler (MFA Hons) is a contemporary history painter - she looks closely at our moment in time and explores issues such as gentrification, migration, social injustice and climate change. The continuing thread of Chandler's practice is her love of the act of painting, the substance of paint itself, colour, and mark-making. She constantly strives for a balance between abstraction and figurative. Alongside her large-scale paintings, Chandler also creates works on paper, often including collage and printmaking techniques.



Essentially Medieval – What did Rita Angus Mean?: Peter Ireland, 3 September – 30 October.

Peter Ireland’s paintings comprise subtle layering of almost map-like renditions of place, superimposed on each other. The underlying meanings and symbolism carried from elsewhere are overlaid on the features of the world here. The works indicate accommodation and distance, contradictions of discovery, encounter and settlement.

Education and Public Programmes

- 7 Family and children programmes
- 3 Floor talks
- 2 Artist Workshops
- 8 School programmes delivered to 19 schools from across the region. Also Showcasing NZQA Top Art Exhibition. Schools including Waimārama, Pouketapu, Te Aute College, Te Kura o Mangateretere, Irongate.

Standout Programmes

- 55 people attended Terminus floor talk which some had travelled from Auckland and Wairarapa specifically for this talk.
- 75 percent of the teachers who attended our school programmes mentioned that they have not been to the gallery in the past 2 years.
- Extraordinary engagement from schools to participate in Terminus education programmes resulted in exceeding our ELC targets.
- Two schools specifically travelled from Dannevirke and Levin to visit Terminus exhibition.
- In August, we engaged artist Poutu Puketapu to work with students from Hayseed Trust – an alternative education unit for disengaged youth. The students attended a floor talk with Poutu and participated in a Porotiti workshop.
- Students from Te Aho o te Kura Pounamu attended a workshop also where the focus was on bringing together students learning remotely, unable to engage in regular schooling.
- The painting workshop with Lisa Chandler was offered to schools as a PD opportunity and was booked out within two days.

Feedback

Kaiako have commented on the fact that the activities and opportunities provide students with the opportunity to “explore, share ideas and opinions, make connections, listen and learn” - Frimley School.

“Terminus was a new experience for some students, the staff were patient and kind”- Te Aute college.

“Just a quick thank you for the wonderful Lisa Chandler workshop I so enjoyed. Such a treat to not have to bring any material... and such a treat to have Lisa as the tutor. All perfect! Cheers, Tina – Local resident.

Toitohi – Hawke’s Bay Arts and Events Centre

Visitor Numbers	April-June	July-Sept
Performances and Events held at Toitohi	34	73
Community Events	12	30
Commercial Events	17	43
Tickets Sold	1,472	10,183
Non-ticketed Events Attendance	2,860	7,821
Total Performance and Event Attendance	4,332	18,004

Business Services Stand Out Events

- Hawke’s Bay Chamber of Commerce Business After 5
- NZEA – New Zealand Event Awards
- Health Hawke’s Bay – Primary Care Symposium
- Property Brokers Charity Auction
- Hawke’s Bay Wine Auction
- Hawke’s Bay Export Awards

COVID-19 Impacts

No events were cancelled due to Covid-19. The Hawke’s Bay Wine Auction has rebooked for 2023 and asked to pencil a 3 day postponement date in November 2023. The request for a postponement date booking was declined and the dates under consideration have been booked by another client. Hawke’s Bay Wine Auction is the only client who has expressed a desire to book a postponement date post traffic light system ending.

Notable Postponements

- China Travel
- HB Rescue Helicopter Trust

Events Cancelled

No cancelled events.

Quarter 1 Summary

The next quarter sees Toitohi host significant business events including:

- Business events Industry Aotearoa Conference Dinner (third attempt)
- Progressive meats 40th Anniversary Event (second attempt)
- HB Chamber of Commerce Awards
- HB Civic Contractors Awards
- First Light Foods Grower Conference
- Rockit Global Ltd Christmas Party

Nearly all ‘premium days’, i.e. Fridays and Saturdays, in the second quarter have been booked by significant events. Premium days are the most saleable days of the week and are booked at long range because larger events require more resource to plan and deliver. Smaller events ‘backfill’ smaller spaces Thursday to Monday and would normally make up the largest percentage of group movement. Smaller events increase revenue through volume of events hosted.

At the end of the second quarter it will be revenue from smaller events that is reduced due to a lower volume of these hosted. This may not be readily apparent due to the increase in revenue compared to the same quarter in 2020 and 2021 as COVID disrupted the events industry.

Presenter Services Stand Out Events:

- Laugh Your Mask Off, 28 – 31 July

Laugh Your Mask Off, Toitohi’s comedy and cabaret festival – ran over four days, across four venues, presenting 19 shows, all \$25 or less. Showcasing top national and local performers, the event brought 1766 people into the CBD, with performances in the Opera House, Assembly Ballroom, Common Room and Spaceship.

- Municipal Building – Opening Weekend, 5 – 7 August

A wonderful weekend of celebrations to welcome the community back into the Municipal Building at Toitohi. Highlights included a cocktail function, 2 full open days, a

historical talk from Michael Fowler and Last Dance First Dance with the HB Jazz Club Big Band.

- Fia Fia Day, 20 August
- Edible Fashion Awards, 26 August
- Waiata Māori Music Awards, 9 September
- Bret MacKenzie, 13 September



Quarter 1 Summary

Both facilities have been very busy over the last three months with excellent attendance and a large number of events. Nationally and internationally venues are still struggling to entice audiences to shows, there is very low uptake of shows unless they are community events or international events and people are buying at the last minute. Venues are also struggling to find event staff and the expertise required particularly in the Theatre Technical area.

A lack of resources with the opening of the Municipal Building has put an immense amount of pressure on the Toitoti staff to continue to deliver at full occupancy, therefore the booking calendar for Nov/Dec 2022 has had to be closed for any further additional bookings. This will allow staff to manage the current bookings and will ensure their mental and physical wellbeing.

Hastings District Libraries

Programmes and Events

Over the quarter, libraries held 106 events (both face-to-face and virtual) with 3,249 participants. There was plenty to keep families occupied during the winter (July) school holidays. Highlights were the escape room; 'Minute to Win it' competition; and a Mario Kart IRL (In Real Life) event. Moving mornings were held across the first week at Flaxmere for those looking for something cosy, and gaming mornings in the second week for those looking for a bit of fun. Makerspaces and activities were also set up across all three libraries for the entire period for those who were just dropping in.

Other programmes and events to note include:

- Fiafia Day, a libraries-led community celebration of Pasifika cultures, held at Toitoti in August. Planned to be an annual event, Fiafia Day meets outcomes for the Library Strategy, Multicultural Strategy and the Social Wellbeing Strategic Framework. Working with local Pasifika communities and other Council colleagues, Fiafia is an extension of the nine Pasifika language weeks the Libraries celebrate annually.



- A new offering, Cuppa Tech was launched in August and held at the Flaxmere and Hastings Libraries. Older adults who are struggling with tech issues can drop into any of these sessions and get one-on-one help over a cup of coffee.
- The annual Turn Up The Heat (TUTH) adult reading challenge ran for seven weeks between June and August with almost 90 participants. TUTH is designed to motivate people to read and explore something new in the cold winter months.
- Mahuru Māori was celebrated in September with the Libraries' Karawhiua challenge. Customers were encouraged to give Te Reo Māori a go by completing 12 different basic challenges over this period; those who completed at least one challenge went into the draw for a great prize pack. Two library staff also set themselves personal challenges of speaking te reo Māori only for a minimum of one hour each day. Feedback from the community was almost universally positive and supportive. A wero has been laid down for more staff to karawhiua (give it a go) next year!
- Birthday party offerings, especially Nerf Wars, have increased significantly in recent months, with sessions being held multiple times most weekends.
- Now that COVID restrictions have eased, the libraries have held more one-off events with larger crowds. Two successful story times were held in August and September, one with a 'Farts and Poots' theme that had customers of all ages laughing, while the other was stories about the ocean and conservation with professional mermaid 'Mermaid Ria'.



Outreach

Apart from Fiafia Day, investment in Pasifika engagement has paid off with greater numbers of Pasifika people actively using library services and spaces.

Outreach and engagement with schools and other organisations has meant more offsite and face to face sessions are being delivered. 14 engagement sessions reached over 1500 people, including speaking to students, teachers and parents at school events; delivering tailored sessions to Turners & Growers ESOL workers; to a stall at the Connected Expo for older adults.

Community Archives Digitisation Project

Progress continues with designing the Libraries Recollect online platform. Ingest of scanned images and associated metadata into the platform will start 17th October and be completed, due to go live, by the end of November.

The Recollect platform will allow digital images from the Libraries community archives to be stored, providing easy access to the community. To ensure work continues in this space, existing budget has been reprioritised to create a new role to coordinate and promote use of the community archives on Recollect to staff and customers.

Visitor Numbers	April – June 2022	July – September 2022
Hastings	39,646	42,833
Havelock North	32,768	33,892
Flaxmere	12,838	19,081
TOTAL	85,252	95,806

Community Centres

Camberley Community Centre (CCC)

Staffing

A new fixed-term Youth Coordinator started at the Camberley Community Centre and is making a great job of engaging with local rangatahi and tamariki. With budget in the current financial year for the first time ever, two casual roles have also been filled and will be shared with the Sports Centre on an as-needed basis.

A huge push to complete training and staff taking sick and annual leave has meant that the Centre has had to invoke working alone processes a few times. The Working Alone Policy has also led to the purchase of new duress alarms for staff to wear when working in and around the Centre.

Nourished for Nil (N4N)

With the main N4N hub in Karamū Road, Hastings, having discontinued the Monday distribution, numbers at Camberley's N4N Monday distribution now average around 200+. Reflecting on donations made to N4N, the range is limited at times, but the Centre is receiving food donations from the community and has a community garden that is thriving.

The Centre has also been receiving surplus school lunches from a local provider which have been gratefully received.



59



Regular Programmes

Sport Hawke's Bay Sit & Be Fit and Kori Tinana classes continue and line dancing class numbers have been boosted further by students from Havelock North High School special education unit.

Breakfast club numbers have gone up and down as illness hit over the winter.

Youth Space numbers have increased with our new Youth Coordinator joining the team in August. This has been especially noticeable with older boys, a harder to reach demographic.



PERFORMANCE & MONITORING REPORT | QUARTER 1, 2022-2023



New clubs have formed (Anime and Chess), plus a successful Teken tournament was held recently.

The library has supported some tamariki with the Hell Pizza reading challenge. Library staff visit periodically to check in on the Centre’s recently established library and swap items out.

The Confident Me programme was running at the Centre over 10 weeks after school. The tamariki/rangatahi performed their finished work in the Fringe Festival to wide acclaim, including through the NZ Herald.



School holidays saw the centre staff coordinating activities for local tamariki and rangatahi. There are still ongoing issues with unsupervised children being in and around the Centre and the capacity of a small number of staff to deal with large numbers of young people.



For the Camberley Community Gala in September staff were based in the Centre to support the kaupapa and there was lots of really positive feedback about the community-led day being really chilled and having a very positive vibe.

CCC Visitor Numbers	April - June	July - Sept
Breakfast Club	1,151	1,519
Nourished 4 Nil	1,073	1,861
Youth Club	654	1,684
Sport HB Programmes	-	750
Line Dancing	-	170
Contractors	-	44
Other visitors (including church groups)	758	816
TOTAL	3,636	6,844

Flaxmere Community Centre (FCC)

Gym

- 250 Gym members signed up to FlaxRock Gym
- 111 active gym members
- 15 Personal Training clients managed between the small gym team.

Just Lift Bootcamp

Boot Camp attendance for the 8-week period			
Times	Monday	Wednesday	Friday
6am	111	108	118
10am	40	48	42
Totals	151	156	160



Senior Classes

Quarterly Senior Classes total participants	
Badminton	97
Line dancing	114
Sit fit	165
Strength & Balancing	559
Total	935

Te Taiwhenua o Heretaunga is also now bringing kaumātua to participate in line dancing.



Upcoming Projects

Powerlifting Competition - currently planning for August – September 2023 competition for members who are interested in increasing their strength.

Afternoon Boot Camp Classes – due to growth and demand from Boot Camp classes, members have been regularly requesting an extension of classes to afternoon/early evening time slots. Currently in planning phase.

Athlete development classes – this will target rangatahi currently playing sports needing specific athlete training to assist with their sporting goals. Currently planning for Term 1 of 2023 delivery.

Community Centre

Te Marama Learning Centre will be terminating their lease at the FCC from December. Options are being considered for use of the space from 2023.

The FCC has also been a Nourished 4 Nil distribution site for coming up to two years.

MSD hosted a “get mahi expo” here at FCC - the community has asked for more events like this.



After-school activities offered included rangatahi cooking classes; dodge ball; table tennis; PS4 evenings; and movie nights.

Age	Participant numbers
5 – 10 years	910
11 – 15 years	585
16 – 18 years	1040
Total	2535

Flaxmere College has also hired the facility for netball, basketball trainings, badminton school competition nights and Combined Adolescent Challenge Training Unit Support (CACTUS). Drop-in activities have been well patronised by young people during the quarter.



A rangatahi engagement night was held to connect and identify the current issues, needs and concerns for Flaxmere rangatahi. This in turn informs the activities, events and programmes that FCC staff can provide to create a safe space for rangatahi.

FCC Numbers	April-June	July-Sept
Nourished 4 Nil	2,673	3,791
Programmes and visitors	15,953	15,868
TOTAL	18,626	19,659

Hastings Sports Centre (HSC)

Te Waka Tākaro

For the period July-September 2022 there were seven bookings for the trailer. The trailer featured at the Blossom Festival in September 2022 booked via the Hastings City Business Association. Other bookings included the Camberley Carboot Sale and Sport Hawke's Bays Kia Whakatau te Hauora day at Ebbett Park School, with children and whānau experiencing PLAY through the equipment and resources available in the trailer. The trailer has been well received by the students and community.



Programmes

Open Gym

Havelock North High School's Special Education department began attending the Open Gym sessions on a weekly basis during term 3 with 8-10 students from the senior class attending regularly. Students were actively engaged in physical activity with one student now able to serve in Badminton, showing improvement in both skill and confidence.

Comment received from Specialist Education Teacher, Term 3, 2022;

"How wonderful it is how our students fit into this community space and feel welcomed. Their personal growth not only in their physical skills but also in their confidence & self-esteem has increased. Smiles on the faces of the students and staff indicate the fun & how much they enjoy attending these sessions"

Fundamental Skills Programme (FSP)

A successful term of FSP sessions were held with 93 students attending over seven sessions. Sessions are held weekly on a Friday morning with 4 local schools represented.

Comment received via FSP Feedback Form re Term 3, 2022;

"Kids love it here. Staff are awesome, programme is varied and age/stage appropriate. Session lengths are great and I like how last session each term brings it together in fun way. Confidence in kids is increasing"

Chess Tournament

The 43rd Hawke's Bay Interschool Teams Chess tournament was held on Friday 5 August. With 64 teams (244 students) representing 23 schools from across Hawke's Bay. Teams competed across 6 sections each with an A & B grade – Secondary (Years 9-13), Intermediate (Years 7-8) and Junior (Years 1-6).

The tournament is a National Chess Federation sanctioned event allowing the winning teams to compete at the National finals that were held in Christchurch in October.



Bookings

Bookings have continued to be steady during the quarter amongst our regular user groups. Local club, Koryo Tae Kwon Do, held their Mid-Winter Christmas Market at the Centre in July. An amazingly successful day with over 3000 visitors attending.



Hastings Mid-Winter Christmas Market

Visitor Numbers (estimated)	April-June	July-Sept
Programmes and visitors	12,956	14,515

Aquatics



Splash Planet

Throughout the quarter, works to maintain the facilities have continued with activities moving towards opening preparation rather than general maintenance towards the end of September.

Advertising for seasonal staff began at the end of August, response has been very low due to the current employment market and coming off a season of closure. The volume of applicants was approximately two thirds of those received last year (2021/2022) and less than half of those received during the last year of opening (2020/21). Thankfully, the current picture is that there will be enough staff to operate, employment agreements are being issued late October.

The park has been busy with contractors with many projects and upgrades happening over this period, as not to interfere with readying the park for opening, for example; switch board upgrades, flooring works, and safety inspections. Most works are now completed, to clear the way for opening preparation, however, works on the cracking repairs and painting of the pools have been slowed by the large volume of rain. Currently, there is still time to complete the work and ready the pools for 14 November opening.

Splash Planet off season works

- Flooring for indoor pool has been completed.
- Crack repairs for all pools completed.
- Vinyl has been replaced on stairwells.
- Pool painting is almost complete. Final part to be painted is the lazy river which is about half complete.
- Stairwell repairs have been completed
- Replaced carpet in cafe.
- Flying fox installation almost complete – awaiting a step.

Pools

For Village Pools and Frimley Pools the start of preparations for opening have begun, with general maintenance happening throughout the quarter and the recruitment process for seasonal staff starting early September. This was earlier than previous years due to the difficulties in finding staff at the moment. By the end of the quarter enough staff had been identified to run the additional 2 seasonal pools, with new staff, some returners, and existing staff increasing hours for the summer period.

During the quarter some improvement works were completed at the Village Pool, Havelock North. With additional shade sails being installed and a new system for pool covers to be put back in use.

Additionally, Officers completed a request for proposals for the provision of plant maintenance at the 4 Aquatics Hastings facilities. The successful tender was FPC, a division of Watershed, who were able to supply proven expertise in the aquatics field, with a comprehensive plan to maintain and improve life of HDC pool plant assets. HDC have entered 3 + 1 + 1 year agreement.

Officers have continued to develop plans toward the Manu/ bombing competition at Village Pools. There has been collaboration with Mai FM and the competition will be branded as “Mai Manu”. The provisional date has now been changed to 27 November from 26 November as not to clash with the Pa Wars (Ngāti Kahungunu AGM) event at Splash Planet. Officers are working on activations for the event including providing activities on the Village Green.

Officers presented a paper to the Risk and Assurance committee on 18 July highlighting known and potential impacts on Aquatics Hastings facilities when the Hawke’s Bay Regional Aquatic centre opens. The facility opened its doors to the public, slightly later than planned, on 1 September. This was shortly followed by the known impacts of the resident swimming club at the Flaxmere pool moving in its entirety to the new centre and some partial loss of user group bookings at Clive Memorial Pool. Officers will

continue to monitor over the next two quarters where actual impacts to date will be reported.

Following the small fire at Flaxmere Pool, Thursday 21 April, the refurbishment of the upstairs room that was affected was completed in August. The roofing work, that was on-going when the fire occurred, has also been completed.

Visitor numbers from last year are up significantly for the quarter due the pandemic enforced closures in 2021, Clive Memorial Pool is up by 2,275 and Flaxmere Pool is up 8,618. The significantly higher number at Flaxmere is due to the volume of school lessons that happen in this term annually. The return of Canoe Polo has bolstered visitation, especially, with the loss of club bookings to the Regional Aquatic centre. Canoe Polo contributed to almost 5,000 visits across both pools during the quarter. Estimated reduction in visitation from loss of club bookings is approximately 7,500 per quarter. Learn to swim enrolments remained at a similar level to the previous quarter, due to the termly nature of Aquatics Hastings Learn to Swim programme any loss of enrolments are likely to be experienced from the October to December quarter and moving forward.

Pools asset management plan

FPC have been successful for filtration and general maintenance of the pools but this currently does not cover heat pumps/HVAC and boilers. FPC are starting their surveys on pools from 7th November to help with the asset management of the pools.

Clive Memorial Pools Visitors	April – June	July - Sept
Learn to Swim	15,027	13,528
Other Bookings and Events	0	59
Club Bookings	8,068	7,583
General Public	5,313	5,300
Total	28,408	26,470

Flaxmere Pools Visitors	April – June	July - Sept
Learn to Swim	6,079	6,082
Other Bookings and Events	4,716	6,861
Club Bookings	11,150	8,942
General Public	2,675	3,020
Total	24,620	24,905

Playgrounds, Reserves and Parks



Play Facilities

New portable pump track moved from Essex to Anderson Park.

Current Playground Projects

Havelock North Village Green Safety Surfacing Renewal

Last three items of equipment to be installed Mid-November. Safety surfacing completed.

Ron Giorgi 3 Park Playground Upgrade

Construction underway – completion date still December 2022.

Ngāururoro Ave Reserve Upgrade

3rd December for opening. Fencing underway, landscaping in November, B/ball court final touches and accessories underway.

Lawrie Cooke Reserve New playground

December is still planned for opening date. Almost complete.

Cornwall Park Accessible Playground additions

Cornwall Park kiosk extension and accessible playground under construction. Accessible playground equipment partially installed, safety surfacing is being installed and will be finished by mid-November. Soft opening for 3rd December.

Playground Projects in the pipeline 2022/23

Te Awanga Terraces

Hardcourts under construction.

St Leonards Playground

Design finalised. RFP for safety surfacing to go out in November. RFT for all construction work to go out in the New Year.

Chatham Park

Community consultation in New Year.

Reserve Upgrades

Current RMPs:

Frimley Park Reserve Management Plan

Hearing of submissions planned for late November.

Eskdale Park Reserve Management Plan

Hearing of submissions planned for February 2023.

Tainui, Tauroa, Tanner, Hikanui and Keith Sands Grove Reserves Management Plan

These three Draft Reserve Management Plans are currently now complete and the Policy and Strategy Committee on 23 June 2022, adopted these draft plans for formal consultation purposes. Public submissions on the draft plans closed on September 2nd.

Park Upgrades

Akina, Frimley, Ron Giorgi, Kirkpatrick, St Leonards, Flaxmere Parks

- Maintenance sheds at Frimley Park removed except for clay storage for cricket blocks.
- Akina Softball - Toilets have been completed – gained Code of Compliance.
- Work on the replacement Te Awanga Domain toilet has been delayed to some community concerns on placement and design.
- Toilet extension at Evers Swindell Reserve completed
- New shade sails at Frimley Park and Meissner Reserve completed
- St Leonards Park upgrade now fully designed and final plans to be circulated to local community in August
- Work on the new Flaxmere skate park is underway with completion on track for December 2022.

Community Planning



Camberley

Over the last six months the planning committee has taken on new shape with committee members mostly being from local community. The Planning Committee meetings are held the second Monday of every month.

Meeting invites go out via the community for the community, and depending on the topics, attendance varies from meeting to meeting. Council officers are still in attendance and stakeholders are always welcome.

On Saturday 17 September the community held a Gala in the Community Centre carpark. It was great day with a good turnout by locals with plenty of yummy kai on offer.

The Community are currently planning their next big event being held on 19 November called CAFE (Camberley Annual Festival Event).

There is a lot of effort, energy and resource going into Camberley with plans to put a shelter over the basketball court underway, community engagement with PWC and the Aroha Camberley project.

Cape Coast

The Cape Coast Community Group held its AGM in September. The group are currently reviewing the existing Community Plan.

To support the community's emergency preparedness, a generator has been purchased via a donation from WOW and installed at the Haumoana School.

A replacement community noticeboard is being arranged through Council's community plan budget to replace the existing noticeboard outside Four Square.

Design work is progressing for the Te Awanga playground and domain upgrade.

Clive

A community meeting was held on 22 August. Residents raised concerns on the State Highway 51 Mill and School Road intersections, Richmond Road Beach end antisocial behaviour currently happening, and the River Dredging. Guests included HBRC and a presentation on the Public Transport Plan, Waka Kotahi NZ Transport Agency, Council with a Security update and Cape Coast Community Patrol looking for more volunteers.

A small committee will be formed to drive the actions from this meeting.

A further hui was held on 22 September to discuss a potential Meals on Wheels service for Clive and coastal residents. There is currently no service. Several volunteers have come forward who would be happy to do deliveries. The local pharmacy and medical centre are sending out information to patients to gauge the need for the service.

A site visit was held with the Civil Defence and Emergency Management Group to identify appropriate sites to install Tsunami billboards.

Flaxmere

The first two workshops on Home Ownership have been completed by Tautai Pasefika and to date has resulted in three whānau getting pre-approval from their banks. The workshops have demystified home ownership for participants and answered a lot of questions. The next series of workshops were held in mid-August.

The Te Waka O Maramatanga Kahui Ako (Flaxmere School cluster group tamariki) are sending representatives to the Flaxmere Planning Committee meetings. This enables the representatives to consult with the wider tamariki group and feedback to the planning committee. To date they have fed back on the placement of pataka in Flaxmere, the Flaxmere Night Markets and activities at the Flaxmere Pool.

The planning committee are having more organisations attend their meetings for consultation purposes, such as the Hawke's Bay Regional Council on proposed new bus routes in Flaxmere, HDC Flaxmere Housing Project updates and Fastpitch Softball club who met with the committee wanting support for a softball diamond to be installed in

Ron Georgi 3 Park by the Flaxmere Rugby Clubrooms. The committee were supportive if other clubs were involved as well. A meeting with other clubs, coaches and umpires took place on 13 September and reported back to the Committee. A committee member is working with them to support this, they have met with the Council parks team and have held a site meeting. Planning is underway for the Night Markets set to begin on 20 October 5-7pm at Flaxmere Park.

The Committee are also planning for Christmas in the park.

The Flaxmere Connects Newsletter August edition has been distributed through the community.

Mahora

The second Mahora Community hui was held on 13 August with approximately 12 people attending. At this hui different actions were prioritised. The group identified the heritage homes in Mahora as contributing to the uniqueness of the community. It is hoped to include a few of these homes and their history into the final plan.

Across all the consultation, roading has been highlighted as a point of real concern by the community. From speeding trucks, the need for more pedestrian crossings, better parking to the congestion on Frederick and Duke Street. After consulting with the roading team there are actions in the draft plan to assist addressing some of these issues.

The community have also asked for more events at Cornwall Park such as a Mahora Market Day or an event that highlights local talent. This will be further teased out as the consultation continues.

Other actions identified include more Neighbourhood Support Groups, a basketball court, more rubbish bins, and a community garden.

Maraekākaho

In conjunction with the Maraekākaho Fire Brigade and Maraekākaho Hall, Focus MKK held a very successful community fundraising campaign to install a defibrillator in the community. The defibrillator has been ordered, and a community first aid course held.

Focus MKK held a successful AGM at which they appointed new officers and reviewed their terms of reference.

Ōmahu

A second hui-a-hapū was held on 20 August. Council fed back on issues identified from the first hui. To date there are 26 actions identified, of this Council are responsible for 10 of them.

Actions include the installation of a Dechlorination Station, a children's playground, district plan zoning and housing related to different types of land use amongst others. The community have been asked where they would want the water station and playground, and they have suggested some locations for both. The other actions are the responsibility of Waka Kotahi and Hawke's Bay Regional Council.

Council officers were able to arrange a site visit with the Regional Manager Design Central North Island from Waka Kotahi at Ōmahu. The following week a hui was held with Waka Kotahi and the submitters. The Regional Manager heard the submitters concerns and will ensure the actions are added to the next Hawke's Bay Regional Transport Plan; they have also offered to teams into the next hui-a-hapū planned in October.

The first draft of the plan is currently under development.

Te Pōhue

The Te Pōhue community plan was endorsed by Council on 4 August after 3 years of extensive planning, Covid-19 lockdowns, community meetings, local Iwi and key partner engagement. The plan was presented by Te Pōhue community champion Kiri Goodspeed who was supported by her whānau in Chambers.

On 25 July a community resilience workshop was held at the Te Pōhue Community Hall. This workshop was a pilot to support rural communities to develop and understand their own Resilience Plan as part of wider Community Planning processes.

Te Pōhue had identified this under the increased community safety action (2.2. Develop a Te Pōhue community resilience plan that identifies our hazards and the potential impacts we may face, what resources we may have to respond to an emergency and how we will look after ourselves and each other).

This was well supported by our partner agencies (Police, CDEM, FENZ) as well as residents of the community.

Further workshops will be planned to follow-up on the good work that was achieved that evening.



The Te Pōhue Community Hall Committee being presented with the Official Community Hall ownership certificate by Her Worship the Mayor of Hastings, Sandra Hazlehurst.

Waimārama

No update.

Waipatu

The Waipatu Community Plan finished in 2021 and has been reviewed with most actions achieved after the key upgrade work to and along SH51. The outstanding action, an entry statement/welcome sign, is on hold awaiting direction from the community.

Whakatū

This plan finished in 2020 however there has been some interest from the community to develop a new plan. The 2 major projects underway are the water storage facility at the Ngāruroro Reserve and the road plan change for Railway and Station Roads and Buckingham Street. Both projects have progressed well and should be completed by the end of November this year.

Tsunami bilingual warning boards will be installed in 5 key areas around the community by the end of this year.

Community Safety



Safe Communities Coaliton

In July the coalition hosted two online forums run by Brain Injury HB and ACC to introduce the Brain Injury HB Referral Pathway Project. The project aims to facilitate discussion groups with community/government services to develop a locally led response in supporting people with an undiagnosed/untreated Traumatic Brain Injury (TBI). In Hawke’s Bay, for the year ended June 2021 ACC accepted 716 concussion (TBI) claims in Hawke’s Bay with treatment costs totalling \$11,751,318.

In August the S.A.V.E group (Stop. Adolescents. Vaping. E-cigarettes) submitted to the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill. One of the groups concerns is that the disproportionate presence of vaping retailers in low-income communities and near schools may contribute to environments that facilitate vape usage and potentially contribute to health disparities.



Figure 2: Number of specialist vape retailers within 1 km of a school in Hastings.

Te Rangihaeata Oranga Trust (HB Gambling Services) marked Gambling Harm Awareness week in September with an open day at their office with kai, kōrero and a catch up.

Older Persons Focus Group

The group held an expo at Toitoto to celebrate International Day of the Older Person 2022. The purpose of the “Connected” expo was:

- To provide a social event for older people living in Hastings (reduce social isolation and promote connectedness)
- To provide older people living in the Hastings District access to information to support their wellbeing.
- To celebrate the Connected Project through performance. This project works to bring together older adults and youth in a meaningful way through the power of storytelling.



The expo also provided an opportunity to consult on Council’s Positive Ageing Strategy 2014 is which is currently under review.

Neighbourhood Support

Following a coordinator meeting held at Cape Coast earlier this year, a trial project has been arranged forming a cluster group pilot for the Cape Coast Neighbourhood Support Coordinators.

The benefits of forming these cluster groups are:

- A more unified perspective around the nuts and bolts of Neighbourhood Support and the challenges that individual groups might face.
- An opportunity for coordinators to apply their unique skills to a common task or problem often creates more effective solutions than independent coordinators.
- An integrated approach to community emergencies as outlined in the Cape Coast Community Plan.
- Larger group representation within the coastal community to promote Neighbourhood Support to non-members.

To support this pilot, an application for funding has been submitted to Neighbourhood Support National Office for the cluster group to hold a community event.

The past couple of months has seen the Community Resilience Coordinator working alongside Constable Tom Romans from the NZ Police speaking to our elderly residents at both Enliven and Age Concern facilities about community safety and keeping yourself safe. Unfortunately, there has been an increase in cold calling and phone scams specifically targeting our elderly residents and this has seen the Police working closer with certnz and Netsafe with their online safety support, expertise and education for our elderly residents.

Neighbourhood Support also participated in the Connected Older Persons Expo hosted by Safer Hastings.

This provided a great opportunity to actively engage with several senior citizens promoting Neighbourhood Support and community safety. A highlight of the day was the successful engagement with several other agencies who work with the elderly and being invited to speak at different committees as well as their members about the benefits of belonging to a Neighbourhood Support group.

Earthquake-prone buildings

Progress on Flaxmere Park Changing Rooms - Continuing the design work with Strata on seismic strengthening and now have Citrus Studio on board.

Hastings Town Clock – received report, geotechnical assessment to now be completed. WSP will likely project management this work.

Security

- Cameron Court CCTV complete.
- Flaxmere Skate Park – completed by end November 2022.
- Hastings Library security install complete.
- Hastings Cemetery next on list then Havelock North library will start in the new year.
- Splash Planet is having a different camera installed over the jeeps then this will be complete.
- ToiToi complete.
- Municipal Building is being reviewed and progress with extra door access requirements is being made.
- Other facilities in programme
- Public space cameras are still being installed.

Community Grants and Assistance



Current Rounds

- The 2022 Youth Grants are currently open and close on 21 October
- Marae Development Fund 2022/2023 is currently open and closes 16 October
- Waste Minimisation Fund Large Projects is currently open and closes 4 November
- Event Support Fund is always open, and applications are assessed monthly

Upcoming Rounds

- The Single Year Community Grants 2023-2024 will open at 24 March 2023
- Creative Communities - Round 1 - February 2023 will open at 3 February 2023
- The Rural Halls Maintenance Fund 2023-2024 will open at 31 March 2023
- Creative Communities - Round 2 - August 2023 will open at 4 August 2023

Multicultural Strategy and Welcoming Communities



Hastings Multicultural Strategy

The Welcoming Communities Coordinator, Liz Lambert, started in July. Highlights from the first three months include:

- Relationship building with the Welcoming Communities programme within Council and with key stakeholders to foster mahi tahi - working together.
- Welcoming Week internal staff campaign to foster whanaungatanga – belonging. InfoKete campaign 'Celebrating HDC's many ethnicities' included gathering and sharing stories from our staff who were born overseas. Followed by shared morning teas to celebrate the different nationalities within Council's departments/teams.
- New Zealand Chinese Language Week, trilingual book giveaway. All nine early childhood centres nominated received a copy of the book and Royals Early Learning Centre won a trilingual book reading with Hastings own Mandarin Super Star, Paula Kasper (to be held on 14 November).
- Being part of the organising group for the inaugural Diwali and Bandi Chorr Divas - Festival of Lights, community event on 22 October 2022.

Other activities across Council over the past three months related to the Multicultural Strategy:

GOAL 1, Multiculturalism and diversity is celebrated in the Hastings district	
Linked to the cultural calendar – provide opportunities for the community to experience different art and cultural events in the Hastings district. Increase the acknowledgement, promotion and celebration of language weeks.	Fiafia Day '22 – celebrating all nine Pacific language weeks through cultural performances (Libraries). Tongan Cultural Flag Raising Ceremony (Marketing and Comms). New Zealand Chinese Language Week (Cross Council team).
GOAL 2, Hastings district is a welcoming, inclusive and safe place for all	
Public art that celebrates and reflects diversity.	The Big Apple Project (City Centre Activation). Blossom Parade (Marketing and Comms).
GOAL 3, People of all cultures have equitable access to council services and resources	
GOAL 4, All residents feel empowered to participate in council decision-making	
Reflect diversity in Council communications including positive images of diverse cultures and signage in different languages.	Election campaign – information for all three phases of the election; stand, enrol and vote was provided in different languages and promotional photos represented diverse cultures (Democratic Support). Citizenship ceremony - first since COVID (Marketing and Comms).
GOAL 5, Council to be a role model for cultural diversity in the workforce	
Create and deliver cultural competency training to staff	Te Ao Māori learning modules offered during Te Wiki o te Reo Māori 2022 (Māori language week). Managing Unconscious Bias online training (People and Capability).



Cemeteries



Cemetery Plot Availability and Issues

Plot availability continues to be an issue, particularly at Havelock North and Hastings, with Mangaroa the designated site for further expansion.

A detailed Issues Report will be presented to Council in early 2023. Included in that report will be explanations and solutions for issues that exist due to historic narrow 900mm wide plots and hard to access pre-sold plots.

Cremator Maintenance

Preventative Maintenance Inspection was done by a Matthews Cremator technician on 25th October 2022. At the same time, a Pyrotek technician inspected the refractory of the cremator. Matthews will do some changes to the afterburner reducer, replace the door chains and also upgrade the computer chip later this year. Pyrotek will quote on the floor replacement and some other refractory work. This work will be planned for early 2023.

Cremation Data as per consent conditions for the 2021/2022 year was submitted to the HBRC during August 2022. On 12 October we had a visit from the HBRC's Environmental Compliance Officer. The visit went well and we discussed some of the consent conditions and currently we are awaiting a response from the HBRC.

Mangaroa Cemetery Extension

Procurement Plan is still ongoing for professional services and main contractor for new cemetery building at Mangaroa.

Mangaroa Cemetery (existing)

Still waiting on taps to be installed at each entry gate at the cemetery.

Tree removal work completed in June, still awaiting stump grinding to be done.

Repairs to damaged ash garden plots still to be done.

Hastings Cemetery

The two large roller doors on the Hastings work shed was installed and work well.

Repairs to internal tarmac roads in Hastings cemetery has been completed during July 2022 as per quotations received.

Tree removal work at Hastings cemetery done, still awaiting stump grinding to be completed. Regarding trees damaging plots etc. completed.

Havelock North Cemetery

Repairs to internal tarmac roads in Havelock North cemetery has been completed during July 2022 as per quotations received.

Work on toilet facility has been completed during the last quarter.

Tree removal at Havelock North cemetery still to be done as well as some stump grinding work still to be completed.

General

Historical Cemetery/Cremation records issues still on going and dealt with when time is available. These issues are widespread and are a worrying factor due to historical poor record keeping practises.

Currently working on a policy document / code of conduct for cemeteries and the crematorium.

Water was a big problem with burial plots this winter season. The above average rainfall has caused many graves to collapse due to water absorption and water ingress into the plots. If rainfall increases as predicted in future this might become a major problem that needs to be investigated.

Two new Kubota zero turn mowers for cemetery mowing was purchased and delivered in August 2022.

Burials/Cremations

Burial type	April-June 2022	July-September
Full Burial	29	38
Ash internments	47	58
Cremation	213	264

Item 10



Customer Services

Customer Experience

Customer Interaction Summary: 1 July to 30 September 2022

September marked the end of the traffic light protection framework and a welcome return to life without masks in the customer service centre. The front line team have faced many challenges and difficult conversations relating to vaccine mandates and mandatory masks during this period, however thankfully the vast majority of customers remained respectful and the general atmosphere in the centre continued to be positive.

Highlights over the quarter included:

- **Dog Registration:** with 6,300 of the “13,579” known dogs in the district still to be registered at 30 June, July in particular was busy, the friendly reminder in mid-July prompting people to get the job done.
- **Rate Rebates:** with previous recipients receiving an application form with the first rates notice in July – there has been a steady flow of applicants visiting the CSC. 1,294 applications were received over the quarter, 900 in August.

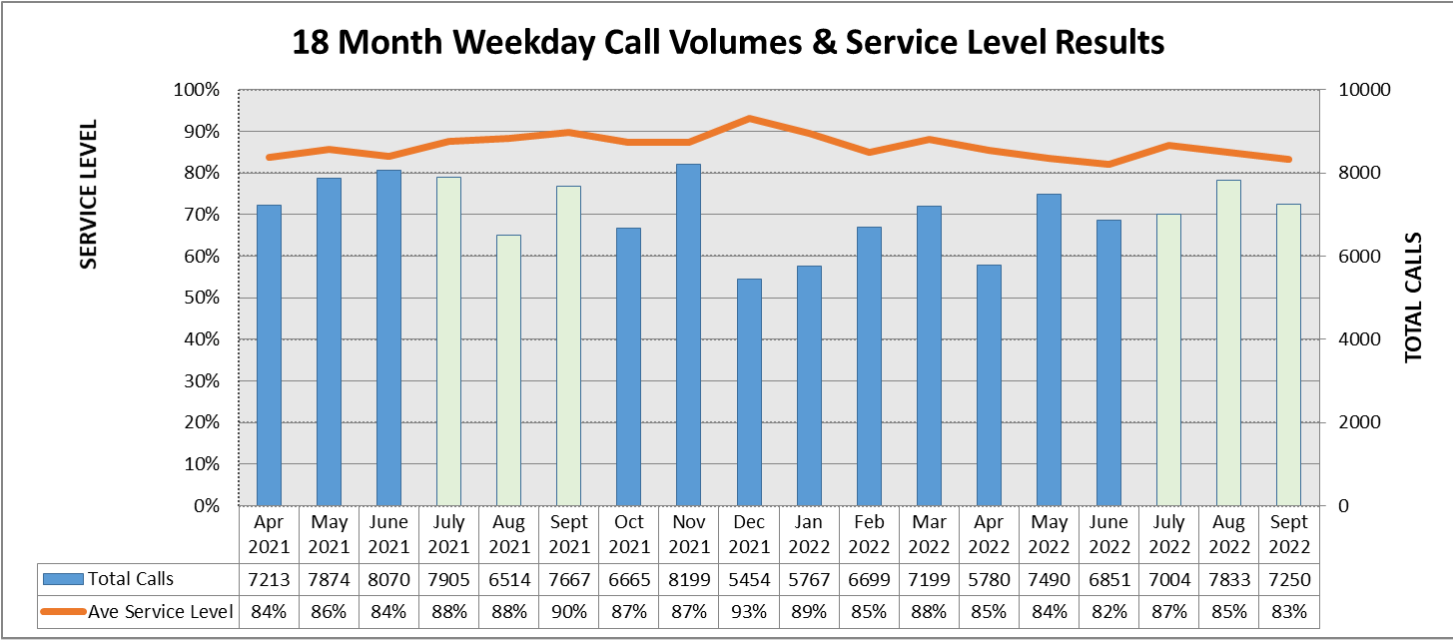
Activities impacting on customer demand over the quarter included:

- **Building Inspections** – demand from the construction sector stays strong, building inspections in particular are in demand with wait times extending beyond a month. The industry are aware and the majority plan ahead by booking in advance.
- **Rates:** first notice sent for the 2022/23 year with payment due date in August.
- **Hawke’s Bay Regional Council (HBRC) rates** due in September.

In order to monitor trends and compare seasonal fluctuations, a summary of the various channels of enquiry over the past eighteen months is enclosed.

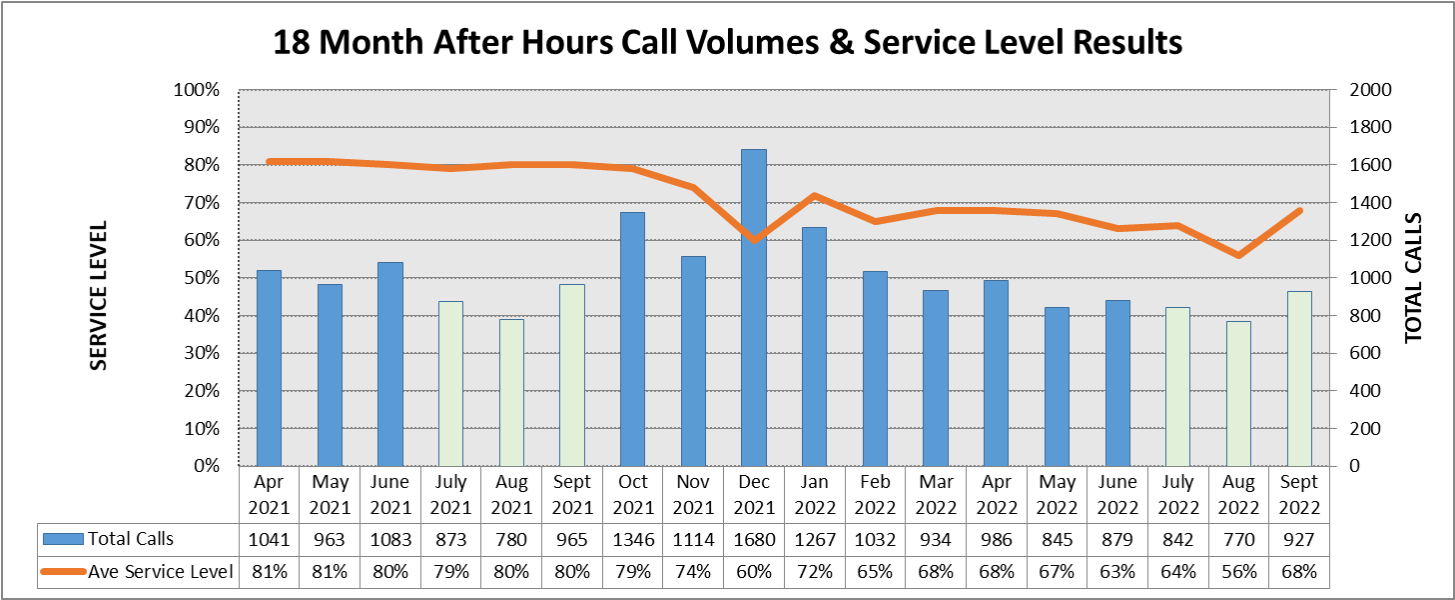
HDC Contact Centre

- Overall call numbers dropped by 4.6% over the quarter compared to the same period in 2021. The impact of COVID which resulted in multiple alert level changes in August and September 2021, make it difficult to compare month to month. The 22,087 calls received this quarter represented a daily call average of 345 vs. 349 in 2021 (23,157 calls received).
- Service level targets were achieved with more than 80% of calls being answered in 20 seconds each month despite juggling resources due to COVID.
- Winter weather impacts were minor, however the first rates notices drove the higher call volumes in August with calls querying the change in how the waste remission was applied and the 6.9% increase.
- Other hot topics included the final stages of the dog registration period (late registration fees and infringements); a number of unplanned water outages and the ongoing demand for building inspections.



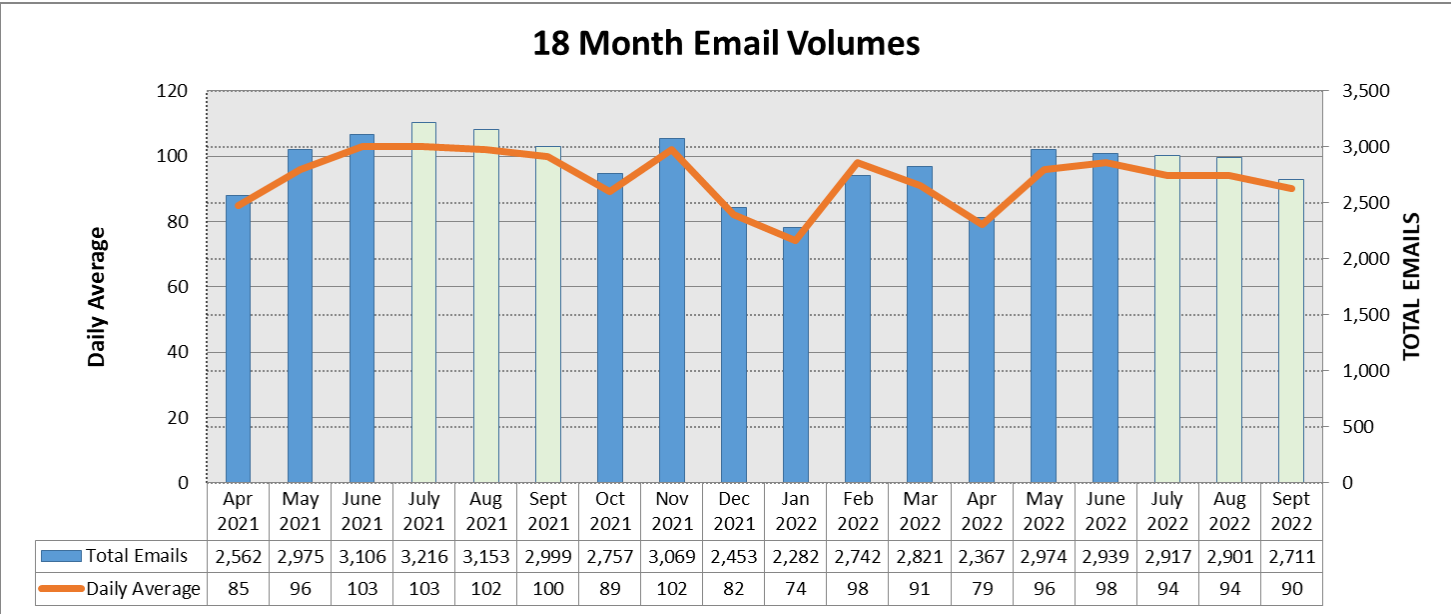
After-Hours Contact Centre

- The quarter has been unpredictable in the after-hours space, with multiple weather events and the activation of EOC for several Councils. The number of emergency events in July was one of the highest on record and hopefully spring will see a more predictable working pattern.
- There were 548 less calls for Hastings in the period from July to September 2022 (2,539) in comparison to the same period in 2021 (3,087); however average handle times increased by 45 secs per call, due to a combination of factors, including increased call complexity and needs of callers; higher numbers of inexperienced staff and increased after call work i.e. jobs requiring a call to contractors to initiate action or request an update.
- In addition to the weather related peaks, illness (flu and second round of COVID) proved challenging.
- Fifteen new staff have been added to the after-hours team, and following completion of induction training went live on phones during the quarter. The recruitment is a mix of replacement and new roles that have been added to increase resilience.
- Facebook Monitoring continues to take place with no major issues this quarter.



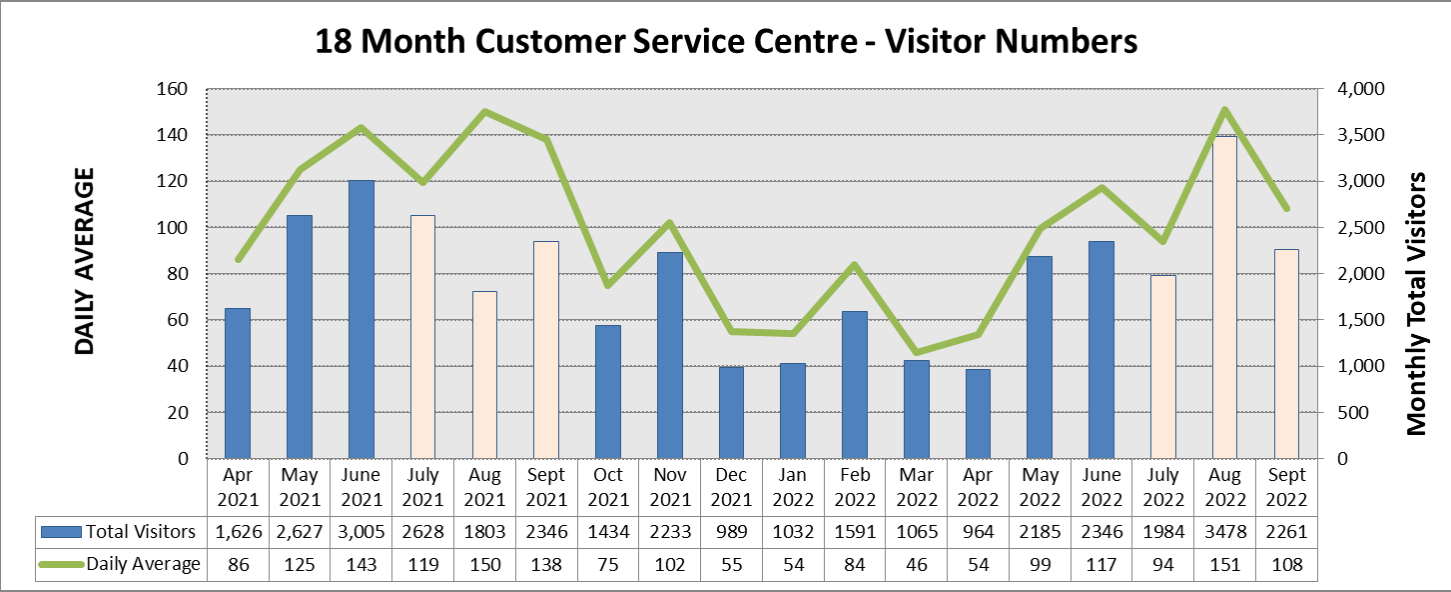
Emails to Customer Service (includes online web forms)

- Digital communication continues to be popular, although the 8,280 emails received were slightly less than the same quarter in 2021. The alert level changes that resulted in the service centre closure in August/September 2021, will have increased the number of electronic communications received a year ago.
- Building (1,142); Animal Control (645); General customer service enquiries (639); Finance (including rates 558); and Waste services (412) were the highest business activity areas in the electronic space.
- The daily average in the 2022/23 year sits at 118 emails received per weekday, and 33 over the weekend. The daily average below is the combined total across for all days (weekdays and weekend).



Customer Service Centre (CSC)

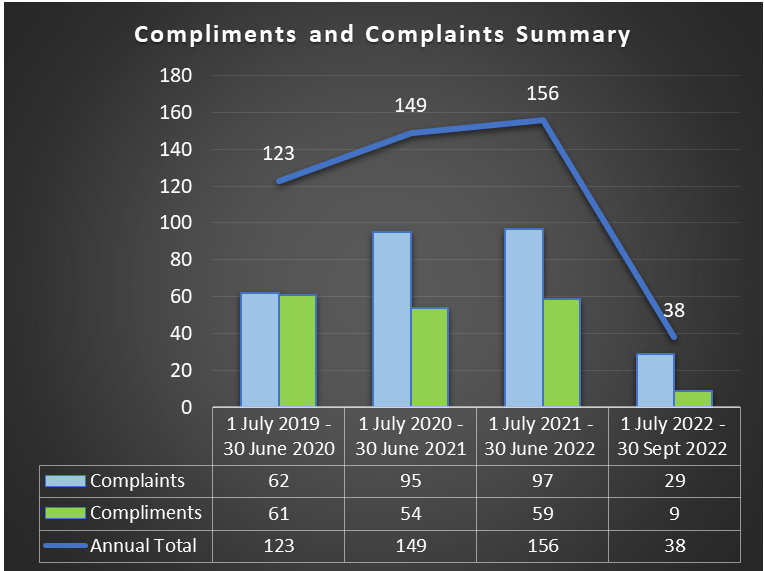
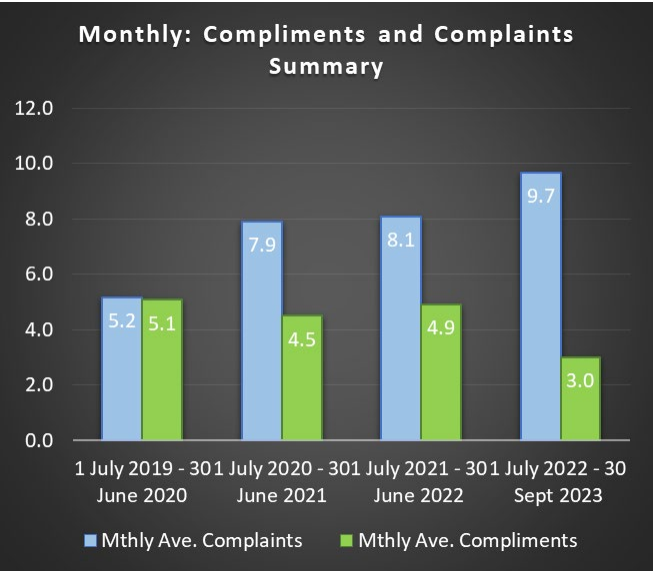
- August had the highest number of visitors (3,478) since August 2019, and overall the quarterly total (7,723) was up by 946 on same period in 2021.
- The 2021 quarter was disrupted by a COVID enforced closure for 14 days from August 18th through to September 7th, making it impossible to compare, however a sense of normality has been returning and it will be interesting to see how this translates in terms of the number of customers choosing to engage in face to face transactions.
- Council rates due in August saw 820 residents in to pay; whilst the HBRC rates due brought in 376 in August and 608 in September.
- 1,294 Rate Rebate applications were received over the quarter, 900 of which were in August, which is the highest for a number of years.
- The 29th July deadline for dog registrations resulted in 750 visits to pay and collect tags.



Compliments and Complaints

The Compliments and Complaints Policy guides Council’s management of public feedback regarding organisational performance, both good and bad.

- The policy and process for making a compliment or complaint is available to customers in the “Contact Us” section of Councils website.
- The online system continues to be used with 9 compliments and 29 complaints received this quarter. The busy building area received 3 timeframe related complaints but also 4 service related compliments; dog registration enforcement resulted in several complaints; and the transportation area had 6 complaints related to road works as well as 2 compliments for responding and resolving issues to a high standard.
- Complaints are investigated and complainants are responded to, whilst compliments are shared with the teams.



Looking Forward

- We are now looking ahead to the **end of the year, with planning beginning for operations** over the festive season. This includes the preparation of holiday instructions for contractors and our after-hours service.
- **Elections:** The polling booth will be operating in the October voting period.
- **Rates Due:** The second instalment due in November.
- **Rate Rebates:** Working with the retirement villages to assist residents with applications.
- **Business Continuity:** Members of the team are participating in an exercise considering actions in response to the Civic Building being uninhabitable for a period of time.

Risk Management

Risk and Assurance Committee

The Risk and Assurance Committee continues to monitor the following areas that present an elevated risk profile for Council:

- Council has been assigned Ernst & Young as auditors to take over from Audit New Zealand due to current workloads. While a change at this point in the audit cycle is unusual the Committee believed Council was well prepared and able to manage the change effectively.
- Legislative reform, including 3 Waters, Resource Management Act, and Local Government reform. With regard to 3 Waters reform, the Committee received an update on transition planning to prepare for transfer of water services to external agencies. This included an update on operational risks management in place in response to inflationary and supply chain pressures, and learnings from the recent wastewater overflow event in Whakatū. The measures in place and response to the event were seen as robust.
- There is a need to ensure that the effort applied to climate change actions is real and effective. The Risk & Assurance Committee reviewed Council's current activity to address climate change, and considered what additional steps should be considered to understand the current capacity of current infrastructure and services. This has resulted in the decision to undertake a climate risk assessment to identify priority areas for action.
- Treasury management continues to be compliant with policy, and work is being undertaken to minimise Council's cost of financing considering the current economic environment. The committee is also monitoring the potential impact of debt currently held on Councils balance sheet being transferred to the new water entity.
- Cyber security continues to be a key area of focus for the Committee. This is supported by regular updates on priority actions to improve Council's resilience to cyber threats.

- The ever increasing cost of insurance is being felt by Council with the impact of increasing asset values and a generally more expensive insurance market impacting on premiums. The Committee continues to ensure that a suitable balance is achieved between the cost of external insurance cover and magnitude of the residual value Council is covering.

Strategic Risk Profile

The current operating environment is very dynamic and the Risk and Assurance Committee continues to monitor the situation for emerging risk. These will be incorporated in to the Strategic Risk profile as required.

The following highlights areas of interest from the current strategic risk register and identified emerging issues.

Potential Future Issues


ID	Description	Details	Notes
26	Failure of Climate Adaptation	UN is calling for a step change in carbon reduction measures leading up to COP27 due to predictions that global warming will exceed the 1.5C target seen as a tipping point for extreme weather. Therefore, regardless of carbon emissions reductions there is a rapidly growing need to prepare communities for the possible impacts of a warmer climate.	The HDC Eco District Strategy documents the range of activities Council currently has underway to address climate change. To further escalate this the Risk & Assurance Committee agreed to a climate Risk Assessment to identify likely impacts on Community.
25	People Health, Safety and Wellbeing	The combination of post-COVID recovery and ongoing regional growth is creating instances of relatively complex staff illness and wellbeing impacts. Greater focus on managing team workloads and access to support services is being implemented.	This may also affect staff retention, which can be a bigger problem considering the tight labour market being experienced.
28	Truth Decay	There is an increasing pattern of resistance to Government policy and decisions fuelled by misinformation and groups with extreme views. This is leading to increased tension in public and staff interactions, and greater chance of community action/protests.	Council continues to focus on providing good public communications, engagement and transparency in decisions to build trust in Council activities. Consideration is also being given to alternative ways of improve effectiveness of community engagement.
23	Financial Sustainability	Council’s debt portfolio is managed within macro limits set out in the Treasury Policy with net external debt position of \$219.7m. Officers are comfortable with the level of financial cover currently in place in relation to the level of debt held. This represents a continuing rise in the overall level of debt that will need to be carefully managed as interest rates continue to show an upward trend.	Decisions on adding new projects to Council commitments will need to give careful consideration to funding options and viability.

Information Management and Business Transformation (IMBT)


The IMBT team manage and support Council's technology systems and IT infrastructure. The following summarises key project innovations and operational improvements over the reporting quarter (July-September).





Achievements in the Quarter (Whakaaahu Whakamua)

	<p>Project Te Whata (HPRM upgrade)</p>	<p>Why? Project Te Whata provides user friendly options to ensure records are kept within Council's records management system. This includes integration with Microsoft Office and Teams.</p> <p>Status Both the records management (Content Manager 9.4) and Workspace (User friendly interface) went live successfully. Work continues with the property file restructure. This project is scheduled for completion in December 2022.</p>
	<p>Project OX (Server and Storage Refresh)</p>	<p>Why? Project OX ensures Council's underlying IT infrastructure is always reliable and supported by the manufacturers. This is done through a five-year replacement cycle.</p> <p>Status The new infrastructure has been implemented and all systems have been transferred to the new hardware. Decommissioning of the old equipment is expected to be completed by December 2022.</p>
	<p>Project Quattro (GIS systems refresh)</p>	<p>Why? Council needs to upgrade their IntraMaps software to maintain support of a key system.</p> <p>Status All GIS systems are now running on the latest version of software and are fully supported by the vendor.</p>

	<h3>Regional Data Centre</h3>	<p>Why? Standardisation of technology across the region provides the foundation of shared services within the region.</p> <p>Status Napier City Council have ordered their equipment and will share the same data centre as HDC and CHBDC from February 2023 onwards.</p>
---	-------------------------------	---

Ongoing Projects

	<h3>Project Te Whata (HPRM upgrade)</h3>	<p>Why? Project Te Whata provides user friendly options to ensure records are kept within Council's records management system. This includes integration with Microsoft Office and Teams.</p> <p>Status The project is nearing completion. All staff have been trained on the new functionality and interface (Workspace). The property file structure change is scheduled for November with the project set to complete in December 2022.</p>
	<h3>Project Genesis (Moving TechOne to the Cloud)</h3>	<p>Why? Council uses TechOne for Property and Rating as well as Finance. These are enterprise solutions which the vendor has moved to a cloud-based solution (SaaS – Software as a solution). All Councils using this solution have been given until October 2023 to commit to moving to the cloud version to continue receiving support on the current version. Moving to a SaaS model involves changes to numerous business processes and system integrations. This project is expected to take three years to complete.</p> <p>Status The project team has been establish along with the team charter. Council is waiting on final cost implications and technical implications from T1 to draft a business case to the lead team.</p>

	<p>Project Shop (Procurement through to Contract Management)</p>	<p>Why? Project Shop provides Council with a formal contract management system which manages the complete lifecycle of purchasing following robust procurement practices.</p> <p>Status This project has faced some setbacks due to the vendor being bought out by another company. Council has employed a contractor, who used to work for the vendor, on a short-term contract to complete this project. The project completion is now scheduled for February 2023.</p>
	<p>Regional Data Centre</p>	<p>Why? Standardisation of technology across the region provides the foundation of shared services within the region. This builds regional capability through people, processes, technology and information.</p> <p>Status Work is currently underway to onboard Napier City Council into the data Centre. Hawke's Bay Regional Council have shown interest in joining the data centre in the mid to long term.</p>
	<p>Office 365 Upgrade</p>	<p>Why? With the upgrade of Content Manager (Te Whata) which was restricting Council on what version of Office we could use; Council is now able to make use of functionality and simplicity through the new version of MS office.</p> <p>Status Staff who have expressed an interest in upgrading as part of the "fast track" stream are in the process of being upgraded. Some small teething issues are being resolved before all staff are upgraded.</p>
	<p>Project "We Listened" (Replace MiColab phone system with Teams calling)</p>	<p>Why? Feedback from the Ask Your Team survey has clearly identified that staff find the current phone system un-user-friendly and are constantly having issues with it. Staff are familiar with Teams and consolidation to a single communication platform is in sync with the IS strategy.</p> <p>Status IMBT are in the planning phase and working with external resources to migrate off the current MiColab platform in a timely manner.</p>



Marketing & Communications

Media Communications

Releases

In a busy quarter ahead of the local body elections, 31 media releases were issued detailing Council’s activities over the past three months.

Of a total 298 articles mentioning Hastings District Council between July 1 and September 30, a third arose from a council media release.

Media releases covered anything from the opening of the Toitoti Municipal Buildings to progress with “It’s Flaxmere’s Time” initiatives, Hastings Place Based Housing plan updates, new murals and other activities in the city centre, water upgrades funding, citizenship ceremony, and a civic remembrance service for Her Majesty Queen Elizabeth II.

Media Coverage

The opening of the Toitoti Municipal Building was a stand-out story this quarter, picked up by local and national media – print, radio and television. TV1 News also profiled Hastings’ strong economy in July, and Council’s response to the three waters reform was another area of national interest. The government’s directive for fluoride to be added to drinking water put Hastings along with 13 other local authorities in the national spotlight. The local body elections were a source of keen media interest with local media video-profiling council candidates. Blossom Fest coverage was all organic and good quality locally.

The key topics of media interest (incorporating releases and media driven stories) included:

July	August	September
Toitoti Municipal Building opening	Local body elections	Three Waters
Last Dance/First Dance at Municipal Building	Flaxmere New World gains recourse consent	Council approves extra funding for drinking water upgrades
Havelock North Village Green playground upgrade	Municipal Building opening	Waka Kotahi Innovating Streets funding
Big Apple Project	New murals in city centre	Blossom Fest
Fluoride to be added to drinking water	Civic Honours Awards	Queen Elizabeth II civic remembrance service
Local body elections	Consent issue for new supermarket in Havelock North	Rush Munro’s moving to new temporary location

Digital Communications

Social Media

HDC Facebook

Vital Statistics

	Page likes	Total engagements	Total impressions	Total published posts	Post clicks	Total videos	Total views
Q4, 2021-22	22,962 (+326)	159,237 (-2,709)	2,452,246 (+165,344)	278 (+29)	10,580 (-1,489)	28 (+5)	86,999 (+25,563)
Q1, 2022-23	24,049 (+4.5%)	305,498 (+96%)	3,740,441 (+50.9%)	331 (+17.8%)	11,958 (+12.3%)	61 (+110.3%)	399,800 (+522.3%)

Top 10 posts (based on reach)

Rank	Caption	Reach	Likes and Reactions	Post Link clicks	Other Post Clicks	Comments	Shares
1	Municipal Building celebrations, Kids Dance Off video with Nerida and Jett Cortese (6 August 2022)	468,230	2,299	3	43,764	51	60
2	We have beautiful dogs looking for their forever homes (17 August 2022)	29,339	252	59	3,443	37	54
3	Work has started on the installation of speed cushions on Te Mata Peak Rd (15 August 2022)	28,469	161	87	2,123	137	22
4	Members of the Pasifika Senikau Group (RSE Village Hastings) have created a stunning apple for the Big Apple Project (17 August 2022)	27,000	1,241		2,718	146	93
5	After being closed last summer, the team at Splash Planet are gearing up for an epic 2022/23 season (2 August 2022)	26,563	253	208	2,407	103	54
6	Rush Munro's is moving to Albert Square. The business has to move after the owners of their current site decided to develop it (2 September 2022)	26,317	682	374	3,372	226	68
7	Honey has found her forever home (12 September 2022).	26,111	380	111	2,587	186	37
8	UPDATE: Lizzy has found a home. Thank you to everyone who wanted to adopt her. (19 September 2022).	25,348	319	30	847	52	47
9	Meet Leia, a two year old Staffy. (1 August 2022).	25,081	327	42	1,238	120	53
10	Free Blossom Festival carnival rides on now until 7pm! (25 September 2022).	25,052	404		3,087	130	38

Hastings Proud Instagram

	Followers (total)	Gained	Engagement	Impressions	Posts
Q4, 2021-22	1660	37	461		19
Q1, 2022-23	1,763 (+6.3%)	104 (+205.9%)	1,575 (+188.5%)	42,168 (+64.4%)	56 (+166.7%)

HDC LinkedIn

	Followers (total)	Impressions	Clicks	Reactions	Comments	Shares	Engagement rate
Q4, 2021-22	2,146 (+169)	31,579	2333	765	19	15	8%
Q1, 2022-23	2,384 (+11.1%)	32,254 (-0.6%)	1,580 (-36.5%)	670 (-15.7%)	21 (+5%)	11 (-26.7%)	7.1% (-30.8%)

Hastings NZ Social Channels

During the reporting period 1 July – 30 September, Instagram gained 1,000 new followers (125% increase) taking us to 1,798. The channel had 2,177 total engagements (+198%) and had more than 286,257 total impressions (+1,778%). Meanwhile the Facebook page grew by 16.8% to 3,906 likes and had 21,389 total engagements (+1,479%), and 415,595 total impressions (+1,530%). Across both channels, the most engaged with posts were those relating to L.A.B coming to play at the Tōmoana Showgrounds in January 2023 and the Blossom Fest 2022.



Hastings NZ Facebook

Vital Statistics

	Page likes	Reach	Page Visits	Total Impressions	Total published posts	Post clicks	Total videos	Total views
Q4, 2021-22	3,344 (+56)	7,397	406	25,555	37	79 Post Link Clicks 1,052 Other Post Clicks	0	18
Q1, 2022-23	3,906 (+16.8%)	Total Engagements 21,389 (+1,478.5%)		416,595 (+1,519.8%)	46 (+24.3%)	2,547 (+3,124.1%)	4	7,655 (+42427,8%)

Hastings NZ Instagram

	Followers (total)	Gained	Reach	Engagement	Posts
Q4, 2021-22	798 (+710)	9,585	1,037	430	58
Q1, 2022-23	1,798 (+125.3%)	1,000 (+213.5%)		2,177 (+197.85%)	313 (+389.1%)

E-News

There were 91 newsletters sent out to 48,898 recipients for this quarter (up from 77 and 24,955 last quarter). The average open rate was 54.06% down slightly from 54.81% last quarter – remaining well above the government benchmark of around 30% (MailChimp & Campaign Monitor benchmarks).

Topics included:

July	Eskdale, Frimley and Havelock Hills RMPs Soils Symposium Building and Land Development Forum
August	L.A.B are coming to Hastings RMP updates 2022 Fotofest
September	Eskdale, Frimley and Havelock Hills RMP updates Rural Report Waste eNews

Website

Page views	371,517 (+8.2%)	Desktop	64.9%
Users	171,328 (+3.4%)	Mobile	33.5%
New users	163,586 (+5.7%)	Tablet	1.5%
		Users using search	3.5%

The most popular pages for the quarter were:

Top News Items	5. Exciting new tenants announced (Municipal Building) 6. New Chief Executive appointed 7. Hastings District Council election nominations
Search terms (search was used by 3.48% of users)	1. Elections 2. Rates 3. Hastings General Residential zone of the Operative Hastings District Plan (March 2020) 4. Dog registration 5. District Plan
Popular Pages	6. My Property 7. Events 8. Maps and GIS 9. Blossom Fest 10. Cemetery Database 11. Elections 12. Rates 13. District Plan 14. Transfer Station 15. Contact Use

Events

The first quarter of this financial year saw a return to confidence in the events industry with only one event cancelled this quarter, a vast improvement from the previous year.

With the major of events now back, the event calendar is full of events large and small and a number of new initiatives as featuring as a result of the Covid Action Recovery Plan.

The highlight of the quarter was a number of community events to drive optimism back into our district and vibrancy back into our CBD to support hospitality and retail.

With a full complement of facility enhancements (Municipal Buildings and Hawke’s Bay Aquatics Centre) now complete, forward planning is well under way to support a strong vision to grow Hastings as an event destination to return significant economic and social wellbeing benefits.

Council-owned	
12 July	Mayor’s Taskforce for Jobs
15 Julky	Soil Symposium
5-7 August	Municipal Building opening
9 August	Civic Honours Awards
20 August	Fia Fia Day
30 August	Youth Potential Awards
4 September	Tonga Language Week Ceremony
17 September	Camberley Gala
21 September	Focus on Business Breakfast
23-25 September	Blossom Fest
29 September	Citizenship Ceremony

Council-sponsored (funded/supported)	
1 July	Topline Graduation
26 July	Eventing the Future Conference
26 August	Edible Fashion Awards
29 August	NZ Secondary School Federation Cup/Marie Fry Trophy
9 September	Waiata Māori Music Awards
10 September	HB Racing Spring Carnival – Tarzino Tropihy
16 September	GO-4-12 Youth Adventure Race
17 September	HB Wine Auction
24 September	Blossom Parade
25 September	Hawke’s Bay Tri
30 September	Spirited Women

Cancelled/Postponed (Q4 April-June)		
24 September	HB Hundy	Cancelled

Community Engagement Activities

Consultations

Consultation	Description	Publish Date	Close Date
Draft Reserve Management Plans	In July this year, Council adopted draft plans for Eskdale Park, Frimley Park, and a combined draft plan for Tainui, Tanner, Tauroa, and Hikanui Reserves, as well as Keith Sands Grove (Havelock Hills)	2/07/2022	7/10/2022

Key Projects

Drinking Water – Our Number One Priority

The main action in relation to the drinking water upgrades this quarter was council’s approval of additional loan funding of \$8.7m to complete the overall project.

While the extra funding would be used across the project, the majority would be put towards completing the Waiaroha project.

Three Waters Reform

Three waters reform activity slowed down this quarter as the select committee process got underway. Isolated media coverage arose such as opinion pieces by Hawke’s Bay mayors encouraging the community to give feedback. TVNZ ran an in-depth piece investigating why Hawke’s Bay councils were opposed to the reforms.

Housing Supply

Flaxmere Housing

This quarter Flaxmere housing and the wider “It’s Flaxmere’s Time” project was highly commended at the LGNZ EXCELLENCE Awards. Joining with its Hastings Place Based Housing Plan partners, Council celebrated Kāinga Ora’s completion of 40 public homes at Kauri St.

Hastings Housing

Communications began to inform and engage the community on the proposed Plan Change 5 – Right homes, right place, allowing for intensified housing activity in residential zoned areas.

Three RMPs

With consultation on the three draft Reserve Management Plans now closed, preparations are underway for a hearing scheduled to be held at the end of the year.

In July this year, Council adopted draft plans for Eskdale Park, Frimley Park, and a combined draft plan for Tainui, Tanner, Tauroa, and Hikanui Reserves, as well as Keith Sands Grove (Havelock Hills). Formal consultation got underway on 2 July and continued until 7 September. In total, 143 submissions were received for Eskdale Park, 97 for the Havelock Hills plan, and 20 for Frimley Park. The draft plans were developed with the community over 12 months using surveys, interviews, workshops and park open days. During this time more than 1000 people provided feedback on Eskdale Park, over 200 on Frimley Park, and more than 500 on the Tainui, Tanner, Tauroa and Hikanui Reserves review. A number of specialist reports also informed the draft plans.

2022 Local Body Elections

Promotion of the 2022 Local Body Elections began with the ‘Stand’ phase, 15 July – 12 August (encouraging members of the public to stand for council) and culminated with the ‘Vote’ phase which ran from 16 September until midday 8 October. While the Mayor, Mōhaka General Ward, and Heretaunga General Ward were uncontested, 14 people put their hand up for the 7 vacancies in the Hastings-Havelock North Ward; 4 people for 1 vacancy in Flaxmere; 2 people for 1 vacancy in Kahurānaki General Ward; and 7 people for 3 vacancies in the Takitimu Māori Ward.

To facilitate ease of voting, portable ballot bins with elections branding were placed in the following locations: Hastings District Council Customer Service Centre; Libraries (Hastings, Havelock North, Flaxmere); Mitre 10 Hastings; BP Clive; Camberley Community Centre; Countdown Hastings; New World supermarkets (Flaxmere and Havelock North); and Te Taiwhenua O Heretaunga. In addition to the HDC customer service centre, special voting sessions were also held at the following locations in September: Te Taiwhenua o Heretaunga; Flaxmere Community Centre; Havelock North Library; Hastings Library; and Camberley Community Centre.

When the official results were declared on 14 October, the voter return was 32.95%, being 15,597 votes.

Hastings Tourism

Hastings i-SITE

The Hastings i-SITE and Visitor Centre opened successfully in its brand new location within the Municipal Building. It proudly offers innovative technology to help showcase Hastings and Hawke’s Bay to visitors, this includes a large nine-screen video wall and an interactive digital touch-screen map.

Merchandise continues to come into stock, with a focus on local producers and artists. Retail offerings include Hastings branded t-shirts and tea-towel, with pottery and handmade gifts and perishable items. The team is very proud of the new location and is working hard to make the i-SITE a hub for visitors and locals to come for information on what’s on, what to do and where to go. With the return of cruise ships and summer travel, we anticipate a successful summer season

The Municipal Building

The opening of the entire Municipal Building generated great PR for the Muni and wider Hastings, including television coverage on Seven Sharp, stories in Kia Ora Magazine, NZ Herald, Viva Magazine and multiple digital outlets. This promotional work forms part of a larger work-plan to showcase Hastings on a national scale to help deliver economic benefit through visitors, investors, events and to attract new residents to live and work in our district.

Municipal Building

The Municipal Building project was the final piece of the Toitū, Hawke’s Bay Arts and Events Centre redevelopment and has successfully delivered on the aspirations of Council and the community. The official opening celebrations over the weekend of 6-7 August included performances, history talks, activities for the kids, dancing, and chances to explore the buildings. An estimated 4,000 people passing through the doors over the two days.

The opening celebrations was the culmination of a marketing and promotion campaign which began in May, utilising a range of different channels and mediums including: signage in key locations (print and digital), print and digital advertising, radio, social media and TV.

Media releases in this reporting period focused on the announcement of the official opening weekend celebration dates (1 July), the relocation of the Hastings i-SITE to the Municipal Building (6 July), encouraging people to share their memories of dancing in the Municipal Building Assembly Hall (15 July), the new Heretaunga Street paver etchings (outside the Municipal Building) which mimic river flow (27 July), and a preview of the opening weekend celebrations (1 August).



Glossary

Acronyms, Terms and Māori Translations

Acronyms	
AWPT	Area Wide Pavement Treatment
BAU	Business As Usual
BBHB	Basketball Hawke’s Bay
BBNZ	Basketball New Zealand
BCA	Building Consent Authority
CACTUS	Combined Adolescent Challenge Training Unit
CBD	Central Business District
CCC	Code of Compliance Certificate
CDEM	Civil Defence Emergency Management
CHP	Community Housing Provider
CMS/RAMM	Central Management System/Road Asset Maintenance Management
CRM	Customer Request Management
DWSNZ	Drinking Water Standards of New Zealand
EOTC	Education Outside the Classroom
ESG	Executive Steering Group
FENZ	Fire and Emergency New Zealand
FOH	Functions on Hastings, Toitōi, Hawke’s Bay Arts and Events Centre
HBAL	Hawke’s Bay Airport Limited
HBCFCT	Hawke’s Bay Community Fitness Centre Trust
HBMT	Hawke’s Bay Museums Trust
HBRC	Hawke’s Bay Regional Council
HPUDS	Heretaunga Plains Urban Development Strategy

Acronyms	
HTST	Heretaunga Tamatea Settlement trust
JFH	Jobs for Heretaunga
KO	Kāinga Ora
LGOIMA	Local Government Official Information and Meetings Act 1987
LEOTC	Learning Experiences Outside the Classroom
LTP	Long Term Plan
MBIE	Ministry of Business Innovation and Employment
MGG	Matariki Governance Group
MSD	Ministry of Social Development
N4N	Nourished for Nil
NCC	Napier City Council
NZTA	New Zealand Transport Authority
PDS	Project Definition Sheet
PGF	Provincial Growth Fund
RMP	Reserve Management Plan
RSE	Recognised Seasonal Employer
RTA	Residential Tenancy Act
SEO	Search Engine Optimisation
TANK	Tūtaekuri, Ahuriri, Ngāruroro and Karamū – management of freshwater in the greater Heretaunga catchments
WMMP	Waste Management and Minimisation Plan
YTD	Year To Date

Terms	
Assets	An item of property owned by a person or company, regarded as having value and available to meet debts or commitments
Capital Spend (Expenditure)	Funds used by a company to acquire, upgrade, and maintain physical assets such as property, plants, buildings, technology, or equipment
Columbarium Wall	A place for the respectful and usually public storage of urns, holding a deceased's cremated remains
Cosplay	Costume play (designed to portray a character)
Defects	A warranty period
Depreciation	A reduction in the value of an asset over time, due in particular to wear and tear
Enterprise Systems	Large-scale enterprise software packages that support business processes, information flows, reporting, and data analytics in complex organisations
FoodEast	Hawke's Bay Food Innovation Hub
Hog Fuel	Wood chips or shavings, residue from sawmills, etc. used as a boiler fuel
Kāinga Ora	A Crown entity set up under the Kāinga Ora Homes and Communities Act 2019. It brings together the Kiwibuild Unit, Housing New Zealand and its subsidiary. It has two key roles: public housing landlord and partnering with the development community, Māori, local and central government and others on urban development projects.
Leachate	A liquid produced by precipitation coming in contact with waste and infiltrating through landfills, seeps through the sides and bottoms of the landfill

Terms	
Manga	Comics or graphic novels which originate from Japan that conform to a specific style
Residual Risk	The amount of risk associated with an action or event remaining after natural or inherent risks have been reduced by risk controls
Revenue	The income generated from normal business operations
Procurement	The process of finding and agreeing to terms, and acquiring goods, services, or works from an external source, often via a tendering or competitive bidding process
Statement of Intent	Local Government Act requirement for Council Controlled Organisations

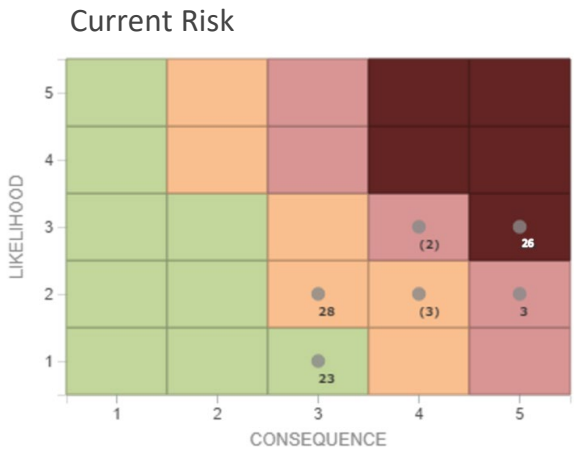
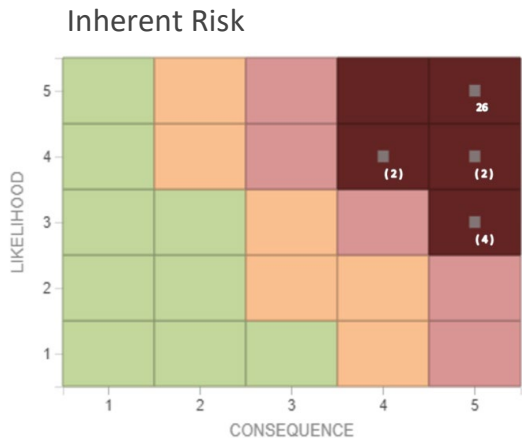
Māori Translations	
Kaumātua	Elders in the Māori community
Manaaki	Hospitality
Rohe	Area
Taonga	Treasure
Tikanga	Formality/Custom
Wharekai	Dining hall



Appendix 1

HDC Strategic Risk Register

Strategic Risk register as at 30 October 2022



ID	Description	Trend	Details	Inherent Risk	Residual Risk
26	Failure of climate adaptation	↑	Lack of knowledge, protracted decision making or insufficient application of resources may cause climate change adaptation measures to fail adversely impacting economic, social and cultural wellbeing.	Extreme	Extreme
3	People Health, Safety & Wellbeing	↑	Exposure to health & safety risks (as a result of activities undertaken or directed by Council) which could result in serious health effects to workers, customers and public.	Extreme	High
22	Water Quality & Quantity	↔	As a result of climate change and human activities, there may not be a sustainable quantity of quality water to support the communities economic, social and environmental wellbeing aspirations.	Extreme	High
21	Significant Operational Service Failure	↔	Operational failure that may have a material impact on the delivery of Council services to the community.	Extreme	High
25	Growth planning	↔	Failure to accurately understand community needs may lead to poor growth management planning that compromises delivery of the services required by the community, adversely affecting economic, social and cultural wellbeing, and impacting Council's ability to achieve LTP objectives.	Extreme	Medium
28	Significant statutory reform	↔	Failure to proactively adapt to statutory changes could adversely affect economic, environmental, social or cultural wellbeing, and cause significant delays and/or barriers to Council's delivery of LTP objectives.	Extreme	Medium
30	Failure to address ESG&C expectations	↔	Failure to address Environmental, Social, Governance (ESG) and Cultural expectations during decision making processes may contribute to increasing levels of inequity, resulting in legal implications, financial costs, significant reputational impacts or damage to the environment.	Extreme	Medium
31	Truth Decay	↑	Increasing momentum towards the four trends of the 'Truth Decay' phenomenon, may lead to the erosion of civil discourse and disengagement of individuals from political institutes, resulting in an ability for Council to engage the community, plan for growth, or execute delivery of strategic goals effectively.	Extreme	Medium
23	Financial Sustainability	↑	Due to over committing to work programmes the financial sustainability of the Council may be compromised affecting delivery of all LTP goals.	Extreme	Low



Contents

Schedule of Amendments, Additions and Deletions	1
Part 1 Introduction	3
Part 1A Delegations	3
1. Role of the Committee & Rural Community Board Register of Delegations	3
2. Philosophy of Council Regarding Delegations	3
3. Characteristics of Delegations	3
4. Functions that Council Cannot Delegate	4
5. Delegation to Officers	4
6. Sub-delegation	4
7. Reporting Decisions	4
8. Term of Delegation	4
9. Policy and Delegated Decision Making	4
10. Amendments to this Register	5
Part 1B General Committee Guidance	5
11. Committees	5
12. Hastings District Council Committee Principles	5
13. Role of the Mayor	6
14. Appointment of Committees	6
15. Hastings District Rural Community Board	6
16. Ambiguity and Conflict	7
Part 2 Standing Committees	10
1. Strategy and Policy Committee	10
2. Performance and Monitoring Committee	11
3. Hearings Committee	12
4. Risk and Assurance Committee	13
5. Heretaunga Takoto Noa Māori Standing Committee	14
6. Hastings District Licensing Committee	16
7. Chief Executive Performance Committee	17
Part 3 Community Board	19
1. Hastings District Rural Community Board	19
2. Rural Halls Subcommittee	21
Part 4 Subcommittees	22
1. District Development Subcommittee	22
2. Environmental Wellbeing Subcommittee	23
3. Community Wellbeing Subcommittee	25
4. Local Government Futures Subcommittee	Error! Bookmark not defined.
5. District Planning and Bylaws Subcommittee	26
6. Flaxmere Futures Subcommittee	27
7. Civic Development Subcommittee	28
Part 5 Joint Committees	30
1. Hastings District Council : Tangata Whenua Wastewater Joint Committee	30
2. Hawke's Bay Crematorium Committee	31
3. Joint Waste Futures Projects Steering Committee	32
4. Future Development Strategy Joint Committee (Placeholder)	34
5. Omarunui Refuse Landfill Joint Committee	35
6. Clifton to Tangoio Coastal Hazards Strategy Joint Committee	38
Part 6 Advisory Groups	42
1. Youth Council	43
2. International Advisory Group	44
3. Active Transport Strategic Advisory Group	45
Part 7 Lead Councillors	46
1. Role of Lead Councillors	46
Schedule of appointments to committees and external organisations	48

Part 1 Introduction

Part 1A Delegations

1. Role of the Committee & Rural Community Board Register of Delegations

This Committee & Rural Community Board Register of Delegations (the **Register**) has been adopted by the Hastings District Council (**Council**) to define its governance relationships and responsibilities.

2. Philosophy of Council Regarding Delegations

Council believes it is essential, in the interests of good management and effective administration, to encourage the delegation of decision making to the most-lowest appropriate level of competence. This should ensure best use of the abilities of elected representatives, minimise the cost of material, technical and financial resources and enable efficient/effective consideration and decision-making.

Authority and responsibility go together. Those with responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use. Delegations will not remove from the Council and management the ultimate accountability for the affairs of Council.

It is the statutory function of Council to lead and guide the good management of Hastings District. Council achieves this by determining primary goals and objectives and setting strategies and policies for the achievement of these objectives through the considered use of committees and the appointment of a Chief Executive.

Officers through delegation from the Chief Executive contribute to strategy and policy formulation, implementation and administration to provide and manage the infrastructures and services on which Hastings District is based.

In accordance with Section 5, 39(c) of the Local Government Act 2002, the Council must maintain a clear separation between regulatory and service delivery functions~~should maintain separation between decision making processes and responsibilities for regulatory functions and non-regulatory functions~~. The management structure must also reflect this separation. The delegations to both committees and staff have been written to coincide with this statutory imperative.

A power to hear evidence or consider a proposal is not a delegation and is not therefore generally included in this Register. This Register has been prepared on the basis that all committees and subcommittees have authority to hear any matter within their jurisdiction and decide the matter or submit a report or recommendation to a higher authority unless that is prohibited by law.

3. Characteristics of Delegations

Council does not lose the function, power or duty by delegation and may exercise this concurrently with those to whom it has granted a delegation (the **Delegate**).

The Delegate, while having the authority to make a decision under delegation, has the right not to exercise that delegation and therefore not make a decision. In such instances, the Delegate should refer the matter to the delegator.

Schedule 7, clause 30(6)~~Clause 30(6)~~, Schedule 7 of the Local Government Act 2002 makes clear that a local authority or committee is not able to rescind or amend a decision made under a delegation. The Council would be bound by the decision to the extent that the decision had already become binding on the Council by the operation of law and could not be reversed.

The delegations contained in this Register are made in accordance with the Local Government Act 2002 and any other statutory authority permitting delegation including (but not limited to) the Resource Management Act 1991, Building Act 2004, Dog Control Act 1996 and Reserves Act 1977.

4. Functions that Council Cannot Delegate
- Under ~~schedule 7, clause 32~~[Schedule 7 of the Local Government Act](#), Council can delegate all statutory powers other than the following:
- a) The power to make a rate; or

b) The power to make a bylaw; or

c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan; or

d) The power to adopt a Long-Term Plan, Annual Plan or Annual Report; or

e) The power to appoint a Chief Executive; or

f) The power to adopt policies required to be adopted and consulted on under the Local Government Act in association with the Long-Term Plan or developed for the purpose of the Local Governance Statement; or

g) The power to adopt a remuneration and employment policy.
5. Delegation to Officers
- Council can only delegate certain powers to officers. Delegations to the Chief Executive are contained in a separate Register (Register of Delegations to the Chief Executive). Staff members receive their delegations from the Chief Executive. These delegations are contained in separate delegations registers including the Statutory Delegations Register.
6. Sub-delegation
- Every committee may further delegate any power granted to them in this Register or otherwise by the Council either generally or ~~specifically, and~~[specifically and](#) may impose any term or condition upon that sub-delegation.
7. Reporting Decisions
- A Delegate need not generally report decisions to the person or body that granted the delegation, except that all tenders accepted under delegated authority are to be reported by the Delegate (in this case either a Department Manager, the Management Team, or a Standing Committee) to the next higher level of authority (either the Chief Executive via the Management Team, Standing Committee or Council) at the earliest opportunity.
8. Term of Delegation
- Unless any delegation is expressed to be for a definable term, it shall continue until revoked by the delegator or Council; or withdrawn in any way by operation of law.
9. Policy and Delegated Decision Making
- In reaching a decision under delegated authority full regard must be had to both:
- a) any Council policy applying to an issue; and

b) all relevant facts applying to the ~~case~~[issue](#).
- Should any Delegate, having considered all the facts of the case, be unable to make a decision which complies with Council policy on any matter, the correct action is then to refer the matter to Council.

10. Amendments to this Register

This Register shall be maintained by the Manager, Democracy and Governance Services who shall amend it in accordance with:

- a) Any instruction to that effect given by the Council; or
- b) Any need for typographical, grammatical or other minor amendment where the intention of the Council in the matter of a delegation is not altered.

This Register will be revised after each Triennial Election. This process will be initiated by the Manager, Democracy and Governance Services.

Part 1B General Committee Guidance

11. Committees

The law relating to Committees is generally found in Schedule 7 of the Local Government Act 2002. Unless otherwise stated, references to clauses are references to clauses in Schedule 7.

While a Committee may include persons other than elected members, ~~to other than under Section 12 Fencing of Swimming Pools Act 1987~~, it must include at least one elected member. Council Officers may only be appointed to subcommittees (Clause 31(4)). The minimum number of members of a committee is three, (Clause 31(6)(a)) with a quorum being at least two, including at least one elected member, (Clause 23(3)(b)). The Council will determine the quorum.

A Committee may delegate any of its functions, duties, or powers to a Subcommittee, subject to any conditions, limitations, or prohibitions imposed by Council or the Committee.

A Subcommittee may comprise Elected Members or staff (Clause 31(4)(b)) or other persons but the minimum number of members of the subcommittee is two (Clause 31(6)(b)).

12. Hastings District Council Committee Principles

Council Committees will be assigned responsibility and operate in a way that reinforces the wholeness of the Council's function and does not interfere with the delegation from the Council to the Chief Executive.

a) Council Committees will ordinarily assist Council to carry out its governance function by preparing policy alternatives and implications for Council deliberation. They should not extend their work into operational areas helping or advising the Chief Executive and staff.

b) Council's Committee structures (as laid out in these delegations) are based on the following governance principles:

a. There should be appropriate separation between the Council's

i. Strategy and policy development functions,

ii. Monitoring of finances and operational performance, and

iii. Role in regulatory matters (see s. 39(c) of the Local Government Act 2002).

b. Other Committees and Subcommittees (to support the main Committees) will focus specifically on key areas requiring that additional focus.

a/c) Unless specifically delegated authority to do so, Council Committees may not instruct the Chief Executive and staff beyond reasonable requests for information and advice. If, in the Chief Executive's opinion, meeting such requests would consume a material amount of staff time or funds outside those budgeted, or would be disruptive, the Chief Executive may refer the request to Council.

- b)d)

Council Committees may not speak for the Council except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Chief Executive.
- e)e)

As the Chief Executive works for the Council as a whole, s/he will not be required to obtain the approval of a Committee before taking an executive action. For the avoidance of doubt no Chair or member of a Committee has or may exercise any executive power unless expressly delegated such power by Council.
- d)

~~Council Committees are to avoid over-identification with Council parts rather than the whole. A Council Committee that has helped the Council create policy on some matter will not be used to monitor Council performance on that same matter.~~
- e)f)

While the Council may delegate authority to committees, including the monitoring of performance within their areas of responsibility, the Council remains at all times the superior body.
- g)

This policy applies to any group that is formed by Council action whether or not it is called a committee and regardless of whether the group includes Council Members. It does not apply to Committees formed under the authority of the Chief Executive.
- a.

13. Role of the Mayor

The role of the Mayor is to provide leadership to the other elected members of Council and the Hastings District Community. The Mayor leads the development of our Long Term Plan and Annual Plan, policies and budgets.

The Mayor is a member of all committees of Council, may establish committees and may appoint chairs of committees.

14. Appointment of Committees

Section 41A of the Local Government Act 2002 gives the Mayor the authority to establish committees and to appoint a Chair if they wish to do so.

In this Register a ‘Field of Activity’ is a specific activity or function which the Standing Committee or Subcommittee has responsibility for. ‘Delegated Powers’ define what the Committee or Subcommittee is allowed to do.

Council determines the fields of activities for its Committees and Subcommittees. Committees and Subcommittees may generally deal with all matters covered by their respective fields of activity for which financial provision has been made but subject to any conditions set by the Council.

Statutory matters that do not have to be dealt with by Council are delegated to either Committees or Subcommittees within their respective fields of activity.

Provision for ‘Joint Committees’ with other local authorities or public bodies is provided for in Clause 30A, Schedule 7 of the Act.

Final decisions can be made by Committees and Subcommittees only on those matters where authority to make decisions has been delegated. All other decisions must be in the form of recommendations to the Council, or, in the case of Special Committees or Subcommittees, to the parent Committee. Recommendations may extend over any of the items included in, or similar to, the Committees or Subcommittees fields of activity. Committees can delegate final decision-making power to Subcommittees, but only in relation to matters within the delegated authority of the Committee and only subject to any conditions imposed on such a delegation by Council itself (Schedule 7 Clause 32), or limitations imposed by statute.

While ~~Schedule 7, Clause 30(3)~~, Schedule 7 makes it clear that every Committee is “subject in all things to the control of [Council] and must carry out all general and special directions ...” the Council is not entitled to rescind or amend a decision made by a Committee exercising a delegated authority to make the decision (Clause 30(6)). However, if it considers that a Committee has erred the Council could amend the authorities delegated to that Committee.

15. Hastings District Rural Community Board

The Rural Community Board is a separate entity to Council and is not a committee of Council.

Section 51 of the Local Government Act 2002 states that a community board is:

a) An unincorporated body.

b) Not a local authority.

c) Not a committee of the relevant territorial authority.

The role of the Rural Community Board is set out in Section 52 of the Local Government Act (and is set out in the section of this Register relating to the Rural Community Board). The delegation of powers by Council to the Rural Community Board is provided for in Clause 32. [The delegated decision making authority Council has afforded to the Rural Community Board is set out in Part 3 of this Document.](#)

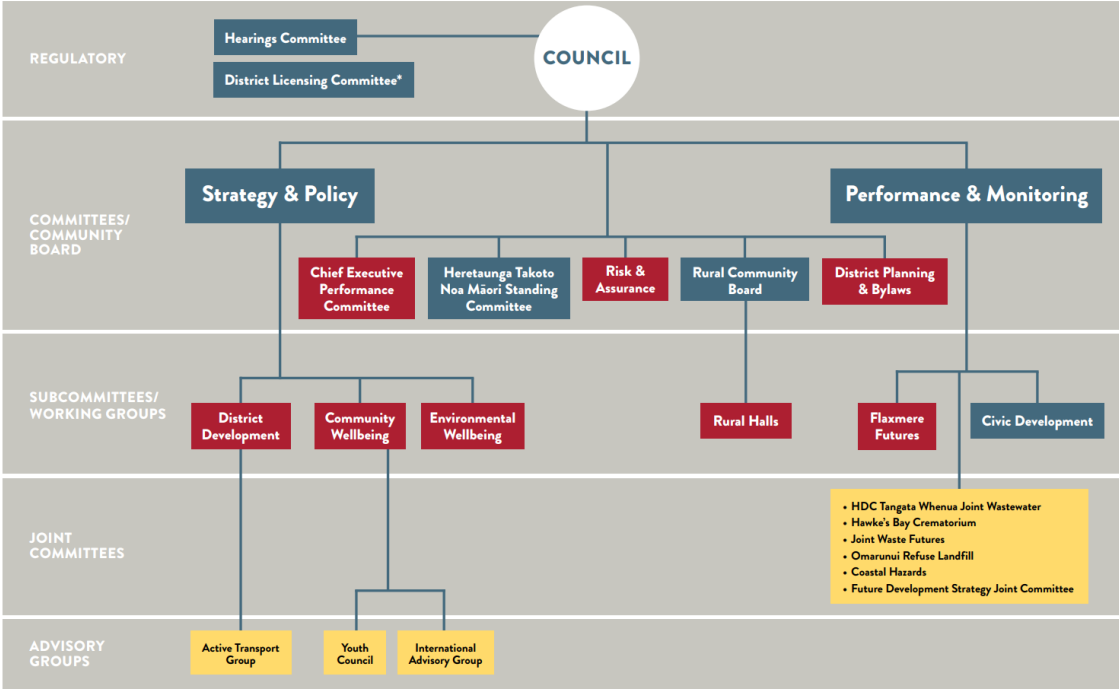
16. Ambiguity and Conflict

In the event of ambiguity or conflict between any of the provisions contained in the Delegations Register, resulting in uncertainty or dispute as to where the authority is held to act in respect of a particular matter, the Chief Executive will prepare a written report in respect of that uncertainty or dispute and submit the same to the Mayor (or the Deputy Mayor in the absence of the Mayor) for consideration and determination. The decision of the Mayor (or Deputy Mayor in the absence of the Mayor) will be final and binding.

If neither the Mayor nor the Deputy Mayor is available, the decision of the Chief Executive will be final and binding.

For guidance the committee structure is shown graphically below.

Hastings District Council Governance Structure 2022-2025



Note: As required, Subordinate Committees will report on particular matters to Council.
*The District Licensing Committee does not report to Council.

KEY: Note colour coding for guidance - refer to detailed delegations.

Delegated Authority to make decisions
Recommendations only

15/11/2022

Part 2 Standing Committees

1. Strategy and Policy Committee

Fields of Activity

The purpose of the Strategy and Policy Committee is to develop all strategic, policy and planning frameworks for approval by [the Committee](#) or Council [as required](#).

Membership

• [Mayor and 15 Councillors](#)

- Chair appointed by Council.
- Deputy Chair appointed by Council.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.
- ~~Chair of the~~ Rural Community Board [Member \(non-councillor\)](#) appointed by Council.

Quorum – ~~8-9~~ members

DELEGATED POWERS

- 1) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law or otherwise delegated to another committee) in relation to all matters detailed in this delegation.
- 2) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law) at any time when the Chief Executive certifies in a report that;
 - a) the matter is of such urgency that it requires to be dealt with, or
 - b) the matter is required to be dealt with, prior to the next ordinary meeting of the Council.
- 3) Establish strategic direction to deliver Council Objectives and District Vision.
- 4) Establish policies and guidelines for decision making to assist in achieving strategic outcomes.
- 5) Establish levels of service across Council services in line with strategic goals and priorities.
- 6) Receive and consider reports from Subcommittees.
- ~~7) Develop draft bylaws for adoption by Council.~~
- ~~8) 7) Develop and recommend the financial and infrastructure strategies and budgets for the Long-Term Plan, Annual Plan and Annual Report.~~
- ~~9) Consider and approve constitutions and any shareholder agreements for Council-Controlled Organisations and other organisations that Council has an interest in.~~
- ~~10) 8) Develop the Rating Policy for recommendation to Council for adoption.~~
- ~~11) 9) Develop Funding Policies for recommendation to Council for adoption.~~
- ~~12) 10) Delegations of powers to sub-committee(s) if so established.~~
- ~~13) 11) Approve the purchase of and disposal of land (If included in the Long Term Plan).~~
- ~~14) Making submissions on behalf of Council to proposals by other organisations/authorities (Local and Regional).~~
- ~~15) 12) Conversion of terminating leases to renewable leases and the settlement of terms except in the case of leases under the Reserves Act.~~

2. ~~Operations Performance~~ and Monitoring Committee

Fields of Activity

The purpose of the ~~Operations Performance~~ and Monitoring Committee is to ensure consolidated and complete reporting and monitoring of all financial and non-financial information and performance measures against the Annual Plan, Long-Term Plan and Council Strategies, Goals and Priorities.

Membership

- ~~Mayor and 14-15~~ Councillors).
- Chair appointed by Council.
- ~~Deputy Chair appointed by Council.~~
- [1 Rural Community Board member \(non-Councillor\) appointed by Council](#)
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.

Quorum – ~~8-9~~ members

DELEGATED POWERS

- 1) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law or otherwise delegated to another committee) in relation to all matters detailed in the Fields of Activity.
- 2) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law) at any time when the Chief Executive certifies in a report that;
 - a. the matter is of such urgency that it requires to be dealt with ~~or~~
 - b. the matter is required to be dealt with, prior to the next ordinary meeting of the Council.
- 3) Monitor the performance of Council in terms of the organisational targets set in the Long Term Plan and Annual Plan – both financial and nonfinancial.
- 4) Monitor operational performance and benchmarking.
- 5) Undertake quarterly financial performance reviews.
- 6) Develop the Draft Annual Report and carry forwards.
- 7) Monitor and review the performance of Council Controlled Organisations and other organisations that Council has an interest in.
- 8) Monitor and review tender and procurement processes.
- 9) Monitor major capital projects.
- 10) Recommend to Council on matters concerning project decisions where these are identified as a result of the committee's project monitoring responsibilities.
- 11) Writing off outstanding accounts for amounts exceeding \$6,000 and the remission of fees and charges of a similar sum.
- 12) Settlement of uninsured claims for compensation or damages where the amount exceeds the amounts delegated to the Chief Executive.
- 13) Guarantee loans for third parties such as local recreational organisations provided such guarantees are within the terms of Council policy.
- 14) Authority to exercise the Powers and Remedies of the General Conditions of Contract in respect of the Principal taking possession of, determining, or carrying out urgent repairs to ~~works covered~~[works covered](#) by the contract.
- ~~15)~~ Grant of easement or right of way over Council property.
- ~~15)~~[16\) Conversion of terminating leases to renewable leases and the settlement of terms except in the case of leases under the Reserves Act.](#)
- ~~17)~~ Approve insurance – if significant change to Council's current policy of insuring all its assets.
- ~~16)~~[18\) Consider and approve constitutions and any shareholder agreements for Council Controlled Organisations and other organisations that Council has an interest in.](#)

3. Hearings Committee

Fields of Activity

The Hearings Committee is established to assist the Council by hearing and determining matters where a formal hearing is required in respect of a planning or regulatory function of the Council, including under the provisions of the:

- Resource Management Act 1991.
- Building Act 2004.
- Health Act 1956.
- Dog Control Act 1996.
- Litter Act 1979.
- Hastings District Council Bylaws.
- Local Government Act 1974.
- Local Government Act 2002; and
- Hastings District Council Class 4 Gambling Venue Policy.

Membership up to 10 Hearings Commissioners (comprising at least up to 7 seven elected members of Council and up to at least 3 externally appointed Independent Hearings Commissioners)

- Chair appointed by Council from the membership including externally appointed members.
- Deputy Chair appointed by the Council from the membership including externally appointed members.
- Under section 39B of the Resource Management Act, the Chair must be accredited, and unless there are exceptional circumstances, appointees on hearings panels must have accreditation to make decisions on;
 - Applications for Resource Consents.
 - Notice of Requirements given under ~~s.ectio~~n 168 or 189 of the Resource Management Act.
 - Requests under clause 21(1) of Schedule 1 of the Resource Management Act for a change to be made to a Plan.
 - Reviews of Resource Consents.
 - Applications to change or cancel Resource Consent Conditions.
 - Proposed Policy Statements and plans that have been notified.
 - Any hearing of an objection under ~~s.ectio~~n 357C of the Resource Management Act.

Quorum

- a) For Hearings other than Council Initiated Plan Change hearings, a maximum of three members including the Chair (or Deputy Chair, in the Chair's absence) to meet for any one hearing.
- b) For Council Initiated Plan Change hearings, all members may attend and take part in the decision-making process unless the Chair exercises the power of delegation to assign any function, power or duty of the Hearings Panel to any one or more Commissioner.
- c) For Hearings other than Council Initiated Plan Change hearings the quorum shall be two members.
- d) For Council Initiated Plan Change Hearings, the quorum shall be three members.
- e) Members to sit on any hearing other than a Council Initiated Plan Change Hearing shall be selected by agreement between the Chair (or Deputy Chair, in the Chair's absence) and the Group Manager: Planning and Regulatory Services.

- f) For the purpose of hearing any objection in respect of the matters detailed under the Dog Control Act 1996 the Hearings Committee will consist of any three members selected by the Chair.

4. Risk and Assurance Committee

Fields of Activity

The Risk and Assurance Committee is responsible for assisting Council in its general overview of financial management, risk management and internal control systems that provide;

- Effective management of potential risks, opportunities and adverse effects.
- Reasonable assurance as to the integrity and reliability of the financial reporting of Council.
- Monitoring of Council's requirements under the Treasury Policy.
- [Monitoring of Council's Strategic Risk Framework.](#)
- [Monitoring of Council legal compliance.](#)
- [Monitoring of Council health and safety compliance.](#)

Membership - 7 including 4 Councillors

- Independent Chair appointed by Council.
- Deputy Chair appointed by Council.
- ~~3~~ 2 external independent members appointed by Council.
- [1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council](#)

Quorum – 4 members

DELEGATED POWERS

Authority to consider and make recommendations on all matters detailed in the Fields of Activity and such other matters referred to it by Council.

5. Heretaunga Takoto Noa Māori Standing Committee

This is established between the Hastings District Council and the Māori community.

Context

The Heretaunga Takoto Noa Māori Standing Committee has been established by Council to continue the development of strategic and sustainable relationships with Māori. [Council also wishes to empower Māori as much as possible to make decisions over their and the wider community's future.](#) Council shall meet the intent and spirit of the Council's obligations set out in the legislation, more particularly the obligations of the Local Government Act 2002;

- Towards establishing and maintaining processes that provide opportunities for Māori to contribute to the decision processes of Council.
- Fostering the development of Māori capacity to contribute to these processes.
- The provision of information to assist Māori contribution to Council's activities.

The Council wishes the Committee to reflect a spirit of partnership between the Council and the community and to contribute effectively to the Council's activities. To enable this to occur the Fields of Activity and Delegated Powers are framed with the widest scope possible.

The Council wishes the Committee to assist with the development of an integrated policy framework (based on [Te Tiriti o Waitangi Treaty of Waitangi](#) Principles) for the Council aimed at delivering effective governance, engagement and service delivery for Council's Māori Communities.

[Meetings of the Heretaunga Takoto Noa Māori Standing Committee are supported by Council Kaumātua.](#)

Fields of Activity

- To provide policy advice with respect to the District Plan, regarding provisions for Wāhi Tapu, Papakainga, and where relevant to [Tangata Whenua Māori](#), any other amendments to the Plan.
- To provide input to the Long Term Plan and Annual Plan with particular reference to those issues of importance to Māori from within the District.
- ~~To host Council Hui and Hapu events.~~ [To support Council to embrace the principles of Te Tiriti o Waitangi](#)
- To provide insight into Māori and other strategic community issues with particular reference to the Long Term Plan, the effectiveness of the District Plan and the delivery of the Annual Plan.
- ~~To consider and recommend Māori capacity building activities within budget and resource constraints of Council.~~ [To make decisions and provide advice on matters of mana whenua wellbeing.](#)
- [To approve and provide advice on Māori economic wellbeing initiatives.](#)
- To assist Council as appropriate in conducting and maintaining effective, good faith working relationships with ~~the Māori communities across the district~~ including advice on governance arrangements.
- [To make decisions as to the allocation of Marae Development Fund grants within the allocated budget.](#)
- [To make decision on matters relating to Māori community development and Māori community plans.](#)
- [To make recommendations to Council on projects requiring Māori input.](#)
- To assist Council with the development of an integrated policy framework and work programme to enable effective governance, engagement and service delivery for Council's Māori Communities.
- ~~To nominate from among its members people whom it considers appropriate for the Council to appoint as members of its other Committees and Subcommittees.~~

Membership (~~12-15~~ Members)

- Chair – to be elected at the first meeting of the Committee at the beginning of each triennium; and from among the appointed ~~Tangata mana w~~henua members of the committee.
- Deputy Chair – to be elected at the first meeting of the Committee at the beginning of each triennium from among the elected members of the committee.

PR22-20-009

COMMITTEES AND RURAL COMMUNITY BOARD REGISTER OF DELEGATIONS // PAGE 14 OF 49

- The Mayor.
- ~~5-6~~ Councillors ~~including the 3 Takitimu Ward Councillors-~~
- ~~6-Up to 8~~ members from ~~Tangata-Mana Whenua~~ to be appointed by the Council ~~and Kaumatua~~, taking into account the "post settlement environment" and Mataawaka.

Quorum – at least ~~3 Councillor Members and 3 Tangata Whenua Appointees~~ 8 members (one of whom must be a Councillor).

DELEGATED POWERS

- 1) Authority to exercise all Council powers, functions, and authorities in relation to the matters detailed in the Fields of Activity such as to enable recommendations to the Council on those matters.
- 2) Authority to make decisions on the allocation of Marae Development Fund grants within the allocated budget.
- 3) Authority to develop procedures and protocols that assist the Committee in its operation provided that such procedures and protocols meet the statutory requirements of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders.
- 4) Authority to approve Māori Community Plans.
- 5) Authority to approve projects or programs relating to Māori Community Wellbeing within existing budgets.
- 6) Authority to approve projects or programs relating to Mana Whenua Wellbeing within existing budgets.
- 7) Authority to approve projects or programs relating to Māori Economic Wellbeing within existing budgets.
- 8) To recommend to Council on projects that require Māori input or oversight.
- ~~4/9) To recommend to Council on planning and regulatory matters that require Māori input or oversight.~~

The Chair shall not have a casting vote.

Note: The Terms of Reference for the Heretaunga Takoto Noa Māori Standing Committee ~~were~~ are subject to review by the Committee at its first meeting in the ~~2022-24~~ Triennium.

6. Hastings District Licensing Committee

A statutory Committee under the Sale and Supply of Alcohol Act 2012.

Fields of Activity

- To consider and determine applications for Licences and Manager's Certificates.
- To consider and determine applications for renewal of licences and manager's certificates.
- To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Sale and Supply of Alcohol Act 2012.
- To consider and determine applications for the variation, suspension, or cancellation of special licences.
- To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280 of the Sale and Supply of Alcohol Act 2012.
- With the leave of the Chair for the Licensing Authority, to refer applications to the Alcohol Regulatory Licensing Authority.
- To conduct inquiries and to make reports as may be required of it by the Licensing Authority under section 175 of the Sale and Supply of Alcohol Act 2012.
- Any other functions conferred on licensing committees by or under this Act or any other enactment.

Membership

- Chair appointed by Council.
- Deputy Chair appointed by Council.
- Commissioner appointed by Chief Executive on recommendation of Council
- 2 members selected by the Chair from a list developed and maintained by Council.

Quorum

For uncontested applications only the Chair, Commissioner, or Deputy Chair in the Chair's absence, is required.

For contested applications 3 list members including the Chair or Commissioner, or the Deputy Chair in the Chair's absence.

STATUTORY POWERS

A licensing committee has all the powers conferred on it by or under this Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

Committee Secretary

The Chief Executive is the Secretary of the Hastings District Licensing Committee.

7. Chief Executive Performance Committee

Context

The Chief Executive Performance Committee enables an effective and constructive approach to managing the employment relationship with Council's sole employee, the Chief Executive (CE). The Committee is predominantly responsible for leading and managing processes in relation to performance review and planning, remuneration, employment relations issues should they arise, and leading the process for CE appointments. The clear direction of the Mayor is that the full Council will be appropriately involved throughout aspects of these various processes, however, to effectively administer the employment relationship, a Committee is the most appropriate body and strongly recommended as best practice by the local government sector.

The work of the CE Performance Committee provides a formal process of considering the employment relationship between the Council and the CE, to ensure there is common understanding of desired outcomes, to foster the relationship and communication between the CE and employer, and to provide feedback on performance to the CE.

A key function of the Committee will be to lead the process of CE Performance Review & Planning. In setting performance indicators and conducting performance reviews, the parties must take into account the requirements of the Local Government Act 2002, as follows;

Part 4 Section 42 LGA Chief Executive

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for:-

- (a) implementing the decisions of the local authority; and
- (b) providing advice to members of the local authority and to its community boards, if any; and
- (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an act, regulation, or bylaw, are properly performed or exercised; and
- (d) ensuring the effective and efficient management of the activities of the local authority; and
- (d)(a) facilitating and fostering representative and substantial elector participation~~in~~ⁱⁿ elections and polls held under the Local Electoral Act 2001; and
- (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- (f) providing leadership for the staff of the local authority; and
- (g) employing, on behalf of the local authority, the staff of the local authority in accordance with any remuneration and employment policy; and
- (h) negotiating the terms of employment of the staff of the local authority in accordance with any remuneration and employment policy.

(3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority –

- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
- (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

(4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

And

Clause 34(2), Schedule 7

Terms of employment of Chief Executive

(2) *The local authority and the chief executive must enter into a performance agreement.*

The CE Performance Review & Planning process commences with an agreement between the CE and their employer on the Performance Plan for the coming financial year. This Performance Plan includes overarching performance expectation information as well as specific Key Performance Indicators. The Key Performance Indicators detail the performance area, the specific goals and objectives, and the targets or measures.

It is the Mayor's intention to gather input from all Councillors and other stakeholders, when undertaking the process to determine performance expectations, Key Performance Indicators and desired behaviours/competencies, as well as when reviewing achievement of those during the review phase.

An experienced consultant will be retained to facilitate the process for performance review and planning. The role of the consultant is not one of decision maker, appraiser or evaluator, but is to assist and guide the Committee.

Membership

- Mayor is the Chair
- [Deputy Mayor](#)
- [Chair of the Strategy and Policy Committee](#)
- [Chair of the Performance and Monitoring Committee](#)
- External Consultant

Quorum – 3 members

Note: attendance at any meetings of the Chief Executive Performance Committee is restricted to those members specifically appointed. The Chair may remove this restriction at [their](#) discretion, and given the intentions documented above, this is likely to occur.

DELEGATED POWERS

- 1) Review the Chief Executive's performance at least annually on the results achieved against:
 - Overarching Performance Expectations.
 - Key Performance Indicators.
 - Competencies/Behaviours
- 2) Assess the Chief Executive's performance.
- 3) Set new [performance](#) objectives for subsequent years.
- 4) Report to Council at the completion of performance review processes.
- 5) Recommend to Council remuneration changes for the Chief Executive in line with employment agreement requirements.
- 6) As required, lead the appointment process for a Chief Executive and make appropriate recommendations to Council.
- 7) Manage any employment relations issues that may arise.
- 8) Engage external advisors as required.

Part 3 Community Board

1. Hastings District Rural Community Board

The Community Board is a separate entity to Council. The role of the Community Board is set out in Section 52 of the Local Government Act 2002. The Council is authorised to delegate powers to the Community Board.

Membership (~~6-7~~ members)

- Chair (elected by the Board).
- Deputy Chair (elected by the Board).
- 4 Elected Community Board Members.
- 1 ~~Mohaka-Mohaka~~ Ward Councillor.
- 1 ~~Kahurangi-Kahurangi~~ Ward Councillor.
- 1 ~~Takitimu~~ Ward Councillor
- 1 non-voting Youth Council appointee

Quorum – 4 members

DELEGATED POWERS

General

1) To maintain an overview of services provided by Council within the Community Board’s area.

2) To represent, and act as an advocate for, the interests of the community represented.

3) To consider and report on all matters referred to the Board by Council, or any matter of interest or concern to the Community Board.

4) To communicate with community organisations and special interest groups within the community.

5) To undertake any other responsibilities that are delegated to it by Council.

6) To appoint a member of the Community Board to organisations approved by the Council from time to time.

Long Term Plan/Annual Plan/Policy Issues

Authority to make a submission to the Long Term Plan/Annual Plan process on activities, service levels and expenditure (including capital works priorities) within the Board’s area or to make a submission in relation to any policy matter which may have an effect within the Board’s area.

Roading and Traffic

Authority to exercise the Council's powers and functions in relation to roads within the Board's area under the following sections of the Local Government Act 1974:

- Section 335 (vehicle crossings);
- Section 344 (gates and cattle stops);
- Section 355 (overhanging trees).

Authority to exercise the Council's statutory powers [in accordance with Council policy](#) (including any relevant powers conferred by bylaw) over roads within the Board's area in respect of;

- Road user behaviour at intersections.
- Controls on stopping or overtaking.
- Controls on turning.
- Pedestrian safety.
- Footpath maintenance and improvements.
- Accident investigation studies, lighting and other safety works.

For the avoidance of doubt, nothing in this delegation authorises a Community Board to deal with a matter, in the exercise of delegated authority, in a manner which is in conflict with any policy or decision of Council or any standing committee of Council in relation to the same matter.

<div><div>2. Rural Halls Subcommittee</div><div>A subcommittee of Council to administer the Rural Halls Maintenance Fund.</div><div>Fields of Activity</div><div>The Rural Halls Subcommittee is responsible for assisting the Rural Community Board by;</div><div><ul style="list-style-type: none">• Reviewing applications for grants from the Rural Halls Community Fund.• Recommending to Council the allocation of grants within the funding available.• Recommending Council changes in criteria for grants.</div><div>Membership (8-9 Members)</div><div><ul style="list-style-type: none">• The Chair is also the Chair of the Rural Community Board.• 7 Members of the Rural Community Board Members (including 1 Mohaka Ward Councillor and 1 Kahurangi Ward Councillor and• 2 Heretaunga Ward Councillors.• 1 non-voting Youth Council appointee</div><div>Quorum – 4-5 members</div><div><div>DELEGATED POWERS</div><div><div>1) Review Applications for Grants from Rural Halls Maintenance Fund.</div><div>2) Recommending to Council the allocation of grants within the allocated funding.</div><div>3) Recommending to Council changes in criteria for grants from the Rural Halls Maintenance Fund.</div></div></div></div>
--

Part 4 Subcommittees

1. District Development Subcommittee

A Subcommittee of the Strategy and Policy Committee.

Fields of Activity

The District Development Subcommittee is responsible for advising the Strategy and Policy Committee by;

- Providing guidance to Council Officers in respect of the drafting of Council's District Development Strategies and providing oversight of community engagement through the Special Consultative Procedures.
- Providing oversight of the development of Council's District Development Strategy.
- Providing oversight of the implementation of Council's Housing Development, Transport Development, Economic Development, Urban Zone Development and City Centre Revitalisation and [Central Business Districts Development-CBD](#) Strategies.
- ~~Providing oversight of the development of the Council's 3 Waters strategy.~~
- ~~Providing guidance to Council Officers relating to development of rating policies and the reviews of existing rating policy.~~
- [Providing guidance and oversight on all matters relating to residential and industrial growth.](#)

Membership

- 8 Councillors.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.
- 2 Youth Council members appointed by Council (non-voting).
- 1 Youth Council member (Alternate) appointed by Council (non-voting).
- 1 Rural Community Board Member appointed by Council ~~(non-voting)~~.
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – ~~4~~[5](#) members

DELEGATED POWERS

- 1) To review and provide comment on draft District Development Strategies, and to recommend to the Strategy and Policy Committee the adoption of draft Strategies for consultation.
- 2) To recommend to the Strategy and Policy Committee the final wording of any new or reviewed District Development Strategy for adoption by the Committee or Council.
- ~~3) To recommend to the Strategy and Policy Committee changes to rating policy for consideration for inclusion in the Long Term Plan and Annual Plan.~~
- ~~4) [To review and provide comment on proposals, strategies and plans relating to residential and industrial growth and to provide recommendations to the Strategy and Policy Committee on these matters.](#)~~

2. ~~Eco-District~~Environmental Wellbeing Subcommittee

A Subcommittee of the Strategy and Policy Committee.

Context

The Eco District Strategy works in tandem with the District Development and Great Communities Strategies. This forms the environmental lens to our business, recognising that the other strategies have a more primary focus on both the Economic, and Social/Cultural wellbeing dimensions of the Local Government Act 2002.

It recognises that for real success environmental wellbeing cannot be traded for economic gain and that we want a future-focused district that plans and cares about the future, enhancing its natural and built environment. We need to rise to the challenges of the future and realise the benefits to society from creating clean energy, lowering carbon emissions and reducing our ecological footprint. Our response to changes in our economy, society and climate must leave our environment in a better place. A key role for Council is to grow our district in a sustainable way.

Fields of Activity

The ~~Eco-District~~Environmental Wellbeing Subcommittee is responsible for advising the Strategy and Policy Committee by;

- Providing guidance to Council officers in respect of the drafting of Council's ~~EcoCO~~ District Strategies and providing oversight of any relevant Special Consultative Procedures.
- Providing oversight of the implementation of the Council's ~~EcoCO~~ District Strategies.
- ~~Providing oversight of the implementation of Council's Green Corridor, Reserve Management Plans, Climate Change and Coastal Hazard~~ ~~Plans, Sustainability and Biodiversity~~ strategies.
- ~~Providing guidance and oversight on all matters relating to climate adaptation and mitigation planning.~~

Membership

- ~~7-9~~ Councillors.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.
- 2 Youth Council Members appointed by Council (non-voting).
- 1 Youth Council Member (Alternate) appointed by Council (non-voting).
- 1 Rural Community Board Member appointed by Council ~~(non-voting)~~.
- Chair appointed by Council.
- Deputy Chair appointed by Council.

	Quorum – 3 5 members
	<div><div>DELEGATED POWERS</div><div><div>1)</div><div>To review and provide comment on draft new or revised EcoCo District Strategies and to recommend to the Strategy and Policy Committee the adoption of draft Strategies for consultation.</div></div><div><div>2)</div><div>To recommend to the Strategy and Policy Committee the final wording of any new or reviewed EcoCo District Strategy for adoption by the Committee or Council.</div></div><div><div>3)</div><div>To review and provide comment on new or revised Reserve Management Plans and to recommend to the Strategy and Policy Committee the adoption of draft Reserve Management Plans for consultation.</div></div><div><div>4)</div><div>To hear and consider all submissions received in respect of Reserve Management Plans and recommend responses to the Strategy and Policy Committee.</div></div><div><div>5)</div><div>To review and provide comment on any climate adaptation and climate mitigation strategies, policies and plans.</div></div><div><div>4)5)</div><div>To hear and consider all submissions received in respect of any climate adaptation and climate mitigation strategies, policies and plans and recommend responses to the Strategy and Policy Committee.</div></div></div>

3. ~~Great Communities~~Community Wellbeing Subcommittee

A Subcommittee of the Strategy and Policy Committee.

Fields of Activity

The ~~Great Communities~~Community Wellbeing Subcommittee is responsible for [making delegated decisions and](#) advising the Strategy and Policy Committee by;

- Providing guidance to Council officers in respect of the drafting of Council's Community ~~Strategies,~~ [and Strategies and](#) providing oversight of any relevant Special Consultative Procedures.
- Providing oversight of the implementation of Council's Community Strategies.
- Providing oversight of the implementation of Council's Community Plans, Fabulous Flaxmere, Safer Hastings, Civic Pride and Events, Youth Pathways, Keep Hastings Beautiful Strategies, Health, Cultural, Education, Sports, Arts and Heritage strategies.

Membership

- 8 Councillors.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.
- 2 Youth Council Members appointed by Council (non-voting).
- 1 Youth Council Member (Alternate) appointed by Council (non-voting).
- 1 Rural Community Board Member appointed by Council ~~(non-voting).~~
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – ~~4~~5 members

DELEGATED POWERS

- 1) To review and provide comment on draft new or revised Community Strategies and to recommend to the Strategy and Policy Committee the adoption of drafts for consultation.
- 2) To hear and consider all submissions received in respect of any Community Strategy proposal and to recommend responses to the Strategy and Policy Committee.
- 3) To recommend to the Strategy and Policy Committee the final wording of any new or reviewed Community Strategy for adoption by the Committee or Council.

4. District Planning and Bylaws Subcommittee

A Subcommittee of [the Strategy and Policy Committee Council](#).

Fields of Activity

The District Plan Subcommittee is responsible for advising the [Strategy and Policy Committee Council](#) by;

- Providing guidance to Council officers with regard to the drafting of the District Plan (or sections thereof) and consultation on discussion documents and drafts.
- Providing guidance to Council officers in respect of the drafting of Council's new or revised bylaws and providing oversight of the Special Consultative Procedures.
- Te Tira Toitū te Whenua – Hastings District Plan Cultural Values – to consider and advise Council how the cultural values of Waahi Taonga and Waahi Tapu are to be integrated within the District Plan.

Membership

- 6 Councillors.
- 3 Heretaunga Takoto Noa Māori Standing Committee Members appointed by Council.
- 1 external appointed member with relevant qualifications and experience.
- [1 member of the Rural Community Board appointed by Council](#)
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – [5-6](#) members including 3 Councillors

DELEGATED POWERS

- 1) To review and provide comment on draft new or received District Plan provisions and to recommend to the [Strategy and Policy Committee Council](#) the adoption of drafts for consultation.
- 2) To hear and consider all submissions reviewed in respect of any District Plan proposal and to recommend responses to [the Strategy and Policy Committee the Council](#).
- 3) To recommend to [the Strategy and Policy Committee the Council](#) the final wording of any new or reviewed District Plan provisions for adoption [by Council](#).
- 4) [To review and provide comment on draft new or reviewed bylaws, and to recommend to the Strategy and Council Policy Committee the adoption of drafts for consultation, for onward recommendation to Council to hear submissions and formal adoption.](#)
- 4) [To hear and consider all submissions received in respect of any bylaw proposal and to recommend responses to the Council.](#)
- 5) [To recommend to the Strategy and Policy Committee Council the final wording of any new or reviewed bylaw for adoption by the Council.](#)

5. Flaxmere Futures Subcommittee

A Subcommittee of the Performance and Monitoring Committee. The Flaxmere Futures Subcommittee recognises Council's commitment to the development of Flaxmere and provides a forum for the discussion of issues and opportunities directly concerning Flaxmere.

Membership

- 2 Councillors (Incl. the Flaxmere Ward Councillor)
- Chair of the Flaxmere Planning Committee
- Group Manager: Community Wellbeing and Services
- Associate Group Manager: Strategy and Development
- Chair to be appointed by the subcommittee

Quorum – 2 members including 1 Councillors

DELEGATED POWERS

General

- 1) Authority to make a submission to the Long Term Plan/Annual Plan process on activities, service levels and expenditure within Flaxmere or to make a submission in relation to any policy matter which may have an effect within Flaxmere.
- 2) To maintain an overview of services provided by Council within Flaxmere.
- 3) To represent, and act as an advocate for, the interests of Flaxmere.
- 4) To consider and report on all matters referred to the Subcommittee by Council, or any matter of interest or concern to the Subcommittee.
- 5) To communicate with community organisations and special interest groups within Flaxmere.
- 6) To provide guidance to Council on proposals relating to public assets within Flaxmere.
- 7) To undertake any other responsibilities that are delegated to it by Council.

5.6. Civic and Administration Development Subcommittee

A Subcommittee of the ~~Operations-Performance~~ and Monitoring Committee.

Fields of Activity

The Civic and Administration Development Subcommittee is responsible for making delegated decisions and advising the ~~Operations and Performance~~ and Monitoring Committee by;

- Assisting Council in the allocation of Community Grants by;
 - Reviewing applications for Community Grants.
 - Setting appropriate performance measures to assist in the measurement of delivery of activities funded from Grants.
 - Allocation of grant funding within the budget allocation.
- Assisting Council in its general overview of procurement and tender activity by accepting tenders which exceed the Chief Executive's delegated authority to approve, for projects previously approved by Council or a Standing Committee within the delegated authority.
- Assisting Council by reviewing and considering submissions and deciding applications for temporary closure of roads.
- Recommending to Council the appointment of trustees to Te Mata Park Trust Board.
- Recommending to Council the appointment of directors to Hastings District Holdings Limited.
- Recommending to Council the appointment of List Members to the District Licensing Committee.
- ~~Assisting Council by reviewing, considering nominations and recommending recipients of Civic Awards.~~
- ~~Assisting Council by remaining cognisant of activities in the Community that deliver improved wellbeing and safety outcomes and advising Council how it can appropriately enable these activities.~~
- ~~Providing guidance and oversight to Council Officers in the delivery of Council safety and security investments & initiatives to improve community wellbeing and sense of feeling safe and welcome.~~
- ~~Providing guidance and oversight to Council Officers in the delivery of major Council civic development capital projects (projects as assigned to the Subcommittee).~~
- ~~Providing comprehensive six monthly (and as required) Council civic development capital project progress reports to the Performance and Monitoring Committee.~~
- ~~Providing guidance and oversight to Council Officers in the delivery of major Council and Council enabled Events.~~
- ~~Providing guidance and oversight to Council Officers in the active promotion of Hastings as a Visitor Destination.~~

Membership

- 8 Councillors.
- 1 Heretaunga Takoto Noa: ~~Māori~~ Māori Standing Committee Member appointed by Council.
- Group Manager: Planning and Regulatory Services to be a member only when the Subcommittee is recommending the appointment of List Members to ~~The~~ Hastings District Licensing Committee.
- The Chief Executive to be a member only when the Subcommittee is making a decision on tendering and procurement matters.
- The Group Manager: Asset Management to be a member only when the Subcommittee is making a decision on tendering and procurement matters.
- The Transportation Manager to be a member only when the Subcommittee is making a decision on applications for temporary closure of roads.

PR22-20-009

COMMITTEES AND RURAL COMMUNITY BOARD REGISTER OF DELEGATIONS // PAGE 28 OF 49

- The Environmental Consents Manager to be a member only when the Subcommittee is making a decision on applications for temporary closure of roads.
- The Chair of the Te Mata Park Trust Board to be a member only when the Subcommittee is making a decision on appointments to the Te Mata Park Trust Board.
- The Chief Financial Officer to be a member only when the Subcommittee is making a decision on appointments to the boards of any Council Controlled Organisations.
- Chair appointed by Council.
- Deputy Chair appointed by Council.
- 2 Youth Council Members appointed by Council (non-voting)

Quorum

- a) A minimum of ~~three~~ 5 members.

DELEGATED POWERS

- 1) Authority to exercise all Council's powers, functions and authorities (except where prohibited by law or otherwise delegated) in relation to the allocation of grant funding within the budget allocation.
- 2) Authority to accept tenders for individual projects previously approved by the Council or a Standing Committee of the Council up to a value of \$10,000,000.
- 3) Responsibility to provide oversight and direction on tendering processes in general and/or specific issues relating to a particular project.
- 4) All the Council's powers and functions in respect to temporary prohibition of traffic under Section 342(1)(b) and clause 11(e) of Schedule 10 of the Local Government Act 1974.
- 5) Recommend to Council the appointment of Trustees to Te Mata Park Trust Board in accordance with the policy on Appointment of Trustees for Te Mata Park Trust Board, and the provisions of section 57 of the Local Government Act 2002.
- 6) Recommend to Council the appointment of director positions for Hastings District Holdings Limited in accordance with the Council's Policy on Appointment and Remuneration of Directors for Council Organisations.
- 7) Recommend to Council the recipients of Civic Awards.
- 8) Recommend to Council the appointment of List Members to the Hastings District Licensing Committee in accordance with the policy on the appointment of members for the District Licensing Committee, and the provisions of Sections 192 – 194 of the Sale and Supply of Alcohol Act 2012.

Part 5 Joint Committees

1. Hastings District Council : Tangata Whenua Wastewater Joint Committee

This Joint Committee is established between Hastings District Council and representation of Tangata Whenua.

Fields of Activity

To be actively involved in developing and monitoring Council's;

- Wastewater treatment and disposal system policies.
- Receiving, reviewing and recommending action on reports concerning the operation and performance of the Council's wastewater disposal system.
- Ocean discharge including alternative treatment and disposal options.
- Provision of advice in regard to the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review, in accordance with the Resource Management Act 1991 and Policies, ~~and~~ Plans and Standards under the Act.
- To recognise and respect the role of Tangata Whenua as Kaitiaki, and; to satisfy their cultural concerns.
- To receive, review and recommend action on wastewater reports.
- To recommend the commissioning of reports and future Council actions on wastewater issues including;
- Options for further treatments.
- Options for methods of disposal.
- Monitoring effects on the environment.
- To co-ordinate and oversee education of the community on wastewater issues.

Membership (10 Members)

- Chair appointed annually by the Joint Committee from its members. The Chair position is to alternate annually between the Council and Tangata Whenua representatives.
- 5 Councillors and one Councillor Member (Alternate).
- 5 Tangata Whenua representatives, appointed by Council.

Quorum – 6 members including not less than 3 Councillor representatives

DELEGATED POWERS

Recommendation to [the Operations-Performance](#) & Monitoring Committee on matters within the Fields of Activity.

The Chair shall not have a casting vote.

2. Hawke's Bay Crematorium Committee

The Hawke's Bay Crematorium Committee was established by Order in Council on 9 June 1989 as part of The Local Government (Hawke's Bay Region) Reorganisation Order 1989.

- 1) The Hastings District Council shall establish and maintain a committee to be called the Hawke's Bay Crematorium Committee.
- 2) The membership of the Committee shall consist of:
 - a) Two members to be appointed by the Napier City Council (NCC); and
 - b) Two members to be appointed by the Hastings District Council (HDC); and
 - c) One member to be appointed by the Central Hawke's Bay District Council (CHBDC).
- 3) The Hastings District Council shall delegate to the Hawke's Bay Crematorium Committee such functions, duties and powers in respect of the supervision and operation of the Hawke's Bay Crematorium as the Council considers appropriate.

Membership (5 Councillors)

- Chair appointed by the Committee.
- Appointed in accordance with the Reorganisation Order:
 - 2 HDC Councillors.
 - 2 NCC Councillors.
 - 1 CHBDC Councillor.

Quorum – 3 members

DELEGATED POWERS

Authority to develop policies and provide operational and financial oversight of the Hawke's Bay Crematorium.

3. Joint Waste Futures Projects Steering Committee

Background

Section 43 of the Waste Minimisation Act 2008 states that a territorial authority must adopt a Waste Management and Minimisation Plan (WMMP) which provides:

- Objectives, policies and methods for effective and efficient waste management and minimisation.
- Collection, recovery, recycling, treatment and disposal services.
- Facilities for waste management.
- Waste minimisation activities including education and public awareness; and
- A framework for funding implementation, grants and advances of money.

In 2014 the Joint Council Waste Futures Project Steering Committee was established to oversee and manage a range of programmes and interventions to achieve effective and efficient waste management and minimisation within the Ōmarunui Landfill catchment.

The WMMP must be reviewed every 5 years. Council adopted the WMMP in 2019.

Purpose

- To be responsible for overseeing, supporting, monitoring and reporting progress toward achieving the intent of WMMP.
- To represent the interests of Council in the WMMP.
- To review the Joint Waste Management and Minimisation Plan at least every six years to meet the requirements of the Waste Management Act 2008.

Members (6 Councillors)

- Chair – Councillor from one Council elected by Group.
- Deputy Chair – Councillor from the other Council elected by Group.
- 2 other HDC Councillors.
- 2 other NCC Councillors.

Status

By agreement of the local authority member, the Joint Waste Futures Joint Project Steering Committee has been established as a Joint Committee under clause 30A of Schedule 7 of the Local Government Act 2002.

DELEGATED AUTHORITY

The Joint Committee will have responsibility and authority to:

- 1) Accept and hear submissions on the joint Waste Management and Minimisation Plan 2017-2023, and report back to the individual Council on an as required basis.
- 2) To make recommendations to each participant Council on the Waste Management and Minimisation Plan.
- 3) To monitor performance and progress to give effect to the purpose of the WMMP and to make recommendations to the constituent Councils accordingly.

Administering Authority and Servicing

Hastings District Council shall administer the Joint Committee meetings.

Meetings

The Hastings District Council's Standing Orders will be used to conduct the Joint Committee meetings.

The Joint Committee shall meet as and when required as agreed for the achievement of the purpose of the Joint Committee.

Quorum

The quorum at any meeting shall be not less than four (4) including not less than two representatives of each of the member bodies.

Voting

- The members shall strive at all times to reach a consensus.
- Each representative shall be entitled to one vote at any meeting.
- There shall be no casting vote.

Variations

Any member may propose an amendment (including additions or deletions) to the Terms of Reference which may be agreed to by the Joint Committee.

Variations to the Terms of Reference must be referred to the constituent Councils for ratification.

Term of Office

The primary purpose of this Joint Committee is the approval and adoption, by both Councils, of the Waste Management and Minimisation Plan 2018. However, the Joint Committee will continue to meet as and when required to oversee performance of the WMMP in operation.

4. Future Development Strategy Joint Committee (Placeholder)

|

5. ŌŌmarunui Refuse Landfill Joint Committee

The Heads of Agreement for the ŌŌmarunui Refuse Landfill Joint Committee have been adopted by Council for the 2019-2022 Triennium and are presented with minor amendments for Council's consideration on 8 December 2022 and are incorporated into the Committee & Rural Community Board Register of Delegations.

1. Parties	Hastings District Council and Napier City Council (the Councils)
2. Nature of Relationship	A Joint Committee between the Councils who already own a property at ŌŌmarunui as tenants in common in the following shareholding percentages for refuse disposal purposes: Hastings District Council: 63.68% Napier City Council: 36.32% The Councils recognise the connection of Ngāti Pārau Hapū to the site.
3. Objectives	To jointly develop and operate generally for the benefit of the Councils a refuse disposal facility (including any ancillary activities) in compliance with resource and regulatory consents.
4. Participation of each Council	Each Council shall participate on the basis of the following shareholding percentage: Hastings District Council: 63.68% Napier City Council: 36.32% (subject to any specific provisions following) The Councils also provide for one representative from Ngāti Pārau Hapū to be a voting member of this Joint Committee.
5. Joint Committee	
5.1 ŌŌmarunui Refuse Landfill Joint Committee (Joint Committee):	This Committee shall comprise four elected members of the Hastings District Council and two elected members of the Napier City Council, and one representative from Ngāti Pārau Hapū or the alternates of those elected members and an alternate when acting in the place of an elected member shall be deemed to be an elected member. The functions of this Joint Committee shall be to determine policies to ensure the objectives are achieved and to monitor the implementation of those policies by obtaining reports from the Facility Manager or any other persons involved in the refuse disposal operation.
5.2 Administering Authority	The Hastings District Council shall be the Administering Authority. It shall provide technical, financial and secretarial services and shall be the employing authority for staff required in the administration and conduct of the refuse disposal operation. The Administering Authority shall make any information required by the Joint Committee available to that Committee.
6. Joint Committee General Powers	<p>6.1 Subject to Clause 6.2 the general powers of the Joint Committee shall be:</p> <ul style="list-style-type: none"> a) Except as provided in Clause 6.3 all such powers as shall be necessary to develop and operate the refuse disposal facility in compliance with the resource and regulatory consents already obtained including, if necessary, the power to seek further resource and regulatory consents. b) To construct buildings, purchase and dispose of plant, equipment and materials. c) Arrange insurance cover to ensure that there is comprehensive insurance in respect of the establishment and operation of the refuse disposal facility. d) To indemnify any Council or Council representative acting on behalf of the Councils pursuant to this agreement in connection with the development or operation of the refuse disposal operation after the execution hereof. e) To fix and recover fees and charges payable by landfill users. f) The licensing of users. g) To recommend to the Councils the raising of loans. For the purpose of loan raising the 'Administering Authority' shall undertake all loan raising on behalf of the Councils. h) To enter into contracts within the estimates it being acknowledged by each of the Councils for the purposes of the Local Government Act 2002 that the Joint Committee shall be delegated power to enter into any contract limited to such an amount as may be fixed by the Councils from time to time unless the prior written approval of each Council shall have been obtained. i) To use any part of the ŌŌmarunui property not required for refuse disposal for any lawful purpose including leasing thereof. j) Such further specific powers as may be delegated to it as agreed by the Councils. <p>6.2 The Joint Committee shall operate within budgets approved by the Councils. In the event that over expenditure is anticipated or incurred the Joint Committee shall immediately report that fact to the Councils.</p> <p>6.3 The powers delegated to the Joint Committee shall not entitle that Committee to sell or otherwise dispose of on behalf of any Council any asset owned by that individual Council or to sell the ŌŌmarunui land or any other land administered by the Joint Committee for refuse disposal purposes.</p> <p>6.4 Subject to Clause 6.2 and 6.3 all decisions made by the Joint Committee pursuant to its delegated powers shall without confirmation of the Councils bind each of the Councils as if it had been done in the name of each Council.</p>

7. Joint Committee Procedural Matters	7.1	Each elected member or the alternate of such member shall have one vote.
	7.2	The elected members shall elect a Chair and Deputy Chair.
	7.3	Quorum at meetings shall be four elected members including at least one elected member from each Council. The parties note that this conflicts with the provisions in clause 30 (9) (b) of schedule 7 of the Local Government Act 2002. To avoid any possible doubt the parties shall operate the committee based on the specific requirements in this agreement at all times.
	7.4	All meetings may be attended by officers of the Councils, but officers shall not be entitled to vote.
	7.5	Meetings may be requisitioned by any two elected members who shall state the nature of the business and the Administering Authority shall convene a meeting (giving notice of the business) and Councils shall ensure that at least one of their elected members attends.
	7.6	Annual meetings shall be held within three months of the end of the financial year and the business of such meeting shall include the financial accounts for the previous year.
	7.7	Budget estimates for the following financial year shall be prepared and supplied to the Councils no later than 31 January in each year for their approval.
	7.8	Meeting procedures shall be in accordance with NZS 9202: 2003, or such other version of standing orders as mutually agreed between the parties, except to the extent that specific provision is contained herein and is not contrary to law.
8. Joint Committee Financial Provisions	8.1	The Joint Committee shall provide financial and management accounting records and reports which provide sufficient detail to enable the committee and the Councils to assess performance of each separate business activity within the Landfill.
	8.2	The administering authority shall circulate a draft budget prior to the meeting at which the Joint Committee is to consider the estimates for recommendation to the Councils.
	8.3	Surpluses and deficits shall be received and borne by the Councils in the following shareholding percentage: Hastings District Council: 63.68% Napier City Council: 36.32%
	8.4	All amounts payable by each Council shall be paid within one calendar month of notification of the amount payable. If any Council shall consistently fail to make payments as required by this clause the Joint Committee may impose a penalty on the defaulting Council which shall be met by such Council.
9. Duties of the Individual Councils	9.1	To comply with the resource and regulatory consents relating to the operation.
	9.2	The Councils shall make bylaws to ensure the efficient operation of the refuse disposal facility and set and adopt fees and charges and licensing procedures.
	9.3	To establish and operate transfer stations and to adopt charges in relation to such transfer stations.
10. Changes in Participation	10.1	The establishment and operating costs of the Councils up to the time of any Change in Participation shall be safeguarded as far as possible.
	10.2	The addition or withdrawal of any party shall require agreement of the Councils.
11. Staff Appointments	11.1	Where any Council is involved in the provision of staff or services, such Council shall be reimbursed for the cost of such persons or services.
	11.2	It is recognised that it will be desirable for the staff required to be employed by one of the Councils.
12. Facility Manager	12.1	The Facility Manager appointed by the Administering Authority shall be a suitably qualified person who shall report to the Joint Committee and attend its meetings and will be responsible for the day to day operations at the landfill site.
	12.2	During any further development the Facility Manager, as appointed by the Administering Authority, shall be considered to be the officer responsible for all development activities unless otherwise directed by the Joint Committee.
13. Secretarial Services	13.1	Secretarial and Accounting services shall be provided by the Administering Authority.
	13.2	The functions to be fulfilled shall include: a) Convening of meetings. b) Keeping of minutes. c) Preparation of estimates and accounts. d) Keeping the Joint Committee informed. e) The recovery of fees and charges. f) Such further specific powers as may be delegated by agreement of the Councils.
	13.3	All documents to be signed on behalf of the Joint Committee shall be signed by the Chair (or in his absence one elected member of that Committee) together with such other person authorised by the Administering Authority.
14. Commencement and Duration	14.1	This Joint Committee shall commence from the date of this agreement and shall continue thereafter until terminated by agreement of the Councils.

	14.2	On termination of this agreement the assets shall be applied, first, in the repayment of all debts, second, in the repayment of any capital contributions, advances or sums of money that may have been made or may be due to any of the Councils, third, the surplus, if any, shall be distributed between the Councils in the following shareholding percentage: Hastings District Council: 63.68% Napier City Council: 36.32%
	14.3	In the event of a short-fall on the termination of this agreement the Councils shall contribute in the following shareholding percentage: Hastings District Council: 63.68% Napier City Council: 36.32% To such short-fall, with any necessary adjustments being made to reflect any amounts due by or to any individual Council at termination.
15. Arbitration	15.1	In the event of any dispute relating to this agreement the same shall be referred to arbitration pursuant to the Arbitration Act 1996 and each Council who is a party to the dispute shall be entitled to appoint an Arbitrator.
	15.2	The Arbitrators before embarking on the Arbitration shall appoint an umpire whose decision shall be final in the event that the Arbitrators are unable to agree.
16 Substitution	16.1	This agreement substitutes and revokes the previous Heads of Agreement dated 4 October 2010.

6. Clifton to Tangoio Coastal Hazards Strategy Joint Committee

The Heads of Agreement for the Coastal Hazards Joint Committee ~~have been adopted by Council for the 2019-2022 Triennium~~ have been amended slightly and are presented for Council's consideration on 8 December 2022. ~~and They~~ are incorporated into the Committee & Rural Community Board Register of Delegations.

Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

As at ~~28 September 2018~~ 16 November 2022.

As adopted by resolution by:

Hastings District Council 23 March 2017..

Napier City Council 31 May 2017..

Hawke's Bay Regional Council ~~28 June 2017~~ 16 November 2022

1. Definitions

For the purpose of these Terms of Reference:

- **"Act"** means the Local Government Act 2002.
- **"Administering Authority"** means Hawke's Bay Regional Council.
- **"Coastal Hazards Strategy"** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio¹.
- **"Council Member"** means an elected representative appointed by a Partner Council.
- **"Hazards"** means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunami; and includes any change in these hazards as a result of sea level rise.
- **"Joint Committee"** means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.
- **"Member"** in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- **"Partner Council"** means one of the following local authorities: Hastings District Council, Napier City Council and Hawke's Bay Regional Council.
- **"Tangata Whenua Appointer"** means:
 - The trustees of the Maungaharuru-Tangitū Trust, on behalf of the Maungaharuru-Tangitū Hapū;
 - Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapū;
 - He Toa Takitini, on behalf of the hapū of Heretaunga and Tamatea.
- **"Tangata Whenua Member"** means a member of the Joint Committee appointed by a Tangata Whenua Appointer

¹ The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.

2. Name and status of Joint Committee

2.1. The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.

2.2. The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

3. Partner Council Members

~~3.1.~~ Each Partner Council shall appoint three Council Members and ~~alternates-one alternate~~ to the Joint Committee.

~~3-3.2.~~ If not appointed directly as Council Members, the Mayors of Hastings District Council and Napier City Council and the Chair of Hawke's Bay Regional Council are ex officio Council Members.

~~3-3.3.~~ Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.

4. Tangata Whenua Members

4.1. Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.

4.2. Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.

4.3. The Tangata Whenua Members so appointed shall be entitled to vote.

4.4. Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the Member.

5. Purpose of Terms of Reference

5.1. The purpose of these Terms of Reference is to:

5.1.1. Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.

5.1.2. Provide for the administrative arrangements of the Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

~~6. Meetings~~

~~6.1. Members, or their confirmed alternates, will attend all Joint Committee meetings.~~

~~7.6.~~ Delegated authority

The Joint Committee has the responsibility delegated by the Partner Councils for:

~~7-6.1.~~ Guiding and providing oversight for the key components of the strategy including:

- The identification of coastal hazards extents and risks as informed by technical assessments;
- A framework for making decisions about how to respond to those risks;
- A model for determining how those responses shall be funded; and
- A plan for implementing those responses when confirmed.

~~7-6.2.~~ Considering and recommending a draft strategy to each of the Partner Councils for public notification;

~~7-6.3.~~ Considering comments and submissions on the draft strategy and making appropriate recommendations to the Partner Councils;

~~7-6.4.~~ Considering and recommending a final strategy to each of the Partner Councils for approval;

~~7-5-6.5.~~ Advocating for and/or advancing the objectives of the strategy by submitting on and participating in processes, including but not limited to:

- Council long term plans;
- Council annual plans;
- District and regional plan and policy changes;
- Reserve management plans;
- Asset management plans;
- Notified resource consent applications;
- Central Government policy and legislation.

~~7-6-6.6.~~ Investigating and securing additional sources of funding to support strategy implementation.

~~8-7.~~ Powers not delegated

The following powers are not delegated to the Joint Committee:

~~8-1-7.1.~~ Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.

~~8-2-7.2.~~ The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Coastal Hazards Strategy.

~~9-8.~~ Remuneration

~~9-1-8.1.~~ Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the cost of those persons' participation in the Joint Committee.

~~9-2-8.2.~~ The Administering Authority shall be responsible for remunerating the Tangata Whenua Members.

~~10-9.~~ Meetings

~~10-1-9.1.~~ The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer ([Chief Executive](#)) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.

~~10-2-9.2.~~ The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

~~10-3-9.3.~~ Notice of meetings will be given well in advance in writing to all Joint Committee Members, and not later than one month prior to the meeting.

~~10-4-9.4.~~ The quorum shall be 6 Members, provided that at least one Partner Council Member is present from each Partner Council.

~~11-10.~~ Voting

~~11-1-10.1.~~ In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council Member has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.

~~11-2-10.2.~~ Where voting is required, all Members of the Joint Committee have full speaking rights.

~~11-3-10.3.~~ Each Member has one vote.

~~11-4-10.4.~~ Best endeavours will be made to achieve decisions on a consensus basis.

~~11-5-10.5.~~ As per HBRC Standing Order 18.3: The Chair at any meeting ~~does not have~~ has a deliberative vote and, in the case of equality of votes, ~~has not~~ may use casting vote.

~~12.11.~~ Election of ChairChairperson and Deputy Chair

~~11.1.~~ The Chairperson of the Joint Committee will be one of the Hawke's Bay Regional Council members as elected and appointed by Hawke's Bay Regional Council

~~12.1.11.2.~~ On the formationAt the first meeting of the Joint Committee the members shall elect a Joint Committee Chair and may elect up to two Deputy Chairs. The Chair is to be selected from the group of Council Members.

~~12.2.11.3.~~ The mandate of the appointed Chair or and Deputy Chair ends if that person through resignation or otherwise ceases to be a member of the Joint Committee.

~~13.12.~~ Reporting

~~13.1.12.1.~~ All reports to the Committee shall be presented via the Technical Advisory Group² or from the Committee Chair.

~~13.2.12.2.~~ Following each meeting of the Joint Committee, the Project Manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member following each meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to Joint Committee representatives.

~~13.3.12.3.~~ The Technical Advisory Group shall ensure that the summary report required by ~~13.12.2~~ is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting. If requested, a Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions.

~~14.13.~~ Good faith

~~14.1.13.1.~~ In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.

~~15.14.~~ Variations to these Terms of Reference

~~15.1.14.1.~~ Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee for recommending to the Partner Councils if agreed.

~~15.2.14.2.~~ Amendments to the Terms of Reference may only be made with the approval of all Members must be agreed by all Partner Councils.

² A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.

Part 6 Advisory Groups

1. Landmarks Advisory Group

Fields of Activity

The Landmarks Advisory Group is established to advise the Council on planning the implementation of the Landmarks Developments.

Membership (9 Members)

- Chair appointed by Council.
- 4 other Councillors.
- The Landmarks Trust Chair.
- 3 others nominated by the Landmarks Trust.

Quorum 5 members including not less than 3 Councillor members.

DELEGATED POWERS

1) To make recommendations to Council on Landmarks design elements in Council initiated projects.

2) To approve public art projects that are budgeted for.

3) To approve grants from the Abbott Bequest.

4) To make recommendations to the Council on Landmarks projects for inclusion in the Long Term Plan.

5) To monitor the Landmarks Development Plan and the Hastings CBD Strategy and its programme delivery and effectiveness.

The Landmarks Advisory Group reports to the Eco District Subcommittee.

Formatted: ~Body text

2.1. Youth Council

Fields of Activity

The Youth Council's role is to:

- Provide a youth perspective on issues.
- Make sure the views of young people are canvassed and passed on to Council.
- Give advice on planning and infrastructure, particularly relating to any direct impact on young people.
- Promote and encourage youth involvement in planning and developing Council services.
- Provide input on policy and strategic development.

Membership (numbers decided by the Group Manager; [Community Wellbeing and Services and Facilities](#))

This membership should be representative of:

- Gender [diversity](#).
- Mixed abilities.
- Geographical location.
- Educational level.
- Employment/unemployment.
- Diverse Cultural Backgrounds.

Quorum – 50% of the current members

DELEGATED POWERS

- 1) To promote and oversee the matters within the Fields of Activity.
- 2) To report its work and progress to the [Great CommunitiesCommunity Wellbeing](#) Subcommittee.

Meetings

Youth Councillors are expected to attend fortnightly or monthly meetings, help organise the Youth Potential awards, take part and attend events that have been confirmed by the Youth Council, and attend a planning day.

The Youth Council reports to the [Great CommunitiesCommunity Wellbeing](#) Subcommittee.

3.2. International Advisory Group

Fields of Activity

The Hastings District International Advisory Group is established to advise Council on the development of education, scientific research, migration and cultural relationships with cities in China and the rest of the world and develop relationships with ethnic communities in Hawke's Bay through the knowledge and experience gained from our Sister City relationship with Guilin.

Membership (10 Members)

- Chair – Councillor appointed by Council.
- Hastings District Mayor.
- 2 other Councillors.
- 1 representative of the Hawke's Bay Branch of the New Zealand China Friendship Society.
- 1 representative of the Hawke's Bay Chinese Association.
- 2 representatives of the Multicultural Association Hawke's Bay.
- 1 representative of the Education Link Group.
- 1 representative of the Hastings District Youth Council.
- 1 representative of the Hawke's Bay Settlement Support
- Up to 2 other members may be co-opted at any time.

Quorum – 5 members including not less than 2 Councillor members

DELEGATED POWERS

- 1) To promote and oversee sister city activity between Guilin and Hastings District such as delegation visits and cultural exchanges.
- 2) To support the development of relationships between Hastings District or Hawke's Bay based educational establishments with those in China and the rest of the world.
- 3) To report its work and progress to the [Great CommunitiesCommunity Wellbeing](#) Subcommittee.

Meetings

Meetings will be held a minimum of three times a year. These are to be advertised as public meetings, and will be fully serviced by the Council's Governance and Democracy Team.

The International Advisory Group reports to the [Great CommunitiesCommunity Wellbeing](#) Subcommittee.

3. Active Transport Strategic Advisory Group

1. Purpose of the Group

- To provide strategic direction and reporting to Council on Active Transport outcomes for Hastings District.
- To maintain awareness of other Active Transport projects and initiatives within the Region to ensure that Council's projects are complementary as appropriate to Hastings District.

2. Goal

A transport system where walking, cycling and other active modes play a key role. This will ensure that getting around is safe and accessible for people of all ages, abilities, and cultures, providing a livable and environmentally friendly district with a sustainable and resilient transport network.

3. Scope

The Active Transport Group will focus on:

- Review the Active Transport Strategy and Programme Business Cases to ensure that these assist with providing direction for the Council LTP process.
- Recommend programmes that seek to achieve the Active Transport outcomes as identified within the Business Cases for approval by Council.
- To monitor and report to Council on progress with the implementation of approved Active Transport programmes.
- Review Council policies and practices to ensure that the needs of Active Transport users are incorporated.
- Maintain awareness of the delivery of Active Transport infrastructure and education programmes.
- Arrange working group meetings separate of the principal Active Transport Strategic Advisory Group meetings to provide feedback on the design and delivery of Active Transport infrastructure projects, and education programmes, promotions and events.

4. Governance

4.1 Meetings

The Active Transport Strategic Advisory Group shall, generally be held quarterly or at the call of the Chair, with the provision that at least four meetings shall be held per year.

4.2 Membership

Membership is comprised of two Hastings District Councillors, who serve as the Chair and Deputy Chair. They are supported by Council staff primarily from the Transport team as well as Sport Hawkes' Bay. Other members are invited to represent the Regional Council, Napier City Council and Waka Kotahi, the ~~District Health Board~~ and Disability Advisory Group, as well as transport advocacy groups Cycle Aware HB, USO Bike Ride, Bike On NZ, Bike HB and Road Transport NZ, plus the Hastings Youth Council and Police. Other groups or individuals may be invited at the discretion of the ATG.

Part 7 ~~District Champions~~ Lead Councillors

1. ~~Role of District Champions~~ Lead Councillors

- Ensure progress is made towards the Council's strategic priorities and projects within their area of interest.
- Play a strategic and policy leadership role in their areas of responsibility assisting the Council to meet its strategic objectives.
- Enhance relationships with key stakeholders.
- Collaborate with committee chairs where objectives are shared.
- Work effectively with Council officers.
- Attend any advisory groups or external appointments made and ensure an alternate is available if they cannot attend projects and activities.
- As far as possible, attend Council launches of new activities and projects in their area of interest.
- Ensure Council's advisory groups have effective input into their areas of interest.
- Keep the Mayor informed of emerging issues.
- Maintain a no-surprises approach for elected members and staff.

The ~~district Champions~~ Lead Councillors also facilitate informal policy discussion between elected members, public and officials on matters within their areas of interest.

2. ~~Hastings District Ambassador~~

Fields of Activity

~~The Hastings District Ambassador Champion is to promote Hastings District Civic Pride and ensure the celebration of Community cultural, economic, social and environmental successes and progress.~~

~~Working collaboratively with the Mayor, the Ambassador will be an advocate for Civic Pride and Hastings District promotional events (noting the Mayor is Council's principal spokesperson).~~

DELEGATED POWERS

~~No delegated authority.~~

<div><div>3. Hastings District Transport Development Champion</div><div>Fields of Activity</div><div>The Hastings District Transport Development Champion is to promote Hastings District transport initiatives and choices including:</div><div><div><div>Public Transport.</div></div><div><div>Regional Transport.</div></div><div><div>Cars.</div></div><div><div>Cycling and I-Ways.</div></div><div><div>Walking.</div></div><div><div>Hawke's Bay Airport and Airline Choices.</div></div></div><div>Working collaboratively with the Mayor, the Transport Champion will be an advocate for transport improvements (noting the Mayor is Council's principal spokesperson).</div></div>	
<div><div>DELEGATED POWERS</div><div>No delegated authority</div></div>	

Working collaboratively with the Mayor, the Flaxmere Development Champion will be an advocate for Flaxmere (noting the Mayor is Council's principal spokesperson).

|



CG-17-1-00008

SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES 2022-2025

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Mayor	Full voting member of all committees	Mayor Sandra Hazlehurst
Deputy Mayor		Cr Tania Kerr
Council	Mayor & All Councillors	Mayor Hazlehurst (Chair) Deputy Mayor (Deputy Chair) All Councillors
LEAD COUNCILLORS		
Infrastructure Monitoring		Cr Watkins
Flaxmere Futures		Cr Heke Cr Jessup
Camberley Futures		Cr Nepe
Stunning Stortford		Cr Fowler
STANDING COMMITTEES		
Strategy & Policy	Mayor & All Councillors 1 RCB Appointee 1 Heretaunga Takoto Noa Māori Standing Committee appointee (Chair)	Chair: Cr Lawson Deputy Chair: Cr Apatu Jonathan Stockley (RCB Chair appointment) (Heretaunga Takoto Noa Māori Standing Committee Chair)
Performance & Monitoring	Mayor & All Councillors 1 RCB Appointee 1 Heretaunga Takoto Noa Māori Standing Committee appointee	Chair: Cr Harvey Deputy Chair: Cr Fowler (RCB Appointee) (Heretaunga Takoto Noa Māori Standing Committee member)
Heretaunga Takoto Noa Māori Standing Committee	Mayor 6 Councillors 8 Mana Whenua Members Supported by Kaumātua (Chair & Deputy Chair appointed by Committee)	Chair: Deputy Chair: Mayor Hazlehurst Cr Apatu Cr Nepe Cr Jessup Cr Heke Cr Redstone Cr Corban 8 x Mana Whenua Members Kaumātua: Jerry Hapuku

Updated: 2/12/2022

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
STANDING COMMITTEES		
Risk and Assurance Committee	Chair appointed by Council 4 Councillors 2 Independent members appointed by Council (including Chair) 1 representative from Heretaunga Takoto Noa Māori Standing Committee)	Chair: Jon Nichols (External Independent Chair) Deputy Chair: Cr Nixon Cr Kerr Cr Corban Cr Fowler (Heretaunga Takoto Noa Māori Standing Committee member) Jaun Park (Independent External Appointed member)
Chief Executive Performance Committee	Mayor Deputy Mayor Chair Strategy & Policy Committee Chair Performance & Monitoring Committee External Consultant	Mayor Hazlehurst Deputy Mayor: Cr Kerr Cr Lawson Cr Harvey External Consultant
REGULATORY		
Hearings	10 Hearing Commissioners (including vacancies) with: <u>At least</u> 7 being elected members of council <u>PLUS</u> <u>Up to</u> 3 being external appointed members - which <u>can include</u> a mana whenua appointee and a representative from Heretaunga Takoto Noa Māori Standing Committee All with relevant qualifications and experience Chair and Deputy Chair to be appointed from membership including external appointed members	Chair: George Lyons (Commissioner Chair - External Appointee) Deputy Chair: Cr Kerr Cr Lawson Cr Schollum Cr Corban Cr Buddo <i>(Qualified: Crs Kerr, Lawson, Schollum & Corban & External Appointee George Lyons)</i>
Hastings District Licensing Committee	Councillor And 5 list members	Chair: Cr Kerr Deputy Chair: Cr Lawson <i>(Existing Members)</i> <i>George Lyons (Commissioner)</i> <i>Dave Fellows</i> <i>Wayne Bradshaw</i>

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
SUBCOMMITTEES/WORKING GROUPS		
Civic Development Subcommittee	<p>8 Councillors 1 Heretaunga Takoto Noa Māori Standing Committee appointee</p> <p><u>Officer members</u> (as per TOR) CE Group Manager: Asset Management Transportation Manager Environmental Consents Manager</p> <p>2 Youth Council appointees (Youth Council members are non-voting appointees)</p>	<p>Chair: Cr Dixon Cr Nepe Cr Harvey Cr Heke Cr Jessup Cr Fowler Cr Schollum Cr Watkins</p> <p>(Heretaunga Takoto Noa Māori Standing Committee member) PLUS Officer members (as per TOR)</p> <p>Two 2023 Youth Council appointees</p>
District Planning and Bylaws Subcommittee	<p>6 Councillors 3 Heretaunga Takoto Noa Māori Standing Committee appointees</p>	<p>Chair: Cr Corban Deputy Chair: Cr Buddo Cr Fowler Cr Nixon Cr Redstone Cr Watkins</p> <p>(3 Heretaunga Takoto Noa Māori Standing Committee members)</p>
District Development	<p>8 Councillors 1 Heretaunga Takoto Noa Māori Standing Committee appointee 2 Youth Council appointees 1 Youth Council alternate (Youth Council are non-voting appointees) 1 Rural Community Board appointee (non-voting)</p>	<p>Chair: Cr Buddo Cr Schollum Cr Kerr Cr Harvey Cr Corban Cr Fowler Cr Jessup Cr Lawson</p> <p>Two 2023 Youth Council appointees One 2023 Youth Council alternate</p> <p>1 x Rural Community Board appointee 1 x (Heretaunga Takoto Noa Māori Standing Committee member)</p>

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
SUBCOMMITTEES/WORKING GROUPS		
Environmental Wellbeing	8 Councillors 1 Heretaunga Takoto Noa Māori Standing Committee appointee 2 Youth Council appointees 1 Youth Council alternate (Youth Council are non-voting appointees) 1 Rural Community Board appointee (non-voting)	Chair: Cr Redstone Cr Corban Cr Apatu Cr Fowler Cr Jessup Cr Schollum Cr Lawson Cr Buddo (Heretaunga Takoto Noa Māori Standing Committee member) Two x 2023 Youth Council appointees One x 2023 Youth Council alternate Rural Community Board appointee
Community Wellbeing	8 Councillors 1 Heretaunga Takoto Noa Māori Standing Committee appointee 2 Youth Council appointees 1 Youth Council alternate (Youth Council members are non-voting appointees) 1 Rural Community Board appointee (non-voting)	Chair: Cr Schollum Cr Harvey Cr Jessup Cr Apatu Cr Lawson Cr Heke Cr Buddo Cr Watkins Two 2023 Youth Council appointees One 2023 Youth Council alternate Rural Community Board appointee (Heretaunga Takoto Noa Māori Standing Committee member)
Flaxmere Futures	2 Councillors Group Manager: Community Wellbeing & Services Associate Group Manager: Strategy & Development Chair, Flaxmere Planning Committee Chair elected by the subcommittee	Lead Councillors: Cr Heke Cr Jessup

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Hastings District Rural Community Board		
Rural Community Board	4 Elected RCB Members 1 Kahurānaki Ward Cr 1 Mōhaka Cr 1 Takitimu Cr 1 (Non-voting) Youth Council appointee	Chair: Mr Stockley Deputy Chair: Ms Crawshaw Ms Morley Ms Scoular Cr Buddo Cr Kerr Cr Apatu One 2023 Youth Council appointee
Rural Halls Subcommittee	Rural Community Board Members (including 1 (non-voting) Youth Council appointee) Plus 2 Heretaunga Ward Councillors	Chair: Mr Stockley Deputy Chair: Ms Crawshaw Ms Morley Ms Scoular Cr Apatu Cr Buddo Cr Kerr Cr Redstone Cr Corban One 2023 Youth Council appointee
Other Committees and Advisory Groups		
International Advisory Group –	Chair – a councillor appointed by Council The Mayor 2 other Councillors 1 representative of each of the following: <ul style="list-style-type: none"> HB Branch of NZ China Friendship Society HB Chinese Association Education Link Group Hastings District Youth Council HB Settlement Support Forum PLUS 2 representatives of the Multicultural Association HB Satyam Saha (President, Multicultural Association HB) Up to 2 other members may be co-opted at any time onto	Chair: Cr Watkins Deputy Chair: Cr Corban Mayor Cr Fowler (HB Branch of NZ China Friendship Society); (HB Chinese Association) (New Zealand Chinese Association) OR (Hawke's Bay Chinese Association) (Education Link Group) (President, Multicultural Association HB) AND (Vice President, Multicultural Association HB) One 2023 Youth Council appointee HB Settlement Support Forum -

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

	IAG (may include a Tangata Whenua member)	
Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Joint Committees		
HDC : Tangata Whenua Wastewater Joint Committee	<p>(Chair appointed by Committee)</p> <p>5 Hastings District Councillors and one alternate</p> <p>5 Tangata Whenua representatives, appointed by Council</p> <p>(Two Post-Settlement Governance Entities of Heretaunga Tamatea Settlement Trust (3) and Mana Ahuriri Trust (2) Tangata Whenua members)</p>	<p>Chair: Cr Deputy Chair: Cr Jessup Cr Watkins Cr Nixon Cr Heke Cr Corban Cr Nepe (<i>Councillor alternate</i>)</p> <ul style="list-style-type: none"> • • • • •
Hawke's Bay Crematorium Committee	<p>2 Hastings District Councillors 2 Napier City Councillors 1 CHB District Councillor (Chair appointed by Committee)</p>	<p>Chair: Deputy Chair: Cr Dixon (HDC) Cr Nixon (HDC) Cr Simpson (NCC) Cr Greig (NCC) Cr (CHBDC) - TBA</p>
Ōmarunui Refuse Landfill Joint Committee	<p>4 Councillors HDC Alternate Councillor HDC 2 Councillors NCC Alternate Councillor NCC (Chair appointed by Committee)</p> <p>1 x Ngāti Pārau Appointee</p>	<p>Chair: Cr Deputy Chair: Cr Cr Redstone (HDC) Cr Apatu (HDC) Cr Nixon (HDC) Cr Jessup (HDC)</p> <p>Cr McGrath (NCC) Cr Tareha (NCC) Alternate: Cr Fowler (HDC) Alternate: Cr Simpson (NCC)</p> <p>1 x Ngāti Pārau Appointee</p>
Joint Waste Futures Project Steering Committee	<p>3 Councillors HDC 3 Councillors NCC (Chair appointed by Committee)</p>	<p>Chair: Cr Deputy Chair: Cr Cr Redstone (HDC) Cr Nixon (HDC) Cr Apatu (HDC) Cr McGrath (NCC) Cr Browne (NCC) Cr Tareha (NCC)</p>

**SCHEDULE OF APPOINTMENTS TO COMMITTEES & SUBCOMMITTEES
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Joint Committees		
Napier-Hastings Future Development Strategy Joint Committee	2 Councillors HDC 1 Councillor Alternate HDC 2 Councillors NCC 2 Councillors HBRC 6 Mana Whenua Members (2 x Heretaunga Tamatea Settlement Trust, 2 x Mana Ahuriri, 2 x Maungaharuru Tangitū Trust)	Chair: Cr Deputy Chair: Cr Cr Schollum (HDC) Cr Buddo (HDC) Cr (HDC) Alternate Cr x 2 (NCC) Cr x 2 (HBRC) 6 x Mana Whenua Members
Joint Alcohol Strategy Advisory Group	2 HDC Crs & 1 alternate (not to be member of DLC) 2 NCC Crs & 1 alternate	Cr Apatu (HDC) Cr Dixon (HDC) Alternate : Cr Watkins HDC Cr (NCC) Cr (NCC) 1 alternate (NCC) – to be appointed

INTERIM VERSION
TO BE ADDRESSED AT 8 DECEMBER COUNCIL MEETING

**SCHEDULE OF APPOINTMENTS TO EXTERNAL ORGANISATIONS
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Other Appointments		
Active Transport Group	2 Councillors Youth Councillor member	Cr Harvey (Chair) Cr Heke (Youth Council appointee)
Camberley Planning Committee – Liaison	1 Hastings Ward Councillor	Cr Nepe
Clifton Reserve Society	1 Councillor	Cr Redstone
Cape Coast Community Group	1 Heretaunga Ward Councillor	Cr Redstone/Cr Corban
Community Arts Council (Creative Hastings) – Liaison	1 Councillor	Cr Apatu
Community Liaison Group – HB Prison	1 Councillor	Cr Heke
Creative Communities Local Funding Assessment Committee	2 Councillors Community Representative	Cr Dixon Cr Watkins
Education Link Group – Currently inactive due to Covid-19	2 Councillors School Representatives Education Professionals	Cr Cr
Farndon Park Domain Committee of Management	1 Heretaunga Councillor	Cr Redstone
Flaxmere Planning Committee - Liaison	2 Councillors (including the Flaxmere Ward)	Cr Heke Cr Jessup
Hastings City Business Association	2 Hastings Councillors	Cr Harvey Cr Schollum
Hastings District Holdings Ltd Director & Chair	1 Councillor	Cr Kerr
Havelock North Business Assn – Liaison	1 Havelock North Councillor	Cr Harvey Cr Schollum
Hawke's Bay Civil Defence Emergency Management Joint Committee	1 Mayor 1 Deputy Mayor	Mayor Hazlehurst Deputy Mayor: Cr Kerr

Updated 2/12/22

**SCHEDULE OF APPOINTMENTS TO EXTERNAL ORGANISATIONS
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Hawke's Bay Drinking Water Governance Joint Committee	2 Hastings District Council 2 HB Regional Council 2 HB District Health Board 2 Napier City Council 2 Wairoa District Council Joint Committee may appoint independent Chair	Mayor Hazlehurst (HDC) Councillor (HDC)
Hawke's Bay Museums Trust Joint Appointments Panel (to appoint the Chair of HB Museums Trust)	Mayor 1 Councillor	Mayor Hazlehurst Cr Dixon
Hawke's Bay Museums Trust Joint Working Party	2 Councillors	Cr Fowler Cr Dixon
Hawke's Bay Regional Council – Clifton to Tangoio Coastal Hazards Strategy Joint Committee.	3 Hastings District Councillors & 1 Alternate	Cr Corban Cr Redstone Cr Dixon Alternate: Cr Kerr
HB Medical Research Council	1 Councillor	Cr Buddo
HB Museums Trust	1 HDC appointee	Mr George Lyons
Heavy Traffic Forum	2 Hastings District Councillors	Cr Nixon Cr Watkins
Heritage Trails Committee	1 Councillor	Cr Fowler
Historic Places HB	1 Councillor	Cr Fowler
Keirunga Gardens Arts & Crafts Society Incorporated	1 Councillor	Cr Fowler
Positive Ageing Trust Hawke's Bay – Liaison	Mayor's Representative	Cr Schollum
Regional Cycling Governance Group Regional Active Transport Joint Committee	1 Hastings District Councillor & 1 Alternate	Cr Harvey Alternate: Cr Heke
Regional Sports Council	1 Councillor	Cr Nepe
Regional Sports Park Appointments Panel	Mayor Chief Executive	Mayor Hazlehurst Chief Executive
Regional Transport Committee	1 Hastings District Councillor & 1 Alternate	Deputy Mayor: Cr Kerr Alternate: Mayor Hazlehurst
Safer Hastings	1 Councillor	Cr Apatu
Safer Hastings Older Persons Focus Group	1 Councillor	Cr Schollum
Te Komiti Muriwai o Te Whanga (Ahuriri Estuary Committee)	1 Mōhaka Ward HDC representative	Cr Kerr

2/12/22

2

**SCHEDULE OF APPOINTMENTS TO EXTERNAL ORGANISATIONS
2022-2025**

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Te Mata Park Trust Board	2 Councillors	Cr Dixon Cr Apatu
Waipatiki Reserve Management Group	Ward Councillor	Cr Kerr (Chair)
Waipureku Waitangi Trust	2 Heretaunga Ward Councillors	Cr Corban Cr Redstone
Whakatu Action Group – Liaison Etu Whakatū - Liaison	2 Heretaunga Ward Councillors	Cr Corban Cr Redstone
Youth Council - Liaison	2 Councillors 1 x Advisor	Cr Nepe Cr Buddo Cr Schollum (Advisor)
Zone 3 representatives	All Councillors	Cr Dixon lead councillor and a pool of <u>all councillors</u>

2/12/22

3



DRAFT

Hastings District Council

Ngā Tikanga Whakahaere Hui - Standing Orders

Reviewed for the 2022-25
Triennium

Item 16



Hōtaka o Ngā Whakahounga - Schedule of Amendments

Date	Page	Amendment/Addition/Deletion	Authorisation

Item 16

Kupu whakapuaki - Preface

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

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

These Standing Orders have been designed specifically for Hastings District Council. They reflect the most up to date guidance from Local Government New Zealand and fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

Please note Standing Orders do not apply to advisory groups, working groups or workshops unless incorporated in their specific terms of reference.

It is mandatory that councils adopt Standing Orders for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7, LGA 2002).

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

All members of a local authority must abide by Standing Orders.

Ngā kai o roto - Contents

Hōtaka o Ngā Whakahounga - Schedule of Amendments	1		
Kupu whakapuaki - Preface	2		
1. Kupu Whakataki - Introduction	8		
1.1. Ngā Mātāpono - Principles	8		
1.2. Ngā tohutoro ā-ture - Statutory references	8		
1.3. Kupu rāpoto - Acronyms	8		
1.4. Te hāngaitanga - Application	8		
2. Ngā whakamārama - Definitions	9		
Ngā take whānui - General matters	13		
3. Ngā tikanga whakahaere hui - Standing orders	13		
3.1. Te kawenga ki te whakatū tikanga whakahaere hui - Obligation to adopt Standing Orders	13		
3.2. Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui - Process for adoption and alteration of Standing Orders	13		
3.3. Me whai ngā mema i ngā tikanga whakahaere hui - Members must obey Standing Orders	13		
3.4. Te whakahāngai i ngā tikanga whakahaere hui - Application of Standing Orders	13		
3.5. Te tārewa taipua i ngā tikanga whakahaere hui - Temporary suspension of Standing Orders	13		
3.6. Ngā whakawā a te Kaunihera - Quasi-judicial proceedings	13		
3.7. Ngā wāhi noho o ngā mema - Physical address of members	13		
4. Ngā hui - Meetings	14		
4.1. Te tikanga ā-ture ki te whakahaere hui - Legal requirement to hold meetings	14		
4.2. Te roa o ngā hui - Meeting duration	14		
4.3. Te reo - Language	14		
4.4. Te pāho mataora i ngā hui - Webcasting meetings	14		
4.5. Te hui tuatahi - First meeting (inaugural)	14		
4.6. Ngā tikanga mō te hui tuatahi - Requirements for the first meeting	14		
5. Ngā kopounga me ngā pōtitanga - Appointments and elections	15		
5.1. Te kopounga a te Koromatua i te Koromatua tuarua, ngā ūpoko o ngā komiti me ngā mema - Mayoral appointment of Deputy Mayor, committee chairs and members	15		
5.2. Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua - Council Discharge of a Mayoral Appointment	15		
5.3. Te whakatū a te koromatua i ngā komiti - Establishment of committees by the Mayor	15		
5.4. Te pōti i ngā ūpoko ā-rohe, ngā Koromatua tuarua me ngā ūpoko tuarua - Elections of regional Chair, Deputy Mayor, and Chairs and Deputy Chairs of Committees	15		
5.5. Te whakakore i te tūranga a tētahi Koromatua tuarua - Removal of a Deputy Mayor	16		
5.6. Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti - Voting system for Chairs, Deputy Mayors, and committee Chairs	16		
6. Te tuku mana - Delegations	16		
6.1. Ngā tepenga o te tuku mana - Limits on delegations	16		
6.2. Ka taea e ngā komiti te tuku mana - Committees may delegate	17		
6.3. Te whakamahi i ngā mana tuku - Use of delegated powers	17		
6.4. E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku - Decisions made under delegated authority cannot be rescinded or amended	17		
6.5. Kei raro ngā komiti me ngā komiti āpiti i te mana a te mana ā-rohe - Committees and subcommittees subject to the direction of the local authority	17		
6.6. Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hapori - Duty to consider delegations to community boards	17		
7. Ngā komiti - Committees	17		
7.1. Te kopounga o ngā komiti me ngā komiti āpiti - Appointment of committees and subcommittees	17		
7.2. Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti - Discharge or reconstitution of committees and subcommittees	17		
7.3. Te kōupounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti - Appointment or discharge of committee members and subcommittee members	18		
7.4. Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti - Elected members on committees and subcommittees	18		

7.5.	Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti - Local authority may replace members if committee not discharged	18	tono - Chief executive may delay or refuse request	22
7.6.	Te mematangā a te Koromatua - Membership of Mayor	18	9.4. Te raupapatanga o ngā mahi - Order of business	22
7.7.	Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematangā - Decision not invalid despite irregularity in membership	18	9.5. Te marohi a te ūpoko - Chair's recommendation	22
7.8.	Te kopounga o ngā komiti hono - Appointment of joint committees	18	9.6. Te pūrongo a te ūpoko - Chair's report	22
7.9.	Te tūnga o ngā komiti hono - Status of joint committees	19	9.7. Te wātea o te rārangi take ki te marea - Public availability of the agenda	22
7.10.	Te mana ki te kopou me te whakakore i ngā mema takitahi o tētahi komiti hono - Power to appoint or discharge individual members of a joint committee	19	9.8. Te tiroiro a te marea i te rārangi take - Public inspection of agenda	23
I mua i te hui - Pre-meeting			20	
8.	Te tuku pānui - Giving notice	20	9.9. Te tango take i te rārangi take - Withdrawal of agenda items	23
8.1.	Te pānui tūmatanui – ngā hui noa - Public notice – ordinary meetings	20	9.10. Te tuari i te rārangi take - Distribution of the agenda	23
8.2.	Te pānui ki ngā mema – ngā hui noa - Notice to members – ordinary meetings	20	9.11. Te tūnga o te rārangi take - Status of agenda	23
8.3.	Ka āhei ki te karanga hui Motuhake - Extraordinary meeting may be called	20	9.12. Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa - Items of business not on the agenda which cannot be delayed	23
8.4.	Te pānui ki ngā mema – ngā hui Motuhake - Notice to members – extraordinary meetings	20	9.13. Te kōrerorero i ngā take iti kāore i runga i te rārangi take - Discussion of minor matters not on the agenda	23
8.5.	Ka āhei ki te karanga hui ohotata - Emergency meetings may be called	20	9.14. Ngā take o te rārangi take kāore e whārikihia ki te marea - Public excluded business on the agenda	24
8.6.	Te pūnaha mō te karanga hui ohotata - Process for calling an emergency meeting	20	9.15. Te maru whāiti e pā ana ki te rārangi take me ngā meneti - Qualified privilege relating to agenda and minutes	24
8.7.	Te pānui tūmatanui – ngā hui ohotata me te Motuhake - Public notice – emergency and extraordinary meetings	21	Ngā Tikanga Hui - Meeting Procedures	
8.8.	Kāore e manakore ngā hui - Meetings not invalid	21	10. Te whakatuwhera me te whakakapi - Opening and closing	
8.9.	Ngā tatūnga i whakamanahia i te hui Motuhake - Resolutions passed at an extraordinary meeting	21	11. Kōrama - Quorum	
8.10.	Ngā hōtaka hui - Meeting schedules	21	11.1. Ngā hui Kaunihera - Council meetings	25
8.11.	Te kore e whiwhi pānui a ngā mema - Non-receipt of notice to members	21	11.2. Ngā hui komiti me te komiti āpiti - Committees and subcommittee meetings	25
8.12.	Te whakakore hui - Meeting cancellations	22	11.3. Ngā komiti hono - Joint Committees	25
9. Te rārangi take o ngā hui - Meeting agenda			22	
9.1.	Te whakarite i te rārangi take - Preparation of the agenda	22	11.4. Te herenga mō te kōrama - Requirement for a quorum	25
9.2.	Te pūnaha mō te whakatakoto take hei whakatau - Process for raising matters for a decision	22	11.5. Ka tārewa te hui mēnā karekau he kōrama - Meeting lapses where no quorum	25
9.3.	Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi		11.6. Ngā take mai i ngā hui tārewa - Business from lapsed meetings	25
			12. Te urunga a te marea me te hopunga - Public access and recording	
			12.1. E tuwhera ana ngā hui ki te marea - Meetings open to the public	26
			12.2. Ngā take e panaia ai te marea - Grounds for removing the public	26
			12.3. Ka āhei te mana ā-rohe ki te hopu i ngā hui - Local authority may record meetings	26
			12.4. Ka āhei te marea ki te hopu i ngā hui - Public may record meetings	26

13. Te taenga - Attendance	26	16.3. Te pātai i ngā teputeihana - Questions of a deputation	30
13.1. Te mōtika a ngā mema ki te tae ki ngā hui - Members' right to attend meetings	26	16.4. Ngā tatūnga - Resolutions	30
13.2. Te tae ki ngā hui ina whakahaere whakawā te komiti - Attendance when a committee is performing judicial or quasi-judicial functions	26	17. Ngā Petihana - Petitions	30
13.3. Te tuku tamōtanga - Leave of absence	26	17.1. Te āhua o ngā petihana - Form of petitions	30
13.4. Ngā whakapāhi - Apologies	26	17.2. Te petihana ka whakatakotohia e te kaipetihana - Petition presented by petitioner	31
13.5. Te hopu whakapāha - Recording apologies	27	17.3. Te petihana ka whakatakotohia e tētahi mema - Petition presented by member	31
13.6. Te tamōtanga kāore i whakaaetia - Absent without leave	27	18. Te aukati i te marea - Exclusion of public	31
13.7. Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei - Right to attend by audio or audiovisual link	27	18.1. Ngā mōtini me ngā tatūnga ki te aukati i te marea - Motions and resolutions to exclude the public	31
13.8. Te tūnga a te mema: kōrama - Member's status: quorum	27	18.2. Ka āhei ngā tāngata ka tohua ki te noho mai - Specified people may remain	31
13.9. Te tūnga a te mema: te pōti - Member's status: voting	27	18.3. Ngā take e aukatihia ana ki te marea - Public excluded items	31
13.10. Ngā mahi a te ūpoko - Chair's duties	27	18.4. Te kore e whāki i ngā mōhihio - Non-disclosure of information	31
13.11. Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei - Conditions for attending by audio or audiovisual link	27	18.5. Te tuku i ngā mōhihio nō te nohoanga aukati ki te marea - Release of information from public excluded session	32
13.12. Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei - Request to attend by audio or audiovisual link	28	19. Te pōti - Voting	32
13.13. Ka āhei te ūpoko ki te whakakore i te hononga - Chair may terminate link	28	19.1. Mā te nuinga e whakatau - Decisions by majority vote	32
13.14. Te tuku, te whakaatu rānei i tētahi tuhinga - Giving or showing a document	28	19.2. Te pōti tuwhera - Open voting	32
13.15. Ina mūhore te hononga - Link failure	28	19.3. Kei te ūpoko te pōti whakatau - Chair has a casting vote	32
13.16. Te matatapu - Confidentiality	28	19.4. Te tikanga pōti - Method of voting	32
14. Te mahi a te ūpoko i roto i ngā hui - Chair's role in meetings	28	19.5. Te tono i te wehenga - Calling for a division	32
14.1. Ngā hui kaunihera - Council meetings	28	19.6. Te tono kia tuhi i ngā pōti - Request to have votes recorded	32
14.2. Ētahi atu hui - Other meetings	28	19.7. Ka āhei ngā mema ki te noho puku - Members may abstain	33
14.3. Me pēhea te whakaingoa i te ūpoko - Addressing the Chair	29	20. Ngā whanonga - Conduct	33
14.4. Ngā whakataunga a te ūpoko - Chair's rulings	29	20.1. Te tono kia tau ngā mema - Calling to order	33
14.5. Ina tū te ūpoko - Chair standing	29	20.2. Ngā whanonga e hāngai ana ki te Tikanga Whakahaere - Behaviour consistent with Code of Conduct	33
14.6. Te mōtika a te mema ki te korero - Member's right to speak	29	20.3. Te tango kōrero me te whakapāha - Retractions and apologies	33
14.7. Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero - Chair may prioritise speakers	29	20.4. Ngā whanonga kino - Disorderly conduct	33
15. Ngā Matapakinga a te Marea - Public Forums	29	20.5. Te whakahāwea - Contempt	33
15.1. Ngā tepenga wā - Time limits	29	20.6. Te pana i te tangata i te hui - Removal from meeting	33
15.2. Ngā Herenga - Restrictions	29	20.7. Ngā take taharua ahumoni - Financial conflicts of interests	33
15.3. Ngā pātai i ngā matapakinga a te marea - Questions at public forums	30	20.8. Ngā take taharua ahumoni-kore - Non-financial conflicts of interests	34
15.4. Kāore he tatūnga - No resolutions	30		
16. Ngā Teputeihana - Deputations	30		
16.1. Ngā tepenga wā - Time limits	30		
16.2. Ngā Herenga - Restrictions	30		

20.9.	Te maru whāiti mō ngā whakaritenga hui - Qualified privilege for meeting proceedings	34	23.2.	Te tuhi i ngā mōtini - Motions in writing	37
20.10.	He āpitihanga te maru whāiti ki ētahi atu whakaritenga - Qualified privilege additional to any other provisions	34	23.3.	Ngā mōtini i whakawehea - Motions expressed in parts	37
20.11.	Ngā pūrere hiko i ngā hui - Electronic devices at meetings	34	23.4.	Te whakakapi mōtini - Substituted motion	37
21.	Ngā tikanga whānui mō te tautohetohe - General rules of debate	34	23.5.	Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini - Amendments to be relevant and not direct negatives	37
21.1.	Kei te ūpoko te tikanga - Chair may exercise discretion	34	23.6.	Ngā whakahoutanga kua kōrerotia kētia - Foreshadowed amendments	38
21.2.	Te tepenga wā mā ngā kaikōrero - Time limits on speakers	34	23.7.	Ngā whakahoutanga i whakahēngia - Lost amendments	38
21.3.	Ngā pātai ki ngā kaimahi - Questions to staff	34	23.8.	Ngā whakahoutanga i whakaaetia - Carried amendments	38
21.4.	Ngā pātai whakamārama - Questions of clarification	35	23.9.	Ina whakahēngia tētahi mōtini - Where a motion is lost	38
21.5.	Kotahi noa iho te wā e āhei ai te mema ki te korero - Members may speak only once	35	23.10.	Te tango i ngā mōtini me ngā whakahoutanga - Withdrawal of motions and amendments	38
21.6.	Ngā tepenga mō te maha o ngā kaikōrero - Limits on number of speakers	35	23.11.	Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti - No speakers after reply or motion has been put	38
21.7.	Ka āhei te kaitautoko ki te whakatārewa i tana korero - Seconder may reserve speech	35	24.	Te whakakore, te whakahou rānei i ngā tatunga - Revocation or alteration of resolutions	38
21.8.	Me hāngai ngā kōrero ki ngā take whai panga - Speaking only to relevant matters	35	24.1.	Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga - Member may move revocation of a decision	38
21.9.	Te whakahua anō i te mōtini - Restating motions	35	24.2.	Mā te rōpū nāna te whakatau e whakakore - Revocation must be made by the body responsible for the decision	39
21.10.	Te whakahē i ngā tatunga - Criticism of resolutions	35	24.3.	Te herenga ki te tuku pānui - Requirement to give notice	39
21.11.	Te whakahē kupu - Objecting to words	35	24.4.	Ngā herenga mō ngā mahi i raro i te tatunga whai panga - Restrictions on actions under the affected resolution	39
21.12.	Te mōtika ki te whakautu - Right of reply	35	24.5.	Te whakakore, te whakahou rānei mā te tatunga i taua hui tonu - Revocation or alteration by resolution at same meeting	39
21.13.	E kore e āhei tētahi atu mema ki te korero - No other member may speak	36	24.6.	Te whakakore, te whakahou rānei mā te marohi ki rō Pūrongo - Revocation or alteration by recommendation in report	39
21.14.	Ngā mōtini hei hiki i te hui - Adjournment motions	36	25.	Ngā mōtini whakahaere - Procedural motions	39
21.15.	Te whakaae a te ūpoko ki ngā mōtini whakakapi - Chair's acceptance of closure motions	36	25.1.	Me pōti ngā mōtini whakahaere i taua wā tonu - Procedural motions must be taken immediately	39
22.	Ngā tikanga whānui mō te kōrero me te mōtini - General procedures for speaking and moving motions	36	25.2.	Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe - Procedural motions to close or adjourn a debate	40
22.1.	Ngā kōwhiringa mō te kōrero me te mōtini - Options for speaking and moving	36	25.3.	Te pōti mō ngā mōtini whakahaere - Voting on procedural motions	40
22.2.	Kōwhiringa A - Option A	36			
22.3.	Kōwhiringa B - Option B – (Default Provision)	36			
22.4.	Kōwhiringa C - Option C	37			
23.	Ngā mōtini me ngā whakahoutanga - Motions and amendments	37			
23.1.	Te whakatakoto me te tautoko mōtini - Proposing and seconding motions	37			

25.4.	Te tautohetohe i ngā take i whakatārewatia - Debate on adjourned items	40	28.3.	Kāore e āhei te whakawhiti kōrero mō ngā meneti - No discussion on minutes	43
25.5.	Ngā take e toe ana i ngā hui i whakatārewatia - Remaining business at adjourned meetings	40	28.4.	Ngā meneti o te hui whakamutunga i mua i te pōtitanga - Minutes of last meeting before election	43
25.6.	Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei - Business referred to the council, committee or local or community board	40	29.	Te whakarite mauhanga - Keeping a record	43
25.7.	Ērā atu o ngā tukanga Mōtini - Other types of procedural motions	40	29.1.	Te whakarite i ngā mauhanga tika - Maintaining accurate records	43
26.	Etahi atu momo mōtini whakahaere - Points of order	40	29.2.	Te tikanga mō te tiaki i ngā mauhanga - Method for maintaining records	43
26.1.	Ka āhei ngā mema ki te tono ki te whakatika hapa - Members may raise points of order	40	29.3.	Te tiroiro - Inspection	43
26.2.	Ngā kaupapa mō te whakatika hapa - Subjects for points of order	40	29.4.	Te tiroiro i ngā take aukati marea - Inspection of public excluded matters	43
26.3.	Ngā whakahē - Contradictions	41	Āpitihianga 1.	Ngā take e aukatihia ai te marea - Appendix 1. Grounds to exclude the public	45
26.4.	Te tono whakatika hapa i te wā o te wehenga - Point of order during division	41	Āpitihianga 2.	He tauira mō te tatūnga ki te aukati i te marea - Appendix 2. Sample resolution to exclude the public	47
26.5.	Te whakatau a te ūpoko mō ngā tono whakatika hapa - Chair's decision on points of order	41	Āpitihianga 3.	Ngā mōtini me ngā whakahoutanga (Kōwhiringa A) - Appendix 3. Motions and amendments (Option A)	49
27.	Te pānui i ngā mōtini - Notices of motion	41	Āpitihianga 4.	Ngā mōtini me ngā whakahoutanga (Kōwhiringa B) - Appendix 4. Motions and amendments (Option B)	50
27.1.	Me tuhi te pānui mō te mōtini e takune ana - Notice of intended motion to be in writing	41	Āpitihianga 5.	Ngā mōtini me ngā whakahoutanga (Kōwhiringa C) Appendix 5. Motions and amendments (Option C)	51
27.2.	Te whakahē i te pānui mōtini - Refusal of notice of motion	41	Āpitihianga 6.	Tūtohi mō ngā mōtini whakahaere - Appendix 6. Table of procedural motions	52
27.3.	Te kaimōtini o te pānui mōtini - Mover of notice of motion	41	Āpitihianga 7.	Ngā tikanga mō te pāhotanga mataora - Appendix 7. Webcasting protocols	54
27.4.	Te whakarerekē i te pānui mōtini - Alteration of notice of motion	42	Āpitihianga 8.	Ngā Mana Whakahaere a te Ūpoko - Appendix 8. Powers of a Chair	55
27.5.	Ka tārewa te pānui mōtini - When notices of motion lapse	42	Āpitihianga 9.	Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei - Appendix 9. Process for removing a Chair or deputy Mayor from office	58
27.6.	Te tuku i ngā pānui mōtini - Referral of notices of motion	42	Āpitihianga 10.	Awheawhe - Appendix 10. Workshops	59
27.7.	Ngā pānui mōtini tārua - Repeat notices of motion	42	Āpitihianga 11.	He tauira mō te whakaraupapatanga o ngā take - Appendix 11. Sample order of business	60
28.	Ngā meneti - Minutes	42	Āpitihianga 12.	Te pūnaha mō te whakatakoto take hei whakatau - Appendix 12. Process for raising matters for a decision	61
28.1.	Ka noho ngā meneti hei taunakitanga mō te hui - Minutes to be evidence of proceedings	42			
28.2.	Ngā take ka tuhi ki ngā meneti - Matters recorded in minutes	42			

1. Kupu Whakataki - Introduction

These Standing Orders have been prepared to enable the orderly conduct of Hastings District Council 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:

- 1) Part 1 deals with general matters.
- 2) Part 2 deals with pre-meeting procedures.
- 3) 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 not part of the Standing Orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition, the 'Guide to Standing Orders' provides additional advice for Chairs and staff on implementation of the Standing Orders and are not part of the Standing Orders.

1.1. Ngā Mātāpono - Principles

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

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

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

1.2. Ngā tohutoro ā-ture - Statutory references

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

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

1.3. Kupu rāpoto - Acronyms

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

1.4. Te hāngaitanga - Application

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

2. Ngā whakamārama - 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 groups, 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.

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

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

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

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

Chief executive means the chief executive of a territorial authority or regional council appointed under s. 42 of the LGA 2002, and includes, for the purposes of these Standing Orders, any other officer authorized by the chief executive.

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

Committee includes, in relation to a local authority:

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

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

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

Council means, in the context of these Standing Orders, the governing body of a local authority.

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

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

Electronic link means both an audio and audiovisual link.

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

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

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

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

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

Item means a substantive matter for discussion at a meeting.

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

Karakia whakatūwheratanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

Local authority means in the context of these Standing Orders a regional council or territorial authority, as defined in s.5 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 local authority.

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

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

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

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

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

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

Presiding member means the 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; and
- Any other information which has not been released by the local authority as publicly available information.

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

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

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

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

Qualified privilege means the privilege conferred on members by ss. 52 and 53 of LGOIMA.

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

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

Regional Council Chair means the member of the governing body of a regional council elected as Chair 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 reply to those who have spoken to the motion. (The right does not apply to an amendment).

Second means the member who seconds a motion.

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

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

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

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

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

Working day means a day of the week other than:

- a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;
- b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

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

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

Workshop means in the context of these Standing Orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these

Standing Orders do not apply. Workshops may include non-elected members. See definition of “advisory group”.
Workshops are also described as briefings.

Ngā take whānui - General matters

3. Ngā tikanga whakahaere hui - Standing orders

3.1. Te kawenga ki te whakatū tikanga whakahaere hui - Obligation to adopt Standing Orders

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

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

3.2. Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui - Process for adoption and alteration of Standing Orders

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

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

3.3. Me whai ngā mema i ngā tikanga whakahaere hui - Members must obey Standing Orders

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

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

3.4. Te whakahāngai i ngā tikanga whakahaere hui - Application of Standing Orders

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

3.5. Te tārewa taupua i ngā tikanga whakahaere hui - Temporary suspension of Standing Orders

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

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

A motion to suspend Standing Orders must also identify the specific Standing Orders to be suspended. In the event of suspension those Standing Orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6. Ngā whakawā a te Kaunihera - Quasi-judicial proceedings

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

3.7. Ngā wāhi noho o ngā mema - Physical address of members

Every member of a local authority, local board and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or

delivered. Members are to provide their address within 5 working days of the publication of the declaration of the election results. Public access to those addresses is subject to the Privacy Act 2020.

4. Ngā hui - Meetings

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

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

- a) Schedule 7 of the LGA 2002;
- b) Part 7 of LGOIMA; and
- c) These Standing Orders.

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

4.2. Te roa o ngā hui - Meeting duration

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

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

4.3. Te reo - Language

A member may address a meeting in English, Te Reo Māori, or New Zealand Sign Language. A Chair 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 Chair 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 Chair not less than 2 working days before the meeting.

4.4. Te pāho mataora i ngā hui - Webcasting meetings

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

4.5. Te hui tuatahi - First meeting (inaugural)

The first meeting of a local authority following a local authority triennial general election must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than 7 days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

cl. 21(1) – (4) Schedule 7, LGA 2002.

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

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

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

- a) The making and attesting of the declarations required of the mayor (if any) and members under cl.14 Schedule 7, LGA 2002;
- b) The election of the Chair (if any) and the making and attesting of the declaration required of the Chair under cl. 14 Schedule 7, (LGA 2002);
- c) A general explanation, given or arranged by the chief executive, of:
 - i) LGOIMA; and

- ii) Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and ss. 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
 - d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
 - e) The election of the Deputy Mayor or Deputy Chair in accordance with cl.17 Schedule 7, (LGA 2002).
- cl. 21(5) Schedule 7, LGA 2002.

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

5. Ngā kopounga me ngā pōtitanga - Appointments and elections

5.1. Te kopounga a te Koromatua i te Koromatua tuarua, ngā ūpoko o ngā komiti me ngā mema - Mayoral appointment of Deputy Mayor, committee Chairs and members

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

s. 41A(3) LGA 2002.

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

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

If the Mayor declines to appoint a Deputy Mayor or committee Chairs in accordance with s. 41A LGA 2002, the council (or a committee, if so, directed by the council) must elect those positions in accordance with Standing Order 5.4.

cl. 31 Schedule 7 LGA 2002.

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

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

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

Please note that a Mayor is a member of every committee unless specific legislation provides otherwise, for example a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

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

5.4. Te pōti i ngā ūpoko ā-rohe, ngā Koromatua tuarua me ngā ūpoko tuarua - Elections of regional Chair, Deputy Mayor, and Chairs and Deputy Chairs of Committees

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

- The Chair and Deputy Chair of a regional council;
- The Deputy Mayor;
- The Chair and Deputy Chair of a committee; and
- A representative of a local authority.

Please note, this provision does not apply in situations where a Mayor has used their appointment powers under s.41A to appoint a Deputy Mayor or committee Chairs.

cl. 25 Schedule 7, LGA 2002.

5.5. Te whakakore i te tūranga a tētahi Koromatua tuarua - Removal of a Deputy Mayor

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

cl. 18 Schedule 7, LGA 2002.

5.6. Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti - Voting system for Chairs, Deputy Mayors, and committee Chairs

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

System A

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

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6. Te tuku mana - Delegations

6.1. Ngā tepenga o te tuku mana - Limits on delegations

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

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

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Officer's declaration until the new council is sworn in. See the 2022 Guide to Standing Orders for further information.

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

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

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

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

6.3. Te whakamahi i ngā mana tuku - Use of delegated powers

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

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

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

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

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

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

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

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

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

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

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

7. Ngā komiti - Committees

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

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

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

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

Unless expressly provided otherwise in legislation or regulation:

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

b) A committee may discharge or reconstitute a subcommittee.

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

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

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

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

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

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

7.4. Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti - 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 council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

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

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

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

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

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

7.6. Te mematanga a te Koromatua - Membership of Mayor

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

s. 41A(5) LGA 2002.

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

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

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

cl. 29 Schedule 7, LGA 2002.

7.8. Te kōpounga o ngā komiti hono - Appointment of joint committees

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

PRJ22-20-0018

NGĀ TIKANGA WHAKAHAERE HUI - STANDING ORDERS // PAGE 18 OF 62

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

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

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

7.9. Te tūnga o ngā komiti hono - Status of joint committees

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

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

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

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

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

I mua i te hui - Pre-meeting

8. Te tuku pānui - Giving notice

Please note; the processes described in this section (Standing Orders 8.1 – 8.13) apply as appropriate to local boards and community boards.

8.1. Te pānui tūmatanui – ngā hui noa - 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 the current month, together with the dates, the times, and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held. (See the LGNZ Guide to Standing Orders for more information).

s. 46 LGOIMA 1987.

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

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

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

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

An extraordinary council meeting may be called by:

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

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

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

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

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

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

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

- a) The Mayor; or
- b) If the Mayor is unavailable, the chief executive.

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

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

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

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

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

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

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

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

s. 46(3) LGOIMA 1987.

8.8. Kāore e manakore ngā hui - 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 local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

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

s. 46(5) & (6) LGOIMA 1987.

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

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

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

s. 51A LGOIMA 1987.

8.10. Ngā hōtaka hui - Meeting schedules

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

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

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

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

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

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

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

8.12. Te whakakore hui - Meeting cancellations

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

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

9. Te rārangi take o ngā hui - Meeting agenda

9.1. Te whakarite i te rārangi take - 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.

When preparing business items for an agenda the chief executive must consult, unless impracticable, such as in the case of the inaugural meeting, the Chair, or the person acting as Chair for the coming meeting.

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

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards, or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 12.

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

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

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

9.4. Te raupapatanga o ngā mahi - 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 Chair, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 11.

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

9.5. Te marohi a te ūpoko - Chair's recommendation

A Chair, 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 Chair's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained. A recommendation that differs significantly from the officer's recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

9.6. Te pūrongo a te ūpoko - Chair's report

The Chair 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, as described in its terms of reference.

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

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

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

ss. 5 & 46A LGOIMA 1987.

9.8. Te tiroiro a te marea i te rārangi take - Public inspection of agenda

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

- a) Shall be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- b) Shall 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 1987.

9.9. Te tango take i te rārangi take - 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 Chair.

9.10. Te tuari i te rārangi take - Distribution of the agenda

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.6).

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. Te tūnga o te rārangi take - Status of agenda

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

9.12. Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa - 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 Chair 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 1987.

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

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

9.13. Te kōrerorero i ngā take iti kāore i runga i te rārangi take - 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 Chair 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 1987.

9.14. Ngā take o te rārangi take kāore e whārikihia ki te marea - 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 with the public excluded.

s. 46A(9) LGOIMA 1987.

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

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

s. 52 LGOIMA 1987.

Ngā Tikanga Hui - Meeting Procedures

10. Te whakatuwhera me te whakakapi - Opening and closing

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

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

11. Kōrama - Quorum

11.1. Ngā hui Kaunihera - Council meetings

The quorum for a meeting of the council is:

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

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

11.2. Ngā hui komiti me te komiti āpiti - Committees and subcommittee meetings

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

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

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

11.3. Ngā komiti hono - Joint Committees

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

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

11.4. Te herenga mō te kōrama - 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.

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

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

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

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

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

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

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

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

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

s.47 & 49(a) LGOIMA 1987.

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

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

s.50(1) LGOIMA 1987.

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

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

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

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

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

13. Te taenga - Attendance

13.1. Te mōtika a ngā mema ki te tae ki ngā hui - Members' right to attend meetings

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

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

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

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

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

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

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

13.3. Te tuku tamōtanga - Leave of absence

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

13.4. Ngā whakapāhi - 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 Mayor (or Chair) must invite apologies at the beginning of each meeting, including apologies for

lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council. For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

13.5. Te hopu whakapāha - 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.

13.6. Te tamōtanga kāore i whakaaetia - Absent without leave

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

cl. 5(1)(d) Schedule 7, LGA 2002.

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

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

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

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

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

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

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

13.10. Ngā mahi a te ūpoko - Chair's duties

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

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

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

cl. 25A(3) Schedule 7, LGA 2002.

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

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

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

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

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

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

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

13.13. Ka āhei te ūpoko ki te whakakore i te hononga - Chair may terminate link

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

- Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- The behaviour of the members using the link warrants termination, including the style, degree, and extent of interaction between members;
- It is distracting to the members who are physically present at the meeting;
- The quality of the link is no longer suitable; and
- Information classified as confidential may be compromised (see also SO 13.16).

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

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

- Transmitting it electronically;
- Using the audiovisual link; or
- Any other manner that the Chair thinks fit.

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

13.15. Ina mūhore te hononga - Link failure

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

13.16. Te matatapu - Confidentiality

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

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

14.1. Ngā hui kaunihera - Council meetings

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

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

14.2. Ētahi atu hui - Other meetings

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

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

14.3. Me pēhea te whakaingoa i te ūpoko - Addressing the Chair

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

14.4. Ngā whakataunga a te ūpoko - Chair's rulings

The Chair will decide all procedural questions, including points of order, where insufficient provision is made by these Standing Orders (except in cases where appoint of order questions the Chair's ruling). Any refusal to obey a Chair's ruling or direction constitutes contempt (see SO 20.5).

14.5. Ina tū te ūpoko - Chair standing

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

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

Members are entitled to speak in accordance with these Standing Orders. Members should address the Chair when speaking. Members are required to stand when speaking. They may not leave their place while speaking unless they have the leave of the Chair.

14.7. Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero - Chair may prioritise speakers

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

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

15. Ngā Matapakinga a te Marea - Public Forums

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

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

15.1. Ngā tepenga wā - Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the chief executive (or their delegate) at least one clear day before the meeting; however, this requirement may be waived by the Chair. Requests should also outline the matters that will be addressed by the speaker(s).

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 Chair has discretion to restrict the speaking time permitted for all presenters.

15.2. Ngā Herenga - Restrictions

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

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

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

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

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

16. Ngā Teputeihana - 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 should be approved by the Chair, or an official with delegated authority, five working days before the meeting; however, this requirement may be waived by the Chair. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

16.1. Ngā tepenga wā - Time limits

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

16.2. Ngā Herenga - Restrictions

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

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

16.3. Te pātai i ngā teputeihana - Questions of a deputation

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

16.4. Ngā tatūnga - 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.

17. Ngā Petihana - Petitions

17.1. Te āhua o ngā petihana - Form of petitions

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

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

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

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

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

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

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

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

- The petition;
- The petitioners' statement; and
- The number of signatures.

18. Te aukati i te marea - Exclusion of public

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

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

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

- The general subject of each matter to be excluded;
- The reason for passing the resolution in relation to that matter; and
- The grounds on which the resolution is based.

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

s. 48 LGOIMA 1987.

18.2. Ka āhei ngā tāngata ka tohua ki te noho mai - 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 1987.

18.3. Ngā take e aukatihia ana ki te marea - 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 1987.

18.4. Te kore e whāki i ngā mōhiotio - 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; and
- b) The information is no longer confidential.

18.5. Te tuku i ngā mōhiotio nō te nohoanga aukati ki te marea - Release of information from public excluded session

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

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

19. Te pōti - Voting

19.1. Mā te nuinga e whakatau - Decisions by majority vote

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

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

19.2. Te pōti tuwhera - Open voting

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

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

19.3. Kei te ūpoko te pōti whakatau - Chair has a casting vote

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

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

19.4. Te tikanga pōti - Method of voting

The method of voting must be as follows:

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

19.5. Te tono i te wehenga - 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 Chair 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 Chair may call a second division where there is confusion or error in the original division.

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

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

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

Any member may abstain from voting.

20. Ngā whanonga - Conduct

20.1. Te tono kia tau ngā mema - Calling to order

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

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

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

20.3. Te tango kōrero me te whakapāha - 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 Chair 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 Chair may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

20.4. Ngā whanonga kino - Disorderly conduct

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

If the disorder continues the Chair 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 Chair may also adjourn the meeting if other people cause disorder or in the event of an emergency.

20.5. Te whakahāwea - Contempt

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

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

20.6. Te pana i te tangata i te hui - Removal from meeting

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

This Standing Order will apply where the Chair 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 Chair's permission.

20.7. Ngā take taharua ahumoni - 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 Chair 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.

ss. 6 & 7 LAMIA 1968.

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

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority (or local or 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 Chair nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.

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

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

s. 53 LGOIMA 1987.

20.10. He āpitihanga te maru whāiti ki ētahi atu whakaritenga - 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 local authority.

s. 53 LGOIMA 1987.

20.11. Ngā pūrere hiko i ngā hui - Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting.

Personal use may only occur at the discretion of the Chair. A Chair may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

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

21.1. Kei te ūpoko te tikanga - Chair 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 or when a Chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the Chair.

21.2. Te tepenga wā mā ngā kaikōrero - Time limits on speakers

The following time limits apply to members speaking at meetings:

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

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

21.3. Ngā pātai ki ngā kaimahi - Questions to staff

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

21.4. Ngā pātai whakamārama - Questions of clarification

At any point of a debate a member may ask the Chair 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.

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

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

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

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

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

21.7. Ka āhei te kaitautoko ki te whakatārewa i tana korero - 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.

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

Members may only speak to;

- a) any matter before the meeting,
- b) a motion or amendment which they propose, and
- c) to raise a point of order arising out of debate,

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

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

21.9. Te whakahua anō i te mōtini - Restating motions

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

21.10. Te whakahē i ngā tatūnga - 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.

21.11. Te whakahē kupu - 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 Chair must order the minutes to record the objection.

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

21.12. Te mōtika ki te whakautu - 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.

The original mover may speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried, the mover of the motion may use their right of reply before the motion or

amendment is put to the vote. The mover of the original motion may choose to indicate that they wish to reserve their right or reply until the closure motion.

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

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

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

21.14. Ngā mōtini hei hiki i te hui - 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.

21.15. Te whakaae a te ūpoko ki ngā mōtini whakakapi - Chair's acceptance of closure motions

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

However, the Chair 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 Chair puts the motion or amendment to the vote.

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

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

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

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

22.2. Kōwhiringa A - Option A

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

22.3. Kōwhiringa B - Option B – (Default Provision)

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).

- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.4. Kōwhiringa C - Option C

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

23. Ngā mōtini me ngā whakahoutanga - Motions and amendments

23.1. Te whakatakoto me te tautoko mōtini - Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chair may then state the motion and propose it for discussion. A motion should be moved and seconded before debate but after questions.

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

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

23.2. Te tuhi i ngā mōtini - Motions in writing

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

23.3. Ngā mōtini i whakawehea - Motions expressed in parts

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

23.4. Te whakakapi mōtini - 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.

23.5. Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini - 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. An amendment cannot be a direct negative to the motion or the amended motion.

Reasons for not accepting an amendment can include:

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

f) Direct negative.

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

23.6. Ngā whakahoutanga kua kōrerotia kētia - Foreshadowed amendments

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

23.7. Ngā whakahoutanga i whakahēngia - 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, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to it, and may move or second a further amendment.

23.8. Ngā whakahoutanga i whakaaetia - 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, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 – 22.4, speak to the substantive motion, and may move or second a further amendment to it.

23.9. Ina whakahēngia tētahi mōtini - Where a motion is lost

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

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

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

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

23.11. Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti - 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 Chair has started putting the motion.

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

24.1. Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga - 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 to satisfy the decision-making provisions of ss. 77-82 of the LGA 2002.

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

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

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

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

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

24.3. Te herenga ki te tuku pānui - 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 the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4. Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga - 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 Chair:

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

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

24.5. Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu - 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.

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

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

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

25. Ngā mōtini whakahaere - Procedural motions

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

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

discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and/or two against or, in the Chair's opinion, it is reasonable to accept the closure motion.

25.2. Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe - 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; (items lying on the table at the end of the triennium will be deemed to have expired); and
- e) That the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

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

25.3. Te pōti mō ngā mōtini whakahaere - Voting on procedural motions

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

25.4. Te tautohetohe i ngā take i whakatārewatia - 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.

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

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

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

25.7. Ērā atu o ngā tukanga Mōtini - Other types of procedural motions

The Chair has discretion about whether to allow any other procedural motion that is not contained in these Standing Orders.

26. Etahi atu momo mōtini whakahaere - Points of order

26.1. Ka āhei ngā mema ki te tono ki te whakatika hapa - 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).

26.2. Ngā kaupapa mō te whakatika hapa - 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** – to bring disorder to the attention of the Chair;
- b) **Language** – to highlight use of disrespectful, offensive, or malicious language;

- c) **Irrelevance** – to inform the Chair that the topic being discussed is not the matter currently before the meeting;
- d) **Misrepresentation** – to alert the Chair of a misrepresentation in a statement made by a member, an officer, or a council employee;
- e) **Breach of standing order** – to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- f) **Recording of words** – to request that the minutes record any words that have been the subject of an objection.

26.3. Ngā whakahē - Contradictions

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

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

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

26.5. Te whakatau a te ūpoko mō ngā tono whakatika hapa - Chair's decision on points of order

The Chair 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 Chair's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

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

27. Te pānui i ngā mōtini - Notices of motion

27.1. Me tuhi te pānui mō te mōtini e takune ana - 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.

27.2. Te whakahē i te pānui mōtini - Refusal of notice of motion

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

- a) Is disrespectful or which contains offensive language or statements made with malice; or
- b) Is not related to the role or functions of the local authority or meeting concerned; or
- c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- f) Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

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

27.3. Te kaimōtini o te pānui mōtini - 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.

27.4. Te whakarekē i te pānui mōtini - 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.

27.5. Ka tārewa te pānui mōtini - When notices of motion lapse

Notices of motion that are not moved when called for by the Chair must lapse.

27.6. Te tuku i ngā pānui mōtini - Referral of notices of motion

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

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

27.7. Ngā pānui mōtini tārua - Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no notice of motion which is similar, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chair has the same effect, may be put while the original motion stands.

28. Ngā meneti - Minutes

28.1. Ka noho ngā meneti hei taunakitanga mō te hui - Minutes to be evidence of proceedings

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

cl. 28 Schedule 7, LGA 2002.

28.2. Ngā take ka tuhi ki ngā meneti - 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 Chair;
- d) Any apologies or leaves of absences;
- e) Members absent without apology or leave of absence;
- f) Members absent on council business;
- g) The arrival and departure times of members;
- h) Any failure of a quorum;
- i) A list of any external speakers and the topics they addressed;
- j) A list of the items considered;
- k) Items tabled at the meeting;
- l) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these Standing Orders;
- m) The names of all movers, and seconders;
- n) Any objections made to words used;
- o) All divisions taken and, if taken, a record of each members' vote;
- p) The names of any members requesting that their vote or abstention be recorded;
- q) Any declarations of financial or non-financial conflicts of interest;
- r) The contempt, censure, and removal of any members;
- s) Any resolutions to exclude members of the public;
- t) The time at which the meeting concludes or adjourns; and

u) The names of people permitted to stay in public excluded.

Please Note: hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3. Kāore e āhei te whakawhiti kōrero mō ngā meneti - No discussion on minutes

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

28.4. Ngā meneti o te hui whakamutunga i mua i te pōtitanga - Minutes of last meeting before election

The chief executive and the relevant Chairs must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

29. Te whakarite mauhanga - Keeping a record

29.1. Te whakarite i ngā mauhanga tika - Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, so as to be able to be used for subsequent reference.

s. 17 Public Records Act 2005.

29.2. Te tikanga mō te tiaki i ngā mauhanga - Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- a) The provision of a reliable means of assuring the integrity of the information is maintained; and
- b) The information is readily accessible so as to be usable for subsequent reference.

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

29.3. Te tiro tiro - Inspection

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

s. 51 LGOIMA 1987.

29.4. Te tiro tiro i ngā take aukati marea - 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 if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

Ngā Tuhinga Tohutoro - Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Commercial Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

Āpitianga 1. Ngā take e aukatihia ai te marea - Appendix 1. Grounds to exclude the public

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

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - b) To endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. Disclose a trade secret; or
 - ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
 - (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. Be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. Be likely otherwise to damage the public interest.
 - (d) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (f) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (g) Maintain legal professional privilege; or
 - (h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - (i) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

See s.7 LGOIMA 1987.

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

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
- (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.

- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where:
- i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

See s. 48 LGOIMA 1987.

Āpitianga 2. He tauira mō te tatūnga ki te aukati i te marea - Appendix 2. Sample resolution to exclude the public

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is **moved**:

1 that the public is excluded from:

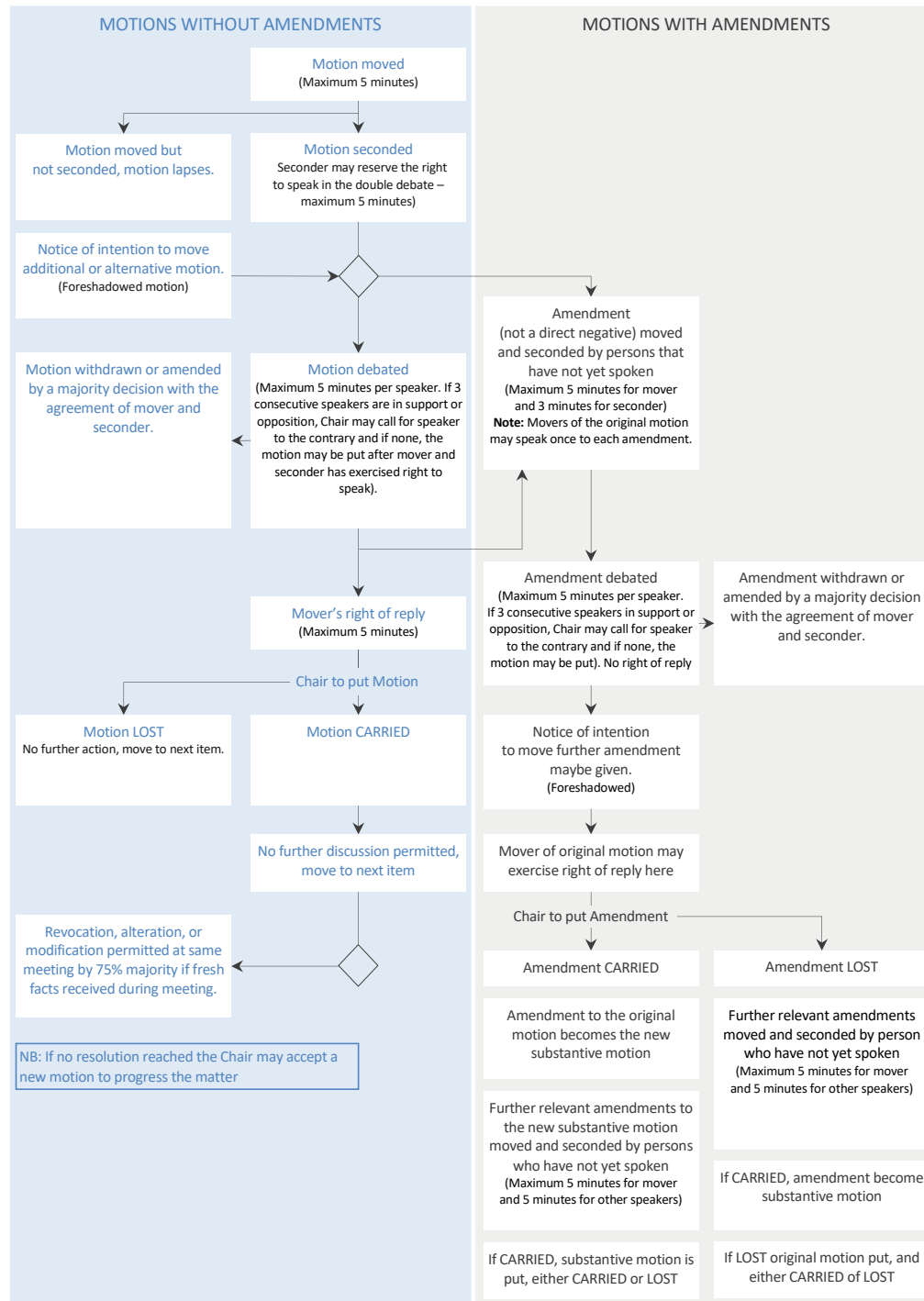
- The whole of the proceedings of this meeting; *(deleted if not applicable)*
- The following parts of the proceedings of this meeting, namely; *(delete if not applicable)*

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would:
		i) be contrary to the provisions of a specified enactment; or
		ii) constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where:
		i) a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or
		ii) the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would;
		i) disclose a trade secret; or
		ii) unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		<p>To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for;</p> <ul style="list-style-type: none"> • a resource consent, or • a water conservation order, or • a requirement for a designation or • a heritage order, <p>(s 7(2)(ba)).</p>
		<p>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:</p> <ul style="list-style-type: none"> i) prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii) would be likely otherwise to damage the public interest (s 7(2)(c)).
		<p>To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).</p>
		<p>To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).</p>
		<p>To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).</p>
		<p>To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).</p>
2.	<p>That <i>(name of person(s))</i> is permitted to remain at this meeting after the public has been excluded because of their knowledge of <i>(specify topic under discussion)</i>. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because (specify). <i>(Delete if inapplicable.)</i></p>	

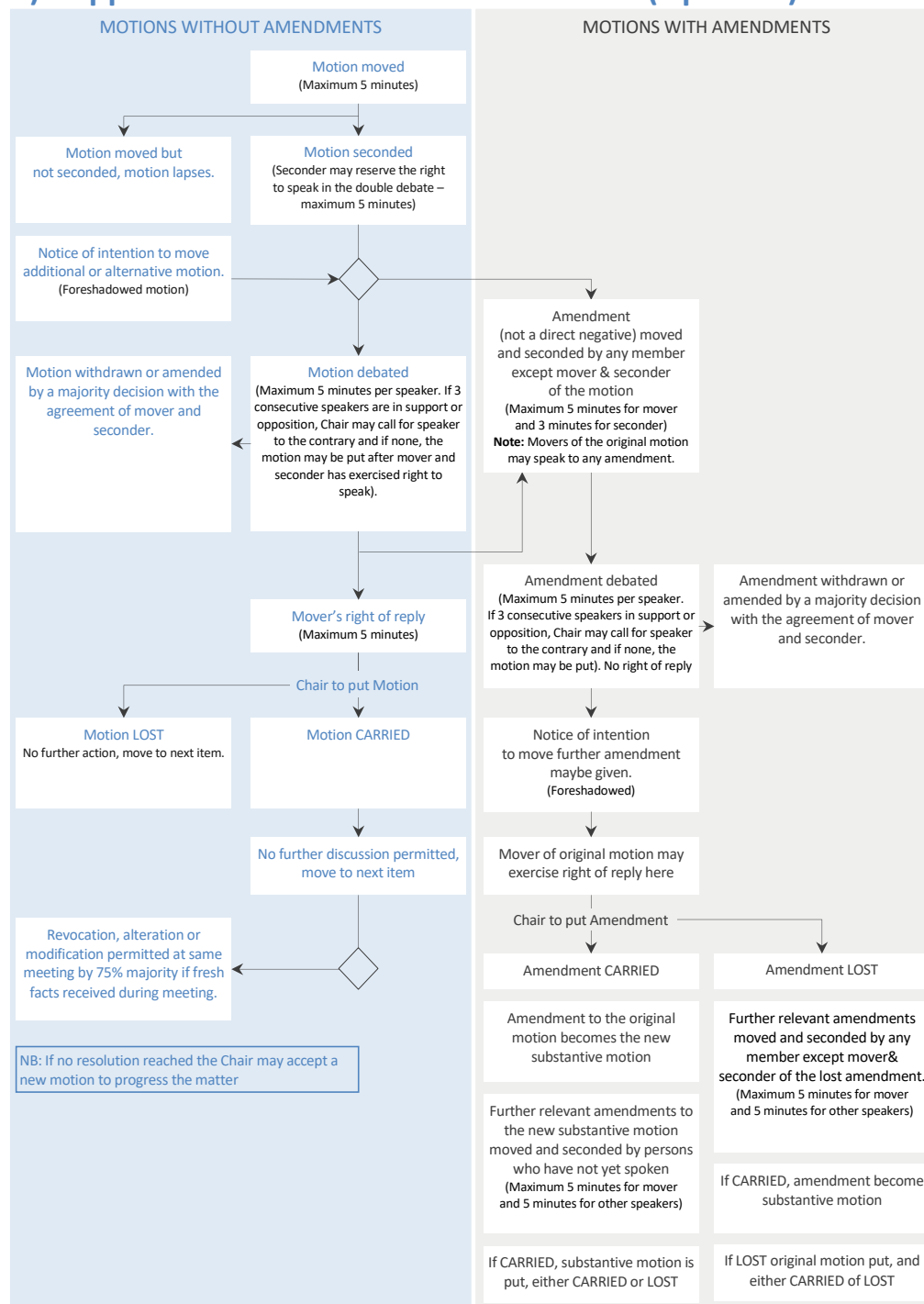
Āpitianga 3. Ngā mōtini me ngā whakahoutanga (Kōwhiringa A) - Appendix 3. Motions and amendments (Option A)



PRJ22-20-0018

NGĀ TIKANGA WHAKAHAERE HUI - STANDING ORDERS // PAGE 49 OF 62

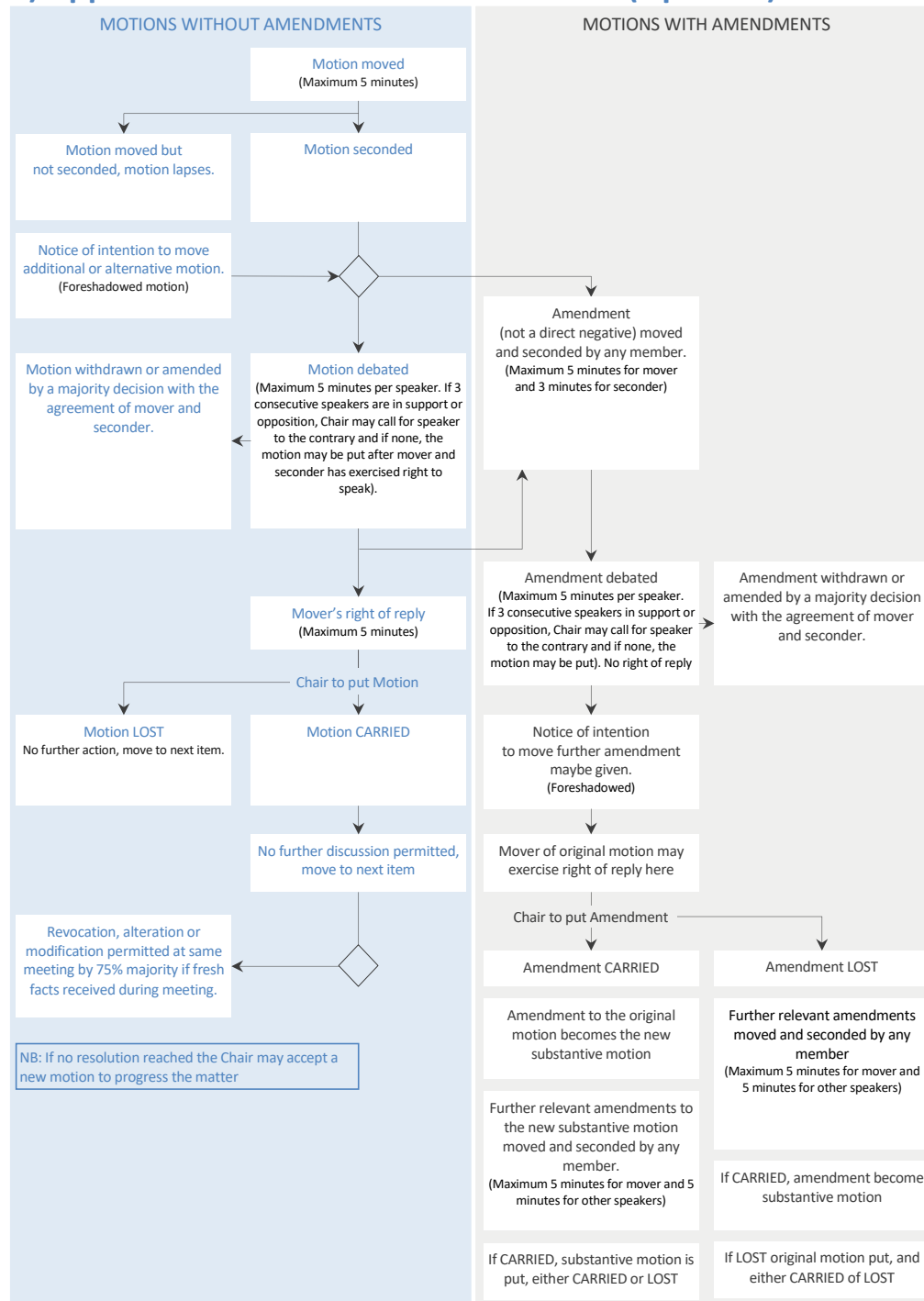
Āpitianga 4. Ngā mōtini me ngā whakahoutanga (Kōwhiringa B) - Appendix 4. Motions and amendments (Option B)



PRJ22-20-0018

NGĀ TIKANGA WHAKAHAERE HUI - STANDING ORDERS // PAGE 50 OF 62

Āpitianga 5. Ngā mōtini me ngā whakahoutanga (Kōwhiringa C) C) Appendix 5. Motions and amendments (Option C)



PRJ22-20-0018

NGĀ TIKANGA WHAKAHAERE HUI - STANDING ORDERS // PAGE 51 OF 62

Āpitihanga 6. Tūtohi mō ngā mōtini whakahaere - Appendix 6. Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again.
b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.
c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
e) "That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	

Motion	Has the Chair discretion to refuse this Motion?	Is second required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
f) "Points of order"	No – but may rule against	No	Yes – at discretion of Chair	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See standing order 3.14.

Āpitianga 7. Ngā tikanga mō te pāhotanga mataora - Appendix 7. Webcasting protocols

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

- 1) The default shot will be on the Chair or a wide-angle shot of the meeting room.
- 2) Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
- 3) Generally, interjections from other members or the public are not covered. However, if the Chair engages with the interjector, the interjector's reaction can be filmed.
- 4) PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
- 5) Shots unrelated to the proceedings, or not in the public interest, are not permitted.
- 6) If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chair.
- 7) Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being webcast.

Āpitihangā 8. Ngā Mana Whakahaere a te Ūpoko - Appendix 8. Powers of a Chair

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

Chair to decide all questions

The Chair is to decide all questions where these Standing Orders make no provision or insufficient provision. The Chair's ruling is final and not open to debate.

Chair to decide points of order (SO 26.5)

The Chair 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 Chair 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 Chair.

Items not on the agenda (SO 9.12)

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

Minor matters not on the agenda relating to the general business of the local authority may be discussed if the Chair 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.

Chair's report (SO 9.6)

The Chair, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chair's recommendation (SO 9.5)

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

Chair's voting (SO 19.3)

The Chair at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where Standing Orders make such provision.

Motion in writing (SO 23.2)

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

Motion in parts (SO 23.3)

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

Notice of motion (SO 27.2)

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

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

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

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

Action on previous resolutions (SO 27.2)

If, in the opinion of the Chair the practical effect of a delay in acting 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 Chair to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion (SO 27.7)

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

Revocation or alteration of previous resolution

A Chair may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these Standing Orders.

Chair may call a meeting

The Chair:

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

Irrelevant matter and needless repetition (SO 21.8)

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

Taking down words (SO 21.11)

The Chair 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 Chair 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.

Chair rising (SO 14.5)

Whenever the Chair 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 Chair may be heard without interruption.

Members may leave places (SO 14.6)

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

Priority of speakers (SO 14.7)

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

Minutes (SO 28.1)

The Chair is to sign the minutes and proceedings of every meeting once confirmed. The Chair and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

Questions of speakers (SO 16.3)

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

Withdrawal of offensive or malicious expressions (SO 20.3)

The Chair 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 Chair, can be directed to withdraw from the meeting for a time specified by the Chair.

Chair's rulings (SO 14.4)

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

Disorderly behaviour (SO 20.4)

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

Failure to leave meeting (SO 20.6)

If a member or member of the public who is required, in accordance with a Chair'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 Chair, any member of the police or officer or employee of the local authority may, at the Chair's request, remove or exclude that person from the meeting.

Audio or audio visual attendance (SO 13.10)

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

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

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

Āpitianga 9. Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei - Appendix 9. Process for removing a Chair or deputy Mayor from office

- 1) At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its Chair, deputy Chair, or deputy Mayor from office.
- 2) If a Chair, deputy Chair, or deputy mayor is removed from office at that meeting, the territorial authority or regional council may elect a new Chair, deputy Chair, or deputy mayor at that meeting.
- 3) A meeting to remove a Chair, deputy Chair, or deputy Mayor may be called by:
 - a) A resolution of the territorial authority or regional council; or
 - b) A requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
- 4) A resolution or requisition must:
 - a) Specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - b) Indicate whether or not, if the Chair, deputy Chair, or deputy Mayor is removed from office, a new Chair, deputy Chair, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
- 5) A resolution may not be made, and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
- 6) The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
- 7) A resolution removing a Chair, deputy Chair, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

Āpitihangā 10. Awheawhe - Appendix 10. Workshops

Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular 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.

Application of Standing Orders to workshops

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

Calling a workshop

Workshops, briefings and working parties may be called by:

- a) A resolution of the local authority or its committees
- b) The Mayor,
- c) A committee Chair or
- d) The chief executive.

Process for calling workshops

The chief executive will give at least 24 hours' notice of the time and place of the workshop 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; and
- 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 is not required, and workshops can be either open to the public or public excluded.

Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location, and duration of workshop;
- Person present; and
- General subject matter covered.

Āpitianga 11. He tauira mō te whakaraupapatanga o ngā take - Appendix 11. Sample order of business

Open section

- a) Apologies
- b) Declarations of interest
- c) Confirmation of minutes
- d) Leave of absence
- e) Acknowledgements and tributes
- f) Petitions
- g) Public input
- h) Local and/or community board input
- i) Extraordinary business
- j) Notices of motion
- k) Reports of committees
- l) Reports of local and/or community boards
- m) Reports of the chief executive and staff
- n) Mayor, deputy Mayor and elected members' reports (information)

Public excluded section

- o) Reports of committees
- p) Reports of the chief executive and staff
- q) Mayor, deputy Mayor and elected members' reports (information)

Āpitianga 12. Te pūnaha mō te whakatakoto take hei whakatau - Appendix 12. 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 Chair;
- Report of a committee;
- Report of a community and/or local board; or
- Notice of motion from a member.

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

- Report of chief executive; or
- Report of Chair.

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.





Draft

Hastings District Council

Anga Tikanga Whanonga - Code of Conduct

Reviewed for the 2022-25
Triennium



Hōtaka o Ngā Whakahounga - Schedule of Amendments

Date	Page	Amendment/Addition/Deletion	Authorisation

Item 17

Ngā kai o roto - Contents

Hōtaka o Ngā Whakahounga - Schedule of Amendments	2
Ngā kai o roto - Contents	3
1.Kupu Whakataki - Introduction	4
2.Hōkaitanga - Scope	5
3.Ngā whakamārama - Definitions	5
4.Te Tiriti o Waitangi – The Treaty of Waitangi	5
5.Ngā mātāpono o te mana urungi pai - Principles of good governance	6
6.Ngā whanonga - Behaviours	6
6.1. Te whakautu - Respect	6
6.2. Te whakaweti, te whakatīwheta me te whakatoihara - Bullying, harassment, and discrimination	7
6.3. Te tuari mōhiohio - Sharing information	7
6.4. Te whakaatu i ngā whakaaro whaiaro ki te marea - Expressing personal views publicly	8
6.5. Me tautika ngā mahi - Provide equitable contribution	8
6.6. Te māteatea - Disrepute	8
6.7. Te whiwhi huanga whaiaro i tō tūranga - Use of position for personal advantage	8
6.8. Te tōkeke - Impartiality	8
6.9. Te ū ki te matatapu - Maintaining confidentiality	9
6.10. Whanonga ā-matatika - Ethical behaviour	9
7.Ngā tūnga me ngā haepapa - Roles and responsibilities	9
7.1. Ngā mema - Members	9
7.2. Tumu Whakarae - Chief Executive	10
8.He ngākau kōnatunatu - Conflicts of interest	10
9.Pukapuka rēhita ā-aronga - Register of interests	10
Appendix 1 – Te kaupapahere hei whakahaere i ngā whakapae i takahia te Tikanga - Policy for ruling on alleged breaches of the Code of Conduct	12
Appendix 2 – Te tukanga whakatau me te tiroiro i ngā amuamu - Procedure for determining and investigating complaints	16
Appendix 3 – Ngā ture e whakatakoto ana i ngā paerewa mō ngā whanonga matatika - Legislation which sets standards for ethical behaviour	18
Appendix 4 – Ngā rangahau whakapūaho mō te aromatawai i ngā tūpono takahanga - Case studies for assessing potential breaches	25

1. Kupu Whakataki - Introduction

The Hastings District Council adopts this code of conduct in accordance with Clause 15, Schedule 7 of the Local Government Act 2002 (LGA).

The Code of Conduct sets standards for the behaviour of members towards other members, staff, the public, and the media. It is also concerned with the disclosure of information that members receive in their capacity as members. Members must comply with this Code of Conduct.

The purpose of this Code of Conduct is to:

- Enhance the effectiveness of the Hastings District Council and provide for good local government of the Hastings District;
- Promote effective decision-making and community engagement;
- Enhance the credibility and accountability of the Council to its communities; and
- Develop a culture of mutual trust, respect, and tolerance between members of the Council and between the members and management.

Ngā herenga a ngā mema - Members' commitment

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

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

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

2. Hōkaitanga - Scope

This Code of Conduct applies to all members including members of any Community Board that has agreed to adopt it.

The Code applies to the behaviour of members towards:

- Each other;
- The chief executive and staff;
- The media; and
- The general public.

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

This Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when an amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

3. Ngā whakamārama - Definitions

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

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

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

4. Te Tiriti o Waitangi – The Treaty of Waitangi

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

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

5. Ngā mātāpono o te mana urungi pai - Principles of good governance

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

- **Public interest:** members should act solely in the public interest.
- **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
- **Stewardship:** members should use long-term perspective when making decisions. Decisions which impact on past, current and future generations also affect collective well-being.
- **Objectivity:** members should act and take decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
- **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing.
- **Honesty:** members should be truthful and not misleading.
- **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

6. Ngā whanonga - Behaviours

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

- conducting the business of the local authority,
- acting as a representative of the local authority,
- acting as a representative of their electorate,
- communicating with other members, the media, the public and staff, and
- using social media and other communication channels.¹

Where a member's conduct falls short of these standards, members accept that they may be subject to a complaint made under the Council's "Policy for alleged breaches of the Code of Conduct".

6.1. Te whakautu - Respect

Members will treat all other members, staff, and members of the public, with respect.

Respect means politeness and courtesy in behaviour, speech, and writing. Debate and differences are all part of a healthy democracy. As a member of a local authority you can challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You must not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in the Council. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the Council, the relevant social media provider, or the police.

¹ Please refer to the Guidelines for the responsible use of social media in the LGNZ Good Governance Guide

6.2. Te whakaweti, te whakatīwheta me te whakatoihara - Bullying, harassment, and discrimination

Members will treat all people fairly and will not:

- bully any person,
- harass any person, or
- discriminate unlawfully against any person.

For the purpose of the Code of Conduct,

Bullying is offensive, intimidating, malicious, or insulting behaviour. It represents an abuse of power through means that undermine, humiliate, denigrate, or injure another person. It may be:

- a regular pattern of behaviour, or a one-off incident,
- occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or at work social events, and
- may not always be obvious or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination occurs when a person is treated unfairly, or less favourably, than another person because of any of the following²:

- Age
- Disability
- Ethnic or national origin
- Political opinion
- Sex
- Skin, hair or eye colour
- Employment status
- Family status
- Religious belief
- Sexual orientation
- Race
- Ethical belief
- Marital status
- Gender identity

6.3. Te tuari mōhiohio - Sharing information

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

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

² See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>

6.4. Te whakaatu i ngā whakaaro whaiaro ki te marea - Expressing personal views publicly

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

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

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

6.5. Me tautika ngā mahi - Provide equitable contribution

Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.

Being a member is a position of considerable trust, given to you by your community to act on their behalf. To fulfil the expectations of your constituents and contribute to the good governance of your area, it is important that you make all reasonable efforts to attend meetings and workshops, prepare for meetings, attend civic events, and participate in relevant training seminars.

The Council workload can be substantial, and it is important that every member contributes appropriately. This requires members to often work as a team and avoid situations where the majority of the work falls on the shoulders of a small number of members.

6.6. Te māteatea - Disrepute

Members will not bring the local authority into disrepute.

Members are trusted to make decisions on behalf of their communities and as such their actions and behaviours are subject to greater scrutiny than other citizens. Members' actions also reflect on the Council as well as themselves and can serve to either boost or erode public confidence in both.

Behaviours that might bring the Council into disrepute, and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit a member's ability to hold the Council and fellow members to account or constructively challenge and express concerns about decisions and processes undertaken by the Council.

6.7. Te whiwhi huanga whaiaro i tō tūranga - Use of position for personal advantage

Members will not use, or attempt to use, their position to improperly advantage themselves or anyone else, or disadvantage another person.

Being a member of the Council comes with certain opportunities and privileges, including the power to make choices that can impact on others. Members must not take advantage of such opportunities to further their own or others' private interests or to disadvantage anyone unfairly. A member found to have personally benefited by information gained as an elected member may be subject to the provisions of the Secret Commissions Act 1910.

6.8. Te tōkeke - Impartiality

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

Officers work for the Council as a whole and must be politically neutral (unless they are political advisors). They must not be coerced or persuaded to act in a way that would undermine their neutrality. Members can question officers to gain understanding of their thinking and decision-making, however, they must not seek to influence officers to change their advice or alter the content of a report, other than in a meeting or workshop, if doing so would prejudice their professional integrity. Members should:

- Make themselves aware of the obligations that the Council and chief executive have as employers and always observe these requirements, such as the obligation to be a good employer; and
- Observe any protocols put in place by the chief executive concerning contact between members and employees, and not publicly criticise individual staff.

If you have concerns about the behaviour of an official, whether permanent or contracted, you should raise your concerns with the chief executive, or, if the concerns are to do with the chief executive, raise them with the mayor or Chief Executive Performance Committee.

6.9. Te ū ki te matatapu - Maintaining confidentiality

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

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

6.10. Whanonga ā-matatika - Ethical behaviour

Members have a responsibility to promote the highest standards of ethical conduct. Accordingly, members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families personal or business interests;
- only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the chief executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the chief executive for inclusion in the publicly available register of interests.

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

7. Ngā tūnga me ngā haepapa - Roles and responsibilities

7.1. Ngā mema - Members

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

The role of the governing body includes:

- Representing the interests of the people of Hastings District;
- Developing and adopting plans, policies, and budgets;
- Monitoring the performance of the Council against stated goals and objectives set out in the Long Term Plan;
- Providing prudent stewardship of the Council’s resources;
- Employing and monitoring the performance of the chief executive; and

- Ensuring the Council fulfils its responsibilities to be a good employer and meet the requirements of the Health and Safety at Work Act 2015

7.2. Tumu Whakarae - Chief Executive

The role of the chief executive includes:

- Implementing the decisions of the Council;
- Ensuring that all responsibilities delegated to the chief executive are properly performed
- Ensuring the effective and efficient management of the activities of the Council;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
- Providing leadership for the staff of the Council; and
- Employing staff on behalf of the Council (including negotiating the terms of employment for those staff).

Under s. 42 of the LGA, the chief executive is the only person directly employed by the Council itself. All concerns about the performance of an individual member of staff must be referred to the chief executive in the first instance.

8. He ngākau kōnatunatu - Conflicts of interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse contracts with the authority or has a pecuniary interest. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately. Members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Failure to observe the requirements of LAMIA may result in prosecution and/or removal from office.

9. Pukapuka rēhita ā-aronga - Register of interests

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

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the 30 main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,
- if the member is employed, the name of each employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,

- the name of any organisation or trust and a description of the main activities of that organisation or trust if:
 - the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust; and
 - the organisation or trust receives funding from the local authority, local board, or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if:
 - the member is a beneficiary of the trust; and
 - the member ought reasonably to know that the member is a beneficiary of the trust; and
 - it is not a unit trust otherwise disclosed; and
 - It is not a retirement scheme whose membership is open to the public.

When a member's circumstances change, they must ensure that the Register of Interests is updated as soon as practicable.

Appendix 1 – Te kaupapahere hei whakahaere i ngā whakapae i takahia te Tikanga - Policy for ruling on alleged breaches of the Code of Conduct

Ngā Mātāpono - Principles

The following principles will guide the investigation into, and assessment of, complaints made against a member for breaching the Code of Conduct:

- Complaints under the Code of Conduct are intended as a last resort to be used when informal dispute resolution methods fail to resolve the matter or are considered inappropriate.
- The complaints process will be independent, impartial, and respect members' privacy.
- Members will be given due notice that an investigation is underway and will be provided with an opportunity to be heard.
- Members will have a right to seek independent advice, be represented, and, if they choose, be accompanied by a support person throughout the process.
- Complaints will be resolved at the lowest level of resolution as possible, with priority given to finding a mediated settlement.
- Complainants, and members subject to a complaint, will have access to advice and support for the time it takes to find a resolution³.

Ka taea e wai te tuku amuamu? - Who can make a complaint?

The Code of Conduct is designed to be a self-regulatory instrument and complaints regarding a breach of the Code can only be made by members themselves, or the chief executive, who can make a complaint on behalf of their staff. The chief executive has full discretion in deciding whether a request from a staff member or the public should be lodged as a Code of Conduct complaint. On receipt of a complaint, the chief executive must forward the complaint to an initial assessor for an assessment.

Complaints will be reviewed by an initial assessor who will review the complaint and refer to an independent investigator if the seriousness of the complaint warrants this or lower level dispute resolution mechanisms (e.g. mediation) are unsuccessful.

Te kōwhiri i te tangata motuhake me te kaitirotiro motuhake – Selecting the initial assessor and independent investigator

1) Selecting an initial assessor

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

The initial assessor should be a person, or a position, that is independent of a local authority's political governance, while also being easily accessible, as their role is crucial if complaints are to be expedited quickly and without controversy. For example:

- The external appointee on a Council's Audit and Risk Committee.
- A member of staff, such as an internal ombudsman or ethics adviser, as long as they have operational independence from the chief executive (similar to the independence afforded an Electoral Officer).
- A retired local authority chief executive.
- A retired local authority politician.
- A member of the public with relevant experience and competency

³ For example, by enabling both parties to access the council's Employee Assistance Programme (EAP) or elected members' equivalent.

2) Selecting an independent investigator

The chief executive is responsible for compiling and maintaining a panel or list of independent investigators.

At the beginning of each triennium the chief executive, in consultation with the Council, will compile a list of independent investigators. In selecting them, the chief executive may consider:

- The Council's legal advisers;
- A national service specialising in public sector integrity;
- A national service providing assessment and investigation services; or
- An individual with relevant skills and competencies.

Please note: Given the litigious nature of some Code of Conduct disputes, independent investigators should have relevant liability insurance, provided on their own behalf or by the Council. The chief executive also needs to ensure that investigations are undertaken within budgetary limits negotiated in advance.

Te mahi a te kaitirotiro tuatahi – Role of the initial assessor

On receipt of a complaint an initial assessor will undertake an assessment to determine the nature of the subsequent process that will be followed.

The initial assessor may initiate one of the following:

1) Refer to the Mayor

In the case of a breach that is not serious or amendable to mediation, the initial assessor may refer the person responsible for the alleged breach to the Mayor for their advice and guidance. These will not be reported to the Council. A meeting or meetings with the Mayor will usually be regarded as sufficient to resolve the complaint, however if this is unsuccessful, the matter will be referred to an independent investigator. Where a member is referred to the Mayor, the initial assessor may also recommend, for the Mayor's consideration:

- That the member attends a relevant training course.
- That the member work with a mentor for a period.
- That the member tenders an apology.

2) Mediation

If the complaint concerns a dispute between two members, or between a member and another party, the initial assessor may recommend mediation. If mediation is agreed by both parties, then its completion will represent the end of the complaints process. The outcomes of any mediation will be confidential and, other than reporting that a complaint has been resolved through mediation, there will be no additional report to the Council unless the complaint is referred to an independent investigator, usually due to a failure of the mediation.

3) Refer to an independent investigator

Where the initial assessor finds that the complaint is serious or no resolution can be reached and/or mediation is refused, the initial assessor will refer the complaint to an independent investigator. The independent investigator will be selected from the Council's independent investigator panel assembled by the chief executive, or an independent investigator service.

Te mahi a te kaitirotiro motuhake - Role of the independent investigator

The independent investigator will:

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

Any recommended actions made in response to a complaint that has been upheld are binding on the Council. This is to ensure the investigation is free of any suggestion of bias.

E matai ana I te whakahirahiratanga o tētahi wāwāhinga ā-whakapae - Determining the significance of an alleged breach

The independent investigator may take whatever actions they need to determine the significance of a complaint, within the budgetary constraints set down, including re-assessing the complaint.

The independent investigator will undertake an investigation appropriate to the scale of the breach, which may include interviews with other affected parties, and prepare a report for the chief executive which will set out the rationale for their findings and may include recommendations for resolving the breach and appropriate actions the Council must take.

When considering the issue of significance, the independent investigator will need to consider a range of factors before deciding, such as:

- Was the breach intentional or unintentional?
- Did it occur once or is there a pattern of recurring behaviour?
- Does the breach have legal or financial ramifications for the Council?
- What is the impact of the breach on other elected members, on staff and on the community in general?

Ka taea e te kairapunga motuhake te whakatakoto taunaki - Independent investigator can make a binding ruling

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

Please note: All actions taken in the implementation of this policy must be consistent with the Bill of Rights Act 1990. No appeal right is included in the Code of Conduct. Members who are unhappy with an independent investigator's decision have access to judicial review and/or the Ombudsman.

Ngā mahi ka whāia pea ina whakatauhia tētahi takahanga - Actions that may be applied when a breach has been confirmed

Where a complaint that the Code of Conduct was breached has been upheld, any actions taken against the member found to be in breach should be consistent with the following principles.

- Actions should be commensurate with the seriousness of the breach.
- Actions should be applied in a manner that is culturally appropriate and safe for the members involved.
- Actions should, to the degree practical, contribute to an inclusive culture in the Council by focusing on constructive mediation, learning, and member improvement.

In determining a response to a breach of the Code of Conduct, one or more of the following could be selected:

- 1) That no action is required.
- 2) That the member meets with the mayor/chair for advice.
- 3) That the member attends a relevant training course.
- 4) That the member agrees to cease the behaviour.
- 5) That the member work with a mentor for a period.
- 6) That the member tenders an apology.
- 7) That the member participates in voluntary mediation (if the complaint involves a conflict between two members).
- 8) That the local authority sends a letter of censure to the member.
- 9) That the local authority passes a vote of no confidence in the member.
- 10) That the member loses certain council-funded privileges (such as attendance at conferences).

- 11) That the member loses specific responsibilities, such as committee chair, deputy committee chair or portfolio holder.
- 12) That the member be subject to restricted entry to council offices, such as no access to staff areas (where restrictions may not previously have existed).
- 13) That the member be subject to limitations on their dealings with council staff, other than the chief executive or identified senior manager.
- 14) That the member be suspended from committees or other bodies to which the member has been appointed.
- 15) That the member be invited to consider resigning from the council.

Please note: Actions 1-7 will typically not be reported to the local authority. Actions 8-15, which have a high degree of public interest, namely democratic representation, should be considered in an open meeting, unless there are grounds, such as those set out in LGOIMA, for not doing so.

Ngā whakautu ki ngā takahanga ture - Responses to statutory breaches

In cases where a breach of the Code of Conduct is found to involve regulatory or legislative requirements, the chief executive will refer the complaint to the relevant agency. For example:

- Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under LAMIA).
- Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s. 44 LGA 2002 which may result in the member having to make good the loss or damage).
- Breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

Te utu me te tautoko - Costs and support

Council must ensure that members who make a complaint are not left to meet any costs created by doing so. Members, those who make complaints, and those who are subject to a complaint, should be given culturally appropriate and reasonable support. This includes access to Council funded mental health support through Council's confidential Employee Assistance Programme. Other appropriate support measures may be agreed with the Mayor or chief executive as required.

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

Appendix 2 – Te tukanga whakatau me te tiroiro i ngā amuamu - Procedure for determining and investigating complaints

Hātepe 1: Ka tae te amuamu ki te tumu whakarae - Step 1: Chief executive receives complaint

Where a complaint begins as a request to the chief executive from a member of staff or the public, the chief executive has full discretion when deciding whether to adopt the complaint as their own and, thereby commence the process that follows below.

All complaints made under this Code of Conduct must be made in writing and forwarded to the chief executive who will refer the complaint to the initial assessor. The chief executive will also:

- Inform the complainant that the complaint has been referred to the initial assessor (named) and refer them to the process for dealing with complaints as set out in the Code of Conduct; and
- Inform the respondent that a complaint has been made against them and the name of the initial assessor overseeing the process and refer them to the policy for dealing with complaints as set out in the Code of Conduct.

Hātepe 2: Ka whakarite whakatau me te takawaenga te kaitiroiro tuatahi - Step 2: Initial assessor makes an assessment and advises course of action

- 1) The initial assessor reviews the complaint and will either refer the parties to meet with the Mayor or contact the parties to seek their agreement to independently facilitated mediation. The initial assessor may also refer a complaint directly to an independent investigator if the seriousness of the issue warrants this. In the case of mediation - If the parties agree and the issue is resolved by mediation the matter will be closed and no further action will be required.
- 2) If the matter is not resolved through being referred to the Mayor, or parties do not agree to mediation, or mediation is unsuccessful in resolving the matter, the initial assessor will refer the complaint to an independent investigator selected from a panel established by the chief executive at the start of the triennium, or service contracted to the Council. The initial assessor will also inform the complainant and the respondent that the complaint has been referred to the independent investigator and the name of the independent investigator.

Hātepe 3: Ka whakawā me te whakatau te kaitiroiro i te take - Step 3: Independent investigator to inquire and conclude on the matter

If the complaint is found to be a breach of the Code of Conduct the independent investigator will inform the chief executive or the initial assessor who will inform the complainant and respondent. The independent investigator will then assess the nature and effect of the breach and prepare a report for the Council on the seriousness of the breach and what actions that must be taken in response. In preparing that report the independent investigator may:

- Consult with the complainant, respondent, and any affected parties,
- Undertake a hearing with relevant parties, and/or
- Refer to any relevant documents or information.

At any stage in their inquiry the independent investigator may find that a breach has not occurred, or the matter should be referred to a relevant agency. If this is the case the independent investigator will inform the chief executive or initial assessor who will inform the complainant and respondent that the complaint is dismissed or has been referred to a relevant named agency.

On receipt of the independent investigator's report the chief executive or the initial assessor, will prepare a report for the Council which will meet to consider the findings and implement any recommended actions. The report will include the full report prepared by the investigator.

Hātepe 4: Te tukanga hei whakaaro ake ki te pūrongo a te kaitirotiro - Step 4: Process for considering the investigator's report

The process for responding to the independent investigator's report will vary according to the adopted policy for ruling on alleged breaches of the Code of Conduct. Council's policy is for the independent investigator to be able to make binding rulings on Code of Conduct breaches.

The following process will apply:

- The chief executive's report, containing the independent investigator's recommendations and report, will be presented to the Council for its information only
- The report will be received in public meeting unless grounds, such as s.48 LGOIMA, exist for the exclusion of the public.
- The chief executive's report may also outline the plan for the report's public release, for the Council's information and comment.
- The steps that will be taken to meet the required actions set forth by the independent investigator will be discussed in this report.

The penalty or sanction that might be applied will depend on the seriousness of the breach and may include actions set out in the Policy for Ruling on Alleged Breaches of the Code of Conduct.

Appendix 3 – Ngā ture e whakatakoto ana i ngā paerewa mō ngā whanonga matatika - Legislation which sets standards for ethical behaviour

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

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

Local Government Act 2002

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

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

Personal liability of members

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

- 1) money belonging to, or administered by, a local authority has been unlawfully expended; or
- 2) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
- 3) a liability has been unlawfully incurred by the local authority; or
- 4) a local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

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

- 1) without the member's knowledge;
- 2) with the member's knowledge but against the member's protest made at or before the time when the loss occurred;

- 3) contrary to the manner in which the member voted on the issue; and
- 4) in circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

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

Local Government Official Information and Meetings Act 1987

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

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

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

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

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

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

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

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

The role of the Ombudsman

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

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

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

Local Authorities (Members' Interests) Act 1968

Pecuniary interests

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

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

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

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

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

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

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, which are addressed through the LAMIA, there are also legal rules about conflicts of interest more generally. These are rules that apply to non-pecuniary conflicts of interest and include the common law rule about bias. To determine if bias exists, consider this question: Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?

The question is not limited to actual bias but relates to the appearance or possibility of bias. This is in line with the principle that justice should not only be done but should be seen to be done. Whether or not you believe that you are not biased is irrelevant. The focus should be on the nature of any conflicting interest or relationship, and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

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

Seeking exemption from the Auditor-General

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

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

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

Local Government (Pecuniary Interests Register) Amendment Act 2022

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, a local authority must now keep a register of the pecuniary interests of their members, including community and local board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- (a) the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the main business activities of each of those companies:
- (b) the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities:
- (c) if the member is employed, the name of each employer of the member and a description of the main business activities of each of those employers:
- (d) the name of each trust in which the member has a beneficial interest:
- (e) the name of any organisation or trust and a description of the main activities of that organisation or trust if—
 - (i) the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust (as applicable); and
 - (ii) the organisation or trust receives funding from, or has applied to receive funding from, the local authority, local board, or community board to which the member has been elected:
- (f) the name and description of any organisation in which the member holds an appointment by virtue of being an elected member:
- (g) the location of real property⁴ in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property:
- (h) The location of real property⁵, and a description of the nature of the real property, held by a trust where the member is a beneficiary of the trust and the member knows or ought reasonably to know that the member is a beneficiary of the trust.
- (i) For each country (other than New Zealand) that the member travelled to, they must identify the name of the country, the purpose for the travel, and the name of any person who contributed (in whole or in part) to the travel and/or accommodation costs⁶.
- (j) A description of each gift⁷ received by the member and the name of the donor⁸ if:

⁴ Listing the suburb and city is sufficient to identify the location, so the member is not required to disclose the actual property address.

⁵ As above – listing the suburb and city is sufficient.

⁶ This travel information does not need to be supplied if the travel and accommodation costs were paid for by the member, or the member's family.

⁷ Including hospitality and donations in cash, but excluding any donation made to cover expenses in an electoral campaign.

⁸ A member does not need to declare gifts from family members unless the member considers the information should be included.

- (i) the gift has an estimated market value in New Zealand of more than \$500; or
- (ii) the combined estimated market value in New Zealand of all gifts from the donor is more than \$500.
- (k) A description of each payment received by the member for activities in which the member is involved other than:
 - (i) any salary or allowances paid to that person under the Remuneration Authority Act 1977 or the LGA;
 - (ii) any payment the member receives from an interest required to be disclosed under section 54E (e.g. directors fees or employment salary or wages); and
 - (iii) any payment made in respect of any activity the member ceased to be involved in before becoming a member.

Each council must make a summary of the information contained in the register publicly available and ensure that information contained in the register is only used or disclosed in accordance with the purpose of the register. Information must be retained for seven years.

Crimes Act 1961

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

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

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will automatically cease to be members.

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Protected Disclosures (Protection of Whistleblowers) Act 2022 is designed to facilitate the disclosure and investigation of serious wrongdoing in the workplace, and to provide protection for employees and other workers who report concerns. A protected disclosure occurs when the discloser believes, on reasonable grounds, that there is, or has been, **serious wrongdoing** in or by their organisation, they disclose in accordance with the Act, and they do not disclose in bad faith.

A discloser is a person who has an employment type relationship with the organisation they are disclosing about and includes current and former employees, homeworkers, secondees, contractors, volunteers, and board members. Serious wrongdoing includes any act, omission or course of conduct that is one or more of the following:

- an offence,
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment,
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial,
- an unlawful, corrupt, or irregular use of public funds or public resources,
- oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by:
 - o a public sector employee; or
 - o a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government.

Council needs to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General.

The Serious Fraud Office Act 1990

The Serious Fraud Office (SFO) is the lead law enforcement agency for investigating and prosecuting serious financial crime, including bribery and corruption. The SFO has an increasing focus on prevention by building awareness and understanding of the risks of corruption – noting that the extent of corruption is influenced by organisational frameworks and support given to staff. The SFO encourages organisations to adopt appropriate checks and balances and build a culture based on ethics and integrity.

The four basic elements of best practice organisational control promoted by the SFO involve:

- Operations people with the right skills and experience in the relevant areas, with clear accountability lines.
- Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.
- Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
- Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

The Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 aims to create a new culture towards health and safety in workplaces. A council is termed a Person Conducting a Business or Undertaking (PCBU) - all involved in work, including elected members, are required to have a duty of care. Elected members are "officers" under the Act and officers are required to exercise due diligence to ensure that the PCBU complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty. Despite this, as officers, the key matters to be mindful of are:

- stepping up and being accountable,
- identifying and managing your risks,
- making health and safety part of your organisation's culture, and
- getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- adopting a charter setting out the elected members' role in leading health and safety – with the chief executive,
- publishing a safety vision and beliefs statement,
- establishing health and safety targets for the organisation with your chief executive,
- ensuring there is an effective linkage between health and safety goals and the actions and priorities of the chief executive and their senior management, or
- having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through the chief executive need to ensure their organisations have sufficient personnel with the right skill mix and support, to meet the health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.

The Harmful Digital Communications Act 2015

The Harmful Digital Communications Act (HDCA) was passed to help people dealing with serious or repeated harmful digital communications. The Act covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online. Under the Act a digital communication should not:

- disclose sensitive personal facts about an individual
- be threatening, intimidating, or menacing
- be grossly offensive to a reasonable person in the position of the affected individual

- be indecent or obscene
- be used to harass an individual
- make a false allegation
- contain a matter that is published in breach of confidence
- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual
- incite or encourage an individual to commit suicide
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation, or disability

Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

Appendix 4 – Ngā rangahau whakapūaho mō te aromatawai i ngā tūpono takahanga - Case studies for assessing potential breaches

Tauira tuatahi: kua whakapaehia ngā kaimahi he mahi whakatuapeka rātou - Example one: staff accused of improper motives

Councillor Smith was elected on a platform of stopping the sale of council housing. The council has decided to sell the council housing. Cr Smith makes media comments against the decision after it is made. Those same statements suggested that council staff advising on the sale “must have owned shares” in the company that proposed to buy the houses.

Cr Smith’s actions in releasing a media statement criticising a decision after it has been made would probably not in and of itself constitute a breach of a reasonable code of conduct. Cr Smith has a right to express a viewpoint and, provided that he makes it clear he is expressing a personal view, then issuing a critical press statement is an action he is entitled to take. If his statements failed to make it clear that he was expressing a personal or minority view then it may be a non-material breach of the Code, probably one where censure would be the appropriate response.

However, this media statement includes an allegation that staff advice was based on improper motives or corruption. This is a breach of most codes of conduct. It is most likely to be a material breach given the potential impact on the council’s reputation and the reputation of staff.

Also, there is no qualified privilege attached to public statements about employees which are false and damaging. In other words, elected members may be sued for defamatory statements made about employees.

Tauira tuarua: kua whākina ngā kōrero matatapu - Example two: leak of confidential information

Cr Jones is on the council’s Works and Services Committee. The Committee is currently considering tenders for the construction of a new wastewater treatment plant and has received four tenders in commercial confidence. The Committee has recommended to council that they award the contract to the lowest tenderer. Cr Jones is concerned the lowest tender proposes to treat sewage to a lesser standard than others. She leaks all four tenders to the local media. A subsequent investigation by the council conclusively traces the leak back to her.

In leaking the tender information to the media, Cr Jones will have breached most codes of conduct. This breach has potentially serious consequences for the council as a whole. It not only undermines elected members trust of each other, it also undermines the confidence of suppliers in the council, which may lead to them not dealing with council in future, or even filing complaints under the Privacy Act 2020.

In circumstances such as these where an elected member fails to respect commercial confidence, censure and removal from the committee is an obvious first step. The council may be liable for prosecution under the Privacy Act 2020 and even to civil litigation.

In the event that the council suffers financial loss, it may elect to ask the Auditor-General to prepare a report on the loss (or the Audit Office may do so on their own initiative), which may result in Cr Jones having to make good the loss from their own pocket.

Tauira tuatoru: i puta he kōrero i tētahi mema anō nei he māngai ia mō te kaunihera - Example three: member purports to speak on behalf of council

Eastland Regional Council is conducting a performance review of the chief executive. It has established a chief executive Performance Management Committee to conduct the review. In the course of that review the committee meets informally with the chief executive to review which performance targets were met and which were not. The meeting notes that the chief executive has been unable to meet two of his twenty targets and resolves to formally report this to the full council for its consideration. At the conclusion of that meeting Councillor Black leaves to find a local reporter waiting outside and makes the comment that “Jack White won’t be getting a pay increase this year because he didn’t meet all his targets”.

This action will probably constitute a breach of most codes of conduct in that it:

- breached a confidence,
- presumed to speak on behalf of council,
- purported to commit council to a course of action before the council had made a decision (or even met to consider the matter), and
- failed to treat a staff member with respect and/or courtesy.

In addition to the provisions of the Code of Conduct, Cr Black's actions will severely undermine the relationship between the chief executive and the council, which may well constitute grounds for litigation against the council, both in terms of employment and privacy law.

Tauira tuawhā: i whakahēngia e tētahi mema ngā mahi a ngā kaimahi ki roto i te arapāho - Example four: member criticises staff performance in media

Cr Mary Fogg, concerned about the failure of her council to respond quickly to resident complaints about flooding in their neighbourhood, expressed her frustration when speaking at a public meeting and, as part of her response to questions, stated that council staff had dropped the ball and failed to take residents' concerns seriously.

The councillor's remarks were reported in the local suburban paper and were read by council staff, some of whom felt that they had been unfairly criticised and raised the matter with their chief executive. The chief executive felt it necessary to lodge a complaint under the council's Code of Conduct because the member's comments were disrespectful of staff.

The question for the independent investigator is whether, publicly expressing disappointment in the performance of the staff is a breach of the Code of Conduct. Considerations might include:

- Whether there was a basis of fact for the member's comments.
- How the member's views were expressed, that is, as a form of constructive criticism or not.
- The right of an employer (staff are employed by the local authority) to express a view should an organisation fail to live up to expectations.
- Whether a general statement about the performance of staff is in anyway comparable to a public criticism of an individual staff member, which would be a clear breach and might be an example of intimidation or harassment.

In this case the independent investigator concluded that it was not unreasonable for a member to make general statement about the performance of staff as a collective. Indeed, one of her pre-election commitments was to improve the responsiveness of council staff. However, the investigator also concluded that the article lacked sufficient context to explain why she was disappointed, especially when some of the concerns were outside the control of staff and recommended that the member meet with the mayor to get guidance on how to raise such concerns in the future.

Tauira tuarima: i whakapaehia tētahi mema mō te reo me te pukuhuho toihara ira - Example five: member accused of using sexist language and humour

Towards the end of the first year of the new triennium, the chief executive received a complaint, signed by four councillors, alleging that Cr Rob Jones regularly used sexist language in meetings, workshops, and other official engagements. The councillors who made the complaint alleged that his tendency to call female colleagues 'girls'; interrupt them while speaking or ignore their comments; and that his use of sexist humour was demeaning to women and inconsistent with the behaviours set out in the Code of Conduct; the commitment to treat other members, staff, and members of the public with respect. The chief executive forwarded the complaint to the independent investigator.

The investigator, having access to minutes, video recordings and the testimony of other members, was able to easily confirm that the complaint was justified and that both Cr Jones' language and behaviour was inconsistent with the Code. That left the investigator with the task of determining how serious the breach was and what actions should be taken. Factors that the investigator took into consideration included:

- that the issue had been raised with Cr Jones earlier in the year by a colleague, with no obvious change in behaviour.
- that Cr Jones was one of the council's representatives on its Youth Committee, bringing him into regular contact with young people

- that the council had adopted a specific policy to be a safe and supportive workplace for both elected members and staff.

Taking these factors into account the Investigator recommended that Cr Jones be removed from his role as a council representative on the Youth Committee; should be enrolled in a relevant course to better understand offensive behaviour and its impacts; and meet monthly with the mayor to monitor his behaviour.

Tauira tuaono: I whakamahia te whārangi Pukamata a tētahi Kaikaunihera hei whakaparahako i ētahi atu - Example six: Councillor Facebook page used to disparage others

Councillors Sarah Smith and William Getty share political views in common and have recently established a Facebook group through which they promote debate and discussion with like-minded people in their district. Some of the participants in that Facebook Group make posts that include explicit criticism of other councillors, sometimes using explicit language, commenting on things like the way they voted, their motivations and personal matters. Some of the councillors targeted by the abuse complained to Cllrs Smith and Getty who, in response, closed the Facebook page to other councillors, preventing them from joining or viewing the content.

Rather than solve the concerns the decision to close the Facebook to others created additional anxiety for some councillors who became concerned that the page may be sharing their personal details and mis-representing their views. A complaint was made to the chief executive that the Code of Conduct had been breached, on the basis that the decision to exclude them from the website, and the fact that it appeared to be unmoderated, was intimidating, potentially exposed them to harm and allowed promoted statements about them and the council that were clearly untrue. The chief executive referred the complaint to the council's independent investigator.

The investigator found that, while Cllrs Smith and Getty were not directly mis-representing the views of their colleagues, they were indirectly encouraging it, which breached the Code. Because this was the first complaint, and because the two councillors believed that by limiting access to the website, they had addressed the initial concerns, the investigator did not regard the breach as material. She recommended that the two councillors remove the block preventing other councillors from joining or accessing the site and install a system for approving posts, such as a moderator, before they are published.

NB: These examples have been provided by LGNZ.

